EXECUTIVE COMMITTEE DISCUSSION AND ACTIONS
OCTOBER 10, 2008

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 (Escondido) and a second by Second Vice Chair Jerome Stocks (Encinitas), the minutes of the September 12, 2008, Executive Committee meeting were unanimously approved.

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBERS COMMENTS

Chuck Lungerhausen, a member of the public, commented that the high-speed rail serving our region will only happen if taxpayers support it with their tax dollars.

REPORTS (3 THROUGH 8)

3. RESOLUTION REGARDING KUMEYAAY MAP (RECOMMEND)

Jane Clough-Riquelme, Tribal Liaison, reported that at a joint meeting on May 23, 2008, of the Borders Committee and the Southern California Tribal Chairman’s Association (SCTCA), there was a discussion of various tribal policy issues. During that discussion, Louis Guassac, a representative of the Kumeyaay Border Task Force requested that SANDAG adopt a resolution acknowledging the historic aboriginal boundaries of the Kumeyaay Nation based on a map. The map has been approved by the United States Department of the Interior and the State of California. The Borders Committee requested that staff develop a draft resolution in collaboration with tribal leaders and submit it for consideration by the Executive Committee. This map allows Kumeyaay Indians in Mexico to cross the border to attend ceremonial events in San Diego. Staff recommends approval of the resolution and map.

Council President Pro Tem Jim Madaffer (City of San Diego) asked for an explanation of the historical significance of the area around Mission Bay that is not shown to be within the historic boundaries of the Kumeyaay lands. Ms. Clough-Riquelme stated that before the Spaniards were here that portion of land was part of the Kumeyaay lands, but because the map shows ownership as of 1769, that area which is the Presidio is excluded.
Action: Upon a motion by Council President Pro Tem Madaffer, and a second by Supervisor Greg Cox (County of San Diego), the Executive Committee voted to recommend that the SANDAG Board of Directors approve Resolution No. 2009-03, regarding the aboriginal lands of the Kumeyaay Nation.

4. NOVEMBER 4, 2008, BALLOT INITIATIVES (DISCUSSION/POSSIBLE ACTION)

Genevieve Morelos, Senior Legislative Analyst, reported that SANDAG Board Policy No. 010 includes procedures and criteria for reviewing ballot measures. Staff evaluated the statewide and local ballot measures against the provision of the Board Policy as well as the approved goals of the SANDAG Legislative Program. Two initiatives are specifically related to SANDAG: Proposition 1A, Safe Reliable High-Speed Passenger Train Bond Act for the 21st Century; and Proposition B, The Port of San Diego Marine Freight Preservation and Bayfront Redevelopment Initiative. She reviewed the pros and cons of each of these two propositions. On September 26, 2008, the Board discussed Proposition B and unanimously approved an “oppose” position on that measure. She asked the Committee to discuss and consider a possible position on Proposition 1A.

Council President Pro Tem Madaffer recommended we support this initiative. While building the high-speed rail system will be an ambitious undertaking over the next decade and will probably cost more than suggested, for this region, we would benefit from Proposition 1A monies to improve the LOSSAN rail corridor. At some point in the future, he would like to see a rail bond measure specifically for Southern California.

Second Vice Chair Stocks thought that this body has an obligation to recognize the current fiscal conditions facing California. The state is trying to borrow $7 million from the federal government. We have a structural deficit of $15 billion. Passage of Proposition 1A would add another $10 billion in debt to the General Fund. Someone has to say that we can’t recommend further debt when we are broke. Out of the $10 billion bond measure, the San Diego to Los Angeles corridor might be able to get only a small portion. He has a problem with the structure of this measure and increasing the state’s debt service. He said he would vote against the motion.

Supervisor Cox expressed similar feelings as Second Vice Chair Stocks. He stated that he is willing to go ahead to forward this matter to the full Board of Directors for consideration. He has reservations on this and other bond measures on the ballot. The state is in a horrible financial situation. We can’t continue to add more bond debt service. However, he will support moving the item to Board for further discussion.

First Vice Chair Pfeiler clarified that this action will not go to the full Board, as it is consistent with our Legislative Program, which allows the Executive Committee to take action. She acknowledged the fiscal issues facing the state. If we don’t invest in infrastructure our state’s overall economic well-being in the future will be at risk as well. If we don’t further this rail initiative to get the first phase moving, we won’t get the rail system for San Diego.

Council President Pro Tem Madaffer agreed with Second Vice Chair Stocks’ concerns, but felt this ballot measure needed to be supported.
**Action:** Upon a motion by Council President Pro Tem Madaffer and second by First Vice Chair Pfeiler, the Executive Committee voted to take a support position on Proposition 1A. Ayes: Council President Pro Tem Madaffer, First Vice Chair Pfeiler, Chair Sessom; Nays: Supervisor Cox and Second Vice Chair Stocks. The motion passed.

5. **FEDERAL LEGISLATIVE STATUS REPORT (INFORMATION)**

Victoria Stackwick, Associate Legislative Analyst, reported that the President approved a transfer of $8 billion from the General Fund to the Highway Trust Fund account. This resolves a key issue regarding solvency of the Highway Trust Fund over the near-term.

On October 2, the Senate passed H.R. 2095, the Federal Railroad Safety Improvement Act. This bill was passed by the House of Representatives, and the President is expected to sign it. This will provide an extension of funds for Amtrak. It is the first reauthorization for Amtrak in more than a decade. The legislation authorizes $325 million out of the state capital grant program for “congestion grants” to Amtrak and the states for high-priority rail corridors to increase capacity along certain lines in order to reduce congestion and facilitate rail ridership growth. In addition, the measure reauthorizes the Federal Railroad Administration (FRA) and provides about $1.5 billion to states to finance construction in high-speed rail corridors. The bill designates 11 eligible corridors, with California as one. If this bill is signed, funds could be leveraged with state funding.

Ms. Stackwick stated that H.R. 2095 also mandates positive train control (PTC) systems by the end of 2015 on all mainline tracks. Plans for these systems would need to be submitted to the FRA for approval. Both of our transit operators support this bill but remain concerned about funding and the availability of technology for such PTC systems.

Ms. Stackwick said that H.R. 2638 is a continuing resolution for full funding for FY 2009 for Defense, Homeland Security, and Military Construction-Veterans Administration programs, while keeping the rest of the government running at FY 2008 levels through March 6, 2009. No federal transportation earmarks will come to San Diego as a result of this continuing resolution. It is unclear if Congress will recess for the year or return after the November elections.

Ms. Stackwick reported that SB 1486, Otay Mesa East Port of Entry, was signed by the Governor. On September 8, 2008, the Otay Mesa East Port of Entry also was selected as one of three projects to be included in the federal Transportation Congestion Border Relief Program. This will give priority access to federal resources to help advance this project.

Gary Gallegos, Executive Director, stated that at 5:12 p.m. on Friday, October 3, we received word that the federal Record of Decision for the project’s environmental document had been signed. He and Pedro Orso-Delgado, Caltrans District 11 Director, were in a conference call this week with the U.S. Department of Transportation, and were informed that October 23 may be a possible date for the signing of the Presidential Permit for this project. Secretary of State Condoleezza Rice will be in California next week and may be participating in the event. We are optimistic that before the end of this month we will have received the Presidential Permit for this project.
Mr. Orso-Delgado noted that Secretary Rice will be in Long Beach on October 22 attending a women’s conference that Maria Shriver is hosting.

Mr. Gallegos said that typically these permits take a minimum of ten years to obtain. This region’s public agencies worked together with the political leadership to get this timeframe shortened considerably.

Ms. Stackwick stated that the Senate passed H.R. 3999 that authorized $1 billion in additional funding for the repair of the nation’s aging bridges. The Congressional leadership hopes to pass it and send it to the President for signature.

Second Vice Chair Stocks asked if this bill includes rail transit bridges or if it is only for highway bridges. Ms. Stackwick responded that it is only for highway bridges.

Action: this item was presented for information only.

6. SERVICE BUREAU FY 2008 YEAR END REPORT (INFORMATION)

Cheryl Mason, Senior Research Analyst, presented the FY 2008 annual report. The Service Bureau offers a wide range of technical and information services, serves both public and private sector clients, and helps clients make more informed decisions and build stronger communities. The business goals are to be the preferred source for customized services, and to generate revenue to support the Regional Information System (RIS). She noted that the Executive Committee established a 17 percent RIS Maintenance and Enhancement fee over and above actual project cost.

We collected more than $1 million in revenues during FY 2008 for new projects or projects carried over from the previous fiscal year. She reviewed the revenues and expenses for FY 2008 active projects; the costs related to projects are lower than revenues collected. She acknowledged that the RIS percentage was less than the 17 percent goal due to a decision to lower the RIS fee for two strategic plans. The number of requests for information has declined. However, revenues exceeded costs by 1 percent. Revenues for the Service Bureau have been steadily increasing over the past three fiscal years. She highlighted projects currently underway, including strategic plans—Bayshore Bikeway Engineering and Planning, Salt Works Site Assessment, and California–Baja California Border Master Plan —, Transportation Studies, Travel Time Analysis and Profile, and GIS Custom Mapping.

Ms. Mason also reviewed the marketing activities for FY 2008, and the focus for FY 2009: targeting communication with clients and prospects, customized Service Bureau orientations, and building partnerships. FY 2009 upcoming projects include South Bay Transportation Model, City of Coronado Transportation Modeling, County of San Diego Survey on the Needs of Older Americans, and Department of Navy GIS and Transportation Modeling Services.

Supervisor Cox asked who the Service Bureau’s biggest customer is. Ms. Mason responded that this year it was the County of San Diego.
Chair Sessom asked if the Travel Time Analysis and Profile is for the whole county or specific areas. Ms. Mason replied that it was just for specific areas; however, we can do them for any kind of time intervals or locations.

Mr. Orso-Delgado complimented Ms. Mason and Elisa Arias for their work on the Border Master Plan.

Chair Sessom commented that the Border Master Plan was one of the projects mentioned at meetings we attended in Mexico.

Mr. Gallegos stated that staff also may be able to offer visual simulation services in the future as part of the Service Bureau. We have been able to do creative work in this area with a limited number of pilot projects. A lot of private consultants do that kind of work, and we may be able to structure on-call contracts for these types of services. This is a potential tool for the 18 cities and the County to draw on. The feedback on these simulations has been very positive.

Council President Pro Tem Madaffer agreed that this is an outstanding opportunity. Doing more marketing to potential transit riders using demographic information also could help encourage people to use transit and possibly FasTrak. It’s a matter of going after those customers. The more we use the data the better we will be as a region.

Supervisor Cox expressed his appreciation for being able to access an independent body for hire. For instance, this has been a useful approach for the Bayshore Bikeway rather than having to go through each of the jurisdictions and the Department of the Navy in a piecemeal fashion. The Service Bureau has provided an opportunity and now we may be able to get additional money for the project out of the California Coastal Conservancy. It is a good way to leverage our money.

**Action**: This item was presented for information only.

7. REVIEW OF OCTOBER 24, 2008, DRAFT BOARD AGENDA (APPROVE)

Diane Eidam, Chief Deputy Executive Director, reviewed the draft agenda for the October 24, 2008, Board of Directors meeting. She said that the first three items are standard. There are eight Consent Items. She proposed moving Agenda Item No. 6, regarding the Kumeyaay map to November as that is Native American Heritage Month. Agenda Item No. 9 requires a resolution. The blueprint grant application is due this Friday but we are being allowed to provide a resolution following the Board meeting.

Regarding the Reports, she said that starting in October, we would like to add a standing report on the financial situation as it impacts SANDAG. In addition, the annual report of the Independent Taxpayers Oversight Committee (ITOC) also is scheduled, pending action by ITOC on October 15. Agenda Item No. 14 will go to the Transportation Committee next month. Revenues from Proposition 1B are coming in slower so we are proposing to advance TransNet funds and then transfer the funds back when Proposition 1B funding is received. She continued her review of the proposed reports. Agenda Item No. 15 is a proposed budget amendment for State Route 76. Agenda Item No. 16, is a proposed amendment for the FY 2009 Budget for an Interstate 5 Corridor Study. The City of Chula Vista received a
federal earmark of $2 million to fund this study. Agenda Item No. 17, is information on Criminal Justice Research and Clearinghouse activities. Agenda Item No. 19 is the item on Smart Growth Visual Simulations that was mentioned earlier in the meeting.

Chair Sessom asked that Item No. 19 be moved up in the agenda, following the ITOC report.

Ms. Eidam noted there would be a closed session at this meeting. This is related to Palomar College and consistency with the California Environmental Quality Act (CEQA).

Julie Wiley, General Counsel, stated that we are discussing ways Palomar College can address issues with its CEQA document. We have been negotiating a potential settlement, but would like to bring those forward for discussion.

Mr. Gallegos mentioned that in terms of the standing item on the economic situation, declining sales tax and the challenges of Wall Street will impact us. The state is struggling to get the bond dollars. We sold our $600 million of TransNet bonds so we are okay with cash. He expressed concern because not all projects are leveraged by TransNet. We think it is important to keep you appraised on a month-by-month basis. The global financial crises will have an effect on us.

Council President Pro Tem Madaffer said he spoke with Keith Curry (SANDAG financial advisor) at the American Public Transportation Association (APTA) conference. He thought discussion of the issues raised by Mr. Curry should be included in the first report. It is important the Board have the full picture.

Second Vice Chair Stocks suggested this topic could be a potential Board Policy discussion in the future.

Mr. Gallegos said that at some point we will have to prioritize actions and that's when a Board Policy meeting may be necessary.

**Action:** Upon a motion by Supervisor Cox, and a second by Council President Pro Tem Madaffer, the Executive Committee voted to approve the draft agenda for the October 24 Board of Directors meeting, as revised.

8. **UPCOMING MEETINGS**

The next meeting of the Executive Committee is scheduled for Friday, November 14, 2008, at 9 a.m.

Chair Sessom noted that the next Board meeting falls on the third Friday of the month due to conflict with the Thanksgiving holiday. The next Board Policy meeting would be on December 5.

9. **ADJOURNMENT**

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

Attachment: Attendance Sheet
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<th>NAME</th>
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