EXECUTIVE COMMITTEE DISCUSSION AND ACTIONS
SEPTEMBER 12, 2008

Chair Mary Sessom (East County) called the Executive Committee meeting to order at 8:05 a.m. The attendance sheet for the meeting is attached.

1. APPROVAL OF MINUTES

Upon a motion by Second Vice Chair Jerome Stocks (North County Coastal) and a second by National City Mayor Ron Morrison (South County), the minutes of the July 11, 2008, Executive Committee meeting were unanimously approved.

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBERS COMMENTS

There were no public comments, communications, or member comments.

REPORTS (3 through 10)

Chair Sessom noted that agenda items would be taken out of order.

5. PROPOSED AMENDMENT TO BOARD POLICY NO 031: TransNet ORDINANCE AND EXPENDITURE PLAN RULES (RECOMMEND)

Sookyung Kim, Financial Programming Manager, reported that SANDAG Board Policy No. 031 provides administrative guidance for the TransNet Ordinance including guidance to conduct the annual fiscal audits for all TransNet recipients. Pursuant to the TransNet Ordinance, the Independent Taxpayers Oversight Committee (ITOC) will now have the overall responsibility to conduct the annual fiscal year audits beginning with FY 2009. In anticipation of this transition, a proposed amendment to Board Policy No. 031 would revise sections of the policy to reflect the change in responsibility as well as to provide additional clarification for various practices. She reviewed the proposed amendments. She stated that nothing in the proposal amendments are new aside from recognizing ITOC as the responsible party for the audit. Based on feedback from member agencies and the auditors, this proposed amendment provides clarification. ITOC reviewed the proposed changes at its July 16 meeting and provided minor comments. ITOC recommended approval by the Executive Committee and Board. She stated that local agencies did receive an advance copy of this proposed amendment in mid-August.

Action: Upon a motion by Mayor Morrison, and a second by Second Vice Chair Stocks, the Executive Committee voted to recommend that the Board of Directors amend Board Policy No. 031 as proposed.
6. **2009 ANNUAL SANDAG BOARD RETREAT (RECOMMEND)**

Anne Steinberger, Marketing Program Manager, reported that next year’s Board Retreat would be January 28-30, 2009. In response to the survey conducted following this year’s Board Retreat, staff conducted a competitive bid process for a location for the 2009 Retreat. As a result of the competitive bid process, Harrah’s Rincon Resort was selected. We have begun discussions for this year’s Retreat agenda. There was a lot of feedback on the survey regarding discussions on the state of the economy. We propose that SANDAG Chief Economist Marney Cox lead the discussion along with national and international experts. Another speaker option is to invite John Chalker, our local representative to the California Transportation Commission (CTC) and its present chairman. The survey also showed that the Board enjoyed the breakout sessions so we propose to hold those again. Ms. Steinberger asked for feedback from the Committee.

Second Vice Chair Stocks commented that he would like to hear from experts on the credit crisis, with information on the ramifications throughout our economy, ways in which government agencies can help to ameliorate the impacts, and lessons learned.

Executive Director Gary Gallegos suggested that Commissioner Chalker might be helpful in providing information on the credit crisis as that is what he does for a living.

Carlsbad Councilmember Matt Hall (North County Coastal) said that we sometimes overlook the importance of the Retreat opening session for new Board members. He found that to be extremely important. He also recommended Ed Barlow, a futurist, as another possible speaker.

Mr. Gallegos said we are asking if there is consensus to recommend that the Board approve the 2009 Retreat agenda.

**Action:** Upon a motion by Mayor Morrison, and a second by Councilmember Toni Atkins (City of San Diego), the Executive Committee voted to recommend that the Board of Directors approve the 2009 Retreat agenda.

7. **ADVISORY MEMBERSHIP ON THE SANDAG BOARD OF DIRECTORS (RECOMMEND)**

Kim Kawada, Policy and Legislative Affairs Program Manager, reported that in March 2007 the Executive Committee appointed an ad hoc committee to review the current advisory membership provisions in SANDAG Board Policy No. 004: Rules for Procedure for Board of Directors, Policy Advisory Committees and Other Legislative Bodies. The ad hoc committee consisted of Poway Mayor Mickey Cafagna (chair), Oceanside Councilmember Jerome Kern, San Diego Council President Pro Tem Jim Madaffer, La Mesa Mayor Art Madrid, Metropolitan Transit System (MTS) Chair Harry Mathis, Mayor Morrison, and San Diego County Supervisor Bill Horn.

The ad hoc committee met on several occasions and its recommended changes would provide that the Board of Directors first review the existing Board and Policy Advisory Committee (PAC) membership structures in determining whether to supplement the current advisory members on the Board or PAC with additional regular or temporary advisory members. New regular advisory members could be added if the Board finds that the
additional advisory members would provide beneficial advice and information to the Board and that such advice/information cannot be provided by the existing Board/PAC membership structures. The new advisory member would also need to submit a written request and meet the existing selection criteria.

The ad hoc committee also is recommending new provisions for providing an agency/group with a temporary advisory “seat” at the Board or on one of the PACs, when specific agenda items arise. To obtain this temporary seat, the agency/group must meet the same selection criteria for a regular advisory member and must submit a written request to the Board or PAC Chair identifying the reason(s) for its request and the specific agenda item(s) to be considered. The written request must be received at least three days prior to the meeting.

Mayor Morrison commented that the first recommended change (Section 5.2) related to providing “beneficial advice and information” is really important. He asked if proposed Section 5.3.1, “Agency/group has land use or eminent domain authority,” should be changed to “and/or.” Julie Wiley, General Counsel, agreed to make that change.

Councilmember Toni Atkins asked if these proposed changes only formalize a way to provide input. Gary Gallegos, Executive Director, responded that the policy helps the agency discipline itself when considering these kinds of requests for advisory membership on SANDAG.

Second Vice Chair Stocks added that this sets up a rational means of deciding whether you need ad hoc input from an organization. Mr. Gallegos noted that an agency/group will still need to meet the existing requirements currently in the Board policy.

Chair Sessom noted that these changes will help to give the Board/PAC chairs discretion and a policy to follow.

Councilmember Hall asked about the status of the two requests that have been received. Chair Sessom replied that if the Board approves the revised policy, they would probably not be granted a permanent advisory seat.

Ms. Wiley clarified that if the Board adopts the criteria, those two requests would not need to come back for another review.

Second Vice Chair Stocks said this policy would give parties an opportunity to provide meaningful input.

Mr. Gallegos stated that we would try to fit those two requests into the new policy.

Mayor Morrison clarified that Section 5.2.2 deals with a temporary advisory seat and that is at the discretion of the PAC chairs. The matter of a permanent advisory seat should come back to the Board for consideration.

Chair Sessom said that she as the Board chair would go back to the two agencies and confirm their continued interest.
Councilmember Hall suggested that at the Board meeting staff walk us through both sections of the revised policy. Mr. Gallegos agreed to provide a flowchart so that it will be clear.

**Action:** Upon a motion by Mayor Morrison, and a second by Second Vice Chair Stocks, the Executive Committee voted to recommend approval of amendments to the advisory membership provisions of Board Policy No. 004, with the one minor change.

8. **PROPOSED MODIFICATION TO AGENCY BUSINESS HOURS (RECOMMEND)**

Mr. Gallegos stated that Assembly Bill (AB) 32 focuses on a decrease of greenhouse gas (GHG) emissions, including reducing vehicle miles traveled (VMT). With that in mind, and considering the high cost of gas and the impact of the economy, SANDAG staff is suggesting a proposal to shift the agency to a 9/80 work schedule. This would mean closing the office every other Monday. Some of our member agencies are on a similar schedule and are off on Fridays. Since we have Board and Committee meetings on Friday, we are recommending to close the office on Mondays.

One benefit would be that we would be demonstrating that we are willing to do our fair share to reduce VMT. We forecast that with business as usual between now and 2030, the VMT in the region would grow by 50 percent. By taking this action our estimates show that we would save more than 3,600 gallons of gas. On the personal side for employees, we would save 2,200 hours of commuting time. At a time of high travel cost, each employee would save about $200 per month. We have some folks working overtime to ensure the agenda materials are distributed in a timely manner. Having a 9-hour day on Friday would help reduce the number of overtime hours. It also would help demonstrate that SANDAG is not only asking others to reduce VMT but applying this practice to ourselves. There would be a one-year evaluation period with a survey at the end of the year. We would inform our partners and the public through a communications plan using our Web pages, communications with member agencies, and mailing lists. With your recommendation to the Board for approval, we would hope to implement this as part of Rideshare Week on Monday, October 6.

Mayor Morrison commented that National City tried the 9/80 program for awhile. He asked if the closed Monday would be on a regular schedule or biweekly. Mr. Gallegos answered that it would be biweekly.

Mayor Morrison thought that this would confuse the public with every other Monday rather than fixed Mondays. He didn’t think the 9/80 schedule would have a significant impact on reducing commute times. As a result of National City’s experience, they switched to a 4/10 schedule. This allowed work trips to be made outside of peak hours, and productivity increased. It also was easier for the public to understand.

Chair Sessom noted that Lemon Grove is closed every other Friday. The big difference between cities and SANDAG is that SANDAG doesn’t have as much public traffic into the office as the cities.

Mayor Morrison said that the half-hour commute savings on each end of the work day isn’t as efficient as an hour on each end.
Mr. Gallegos stated that we surveyed our employees, and one concern was related to child care issues. With a 10-hour day, there was a concern that productivity may not be as high as with a 9-hour workday, and that was borne out by our employee surveys. That’s why we would recommend that we try the 9/80 for a year and evaluate it. We could evolve to the 4/10 schedule in the future.

Mayor Morrison agreed the one issue was child care. We worked with our people and provided flexible work hours for those employees with child care issues.

Mr. Gallegos stated that our ability to provide the service we have is that Fridays are our Board/Committee days. He acknowledged his concern about the ability to complete our agenda compilation process in a timely manner within the 9/80 schedule.

Councilmember Hall said he doesn’t feel that he has gotten the highest productivity out of his workforce since Carlsbad made a similar schedule change.

Mr. Gallegos reiterated that one reason we are proposing this is to lower the GHG emissions. This is one way of affecting emissions and reducing VMT without decreasing productivity.

Councilmember Hall suggested that there may be other ways to increase productivity without making a schedule change.

Mr. Gallegos said that shutting down the entire agency on the same day would avoid problems with individual staff members having different days off.

Second Vice Chair Stocks commented that Encinitas adopted the 9/80 schedule, and they still have it. We have signs posted prominently in front of city hall about the closure. Every staff member changes his/her telephone voicemail message. He didn’t know of any other agency that is closed on Monday. SANDAG doesn’t have the retail trade, but it does deal with other agencies. If other agencies are closed on Fridays and SANDAG is closed on Mondays, that may be problematic.

Councilmember Atkins stated that if this is something that staff is interested in having as a discussion at the Board meeting, she would support moving it forward. As a regional body and in an attempt to reduce GHG emissions, it should be part of the bigger package of other people doing the same thing.

Mr. Gallegos agreed that’s why we suggest starting this revised work schedule during Rideshare Week. It will emphasize that flexible work schedules is one of the tools in the toolbox available to employers.

**Action:** Upon a motion by Mayor Morrison, and a second by Councilmember Atkins, the Executive Committee voted to recommend that the Board of Directors approve a modification to the agency’s business hours whereby SANDAG would be closed every other Monday starting October 6, 2008, and staff would work a 9/80 work schedule. (Note: Subsequent to this meeting, this item was postponed to a future Board meeting.)
Genevieve Morelos, Senior Legislative Analyst, reported that the state is currently without a state budget and there is no indication of an approved budget in sight. No bills are being transmitted to the Governor as he said he would not sign any until a state budget is approved.

AB 3034 is going to the ballot in November, and the Governor did sign that bill due to the timing with the election schedule. It provides an update of the high-speed rail bond measure on the November 4 ballot as well as additional oversight for the California High-Speed Rail Authority. AB 3034 replaces Proposition 1 on the current ballot with Proposition 1A. The initial bill (Proposition 1) didn’t include flexibility on how the $9 billion bond revenues would be spent, so staff worked with the sponsor and author to provide more flexibility. With the new language it has more flexibility, so that agencies like SANDAG can compete for high-speed rail bond funds. We also worked on a Memorandum of Understanding (MOU) with the High-Speed Rail Authority to complete a feasibility study for the Los Angeles to San Diego corridor. Other agencies are expected to sign onto this MOU in the future. We will bring more information about the other state and local measures on the November 2008 ballot back to the Executive Committee in October.

Ms. Morelos stated that progress on several of our bills is dependent on an approved state budget.

She mentioned that we currently have an “oppose unless amended” position on Senate Bill (SB) 375. Staff is recommending a “support” position on this bill. Since the last Executive Committee meeting, we have been working with the bill’s author and Senator Ducheny’s office on amendments to the bill. Our initial concerns with the bill have been addressed. There is more support around the state and from a variety of organizations for this amended bill. We still have some problems and we need to continue to work with the author on the funding issue. One of our concerns specific to the San Diego region is the inconsistency in the timing of the Regional Transportation Plan (RTP) and Regional Housing Needs Assessment (RHNA) cycles. We will continue to work with the author’s office, Senator Ducheny’s staff, and the bill sponsors on this issue. Another San Diego issue is related to interregional and crossborder commuting that is prevalent in the region.

Chair Sessom indicated that we received a letter from the bill’s author asking when SANDAG would consider a position change on this bill. Ms. Morelos recommended that the Board consider changing its position from “oppose unless amended” to “support.”

Second Vice Chair Stocks expressed opposition to making that change at this time.

Mayor Morrison said he talked with Chula Vista Mayor Cheryl Cox and she now agrees it is in our best interest to change our position on this bill.

Second Vice Chair Stocks stated that this bill further erodes local land use authority.

Mayor Morrison agreed that there are still issues in the bill that we do not support. However, the author is willing to work with us on those issues. If we oppose the bill, the
author would not be motivated to work cooperatively with us. The bill will move forward regardless of our position.

Councilmember Atkins stated that she originally thought that opposing this bill was a bad idea. However, that may have been leverage pointing taking that initial position. She thinks we should change our position to support. As long as we are effectively continuing to communicate, the author will continue to work with us.

Councilmember Hall asked about the timeline of this bill. Ms. Morelos replied that it is stuck in the budget stalemate. Once a state budget is approved, the bill will go to the Governor for signature. Mr. Gallegos noted that the bill has passed out of the Legislature.

Councilmember Hall asked if this bill will come back to the full Board. Ms. Morelos replied affirmatively.

Second Vice Chair Stocks agreed not oppose a recommendation to the Board to consider changing its position.

Mr. Gallegos reiterated that the bill is going forward with or without us.

Chair Sessom noted there were several Board members in attendance requesting to make comments on this item.

Mayor Art Madrid (La Mesa) said that the respect that SANDAG has will be eroded if we don't continue to work with the author on this bill. He noted that Senator Steinberg has become an ally and he will be the Senate President Pro Tem next year.

Councilmember Lesa Heebner (Solana Beach) expressed concern regarding the grave impacts to her city that may result from passage of SB 375. She suggested qualifying our support with specifics about what we would like to be changed. Our issues have to be addressed.

Action: Upon a motion by Councilmember Atkins, and a second by Mayor Morrison, the Executive Committee recommended that the Board of Directors consider a support position on SB 375 (Steinberg). The motion passed 3-1 in favor, with Second Vice Chair Stocks voting in opposition.

10. REVIEW OF SEPTEMBER 26, 2008, DRAFT BOARD AGENDA (APPROVE)

Diane Eidam, Chief Deputy Executive Director, reviewed this draft agenda. Staff proposes that Agenda Item No. 21, “Annual Update on the Activities of the Criminal Justice Research Division and Clearinghouse,” and No. 22, “Smart Growth Visual Simulations,” be moved to the October 24 Board meeting. Item Nos. 24 and 25 related to real property negotiations and a Resolution of Necessity hearing may not be necessary depending upon ongoing negotiations.

Action: Upon a motion by Mayor Morrison, and a second by Second Vice Chair Stocks, the Executive Committee voted to approve the draft Board of Directors agenda for the September 26, 2008, meeting, as revised.
3. THE PORT OF SAN DIEGO MARINE FREIGHT PRESERVATION AND BAYFRONT REDEVELOPMENT INITIATIVE (DISCUSSION/POSSIBLE ACTION)

Port District Commissioner Laurie Black spoke in opposition to this proposition on the November ballot. It is about a process for land use and transportation that potentially jeopardizes much of what SANDAG does. It would allow a developer to make land use decisions through the ballot box. She encouraged everyone to look at the details of what is being proposed.

Dirk Mathiasen, Vice President, Port of San Diego, said that the Board of Port Commissioners is concerned about the title of this measure (Proposition B on the November 2008 ballot) since it implies that the Port is supportive and that is not true. The initiative does two things: (1) it would amend the Port of San Diego’s Master Plan by allowing commercial uses at the Tenth Avenue Marine Terminal, and (2) it would allow a 60-day period to award an Exclusive Negotiating Agreement (ENA) to a developer. Normally, such a project would be subject to an Environmental Impact Report (EIR). The initiative would change that by sending the project directly to the California Coastal Commission. In addition, the timing of this initiative seems to direct the development to a particular developer. He expressed other issues with this initiative including air space rights, protection of maritime activity and jobs, land use protections, state tidelands protection, security, and economic prosperity.

Commissioner Black stated that the Port Board believes this initiative would place the SANDAG Regional Comprehensive Plan (RCP) in jeopardy.

CAPT. Steve Wirshing (U.S. Navy) agreed with the concerns expressed by the Port District. In addition, he stated that San Diego’s designation as a strategic port may be jeopardized, and it may have a negative impact on our shipbuilding program.

Evan McLaughlin, representing the San Diego and Imperial Counties Labor Council, spoke about the lengths that San Diego Community Solutions LLC, the sponsor of the initiative, is trying to take to circumvent the planning work that has been done in the port area. The State of California is the owner of this land. Developers feel they can run a multimillion marketing campaign to persuade voters that this plan will benefit San Diego. He said that his interest is in the 5,000 jobs on the working waterfront that pay well above the median wage for the region. All five members of Congress representing San Diego County provided a written opinion to the Port about their concerns related to this initiative. The California Coastal Commission also has expressed concerns. This initiative is about circumventing a process for planned communities.

Diane Takvorian, representing the Environmental Health Coalition (EHC), stated the coalition’s opposition to this proposition. They believe strongly that there will be devastating environmental impacts on nearby neighborhoods should this proposition pass. The proponents of this measure have taken out anything related to the Barrio Logan plan. If the Tenth Avenue Marine Terminal was to be eliminated, what would the impact be on the National City Marine Terminal? We don’t want to transfer those impacts to National City.

Mayor Morrison stated that there is overwhelming opposition to this proposition.
Chair Sessom asked Commissioner Black if the Port could condense its presentation for the September 26 SANDAG Board meeting, or whether the Port would prefer making the full presentation to the SANDAG Board in October. Commissioner Black agreed they could reduce the time of their presentation and send out materials with the SANDAG agenda package for September.

Councilmember Hall agreed that if you want to make a difference in the passage of this ballot measure, SANDAG would have to take a position in September rather than in October.

**Action:** Upon a motion by Mayor Morrison, and a second by Second Vice Chair Stocks, the Executive Committee recommended that the Board of Directors take an oppose position on the “Port of San Diego Marine Freight Preservation and Bayfront Redevelopment Initiative.”

4. RESOLUTION REGARDING KUMEYAAAY MAP (RECOMMEND)

This item was postponed to the next Board meeting.

11. UPCOMING MEETINGS

The next Executive Committee meeting is scheduled Friday, October 10, 2008, at 9 a.m.

12. ADJOURNMENT

Chair Sessom adjourned the meeting at 9:28 a.m.

Attachment: Attendance Sheet
## Confirmed Attendance
### SANDAG Executive Committee Meeting
### September 12, 2008

<table>
<thead>
<tr>
<th>Geographical Area</th>
<th>Jurisdiction</th>
<th>Name</th>
<th>Member/Alternate</th>
<th>Attending</th>
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<td>City of Escondido</td>
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<td>Mickey Cafagna</td>
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<td>Jerome Stocks, 2nd Vice Chair</td>
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<td>Matt Hall</td>
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<td>City of Chula Vista</td>
<td>Cheryl Cox</td>
<td>Member</td>
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<td>Ron Morrison</td>
<td>Alternate</td>
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<td>East County</td>
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<td>Mary Sessom, Chair</td>
<td>Member</td>
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