



**BOARD OF DIRECTORS
OCTOBER 23, 2009**

**AGENDA ITEM NO. 09-10-1B
ACTION REQUESTED - APPROVE**

BOARD OF DIRECTORS DISCUSSION AND ACTIONS

SEPTEMBER 25, 2009

Chair Lori Holt Pfeiler (Escondido) called the meeting of the SANDAG Board of Directors to order at 9:06 a.m. The attendance sheet for the meeting is attached.

1. **APPROVAL OF JULY 10 AND 24, 2009, MEETING MINUTES (APPROVE)**

Action: Upon a motion by Supervisor Pam Slater-Price (County of San Diego), and a second by Councilmember Carrie Downey (Coronado), the SANDAG Board of Directors approved the minutes from the July 10 and July 24, 2009, meetings.

CHAIR'S REPORT (12 through 13)

12. **AMERICAN PLANNING ASSOCIATION CALIFORNIA: 2009 DISTINGUISHED LEADERSHIP AWARD (INFORMATION)**

Chair Pfeiler noted that the California Chapter of the American Planning Association, at its September 2009 annual conference, awarded the 2009 Distinguished Leadership Award to Jane Clough-Riquelme, SANDAG Tribal Liaison. The Reservation Transportation Authority nominated Dr. Clough-Riquelme for this award, commending her ability to facilitate dialogue between tribal nations and public agencies and her high level of respect for tribal people, customs, and institutions. Chair Pfeiler presented this award to Dr. Clough-Riquelme.

Action: This item was presented for information only.

2. **PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS**

Chair Pfeiler announced that SANDAG recently received two awards. The South County Economic Development Corporation awarded SANDAG the Binational Endeavor Award, which recognizes SANDAG for its "leadership and commitment to continue fostering relationships and promote economic growth on both sides of the border." The Government Financial Officers Association awarded SANDAG the Certificate of Achievement for Excellence in Financial Reporting for its FY 2008 Comprehensive Annual Financial Report (CAFR).

Councilmember Downey introduced Michael Woiwode, Coronado's Alternate representative to the Board of Directors.

Clive Richard, a member of the public, commented on acceptable noise levels in residential neighborhoods.

Paul Jablonski, Chief Executive Officer of the Metropolitan Transit System (MTS), announced that the MTS Board approved the order of 57 new low-floor rail cars from Siemens Corporation. These new vehicles will replace the old U2 cars, and will be 9 feet shorter in length than existing vehicles in order to accommodate the block lengths in downtown San Diego. MTS worked with SANDAG staff on this project. All of the funding for this project comes through SANDAG from a variety of sources, including *TransNet*, Proposition 1B, federal economic stimulus, and others. He said that we will start to receive these vehicles in about two years.

Mayor Mary Sessom (Lemon Grove) introduced Captain Keith Hamilton, the new Department of Defense representative.

3. ACTIONS FROM POLICY ADVISORY COMMITTEES (APPROVE)

This item summarized the actions taken by the Borders Committee on July 24, the Transportation and Regional Planning Committees on July 31, the Executive Committee on September 11, and the Transportation and Public Safety Committees on September 18, 2009.

Action: Upon a motion by Mayor Sessom and second by Supervisor Slater-Price, the Board of Directors approved the actions taken by the Policy Advisory Committees at the meetings noted above. Yes – 18 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent – National City.

CONSENT ITEMS (4 through 11)

4. *TransNet* ENVIRONMENTAL MITIGATION PROGRAM (EMP) STATUS REPORT (INFORMATION)

This item outlined the status, successes, and challenges of implementing the *TransNet* Environmental Mitigation Program under the Memorandum of Agreement signed in March 2008 by the Board of Directors. This report has been presented to the EMP Working Group, Independent Taxpayer Oversight Committee, and the Regional Planning and Transportation Committees as an information item.

5. SANDAG FEDERAL FY 2009-2010 DISADVANTAGED BUSINESS ENTERPRISE PROGRAM GOAL FOR FTA ASSISTED CONTRACTS AND ANNUAL ANTICIPATED DBE PARTICIPATION LEVEL FOR FHWA ASSISTED (VIA CALTRANS) PROCUREMENTS (APPROVE)

As recipients of U.S. Department of Transportation funds through Caltrans and the Federal Transit Administration (FTA), SANDAG is required to develop and submit annual Disadvantaged Business Enterprise (DBE) goals. The Board of Directors was asked to approve the FY 2010 Annual Anticipated DBE Participation Level for Federal Highway

Administration-assisted projects and an Overall Annual DBE Goal for FTA-assisted projects, as no comments were received during the 45-day public comment period.

6. SOUTHERN CALIFORNIA DISADVANTAGED BUSINESS ENTERPRISE DISPARITY STUDY (ACCEPT)

SANDAG must implement the Federal Disadvantaged Business Enterprise (DBE) Program to receive U.S. Department of Transportation (USDOT) funds from the FTA. Recent court decisions and guidance from USDOT have led SANDAG to reexamine how it implements its DBE Program. Using the disparity study conducted by Caltrans, SANDAG has completed its reevaluation of the DBE Program for Federal Highway Administration-funded projects as described in the previous agenda item. SANDAG has joined four Southern California public transportation agencies in a joint DBE disparity study to reevaluate its DBE Program for FTA-funded projects. The Board of Directors was asked to accept the Southern California DBE Disparity Study relating to FTA-assisted projects for distribution for purposes of a 45-day public comment period.

7. ANNUAL RIDESHARE WEEK (APPROVE)

Each year, SANDAG sponsors Rideshare Week in the San Diego region as a way of highlighting alternative modes to the solo commute. The Board of Directors was asked to approve Resolution No. 2010-03, proclaiming the week of October 5–9, 2009, as Rideshare Week and to encourage member agencies to approve similar proclamations. The report also included information on the region's transportation demand management strategies included in the new iCommute Program.

8. QUARTERLY INVESTMENT REPORT FOR PERIOD ENDING JUNE 30, 2009, AND ANNUAL INTEREST RATE SWAP EVALUATION (INFORMATION)

The SANDAG Investment Policy requires that the Board of Directors be provided a quarterly report of investments held by SANDAG. This report includes all money under the direction or care of SANDAG as of June 30, 2009. Board Policy No. 032: San Diego County Regional Transportation Commission Interest Rate Swap Policy also requires an annual report and evaluation of all outstanding interest rate swaps.

9. QUARTERLY PROGRESS REPORT ON TRANSPORTATION PROJECTS – APRIL TO JUNE 2009 (INFORMATION)

This quarterly report summarized the current status of major highway, transit, arterial, traffic management, and transportation demand management (TDM) projects in SANDAG's five-year Regional Transportation Improvement Program (RTIP) for the period April to June 2009.

10. 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 summarizes certain delegated actions taken by the Executive Director since the last Board meeting.

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

Board members are to provide brief reports orally or in writing on external meetings and events attended on behalf of SANDAG since the last Board of Directors meeting. There are no external meetings or events to report this month.

Action: Upon a motion by Mayor Jim Desmond (San Marcos), and a second by Mayor Sessom, the Board of Directors approved Consent Items Nos. 4 through 11, including Resolution No. 2010-03. Yes - 18. No - 0. Abstain - 0. Absent – National City.

Mayor Cheryl Cox (Chula Vista) asked a question related to Item No. 9, and requested that staff provide specific information on how savings from low bids on South Bay projects would be redistributed. Jose Nuncio, Manager of Financial Programming and Project Control, agreed to provide specific information to respond to that request. He noted that the distribution of project savings would depend on the funding mix for a particular project.

Mayor Cox also asked whether the proposed exchange of North County Transit District's (NCTD's) federal transit funds with *TransNet* funds from the Blue Line Rehabilitation project would cause the Blue Line project to be delayed. Gary Gallegos, Executive Director, assured her that as a *TransNet* Early Action Project, the Blue Line project has high priority. We expect to start construction on rehabilitation work later this year.

CHAIR'S REPORT (Continued)

13. APPOINTMENT OF NOMINATING COMMITTEE FOR SANDAG BOARD OFFICERS (INFORMATION)

In accordance with SANDAG Bylaws, the Chair will appoint up to a six-person nominating committee for Board officers, made up of Board members from each of the four subregions and a member from the City of San Diego and the County of San Diego. However, the nominating committee shall not include Board members from jurisdictions that have applicants for the Chair or a Vice Chair position on the Board of Directors. The nominating committee will submit its slate of nominees, in writing, for mailing to Board members in or around November.

Chair Pfeiler indicated her nomination of the following to serve on the Nominating Committee for 2010 Board officers: National City Mayor Ron Morrison, Nominating Committee Chair; San Diego Council President Ben Hueso; San Diego County Supervisor Dianne Jacob; El Cajon Mayor Mark Lewis; Oceanside Mayor Jim Wood; and San Marcos Mayor Jim Desmond.

Action: This item was presented for information only.

REPORTS (14 through 23)

14. AMENDMENT TO THE FY 2010 BUDGET: DESTINATION LINDBERGH PLAN IMPLEMENTATION (APPROVE)

Second Vice Chair and Transportation Committee Chair Jack Dale (Santee) introduced this item.

Dave Schumacher, Principal Planner, reported that the San Diego County Regional Airport Authority is moving ahead with advanced planning for the consolidated rental car facility and other on-airport improvements for Phase 1 of the Destination Lindbergh Plan. It is important for SANDAG to start advanced planning work for the Phase 1 intermodal transportation center, and for Caltrans to begin developing capital cost estimates for the freeway connecting ramps.

Public Comments:

Emily Morris, representing Save Our Forests and Ranchlands (SOFAR), questioned this plan and financing that seemed to focus on expanding freeways rather than transit. She also asked that this project be reviewed with the regional interest in mind.

Bill Hauf, a member of the public, supported consolidation of rental car facilities. He expressed a concern about the Intermodal Transit Center (ITC), and suggested that an intensive research study be conducted on what the ITC is intended to accomplish, what it will accomplish, and whether it is in the proper location.

Action: Upon a motion by Mayor Sessom and second by Council President Ben Hueso (City of San Diego), the Board of Directors: (1) approved a budget amendment in the amount of \$1,132,137 for OWP #31011, Destination Lindbergh Master Plan for FY 2010 and FY 2011 to allow for advanced planning work on Destination Lindbergh Phase 1 improvements and developing capital costs for the freeway ramps; (2) authorized the Executive Director to negotiate and execute an agreement with the City of San Diego to accept the \$200,000 contribution; and (3) approved the programming of contingency reserve in the amount of \$138,799, in accordance with Board Policy No. 030. Yes – 19 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent - None.

15. PROPOSED FUND EXCHANGE WITH NORTH COUNTY TRANSIT DISTRICT TO PROVIDE OPERATING SUPPORT (APPROVE)

Second Vice Chair and Transportation Committee Chair Dale introduced this item.

Action: Upon a motion by Councilmember Matt Hall (Carlsbad) and second by Council President Hueso, the Board of Directors approved the request by the NCTD Board of Directors for an exchange of FTA Section 5307 funding in the amount of \$1,313,000 with a like amount of *TransNet* funds. Yes – 17 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent – Del Mar and La Mesa.

16. INTERSTATE 15 CORRIDOR EXPRESS LANES: STATE ROUTE 78 – NORDAHL ROAD BRIDGE REPLACEMENT (APPROVE)

Second Vice Chair and Transportation Committee Chair Dale introduced this item.

Corridor Manager Gustavo Dallarda, Caltrans, District 11, provided the staff report indicating that the Nordahl Road Bridge over State Route 78 (SR 78), located just west of the SR 78 interchange with Interstate 15 (I-15), ultimately requires full reconstruction in order to bring it to full design standards. The cities of Escondido and San Marcos have agreed to contribute to the construction of the new bridge as part of a development agreement that requires the addition of capacity to the structure. To avoid widening a bridge that ultimately needs to be replaced, the Transportation Committee recommended approval of this item.

Action: Upon a motion by Mayor Desmond and second by Mayor Jim Wood (Oceanside) the Board of Directors authorized the Executive Director: (1) to execute an agreement that provides a commitment of \$10 million from the cities of Escondido and San Marcos to the Nordahl Road bridge project and a transfer by SANDAG of \$2 million in savings from favorable bids received on the I-15 Express Lanes North segment to the design of the proposed Nordahl Road bridge replacement project; and (2) execute a transfer of \$1 million in savings from favorable bids received on the I-15 Express Lanes North segment to Caltrans under a separate agreement for the design of the westbound auxiliary lane between I-15 and Nordahl Road. Yes – 19 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent - None.

17. 2010 ANNUAL SANDAG BOARD SUMMIT (APPROVAL)

First Vice Chair Jerome Stocks introduced this item and indicated that the Executive Committee recommended approval.

Several Board members provided suggestions for possible Summit speakers.

Action: Upon a motion by Supervisor Slater-Price and second by Councilmember Downey, the Board of Directors approved the topics listed under the Discussion section of the agenda report as the basis for developing the Summit agenda and format for the 2010 SANDAG Board of Directors Summit. Yes – 19 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent - None.

18. *TransNet* EMP FIVE-YEAR FUNDING STRATEGY UPDATE, FY 2010 FUNDING ALLOCATION, AND FY 2010 LAND MANAGEMENT GRANT CRITERIA (APPROVE)

Imperial Beach Mayor and Regional Planning Committee Chair Jim Janney introduced this item, and noted that the Regional Planning and Transportation Committees recommended approval.

Keith Greer, Senior Planner, provided the staff report.

Action: Upon a motion by Councilmember Downey and second by Supervisor Slater-Price, the Board of Directors: (1) approved the updated Five-Year Conceptual Funding Strategic

Plan, the proposed management and monitoring activities and budget for FY 2010 totaling \$4 million, and, subject to Board Policy No. 017, authorized staff to solicit proposals and enter into contracts or amend existing contracts accordingly; and (2) approved the modifications to the submittal and evaluation criteria for FY 2010 land management grants as described in the report. Yes – 19 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent - None.

19. FINAL REGIONAL ALTERNATIVE FUELS, VEHICLES, AND INFRASTRUCTURE REPORT (ACCEPT)

Imperial Beach Mayor and Regional Planning Committee Chair Janney introduced this item and indicated that the Regional Planning Committee recommended acceptance.

Andrew Martin, Associate Planner, stated that the Board of Directors approved distribution of the draft Regional Alternative Fuels, Vehicles, and Infrastructure Report at its June 12, 2009, meeting. SANDAG has received public comments and stakeholder input, and this is the final report.

Action: Upon a motion by Councilmember Downey and second by Council President Hueso, the Board of Directors accepted, in substantially the same form as attached to the agenda report, the Final Regional Alternative Fuels, Vehicles, and Infrastructure Report. Yes – 19 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent -None .

20. THE CONNECT INNOVATION REPORT (INFORMATION)

Duane Roth, CONNECT Chief Executive Officer, provided this presentation on the CONNECT Innovation Report (CIR), an indicator of the economic strength and impact of the innovation economy in San Diego. Published each quarter by CONNECT, the CIR includes new innovation start-ups, angel and venture capital investment, new patent applications and patents granted, research grants, research employment, and business survival rates. Data also is gathered on new innovation business creation in key regions across the state for comparative purposes.

Action: This item was presented for information only.

21. FINANCIAL MARKET STATUS (INFORMATION)

Lauren Warrem, Acting Finance Director, provided information to keep the Board of Directors informed about the latest developments in the financial markets.

Marney Cox, Chief Economist, provided a status report on the economy and sales tax revenue forecasts. He noted that SANDAG staff expects to bring updated sales tax revenue estimates to the Board of Directors in November. In the interim, staff will be working with the transit agencies to identify potential impacts and possible strategies.

Action: This item was presented for information only.

22. COMPASS CARD STATUS UPDATE (INFORMATION)

James Dreisbach-Towle, Principal Technical Program Analyst, provided the Board of Directors with an update on recent Compass Card project activities and the status of the public launch.

Action: This item was presented for information only.

23. CLOSED SESSION-CONFERENCE WITH LEGAL COUNSEL IN ANTICIPATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b)(3)(C) -THREE POTENTIAL CASES

Chair Pfeiler adjourned the meeting into a closed session at 10:52 a.m. The meeting was reconvened into open session at 10:57 a.m.

John Kirk, Deputy General Counsel, reported the following out of closed session: the Board of Directors rejected the claims of Susana Lelli, Juan Alejandro Lelli, and Francisco Perez.

24. UPCOMING MEETINGS

The next Policy meeting is scheduled for Friday, October 9, 2009, at 10 a.m. The next Business meeting is scheduled for Friday, October 23, 2008, at 9 a.m.

25. ADJOURNMENT

The meeting was adjourned at 11:00 a.m.

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ATTENDANCE
SANDAG BOARD OF DIRECTORS MEETING
SEPTEMBER 25, 2009

JURISDICTION/ ORGANIZATION	NAME	ATTENDING
City of Carlsbad	Matt Hall (Member)	Yes
City of Chula Vista	Cheryl Cox (Primary)	Yes
City of Coronado	Carrie Downey (Primary)	Yes
City of Del Mar	Crystal Crawford (Primary)	Yes
City of El Cajon	Mark Lewis (Primary)	Yes
City of Encinitas	Jerome Stocks, 1st Vice Chair (Primary)	Yes
City of Escondido	Lori Holt Pfeiler, Chair (Primary)	Yes
City of Imperial Beach	Jim Janney (Primary)	Yes
City of La Mesa	Dave Allan (1st. Alt.)	Yes
City of Lemon Grove	Mary Sessom (Primary)	Yes
City of National City	Ron Morrison (Member)	Yes
City of Oceanside	James Wood (Member)	Yes
City of Poway	Don Higginson (Primary)	Yes
City of San Diego - A	Jerry Sanders (Primary, Seat A)	Yes
City of San Diego - B	Ben Hueso (Primary, Seat B)	Yes
City of San Marcos	Jim Desmond (Member)	Yes
City of Santee	Jack Dale (2nd Vice Chair)	Yes
City of Solana Beach	Lesa Heebner (Primary)	Yes
City of Vista	Judy Ritter (Primary)	Yes
County of San Diego - A	Dianne Jacob (Primary, Seat A)	Yes
County of San Diego - B	Pam Slater-Price (Primary, Seat B)	Yes
Caltrans	Bob Pieplow (1st. Alt.)	Yes
MTS	Harry Mathis (Member)	Yes
NCTD	Bob Campbell (Primary)	Yes
Imperial County	Wally Leimgruber (Member)	No
US Dept. of Defense	CAPT Keith Hamilton (Member)	Yes
SD Unified Port District	Scott Peters (Member)	Yes
SD County Water Authority	Mark Muir (Primary)	No
Baja California/Mexico	Lydia Antonio (Alternate)	No
Southern California Tribal Chairmen's Association	Robert H. Smith (Member)	No