EXECUTIVE COMMITTEE AGENDA

Friday, June 10, 2011
9 to 10 a.m.
SANDAG, 7th Floor Conference Room
401 B Street
San Diego

AGENDA HIGHLIGHTS

• ANNUAL REVIEW OF COMMITTEES AND WORKING GROUPS
• STATE LEGISLATIVE STATUS REPORT

PLEASE TURN OFF CELL PHONES DURING THE MEETING

MISSION STATEMENT

The 18 cities and county government are SANDAG serving as the forum for regional decision-making. SANDAG builds consensus, makes strategic plans, obtains and allocates resources, plans, engineers, and builds public transit, and provides information on a broad range of topics pertinent to the region's quality of life.

San Diego Association of Governments · 401 B Street, Suite 800, San Diego, CA 92101-4231
(619) 699-1900 · Fax (619) 699-1905 · www.sandag.org
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## EXECUTIVE COMMITTEE  
**Friday, June 10, 2011**

<table>
<thead>
<tr>
<th>ITEM #</th>
<th>RECOMMENDATION</th>
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<tbody>
<tr>
<td>+1.</td>
<td><strong>APPROVAL OF MEETING MINUTES</strong></td>
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<tr>
<td>+A.</td>
<td>APRIL 8, 2011, MEETING MINUTES, AS AMENDED</td>
</tr>
<tr>
<td>+B.</td>
<td>MAY 13, 2011, MEETING MINUTES</td>
</tr>
<tr>
<td>2.</td>
<td><strong>PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS</strong></td>
</tr>
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</table>

Public comments under this agenda item will be limited to five public speakers. Members of the public shall have the opportunity to address the Executive Committee on any issue within the jurisdiction of the Committee that is not on this agenda. Other public comments will be heard during the items under the heading “Reports.” Anyone desiring to speak shall reserve time by completing a “Request to Speak” form and giving it to the Clerk prior to speaking. Public speakers should notify the Clerk if they have a handout for distribution to Committee members. Public speakers are limited to three minutes or less per person. Committee members also may provide information and announcements under this agenda item.

### REPORTS (3 through 5)

+3. **ANNUAL REVIEW OF COMMITTEES AND WORKING GROUPS**  
   *(Victoria Stackwick)*  
   **DISCUSSION/POSSIBLE ACTION**  
   As required by Board Policy, an annual review of all of existing SANDAG committees and working groups has been conducted to determine whether they should continue and/or if any of their responsibilities need to be modified. The Executive Committee is asked to discuss whether certain committees and working groups described in the report should continue.

+4. **STATE LEGISLATIVE STATUS REPORT**  
   *(Kim Kawada)*  
   **DISCUSSION/POSSIBLE ACTION**  
   Periodic status reports on legislative activities are provided to the Executive Committee during the year. This report provides an update on the Governor’s May Revise and key state legislation, including Senate Bill 468 (Kehoe) and Assembly Bills 631 (Ma) and 307 (Nestande).

+5. **REVIEW OF JUNE 24, 2011, DRAFT BOARD AGENDA**  
   *(Renée Wasmund)*  
   **APPROVE**

6. **CONTINUED PUBLIC COMMENTS**

If the five speaker limit for public comments was exceeded at the beginning of this agenda, other public comments will be taken at this time. Subjects of previous agenda items may not again be addressed under public comment.
7. UPCOMING MEETINGS

The next meeting of the Executive Committee is scheduled for Friday, July 8, 2011, at 9 a.m.

8. ADJOURNMENT

+ next to an agenda item indicates an attachment
Chair Jerome Stocks (North County Coastal) called the Executive Committee meeting to order at 9:03 a.m. The attendance sheet for the meeting is attached.

1. APPROVAL OF MINUTES

Upon a motion by Supervisor Bill Horn (County of San Diego) and a second by Mayor Don Higginson (North County Inland), the minutes of the March 11, 2011, Executive Committee meeting were unanimously approved.

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBERS COMMENTS

There was no public comment, communications, or member comments.

REPORTS (3 through 5)

3. MAYER HOFFMAN MCCANN P.C. INDEPENDENT AUDITOR PEER REVIEW REPORT (Information)

Lauren Warrem, Director of Finance, introduced this item.

The certified public accounting firm of Mayer Hoffman McCann P.C. (MHM) is the SANDAG independent auditor. MHM engaged an independent certified public accounting firm to evaluate the quality of the audit work performed by MHM with respect to its local government audit practice in California. This independent peer review report has been completed and is now available.

Jennifer Farr and Michael Harrison from MHM presented the results of the peer review.

Action: This item was presented for information only.

4. STATE LEGISLATIVE STATUS REPORT (DISCUSSION/POSSIBLE ACTION)

Periodic status reports on legislative activities are provided to the Executive Committee during the year. Genevieve Morelos, Senior Legislative Analyst, provided an update on the Governor’s FY 2011-2012 budget as well as information on pending state legislation, including Senate Bill 468 (Kehoe) and Assembly Bills 486 (Hueso) and 892 (Carter).
Chair Stocks noted there was one request to speak on this item.

Craig Scott, representing the Automobile Club of Southern California, spoke against SB 468 (Kehoe).

Committee discussion ensued on the various legislative bills.

**Action**: Upon a motion by Mayor Jerry Sanders (City of San Diego) and second by Supervisor Bill Horn (County of San Diego), the Executive Committee unanimously voted to take an "oppose" position on SB 468 (Kehoe); however, staff and Board leadership were asked to continue working with Senator Kehoe on SB 468.

5. REVIEW OF APRIL 22, 2011, DRAFT BOARD AGENDA (APPROVE)

Kim Kawada, TransNet and Legislative Affairs Program Director, reviewed the draft agenda for the April 22, 2011, SANDAG Board meeting and noted any changes since the mail-out.

**Action**: Upon a motion by Supervisor Horn, and a second by Second Vice Chair Dale, the Executive Committee voted unanimously to approve the agenda for the April 22, 2011, Board of Directors meeting.

6. CONTINUED PUBLIC COMMENTS

There were no continued public comments.

7. UPCOMING MEETINGS

The next meeting of the Executive Committee is scheduled for Friday, May 13, 2011, at 9 a.m.

8. ADJOURNMENT

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

Attachment: Attendance Sheet
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<td>City of Poway</td>
<td>Don Higginson</td>
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<td>City of San Marcos</td>
<td>Jim Desmond</td>
<td>Alternate</td>
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<td>City of Encinitas</td>
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EXECUTIVE COMMITTEE DISCUSSION AND ACTIONS
MAY 13, 2011

First Vice Chair Jack Dale (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 Supervisor Bill Horn (County of San Diego) and a second by Mayor Ron Morrison (South County), the minutes of the April 8, 2011, Executive Committee meeting were unanimously approved.

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBERS COMMENTS

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

REPORTS (3 through 6)

3. PROPOSED FY 2012 PROGRAM BUDGET (INCLUDING THE OVERALL WORK PROGRAM) (RECOMMEND)

Tim Watson, Program Budget Manager, provided the staff report. SANDAG Bylaws require the Board of Directors to adopt a final budget by June 30 of each year. The proposed FY 2012 Program Budget includes the Overall Work Program, Capital Improvement Program, TransNet Program, and Administrative and Board budgets. The Executive Committee was asked to recommend that the Board of Directors approve Resolution No. 2011-17, adopting the proposed FY 2012 Program Budget (including the Overall Work Program).

Action: Upon a motion by Mayor Don Higginson (North County Inland), and a second by Mayor Lesa Heebner (North County Coastal), the Executive Committee voted to recommend that the Board of Directors approve Resolution No. 2011-17, adopting the proposed FY 2012 Program Budget (including the Overall Work Program).

4. FEDERAL AND STATE LEGISLATIVE STATUS REPORTS (DISCUSSION/POSSIBLE ACTION)

Genevieve Morelos, Senior Legislative Analyst, provided a status report on pending state legislation, including Senate Bill 468 (SB 468) introduced by Senator Kehoe and Assembly Bill 486 introduced by Assemblymember Hueso.

Discussion ensued relative to proposed amendments to SB 468.
Motion Made: Mayor Heebner moved and Mayor Morrison seconded taking a “support, if amended” position on SB 468. Discussion followed, and as a result, Mayor Morrison withdrew his second to this motion.

Action Taken: Mayor Higginson moved and Mayor Morrison seconded taking an “oppose unless amended” position on Senate Bill 468 (Kehoe) to allow staff and Board leadership to continue to work with Senator Kehoe’s office on amendments to the bill, and directed staff to modify the minutes from the April 8, 2011, Executive Committee meeting to include a reference that staff and leadership also was asked to continue working with Senator Kehoe on Senate Bill 468 at the April meeting. The vote was 4-1 in favor (Mayor Heebner voted against this motion); the motion passed.

5. **PLUG-IN ELECTRIC VEHICLE GRANT OPPORTUNITY (APPROVE)**

Susan Freedman, Senior Planner, provided the staff report on this request to submit a Letter of Intent to the U.S. Department of Energy in support of a regionally focused plug-in electric vehicle (PEV) permit streamlining initiative that would serve all 19 jurisdictions in the region.

Action: Upon a motion by Supervisor Horn, and a second by Mayor Heebner, the Executive Committee voted to approve the submittal of a Letter of Intent to the U.S. Department of Energy in support of a regionally focused plug-in electric vehicle permit streamlining initiative.

6. **REVIEW OF MAY 27, 2011, DRAFT BOARD AGENDA (APPROVE)**

Renée Wasmund, Chief Deputy Executive Director, reviewed the draft agenda for the May 27, 2011, Board of Directors meeting, and noted any changes since the mail-out.

Action: Upon a motion by Mayor Morrison, and a second by Mayor Heebner, the Executive Committee voted to approve the agenda for the May 27, 2011, Board of Directors meeting, as amended.

7. CONTINUED PUBLIC COMMENT

There were no public comments.

8. **UPCOMING MEETINGS**

The next meeting of the Executive Committee is scheduled for Friday, June 10, 2011, at 9 a.m.

9. **ADJOURNMENT**

First Vice Chair Dale adjourned the meeting at 9:57 a.m.

Attachment: Attendance Sheet
## CONFIRMED ATTENDANCE
### SANDAG EXECUTIVE COMMITTEE MEETING
### MAY 13, 2011

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ANNUAL REVIEW OF COMMITTEES AND WORKING GROUPS

Introduction

Section 6.6 of SANDAG Board Policy No. 004 requires that an informational report be provided to the Board on an annual basis concerning the status of all standing and ad hoc committees and working groups. In addition, Board Policy No. 001 states that the Executive Committee is responsible for annually reviewing a list of all SANDAG lower-level committees and working groups to determine the need to maintain the committee or working group and to approve any revisions in functions or membership.

Since the last annual report, one new working group, the Public Health Stakeholder Group (PHSG), was added, and the Interstate 5 South Multimodal Corridor Study Technical Working Group completed its work and terminated in January 2011. Several working groups held no meetings during the past year, and the Executive Committee is asked to discuss whether these groups should continue.

Discussion

Obtaining meaningful public and technical input is important to all of our functional areas and is consistent with adopted SANDAG policy for public participation/involvement. Equally important is the need for focused policy direction, which is vested either in the Board or has been delegated by the Board to one of the five Policy Advisory Committees (PACs).

SANDAG supports 29 different committees and working groups that advise the Board and PACs on a variety of projects and issues related to our Overall Work Program and Capital Program. With the exception of the Executive Committee, each PAC (Transportation, Regional Planning, Borders, and Public Safety) has a number of different committees and working groups that report to it. Attachment 1 depicts the relationship between each of the PACs and their related working groups. Attachment 2 lists the membership, responsibilities, year established, frequency of meetings, and status for each of these groups.

Standing Groups

Many of our committees and working groups have met for years (even decades). These standing groups generally assist in ongoing planning, programming, and project development activities. Some examples of these include the Regional Planning Technical Working Group (planning directors), Cities/County Transportation Advisory Committee (public works directors), the Committee on Binational Regional Opportunities (stakeholders from the San Diego region and Mexico), and the Chiefs/Sheriff’s Management Committee (chiefs of police, sheriff, or public safety chief executive officers).
Working Group Changes

Listed below is an update on the working group that has been added since last year’s report.

Public Health Stakeholder Group

PHSG provides feedback and advice to SANDAG staff on the execution of the Communities Putting Prevention to Work (CPPW) grant known as Healthy Works. The grant agreement between the County of San Diego and SANDAG states that a “work group” must be created to support SANDAG staff in implementing the CPPW grant requirements. The PHSG began meeting in October 2010 and is expected to meet through the term of the grant (March 2012). The membership for the PHSG was developed in collaboration with the County of San Diego Health and Human Service Agency, which is overseeing the grant.

Working Groups for Executive Committee Discussion

Four working groups held no meetings during the past fiscal year. The following provides an update on these groups for Executive Committee discussion:

- The Freight Stakeholders Working Group is a temporary working group that provides input to the development of the 2050 Goods Movement Strategy of the 2050 Regional Transportation Plan. It expects to hold its last meeting during summer 2011, after which the group would sunset.

- In lieu of ARJIS Technical Working Group meetings, members have been participating in the ARJIS Enterprise Core Working Group during the transition from the ARJIS Legacy to ARJIS Enterprise systems. Regular ARJIS Technical Working Group meetings are expected to resume in the upcoming fiscal year.

- The SPRINTER Smart Growth Working Group is a temporary group composed of members of local jurisdictions along the SPRINTER line, and staffs from North County Transit District and SANDAG. Its primary responsibility is to discuss and share information regarding smart growth projects along the SPRINTER corridor and implementation tools that may be useful or of interest to other members of the group. This group met once during FY 2010 and had no meetings during FY 2011. This is primarily due to a general lack of development proposals as a result of the economic downturn.

Integrating smart growth land uses with public transit is an important component of the Regional Comprehensive and Transportation Plans. Over the coming year, SANDAG will be undertaking an update to the Smart Growth Concept Map, which identifies key opportunity areas for integrating land use and transit development. In addition, other major public transit improvements, such as the Blue and Orange Trolley line rehabilitation, South Bay Bus Rapid Transit, and the Mid-Coast Corridor Transit project, are under way, and local jurisdictions along these corridors may benefit from information sharing about smart growth practices. The Executive Committee may want to consider whether to sunset the SPRINTER Smart Growth Working Group, and reevaluate the need for a similar or modified group in the future, following the next update of the Smart Growth Concept Map.
The Interstate 15 Interregional Partnership (I-15 IRP) Joint Policy Committee, composed of elected officials from the San Diego and southwestern Riverside County regions, is a temporary group formed to review and provide policy-level feedback on I-15 IRP Phase III Study. This phase of the I-15 IRP Study concluded last year. At the last meeting of the Joint Policy Committee, there was agreement to continue meeting on an annual basis to continue general coordination.

The Executive Committee may want to consider whether it is appropriate to sunset the formal structure of the I-15 IRP Joint Policy Committee, and instead allow members of the Borders Committee and elected officials at counterpart agencies in Riverside County to meet on an as needed basis and address issues as they arise. SANDAG holds periodic meetings in a similar manner with Orange County officials as well as with representatives from the Southern California Association of Governments.

**Next Steps**

The annual Board report on the status of SANDAG committees and working groups is scheduled for the June 24, 2011, Board of Directors meeting.

**KIM KAWADA**
TransNet and Legislative Affairs Program Director

**Attachments:** 1. Policy Advisory Committees and Related Working Groups Diagram  
2. List of Committees and Working Groups

**Key Staff Contact:** Victoria Stackwick, (619) 699-6926, vst@sandag.org
Board of Directors

Transportation Committee

Bayshore Bikeway Working Group

Bicycle-Pedestrian Working Group
Cities/County Transportation Advisory Committee
Regional Transit Planning Task Force
San Diego Region Conformity Working Group
San Diego Regional Traffic Engineers Council
Social Services Transportation Advisory Council

Freight Stakeholders Working Group
Coordinated Transit and Human Services Transportation Plan Working Group
Mid-Coast Corridor Transit Project Working Group
Regional Planning Stakeholders Working Group
SR 78 Corridor Study Working Group
STANDING

ELECTED OFFICIALS

Board of Directors

Public Safety Committee

Chiefs'/Sheriff's Management Committee

ARJIS

Business Working Group
Crime Analysis Working Group
Enterprise Core Working Group
Technical Working Group

ARJIS

Users Working Group

TEMPORARY
# LIST OF COMMITTEES AND WORKING GROUPS

## BOARD OF DIRECTORS

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<th>COMMITTEE OR WORKING GROUP NAME</th>
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<th>RESPONSIBILITIES</th>
<th>YEAR ESTABL.</th>
<th>CURRENT STATUS</th>
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<tr>
<td>Quality of Life Stakeholder Working Group</td>
<td>Stakeholders from the SANDAG Environmental Mitigation Program Working Group, SANDAG Shoreline Preservation Working Group, County of San Diego Water Quality Core Working Group, habitat/conservation advocacy, water quality advocacy, water supply agency, transit agencies, transit user advocacy, transit advocacy, taxpayer advocacy, smart growth advocacy, economic development councils, chambers of commerce, local business associations, academia, labor, city/county managers, environmental justice advocacy, agricultural industry, and development industry.</td>
<td>Provide input on key activities associated with developing a Quality of Life Funding Strategy</td>
<td>2010</td>
<td>Temporary</td>
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Staff Lead: Rob Rundle  
Meeting Schedule: Monthly  
No. of Mtgs. in FY 2011: 12

* Changes from last year are marked in **bold**.
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<th>COMMITTEE OR WORKING GROUP NAME</th>
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<th>CURRENT STATUS</th>
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<tr>
<td>2 Bayshore Bikeway Working Group</td>
<td>County Supervisor Greg Cox (Chair), Chula Vista Councilmember Patricia Aguilar, Coronado Councilmember Mike Woiwode, Imperial Beach Councilmember Jim King, National City Councilmember Rosalie Zarate, City of San Diego Councilmember David Alvarez, Board of Port Commissioners Chair Scott Peters, and Gordy Shields representing the bicycling community.</td>
<td>Reviews and supports improvements to the Bayshore Bikeway</td>
<td>1989</td>
<td>Temporary—will terminate upon project completion</td>
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<td>Staff Lead: Stephan Vance</td>
<td></td>
<td>Meeting Schedule: Periodically</td>
<td>No. of Mtgs. in FY 2011: 4</td>
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<td>3 Bicycle-Pedestrian Working Group</td>
<td>Staff from local jurisdictions, Caltrans, Metropolitan Transit System (MTS), North County Transit District (NCTD), Port of San Diego, and representatives from bicycle and pedestrian advocacy groups.</td>
<td>Makes bicycle and pedestrian funding recommendations and reviews nonmotorized transportation issues</td>
<td>1970s</td>
<td>Standing</td>
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<td>Staff Lead: Chris Kluth</td>
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<td>Meeting Schedule: Monthly</td>
<td>No. of Mtgs. in FY 2011: 10</td>
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<td>4 Cities/County Transportation Advisory Committee (CTAC)</td>
<td>Public works directors from local jurisdictions and staff from Caltrans, MTS, and NCTD.</td>
<td>Makes recommendations regarding transportation-related policies and issues that affect local street and road projects and programs</td>
<td>1993</td>
<td>Standing</td>
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<td>Meeting Schedule: Monthly</td>
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<td>5 Coordinated Transit and Human Services Transportation Plan Working Group</td>
<td>Voluntary members of the Social Services Transportation Advisory Council (representatives of transit users who are 60 years or older, and representatives of transit users who are persons with a disability).</td>
<td>Provide input to the development of the 2010-2014 Coordinated Plan</td>
<td>2008</td>
<td>Temporary</td>
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<td>Staff Lead: Phil Trom</td>
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<td>Meeting Schedule: As needed</td>
<td>No. of Mtgs. in FY 2011: 4</td>
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## TRANSPORTATION COMMITTEE

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<th>RESPONSIBILITIES</th>
<th>YEAR ESTABL.</th>
<th>CURRENT STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>6 Freight Stakeholders Working Group</td>
<td>Membership consists of two members representing CTAC, members from the Port of San Diego and Port tenants, San Diego County Regional Airport Authority, shippers and carriers using the airport, San Diego and Arizona Eastern Railway, Burlington North Santa Fe Railroad, regional truckers, warehouse operators, San Diego Regional and Otay Mesa Chambers of Commerce, San Diego World Trade Center, Caltrans, and others interested in efficient goods movement in the San Diego region.</td>
<td>Provide input to the development of the 2050 Goods Movement Strategy (2050 GMS), including feedback on evaluation criteria and performance measures and related goods movement planning activities</td>
<td>2010</td>
<td>Temporary - will terminate upon completion of 2050 GMS (expected summer 2011)</td>
</tr>
<tr>
<td><strong>Staff Lead: Christina Casgar</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>Meeting Schedule:</strong> As needed</td>
</tr>
<tr>
<td></td>
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<td><strong>No. of Mtgs. in FY 2011:</strong> 0</td>
<td></td>
<td><strong>No. of Mtgs. in FY 2011:</strong> 0</td>
</tr>
<tr>
<td>7 Regional Transit Planning Task Force</td>
<td>NCTD, MTS, other transit operator planning staffs, and Full Access and Coordinated Transportation (FACT) staff.</td>
<td>Assists in developing annual Regional Short Range Transit Plan and Productivity Improvement Program; fulfills Transportation Development Act requirement for a productivity improvement committee</td>
<td>2003</td>
<td>Standing</td>
</tr>
<tr>
<td><strong>Staff Lead: Phil Trom</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>Meeting Schedule:</strong> Quarterly</td>
</tr>
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<td></td>
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<td><strong>No. of Mtgs. in FY 2011:</strong> 4</td>
<td></td>
<td><strong>No. of Mtgs. in FY 2011:</strong> 4</td>
</tr>
<tr>
<td>8 San Diego Region Conformity Working Group</td>
<td>Staff from the U.S. Environmental Protection Agency, Federal Highway Administration, Federal Transit Administration (FTA), California Air Resources Board, Caltrans, and San Diego Air Pollution Control District.</td>
<td>Reviews and comments on Regional Transportation Plan (RTP) and Regional Transportation Improvement Program transportation conformity and State Implementation Plan development or updates, and fulfills federal and state requirements for interagency consultation</td>
<td>1994</td>
<td>Standing</td>
</tr>
<tr>
<td><strong>Staff Lead: Rachel Kennedy</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>Meeting Schedule:</strong> Monthly</td>
</tr>
<tr>
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<td><strong>No. of Mtgs. in FY 2011:</strong> 6</td>
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<td><strong>No. of Mtgs. in FY 2011:</strong> 6</td>
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* Changes from last year are marked in **bold**.
## TRANSPORTATION COMMITTEE

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<thead>
<tr>
<th>COMMITTEE OR WORKING GROUP NAME</th>
<th>MEMBERSHIP</th>
<th>RESPONSIBILITIES</th>
<th>YEAR ESTABL.</th>
<th>CURRENT STATUS</th>
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</thead>
<tbody>
<tr>
<td>9 San Diego Regional Traffic Engineers Council (SANTEC)</td>
<td>Traffic engineers from local jurisdictions, Caltrans, and staff from MTS and NCTD.</td>
<td>Makes recommendations regarding traffic engineering issues associated with the region's roadway network</td>
<td>1989</td>
<td>Standing</td>
</tr>
<tr>
<td>Staff Lead: Peter Thompson</td>
<td></td>
<td></td>
<td></td>
<td>Meeting Schedule: Monthly No. of Mtgs. in FY 2011: 10</td>
</tr>
<tr>
<td>10 Social Services Transportation Advisory Council (SSTAC)</td>
<td>Representatives of transit users who are 60 years or older; representatives of transit users who are persons with a disability; representatives of transit users who are persons with limited means; staff from social service providers serving seniors, persons with disabilities, and persons of limited means; representatives from the Consolidated Transportation Services Agency (FACT); and representatives from each of the transit operators.</td>
<td>Designated as the Local Review Committee for the FTA Section 5310 grant applications, holds required unmet needs hearings, and advises on regional issues of accessible transportation provided by the public and private sector; fulfills state Public Utilities Code requirement; fulfills Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users Coordinated Plan requirement; also reviews and advises on transit capital improvement projects for Americans with Disabilities Act compliance</td>
<td>1979</td>
<td>Standing</td>
</tr>
<tr>
<td>Staff Lead: Brian Lane</td>
<td></td>
<td></td>
<td></td>
<td>Meeting Schedule: Bimonthly No. of Mtgs. in FY 2011: 5</td>
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<tr>
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<th>YEAR ESTABL.</th>
<th>CURRENT STATUS</th>
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</thead>
<tbody>
<tr>
<td>11 State Route 78 (SR 78) Corridor Study Temporary Working Group</td>
<td>Technical staff from the County of San Diego, local jurisdiction representatives from Oceanside, Carlsbad, Vista, San Marcos, and Escondido; Caltrans; NCTD; MTS; freight rail operators; and the Southern California Tribal Chairmen's Association.</td>
<td>Provide technical input on the development of the SR 78 Corridor Study</td>
<td>2010</td>
<td>Temporary - will terminate upon completion of SR 78 Corridor Study (Spring 2012)</td>
</tr>
<tr>
<td>Staff Lead: Rachel Kennedy</td>
<td></td>
<td></td>
<td></td>
<td>Meeting Schedule: As needed No. of Mtgs. in FY 2011: 5</td>
</tr>
<tr>
<td>12 Mid-Coast Corridor Transit Project Working Group</td>
<td>25 members distributed over several membership categories, including access advocate, business community, community representatives, community services, employers, environmental, retail, student representative, taxpayers advocate, transportation advocate, transit rider representative, and at-large members.</td>
<td>Provide a forum to update key stakeholders and the public on Mid-Coast Corridor Transit Project and project review processes; present technical information for review during the scoping period; reach consensus in support of a Locally Preferred Alternative; and review the draft environmental documents and provide comments</td>
<td>2009</td>
<td>Temporary - will terminate upon completion of draft environmental document (expected early 2013)</td>
</tr>
<tr>
<td>Staff Lead: Anne Steinberger</td>
<td></td>
<td></td>
<td></td>
<td>Meeting Schedule: As needed No. of Mtgs. in FY 2011: 2</td>
</tr>
<tr>
<td>13 Regional Planning Stakeholders Working Group</td>
<td>Up to 25 members, including 16 to 18 “at-large” citizen members selected based on their individual qualifications, and 5 to 7 individuals representing community-based networks.</td>
<td>Provide ongoing public input into key activities associated with developing the 2050 RTP and its key components, including goals and objectives and the Sustainable Communities Strategy required by Senate Bill 375 (Steinberg, 2008)</td>
<td>2009</td>
<td>Temporary - will terminate upon completion of 2050 RTP (expected fall 2011)</td>
</tr>
<tr>
<td>Staff Lead: Jane Clough-Riquelme</td>
<td></td>
<td></td>
<td></td>
<td>Meeting Schedule: Monthly No. of Mtgs. in FY 2011: 8</td>
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# REGIONAL PLANNING COMMITTEE

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<thead>
<tr>
<th>COMMITTEE OR WORKING GROUP NAME</th>
<th>MEMBERSHIP</th>
<th>RESPONSIBILITIES</th>
<th>YEAR ESTABL.</th>
<th>CURRENT STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>14 Shoreline Preservation Working Group</td>
<td>San Diego County Supervisor Pam Slater-Price (Chair), Solana Beach Councilmember Joe Kellejian (Vice Chair), Coronado Councilmember Carrie Downey, Del Mar Councilmember Lee Haydu, Imperial Beach Mayor Jim Janney, Oceanside Deputy Mayor Esther Sanchez, City of San Diego Councilmember Kevin Faulconer, Encinitas Councilmember Jim Bond, Carlsbad Mayor Pro Tem Ann Kulchin, U.S. Navy Mitch Perdue, Port of San Diego Commissioner Dan Malcolm; and technical advisors from: California Coastal Commission, National Marine Fisheries Service, State Dept. of Boating and Waterways, State Dept. of Fish and Game, State Dept. of Parks and Recreation, States Lands Commission, U.S. Army Corps of Engineers, California Coastal Coalition, California Lobster and Trap Fisherman Association, Environmental Rights Foundation, San Diego North Convention and Visitor’s Bureau, Scripps Institution of Oceanography, Sierra Club, Southern California Tribal Chairmen’s Association, and Surfrider Foundation. Staff Lead: Shelby Tucker</td>
<td>Advises on the implementation of the Shoreline Preservation Strategy adopted by SANDAG in 1993</td>
<td>1980s</td>
<td>Standing</td>
</tr>
<tr>
<td>15 Regional Housing Working Group</td>
<td>Lemon Grove Councilmember Jerry Jones (Co-Chair); Duane Roth, CONNECT (Co-Chair); housing staff representatives from the City of San Diego, County of San Diego, North County Coastal, North County Inland, East County, and South County; and housing authority staff, housing industry representatives, and housing advocates. Staff Lead: Susan Baldwin</td>
<td>Serves as a forum for discussion of regional housing issues</td>
<td>2000</td>
<td>Standing</td>
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</tbody>
</table>

* Changes from last year are marked in **bold**.
### REGIONAL PLANNING COMMITTEE

<table>
<thead>
<tr>
<th>COMMITTEE OR WORKING GROUP NAME</th>
<th>MEMBERSHIP</th>
<th>RESPONSIBILITIES</th>
<th>YEAR ESTABL.</th>
<th>CURRENT STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>16 Public Health Stakeholder Group</td>
<td>The participating members will consist of representatives that include, but not limited to, the following groups/organizations: Regional Planning Technical Working Group, CTAC, San Diego County's Health and Human Services Agency, Rady Children's Hospital, Bay Area Regional Health Inequities Institute, San Diego County Bicycle Coalition, International Rescue Committee, Walk San Diego, Kaiser Permanente, American Institute of Architects (Urban Design Subcommittee), Sustainable San Diego, Caltrans, American Society of Landscape Architects, Urban Land Institute, the Parent Teacher Association, San Diego Council of Design Professionals, and SSTAC.</td>
<td>Provide feedback and advice to SANDAG staff on the execution of the Communities Putting Prevention to Work (CPPW) grant</td>
<td>2011</td>
<td>Temporary - will terminate upon completion of CPPW grant (March 2012)</td>
</tr>
<tr>
<td><strong>Staff Lead: Vikrant Sood</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17 Regional Energy Working Group</td>
<td>Coronado Councilmember Carrie Downey (Chair) (South County), Escondido Councilmember Ed Gallo (North County Inland), San Diego Councilmember Sherri Lightner, Del Mar Councilmember Don Mosier (North County Coastal), Santee Councilmember Rob McNeils (East County), Vacant (County of San Diego); and representatives from San Diego Gas &amp; Electric, Port of San Diego, San Diego County Regional Airport Authority, California Center for Sustainable Energy, Energy Policy Initiatives Center at University of San Diego School of Law, San Diego Regional Chamber of Commerce, regional economic development councils (north county and south county), San Diego Clean Fuels Coalition, Environmental Health Coalition, Sierra Club, San Diego State University and University of California San Diego, MTS, and NCTD.</td>
<td>Advises on the implementation of the Regional Energy Strategy adopted by SANDAG in 2003</td>
<td>2004</td>
<td>Standing</td>
</tr>
<tr>
<td><strong>Staff Lead: Andrew Martin</strong></td>
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* Changes from last year are marked in **bold.**

Meeting Schedule:
- Monthly

No. of Mtgs. in FY 2011:
- 4
- 7
### REGIONAL PLANNING COMMITTEE

<table>
<thead>
<tr>
<th>COMMITTEE OR WORKING GROUP NAME</th>
<th>membership</th>
<th>RESPONSIBILITIES</th>
<th>YEAR ESTABL.</th>
<th>CURRENT STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>18</strong> Environmental Mitigation Program (EMP) Working Group</td>
<td>Coronado Councilmember Carrie Downey (Chair); County of San Diego staff Tom Oberbauer (Vice Chair) and staff representatives from City of San Diego, North County Coastal, North County Inland, East County, and South County; representatives from the U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, California Department of Fish and Game, California Wildlife Conservation Board, Caltrans, The Nature Conservancy, Conservation Resource Network, U.S. Geological Survey, Endangered Habitats League, Building Industry Association, San Diego Foundation, California Coastal Conservancy, and Alliance for Habitat Conservation.</td>
<td>Advises on issues related to the coordination and implementation of the TransNet Environmental Mitigation Program</td>
<td>2005</td>
<td>Will continue through duration of implementation of TransNet EMP</td>
</tr>
<tr>
<td><strong>19</strong> Regional Planning Technical Working Group</td>
<td>Planning directors from local jurisdictions and staff from other agencies, including Port of San Diego, MTS, NCTD, San Diego County Water Authority, and Local Agency Formation Commission.</td>
<td>Advises on the development and implementation of the Regional Comprehensive Plan</td>
<td>1990</td>
<td>Standing</td>
</tr>
<tr>
<td><strong>20</strong> SPRINTER Smart Growth Working Group</td>
<td>Staff from jurisdictions located along the SPRINTER line, including the Cities of Oceanside, Vista, San Marcos, and Escondido, the County of San Diego, NCTD; and other public and private stakeholders serve as advisory members.</td>
<td>Provides assistance to local jurisdictions along the SPRINTER line and other stakeholders to implement smart growth in the areas around the 15 SPRINTER stations</td>
<td>2007</td>
<td>Temporary</td>
</tr>
<tr>
<td><strong>21</strong> Regional Planning Stakeholders Working Group</td>
<td>Up to 25 members, including 16 to 18 “at-large” citizen members selected based on their individual qualifications, and 5 to 7 individuals representing community-based networks.</td>
<td>Provide ongoing public input into key activities associated with developing the 2050 RTP and its key components, including goals and objectives and the Sustainable Communities Strategy required by Senate Bill 375 (Steinberg, 2008)</td>
<td>2009</td>
<td>Temporary – will terminate upon completion of 2050 RTP (expected fall 2011)</td>
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<th>YEAR ESTABL.</th>
<th>CURRENT STATUS</th>
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</thead>
<tbody>
<tr>
<td><strong>22</strong> Committee on Binational Regional Opportunities</td>
<td>Stakeholders from both sides of the United States/Mexico border, including representatives from local jurisdictions, businesses, and academia.</td>
<td>Advises on binational-related planning and project development issues</td>
<td>1995</td>
<td>Standing</td>
</tr>
<tr>
<td>Staff Lead: Hector Vanegas</td>
<td></td>
<td></td>
<td></td>
<td>Meeting Schedule: Bimonthly No. of Mtgs. in FY 2011: 6</td>
</tr>
<tr>
<td><strong>23</strong> Interagency Technical Working Group on Tribal Transportation Issues</td>
<td>Representatives from each of the federally recognized tribal governments and California tribes in San Diego County.</td>
<td>Discuss and coordinate transportation issues of mutual concern with the various public planning agencies in the region, including SANDAG, Caltrans, the County of San Diego, and the transit operators</td>
<td>2007</td>
<td>Standing</td>
</tr>
<tr>
<td>Staff Lead: Jane Clough-Riquelme</td>
<td></td>
<td></td>
<td></td>
<td>Meeting Schedule: Quarterly No. of Mtgs. in FY 2011: 6</td>
</tr>
<tr>
<td><strong>24</strong> I-15 Interregional Partnership (IRP) Joint Policy Committee</td>
<td>Elected officials from the San Diego region (members of SANDAG Borders Committee) and from the Southwestern Riverside County region (members of Western Riverside Council of Governments, Riverside County Transportation Commission, and the Riverside Transit Agency).</td>
<td>Review and provide policy-level feedback on I-15 IRP Phase III Study</td>
<td>2006</td>
<td>Temporary</td>
</tr>
<tr>
<td>Staff Lead: Jane Clough-Riquelme</td>
<td></td>
<td></td>
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<td>Meeting Schedule: As needed No. of Mtgs. in FY 2011: 0</td>
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<th>YEAR ESTABL.</th>
<th>CURRENT STATUS</th>
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</thead>
<tbody>
<tr>
<td>25</td>
<td>Chiefs'/Sheriff’s Management Committee</td>
<td>Sheriff and police chiefs from around the region.</td>
<td>Reviews, evaluates, and oversees the SANDAG Automated Regional Justice Information System (ARJIS) and Criminal Justice work programs and budgets; oversees the ARJIS Business, Technical, Crime Analysis, and Enterprise Core Working Groups; and evaluates and recommends regional public safety initiatives</td>
<td>1981</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Staff Lead: Pam Scanlon</td>
<td></td>
<td>Meeting Schedule: Monthly</td>
</tr>
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<td></td>
<td></td>
<td></td>
<td>No. of Mtgs. in FY 2011: 4</td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>ARJIS Business Working Group</td>
<td>Appointed staff members from each agency represented on the Chiefs'/Sheriff’s Management Committee.</td>
<td>Provides advice to the Chiefs'/Sheriff’s Management Committee on ARJIS matters relating to information sharing, business practices, and budget</td>
<td>1998</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Staff Lead: Audrey Radi</td>
<td></td>
<td>Meeting Schedule: Bimonthly as needed</td>
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<td></td>
<td>No. of Mtgs. in FY 2011: 6</td>
<td></td>
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<tr>
<td>27</td>
<td>ARJIS Crime Analysis Working Group</td>
<td>Appointed staff members from each agency represented on the Chiefs'/Sheriff’s Management Committee.</td>
<td>Provides advice to the Chiefs'/Sheriff’s Management Committee on matters relating to the verification, validation, and analysis of regional public safety information and mandated federal reporting requirements</td>
<td>1980s</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Staff Lead: Audrey Radi</td>
<td></td>
<td>Meeting Schedule: Bimonthly as needed</td>
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<td>No. of Mtgs. in FY 2011: 1</td>
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<tr>
<td>28 ARJIS Enterprise Core Working Group</td>
<td>Appointed staff members from each agency represented on the Chiefs'/Sheriff’s Management Committee.</td>
<td>Provides advice to the Chiefs'/Sheriff’s Management Committee on matters relating to the development of the new ARJIS Enterprise System</td>
<td>2007</td>
<td>Standing</td>
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<td>Meeting Schedule: Bimonthly as needed</td>
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<td></td>
<td>No. of Mtgs. in FY 2011: 4</td>
</tr>
<tr>
<td>29 ARJIS Technical Working Group</td>
<td>Appointed staff members from each agency represented on the Chiefs'/Sheriff’s Management Committee.</td>
<td>Provides advice to the Chiefs'/Sheriff’s Management Committee on ARJIS matters relating to state-of-the-art information technology that enhances both officer and public safety</td>
<td>1998</td>
<td>Standing</td>
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<td>Meeting Schedule: Bimonthly as needed</td>
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<td>No. of Mtgs. in FY 2011: 0</td>
</tr>
<tr>
<td>30 ARJIS Users Working Group</td>
<td>Appointed staff members from each agency represented on the Chiefs'/Sheriff’s Management Committee.</td>
<td>Provides advice to the Chiefs'/Sheriff’s Management Committee on matters relating to the implementation of the new ARJIS Enterprise System</td>
<td>2007</td>
<td>Temporary</td>
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<td>Meeting Schedule: Bimonthly as needed</td>
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<td>No. of Mtgs. in FY 2011: 4</td>
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Action Requested: DISCUSSION/POSSIBLE ACTION

STATE LEGISLATIVE STATUS REPORT

Introduction

Periodic legislative status updates are provided to the Executive Committee throughout the year. This report provides a summary of the key elements of the Governor’s May Revise, which was released on May 16, 2011, and an update on Senate Bill 468 (Kehoe) regarding the Interstate 5 (I-5) and rail projects included in the North Coast Corridor project.

This report also discusses two additional bills for possible action by the Executive Committee: Assembly Bill 631 (Ma), which would enact into law a recent decision by the California Public Utilities Commission (CPUC) not to regulate electric vehicle charging stations as public utilities, and Assembly Bill 307 (Nestande), which would include a federally recognized Indian tribe in the definition of a “public agency” that may enter into a joint powers agreement.

Discussion

Governor’s May Revise

In January 2011, the Governor identified a $25.4 billion gap, which grew to $26.6 billion by February. In March, the Legislature enacted $13.4 billion in budget solutions. The May Revise reflects an increase of $2 billion in state spending plus an additional $1 billion in Proposition 10\(^1\) litigation fees that were not anticipated in the Governor’s January budget. These additional costs would be offset by $6.6 billion in higher revenues. In total, the Governor’s May Revise seeks to address a $9.6 billion gap and build a $1.2 billion reserve.

The Governor proposes the elimination of 43 commissions and boards, the reduction of 5,500 of state personnel positions, and tax extensions in order to balance the budget. The May Revise continues to include the extension of higher personal income taxes, sales and use tax, and vehicle license fees that were first enacted in 2009 (and which are currently set to expire on June 30, 2011). The higher tax rates are proposed to remain in place for five years. The Governor’s May Revise continues to state that any increase in taxes would be subject to voter approval, although the budget is silent on a schedule for when these taxes would go to the ballot.

The Governor’s budget proposal also continues to include the plan to eliminate redevelopment agencies and use some portion of their funding to support Medi-Cal programs and the courts.

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\(^1\) In November 1998, California voters passed Proposition 10, the Children and Families Act of 1998, which levies a tax on cigarettes and other tobacco products in order to provide funding for early childhood development programs.
Transportation

The May Revise does not make any significant changes to the funding for transportation or public transit. The reenactment of the gas tax swap in March 2011 provided the General Fund with $903.5 million in relief for FY 2010-2011 through the use of weight fees to pay transportation-related bond debt service. Weight fees are expected to provide about $777.5 million in General Fund reimbursements for debt service in FY 2011-2012.2

The Governor’s Revise proposes to increase the Proposition 1B appropriation by about $1 billion for the following programs:

- $593.6 million for corridor mobility
- $191.9 million for trade corridors
- $122.9 million for public transportation modernization
- $47.6 million for major highway rehabilitation
- $134.8 million for State Route 99

The May Revise also includes a reduction for the following Proposition 1B programs:

- $35.5 million for state-local partnership projects
- $8.2 million for local bridge seismic safety

Other changes to the transportation budget proposal would include:

- Providing a temporary increase of 122 contracted positions for capital outlay support to address short-term workload demands on projects that received unanticipated American Recovery and Reinvestment Act funding and project bid savings
- Increasing Planning Program Project Initiative Document (PID) funding by $2.4 million for 18 positions to complete PIDs for state- and locally-funded projects on the state highway system
- Increasing funding by $1.6 million for Caltrans review of public-private partnerships

For high-speed rail, the Governor’s May Revise would provide $3.9 million in additional funding for state operations, and a decrease of $46.3 million in capital outlay funding to reflect the California High-Speed Rail Authority’s revised cost estimates and the carryover of $47.4 million in current year funding. This funding would be used for the Central Valley trunk of the high-speed rail.

For the San Diego region, the Governor’s January budget did not include intercity rail and connectivity funds for the San Diego to Los Angeles line. The May Revise did not change the January recommendation. Without funding, there is a possibility that all preliminary engineering and environmental work and public outreach activities under way on the San Diego to Los Angeles section would cease on July 1.

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2 For more information on the local allocations of the gas tax swap, please refer to the April 8, 2011, Executive Committee agenda.
Infrastructure Bond Sale

In January, the Governor cancelled the spring bond sale, and the outcome of a fall bond sale is still uncertain. The May Revise discusses the need to improve the management of the state’s infrastructure bond proceeds. As of May 2011, there was more than $11 billion of cash from bonds sales that have accumulated in department accounts, which costs the taxpayers more than $700 million a year in debt services payments for projects that have yet to be completed.

The California Transit Association along with a broad statewide coalition, including the League of California Cities, California Association of Council of Governments, California State Association of Counties, California Alliance for Jobs, and Self-Help County Coalition, are all working to make the case for conducting a Proposition 1B bond sale this fall.

The use of the letter of no prejudice (LONP) process has allowed the San Diego region to use its own resources to keep projects moving, with the promise of a reimbursement from the state once funds become available. A fall bond sale potentially would provide an opportunity for the region to be reimbursed sooner rather than later for the following projects:

- I-15 Mira Mesa Direct Access Ramp ($40 million)
- Sorrento-Miramar Curve Realignment Phase 1 ($10.8 million)
- South Line Rail Project ($98 million)
- Blue Line Trolley Project ($283 million)

Next Steps

The May Revise is the start of state budget negotiations between the Governor and the Legislature. In accordance with state law, the Legislature is required to pass a budget by June 15, and the Governor is required to sign it into law by July 1. Staff will continue to monitor the state budget and report back to the Executive Committee.

Senate Bill 468 (Kehoe) Department of Transportation: North Coast Corridor Project: High-Occupancy Toll Lanes

Senate Bill 468 (SB 468) was introduced by Senator Christine Kehoe (D-San Diego) on February 17, 2011. It includes certain requirements for Caltrans, SANDAG, and the California Coastal Commission with respect to the development of the North Coast Corridor project.

At its May 13, 2011, meeting, the Executive Committee reviewed key agreement points (Attachment 1) that were being used to guide discussions between SANDAG and Senator Kehoe’s office on possible amendments to SB 468. Following discussion, the Executive Committee approved an “oppose unless amended” position on the bill.

SB 468 was last amended on May 31, 2011 (Attachment 3); the changes were minor in nature, primarily moving intent language from the Streets and Highways Code into the findings and declarations section. The May 17, 2011, amendments made a number of significant changes, including:
• Amended the vehicle miles travelled language in the intent portion of the bill to align with the intent language in SB 375 (Steinberg) and the Sustainable Communities Strategy

• Added language that SANDAG would support the 8+4 Buffer Alternative as the preferred alternative for the Environmental Impact Report/Environmental Impact Statement being finalized by Caltrans for the North Coast Corridor project

• Added a definition of a Public Works Plan (PWP) to mean a plan described in Section 30605 of the Public Resources; required the PWP to cover and satisfy various elements for the North Coast Corridor project; and added language that SANDAG would partner with Caltrans to hold two public hearings on the PWP before it is submitted to the Coastal Commission

• Added language that requires SANDAG to establish a safe routes to transit program that integrates the adopted regional bike plan with transit services

• Added language that SANDAG commits to constructing each of the transit and highway bridges over lagoons concurrently; and deleted language that would require construction of capacity increasing highway and multimodal transit projects concurrently

• Added language that construction of highway improvements shall move forward concurrently with multimodal projects and environmental enhancements within each phase of the PWP; and included language that does not limit SANDAG from accelerating a project in a later phase of the PWP if funding becomes available

• Deleted requirement that the PWP must provide for mitigation of impacts to city and county streets and roads; and instead added a requirement that Caltrans must consult with the affected local jurisdictions regarding the impacts of the project

• Deleted requirement that environmental consequences be monitored to ensure the benefits of mitigation in the project’s environmental documents; and added language that the environmental consequences be monitored to ensure the benefits of mitigation as described in the permits issued for the individual projects

• Added language that SANDAG would commit to dedicate a portion of the TransNet Regional Habitat Conservation fund for regional habitat, management, and monitoring activities; once all the necessary permits for the North Coast Corridor project are obtained

• Added language for a California Environmental Quality Act exemption for the PWP, and language regarding the review of the permitting decision under the substantial evidence standard

• Added language that provides SANDAG with value pricing authority for the I-5 corridor, with net revenues used to enhance transit in the corridor

On May 24, 2011, SB 468 was heard in the Senate Appropriations Committee. During the committee hearing, Senator Kehoe agreed to accept further technical amendments (Attachment 2) that were requested by SANDAG, as well as one substantive amendment. The substantive amendment relates to an agreement between SANDAG and Senator Kehoe that the involved parties would work towards completing all design and permitting by 2012, when the first phase of the North Coast Corridor project (extension of the high-occupancy vehicle lanes) is expected to be ready for construction. SANDAG has requested language reinforcing the California Coastal Commission’s discretion to use the balancing provisions in Public Resources Code Section 30007.5 when considering the North Coast Corridor project in order to reduce the likelihood that the Commission’s authority to do so would be challenged and result in time-consuming litigation.
SB 468 passed out of the Senate Appropriations Committee on May 26, 2011, by a vote of 6-2, and passed out of the Senate on June 1, 2011, by a vote of 23-15. The bill now moves to the Assembly.

The Executive Committee is asked to discuss and consider the SANDAG position on this measure. Consistent with the direction provided by the Executive Committee, SANDAG leadership, staff, and the Senator’s office have worked together on amendments to SB 468, many of which are reflected in the current version of the bill. The changes to date address most of the original concerns about the impacts the bill would have on SANDAG plans to improve I-5 and keep the promise made to voters with TransNet. The remaining technical amendments and the substantive amendment to the bill are expected to be taken up in the Assembly.

**Assembly Bill 631 (Ma) Electric Vehicle Charging Stations**

Assembly Bill 631 (AB 631) was introduced by Assemblymember Fiona Ma (D-San Francisco) on February 16, 2011, and was last amended on June 1, 2011. AB 631 would codify the unanimous CPUC decision on Phase 1 of its Alternative-Fueled Vehicle (AFV) Rulemaking stating that providers of electric vehicle (EV) charging stations for use as a transportation fuel for light-duty vehicles are not electrical corporations and public utilities regulated by the CPUC.

AB 631 is intended to remove a regulatory barrier to widespread deployment and use of EVs by providing statutory surety to homeowners, residential and commercial landlords, condominium associations, and other entities that they would not be treated as public utilities if they install and use EV charging services. The CPUC stated in its Phase 1 decision of the AFV Rulemaking that putting into law the summary conclusion that providers of EV charging services should not be regulated as public utilities would remove additional barriers to widespread deployment and the use of EVs by providing statutory surety.

The EV Project in the San Diego Region

Since 2009, SANDAG has been partnering with ECOtality on the EV Project, which seeks to install about 2,500 plug-in electric vehicle charging units in the San Diego region by December 2012. ECOtality approached staff to request that SANDAG consider a support position on this bill. In August 2009, ECOtality was awarded a $99.8 million grant from the U.S. Department of Energy to embark on the EV Project. The EV Project will deploy nearly 15,000 EV charging units in 16 major population areas in six states, including California. In the San Diego region, 1,000 owners of Nissan LEAFs will be able to participate in the project; Nissan estimates an additional 1,000 LEAF vehicles will be purchased during the first model year. The Regional Energy Strategy (RES) identifies support for EV charging infrastructure planning as a priority early action.

Support/Opposition

AB 631 is supported by the following organizations: Alliance for Automobile Manufacturers, Better Place, California Apartment Association, California Business Properties Association, California Manufacturers and Technology Association, California Retailers Association, Coulomb Technologies, ECOtality, Environmental Defense Fund, Plug-In America, and Western States Petroleum Association. The bill is opposed by California Electric Transportation Coalition, Pacific Gas and Electric, and Southern California Edison.
Proponents argue that AB 631 will give market certainty to ensure consumer and fleet adoption of EVs in California. Opponents argue that the bill is premature because the EV market is in its infancy and that the CPUC is already addressing these early market concerns.

The Regional Energy Working Group (EWG) discussed this bill and the related CPUC decision in detail at its April 28, 2011, meeting. At its May 26, 2011, meeting, the EWG recommended that the Executive Committee support AB 631. This recommendation is consistent with Goal No. 13B of the 2011 SANDAG Legislative Program, which supports energy-related legislation, programs, and policies that are consistent with the SANDAG RES.

AB 631 passed out of the Assembly Utilities and Commerce Committee on April 12, 2011, by a vote of 12-1, and passed out of the Assembly on June 3, 2011, by a vote of 63-0. The Executive Committee is asked to discuss and consider a support position on the bill.

Assembly Bill 307 (Nestande) Joint Powers Agreements: Public Agency: Federally Recognized Indian Tribe

Assembly Bill 307 (AB 307) was introduced by Assemblymember Brian Nestande (R-Palm Desert) on February 9, 2011, and was last amended on May 31, 2011. AB 307 would include a federally recognized Indian tribe in the definition of a “public agency” that may enter into a joint powers agreement.

Additionally AB 307 would:

- Prohibit any joint powers authority (JPA) that includes a federally recognized Indian tribe from having the authority to authorize or issue bonds unless the public improvements to be funded by the bonds will be owned and maintained by the JPA or one of more of its public agency members, and the revenue streams pledged to repay the bonds derive from the JPA or one or more of its public agency members

- Repeal provisions that authorize the Elk Valley Rancheria Tribal Council, the Torres Martinez Desert Cahuilla Indians, and the Hoopa Valley Business Council to enter into a JPAs

California’s JPAs are federations of federal, state, and local public agencies that jointly perform duties that at least one of the agencies could perform on its own. JPAs collaborate to address public needs and can be structured as an agreement between existing agencies or a creation of a new, separate entity.

On August 28, 1996, the California State Attorney General opined that an Indian tribe does not meet any of the public agency definitions listed under the Joint Exercise of Powers Act, but rather is a “domestic dependent nation” separate and distinct from the United States. As a result, special legislation is necessary in order for individual tribes to enter into JPAs with other public agencies. According to the author, this bill would allow Indian tribes and other public agencies to enter into JPAs to address local issues without having to come to the Legislature each time for authority.
Support/Opposition

The bill is sponsored by the United Auburn Indian Community and supported by Aqua Caliente Band of Cahuilla Indians Tribal Council, Coachella Valley Associations of Governments, Elk Valley Rancheria, Santa Ynez Band of Chumash Indians, Susanville Indian Rancheria, and Supervisor Dianne Jacob. There is no opposition to the bill.

SANDAG was asked to support this bill by Rincon Band of Luiseño Indians. A support position is consistent with the Goal No. 16B of the 2011 SANDAG Legislative Program, which supports legislation and/or policies that promote governmental efficiencies and cost savings.

AB 307 passed out of the Assembly on April 25, 2011, by a vote of 66-0. The bill is set for a hearing in the Senate Governance and Finance Committee on June 8, 2011. The Executive Committee is asked to discuss and consider a support position on this bill.

KIM KAWADA
TransNet and Legislative Affairs Program Director

Attachments: 1. Agreement Points on Senate Bill 468 between Senator Kehoe and SANDAG
2. SANDAG Technical Amendments for Senate Bill 468 (Kehoe) as Amended May 17, 2011
3. Senate Bill 468 (Kehoe) as Amended May 31, 2011

Key Staff Contact: Genevieve Morelos, 619-699-1994, gmo@sandag.org
Agreement Points on Senate Bill 468 between Senator Kehoe and SANDAG

- SANDAG would support the 8+4 Buffer Alternative as the preferred alternative for the Environmental Impact Report/Environmental Impact Statement (EIR/EIS) being finalized by Caltrans for the I-5 Corridor.

- All parties agree to work towards completing all design and permitting so that the first phase (High-Occupancy Vehicle Lanes) of the I-5 project could proceed as soon as possible, helping to create jobs and enhance our local economy. This could include a process whereby Caltrans, the Coastal Commission, and SANDAG could complete the permitting process by 2012 when the first phase is expected to be ready to construct.

- SANDAG agreed to dedicate a portion of the TransNet Economic Benefits dollars for Regional Environmental Projects conditioned on obtaining all the necessary permits, including the coastal permit.

- The vehicle miles travelled language in the intent portion of the bill would be amended to align with the intent language in Senate Bill 375 (Steinberg) and the requirement for a Sustainable Communities Strategy and the reduction of greenhouse gases.

- The collaboration requirement of the bill would be amended to require that multimodal transportation options be considered and included where appropriate in the Public Works Plan (PWP).

- In an effort to reduce environmental impacts, SANDAG commits to constructing transit and highway bridges over lagoons concurrently.

- The requirement to construct capacity increasing and multimodal transit projects concurrently would be replaced with the above requirement to construct the bridges over the lagoons concurrently.

- The requirement to include parallel local street and road projects in the EIR would be amended to require that Caltrans consult with the local cities regarding parallel local street and road projects they are planning for, and that traffic impacts be considered.

- The requirement for monitoring would be amended to require that the monitoring be done in accordance with the permits.

- SANDAG agreed to partner with Caltrans to hold two public hearings on the PWP prior to submitting it to the Coastal Commission for adoption.

- Value Pricing would be included in the legislation, providing that net revenues generated will go to enhancing transit operations in the corridor.
SANDAG Technical Amendments for SB 468 (Kehoe) as Amended May 17, 2011

1. Insert “or other approved traffic control devices” so that first sentence of Subsection (b) (2) of Section 1 (lines 7-12 of page 7) reads:

   “(2) ‘8+4 Buffer Alternative’ means the addition of a multimodal Managed Lane facility consisting of two lanes on either side of State Highway Route 5 within the north coast corridor, separated from general purpose lanes by striping or other approved traffic control devices, and which, to the maximum extent feasible, is built within existing rights-of-way owned by the department.”

2. Subsection (a) (1) – Delete “the objectives of” – so that lines 20-22 of page 6 read:

   “(17) Implementation of the objectives of the north coast corridor project is critical to the environment, economy, and welfare of the people in the San Diego region and throughout the state.”

3. Subsection (b) (3) – Insert “measures” after the word “mitigation” – so that the last sentence (lines 25-28 of page 7) reads:

   “The public works plan is an expedited process that describes, evaluates, and provides mitigation measures for highway, transit, multimodal and community enhancement, and environmental mitigation projects within the north coast corridor.”

4. In order to be more consistent with the language used by Coastal Commission staff in reports concerning the scope of review for projects following certification of public works plans, revise Subsection (c) (lines 33-39 of page 7) to read:

   “Once the public works plan for the north coast corridor has been approved and certified by the California Coastal Commission, subsequent review by the California Coastal Commission of a specific project in the public works plan shall be limited to imposing conditions to ensure consistency of the projects in each phase shall be subject to a review for consistency with the public works plan by the California Coastal Commission prior to issuance of a permit or other determination, unless a project is inconsistent with the project description in with the public works plan.

5. Revise Subsection (e) (2) (lines 15-18 of page 11) to read:

   “(2) The department and SANDAG shall perform work and complete development in conformance consistent with the phasing program adopted in the public works plan developed pursuant to subdivision (c) unless changes are reviewed and approved by the California Coastal Commission.”

6. Subsection (a) (14) – Insert “per capita” so that line 32 of page 5 reads:

   “…include the reduction of per capita vehicle miles traveled and integrating…”
7. Revise Subsection (d) (1) so that lines 25-30 of page 8 read:

• “(1) Collaborate with all stakeholders, including local agencies through which the proposed project traverses, the California Coastal Commission, and other affected local, state, and federal agencies to ensure that multimodal transportation options are evaluated and included in the project design in the public works plan.”

8. Insert “portions of” before “the coastal rail trail” so that the second to the last sentence of Subsection (a) (7) of Section 1 (lines 38-40 of page 3) reads:

• “The LOSSAN rail corridor is used for intercity and commuter rail passenger service and includes portions of the coastal rail trail.”
SENATE BILL No. 468

Introduced by Senator Kehoe

February 17, 2011

An act to add Sections 103 and 149.10 to the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL’S DIGEST

SB 468, as amended, Kehoe. Department of Transportation: north coast corridor project: high-occupancy toll lanes.

Existing law provides that the Department of Transportation has full possession and control of the state highway system. Existing law imposes various requirements for the development and implementation of transportation projects.

This bill would impose additional requirements on the department with respect to specified highway projects on State Highway Route 5 in southern California, known collectively as the north coast corridor project, that are located entirely or partially in the coastal zone, including requiring the department to collaborate with local agencies, the California Coastal Commission, and other affected local, state, and federal agencies to ensure that multimodal transportation options are evaluated and included in the public works plan for the projects. The bill would make these requirements applicable to the San Diego Association of Governments (SANDAG) and would also require SANDAG, for these projects, to establish a safe routes to transit program.
that integrates the adopted regional bike plan with transit services and, pursuant to SANDAG’s agreement, as specified, to commit to dedicate for regional habitat acquisition, management, and monitoring activities a portion of specified taxes approved by the voters in San Diego County. The bill would, for these projects, require the department to suspend a notice of determination relating to environmental impact, issued between January 1, 2011, and January 1, 2012, until it is determined that environmental documents for the projects satisfy the requirements of the bill. The bill would also make legislative findings and declarations.

Existing law authorizes SANDAG to conduct, administer, and operate a value pricing high-occupancy toll (HOT) lane program on 2 corridors included in the high-occupancy vehicle lane system in San Diego County.

This bill would also authorize SANDAG to conduct, administer, and operate a value pricing HOT lane on State Highway Route 5. The bill would require SANDAG to carry out the HOT lane program in cooperation with the department and would require revenues from the program to be used for the costs of the program, for improvement of transit services, and for high-occupancy vehicle facilities.

By imposing additional requirements on SANDAG, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.


The people of the State of California do enact as follows:

SECTION 1. Section 103 is added to the Streets and Highways Code, to read:

103. (a) The Legislature finds and declares all of the following:

SECTION 1. The Legislature finds and declares all of the following:

(a) The California coastal zone is a unique natural resource, the protection of which is recognized as a shared responsibility of the state, local governments, and regional entities. State, local, and
regional agencies desiring to make investments in transportation infrastructure within the coastal zone have an affirmative obligation to ensure that investments do not compromise or diminish existing natural resources, including the coastal zone flora and fauna, water quality, and unique views.

(2) The coastal zone is also a unique economic resource with both its natural and built environment being a destination for individuals, families, and groups to enjoy the diversity of recreational opportunities.

(3) Contributing to these ends, the California Coastal Act of 1976 establishes policies for the protection and enhancement of resources in the coastal zone as a priority of statewide importance.

(4) Transportation investments to be made in the coastal zone should not erode the very qualities that make it an attractive setting in which to live, work, and recreate.

(5) The California Coastal Act of 1976 is intended to protect, maintain, and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources; ensure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state; maximize public access to and along the coast; and encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses in the coastal zone.

(6) In accordance with the California Coastal Act of 1976, future developments that are carefully planned and developed are essential to the economic and social well-being of the people of this state and especially to working persons employed within the coastal zone.

(7) The north coast corridor project is a 27-mile long series of projects within the coastal zone that includes improvements to a segment of State Highway Route 5, and the Los Angeles-San Diego-San Luis Obispo (LOSSAN) rail corridor, and is projected...
to take up to 40 years to complete. The north coast corridor portion of the LOSSAN rail corridor operates between the City of Oceanside and the City of San Diego in San Diego County, with stations along its route. The LOSSAN rail corridor is used for intercity and commuter rail passenger service and for freight service and includes the coastal rail trail. Where applicable, all references to the north coast corridor project in this section are also a reference to the individual projects making up the entire north coast corridor project.

(h) The department and the Federal Highway Administration are responsible for developing an environmental document and constructing improvements to State Highway Route 5, and the department and the Federal Railroad Administration have prepared a programmatic environmental document for the LOSSAN corridor.

(i) The San Diego Association of Governments (SANDAG) has agreed that it will be responsible for constructing improvements in the LOSSAN corridor and funding portions of the improvements to the LOSSAN corridor and State Highway Route 5 within the north coast corridor using funding from a San Diego County voter-approved transactions and use tax ordinance known as TransNet (Proposition A, 2004). TransNet provides SANDAG with economic benefits funding for use on regional environmental projects such as those needed in the north coast corridor.

(j) The coastal lagoons in the north coast corridor have historically experienced adverse impacts to water quality and to the numerous and varied sensitive habitat areas, and to plant and wildlife species supported within and adjacent to the lagoons. Historical alteration of lagoon areas from construction of highway and rail crossings and realignment or channelization of inland waterways have affected water quality and directly impacted sensitive habitat areas. These impacts have occurred over decades and require substantial resources and major restoration efforts to remedy.

(k) Revenue from single-occupant-vehicle users of a managed lanes system on State Highway Route 5 in the north coast corridor
could provide millions of dollars annually toward the support of transit services and transportation improvements in the corridor.

(l) Reduced congestion in the north coast corridor would result in less exhaust emissions per vehicle. Managed lanes and anticipated congestion reduction on corridor general purpose lanes would help reduce emissions per traveler and per trip in the north coast corridor. The most recent air quality determinations for the San Diego region air basin demonstrate that there is an urgency in providing transportation options that will relieve health impacts, reduce existing congestion on State Highway Route 5, and provide enhanced transit services including nonmotorized options in the north coast corridor.

(m) The ability to manage the use and vehicle composition of managed lanes in the north coast corridor would provide flexibility for changing the way the lanes on State Highway Route 5 are used in the future. Changes to the use of managed lanes could address changing technology, land use, travel patterns, travel demand, economic conditions, and other travel characteristics, and allow for higher vehicle occupancy, greater use of transit, or creation of a truck route during certain times of day.

(n) The transportation sector of the economy is the largest contributor of greenhouse gases in California. Activities that would assist the San Diego region in meeting the reduction goals for greenhouse gas emissions described in Assembly Bill 32 (Ch. 488, Stats. 2006) and the objectives of Senate Bill 375 (Ch. 728, Stats. 2008), include the reduction of vehicle miles traveled and integrating transportation and land use to achieve high levels of nonmotorized travel and transit use, achieving regional housing needs, including identified affordable housing needs, reducing the length of commutes, locating housing in closer proximity to job centers, and other required or regionally recognized strategies that address the relationships between land use, transportation, economic considerations, air quality, and climate policy. It is the intent of the Legislature that transportation infrastructure decisions regarding the north coast corridor project achieve a coordinated and balanced transportation system that considers both the short-term and long-term future, and be consistent with the
countywide goals and objectives in the adopted Sustainable
Communities Strategy for San Diego County and the greenhouse
gas reduction targets established by the State Air Resources Board
for San Diego, consistent with Senate Bill 375 (Ch. 728, Stats.
2008), as well as other regional, statewide and national
transportation and environmental quality goals.

(o) The north coast corridor is a major economic corridor
carrying about one-third of all freight in the San Diego region. The
total value of goods transported on the north coast corridor via rail
and State Highway Route 5 is estimated at eighty-nine billion
dollars ($89,000,000,000), and increased congestion in the north
coast corridor will cause a detrimental constraint on commerce
and the economy.

(p) Construction on the north coast corridor project is expected
to provide thousands of jobs within the state, as well as increased
recreation and goods movement revenue.

(q) Implementation of the objectives of the north coast corridor
project is critical to the environment, economy, and welfare of the
people in the San Diego region and throughout the state.

(r) Pursuant to Executive Order 13274, signed by President
George W. Bush on September 18, 2002, the portion of State
Highway Route 5 in the north coast corridor has been designated
by the Secretary of Transportation as a high-priority transportation
infrastructure project entitled to expedited federal environmental
reviews.

(s) The north coast corridor project and its public works plan
will meet the public needs of an area greater than that included in
any local permitting agency’s certified local coastal program and
the breadth of those needs was not anticipated by the department
and SANDAG when the local coastal programs were certified by
the California Coastal Commission.

(t) The Legislature desires to address a balance of social,
economic, and environmental interests by providing for the ability
of the north coast corridor project to proceed if the project complies
with the California Coastal Act of 1976 along with the further
specifications in this section.
(b) As used in this section, the following terms have the
following meanings:
SEC. 2. Section 103 is added to the Streets and Highways Code,
to read:
103. (a) As used in this section, the following terms have the
following meanings:
(1) “Multimodal” means transportation options within a
transportation corridor, including, but not limited to, highways,
rail lines, pedestrian walkways and bike lanes, and commuter
transit services.
(2) “8+4 Buffer Alternative” means the addition of a multimodal
managed lane facility consisting of two lanes on either side of
State Highway Route 5 within the north coast corridor, separated
from general purpose lanes by striping, and which, to the maximum
extent feasible, is built within existing rights-of-way owned by the
department. The managed lanes would give priority to
high-occupancy vehicles, vanpools, and one or more bus rapid
transit routes. Value pricing techniques would allow
single-occupant vehicles to use the facility by paying a toll, as long
as single-occupant vehicle use does not negatively impact the
transit uses of the managed lanes.
(3) “Public works plan” means a plan as described in Section
30605 of the Public Resources Code. A public works plan allows
for an integrated regulatory review by the California Coastal
Commission rather than a project-by-project approval approach,
but does not change or abridge any of the California Coastal
Commission’s existing authorities, including, but not limited to,
federal consistency review authorities under the Coastal Zone
Management Act of 1972. The public works plan is an expedited
process that describes, evaluates, and provides mitigation for
highway, transit, multimodal and community enhancement, and
environmental mitigation projects within the north coast corridor.
(b) A public works plan issued for the north coast corridor
project shall cover elements of the north coast corridor project to
be carried out by the department or the San Diego Association of Governments (SANDAG), including coastal access,
highway, transit, community enhancement, and environmental
restoration, and mitigation projects. Once the public works plan for the north coast corridor has been approved and certified by the California Coastal Commission, the projects in each phase shall be subject to a review for consistency with the public works plan by the California Coastal Commission prior to issuance of a permit or other determination, unless a project is inconsistent with the project description in the public works plan. The public works plan shall satisfy all of the following:

(1) Identify the California Coastal Commission’s area of original jurisdiction and provide a process for obtaining coastal development permits from the California Coastal Commission directly in those areas.

(2) Contain, but not be limited to, the following elements: the type, size, intensity, and location of all development included in the north coast corridor project; the maximum and minimum size of facilities proposed to be constructed; the standards to which the projects should conform; the thresholds for when amendments to the public works plan may be required; and a proposed timetable and phasing program for all projects.

(3) Establish the mitigation measures that the department and SANDAG will be required to undertake prior to construction of each phase. The mitigation measures shall be described with sufficient detail to allow the department and SANDAG to accurately estimate the cost and effort associated with each particular measure and avoid the need for an amendment to the public works plan unless a project is inconsistent with the project description in the current public works plan.

(d) For all elements of the north coast corridor project that are located, entirely or in part, in the coastal zone, as defined by Sections 30103 and 66610 of the Public Resources Code, the department and SANDAG shall comply with all of the following requirements:

(1) Collaborate with all stakeholders, including local agencies through which the proposed project traverses, the California Coastal Commission, and other affected local, state, and federal agencies to ensure that multimodal transportation options are evaluated and included in the project design.

(2) SANDAG shall establish a safe routes to transit program that integrates the adopted regional bike plan with transit services.
(3) SANDAG shall recommend that the department select the 
8+4 Buffer Alternative as the preferred alternative for the State 
Highway Route 5 north coast corridor after it makes a finding that 
it is consistent with TransNet as approved by voters in 2004. The 
determination of the preferred alternative shall be made by the 
department and the Federal Highway Administration in their 
environmental impact report or environmental impact statement, 
and SANDAG shall include the preferred alternative in its next 
update to the regional transportation plan.

(4) In order to reduce environmental impacts to the coastal 
lagoons, both rail and highway bridges crossing each lagoon shall 
be constructed concurrently and the bridge projects for both 
highway and rail shall be included in the public works plan in 
accordance with all necessary permits and reviews. SANDAG and 
the department shall ensure that bridges are constructed to their 
ultimate width and length so that construction impacts to each 
lagoon are minimized.

(5) The public works plan shall evaluate the traffic impacts of 
the proposed capacity-increasing highway project on city and 
county streets and roads within the coastal zone, and the department 
shall consult with the affected local jurisdictions regarding those 
impacts and include the results of the consultations within the 
public works plan.

(6) Environmental consequences of the proposed north coast 
corridor project shall be monitored to ensure that the benefits from 
mitigation, as described in the permits issued for the individual 
projects, are being achieved.

(7) Construction of all or a portion of the capacity-increasing 
project on State Highway Route 5 shall move forward concurrently 
with multimodal projects and environmental mitigation and 
enhancement projects within each phase, as specified in the public 
works plan. The phasing plan shall include criteria specified by 
the California Coastal Commission within the public works plan 
that shall be met before the next phase of development can occur; 
and each phase shall include a balance of transit and highway 
improvements. Although the department and SANDAG shall 
endeavor to maintain a balance of transit, rail, highway, and 
environmental improvements in each phase, nothing in this section 
is intended to limit the ability of the California Coastal 
Commission, the department, or SANDAG to accelerate a project
from a later phase in the public works plan if additional funding is identified to carry out the project at an earlier stage than originally intended.

(8) Prior to a public works plan being submitted to the California Coastal Commission by the department and SANDAG, the department and SANDAG shall provide at least two public hearings on the public works plan for the north coast corridor project.

(9) Pursuant to the agreement of SANDAG specified in paragraph (9) of subdivision (a) SANDAG has agreed that it will be responsible for constructing improvements in the Los Angeles-San Diego-San Luis Obispo rail corridor and funding portions of the improvements to that corridor and State Highway Route 5 within the north coast corridor using funding from a San Diego County voter-approved transaction and use tax ordinance known as TransNet. Pursuant to that agreement, SANDAG shall commit to dedicate a portion of the TransNet Regional Habitat Conservation Fund for regional habitat acquisition, management, and monitoring activities necessary to implement habitat conservation plans based on the estimated economic benefits derived from permitting and approval efficiencies on the north coast corridor project as a result of the procedures of this section, after all necessary permits are obtained for the north coast corridor project, including the coastal development permit, and after the California Coastal Commission has approved the public works plan and made all federal consistency determinations.

(e) The California Coastal Commission, the department, and SANDAG shall work cooperatively toward completing all design approvals, reviews, determinations, and permitting for the north coast corridor project on an expedited basis. To meet the goals in this section, the following provisions shall apply:

(1) The Legislature finds that it is the California Coastal Commission’s role to apply a regional or statewide perspective to land use debates where the use in question is of greater than local significance. Pursuant to Section 30515 of the Public Resources Code, the California Coastal Commission is permitted to directly review and approve proposed or necessary amendments to a local coastal program. SANDAG and the department are authorized to submit a public works plan and request that the California Coastal Commission exercise its authority to amend any portion of a local
jurisdiction’s local coastal program that is affected by the north coast corridor project. In the interest of efficiency and reduction of expenses for local agencies with a certified local coastal program, the department, SANDAG, and the California Coastal Commission are authorized to utilize Section 30515 of the Public Resources Code for the north coast corridor project.

(2) The department and SANDAG shall perform work and complete development in conformance with the phasing program adopted in the public works plan unless changes are reviewed and approved by the California Coastal Commission.

(3) A public works plan prepared for the north coast corridor project by the department and SANDAG shall be treated as a long-range development plan to which the provisions in Sections 21080.5 and 21080.9 of the Public Resources Code shall apply.

(4) A permitting agency’s decision to review and approve a public works plan, a plan amendment, or related notice of impending development, make a consistency determination, or issue a permit for the north coast corridor project shall be reviewed under the substantial evidence standard.

(f) A notice of determination issued pursuant to Section 21108 or 21152 of the Public Resources Code after January 1, 2011, but prior to January 1, 2012, for a project subject to this section shall be suspended by the department until it is determined that the project’s environmental documents are consistent with the provisions of this section.

SEC. 2.

SEC. 3. Section 149.10 is added to the Streets and Highways Code, to read:

149.10. (a) Notwithstanding Sections 149 and 30800 of this code, and Section 21655.5 of the Vehicle Code, the San Diego Association of Governments (SANDAG) may conduct, administer, and operate a value pricing and transit development program on the State Highway Route 5 in managed lanes serving as a high-occupancy vehicle expressway. The program, under the circumstances described in subdivision (b), may direct and authorize the entry and use of the State Highway Route 5 high-occupancy vehicle lanes by single-occupant vehicles during peak periods, as defined by SANDAG, for a fee. The amount of
the fee shall be established from time to time by SANDAG, and
collected in a manner determined by SANDAG.

(b) Implementation of the program shall ensure that Level of
Service C, as measured by the most recent issue of the Highway
Capacity Manual, as adopted by the Transportation Research
Board, is maintained at all times in the high-occupancy vehicle
lanes, except that subject to a written agreement between the
department and SANDAG that is based on operating conditions
of the high-occupancy vehicle lanes, Level of Service D shall be
permitted on the high-occupancy vehicle lanes. If Level of Service
D is permitted, the department and SANDAG shall evaluate the
impacts of these levels of service of the high-occupancy vehicle
lanes, and indicate any effects on the mixed-flow lanes.
Continuance of Level of Service D operating conditions shall be
subject to the written agreement between the department and
SANDAG. Unrestricted access to the lanes by high-occupancy
vehicles shall be available at all times. At least annually, the
department shall audit the level of service during peak traffic hours
and report the results of that audit at meetings of the program
management team.

(c) Single-occupant vehicles that are certified or authorized by
SANDAG for entry into, and use of, the State Highway Route 5
high-occupancy vehicle lanes are exempt from Section 21655.5
of the Vehicle Code, and the driver shall not be in violation of the
Vehicle Code because of that entry and use.

(d) SANDAG shall carry out the program in cooperation with
the department and shall consult the department in the operation
of the project and on matters related to highway design and
construction. With the assistance of the department, SANDAG
shall establish appropriate traffic flow guidelines for the purpose
of ensuring optimal use of the express lanes by high-occupancy
vehicles.

(e) (1) Agreements between SANDAG, the department, and
the Department of the California Highway Patrol shall identify the
respective obligations and liabilities of those entities and assign
them responsibilities relating to the program. The agreements
entered into pursuant to this section shall be consistent with
agreements between the department and the United States
Department of Transportation relating to this program and shall
include clear and concise procedures for enforcement by the
Department of the California Highway Patrol of laws prohibiting the unauthorized use of the high-occupancy vehicle lanes. The agreements shall provide for reimbursement of state agencies, from revenues generated by the program, federal funds specifically allocated to SANDAG for the program by the federal government, or other funding sources that are not otherwise available to state agencies for transportation-related projects, for costs incurred in connection with the implementation or operation of the program. Reimbursement for SANDAG’s program-related planning and administrative costs in the operation of the program shall not exceed 3 percent of the revenues.

(2) All remaining revenue shall be used in the State Highway Route 5 corridor exclusively for (A) the improvement of transit service, including, but not limited to, construction of transit facilities and support for transit operations, and (B) high-occupancy vehicle facilities.

(f) SANDAG, the North County Transit District, and the department shall cooperatively develop a single transit improvement plan for the State Highway Route 5 corridor.

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIIIB of the California Constitution because the only costs that may be incurred by a local agency or school district are the result of a program for which legislative authority was requested by that local agency or school district, within the meaning of Section 17556 of the Government Code and Section 6 of Article XIII B of the California Constitution.
San Diego Association of Governments

EXECUTIVE COMMITTEE

June 10, 2011

AGENDA ITEM NO.: 5

Action Requested: APPROVE

REVIEW OF JUNE 24, 2011, DRAFT BOARD AGENDA

ITEM #

ITEM #

RECOMMENDATION

1. APPROVAL OF MEETING MINUTES

+1. APPROVAL OF MEETING MINUTES

+A. MAY 13, 2011, BOARD POLICY MEETING MINUTES

+B. MAY 27, 2011, BOARD BUSINESS MEETING MINUTES

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

Public comments under this agenda item will be limited to five public speakers. Members of the public shall have the opportunity to address the Board on any issue within the jurisdiction of SANDAG that is not on this agenda. Other public comments will be heard during the items under the heading “Reports.” Anyone desiring to speak shall reserve time by completing a “Request to Speak” form and giving it to the Clerk of the Board prior to speaking. Public speakers should notify the Clerk of the Board if they have a handout for distribution to Board members. Public speakers are limited to three minutes or less per person. Board members also may provide information and announcements under this agenda item.

+3. ACTIONS FROM POLICY ADVISORY COMMITTEES

This item summarizes the actions taken by the Borders Committee on May 27, the Executive Committee on June 10, and the Transportation and Public Safety Committees on June 17, 2011.

CONSENT (4 through X)

+4. AMENDMENT ONE TO ADDENDUM THREE TO THE MASTER MEMORANDUM OF UNDERSTANDING BETWEEN SANDAG, NCTD, AND MTS (Renée Wasmund)

An amendment is proposed to Addendum 3 to the existing Memorandum of Understanding (MOU) between SANDAG, NCTD, and MTS to reflect a change in the manner in which certain NCTD planning functions are carried out. The Transportation Committee recommends that the Board of Directors approve Amendment 1 to Addendum 3 to the Master MOU between SANDAG, NCTD, and MTS, in substantially the same form as attached to the report.
ANNUAL REVIEW OF COMMITTEES AND WORKING GROUPS  
(Victoria Stackwick)  
INFORMATION  
As required by SANDAG Board Policy No. 004, this item provides an annual report on the status of all standing and temporary committees and working groups.

REPORT SUMMARIZING DELEGATED ACTIONS TAKEN BY EXECUTIVE DIRECTOR (Lauren Warrem)*  
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 of Directors meeting.

REPORTS ON MEETINGS AND EVENTS ATTENDED ON BEHALF OF SANDAG (Kim Kawada)  
INFORMATION  
Board members will provide brief reports orally or in writing on external meetings and events attended on behalf of SANDAG since the last Board of Directors meeting.

CHAIR’S REPORT (10 through XX)

RECOGNITION OF OUTGOING TransNet INDEPENDENT TAXPAYER OVERSIGHT COMMITTEE MEMBERS  
INFORMATION  
The Board of Directors will recognize members of the TransNet Independent Taxpayer Oversight Committee who have completed their terms.

REPORTS (13 through XX)

AIRPORT MULTIMODAL ACCESSIBILITY PLAN (First Vice Chair Jack Dale, Transportation Committee Chair; Linda Culp)  
ACCEPT  
Senate Bill 10 (Kehoe, 2007) requires airport multimodal planning to be conducted and coordinated by SANDAG and the San Diego County Regional Airport Authority (Airport Authority). SANDAG is the lead for the Airport Multimodal Accessibility Plan (AMAP), which developed a multimodal strategy to improve surface transportation access to airports identified in the Airport Authority’s Regional Aviation Strategic Plan (RASP). Major findings in terms of aviation and surface transportation infrastructure and facilities have been used as inputs into the Draft 2050 Regional Transportation Plan. The Transportation Committee recommends that the Board of Directors accept the AMAP for a 60-day public review period.
14. APPROVAL OF FY 2012 CLAIMS FOR THE TRANSPORTATION DEVELOPMENT ACT AND STATE TRANSIT ASSISTANCE (First Vice Chair Jack Dale, Transportation Committee Chair; Sookyung Kim)

The Transportation Development Act (TDA) provides one-quarter percent of the state sales tax for operating and capital support of public transportation systems and non-motorized transportation projects. SANDAG, as the designated Regional Transportation Planning Agency, is responsible for the allocation of TDA funds to the region’s cities, County of San Diego, and transit operators. This report presents the FY 2012 requests for TDA Article 4, Article 4.5, Article 8, and Planning and Administration claims, and one State Transit Assistance claim. The Transportation Committee recommends that the Board of Directors adopt Resolution Nos. 2011-xx through 2011-xx approving the FY 2012 claims; and adopt the State Transit Assistance Act findings as certified by the North County Transit District.

15. REGIONAL MULTIMODAL ANALYSIS STUDY (First Vice Chair Jack Dale, Transportation Committee Chair; Heather Adamson)

On March 18, 2011, the Transportation Committee released the draft report of the Regional Multimodal Analysis Study for a 30-day public review period. The draft report has been updated based on comments received. The Transportation Committee recommends that the Board of Directors accept the Regional Multimodal Analysis Study.

16.

17.

18. CONTINUED PUBLIC COMMENTS

If the five speaker limit for public comments was exceeded at the beginning of this agenda, other public comments will be taken at this time. Subjects of previous agenda items may not again be addressed under public comment.

19. UPCOMING MEETINGS

The next Board Policy meeting is scheduled for Friday, July 8, 2011, at 10 a.m.
The next Board Business meeting is scheduled for Friday, July 22, 2011, at 9 a.m.

20. ADJOURNMENT

+ next to an agenda item indicates an attachment
* next to an agenda item indicates a San Diego County Regional Transportation Commission item