



**BOARD OF DIRECTORS
JANUARY 27, 2012**

**AGENDA ITEM NO. 12-01-1B
ACTION REQUESTED - APPROVE**

BOARD OF DIRECTORS DISCUSSION AND ACTIONS

DECEMBER 9, 2011

Chair Jerome Stocks (Encinitas) called the meeting of the SANDAG Board of Directors to order at 9:02 a.m. The attendance sheet for the meeting is attached.

1. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

There were no public or member comments.

CONSENT (ITEMS 2 THROUGH 3)

2. JOB ORDER CONTRACT FOR STATE ROUTE 905 ENVIRONMENTAL MITIGATION (APPROVE)

Caltrans wishes to utilize the SANDAG Job Order Contract (JOC) to restore the Handler Mitigation Site as an environmental mitigation measure for the ongoing State Route 905 construction in Otay Mesa. The additional workload can be accommodated by a SANDAG JOC, and will be completely reimbursed by Caltrans.

The Board of Directors was asked to approve an amendment to the FY 2012 Budget and authorize the Executive Director to sign a Project Implementation Order with Caltrans in substantially the same form as Attachment 1, to allow Caltrans use of a SANDAG JOC for the purpose of restoring the Handler Mitigation Site.

3. EXTENSION REQUESTS FOR FY 2011 TRANSPORTATION DEVELOPMENT ACT AUDITS
(APPROVE)

The Board of Directors was asked to approve Transportation Development Act audit extension requests for the Cities of National City, San Diego, and San Marcos, and SANDAG, until March 26, 2012, as permitted by the Public Utilities Code and the California Code of Regulations.

Action: Upon a motion by Mayor Jim Wood (Oceanside), and a second by Mayor Cheryl Cox (Chula Vista), the Board of Directors approved Consent Items 2 through 3. Yes – 12. No – None. Abstain – None. Absent – Coronado, Imperial Beach, National City, Poway, San Diego, Santee, and Vista.

REPORTS (ITEMS 4 THROUGH 9)

4. FIRST READING OF PROPOSED AMENDMENTS TO COMPREHENSIVE FARE ORDINANCE AND TITLE VI FINDINGS RELATING TO AMENDMENTS (HOLD PUBLIC HEARING AND APPROVE)

Chair Stocks introduced this item and asked for a motion to waive the reading of the proposed amendments to the Regional Comprehensive Fare Ordinance.

Action: Upon a motion by Mayor Lesa Heebner (Solana Beach), and a second by Mayor Wood, the Board of Directors waived the first reading of the proposed amendments to the Regional Comprehensive Fare Ordinance. Yes – 14 (weighted vote, 100%). No – None. Abstain – None. Absent – Coronado, Imperial Beach, National City, Santee, and Vista.

Brian Lane, Associate Regional Planner, presented the item.

Action: Upon a motion by Mayor Wood, and a second by Mayor Heebner, the Board of Directors found that the proposed fare changes will not cause a disparate impact under the Title VI of the federal Civil Rights Act, and approved Resolution No. 2012-12, which makes a finding that the proposed changes qualify for an exemption under the California Environmental Quality Act. Yes – 13 (weighted vote, 100%). No – None. Abstain – None. Absent – Coronado, Imperial Beach, National City, San Marcos, Santee, and Vista.

5. AMENDMENT TO THE SOUTHERN CALIFORNIA HIGH-SPEED RAIL INLAND CORRIDOR GROUP MEMORANDUM OF UNDERSTANDING AND COMMENTS ON THE CALIFORNIA HIGH-SPEED RAIL PROGRAM DRAFT 2012 BUSINESS PLAN (APPROVE)

Linda Culp, Principal Regional Planner, stated that SANDAG is a member of the Southern California High-Speed Rail Inland Corridor Group, a group of regional agencies and the California High-Speed Rail Authority (CHSRA) working cooperatively on technical studies for the Los Angeles to San Diego via Inland Empire High-Speed Train section. In 2009, these agencies signed a Memorandum of Understanding (MOU) for this work, which expires December 31, 2011.

Valerie Martinez, Southern California Communications Consultant, CHSRA, introduced and provided highlights of the CHSRA draft 2012 Business Plan.

Jose Martinez, Regional Manager Los Angeles to San Diego Corridor, CHSRA, presented the draft Business Plan and reviewed details of the MOU.

Action: Upon a motion by Mayor Mary Sessom (Lemon Grove), and a second by Councilmember Carrie Downey (Coronado), the Board of Directors voted to: (1) approve the amended interagency MOU in substantially the same form as Attachment 2; (2) provide comments on the draft business plan; and (3) authorize the Executive Director to issue a letter to the CHSRA containing the Board's comments as well as those staff comments reflected in Attachment 3 regarding the draft business plan. This motion failed. Yes – 12 (weighted vote, 50%). No – 6 (weighted vote, 50%) – Carlsbad, County of San Diego (A and B), Del Mar, El Cajon, Escondido, Poway, and San Diego (B). Abstain – None. Absent – Santee.

6. COMPASS CARD AND ALBERTSONS PARTNERSHIP (APPROVE)

James Dreisbach-Towle, Principal Technology Program Analyst, provided a report on a proposed partnership with Albertsons, a division of Supervalu, Inc. that would have Albertsons as the exclusive grocery store third-party outlet for Compass Card sales and reloads, and would provide affinity marketing between Metropolitan Transit System, North County Transit District, and SANDAG with Albertsons. Mr. Dreisbach-Towle also reported on the expected transition timeline for the Compass Card sales from VONS to Albertsons.

Colleen Windsor, Communications Director, reported on the public outreach and training efforts related to the transition.

Action: Upon a motion by Mayor Art Madrid (La Mesa), and a second by Mayor Sessom, the Board of Directors approved an amendment to the FY 2012 Budget to increase the Compass Card work element budget by \$95,977 to \$1,925,416 to fund transition costs for the Albertsons partnership. Yes – 18 (weighted vote, 100%). No – None. Abstain – None. Absent – Santee.

Council President Anthony Young (San Diego) asked for reconsideration of the action on Agenda Item No. 5, so that the Board of Directors could consider providing comments to the CHSRA on the draft 2012 Business Plan.

5. AMENDMENT TO THE SOUTHERN CALIFORNIA HIGH-SPEED RAIL INLAND CORRIDOR GROUP MEMORANDUM OF UNDERSTANDING AND COMMENTS ON THE CALIFORNIA HIGH-SPEED RAIL PROGRAM DRAFT 2012 BUSINESS PLAN (APPROVE)

Action: Upon a motion by Council President Young and a second by Deputy Mayor Carl Hilliard (Del Mar), the Board of Directors voted to reconsider Agenda Item No. 5. Yes – 16 (weighted vote, 92%). No – 2 (weighted vote, 8%) – Carlsbad and Escondido. Abstain – None. Absent – Santee.

Action: Upon a motion by Mayor Heebner and a second by Mayor Sessom, the Board of Directors approved the amended interagency MOU in substantially the same form as Attachment 2. Yes – 13 (weighted vote, 54%). No – 5 (weighted vote, 46%) – Carlsbad, County of San Diego (A and B), Del Mar, Escondido, Poway, and San Diego (B). Abstain – None. Absent – Santee.

Action: Upon a motion by Mayor Heebner and a second by Mayor Ron Morrison (National City), the Board of Directors provided comments on the draft business plan, and authorized the Executive Director to issue a letter to the CHSRA containing the Board's comments regarding the draft business plan. Yes – 18 (weighted vote, 92%). No – 1 (weighted vote, 8%) – County of San Diego B. Abstain – None. Absent – Santee.

7. QUALITY OF LIFE FUNDING STRATEGY: PUBLIC INFORMATION SURVEY RESULTS AND NEXT STEPS (APPROVE)

The Quality of Life Steering Committee and the Quality of Life Stakeholders Working Group have been meeting regularly to prepare input for the Board of Directors on the development of a Quality of Life funding strategy.

San Diego Councilmember Todd Gloria, Chair of the Quality of Life Steering Committee, introduced the item.

Rob Rundle, Principal Regional Planner, presented the item, and introduced John Nienstedt, Competitive Edge Research and Communications Inc., who presented the results of the survey.

Michael Beck, Endangered Habitats League, spoke in support of the staff recommendation for this item.

Bill Tippets, Nature Conservancy, spoke in support of the staff recommendation for this item.

Richard Ledford, member of the public, spoke in support of the staff recommendation for this item.

Mayor Sam Abed (Escondido) made a motion, and Councilmember Lori Zapf (San Diego) seconded the motion, that the Board of Directors approve moving forward with an amendment to the *TransNet* Extension Ordinance to extend the deadline for acting on an additional funding measure to no later than 2016 as well as related revisions to the Quality of Life Stakeholder Working Group charter as may be needed.

Mayor Cox made a substitute motion, and Councilmember Downey seconded the substitute motion, that the Board of Directors delay action on Agenda Item No. 7, and direct the Quality of Life Steering Committee to develop recommendations on a separate habitat funding strategy.

Action on Substitute Motion: Upon a motion by Mayor Cox and a second by Councilmember Downey, the Board of Directors voted to delay action on Agenda Item No. 7, and direct the Quality of Life Steering Committee to develop recommendations on a separate habitat funding strategy. This item failed. Yes – 3 (weighted vote, 63%). No – 13 (weighted vote, 37%) – Carlsbad, Coronado, County of San Diego (A), Del Mar, Encinitas, Escondido, Imperial Beach, Lemon Grove, Oceanside, Poway, San Marcos, Solana Beach, and Vista. Abstain – None. Absent – La Mesa, National City, and Santee.

Action: Upon a motion by Mayor Abed, and a second by Councilmember Zapf, the Board of Directors approved moving forward with an amendment to the *TransNet* Extension Ordinance to extend the deadline for acting on an additional funding measure to no later than 2016 as well as related revisions to the Quality of Life Stakeholder Working Group charter as may be needed. Yes – 16 (weighted vote, 100%). No – None. Abstain – None. Absent – La Mesa, National City, and Santee.

8. CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) – CLEVELAND NATIONAL FOREST FOUNDATION ET AL. V. SANDAG (CASE NO. 37-2011-00101593-CU-TT-CTL), AND CREED-21 ET AL. V. SANDAG (CASE NO. 37-2011-00101660-CU-TT-CTL)

Chair Stocks convened the meeting into closed session at 11:34 a.m.

Chair Stocks reconvened the meeting into public session at 11:51 a.m.

General Counsel Julie Wiley reported out of closed session that the Board of Directors unanimously voted to respond to the petitions.

9. REQUEST FOR USE OF CONTINGENCY RESERVES TO FUND DEFENSE TO LITIGATION REGARDING THE ENVIRONMENTAL IMPACT REPORT FOR THE 2050 REGIONAL TRANSPORTATION PLAN (APPROVE)

Ms. Wiley stated that based on the discussion of the previous item, which concerns litigation filed against SANDAG concerning the Environmental Impact Report for the 2050 Regional Transportation Plan, staff is requesting authorization to utilize up to \$2 million of contingency reserves to fund the SANDAG defense.

Action: Upon a motion Mayor Wood, and a second by Councilmember Downey, the Board of Directors approved the use of up to \$2 million of contingency reserves to fund the SANDAG defense to the litigation of the Environmental Impact Report for the 2050 Regional Transportation Plan. Yes – 13 (weighted vote, 100%). No – None. Abstain – None. Absent – La Mesa, Lemon Grove, National City, Poway, San Diego, and Santee.

10. CONTINUED PUBLIC COMMENTS

There were no continued public comments.

11. UPCOMING MEETINGS

The next Board Business meeting is scheduled for Friday, December 16, 2011, at 9 a.m. Please note that the Board meeting will be held on the third Friday of the month due to the holiday schedule.

12. ADJOURNMENT

Chair Stocks adjourned the meeting at 11:53 a.m.

ATTENDANCE
SANDAG BOARD OF DIRECTORS MEETING
DECEMBER 9, 2011

JURISDICTION/ ORGANIZATION	NAME	ATTENDING	COMMENTS
City of Carlsbad	Matt Hall (Member)	Yes	
City of Chula Vista	Cheryl Cox (Primary)	Yes	
City of Coronado	Carrie Downey (Primary)	Yes	
City of Del Mar	Carl Hilliard (Primary)	Yes	
City of El Cajon	Mark Lewis (Primary)	Yes	
City of Encinitas	Jerome Stocks, Chair (Primary)	Yes	
City of Escondido	Sam Abed (Primary)	Yes	
City of Imperial Beach	Jim Janney, 2nd Vice Chair (Primary)	Yes	
City of La Mesa	Art Madrid (Member)	Yes	
City of Lemon Grove	Mary Sessom (Primary)	Yes	
City of National City	Ron Morrison (Member)	Yes	
City of Oceanside	James Wood (Member)	Yes	
City of Poway	Don Higginson (Primary)	Yes	
City of San Diego – A	Lorie Zapf (1st Alt.)	Yes	
City of San Diego - B	Tony Young (Primary)	Yes	
City of San Marcos	Jim Desmond (Primary)	Yes	
City of Santee	Jack Dale (1st Vice Chair)	No	
City of Solana Beach	Lesla Heebner (Primary)	Yes	
City of Vista	Judy Ritter (Primary)	Yes	
County of San Diego - A	Bill Horn (Primary, Seat A)	Yes	
County of San Diego - B	Ron Roberts (Primary, Seat B)	Yes	
Caltrans	Laurie Berman (1st. Alt.)	Yes	
MTS	Harry Mathis (Primary)	Yes	
NCTD	Chris Orlando (Primary)	Yes	
Imperial County	Sup. John Renison (Primary)	No	
US Dept. of Defense	CAPT Clifford Maurer (Member)	No	
SD Unified Port District	Dan Malcolm (Alternate)	Yes	
SD County Water Authority	Javier Saunders (1st. Alt.)	No	
Baja California/Mexico	Remedios Gómez-Arnau (Member)	No	
Southern California Tribal Chairmen's Association	Allen Lawson (Member)	Yes	
	Edwin Romero (Member)	No	