Monday, December 3, 2012
10 a.m. to 12 noon
SANDAG Board Room
401 B Street, 7th Floor
San Diego

AGENDA HIGHLIGHTS

• PROPOSED FY 2013 BUDGET AMENDMENT: SAN DIEGO SERVICE AUTHORITY FOR FREEWAY EMERGENCIES AND PROPOSED AMENDMENT TO BOARD POLICY NO. 001

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MESSAGE FROM THE CLERK
In compliance with Government Code §54952.3, the Clerk hereby announces that the compensation for legislative body members attending the following simultaneous or serial meetings is: Executive Committee (EC) $100, Board of Directors (BOD) $150, and Regional Transportation Commission (RTC) $100. Compensation rates for the EC and BOD are set pursuant to the SANDAG Bylaws and the compensation rate for the RTC is set pursuant to state law.

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.
Welcome to SANDAG. Members of the public may speak to the Board of Directors on any item at the time the Board is considering the item. Please complete a Speaker’s Slip, which is located in the rear of the room, and then present the slip to the Clerk of the Board seated at the front table. Members of the public may address the Board on any issue under the agenda item entitled Public Comments/Communications/Member Comments. Public speakers are limited to three minutes or less per person. The Board of Directors may take action on any item appearing on the agenda.

In order to keep the public informed in an efficient manner and facilitate public participation, SANDAG also provides access to all agenda and meeting materials online at www.sandag.org/meetings. Additionally, interested persons can sign up for e-notifications via our e-distribution list at either the SANDAG Web site or by sending an e-mail request to webmaster@sandag.org.

Public comments regarding the agenda can be forwarded to SANDAG via the e-mail comment form available on the Web site. E-mail comments should be received no later than 12 noon, two working days prior to the Board of Directors meeting. Any handouts, presentations, or other materials from the public intended for distribution at the Board of Directors meeting should be received by the Clerk of the Committee no later than 12 noon, two working days prior to the meeting.

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如有需要，我们可以把SANDAG议程材料翻译成其他语言。
请在会议前至少72小时打电话（619）699-1900提出请求。

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1. 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.

REPORTS (2)

+2. PROPOSED FY 2013 BUDGET AMENDMENT: SAN DIEGO SERVICE AUTHORITY FOR FREEWAY EMERGENCIES AND PROPOSED AMENDMENT TO BOARD POLICY NO. 001 (Samuel Johnson)

The Board of Directors is asked to: (1) approve the FY 2013 Program Budget amendment (Attachment 2) and the addition of one staff position; and (2) approve amendments to Board Policy No. 001 to delegate oversight authority for the SAFE program to the Transportation Committee (Attachment 3).

3. 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.

+4. CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8 – (Laura Coté, Marney Cox, and Walter Spath)

The Board of Directors will be briefed by SANDAG’s real property negotiator team on the status of negotiations with the Irvine Company regarding the price and terms of payment of a potential lease extension at the Wells Fargo Building located at 401 B Street, San Diego, California.
5. CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8 – (Laura Coté, Marney Cox, and Walter Spath)

The Board of Directors will be briefed by SANDAG’s real property negotiator team on the status of negotiations with the State of California regarding the price and terms of payment of the potential purchase of real property located at 2829 Juan Street, San Diego, California.


7. UPCOMING MEETINGS

The next Board Business meeting is scheduled for Friday, December 21, 2012, at 9 a.m. Please note this meeting will be held on the third Friday of the month due to the holiday schedule.

8. ADJOURNMENT

+next to an agenda item indicates an attachment
PROPOSED FY 2013 BUDGET AMENDMENT: SAN DIEGO SERVICE AUTHORITY FOR FREeway EMERGENCIES AND PROPOSED AMENDMENT TO BOARD POLICY NO. 001

Introduction

State law authorizes the collection of annual $1 fee on the registration of vehicles in the county for the purpose of funding and operating freeway call box systems or other related services to aid motorists in need of assistance. The San Diego Service Authority for Freeway Emergencies (SAFE) has operated the freeway call box system in San Diego County for more than two decades. Assembly Bill 1572 (Fletcher) (AB 1572), which became law on September 13, 2012, dissolves San Diego SAFE effective January 1, 2013, and makes SANDAG the successor for the authority’s responsibilities. Staff provided an overview of SAFE responsibilities and outlined key provisions of AB 1572 (Attachment 1) at the September 28, 2012, Board of Directors meeting and updated the Board on transition activities on November 16, 2012. This report provides budget recommendations to complete the transition and incorporate the operation of SAFE into the SANDAG FY 2013 Program Budget and Overall Work Program (OWP).

Discussion

To develop the recommended FY 2013 SANDAG Program Budget and OWP amendment, SANDAG staff worked with San Diego SAFE staff to review the FY 2013 program budget previously adopted by the SAFE Board of Directors along with actual expenses incurred to date and projected costs for the remainder of the fiscal year. At its November 16, 2012, meeting, the SAFE Steering Committee, which was appointed to provide input to the Board of Directors and staff on transition-related issues, reviewed the draft budget and supported the proposed FY 2013 budget and delegation of program oversight responsibilities to the Transportation Committee.

The proposed FY 2013 SAFE program operating budget of $1.24 million (for the period January 1, 2013, through June 30, 2013) would fund the costs to operate and maintain the freeway call boxes along with call center services; support regional helicopter programs; and provide program management (Attachment 2). The costs for ongoing operations and the regional helicopter program were estimated using the annual contractual commitments less expenses paid to date and

Recommendation

The Board of Directors is asked to:
(1) approve the FY 2013 Program Budget amendment (Attachment 2) and the addition of one staff position; and
(2) approve amendments to Board Policy No. 001 to delegate oversight authority for the SAFE program to the Transportation Committee (Attachment 3).

1 Steering Committee members include: SANDAG Chairman Jerome Stocks (Steering Committee Chair), San Diego County Supervisor Ron Roberts, San Diego Councilmember Lorie Zapf, El Cajon Mayor Mark Lewis, National City Mayor Ron Morrison, and Poway Mayor Don Higginson.
the remaining payments expected to be processed prior to SANDAG’s assumption of the program on January 1, 2013. The program management costs were estimated based on six months of SANDAG labor costs, including the addition of a senior staff position. The proposed position would manage both the SAFE motorist aid program as well as the Freeway Service Patrol (FSP) program to leverage the synergy and maximize program efficiencies. This approach allows for a more cost-effective staffing level resulting in lower program management costs.

Attachment 2 also reflects the excess SAFE reserve funds that are required to be distributed to the 19 local jurisdictions by March 31, 2013, in accordance with AB 1572 (an estimated $9.78 million), as well as approximately $4.56 million in reserve deposits that would remain.

**Policy Advisory Committee Oversight**

Under AB 1572, the responsibilities for SAFE will be vested with the SANDAG Board of Directors. However, the Board routinely delegates certain responsibilities to its Policy Advisory Committees to allow the agency to effectively address key public policy and funding responsibilities. All items delegated to the Policy Advisory Committees are subject to Board ratification. The SAFE Steering Committee recommended that oversight of SAFE responsibilities be delegated to the Transportation Committee, which is responsible for overseeing other related motorist aid efforts including the FSP and advanced traveler information programs. Attachment 3 includes proposed changes to Board Policy No. 001: Operations Policy to reflect the new SAFE responsibilities.

**Next Steps**

SANDAG and SAFE staffs continue working to execute the assignment of contracts to SANDAG to ensure call box services are uninterrupted and remain in effect for the January 1, 2013, transition. SANDAG staff also is working with the Department of Motor Vehicles and an external auditor to determine the specific amounts of excess SAFE reserve funds that are required to be distributed to each jurisdiction by the March 31, 2013, deadline.

Following Board action on the proposed FY 2013 Program Budget and Board policy amendments, staff would report to the Transportation Committee in early 2013 regarding the excess reserve funds distribution.

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GARY L. GALLEGOS
Executive Director

Attachments: 1. Summary of Key Provisions of Assembly Bill 1572 (Fletcher)

   2. Proposed FY 2013 Program Budget Amendment

   3. Proposed Changes to Board Policy No. 001: Operations Policy

Key Staff Contacts: Kim Kawada, (619) 699-6994, Kim.Kawada@sandag.org

Samuel Johnson, (619) 710-4021, Samuel.Johnson@sandag.org
Summary of Key Provisions of Assembly Bill 1572 (Fletcher)

The following are key provisions of the recently enacted legislation:

- The existing SAFE Board of Directors would be dissolved as of January 1, 2013, with the SANDAG Board of Directors designated as its successor to manage and operate the call box system in San Diego County.

- SAFE must develop a plan in consultation with SANDAG for transitioning its responsibilities to SANDAG during the period between September 13, 2012, and January 1, 2013. During this transition period, any expenditure made and contract entered into by SAFE requires the written approval of SANDAG.

- On or before March 31, 2013, SANDAG must distribute SAFE Reserves in excess of $4 million as of the effective date of the law to the 18 cities and the County in proportion to the vehicle registration fees paid in FY 2011 by residents of each city and the unincorporated area.

- The jurisdictions receiving the distributed funds must use them in compliance with the terms of Streets and Highways Code Section 2557, under which the funds may be used for implementation, maintenance, and operation of the call box system, and for additional motorist aid services or support.

- Once it becomes the successor to SAFE, SANDAG must post on its Web site the detailed budget of the funds collected from the $1 vehicle registration fee and the expenditures of these funds.

- In its role as the successor authority, SANDAG may continue to fund police and fire and rescue helicopter programs.
WORK ELEMENT: 33122.00 San Diego Service Authority for Freeway Emergencies Program

FY 2013 Operating BUDGET: $1,236,500

AREA OF EMPHASIS: Operations Management

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<th>Funds Source</th>
<th>FY 2013</th>
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<td>• Salaries, Benefits, Indirect</td>
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<td>• Other Direct Costs</td>
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<tr>
<td>• Contracted Services</td>
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<td>Total Operating Budget</td>
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<td>Reserve Deposit</td>
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<tr>
<td>TOTAL</td>
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OBJECTIVE

Existing state law authorizes the formation of county service authorities for freeway emergencies for the purpose of funding and operating freeway call box systems to aid motorists in need of assistance. Assembly Bill 1572 (AB 1572) (Fletcher), which became law on September 13, 2012, dissolves the San Diego Service Authority for Freeway Emergencies (SAFE) effective January 1, 2013, and makes SANDAG the successor agency for the authority’s responsibilities. The objective of this work element is to continue to operate and maintain the SAFE program in the San Diego region. Emphasis in FY 2013 will be on transitioning responsibilities to SANDAG, continuing to provide uninterrupted SAFE program services, and fulfilling the requirements of AB 1572, including the distribution of excess reserve funds to the 18 cities and County.
PREVIOUS ACCOMPLISHMENTS
N/A - This is a new program for SANDAG in FY 2013.

JUSTIFICATION
In accordance with AB 1572, SANDAG becomes the successor agency for the SAFE program effective January 1, 2013, and will assume the responsibilities for all operational, administrative, and maintenance activities for the freeway call box system.

Project Manager: Johnson, Samuel
Committee(s): Transportation Committee
Working Group(s): None

PRODUCTS, TASKS, AND SCHEDULES FOR FY2013

<table>
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<tr>
<th>Task No.</th>
<th>% of Effort</th>
<th>Task Description / Product / Schedule</th>
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</table>
| 1        | 50          | Task Description: Operate and maintain call box system, including installations and removals (includes contracted services)  
Product: Ongoing operation and maintenance of call box system  
Completion Date: 6/30/2013 |
| 2        | 35          | Task Description: Provide call center services for stranded motorists (includes contracted services).  
Product: Summary of call center services  
Completion Date: 6/30/2013 |
| 3        | 5           | Task Description: Provide SAFE program oversight and management of related contracts, including regional helicopter memoranda of understanding.  
Product: Summary of program oversight/management activities  
Completion Date: 6/30/2013 |
| 4        | 10          | Task Description: Distribute excess reserve funds in accordance with AB 1572  
Product: Distribution of funds to 18 cities and County  
Completion Date: 3/31/2013 |

FUTURE ACTIVITIES
Continued operations of the SAFE program in accordance with state law.
OPERATIONS POLICY
Board and Policy Advisory Committees Responsibilities

Shown below are responsibilities for the Board of Directors and each of the five Policy Advisory Committees (Executive, Transportation, Regional Planning, Borders, Public Safety) of the new Agency. Selected responsibilities are delegated by the Board to the Policy Committees to allow the Agency to effectively address key public policy and funding responsibilities. All items delegated to the Policy Advisory Committees are subject to Board action upon request of any member.

All functions not specifically delegated by the Board to a Policy Advisory Committee may be delegated to a Policy Advisory Committee on a one-time basis upon request by the Executive Director and approval by the Chair. Such actions shall be reported to the Board at its next regular meeting.

A. Board Responsibilities

1. Approve Regional Comprehensive Plan (RCP) and plan components and other regional plans (e.g. Regional Energy Plan, MHCP, etc.)
2. Approve Regional Transportation Plan (RTP), Regional Transportation Improvement Program (RTIP) and corridor studies
3. Fulfill responsibilities of SB 1703 as consolidated agency
4. Fulfill the responsibilities of the San Diego Regional Transportation Commission (RTC)
5. Approve programming of funds (TDA, CMAQ, STIP, etc.)
6. Approve project environmental reports
7. Approve Overall Work Program and Program Budget
8. Approve amendments to the Budget and Work Program and authorize contracts with consultants for amounts equal to or greater than the amounts to be determined for administrative and policy committee authorization.
9. Approve the annual legislative agenda
10. Provide policy direction through Policy Development Board meetings
11. Appoint Committees and Board officers
12. Delegate responsibilities to Policy Advisory Committees and approve Committee actions. All items delegated to the five Policy Advisory Committees are subject to direct Board action upon request of any members.
13. Delegate responsibilities to Board Chair consistent with Board criteria. Conference sponsorships and proclamations are hereby delegated subject to current or subsequently approved criteria.
B. Executive Committee Membership and Responsibilities

The Executive Committee shall consist of six voting members with board members representing East County, North County Coastal, North County Inland, South County, and the representative, or the representative’s alternate in their absence, from the City of San Diego and the County. The Chairperson of the consolidated agency shall be one of the six voting members. The First and Second Vice Chairpersons of the consolidated agency shall serve as voting members if one or both of the Vice Chairpersons represent an area of the region that is different from the area of the region represented by the Chairperson or the other Vice Chairperson.

1. Set agenda for Board
2. Review and recommend annual work program and program budget
3. Approve amendments to the Budget and Overall Work Program and authorize contracts up to amount approved by the Board
4. Review and act on state and federal legislation
5. Comment on behalf of SANDAG or provide recommendations to the Board regarding comments on third party environmental documents
6. Act upon and evaluate dispute resolution
7. Advise on personnel actions
8. Act on behalf of Board when timing requires
9. Make policy recommendations to the Board
10. Perform other duties as assigned by the Board
11. Approve financial/contracting transactions, including selection of vendors, acceptance of funding, stipulations of any nature, and any resulting budget amendment up to $500,000, subject to increase by Board action.
12. Annually review a list of all the SANDAG lower-level committees and working groups to determine the need to maintain the committee or working group and approve any revisions in functions or membership.
13. Review all proposed amendments to the Bylaws or Board Policies and make recommendations to the Board regarding those amendments.
14. Conduct expedited reviews and approvals of Energy Working Group actions on an as-needed basis.

C. Transportation Committee Membership and Responsibilities

The Transportation Committee shall consist of nine voting members with board members or alternates representing East County, North County Coastal, North County Inland, South County and the mayor or a council member from the City of San Diego, a supervisor from the County of San Diego, a member of the Board of the MTS appointed by the Board of the MTS, a member of the Board of the NCTD appointed by the Board of the NCTD, and a member of the San Diego County Regional Airport Authority appointed by the airport authority.
1. Provide oversight for consolidated transit responsibilities
2. Provide policy oversight for transportation plans and corridor and systems studies
3. Establish/approve transportation prioritization criteria
4. Approve TDA and STA claim amendments and RTIP and STIP amendments
5. Recommend funding allocations to the Board
6. Approve transit operator budgets for funding
7. Approve Regional Short Range Transit Plan and Coordinated Human Service and Public Transit Transportation Plan
8. Make recommendations regarding changes to Board Policy No. 018 (Transit Service Policy) and Board Policy No. 029 (Regional Fare Policy and Comprehensive Fare Ordinance)
9. Conduct public hearings as delegated by Board
10. Approve contracts for transit up to amount approved by the Board
11. Advise Board on other transportation policy-level issues
12. Recommend legislative program for transportation and transit
13. Approve financial/contracting transactions, including selection of vendors, acceptance of funding, stipulations of any nature, and any resulting budget amendment up to $500,000 for transportation items, subject to increase by Board action
14. To convene closed sessions and make final decisions with regard to real property transactions related to transportation projects, however, this delegation does not include the authority to make a Resolution of Necessity or to commence litigation.
15. Conduct hearings and authorize additional public meetings when appropriate pursuant to Board Policy No. 025 to hear official testimony from the public regarding Comprehensive Fare Ordinance amendments
16. Approve amendments to the Comprehensive Fare Ordinance
17. Accept for distribution, hold public hearings regarding, and adopt/certify environmental documents where items can be approved through actions of the policy committee
18. Approve loans of TransNet funds when such loans are incorporated into an RTIP amendment requiring an exchange of TransNet funds for funds from another source
19. Provide oversight and approvals for Coordinated Transportation Services Agency (CTSA) matters and appoint Transportation Committee representative to the CTSA board
20. Approve revisions to funding allocations for Federal Transit Administration Section 5311 funding
21. Approve the TransNet compliance audits consistent with Board Policy No. 031 (TransNet Ordinance and Expenditure Plan Rules)
22. Provide input on project selection criteria for, and recommend projects for funding under, the TransNet Smart Growth Incentive Program and Environmental Mitigation Program
23. Provide oversight for Service Authority for Freeway Emergencies (SAFE) responsibilities and related motorist aid programs

D. Regional Planning Committee Membership and Responsibilities

The Regional Planning Committee shall consist of six voting members with board members or alternates representing East County, North County Coastal, North County Inland, South County, and the mayor or a council member from the City of San Diego, and a supervisor from the County of San Diego.

1. Provide oversight for preparation and implementation of the RCP and its components
2. Recommend regional infrastructure financing strategies to the Board
3. Represent the Board for outreach and public information on the RCP and its components
4. Advise Board on regional planning policy issues
5. Approve distribution of funds from the California Coastal Commission Beach Sand Mitigation Fund
6. Recommend project selection criteria for, and recommend projects for funding under, the TransNet Smart Growth Incentive Program and Environmental Mitigation Program.

E. Borders Committee Membership and Responsibilities

The Borders Committee shall consist of seven voting members with board members or alternates representing East County, North County Coastal, North County Inland, South County and the mayor or a council member from the City of San Diego, a supervisor from the County of San Diego, and a mayor, council member, or supervisor from the County of Imperial.

1. Provide oversight for planning activities that impact the borders
2. Provide oversight for the preparation of binational and interregional planning programs
3. Recommend border infrastructure financing strategies to the Board
4. Establish closer SANDAG working relations with surrounding counties and Mexico
5. Advise Board on binational and interregional policy-level issues
6. Review and comment on regionally significant projects in adjoining counties

F. Public Safety Committee Membership and Responsibilities

The membership, authority and responsibilities for this committee are set forth in Board Policy No. 026.
G. Distribution of Meeting Materials

1. All agendas for meetings of the Board of Directors, Policy Advisory Committees, and all other SANDAG legislative bodies covered by the Brown Act (Government Code § 54950 et seq.) shall be posted on the SANDAG Web site and copies of such agendas will be available for viewing by the public in the SANDAG business office reception area.

2. All closed session items shall be provided to appropriate Board and/or Policy Advisory Committee members prior to the closed session. Closed session meeting materials will be sent in sealed envelopes and clearly labeled as confidential. If a representative will not be able to attend a meeting he/she should ensure the closed session materials are given to the appropriate alternate to review prior to the meeting. All closed session meeting materials must be returned to the Office of General Counsel at the end of the closed session.

H. Work Assigned to Staff

Requests for staff to perform work on a project that is not specified in the Overall Work Program or Budget shall only be conducted following approval by the Board if the work is estimated to exceed four hours of staff time.

Adopted January 2003
Amended November 2004
Amended January 2006
Amended December 2006
Amended January 2010
Amended 2012
December 7, 2012

The Honorable Jack Dale
1st Vice Chair
SANDAG
401 B Street, Suite 800
San Diego, CA 92101

Gary Gallegos
Executive Director
SANDAG
401 B Street, Suite 800
San Diego, CA 92101

Re: December 7, 2012 Agenda - Item 5: Closed Session: Conference with Real Property Negotiators pursuant to Government Code Section 54956.8 – Status of negotiations with the State of California regarding the price and terms of payment of the potential purchase of real property located at 2829 Juan Street, San Diego, California

Dear Vice Chair Dale, Executive Director Gallegos and Members of the SANDAG Board,

I was dismayed on Tuesday, December 4th when reviewing the agenda for the December 7th SANDAG Board meeting to see Item 5 regarding negotiations for the proposed purchase of the former Caltrans headquarters by SANDAG. Mr. Gallegos and I as a City Councilmember stood together on September 5, 2006, with Senator Christine Kehoe and Mayor Jerry Sanders when Pedro Orso-Delgado and Ronie Clark representing Caltrans and State Parks, jointly announced that the former Caltrans headquarters would become the new entryway to Old Town State Park.

The transfer of the property would allow the excavation of several historic buildings including the first store in California, the Serrano and Osuna House adobes all circa 1830, among other historic and cultural resources of our state’s early history. Working with the City of San Diego in connecting Presidio Park and the San Diego River, we would create a welcoming “front door” and enhanced pedestrian access to one of the state’s busiest parks.

Imagine my surprise, then, to find out not from SANDAG with whom I have worked closely over my years on the City Council and now in the Assembly, that negotiations are underway for SANDAG to purchase the site and offer State Parks some parking to sweeten the deal.
The original transfer of the site was one of the many victims of the downward turn in the economy, and the original agreement between Caltrans and State Parks became the subject of countless discussions since then on how to restructure the original deal.

Suddenly the vision of a bold and historic entryway into Old Town State Park becomes the reality of an office building and multi-story parking structure with some shared parking thrown into the mix for State Park visitors and staff and perhaps an exhibit in SANDAG’s main lobby of what is often called the West Coast’s Plymouth rock.

Had I or any other member of the State Delegation received such a call, perhaps we could have discussed the larger issue of State Parks pursuing paid parking in Old Town and the impact that would have on parking in Old Town for the trolley and Amtrak. The current parking lot is on State Parks property and is far more appropriate for a major parking structure and would serve multiple purposes.

Members of the Old Town residential and business community have waited for six years for the former Caltrans headquarters to pass to State Parks, and for a Master Plan to be developed for the area incorporating better and safer pedestrian flow in the area. State Parks, Senator Kehoe and the community discussed recreating a Native American village of Cosoy representing life along the river, which preceded the Spanish Presidio on the site.

Let us work together to see if there is an opportunity to preserve the original intent of creating this entryway into the park, meet the region’s needs for improved parking to serve the trolley and Amtrak, and meet SANDAG’s interest in co-locating adjacent to the Caltrans headquarters.

Sincerely,

TONI ATKINS
Assemblymember 78th District