



BOARD OF DIRECTORS DISCUSSION AND ACTIONS

JANUARY 27, 2012

Chair Jerome Stocks (Encinitas) called the meeting of the SANDAG Board of Directors to order at 9:05 a.m. The attendance sheet for the meeting is attached.

1. APPROVAL OF MEETING MINUTES (APPROVE)

Action: Upon a motion by Mayor Jim Wood (Oceanside), and a second by Councilmember Carrie Downey (Coronado), the Board of Directors approved the minutes from the December 2, 2011, December 9, 2011, and December 16, 2011, Board meetings.

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

There were no public comments or member communications.

Chair Stocks provided an update on the litigation related to our recently adopted Regional Transportation Plan. This past week the California Attorney General petitioned the court to intervene as an additional plaintiff. This is not a new lawsuit, and this action does not change the issues that will be examined and decided by the court. Our General Counsel will keep us informed of any significant developments in the substance of this case.

3. ACTIONS FROM POLICY ADVISORY COMMITTEES (APPROVE)

This item summarized the actions taken by the Transportation and Regional Planning Committees on January 6, the Executive Committee on January 13, and the Transportation and Public Safety Committees on January 20, 2012.

Action: Upon a motion by Mayor Mary Sessom (Lemon Grove) and second by Councilmember Downey, the Board of Directors approved the actions taken by the Policy Advisory Committees at the meetings noted above. Yes – 16 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent – El Cajon, National City, and Vista.

CONSENT ITEMS (4 through 8)

4. FEDERAL TRANSIT ADMINISTRATION SECTION 5311 PROGRAM OF PROJECTS (APPROVE)

The Federal Transit Administration (FTA) provides funding for capital and operating assistance to transit agencies providing rural transportation services through the Section 5311 Non-Urbanized Area Formula Program. Caltrans has published the estimated apportionment for

Federal Fiscal Year 2012 (FFY 2012). The Transportation Committee recommended that the Board of Directors approve the apportionment of FTA Section 5311 funds for FFY 2012.

5. FY 2012 BUDGET AMENDMENT: ACCEPTANCE OF ADDITIONAL FUNDING FOR REGIONAL BEACH SAND PROJECT (APPROVE)

The Regional Beach Sand Project will place approximately 1.4 million cubic yards of beach quality material on regional beaches from Oceanside to Imperial Beach. The Regional Planning Committee recommended that the Board of Directors approve an FY 2012 budget amendment to accept \$5.2 million of additional funding from the City of Imperial Beach to enable additional sand to be placed in the City of Imperial Beach as part of the Regional Beach Sand Project.

6. EQUAL EMPLOYMENT OPPORTUNITY PROGRAM (INFORMATION)

Federal regulations require that the agency maintain an Equal Employment Opportunity (EEO) Program as a condition of receipt of federal funds. The SANDAG administrative policies and procedures mandate equal employment opportunities in recruitment, hiring, and employment for both applicants and employees. In accordance with SANDAG Board Policy No. 007: Equal Employment Opportunity Program, this report summarized employment results for 2011 and reviews EEO Program goals for the upcoming year.

7. REPORT SUMMARIZING DELEGATED ACTIONS TAKEN BY EXECUTIVE DIRECTOR (INFORMATION)

In accordance with SANDAG Board Policy Nos. 003 (Investment Policy), 017 (Delegation of Authority), and 024 (Procurement and Contracting-Construction), this report summarized certain delegated actions taken by the Executive Director since the last Board of Directors meeting.

8. REPORTS ON MEETINGS AND EVENTS ATTENDED ON BEHALF OF SANDAG (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.

Action: Upon a motion by Mayor Wood, and a second by Mayor Art Madrid (La Mesa), the Board of Directors approved Consent Items Nos. 4 through 8. Yes - 16. No - 0. Abstain - 0. Absent – El Cajon, National City, and San Marcos.

REPORTS (9 through 13)

9. PROPOSED 2012 LEGISLATIVE PROGRAM (APPROVE)

First Vice Chair Dale (Santee) introduced this item.

Genevieve Morelos, Senior Legislative Analyst, provided the staff report. Consistent with past programs, the proposed legislative program for calendar year 2012 includes policies and proposals for possible federal and state legislation and local activities. The Executive

Committee recommended that the Board of Directors approve the 2012 SANDAG Legislative Program.

Action: Upon a motion by Supervisor Ron Roberts (County of San Diego) and second by Mayor Sessom, the Board of Directors approved the 2012 SANDAG Legislative Program. Yes – 17 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent – El Cajon and National City.

10. UPDATE ON LOS ANGELES-SAN DIEGO-SAN LUIS OBISPO ACTIVITIES AND POSSIBLE GOVERNANCE INITIATIVE (APPROVE)

First Vice Chair Dale, Transportation Committee Chair, introduced this item. He stated that last September the Board supported the concept of continuing to work with other Los Angeles-San Diego-San Luis Obispo (LOSSAN) Rail Corridor member agencies to explore local control of intercity rail service, specifically, Amtrak's Pacific Surfliner service. The consensus at the January 20, 2012, Transportation Committee meeting was that it was too soon to seek legislation as important details have yet to be worked out. Ultimately, the Transportation Committee recommended against seeking legislation for a local authority for intercity rail service at this time. However, more recent events have occurred since the Transportation Committee's discussion. On Wednesday, January 25, 2012, the LOSSAN Board voted to introduce a spot bill as a placeholder for future legislation. Both North County Transit District (NCTD) and Metropolitan Transit System (MTS) members of the LOSSAN Board abstained from voting on the spot bill. Given that the LOSSAN Board expects to continue to work on legislation this year, it's important that SANDAG and our local partners have a place at the table to ensure that the San Diego region's needs and concerns are addressed. With that, he moved to direct staff to work with the LOSSAN Joint Powers Agency to ensure that potential legislation to create a local authority for intercity service would be in a form that SANDAG could support.

John Chalker, a member of the public, expressed his support for consideration of a governance change for the LOSSAN corridor.

Action: Upon a motion by First Vice Chair Dale and second by Chair Stocks, the Board of Directors directed staff to work with the LOSSAN Joint Powers Agency to ensure that potential legislation to create a local authority for intercity service would protect the region's interest. Yes – 18 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent – El Cajon.

11. TECHNICAL UPDATE OF THE SMART GROWTH CONCEPT MAP (ACCEPT)

Second Vice Chair Jim Janney, Regional Planning Committee Chair (Imperial Beach), introduced this item. He noted that the Smart Growth Concept Map is being updated to reflect the 2050 Regional Growth Forecast and the 2050 Regional Transportation Plan/Sustainable Communities Strategy adopted by the Board last October.

Carolina Gregor, Senior Planner, presented the staff report, and the Regional Planning Committee's recommendation.

Action: Upon a motion by Councilmember Lesa Heebner (Solana Beach) and second by Second Vice Chair Janney, the Board of Directors accepted the updated Smart Growth Concept Map and corresponding Site Descriptions, in substantially the same form as Attachments 2 and 3 to the agenda report, for planning purposes and for use in SANDAG smart growth incentive programs. Yes – 18 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent – El Cajon.

12. PROPOSED AMENDMENTS TO BOARD POLICY NO. 033 (APPROVE)

Chair Stocks noted that the Ad Hoc Subcommittee on Board Policy No. 033 recommended that the Board of Directors approve the proposed amendments to Board Policy No. 033, in substantially the same form as attached to the agenda report.

Action: Upon a motion by Mayor Matt Hall (Carlsbad) and second by Mayor Jim Desmond (San Marcos), the Board of Directors approved proposed amendments to Board Policy No. 033. Yes – 18 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent – El Cajon.

13. FINANCIAL MARKET STATUS (INFORMATION)

Lauren Warrem, Director of Finance, provided this quarterly briefing to keep the Board of Directors informed about the latest developments in the financial markets, the economy, and sales tax revenues, and the strategies being explored and implemented to minimize possible impacts to SANDAG.

Action: This item was presented for information only.

14. CONTINUED PUBLIC COMMENTS

Sean Wherley, San Diego Housing Federation, thanked the Board for the vote on the Policy No. 033, especially the housing component.

15. CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) – SANDAG V. BOARD OF TRUSTEES OF CALIFORNIA STATE UNIVERSITY (CASE NO. 37-2007-00083768-CU-TT-CTL)

Chair Stocks convened the meeting into a closed session at 9:48 a.m. He reconvened the meeting into open session at 10:03 a.m.

John Kirk, General Counsel, reported the following out of closed session: the Board of Directors voted in favor of securing continued representation in the referenced matter by the Sohagi Law Group. All further proceedings in the matter are pending separate funding authorization to be discussed in open session.

16. REQUEST FOR USE OF CONTINGENCY RESERVES TO FUND CONTINUED APPELLATE REPRESENTATION REGARDING SANDAG V. BOARD OF TRUSTEES OF CALIFORNIA STATE UNIVERSITY

Mr. Kirk stated that it is recommended that the Board of Directors authorize the use of up to \$45,000 in contingency reserves to fund continued representation as referenced in the previous item. The ending balance of the contingency reserves would be approximately \$8.8 million, of which approximately \$4 million is committed for Board of Directors-approved uses, leaving \$4.8 million uncommitted and available for use at the discretion of the Board. The uncommitted balance represents approximately 8 percent of the FY 2012 Overall Work Program (OWP) Budget, which exceeds the minimum target of 5 percent as required by Board policy. Approximately \$1.4 million is scheduled to be repaid by State Route 125 toll revenues within the next six months, which will bring the uncommitted balance to \$6.2 million or 11 percent of the FY 2012 OWP Budget. Based on discussion of the previous item, which concerns litigation relating to the San Diego State University Master Plan Update, staff is requesting authorization to utilize up to \$45,000 in contingency reserves to fund continued appellate representation by outside counsel.

Action: Upon a motion by Supervisor Bill Horn (County of San Diego) and second by Mayor Ron Morrison (National City), the Board of Directors approved the utilization of up to \$45,000 in contingency reserves to fund continued appellate representation by outside counsel for litigation related to the San Diego State University Master Plan Update. Yes – 18 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent – El Cajon.

17. UPCOMING MEETINGS

The Annual Board Retreat is scheduled to start on Wednesday, February 1, 2012, and conclude on Friday morning, February 3, 2012. The next Board Policy meeting is scheduled for Friday, February 10, 2012, at 10 a.m. The next Board Business meeting is scheduled for Friday, February 24, 2012, at 9 a.m.

18. ADJOURNMENT

The meeting was adjourned at 10:06 a.m.

DGunn/M/DGU/Board of Directors

Attachment: Attendance sheet

ATTENDANCE
SANDAG BOARD OF DIRECTORS MEETING
JANUARY 27, 2012

JURISDICTION/ ORGANIZATION	NAME	ATTENDING
City of Carlsbad	Matt Hall (Primary)	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)	No
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 (Primary)	Yes
City of Lemon Grove	Mary Sessom (Primary)	Yes
City of National City	Ron Morrison (Primary)	Yes
City of Oceanside	James Wood (Primary)	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, Seat B)	Yes
City of San Marcos	Jim Desmond (Primary)	Yes
City of Santee	Jack Dale, 1st Vice Chair (Primary)	Yes
City of Solana Beach	Lesia Heebner (Primary)	Yes
City of Vista	Judy Ritter (Primary)	Yes
County of San Diego - A	Ron Roberts (Primary, Seat A)	Yes
County of San Diego - B	Bill Horn (Primary, Seat B)	Yes
Caltrans	Bill Figge (2nd. Alt.)	Yes
MTS	Harry Mathis (Primary)	Yes
NCTD	Chris Orlando (Primary)	Yes
Imperial County	Sup. John Renison (Primary)	No
US Dept. of Defense	CAPT Allan Stratman (Alternate)	Yes
SD Unified Port District	Lou Smith (Primary)	No
SD County Water Authority	John Linden (Alt.)	Yes
Baja California/Mexico	Remedios Gómez-Arnau (Primary)	Yes
Southern California Tribal Chairmen's Association	Allen Lawson (Co-Primary)	Yes
	Edwin Romero (Co-Primary)	No