



**BOARD OF DIRECTORS  
DECEMBER 21, 2012**

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

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**BOARD OF DIRECTORS DISCUSSION AND ACTIONS**

**NOVEMBER 16, 2012**

Chairman Jerome Stocks (Encinitas) called the meeting of the SANDAG Board of Directors to order 9:02 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 Mayor Jim Desmond (San Marcos), the Board of Directors approved the minutes from the October 12, 2012, Board Policy meeting, and the October 26, 2012, Board Business meeting.

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

Jack Shu, Cleveland National Forest Foundation, gave a PowerPoint presentation and spoke about public transit and transportation planning matters.

Chairman Stocks spoke about the Mid-Coast Transit Corridor and the upcoming release of the draft environmental document for this Trolley extension project.

Mayor Sam Abed (Escondido) thanked outgoing elected officials for their time served and wished them well.

Chairman Ron Roberts (County of San Diego) thanked the mayors who supported and signed the letter to the Regional Water Quality Control Board.

Mayor Desmond spoke about the recent opening of the Nordahl Road Bridge.

Councilmember Lorie Zapf (City of San Diego) thanked the Board members and expressed her appreciation for serving on the Board as the alternate for San Diego Mayor Jerry Sanders.

Mayor Ron Morrison (National City) spoke about tax-exempt bonds related to redevelopment.

3. ACTIONS FROM POLICY ADVISORY COMMITTEES (APPROVE)

This item summarized the actions taken by the Borders Committee on October 26, the Executive and Regional Planning Committees on November 2, and the Transportation and Public Safety Committees on November 9, 2012.

Action: Upon a motion by Mayor Desmond, and a second by Mayor Wood, the Board of Directors approved Item 3. Yes – 18 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent – La Mesa.

## **CONSENT (4 THROUGH 7)**

### 4. QUARTERLY INVESTMENT REPORT FOR PERIOD ENDING SEPTEMBER 30, 2012 (INFORMATION)

The SANDAG Investment Policy requires that the Board of Directors be provided a quarterly report of investments held by SANDAG. This report includes all money under the direction or care of SANDAG as of September 30, 2012.

### 5. QUARTERLY PROGRESS REPORT ON TRANSPORTATION PROJECTS JULY TO SEPTEMBER 2012 (INFORMATION)

This quarterly report summarized the current status of major highway, transit, arterial, traffic management, and transportation demand management projects in the SANDAG five-year Regional Transportation Improvement Program for the period July to September 2012.

### 6. 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. In addition, this report included a summary of the San Diego Service Authority for Freeway Emergencies expenditures approved by the Executive Director pursuant to Board authorization.

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

Board members provided 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 Desmond, and a second by Mayor Wood, the Board of Directors approved Consent Items 4 through 7. Yes – 18. No – 0. Abstain – 0. Absent – La Mesa.

## **CHAIR'S REPORT (8)**

### 8. REPORT FROM NOMINATING COMMITTEE ON SLATE OF BOARD OFFICERS FOR 2013 (INFORMATION)

In September, Chairman Stocks appointed a six-person Nominating Committee for Board officers. Mayor Morrison, Nominating Committee Chair, announced that after consideration of the applications, the Nominating Committee recommended the slate of nominees for SANDAG Chair, First Vice Chair, and Second Vice Chair positions for 2013, as shown in the report. In accordance with SANDAG Bylaws, the election of officers is scheduled for the December Board meeting. Additional nominations from the floor also may be made at the December meeting.

Action: This item was presented for information.

## REPORTS (9 THROUGH 13)

### 9. 2012 *TransNet* PLAN OF FINANCE UPDATE (APPROVE)

First Vice Chair Jack Dale (Santee), Transportation Committee Chair, introduced the item.

The *TransNet* Plan of Finance is updated on an annual basis, or more frequently as circumstances arise. The 2012 Plan of Finance continues to advance the SANDAG Early Action Program. Kim Kawada, *TransNet* and Legislative Affairs Program Director; Marney Cox, Chief Economist; and Richard Chavez, Principal Engineer; presented this item which summarized the major revenue, project budget, and cash flow assumptions used in the 2012 update.

Action: Upon a motion by County Chairman Roberts, and a second by First Vice Chair Dale, the Board of Directors (1) approved the 2012 *TransNet* Plan of Finance update; and (2) approved amendments to the FY 2013 SANDAG Program Budget for the various Early Action Program projects in the Interstate 805, Interstate 5 North Coast, and State Route 52 Corridors. Yes – 17 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent – La Mesa and Lemon Grove.

### 10. ANNUAL REVIEW AND PROPOSED AMENDMENTS TO BOARD POLICIES AND BYLAWS (APPROVE)

First Vice Chair Dale introduced the item.

John Kirk, General Counsel, presented the item.

Action: Upon a motion by Mayor Wood, and a second by Mayor Cheryl Cox (Chula Vista), the Board of Directors: (1) approved the proposed Board Policy amendments; (2) renewed the annual delegation of authority to the Executive Director pursuant to SANDAG Board Policy No. 003: Investment Policy; and (3) renewed its approval of SANDAG Board Policy No. 032: San Diego County Regional Transportation Commission Interest Rate Swap Policy. Yes – 17 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent – La Mesa and Lemon Grove.

### 11. VIRGINIA AVENUE INTERMODAL TRANSPORTATION CENTER (APPROVE)

First Vice Chair Dale introduced the item.

Santee Councilmember John Minto, Borders Committee Chair, and Jennifer Williamson, Senior Regional Planner, presented the report. The U.S. General Services Administration (GSA) is currently implementing a major expansion of the San Ysidro Port of Entry, the busiest land border crossing in the world.

Cindy Gompper-Graves, South County Economic Development Council, spoke in favor of the Virginia Avenue Intermodal Transportation Center.

Action: Upon a motion by First Vice Chair Dale, and a second by Mayor Morrison, the Board of Directors: (1) requested that GSA consider building a temporary facility at Virginia Avenue to facilitate access for pedestrians and transit users; (2) approved Concept 1 of the Virginia Avenue ITC to be transmitted to GSA as the recommended option for the ITC; and (3) approved sending a letter to GSA requesting information on unallocated and contingency funds available from Phase 1 of the San Ysidro Port of Entry Modernization and Expansion project. Yes – 18 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent – La Mesa.

12. UPDATE ON TRANSITION OF SAN DIEGO SERVICE AUTHORITY FOR FREEWAY EMERGENCIES TO SANDAG (APPROVE)

In accordance with state law, SANDAG will become the successor agency to the San Diego Service Authority for Freeway Emergencies (SAFE) effective January 1, 2013. Kim Kawada, *TransNet* and Legislative Affairs Program Director, presented the report which provided an update on the SAFE transition activities and next steps.

Action: Upon a motion by Mayor Morrison, and a second by Second Vice Chair Jim Janney (Imperial Beach), the Board of Directors: (1) accepted the Transition Plan prepared by SAFE in consultation with SANDAG; and (2) authorized the Executive Director to approve the execution and/or assignment of contracts consistent with the Transition Plan. Yes – 18 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent – La Mesa.

13. 2013 ANNUAL SANDAG BOARD OF DIRECTORS RETREAT (INFORMATION)

First Vice Chair Dale introduced the item.

Colleen Windsor, Communications Director, gave a report on the annual SANDAG Board of Directors Retreat which is scheduled to begin on Wednesday, February 6, and conclude on Friday morning, February 8, 2013. The primary objective of this public meeting is to afford participants the opportunity to discuss strategies for some of the agency's more important regional policies and programs, and develop ideas for the future direction of the agency.

Action: This item was presented for information.

14. CONTINUED PUBLIC COMMENTS

There were no continued public comments.

Chairman Stocks adjourned to closed session at 10:29 a.m.

15. CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) - SELECT ELECTRIC, INC. V. SANDAG, ET AL. (CASE NO. 37-2012-00103439-CU-BC-CTL)

16. CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8

The Board of Directors was briefed by SANDAG's real property negotiator team, including Laura Coté, Director of Administration, Marney Cox, Chief Economist, and Walter F. Spath III, Esq. 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.

17. 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)

Chairman Stocks reconvened into open session at 11:45 a.m.

John Kirk, General Counsel, reported the following out of closed session:

- The Board of Directors met in closed session and on Item 15 voted to authorize filing an answer to the complaint and interplead the disputed funds into the court.
- On Item 16 there was no reportable action; and
- On Item 17 the Board gave staff direction on how to proceed with settlement discussions.

18. UPCOMING MEETINGS

The next Board Policy meeting is scheduled for Friday, December 7, 2012, at 10 a.m. The next Board Business meeting is scheduled for Friday, December 21, 2012, at 9 a.m. **Please note these meetings will be held on the first and third Fridays, respectively, due to the holiday schedule.**

19. ADJOURNMENT

Chairman Stocks adjourned the meeting at 11:46 a.m.

Attachment: Attendance sheet

**ATTENDANCE**  
**SANDAG BOARD OF DIRECTORS MEETING**  
**NOVEMBER 16, 2012**

JURISDICTION/ ORGANIZATION	NAME	ATTENDING
City of Carlsbad	Matt Hall (Primary)	Yes
City of Chula Vista	Cheryl Cox (Primary)	Yes
City of Coronado	Al Ovrom (1st Alt.)	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 (Primary)	No
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	Anthony Young (Primary, Seat B)	No
City of San Marcos	Jim Desmond (Primary)	Yes
City of Santee	Jack Dale, 1st Vice Chair (Primary)	Yes
City of Solana Beach	Lesha 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	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 (Primary)	Yes
SD Unified Port District	Lou Smith (Primary)	Yes
SD County Water Authority	John Linden (Alt.)	Yes
Baja California/Mexico	Remedios Gómez-Arnau (Primary)	No
Southern California Tribal Chairmen's Association	Allen Lawson (Co-Primary)	Yes
	Edwin Romero (Co-Primary)	No