EXECUTIVE COMMITTEE AGENDA

Friday, April 13, 2012
9 to 10 a.m.
SANDAG, 7th Floor Conference Room
401 B Street
San Diego

AGENDA HIGHLIGHTS

• STATE LEGISLATIVE STATUS REPORT

• REVIEW OF APRIL 27, 2012, DRAFT BOARD AGENDA

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.
Welcome to SANDAG. Members of the public may speak to the Executive Committee on any item at the time the Committee 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 Committee seated at the front table. Members of the public may address the Committee 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 Executive Committee may take action on any item appearing on the agenda.

This agenda and related staff reports can be accessed at www.sandag.org under Meetings. 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 Executive Committee meeting. Any handouts, presentations, or other materials from the public intended for distribution at the Executive Committee 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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### EXECUTIVE COMMITTEE
Friday, April 13, 2012

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<tr>
<th>ITEM #</th>
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<tbody>
<tr>
<td>1.</td>
<td>APPROVE</td>
<td>APPROVAL OF MARCH 9, 2012, MEETING MINUTES</td>
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<td>2.</td>
<td>APPROVE</td>
<td>PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS</td>
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### REPORTS

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<td>INFORMATION</td>
<td>STATE LEGISLATIVE STATUS REPORT (Genevieve Morelos)</td>
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Periodic status reports on legislative activities are provided to the Executive Committee during the year. This status report provides an update on pending state legislation, including Senate Bills 1549 (Vargas), which would provide authority for alternative project delivery methods, and 1225 (Padilla), which would create a local authority for intercity rail services for the Los Angeles-San Diego-San Luis Obispo (LOSSAN) Corridor.

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<td>APPROVE</td>
<td>REVIEW OF APRIL 27, 2012, DRAFT BOARD AGENDA (Renée Wasmund)</td>
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<tr>
<td>5.</td>
<td>INFORMATION</td>
<td>CONTINUED PUBLIC COMMENTS</td>
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The next meeting of the Executive Committee is scheduled for Friday, May 11, 2012.

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<td>7.</td>
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<td>ADJOURNMENT</td>
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*next to an agenda item indicates an attachment*
Chair Jerome Stocks (North County Coastal) called the Executive Committee meeting to order at 9:02 a.m. The attendance sheet for the meeting is attached.

1. **APPROVAL OF MINUTES**

   Upon a motion by Second Vice Chair Jim Janney (South County) and a second by Mayor Don Higginson (North County Inland), the minutes of the February 10, 2012, Executive Committee meeting were unanimously approved.

2. **PUBLIC COMMENTS/COMMUNICATIONS/MEMBERS COMMENTS**

   There were no public comments.

**REPORTS (3 through 7)**

3. **DRAFT FY 2013 PROGRAM BUDGET (INCLUDING THE OVERALL WORK PROGRAM) (RECOMMEND)**

   Tim Watson, Budget Program Manager, provided the staff report including the current funding environment; highlights of the proposed FY 2013 Overall Work Program Budget; FY 2012 accomplishments; staffing resources, salaries, and benefits; an overview of the Program Budget; and next steps.

   Committee members discussed the pros and cons of the proposed salary merit pool, and asked staff to come back with additional information.

   Chair Stocks reviewed the option of going paperless with agenda packages. He discussed his experience over the last three months in a pilot demonstration of this process. Discussion ensued with the result that staff should poll Board members on how each prefers to receive the agenda materials (hard copy, online, or CD).

   **Action:** Upon a motion by Supervisor Ron Roberts (County of San Diego) and a second by Mayor Higginson, the Executive Committee accepted the Draft FY 2013 Program Budget (including the Overall Work Program), with the exception of the salary portion; authorized distribution of the document to the funding agencies for review; and recommended that the Board of Directors approve the Draft FY 2013 Program Budget for distribution to member agencies and other interested parties for review.
7. REVIEW OF MARCH 23, 2012, DRAFT BOARD AGENDA (APPROVE)

Renée Wasmund, Chief Deputy Executive Director, reviewed the draft agenda for the March 23, 2012, Board of Directors meeting, and noted changes since the mailout.

Action: Upon a motion by Mayor Higginson and a second by Second Vice Chair Jim Janney (South County), the Executive Committee voted to approve the agenda for the March 23, 2012, Board of Directors meeting, as amended.

4. FY 2011 AUDITED COMPREHENSIVE ANNUAL FINANCIAL REPORT (INFORMATION)

In accordance with SANDAG Bylaws, the FY 2011 Comprehensive Annual Financial Report (CAFR) audit has been completed and is presented for informational purposes. Copies of the CAFR will be distributed to each member agency.

Action: This item was presented for information only.

5. SERVICE BUREAU FY 2012 MID-YEAR REPORT AND FY 2011 SOURCEPOINT AUDITED FINANCIAL STATEMENTS (INFORMATION)

SANDAG Board Policy requires that the Executive Committee receive periodic progress reports on the project activities and financial status of the Service Bureau. This report also included the FY 2011 financial audit of SourcePoint, performed annually, as required by SourcePoint bylaws.

Action: This item was presented for information only.

6. FEDERAL LEGISLATIVE STATUS REPORT (INFORMATION)

An update was provided on recent federal legislation pertaining to the FY 2013 Administration budget request and the federal surface transportation authorization.

Action: This item was presented for information only.

8. CONTINUED PUBLIC COMMENTS

There were no public comments.

9. UPCOMING MEETINGS

The next meeting of the Executive Committee is scheduled for Friday, April 13, 2012, at 9 a.m.

10. ADJOURNMENT

Chair Stocks adjourned the meeting at 10:03 a.m.

Attachment: Attendance Sheet
## CONFIRMED ATTENDANCE
### SANDAG EXECUTIVE COMMITTEE MEETING
### MARCH 9, 2012

<table>
<thead>
<tr>
<th>GEOGRAPHICAL AREA</th>
<th>JURISDICTION</th>
<th>NAME</th>
<th>PRIMARY/ALTERNATE</th>
<th>ATTENDING</th>
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<tbody>
<tr>
<td>North County Inland</td>
<td>City of Poway</td>
<td>Don Higginson</td>
<td>Primary</td>
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<td></td>
<td>City of San Marcos</td>
<td>Jim Desmond</td>
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<tr>
<td>North County Coastal</td>
<td>City of Encinitas</td>
<td>Jerome Stocks, Chair</td>
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<td>City of Solana Beach</td>
<td>Lesa Heebner</td>
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<tr>
<td>South County</td>
<td>City of Imperial Beach</td>
<td>Jim Janney, 2nd Vice Chair</td>
<td>Primary</td>
<td>Yes</td>
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<tr>
<td></td>
<td>City of Coronado</td>
<td>Carrie Downey</td>
<td>Alternate</td>
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<td>East County</td>
<td>City of Santee</td>
<td>Jack Dale, 1st Vice Chair</td>
<td>Primary</td>
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<td></td>
<td>City of La Mesa</td>
<td>Art Madrid</td>
<td>Alternate</td>
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<td>City of San Diego</td>
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<td>Jerry Sanders</td>
<td>Primary</td>
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<td></td>
<td></td>
<td>Tony Young</td>
<td>Alternate</td>
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<tr>
<td></td>
<td></td>
<td>David Alvarez</td>
<td>Alternate</td>
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<tr>
<td>County of San Diego</td>
<td></td>
<td>Ron Roberts</td>
<td>Primary</td>
<td>Yes</td>
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<td></td>
<td></td>
<td>Bill Horn</td>
<td>1st Alternate</td>
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<td></td>
<td></td>
<td>Greg Cox</td>
<td>2nd Alternate</td>
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STATE LEGISLATIVE STATUS REPORT

Introduction

Periodic status reports on legislative activities are provided to the Executive Committee during the year. This status report provides an update on pending state legislation, including Senate Bills 1549 (Vargas), which would provide authority for alternative project delivery methods, and 1225 (Padilla), which would create a local authority for intercity rail services for the Los Angeles-San Diego-San Luis Obispo (LOSAN) Corridor.

Discussion

Senate Bill 1549 (Vargas) - Transportation Projects: Construction Manager/General Contractor Project Method

Consistent with Goal No. 7A of the SANDAG 2012 Legislative Program, which supports efforts to expand available methods of transportation project delivery, SANDAG is sponsoring Senate Bill 1549 (SB 1549). SB 1549 was introduced by Senator Juan Vargas (D-San Diego) on February 24, 2012. SB 1549 would allow Caltrans and/or SANDAG to engage in alternative project delivery methods, including design sequencing and construction manager/general contractor (CMGC), for up to 20 total projects in the San Diego region. SB 1549 would provide authority for transit and highway projects in the region. SANDAG could use the authority under SB 1549 to implement projects from the TransNet Early Action Program.

Design sequencing is a method of contracting that permits the sequencing of design activities so that an individual phase of a project can commence (award of construction contract) when 30 to 70 percent of design for that phase is complete. Under traditional design-bid-build, design for the entire project must first be completed before construction can begin.

CMGC is a project delivery method that allows a public agency to engage a construction manager during the design process. The construction manager is generally selected on the basis of qualifications, past experience, or a best-value basis. During the design phase, the construction manager provides input regarding design, scheduling, pricing, phasing, and constructability. At approximately 60 to 90 percent of design completion, the owner and the construction manager negotiate a guaranteed maximum price for the construction of the project based on the defined scope and schedule. If this price is acceptable to both parties, they execute a contract for construction services and the construction manager becomes the general contractor.
A statewide design sequencing pilot program previously existed for Caltrans. However, authority for that program expired on January 1, 2010. In the San Diego region, Caltrans District 11 was successful in using design sequencing for the Interstate 15 Managed Lanes and the State Route 76 West widening project, which realigned the highway between Melrose Drive and Mission Road.

CMGC has been used as a project delivery method for the University of California but has not been authorized for transportation projects. A number of other states including Arizona, Oregon, and Utah enable CMGC to be used for transportation projects. Additionally, the City of San Diego utilized the CMGC delivery method to construct the new public library in downtown San Diego.

SB 1549 would:

- Require a report to the California Transportation Commission (CTC) if design sequencing or CMGC is used as well as an annual report from the CTC to the legislature
- Allow SANDAG to elect to operate a labor compliance program approved by the Department of Industrial Relations (DIR) to monitor and enforce prevailing wages in lieu of using the current DIR program
- Require Caltrans to be responsible for the performance of the project development services, including performance specifications, preliminary engineering, pre-bid services, the preparation of project reports and environmental documents, and construction inspection services

Other Related Legislation

Similar legislation, Assembly Bill 2498 (AB 2498) was introduced on February 24, 2012, by Assemblymember Richard Gordon (D-Redwood City). This legislation, sponsored by Caltrans, would provide statewide authority to use CMGC on state highway projects. The bill currently does not include authority for local transportation entities such as SANDAG to use this alternative project delivery method.

The Professional Engineers in California Government (PECG) has conveyed concerns with both SB 1549 and AB 2498 and has requested language limiting the number of projects that could utilize CMGC, adding language to use only PECG employees on these projects, and adding a sunset date.

Additionally, AB 294 was introduced by Assemblymember Anthony Portantino (D-Pasadena) on February 11, 2011, and is currently on the Senate Floor suspense file. AB 294, sponsored by PECG, would provide authority for not more than five transportation projects utilizing design sequencing and would sunset on January 1, 2015. This bill requires that Caltrans use department employees or consultants under contract with Caltrans for projects that use design build and design-sequencing authority.

Next Steps

SB 1549 is set to be heard by the Senate Transportation and Housing Committee on April 17, 2012. Staff will continue to work with all interested parties as the bill makes its way through the legislative process.
Senate Bill 1225 (Padilla) - Intercity Rail Agreements

SB 1225 was introduced on February 23, 2012, by Senator Alex Padilla (D-Pacioma). The legislation would create a local authority for intercity rail services. At its January 27, 2012, meeting, the SANDAG Board of Directors directed staff to work with the LOSSAN Joint Powers Agency to ensure that potential legislation protects the region’s interest.

Draft language was presented to the LOSSAN Board of Directors on Friday, March 30, 2012. The LOSSAN Board of Directors unanimously approved the language, which was submitted to Legislative Counsel to be introduced as amendments to the current SB 1225 spot bill.

Formal supporters of the bill include Santa Barbara County Association of Governments, Ventura County Transportation Commission, Los Angeles County Metropolitan Transportation Authority, and Orange County Transportation Agency. There is no opposition to the bill at this time.

North County Transit District (NCTD) has not taken a formal position on the bill. At the LOSSAN Board of Directors meeting, NCTD voted to move the legislation forward, but stated they have concerns with the legislation and the future joint-powers agreement. NCTD will continue to monitor the bill as it moves through the legislative process. San Diego Metropolitan Transit System has not taken a position on the bill.

Other Related Legislation

The Los Angeles-Bakersfield-Fresno-Stockton-Sacramento-Oakland Intercity Passenger Rail Corridor (San Joaquin Corridor) also has a bill, AB 1779, introduced by Assemblymember Cathleen Galgiani (D-Tracy) on February 21, 2012, and last amended on March 29, 2012. AB 1779 would create a local authority for the intercity rail services in the San Joaquin Corridor. AB 1779 is set to be heard by the Assembly Transportation Committee on April 16, 2012.

Next Steps

SB 1225 is scheduled to be heard by the Senate Transportation and Housing Committee on April 17, 2012. Staff will bring more information back on this bill after it is amended and continue to watch this bill as it moves through the legislative process.

KIM KAWADA
TransNet and Legislative Affairs Program Director

Key Staff Contact: Genevieve Morelos, 619-699-1994, Genevieve.Morelos@sandag.org
REVIEW OF APRIL 27, 2012, DRAFT BOARD AGENDA

ITEM #

+1. APPROVAL OF MEETING MINUTES
   +A. MARCH 9, 2012, BOARD POLICY MEETING MINUTES
   +B. MARCH 23, 2012, 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 March 23, the Transportation and Regional Planning Committees on April 6, the Executive Committee on April 13, and the Transportation and Public Safety Committees on April 20, 2012.

CONSENT (4 through X)

+4. FY 2011 REQUEST FOR EXCEPTION TO TransNet EXTENSION ORDINANCE REQUIREMENT (Lisa Kondrat-Dauphin)*

As noted in its draft FY 2011 TransNet compliance audit, the City of Del Mar did not meet its required FY 2011 Maintenance of Effort (MOE) level, and is requesting additional time to make up its FY 2011 MOE shortfall, as allowed under Section 8 of the TransNet Extension Ordinance. The Transportation Committee recommends that the Board of Directors, acting as the San Diego County Regional Transportation Commission, approve the City of Del Mar’s request for special circumstances to allow one additional year to meet its FY 2011 MOE requirement.
+5. REPORT SUMMARIZING DELEGATED ACTIONS TAKEN BY EXECUTIVE DIRECTOR (Leslie Campbell)*

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.

+6. REPORTS ON MEETINGS AND EVENTS ATTENDED ON BEHALF OF SANDAG (Kim Kawada)

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.

7.

REPORTS (8 through X)

+8. LIMITED ENGLISH PROFICIENCY ANALYSIS AND APPROVAL OF LANGUAGE ASSISTANCE PLAN (Paula Zamudio)

In accordance with Title VI of the Civil Rights Act, staff has conducted a four-factor analysis to determine which languages SANDAG should use to provide its most important information to the public. The Board of Directors is asked to accept the Limited English Proficiency four-factor analysis and approve the Language Assistance Plan for submittal to the Federal Transit Administration in substantially the same form as attached.

+9. TransNet 2012 BOND ISSUANCE: REVIEW OF DRAFT BOND DOCUMENTS (First Vice Chair Jack Dale, Transportation Committee Chair; José Nuncio and Marney Cox)*

The Board of Directors is asked to review the draft bond documents and the financing schedule for the 2012 issuance of tax-exempt fixed-rate debt for the TransNet program. Staff also will update the Board on latest developments in the financial markets, the economy, and sales tax revenues relevant to SANDAG.

10.

11. 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.
12. **UPCOMING MEETINGS**

The next Board Policy meeting is scheduled for Friday, May 11, 2012, at 10 a.m. The next Board Business meeting is scheduled for Friday, May 25, 2012, at 9 a.m.

13. **ADJOURNMENT**

+ next to an agenda item indicates an attachment

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