AGENDA HIGHLIGHTS

- ELECTION OF 2014 SANDAG BOARD OFFICERS
- PROPOSED 2014 LEGISLATIVE PROGRAM
- RECOMMENDATIONS FROM THE 2013 BINATIONAL SEMINAR

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.

Public comments regarding the agenda can be sent to SANDAG via comment@sandag.org. Please include the agenda item, your name, and your organization. Email 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 Board no later than 12 noon, two working days prior to the meeting.

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 website or by sending an email request to webmaster@sandag.org.

SANDAG operates its programs without regard to race, color, and national origin in compliance with Title VI of the Civil Rights Act. SANDAG has developed procedures for investigating and tracking Title VI complaints and the procedures for filing a complaint are available to the public upon request. Questions concerning SANDAG nondiscrimination obligations or complaint procedures should be directed to SANDAG General Counsel, John Kirk, at (619) 699-1997 or john.kirk@sandag.org. Any person who believes himself or herself or any specific class of persons to be subjected to discrimination prohibited by Title VI also may file a written complaint with the Federal Transit Administration.

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SANDAG agenda materials can be made available in alternative languages. To make a request call (619) 699-1900 at least 72 hours in advance of the meeting.

Los materiales de la agenda de SANDAG están disponibles en otros idiomas. Para hacer una solicitud, llame al (619) 699-1900 al menos 72 horas antes de la reunión.

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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<table>
<thead>
<tr>
<th>ITEM #</th>
<th>RECOMMENDATION</th>
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<tbody>
<tr>
<td>+1.</td>
<td><strong>APPROVAL OF NOVEMBER 15, 2013, MEETING MINUTES</strong> APPROVE</td>
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<tr>
<td>2.</td>
<td><strong>PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS</strong></td>
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<tr>
<td></td>
<td>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.</td>
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<td>+3.</td>
<td><strong>ACTIONS FROM POLICY ADVISORY COMMITTEES (Kim Kawada)</strong> APPROVE</td>
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<td></td>
<td>This item summarizes the actions taken by the Borders Committee on November 15, the Executive and Regional Planning Committees on December 6, and the Transportation and Public Safety Committees on December 13, 2013. The Board of Directors is asked to ratify the actions of the Policy Advisory Committees.</td>
</tr>
<tr>
<td>+4.</td>
<td><strong>MULTI-PARTY MEMORANDUM OF UNDERSTANDING FOR THE DESIGN AND CONSTRUCTION OF THE VIRGINIA AVENUE INTERMODAL TRANSIT CENTER (Jennifer Williamson)</strong> APPROVE</td>
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<td></td>
<td>The U.S. General Services Administration (GSA) is requesting that SANDAG, the City of San Diego, Caltrans, and Metropolitan Transit System (MTS) enter into a Memorandum of Understanding (MOU) for the funding, design, and construction of the Virginia Avenue Transit Facility Project. The Board of Directors is asked to approve the MOU between SANDAG, GSA, the City of San Diego, Caltrans, and MTS for the design and construction of the Virginia Avenue Intermodal Transit Center.</td>
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<td>+5.</td>
<td><strong>PROPOSED AMENDMENTS TO CONFLICT OF INTEREST CODE (Julie Wiley)</strong> APPROVE</td>
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<td>Every two years, staff reviews the SANDAG Conflict of Interest Code to determine if updates are needed. Proposed amendments to the Conflict of Interest Code shown in the attachment to the staff report reflect updates to existing job titles and the addition of new positions to the list of designated positions. The Board of Directors is asked to approve the proposed amendments to the Conflict of Interest Code.</td>
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<tr>
<td>+6.</td>
<td><strong>AUTHORIZATION FOR ACCESS TO STATE BOARD OF EQUALIZATION TAX RECORDS FOR SALES AND USE TAX AUDITING, RECOVERY, AND REPORTING SERVICES (Ariana zur Nieden)</strong> APPROVE</td>
</tr>
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<td></td>
<td>The Board of Directors is asked to approve Resolution No. RTC-2014-02, authorizing MuniServices, LLC to access California State Board of Equalization tax records for sales and use tax auditing, recovery, and reporting services for the TransNet Program.</td>
</tr>
</tbody>
</table>
+7. APPROVAL OF PROPOSED SOLICITATIONS AND CONTRACTS (Laura Coté)  

+7A. Approval of Professional Services Solicitations  
The Board of Directors is asked to authorize the Executive Director to conduct a solicitation for on-call construction management services.  

+7B. Approval of Proposed Construction Awards  
The Board of Directors is asked to authorize the Executive Director to execute a construction contract award for the Prospect Avenue Corridor Enhancement Project.  

+8. METROPOLITAN TRANSPORTATION COMMISSION REQUEST FOR SUPPORT OF AMICUS BRIEF FILING IN ITS REGIONAL TRANSPORTATION PLAN LITIGATION (Julie Wiley)  

Four petitions for writ have been filed against Metropolitan Transportation Commission (MTC), the Metropolitan Planning Organization for the San Francisco Bay Area, for the Regional Transportation Plan and Sustainable Communities Strategy adopted by MTC in September 2013. The Board of Directors is asked to authorize SANDAG to assist in preparing and filing an amicus brief, along with other interested agencies in support of MTC, in the cases described in the report. The Board also is asked to approve the use of up to $20,000 in contingency reserve funds for this effort.  

+9. REPORT SUMMARIZING DELEGATED ACTIONS TAKEN BY THE EXECUTIVE DIRECTOR (André Douzdjian)  

In accordance with various SANDAG Board Policies, this report summarizes certain delegated actions taken by the Executive Director since the last Board of Directors meeting.  

+10. REPORT 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.  

CHAIR’S REPORT (11 through 12)  

+11. ELECTION OF 2014 SANDAG BOARD OFFICERS (National City Mayor Ron Morrison, Nominating Committee Chair)  

The Nominating Committee recommends the attached slate of candidates for SANDAG Chair, First Vice Chair, and Second Vice Chair for calendar year 2014. Additional nominations for any officer position may be made by Board members at the December meeting. The Board of Directors is asked to elect SANDAG Board Officers for the upcoming year.  

+12. RECOGNITION OF RENÉE WASMUND, RETIRING SANDAG CHIEF DEPUTY EXECUTIVE DIRECTOR  

12. RECOGNITION OF RENÉE WASMUND, RETIRING SANDAG CHIEF DEPUTY EXECUTIVE DIRECTOR  

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+13. PROPOSED 2014 LEGISLATIVE PROGRAM (First Vice Chair Jim Janney; Jaymie Bradford)* APPROVE

Consistent with past programs, the proposed legislative program for calendar year 2014 includes policies and proposals for possible federal and state legislation and local activities. The Executive Committee recommends that the Board of Directors approve the 2014 SANDAG Legislative Program.

+14. SAN DIEGO FORWARD: THE REGIONAL PLAN: PROPOSED UNCONSTRAINED TRANSPORTATION NETWORK (San Diego Interim Mayor Todd Gloria, Transportation Committee Chair; Phil Trom)* ACCEPT

The Transportation and Regional Planning Committees recommend that the Board of Directors accept the draft Unconstrained Transportation Network for use in the development of San Diego Forward: The Regional Plan.

+15. RECOMMENDATIONS FROM THE 2013 BINATIONAL SEMINAR (Vice Mayor John Minto, Borders Committee Chair; Hector Vanegas, SANDAG) ACCEPT

The Borders Committee recommends that the Board of Directors accept the recommendations from the 2013 Binational Seminar.

+16. DISADVANTAGED BUSINESS ENTERPRISE PROGRAM UPDATE (Laura Coté)* INFORMATION

Staff will present an annual update on the agency’s Disadvantaged Business Enterprise Program for federal fiscal year 2013. In addition, the report summarizes the results of an analysis of local hiring for construction contracts.

+17. CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8 – SORRENTO VALLEY DOUBLE TRACK PROJECT (Gregory Rodriguez)*

SANDAG staff will update the Board of Directors on the status of negotiations with property owners along the Sorrento Valley Double Track Project regarding price and payment terms for acquisition of the property interests in the following properties (with related owners): (1) 11722 Sorrento Valley Road, San Diego, CA 92121 (AGP Sorrento R&D Addition, LP); (2) 11696-11722 Sorrento Valley Road, San Diego, CA 92121 (Cal-Sorrento Limited); (3) 11526 Sorrento Valley Road, San Diego, CA 92121 (Cal-Sorrento Limited); (4) 11436-11468 Sorrento Valley Road, San Diego, CA 92121; (5) 11404 and 11408 Sorrento Valley Road, San Diego, CA 92121 (BMR Sorrento Plaza, LP); (6) 11330 Sorrento Valley Road, San Diego, CA 92121 (Gary M. Rogers); (7) 11300 Sorrento Valley Road, San Diego, CA 92121 (Altimus Properties, LLC); (8) 11230 Sorrento Valley Road, San Diego, CA 92121 (Soval, LLC); and (9) 11388 Sorrento Valley Road, San Diego, CA 92121 (BMR-11388 Sorrento Valley Road, LLC)

Negotiators on behalf of SANDAG: Bruce Smith, SANDAG; Gregory Rodriguez, SANDAG; Brad Kuhn, Nossaman LLP; and Julie Wood, HDR Engineering, Inc.
+18. CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(2) – FIVE POTENTIAL CASES (John Kirk)

The Board of Directors will be briefed on five applications to present late claims stemming from alleged damages from the Regional Beach Sand Project in late 2012. The claimants are Boca Rio Homeowners Association (HOA); Michael and Robin Clegg; The Dolphins HOA; Seacoast LLC, and the Seacoast Beach Homes Maintenance Corporation.

19. 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.

20. UPCOMING MEETINGS

The next Board Policy meeting is scheduled for Friday, January 10, 2014, at 10 a.m. The next Board Business meeting is scheduled for Friday, January 24, 2014, at 9 a.m.

21. ADJOURNMENT

+ next to an agenda item indicates an attachment
* next to an agenda item indicates a San Diego County Regional Transportation Commission item
Chairman Jack Dale (Santee) 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

**Action:** Upon a motion by Supervisor Ron Roberts (County of San Diego) and a second by Interim Mayor Todd Gloria (City of San Diego), the Board of Directors approved the minutes from the October 11, 2013, Board Policy meeting, and the October 25, 2013, Board Business meeting. Yes – 13 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent – El Cajon, Escondido, Lemon Grove, National City, Poway, and Solana Beach.

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

Chairman Dale announced three recent awards given to SANDAG and Caltrans staff. Mike Calandra, a member of the SANDAG modeling team, was awarded the Technical Document of the Year Award from the San Diego Section of the Institute of Transportation Engineers for his submission of a Vehicle Miles Traveled Calculation White Paper. The second award from the American Public Works Association recognized the downtown Trolley Renewal Project as one of its Outstanding Chapter Projects of the Year. Lastly, the State Route 11 and Otay Mesa East Port of Entry Project was recognized by the National Association of Environmental Professionals and awarded the 2013 National Environmental Excellence Award.

Jack Shu, Cleveland National Forest Foundation, spoke regarding his attendance at the San Diego Forward: The Regional Plan public workshops.

Jana Clark, Cleveland National Forest Foundation, spoke regarding the global impacts resulting from greenhouses gas emissions.

3. ACTIONS FROM POLICY ADVISORY COMMITTEES (APPROVE)

This item summarized the actions taken by the Borders Committee on October 25, the Executive and Regional Planning Committees on November 1, and the Transportation Committee on November 8, 2013. The Board of Directors was asked to ratify the actions of the Policy Advisory Committees.

**Action:** Upon a motion by Councilmember Mike Woiwode (Coronado) and a second by Mayor Art Madrid (La Mesa), the Board of Directors approved Item No. 3. Yes – 16 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent – El Cajon, Lemon Grove, and Poway.
CONSENT (4 through 8)

4. 2012 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM: AMENDMENT No. 11 - ADMINISTRATIVE MODIFICATION AND PROPOSED FY 2014 PROGRAM BUDGET AMENDMENT: LOS PEÑASQUITOS LAGOON BRIDGE REPLACEMENT PROJECT (APPROVE)

On September 28, 2012, the Board of Directors adopted the 2012 Regional Transportation Improvement Program (RTIP), the multiyear program of proposed major transportation projects in the San Diego region covering the period FY 2013 to FY 2017. Amendment No. 11 is a special amendment to program federal Transportation Investment Generating Economic Recovery funds awarded to SANDAG. The Transportation Committee recommended that the Board of Directors: (1) approve Amendment No. 11 – Administrative Modification to the 2012 RTIP; and (2) approve the proposed amendment to the FY 2014 Program Budget for the Los Peñasquitos Lagoon Bridge Replacement Project (CIP 1145000).

5. QUARTERLY PROGRESS REPORT ON TRANSPORTATION PROJECTS - JULY THROUGH SEPTEMBER 2013 (INFORMATION)

This quarterly report summarized the current status of major transit, highway, arterial, traffic management, and Transportation Demand Management projects in the SANDAG five-year RTIP for the period July through September 2013.

6. OVERVIEW OF DEVELOPMENTS IN THE FINANCIAL MARKETS AND QUARTERLY INVESTMENT REPORT FOR THE PERIOD ENDING SEPTEMBER 30, 2013 (INFORMATION)

This quarterly report provided various finance-related items to the Board of Directors, including: (1) a quarterly report of investments, including all money under the direction or care of SANDAG; (2) an update on the SANDAG debt portfolio; and (3) information about the latest developments in the financial markets, the economy, and sales tax revenues.

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

In accordance with various SANDAG Board Policies, this report summarized certain delegated actions taken by the Executive Director since the last Board of Directors meeting.

8. REPORT 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 Interim Mayor Gloria and a second by Councilmember Woiwode, the Board of Directors approved Consent Items No. 4 through 8. Yes – 16. No – 0. Abstain – 0. Absent – El Cajon, Lemon Grove, and Poway.
CHAIR’S REPORT (9)

9. REPORT FROM NOMINATING COMMITTEE ON SLATE OF BOARD OFFICERS FOR 2014 (INFORMATION)

After consideration of the applications, the Nominating Committee recommended a slate of nominees for SANDAG Chair, First Vice Chair, and Second Vice Chair positions for 2014. 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.

Mayor Ron Morrison (National City), Nominating Committee Chair, presented the item.

Action: This item was presented for information.

REPORTS (10 through 14)

10. MID-COAST CORRIDOR TRANSIT PROJECT: REFINED BUILD ALTERNATIVE (APPROVE)

The public comment period for the Mid-Coast Corridor Transit Project Draft Supplemental Environmental Impact Statement/Subsequent Environmental Impact Report (SEIS/SEIR) closed in July 2013. In response to comments and further analysis, refinements are proposed to the Build Alternative.

Interim Mayor Gloria, Transportation Committee Chair, introduced the item.

Leslie Blanda, Project Development Program Manager, and John Haggerty, Division Director of Rail, presented the item.

C. Samuel Black, La Jolla Village Square, spoke in support of the project and expressed some concerns regarding the planned station at La Jolla Village Square.

Ian Hydoski, Armstrong Garden Centers, expressed concern regarding the relocation of Armstrong Garden Centers due to the preferred alternative for the Mid-Coast Trolley Tecolote Station.

Mark Watkins, Armstrong Garden Centers, requested SANDAG consider other alternatives for the Mid-Coast Trolley Tecolote Station that will not impact Armstrong Garden Centers’ location.

Gary Jones, Armstrong Garden Centers, spoke in opposition to the proposed alternative for the Mid-Coast Trolley Tecolote Station.

Eric Asakawa, Armstrong Garden Centers, spoke in opposition to the proposed alternative for the Mid-Coast Trolley Tecolote Station.

Bill Albert, Armstrong Garden Centers, spoke in opposition to the proposed alternative for the Mid-Coast Trolley Tecolote Station.

Jack Shu, Cleveland National Forest Foundation, spoke regarding the need to build public transit improvements such as the Mid-Coast Trolley and impacts on parking.
Jeff Boyett submitted a speaker slip in opposition of this item but did not wish to speak.

**Action:** Upon a motion by Interim Mayor Gloria, and a second by Councilmember Jack Feller (Oceanside), the Board of Directors approved the Refined Build Alternative as the project to be evaluated in the Mid-Coast Corridor Transit Project Final SEIS/SEIR. Yes – 17 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent – El Cajon and Poway.

11. **APPROVAL OF PROPOSED SOLICITATIONS AND CONTRACTS (APPROVE)**

First Vice Chair Jim Janney (Imperial Beach) introduced the item.

Laura Coté, Director of Administration, presented the item and asked that the Board of Directors review and approve the proposed solicitation.

A. Approval of Professional Services Solicitation

**Action:** Upon a motion by First Vice Chair Jim Janney (Imperial Beach) and a second by Mayor Cheryl Cox (Chula Vista), the Board of Directors authorized the Executive Director to conduct a solicitation for on-call appraisal and general right-of-way management services. Yes – 12 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent – Carlsbad, County of San Diego, El Cajon, Escondido, La Mesa, Poway, and Solana Beach.

B. Approval of Proposed Construction Awards

Ms. Coté presented the item and asked that the Board of Directors review and approve the contract awards.

**Action:** Upon a motion by Councilmember Feller and a second by Mayor Cox, the Board of Directors authorized the Executive Director to execute the two construction contract awards detailed in the report. Yes – 16 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent – El Cajon, National City, and Poway.

12. **ANNUAL REVIEW AND PROPOSED AMENDMENTS TO BOARD POLICY No. 032: SAN DIEGO COUNTY REGIONAL TRANSPORTATION COMMISSION INTEREST RATE SWAP POLICY (APPROVE)**

Board Policy No. 032 requires an annual review of the Policy by the Board of Directors. The Executive Committee recommended that the Board of Directors approve the proposed amendments to Board Policy No. 032: San Diego County Regional Transportation Commission Interest Rate Swap Policy. The Board of Directors also was asked to adopt Resolution No. RTC-2014-01, renewing its approval of Board Policy No. 032, as amended, to comply with requirements imposed by the Dodd-Frank Wall Street Reform and Consumer Protection Act.

First Vice Chair Janney introduced the item.

André Douzdjian, Finance Director, presented the item.

**Action:** Upon a motion by Deputy Mayor Lisa Shaffer (Encinitas) and a second by Councilmember Feller, the Board of Directors approved the proposed amendments to Board Policy No. 032: San Diego County Regional Transportation Commission Interest Rate Swap Policy, and adopted
Resolution No. RTC-2014-01, renewing its approval of Board Policy No. 032, as amended, to comply with requirements imposed by the Dodd-Frank Wall Street Reform and Consumer Protection Act. Yes – 16 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent – El Cajon, Poway, and Vista.

13. 2014 STATE TRANSPORTATION IMPROVEMENT PROGRAM (APPROVE)

The California Transportation Commission (CTC) released its fund estimate for the 2014 State Transportation Improvement Program (STIP). The Transportation Committee recommended that the Board of Directors approve the programming and submission of the 2014 STIP to the CTC.

Interim Mayor Gloria introduced the item.

Sookyung Kim, Financial Programming Manager, presented the item.

Action: Upon a motion by Interim Mayor Gloria and a second by Mayor Ron Morrison (National City), the Board of Directors approved the programming and submission of the 2014 STIP to the CTC. Yes – 15 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent – El Cajon, Lemon Grove, Poway, and Vista.

14. PROPOSED FY 2014 PROGRAM BUDGET AMENDMENT FOR TWO REGIONAL BIKE EARLY ACTION PROJECTS AND FY 2014 ARTICLE 3 TRANSPORTATION DEVELOPMENT ACT CLAIM (APPROVE)

On September 27, 2013, the Board of Directors approved the Regional Bike Plan Early Action Program. The Transportation Committee recommended that the Board of Directors: (1) approve the proposed budget amendments for the Inland Rail Trail (CIP 1223023) and Coastal Rail Trail: Phase 2B - Oceanside (CIP 1223024); and (2) adopt Resolution No. 2014-06 approving the FY 2014 Article 3 Transportation Development Act Claim.

Interim Mayor Gloria introduced the item.

Richard Chavez, Principal Engineer, presented the item.

Action: Upon a motion by Councilmember Feller, and a second by Councilmember Chris Orlando (San Marcos), the Board of Directors approved the proposed budget amendments for the Inland Rail Trail (CIP 1223023) and Coastal Rail Trail: Phase 2B - Oceanside (CIP 1223024), and adopted Resolution No. 2014-06 approving the FY 2014 Article 3 Transportation Development Act Claim. Yes – 16 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent – El Cajon, Poway, and Vista.

15. CONTINUED PUBLIC COMMENTS

There were no continued public comments.

Chairman Dale adjourned to closed session at 11:10 a.m.
Chairman Dale reconvened to open session at 11:48 a.m.

John Kirk, General Counsel, reported the following out of closed session: There were no reportable actions.

17. UPCOMING MEETINGS

The next Board Policy meeting is scheduled for Friday, December 6, 2013, at 10 a.m. (first Friday due to holiday schedule). The next Board Business meeting is scheduled for Friday, December 20, 2013, at 9 a.m. (third Friday due to holiday schedule).

18. ADJOURNMENT

Chairman Dale adjourned the meeting at 11:49 a.m.
## ATTENDANCE
### SANDAG BOARD OF DIRECTORS MEETING
### NOVEMBER 15, 2013

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<th>JURISDICTION/ORGANIZATION</th>
<th>NAME</th>
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<th>ATTENDING CLOSED SESSION</th>
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<tr>
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<td>Matt Hall (Primary)</td>
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<td>Jack Feller (Primary)</td>
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<td>Don Higginston, 2nd Vice Chair (Primary)</td>
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<td>Myrtle Cole (2nd Alt.)</td>
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<td>CAPT Darius Banaji (Primary)</td>
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<td>Tom Wornham (Primary)</td>
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Introduction

The following actions were taken by the Policy Advisory Committees since the last Board of Directors meeting.

BORDERS COMMITTEE MEETING (November 15, 2013)

The Borders Committee did not take any actions at this meeting.

EXECUTIVE COMMITTEE MEETING (December 6, 2013)

The Executive Committee took the following actions or recommended the following approvals:

- Recommended that the Board of Directors approve the proposed 2014 Legislative Program.
- Approved the draft agenda for the December 20, 2013, Board Business meeting, as amended.

REGIONAL PLANNING COMMITTEE MEETING (December 6, 2013)

The Regional Planning Committee took the following actions or recommended the following approvals:

- Approved minor edits to the charters of various working groups that report to the Committee.
- Recommended that the Board of Directors accept the Unconstrained Transportation Network for use in the development of San Diego Forward: The Regional Plan.

TRANSPORTATION COMMITTEE MEETING (December 13, 2013)

The Transportation Committee is scheduled to take the following actions or recommend the following approvals:

- Approve Option 3 as the San Ysidro Intermodal Transportation Center concept to be analyzed in the study implementation plan and funding strategy.
PUBLIC SAFETY COMMITTEE MEETING (December 13, 2013)

The Public Safety Committee is not scheduled to take any actions.

Staff will update the Board of Directors if the actual actions taken by the Transportation Committee on December 13, 2013, differ from those described in this report.

GARY L. GALLEGOS
Executive Director

Key Staff Contact: Kim Kawada, (619) 699-6994, kim.kawada@sandag.org
MULTI-PARTY MEMORANDUM OF UNDERSTANDING
FOR THE DESIGN AND CONSTRUCTION OF THE
VIRGINIA AVENUE INTERMODAL TRANSIT CENTER

Introduction

The San Ysidro Port of Entry (POE) is the busiest land border crossing in the world, with an average of 50,000 vehicles and 25,000 northbound pedestrians crossing each day. During the past several years, both the United States and Mexico have been working on an expansion and modernization plan for the San Ysidro POE that would meet existing and future travel demand.

Currently, the San Ysidro POE is undergoing a major expansion project, which will increase the number of southbound automobile inspection booths. As of September 27, 2012, the southbound pedestrian crossing was relocated to the eastern side of the POE, and the southbound pedestrian crossing at Camiones Way was closed, resulting in one bi-directional pedestrian crossing at the San Ysidro POE.

The U.S. General Services Administration has plans to develop a new bi-directional pedestrian crossing facility at Virginia Avenue (on the west side of the POE). SANDAG has been working with U.S. General Services Administration (GSA), the City of San Diego, Caltrans, the Federal Highway Administration, and the Metropolitan Transit System (MTS) to explore near-term alternative concepts for a new Intermodal Transportation Center (ITC) that would be located at Virginia Avenue (Attachment 1).

An agreement has been reached on the scope and responsibility for the development and construction of the new Virginia Avenue ITC, and the Board of Directors is asked to approve a Memorandum of Understanding (MOU) that outlines each party’s responsibilities for project funding, right-of-way, design, and construction (Attachment 2).

Recommendation

The Board of Directors is asked to approve the Memorandum of Understanding between SANDAG, the U.S. General Services Administration, the City of San Diego, Caltrans, and the Metropolitan Transit System for the design and construction of the Virginia Avenue Intermodal Transit Center in substantially the same form as Attachment 2.
Discussion

San Ysidro Port of Entry Reconfiguration and Expansion Project Background

The U.S. project at the San Ysidro POE consists of three phases. Currently, Phase 1 is underway and includes a major expansion of northbound inspection lanes for privately-owned vehicles (POVs), a new pedestrian bridge that has been in use since April 2011, and the new eastern southbound pedestrian crossing, which opened in September 2012. Phase 2 of the project includes improvements to northbound pedestrian processing, and Phase 3 addresses the realignment of Interstate 5 (I-5) to the new Mexican inspection facility located at El Chaparral.

Mexico opened its new vehicular inspection facility at El Chaparral for operations on November 1, 2012. Consequently, all southbound operations at the former inspection station, Puerta Mexico, were relocated to El Chaparral. To accommodate this change, a temporary vehicular connection to El Chaparral had to be developed prior to the implementation of Phase 3 of the U.S. project. GSA and its Mexican counterparts worked closely to develop a new route that would continue to utilize the I-5 freeway, but the lanes were reconfigured to taper from six lanes to five south of the Camino de la Plaza on-ramp. As drivers approach the international border, they follow a curve that routes southbound I-5 POV traffic to El Chaparral via a temporary roadway, which has four POV lanes plus a dedicated lane for buses and other large vehicles.

As a result of the new POV traffic patterns, the existing southbound pedestrian crossing at Camiones Way was closed on September 27, 2012, to accommodate the new, temporary roadway in Mexico. The southbound crossing was relocated to the east side of the POE, where the existing northbound pedestrian crossing is located (near the San Diego Trolley).

The closure of Camiones Way southbound pedestrian facility has resulted in a loss of functionality of the transit, jitney, taxi, and POV drop-offs at this location. Passengers can still be dropped off at this location, but have to walk back to the eastern crossing by the Trolley stop, which is approximately a half-mile away. Additionally, POV drop-offs have shifted to the eastern side, which is resulting in more automobile congestion in the vicinity of that facility. MTS buses stopped accessing Camiones Way and now provide service to the bus stop at Camino De La Plaza and Camiones Way.

Virginia Avenue Intermodal Transportation Center

The Virginia Avenue ITC has always been envisioned to serve as the permanent second pedestrian border crossing for the San Ysidro POE. This project was originally anticipated to be developed as part of the GSA Phase 3 Project. Due to the opening at El Chaparral on November 1, 2012, and the closure of the southbound pedestrian crossing at Camiones Way, the need for the Virginia Avenue ITC has been reprioritized and is currently included as part of the Phase 1 GSA Project.

SANDAG, in collaboration with Caltrans, the City of San Diego, and MTS, developed a concept for a Virginia Avenue ITC (Attachment 1). This concept meets all the existing and future transportation requirements for Virginia Avenue. As part of its Phase 1 Project, GSA has agreed to environmentally clear, design, and build the Virginia Avenue ITC.

The City of San Diego was successful in acquiring additional right-of-way adjacent to Virginia Avenue that would provide the necessary land for the permanent ITC. This was an
important step, because without this additional right-of-way there would not have been adequate land available to build the proposed ITC.

The project will cost approximately $8 million to design and construct. The funding for this project is coming from two sources: $4 million from the GSA Phase 1 Project and $4 million from the Coordinated Border Infrastructure Program funding that Caltrans oversees.

**Memorandum of Understanding**

In order to move the project forward into design and construction, GSA has developed a multi-agency MOU (Attachment 2) that outlines the responsibilities of each agency. GSA is requiring that this MOU be finalized before the ITC design can begin in early 2014. SANDAG staff has been part of the development of the MOU and have reviewed the provisions as outlined. The responsibility of SANDAG within the MOU is to provide engineering review at various levels of design. The primary purpose of the MOU is to establish what GSA is responsible for and establish a mechanism for the transfer of funding and land between GSA, the City of San Diego, and Caltrans.

**Next Steps**

GSA anticipates completing its environmental document in mid-2014. Design of the ITC and pedestrian crossing would take approximately one year to complete. It is anticipated that the Virginia Avenue bi-directional crossing and ITC would open in late 2015.

GARY L. GALLEGOS  
Executive Director

Attachment(s):  
1. Virginia Avenue ITC Design Concept  
2. Draft MOU for the design and construction of the Virginia Avenue ITC

Key Staff Contact: Jennifer Williamson, (619) 699-1959, jennifer.williamson@sandag.org
MEMORANDUM OF UNDERSTANDING
for the
SAN YSIDRO LAND PORT OF ENTRY
VIRGINIA AVENUE TRANSIT FACILITY PROJECT

This Memorandum of Understanding (“MOU” or “Agreement”) is made and entered into this 20th
day of December, 2013, by and between the Parties listed in Section I below for the funding,
design, and construction of certain transit facilities on Virginia Avenue in support of the San
Ysidro Land Port of Entry, herein referred to as the “Virginia Avenue Transit Facility”.

I. Parties and Definitions

The following are parties with interests in the proposed project or defined terms for the purposes
of this MOU. Each signing party affirms that it has the legal authority to enter into this
Agreement.

A. “CALTRANS” means the California Department of Transportation, and is a Party subject
to this MOU.

B. “CBP” means the United States Customs and Border Protection

C. “CITY” means the City of San Diego, and is a Party subject to this MOU.

D. “FHWA” means the United States Federal Highways Administration, and is a Party
subject to this MOU.

E. “GSA” means the United States General Services Administration, and is a Party subject to
this MOU.

F. “IAA” means Inter-Agency Agreement, to be entered into specifically between GSA and
FHWA, regarding the transfer of funds.

G. “RWA” means Reimbursable Work Authorization, also known as GSA Form 2957. This
document allows GSA to accept the funding from FHWA.

H. “SANDAG” means the San Diego Association of Governments, and is a Party subject to
this MOU.

I. “SDMTS” means the San Diego Metropolitan Transit System.

J. “SYLPOE” means the San Ysidro Land Port of Entry, which is owned by the GSA and
operated by the United States Customs and Border Protection (CBP).

K. “Substantial Completion” means that the construction of the project is complete subject
to minor corrections and repairs as mutually agreed upon by the City and GSA and in accordance
with the terms and conditions of GSA’s construction contract, and such that any remaining construction work does not interfere with the operation of the transit facility.

L. “Virginia Avenue Transit Facility” means only those certain facilities to accommodate pedestrians, buses, jitneys, bicycles, taxis, pedicabs, and private vehicles to be built on the street right-of-way located on the Virginia Avenue (as identified in Exhibit 1), including the signalization and restriping of the intersection at Virginia Avenue and Camino de la Plaza. The Virginia Avenue Transit Facility only includes those physical improvements, and does not include maintenance, including landscaping maintenance or operations maintenance for the facility. The GSA pedestrian processing facility building that will be built on the east side of Virginia Avenue as part of the SYLPOE is not included as part of the Virginia Avenue Transit Facility and will be operated and maintained by the United States of America. GSA will be responsible for the design and construction of the Virginia Avenue Transit Facility, and the project is subject to all Federal statutes, regulations, and policies that GSA is mandated to follow.

II. Purpose

A. GSA currently is in the process of renovating and expanding the SYLPOE. With the closure by Mexico of the pedestrian crossing commonly referred to as “Whiskey Two,” there is only a single pedestrian crossing at the SYLPOE located on the east side of Interstate 5. To address the needs of the community, GSA plans to design and build a pedestrian crossing facility located along the southern end of Virginia Avenue.

B. The CBP, CITY, CALTRANS, GSA, SANDAG and SDMTS have interests in the construction of adequate transit facilities on Virginia Avenue to accommodate the pick-up and drop off of cross-border travelers arriving by bus, taxis, and privately owned vehicles.

E. Nothing in this agreement obligates the GSA to provide funding or improvements on Camino de la Plaza except for the signalization and restriping of the intersection of Virginia Avenue and Camino de la Plaza that was identified in the September 9, 2009 Record of Decision.

F. Once the construction of the Virginia Avenue Transit Facility is complete, the operations and maintenance of the Virginia Avenue Transit Facility will be by others and not the United States of America.

G. GSA anticipates completing the construction of the Virginia Avenue Transit Facility will take approximately 24 months from the time GSA receives either the FHWA IAA funding or when the CITY provides to GSA a temporary construction easement, whichever is later, provided that all the Parties complete any required reviews and provide any required approvals in the time periods specified in this Agreement.

H. GSA is required to complete at its own expense the National Environmental Policy Act (NEPA) compliance process as part of the planning process and prior to any construction occurring at Virginia Avenue. GSA will be fully responsible to complete the NEPA compliance and receive a Record of Decision for this addition, pursuant to the PBS National Environmental Policy Act Desk Guide dated October, 1999.
III. Actions Subject to the Approval of the CITY Council

The following actions are subject to the approval of the CITY Council, and is expected to be determined no later than March 31, 2014.

A. The CITY shall provide a Use and Occupancy Permit over the dedicated land and the entirety of the existing street easement on Virginia Avenue, for GSA’s use in connection with the design and construction of the Virginia Avenue Transit Facility. Nothing in this MOU is intended to affect or change or otherwise impact the terms and conditions of the development permit between Shamrock/Las Americas Venture I, LLC and the CITY. Conditioned upon approval by the City Council of San Diego, the CITY shall also provide to GSA and CBP a permanent non-exclusive use easement for the Virginia Avenue Transit Facility for the purpose of the US government’s protection of its investment and its non-exclusive use for mission related activities for the federal agencies operating at the Land Port of Entry.

B. GSA expects to acquire Camiones Way by eminent domain from the CITY, excepting from the taking any existing rights of ingress and egress benefiting adjoining property and any rights to operate, repair and maintain existing utility facilities. The CITY and GSA agree that the taking of Camiones Way will be at no cost. The CITY and GSA agree that construction of the Virginia Avenue Transit Facility or the GSA Virginia Avenue Project (as defined in Part VIII below) satisfies any and all obligations on the part of GSA to provide replacement facilities for the taking of Camino Camiones Way, including the existing Camiones Way Transit Facility that was identified in the September 9, 2009 Record of Decision.

III. Funding

A. GSA has identified $4,000,000.00 ($4M) from prior funding authorizations of the SYLPOE Phase I construction project for constructing the replacement facilities for the taking of Camino Camiones Way, including the Camiones Way Transit Facility that was identified in the September 9, 2009 Record of Decision.

B. Congress enacted SAFETEA-LU under Public Law 109-59, which provided appropriated funds for various highway and infrastructure programs. Under SAFETEA-LU, Section 1303, Congress established the Coordinated Border Infrastructure Program (“CBI Program”) to distribute funds to border States to improve the safe movement of motor vehicles at or across the border between the United States and Mexico. CALTRANS has identified $4,000,000.00 ($4M) of Coordinated Border Infrastructure (CBI) Program funding that is eligible for the Virginia Avenue Transit Facility. Caltrans agrees to not otherwise obligate the $4M and to allow GSA to use these funds for the construction of the Virginia Avenue Transit Facility. Caltrans is transferring obligation authority to GSA through FHWA for the use of the CBI funds for the Virginia Avenue Transit Facility.

C. CBI Program funds may be transferred to the GSA for the purposes of funding one or more projects pursuant to Public Law 109-59, Section 1303(e). Funds transferred to GSA are subject to
the terms and conditions of Public Law 109-59, Section 1303(e). GSA and FHWA will ensure that the respective IAA and RWA are completed no later than December 31st, 2013.

D. GSA shall not commit any of its funds to any contracts related to the design or construction of the Virginia Avenue Transit Center prior to the receipt and acceptance of a complete, valid, and signed IAA from FHWA.

E. The acceptance by GSA of the IAA/RWA does not subject the SYLPOE project or the Virginia Avenue Transit Facility to any authority of the FHWA, nor does it create any rights or obligations for GSA to design or construct the Virginia Avenue Transit Facility to requirements of FHWA, except those set forth in Public Law 109-05, Section 1303(e). The Virginia Avenue Transit Facility is not and will not become part of the National Highway System. Pursuant to FHWA, the Virginia Avenue Transit Facility project is not a highway per the 23 U.S.C.A. § 101 definition.

F. After the completion and closeout of the project, half of any remaining funds shall be returned to FHWA. GSA will release such portion of the unexpended funds to FHWA within 60 days of complete project closeout. Funds returned to FHWA shall be available to Caltrans for future obligation as CBI funds.

G. None of the funding (totaling $8,000,000.00) is intended to be used by the CITY or any other Party for the operation or maintenance of the Virginia Avenue Transit Facility, or any other purpose.

H. None of the funding (totaling $8,000,000.00) is intended to be used by the GSA or any other Party for the design, construction, operation or maintenance of a pedestrian processing facility as part of the SYLPOE or other GSA or CBP-related facilities. None of the funding is intended to be used by the GSA for the purposes of its compliance under the National Environmental Policy Act.

IV. Site

A. GSA will incur no site acquisition costs in connection with the development of the Virginia Avenue Transit Facility.

B. Paragraph 43.a) of Site Development Permit No. 685774 and Neighborhood Use Permit No. 873083, recorded as Document No. 2012-0798650 in the Official Records of the San Diego County Recorder, requires the owner of the property to record an Irrevocable Offer to Dedicate (‘IOD”) approximately 280 feet by 112 feet of land to the CITY for widening of the Virginia Avenue right of way. The IOD must have been recorded and the CITY must have executed the acceptance of the dedication within 120 days of the effective date of this MOU.

C. The CITY will provide to GSA, at no cost, a temporary easement for construction of the Virginia Avenue Transit Facility and a permanent easement giving GSA and CBP the non-exclusive use of the Virginia Avenue Transit Facility as soon as practicable, but no later than February 28, 2014.
V. Design and Construction

A. GSA shall perform or cause to be performed all work, labor, materials, services and contract administration necessary to complete the design and construction of the Virginia Avenue Transit Facility. By federal statute, the GSA Contracting Officer is the only individual who has final authority for acceptance or rejection of the work performance by the GSA Contractor. GSA will transfer the Virginia Avenue Transit Facility to the CITY upon the Substantial Completion of the Facility.

B. GSA shall require the selected contractor(s) to prepare the design, plans, specifications, drawings, and costs estimates in accordance with federal and state laws, and in accordance with the 2010 California Building Code (in effect until December 31, 2013), followed by the 2013 California Building Code (to be adopted on January 1, 2014), and the applicable CITY municipal codes and SDMTS design standards, included but not limited to those referenced in Exhibit 2 and 3.

C. Neither GSA nor any of its contractor(s) shall incur any costs, except for those required by statute or regulation for the review of (including meetings) any drawings, schematics, or plans by the CITY or any agency party to this Agreement. Moreover, neither GSA nor any of its contractors shall be required to pay for any permit (including, but not limited to encroachment, street, hauling, or temporary use), except for those required by statute or regulation. GSA or its contractors will reimburse the CITY for the staff time necessary to review the project plans and specifications for adherence to City standards and the operational inspections necessary to accept the improvements pursuant to CITY municipal requirements. The cost for CITY staff review and inspection should not exceed $50,000. Costs exceeding $50,000 can only be charged upon with the prior written agreement between the City, Caltrans & the GSA.

D. GSA and the Parties will finalize and agree to the program requirements for the Virginia Avenue Transit Facility prior to the start of design and construction by GSA. This will include estimated pricing for the full design and construction and contingencies needed for the Virginia Avenue Transit Facility. GSA will consider and examine the feasibility of minimal widening of the southern portion of Camino De La Plaza from Virginia Avenue to Camiones Way if sufficient funds remain from the $8,000,000. GSA will not undertake any activities on Camino De La Plaza outside of the signalization of the intersection located at Virginia Avenue and Camino De La Plaza without sufficient funds to complete the Virginia Avenue Transit Center.

E. GSA anticipates completing a design concept and then procuring construction through a Design Build contract. During both phases of the design (Concept and Construction Design), GSA will provide to CALTRANS, the CITY, SANDAG and SDMTS design drawings at the following completion phases: 30%, 50%, and 90%. All comments regarding constructability and conformance to CITY standards shall be provided back to GSA by the point of contact for each Party identified in Section VII of this Agreement. Comments regarding constructability must be provided to GSA within fourteen (14) days of GSA providing the document to the Party. GSA will provide to the CITY a copy of the final Construction Documents prior to the start of construction. Milestones for City operational inspections will be identified jointly by the City and GSA during the design review.
F. During the construction, GSA’s contractor(s) is solely responsible for quality control and meeting all the design requirements in its construction of the Virginia Avenue Transit Facility. GSA in consultation with the Parties will provide quality assurances through periodic inspections. Any material changes to the final Construction Documents (see Section V, Paragraph E) in the course of construction will be submitted to the CITY for review regarding compliance with CITY standards. Any reviews for design changes during construction are subject to the same terms and conditions regarding fees and review time pursuant to Section V, Paragraphs C and E. GSA’s contractor(s) will be required to obtain Traffic Control Permits from the CITY for work in Camino de la Plaza and Virginia Ave outside of the Construction Easement.

G. GSA agrees to include in its construction contract a requirement for the contractor to provide a warranty valid for a period of one (1) year, covering all work constructed under this MOU. GSA also agrees to include in its construction contract warranty clause that the CITY is a named third party beneficiary of the construction work with regards to any general or specific warranties. Furthermore, the warranty shall provide the CITY with rights to sue or proceed directly against GSA’s construction contractor in order to enforce any and all warranties associated with the construction of the Virginia Avenue Transit Facility.

H. The Parties to this Agreement understand that the $8,000,000 represents the total project budget, including all design, construction, construction management, fees required by statute or regulations, and contingencies. If during the procurement process bids exceed the allotted budget for construction, prior to the award of any construction contract by GSA, the Parties will reduce the cost of the Virginia Avenue Transit Facility through value engineering sessions. Any additional scope beyond what is agreed to by the Parties must be constructed by the CITY after the completed Virginia Avenue Transit Facility is turned over to the entity other than the United States that will be responsible for the operations and maintenance as identified by CITY.

VI. Project Completion and Turnover

A. The Virginia Avenue Transit Facility construction will be completed upon the declaration of Substantial Completion by GSA, pursuant to the terms of its contract with its contractor(s). Following CITY operational inspections GSA will coordinate with the CITY on creation of an agreed-upon final punch list for the declaration of Substantial Completion. GSA will provide to the CITY a copy of the declaration of Substantial Completion on the same day that it is issued to its contractor(s). The GSA will provide to the City along with the declaration of Substantial Completion a copy of As-Built Plans and copies of operations manuals, inspection reports and all QA/QC testing (Geotechnical, Concrete mix designs, Survey, other).

B. Within twenty-four (24) hours of the CITY’s receipt of the declaration of Substantial Completion by GSA, the responsibility for all operations and maintenance of the Virginia Avenue Transit Facility will be by others and not the United States of America.

C. The CITY shall only have the right to reject the Virginia Avenue Transit Facility solely for material failure to conform to the agreed upon final Construction Documents. Any such rejection by the CITY must be made in writing to GSA within fourteen (14) days of the receipt of the declaration of Substantial Completion, with sufficient detail as to the reason for the CITY’s rejection. Regardless, even if the CITY rejects acceptance of the Virginia Avenue Transit Facility
for failure to conform to the agreed upon design, the United States has no responsibility, including operations and maintenance, for the facility after 24-hours from the declaration of Substantial Completion.
VIII. Termination

A. The following are actions that would cause this Agreement to terminate, subject to amendment by the mutual agreement of all the parties in writing at least 14 days prior to any of the due dates stated below:

1. If the CITY Council fails to approve those actions set forth in Section III of this MOU by March 31, 2014.

2. If the CITY fails to provide a Use and Occupancy Permit by March 31, 2014;

3. If the City fails to issue a permanent easement for the non-exclusive use of the Virginia Avenue Transit Facility by March 31, 2014.
2. If during the performance of the construction contract events occur to make the completion of the contract impossible without the addition of significant funds, and none of the parties to this agreement can contribute such significant funds.

B. If any of the scenarios in Section VIII, Paragraph A, shall come to pass, this Agreement shall be considered to be null and void and GSA is under no obligations to proceed with the design and construction of the Virginia Avenue Transit Facility. GSA is still under obligation for any actions required under the September 9, 2009 Record of Decision. Pursuant to this Record of Decision, GSA will develop the existing Virginia Avenue right of way as a replacement facility for the taking of Camino Camiones Way solely with its own $4,000,000 (“GSA Virginia Avenue Project”, as shown in Exhibit 5). The CITY will provide all necessary construction easements on Virginia Avenue upon GSA’s request, provided the applicable CITY municipal code regulations are satisfied. The FHWA funding will be subject to the terms of the IAA.

IX. General Provisions

A. This Agreement constitutes the whole of the understanding, discussions, and agreement by and between the Parties to this MOU.

B. This Agreement shall not be changed, amended, or altered in any way except in writing and executed by all the Parties to the MOU.

C. This Agreement shall be governed by and controlled by applicable federal laws.

IX. Exhibits

The following exhibits are included as part of this Agreement:

1. GSA Concept of the Virginia Avenue Transit Facility;

2. SDMTS design guidelines for transit facilities [to be provided by SANDAG on behalf of SDMTS];

3. CITY municipal and/or design codes [to be provided by the CITY];

4. CITY Site Development Permit No. 685774/Neighborhood Use Permit No. 873083, recorded by the San Diego County Recorder’s Office as Document #2012-0798650.

5. GSA Virginia Avenue Project
This MOU may be executed in counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same agreement.

IN WITNESS WHEREOF, the Parties hereto have executed this MOU, which is effective as of December 20, 2013.

CALIFORNIA DEPARTMENT OF TRANSPORTATION

By: Laurie Berman
Title: Director Caltrans, District 11
Date:_______________________________

CITY OF SAN DIEGO

By: Scott Chadwick
Title: Chief Operating Officer
City Attorney’s Office

By: ____________________________
Title: ____________________________
Date:_______________________________

SAN DIEGO ASSOCIATION OF GOVERNMENTS

By: Gary L. Gallegos
Title: Executive Director
Date:_______________________________

UNITED STATES FEDERAL HIGHWAY ADMINISTRATION

By: Richard E. Backlund
Title: Associate Division Administrator
Date:_______________________________

UNITED STATES GENERAL SERVICES ADMINISTRATION

By: Ruth Cox
Title: Regional Administrator Region 9
Date:_______________________________
PROPOSED AMENDMENTS TO CONFLICT OF INTEREST CODE  File Number 8000100

Introduction

At least once every two years, staff reviews the SANDAG Conflict of Interest Code to determine if updates are needed. Proposed amendments to the Code shown in Attachment 1 reflect updates to existing job titles and the addition of new positions to the list of designated positions.

Discussion

The amendments will implement necessary updates to the list of designated employee positions subject to filing annual economic disclosure statements. Many of the new positions listed are job titles used by Toll Operations Personnel who were added to staff as a result of the acquisition of the State Route 125 franchise in 2012.

In addition, changes are proposed to the designated positions to add positions at other public agencies or consultant firms that assist SANDAG by making decisions regarding procurements or investments using SANDAG funds. More consultant positions are proposed for addition than in prior cycles due to clarifications by the Fair Political Practices Commission during the last year concerning the types of consultants who should file financial disclosures.

Those persons designated in the Conflict of Interest Code, including the members of the Board of Directors, Policy Advisory Committee, and other committees subject to California conflict laws, would need to submit their financial disclosure statement (Form 700) to SANDAG by no later than April 1, 2014.

GARY L. GALLEGOS
Executive Director

Attachment:  1. Conflict of Interest Code (with proposed amendments shown as tracked changes)

Key Staff Contact: Julie Wiley, (619) 699-6966, julie.wiley@sandag.org

Recommendation

The Board of Directors is asked to approve the proposed amendments to the Conflict of Interest Code in substantially the same form as Attachment 1.
CONFLICT OF INTEREST CODE

The Political Reform Act, Government Code Sections 81000, et seq., requires SANDAG to adopt and promulgate a Conflict of Interest Code. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs. Section 18730, which contains the terms of a standard model Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 Cal. Code of Regs. Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission along with the attached Appendices in which officials, consultants, and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code of SANDAG.

The persons holding positions listed in the Appendix are designated employees, consultants, or officials. It has been determined that these persons make or participate in the making of decisions that may foreseeably have a material effect on financial interests. Designated persons shall file statements of economic interests with SANDAG when assuming or leaving their position and annually while holding the position. SANDAG will make the statements available for public inspection and reproduction (Gov. Code Section 81008). Statements for all designated employees will be retained by SANDAG and provided to the Code Reviewing Body, the County of San Diego.
### APPENDIX A

#### Table 1

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<th>Designated Positions</th>
<th>Disclosure Categories (see Appendix B)</th>
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<td>Members and alternate members of committees or working groups making decisions influencing expenditure of public funds</td>
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<tr>
<td><strong>Business Development Manager</strong></td>
<td>3, 4</td>
</tr>
<tr>
<td>Business Services Manager and Supervisor</td>
<td>2, 4</td>
</tr>
<tr>
<td>Capital Development Project Manager</td>
<td>1, 3, 4</td>
</tr>
<tr>
<td>Chief Deputy Executive Director</td>
<td>1, 2, 4</td>
</tr>
<tr>
<td>Chief Economist</td>
<td>2, 4</td>
</tr>
<tr>
<td><strong>Chief Technology Officer</strong></td>
<td>3, 4</td>
</tr>
<tr>
<td>Contracts and Procurement Analyst (I, II, Associate, Senior)</td>
<td>1, 2, 4</td>
</tr>
<tr>
<td>Contracts Engineer (Associate, Senior)</td>
<td>1, 2, 4</td>
</tr>
<tr>
<td><strong>Counsel (Associate, Deputy, Senior, Special)</strong></td>
<td>1, 2, 4</td>
</tr>
<tr>
<td>Creative Services Manager</td>
<td>3, 4</td>
</tr>
<tr>
<td><strong>Customer Services Manager</strong></td>
<td>3, 4</td>
</tr>
<tr>
<td>Customer Services Representative III</td>
<td>3, 4</td>
</tr>
<tr>
<td><strong>Database Administrator</strong></td>
<td>3, 4</td>
</tr>
<tr>
<td>Department Director</td>
<td>1, 2, 4</td>
</tr>
<tr>
<td><strong>Division Directors (ARJIS, Communications, Criminal Justice Research, Engineering &amp; Construction, Public Safety, Rail Operations)</strong></td>
<td>1, 2, 4</td>
</tr>
<tr>
<td>Designated Positions</td>
<td>Disclosure Categories (see Appendix B)</td>
</tr>
<tr>
<td>----------------------------------------------------------</td>
<td>---------------------------------------</td>
</tr>
<tr>
<td><strong>Economic Research Analyst (I, II, Associate, Senior, Principal)</strong></td>
<td>3, 4</td>
</tr>
<tr>
<td>Engineer (Assistant I, Assistant II, Associate, Senior, Principal)</td>
<td>1, 3, 4</td>
</tr>
<tr>
<td>Executive Assistant/Clerk of the Board</td>
<td>1, 2, 4</td>
</tr>
<tr>
<td>Executive Director</td>
<td>1, 2, 4</td>
</tr>
<tr>
<td><strong>Facilities and Operations Coordinator</strong></td>
<td>3, 4</td>
</tr>
<tr>
<td>Finance Manager</td>
<td>1, 2, 4</td>
</tr>
<tr>
<td>Financial Analyst (I, II, Associate, Senior)</td>
<td>3, 4</td>
</tr>
<tr>
<td>Financial Programming Manager</td>
<td>1, 2, 4</td>
</tr>
<tr>
<td><strong>General Counsel, Deputy General Counsel, Associate General Counsel</strong></td>
<td>1, 2, 4</td>
</tr>
<tr>
<td>Goods Movement Policy Manager</td>
<td>1, 3, 4</td>
</tr>
<tr>
<td><strong>Grants Coordinator</strong></td>
<td>2, 4</td>
</tr>
<tr>
<td>Human Resources Analyst (I, II, Associate, Senior)</td>
<td>3, 4</td>
</tr>
<tr>
<td><strong>Information Systems Administrator</strong></td>
<td>3, 4</td>
</tr>
<tr>
<td><strong>Information Systems Engineer</strong></td>
<td>3, 4</td>
</tr>
<tr>
<td>Information Systems Manager</td>
<td>3, 4</td>
</tr>
<tr>
<td>Information Systems Analyst (I, II, Associate, Senior)</td>
<td>3, 4</td>
</tr>
<tr>
<td><strong>Information Systems Specialist (I, II, III)</strong></td>
<td>3, 4</td>
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<tr>
<td>Legislative Analyst (I, II, Associate, Senior)</td>
<td>1, 2, 4</td>
</tr>
<tr>
<td><strong>Maintenance and Facilities Supervisor</strong></td>
<td>3, 4</td>
</tr>
<tr>
<td><strong>Maintenance Field Technician (Senior)</strong></td>
<td>3, 4</td>
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<tr>
<td>Manager of Contracts and Procurement</td>
<td>1, 2, 4</td>
</tr>
<tr>
<td>Manager of Financial Planning and Project Control</td>
<td>1, 2, 4</td>
</tr>
<tr>
<td>Manager of Human Resources</td>
<td>3, 4</td>
</tr>
<tr>
<td>Manager of Small Business Development</td>
<td>2, 4</td>
</tr>
<tr>
<td>Marketing Analyst (I, II, Associate, Senior)</td>
<td>3, 4</td>
</tr>
<tr>
<td>Marketing Specialist</td>
<td>3, 4</td>
</tr>
<tr>
<td>Marketing Communications Manager</td>
<td>3, 4</td>
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<tr>
<td>Designated Positions</td>
<td>Disclosure Categories (see Appendix B)</td>
</tr>
<tr>
<td>----------------------------------------------------------</td>
<td>----------------------------------------</td>
</tr>
<tr>
<td>Network Administrator</td>
<td>3, 4</td>
</tr>
<tr>
<td>Office Administrator</td>
<td>3, 4</td>
</tr>
<tr>
<td>Office Services Specialist III</td>
<td>3, 4</td>
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<tr>
<td>Pass Sales Manager</td>
<td>3, 4</td>
</tr>
<tr>
<td>Principal Management Internal Auditor</td>
<td>1, 2, 4</td>
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<tr>
<td>Programmer Analyst (I, II, Associate, Senior)</td>
<td>3, 4</td>
</tr>
<tr>
<td>Project Control Manager</td>
<td>1, 2, 4</td>
</tr>
<tr>
<td>Project Coordinator</td>
<td>3, 4</td>
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<tr>
<td>Project Development Program Manager</td>
<td>1, 2, 4</td>
</tr>
<tr>
<td>Public Information Officer (I, II, Associate, Senior)</td>
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<tr>
<td>Quality Assurance Engineer (Senior)</td>
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<tr>
<td>Regional Economist (I, II, Associate, Senior, Principal)</td>
<td>3, 4</td>
</tr>
<tr>
<td>Regional Planner (Assistant I, Assistant II, Associate, Senior, Principal)</td>
<td>1, 3, 4</td>
</tr>
<tr>
<td>Research Analyst (I, II, Associate, Senior, Principal)</td>
<td>3, 4</td>
</tr>
<tr>
<td>Roadway Operations Manager</td>
<td>3, 4</td>
</tr>
<tr>
<td>Systems Engineer (I, II, Associate Senior)</td>
<td>3, 4</td>
</tr>
<tr>
<td>Technology Program Analyst (I, II, Associate, Senior, Principal)</td>
<td>3, 4</td>
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<tr>
<td>Toll Operations Supervisor</td>
<td>3, 4</td>
</tr>
<tr>
<td>TransNet and Legislative Affairs Program Director</td>
<td>1, 2, 4</td>
</tr>
<tr>
<td>Transportation Modeler (I, II, Associate, Senior, Principal)</td>
<td>3, 4</td>
</tr>
</tbody>
</table>

Pursuant to 2 Cal. Code of Regs. Section 18701, SANDAG consultants who pursuant to a contract with SANDAG, perform the same functions that would otherwise be performed by the persons designated in Table 1 of this document; who manage public investments; who grant agency approval to a contract or to the specifications for such a contract; or who decide whether the policies, standards, or guidelines for SANDAG have been met, also are required to fill out and submit a disclosure of financial interests. Those consultants are identified in Tables 2 and 3. Consultants will be designated and added to this list as needed whenever any person who, in the opinion of SANDAG, may reasonably be expected to make, participate in making, or in any way attempt to use his/her position as a “consultant” to influence a governmental decision in which the person might reasonably be expected to have a financial interest.
Table 2

<table>
<thead>
<tr>
<th>Type of Consultant</th>
<th>Designated Firm Name and Job Description</th>
<th>Disclosure Categories (see Appendix B)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bond Counsel</td>
<td>Orrick, Harrington, &amp; Sutcliffe</td>
<td>2, 4</td>
</tr>
<tr>
<td>Disclosure Counsel</td>
<td>Nossaman, Guthner, Knox &amp; Elliott LLP</td>
<td>2, 4</td>
</tr>
<tr>
<td>ARJIS Staff Support</td>
<td>ARJIS Operations Manager</td>
<td>2, 4</td>
</tr>
<tr>
<td>Lobbying</td>
<td>Ellison WilsonWilson Advocacy, Peyser Associates, Project Managers</td>
<td>1, 2, 4</td>
</tr>
<tr>
<td>Project Oversight</td>
<td>CH2MHill, Project Managers</td>
<td>1, 2, 4</td>
</tr>
<tr>
<td>Project Oversight</td>
<td>HNTB, Project Managers</td>
<td>1, 2, 4</td>
</tr>
<tr>
<td>Project Oversight</td>
<td>PB Americas, Project Managers</td>
<td>1, 2, 4</td>
</tr>
<tr>
<td>Project Oversight</td>
<td>City of Santee, Project Managers</td>
<td>1, 2, 4</td>
</tr>
<tr>
<td>Project Oversight</td>
<td>Caltrans, Corridor Directors and Task Order Project Managers</td>
<td>1, 2, 4</td>
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<tr>
<td>Project Oversight</td>
<td>David Evans &amp; Assoc., Project Managers</td>
<td>1, 2, 4</td>
</tr>
<tr>
<td>Project Oversight</td>
<td>City Works, Project Caltrans, Task Order Project Managers</td>
<td>1, 2, 4</td>
</tr>
<tr>
<td>Project Oversight</td>
<td>ASM Affiliates, Project Managers</td>
<td>1, 2, 4</td>
</tr>
<tr>
<td>Project Oversight</td>
<td>BRG Consulting, Project Managers</td>
<td>1, 2, 4</td>
</tr>
<tr>
<td>Project Oversight</td>
<td>Brown Marketing Strategies, Project Managers</td>
<td>1, 2, 4</td>
</tr>
<tr>
<td>Project Oversight</td>
<td>Cruz Estrella's CADD &amp; Drafting, Project Managers</td>
<td>1, 2, 4</td>
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<tr>
<td>Project Oversight</td>
<td>Frank Wilson &amp; Associates, Project Managers</td>
<td>1, 2, 4</td>
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<tr>
<td>Project Oversight</td>
<td>HDR Engineering, Inc., Project Managers</td>
<td>1, 2, 4</td>
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<tr>
<td>Project Oversight</td>
<td>InfraConsult, LLC, Project Managers</td>
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<tr>
<td>Project Oversight</td>
<td>Katz &amp; Associates, Project Managers</td>
<td>1, 2, 4</td>
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<tr>
<td>Project Oversight</td>
<td>LSA Associates, Project Managers</td>
<td>1, 2, 4</td>
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<tr>
<td>Project Oversight</td>
<td>Media Planning &amp; Placement, Project Managers</td>
<td>1, 2, 4</td>
</tr>
<tr>
<td>Project Oversight</td>
<td>Merkel and Associates, Project Managers</td>
<td>1, 2, 4</td>
</tr>
<tr>
<td>Project Oversight</td>
<td>MTS, Project Managers</td>
<td>1, 2, 4</td>
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<tr>
<td>Project Oversight</td>
<td>PGH Wong Engineering, Project Managers</td>
<td>1, 2, 4</td>
</tr>
<tr>
<td>Project Oversight</td>
<td>Pro Media, Project Managers</td>
<td>1, 2, 4</td>
</tr>
<tr>
<td>Type of Consultant</td>
<td>Designated Firm Name and Job Description</td>
<td>Disclosure Categories (see Appendix B)</td>
</tr>
<tr>
<td>--------------------</td>
<td>------------------------------------------</td>
<td>----------------------------------------</td>
</tr>
<tr>
<td>Project Oversight</td>
<td>Quality Infrastructure Corp., Project Managers</td>
<td>1, 2, 4</td>
</tr>
<tr>
<td>Project Oversight</td>
<td>RailPros, Project Managers</td>
<td>1, 2, 4</td>
</tr>
<tr>
<td>Project Oversight</td>
<td>Southwest Strategies, Project Managers</td>
<td>1, 2, 4</td>
</tr>
<tr>
<td>Project Oversight</td>
<td>TY Lin, Project Managers</td>
<td>1, 2, 4</td>
</tr>
<tr>
<td>Project Oversight</td>
<td>Wiggans Group, Inc., Project Managers</td>
<td>1, 2, 4</td>
</tr>
</tbody>
</table>
| Project Oversight for SR 125 | Positions at SBX with the following titles:  
Chief Accounting Officer  
Chief Technology Officer  
Facilities Coordinator  
Landscaping Supervisor  
Maintenance & Facilities Supervisor  
Marketing Manager  
Network Administrator  
Operations Manager  
Systems Administrator  
Systems Engineer | 2, 4 |
| Disadvantaged Business Enterprise and Labor Compliance | Positions at GCAP with the following titles:  
President  
Senior Analyst  
Analyst | 2, 4 |

**Public Officials Who Manage Public Investments**

The following positions also are listed below because the individuals holding these positions must file under Government Code Section 87200 as they are involved in the investment of public funds. These positions are listed here for informational purposes only:

**Table 3**

<table>
<thead>
<tr>
<th>Public Official Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Members and alternate members of the Board of Directors</td>
</tr>
<tr>
<td>Members and alternate members of the Policy Advisory Committees</td>
</tr>
<tr>
<td>Members and alternate members of committees or working groups making decisions influencing expenditure of public funds</td>
</tr>
<tr>
<td>Executive Director</td>
</tr>
<tr>
<td>Chief Deputy Executive Director</td>
</tr>
<tr>
<td>Public Official Description</td>
</tr>
<tr>
<td>-----------------------------</td>
</tr>
<tr>
<td>Director of Finance</td>
</tr>
<tr>
<td>General Counsel</td>
</tr>
<tr>
<td>Public Financial Management, Project Managers</td>
</tr>
</tbody>
</table>
APPENDIX B

When a designated person is required to disclose investment and sources of income, he or she need to disclose investments in business entities and sources of income that do business in SANDAG’s jurisdiction, plan to do business in the jurisdiction, or have done business in the jurisdiction in the past two years. In addition to other activities, a business entity is doing business within the jurisdiction if it owns real property within the jurisdiction. Persons designated in Appendix A shall disclose their financial interests pursuant to the appropriate disclosure categories described in the table below.

Table 4

<table>
<thead>
<tr>
<th>Disclosure Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Interests in real property located within the jurisdiction or within two miles of the boundaries of the jurisdiction or within two miles of any land owned or used by SANDAG.</td>
</tr>
<tr>
<td>2</td>
<td>Investments and business positions in business entities, and income, including loans, gifts,* and travel payments, from sources that provide services, supplies, materials, machinery, or equipment of the type utilized by SANDAG.</td>
</tr>
<tr>
<td>3</td>
<td>Investments and business positions in business entities, and income, including loans, gifts,* and travel payments, from sources that provide services, supplies, materials, machinery, or equipment of the type utilized by the department or division to which the filer is assigned duties.</td>
</tr>
<tr>
<td>4</td>
<td>Investments and business positions in business entities, and income, including loans, gifts,* and travel payments, from sources that have filed a claim against SANDAG in the previous two years, or have a claim pending.</td>
</tr>
</tbody>
</table>

* Gifts with a value of less than $50 aggregate per year are not reportable financial interests at SANDAG

Amended January 2010
Amended March 2012
Amended December 2013
AUTHORIZATION FOR ACCESS TO STATE BOARD OF
EQUALIZATION TAX RECORDS FOR SALES AND USE TAX
AUDITING, RECOVERY, AND REPORTING SERVICES

Introduction

SANDAG recently conducted a competitive procurement and selected MuniServices, LLC to provide sales and use tax auditing, recovery, and reporting services. These services assist SANDAG in maximizing its sales tax revenues by identifying and correcting misallocations of sales tax activity. To enable the required services to be performed, the Board of Directors is asked to approve a resolution authorizing MuniServices, LLC to examine California State Board of Equalization (SBE) sales tax records collected for SANDAG.

Discussion

The primary work associated with performing sales tax auditing and recovery includes uncovering unpaid sales tax owed to SANDAG. This work also informs ongoing revenue forecasting efforts and budget analysis, providing useful sales tax revenue data and reports to SANDAG and its partner agencies. MuniServices, LLC was the firm selected through the competitive procurement process to continue carrying out the services pertaining to sales taxes collected by the SBE on behalf of SANDAG. Services are compensated on a contingency basis and are paid directly from the tax revenues recovered, resulting in zero out-of-pocket expenses for SANDAG. Sales tax recovery efforts have produced more than $5 million in revenue for SANDAG since 2004.

Next Steps

Following Board approval, a copy of the final resolution would be filed with the SBE. Sales and use tax auditing and recovery services are scheduled to commence under the new agreement between SANDAG and MuniServices, LLC on January 1, 2014.

GARY L. GALLEGOS
Executive Director

Attachment: 1. Resolution No. RTC-2014-02 Authorizing Examination of Sales and Transactions and Use Tax Records

Key Staff Contact: Ariana zur Nieden, (619) 699-6961, ariana.zurnieden@sandag.org
A RESOLUTION AUTHORIZING EXAMINATION OF
SALES OR TRANSACTIONS AND USE TAX RECORDS

WHEREAS, pursuant to Ordinance Nos. CO 87-1 and 04-01 of the San Diego Association of Governments acting as the San Diego County Regional Transportation Commission (SANDAG) and Section 7270 of the Revenue and Taxation Code, SANDAG entered into a contract with the State Board of Equalization to perform all functions incident to the administration and collection of the Transactions and Use Tax Ordinances and the local sales and use taxes; and

WHEREAS, SANDAG deems it desirable and necessary for authorized representatives of SANDAG to examine confidential sales and transactions and use tax records of the State Board of Equalization pertaining to sales and transactions and use taxes collected by the State Board of Equalization for SANDAG pursuant to that contract; and

WHEREAS, Section 7056 of the California Revenue and Taxation Code sets forth certain requirements and conditions for the disclosure of State Board of Equalization records and establishes criminal penalties for the unlawful disclosure of information contained in or derived from sales and transactions and use tax records of the State Board of Equalization; and

WHEREAS, Section 7056 of the California Revenue and Taxation Code requires that any person designated by SANDAG shall have an existing contract to examine SANDAG sales and transactions and use tax records; NOW, THEREFORE

BE IT RESOLVED:

Section 1. That the SANDAG Director of Finance, or other officer, employee, or designee of SANDAG designated in writing by the SANDAG Board of Directors to the State Board of Equalization is hereby appointed to represent SANDAG with authority to examine all of the sales or transactions and use tax records of the State Board of Equalization pertaining to sales or transactions and use taxes collected for SANDAG by the State Board of Equalization pursuant to the contract between SANDAG and the State Board of Equalization. The information obtained by examination of State Board of Equalization records shall be used only for purposes related to the collection of SANDAG sales or transactions and use taxes by the State Board of Equalization pursuant to the contract.

Section 2. That the Director of Finance, other officer, employee, or designee of SANDAG designated in writing by the Director of Finance to the State Board of Equalization, also is hereby appointed to represent SANDAG with the authority to examine those sales and transactions and use tax records of the Board for purposes related to the following governmental functions of SANDAG:
a) Tracking and economic development

b) Forecasting and budget related functions

c) Detection of misallocations and deficiencies

d) Sales and transactions and use tax reporting

The information obtained by examination of State Board of Equalization records shall be used only for those governmental functions of SANDAG listed above.

Section 3. That MuniServices, LLC is hereby designated and authorized to examine all of the sales and transactions and use tax records of the State Board of Equalization pertaining to all sales and transactions and use taxes collected for SANDAG under the following Transactions and Use Tax Ordinances: TransNet Ordinance and Expenditure Plan, effective on or about April 1, 1988, and TransNet Extension Ordinance and Expenditure Plan, effective on or about April 1, 2008. Collectively, the State Board of Equalization refers to these as: the San Diego County Regional Transportation Commission, effective on or about April 1, 1988.

The person or entity designated by this section meets all of the following conditions:

a) has an existing contract with SANDAG to examine sales and transactions and use tax records;

b) is required by that contract to disclose information contained in or derived from those sales and transactions and use tax records only to the officer or employee authorized under Section 1 (or Section 2) of this Resolution to examine the information;

c) is prohibited by that contract from performing consulting services for a retailer during the term of that contract;

d) is prohibited by that contract from retaining the information contained in or derived from those sales and transactions and use tax records after that contract has expired.

Section 4. That this Resolution supersedes all prior sales and transactions and use tax resolutions of SANDAG adopted pursuant to subdivision (b) of Section 7056 of the Revenue and Taxation Code.

BE IT FURTHER RESOLVED that the information obtained by examination of State Board of Equalization records shall be used only for purposes related to the collection of SANDAG sales and transactions and use taxes by the State Board of Equalization pursuant to the contracts between SANDAG and the State Board of Equalization and for purposes relating to the governmental functions of SANDAG listed in Section 2 of this Resolution.
PASSED AND ADOPTED this 20th day of December 2013.

AYES:

NOES:

ABSENT:

Chair of the Board of Directors of the San Diego County Regional Transportation Commission

[Seal]

Attest:

Secretary of the Board of Directors of the San Diego County Regional Transportation Commission
Introduction

Pursuant to Board direction, professional services solicitations valued at $5 million or more require Board of Directors approval.

Recommendation

The Board of Directors is asked to authorize the Executive Director to conduct a solicitation for on-call construction management services as detailed in the report.

Discussion

Solicitation Information

SANDAG staff proposes to solicit services from qualified firms with expertise in construction contract administration and management services in support of various capital improvement efforts included in the FY 2014 Program Budget and other improvements that could be implemented by Metropolitan Transit System, North County Transit District, Caltrans, and SANDAG member agencies.

As required by SANDAG Board Policy No. 016: Procurement of Services and federal provisions, an independent cost estimate was prepared by SANDAG, resulting in an estimated amount of $100 million over a five-year period. Factors that were considered in developing the estimate were staff’s knowledge of past and future SANDAG projects and work program efforts. This $100 million estimate includes an allowance for SANDAG projects not yet funded for construction and the potential assignment to other agencies based upon historical use.

The timing and amount of work that will be needed from consulting firms will depend primarily upon when SANDAG transportation improvement projects are scheduled to be under construction in coming years. Staff anticipates the award of up to five larger ($10 million or more) on-call contracts and up to three smaller (less than $5 million) on-call contracts.

The type of work under each of the resulting contracts is generally the same, but also could vary depending on the type of project and the level of involvement that would be solicited. The proposed scope of services for this procurement is listed below. Proposers would be selected based on their experience and expertise in the following areas:

- Construction Contract Quality Assurance/Safety Compliance
- Field Inspection (Resident Engineer, Assistant Resident Engineer, and Field Inspector)
• Transit Inspection
• Field Office Engineering (Change Orders, Daily Diaries, As-Builts, etc.)
• Field Office Administration
• Project Scheduling
• Contract Dispute Assistance and Claims Resolution
• Materials Sampling and Testing
• Constructability Reviews
• Storm Water Compliance

The SANDAG projects that are anticipated to utilize the construction management services contracts include:

<table>
<thead>
<tr>
<th>Project Number</th>
<th>Project Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>1239803</td>
<td>COASTER: Oceanside Station Pass-Through</td>
</tr>
<tr>
<td>1239805</td>
<td>COASTER: Poinsettia Station Rail Rehab</td>
</tr>
<tr>
<td>1239806</td>
<td>COASTER: San Elijo Lagoon Double</td>
</tr>
<tr>
<td>1145000</td>
<td>COASTER: Los Peñasquitos Lagoon Bridge Replacement</td>
</tr>
<tr>
<td>1145200</td>
<td>COASTER: Sorrento Valley Platform Extension</td>
</tr>
<tr>
<td>1144900</td>
<td>LOSSAN: North Green Beach Bridge Replacement</td>
</tr>
<tr>
<td>1201514</td>
<td>I-15: Downtown Bus Rapid Transit (BRT) Layover Facility</td>
</tr>
<tr>
<td>1201507</td>
<td>I-15: Mid-City BRT Stations</td>
</tr>
<tr>
<td>1201511</td>
<td>I-15: Mira Mesa Boulevard Priority Treatments</td>
</tr>
<tr>
<td>1280504</td>
<td>I-805: South Bay BRT</td>
</tr>
<tr>
<td>1200504</td>
<td>I-5 North Coast: High Occupancy Vehicle Manchester to State Route 78</td>
</tr>
<tr>
<td>1143700</td>
<td>Regional Bikeway: Bayshore Bikeway</td>
</tr>
<tr>
<td>1144500</td>
<td>Regional Bikeway: Sweetwater Bikeway, Plaza Bonita Segment</td>
</tr>
</tbody>
</table>

**Next Steps**

Upon approval by the Board of Directors, the solicitation would be conducted consistent with Board Policy No. 016: Procurement of Services, with an estimated completion date of November 2014. At that time all contracts associated with this solicitation would return to the Board for approval.

GARY L. GALLEGOS  
Executive Director

Key Staff Contact: Laura Coté, (619) 699-6947, laura.cote@sandag.org
APPROVAL OF PROPOSED CONSTRUCTION AWARDS

File Number 8000100

Introduction

Pursuant to Board direction, construction awards valued at $5 million or more require Board of Directors approval.

Discussion

Prospect Avenue Corridor Enhancement Project Award

In October 2013, SANDAG conducted an invitation for bids consistent with SANDAG Board Policy No. 024: Procurement and Contracting - Construction for approximately 6,300 linear feet of roadway corridor improvements located at Prospect Avenue between Cuyamaca Street and Magnolia Avenue within the City of Santee, California. The project includes one 12-foot wide through lane in each direction, one 12-foot wide shared middle turning lane, 5-foot wide bicycle lanes on each side, 8 feet of on-street parking on each side, as well as curb, gutter, landscaped parkway, and sidewalks.

As required by federal provisions, an engineer’s estimate was prepared by SANDAG prior to the solicitation, resulting in an estimated amount of $11.15 million.

Four bids were received; the lowest responsive and responsible bidder was Marathon General Incorporated. A summary of bids is included as Attachment 1. Staff is recommending approval of an award to Marathon General Incorporated, with a term of 307 working days and a contract value of $9,438,817.15. The FY 2014 Program Budget includes the funding for this proposed contract in CIP 7215300: SourcePoint - Prospect Avenue Widening.

Recommendation

The Board of Directors is asked to authorize the Executive Director to execute a construction contract award for the Prospect Avenue Corridor Enhancement Project, as detailed in the report.

GARY L. GALLEGOS
Executive Director

Attachment: 1. Construction Award - Summary of Bidders for Prospect Avenue Corridor Enhancement Project

Key Staff Contact: Laura Coté, (619) 699-6947, laura.cote@sandag.org
Prospect Avenue Corridor Enhancement Project
CIP 7215300, IFB 5004345

<table>
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<tr>
<th>Contractor</th>
<th>Amount (Millions)</th>
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<tr>
<td>Engineers Estimate</td>
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<tr>
<td>Marathon General, Inc</td>
<td>$9.44</td>
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<td>TC Construction Co. Inc</td>
<td>$9.82</td>
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<td>Hazard-Ace, JV</td>
<td>$10.95</td>
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<td>Flatiron West, Inc.</td>
<td>$10.99</td>
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Recommendation

The Board of Directors is asked to authorize SANDAG to assist in preparing and filing an amicus brief, along with other interested agencies in support of the Metropolitan Transportation Commission, in the cases described herein. The Board also is asked to approve the use of up to $20,000 in contingency reserve funds for this effort.

Introduction

The Metropolitan Planning Organization (MPO) and Council of Governments (COG) for the San Francisco Bay Area, known as the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG) respectively, have had four writ petitions filed against them related to the Regional Transportation Plan (RTP) and its Sustainable Communities Strategy adopted for that region in September 2013. The Board of Directors is asked to authorize SANDAG to assist in preparing and filing an amicus brief, along with other interested agencies in support of MTC and ABAG, in the cases described in this report.

Background

Descriptions of the four lawsuits that have been filed against MTC and ABAG follow.

1. Bay Area Citizens v. ABAG and MTC, et al., Alameda County Superior Court, Case No. RG13690631

Bay Area Citizens (BAC) filed a Petition for Writ of Mandate on August 6, 2013. BAC alleges that approval of Plan Bay Area (“Plan”) and certification of the Environmental Impact Report was in violation of the California Environmental Quality Act (CEQA). BAC essentially questions the methodology used by MTC and ABAG to analyze greenhouse gas (GHG) impacts. BAC’s main allegation is that MTC and ABAG should have included reductions attributable to the following statewide GHG reduction measures in modeling and evaluating GHG emissions under the Plan: the Low Carbon Fuel Standard; California Clean Cars Standards (Pavley I); and the California Advanced Clean Cars Standards (Pavley II). BAC asserts that by failing to do so, evaluation of the Plan and the number of project alternatives violates CEQA.

The California Air Resources Board (CARB) reviewed the methodology used by MTC and ABAG and concluded that the analysis was sound and the Plan would meet CARB’s 2020 and 2035 GHG
reduction targets. CARB also confirmed that it was appropriate not to include emission reductions from the Low Carbon Fuel Standard and Pavley I and II in the analysis of the GHG impacts of the Plan.

2. Building Industry Association Bay Area v. ABAG and MTC, et al., Alameda County Superior Court, Case No. RG13692098

On August 16, 2013, the Building Industry Association Bay Area (BIABA) filed a Petition for Writ of Mandate and Complaint for Declaratory and Injunctive Relief in the Alameda County Superior Court. The BIABA Petition focuses on its assertion that the Plan violates Senate Bill 375 (Steinberg, 2008) (SB 375), because it fails to identify areas within the Bay Area sufficient to “house all the population of the region” over the course of the planning period of the Plan. MTC and ABAG interpreted the phrase to define “population” to include the inhabitants or residents of the region and not to include existing in-commuters. The Plan includes enough housing to accommodate projected population growth through 2040, and includes no increase in the proportion of the population that commutes into the region from other counties.

The BIABA Petition also alleges that MTC and ABAG violated CEQA and state housing element law by: (1) relying on an unrealistic projection that 80 percent of all future housing growth will occur within planned development areas (PDAs) as defined in the Plan, which resulted in an analysis unsupported by substantial evidence; (2) including a land use plan that is inconsistent with local general plans; and (3) adopting an unlawful Regional Housing Needs Allocation. The regional housing forecast and proposed housing distribution are based on demographic information from the State Department of Finance (DOF) and the 2010 U.S. Census, and were validated by DOF and the California Department of Housing and Community Development.

3. Communities for a Better Environment v. MTC and ABAG, et al., Alameda County Superior Court, Case No. RG-13692189

On August 19, 2013, Communities for a Better Environment and the Sierra Club (referred to herein as CBE) filed a Petition for Writ of Mandate in the Alameda Superior Court. The CBE Petition focuses on freight transport and the effect of freight emissions on vulnerable communities closest to goods movement corridors. The CBE Petition alleges that MTC and ABAG violated CEQA by: (1) failing to provide an adequate project description that includes discussion of goods movement; (2) failing to adopt feasible mitigation measures to address GHG emissions by failing to fund needed transportation reforms; and (3) failing to adopt feasible mitigation measures to address displacement of low-income residents. The CBE Petition also alleges that MTC and ABAG violated statutory requirements for preparation of an RTP by failing to include a discussion of freight transport.

4. The Post Sustainability Institute, et al. v. ABAG and MTC, et al., Alameda County Superior Court, Case No. RG13699215

On October 15, 2013, The Post Sustainability Institute, Michael Shaw, and Rosa Koire (referred to herein as PSI) filed a Verified Petition for Writ of Mandate and Complaint for Declaratory and Injunctive Relief in the Alameda County Superior Court challenging approval of the Plan. The Petition includes three causes of action. Each raises multiple legal issues.
In the first cause of action, PSI seeks a Writ of Mandate to compel rescission of Plan approvals on the following alleged grounds:

- The Plan contains “inconsistencies” with CEQA’s streamlining provisions that favor developers in PDAs in violation of state and federal constitutional guarantees of equal protection;

- The Plan violates SB 375 by failing to consider impacts on growth in all urbanized areas, not just PDAs and Priority Conservation Areas in violation of federal law governing regional transportation plans, and the Plan is infeasible on its face as it does not identify funding sources for its mandates and relies on unsupported assumptions;

- The Plan would interfere with local control over land use authority by withholding funds from jurisdictions that do not implement the Plan, in violation of the state and federal constitutions;

- The Plan contains unsupported conclusions regarding the need for multi-family housing based on increases in racial diversity;

- The Plan contains unsupported conclusions that the Plan will have an effect on global climate change; and

- If carried out, the Plan would constitute an unconstitutional taking of property under the Fifth Amendment of the U.S. Constitution.

The second cause of action seeks declaratory relief to block implementation of the Plan and repeats the same allegations as the first cause of action. The third cause of action alleges an unlawful expenditure of taxpayer funds in violation of Code of Civil Procedure § 526a.

**Discussion**

Several aspects of these lawsuits overlap with issues that have been raised by the petitioners and the Attorney General in litigation involving the SANDAG 2050 RTP. MTC and ABAG have both provided financial support for, and have joined in, one of the amici curiae (friends of the court) briefs filed in support of SANDAG at the trial court level for the SANDAG litigation. Additionally, resolution of the issues raised in the MTC and ABAG lawsuits will impact SANDAG, and therefore, it would benefit SANDAG to ensure that its interests and concerns are brought to the attention of the Court in an amicus brief.

Unlike the trial judge assigned to the SANDAG litigation, the Superior Court judge assigned to the MTC and ABAG lawsuits has agreed to accept and consider amici briefs. It is expected that it will cost less than $100,000 to prepare an amicus brief that represents the joint concerns of the MPOs and COGs in California. Other MPOs and COGs have been asked and are expected to join in the effort.

**Board Policy No. 030: Contingency Reserve Policy**

Staff recommends that the Board of Directors authorize SANDAG to assist in preparing and filing an amicus brief, along with other interested agencies in support of MTC, in the cases described above. To fund this effort, the Board is asked to approve the use of contingency reserve funds. Board Policy No. 030: Contingency Reserve Policy, provides guidelines for the use of the reserve funds. Consistent
with this policy, the reserve shall be used for one-time, non-recurring purposes. Qualifying uses include opportunities to advance urgent, high-priority needs, and unanticipated needs relating to a crucial existing commitment. The preparation of an amicus brief for MTC could help address overlapping issues raised by petitioners and the Attorney General with regard to the current SANDAG 2050 RTP litigation. MTC is among the various agencies and organizations that are supporting SANDAG with friends of the court briefs for the SANDAG litigation. Board Policy No. 030 also requires approval for any use of contingency reserve funds.

The Board is asked to approve the use of up to $20,000 in contingency reserve funds for this effort, which would be combined with funds from other agencies that are anticipated to join in the brief. Board Policy requires a reserve equal to 5 percent of the total budgeted annual Overall Work Program (OWP) expenditures. The amount of funds in the SANDAG contingency reserve at this time is approximately $7.1 million, which represents 16 percent of total budgeted annual OWP expenditures. With the use of up to $20,000 for the MTC amicus brief preparation, the reserve amount and percentage would remain about the same, exceeding the 5 percent required by Board Policy No. 030.

Next Steps

With the Board of Directors’ authorization, the Executive Director will work with the Office of General Counsel to coordinate with other MPOs and COGs in the state on the hiring of legal counsel to prepare an amicus brief on their behalf. The Executive Director would expend SANDAG contingency reserve funds in an amount that would cover a proportionate share of the legal costs for the amicus brief in relation to the other MPOs and COGs that are expected to join, not to exceed $20,000.

GARY L. GALLEGOS
Executive Director

Key Staff Contact: Julie Wiley, (619) 699-6966, julie.wiley@sandag.org
REPORT SUMMARIZING DELEGATED ACTIONS
TAKEN BY THE EXECUTIVE DIRECTOR

File Number 8000100

Introduction

Various Board Policies require the Executive Director to report certain actions to the Board of Directors on a monthly basis or upon taking specified actions.

Discussion

Board Policy No. 003

Board Policy No. 003: Investment Policy, states that a monthly report of all investment transactions shall be submitted to the Board of Directors. Attachment 1 contains the reportable investment transactions for October 2013.

Board Policy No. 017

Board Policy No. 017: Delegation of Authority, requires the Executive Director to report to the Board certain actions taken at the next regular meeting.

Section 4.1 of the Policy authorizes the Executive Director to enter into agreements not currently incorporated in the budget and make other modifications to the budget in an amount up to $100,000 per transaction, so long as the overall budget remains in balance. Attachment 2 contains the reportable actions for November 2013.

Section 4.2 states a monthly report of all approvals of design plans, specifications, and estimates (PS&E) for capital improvement projects shall be submitted to the Board of Directors. The PS&E for the following capital improvement project was approved:

- Inland Rail Trail Project, San Marcos to Vista Segment, Phase 1A (CIP 1223023).

Section 4.3 states a monthly report of execution of right-of-way property transfer documents, including easements, shall be submitted to the Board of Directors. The following easements were executed:

- Sorrento to Miramar Double Track Phase 1 Project (CIP 1239801): two extensions of temporary construction easements to April 30, 2014, as follows:
Assessor Parcel No. 343-130-01 and 343-130-20 ($828.18)

Assessor Parcel No. 340-080-40 ($13,679.95) Section 4.4 states that the Executive Director shall report approval of the establishment of an offer of just compensation based upon specific conditions. Consistent with Board Policy, the following offers were made:

- **Inland Rail Trail Project (CIP 1223023)**
  - One offer for $37,500 (appraised value) for a permanent and a temporary construction easement at 1945 Buena Creek Road, Vista, CA 92083
  - One offer for $25,900 (appraised value) for a permanent and a temporary construction easement at 145 Hannalei Drive, Vista, CA 92083
  - One offer for $17,700 (appraised value) for a permanent and a temporary construction easement at 203 Valley View Place, Vista, CA 92083
  - One offer for $34,000 (appraised value) for a permanent and a temporary construction easement at 205 Valley View Place, Vista, CA 92083
  - One offer for $43,400 (appraised value) for a permanent and a temporary construction easement at 207 Valley View Place, Vista, CA 92083
  - One offer for $52,300 (appraised value) for a permanent and a temporary construction easement at 924 Phillips Street, Vista, CA 92083
  - One offer for $37,200 (appraised value) for a permanent and a temporary construction easement near Phillips Street (no street address), Vista, CA 92083
  - One offer for $61,400 (appraised value) for a permanent and a temporary construction easement at 864 and 888 Philips Street, Vista, CA 92083
  - One offer for $6,700 (appraised value) for a permanent and a temporary construction easement at 229 Pala Vista Drive, Vista, CA 92083
  - One offer for $112,000 (appraised value) for a temporary construction easement at 230 N. Santa Fe Avenue, Vista, CA 92083
  - One offer for $25,700 (appraised value) for a permanent and a temporary construction easement at 348 N. Santa Fe Avenue, Vista, CA 92083
  - One offer for $9,200 (appraised value) for a temporary construction easement at 1850 and 1864 York Drive, Vista, CA 92084
  - One offer for $14,700 (appraised value) for a temporary construction easement at 1863 Devon Place, Vista, CA 92084
  - One offer for $1,000 (appraised value) for a temporary construction easement at 1868 Devon Place, Vista, CA 92084
• Mid-City Rapid Bus Project (CIP 1240001)
  o For property acquisition: One accepted offer for $3,000 ($1,000 over appraised value) for permanent acquisition (street dedication) at 4288-2290 El Cajon Boulevard, San Diego, CA 92105

Section 4.6 of Board Policy 017 authorizes the Executive Director to provide the final determination to persons or firms filing a protest regarding SANDAG procurement or contracting processes or procedures.

A protest was submitted by RideShark Corporation on the “Transportation Demand Management: Web-Based Program Management System Request for Proposal (RFP) 5004011” Project after SANDAG sent a “Notice of Non-Responsiveness in Meeting Good Faith Efforts” to RideShark on October 8, 2013. The protest was based on the contention that: (1) RideShark demonstrated good faith “consideration” of the project’s Underutilized/Disadvantaged Business Enterprise (U/DBE) goal and concluded use of U/DBEs was not economically feasible; (2) that the addendum providing availability of an additional $200,000 for optional system enhancements for the project did not allow enough time for them to meet the U/DBE goal; (3) that responses from SANDAG during the Q&A period as well as language in the RFP led them to believe they had discretion to first decide whether use of U/DBEs was viable, and only if it was viable would they need to document attempt to procure U/DBE participation; and (4) that even if they were non-responsive, ambiguities in the RFP concerning the U/DBE requirements and evaluation criteria precluded a level playing field for the proposers. After review of the documents and facts, the Protest Committee rejected the contentions of RideShark; adopting the findings and recommendations of the Committee, the Chief Deputy Executive Director rejected the protest in its entirety. SANDAG notified RideShark of its right to request reconsideration by the Executive Director. RideShark did not respond.

**Board Policy No. 024**

Board Policy No. 024: Procurement and Contracting – Construction Policy, Section 5.2, states that the Executive Director is delegated the authority to accept work on construction contracts on behalf of the Board and shall report to the Board all contract acceptances over $25,000. The following construction contract was accepted:

o One offer for $9,800 (appraised value) for a permanent drainage easement at 2102 and 2103 Victory Drive, Vista, CA 92084

o One offer for $111,200 (appraised value) for a permanent and temporary construction easement at 157 Hannalei Drive, Vista, CA 92083

o One offer for $12,200 (appraised value) for a temporary construction easement at 2317 Cherimoya Drive, Vista, CA 92084

o One offer for $7,200 (appraised value) for a temporary construction easement at 1971 Buena Creek Road, Vista, CA 92084

o One offer for $1,000 (appraised value) for a temporary construction easement off Cherimoya Drive, Vista, CA 92084
In a letter dated October 30, 2013, Flatiron West, Inc., was granted Partial Relief From Maintenance and Responsibility for the Interstate 15 Ultimate Bus Rapid Transit Stations Project (Rancho Bernardo and Del Lago) – Effective September 20, 2013 (CIP 1201505, Contract No. 5001935).

GARY L. GALLEGOS
Executive Director

Attachment(s): 1. Monthly Activity for Investment Securities Transactions for October 2013
   2. Budget Transfers and Amendments for November 2013

Key Staff Contact: André Douzdjian, (619) 699-6931, andre.douzdjian@sandag.org
## MONTHLY ACTIVITY FOR INVESTMENT SECURITIES TRANSACTIONS FOR OCTOBER 1 THROUGH OCTOBER 31, 2013

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* Proceeds from this sale were used to purchase new securities that would provide higher returns over the holding period.
** Proceeds from this sale were part of a general portfolio realignment.
## NOVEMBER 2013 BUDGET TRANSFERS AND AMENDMENTS

in '000s

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<td>Additional grant agreement for federal FY 2014 to provide Community Assessment analysis</td>
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REPORT ON MEETINGS AND EVENTS ATTENDED ON BEHALF OF SANDAG

Since the last Board of Directors meeting, Board members participated in the following meetings and events on behalf of SANDAG. Key topics of discussion also are summarized.

November 18, 2013: 2013 Focus on the Future Conference
San Diego, CA

- SANDAG Chairman Jack Dale attended the 2013 Focus on the Future Conference as the SANDAG representative. Chairman Dale provided the welcome remarks and participated in workshops and general sessions discussing innovative transportation financing, managed lanes, goods movement, and other issues affecting self-help counties.

November 19, 2013: California Association of Councils of Governments Board of Directors Meeting
San Diego, CA

- National City Mayor Ron Morrison attended the California Association of Councils of Governments (CALCOG) Board of Directors meeting as the SANDAG representative. The Board discussed the CALCOG Work Program, the process for their Executive Director evaluation, membership and dues structure, legislative issues, and a review of the CALCOG strategic organizational and advocacy priorities.

December 6, 2013: Walk, Ride, or Roll First Place School Recognition Event
Encinitas, CA

- Solana Beach Councilmember Lesa Heebner, Vice Chair, Regional Planning Committee, attended the Walk, Ride, or Roll (WRR) event as the SANDAG representative. Vice Chair Heebner attended the Flora Vista Elementary School assembly and presented the first place award for the SchoolPool iCommute Walk, Ride, or Roll to School Challenge. During October, 47 San Diego County schools competed in the WRR competition, and the school with the largest percentage of parents who logged their children’s active transportation commute on the iCommute website won the challenge.
December 12, 2013: Mid-Coast Corridor Transit Project Disadvantaged Business Enterprise/Small Business Opportunity Forum
El Cajon, CA

- Chairman Dale attended the Mid-Coast Disadvantaged Business Enterprise/Small Business (DBE/SB) Opportunity Forum as the SANDAG representative. Chairman Dale presented the welcome remarks and answered questions for the public forum regarding contracting opportunities and updates for the SANDAG Mid-Coast Corridor Transit Project. Attendees included project managers, potential prime contractors, potential subcontractors, and agency partners.

GARY L. GALLEGOS
Executive Director

Key Staff Contact: Kim Kawada, (619) 699-6994, kim.kawada@sandag.org
The Nominating Committee recommends the following slate of Board Officers for 2014:

- Chair – Santee Councilmember Jack Dale
- First Vice Chair – Imperial Beach Mayor Jim Janney
- Second Vice Chair – Poway Mayor Don Higginson

The Board of Directors is asked to elect SANDAG Board Officers for the upcoming year.

**ELECTION OF 2014 SANDAG BOARD OFFICERS**

**Introduction**

Consistent with SANDAG Bylaws, in September 2013, Chairman Jack Dale appointed the following Nominating Committee for SANDAG Board Officers: National City Mayor Ron Morrison (South County), Nominating Committee Chair; Carlsbad Mayor Matt Hall (North County Coastal); Lemon Grove Mayor Mary Sessom (East County); Vista Mayor Judy Ritter (North County Inland); San Diego Interim Mayor Todd Gloria; and San Diego County Supervisor Bill Horn.

In November, the Nominating Committee recommended a slate of Board Officers for 2014 for approval by the Board of Directors on December 20, 2013. In accordance with SANDAG Bylaws, Board members may make additional nominations for any officer position during the December Board meeting.

**Recommendation**

**Discussion**

**Annual Nomination and Election Process**

The SANDAG Bylaws set forth the annual nomination and election process for SANDAG Board Officers. The process calls for an application form for the Chair, First Vice Chair, and Second Vice Chair positions to be made available on the SANDAG website in or around July. To be considered for one of the officer positions, prospective applicants must provide information about their current status and term of office, SANDAG experience, and other public agency experience, describe their reasons for seeking a Board Officer position, and describe their vision and leadership qualities.

The applications received included Councilmember Dale for Chair, Mayor Janney for First Vice Chair, and Mayor Higginson for Second Vice Chair. Nominating Committee members reviewed the applications and unanimously recommended approval of the slate of candidates for the 2014 Board Officer positions. In their discussion, Nominating Committee members recognized that the
candidates are individuals with proven leadership experience, and who are dedicated to the agency
and the region, even with the extra time commitment involved.

Nominating Committee Discussion

The Nominating Committee also discussed possible changes in the annual nominations process for
future consideration by the Board of Directors. Committee members discussed whether the position
of Second Vice Chair should continue to be maintained. Since the Second Vice Chair position was
added in 2004,¹ the Board has traditionally maintained two one-year terms for each of the Board
Officer positions – selecting a new Chair every two years by advancing the First Vice Chair to the
Chair position, the Second Vice Chair to the First Vice Chair position, and selecting a new Second
Vice Chair. This results in a minimum six-year commitment for a candidate interested in serving in
the capacity of SANDAG Chair, requiring interested candidates to commit to serving more than one
term in local elected office. Committee members discussed whether this timeframe may discourage
Board members who may be interested in serving in SANDAG leadership positions.

Another issue discussed by the Nominating Committee concerned appointment of the Policy
Advisory Committee (PAC) chairs. In accordance with the SANDAG Bylaws, the Board Chair selects
the chair and vice chair of all PACs, except the Executive Committee, annually in February.
Committee members noted that serving as a PAC chair provides a leadership opportunity for Board
members who are interested in serving as a SANDAG Board Chair or Vice Chair in the future. To
allow for a broader pool of future leadership candidates, the Board may want to consider whether
PAC chairs should be appointed from Board members outside of the Board leadership.

Next Steps

Any changes to the future nomination procedures discussed above would be vetted through the
normal process for Bylaws and Board Policy amendments, which includes review by the Executive
Committee, with final action by the Board of Directors. The Executive Committee is scheduled to
discuss the recommendations from the Nominating Committee during 2014, prior to the initiation
of the next nominations process for Board Officers.

GARY L. GALLEGOS
Executive Director

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

¹ In November 2004, the Board approved amendments to the SANDAG Bylaws, which included several changes in
procedures for electing the Board Officer positions and selecting the chairs and vice chairs for the PACs. These included
electing Board Officers and making PAC appointments on a calendar-year basis; adding a Second Vice Chair position to
the Board; and modifying the criteria used to elect Board Officers.
PROPOSED 2014 LEGISLATIVE PROGRAM

Introduction

Each year, the Executive Committee recommends a legislative program to the Board of Directors for the upcoming calendar year. Consistent with past programs, the proposed 2014 Legislative Program (Attachment 1) includes policies and proposals for federal and state legislation as well as local activities.

Discussion

The SANDAG Legislative Program serves as a road map for Board members and staff to follow as legislation is introduced and activities occur during the federal and state legislative sessions. The program is organized into three sections that relate to the level of effort needed to support corresponding legislative activities: (1) Sponsor, (2) Support/Oppose, and (3) Monitor. Within each section, individual goals are assigned a priority level, ranging from highest priority to lower priority. The program also lists the Board position, position year, which Policy Advisory Committee is involved, and whether the goal includes federal, state, and/or local efforts.

Proposed 2014 Legislative Program

The Sponsor section includes seven items where SANDAG would be actively involved with sponsoring specific legislation, requests for funding, and/or policy changes. Proposed SANDAG priorities include working to implement the federal surface transportation authorization known as Moving Ahead for Progress in the 21st Century (or MAP-21); pursuing resources, funding mechanisms, improvements to planning and implementation, and access to technical tools for the 2050 Regional Transportation Plan and its Sustainable Communities Strategy and the Regional Comprehensive Plan; pursuing policy or legislative changes to enable the use of freeway shoulders as transit lanes; pursuing efforts that address border transportation infrastructure; and pursuing policy and/or legislative changes to streamline or reform the California Environmental Quality Act (CEQA) for certain types of transportation projects.

The Support/Oppose section includes 16 goals that relate to the diverse SANDAG work program. Continuing efforts in this section focus on areas of transportation planning and funding; implementation of climate change plans and programs and other environmental efforts; lowering the current two-thirds voter requirement for special purpose taxes, such as transportation and quality of life improvements; and funding opportunities and legislative efforts that maintain public safety.

Recommendation

The Executive Committee recommends that the Board of Directors approve the 2014 Legislative Program.
Finally, the **Monitor** section includes four lower priority goals related to monitoring proposals to limit eminent domain and monitoring public facility infrastructure funding proposals, and legislation regarding personnel and administrative matters. These have not changed from the 2013 Legislation Program.

Attachment 2 summarizes the changes incorporated in the proposed 2014 Legislative Program.

**2013 Legislative Highlights**

The Executive Committee was updated on a variety of federal and state legislative matters throughout the year. Of the measures reviewed, notable actions by the Governor during 2013 include:

- **On September 27, 2013**, the Governor signed into law Assembly Bill 179 (AB 179) (Chapter 375, Statutes of 2013) by Assembly Member Raul Bocanegra (D-Los Angeles). Initially opposed by SANDAG, AB 179 applies new restrictions for retention and sharing of personally identifiable information for both transit and toll road users. Data retention was proposed to be limited to six months, which would have undermined the ability of SANDAG to respond to customer inquiries and prohibit SANDAG from meeting credit card company requirements to retain customer data for 18 months. The author ultimately amended the legislation to extend the timeframe to be consistent with existing statutes at 4½ years.

- **On September 27, 2013**, the Governor signed into law Senate Bill 743 (SB 743) (Chapter 386, Statutes of 2013) by Senator Darrell Steinberg (D-Sacramento), and on October 7, 2013, he signed Assembly Bill 417 (AB 417) (Chapter 613, Statutes of 2013) by Assembly Member Jim Frazier (D-Oakley). CEQA reform discussions occurred throughout 2013 as part of the crafting of legislation by Senator Steinberg, originally in the form of Senate Bill 731 (SB 731). On the last day prior to legislative recess, Senator Steinberg abandoned SB 731, only to gut-and-amend SB 743 and shift focus to assisting the development of a new sports arena in downtown Sacramento. A couple of reforms from SB 731 were included, such as exempting aesthetic and parking impacts in transit priority areas from CEQA analysis and authorizing the development of new guidelines for measuring traffic impacts. On a positive note, AB 417 provides narrow exemptions (restriping of streets and highways, bicycle parking and storage, signal timing and related signage) for bicycle transportation plans in urbanized areas until 2018.

- **On May 14, 2013**, the Governor introduced the May Budget Revise, which included a $500 million loan from cap-and-trade auction proceeds from the Greenhouse Gas Reduction Fund to the General Fund. SANDAG participated in a coalition of transportation-related and environmental groups, the Transportation Coalition for Livable Communities (Coalition), to support Assembly Bill 574 (AB 574) by Assembly Member Bonnie Lowenthal (D-Long Beach), Chair of the Assembly Transportation Committee. AB 574 would have established a program to allocate a portion of cap-and-trade revenues to help local governments implement sustainable communities strategies and other regional transportation plans required by law. Although AB 574 did not advance due to the Governor’s approved loan proposal, SANDAG continues to work with the Coalition to achieve the same principles through administrative and regulatory processes via California Air Resources Board hearings on the AB 32 Scoping Plan, which is where the Governor has indicated policy related to distribution of cap-and-trade revenues would be established.
• At the request of Orange County Transportation Authority, on September 13, 2013, SANDAG adopted a support position on Assembly Bill 401 (AB 401) (Daly) (Chapter 586, Statutes of 2013), which authorizes Caltrans to use design-build procurement for up to ten projects on state highways, and allows for unlimited authority for regional transportation agencies on expressways not on the state highway system until January 1, 2024. Governor Brown signed AB 401 on October 5, 2013.

• Assembly Bill 1222 (AB 1222) (Chapter 527, Statutes of 2013) by Assembly Member Richard Bloom (D-Santa Monica) creates a one-year exemption from the Public Employees' Pension Reform Act (PEPRA) of 2013 for transit employees covered under the Section 13(c) provisions of the Federal Transit Act. This legislation allows for grant funds to be released while litigation proceeds and a final decision on the status of transit employees under PEPRA is determined.

• SANDAG worked closely with Metropolitan Transit System and California Transit Association to oppose Senate Bill 556 (Corbett) (SB 556), which would prohibit persons working or affiliated with a nongovernmental entity contracted to perform services relating to public health or safety for a public entity from displaying on a vehicle or uniform a logo that could be interpreted as working directly for the public entity unless a disclosure is conspicuously displayed. SB 556 is a two-year bill and staff will continue to monitor it.

• SANDAG collaborated with a coalition of regional agencies to amend and improve Assembly Bill 1290 (AB 1290) (Perez). Ultimately vetoed by the Governor, AB 1290 would have provided two additional voting members to the California Transportation Commission (CTC) and would have required transportation planning agencies that prepare a sustainable communities strategy as part of their regional transportation plan to provide the CTC with a copy of the strategy and a progress report on the reduction of greenhouse gas emissions.

• Finally, SANDAG supported Assembly Joint Resolution 4 (AJR 4) (Res. Chapter 24, Statutes of 2013), authored by Senator Ben Hueso (D-San Diego), which memorializes the Legislature’s desire to have the federal government fund improvements at the San Ysidro, Otay Mesa, and Calexico Ports of Entry. AJR 4 passed both the Assembly and Senate without opposition.

Next Steps

Staff will continue to provide periodic status reports on legislative activities to the Executive Committee and/or Board of Directors during the year.

GARY L. GALLEGOS
Executive Director

Attachment(s): 1. Proposed 2014 Legislative Program
2. Summary of Proposed Changes to the 2013 Legislative Program

Key Staff Contact: Jaymie Bradford, (619) 699-1994, jaymie.bradford@sandag.org
## 2014 LEGISLATIVE PROGRAM

**Overarching Goal:** Pursue policy and legislative changes that enable SANDAG to better implement its adopted plans and programs.

### (A) SPONSOR

<table>
<thead>
<tr>
<th>NO.</th>
<th>GENERAL DESCRIPTION OF GOAL</th>
<th>PRIORITY</th>
<th>BOARD POSITION</th>
<th>T</th>
<th>R</th>
<th>P</th>
<th>B</th>
<th>JURISDICTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1A</td>
<td>Work with federal, state, and local stakeholders to implement Moving Ahead for Progress in the 21st Century including appropriate funding levels, goods movement and border programs, transit investment and reforms, process improvements (including streamlined environmental processes), active transportation, and tribal transportation planning. (2007, 2012)</td>
<td>Highest</td>
<td>Sponsor</td>
<td>●</td>
<td></td>
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<td></td>
<td>Federal/State</td>
</tr>
<tr>
<td>2A</td>
<td>Pursue resources and funding mechanisms consistent with financial strategies adopted in the Regional Transportation Plan (RTP) and Regional Comprehensive Plan (RCP), including but not limited to increasing revenues for transportation, cap-and-trade revenues, gas tax or equivalent revenue sources, bond measures, public/private partnerships, and smart growth. (2012)</td>
<td>Highest</td>
<td>Sponsor</td>
<td>●</td>
<td>●</td>
<td>●</td>
<td>●</td>
<td>Federal/State/Local</td>
</tr>
<tr>
<td>3A</td>
<td>Expand access to resources and technical tools that will enable SANDAG to implement the 2050 RTP and its Sustainable Communities Strategy. (2009)</td>
<td>Highest</td>
<td>Sponsor</td>
<td>●</td>
<td>●</td>
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<td>Federal/State</td>
</tr>
<tr>
<td>4A</td>
<td>Pursue policy and/or legislative changes to enable the use of freeway shoulders as transit lanes on major corridors in the San Diego region. (2006)</td>
<td>High</td>
<td>Sponsor</td>
<td>●</td>
<td></td>
<td></td>
<td></td>
<td>State</td>
</tr>
<tr>
<td>5A</td>
<td>Pursue efforts that address border transportation infrastructure needs consistent with the RTP, RCP, and California-Baja California Border Master Plan. (2012)</td>
<td>High</td>
<td>Sponsor</td>
<td>●</td>
<td></td>
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<td></td>
<td>Federal/State/Local</td>
</tr>
<tr>
<td>6A</td>
<td>Pursue policy and/or legislative changes to streamline or reform the California Environmental Quality Act (CEQA) for public transit improvements, active transportation projects, and other transportation projects located within existing rights-of-way. (2013)</td>
<td>High</td>
<td>Sponsor</td>
<td>●</td>
<td></td>
<td></td>
<td></td>
<td>State</td>
</tr>
<tr>
<td>7A</td>
<td>Pursue policy and/or legislative changes to improve the planning and implementation of the RTP/SCS, including modifying the required planning cycle for major updates of the RTP/SCS and clarifying the level of CEQA analysis required for the associated program environmental document. (2013)</td>
<td>High</td>
<td>Sponsor</td>
<td>●</td>
<td></td>
<td></td>
<td></td>
<td>Federal/State</td>
</tr>
</tbody>
</table>

Legend: T: Transportation; R: Regional Planning; P: Public Safety; B: Borders
(B) SUPPORT/OPPOSE

<table>
<thead>
<tr>
<th>NO.</th>
<th>GENERAL DESCRIPTION OF GOAL</th>
<th>PRIORITY</th>
<th>BOARD POSITION</th>
<th>T</th>
<th>R</th>
<th>P</th>
<th>B</th>
<th>JURISDICTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1B</td>
<td>Legislation that provides incentives to jurisdictions that provide opportunities for more housing, including affordable and transit-oriented developments, supports regional fair-share allocation of housing funds, and provides additional affordable housing funding with greater local/regional control. (2002)</td>
<td>Highest</td>
<td>Support</td>
<td></td>
<td></td>
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<td>Federal/State</td>
</tr>
<tr>
<td>2B</td>
<td>Support policies and/or legislation implementing climate change plans and programs including cap-and-trade that are consistent with the RCP and RTP. (2007)</td>
<td>Highest</td>
<td>Support</td>
<td></td>
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<td>Federal/State/Local</td>
</tr>
<tr>
<td>3B</td>
<td>Support efforts to pursue public transit funding, including a Full Funding Grant Agreement for the Mid-Coast Corridor Transit Project and continued support for intercity rail. (2008, 2013)</td>
<td>Highest</td>
<td>Support</td>
<td></td>
<td></td>
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<td></td>
<td>State</td>
</tr>
<tr>
<td>4B</td>
<td>Efforts to pursue resources to improve regional public safety voice and data communications and interoperability, including connectivity with state and federal systems. (2005)</td>
<td>Highest</td>
<td>Support</td>
<td></td>
<td></td>
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<td></td>
<td>Federal/State/Local</td>
</tr>
<tr>
<td>5B</td>
<td>Efforts to pursue funding at both the state and federal levels to improve public safety and security in the San Diego region through Automated Regional Justice Information System operations and enhancements, regional transportation system improvements, and activities related to regional emergency preparedness, prevention, and response to catastrophic events. (2003, 2005, 2011)</td>
<td>Highest</td>
<td>Support</td>
<td></td>
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<td>Federal/State/Local</td>
</tr>
<tr>
<td>6B</td>
<td>Fiscal reform initiatives that enable regions to develop their own fiscal strategies and oppose unfunded mandates on local governments. Pursue initiatives that balance the fiscal influence that sales tax revenues have upon local land use decisions. (2002)</td>
<td>Highest</td>
<td>Support</td>
<td></td>
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<td></td>
<td>Federal/State/Local</td>
</tr>
<tr>
<td>7B</td>
<td>Lower the current two-thirds voter requirement for special purpose taxes, such as transportation and quality of life improvements, to a simple majority vote. (2002)</td>
<td>Highest</td>
<td>Support</td>
<td></td>
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<td>State</td>
</tr>
<tr>
<td>8B</td>
<td>Efforts assisting in the implementation of key environmental issues, including habitat conservation, planning, beach restoration and replenishment, and water quality-related issues. (2002)</td>
<td>Higher</td>
<td>Support</td>
<td></td>
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<td>State/Local</td>
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<tr>
<td>9B</td>
<td>Mechanisms providing for the implementation of the RTP, including value pricing, managed lanes, high-occupancy toll lanes, the alleviation of current constraints on transponder technology, transit priority treatments, Transportation Demand Management, and other efforts that promote efficient use of highways and local roads. (2003)</td>
<td>Higher</td>
<td>Support</td>
<td></td>
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<td>Federal/State</td>
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<tr>
<td>10B</td>
<td>Support energy-related legislation, programs, and policies that are consistent with the Regional Energy Strategy. (2002)</td>
<td>Higher</td>
<td>Support</td>
<td></td>
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<td>Federal/State/Local</td>
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Legend: T: Transportation; R: Regional Planning; P: Public Safety; B: Borders
### (B) SUPPORT/Oppose (continued)

<table>
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<tr>
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<th>BOARD POSITION</th>
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<th>JURISDICTION</th>
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<tbody>
<tr>
<td>11B</td>
<td>Efforts to expand available methods of transportation project delivery, including</td>
<td>High</td>
<td>Support</td>
<td></td>
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<td>State</td>
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<td></td>
<td>design-build, design sequencing, construction manager/general contractor, and other</td>
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<td></td>
<td>alternative methods that expedite connectivity with state and federal systems. (2005)</td>
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<td>12B</td>
<td>Efforts to support funding opportunities and legislation that promote the implementa-</td>
<td>High</td>
<td>Support</td>
<td></td>
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<td></td>
<td>tion of effective and collaborative strategies and programs that maintain public</td>
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<td>safety and promote quality of life, including initiatives that address substance abuse</td>
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<td></td>
<td>and graffiti abatement, and reduce youth and gang violence. (2005, 2009)</td>
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<tr>
<td>13B</td>
<td>Pursue legislative and/or administrative reform of the Regional Housing Needs Assessment</td>
<td>High</td>
<td>Support</td>
<td></td>
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<td></td>
<td></td>
<td>Federal/State/Local</td>
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<tr>
<td>14B</td>
<td>Support legislation and/or policies that promote governmental efficiencies and cost</td>
<td>High</td>
<td>Support</td>
<td></td>
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<td>Federal/State</td>
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<td></td>
<td>savings. (2009)</td>
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<td>15B</td>
<td>Transit boards’ legislative programs where consistent with SANDAG Policy. (2002)</td>
<td>Lower</td>
<td>Support</td>
<td></td>
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<td>Federal/State</td>
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<td></td>
<td>(2003)</td>
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<tr>
<td>16B</td>
<td>Other organizations’ legislative programs where consistent with SANDAG Policy, i.e.,</td>
<td>High</td>
<td>Support</td>
<td></td>
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<td>Federal/State</td>
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</tbody>
</table>

### (C) Monitor

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<tr>
<th>NO.</th>
<th>GENERAL DESCRIPTION OF GOAL</th>
<th>PRIORITY</th>
<th>BOARD POSITION</th>
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<th>JURISDICTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1C</td>
<td>Proposals that limit the use of eminent domain for public infrastructure projects. (2005)</td>
<td>Lower</td>
<td>Monitor/Respond</td>
<td></td>
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<td>Federal/State</td>
</tr>
<tr>
<td>2C</td>
<td>Legislation affecting solid waste, water supply, and storm water, support of funding</td>
<td>Lower</td>
<td>Monitor/Respond</td>
<td></td>
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<td>State/Local</td>
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<td>opportunities to assist in these areas. (2003)</td>
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<tr>
<td>3C</td>
<td>Legislation relating to personnel matters, i.e., workers’ compensation, Public Employee</td>
<td>Lower</td>
<td>Monitor/Respond</td>
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<td>Federal/State/Local</td>
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<tr>
<td></td>
<td>Retirement System (PERS) benefits, and other labor related issues. (2003)</td>
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<tr>
<td>4C</td>
<td>Legislation requiring local agencies to implement new administrative compliance measures. (2005)</td>
<td>Lower</td>
<td>Monitor/Respond</td>
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<td>Federal/State</td>
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</tbody>
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Legend - T: Transportation; R: Regional Planning; P: Public Safety; B: Borders
Summary of Changes to the 2013 Legislative Program

Proposed modifications and additions to the 2013 Legislative Program, approved by the Board of Directors in December 2012, are discussed below.

Proposed Modifications

The following goals are proposed to be modified:

• Goal No. 5A – Pursue legislative and/or administrative reform of the Regional Housing Needs Assessment (RHNA) process and state housing element law.

Last year, the California Department of Housing and Community Development enacted administrative changes that streamlined the housing element process for local jurisdictions. It still warrants inclusion in the legislative program, but in the category of “support” instead of “sponsor.” This goal is now proposed to be listed as Goal No. 13B.

• Goal No. 3B – Support efforts to pursue public transit funding, including a Full Funding Grant Agreement (FFGA) for the Mid-Coast Corridor Transit Project and continued support for intercity rail.

Staff proposes to include seeking an FFGA for the Mid-Coast Corridor Transit Project within Goal No. 3B due to the size and significance of the project. A Record of Decision for the Mid-Coast Project is anticipated in 2014, with an FFGA to follow.

Proposed New Goals

Two new goals are proposed for the draft 2014 Legislative Program:

• Goal No. 6A – Pursue policy and/or legislative changes to streamline or reform the California Environmental Quality Act (CEQA) for public transit improvements, active transportation projects, and other transportation projects located within existing rights-of-way.

The state continues to pursue CEQA streamlining and reform as a means to facilitate and accelerate critical infrastructure projects that support sustainable land use and transportation planning, while respecting the environment, such as the recent legislation to remove the need to perform CEQA analysis on bicycle plans. Certainty in the process and clarity of levels of CEQA analysis would be beneficial next steps in streamlining efforts to advance public transit and active transportation projects consistent with the SANDAG Regional Transportation Plan and its Sustainable Communities Strategy (RTP/SCS).

• Goal No. 7A – Pursue policy and/or legislative changes to improve the planning and implementation of the RTP/SCS, including modifying the required planning cycle for major updates of the RTP/SCS and clarifying the level of CEQA analysis required for the associated program environmental document.

Current law requires RTP/SCS updates every four years and the RHNA to be updated every eight years. Given the time and resources required to develop a major RTP/SCS update, extending the planning cycle to every eight years (consistent with the RHNA cycle) or to every ten years (to coincide with the U.S. Census) would be prudent. Major updates could occur on an eight to ten-year cycle, with less intensive technical updates occurring as needed in the interim years. This would allow attention to be focused on RTP/SCS implementation between major plan updates.
SAN DIEGO FORWARD: THE REGIONAL PLAN: PROPOSED UNCONSTRAINED TRANSPORTATION NETWORK

Introduction

The Unconstrained Transportation Network represents the region’s vision for transit, highway, freight, bicycle, pedestrian, arterial improvements, and operations to meet travel demand to 2050. During the past several months, staff shared the initial draft Unconstrained Transportation Network with the Transportation and Regional Planning Committees, various SANDAG working groups, the tribal governments, and Community Based Organization partners.

On November 8, 2013, the Transportation Committee recommended that the Board of Directors accept the draft Unconstrained Transportation Network for use in the development of San Diego Forward: The Regional Plan (Regional Plan). On December 6, 2013, the Regional Planning Committee also recommended that the Board of Directors accept the Unconstrained Transportation Network.

Discussion

Defining the Unconstrained Transportation Network is an important step in developing the Regional Plan, because it establishes the broadest multimodal network from which revenue constrained network scenarios will be developed. As part of the preparation of the 2050 Regional Transportation Plan and its Sustainable Communities Strategy (2050 RTP/SCS), extensive work went into planning for all transportation modes, including the development of the Urban Area Transit Strategy (UATS) to increase the attractiveness of public transit, walking, and biking in the more urbanized areas of the region. The UATS resulted in three transit network alternatives, which were evaluated by SANDAG working groups, interested individuals at public workshops, and an independent peer review panel.

Ultimately, the 2050 RTP/SCS Unconstrained Transportation Network incorporated a “hybrid” transit scenario from the UATS, highway improvements to provide mobility for people and goods, local streets and roads improvements, bicycle projects within the regional network, rail grade separations, and other management strategies. In addition, all projects, programs, and services from the TransNet Extension Ordinance through 2048 were included in the Unconstrained Transportation Network.
Network. The Board of Directors accepted the Unconstrained Transportation Network for use in the development of the 2050 RTP/SCS in July 2010.

Development of the Regional Plan: Draft 2050 Unconstrained Transportation Network

SANDAG staff worked with staff from the Metropolitan Transit System, North County Transit District, and Caltrans to analyze potential modifications to the 2050 Unconstrained Transit and Highway Networks included in the 2050 RTP/SCS. An initial draft Unconstrained Transportation Network was shared with the Transportation and Regional Planning Committees on September 6, 2013. Based on input from Committee members, as well as additional feedback from SANDAG Working Groups, the tribal governments, and Community Based Organization partners, the initial draft Unconstrained Transportation Network was revised. Staff also conducted an analysis to confirm that the changes proposed for the Unconstrained Transportation Network would not cause any disparate impacts for the various racial or economic constituencies in the region.

Recommended Transit Network Modifications

The recommended modifications to the 2050 RTP/SCS Unconstrained Transportation Transit Network are as follows:

Deleted Route:

- SPRINTER extension to east Escondido (Route 399): Deleted due its redundancy with parallel streetcar service.

New Routes:

- Light Rail Transit (LRT) between University Town Center (UTC) and Carmel Valley: A new route from UTC (with connections to Mid-Coast LRT) to Carmel Valley via UTC-Campus Point and Sorrento Valley.

- Bus Rapid Transit (BRT) between the Iris Trolley Station and Otay Mesa East Port of Entry: A new BRT line via State Route 905 (SR 905), with stops at the Otay Mesa East Port of Entry, Otay Mesa Intermodal Transit Center (with connections to South Bay BRT), and the Iris Trolley Station.

- COASTER: Extend COASTER service south of Santa Fe Depot to National City.

Transportation and Regional Planning Committee members also expressed an interest in including first- and last-mile services to strengthen the connection to future planned regional transit routes. References also were made for the need for additional social service transportation throughout the region.

With the above proposed modifications, the draft Unconstrained Transit Network would include 60 routes and 1,016 miles of service, as summarized in Table 1. A map of the draft Unconstrained Transit Network is included as Attachment 1.
Table 1: Proposed Unconstrained Transit Network Mileage by Mode

<table>
<thead>
<tr>
<th>Mode*</th>
<th>Existing Miles</th>
<th>Additional Miles in Proposed Unconstrained Transportation Network</th>
<th>Total Existing and Proposed Unconstrained Transportation Network Miles</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commuter Rail/</td>
<td>41 miles (COASTER)</td>
<td>81 miles (HSR and commuter rail overlay service)</td>
<td>122 miles</td>
</tr>
<tr>
<td>High-Speed Rail (HSR)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Light Rail Transit (LRT)</td>
<td>86 miles (Trolley and SPRINTER)</td>
<td>234 miles</td>
<td>320 miles</td>
</tr>
<tr>
<td>Bus Rapid Transit (BRT)</td>
<td>None today</td>
<td>394 miles</td>
<td>394 miles</td>
</tr>
<tr>
<td>Rapid Bus</td>
<td>6 miles</td>
<td>273 miles</td>
<td>279 miles</td>
</tr>
<tr>
<td>Streetcar/Shuttle</td>
<td>None today</td>
<td>33 miles</td>
<td>33 miles</td>
</tr>
</tbody>
</table>

*Local and express routes not included

**Recommended Highway Network Modifications**

The 2050 RTP/SCS includes an extensive Managed Lanes system that provides flexibility in serving public transit and High Occupancy Vehicles (HOVs) by maximizing the available rights-of-way in several of the region’s major highway corridors. Since the development of the 2050 RTP/SCS Unconstrained Transportation Network, two major regional actions have taken place, which warrant consideration of potential changes to the Unconstrained Highway Network.

First, Caltrans and the Federal Highway Administration (FHWA) selected the Locally Preferred Alternative (LPA) for the Interstate 5 (I-5) North Coast Corridor on July 6, 2011. This LPA would improve the North Coast Corridor, providing four Express or Managed Lanes from north of the I-5/I-805 merge to Vandegrift Boulevard. The original Unconstrained Highway Network included both the four Managed Lanes and two additional general-purpose lanes in this corridor. The draft Unconstrained Transportation Network includes only the four Managed Lanes to ensure consistency with the Caltrans and FHWA action on the LPA for the North Coast Corridor.

Second, SANDAG acquired the State Route 125 (SR 125) toll road franchise on December 21, 2011. As part of this transaction, the TransNet Extension Ordinance was amended to swap the funds allocated for construction of two reversible HOV lanes on Interstate 805 (I-805) between SR 905 and State Route 54, for a portion of the acquisition costs for the SR 125 lease. Through reduced tolls, SR 125 was predicted to accommodate more traffic, relieving congestion on I-805 and reducing the need for some improvements on the I-805 south corridor (construction is under way on two carpool lanes – one in each direction – on I-805 along an eight-mile segment from East Palomar Street to State Route 94). The Board of Directors concluded that it was unnecessary to add the two additional reversible HOV lanes on I-805 that were included in the 2050 RTP/SCS. The Unconstrained Transportation Network has been updated to reflect this decision.

Finally, based on feedback received at the October 2, 2013, Tribal Transportation Working Group, operational improvements on State Route 76 between the Pala Reservation and State Route 79 were included in the draft Unconstrained Transportation Network.

A map of the draft Unconstrained Highway Network is included as Attachment 2.
Active Transportation Network

The San Diego Regional Bicycle Plan proposed a vision for a diverse regional bicycle system of interconnected bicycle corridors, support facilities, and programs to make bicycling more practical and desirable to a broader range of people in the San Diego region. Implementation of the San Diego Regional Bicycle Plan will help the region meet its goals in reducing greenhouse gas emissions and improve mobility. It also provides benefits to public health by encouraging more people to adopt a physically active mode of transportation for at least some of their trips. The Unconstrained Active Transportation Network includes the San Diego Regional Bicycle Network projects, Safe Routes to Transit projects, bicycle and pedestrian improvements at highway interchanges, and Safe Routes to School improvements.

Goods Movement

The draft Unconstrained Goods Movement Network consists primarily of dual-use road and truckway projects (serving cars and trucks) that comprise the backbone of the freight distribution system. The draft Unconstrained Goods Movement Network includes several maritime, rail, border, air cargo, and pipeline-related projects. A map of the draft Unconstrained Goods Movement Network is included as Attachment 3.

Local Streets and Roads

The draft Unconstrained Transportation Network also includes improvements to the local streets and roads, which are provided by the 18 cities and County. Local jurisdictions are scheduled to provide SANDAG with the planned improvements for these facilities by February 2014.

Intermodal Transportation Centers

The draft Unconstrained Transportation Network also includes improvements to major intermodal centers such as the Intermodal Transportation Center at the San Diego International Airport (Destination Lindbergh), the San Ysidro Intermodal Transit Center, a future Otay Mesa Intermodal Transit Center, and a future Otay Mesa East Port of Entry Transit Center.

Rail Grade Separations

Grade separation projects for the COASTER, SPRINTER, and Trolley corridors in the San Diego region will be incorporated into the Unconstrained Transportation Network, based on input from local jurisdictions and transit operators.

Transportation Demand Management

The Transportation Demand Management (TDM) Program at SANDAG, known as iCommute, provides sustainable and flexible transportation programs that reduce traffic congestion and help reduce greenhouse gas emissions and other environmental pollutants that result from driving alone. These programs include: vanpool, carpool, SchoolPool, Guaranteed Ride Home, telework, and bike programs, in addition to employer outreach, public education, and marketing. While transportation infrastructure, land use, and smart growth development patterns can take many years to implement, TDM strategies are cost-effective and can reduce pollutants and relieve congestion more immediately. Consequently, TDM programs are likely to play a larger role in
achieving the near-term goals of the Regional Plan and would be applied to any network that is developed.

**Transportation System Management**

Our existing transportation system already benefits from a major investment of resources over the past several decades. While the Regional Plan identifies additional infrastructure investments needed to meet future transportation needs, it is critical that the region also place an increased focus on Transportation System Management (TSM) within any network that may be developed. TSM is aimed at maximizing the efficiency of the facilities already in place while taking into account any emerging technologies on the horizon for future infrastructure investments to ensure maximum productivity and efficiency. TSM also aims at the development of multi-modal and multi-agency transportation management strategies in an effort to make the transit, arterial, and highway networks work together. Additional TSM strategies, as included in the recently developed Intelligent Transportation Systems Strategic Plan (such as signal and ramp metering coordination and optimization, improved performance monitoring and micro simulation, and advanced vehicle/roadside communication platforms), are aimed at providing our transportation partners with the ability to monitor, manage, and operate the transportation system as a unified and multi-modal network, enabling maximum throughput of the transportation systems and thus maximizing system efficiency and system productivity.

**Next Steps**

Following Board action on the Unconstrained Transportation Network, staff will prioritize projects in this network using the adopted transportation project evaluation criteria. Cost estimates for the draft Unconstrained Transportation Network are currently under development. Based on revenue projections, revenue constrained transportation network scenarios will be developed using this prioritized project list and other factors. The revenue constrained network scenarios will attempt to build and operate as much of the Unconstrained Transportation Network as possible, given revenue availability, flexibility, and project priorities. These scenarios will be evaluated using performance measures leading to the eventual selection of a preferred Revenue Constrained Network by the Board of Directors in 2014.

GARY L. GALLEGOS
Executive Director

Attachment(s): 1. Draft Unconstrained Transit Network
2. Draft Unconstrained Highway Network
3. Draft Unconstrained Goods Movement Network

Key Staff Contact: Phil Trom, (619) 699-7330, phil.trom@sandag.org
San Diego Region

MAP AREA

To Murrieta &
Temecula

To
Orange County &
Points North

Oceanside

Carlsbad

Encinitas

Del Mar

Solana Beach

To Murrieta & Points North

Imperial Beach

Lemon Grove

Lemon Grove

La Mesa

Santee

El Cajon

Escondido

Vista

San Marcos

Poway

San Diego

Coronado

National City

San Diego

County of San Diego

To
Tijuana, B.C.

UNITED STATES

MEXICO

National City

Camp Pendleton

San Diego

Chula Vista

Rancho Bernardo

La Jolla

SANDAG

2050

Unconstrained Transit Network

December 2013

High Speed Rail *

Commuter Rail

Light Rail Transit (LRT)

Express LRT

Bus Rapid Transit (BRT)

Peak Period BRT

Streetcar/Shuttle

Rapid Bus

Local Bus

* High Speed Rail alignment based on the California High Speed Rail Authority's 2005 Statewide Programmatic EIR/EIS preferred route.
The 2013 Binational Seminar, entitled “Moving the Border Forward: Competitiveness and Sustainability,” was held on June 4, 2013, at Caltrans District 11 offices. In addition to SANDAG, event sponsors included the Consulate General of Mexico in San Diego, City of Tijuana Metropolitan Planning Institute (IMPlan, in Spanish), Caltrans District 11, and the American Planners Association.

The Binational Seminar focused on the 20th anniversary of the signing of the North American Free Trade Agreement (NAFTA) and the 30th anniversary of the signing of the La Paz Agreement. The seminar was organized with the support of the Committee on Binational Regional Opportunities and attended by stakeholders and representatives from planning agencies, business, and academia from both sides of the U.S.-Mexico border. A “white paper” was prepared for the event containing an overview of NAFTA and the La Paz Agreement. It was intended to provide background and context for discussions regarding competitiveness, sustainability, and strategies to advance the future of our border region.

At its October 25, 2013, meeting, the Borders Committee recommended that the Board of Directors accept the recommendations described in this report (Attachment 1).

Discussion

The 2013 Binational Seminar is part of an ongoing effort that SANDAG initiated many years ago to work toward effective binational planning by strengthening our regional collaboration. Continuing along these lines, the purpose of the event was to seek input and discuss potential opportunities for collaboration to envision two regions that work, play, and thrive together. Its purpose also was to promote discussion on how our region can move forward in the context of NAFTA and the La Paz Agreement. The event placed emphasis on key accomplishments and challenges of these two border-related agreements and strategies to foster economic competitiveness and environmental sustainability in our crossborder region. It also explored the appropriate timing to move forward on future collaboration efforts.

SANDAG Chairman Jack Dale hosted the event, and State Senator Denise Moreno Ducheny (Ret.) moderated the discussions. The presentations began with Marney Cox, SANDAG Chief Economist,
setting the stage for a discussion on “Regional Competitiveness and Sustainability: NAFTA and the La Paz Agreement.” Mr. Cox gave an overview of the economic and employment benefits in the U.S. related to trade with Mexico as well as the challenges to continued binational economic growth in the region created by strained crossborder transportation systems. This briefing was followed by Dr. Walter Kemmsies, Chief Economist, Moffat & Nichol, whose presentation was entitled “Mexico, the Next Largest U.S. Trading Partner?” Referring to trends that underpin aggressive predictions for Mexico’s economic strength and competitiveness, Dr. Kemmsies highlighted potential opportunities for increased trade in our region. This presentation was followed by Dr. Paul Ganster, Institute for Regional Studies of the Californias at San Diego State University, who presented “The 1983 La Paz Agreement and the San Diego Border Region Environment.” Dr. Ganster outlined the structural evolution of the La Paz Agreement and subsequent border-related environmental programs established through NAFTA, the successes and challenges of these programs, and the most pressing environmental problems facing our region.

The second part of the event included two panels with participation from the audience. “Understanding Border Policy” included participation by Caridad Sanchez, Office of Senator Barbara Boxer; Katherine Field, Office of Senator Dianne Feinstein; Hon. David Pérez-Tejada, Congressman from Mexico; and Héctor Osuna-Jaime, former Mayor of Tijuana and Mexican Senator. This panel focused on legislative efforts and challenges in Mexico and the U.S. related to border policy, particularly advocating for border crossing infrastructure and fostering binational economic activity. The second panel was formed by Maria Elena Giner, General Manager of the Border Environment Cooperation Commission; Dr. Carlos de la Parra, El Colegio de la Frontera Norte; and Enrique Mier y Terán, Parque Industrial TecnoMex. This panel provided reflections on binational environmental projects and challenges in the region as well as what is needed to expand the competitiveness of the border region’s industrial sector. Both panels included roundtable and open discussion. Dr. Rick Van Schoik, North American Research Partnership, offered closing remarks. Dr. Van Schoik summarized the successes and challenges of NAFTA and provided suggestions for furthering binational collaboration on economic and environmental issues in our region. For further information, the 2013 Binational Seminar agenda, “white paper,” audio files, presentations, and summary are available on the SANDAG Web site (http://www.sandag.org/annualbinationalevent).

**Next Steps**

Should the Board of Directors approve the recommendations, staff will explore opportunities for implementation of these activities in conjunction with preparation of the FY 2015 Program Budget and Overall Work Program.

GARY L. GALLEGOS
Executive Director

Attachment: 1. 2013 Binational Seminar “Moving the Border Forward: Competitiveness and Sustainability” Recommendations from the Borders Committee

Key Staff Contact: Hector Vanegas, (619) 699-1972, hector.vanegas@sandag.org
June 4, 2013

Recommendations from the Borders Committee

1. Explore ways to make the San Diego – Tijuana Border Liaison Mechanism, which is led by the Consuls General of Mexico in San Diego and of the United States of America in Tijuana, become our region’s stakeholder voice for the United States-Mexico Partnership concerning the 21st Century Border Management.

2. Convene a forum to discuss elevating the issue of border crossing wait times to become a local, state, and national priority. In this forum, broaden the circle of participants to include staff from legislators’ offices and stakeholders from the private sector and business leaders.

3. Identify and support responsible agencies’ existing collaboration efforts for binational emergency and natural disaster response and preparedness, and encourage the development of additional joint binational action planning, where needed.
DISADVANTAGED BUSINESS ENTERPRISE
PROGRAM UPDATE

Introduction

SANDAG has an established Disadvantaged Business Enterprise (DBE) Program in accordance with the United States Department of Transportation (DOT) programs. The agency receives federal financial assistance from the DOT, and as a condition of receiving this assistance, is required to comply with the DBE regulations. Since SANDAG receives this funding directly from the Federal Transit Administration (FTA) and from the Federal Highway Administration (FHWA) through Caltrans, it has established and implements two distinct DBE programs: an FTA-assisted DBE Program and an FHWA-assisted DBE Program. In accordance with federal requirements, SANDAG adopts DBE goals covering a three-year period. Annual DBE Program updates are provided to the Board of Directors; this year’s report covers FFY 2013, which is the first year of the triennial reporting period. In addition, this report summarizes the results of an analysis of local hiring for construction contracts.

DBE Program Results for FFY 2013

As required by the DOT, SANDAG conducts annual reviews to account for changes that may warrant an adjustment to the overall goal or an adjustment to the DBE program based on changed circumstances to ensure the goal and the program as a whole are consistent with DOT regulations. The current SANDAG three-year triennial reporting period covers October 1, 2012, through September 30, 2015. The results of the FFY 2013 (October 1, 2012, through September 30, 2013) DBE Program are as follows:

<table>
<thead>
<tr>
<th>Federal Agency</th>
<th>Annual DBE Goal</th>
<th>Actual DBE Participation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal Transit Administration</td>
<td>6.5%</td>
<td>8.5%</td>
</tr>
<tr>
<td>Federal Highway Administration</td>
<td>6.6%</td>
<td>6.6%</td>
</tr>
</tbody>
</table>

Based on these results, it is not recommended that any adjustments be made to the DBE program or goals at this time.
Outreach to Small and Disadvantaged Businesses

SANDAG currently implements a number of programs that outreach to and encourage small and disadvantaged organizations to do business with the agency.

• Bench Program - In 2012, SANDAG implemented a unique and innovative program in conjunction with the procurement for On-Call Environmental Planning and Architectural and Engineering Design (A&E) services. The new “Bench” concept was developed to assist certified small and disadvantaged businesses in their efforts to participate in the new A&E contracts. The Bench is open to DBE firms and small businesses that provide a variety of professional A&E services and can serve as a pool of certified firms that prime consultants will be able to easily access to work on SANDAG projects. Future “benches” for construction management and various professional services are currently planned within the next fiscal year.

• Subcontracting Plan - For certain construction procurements, a Subcontracting Plan is the method used to define the subcontractor commitments. A Subcontracting Plan details subcontractor goals and/or dollar commitments along with small business certification type for each listed subcontractor. These plans also include methods of monitoring performance relative to the requirements of the plan. This is an effective tool for establishing accountability of prime contractors in regards to meeting small and disadvantaged business commitments.

• Outreach Events to Small and Disadvantaged Businesses - SANDAG hosts or participates in approximately 30 outreach and pre-bid events annually across the region, which are designed to communicate upcoming procurements to small and disadvantaged businesses. Approximately 60 percent of these events are in collaboration with one or more public agencies across the region. These events also are intended to promote teaming opportunities between prospective prime contractors and the DBE and small business contracting community.

Small Business Program

As a result of DOT requirements and SANDAG’s interest in increasing opportunities for small businesses, SANDAG has developed a program to encourage participation of these businesses on agency contracts. The program focuses on supporting qualified small businesses as prime contractors and subcontractors thus maintaining and contributing to the local economy.

In the first federal fiscal year of the triennial program (October 1, 2012, through September 30, 2013), actual participation by certified small businesses included:

<table>
<thead>
<tr>
<th>Small Business Program</th>
<th>Actual Small Business Participation¹</th>
</tr>
</thead>
<tbody>
<tr>
<td>DOT-Assisted Projects</td>
<td>5%</td>
</tr>
<tr>
<td>All projects (including DOT-Assisted, TransNet, Transit Capital, Other)</td>
<td>13%</td>
</tr>
</tbody>
</table>

¹ Participation rates based on payments made by SANDAG to certified small businesses.
Local Hiring for Construction Projects

At this time, SANDAG has 47 open construction contracts valued at approximately $281 million (including the TransNet Program, Transit Capital Program, and other capital projects). Of these 47 contracts, 98 percent were awarded to prime contractors that have an office within San Diego County. Further, there are 142 subcontracts executed under these primary contracts; of these, 79 percent were awarded to subcontractors that have an office within San Diego County.

<table>
<thead>
<tr>
<th>Contract Type</th>
<th>Total Open Contracts</th>
<th>Construction Contracts Awarded to Contractors with San Diego County Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prime Contracts</td>
<td>47</td>
<td>46</td>
</tr>
<tr>
<td>Subcontracts</td>
<td>142</td>
<td>112</td>
</tr>
</tbody>
</table>

As requested by the Board in September, a study was conducted to determine the percent of workers currently employed on SANDAG construction projects within the San Diego region. For the week ending November 2, 2013, 15 construction projects were active with a total of 399 workers that were employed. Of these workers, 74 percent live in San Diego County, 23 percent are from neighboring counties, and 3 percent were from counties outside the Southern California region or out of state. The breakdown of where each worker lives is shown in the chart below.

WORKER DATA

GARY L. GALLEGOS
Executive Director

Key Staff Contacts: Laura Coté, (619) 699-6947 laura.cote@sandag.org
Elaine Richardson, (619) 699-6956 elaine.richardson@sandag.org
Proposed Unconstrained Transportation Network
Board of Directors - December 20, 2013

San Diego Forward Unconstrained Transportation Network Development

TRANSPORT/RAIL  AIRPORT  BICYCLES/PEDESTRIAN  HIGHWAYS  GOODS MOVEMENT
Proposed Modifications

**Unconstrained Transit Network**

- New routes
  - LRT between UTC and Carmel Valley
  - BRT between Iris Trolley and Otay Mesa East
  - COASTER to National City

- Modified routes
  - SPRINT extension to east Escondido
  - Downtown to Kearny Mesa guideway

**Unconstrained Highway Network**

- I-5 North Coast (SR 56 to Vandegrift Blvd.)
- I-805 South (SR 905 to SR 54)
Unconstrained Active Transportation Network

- Regional Bicycle Network
- Safe Routes to Transit
- Bicycle/pedestrian improvements at freeway interchanges

Goods Movement Network

- Dual-use road and truckway projects
- Maritime, rail, border, air cargo, and pipeline projects
- Coordinate border freight projects with Mexico
Additional Multimodal Components

The Transportation and Regional Planning Committees recommend that the Board of Directors accept the draft Unconstrained Transportation Network for use in the development of San Diego Forward: The Regional Plan
2013 BINATIONAL SEMINAR
2013 BINATIONAL SEMINAR KEY REFLECTIONS

- Some issues are better resolved locally, while others rely on the actions of the federal government.
- We need to figure out a way to unite and effectively communicate the importance of border infrastructure and border-related economic activity.
- Challenges persist: pressing issues are water, emergency response, and air quality linked to border wait times.
- Border states need effective representation on federal mechanisms.

2013 BINATIONAL SEMINAR

NEXT STEPS

• Should the Board of Directors approve the recommendations, staff will explore opportunities for implementation of these activities in conjunction with preparation of the FY 2015 Program Budget and Overall Work Program.
RECOMMENDATION

The Borders Committee recommends that the Board of Directors accept the recommendations from the 2013 Binational Seminar.
Christmas Wish for SANDAG & Updated Climate Stabilization Requirement

Mike Bullock
Sierra Club San Diego Transportation Chair
mike_bullock@earthlink.net
760-754-8025
December 20, 2013 SANDAG Board Meeting
Agenda Item 2

...and Man will live forever more because of Christmas day
from “Mary’s Little Boy Child”, written in 1956 by Jester Hairston

For our purposes . . .
...and Man will live a million years because of Christmas day
The Climate Problem

Any Earth Science text book* contains the following facts:

- **Atmospheric CO2 traps heat**
  - CO2 Molecules absorb and then emit, in a random direction, infrared radiation, heat given off by the Earth’s surface
  - This effect is significant
- **Combustion of fossil fuels greatly increases our Earth’s levels of atmospheric CO2**
  - The amount of CO2 in the atmosphere is well known
  - Our yearly emissions are well known


How Bad Could it Get?

- **Scientific American** June 2008 issue
  - 550 PPM CO2 possible in several decades
  - This could (5% probability) lead to 8 Deg. Celsius of warming
  - 8 Deg. Celsius could lead to “a devastating collapse of the human population, perhaps even to extinction”
- December 24/31 2012 Issue of Nation magazine:

  A recent string of reports from impeccable mainstream institutions—the International Energy Agency, the World Bank, the accounting firm of PricewaterhouseCoopers—have warned that the Earth is on a trajectory to warm by at least 4 Degrees Celsius

  [4 Degrees Celsius] would be **incompatible with continued human survival.**

  *Winter, *UU World* magazine (p. 57) *Lags in the replacement of fossil-fuel use by clean energy use have put the world on a pace for 6 degree Celsius by the end of this century. Such a large temperature rise occurred 250 million years ago and extinguished 90 percent of the life on Earth. The current rise is of the same magnitude but is occurring faster. We must reduce or eliminate all uses of fossil fuels.*
Governor’s Executive Order S-3-05*

Slide 1 of 4

http://www.dot.ca.gov/hq/energy/ExecOrderS-3-05.htm

- Signed in 2005
- Greenhouse gas (GHG) Emission Trajectory
  - 2000 levels by 2010
  - 1990 levels by 2020**
  - 80% below 1990 levels by 2050
- Achieved by Plans & Status

* All Laws, Ballot Propositions, and Executive Orders in this paper are for the state of California

** AB 32 law mandate. Prop 23 (2010 ballot measure) would have suspended this.

Governor’s Executive Order S-3-05

California's S-3-05 C02_e Emissions, MMT Per Year

The world is currently above its trajectory. The world will need to get emissions below the trajectory to make up for this.
Governor’s Executive Order S-3-05  
Slide 3 of 4

• Designed to limit CO2 to 450 PPM, by 2050  
  – Requires other countries to achieve similar reductions  
  – Most developed countries have a similar plan  
  – 450 PPM must then be brought down to safe levels

\[
2050\text{ Level} = 2010\text{ Level} + f \times (\text{Area1} + \text{Area 2}) \\
\text{Area1} = \text{the Area under the S-3-05 trajectory from 2010 to 2020} \\
\text{Area2} = \text{the Area under the S-3-05 trajectory from 2020 to 2050} \\
f = \text{the fraction of emissions that go into the atmosphere} \\
1-f = \text{the fraction of emissions that go into the ocean}
\]

S-3-05 Achievement  
Temperature Change  (S-3-05 Slide 4 of 4)

• A **50% chance** that temp change stays below 2°C  
  – 2°C means  
    • Loss of 97% of Coral Reefs  
    • 1 to 3 Billion (of 7B) people experience water stress  
    • Elimination of summer ice at North Pole  
    • 58% unstable tundra

• **30% chance** of more than 3°C  
  – Exponentially worse than 2°C

James Hanson: Present level of CO2 “already in the dangerous zone” (385 PPM when written)
**Climate Data**

- Keeling Curve:

  **Atmospheric Carbon Dioxide**
  Measured at Mauna Loa, Hawaii

**Our Climate Crisis**


  **Temperature and CO₂ Records**

  - S-3-05’s goal is to cap CO₂ at 450 PPM
  - Current Level of CO₂ is 400 PPM

  **S-3-05 Achievement Outcomes**
  - X% chance > 4 (Extinction)
  - 30% chance > 3 (exponentially worse)
  - 50% chance > 2 (bad)
**Our Climate Crisis**

- Earth & Space Research (ESR) website: http://www.esr.org/outreach/climate_change/mans_impact/man1.html

*Current level = 400 PPM*

*S-3-05's Goal is to cap CO2 at 450 PPM, which is off this chart.*

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**BRIEF OF SCIENTISTS AMICUS GROUP AS AMICI CURIAE IN SUPPORT OF PLAINTIFFS-APPELLANTS SEEKING REVERSAL**

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USCA Case #13-5192 Document #1465822 Filed: 11/12/2013

**A. Parties and Amici.** Except for the following, all parties, intervenors, and amici appearing before the district court and in this Court are listed in the Brief for Plaintiffs-Appellants. **James Hansen**, David Beerling, Paul J. Hearty, Ove Hoegh-Guldberg, Pushker Kharecha, Valérie Masson-Delmotte, Camille Parmesan, Eelco Rohling, Makiko Sato, Pete Smith, and Lise Van Susteren are **amicus curiae** in this appeal (referred to hereinafter as “Amici Scientists.”).
From the Climate Scientists

From Page 21: . . . the required rate of emissions reduction would have been about 3.5% per year if reductions had started in 2005, while the required rate of reduction, if commenced in 2020, will be approximately 15% per year.

• My math:
  – 15% means a factor of 0.85, year after year
  – Consider the 10 years from 2020 to 2030
  – \((0.85)^{10}\) = .20, which is 80% down
  – Other articles, describing Hansen’s work: “decarbonization by 2030”

New Prescription for Climate Stabilization

California's S-3-05 CO2_e Emissions, MMT Per Year

Area 1 is the net CO2_e emitted from Year 2010 to 2020.
Area 2 is the net CO2_e emitted from Year 2020 to 2050.
80% Below 1990 Value by 2050
To Get the Reductions

GHG Reductions from Cars & Light-Duty Trucks to Support Climate Stabilization

In San Diego County, 41% of GHG emissions come from cars and light-duty trucks.

Less Driving Categories

Required Amount of Driving Reduction (35.1%)

Parking-lot earnings go to those for whom the parking is built

Less parking and road expansions are needed, saving $$

Government (Until transit is profitable)

Developers & Government

Great Transit

Great Land Use

Pricing