



**BOARD OF DIRECTORS
JANUARY 24, 2014**

**AGENDA ITEM NO. 14-01-1B
ACTION REQUESTED - APPROVE**

**BOARD OF DIRECTORS DISCUSSION AND ACTIONS
DECEMBER 20, 2013**

Chairman Jack Dale (Santee) called the meeting of the SANDAG Board of Directors to order at 9:03 a.m. The attendance sheet for the meeting is attached.

1. APPROVAL OF MEETING MINUTES

Action: Upon a motion by Mayor Mary Sessom (Lemon Grove) and a second by Councilmember Mike Woiwode (Coronado), the Board of Directors approved the minutes from the November 15, 2013, Board Business meeting. Yes – 15 (weighted vote, 95%). No – 0 (weighted vote, 0%). Abstain – San Marcos (weighted vote, 5%). Absent – San Diego, Solana Beach, and Vista.

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

First Vice Chair Jim Janney (Imperial Beach) announced that the SANDAG Board Retreat will be held January 29-31, 2014, at the Barona Resort. The draft agenda will be sent to the Board members for review.

Jack Shu, Cleveland National Forest Foundation (CNFF), spoke regarding regional transit and transportation issues.

Mike Bullock, Sierra Club, submitted written comments and spoke regarding climate change issues.

Andy Hanshaw, San Diego County Bicycle Coalition, presented an award proclaiming SANDAG as the Public Partner of the Year.

3. ACTIONS FROM POLICY ADVISORY COMMITTEES (APPROVE)

This item summarized 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 was asked to ratify the actions of the Policy Advisory Committees.

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

CONSENT (4 through 10)

4. MULTI-PARTY MEMORANDUM OF UNDERSTANDING FOR THE DESIGN AND CONSTRUCTION OF THE VIRGINIA AVENUE INTERMODAL TRANSIT CENTER (APPROVE)

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 was 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.

5. PROPOSED AMENDMENTS TO CONFLICT OF INTEREST CODE (APPROVE)

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 provided in an attachment to the staff report reflected updates to existing job titles and the addition of new positions to the list of designated positions. The Board of Directors was asked to approve the proposed amendments to the Conflict of Interest Code.

6. AUTHORIZATION FOR ACCESS TO STATE BOARD OF EQUALIZATION TAX RECORDS FOR SALES AND USE TAX AUDITING, RECOVERY, AND REPORTING SERVICES (APPROVE)

The Board of Directors was 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.

7. APPROVAL OF PROPOSED SOLICITATIONS AND CONTRACTS (APPROVE)

+7A. Approval of Professional Services Solicitations

The Board of Directors was 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 was 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 (APPROVE)

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 its Sustainable Communities Strategy adopted by MTC in September 2013. The Board of Directors was asked to authorize SANDAG to assist in preparing and filing an amicus brief, along with other interested agencies in support of MTC. The Board also was 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 (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.

10. 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.

With regard to Consent Agenda Item No. 8, Jack Shu, CNFF, spoke regarding the litigation between CNFF and SANDAG.

Action: Upon a motion by Mayor Ron Morrison (National City) and a second by Mayor Judy Ritter (Vista), the Board of Directors approved Consent Items Nos. 4 through 10. Yes – 18. No – 0. Abstain – 0. Absent – Solana Beach.

CHAIR'S REPORT (11 through 12)

11. ELECTION OF 2014 SANDAG BOARD OFFICERS (APPROVE)

The Nominating Committee recommended the slate of candidates for SANDAG Chair, First Vice Chair, and Second Vice Chair for calendar year 2014.

Mayor Morrison, Nominating Committee Chair, presented the item.

Action: Upon a motion by Mayor Morrison and a second by Councilmember Rebecca Jones (San Marcos), the Board of Directors elected the SANDAG Board Officers for 2014. Yes – 18 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent – Solana Beach.

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

Chairman Dale recognized retiring SANDAG Chief Deputy Executive Director Renée Wasmund for her service to SANDAG.

REPORTS (13 through 18)

13. RECOMMENDATIONS FROM THE 2013 BINATIONAL SEMINAR (ACCEPT)

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

Vice Mayor John Minto, Borders Committee Chair, introduced the item.

Hector Vanegas, Borders Program Manager, presented the item.

Action: Upon a motion by Interim Mayor Todd Gloria (City of San Diego) and a second by Supervisor Greg Cox (Chairman, County of San Diego), the Board of Directors accepted the recommendations from the 2013 Binational Seminar. Yes – 18 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent – Solana Beach.

14. PROPOSED 2014 LEGISLATIVE PROGRAM (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 recommended that the Board of Directors approve the 2014 SANDAG Legislative Program.

First Vice Chair Janney introduced the item.

Jaymie Bradford, Senior Legislative Analyst, presented the item.

Councilmember Jones made a motion to revise the priorities of Goal Nos. 2A, 4A, 6A, and 11B. Mayor Matt Hall (Carlsbad) seconded the motion.

Action: Upon a substitute motion by Mayor Sessom and a second by Councilmember Woiwode, the Board directed staff to bring this item to the Executive Committee for review of the proposed 2014 Legislative Program and consideration of the amendments proposed by Board members. Yes – 16 (weighted vote, 92%). No – Oceanside and San Marcos (weighted vote, 8%). Abstain – 0 (weighted vote, 0%). Absent – Solana Beach.

15. SAN DIEGO FORWARD: THE REGIONAL PLAN: PROPOSED UNCONSTRAINED TRANSPORTATION NETWORK (ACCEPT)

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, tribal governments, and Community Based Organization partners.

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

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

Phil Trom, Senior Regional Planner, presented the item.

Jack Shu, CNFF, spoke in opposition to this item.

Mike Bullock, Sierra Club, spoke in opposition to this item.

Action: Upon a motion by Interim Mayor Gloria and a second by Supervisor Horn, the Board of Directors accepted the staff recommendation for the draft Unconstrained Transportation Network for use in the development of San Diego Forward: The Regional Plan as it relates to the Interstate 5 North Coast Corridor. Yes – 15 (weighted vote, 84%). No – San Diego County B, El Cajon, National City, and San Marcos (weighted vote, 16%). Abstain – 0 (weighted vote, 0%). Absent – Solana Beach.

Action: Upon a motion by Interim Mayor Gloria and a second by Supervisor Horn, the Board of Directors accepted the balance of staff recommendation for the draft Unconstrained Transportation Network for use in the development of San Diego Forward: The Regional Plan. Yes – 18 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent – Solana Beach.

16. DISADVANTAGED BUSINESS ENTERPRISE PROGRAM UPDATE (INFORMATION)

Laura Coté, Director of Administration, presented an annual update on the agency's Disadvantaged Business Enterprise Program for federal fiscal year 2013. In addition, the report summarized the results of an analysis of local hiring for construction contracts.

Action: This item was presented for information.

Chairman Dale adjourned to closed session at 10:32 a.m.

17. CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8 – SORRENTO VALLEY DOUBLE TRACK PROJECT

SANDAG staff updated 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 included Bruce Smith, Senior Engineer; Gregory Rodriguez, Senior Legal Counsel; 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

The Board of Directors was 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.

Chairman Dale reconvened to open session at 10:55 a.m.

John Kirk, General Counsel, reported the following out of closed session: on Agenda Item No. 18, the Board was briefed, and upon a motion by Supervisor Cox and a second by Councilmember Jack Feller (Oceanside), the Board of Directors authorized denial of the late claim applications; on the balance of that item, the Board was informed; and on Agenda Item No. 17, the Board was briefed.

19. CONTINUED PUBLIC COMMENTS

Mike Bullock, Sierra Club, commented regarding the SANDAG nominating process for Board officers.

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

Chairman Dale adjourned the meeting at 10:58 a.m.

**ATTENDANCE
 SANDAG BOARD OF DIRECTORS MEETING
 DECEMBER 20, 2013**

JURISDICTION/ ORGANIZATION	NAME	ATTENDING OPEN SESSION	ATTENDING CLOSED SESSION	
			Item 17	Item 18
City of Carlsbad	Matt Hall (Primary)	Yes	Yes	Yes
City of Chula Vista	Cheryl Cox (Primary)	Yes	Yes	Yes
City of Coronado	Michael Woiwode (Primary)	Yes	No	Yes
City of Del Mar	Terry Sinnott (Primary)	Yes	Yes	Yes
City of El Cajon	Bill Wells (Alternate)	Yes	Yes	Yes
City of Encinitas	Lisa Shaffer (Primary)	Yes	Yes	Yes
City of Escondido	Sam Abed (Primary)	Yes	Yes	Yes
City of Imperial Beach	Jim Janney, 1st Vice Chair (Primary)	Yes	Yes	No
City of La Mesa	Art Madrid (Primary)	Yes	Yes	Yes
City of Lemon Grove	Mary Sessom (Primary)	Yes	No	No
City of National City	Ron Morrison (Primary)	Yes	Yes	Yes
City of Oceanside	Jack Feller (Primary)	Yes	Yes	Yes
City of Poway	Don Higginson, 2nd Vice Chair (Primary)	Yes	No	No
City of San Diego - A	Todd Gloria (Primary, Seat A)	Yes	Yes	No
City of San Diego - B	Marti Emerald (1st Alt.)	Yes	Yes	No
City of San Marcos	Rebecca Jones (2nd. Alt.)	Yes	Yes	Yes
City of Santee	Jack Dale, Chair (Primary)	Yes	Yes	No
City of Solana Beach	Lesia Heebner (Primary)	No	No	No
City of Vista	Judy Ritter (Primary)	Yes	No	No
County of San Diego - A	Greg Cox (Primary, Seat A)	Yes	Yes	Yes
County of San Diego - B	Bill Horn (Primary, Seat B)	Yes	No	No
Caltrans	Laurie Berman (1st. Alt.)	Yes		
MTS	Ron Roberts (Alternate)	Yes		
NCTD	Mark Packard (Primary)	No		
Imperial County	Sup. John Renison (Primary)	No		
US Dept. of Defense	CAPT Darius Banaji (Primary)	Yes		
SD Unified Port District	Bob Nelson (Alternate)	Yes		
SD County Water Authority	Tom Wornham (Primary)	Yes		
Mexico	Alberto Diaz (Alternate)	Yes		
Southern California Tribal Chairmen's Association	Allen Lawson (Primary)	Yes		