EXECUTIVE COMMITTEE
AGENDA

Friday, March 14, 2003
9:00 a.m.
SANDAG
401 B Street, 8th Floor
Conference Room A
San Diego, CA 92101

AGENDA HIGHLIGHTS

• DISCUSSION ON HOUSING LEGISLATION
  WITH SENATOR DUCHENY

• PRELIMINARY FY 2004 BUDGET

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, and provides information on a broad range of topics pertinent to the region’s quality of life.

San Diego Association of Governments  •  401 B Street, Suite 800, San Diego, CA 92101-4231
(619) 595-5300  •  Fax (619) 595-5305  •  www.sandag.org
Welcome to SANDAG. The regularly scheduled meeting of the San Diego Association of Governments Executive Committee has been called by its Chair for Friday, March 14, 2003, starting at 9 a.m. in the SANDAG offices, 401 B Street, Suite 800, Conference Room A, San Diego. The Executive Committee may take action on any item appearing on the agenda.

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EXECUTIVE COMMITTEE AGENDA
Friday, March 14, 2003

ITEM #

CONSENT

+1. AB 1866 (WRIGHT): SECOND DWELLING UNIT AND DENSITY BONUS LAW (Rebecca Davis)

On September 29, 2002, Governor Davis signed AB 1866 (Wright). This new law requires that when a local agency receives its first application for the construction of a second dwelling unit on or after July 1, 2003, that the application be considered ministerially without discretionary review or hearing. The Executive Committee requested additional information on this new law at its February 14 meeting.

PUBLIC COMMUNICATIONS/COMMENTS

2. Members of the public shall have the opportunity to address the Executive Committee on any issue within the jurisdiction of the Executive Committee. Anyone desiring to speak shall reserve time by filing a written request with the Clerk of the Executive Committee prior to speaking. Speakers are limited to three minutes.

REPORTS

+3. LEGISLATIVE UPDATE: SB 491 AND SB 492 (DUCHENY) – HOUSING BILLS (Susan Baldwin)

Senator Denise Ducheny, the author of SB 491 and SB 492, will attend the Executive Committee meeting to discuss the two bills. SB 491 proposes a six-month extension of the housing element due date for the San Diego region, from June 30, 2004 to December 31, 2004. SB 492 was introduced to provide a legislative vehicle to address issues related to SANDAG’s housing element self-certification pilot program. Ideas for strengthening the self-certification pilot program will be discussed, and interested parties will testify about the program.

+4. FY 2004 PRELIMINARY PROGRAM BUDGET (Leslie Campbell)

The Preliminary Program Budget is based upon the draft FY 2004 Overall Work Program (OWP) currently under review. Staff is requesting that the Executive Committee recommend adoption of the preliminary budget by the Board of Directors at their March meeting. The Committee will review the final OWP in April and the final budget in May. Staff also is requesting that the Executive Committee recommend approval to begin implementation by the Executive Directors of the proposed management organization for SANDAG as the consolidated agency.
<table>
<thead>
<tr>
<th>ITEM #</th>
<th>RECOMMENDATION</th>
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<tbody>
<tr>
<td>+5.</td>
<td>REVIEW OF DRAFT BOARD AGENDA FOR MARCH 28, 2003</td>
</tr>
</tbody>
</table>

GARY L. GALLEGOS  
Executive Director

+ next to an agenda item indicates an attachment
At the February 28, 2003 meeting, the Executive Committee requested information on AB 1866 (Wright) which, among other things, provides for the approval of second dwelling units. Existing second unit law allows the creation of second units in residential zones. Localities have considerable leeway to set their own standards governing second units if they adopt an ordinance. However, if localities do not have an ordinance in place, development standards (parking, etc.) are set by state law.

AB 1866, codified as Gov. Code Section 65852.2, provides that after July 1, 2003, the permit process for second units shall be ministerial, which means that jurisdictions cannot require a public hearing or discretionary approval of such units. The law requires that local governments implement a process for second units (like the process for obtaining a permit for a room addition, for example) in which the applicant is entitled to the permit if he or she complies with local standards.

To ensure their compliance with the provisions of AB 1866, local jurisdictions should, if necessary, amend their second unit ordinances to remove public hearing and/or discretionary approval requirements. Jurisdictions do not have to change or remove standards governing second units.

AB 1866 also makes several changes to density bonus law. Density bonus law allows developers to increase densities when they designate a percentage of their project for lower income or senior households. Changes include:

- Local governments may not apply development standards that make it impossible to develop housing at the density permitted by density bonus law;
- Local governments must grant the concession/incentive the applicant requests unless the locality finds that the concession/incentive is not needed to make the affordable housing feasible (or adversely impacts the environment, health and safety or historic resources);
- Moderate income condos are eligible for a density bonus; and
- Attorneys’ fees shall be provided to litigants in successful lawsuits against cities and counties that refuse to grant a requested density bonus, incentive, or concession as required by state law.

The California Department of Housing and Community Development (HCD) will be releasing a guide to the implementation of AB 1866 in May 2003. SANDAG will notify local jurisdictions as soon as it is available. Additionally, information on the implementation of this, and other recent housing-related legislation, will be included in the housing element of the Regional Comprehensive Plan.

GARY L. GALLEGOS
Executive Director

Key Staff Contact: Rebecca Davis 619-595-5344; rda@sandag.org
LEGISLATIVE UPDATE: SB 491 AND SB 492 (DUCHENY) – HOUSING BILLS

At SANDAG’s request, Senator Denise Ducheny has authored two housing element-related bills, SB 491 and SB 492, that were recently introduced in the state legislature. Senator Ducheny is attending today’s Executive Committee meeting to discuss the two bills.

SB 491 (Ducheny)

SB 491 proposes a six-month extension of the housing element due date for the San Diego region. The proposed extension would require that housing elements for the 2004-09 cycle be completed by December 31, 2004 instead of June 30, 2004. This extension will provide SANDAG with additional time to complete and obtain agreement on its housing needs determination and allocation process, and to improve the link between this work and the preparation of the Regional Comprehensive Plan.

SANDAG staff is working with the recently formed Regional Housing Needs Working Group, which consists of members of the Regional Planning Technical Working Group (planning directors) and Regional Housing Task Force, on this process. The group started its work in October; we anticipate completing a draft housing needs determination and allocation by June. The regional share goals and methodology will be presented to various SANDAG committees before requesting that the Board distribute them for a 90-day public review in June.

SB 492 (Ducheny)

SB 492 was introduced by Senator Ducheny as a legislative vehicle to address issues related to SANDAG’s housing element self-certification pilot program. In February, the Executive Committee directed SANDAG to pursue legislation to extend the sunset date for the pilot program, and to grant full eligibility for all state funds and programs to jurisdictions that self-certify their housing elements. The bill does not, yet, contain language that would make these changes.

The focus of today’s discussion will be on the housing element self-certification pilot program. During its February meeting, the Executive Committee discussed ideas on how to strengthen the self-certification program. Based on the Committee’s discussion the changes being proposed to state law that relate to the pilot program include the extension of the program’s sunset date, full eligibility for all state funds and programs for self-certifying jurisdictions, tying the pilot program to the approval of the Regional Comprehensive Plan, and improved monitoring of progress toward meeting self-certification goals.
SANDAG will be working with the Regional Housing Needs Working Group on the development of affordable housing goals for the 2004-09 housing element as part of the Regional Comprehensive Plan and for use by local jurisdictions who wish to self-certify their housing elements that are due in 2009 (assuming the extension of the pilot program). The timeframe for developing these goals is June – October, 2003. These goals are focused on the production of affordable housing.

The regional housing needs determination and allocation process, and the affordable housing goals, will be key components of the housing chapter of the Regional Comprehensive Plan.

Copies of SB 491 and SB 492 are attached (Attachments 1 and 2), as is a revised table showing housing construction in the San Diego region from 1990-2001 (Attachment 3, requested at the February meeting).

GARY L. GALLEGOS
Executive Director

Attachments (3)

Key Staff Contact: Susan Baldwin; (619) 595-5343; sba@sandag.org
Attachments 1 and 2 to Agenda Report No. 3 can be obtained by contacting the SANDAG Public Information Office at (619) 595-5347.
### Table 2
NET INCREASE IN HOUSING UNITS
By Jurisdiction, 1990-2001

<table>
<thead>
<tr>
<th></th>
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<td>131</td>
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<td>1,551</td>
<td>1,759</td>
<td>1,929</td>
<td>10,202</td>
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<td>Chula Vista</td>
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<td>670</td>
<td>713</td>
<td>512</td>
<td>714</td>
<td>931</td>
<td>817</td>
<td>985</td>
<td>1,095</td>
<td>1,989</td>
<td>2,010</td>
<td>2,935</td>
<td>15,243</td>
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<td>26</td>
<td>18</td>
<td>30</td>
<td>7</td>
<td>25</td>
<td>33</td>
<td>433</td>
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<td>7</td>
<td>6</td>
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<td>74</td>
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<td>22</td>
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<td>97</td>
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<td>421</td>
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<td>109</td>
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<td>12</td>
<td>9</td>
<td>15</td>
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<td>10</td>
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<td>5</td>
<td>11</td>
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<td>17</td>
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<td>12</td>
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<td>0</td>
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<td>1,081</td>
<td>885</td>
<td>496</td>
<td>589</td>
<td>459</td>
<td>649</td>
<td>697</td>
<td>875</td>
<td>510</td>
<td>534</td>
<td>850</td>
<td>9,616</td>
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<td>218</td>
<td>167</td>
<td>121</td>
<td>89</td>
<td>56</td>
<td>116</td>
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<td>260</td>
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<td>129</td>
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<td>1,850</td>
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<td>San Diego</td>
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<td>4,860</td>
<td>4,570</td>
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<td>2,912</td>
<td>2,233</td>
<td>2,394</td>
<td>3,362</td>
<td>5,646</td>
<td>4,904</td>
<td>2,447</td>
<td>3,952</td>
<td>47,414</td>
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<td>San Marcos</td>
<td>569</td>
<td>600</td>
<td>345</td>
<td>355</td>
<td>494</td>
<td>335</td>
<td>224</td>
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<td>462</td>
<td>714</td>
<td>1,000</td>
<td>5,627</td>
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<td>Santee</td>
<td>63</td>
<td>84</td>
<td>65</td>
<td>14</td>
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<td>366</td>
<td>140</td>
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<td>90</td>
<td>143</td>
<td>5</td>
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<td>Solana Beach</td>
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<td>16</td>
<td>8</td>
<td>4</td>
<td>11</td>
<td>6</td>
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<td>33</td>
<td>40</td>
<td>11</td>
<td>214</td>
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<tr>
<td>Vista</td>
<td>806</td>
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<td>270</td>
<td>209</td>
<td>34</td>
<td>126</td>
<td>80</td>
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<td>205</td>
<td>178</td>
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<td>158</td>
<td>2,625</td>
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<td>Unincorporated</td>
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<td>3,290</td>
<td>955</td>
<td>667</td>
<td>986</td>
<td>621</td>
<td>663</td>
<td>1,309</td>
<td>761</td>
<td>2,149</td>
<td>1,452</td>
<td>1,374</td>
<td>17,008</td>
</tr>
</tbody>
</table>

**REGION**

|               | 17,460| 12,486| 8,881| 6,280| 6,622| 6,381| 6,430| 8,214| 11,361| 12,947| 9,761| 12,956| 119,779 |

Sources: SANDAG, local jurisdiction Building Departments, California Department of Finance

Note: Data for 2002 is not yet available.
FY 2004 PRELIMINARY PROGRAM BUDGET

Introduction

This Draft Preliminary Program Budget is based upon management’s estimates of the resources necessary and revenues available to carry out the work described in the Draft FY 2004 Overall Work Program (OWP). The Board of Directors approved the distribution of the draft OWP for federal, state, and local review and comment at their meeting of February 28, 2003.

Section 1, Article VI of SANDAG’s Interim Bylaws requires that the Board of Directors approve a preliminary program budget prior to April 1 each year.

It is my

RECOMMENDATION

1. That the Executive Committee recommend that the Board of Directors of the San Diego Association of Governments adopt this FY 2004 Preliminary Program Budget, including the budget for the San Diego County Regional Transportation Commission, as the preliminary expenditure plan to carry forward the regional planning program for FY 2004 and that the Executive Committee continue their review of the draft FY 2004 Overall Work Program and Preliminary Budget in order to provide further guidance to the Board of Directors; and

2. That the Executive Committee recommend that the Board of Directors of the San Diego Association of Governments approve the implementation of the proposed management organization (attached) for the consolidated agency by the Executive Director.

Budget Overview

This FY 2004 Preliminary Program Budget projects available revenues, including reserves and TransNet program sales tax revenues, to be $263,624,402. This projected funding level, including $4.5 million for transit planning and programming responsibilities being consolidated as part of SB 1703, represents a 1% increase from the current actual FY 2003 SANDAG and TransNet Program Budgets. Without these funds, SANDAG would have shown a 1% decrease overall. As we continue to implement the initial transition plan, changes will be made for the Final Program Budget scheduled for the May Executive Committee meeting. Later this year, the Final FY 2004 Program Budget will need to be amended to reflect the subsequent transfer of project development and construction functions by the end of January 2004.
Of the $263 million, $240 million, or 92%, are funds that will be passed through to other governmental agencies, such as the TransNet sales tax funded program or funds contracted out for transportation demand management, intelligent transportation system projects, the I-15 value pricing and managed lane extension study projects, and the Freeway Service Patrol.

A summary of the projected funding, including carryover, by major revenue source is as follows:

<table>
<thead>
<tr>
<th>Revenue Summary</th>
<th>Amended FY 2003</th>
<th>Amended % of Total</th>
<th>Preliminary FY 2004</th>
<th>Preliminary % of Total</th>
</tr>
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<tbody>
<tr>
<td>Federal Grants</td>
<td>$28,264,794</td>
<td>11%</td>
<td>$20,182,952</td>
<td>8%</td>
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<tr>
<td>State Grants &amp; Subventions</td>
<td>20,858,187</td>
<td>8%</td>
<td>17,746,784</td>
<td>7%</td>
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<tr>
<td>TransNet Sales Tax</td>
<td>200,590,000</td>
<td>77%</td>
<td>211,265,169</td>
<td>82%</td>
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<td>Member Agency Assessments</td>
<td>547,425</td>
<td>&lt;1%</td>
<td>547,425</td>
<td>&lt;1%</td>
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<tr>
<td>Other Local Funds</td>
<td>5,001,939</td>
<td>2%</td>
<td>3,775,300</td>
<td>1%</td>
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<td>Services to Other Agencies</td>
<td>915,206</td>
<td>&lt;1%</td>
<td>605,000</td>
<td>&lt;1%</td>
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<tr>
<td>Interest &amp; Reserves</td>
<td>5,211,800</td>
<td>2%</td>
<td>4,973,545</td>
<td>2%</td>
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<tr>
<td>Total Estimated Revenues</td>
<td>$261,389,351</td>
<td>100%</td>
<td>$259,096,175</td>
<td>100%</td>
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<tr>
<td>Transit Estimated Revenues</td>
<td></td>
<td></td>
<td>4,528,228</td>
<td></td>
</tr>
<tr>
<td>Total Initial Consolidation Revenues</td>
<td>$263,624,402</td>
<td></td>
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</table>

Member Agency Assessment and Criminal Justice Clearinghouse Funding

Last year, the Board of Directors approved an increase to the Member Agency Assessment of $38,700 to cover the increase in meeting costs, with two Board meetings per month and the creation of two new Policy Advisory Committees. This year Board and Policy Advisory Committee costs have increased with the increase in the stipends, the increased number of voting members on the Policy Advisory Committees, and increased participation in the committee meetings. In accordance with federal and state grant restrictions, the costs of both the Board of Directors and any Policy Advisory Committees cannot be charged to any federal or state funds and must be covered by local funds. However, because of the severe budget constraints experienced by member agencies, SANDAG is endeavoring to balance the budget without imposing an increase in FY 2004. This is being done for next year through the use of TransNet Administration funds and Member Agency Assessment funds.

Two years ago, based upon Budget Committee recommendation, the Board agreed to phase in an increase over three years of the base funding necessary to carry out the functions of the Criminal Justice Clearinghouse to $200,000. In FY 2002, funding was increased $50,000, from $85,000 to $135,000, with the County of San Diego agreeing to fund this increase. For FY 2003, an additional increase of $35,000 shared by each of the cities was accepted. Again, because of the severe budget constraints by our member agencies, SANDAG will forego an increase in FY 2004, with the Criminal Justice Assessment remaining at $170,000.

Consolidation

This OWP includes the consolidated planning projects accompanied by the staff performing the work. The write-ups include the planning and programming work of the transit agencies being transferred as part of the initial consolidation. The tables for Program Revenues and Program Expenditures shown in
the Preliminary Program Budget keep the funds separate. This lays a clear trail of the funds until SANDAG assumes “ownership” of the grants prior to July 1, 2003.

Staff Compensation: Salaries & Wages and Benefits

SB 1703 guarantees that consolidated employees will not experience any loss in salary or benefits. However, benefits differ widely from agency to agency. To bring every benefit up to the highest denominator would mean huge increases in the overall package. The language in the bill says that the benefits must be substantially the same, so work is progressing on pricing out various benefits and melding a package that gives overall equity while paying attention to the bottom line.

Proposed Management Organization

The attached management organization chart lays out the proposed management organization to address the new responsibilities and functions of SANDAG, as the new consolidated agency. This proposed management organization takes into account both the initial transfer of planning and programming functions from MTDB and NCTD, and the subsequent transfer of project development and construction responsibilities.

These management positions will be filled by three methods: (1) direct appointment of a staff member from SANDAG, MTDB, or NCTD to a position; (2) competition among the staff from the three agencies; and (3) open competition.

Additional costs for these positions are being minimized by filling some of these positions with staff that already exists at the three agencies, and through reorganization of vacated positions under the proposed management structure.

The final OWP will be reviewed by the Executive Committee in April, with the final Program Budget coming to the Committee in May.

GARY L. GALLEGOS
Executive Director

Attachment and Enclosure

Key Staff Contact: Leslie Campbell, (619) 595-5340; lca@sandag.org
Attachments and enclosure to Agenda Report No. 4 can be obtained by contacting the SANDAG Public Information Office at (619) 595-5347.
REVIEW OF DRAFT BOARD AGENDA FOR MARCH 28, 2003

ITEM #

#1. MINUTES OF THE FEBRUARY 28, 2003 BOARD MEETING

#2. ADDITIONS AND DELETIONS

CONSENT ITEMS (3 through ---)

The Board of Directors will take action on the consent agenda without further discussion and with one vote unless an item is pulled by a Board member or by a member of the public for comment.

#3. DISCUSSIONS AND ACTIONS FROM POLICY ADVISORY COMMITTEES

A. EXECUTIVE COMMITTEE MEETING (March 14, 2003)

B. TRANSPORTATION COMMITTEE MEETING (March 21, 2003)
   (This report will be faxed to all Board members by 3/25/03)

C. REGIONAL PLANNING COMMITTEE MEETING (March 7, 2003)

D. BORDERS COMMITTEE MEETING (March 21, 2003)
   (This report will be faxed to all Board members by 3/25/03)

#4. LOCAL TECHNICAL ASSISTANCE PROGRAM (LTA) PROJECTS REQUIRING MORE THAN $1,000 OR THREE DAYS STAFF TIME (Jeff Tayman)

#5. REPORT FROM CONFERENCES

A. REPORT ON AMERICAN PUBLIC TRANSPORTATION ASSOCIATION (APTA) CONFERENCE (Gary L. Gallegos)

B. REPORT ON NATIONAL ASSOCIATION OF REGIONAL COUNCILS (NARC) CONFERENCE (Julie Wiley)

C. REPORT ON ASSOCIATION OF METROPOLITAN PLANNING ORGANIZATIONS (AMPO) CONFERENCE (Debra Greenfield)

6. PROGRESS REPORT ON TRANSPORTATION PROJECTS (Jose Nuncio)

7.
PUBLIC COMMENTS/COMMUNICATIONS

#8. Members of the public shall have the opportunity to address the Board on any issue within the jurisdiction of SANDAG. Anyone desiring to speak shall reserve time by filing a written request with the Clerk of the Board prior to speaking. Speakers are limited to three minutes.

CHAIR’S REPORT

9. SR 125 RIBBON CUTTING

10. REPORTS

#11. LEGISLATIVE UPDATE: AB 361 (KEHOE) – CONSOLIDATED TRANSPORTATION AGENCY (Debra Greenfield)

#12. MOBILITY 2030: REGIONAL TRANSPORTATION PLAN, AIR QUALITY CONFORMITY DETERMINATION, AND FINAL ENVIRONMENTAL IMPACT REPORT (Joe Kellejian, Chair, Transportation Committee; Kim Kawada; SANDAG Staff)

#13. MULTIPLE HABITAT CONSERVATION PROGRAM (MHCP) – FINAL PLAN AND FINAL ENVIRONMENTAL IMPACT STATEMENT/ENVIRONMENTAL IMPACT REPORT (EIS/EIR) (Colleen O’Harra, Chair, MHCP Advisory Committee; Janet Fairbanks, SANDAG Staff)

#14. 2002 RTIP AMENDMENT NO. 6 – VARIOUS PROJECTS (Sookyung Kim)

#15. FY 2004 PRELIMINARY PROGRAM BUDGET (Leslie Campbell)

16. PROGRESS REPORT ON THE REGIONAL COMPREHENSIVE PLAN (RCP) (Lori Holt Pfeiler, Chair, and Patty Davis, Vice Chair, of the Regional Planning Committee)

Note: The April Policy Development Board meeting is scheduled for Friday, April 11. The proposed topic is Fiscal Reform. The April Business meeting of the Board of Directors is scheduled for Friday, April 25.

ADJOURNMENT

GARY L. GALLEGOS
Executive Director

# Items are on the agenda based upon Board policy, based on previous requests by the Board, recommendations from Policy Committees, or because of program requirements.