EXECUTIVE COMMITTEE AGENDA

Friday, June 14, 2013
9 to 10 a.m.
SANDAG, 7th Floor Conference Room
401 B Street
San Diego

AGENDA HIGHLIGHTS

• UNIVERSITY OF CALIFORNIA, SAN DIEGO SUPERCOMPUTER CENTER AGREEMENT

• ANNUAL REVIEW OF COMMITTEES AND WORKING GROUPS

• LEGISLATIVE STATUS REPORT

PLEASE TURN OFF CELL PHONES DURING THE MEETING

MISSION STATEMENT

The 18 cities and county government are SANDAG serving as the forum for regional decision-making. SANDAG builds consensus, makes strategic plans, obtains and allocates resources, plans, engineers, and builds public transit, and provides information on a broad range of topics pertinent to the region’s quality of life.

San Diego Association of Governments · 401 B Street, Suite 800, San Diego, CA 92101-4231
(619) 699-1900 · Fax (619) 699-1905 · www.sandag.org
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EXECUTIVE COMMITTEE  
Friday, June 14, 2013

ITEM #  RECOMMENDATION
+1. APPROVAL OF MAY 10, 2013, MEETING MINUTES  APPROVE

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

Public comments under this agenda item will be limited to five public speakers. Members of the public shall have the opportunity to address the Executive Committee on any issue within the jurisdiction of the Committee 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 prior to speaking. Public speakers should notify the Clerk if they have a handout for distribution to Committee members. Public speakers are limited to three minutes or less per person. Committee members also may provide information and announcements under this agenda item.

REPORTS (3 through 7)

+3. NOTICING OF CLOSED SESSION ITEMS (John Kirk)  DISCUSSION/POSSIBLE ACTION

Staff will provide an update on the noticing of closed session items on SANDAG Board Agendas.

+4. UNIVERSITY OF CALIFORNIA, SAN DIEGO SUPERCOMPUTER CENTER AGREEMENT (Clint Daniels)  RECOMMEND

Staff proposes a one-year pilot program with the University of California, San Diego (UCSD) Supercomputer Center (Center) to use its supercomputers to run the Activity-Based Model (ABM) for SANDAG project work. This pilot program would test the feasibility of using the Center on an ongoing basis to improve model runtimes and reduce computer infrastructure costs at SANDAG. The Executive Committee is asked to recommend that the Board of Directors authorize the Executive Director to execute the UCSD Service Agreement in substantially the same form as attached to the report for this and future agreements with UCSD related to ABM deployment.

+5. ANNUAL REVIEW OF COMMITTEES AND WORKING GROUPS  DISCUSSION/POSSIBLE ACTION

(Victoria Stackwick)

As required by Board Policy, an annual review of all existing SANDAG committees and working groups has been conducted to determine whether they should continue and/or if any of their responsibilities need to be modified. The Executive Committee is asked to discuss whether certain committees and working groups described in the report should continue.
6. LEGISLATIVE STATUS REPORT (Jaymie Bradford) INFORMATION

Periodic status reports on legislative activities are reported to the Executive Committee throughout the year. This report provides a summary of the various state activities.

7. REVIEW OF DRAFT BOARD AGENDAS (Renée Wasmund) APPROVE

A. JUNE 28, 2013, DRAFT BOARD BUSINESS AGENDA
B. JULY 12, 2013, DRAFT BOARD POLICY AGENDA

8. 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.

9. UPCOMING MEETINGS INFORMATION

The next meeting of the Executive Committee is scheduled for Friday, July 12, 2013, at 9 a.m.

10. ADJOURNMENT

+ next to an agenda item indicates an attachment
EXECUTIVE COMMITTEE DISCUSSION AND ACTIONS
MAY 10, 2013

Chairman Jack Dale (East County) called the meeting of the SANDAG Executive Committee to order at 9:01 a.m. The attendance sheet for the meeting is attached.

1. APPROVAL OF THE APRIL 12, 2013, MEETING MINUTES

   Action: Upon a motion by Supervisor Bill Horn (County of San Diego) and a second by First Vice Chair Jim Janney (South County), the minutes of the April 12, 2013, Executive Committee meeting were unanimously approved.

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

   There were no public comments.

REPORTS (3 through 6)

3. PROPOSED FY 2014 PROGRAM BUDGET (RECOMMEND)

   SANDAG Bylaws require the Board of Directors to adopt a final budget by June 30 of each year. The proposed FY 2014 Budget includes the Overall Work Program, Capital Improvement Program, Regional Operations, TransNet Program, and Administrative and Board budgets.

   André Douzdjian, Finance Director, presented the item.

   Action: Upon a motion by Supervisor Horn and a second by First Vice Chair Janney, the Executive Committee recommended that the Board of Directors approve Resolution No. 2013-24, adopting the proposed FY 2014 Program Budget. Mayor Bob Filner (City of San Diego) opposed.

4. REVIEW OF DRAFT BOARD AGENDAS (APPROVE)

   John Kirk, General Counsel, provided an oral report on options for noticing of closed session items. Chairman Dale directed staff to add this item to the June 14, 2013, Executive Committee Agenda.

   A. MAY 24, 2013, DRAFT BOARD BUSINESS AGENDA

      Renée Wasmund, Chief Deputy Executive Director, presented the item and proposed adding a closed session item to the agenda.
Action: Upon a motion by First Vice Chair Janney and a second by Supervisor Horn, the Executive Committee approved the May 24, 2013, Draft Board Agenda, as amended. Mayor Filner abstained.

B. JUNE 14, 2013, DRAFT BOARD POLICY AGENDA

Renée Wasmund, Chief Deputy Executive Director, presented the item.

Action: Upon a motion by Supervisor Horn and a second by First Vice Chair Janney, the Executive Committee approved the June 14, 2013, Draft Board Agenda. Mayor Filner abstained.

5. PROPOSED AMENDMENTS TO BOARD POLICY NO. 018: REGIONAL TRANSIT SERVICE PLANNING AND IMPLEMENTATION (DISCUSSION/POSSIBLE ACTION)

The Federal Transit Administration issued new Title VI and Environmental Justice Circulars in the second half of 2012. The Executive Committee was asked to discuss the ridership data that was requested at its April meeting, and either recommend that the Board of Directors approve the proposed amendments to Board Policy No. 018, or direct staff to make changes to the amendments so that they can be brought back to the Executive Committee on June 14, 2013, for a recommendation.

Julie Wiley, Special Counsel, presented the item and the ridership data by fare type.

Dave Schumacher, Principal Regional Planner, presented various examples on how the Title VI analysis would be applied to hypothetical fare changes.

Action: Upon a motion by Supervisor Horn and a second by Second Vice Chair Don Higginson (North County Inland), the Executive Committee recommended that the Board of Directors approve the proposed amendments to Board Policy No. 018, and directed staff to provide, in future reports, on potential fare changes the absolute numbers of affected passengers as well as the Title VI percentage impact.

6. FEDERAL LEGISLATIVE STATUS REPORT (INFORMATION)

Periodic status reports on legislative activities are reported to the Executive Committee throughout the year.

Victoria Stackwick, Senior Legislative Analyst, provided a summary of the various federal activities.

Action: This item was presented for information.

7. CONTINUED PUBLIC COMMENTS

There were no continued public comments.
8. **UPCOMING MEETINGS**

The next meeting of the Executive Committee is scheduled for Friday, June 14, 2013, at 9 a.m.

9. **ADJOURNMENT**

Chairman Dale adjourned the meeting at 9:51 a.m.

Attachment: Attendance sheet
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<th>GEOGRAPHICAL AREA</th>
<th>JURISDICTION</th>
<th>NAME</th>
<th>PRIMARY/ALTERNATE</th>
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<td></td>
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NOTICING OF CLOSED SESSION ITEMS

**Introduction**

The Ralph M. Brown Act (Brown Act) is a series of laws set forth in the California Government Code that guarantees the public’s right to attend and participate in meetings of local legislative bodies. An exception to the “open meeting” mandate is provided by the Brown Act for particular subject areas where “closed session” meetings are allowed under specified circumstances and procedures. Notice of closed session meetings are required to be provided in the legislative body's meeting agenda, with model noticing language provided by the Brown Act for each of the particular statutory circumstances where a closed session is allowed.

As provided in Government Code 54954.5, “For purposes of describing closed session items . . . the agenda may describe closed sessions as provided below. No legislative body or elected official shall be in violation of (the Brown Act) if the closed session items were described in substantial compliance with this section. Substantial compliance is satisfied by including the information provided below, irrespective of its format.” Section 54956.9 then provides model language for each closed session scenario. A legislative body may elect to provide more information in its closed session agendas than that provided by the model language, mindful of the confidentiality issues that may be impacted. Staff will brief the Executive Committee on potential revisions to the SANDAG closed session agenda format that would not adversely impact confidentiality issues or otherwise work to the detriment of SANDAG.

**Discussion**

While the Brown Act allows for closed session meetings under numerous circumstances, the vast majority of SANDAG closed session meetings deal with either real property negotiations or with issues involving claims or litigation.

**Real Property Negotiations**

Government Code 54956.8 provides that “a legislative body of a local agency may hold a closed session with its negotiator prior to the purchase, sale, exchange, or lease of real property by or for the local agency to grant authority to its negotiator regarding the price and terms of payment for the purchase, sale, exchange, or lease.” The Brown Act's model language for real property negotiation closed sessions calls for the following categories of information to be provided in the agenda: property location, agency negotiators, property owner, and scope of negotiation.

The following is an example of a real property closed session agenda notice incorporating the model language:
CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8 – (Laura Coté, Marney Cox, and Walter Spath)

The Board of Directors will be briefed by the SANDAG real property negotiator team on the status of negotiations with the Irvine Company regarding the price and terms of payment of a potential lease extension at the Wells Fargo Building located at 401 B Street, San Diego, California.

No change is proposed to the manner in which real property negotiation items are noticed. The Brown Act’s model language provides substantial information in this instance, allowing a potential property owner to address the Board in advance of the closed session meeting.

**Conference with Legal Counsel – Existing Litigation**

Government Code 54956.9(a) provides that “Nothing in this chapter shall be construed to prevent a legislative body of a local agency, based on advice of its legal counsel, from holding a closed session to confer with, or receive advice from, its legal counsel regarding pending litigation when discussion in open session concerning those matters would prejudice the position of the local agency in the litigation.”

The phrase “pending litigation” is further defined to include various circumstances, including when “Litigation, to which the local agency is a party, has been initiated formally.” (Government Code 54956.9(d)(2)). The model agenda language for existing litigation closed session meetings calls for provision of the name of the case to be discussed, reference to the names of the parties to the case and the case number, or a statement that the case name is not provided because doing so would jeopardize service or process or existing settlement discussions.

The following is an example of an existing litigation closed session agenda notice incorporating only the model language:

CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(1) – JOHN SMITH CONTRACTORS, INC. v. SAN DIEGO ASSOCIATION OF GOVERNMENTS (SAN DIEGO SUPERIOR COURT CASE NO. 37-2013-00101965-CU-EI-CTL)

As a potential option, additional language could be added to the agenda paragraph providing a brief description of the litigation since that information is already a matter of public record. In the above example, the additional language may state: “The Board of Directors will be briefed on the status of the referenced litigation regarding a breach of contract claim on the Crosstown Transit Project.”

**Conference with Legal Counsel – Exposure to Litigation Prior to Claim**

Pursuant to Government Code Section 54956.9(d)(2), a legislative body of a local agency also may meet in closed session when, “based on existing facts and circumstances, there is a significant exposure to litigation against the local agency.” (Government Code 54956.9(d)(2)). The “facts and circumstances” forming the basis for such a closed session include “an accident, disaster, incident, or transactional occurrence that might result in litigation against the agency and that are known to a potential plaintiff or plaintiffs, which facts or circumstances shall be publicly stated on the agenda or announced.” (Government Code 54956.2(e)(2)).
The model agenda language for anticipated litigation closed session meetings calls for identification of the closed session as “Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: (Specify number of potential cases)”. Additionally, the facts and circumstances serving as the basis for the closed session must be either orally stated on the record prior to the closed session briefing or made a part of the written agenda.

As a potential option, rather than stating the relevant facts and circumstances orally in the meeting prior to the closed session, those facts and circumstances could be regularly made a part of the written agenda following the model agenda language to provide greater advance notice to the affected parties. The following would be an example of the expanded language:

CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(2) (ONE POTENTIAL CASE)

The Board of Directors will be briefed on complaints by the Sunnybrook Homeowners Association of real property damage based on SANDAG’s construction of the Crosstown Transit Project in the Old Town neighborhood of the City of San Diego.

Conference with Legal Counsel – Exposure to Litigation Based Upon a Written Claim

Pursuant to Government Code Section 54956.9(d)(2), a legislative body of a local agency also may meet in closed session based upon the receipt of a claim pursuant to the Government Claims Act (Government Code Section 810 et seq.) or some other written communication from a potential plaintiff threatening litigation. The claim or other written communication must be made available for public inspection upon request. The Brown Act’s model agenda language for consideration of such a claim in closed session is identical to the previous example, as the claim serves as another basis of the “facts and circumstances” upon which there is a significant exposure to litigation against the local agency.

As a potential option, in order to provide a claimant the ability to address the Board of Directors in open session prior to the closed session, the noticing of discussion of a tort claim in closed session could include the claimant’s identity and a short description of the substance of the claim, which is itself a matter of public record.

CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(2) (ONE POTENTIAL CASE)

The Board of Directors will be briefed on a written claim filed by the Sunnybrook Homeowners Association alleging damages to the Association’s real property based on SANDAG’s construction of the Crosstown Transit Project in the Old Town neighborhood of the City of San Diego.

Conference with Legal Counsel – Potential Initiation of Litigation

Pursuant to Government Code Section 54956.9(d)(4), a legislative body of a local agency also may meet in closed session to consider whether to initiate litigation against another party. The Brown Act’s model agenda language for noticing such a closed session calls only for the code section authorizing the closed session and the number of potential cases:
CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(4): INITIATION OF LITIGATION (ONE POTENTIAL CASE)

It is not suggested that any additional information be provided in this circumstance. Alerting a potential opposing party to the possibility of initiation of litigation by SANDAG may cause that party to preemptively file litigation against SANDAG, thus taking away the Board’s discretion regarding involvement in such litigation. Such noticing also may jeopardize the ability of SANDAG to serve the defendant with court papers.

JOHN KIRK
General Counsel

Key Staff Contact: John Kirk, (619) 699-1997, john.kirk@sandag.org
UNIVERSITY OF CALIFORNIA, SAN DIEGO
SUPERCOMPUTER CENTER AGREEMENT

Introduction

Staff is negotiating a one-year pilot program with the San Diego Supercomputer Center (Center) of the University of California, San Diego (UCSD) to use the Center’s supercomputers to run the Activity-Based Model (ABM) for SANDAG project work. This pilot program will test the feasibility of using the Center on an ongoing basis to improve model runtimes and reduce computer infrastructure costs at SANDAG.

The UCSD Service Agreement (Attachment 1) is a standard template that mandates binding arbitration in place of any remedies in the court system. Using this standard agreement will result in a 10 percent cost savings to SANDAG by avoiding the UCSD Office of Contracts and Grants’ administrative overhead costs that would be associated with a custom-drafted agreement. The total value of the proposed agreement is approximately $100,000.

Discussion

The proposed pilot program would build upon the work completed in 2012, leveraging the Center’s cutting-edge computing resources and expertise to improve ABM performance and execution. During that task, SANDAG and the Center successfully deployed the ABM on the Center’s computers, resulting in a dramatic improvement in runtimes.

Staff is developing the ABM as the next generation transportation model to enhance the evaluation of policy alternatives to be considered in the upcoming San Diego Forward: The Regional Plan. An overview of this modeling framework was presented to the Board of Directors on March 11, 2011. Under the proposed agreement, SANDAG would have access to internationally identified experts in high-performance computing and software engineering as well as state of the art computing facilities to improve runtime and throughput of the region’s next transportation model.

The Supercomputer Center proposes using the existing UCSD Service Agreement as the legal framework for this project. The UCSD Service Agreement stipulates binding arbitration (Attachment 1, Section 26) in place of any remedies in the court system for disputes arising out of the Agreement. While the Board of Directors ordinarily directs the disposition of litigation matters,
authorizing this Agreement in UCSD’s standardized format would constitute an advance deferral of that authority in favor of the binding arbitration process. The Office of General Counsel’s assessment is that the risk associated with agreeing to binding arbitration in this case is minimal due to the value of the contract, the type of work to be performed, and the successful completion of work in 2012. (The Board of Directors also authorized the use of the UCSD Service Agreement as part of the 2012 work.)

KURT KRONINGER
Director of Technical Services

Attachment: 1. UCSD Standard Agreement

Key Staff Contact: Clint Daniels, (619) 699-6946, clint.daniels@sandag.org
SERVICE AGREEMENT

This Service Agreement ("Agreement") is entered into by and between The Regents of the University of California on behalf of the University of California, San Diego, a public, not-for-profit, educational institution located at 9500 Gilman Drive, La Jolla, California 92093 ("UCSD") and the Company whose name and address appear on Exhibit A, attached hereto and incorporated by reference herein ("Company").

In consideration of the mutual covenants set forth herein, the parties agree as follows:

1. **Scope of Work.** UCSD will perform the services set forth on Exhibit A, Services, attached hereto and incorporated by reference herein ("Services").

2. **Deliverables.** UCSD will provide to the Company the deliverables set forth on Exhibit A, incorporated by reference herein.

3. **Cost.** As consideration for UCSD's performance of the Services, the Company will pay UCSD the costs set forth on Exhibit A, incorporated by reference herein.

4. **Payment.**
   4.1. **Schedule.** The Company shall pay UCSD the compensation on the dates or milestones set forth on Exhibit A, incorporated by reference herein.

5. **Term of Agreement.** This Agreement will begin and end on the dates set forth on Exhibit A.

6. **UCSD Contact.** All inquiries and notices with respect to this Agreement shall be sent to the UCSD contact whose name and related information are set forth on Exhibit A.

7. **Responsibilities.** The Company shall provide to UCSD those items listed in Exhibit A, if any, in a timely and secure manner so as to allow UCSD to perform its work. The parties agree to comply with any and all applicable laws, rules, regulations, and policies.

8. **Termination.** Either party may terminate this Agreement upon thirty (30) days' written notice. If the Company terminates this Agreement, the Company will pay UCSD for all costs and any non-cancelable obligations incurred up to the effective date of termination.

9. **Insurance.** Each party shall, at its sole cost, insure its activities and indemnification obligations in connection with this Agreement from its inception and shall keep in force and maintain insurance or self-insurance as follows: general liability, business automobile liability, and workers’ compensation and such other insurance as may be necessary to provide coverage for its performance under this Agreement. If the insurance is written on a claims-made form, it shall continue for a period of three years following termination of this Agreement. The coverage required herein shall not in any way limit the liability of either party.

10. **Indemnification.** Each party shall defend, indemnify and hold the other party, its officers, employees, and agents harmless from and against any and all liability, loss, expense (including attorneys’ fees), and claims for injury or damages arising out of the performance of this Agreement, but only in proportion to and to the extent such liability, loss, expense, attorneys’ fees, or claims for injury (including death) or damages are caused by or result from the negligent or intentional acts or omissions of the indemnifying party, its officers, employees, or agents.

11. **Patent Infringement Indemnification.** The Company shall indemnify, defend, and hold harmless UCSD, its officers, agents, and employees against all losses, damages, liabilities, costs, and expenses (including but not limited to attorneys’ fees) resulting from any judgment or proceeding in which it is determined, or any settlement agreement arising out of the allegation, that the Company’s furnishing, or supplying UCSD with parts, goods, components, programs, practices, or methods under this Agreement or UCSD’s use of such parts, goods, components, programs, practices, or methods supplied by the Company under this Agreement constitutes an infringement of any patent, copyright, trademark, trade name, trade secret, or other proprietary or contractual right of any third party. UCSD shall inform the Company as soon as practicable of the suit or action alleging such infringement. The Company shall not settle such suit or action without the consent of UCSD. UCSD retains the right to participate in the defense against any such suit or action.

12. **Limitation of Liability.** EXCEPT WITH REGARD TO ITS INDEMNIFICATION OBLIGATIONS, NEITHER PARTY WILL BE LIABLE TO THE OTHER PARTY FOR ANY INDIRECT, SPECIAL, INCIDENTAL, EXEMPLARY OR CONSEQUENTIAL DAMAGES, OR COSTS, INCLUDING, BUT NOT LIMITED TO, ANY LOST PROFITS OR REVENUES, EVEN IF SUCH PARTY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES AND REGARDLESS OF THE LEGAL THEORY UNDER WHICH SUCH DAMAGES ARE SOUGHT. UCSD DISCLAIMS ALL WARRANTIES, EXPRESS AND IMPLIED, INCLUDING WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. IN NO EVENT SHALL UCSD'S TOTAL LIABILITY UNDER THIS AGREEMENT EXCEED THE AMOUNT PAID BY THE COMPANY FOR THE SERVICES.

13. **Company’s Ownership of Deliverables.** The Company will own the deliverables upon payment in full of the cost of the Services.

14. **Use of UCSD Name.** California Education Code Section 92000 prohibits use of the University of California, San Diego's name to suggest that UCSD endorses a product or service. The Company will not use The University of California’s name, or any acronym thereof, including UCSD, without UCSD's prior written approval.

15. **Excusable Delay.** In the event of a delay caused by inclement weather, fire, flood, strike or other labor dispute, acts of God, acts of Governmental officials or
agencies, or any other cause beyond the control of UCSD, UCSD’s performance is excused hereunder for the periods of time attributable to such a delay, which may extend beyond the time lost due to one or more of the causes mentioned above. The Company’s duty to pay for past or continuing costs is not suspended hereunder.

16. Non-Interference. Notwithstanding any other provision contained herein, the use of UCSD facilities and/or UCSD personnel in support of this Agreement can only be authorized to the extent that it will not interfere with work related to the prime missions of UCSD and/or the Department (e.g., education and research). Accordingly, Company’s exclusive remedy for failure by either UCSD or persons acting on its behalf to perform services or furnish information or data hereunder at any particular time or in any specific manner, is limited to reimbursement of any unexpended payments under this Agreement.

17. Non-Exclusive Nature of Services. The Services herein are being offered to Company on a non-exclusive basis. Nothing herein shall be construed as granting Company any exclusive right(s) to the Service(s) referenced herein, and UCSD retains the right to offer and perform similar or identical Services for others.

18. Notice. Notice, any notice or communication required by this Agreement shall be in writing and shall be deemed to have been duly given if delivered personally, or sent by overnight mail, or prepaid registered mail, or transmitted facsimile transmission, addressed to the other party at the address set forth on Exhibit A, or at such other address as such party may hereafter specify in writing to the other party.

19. Status of Parties. This Agreement is not intended to create, nor shall it be construed to be, a joint venture, association, partnership, franchise, or other form of business relationship. Neither party shall have, nor hold itself out as having, any right, power or authority to assume, create, incur any expenses, liability, or obligations on behalf of the other party, except as expressly provided herein.

20. Third-Party Beneficiaries. There are no intended third-party beneficiaries to this Agreement.

21. Severability. If any provision of this Agreement is held invalid, illegal or unenforceable in any respect, such provision shall be construed as severable, leaving the remaining provisions unimpaired, provided that such does not materially prejudice either party in their respective rights and obligations contained in the valid terms, covenants, or conditions.

22. Non-Waiver. The failure of either party to require the performance of any of the terms of this Agreement or the waiver by either party of any default under this Agreement shall not prevent a subsequent enforcement of such term, nor be deemed a waiver of any subsequent breach.

23. Modification of Agreement. This Agreement shall be modified only by written agreement of the parties.

24. Applicable Law. This Agreement shall be governed by the laws of the State of California without regard to its conflict of laws provisions.

25. Counterparts and Copies. This Agreement may be executed in counterparts, all of which, when taken together, shall constitute one contract with the same force and effect as if all signatures had been entered on one document. Signatures may be made electronically, and such electronic signatures shall be valid and binding upon the parties making them, and shall serve in all respects as original signatures. Signatures may be delivered among and between the parties by facsimile or electronic means. Thereafter, the parties further agree that electronic copies of this Agreement may be used for any and all purposes for which the original may have been used.

26. Arbitration. In the event of any dispute, claim, question, or disagreement arising from or relating to this Agreement or the breach thereof, the parties hereto shall use their best efforts to settle the dispute, claim, question, or disagreement. To this effect, they shall consult and negotiate with each other in good faith and recognizing their mutual interests, attempt to reach a just and equitable solution satisfactory to both parties. If they do not reach solution within a period of sixty (60) days, then upon notice by either party to the other, all disputes, claims, questions, or disagreements shall be finally settled in accordance with the provisions of the American Arbitration Association ("AAA") and proceed under the provisions of Title 9 of the California Code of Civil Procedure Sections 1280 through and including 1294.2. The discovery provisions of the California Code of Civil Procedure Section 1280.05 shall be applicable to this Agreement. Each party shall bear its own costs.

27. Headings and Captions. Headings and captions in this Agreement are for reference only, do not form a part of this Agreement, and shall not in any way affect the interpretation hereof.

28. Authority. Both parties represent that each has the full authority to perform its obligations under this Agreement and that the person executing this Agreement has the authority to bind it.

29. Survival. Provisions of this Agreement, which by their express terms, or by necessary implication, apply for period of time other than specified herein, shall be given effect, notwithstanding termination or expiration.

30. Company’s Representations and Warranties. Company hereby represents and warrants that, except as expressly provided for herein, no obligations are imposed upon UCSD as a result of any other agreement(s) involving Company to which UCSD is not a party.

31. Export Control. No ITAR or export controlled materials shall be delivered to UCSD pursuant to this agreement.

32. Entire Agreement. This Agreement, including Exhibit A, made a part hereof, sets forth the entire agreement of the parties with respect to the subject matter herein and supersedes any prior agreements, oral and written, and all other communications between the parties with respect to such subject matter. Any terms and conditions contained in the Company’s purchase order, and any NDA or separate scope of work or similar document shall have no force and effect. Any changes or additions to Sections 1-32 inclusive, of this Agreement are invalid, unless approved in writing by the UCSD representative identified in Exhibit A, Paragraph 7.
IN WITNESS WHEREOF, the parties have executed this Agreement on the dates set forth below.

THE REGENTS OF THE UNIVERSITY
OF CALIFORNIA ON BEHALF OF THE
SAN DIEGO CAMPUS

By: ________________________________
Name: Steve Carter/Shelby Mayoral/Shelia Paul
Title: Asst Director/Senior Manager/Business Contracts
Date: ______________________________

Company Name: SAN DIEGO ASSOCIATION OF
GOVERNMENTS

By: ________________________________
Name: Renee Wasmund
Title: Chief Deputy Executive Director
Date: ______________________________
Exhibit A

SERVICES

COMPANY:
San Diego Association of Governments (SANDAG)
State of incorporation: California
Principal place of business located at 401 B St., Suite 800, San Diego, CA 92101-4231
Attention: Mr. Clint Daniels
Telephone: (619) 699-1900
Fax:
Email: Clint.Daniels@SANDAG.org

1. **SCOPE OF WORK:**

   The Services will be performed as set forth below or in accordance with the attachment hereto and incorporated by reference herein. The Company may issue a purchase order for each Service, however, any terms and conditions set forth on the purchase order are of no force and effect and only the terms and conditions set forth in this Agreement shall apply to the Services hereunder.

   The following recitals are a substantive part of the Agreement:

   WHEREAS, SANDAG deals with many complex mobility issues facing the San Diego region, including the development of a long-range Regional Transportation Plan (RTP); and

   WHEREAS, transportation and land use models are the principal tools used for alternatives analysis, and they provide planners and decision makers with information to help them equitably allocate scarce resources; and

   WHEREAS, SANDAG currently uses four integrated models in its demographic, economic, and land use forecasts; and
WHEREAS, SANDAG is transitioning from its existing 4-step transportation model to a more advanced activity-based model (ABM); and

WHEREAS, SANDAG is in need of analysis for streamlining throughput for the existing code base of its new ABM model; and

WHEREAS, the San Diego Supercomputer Center (SDSC) is an Organized Research Unit of UCSD with a staff of talented scientists, software developers, and support personnel; and

WHEREAS, SDSC is considered a leader in data-intensive computing, providing resources, services and expertise to the national research community; and

WHEREAS, the mission of SDSC is to extend the reach of scientific accomplishments by providing tools such as high-performance hardware technologies, integrative software technologies, and deep interdisciplinary expertise to these communities; and

WHEREAS, the SDSC is capable of providing code-base analysis for SANDAG; and

WHEREAS, the parties wish to memorialize their agreement to carry out the purposes set forth above;

NOW THEREFORE, in consideration of the mutual promises set forth herein, in addition to the provisions of the Agreement, the parties further agree as follows:

A. SANDAG AGREES:

1. To review, provide support, and oversee the Scope of Work described herein. SANDAG will provide access to existing ABM code and configuration information and files.

2. To pay UCSD the total amount of $101,815.00 for services rendered pursuant to the Agreement.
3. “Maximum Cost of the Agreement.” For the performance of UCSD’s services, SANDAG shall pay UCSD following receipt and approval of deliverables. After approval by SANDAG of each deliverables, UCSD shall submit an invoice for payment based upon the percentage of total work completed as established in this Scope of Work. SANDAG shall pay the invoices within thirty (30) days of receipt. Checks shall be made payable to the Regents of the University of California and sent to the address set forth herein.

4. To review the deliverables listed below and provide feedback to SDSC within one week of receipt, according to the delivery schedule outlined below. SDSC will address any comments and resubmit the deliverable to SANDAG. SANDAG will then approve the final deliverable within one week of receipt from SDSC.

B. UCSD AGREES:

1. To perform the Scope of Work and supply the deliverables listed below.

C. THE PARTIES MUTUALLY AGREE:

1. All obligations of SANDAG under the terms of the Agreement are subject to the appropriation of the required resources by SANDAG and the approval of the SANDAG Board of Directors.

2. That unless it is amended by the parties in writing, the Agreement shall be effective as of the date of the last signature hereon, and shall terminate on September 30, 2014, or on such earlier or later date as the parties may agree to in writing. The indemnification provisions of the Agreement shall survive termination of the Agreement.

3. All terms, conditions, and provisions hereof shall inure to and shall bind each of the parties hereto, and each of their respective heirs, executors, administrators, successors, and assigns.

Goals and Objectives:

SANDAG will engage the University of California – San Diego (UCSD) Supercomputing Center (SDSC) to deploy the SANDAG Activity Based Model (ABM) model on the SDSC computing facilities. The SDSC shall also analyze the model and refactor, reorganize, or recode some aspects of the existing SANDAG Activity Based Model (ABM) CT-RAMP software as needed to improve software performance without impacting the theoretical underpinnings of the model. The SDSC shall assign a dedicated staff working on a half time (maximum 1040 hours annually) basis to support this effort.
The following scope of work outlines the general tasks in two phases to be performed by SDSC to meet the goals and objectives described previously. Phase I has higher priority and execution of Phase II is contingent upon the completion of Phase I.

Phase I:

Task 1: Setup Data Transfer Channel between SANDAG and SDSC (Completion within 6 weeks of Notice to Proceed; 80 hours)

The SDSC shall identify a data transfer channel between SANDAG and SDSC with the help from SANDAG staff. The SDSC shall work with SANDAG staff to perform tests using GridFTP, FTP, or other data transfer technologies agreed by both parties. The data transfer speed shall be sufficient to ensure a reasonable model run time. SDSC shall make all reasonable efforts to boost transfer speeds, but SANDAG should acknowledge that this may require networking modifications on their end. This shall provide the foundation for all subsequent work.

Deliverables: Working Data Transfer with Successful Test of Data

Task 2: Develop Workflow and Software Utilities for Communication between CT-RAMP and TransCAD Assignments (Completion within 10 weeks of Notice to Proceed; 100 hours)

Percentage of Total Work (Tasks 1-2): 20 percent; Cost $20,000

The SDSC shall develop a workflow and supporting software utilities that enables running CT-RAMP and TransCAD assignments together in sequence, iteratively. The workflow shall specify the information and signals passed between processes, data conversions, define process logs for monitoring/auditing task completion, and provide summary reports of task status. The CT-RAMP shall be running in a Linux-based environment at SDSC and the TransCAD assignment shall be running in a Windows-based environment at SANDAG. The software that implements the workflow shall include, for example, the capability to convert TransCAD matrix to binary format. It shall also include an interface that allows SANDAG staff to start a CT-RAMP model run remotely either manually or automatically as part of the iterative sequence of TransCAD and CT-RAMP processes.

Deliverables: A Software Design Memo and a User Guide
Task 3: Deploy SANDAG ABM on SDSC Computing Facilities (Completion within 14 weeks of Notice to Proceed; 80 hours)

The SDSC shall deploy the latest CT-RAMP software on SDSC computing facilities and test integrated CT-RAMP and TransCAD assignment runs.

Deliverables: None

Task 4: Recommend Preferred Model Run Settings (Completion within 20 weeks of Notice to Proceed; 80 hours)

Percentage of Total Work (Tasks 3-4): 20 percent; Cost $20,000

The SDSC shall work with SANDAG staff to investigate the preferred settings such as number of compute nodes, memory allocation, threading, and household packet size to speed up model run time. SDSC shall perform a series of benchmark runs in which to compare various settings, and recommend the preferred setting to SANDAG staff.

Deliverables: Memo of Benchmark Runs and Preferred Settings

Task 5: Provide Remote Access and Technical Support to SANDAG Staff (Continuous effort till Phase I completion; 120 hours)

The SDSC shall work with SANDAG staff to setup remote access to SDSC computing facilities to allow running ABM remotely. The SDSC shall provide technical support to SANDAG staff to perform model run remotely, assist with data upload/download and data storage, and answer questions.

Task 6: Phase I Working Report (Completion within 26 weeks of Notice to Proceed; 40 hours)

Percentage of Total Work (Tasks 5-6): 10 percent; Cost $10,000

The SDSC shall write a Phase I working report to document the methodologies used to handle data transfer, software design, remote access guide, and performance summaries.

Deliverables: Phase 1 Working Report
Phase II:

Task 7: Provide Continuous Remote Access and Technical Support to SANDAG Staff (Continuous effort till Phase II completion; 120 hours)

The SDSC shall provide continuous technical support to SANDAG staff to perform model run remotely, assist with data upload/download and data storage, and answer questions.

Task 8: Refactor the CT-RAMP Software to Improve Performance (Completion within 48 weeks of Notice to Proceed; 400 hours)

Percentage of Total Work (Tasks 7-8): 40 percent; Cost $40,000

The SDSC shall identify key bottlenecks in the code performance due to inefficient software architecture, hardware constraints, or any other key constraints. The SDSC shall refactor, reorganize, or recode some aspects of the CT-RAMP software to resolve bottlenecks and improve software performance. The main aspects of this task is to develop software routines in C or refactor Java code as appropriate to improve efficiency in the SANDAG ABM model implementation and/or model communication between the main job and subtasks.

The SDSC, working in conjunction with SANDAG, shall identify and develop a testing plan for each planned improvement before any changes are made. The existing software as well as the modified software must pass the test plan. Whenever practical, the test plan should follow the IEEE 829 Standard for Software and System Test Documentation.

A before and after performance comparison shall be included as part of this task. Some performance optimizations (e.g. changing order of arithmetic operations, or porting mathematical functions from Java code to Unix C environment) may cause minor changes to the final results. These should be reviewed by SANDAG in a timely basis to confirm that code is still functioning as expected. The SDSC shall coordinate with SANDAG staff and PB America Inc., the CT-RAMP software developer, as needed.

Deliverables: Summary of Test Plans and Summary Statistics related to before and after improvement benchmark runs; Refactored, reorganized and/or recoded source codes.

Task 9: Final Report (Completion within 52 weeks of Notice to Proceed; 40 hours)

Percentage of Total Work (Tasks 9): 10 percent; Cost $11,815
The SDSC shall write a final report to document all tasks done in Phase I as well as Phase II CT-RAMP software re-engineering, key findings, and performance benchmark.

Deliverables: Final Report

2. **DELIVERABLES:**

1. Working Data Transfer with Successful Test of Data
2. A Software Design Memo and a User Guide
3. None
4. Memo of Benchmark Runs and Preferred Settings
5. None
6. Phase 1 Working Report
7. None
8. Summary of Test Plans and Summary Statistics related to before and after improvement benchmark runs; Refactored, reorganized and/or recoded source codes.

3. **COST:** Total $101,815.00

4. **PAYMENT:**

4.1. **SCHEDULE:**

0% of cost due upon signing of this Agreement.

(Dates assume project start date of 7/1/2013)

20% ($20,000) due upon approval of Task 2 deliverables, on or about 8/5/2013
20% ($20,000) due upon approval of Task 4 deliverables, on or about 11/11/2013
10% ($10,000) due upon approval of Task 6 deliverable, on or about 12/23/2013
40% ($40,000) due upon approval of Task 8 deliverable, on or about 5/26/2014
10% ($11,815) due upon approval of Task 9 deliverable, on or about 6/23/2014

4.1.1. Invoices will be submitted in accordance with the payment schedule.
4.2. REMITTANCE: Checks are to be made payable to The Regents of the University of California and sent to:

University of California, San Diego
Attention: Kelly Hudson
9500 Gilman Drive Mail Code 505
La Jolla, California 92093-505

5. **TERM OF AGREEMENT**: This Agreement will begin on July 1, 2013 and end on September 30, 2014.

6. **UCSD CONTACT**:

   Name of UCSD Contact
   University of California, San Diego
   9500 Gilman Drive Mail Stop 0505
   La Jolla, California 92093-0505
   Telephone: (858) 534-5045
   Fax: ( )
   Email: rhawksins@sdsc.edu

7. **PER SECTION 32 OF THE AGREEMENT, THE UCSD REPRESENTATIVE RESPONSIBLE FOR APPROVING CHANGES OR ADDITIONS TO THIS AGREEMENT**: Ted Johnson, Steve Carter, Shelby Mayoral or Sheila Paul -MC 0914; buscon@ucsd.edu.

**END OF EXHIBIT A**
ANNUAL REVIEW OF COMMITTEES AND WORKING GROUPS

Introduction

In accordance with Board Policy No. 001: Operations Policy, the Executive Committee is responsible for annually reviewing a list of all SANDAG lower-level committees and working groups to determine the need to maintain the committee or working group and to approve any revisions in functions or membership. This item summarizes the various groups that advise the SANDAG Policy Advisory Committees (PACs) and staff on the variety of programs and projects included in the SANDAG Program Budget.

Since the last annual report, four new working groups were added: (1) Freight Stakeholders Working Group; (2) North Park – Mid-City Regional Bike Corridor Project Community Advisory Group; (3) Uptown Regional Bike Corridor Project Community Advisory Group; and (4) Public Health Stakeholder Working Group. In addition, changes were made to two other groups: the Active Transportation Working Group (formerly the Bicycle Pedestrian Working Group) and the State Route 78 Corridor Study Working Group.

Discussion

Obtaining meaningful public and technical input is important to all of our functional areas and is consistent with the Board's public participation policy. SANDAG supports 25 different committees and working groups that provide input and recommendations either to a PAC (Transportation, Regional Planning, Borders, and Public Safety) or to staff. Attachment 1 depicts the relationship between each PAC and its related working groups. Attachment 2 lists the membership, responsibilities, year established, frequency of meetings, and status for each of the groups.

New Working Groups

Freight Stakeholders Working Group

The purpose of the Freight Stakeholders Working Group is to provide input on the development of three freight planning efforts: (1) Freight Gateway Study Update; (2) Analysis of Freeway Operational Strategies Related to the Use of Managed Lanes by Trucks; and (3) the Goods Movement Strategy of San Diego Forward: The Regional Plan. The Working Group is composed of a broad range of freight stakeholders, including local jurisdictions; federal, state, and regional agencies; airport, rail, trucking, shippers, port, and warehouse representatives; and chamber, business, environmental, and trade organizations, among others. The Freight Stakeholders Working Group, which reports to the Transportation Committee, will meet as needed during the development of each of the freight planning efforts and will sunset once completed.
North Park – Mid-City Regional Bike Corridor Project Community Advisory Group and Uptown Regional Bike Corridor Project Community Advisory Group

Two new community advisory groups were established to provide advice to staff on the development and evaluation of initial design concepts for two regional bike corridor projects:

- North Park – Mid-City Regional Bike Corridor Project that will improve east-west bicycle travel from the San Diego neighborhood of North Park to the City of La Mesa

- Uptown Regional Bike Corridor Project that will provide on-street bicycle facilities from Old Town and Mission Valley through Uptown to Downtown San Diego

These two groups consist of representatives of established community groups and business associations within the project areas as well as active transportation stakeholders. The groups will meet at key project milestones during the preliminary design phase and will dissolve once the project planning and design are completed.

Public Health Stakeholder Working Group

The purpose of the Public Health Stakeholder Working Group (PHSG) is to support SANDAG in implementing four Community Transformation Grant (CTG) programs: (1) Regional Safe Routes to School Strategic Plan Implementation; (2) Health and Wellness Policies for Regional Plans; (3) Regional Complete Streets Policy; and (4) Health Benefits and Impacts Analysis. The PHSG membership includes representatives from local and regional agencies and organizations that represent the following sectors: land use/transportation planning, urban design, housing, parks and recreation, economic development, education, social equity, and public health. It is anticipated that the working group will meet quarterly during the course of the CTG programs and will dissolve automatically on September 30, 2016, without further action.

Changes to Existing Working Groups

Active Transportation Working Group (formerly the Bicycle Pedestrian Working Group)

With the Board’s commitment to active transportation in the 2050 Regional Transportation Plan and its Sustainable Communities Strategy, the role of the Bicycle Pedestrian Working Group was expanded to include regional bike project implementation, safe routes to school, and safe routes to transit. The group was renamed the Active Transportation Working Group, and its membership was expanded to include representatives from active transportation advocacy groups and other related stakeholders, in addition to current members representing local jurisdictions, Caltrans, transit partners, and the bicycle community.

State Route 78 Corridor Working Group

The State Route 78 Corridor Study was completed in May 2012, and the temporary working group was eliminated.
Next Steps

Section 6.6 of SANDAG Board Policy No. 004: Rules of Procedure for Board of Directors, Policy Advisory Committees, and Other Legislative Bodies, requires that an informational report be provided to the Board of Directors on an annual basis concerning the status of all standing and ad hoc committees and working groups. Pending Executive Committee determination of the need to maintain the committees and working groups listed in Attachment 2, the annual report on the status of SANDAG committees and working groups is scheduled for the June 28, 2013, Board meeting.

KIM KAWADA
TransNet and Legislative Affairs Program Director

Attachments: 1. Policy Advisory Committees and Related Working Groups Diagram
2. List of Committees and Working Groups

Key Staff Contact: Victoria Stackwick, (619) 699-6926, victoria.stackwick@sandag.org
Policy Advisory Committees and Related Working Groups Diagram

Attachment 1

Board of Directors

Transportation Committee

Bayshore Bikeway Working Group

Active Transportation Working Group
Cities/County Transportation Advisory Committee
Regional Short-Range Transit Planning Task Force

San Diego Region Conformity Working Group
San Diego Regional Traffic Engineers Council
Social Services Transportation Advisory Council

Coordinated Transit and Human Services Transportation Plan Working Group
I-805 BRT/47th Street Trolley Station Area Planning Project Working Group
Mid-Coast Corridor Transit Project Working Group
Freight Stakeholders Working Group

Note: Bold indicates additions and changes from last year
Board of Directors

Regional Planning Committee

- Shoreline Preservation Working Group
- Regional Housing Working Group
- Regional Energy Working Group
- Environmental Mitigation Program Working Group
- Regional Planning Technical Working Group
- Military Stakeholder Working Group
- Public Health Stakeholder Group

Note: Bold indicates additions and changes from last year.
Board of Directors

Borders Committee

Committee on Binational Regional Opportunities

Interagency Technical Working Group on Tribal Transportation Issues
## LIST OF COMMITTEES AND WORKING GROUPS

### TRANSPORTATION COMMITTEE

<table>
<thead>
<tr>
<th>COMMITTEE OR WORKING GROUP NAME</th>
<th>MEMBERSHIP</th>
<th>RESPONSIBILITIES</th>
<th>YEAR ESTABLISHED</th>
<th>CURRENT STATUS</th>
<th>MEETING SCHEDULE:</th>
</tr>
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<tbody>
<tr>
<td>1 Active Transportation Working Group</td>
<td>Staff members from local jurisdictions and representatives from, Caltrans, Civic San Diego, County of San Diego Air Pollution Control District, Metropolitan Transit System (MTS), North County Transit District (NCTD), Bike San Diego, San Diego County Bicycle Coalition, WalkSanDiego, Public Health Stakeholders Working Group, San Diego Safe Routes to School Coalition, Move San Diego, San Diego County Department of Education, Post-Secondary Education</td>
<td>Provides input on regional active transportation policy, planning and implementation activities</td>
<td>2013</td>
<td>Standing</td>
<td>Quarterly No. of Mtgs. in FY 2013: 1</td>
</tr>
<tr>
<td>2 Bayshore Bikeway Working Group</td>
<td>San Diego County Supervisor Greg Cox (Chair), San Diego Councilmember David Alvarez, Chula Vista Councilmember Patricia Aguilar, Coronado Councilmember Mike Wo iwode, Imperial Beach Councilmember Brian Bilbray, National City Councilmember Mona Rios, Board of Port Commissioners Bob Nelson, and Gordy Shields representing the bicycling community</td>
<td>Reviews and supports improvements to the Bayshore Bikeway</td>
<td>1989</td>
<td>Temporary - will terminate upon project completion</td>
<td>Periodically No. of Mtgs. in FY 2013: 3</td>
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### TRANSPORTATION COMMITTEE

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<tr>
<th>COMMITTEE OR WORKING GROUP NAME</th>
<th>MEMBERSHIP</th>
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<th>YEAR ESTABLISHED</th>
<th>CURRENT STATUS</th>
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</table>
| 3 Cities/County Transportation Advisory Committee | Public works directors from local jurisdictions and staff from Caltrans, MTS, and NCTD | Provides recommendations to the Transportation Committee regarding: (1) local street projects and programs, including local freeway interchanges; and (2) highways, transit, rail, bicycle, and pedestrian issues and policies that affect local street and road projects and programs | 1993 | Standing  
Meeting Schedule: Monthly  
No. of Mtgs. in FY 2013: 11 |
| 4 Coordinated Transit and Human Services Transportation Plan Working Group | Voluntary members of the Social Services Transportation Advisory Council (SSTAC) (representatives of transit users who are 60 years or older, and representatives of transit users who are persons with a disability) | Provide input to the development of the 2014-2018 Coordinated Plan | 2008 | Temporary - will terminate upon completion of the 2014-2018 Coordinated Plan (expected June 2014)  
Meeting Schedule: As needed  
No. of Mtgs. in FY 2013: 2 |
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<tr>
<th>COMMITTEE OR WORKING GROUP NAME</th>
<th>MEMBERSHIP</th>
<th>RESPONSIBILITIES</th>
<th>YEAR ESTABLISHED</th>
<th>CURRENT STATUS</th>
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</thead>
<tbody>
<tr>
<td>Freight Stakeholders Working Group</td>
<td>Members include one representative from the City/County Transportation Advisory Committee, and the Regional Planning Technical Working Group, and representatives from Caltrans, Port of San Diego and Port users, Federal Highway Administration, California Trucking Association, American Trucking Association, San Diego County Regional Airport Authority, shippers and carriers using the airport, San Diego and Arizona Eastern Railway, Burlington North Santa Fe Railroad, Union Pacific Railroad, regional truckers, warehouse operators, San Diego Regional and Otay Mesa Chambers of Commerce, San Diego World Trade Center, ADMICARGA Baja California short line rail operator, Imperial County Transportation Commission, Southern California Association of Governments, Waste Management, Environmental Health Coalition, and others interested in efficient goods movement in the San Diego region</td>
<td>Provide input and feedback to SANDAG staff and the Transportation Committee regarding the Freight Gateway Study Update, Analysis of Freeway Operational Strategies Related to the Use of Managed Lanes by Trucks, and Goods Movement Strategy portion of the San Diego Forward: The Regional Plan</td>
<td>2012</td>
<td>Temporary- will sunset upon completion of the (1) Freight Gateway Study Update, (2) Assessment of Freeway Operational Strategies Related to the Use of Managed Lanes by Trucks, and (3) Goods Movement Strategy portion of the Regional Plan Meeting Schedule: As needed No. of Mtgs. in FY 2013: 1</td>
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## TRANSPORTATION COMMITTEE

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<tr>
<th>COMMITTEE OR WORKING GROUP NAME</th>
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<th>CURRENT STATUS</th>
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<tbody>
<tr>
<td><strong>6 Mid-Coast Corridor Transit Project Working Group</strong>&lt;br&gt;Staff Lead: David Hicks</td>
<td>Twenty-five members distributed over several membership categories, including access advocate, business community, community representatives, community services, employers, environmental, retail, student representative, taxpayers advocate, transportation advocate, transit rider representative, and at-large members</td>
<td>Provide a forum to update key stakeholders and the public on Mid-Coast Corridor Transit Project and project review processes; present technical information for review during the scoping period; reach consensus in support of a Locally Preferred Alternative; and review the draft environmental documents and provide comments</td>
<td>2009</td>
<td>Temporary – will terminate upon completion of environmental document (expected in 2014)</td>
</tr>
<tr>
<td><strong>Meeting Schedule:</strong>&lt;br&gt;As needed</td>
<td>No. of Mtgs. in FY 2013: 1</td>
<td><strong>Regional Short-Range Transit Planning Task Force</strong>&lt;br&gt;Staff Lead: Brian Lane</td>
<td>NCTD, MTS, other transit operator planning staffs, and Full Access and Coordinated Transportation (FACT) staff</td>
<td>Assists in developing annual Regional Short-Range Transit Plan and Productivity Improvement Program; fulfills Transportation Development Act requirement for a Productivity Improvement Committee</td>
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<tr>
<td><strong>Meeting Schedule:</strong>&lt;br&gt;Quarterly</td>
<td>No. of Mtgs. in FY 2013: 4</td>
<td>San Diego Region Conformity Working Group&lt;br&gt;Staff Lead: Rachel Kennedy</td>
<td>Staff from the U.S. Environmental Protection Agency, Federal Highway Administration, Federal Transit Administration (FTA), California Air Resources Board, Caltrans, and San Diego Air Pollution Control District</td>
<td>Reviews and comments on Regional Transportation Plan and Regional Transportation Improvement Program, transportation conformity and State Implementation Plan development or updates, and fulfills federal and state requirements for interagency consultation</td>
</tr>
<tr>
<td><strong>Meeting Schedule:</strong>&lt;br&gt;Monthly</td>
<td>No. of Mtgs. in FY 2013: 4</td>
<td><strong>Changes from last year are marked in bold</strong></td>
<td><strong>Revised June 2013</strong></td>
<td><strong>11</strong></td>
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<tr>
<td>COMMITTEE OR WORKING GROUP NAME</td>
<td>MEMBERSHIP</td>
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<td>9 San Diego Regional Traffic Engineers Council</td>
<td>Traffic engineers from local jurisdictions, Caltrans, and staff from MTS and NCTD</td>
<td>Makes recommendations regarding traffic engineering issues associated with the region’s roadway network</td>
<td>1989</td>
<td>Standing</td>
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<td>Meeting Schedule: Monthly</td>
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<td>No. of Mtgs. in FY 2013: 9</td>
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<tr>
<td>10 Social Services Transportation Advisory Council</td>
<td>Representatives of transit users who are 60 years or older; representatives of transit users who are persons with a disability; representatives of transit users who are persons with limited means; staff from social service providers serving seniors, persons with disabilities, and persons of limited means; representatives from the Consolidated Transportation Services Agency (FACT); and representatives from MTS and NCTD</td>
<td>Designated as the Local Review Committee for the FTA Section 5310 grant applications, holds required unmet needs hearings, and advises on regional issues of accessible transportation provided by the public and private sector; fulfills state Public Utilities Code requirement; fulfills federal requirements for Coordinated Plan development; also reviews and advises on transit capital improvement projects for Americans with Disabilities Act compliance</td>
<td>1979</td>
<td>Standing</td>
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<td>Meeting Schedule: Bimonthly</td>
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<td>No. of Mtgs. in FY 2013: 5</td>
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Changes from last year are marked in **bold**
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<tr>
<th>COMMITTEE OR WORKING GROUP NAME</th>
<th>MEMBERSHIP</th>
<th>RESPONSIBILITIES</th>
<th>YEAR ESTABLISHED</th>
<th>CURRENT STATUS</th>
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<tbody>
<tr>
<td>11 I-805/47th Street Trolley Station Area Planning Working Group</td>
<td>Stakeholders from Southeastern San Diego appointed by San Diego City Council President Tony Young, including residents, and representatives from community planning groups, community-based organizations, local business owners, and other stakeholders</td>
<td>Provide input on the development and evaluation of alternative station design concepts to provide access to the planned I-805 Bus Rapid Transit service at the 47th Street Trolley Station</td>
<td>2012</td>
<td>Temporary- will meet quarterly through mid-2013, until station design alternatives are brought to the Transportation Committee for consideration to carry forth into the environmental process, and then as needed until the construction contract for the project is awarded</td>
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</tbody>
</table>

**Meeting Schedule:**
As Needed

**No. of Mtgs. in FY 2013:** 4
<table>
<thead>
<tr>
<th>COMMITTEE OR WORKING GROUP NAME</th>
<th>MEMBERSHIP</th>
<th>RESPONSIBILITY</th>
<th>YEAR ESTABLISHED</th>
<th>CURRENT STATUS</th>
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<tbody>
<tr>
<td>12 Environmental Mitigation Program (EMP) Working Group</td>
<td>Carrie Downey (Chair), City of Carlsbad staff Mike Grim (Vice Chair); and staff representatives from City of San Diego, County of San Diego, North County Coastal, North County Inland, East County, and South County; representatives from the U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, California Department of Fish and Game, California Wildlife Conservation Board, Caltrans, the Nature Conservancy, Conservation Resource Network, U.S. Geological Survey, Endangered Habitats League, Building Industry Association, San Diego Foundation, California Coastal Conservancy, and Alliance for Habitat Conservation</td>
<td>Advises on issues related to the coordination and implementation of the TransNet Environmental Mitigation Program</td>
<td>2005</td>
<td>Will continue through duration of implementation of TransNet EMP</td>
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<td>Meeting Schedule: Bimonthly</td>
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<td>No. of Mtgs. in FY 2013: 6</td>
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<tr>
<td>13 Military Working Group</td>
<td>Five representatives from the armed forces: Navy Region Southwest; Navy Facilities Engineering Command; Marine Corps Installation West; Marine Corps Recruitment Depot; and U.S. Coast Guard San Diego Sector. In addition, the membership will include one representative from the following jurisdictions: City of Coronado, City of Imperial Beach, City of Oceanside, City of National City, City of San Diego, and County of San Diego</td>
<td>Provide a collaborative forum for the various branches of the military and SANDAG to address areas of mutual interest, including growth management, habitat, transportation, regional growth, housing, water, energy, and other related topics</td>
<td>2012</td>
<td>Standing</td>
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<td>Meeting Schedule: Quarterly</td>
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<td>No. of Mtgs. in FY 2013: 1</td>
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<td>COMITTEE OR WORKING GROUP NAME</td>
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<tr>
<td>Public Health Stakeholder Working Group</td>
<td>Representatives from the following organizations: City of San Diego and County of San Diego Planning and Engineering Departments, Lemon Grove School District, Local Law Enforcement, San Diego County Health and Human Services Agency, San Diego County Department of Environmental Health, San Diego County Air Pollution Control District, California Caltrans, University of California San Diego, San Diego State University/School of Public Affairs, Public Health Institute, Active Living Research, American Heart Association, American Cancer Society, American Lung Association, Environmental Health Coalition, Childhood Obesity Initiative, Center for Policy Initiatives, San Diego County Bicycle Coalition, WalkSanDiego, Kaiser Permanente, Sharp Healthcare, Rady Children’s Hospital, SANDAG Social Service Transportation Advisory Council, Children's Physicians Medical Group, Urban Design Subcommittee of the American Institute of Architects/Council of Design Professionals, American Society of Landscape Architects</td>
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<tr>
<th>RESPONSIBILITY</th>
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<tbody>
<tr>
<td>Support SANDAG in implementation of the Community Transformation Grant</td>
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<tr>
<th>YEAR ESTABLISHED</th>
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<tbody>
<tr>
<td>2012</td>
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<th>CURRENT STATUS</th>
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<tbody>
<tr>
<td>Temporary - will dissolve automatically on September 30, 2016</td>
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Meeting Schedule: Quarterly

No. of Mtgs. in FY 2013: 4
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<thead>
<tr>
<th>COMMITTEE OR WORKING GROUP NAME</th>
<th>MEMBERSHIP</th>
<th>RESPONSIBILITY</th>
<th>YEAR ESTABLISHED</th>
<th>CURRENT STATUS</th>
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<tbody>
<tr>
<td>15 Regional Energy Working Group</td>
<td>Carrie Downey (Chair), Chula Vista Deputy Mayor Pamela Bensoussan (South County), Escondido Councilmember Ed Gallo (North County Inland), San Diego Councilmember Sherri Lightner, Del Mar Councilmember Don Mosier (North County Coastal), Santee Councilmember Rob McNelis (East County), County staff Peter Livingston (County of San Diego); and representatives from San Diego Gas &amp; Electric, Port of San Diego, San Diego County Regional Airport Authority, California Center for Sustainable Energy, Energy Policy Initiatives Center at University of San Diego School of Law, San Diego Regional Chamber of Commerce, regional economic development councils (north county and south county), San Diego Clean Cities Coalition, Environmental Health Coalition, Sierra Club, San Diego State University, University of California San Diego, MTS, CleanTECH San Diego, and San Diego County Water Authority</td>
<td>Advises on the implementation of the Regional Energy Strategy and serves as a forum for discussion of regional energy issues</td>
<td>2004</td>
<td>Standing</td>
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<td>Meeting Schedule: Monthly</td>
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<td>No. of Mtgs. in FY 2013: 10</td>
</tr>
<tr>
<td>16 Regional Housing Working Group</td>
<td>Duane Roth, CONNECT (Co-Chair); housing staff representatives from the City of San Diego, County of San Diego, North County Coastal, North County Inland, East County, and South County; and housing authority staff, housing industry representatives, and housing advocates</td>
<td>Serves as a forum for discussion of regional housing issues</td>
<td>2000</td>
<td>Standing</td>
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<td>Meeting Schedule: Quarterly</td>
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<td>No. of Mtgs. in FY 2013: 0</td>
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<td>COMMITTEE OR WORKING GROUP NAME</td>
<td>MEMBERSHIP</td>
<td>RESPONSIBILITY</td>
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<tr>
<td>17 Regional Planning Technical Working Group</td>
<td>Planning directors from local jurisdictions and staff from other agencies, including Port of San Diego, MTS, NCTD, Caltrans, San Diego County Water Authority, San Diego County Air Pollution Control District, San Diego County Regional Airport Authority, U.S. Department of Defense, and Local Agency Formation Commission</td>
<td>Advises on the development and implementation of the Regional Comprehensive Plan</td>
<td>1990</td>
<td>Standing</td>
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<td>Meeting Schedule: Monthly</td>
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<td>No. of Mtgs. in FY 2013: 11</td>
</tr>
<tr>
<td>18 Shoreline Preservation Working Group</td>
<td>San Diego County Supervisor Dave Roberts (Chair), San Diego Councilmember Lorie Zapf (Vice Chair), Carlsbad Councilmember Lorraine Wood, Coronado Councilmember Barbara Denny, Del Mar Councilmember Sherryl Parks, Encinitas Mayor Teresa Barth, Imperial Beach Councilmember Brian P. Bilbray, Oceanside Councilmember Esther Sanchez, Solana Beach Mayor Mike Nichols, and representatives from: Unified Port of San Diego, and U.S. Navy, California Coastal Commission, National Marine Fisheries Service, State Department of Boating and Waterways, State Department of Fish and Wildlife, State Department of Parks and Recreation, States Lands Commission, U.S. Army Corps of Engineers; and community advisors from California Coastal Coalition, California Lobster and Trap Fisherman Association, Coastal Environmental Rights Foundation, Scripps Institution of Oceanography, Southern California Tribal Chairmen’s Association, and Surfrider Foundation</td>
<td>Advises on the implementation of the Shoreline Preservation Strategy, the Regional Comprehensive Plan, and the Coastal Regional Sediment Management Plan</td>
<td>1980s</td>
<td>Standing</td>
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<td>Meeting Schedule: Quarterly</td>
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<td>No. of Mtgs. in FY 2013: 2</td>
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Changes from last year are marked in **bold**
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<tr>
<th>COMMITTEE OR WORKING GROUP NAME</th>
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<th>RESPONSIBILITY</th>
<th>YEAR ESTABLISHED</th>
<th>CURRENT STATUS</th>
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<tbody>
<tr>
<td>19 Committee on Binational Regional Opportunities</td>
<td>Stakeholders from both sides of the United States/Mexico border, including representatives from local jurisdictions, businesses, and academia</td>
<td>Advises on binational-related planning and project development issues</td>
<td>1995</td>
<td>Standing</td>
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<td>Meeting Schedule: Bimonthly</td>
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<td>No. of Mtgs. in FY 2013: 6</td>
</tr>
<tr>
<td>20 Interagency Technical Working Group on Tribal Transportation Issues</td>
<td>Representatives from each of the 17 federally recognized tribal governments and California tribes in San Diego County</td>
<td>Discuss and coordinate transportation issues of mutual concern with the various public planning agencies in the region, including SANDAG, Caltrans, the County of San Diego, and the transit operators</td>
<td>2007</td>
<td>Standing</td>
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<td>Meeting Schedule: Quarterly</td>
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<td>No. of Mtgs. in FY 2013: 5</td>
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## PUBLIC SAFETY COMMITTEE

<table>
<thead>
<tr>
<th>COMMITTEE OR WORKING GROUP NAME</th>
<th>MEMBERSHIP</th>
<th>RESPONSIBILITY</th>
<th>YEAR ESTABLISHED</th>
<th>CURRENT STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>21 ARJIS Business Working Group</td>
<td>Appointed staff members from each agency represented on the Chiefs’/Sheriff’s Management Committee</td>
<td>Provides advice to the Chiefs’/Sheriff’s Management Committee on ARJIS matters relating to information sharing, business practices, and budget</td>
<td>1998</td>
<td>Standing</td>
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<td>Meeting Schedule: Bimonthly</td>
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<td>No. of Mtgs. in FY 2013: 4</td>
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<tr>
<td>22 ARJIS Technical Working Group</td>
<td>Appointed staff members from each agency represented on the Chiefs’/Sheriff’s Management Committee</td>
<td>Provides advice to the Chiefs’/Sheriff’s Management Committee on ARJIS matters relating to state-of-the-art information technology that enhances both officer and public safety</td>
<td>1998</td>
<td>Standing</td>
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<td>Meeting Schedule: Bimonthly</td>
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<td>No. of Mtgs. in FY 2013: 3</td>
</tr>
<tr>
<td>23 Chiefs’/Sheriff’s Management Committee</td>
<td>Sheriff and police chiefs from around the region</td>
<td>Reviews, evaluates, and oversees the SANDAG ARJIS and Criminal Justice work programs and budgets; and evaluates and recommends regional public safety initiatives</td>
<td>1981</td>
<td>Standing</td>
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<td>Meeting Schedule: Monthly</td>
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<td>No. of Mtgs. in FY 2013: 7</td>
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<td>COMMITTEE OR WORKING GROUP NAME</td>
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<td>RESPONSIBILITY</td>
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<tr>
<td>24 North Park – Mid-City-Bike Corridor Project</td>
<td>Representatives of established community groups within the project area as nominated by the community groups</td>
<td>Provide advice on the development of design alternatives and serve as a forum for community input to the project</td>
<td>2013</td>
<td>Temporary - will terminate upon completion of the design and planning phase (expected November 2013)</td>
</tr>
<tr>
<td>Staff Lead: Bridget Enderle</td>
<td></td>
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<td>Meeting Schedule: Bimonthly</td>
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<tr>
<td></td>
<td></td>
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<td></td>
<td>No. of Mtgs. in FY 2013: 1</td>
</tr>
<tr>
<td>25 Uptown Regional Bike Corridor Project</td>
<td>Representatives of established community groups within the project area as nominated by the community groups</td>
<td>Provide advice on the development of design alternatives and serve as a forum for community input to the project</td>
<td>2013</td>
<td>Temporary - will terminate upon completion of the design and planning phase (expected November 2013)</td>
</tr>
<tr>
<td>Staff Lead: Beth Robrahn</td>
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<td>Meeting Schedule: As needed</td>
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<td>No. of Mtgs. in FY 2013: 1</td>
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Action Requested: INFORMATION

LEGISLATIVE STATUS REPORT

File Number 7300400

Introduction

Periodic legislative status updates are provided to the Executive Committee throughout the year. This report provides a summary of the key provisions of the Governor’s May Revise. This report also provides updates on two bills previously reviewed by the Executive Committee: Assembly Joint Resolution 4 (Hueso) (AJR 4), which memorializes the California Legislature’s desire for the federal government to fund improvements at United States-Mexico ports of entry; and Assembly Bill 179 (Bocanegra) (AB 179), which would apply new restrictions for retention and sharing of customer account information to transportation agencies that employ an electronic transit fare collection system as well as electronic toll collection systems.

Discussion

Governor’s May Revise

Governor Brown released the State Budget May Revise on May 14, 2013. For the first time since elected Governor, revenues increased and proposed adjustments included funding augmentation instead of significant cuts. Education is proposed to receive the bulk of additional revenues, followed by investments in health care reform implementation and additional funding for county probation departments related to realignment. There are limited policy recommendations in comparison to prior year budgets, although reform of the Enterprise Zone (EZ) Program continues to be a focus.

State budget revenue collections are running $4.6 billion ahead of January projections. However, the Governor maintains that the additional funding represents savings over several fiscal years and the positive trend is predicted to slow. For the current fiscal year (FY 2012-2013), General Fund (GF) revenues are forecast to increase from January estimates of $95.4 billion to $98.2 billion, but expected to decrease in FY 2013-2014, from $98.5 billion to $97.2 billion. This represents a $2.8 billion increase in the current fiscal year, and a $1.3 billion decrease in the next. The Administration attributes the weakening economy to inaction by the federal government to extend the 2 percent payroll tax deduction and implementation of sequestration, which were not accounted for in the January Budget.

The Legislative Analyst Office (LAO) disagrees with the Governor’s budget projections, and as a result, has forecast revenues $3.2 billion in excess of the Governor’s Revise for FY 2011-2012, FY 2012-2013, and FY 2013-2014, combined. The LAO bases the more positive projection on recent increases in stock prices. While the LAO provides alternatives for the Legislature to consider...
appropriating additional projected revenues, it still recommends a cautionary approach to spending
without dutiful consideration of past practices of “boom and bust” budgeting. Both the Governor
and the LAO discussed risks and liabilities in detail, which include uncertainty about the economic
recovery; rising health care costs; federal government instability; paying down state debt; deferred
maintenance; CalPERS and CalSTRS payments; and retiree health care costs.

Highlights of the May Revise include the following:

- Increase of $2.9 billion in education funding to the Proposition 98 guarantee for FY 2012-2013
  and a decrease of $941 million in FY 2013-2014 Proposition 98 funding. The guarantee is tied to
  GF revenues, which are reflected in the adjusted appropriations for FY 2012-2013 and FY 2013-
  2014.

- Related to the expansion of Medi-Cal under the federal Patient Protection and Affordable Care
  Act, the Department of Finance (DOF) projects to achieve $300 million in GF savings by
  realigning some responsibilities of California Work Opportunity and Responsibility to Kids
  (CalWORKS) to counties. Savings are forecast to grow to $1.3 billion by FY 2015-2016.

- The May Revise includes a plan to pay down the state’s debt from $35 billion in FY 2010-2011 to
  less than $5 billion by FY 2016-2017, and includes a $1.1 billion contribution to reserves.

- DOF also proposes a revamping of the EZ Program, which is projected to cost the state $1 billion
  by FY 2015-2016. The May Revise replaces January’s proposed minor reforms with revenue-
  neutral proposals to restructure and limit the program. Specific details about the proposed
  programming changes have not been released.

**Transportation**

Caltrans has a $12.8 billion budget, with approximately 13 percent of annual state transportation
revenues dedicated to debt service costs expected to grow to over $1 billion in FY 2013-2014. Adjustments in the Caltrans budget include:

- A reduction of $36.3 million and 184 positions due to decreased workload associated with the
  winding down of Proposition 1B and American Recovery and Reinvestment Act funding.

- A net reduction of $2.2 million to the Equipment Program as a result of the Governor’s Zero-
  Based Budget review analysis.

- A $2.1 million augmentation to the Stormwater Program to fund 25 new positions to
  implement the new National Pollution Discharge Elimination Stormwater permit.

- An increase of $18.6 million to comply with the federal Passenger Rail Investment and
  Improvement Act of 2008 requiring all-short distance AMTRAK corridor services to be
  100 percent state supported, which includes the Pacific Surfliner intercity service.

- Consolidation of five existing state programs into a newly created $134.2 million Active
  Transportation Program (ATP) to focus funding on high-priority projects that reduce
  greenhouse gas (GHG) emissions, consistent with Senate Bill 375 (Steinberg, 2008). Proposed
  trailer bill language would require the California Transportation Commission to develop
guidelines and selection criteria for the new ATP, in consultation with other state agencies and Metropolitan Planning Organizations (MPOs). Consolidated programs include the Safe Routes to School Program and the Bike Transportation Account.

- Allocation of Proposition 1B bond appropriations:
  - $80.7 million for Trade Corridors Improvement Fund
  - $40.8 million for State Route 99
  - $14.4 million for Local Bridge Seismic Retrofit
  - $78 million for State Highway Operations
  - $0.5 million for Grade Separations
  - $43.8 million for Intercity Rail

**Cap and Trade**

The Governor proposes a one-time loan of $500 million to the GF from FY 2012-2013 and FY 2013-2014 cap and trade auction proceeds. It is unclear when the loan would be repaid. The Governor contends this would allow for agencies to adjust programs to maximize GHG reductions and give time to the California Air Resources Board to complete the AB 32 Scoping Plan, expected by the end of 2013. The Assembly Budget Subcommittee voted to approve $400 million of the proposed loan, leaving $100 million subject to legislation. On May 24, 2013, the proposed loan was sent to the full Budget Conference Committee for discussion and action.

In July 2012, the Board of Directors approved cap and trade principles to enable SANDAG to respond to proposals by the Legislature and the Administration for use of cap and trade revenues (Attachment 1). SANDAG has been participating in the statewide Transportation Coalition for Livable Communities (Coalition) to develop a framework for the investment of cap and trade revenues associated with transportation. The Coalition’s proposal is embodied in AB 574 (Lowenthal). Members of the Coalition include the California Transit Association, League of California Cities, California State Association of Counties, other MPOs, Natural Resources Defense Council, California Alliance for Jobs, Environmental Defense Fund, California Center for Sustainable Energy, and others.

Specifically, AB 574 would establish the Sustainable Communities Infrastructure Program to fund implementation of Sustainable Communities Strategies. A premise of the bill is that the cap and trade auction revenues raised from the transportation sector (to decrease transportation-related GHG emissions) should be invested back into the transportation sector to provide for cleaner and more efficient transportation and land use outcomes. Key components of AB 574 include:

- Per capita distribution of funds to California regions
- A regional competitive grant program guided by state policy objectives aligning with regional GHG reduction
• A performance-based approach to maximize investments

• Flexibility at the local and regional level

• Support for co-benefits such as air quality, public health, resource protection, equity, affordable housing, agriculture, and safety

AB 574 proposes funding for public transit operations, maintenance, and infrastructure among eligible investments for the funds. AB 574 was held in Assembly Appropriations Committee, but Coalition partners expect to continue to work with the Administration and Legislature during the budget process to incorporate the primary principles of AB 574 into the final Cap and Trade Investment Plan or budget trailer language. Support of AB 574 is consistent with the cap and trade principles adopted by the Board of Directors on July 27, 2012.

Next Steps

The May Revise marks the beginning of budget negotiations between the Governor and the Legislature. The Legislature is required to pass a budget by June 15 and the Governor is required to sign it into law by July 1. Staff will continue to monitor the state budget as the legislative process continues and report back to Executive Committee.

State Legislation

Assembly Joint Resolution 4 (Hueso) Relative to the United States – Mexican Border

AJR 4 was introduced by Senator Ben Hueso to memorialize the California Legislature’s desire for the federal government, including the Department of Homeland Security and the General Services Administration, to fund improvements at the San Ysidro, Otay Mesa, and Calexico Ports of Entry. On April 12, 2013, the Executive Committee adopted a support position for the resolution. On May 1, 2013, AJR 4 was chaptered by the Secretary of State.

Additionally, on May 24, 2013, SANDAG transmitted a letter to the San Diego Congressional Delegation and United States Senators Barbara Boxer and Dianne Feinstein to request support of the President’s FY 2014 Budget Proposal for funding infrastructure improvements at the San Ysidro Port of Entry.

Assembly Bill 179 (Bocanegra) – Public Transit: Electronic Transit Fare Collection Systems: Disclosure of Personal Information

AB 179, introduced by Assembly Member Raul Bocanegra, would apply new restrictions for retention and sharing of customer account information to transportation agencies that employ an electronic transit fare collection system, such as the Compass Card in the San Diego region, as well electronic toll collection systems, such as the Interstate 15 FasTrak® and South Bay Expressway programs. Specifically, the bill originally required that personally identifiable account information (PII) be discarded no more than six months after “the billing cycle has concluded, the bill has been paid, and all toll violations, if applicable, have been resolved.”

On April 12, 2013, the Executive Committee took an “oppose unless amended” position and directed staff to work with the author to increase the proposed six-month time period for deleting
PII to 4½ years, consistent with the current law applicable to PII for electronic tolling collection systems. Further, it was requested that the definition of PII be clarified so that SANDAG could use historical data for performance monitoring and forecasting purposes.

On April 24, 2013, Assembly Member Bocanegra amended AB 179 to increase the timeframe to discard PII from six months to 4½ years. Language also was included to clarify permissible uses for retention of data beyond the 4½ year period. On May 24, 2013, AB 179 passed the Assembly Floor and will be assigned to a Senate Committee as the legislative process proceeds. Staff will continue to monitor the bill as it makes its way through the legislative process.

In addition, status reports from SANDAG state and federal representatives are included as Attachments 2 and 3, respectively.

KIM KAWADA
TransNet and Legislative Affairs Program Director

Attachments: 1. SANDAG Cap and Trade Principles
2. Report from Ellison Wilson Advocacy
3. Report from Peyser and Associates

Key Staff Contact: Jaymie Bradford, (619) 699-1994, jaymie.bradford@sandag.org
SANDAG Cap and Trade Principles
Adopted by the Board of Directors on July 27, 2012

- **Dedicate the allocation revenues related to fuel to transportation investments.** Since the transportation sector contributes about 40 percent of the state’s greenhouse gas (GHG) emissions, a similar share of the allowance revenues should be dedicated to projects and programs that reduce GHG emissions from the transportation sector.

- **Ensure revenues are dedicated to public transportation.** In lawsuits filed on the 2050 Regional Transportation Plan and its Sustainable Communities Strategy (SCS), the Attorney General and other petitioners assert that SANDAG should accelerate investment in the region’s public transportation system. The state should dedicate cap and trade auction revenues to public transportation as a near-term source of state funds to advance the transit projects and programs included in regional plans.

- **Provide an equitable distribution of funds.** Each region’s share of allowance revenues should be allocated on a formula basis to reflect a geographically equitable distribution of funds.

- **Ensure revenues are invested consistent with regional plans and Sustainable Communities Strategies.** Eligible projects should be consistent with a California Air Resources Board- (CARB) approved and regionally adopted SCS.

- **Ensure project eligibility criteria are created in collaboration with Metropolitan Planning Organizations.** Metropolitan Planning Organizations should collaborate with CARB to develop statewide eligibility thresholds that provide maximum flexibility for implementation at the regional level.
TO: SANDAG BOARD OF DIRECTORS
FROM: ELLISON WILSON ADVOCACY, LLC
SUBJECT: SANDAG LEGISLATIVE ACTIVITY REPORT – MAY 2013

CAPITOL UPDATE

May Legislative Overview
On the legislative front, there were a number of key legislative deadlines in May that were critical in defining which bills, as well as the substance of the bills, will remain active in the 2013. These deadlines included the May 3rd and May 10th deadlines for all fiscal and non-fiscal bills, respectively, to be heard by policy committees in their house of origin, the May 24th deadline for fiscal committees to hear bills introduced in their house, and the May 31st deadline for all bills to be passed out of the house of origin.

SANDAG has identified several dozen bills that are of key importance to SANDAG this session. Out of that pool of legislation that Ellison Wilson is working on, the following bills survived these hurdles and remain active going into the second half of the legislative year: SB 1 (would authorize certain public entities of a Sustainable Communities Investment Area to form a Sustainable Communities Investment Authority to carry out the Community Redevelopment Law in a specified manner); AB 14 & AB 528 (State Rail Plan); AB 179 (would make certain personally identifiable information retention provisions applicable to a transportation agency that employs an electronic transit fare collection system for payment of transit fares); AB 266 (would extend the operation of provisions related to HOV lanes for certain low-emission vehicles); AB 946 (would authorize the Monterey-Salinas Transit District and the Santa Cruz Metropolitan Transit District to conduct a transit-bus only program using the shoulders of certain state highways as transit-bus only traffic corridors); AB 1290 (would provide for 2 additional voting members of the California Transportation Commission to be appointed by the Legislature); SB 242 (TransCore-related); SB 557 (High Speed Rail); and SB 731 (CEQA Reform). The following bills did not survive these hurdles: AB 574 (the Transportation Coalition for Livable Communities – of which SANDAG is a member – bill that would require the State Air Resources Board, in consultation with the California Transportation Commission and the Strategic Growth Council, to establish standards for the use of moneys allocated from the Greenhouse Gas Reduction Fund for sustainable communities projects); AB 431 (would authorize a transportation planning agency that is designated as a metropolitan planning organization to impose a transactions and use tax, as specified, at a rate of no more than 0.5%); AB 749 (would create a new Public Infrastructure Advisory Commission); AB 842 (would prohibit federal or state funds, including state bond funds, from being expended by the High-Speed Rail Authority); AB 863 (would authorize the Department of Transportation to assume certain responsibilities for federal review and clearance under the National Environmental Policy Act of 1969 (NEPA) for a transit project); and AB 1179 (would require the sustainable communities strategy to identify, in consultation with each local educational agency in the region, how the sustainable communities strategy may impact school enrollments and capacities).
Senate Governance & Finance Hearing on State Constitutional Amendments to Lower Vote Threshold to 55% on Tax for Transportation Projects

In a special hearing on May 15th, the Senate Governance & Finance Committee heard a number of State Constitutional Amendments (SCAs) that would place a measure on the next regularly scheduled General Election to authorize a local government to levy, increase, or extend certain special taxes upon the approval of 55% of the voters of that local government – rather than the current 2/3’s requirement. Democrats garnered a supermajority at the Capitol after the last election, which gives them the ability to pass partisan 2/3’s bills such as SCAs without any Republican votes, assuming that virtually all the Democrats in each house agree. As such, two measures were introduced, SCA 4 (Liu) and SCA 8 (Corbett), which would allow local agencies to levy, extend, or increase special taxes at 55% vote for local transportation projects. A number of additional SCAs were also introduced and heard by the Committee on topics ranging from parcel taxes to libraries to community and economic development projects.

At the hearing, support for the SCA’s included local governments, labor groups, and transportation groups, while opposition included the CA Chamber of Commerce, Howard Jarvis Taxpayers, Association of Realtors, and others. Each SCA was ultimately passed by the Committee along party lines, however they will obviously continue to be the source of much discussion. Most stakeholders acknowledge that there will likely be a bigger play on these types of bills at some point in the year, most likely dictated by Democratic leadership and Governor Brown. At this point, no one seems clear what this play may be - whether it’s one bill that grants broad authority to local governments or several individual bills granting distinct authority on different subject matters, such as transportation. However, it’s worth noting that even proponents acknowledge that the these type of measures are not polling particularly well with voters right now, thus it would not be the best time to put it on a ballot.

Governor’s May Revise

On May 14th, the Governor released the May Revise of his budget proposal. One of the more controversial provisions contained in the May Revise was the proposal to loan $500 million from the Greenhouse Gas Reduction Fund (which is composed of Cap & Trade auction revenues) to the General Fund. The proposal would delay the expenditure of these Cap & Trade funds until FY 2014-15 but allow the state to borrow the money and place it in its reserve fund. The delay would allow the Air Resources Board to refine the Investment Plan and to update the Scoping Plan, both of which are scheduled to be released this year. This proposal was concerning to the Transportation Coalition for Livable Communities (of which SANDAG is a member), which had been advocating for passage of AB 574. This bill would have directed the immediate appropriation of funds from the GHG Reduction Fund for projects in the transportation sector that meet specified requirements, including competitively awarded grants based on criteria established by ARB. Unfortunately, as noted in the previous section, this bill failed to advance. Ellison Wilson attended each budget subcommittee and full committee hearing on the GHG loan proposal. Ultimately the Assembly Budget Committee adopted the alternative budget proposal to reduce the loan amount to $400M, leaving the remaining $100M un-appropriated and subject to legislation, while the Senate Budget Committee reluctantly adopted the Governor’s proposal. Because there was a difference between each house’s action, the Budget Conference Committee is reviewing the matter now.

Also contained in the Governor’s May Revise was an $18.6M special fund appropriation for Pacific Surfliner AMTRAK to reflect a change in federal law, which was supported by California’s Intercity Passenger Rail Corridor Board of Directors. This proposal was approved by the both the Assembly and Senate Budget Committees.

The Legislature must pass the Budget Bill by June 15th (Art. IV, Sec. 12(c)(3)).
ACTIVITY REPORT

Ellison Wilson Activity – May 2013

5/1: Attended/monitored Senate Environmental Quality Committee for hearing on SB 731 (Steinberg); attended/monitored Assembly Appropriations Committee for hearing on AB 266 (Blumenfield); provided subsequent updates to SANDAG staff

5/6: Weekly teleconference with SANDAG staff

5/8: Attended/monitored Assembly Appropriations Committee for hearing on AB 179 (Bocanegra) & AB 528 (Lowenthal)

5/9: Meeting with Senate Governance & Finance staff regarding transportation-related SCAs 4 & 8 in Committee’s upcoming hearing; provided subsequent update to SANDAG staff

5/10: Provided update to SANDAG staff on policy committee deadlines, AB 731 amendments, and bills heard in committee

5/13: Attended/monitored Senate Floor session where SB 242 (Wyland) advanced; provided subsequent update to SANDAG staff

5/14: Provided initial May Revise summary to SANDAG staff; initial meetings with budget staff and fellow stakeholders on Governor’s cap & trade proposal; provided initial feedback to SANDAG staff

5/15: Attended/monitored Senate Governance & Finance Committee hearing on transportation-related SCAs 4 & 8; attended/monitored Assembly Budget Subcommittee #3 on cap & trade proposal and discussed matter with fellow stakeholders; attended/monitored Assembly Appropriations Committee hearing on AB 14 (Lowenthal), AB 946 (Stone), and AB 1290 (Perez); provided subsequent updates to SANDAG staff

5/16: Attended/monitored Select Committee AB 32 hearing; researched ARB’s “Cap-and-Trade Auction Proceeds Investment Plan”

5/17: Provided various budget overviews to SANDAG staff

5/20: Weekly teleconference with SANDAG staff; Attended/monitored Assembly Floor Session on AB 528 (Lowenthal) and AB 266 (Blumenfield); provided subsequent updates to SANDAG staff

5/21: Researched and communicated with budget committee staff regarding Active Transportation Program contained in May Revise; attended/monitored Senate Budget Subcommittee #2 hearing on cap & trade matters; provided SANDAG staff with subsequent update and a copy of Assembly Budget Subcommittee #3 agenda regarding intercity rail funds, cap and trade, and Active Transportation Program

5/22: Attended/monitored Assembly Budget Subcommittee #3 hearing on intercity rail, cap and trade, and Active Transportation Program; Attended/monitored Senate Budget Subcommittee #2 hearing on Caltrans budget; provided SANDAG staff with subcommittee updates

5/23: Attended/monitored Senate Appropriations Committee “suspense file” hearing on SB 1 (Steinberg) and SB 731 (Steinberg); met with Assembly Budget Committee staff on intercity rail funds item; attended/monitored Senate Floor Session on SB 557 (Hill); provided SANDAG staff with subsequent updates

5/24: Attended/monitored full Senate Budget Committee hearing on cap and trade item; attended Assembly Appropriations Committee “suspense file” hearing on AB 574 (Lowenthal), AB 14 (Lowenthal) and AB 1290 (Perez); attended/monitored Assembly Floor Session on AB 179 (Bocanegra) and AB 946 (Stone); call with Assembly Member Gordon’s staff regarding AB 797; provided subsequent updates to SANDAG staff including amendments to SCA 4 and SCA 8

5/28: Weekly teleconference with SANDAG staff; attended/monitored full Assembly Budget Committee on cap and trade, intercity rail, and Active Transportation Program; Meeting with Gordon’s staff regarding prospect of broadening AB 797 and ensuring that SANDAG’s interest would not be unduly impacted (particularly SB 1549 from 2012); delivered support letters from California’s Intercity Passenger Rail Corridor Board of Directors for intercity rail proposal to Senate and
Assembly Budget Committee Members and consultants; attended/monitored Senate Floor Session on SB 1; provided subsequent updates to SANDAG staff

5/29: Attended/monitored Assembly Floor Session on AB 14 and AB 1290; attended/monitored Senate Floor Session on SB 731; researched Prop 1B appropriations in Proposed Budget; communicated with Governor’s Appointments Staff concerning any impending applicable agency appointees for SANDAG; provided subsequent updates to SANDAG staff

5/31: Attended/monitored Budget Conference Committee on cap and trade; provided subsequent update to SANDAG staff
## Activity Report for SanDAG
May, 2013
Peyser Associates LLC

<table>
<thead>
<tr>
<th>Date</th>
<th>Activity</th>
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<tr>
<td>5/1</td>
<td>Meeting with Rep. Peters’ staff regarding Mid-Coast project update</td>
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<tr>
<td>5/3</td>
<td>Prepare and send weekly transportation update to SANDAG, MTS, NCTD</td>
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<tr>
<td>5/7</td>
<td>Prepare and send to SanDAG Mid-Coast Action Item document</td>
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<tr>
<td>5/8</td>
<td>E-mail exchanges with P. Jablonski, MTS re: Sec. 13(c) issue</td>
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<tr>
<td>5/10</td>
<td>Prepare and send weekly transportation update to SANDAG, MTS, NCTD</td>
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<td>5/14</td>
<td>Biweekly teleconference with SANDAG, MTS, and NCTD</td>
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<td>5/15</td>
<td>CRS Reports provided to SANDAG for purposes of border security briefing</td>
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<tr>
<td>5/16</td>
<td>Emails to House and Senate congressional delegation regarding Mid-Coast environmental documents and public comment period</td>
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<tr>
<td>5/16</td>
<td>Monthly Mid-Coast teleconference</td>
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<tr>
<td>5/16</td>
<td>Teleconference regarding 13 (c) with V. Stackwick</td>
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<tr>
<td>5/17</td>
<td>Prepare and send weekly transportation update to SANDAG, MTS, NCTD</td>
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<td>5/21</td>
<td>SR-11 Team Teleconference</td>
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<td>Prepare and send weekly transportation update to SANDAG, MTS. NCTD</td>
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<td>Biweekly teleconference with SANDAG, MTS, and NCTD</td>
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<td>5/30</td>
<td>Prepare and send weekly transportation update to SANDAG, MTS, NCTD</td>
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May 16, 2013

Transportation Update from Peyser Associates

Foxx Hearing Scheduled – May 22

Following a week where DOT Nominee Anthony Foxx visited with a number of senators on Capitol Hill, Commerce Committee Chairman John Rockefeller (D-WV) announced (via Twitter) that Foxx’s nomination hearing will be held at 2:30 pm on Wednesday, May 22. Senators on both sides of the aisle praised Foxx after meeting him and indicated that they are not expecting any issues to develop that would prevent the nomination from proceeding.

CBO Updates Highway Trust Fund Numbers

The Congressional Budget Office (CBO) provided updated numbers this week looking into the future of the Highway Trust Fund (HTF). The document shows that starting in fiscal year 2015 the trust fund will not be able to meet all obligations; with the highway account short $7 billion and the transit account short $1 billion. CBO projects out to 2023, when the highway account will be short by $97 billion and the transit account will have $35 billion less than needed. These numbers only further illustrate what all transportation stakeholders already know – major changes to the way highways and transit are funded are going to need to be a part of the next surface transportation reauthorization once MAP-21 expires in September 2014. CBO’s projections can be seen at: http://www.cbo.gov/sites/default/files/cbofiles/attachments/44201_HighwayTrustFund.pdf.

Upcoming Hearing – House T&I

On Tuesday, May 21, the Railroads Subcommittee of the House T&I Committee will hold a hearing looking at passenger rail. The hearing is titled “Understanding the Cost Drivers of Passenger Rail”. Witnesses have not yet been announced.

Additional rail hearings are planned. The subcommittee plans to hold field hearings in California on high speed rail on May 28 and on in New York on Northeast Corridor rail issues on June 7.
May 30, 2013

Transportation Update from Peyser Associates

Foxx Update

A spokesman for Majority Leader Harry Reid (D-NV) indicated this week that, while many of Obama’s nominees are going to be held off the floor until July, if Republicans are willing to move quickly on DOT Nominee Anthony Foxx and allow a straight up-or-down vote, his nomination could be on the floor in June. Of course, the Senate Commerce Committee still needs to vote to approve the nomination, which could occur as early as next week.

Bridge Safety

Following two high-profile bridge collapses in the past week (one in Washington State; one in Missouri), Congresswoman Janice Hahn (D-CA) used the opportunity to push her bill H.R 1419, the Bridge to Jobs Act. Hahn, a member of the House Transportation and Infrastructure Committee, wrote to Chairman Shuster (R-PA) this week to encourage the committee to hold hearings on bridge safety in the coming weeks. Hahn’s bill authorizes $10 million to DOT for grants to states to repair or replace bridges the Federal Highway Administration has found to be structurally deficient. The grants could cover costs directly or indirectly related to the repair or replacement of such bridges, including administrative expenses and job training costs.

Congressional Public Transportation Caucus

Two members of Congress recently announced the formation of the Congressional Public Transportation Caucus to address issues facing public transportation in all forms, including rail, light rail, bus rapid transit, and traditional bus service. The caucus was formed by Congressman Dan Lipinski (D-IL), who sits on the House T&I Committee, and Congressman Michael Grimm (R-NY). The press release states that the forum will provide opportunities for a bipartisan group of Members “to engage in constructive dialogue on the challenges and needs of mass transit agencies across the country as increasing demand and decreasing funding are putting unprecedented pressure on America’s public transportation systems”. We will keep you posted on an official member list.

DOT Announces Additional Hurricane Sandy $$ for Transit

DOT announced an additional $3.7 billion in disaster relief funds related to last fall’s Superstorm Sandy available to the Metropolitan Transportation Authority of New York, the New York City Department of Transportation, New Jersey Transit and the Port Authority of New York and New Jersey. Of the funds, $1.3 billion is intended to allow the agencies to better prepare for future disasters. Examples of these types of projects may include elevating storm drains to reduce the volume of water that pours into stations below street level, installing higher capacity water pumps and installing back-up sources of power for lighting, flood pumps and other necessities.
Department of Transportation IG Report

DOT’s Inspector General made public a progress report this week evaluating the agency’s actions in implementing the Accelerating Project Delivery (Subtitle C) provisions in MAP-21. DOT has a plan of 42 actions needed to meet Subtitle C requirements. As of the end of March 2013, five actions had been completed and most remaining actions were in progress. The IG reports that DOT did not assign estimated completion dates to all of the actions unless deadlines were statutorily assigned. Therefore, the IG predicts that, while certain MAP-21 milestones will be met, DOT “faces challenges to complete all required rulemakings within the statutorily set dates”. The IG’s office is statutorily required to continue to audit the progress of Subtitle C implementation.
REVIEW OF JUNE 28, 2013, DRAFT BOARD BUSINESS AGENDA

ITEM # | RECOMMENDATION
--- | ---
+1. APPROVAL OF MEETING MINUTES | APPROVE
+1A. MAY 10, 2013, BOARD POLICY MEETING MINUTES
+1B. MAY 24, 2013, BOARD BUSINESS MEETING MINUTES

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

Public comments under this agenda item will be limited to five public speakers. Members of the public shall have the opportunity to address the Board on any issue within the jurisdiction of SANDAG that is not on this agenda. Other public comments will be heard during the items under the heading “Reports.” Anyone desiring to speak shall reserve time by completing a “Request to Speak” form and giving it to the Clerk of the Board prior to speaking. Public speakers should notify the Clerk of the Board if they have a handout for distribution to Board members. Public speakers are limited to three minutes or less per person. Board members also may provide information and announcements under this agenda item.

+3. ACTIONS FROM POLICY ADVISORY COMMITTEES | APPROVE

This item summarizes the actions taken by the Transportation and Regional Planning Committees on June 7, the Executive Committee on June 14, and the Transportation Committee on June 21, 2013.

CONSENT (4 through XX)

+4. MEMORANDUM OF UNDERSTANDING FOR THE SAN YSIDRO LAND PORT OF ENTRY VIRGINIA AVENUE TRANSIT FACILITY PROJECT (Jennifer Williamson) | APPROVE

The U.S. General Services Administration (GSA) is requesting that SANDAG 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 authorize the Executive Director to enter into the MOU with GSA in substantially the same form as attached to the report.
+5. UNIVERSITY OF CALIFORNIA, SAN DIEGO SUPERCOMPUTER CENTER AGREEMENT (Clint Daniels)

Staff proposes a one-year pilot program with the University of California, San Diego (UCSD) Supercomputer Center (Center) to use its supercomputers to run the Activity-Based Model (ABM) for SANDAG project work. This pilot program would test the feasibility of using the Center on an ongoing basis to improve model runtimes and reduce computer infrastructure costs at SANDAG. The Executive Committee recommends that the Board of Directors authorize the Executive Director to execute the UCSD Service Agreement in substantially the same form as attached to the report for this and future agreements with UCSD related to ABM deployment.

+6. AMENDED AND RESTATED ADDENDUM FOUR TO MASTER MEMORANDUM OF UNDERSTANDING BETWEEN SANDAG AND MTS; FY 2014 CLAIMS FOR TDA AND STA; AND FY 2013 TDA CLAIM AMENDMENTS (Sookyung Kim)

The Transportation Development Act (TDA) provides one-quarter percent of the state sales tax for support of public transportation and non-motorized transportation. This report presents the FY 2014 requests for TDA Article 4, Article 4.5, Article 8, Planning and Administration claims, one State Transit Assistance (STA) claim, and amendments to the FY 2013 TDA claims for the Metropolitan Transit System (MTS) and North County Transit District (NCTD). The Transportation Committee recommends that the Board of Directors: (1) approve Amended and Restated Addendum Four to Master MOU between SANDAG and MTS; (2) adopt Resolution Nos. 2013-26 through 2013-30 approving the FY 2014 TDA claims; (3) adopt the STA findings as certified by NCTD; and (4) adopt Resolution Nos. 2013-31 through 2013-33 approving FY 2013 TDA claim amendments, all in substantially the same form as attached to the report.

+7. ANNUAL REVIEW OF COMMITTEES AND WORKING GROUPS (Victoria Stackwick)

As required by SANDAG Board Policy No. 004: Rules of Procedure for Board of Directors, Policy Advisory Committees, and Other Legislative Bodies, this item provides an annual report on the status of all standing and temporary committees and working groups.

+8. REPORT SUMMARIZING DELEGATED ACTIONS TAKEN BY 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.
+9. 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.

10.

CHAIR’S REPORT (11)

11. RECOGNITION OF OUTGOING TransNet INDEPENDENT TAXPAYER OVERSIGHT COMMITTEE MEMBER*

The Board of Directors will recognize Jim Ryan, outgoing member of the TransNet Independent Taxpayer Oversight Committee, who completed his term of service in May 2013.

REPORTS (12 through XX)

+12. ANNUAL REPORT FROM THE TransNet INDEPENDENT TAXPAYER OVERSIGHT COMMITTEE (Carolyn Lee, ITOC; Ariana zur Nieden)*

Carolyn Lee, a member of the TransNet Independent Taxpayer Oversight Committee, will present the Committee’s annual report for FY 2013. In accordance with the TransNet Extension Ordinance, this annual report presents the results of the annual fiscal and compliance audit process, including findings and recommendations.

+13. TransNet SMART GROWTH INCENTIVE PROGRAM: APPROVAL OF GRANT AWARDS FOR THE FY 2013 CYCLE (Lemon Grove Mayor Mary Sessom, Regional Planning Committee Chair; Stephan Vance)*

The Regional Planning and Transportation Committees recommend that the Board of Directors approve the award of the FY 2013 cycle of the Smart Growth Incentive Program grants as outlined in the attached report.
+14. MID-COAST CORRIDOR TRANSIT PROJECT: PROPOSED CRITERIA FOR CONSTRUCTION MANAGER/GENERAL CONTRACTOR PROCUREMENT (San Diego Council President Todd Gloria, Transportation Committee Chair; John Haggerty)*

In April, the Board of Directors authorized the use of the Construction Manager/General Contractor (CM/GC) construction contracting method for the Mid-Coast Corridor Transit Project and designated itself as the body to approve the award of the CM/GC contract. Input received from the Transportation Committee, industry, and expert review has been incorporated into the proposed criteria and contract provisions for CM/GC procurement. The Transportation Committee recommends that the Board of Directors (1) approve the proposed evaluation criteria and contract provisions for the CM/GC procurement; (2) authorize the use of the CM/GC construction delivery method for the Elvira to Morena Double Track and San Diego River Bridge projects; and (3) include the scope for all three projects in a CM/GC procurement process being conducted for Mid-Coast.

+15. PROPOSED MIXED USE DEVELOPMENT OF BUS LAYOVER FACILITY AND SANDAG OFFICE SPACE (Laura Coté, Muggs Stoll, and Marney Cox)*

In December 2012, staff was directed to conduct a feasibility study for the potential mixed use development of a bus layover facility and SANDAG office space. The results of this study will be presented to the Board of Directors for discussion and possible action.

16.

17. 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.

+18. CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(2) - TWO POTENTIAL CASES (Julie Wiley)

+19. CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(2) – MICHAEL ROBERTSON V. SAN DIEGO ASSOCIATION OF GOVERNMENTS (SAN DIEGO SUPERIOR COURT CASE NO. 37-2013-00051297-CU-WM-CTL) (Shelby Tucker)
20. **UPCOMING MEETINGS**

The next Board Policy meeting is scheduled for Friday, July 12, 2013, at 10 a.m. The next Board Business meeting is scheduled for Friday, July 26, 2013, 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
REVIEW OF JULY 12, 2013, DRAFT BOARD POLICY AGENDA

ITEM #                  RECOMMENDATION
1. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

Public comments under this agenda item will be limited to five public speakers. Members of the public shall have the opportunity to address the Board on any issue within the jurisdiction of SANDAG that is not on this agenda. Other public comments will be heard during the items under the heading “Reports.” Anyone desiring to speak shall reserve time by completing a “Request to Speak” form and giving it to the Clerk of the Board prior to speaking. Public speakers should notify the Clerk of the Board if they have a handout for distribution to Board members. Public speakers are limited to three minutes or less per person. Board members also may provide information and announcements under this agenda item.

REPORTS (2)

+2. SAN DIEGO FORWARD: THE REGIONAL PLAN: DRAFT POLICY OBJECTIVES (Lemon Grove Mayor Mary Sessom, Regional Planning Committee Chair; Muggs Stoll and Phil Trom)*

In May, the Board of Directors approved a vision and corresponding goals for San Diego Forward: The Regional Plan. Since then, staff has worked with SANDAG Policy Advisory Committees, working groups, stakeholders, and the public to develop the proposed policy objectives. The Board of Directors is asked to discuss the draft policy objectives for the regional plan.

3. 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.

4. UPCOMING MEETINGS

The next Board Business meeting is scheduled for Friday, July 26, 2013, at 9 a.m.

5. ADJOURNMENT

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