



**BOARD OF DIRECTORS**  
**APRIL 25, 2014**

**AGENDA ITEM NO. 14-04-1B**  
**ACTION REQUESTED - APPROVE**

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## **BOARD OF DIRECTORS DISCUSSION AND ACTIONS**

**MARCH 28, 2014**

Chairman Jack Dale (Santee) called the meeting of the SANDAG Board of Directors to order at 9:00 a.m. The attendance sheet for the meeting is attached.

### **1. APPROVAL OF MEETING MINUTES**

Action: Upon a motion by Deputy Mayor Lesa Heebner (Solana Beach) and a second by Councilmember Chris Orlando (San Marcos), the Board of Directors approved the minutes from the February 28, 2014, Board Business Meeting. Yes – 17 (weighted vote, 91%). No – 0 (weighted vote, 0%). Abstain – Chula Vista and Lemon Grove (weighted vote, 8%). Absent – None.

### **2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS**

Councilmember Sherri Lightner, Council District 1, City of San Diego, spoke in opposition to the proposed alignment of the Interstate 5 (I-5) crossing at La Jolla Village Square for the Mid-Coast Trolley Extension and its negative impact to the Cape La Jolla Gardens condominiums.

Julie Hamilton, Cape La Jolla Gardens Homeowners Association, spoke in opposition to the proposed alignment of the I-5 crossing at La Jolla Village Square for the Mid Coast Trolley Extension.

Michael Krupp, Cape La Jolla Gardens Homeowners Association, spoke in opposition to the proposed alignment of the I-5 crossing at La Jolla Village Square for the Mid Coast Trolley Extension.

Elizabeth Eller, Cape La Jolla Gardens Homeowners Association, spoke in opposition to the proposed alignment of the I-5 crossing at La Jolla Village Square for the Mid Coast Trolley Extension.

Will Cooper, Cape La Jolla Gardens Homeowners Association, spoke in opposition to the proposed alignment of the I-5 crossing at La Jolla Village Square for the Mid Coast Trolley Extension.

Mayor Ron Morrison (National City) commented that the City of Seattle is regulating the new entrants in the ride sharing industry, such as Uber and Side Car, by limiting the number of this type of vehicle that is allowed to operate within the city.

3. ACTIONS FROM POLICY ADVISORY COMMITTEES (APPROVE)

This item summarized the actions taken by Policy Advisory Committees since the last Board Business Meeting. The Board of Directors was asked to ratify the actions of the Policy Advisory Committees.

Action: Upon a motion by Council President Todd Gloria (City of San Diego) and a second by Councilmember Mike Woiwode (Coronado), the Board of Directors approved Item No. 3. Yes – 19 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent – None.

**CONSENT (4 through 8)**

4. FY 2015 REGIONAL TRANSIT CAPITAL IMPROVEMENT PROGRAM (APPROVE)

The Metropolitan Transit System (MTS) and the North County Transit District (NCTD) have developed their Capital Improvement Programs (CIPs) for FY 2015, which are the basis for the various Federal Transit Administration (FTA) formula funding grants and the Regional Transportation Improvement Program (RTIP) amendment for the related projects. The Transportation Committee recommended that the Board of Directors: (1) approve the FY 2015 CIP for the San Diego region (MTS and NCTD); (2) approve the submittal of FTA Sections 5307, 5337, and 5339 grant applications for the San Diego region (SANDAG, MTS, and NCTD); and (3) adopt Resolution No. 2014-13, approving Amendment No. 14 to the 2012 RTIP.

5. FY 2013 REQUESTS FOR EXCEPTION TO *TransNet* EXTENSION ORDINANCE REQUIREMENTS (APPROVE)

The NCTD, MTS, and City of Vista did not meet certain eligibility requirements as noted in their draft FY 2013 *TransNet* annual compliance audits. These agencies are requesting approval of certain exceptions, as permitted by the *TransNet* Extension Ordinance. The Transportation Committee recommended that the Board of Directors, acting as the San Diego County Regional Transportation Commission, approve the requests of MTS, NCTD, and the City of Vista to grant those exceptions to the *TransNet* Extension Ordinance, as permitted under the Ordinance.

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

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

7. REPORT ON MEETINGS AND EVENTS ATTENDED ON BEHALF OF SANDAG (INFORMATION)

Board members provided brief reports orally or in writing on external meetings and events attended on behalf of SANDAG since the last Board of Directors meeting.

8. ANNUAL UPDATE ON THE ACTIVITIES OF CRIMINAL JUSTICE RESEARCH AND CLEARINGHOUSE (INFORMATION)

As part of the SANDAG Criminal Justice Clearinghouse, regional crime and arrest statistics as well as statistics related to drug use among the offender population are tracked on a regular basis.

SANDAG has maintained these statistics since the late 1980s and remains the only regional source for up-to-date, historical information. An overview and update of the activities and accomplishments of the Criminal Justice Research Unit and the Clearinghouse was provided.

Action: Upon a motion by Council President Gloria and a second by Supervisor Ron Roberts (County of San Diego), the Board of Directors approved Consent Items No. 4 through 8. Yes – 19. No – 0. Abstain – 0. Absent – None.

### **CHAIRS REPORT (9)**

#### **9. 2014 iCOMMUTE DIAMOND AWARD WINNERS (INFORMATION)**

The SANDAG Transportation Demand Management (TDM) Program, iCommute, manages the region's approximately 748 vanpools, coordinates with employers to offer transportation benefits programs, and implements a variety of other ridesharing efforts. SANDAG recognizes local employers and organizations for their exemplary TDM efforts.

Chairman Dale introduced the item.

Joshua Eliano, Marketing Analyst, recognized selected local employers and organizations as Diamond Award recipients.

### **REPORTS (10 through 16)**

#### **10. REQUEST BY THE CITY OF DEL MAR TO EXECUTE A MEMORANDUM OF AGREEMENT FOR USE OF SANDAG COMMERCIAL PAPER PROGRAM (APPROVE)**

The Transportation Committee recommended that the Board of Directors: (1) authorize the Executive Director to execute a Memorandum of Agreement with the City of Del Mar to issue \$1.2 million in commercial paper through the *TransNet* Debt Financing Program; and (2) approve an exception to Rule No. 16 of SANDAG Board Policy No. 031 to increase the repayment period on such transactions from five to ten years.

Council President Gloria, Transportation Committee Chair, introduced the item.

Lisa Kondrat-Dauphin, Senior Accountant, presented the item.

Action: Upon a motion by Councilmember Lisa Shaffer (Encinitas) and a second by Councilmember Terry Sinnott (Del Mar), the Board of Directors authorized the Executive Director to execute a Memorandum of Agreement with the City of Del Mar to issue \$1.2 million in commercial paper through the *TransNet* Debt Financing Program, and approved an exception to Rule No. 16 of SANDAG Board Policy No. 031 to increase the repayment period on such transactions from five to ten years. Yes – 18 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent – National City.

12. RESOLUTION OF NECESSITY: ACQUISITION OF PROPERTY INTERESTS FOR THE INLAND RAIL TRAIL PROJECT (ADOPT)

The Board of Directors was asked to: (1) receive public testimony; (2) adopt Resolution No. 2014-14 by a two-thirds vote pertaining to acquisition of interests in the portions of properties referenced in the report; and (3) authorize staff to proceed with all condemnation filings and proceedings necessary to acquire the partial interests in the subject parcels for the Inland Rail Trail Project.

Chairman Dale introduced the item.

John Kirk, General Counsel; Jim Linthicum, Director of Mobility Management and Project Implementation; and Emilio Rodriguez, Senior Engineer, presented the item.

Brad Kuhn, Nossaman, presented the findings required for the resolution of necessity and stated that the findings are valid.

Chairman Dale opened the public hearing at 10:01 a.m.

William Smith, a member of the public, spoke in opposition to the taking of his property.

Art Silva, a member of the public, spoke in opposition to the taking of his father’s property.

Chairman Dale closed the public hearing at 10:12 a.m.

Gurley Sellers, a member of the public, spoke in opposition to the taking of his client’s property.

Action: Upon a motion by Council President Gloria and a second by Councilmember Woiwode, the Board of Directors adopted Resolution No. 2014-14 by a two-thirds vote pertaining to acquisition of interests in the portions of properties referenced in the report, and authorized staff to proceed with all condemnation filings and proceedings necessary to acquire the partial interests in the subject parcels for the Inland Rail Trail Project. Yes – 19 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent – None.

13. SAN DIEGO FORWARD: THE REGIONAL PLAN: DRAFT PERFORMANCE MEASURES (APPROVE)

Performance measures are used to compare different multimodal transportation network scenarios and help the Board of Directors select a preferred network for the Regional Plan. The Transportation and Regional Planning Committees recommended that the Board of Directors approve the draft performance measures for use in the development of San Diego Forward: The Regional Plan.

Deputy Mayor Heebner, Regional Planning Committee Chair; and Council President Gloria, Transportation Committee Chair, introduced the item.

Rachel Kennedy, Senior Regional Planner, presented the item.

Maya Coutts and Aideen Cox, members of the public, spoke in support of this item.

Monique Lopez, Environmental Health Coalition, spoke in support of this item.

Trent Burgess and Tameron Richards, members of the public, spoke in support of this item.

Randy Van Vleck, City Heights Community Development District, spoke in support of this item.

Action: Upon a substitute motion by Mayor Sam Abed (Escondido) and a second by Mayor Matt Hall (Carlsbad), the Board of Directors voted whether to direct staff to review the draft performance measures in order to address the concerns expressed by the Board members regarding measures 7E, 7F, 9A, and 9B, and the impact of the draft performance measures on projects' funding and priorities. Yes – 9 (weighted vote, 66.67%). No – 9 (weighted vote, 50%). Abstain – 0 (weighted vote, 0%). Absent – San Diego. This motion failed by tally vote.

Action: Upon a motion by Deputy Mayor Heebner and a second by Councilmember Shaffer, the Board of Directors approved the draft performance measures for use in the development of San Diego Forward: The Regional Plan. Yes – 12 (weighted vote, 51.67%). No – Carlsbad, Escondido, La Mesa, Oceanside, San Marcos, and Vista (weighted vote, 48.33%). Abstain – 0 (weighted vote, 0%). Absent – San Diego.

#### 11. DRAFT FY 2015 PROGRAM BUDGET (APPROVE)

SANDAG Bylaws require the Board of Directors to approve a preliminary budget by April 1 of each year. The Executive Committee reviewed this item and recommended that the Board of Directors approve the Draft FY 2015 Program Budget (including the Overall Work Program), and authorize distribution of the document to member agencies and other interested parties for review.

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

André Douzdjian, Finance Director, presented the item.

Action: Upon a motion by Councilmember Jack Feller (Oceanside) and a second by Mayor Morrison, the Board of Directors approved the Draft FY 2015 Program Budget (including the Overall Work Program) and authorized distribution of the document to member agencies and other interested parties for review. Yes – 14 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (weighted vote, 0%). Absent – El Cajon, Lemon Grove, Poway, San Diego, and San Marcos.

#### 14. REVIEW OF PROPOSED AMENDMENTS TO BYLAWS AND POLICIES (APPROVE)

The Executive Committee recommends that the Board of Directors approve the proposed amendments to the SANDAG Bylaws and Board Policies related to elimination of the Second Vice Chair position effective for the calendar year 2015 leadership selection process.

First Vice Chair Janney introduced the item.

Mr. Kirk presented the item.

Action: Upon a motion by Councilmember Feller and a second by Mayor Morrison, the Board of Directors approved the proposed amendments to the SANDAG Bylaws and Board Policies related to elimination of the Second Vice Chair position effective for the calendar year 2015 leadership selection process. Yes – 11 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0

(weighted vote, 0%). Absent – El Cajon, Encinitas, Escondido, Lemon Grove, Poway, San Diego, San Marcos, and Solana Beach.

Chairman Dale adjourned to closed session at 11:39 a.m.

15. CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(e)(3) – ONE POTENTIAL CASE

The Board of Directors was briefed on a Government Code Claim that has been filed against SANDAG by Wier Construction Corporation.

16. CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a) - CLEVELAND NATIONAL FOREST FOUNDATION ET AL. V. SANDAG (CASE NO. 37-2011-00101593-CU-TT-CTL), AND CREED-21 ET AL. V. SANDAG (CASE NO. 37-2011-00101660-CU-TT-CTL)

This item was continued.

Chairman Dale reconvened to open session at 11:57 a.m.

John Kirk, General Counsel, reported the following out of closed session: On Item 15, upon a motion by Mayor Abed and a second by Councilmember Feller, the Board of Directors voted to reject the claim by Wier Construction Corporation. Yes – Chairman Dale, First Vice Chair Janney, Mayor Hall, Councilmember Pamela Bensoussan (Chula Vista), Councilmember Woiwode, Councilmember Sinnott, Councilmember Shaffer, Mayor Abed, Vice Mayor Kristine Alessio (La Mesa), Councilmember Jerry Jones (Lemon Grove), Mayor Morrison, Councilmember Feller, Interim Mayor Gloria, Councilmember Heebner, Mayor Judy Ritter (Vista), and Chairwoman Dianne Jacob (County of San Diego). No – Supervisor Roberts. Abstain – None. Absent – City of El Cajon, City of Poway, City of San Diego, and City of San Marcos.

17. CONTINUED PUBLIC COMMENTS

There were no continued public comments.

18. UPCOMING MEETINGS

The San Diego Regional Tribal Summit, which will serve as the next Board Policy meeting, is scheduled for Friday, April 11, 2014, starting at 10 a.m.

***Please note, the meeting will be held at the following location:***

Barona Resort - Golf Events Center, 1932 Wildcat Canyon Road, Lakeside, California, 92040. The next Board Business meeting is scheduled for Friday, April 25, 2014, at 9 a.m. at the SANDAG offices.

19. ADJOURNMENT

Chairman Dale adjourned the meeting at 11:58 a.m.

**ATTENDANCE**  
**SANDAG BOARD OF DIRECTORS MEETING**  
**MARCH 28, 2014**

JURISDICTION/ ORGANIZATION	NAME	ATTEND OPEN SESSION	ATTENDING CLOSED SESSION
			ITEM 15
City of Carlsbad	Matt Hall (Primary)	Yes	Yes
City of Chula Vista	Pamela Bensoussan (1st Alt.)	Yes	Yes
City of Coronado	Michael Woiwode (Primary)	Yes	Yes
City of Del Mar	Terry Sinnott (Primary)	Yes	Yes
City of El Cajon	Bill Wells (Primary)	Yes	No
City of Encinitas	Lisa Shaffer (Primary)	Yes	Yes
City of Escondido	Sam Abed (Primary)	Yes	Yes
City of Imperial Beach	Jim Janney, 1st Vice Chair (Primary)	Yes	Yes
City of La Mesa	Kristine Alessio (Primary)	Yes	Yes
City of Lemon Grove	Jerry Jones (1st Alt.)	Yes	Yes
City of National City	Ron Morrison (Primary)	Yes	Yes
City of Oceanside	Jack Feller (Primary)	Yes	Yes
City of Poway	Don Higginson, 2nd Vice Chair (Primary)	Yes	No
City of San Diego – A	Todd Gloria (Primary, Seat A)	Yes	No
City of San Diego - B	Marti Emerald (1st Alt.)	No	No
City of San Marcos	Chris Orlando (Primary)	Yes	No
City of Santee	Jack Dale, Chair (Primary)	Yes	Yes
City of Solana Beach	Lesia Heebner (Primary)	Yes	Yes
City of Vista	Judy Ritter (Primary)	Yes	Yes
County of San Diego - A	Ron Roberts (Primary, Seat A)	Yes	Yes
County of San Diego - B	Dianne Jacob (Primary, Seat B)	Yes	Yes
Caltrans	Laurie Berman (1st. Alt.)	Yes	
MTS	Harry Mathis (Primary)	Yes	
NCTD	Bill Horn (Primary)	Yes	
Imperial County	Sup. John Renison (Primary)	No	
US Dept. of Defense	CAPT. Marko Medved	Yes	
SD Unified Port District	Bob Nelson (Primary)	Yes	
SD County Water Authority	David Barnum (Alt.)	Yes	
Mexico	Remedios Gómez-Arnau (Primary)	No	
Southern California Tribal Chairmen’s Association	Allen Lawson (Primary)	No	