



**BOARD OF DIRECTORS
FEBRUARY 26, 2016**

**AGENDA ITEM NO. 16-02-1B
ACTION REQUESTED - APPROVE**

**BOARD OF DIRECTORS DISCUSSION AND ACTIONS
JANUARY 22, 2016**

Chair Ron Roberts (Chair, County of San Diego) called the meeting of the SANDAG Board of Directors to order at 9:03 a.m. The attendance sheet for the meeting is attached.

1. APPROVAL OF MEETING MINUTES

Action: Upon a motion by Mayor Ron Morrison (National City) and a second by Mayor Steve Vaus (Poway), the Board of Directors approved the minutes from the December 4, 2015, Board Policy meeting, and the December 18, 2015, Board Business meeting. Yes – Chair Roberts, Vice Chair Terry Sinnott (Del Mar), Mayor Matt Hall (Carlsbad), Deputy Mayor Pamela Bensoussan (Chula Vista), Councilmember Mike Woiwode (Coronado), Mayor Bill Wells (El Cajon), Deputy Mayor Lisa Shaffer (Encinitas), Mayor Sam Abed (Escondido), Mayor Serge Dedina (Imperial Beach), Councilmember Kristine Alessio (La Mesa), Mayor Mary Sessom (Lemon Grove), Mayor Morrison, Mayor Vaus, Councilmember Lorie Zapf (City of San Diego A), Councilmember Todd Gloria (City of San Diego B), Councilmember Jack Dale (Santee), and Councilmember Lesa Heebner (Solana Beach) (weighted vote, 88.04%). No – None (weighted vote, 0%). Abstain – Supervisor Dianne Jacob (Vice Chair, County of San Diego) and Mayor Jim Desmond (San Marcos) (weighted vote, 11.96%). Absent – Oceanside and Vista.

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

There were no public or member comments.

3. ACTIONS FROM POLICY ADVISORY COMMITTEES (APPROVE)

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

Action: Upon a motion by Mayor Morrison and a second by Councilmember Alessio, the Board of Directors approved Item No. 3. Yes – Chair Roberts, Vice Chair Sinnott, Mayor Hall, Deputy Mayor Bensoussan, Councilmember Woiwode, Mayor Wells, Deputy Mayor Shaffer, Mayor Abed, Mayor Dedina, Councilmember Alessio, Mayor Sessom, Mayor Morrison, Mayor Vaus, Councilmember Zapf, Councilmember Gloria, Mayor Desmond, Councilmember Dale, Councilmember Heebner, Mayor Judy Ritter (Vista), and Supervisor Jacob (weighted vote, 100%). No – None (weighted vote, 0%). Abstain – None (weighted vote, 0%). Absent – Oceanside.

CONSENT

4. APPROVAL OF PROPOSED SOLICITATIONS AND CONTRACT AWARDS (APPROVE)

The Board of Directors was asked to review and approve the proposed solicitations and contract awards.

5. FINAL MITIGATED NEGATIVE DECLARATION: SAN DIEGO RIVER TRAIL - QUALCOMM STADIUM SEGMENT (ADOPT)

The Board of Directors was asked to adopt the Final Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the San Diego River Trail Project.

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

The Board of Directors was asked to approve the proposed amendments to the SANDAG Conflict of Interest Code.

7. FY 2015 TRANSPORTATION DEVELOPMENT ACT AUDIT EXTENSION REQUEST (APPROVE)

The Board of Directors was asked to approve the proposed FY 2015 Transportation Development Act audit extension request to February 29, 2016, for the North County Transit District.

8. EQUAL EMPLOYMENT OPPORTUNITY PROGRAM (INFORMATION)

In accordance with SANDAG Board Policy No. 007: Equal Employment Opportunity Program, this report summarized employment results for 2015, and reviews Equal Employment Opportunity Program goals for the upcoming year.

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

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

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

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

Action: Upon a motion by Mayor Desmond and a second by Councilmember Zapf, the Board of Directors approved Consent Items No. 4 through 10. Yes – Chair Roberts, Vice Chair Sinnott, Mayor Hall, Deputy Mayor Bensoussan, Councilmember Woiwode, Mayor Wells, Deputy Mayor Shaffer, Mayor Abed, Mayor Dedina, Councilmember Alessio, Mayor Sessom, Mayor Morrison, Mayor Vaus, Councilmember Zapf, Councilmember Gloria, Mayor Desmond, Councilmember Dale, Councilmember Heebner, Mayor Ritter, and Supervisor Jacob. No – None. Abstain – None. Absent – Oceanside.

REPORTS

11. PROPOSED CONSTRUCTION MANAGER/GENERAL CONTRACTOR DELIVERY METHOD: INTERSTATE 5/GILMAN DRIVE BRIDGE (APPROVE)

The Transportation Committee recommended that the Board of Directors: (1) adopt Resolution No. 2016-10, authorizing the use of the Construction Manager/General Contractor construction delivery method for the Interstate 5/Gilman Drive Bridge Project; and (2) authorize the Executive Director to negotiate and award a Preconstruction Service Contract for this project to Mid-Coast Transit Constructors.

Councilmember Gloria, Transportation Committee Chair, introduced the item.

John Haggerty, Division Director of Rail, presented the item.

Gary Matthews, Vice Chancellor, University of California, San Diego, spoke in support of this item.

Action: Upon a motion by Councilmember Zapf and a second by Deputy Mayor Shaffer, the Board of Directors adopted Resolution No. 2016-10, authorizing the use of the Construction Manager/General Contractor construction delivery method for the Interstate 5/Gilman Drive Bridge Project, and authorized the Executive Director to negotiate and award a Preconstruction Service Contract for this project to Mid-Coast Transit Constructors. Yes – Chair Roberts, Vice Chair Sinnott, Mayor Hall, Deputy Mayor Bensoussan, Councilmember Woivode, Mayor Wells, Deputy Mayor Shaffer, Mayor Abed, Mayor Dedina, Councilmember Alessio, Mayor Sessom, Mayor Morrison, Mayor Vaus, Councilmember Zapf, Councilmember Gloria, Mayor Desmond, Councilmember Dale, Councilmember Heebner, Mayor Judy Ritter (Vista), and Supervisor Jacob (weighted vote, 100%). No – None (weighted vote, 0%). Abstain – None (weighted vote, 0%). Absent - Oceanside.

12. HEARING OF NECESSITY: ACQUISITION OF PROPERTY INTERESTS LOCATED IN THE CITY OF SAN DIEGO FOR THE MID-COAST CORRIDOR TRANSIT PROJECT, SAN DIEGO RIVER DOUBLE- TRACK PROJECT, AND ELVIRA TO MORENA DOUBLE-TRACK PROJECT (APPROVE)

The Board of Directors was asked to: (1) receive public testimony; (2) adopt Resolution of Necessity No. 2016-11 by a two-thirds vote pertaining to acquisition of the subject property interests for the projects; and (3) authorize staff to proceed with all condemnation filings and proceedings necessary to acquire the interests in the subject properties.

Chair Roberts opened the Public Hearing at 9:25 a.m.

Ryan Kohut, Senior Legal Counsel, and Mr. Haggerty presented the item.

Jason Satterly, Anna Ave. Associates, LLC, and John Smith, Earthworks, Inc., spoke in opposition to this item.

Mark Navarra, Gateway Center LLP (A-1 Self Storage), spoke in opposition to this item.

Chair Roberts closed the Public Hearing at 9:50 a.m.

Action: Upon a substitute motion by Mayor Abed and a second by Councilmember Alessio, the Board of Directors voted to postpone this item until the February 26, 2016, Board Business meeting. Yes – Supervisor Jacob, Mayor Abed, Councilmember Alessio, Mayor Sessom, and Councilmember Zapf (weighted vote, 37.89%). No – Chair Roberts, Vice Chair Sinnott, Mayor Hall, Deputy Mayor Bensoussan, Councilmember Woiwode, Mayor Wells, Deputy Mayor Shaffer, Mayor Dedina, Mayor Morrison, Mayor Vaus, Councilmember Gloria, Mayor Desmond, Councilmember Dale, Councilmember Heebner, and Mayor Ritter (weighted vote, 62.11%). Abstain – None (weighted vote, 0%). Absent – Oceanside. The motion failed.

Action: Upon a motion by Councilmember Gloria and a second by Councilmember Alessio, the Board of Directors voted to adopt Resolution of Necessity No. 2016-11 by a two-thirds vote pertaining to acquisition of the subject property interests for the projects, and authorized staff to proceed with all condemnation filings and proceedings necessary to acquire the interests in the subject properties. Yes – Chair Roberts, Vice Chair Sinnott, Mayor Hall, Deputy Mayor Bensoussan, Councilmember Woiwode, Mayor Wells, Deputy Mayor Shaffer, Mayor Dedina, Councilmember Alessio, Mayor Morrison, Mayor Vaus, Councilmember Gloria, Mayor Desmond, Councilmember Dale, Councilmember Heebner, and Mayor Ritter (weighted vote, 61%). No – Mayor Abed, Mayor Sessom, Councilmember Zapf, and Supervisor Jacob (weighted vote, 39%). Abstain – None (weighted vote, 0%). Absent – Oceanside. The motion failed.

Chair Roberts adjourned the meeting for a five minute break at 11:13 a.m.

Chair Roberts reconvened the meeting at 11:19 a.m.

Action: Upon a motion by Mayor Sessom and a second by Supervisor Jacob, the Board of Directors adopted Resolution of Necessity No. 2016-11 by a two-thirds vote pertaining to acquisition of the subject property interests for the projects, and authorized staff to proceed with all condemnation filings and proceedings necessary to acquire the interests in the subject properties, as amended. Yes – Chair Roberts, Vice Chair Sinnott, Mayor Hall, Deputy Mayor Bensoussan, Councilmember Woiwode, Mayor Wells, Deputy Mayor Shaffer, Mayor Abed, Mayor Dedina, Councilmember Alessio, Mayor Sessom, Mayor Vaus, Councilmember Zapf, Councilmember Gloria, Councilmember Heebner, Mayor Ritter, and Supervisor Jacob (weighted vote, 88%). No – Mayor Morrison, Mayor Desmond, and Councilmember Dale (weighted vote, 12%). Abstain – None (weighted vote, 0%). Absent – Oceanside.

13. 2015 *TransNet* PLAN OF FINANCE UPDATE (APPROVE)

The Transportation Committee recommended that the Board of Directors: (1) approve the 2015 *TransNet* Plan of Finance update; and (2) approve an amendment to the FY 2016 Program Budget to revise funding for the Oceanside Station Pass-Through Track (Capital Improvement Project No. 1239803). The Board of Directors also was asked to authorize the Executive Director to execute a contract award for the Oceanside Station Pass-Through Track.

Councilmember Gloria introduced the item.

Ariana zur Nieden, Senior Regional Planner, Marney Cox, Special Projects Director, and Richard Chavez, Principal Engineer, presented the item.

Action: Upon a motion by Councilmember Gloria and a second by Councilmember Woiwode, the Board of Directors approved the 2015 *TransNet* Plan of Finance update, approved an amendment to the FY 2016 Program Budget to revise funding for the Oceanside Station Pass-Through Track (Capital Improvement Project No. 1239803), and authorized the Executive Director to execute a contract award for the Oceanside Station Pass-Through Track. Yes – Chair Roberts, Vice Chair Sinnott, Mayor Hall, Deputy Mayor Bensoussan, Councilmember Woiwode, Mayor Wells, Deputy Mayor Shaffer, Mayor Abed, Mayor Dedina, Councilmember Alessio, Mayor Sessom, Mayor Morrison, Councilmember Zapf, Councilmember Gloria, Mayor Desmond, Councilmember Dale, Councilmember Heebner, Mayor Ritter, and Supervisor Jacob (weighted vote, 100%). No – None (weighted vote, 0%). Abstain – None (weighted vote, 0%). Absent – Oceanside and Poway.

14. 2015 *TransNet* TRANSIT OPERATIONS PLAN OF FINANCE (APPROVE)

The Transportation Committee recommended that the Board of Directors approve the 2015 *TransNet* Transit Operations Plan of Finance.

Councilmember Gloria introduced the item.

Brian Lane, Senior transit Planner, presented the item.

Action: Upon a motion by Councilmember Gloria and a second by Councilmember Heebner, the Board of Directors approved the 2015 *TransNet* Transit Operations Plan of Finance. Yes – Chair Roberts, Vice Chair Sinnott, Mayor Hall, Deputy Mayor Bensoussan, Councilmember Woiwode, Mayor Wells, Deputy Mayor Shaffer, Mayor Abed, Mayor Dedina, Councilmember Alessio, Mayor Sessom, Mayor Morrison, Councilmember Zapf, Councilmember Gloria, Mayor Desmond, Councilmember Dale, Councilmember Heebner, Mayor Ritter, and Supervisor Jacob (weighted vote, 100%). No – None (weighted vote, 0%). Abstain – None (weighted vote, 0%). Absent – Oceanside and Poway.

17. CONTINUED PUBLIC COMMENTS

Barbara Nevarez, a member of the public, spoke regarding a program in City Heights called Improving Transportation in City Heights, which offers transit passes to students through its program Youth Opportunity Passes, and requested that the Board of Directors include funding for the youth opportunity transit passes program in the sales tax measure.

Roberto Torres, a member of the public, spoke regarding a program in City Heights called Improving Transportation in City Heights that offers transit passes to students through its program Youth Opportunity Passes, and requested that the Board of Directors include funding for the youth opportunity transit passes program in the sales tax measure.

Oscar Hernandez, a member of the public, stated that he is a recipient of a transit pass through the Youth Opportunity Passes Program and described how the program has improved his quality of life. He requested that the Board of Directors include funding for the youth opportunity transit passes program in the sales tax measure.

Chair Roberts announced that SANDAG is conducting extensive public outreach in order to develop a draft expenditure plan for the proposed sales tax initiative. SANDAG will be hosting several

Telephone Town Hall meetings during the week of January 25, and he urged the public to participate and provide input regarding their priorities for the region in transportation, open space preservation, water quality, and other areas.

Chair Roberts adjourned to closed session at 11:47 a.m.

15. CLOSED SESSION: CONFERENCE WITH SECURITY CONSULTANT PURSUANT TO GOVERNMENT CODE 54957(A)

Laura Coté, Director of Administration, briefed the Board of Directors on recommended safety procedures in the event of a threat of violence or an active shooter incident at the SANDAG offices.

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

Amberlynn Griffin, Senior Legal Counsel, briefed the Board of Directors on a written claim filed by Marathon General Inc. alleging construction delay damages in connection with the Prospect Avenue Corridor Enhancement Project in the City of Santee.

Chair Roberts reconvened to open session at 12:05 p.m.

Ms. Griffin reported the following out of closed session: the Board of Directors met in closed session and was briefed on Item 16, and the Board of Directors has voted to deny the claim by Marathon General Inc. Yes – Chair Roberts, Vice Chair Sinnott, Councilmember Woiwode, Mayor Wells, Deputy Mayor Shaffer, Mayor Abed, Mayor Dedina, Councilmember Alessio, Mayor Sessom, Councilmember Zapf, Councilmember Gloria, Mayor Desmond, Councilmember Dale, Councilmember Heebner, Mayor Ritter, and Supervisor Jacob (weighted vote, 100%). No – None (weighted vote, 0%). Abstain – None (weighted vote, 0%). Absent – Carlsbad, Chula Vista, National City, Oceanside and Poway.

John Kirk, General Counsel, reported the following out of closed session: the Board of Directors met in closed session and was briefed on Item 15, and there was no reportable action.

18. UPCOMING MEETINGS

The next Board Policy meeting is scheduled for Friday, February 12, 2016, at 10 a.m. The next Board Business meeting is scheduled for Friday, February 26, 2016, at 9 a.m.

19. ADJOURNMENT

Chair Roberts adjourned the meeting at 12:06 p.m.

ATTENDANCE
SANDAG BOARD OF DIRECTORS MEETING
JANUARY 22, 2016

JURISDICTION	NAME	ATTEND OPEN SESSION	ATTEND CLOSED SESSION ITEM 15	ATTEND CLOSED SESSION ITEM 16
City of Carlsbad	Matt Hall (Primary)	Yes	No	No
City of Chula Vista	Pamela Bensoussan (1st Alt.)	Yes	No	No
City of Coronado	Michael Woiwode (1st Alt.)	Yes	Yes	Yes
City of Del Mar	Terry Sinnott, First Vice Chair (Primary)	Yes	Yes	Yes
City of El Cajon	Bill Wells (Primary)	Yes	Yes	Yes
City of Encinitas	Lisa Shaffer (Primary)	Yes	Yes	Yes
City of Escondido	Sam Abed (Primary)	Yes	Yes	Yes
City of Imperial Beach	Serge Dedina (Primary)	Yes	Yes	Yes
City of La Mesa	Kristine Alessio (Primary)	Yes	Yes	Yes
City of Lemon Grove	Mary Sessom (Primary)	Yes	Yes	Yes
City of National City	Ron Morrison (Primary)	Yes	Yes	Yes
City of Oceanside	Jim Wood (Primary)	No	No	No
City of Poway	Steve Vaus (Primary)	Yes	No	No
City of San Diego - A	Lorie Zapf (1st Alt.)	Yes	Yes	Yes
City of San Diego - B	Todd Gloria (Primary, Seat B)	Yes	No	No
City of San Marcos	Jim Desmond (Primary)	Yes	Yes	Yes
City of Santee	Jack Dale (Primary)	Yes	Yes	Yes
City of Solana Beach	Lesa Heebner (Primary)	Yes	Yes	Yes
City of Vista	Judy Ritter (Primary)	Yes	Yes	Yes
County of San Diego - A	Dianne Jacob (Primary, Seat A)	Yes	Yes	Yes
County of San Diego - B	Ron Roberts, Chair (Primary, Seat B)	Yes	Yes	Yes
Caltrans	Bill Figge (2nd. Alt.)	Yes		
MTS	Harry Mathis (Primary)	Yes		
NCTD	Mark Packard (Primary)	Yes		
Imperial County	Sup. John Renison (Primary)	No		
US Dept. of Defense	CAPT John Adametz (Primary)	Yes		
SD Unified Port District	Garry Bonelli (1st Alt)	Yes		
SD County Water Authority	Mark Muir (Primary)	No		
Mexico	Remedios Gómez-Arnau (Primary)	No		
Southern California Tribal Chairmen's Association	Allen Lawson (Primary)	Yes		