



**BOARD OF DIRECTORS
DECEMBER 16, 2016**

**AGENDA ITEM NO. 16-12-1
ACTION REQUESTED - APPROVE**

**BOARD OF DIRECTORS DISCUSSION AND ACTIONS
NOVEMBER 18, 2016**

Chair Ron Roberts (Chair, County of San Diego) called the meeting of the SANDAG Board of Directors to order at 9:05 a.m.

1. APPROVAL OF MEETING MINUTES

Action: Upon a motion by Mayor Jim Desmond (San Marcos), and a second by Mayor Ron Morrison (National City), the Board of Directors approved the minutes from the October 28, 2016, Board Business meeting. Yes – Chair Roberts, Vice Chair Terry Sinnott (Del Mar), Mayor Matt Hall (Carlsbad), Councilmember Carrie Downey (Coronado), Mayor Bill Wells (El Cajon), Deputy Mayor Lisa Shaffer (Encinitas), Councilmember Kristine Alessio (La Mesa), Mayor Morrison, Mayor Jim Wood (Oceanside), Mayor Steve Vaus (Poway), Councilmember Todd Gloria (City of San Diego A), Councilmember Lorie Zapf (City of San Diego B), Mayor Desmond, Vice Mayor Jack Dale (Santee), Councilmember Lesa Heebner (Solana Beach), and Supervisor Dianne Jacob (County of San Diego) (weighted vote, 97.62%). No – None (weighted vote, 0%). Abstain – Mayor Pro Tem Ed Spriggs (Imperial Beach) and Councilmember Jerry Jones (Lemon Grove) (weighted vote, 2.38%). Absent – Chula Vista, Escondido, and Vista.

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

Chair Roberts introduced Chairman Cody Martinez, Southern California Tribal Chairmen's Association, and welcomed him to the Board of Directors.

Chair Roberts recognized the following outgoing Board members for their service to SANDAG: Vice Mayor Dale, Councilmember Gloria, Councilmember Heebner, Councilmember Shaffer, and Mayor Mary Sessom (Lemon Grove).

Chair Roberts acknowledged Gary Gallegos, Executive Director, for his birthday and presented him with a gift.

Clive Richard, a member of the public, spoke regarding his disappointment that Measure A did not pass, and expressed his appreciation to the outgoing members.

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 Vaus, and a second by Councilmember Heebner, the Board of Directors approved Item No. 3. Yes – Chair Roberts, Vice Chair Sinnott, Mayor Hall, Mayor Mary Salas (Chula Vista), Councilmember Downey, Mayor Wells, Deputy Mayor Shaffer, Mayor Sam Abed (Escondido), Mayor Pro Tem Spriggs, Councilmember Alessio, Councilmember Jones, Mayor Morrison,

Mayor Wood, Mayor Vaus, Councilmember Gloria, Councilmember Zapf, Mayor Desmond, Vice Mayor Dale, Councilmember Heebner, Mayor Judy Ritter (Vista), and Supervisor Jacob (weighted vote, 100%). No – None (weighted vote, 0%). Abstain – None (weighted vote, 0%). Absent – None.

CONSENT

4. REVISED 2017 BOARD OF DIRECTORS AND POLICY ADVISORY COMMITTEE ANNUAL MEETING CALENDAR (APPROVE)

The Board of Directors was asked to approve the revised calendar of meetings of the Board and Policy Advisory Committees for the upcoming year.

8. 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 Business meeting.

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 Business meeting.

Action: Upon a motion by Mayor Wood, and a second by Councilmember Downey, the Board of Directors approved Consent Items No. 4, 8, and 9. Yes – Chair Roberts, Vice Chair Sinnott, Mayor Hall, Mayor Salas, Councilmember Downey, Mayor Wells, Deputy Mayor Shaffer, Mayor Abed, Mayor Pro Tem Spriggs, Councilmember Alessio, Councilmember Jones, Mayor Morrison, Mayor Wood, Mayor Vaus, Councilmember Gloria, Councilmember Zapf, Mayor Desmond, Vice Mayor Dale, Councilmember Heebner, Mayor Ritter, and Supervisor Jacob. No – None. Abstain – None. Absent – None.

Chair Roberts pulled Item No. 5 from consent for public comment and requested staff presentation.

5. BAYSHORE BIKEWAY SEGMENT 8B: FINAL MITIGATED NEGATIVE DECLARATION (ADOPT)

The Bayshore Bikeway Segment 8B Project will provide a 0.4-mile extension of the Bayshore Bikeway along Bay Boulevard south from Palomar Street in the City of San Diego. The Board of Directors was asked to adopt the Final Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project.

Omar Atayee, Senior Engineer, presented the item.

Victor Avine, representing County of San Diego Supervisor Greg Cox, spoke in support of this item.

Cindy Eldred, a member of the public, submitted written comments and spoke in opposition to this item.

Stacy Brenner, a member of the public, spoke in opposition to this item.

Action: Upon a motion by Mayor Salas, and a second by Councilmember Gloria, the Board of Directors adopted the Final Mitigated Negative Declaration and Mitigation Monitoring and

Reporting Program for the Bayshore Bikeway Segment 8B Project. Yes – Chair Roberts, Vice Chair Sinnott, Mayor Hall, Mayor Salas, Councilmember Downey, Mayor Wells, Deputy Mayor Shaffer, Mayor Abed, Mayor Pro Tem Spriggs, Councilmember Alessio, Councilmember Jones, Mayor Morrison, Mayor Wood, Mayor Vaus, Councilmember Gloria, Councilmember Zapf, Mayor Desmond, Vice Mayor Dale, Councilmember Heebner, Mayor Ritter, and Supervisor Jacob (weighted vote, 100%). No – None (weighted vote, 0%). Abstain – None (weighted vote, 0%). Absent – None.

Vice Chair Sinnott pulled Items No. 6 and 7 from the consent agenda and requested staff presentations.

6. OVERVIEW OF DEVELOPMENTS IN THE FINANCIAL MARKETS AND QUARTERLY FINANCE REPORT FOR THE PERIOD ENDING SEPTEMBER 30, 2016 (INFORMATION)

This quarterly report provided various finance-related items to the Board of Directors, including: (1) a quarterly report of investments, including all money under the direction or care of SANDAG; (2) an update on the SANDAG debt portfolio; and (3) information about the latest developments in the financial markets, the economy, and sales tax revenues.

André Douzdjian, Finance Director, presented this item.

7. QUARTERLY PROGRESS REPORT ON TRANSPORTATION PROJECTS - JULY THROUGH SEPTEMBER 2016 (INFORMATION)

This quarterly report summarized the current status of major transit, highway, arterial, traffic management, and Transportation Demand Management projects in the SANDAG five-year Regional Transportation Improvement Program for the period July through September 2016.

Asitha Seneviratne, Senior Project Scheduler, presented this item.

Action: Items No. 6 and 7 were presented for information only.

CHAIR'S REPORT

10. ELECTION OF 2017 SANDAG BOARD OFFICERS (APPROVE)

The Nominating Committee recommended the slate of candidates for SANDAG Chair, First Vice Chair, and Second Vice Chair for calendar year 2017. The Board of Directors was asked to elect SANDAG Board Officers for the upcoming year.

Chair Roberts introduced the item.

John Kirk, General Counsel, reviewed the procedures for election of Board officers.

Action: Upon a substitute motion by Deputy Mayor Shaffer, and a second by Councilmember Heebner, the Board of Directors voted to move forward with the election of the slate of officers for calendar year 2017 as recommended by the Nominating Committee. Yes – Vice Chair Sinnott, Mayor Salas, Councilmember Downey, Deputy Mayor Shaffer, Mayor Pro Tem Spriggs, Councilmember Gloria, Vice Mayor Dale, and Councilmember Heebner (weighted vote, 36%). No – Chair Roberts, Mayor Hall, Supervisor Jacob, Mayor Wells, Mayor Abed, Councilmember Alessio, Councilmember Jones, Mayor Morrison, Mayor Vaus, Councilmember Zapf, Mayor Desmond, and Mayor Ritter (weighted vote, 59%). Abstain – Mayor Wood (weighted vote, 5%). Absent – None. The motion failed.

Action: Upon a substitute motion by Deputy Mayor Shaffer, and a second by Mayor Salas, the Board of Directors voted to postpone the elections until the board officer structure is decided on and a new 2017 SANDAG Board Officers Nomination process is completed. Yes – Mayor Salas, Councilmember Downey, Deputy Mayor Shaffer, Mayor Pro Tem Spriggs, Mayor Wood, Mayor Desmond, Vice Mayor Dale, and Councilmember Heebner (weighted vote, 23%). No – Chair Roberts, Vice Chair Sinnott, Mayor Hall, Supervisor Jacob, Mayor Wells, Mayor Abed, Councilmember Alessio, Councilmember Jones, Mayor Morrison, Mayor Vaus, Councilmember Gloria, Councilmember Zapf, and Mayor Ritter (weighted vote, 77%). Abstain – None (weighted vote, 5%). Absent – None. The motion failed.

Action: Upon a motion by Supervisor Jacob, and a second by Mayor Abed, the Board of Directors voted to postpone the election of the Second Vice Chair and directed the Executive Committee to consider potential changes to SANDAG Bylaws and Board Policies regarding the position, including consideration of assigning duties to Chairs of the Policy Advisory Committees. Yes – Chair Roberts, Vice Chair Sinnott, Mayor Hall, Supervisor Jacob, Mayor Wells, Mayor Abed, Councilmember Alessio, Councilmember Jones, Mayor Morrison, Mayor Wood, Mayor Vaus, Councilmember Gloria, Councilmember Zapf, Mayor Desmond, Vice Mayor Dale, and Mayor Ritter (weighted vote, 87%). No – Mayor Salas, Councilmember Downey, Deputy Mayor Shaffer, Mayor Pro Tem Spriggs, and Councilmember Heebner (weighted vote, 13%). Abstain – None (weighted vote, 0%). Absent – None.

Councilmember Gloria, Nominating Committee Chair, presented the item.

Action: Upon a motion by Mayor Abed, and a second by Mayor Vaus, the Board of Directors elected Chair Roberts to serve as Chair of the SANDAG Board of Directors for 2017. Yes – Chair Roberts, Vice Chair Sinnott, Mayor Hall, Councilmember Downey, Supervisor Jacob, Mayor Wells, Mayor Abed, Mayor Pro Tem Spriggs, Councilmember Alessio, Councilmember Jones, Mayor Morrison, Mayor Wood, Mayor Vaus, Councilmember Gloria, Councilmember Zapf, Mayor Desmond, Vice Mayor Dale, and Mayor Ritter (weighted vote, 89%). No – Deputy Mayor Shaffer and Councilmember Heebner (weighted vote, 3%). Abstain – Mayor Salas (weighted vote, 8%). Absent – None.

Action: Upon a motion by Mayor Wells, and a second by Mayor Vaus, the Board of Directors elected Deputy Mayor Sinnott to serve as First Vice Chair of the SANDAG Board of Directors for 2017. Yes – Chair Roberts, Vice Chair Sinnott, Mayor Hall, Supervisor Jacob, Mayor Wells, Mayor Abed, Mayor Pro Tem Spriggs, Councilmember Alessio, Councilmember Jones, Mayor Morrison, Mayor Wood, Mayor Vaus, Councilmember Gloria, Councilmember Zapf, Mayor Desmond, Vice Mayor Dale, and Mayor Ritter (weighted vote, 88%). No – Deputy Mayor Shaffer and Councilmember Heebner (weighted vote, 3%). Abstain – Mayor Salas and Councilmember Downey (weighted vote, 9%). Absent – None.

REPORTS

11. PROPOSED FY 2017 PROGRAM BUDGET AMENDMENT: OVERHEAD CONTACT SYSTEM INSULATOR AND CATCH CABLE REPLACEMENT PROJECT (APPROVE)

The Transportation Committee recommended that the Board of Directors accept \$2.95 million from Metropolitan Transit System (MTS) to fully fund the construction of the Overhead Contact System Insulator and Catch Cable Replacement Project (Capital Improvement Program Project No. 1129200) and amend the FY 2017 Program Budget accordingly.

Action: Upon a motion by Councilmember Alessio, and a second by Councilmember Downey, the Board of Directors approved accepting \$2.95 million from MTS to fully fund the construction of the Overhead Contact System Insulator and Catch Cable Replacement Project (Capital Improvement Program Project No. 1129200) and amending the FY 2017 Program Budget accordingly. Yes – Chair Roberts, Vice Chair Sinnott, Mayor Hall, Councilmember Downey, Mayor Abed, Councilmember Alessio, Councilmember Jones, Mayor Morrison, Mayor Wood, Mayor Vaus, Councilmember Gloria, Councilmember Zapf, Vice Mayor Dale, Mayor Ritter, and Supervisor Jacob (weighted vote, 100%). No – None (weighted vote, 0%). Abstain – None (weighted vote, 0%). Absent – Mayor Salas, Mayor Wells, Deputy Mayor Shaffer, Mayor Pro Tem Spriggs, Mayor Desmond, and Councilmember Heebner.

12. PROPOSED FY 2017 PROGRAM BUDGET AMENDMENT: INTERSTATE 5/VOIGT DRIVE IMPROVEMENTS (APPROVE)

The Transportation Committee recommended that the Board of Directors approve an amendment to the FY 2017 Program Budget to add \$5.75 million in State Highway Operation and Protection Program funding to the Interstate 5 (I-5)/ Voigt Drive Improvement Project (Capital Improvement Program Project No. 1200508) for the construction of a half-mile auxiliary lane on southbound I-5 between Genesee Avenue and La Jolla Village Drive.

Councilmember Gloria introduced the item.

Action: Upon a motion by Vice Mayor Dale, and a second by Councilmember Gloria, the Board of Directors approved an amendment to the FY 2017 Program Budget to add \$5.75 million in State Highway Operation and Protection Program funding to the I-5/ Voigt Drive Improvement Project for the construction of a half-mile auxiliary lane on southbound I-5 between Genesee Avenue and La Jolla Village Drive. Yes – Chair Roberts, Vice Chair Sinnott, Mayor Hall, Councilmember Downey, Deputy Mayor Shaffer, Mayor Abed, Councilmember Alessio, Councilmember Jones, Mayor Morrison, Mayor Wood, Mayor Vaus, Councilmember Gloria, Councilmember Zapf, Vice Mayor Dale, Mayor Ritter, and Supervisor Jacob (weighted vote, 100%). No – None (weighted vote, 0%). Abstain – None (weighted vote, 0%). Absent – Mayor Salas, Mayor Wells, Mayor Pro Tem Spriggs, Mayor Desmond, and Councilmember Heebner.

13. *TransNet* ENVIRONMENTAL MITIGATION PROGRAM: LAND MANAGEMENT GRANT PROGRAM: RECOMMENDED PROJECT AWARDS FOR EIGHTH CYCLE OF GRANT FUNDING (APPROVE)

The Regional Planning and Transportation Committees recommended that the Board of Directors award funding for the Eighth Cycle of the *TransNet* Environmental Mitigation Program Land Management Grants.

Action: Upon a motion by Deputy Mayor Shaffer, and a second by Councilmember Downey, the Board of Directors awarded funding for the Eighth Cycle of the *TransNet* Environmental Mitigation Program Land Management Grants. Yes – Chair Roberts, Vice Chair Sinnott, Mayor Hall, Mayor Salas, Councilmember Downey, Deputy Mayor Shaffer, Mayor Abed, Mayor Pro Tem Spriggs, Councilmember Alessio, Councilmember Jones, Mayor Morrison, Mayor Wood, Mayor Vaus, Councilmember Gloria, Councilmember Zapf, Mayor Desmond, Vice Mayor Dale, Councilmember Heebner, Mayor Ritter, and Supervisor Jacob (weighted vote, 100%). No – None (weighted vote, 0%). Abstain – None (weighted vote, 0%). Absent – El Cajon.

14. REGIONAL SHORELINE MONITORING PROGRAM (APPROVE)

The Regional Planning Committee recommended that the Board of Directors continue the Regional Shoreline Monitoring Program for an additional five years based on the FY 2018 Estimated Program Cost. The Board of Directors also was asked to authorize the Executive Director to execute all documents necessary to implement the Program.

Councilmember Heebner introduced the item.

Action: Upon a motion by Deputy Mayor Shaffer, and a second by Mayor Vaus, the Board of Directors continued the Regional Shoreline Monitoring Program for an additional five years based on the FY 2018 Estimated Program Cost and authorized the Executive Director to execute all documents necessary to implement the Program. Yes – Chair Roberts, Vice Chair Sinnott, Mayor Hall, Mayor Salas, Councilmember Downey, Deputy Mayor Shaffer, Mayor Abed, Mayor Pro Tem Spriggs, Councilmember Alessio, Councilmember Jones, Mayor Morrison, Mayor Wood, Mayor Vaus, Councilmember Gloria, Councilmember Zapf, Mayor Desmond, Vice Mayor Dale, Councilmember Heebner, Mayor Ritter, and Supervisor Jacob (weighted vote, 100%). No – None (weighted vote, 0%). Abstain – None (weighted vote, 0%). Absent – El Cajon.

Chair Roberts took public comment for closed session items prior to adjourning to closed session.

Jeffrey Essakow, Protea Properties, spoke in support of working with Protea Properties and stopping the eminent domain process.

James La Mattery, Raise the Balloon, spoke in support of working with Protea Properties and stopping the eminent domain process.

Margaret E. Van Blaricom, Raise the Balloon, spoke in support of working with Protea Properties and stopping the eminent domain process.

Larry Willis, Raise the Balloon, spoke in support of working with Protea Properties and stopping the eminent domain process.

Ryan Mazelli, Raise the Balloon, spoke in support of working with Protea Properties and stopping the eminent domain process.

Michael Hunsacker, Raise the Balloon, spoke regarding access to water in high density buildings.

Tom Saliwanchik, Raise the Balloon, spoke in support of working with Protea Properties and stopping the eminent domain process.

Fran Marsh, Raise the Balloon, spoke in support of working with Protea Properties and stopping the eminent domain process.

Chair Roberts adjourned to closed session at 11:26 a.m.

15. CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8 AND CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9

The Board of Directors was briefed by the SANDAG real property negotiation team on the status of negotiations with Protea Properties, LLC, regarding the price and terms of payment of a potential

settlement to acquire real property at 2565 Clairemont Drive, San Diego, CA 92117 (Assessor Parcel No. 430-030-59-00) for use by SANDAG to construct the Mid-Coast Corridor Transit Project. The Board also was briefed on the status of litigation regarding acquisition of the subject parcel in the matter of SANDAG v. SA Marina, LLC et al. (San Diego Superior Court Case No. 37-2016-00017083-CU-EI-CTL).

16. 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 was briefed on a claim filed against SANDAG by Skanska USA Civil West California District Inc. alleging damages related to the Sorrento to Miramar Double Tracking Realignment Project.

Chair Roberts reconvened open session at 12:14 p.m.

Mr. Kirk reported the following out of closed session: the Board of Directors met in closed session on Items No. 15 and 16. On Item No. 15, the Board was updated on the referenced property acquisition, and directed staff as to strategy moving forward.

As to Item No. 16, the Board was briefed on the referenced claim, and voted unanimously to deny the claim. Yes – Chair Roberts, Vice Chair Sinnott, Mayor Hall, Councilmember Downey, Mayor Wells, Deputy Mayor Shaffer, Mayor Abed, Mayor Pro Tem Spriggs, Councilmember Alessio, Councilmember Jones, Mayor Morrison, Mayor Vaus, Councilmember Gloria, Councilmember Zapf, Mayor Desmond, Vice Mayor Dale, Councilmember Heebner, Mayor Ritter, and Supervisor Jacob (weighted vote, 100%). No – None (weighted vote, 0%). Abstain – None (weighted vote, 0%). Absent – Chula Vista and Oceanside.

17. CONTINUED PUBLIC COMMENTS

There were no continued public comments.

18. UPCOMING MEETINGS

The next Board Policy meeting is scheduled for Friday, December 2, 2016, at 10 a.m. The next Board Business meeting is scheduled for Friday, December 16, 2016, at 9 a.m. (Please note, these meetings are scheduled for the first and third Fridays, respectively, due to the holiday schedule.)

19. ADJOURNMENT

Chair Roberts adjourned the meeting at 12:15 p.m.

**ATTENDANCE
SANDAG BOARD OF DIRECTORS' MEETING
NOVEMBER 18, 2016**

JURISDICTION	NAME	ATTEND OPEN SESSION	ATTEND CLOSED SESSION ITEM 15	ATTEND CLOSED SESSION ITEM 16
City of Carlsbad	Matt Hall (Primary)	Yes	Yes	Yes
City of Chula Vista	Mary Salas (Primary)	Yes	No	No
City of Coronado	Carrie Downey (Primary)	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	Ed Spriggs (1st Alt.)	Yes	Yes	Yes
City of La Mesa	Kristine Alessio (Primary)	Yes	Yes	Yes
City of Lemon Grove	Jerry Jones (1st Alt.)	Yes	Yes	Yes
City of National City	Ron Morrison (Primary)	Yes	Yes	Yes
City of Oceanside	Jim Wood (Primary)	Yes	No	No
City of Poway	Steve Vaus (Primary)	Yes	Yes	Yes
City of San Diego – B	Lorie Zapf (1st Alt.)	Yes	Yes	Yes
City of San Diego – A	Todd Gloria (Primary)	Yes	Yes	Yes
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	Laurie Berman (1st. Alt.)	Yes		
MTS	Harry Mathis (Primary)	Yes		
NCTD	Mark Packard (Primary)	Yes		
Imperial County	Sup. John Renison (Primary)	No		
US Dept. of Defense	Steve Chung (Alternate)	Yes		
SD Unified Port District	Garry Bonelli (Primary)	Yes		
SD County Water Authority	Mark Muir (Primary)	Yes		
Mexico	Rafael Laveaga (Alternate)	Yes		
Southern California Tribal Chairmen's Association	Cody Martinez (Primary)	Yes		