BOARD OF DIRECTORS
AGENDA

Friday, October 24, 2003
9:00 a.m.
SANDAG
401 B Street, 7th Floor
Downtown San Diego

AGENDA HIGHLIGHTS

• FRAMWORK FOR THE TransNet Extension
• LOCAL TECHNICAL ASSISTANCE ANNUAL REPORT

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# BOARD OF DIRECTORS AGENDA
Friday, October 24, 2003

## ITEM #    RECOMMENDATION

1. **APPROVAL OF MEETING MINUTES**
   - APPROVE
     - A. SEPTEMBER 26, 2003 BOARD OF DIRECTORS MEETING
     - B. OCTOBER 10, 2003 POLICY DEVELOPMENT BOARD MEETING

   In lieu of a meeting, the Policy Board toured the East County.

2. **ADDITIONS AND DELETIONS**

   **PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS**

   Members of the public shall have the opportunity to address the Board on any issue within the jurisdiction of SANDAG. Anyone desiring to speak shall reserve time by 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. Speakers are limited to three minutes. Board members may provide information and announcements under this agenda item.

   **CONSENT ITEMS (3 through 8)**

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

   + 3. **ACTIONS BY POLICY ADVISORY COMMITTEES**
       - APPROVE

   + 4. **NEW SANDAG ADMINISTRATIVE POLICIES** (Julie Wiley)
       - APPROVE

     In September SANDAG’s legal staff asked the Executive Committee to review and comment on three new Board Policies: Procurement of Services, Delegation of Authority, and Discrimination Complaint Procedures. The Executive Committee approved these three policies at its October meeting and is recommending their approval.

   + 5. **LOCAL TECHNICAL ASSISTANCE (LTA) PROJECTS REQUIRING MORE THAN $1,000 OR THREE DAYS STAFF TIME** (Karen Lamphere)
       - INFORMATION

     Local Technical Assistance (LTA) policy guidelines require that projects involving more than three days staff time be reported to the Board of Directors. The projects covered in this month’s report are a public opinion survey for the City of La Mesa and a survey of Chula Vista residents regarding police service.
+6. LOCAL TECHNICAL ASSISTANCE (LTA) ANNUAL REPORT—FY 2003 (Karen Lamphere) INFORMATION

The LTA program provides member agencies access to SANDAG’s Regional Information System. Each year, we assist local agency staffs on a variety of projects through the LTA program. In accordance with the policy guidelines approved by the SANDAG Board, this report summarizes the projects and activities conducted under the Local Technical Assistance (LTA) program in FY 2003. The LTA program and selected projects are highlighted on the display board in the 7th Floor lobby.

+7. PROGRESS REPORT ON TRANSPORTATION PROJECTS (Jose Nuncio) INFORMATION

This report summarizes the current status of major highway, transit, arterial, traffic management, and Transportation Demand Management (TDM) projects in SANDAG’s five-year Regional Transportation Improvement Program (RTIP). The TransNet one-half percent local sales tax and other local, state, and federal sources fund these projects.

+8. 2003 YEAR-END LEGISLATIVE WRAP UP (Ellen Roundtree) INFORMATION

The outcome of significant legislation the Board took a position on in 2003 is provided.

CHAIR’S REPORT

+9. AMERICAN PUBLIC TRANSPORTATION ASSOCIATION (APTA) 2003 ANNUAL MEETING (Chairman Ron Morrison) INFORMATION

The Annual meeting of APTA was held in Salt Lake City, Utah, September 28 – October 2, 2003. Attendees from the region included representatives from SANDAG, MTDB, NCTD, San Diego Trolley, Inc., and Chula Vista Transit.

REPORTS

+10. FRAMEWORK FOR THE TransNet Extension ORDINANCE AND EXPENDITURE PLAN (Craig Scott) APPROVE

Based on the direction provided at the September 12, 2003 Policy Board meeting, a draft framework for the TransNet Extension Expenditure Plan has been developed. The framework was approved by the Ad Hoc Working Group on TransNet at its September 26, 2003 meeting. Approval of the framework will establish direction from the Board of Directors to the Working Group on the ongoing development of the draft TransNet Extension Ordinance and Expenditure Plan.
11. OVERVIEW OF AB 361 (KEHOE) – CONSOLIDATED AGENCY/REGIONAL COMPREHENSIVE PLAN (Gary Gallegos)

AB 361, authored by Assemblymember Kehoe, was signed by Governor Davis on September 24, 2003 and is effective January 1, 2004. The bill changed the deadline requirement for the evaluation and recommendation by the Legislative Analyst Office (LAO) to the Governor and the Legislature from December 31, 2004 to December 31, 2005. The legislation also changed SANDAG’s requirement to submit a progress report to the Governor and Legislature from December 31, 2005 to December 31, 2004. Consistent with SANDAG policy, the bill calls for a public vote to make effective any future legislation which changes SANDAG’s governing structure. The bill also provided some general guidance on the preparation of the Regional Comprehensive Plan. A copy of the final bill is attached.

12. STATUS REPORT ON THE FINAL QUANTIFICATION SETTLEMENT AGREEMENT (QSA)-IMPERIAL WATER TRANSFER (Bob Campbell, County Water Authority; Shelby Tucker)

At the June meeting, the Board heard a presentation on the Quantification Settlement Agreement (water transfer) by Bob Campbell, Executive Assistant to the General Manager, from the San Diego County Water Authority (CWA). Bob Campbell will provide the Board with an update on the status of the QSA and information about what this agreement will mean to the region’s current and future water supplies. A one-page fact sheet from CWA is included in the Board packet.

13. UPCOMING MEETINGS

The next policy meeting of the Board of Directors is scheduled for Friday, November 7, 2003 at 10:15 a.m. immediately following the Executive Committee meeting. The next business meeting of the Board of Directors is scheduled for Friday, November 21, 2003 at 9 a.m.

14. ADJOURNMENT

GARY L. GALLEGOS
Executive Director

+ next to an agenda item indicates an attachment.
MINUTES OF THE BOARD OF DIRECTORS MEETING
September 26, 2003

ATTENDANCE
Chairman Morrison called the meeting of the SANDAG Board of Directors to order at 9:14 a.m. The attendance sheet for this meeting is attached.

1. MINUTES OF THE FOLLOWING MEETINGS (APPROVE)

A. July 25, 2003, Board of Directors Meeting
B. August 8, 2003, Policy Development Board Meeting
C. September 12, 2003, Policy Development Board Meeting

Mayor Art Madrid (La Mesa) asked that a correction be made to the July 25, 2003, Board of Directors Meeting Minutes showing him in attendance at that meeting.

Action: Solana Beach – La Mesa. A motion and second was made to approve the three sets of minutes listed above. Yes – 17 (weighted vote, 95%). No – 0 (weighted vote, 0%). Abstain – 1 (Imperial Beach). Absent – 1 (Lemon Grove).

2. ADDITIONS AND DELETIONS

See correction noted above.

CONSENT ITEMS (3 Through 6)

3. ACTIONS FROM POLICY ADVISORY COMMITTEES (APPROVE)

4. PROGRESS REPORT ON TRANSPORTATION PROJECTS (INFORMATION)

This report summarizes the current status of major highway, transit, arterial, traffic management, and Transportation Demand Management (TDM) projects in SANDAG’s five-year Regional Transportation Improvement Program (RTIP). The TransNet one-half percent local sales tax and other local, state, and federal sources fund these projects.

5. AUTHORIZING THE EXECUTIVE DIRECTOR TO ACCEPT UP TO $235,000 FROM THE CALIFORNIA DEPARTMENT OF BOATING AND WATERWAYS (DBW) AND AMEND THE FY 2004 OVERALL WORK PROGRAM AND BUDGET (Resolution #2004-05) (APPROVE)

Approval of this item would authorize the Executive Director to accept up to $235,000 from the California Department of Boating and Waterways to prepare and implement a public
outreach program for the State’s Sediment Management Master Plan and to obtain permits for an opportunistic beach replenishment site in San Diego County. The Overall Work Program and Budget would also be amended to reflect this work.

6. QUARTERLY INVESTMENT REPORT – PERIOD ENDED JUNE 30, 2003 (INFORMATION)

State law requires that the Board be provided a quarterly report of investments held by SANDAG. This report includes all money under the direction or care of SANDAG as of June 30, 2003, including funds of the San Diego County Regional Transportation Commission and SourcePoint.

Action: La Mesa – County of San Diego. A motion and second was made to approve Consent Items 3 through 6. Yes – 18. No – 0. Abstain - 0. Absent – Lemon Grove.

7. PUBLIC COMMENTS/COMMUNICATIONS/MEMBERS COMMENTS

Maggie Houlihan, representing SNAPP (Spay Neuter Action Project), provided information on this program. She said that since the formation of SNAPP, the euthanasia rate for dogs and cats has been reduced from 50,000 to 30,000. There is now a van that goes out into the community to provide these educational and spay/neuter services. Ms. Houlihan asked Board members to let her know how SNAPP can help in their jurisdictions. She invited them to a fundraising event on October 5, 2003, from 2-5 p.m. at the Coplan home at 1320 Inspiration Drive, La Jolla.

Candy Schumann, on behalf of SNAPP, added that the Price Charities provided the grant for the van. About 30-35 spay/neuters a day are performed in this van. The citizenry has been very receptive to this program. SNAPP offers these services for $5 for cats and $15 for dogs (only $5 for pit bulls and Rotweilers). SNAPP wants to partner with different communities on this matter. This cost can be completely subsidized if pet owners cannot afford it. Other services provided include Rabies shots, flea prevention, licensing assistance, and there are sponsors for microchipping animals.

Councilmember Kellejian asked them to provide him with information to distribute at a Solana Beach City Council meeting.

Enrique Morones, President of Puentes Latino, made a presentation about the Chievas, a professional soccer team. He said that there is a possibility of this team relocating to San Diego. He requested letters of support about the importance of soccer and how local jurisdictions will support this professional soccer team. The owner of the team is very interested in the San Diego/Baja region. Mr. Morones stated that Chievas means “goat” in Spanish.

Councilmember Feller (Oceanside) announced a Defenders of Freedom welcome home parade in Oceanside on October 25, 2003, at 10 a.m. at the Oceanside Civic Center. There will be Harrier jet flyovers, helicopter jet flyovers, hover craft, and the Secretary of the Navy will be there. He said that invitations have been sent to all Board members. If you respond you will receive a pass for entrance into the secure area.

Ron Boshun, a member of the public, commented against the development of San Diego Harbor and adjacent areas by the San Diego City Council and Port District. He felt that the San Diego

Mayor Pro Tem Ramona Finnila (Carlsbad) presented a certificate by the Association of Environmental Professionals to SANDAG as one of three winners in the category of outstanding environmental analysis document for the Multiple Habitat Conservation Program (MHCP). Councilmember Kellejian congratulated SANDAG and especially staff member Janet Fairbanks.

CHAIR’S REPORT

8. AMERICAN COASTAL COALITION TOP RESTORED BEACH OF THE YEAR AWARD (INFORMATION)

SANDAG was recently given the award for 2003 by the American Coastal Coalition for the Regional Beach Sand Project. The project is being honored as the first comprehensive regional beach restoration project on the West Coast of the United States.

A video excerpt from the PBS News Hour with Jim Lehrer about the Regional Beach Sand Project featuring SANDAG staff Rob Rundle was presented.

Mayor Pro Tem Phil Monroe (Coronado) stated that SANDAG successfully completed this project in 2001. This project has been under the leadership of Carlsbad Councilmember Ann Kulchin and the Shoreline Preservation Committee. This was the first large scale regional beach restoration ever attempted on the West Coast. The American Coastal Coalition has awarded SANDAG with the “Top Restored Beach of the Year” award. SANDAG needs to maintain beach restoration as a priority and seek funding for future project. Sand on our beaches is a vital component to the regional economy.

9. WESTERN COUNCILS OF GOVERNMENTS (WCOG) ANNUAL CONFERENCE AND REGIONAL GOVERNANCE IN PORTLAND, OREGON (Resolution #2004-06) (APPROVE)

This report provides a synopsis of the conference as well as a snapshot of regional governance in Portland, Oregon. Approval of Resolution 2004-06, resulting from the WCOG annual conference, will support an effort among Metropolitan Planning Organizations (MPOs) such as SANDAG to form a West Coast Corridor Coalition in a concerted effort to enhance goods movement and travel along the Interstate 5 corridor from Mexico to Canada.

Mayor Pro Tem Finnila provided a summary of the discussions at the annual conference.

Public Comment

Robert Hoffman, a member of the public, said he was born and raised in Oregon. He provided comments about the transit system in Portland, Oregon. It was his belief that the businesses and residents there do not support extension of the transit system there.
Chair Ron Morrison (National City) disagreed with Mr. Hoffman’s comments about the Portland, Oregon transit system. He observed that the transit systems in the downtown urban core and out to the airport were quite full on most occasions. Development in Portland is skyrocketing both with building occupancy and housing.

Mayor Madrid asked where the Resolution would be sent. Mayor Pro Tem Finnila replied that it will be sent to all the council of governments (COGs) in Washington, Oregon, and California.

Mayor Madrid suggested that the wording in the Resolution be clearer about the challenges we face.

**Action:** Solana Beach– City of San Diego. A motion and second was made to approve Resolution 2004-06. Yes – 17 (weighted vote, 92%). No – 0. Abstain - 0. Absent – Chula Vista, Lemon Grove.

10. **RECOGNITION OF DEBRA GREENFIELD**

Debra Greenfield, who will retire from SANDAG in early October, is being recognized for her 28 years of outstanding service to the region as the agency’s General Counsel.

Chair Morrison recognized Lynn McDougal of the City Attorneys’ Association of San Diego County to present an award to Debra Greenfield. Mr. McDougal explained that the Attorney of the Year award is in the category of Most Innovative Legislation based on Ms. Greenfield’s outstanding work on Senate Bill (SB) 1703. The City Attorneys’ Association confers this award to recognize and honor exemplary contributions made by the legal profession by local government attorneys. The award is a visible component of the Association’s statement about standards of excellence in the field. Mr. McDougal noted that this award is based on merit and just coincidentally is being presented at a time when Ms. Greenfield is retiring.

Chair Morrison presented a Resolution from SANDAG to Ms. Greenfield for her many accomplishments for SANDAG. He also mentioned several proclamations from various cities in the county. He stated that two cities have declared October 14, 2003, to be Debra Greenfield Day. The City of National City conferred this honor on this day, September 26, 2003.

Ms. Greenfield presented farewell remarks and noted that she was very proud to have participated on many successful projects. She thanked our advocates and state and federal legislators. Debra reflected on the last four years of consolidation and transition. She paid special thanks to Ron Morrison, Mickey Cafagna, Ramona Finnila, and Lori Holt-Pfeiler, as well as Gary Gallegos and SANDAG staff. She noted several special friends on staff: Stephanie Rose, Carline Riley, and Doree Henry.

Chair Morrison said that on February 25, 2003, Assembly Bill (AB) 361 was signed by the Governor.
Vice Chair Mickey Cafagna said that he worked closely with Ms. Greenfield on SB 1703 and AB 361, and we couldn’t have done it without her efforts. He added that this community owes her a tremendous amount.

Mayor Corky Smith (San Marcos) said he has been proud to consider Debra Greenfield a friend. He will miss her and he appreciates what she has done for the community and for his city.

REPORTS

11. UPDATE ON THE REGIONAL COMPREHENSIVE PLAN (RCP)

A. RESULTS OF WORKSHOPS (INFORMATION)

Mayor Holt Pfeiler (Escondido) reported that five public workshops on the RCP were completed in September, with a sixth scheduled for October 2, 2003 in Oceanside. She mentioned that the North County Coastal cities had the highest turnouts of most elected officials at the workshops. She said that the public is intently interested in what we are doing and they recognize government can’t do it all. She stated that the public placed a high priority on resolving transportation and environmental issues in conjunction with addressing urban form and housing issues. Several major themes emerged including: the need for additional outreach on the advantages of smart growth, the need to consider seniors in decisions about housing and transportation, population growth, the availability and quality of schools, the timing of infrastructure provision in relation to new development, the costs to build and maintain new infrastructure, and the need for a comprehensive approach to local and regional issues.

Public Comments

Janna Anderson, a member of the stakeholders group, the Sierra Club, and the Desert Protective Council, said that she was impressed with the staff plan at the workshops. The workshop was made comfortable for people to provide input.

Board Comments

Councilmember Guerin (Encinitas) said that she attended the workshop in Encinitas and participated in the public facilities small group. She expressed surprise at the level of sophistication of the comments provided. The participants were a cross section of ages and backgrounds, and they were all very well informed about the issues. Comments she heard related to an interest in more recycling, knowledge about energy issues and offers to pay more for renewable energy, as well as interest in clean water, clean air, and clean beaches.
Mayor Sessom (Lemon Grove) agreed that there was a diverse group of attendees. She stated that staff did a wonderful job. She expressed her appreciation for the significant efforts of Mayor Holt Pfeiler in this process.

B. NEXT STEPS (INFORMATION)

Mayor Holt-Pfeiler reviewed the next steps in the process. In December 2003, the Board will be asked to accept the draft RCP for distribution to the public. Between now and December the Board will need to provide additional direction on a key chapter of the RCP, the “Overall Policy Framework.” This Framework will focus on strengthening the connection between local and regional land use and transportation decisions and establishing the framework for future transportation project evaluation criteria. Mayor Holt-Pfeiler reviewed the schedule indicating times when key policy issues will be discussed.

Mayor Smith (San Marcos) complimented staff on the handling of both RCP meetings he attended. He was impressed with the youth of the audience and expressed his pleasure that this age group is interested in the issues in the region.

Councilmember Feller (Oceanside) asked that a workshop be scheduled in Oceanside early next year.

12. SPECIAL REPORT ON TRANSIT PROJECTS (INFORMATION)

Staff provided a status update on the following major projects underway and their schedules for implementation: Mission Valley East (MVE) Light Rail Transit (LRT) Project, San Ysidro Intermodal Transit Center, Nobel Drive Coaster Station, Sprinter Rail Project, Mid-Coast LRT Project, the North Interstate 15 (I-15) Managed Lanes/Bus Rapid Transit (ML/BRT) Project, and the Transit First Showcase Projects. Two projects will continue to be managed by MTDB: Mission Valley East LRT Project, and the San Ysidro Intermodal Transit Center. The Sprinter Rail Project will continue to be managed by NCTD.

Mayor Smith (San Marcos) asked several questions regarding the MVE LRT Project. Staff responses follow: the loop to San Diego State University (SDSU) will be double tracked, the grade is 4.3 percent, which is the maximum grade the light rail vehicles can handle, an at-grade alignment would have required a very wide loop and the taking of a large amount of property along Montezuma Road, and the tunnel and underground station section cost about $100 million.

Mayor Murphy (City of San Diego) asked how realistic the implementation dates are for the Transit First projects if the TransNet extension is not approved. Staff replied that we can get these projects implementation ready through the design phase, but construction of any of the Transit First projects would rely upon a future funding source, which has not been identified.

Councilmember Feller (Oceanside) wanted assurance that we are staying on track with the Sprinter Rail Project. Staff responded that the Sprinter Project is moving forward but there is a cash flow problem.
Mayor Pro Tem Finnila (Carlsbad) asked about efforts at securing smart card technology. Staff replied that MTDB, SANDAG, and NCTD are working together on this project. Smart card technology will be used for all transit systems in San Diego County. It is one of the projects on our list for financing. We are moving forward with the smart card contract.

A break was called at 10:55 a.m., and the meeting was reconvened at 11:00 a.m.

13. AMENDED FY 2004 FINAL PROGRAM BUDGET (APPROVE)

Chair Morrison stated that the functional elements of the new regional agency are in place. This budget incorporates the initial and subsequent transition per SB 1703, and the projected revenues and expenditures reflect this. There are now 172.5 positions on the payroll. We will need to house over 200 people in the new lease. The entire budget has been amended and the numbering system has been changed due to a much-needed accounting system update.

Action: San Marcos – City of San Diego (B). A motion and second was made to approve the FY 2004 Final Program Budget as amended. Yes – 15 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (0%). Absent – Chula Vista, La Mesa, Lemon Grove, Santee.

14. UPCOMING MEETINGS

Chair Morrison announced that the next Policy Development meeting of the Board of Directors is scheduled for Friday, October 10, 2003, at 10:15 a.m. This meeting will consist of a tour of East County. He encouraged all of the Board members to attend this tour and to invite their alternates as well.

Chair Morrison also announced a joint meeting between SANDAG and the Southern California Association of Governments (SCAG) on October 9, at 10:00 a.m. at the Temecula Creek Inn.

15. ADJOURNMENT

The meeting was adjourned at 11:07 a.m.

Submitted for Board consideration by:

GARY L. GALLEGOS
Secretary
The following actions were taken by the Policy Advisory Committees since the last Board meeting. Actions printed in bold typeface must be ratified by the Board of Directors to be effective.

Regional Planning Committee (October 3, 2003)
No action was taken.

Executive Committee (October 10, 2003)

- Increased the membership of the Energy Task Force to include a representative from the City of San Marcos.

- Recommended Board approval of three new administrative policies: Procurement of Services, Delegation of Authority, and Discrimination Complaint Procedures.

Transportation Committee (October 17, 2003)

- Approved the Welfare to Work Transit Study and Service Improvement Plan.

- Approved a series of adjustments to the programming and scheduling of various projects that will reduce the FY 2003/04 $309.7 million shortfall to $108.9 million; made policy decisions that reduce the FY 2003/04 shortfall an additional $82.1 million to $26.8 million; and made policy decisions on delaying projects up to $41.3 million to create a small reserve for additional shortfalls in the next two fiscal years.

- Provided direction on the development of Board policies related to transit service planning and performance evaluation.

- Provided direction that will lead to the selection of a light rail transit (LRT) alignment(s) in the UCSD/University City area for preliminary engineering and environmental document preparation and on a phasing plan for the entire Mid-Coast LRT project from Old Town to University City.

GARY L. GALLEGOS
Executive Director
NEW SANDAG
ADMINISTRATIVE POLICIES

Recommendation
It is the recommendation of the Executive Committee that the Board approve the attached new Board Policies.

Introduction
On September 12 and October 10, 2003 SANDAG’s legal staff presented three new draft policies to the Executive Committee for review and comment. These policies are entitled: Procurement of Services, Delegation of Authority, and Discrimination Complaint Procedures. The Executive Committee took action on October 10 to recommend approval by the Board of these policies with one minor modification, discussed below.

Discussion
A summary description of the proposed policies follows:

Procurement of Services

This policy provides direction from the Board to staff concerning procurement of service contracts. The policy is in compliance with the procurement and contracting mandates in SB 1703. The policy will be enhanced by a contracting procedures manual that is being prepared by staff using the best practices from SANDAG, NCTD, and MTDB, and will be approved by the Executive Director upon completion.

Delegation of Authority

This policy expands and clarifies the authority of the Executive Director and his/her authority to delegate functions to staff. Among other things, it provides the Executive Director with authority to take action in emergency situations, to approve design specifications and estimates, and to initiate litigation.

Discrimination Complaint Procedures

This policy establishes a procedure under which complaints alleging disability discrimination in SANDAG’s provision of services or SANDAG activities can be made by persons who are not employees of SANDAG and to set forth the Board’s policy concerning other forms of discrimination against protected classes of persons.

Requested Modifications

At its September 12, 2003 meeting the Executive Committee requested that staff collect some information from member agencies and agencies similar to SANDAG relating to emergency procurement authority. Based on the information gathered during this benchmarking process, staff recommended that paragraph 3 of the Delegation of Authority policy be revised to remove any dollar limit on the Executive Director’s procurement authority in an emergency. The Executive Committee accepted this change and requested that language be added in paragraph 3 requiring
the Executive Director to promptly report to the members of the Board on any action taken using emergency powers so that they would be informed in the event they were contacted by third parties seeking information. These changes are reflected in the attached Delegation of Authority policy.

GARY L. GALLEGOS
Executive Director

Key Staff Contact: Julie D. Wiley,
(619) 595-5647, jwi@sandag.org

No Budget Impact
PROCUREMENT OF SERVICES

Pursuant to Public Utilities Code section 132352.4, the following statutory requirements apply to procurements of services. If the estimated total cost of required services exceeds one hundred thousand dollars ($100,000), the services will not be performed by another government entity, and the services are not within the category of services defined in Section 4525 of the Government Code, SANDAG must solicit bids in writing and award the work in a competitive procurement process that is in SANDAG’s best interest. Services defined in Section 4525 include: architectural, landscape architectural, engineering, environmental, land surveying services and construction project management services, as those terms are defined in Government Code section 4525 (hereinafter “Section 4525 Services”). If Section 4525 Services with a contract value in excess of $50,000 must be procured or the contract will be funded with federal money SANDAG will make the procurement pursuant to the provisions of Chapter 10 (commencing with Section 4525) of Division 5 of Title 1 of the Government Code. SANDAG must use the procedures of the Brooks Act if Federal funds are used and the services are architectural or engineering in nature (hereinafter “A&E Services”). Contracts that do not exceed these statutory limitations may be procured using simplified procedures. All references to the Executive Director in this policy also apply to the Executive Director’s designee.

Procedures

1. Micro Service Agreements ($2,500 or less). These procedures apply to the procurement of all services excluding Section 4525 Services funded with Federal money.

1.1 For purchases below $2,500 a micro purchase procurement method may be used. A micro purchase is a non-competitive purchase technique; however, the price of the item must still be fair and reasonable.

1.2 There should be equitable distribution among qualified service providers in the local area and no splitting of procurements to avoid competition.

1.3 A bid is only required from the vendor of choice and a purchase order, invoice, or simple letter agreement may be used instead of the standard services agreements.

2. Minor Service Agreements ($2,500 - $50,000). These procedures apply to the procurement of all services excluding Section 4525 Services funded with Federal money.

2.1 If the estimated value of the contract is $10,000 or less, staff may select a qualified proposer whose proposal is most advantageous to the Board, price and all other...
factors considered, with the approval of their division director or department director.

2.2 The Executive Director shall determine the selection procedure for contracts valued between $10,001 and $49,999 to distribute work in a fair and equitable manner. Prior approval of the selection procedure shall be obtained from the applicable level of management. An informal competitive process shall be followed with price or rate quotations obtained from an adequate number of qualified sources to ensure that SANDAG is obtaining a fair and reasonable price. The informal competitive process must be documented by staff. In obtaining price or rate quotations, a scope of work shall be developed and supplied to all bidders.

3. Major Service Agreements ($50,000 and greater). These procedures apply to the procurement of all services including procurement of Section 4525 Services.

3.1 Normally, a "one-step" selection procedure will be used for service contracts in excess of $50,000. The "one-step" competitive process is as follows:

3.1.1 Firms shall submit a response to a SANDAG Request for Proposals (RFP). The RFP shall include:

3.1.1.1 Pass/fail criteria to be used as an initial screening of responses. Such criteria shall include, but not be limited to, insurance requirements, licensing, and any other consideration which would make the proposer ineligible to perform the work.

3.1.1.2 All evaluation factors and their relative importance.

3.1.1.3 The standard contract language that the successful proposer will be required to comply with, including applicable federal clauses and certifications.

3.1.2 Notice of the professional services required shall be published at least once in a newspaper of general circulation in San Diego County and in community newspapers, as appropriate, at least three weeks before the proposal due date. For federally funded projects, notice shall also be published in one or more DBE-certified newspapers and in such other minority newspapers as appropriate in San Diego County. The notice shall state that the Board is interested in receiving responses from qualified firms, and indicate how additional information can be obtained, and the time and place for receiving responses.

3.1.3 Notice shall also be sent to firms or individuals previously known to be interested in providing the required services, including small and emerging businesses on SANDAG’s various interested party lists, and to appropriate DBE firms or individuals listed in the SANDAG DBE Directory (for federal procurements).
3.1.4 Responses to an RFP shall list all proposed subconsultants and subcontractors, their area of the work, and identify which of them are certified DBEs.

3.1.5 Responses to an RFP shall include a cost estimate.

3.1.5.1 For Section 4525 Services, separately bound or sealed cost proposals shall be submitted as part of the process and shall not be opened until after the evaluation committee has ranked the proposers. Cost proposals shall be excluded as an evaluation factor and will only be used by the Executive Director, or his/her designee, when negotiating within the prescribed budget, except as provided in 3.1.8 below.

3.1.5.2 For all other services, the cost proposal shall be submitted along with the technical proposal and will be used as an evaluation factor by the evaluation committee.

3.1.6 The responses shall be evaluated by an evaluation committee. The evaluation committee should consist of SANDAG staff and at least one person from outside the agency.

3.2 The top-ranked firm(s) shall then be interviewed, if deemed necessary. The final list of qualified firms shall be based on the response to the RFP, references, the interview, and other relevant factors. The project manager will summarize the findings of the evaluation committee in a recommendation memo to the Executive Director. The memo shall include the evaluation committee’s recommendation for negotiations with one or more firms in the competitive range.

3.2.1 The Executive Director will approve or reject the recommendation based upon information provided by the evaluation committee, and other factors as deemed appropriate, including, but not limited to, qualifications, ability to meet schedule and budget, cost of work, meeting insurance requirements, and DBE participation (for federally funded projects). The Executive Director may also interview one or more of the firms prior to making a selection.

3.2.2 Approval by the Executive Director of the recommendation shall be deemed approval to enter into negotiations with one or more firms in the competitive range.

3.2.2.1 For contracts for Section 4525 Services, the separately submitted cost proposal shall be used as a basis for negotiation. Negotiations will be conducted by the Executive Director, or his/her designee, and can include factors other than cost, such as staffing levels, project
schedule, etc. Should negotiations fail, the Executive Director, or his/her designee, will enter into negotiations with the next ranked firm. Once negotiations are complete, a contract incorporating the negotiated terms and conditions will be prepared for the approval of the Executive Director or his/her designee. Only the cost proposal of the firm in negotiations shall be opened. At the end of the process, all unopened cost proposals shall be disposed of, unopened.

3.2.2.2 For all other service contracts, the cost proposals from the firm(s) in the competitive range shall be used as a basis for negotiation. Negotiations will be conducted by the Executive Director, or his/her designee, and can include factors other than cost, such as staffing levels, project schedule, etc. If negotiations are only conducted with one firm and those negotiations fail, staff will enter into negotiations with the next ranked firm. If negotiations are conducted with more than one firm in the competitive range, then staff attempt to obtain the most favorable terms by negotiating with all of the firms. Once negotiations are complete, a contract incorporating the negotiated terms and conditions will be prepared for the approval of the Executive Director or his/her designee.

3.3 For those services that are able to be defined with a very explicit scope of work containing detailed, straight-forward specifications that will allow consistent responses (i.e., freeway service patrol contracts), proposers will be considered qualified or not qualified based on predetermined criteria. Cost proposals will then be opened for those proposers considered qualified and the consultant with the lowest bid will be awarded the contract. The department directors will determine whether the nature of any of the services within their purview lend themselves to using this low bid procedure.

3.4 If desired, a “two-step” selection process may be followed, as follows:

3.4.1 Letters of Interest/Statements of Qualifications (LOIs/SOQs) shall be solicited from the current SANDAG consultant list for the particular services specialty.

3.4.2 Notice of the professional services required shall be published at least once in a newspaper of general circulation in San Diego County and in one or more DBE-certified newspapers in San Diego County at least three weeks before the proposal due date and in such other minority and community newspapers, as appropriate. The notice shall state that the Board is interested in receiving LOIs/SOQs from qualified firms, and indicate how additional information can be obtained, and the time and place for receiving responses.
3.4.3 Requests for LOIs/SOQs may be sent to firms or individuals previously known to be interested in or capable of providing the required services. Reasonable effort shall be made to send requests to minority firms known to be capable of providing the required services.

3.4.4 "Pass/fail" criteria will be established by staff and clearly stated in the LOI/SOQ to be used as a screening of responses. Such criteria shall include, but not be limited to: adherence to project budget, insurance requirements, and DBE participation.

3.4.5 An evaluation committee will be formed, which should consist of SANDAG staff and at least one person from outside the agency.

3.4.6 The evaluation committee will evaluate the SOQs and the project manager will prepare a memo to the Executive Director summarizing the evaluation committee’s findings and recommending one or more qualified firms to be invited to receive an RFP. Following approval by the Executive Director, staff shall then issue an RFP to the qualified firm(s). The RFP shall include all evaluation factors and their relative importance and the contract that the successful proposer will be expected to execute (including all applicable federal clauses and certifications).

3.4.7 From this point, the steps above for a one-step procurement should be followed.

4. Compliance with Brooks Act Provisions for Federally Funded Contracts. If Federal Funds are used and the services are A&E in nature, SANDAG shall comply with the provisions of the Brooks Act.

5. Non-Competitive Procurements (More than $2,500)

5.1 Also known as sole source acquisitions, these shall only be permitted when the conditions below are met.

5.2 When the acquisition will be paid for in whole or in part by federal funds, one of the following conditions must be met:

5.2.1 There is an urgent need for the service due to an emergency or some other exigency that will not permit a delay resulting from competitive solicitation. Examples of such need include a danger to the public or loss of use of a transportation facility used by the public.

5.2.2 Staff solicited competitive bids and was unable to obtain a responsive bid from a responsible bidder.
5.2.3 The grantor agency providing funds for the project has approved sole source acquisition.

5.2.4 The service is only available from a single source.

5.3 When there are no federal funds involved one of the following additional factors may be utilized to justify a sole source acquisition:

5.3.1 There is only one consultant capable of providing the services because the services are unique or highly specialized.

5.3.2 The services should be purchased from a particular consultant in the interest of economy or efficiency as a logical follow-on to services already in progress under a competitively awarded contract.

5.3.3 The cost to prepare for a competitive procurement exceeds the cost of the services.

5.3.4 The services are essential to maintain research or operational continuity.

5.3.5 The service is one with which staff members who will use the deliverables have specialized training and/or expertise and retraining would incur substantial cost in time and/or money.

6. General Conditions

6.1 In the event that circumstances dictate other than the processes indicated above for procurements that do not exceed $100,000, the Executive Director may authorize a variation within the limits of Public Utilities Code section 132352.4. For procedural variations on procurements that will exceed $100,000, prior Board concurrence shall be obtained following submittal of a written statement by staff setting forth the reasons for not pursuing all or part of any of the processes.

6.2 Where proposals received are deemed inadequate by the Executive Director, the Board may authorize a negotiated contract with a recommended firm based on a newly approved scope of services, performance schedule, and/or instructions and conditions.

6.3 The Executive Director is not required to make a contract award if he/she determines that the proposals received or contract terms negotiated by SANDAG staff are not in SANDAG's best interests.

6.4 The Executive Director may approve contract amendments totaling up to $100,000 that are necessary to complete services as originally contemplated subject to the limitations set forth in Section 12.2 of this policy. The Board will be notified of all such amendments. Contract amendments in excess of $100,000 or those contemplating a significant change in the original scope of services, must be processed in accordance with SANDAG's procurement manual and policies.
6.5 For purchases involving no federal funds and not exceeding $25,000, a purchase order may be used. For purchases in excess of $2,500 involving federal funds, all applicable federal requirements and certifications must be attached to the purchase order or contract. For purchases that exceed $10,000, a contract must be used in order to ensure provisions are included to protect SANDAG’s interests.

6.6 The Board’s Equal Employment Opportunity Program will be incorporated by reference in all services contracts. The Board’s Disadvantaged Business Enterprise (DBE) Program shall be incorporated by reference in all services contracts that are federally funded. DBEs shall have every possible opportunity to participate in the procurement of services as set forth in the Board’s DBE program.

7. Conflicts of Interest

7.1 A consultant is eligible for award of service contracts by SANDAG so long as the contract in question does not create an actual, potential, or apparent conflict of interest. A prohibited conflict of interest exists when a firm is or may be unable to render impartial, objective assistance or advice to SANDAG or where a firm would receive an unfair competitive advantage. Prohibited conflicts of interest include, but are not limited to, the following situations:

7.1.1 Any firm that provides design services to SANDAG will be ineligible for award of a construction contract to construct the improvements which are the subject of the design services.

7.1.2 Any firm that provides design services to SANDAG will be ineligible for award of any contract to provide construction management services resulting from the specific project for which design services were provided.

7.1.3 Any firm that provides construction management services to SANDAG will be ineligible for award of a construction contract for which construction management services were or will be provided.

7.2 General consultants or subconsultant firms may provide services on other SANDAG projects. A consultant shall not, however, participate in the review and analysis of, or render opinions regarding, its work performed on other SANDAG projects or as limited in this section. Unless otherwise defined by the Executive Director, a general consultant is a consultant whose procurement is typically for a two-year period with an option for one or more one-year option extensions to provide services as needed from time to time on a work order or task order basis, rather than for one specific predefined project. General consultants support SANDAG staff in managing other SANDAG consultants. General consultants are prime consultants to SANDAG. Subconsultants to general consultants are not classified as general consultants. General consultant procurements are identified as such during the RFP process.
7.3 A Notice of Potential for Conflict of Interest shall be included within any RFP for services issued by SANDAG. The Notice shall be the policy of the Board as listed herein. Any major service agreement issued in accordance with this policy shall include or make reference to the policy listed herein.

7.4 A “firm” shall be defined as any company or family of companies where there is a single parent board of directors or staff of officers who can influence the policies and actions of the design company, construction management company, and the construction company.

7.5 “Ineligible” shall include the prime consultant for the services, subcontractors for portions of the services, and affiliates of either. An affiliate is a firm that is subject to the control of the same persons through joint ownership or otherwise.

7.6 If there is any doubt by a firm regarding a potential conflict of interest for a specific project or function, the appropriate member of management staff, depending on type of project, will, upon written request, provide a written ruling. This procedure is encouraged prior to submittal of RFPs. In the event a conflict of interest is determined to exist, a written appeal may be made by the affected firm to the Executive Director within five calendar days of notice from SANDAG the conflict. The Executive Director shall determine the adequacy of the appeal and make a subsequent final decision. No further appeal shall be considered.

7.7 The Executive Committee shall review and, if appropriate, waive any actual, potential, or apparent conflict of interest that may exist or arise as a result of concurrent legal representation of SANDAG and parties whose interests may conflict.

8. Protests to Solicitation, Bid, or Award

8.1 SANDAG shall include in all contracts a procedure to be followed by interested parties who wish to protest a specification or procedure. The procedure shall include the following:

8.1.1 A requirement that protest submittals shall be in writing, be specific to the specification being protested, state the grounds for protest, and include all documentation needed to enable SANDAG to reach a decision.

8.1.2 A statement that the protest shall be submitted within clearly defined time limits prior to receiving proposals or opening bids or prior to award of contracts.

8.1.3 A statement specifying the review and determination process by SANDAG, including time limits for response.

8.1.4 Requirements for submittal of a protest reconsideration.
8.1.5 A statement that the initial protest will be reviewed by a protest review committee and that protest reconsiderations will be reviewed by the Executive Director.

9. Procedure for Consultants with Claims Against SANDAG on Service Contracts

9.1 On all SANDAG services contracts estimated to cost more than $25,000, a section shall be included in the contract provisions that specifies how a consultant should file a "Notice of Potential Claim" and the procedures for review and disposition thereof.

9.2 Written notice of the potential claim must be given to the project manager prior to the time the consultant shall have performed the work giving rise to the potential claim, if based upon an act or failure to act of the project manager; or in all other cases, within 15 calendar days of the happening of the event, thing or occurrence giving rise to the potential claim.

9.3 It is the intention of this requirement that differences between the parties arising under and by virtue of the contract be brought to the attention of the project manager at the earliest possible time in order that such matters may be settled, if possible, or other appropriate action promptly taken. The consultant shall agree to have no right to additional compensation for any claim that may be based on any such act, failure to act, event, thing or occurrence for which no written notice of potential claim as herein required was filed. A claim must be presented and acted upon as a prerequisite to suit thereon.

9.4 If a consultant files an appropriate "Notice of Potential Claim," the administrative procedure shall be as follows:

9.4.1 SANDAG staff shall respond in writing within 25 calendar days with an appropriate decision. It is expected that SANDAG staff shall investigate the area of claim thoroughly and shall issue a decision that is fair to all parties. It is further expected that every effort will be made to resolve the claim at the job level.

9.4.2 If it appears to staff that the claim cannot be settled, the project manager and contracts staff shall, as soon as practicable, forward the details of the claim to the Executive Director and shall so notify the consultant of the action.

9.4.3 The Executive Director shall direct the appropriate department director to obtain all pertinent information, including any oral or written presentation, concerning the claim the consultant might wish to present. The department director shall provide all information to the Executive Director, including any recommendations.

9.4.4 The Executive Director shall report a final decision in writing to the consultant. The written decision shall notify the consultant that this
action completes the consultant's administrative remedies and any further dispute would have to be resolved by either a nonbinding Dispute Resolution Board or arbitration if provided for in the provisions of the contract and agreed to by both parties, or litigation.

9.4.5 The final recommendation of the Dispute Resolution Board or arbitration shall be presented to the Executive Director for approval before going to the Board for action.

9.4.6 Any claim disputes not resolved by the Executive Director shall be reported to the Board at one of the Board's regular meetings.

9.5 If a contract amendment proposed for the settlement of a claim causes a budget impact over $100,000, the amendment must be sent to the Board for approval.

9.6 Federal Transit Administration review and concurrence may be required for claim settlements that exceed $100,000 if federal funds are involved.

9.7 A list of all outstanding claims exceeding $100,000 which involve the use of federal funds shall be included in the federal grants quarterly report.

10. Debarment Procedures for Service Contracts

10.1 In addition to all other remedies permitted by law, SANDAG may, upon advice of the Executive Director and Office of General Counsel, by resolution declare a proposer or consultant ineligible to bid on SANDAG contracts for a period not to exceed three years for any of the following grounds:

10.1.1 unjustified failure or refusal to timely provide or properly execute contract documents;

10.1.2 unsatisfactory performance of contract;

10.1.3 excessive and/or unreasonable claims while performing work for SANDAG;

10.1.4 two or more occasions within a two year period of failure to submit bond or insurance documents acceptable to SANDAG in the time periods required;

10.1.5 unjustified refusal to properly perform or complete contract work or warranty performance;

10.1.6 unjustified failure to honor or observe contractual obligations or legal requirements pertaining to the contract;
10.1.7 conviction under a state or federal statute or municipal ordinance for fraud, bribery, theft, falsification or destruction of records, receiving stolen property or of any other similar crime;

10.1.8 any offense or action which indicates a lack of business integrity and which could directly affect the reliability and credibility of performance of the consultant on future contracts with SANDAG;

10.1.9 any debarment of the consultant by another governmental agency; and

10.1.10 two or more claims of computational, clerical, or other error in cost proposal submission within a two year period.

10.2 SANDAG may permanently debar a firm for a conviction under federal or state antitrust statutes involving public contracts or the submission of bid proposals, for any corrupt practices involving the administration or award of a contract with SANDAG, or permanent debarment of the bidder or consultant by another governmental agency, as permitted by law.

10.3 The proposer or consultant shall be provided notice and an opportunity to present evidence and show cause before the Board why such ineligibility should not be declared after the Executive Director has established a factual basis for debarment.

10.4 A consultant's debarment shall be effective amongst SANDAG and any of its subsidiary entities. Debarment prohibits SANDAG and subsidiary entities from executing contracts with the debarred consultant.

10.5 Debarment constitutes debarment of all divisions or other organizational elements of the consultant, unless the development decision is limited by its terms to specific divisions, organizational elements, or commodities. The debarment decision may be extended to include any affiliate of the consultant if the affiliate is (1) specifically named, and (2) given written notice of the proposed debarment and an opportunity to respond.

10.6 Notwithstanding the debarment of the consultant, the Board may continue contracts in existence at the time the consultant is debarred, unless the Board directs otherwise, after receiving advice from the Executive Director or his or her designee as to the effects of termination of an existing agreement.

11. Contract Administration and Consultant Assurances

11.1 SANDAG consultants must meet all applicable laws concerning labor law, labor rates, EEO and licenses.

11.2 SANDAG shall ensure that all services requiring a licensed consultant shall be performed by licensed consultants.
11.3 Consultants will be responsible for complying with the provisions of the Fair Labor Standards Act of 1938 as amended.

11.4 Consultants shall be required to provide Workers' Compensation Insurance to their employees in accordance with the provisions of Section 3700 of the Labor Code. Prior to commencement of work, the consultant shall sign and file with SANDAG a certification of compliance.

11.5 The SANDAG requirements for consultant labor compliance shall be guided by the California Labor Code and the “Labor Compliance” section of the California Department of Transportation's Construction Manual.

11.6 Consultants shall comply with the EEO requirements set forth by Title VI of the 1964 Civil Rights Act on any project where Federal funds are included, and any other requirements established by the Federal Transit Administration.

11.7 Consultants shall comply with Sections 1431 and 1735 of the Labor Code and Sections 300 and 317 through 323 of Title 8 of the California Administrative Code, which prohibits labor discrimination and requires the consultant to submit an Equal Opportunity Program and certification fee to the Fair Employment Practice Commission for contracts over $200,000.

12. Amendments to Service Contracts

12.1 All contracts may be amended by a suitable amendment processed in accordance with SANDAG’s procurements manual and policies.

12.2 The Executive Committee or Transportation Committee or, if not practical, the Chairperson of the Board or the Vice Chairperson in the absence of the Chairperson, are hereby authorized to approve amendments exceeding $100,000 when waiting for Board approval could potentially delay a project or increase the cost of the change. In such an instance, the Executive Director shall notify the Board of the Committee’s action or Chairperson/Vice Chairperson’s action at the next regular Board meeting.

12.3 All amendments that impact or potentially impact Board-adopted policies shall be brought before the Board for decision.

12.4 All amendments which utilize federal funds shall conform to the Code of Federal Regulations, Volume 49, Part 18 and Federal Transit Administration Circular 4220.1 E and any successors thereof that are applicable by law.
DISCRIMINATION COMPLAINT PROCEDURES

This policy is intended to establish a procedure under which complaints alleging discrimination in SANDAG’s provision of services or SANDAG activities can be made by persons who are not employees of SANDAG.

Background

It is SANDAG policy to comply with state and federal laws and regulations including the Americans with Disabilities Act of 1990 (ADA), Title VI of the Civil Rights Act of 1964 (Title VI) and other federal and state discrimination laws. SANDAG prohibits discrimination by its employees, contractors and consultants. The responsibility for the implementation of the discrimination complaint procedures is assigned to the Office of General Counsel. SANDAG does not discriminate on the basis of race, color, sex, creed, religion, national origin, age, marital status, ancestry, medical condition, disability, or sexual orientation in conducting government business. Persons who believe they have been subjected to discrimination or have been denied access to services or accommodations required by law, have the right to use this grievance procedure.

Procedures

1. Applicability

This complaint procedure is applicable to all persons who are not employees of SANDAG. This includes, but is not limited to, visitors to SANDAG, members of the public viewing SANDAG publications, Board, committee, and working group members, vendors, or any other person transacting business with SANDAG or using SANDAG’s services. In general, it is designed to address disputes concerning the following:

1.1 Disagreements regarding a requested service, accommodation, or modification of a SANDAG practice or requirement;

1.2 Inaccessibility of a program, publication, or activity;

1.3 Harassment or discrimination on the basis of disability;

1.4 Violation of privacy in the context of disability.
2. **Compliance Officer**

SANDAG’s Office of General Counsel is responsible for administering this complaint procedure as well as ensuring compliance with applicable laws. The Office of General Counsel can be contacted at: (619) 595-5300 (Voice), (619) 595-5393 (TTY), Fax (619) 595-5625.

3. **Preliminary Review Process**

3.1 **Informal Resolution** - Prior to initiating the formal complaint procedure set forth below, and as a prerequisite to it, the complaining party shall contact the Compliance Officer for assistance in resolving the matter informally within fifteen (15) calendar days of the time the grievant became aware of the SANDAG act or omission that is the subject of the complaint. If the Compliance Officer is not successful in quickly achieving a satisfactory resolution (that is, generally within approximately thirty (30) calendar days), the Compliance Officer will take the steps described in subparagraph "B." below.

3.2 **Review Panel** - The Compliance Officer will convene an ad-hoc review panel to review the issue(s) raised. The panel will consist of the following (or their designees): the Compliance Officer, a member of the management staff, a Deputy Executive Director, and (depending upon the issues) such other personnel as may be appropriate. This panel will review the request, investigate and attempt to resolve the issues within approximately thirty (30) calendar days of the request for or initiation of a second review. No formal report need be issued by the panel, but the panel will document the outcome of its review in a letter to the complaining party. If the complaining party is not satisfied with the panel's disposition of the matter, the complaining party may file a formal complaint in accordance with the procedure described below.

4. **Formal Complaint**

If the procedure set forth above for preliminary review does not yield a successful resolution, then the complaining party may file a formal complaint in the following manner:

4.1 **When To File Complaint** - Complaints must be in writing and must be filed within ten (10) calendar days of the end of the preliminary review process described above.

4.2 **What To File** - A complaint must be in writing and include the following:

4.2.1 The complaining party's name, address, e-mail address and phone number;

4.2.2 A full description of the problem;

4.2.3 A statement of the remedy requested; and

4.2.4 A copy of the letter from the Review Panel setting forth the outcome of the preliminary review procedure described above.

4.3 **Where To File Complaint** - The complaint shall be filed with the Compliance Officer at SANDAG, 401 B Street, Suite 800, San Diego, CA 92101; Fax number (619) 595-5625.
4.4 Notice of Receipt - Upon receipt of the complaint, the Compliance Officer will review the complaint for timeliness and appropriateness for this grievance procedure, and will provide the complaining party with written notice acknowledging its receipt.

4.5 Investigation - The Compliance Officer or his or her designee shall promptly initiate an investigation. In undertaking the investigation, the Compliance Officer may interview, consult with and/or request a written response to the issues raised in the complaint from any individual the Compliance Officer believes to have relevant information, including staff and members of the public. The Compliance Office also may hold an informal hearing at his or her discretion.

4.6 Representation - The complaining party and any party against whom the grievance is directed shall have the right to have a representative. The party shall indicate whether he or she is to be assisted by a representative and, if so, the name of that representative. For purposes of this procedure, an attorney is not an appropriate representative.

4.7 Findings And Notification - Upon completion of the investigation, the Compliance Officer will prepare and transmit to the complaining party, and to any party against whom the complaint is directed, a final report containing a summary of the investigation, written findings and a proposed disposition. This transmission will be expected within forty-five (45) calendar days of the filing of the formal complaint. The deadline may be extended by the Compliance Office for good cause. The final report shall also be provided, where appropriate, to any person whose authority will be needed to carry out the proposed disposition or to determine whether any personnel action is appropriate.

4.8 Final Disposition - The disposition proposed by the Compliance Officer shall be put into effect promptly. The complaining party or any party against whom the complaint or the proposed disposition is directed may appeal. The appeal to the Executive Director (as set forth below) will not suspend the implementation of the disposition proposed by the Compliance Officer, except in those circumstances where the Executive Director decides that good cause exists making the suspension of implementation appropriate.

5. Urgent Matters

Whenever the application of any of the time deadlines or procedures set forth in this complaint procedure creates a problem due to the nature of the complaint, the urgency of the matter, or the proximity of the upcoming event, the Compliance Officer will, at the request of the complaining party, determine whether an appropriate expedited procedure can be fashioned.

6. Remedies

Possible remedies under this complaint procedure include corrective steps, actions to reverse the effects of discrimination or to end harassment, and measures to provide a reasonable accommodation or proper ongoing treatment. As stated above, a copy of the Compliance Officer’s report may, where appropriate, be sent to appropriate persons to determine whether any personnel action should be pursued.
7. **Appeal**

7.1 Within ten (10) calendar days of the issuance of the final report, the complaining party or any party against whom the complaint is directed may appeal to the Executive Director the Compliance Officer's determination.

7.2 An appeal is taken by filing a written request for review with the SANDAG Executive Director, 401 B Street, Suite 800, San Diego, CA 92101; Fax (619) 595-5625.

7.3 The written request for review must specify the particular substantive and or procedural basis for the appeal, and must be made on grounds other than general dissatisfaction with the proposed disposition. Furthermore, the appeal must be directed only to issues raised in the formal complaint as filed or to procedural errors in the conduct of the complaint procedure itself, and not to new issues.

7.4 The review by the Executive Director or his or her designee normally shall be limited to the following considerations: Were the proper facts and criteria brought to bear on the decision? Were improper or extraneous facts or criteria brought to bear on the decision that substantially affected the decision to the detriment of the complaining party? Were there any procedural irregularities that substantially affected the outcome of the matter to the detriment of the complaining party? Given proper facts, criteria, and procedure, was the decision one that a person in the position of the decision-maker might reasonably have made?

7.5 A copy of the Executive Director's written decision will be expected within thirty (30) calendar days of the filing of the appeal and shall be sent to the parties, the Compliance Officer and, if appropriate, to persons whose authority will be needed to carry out the disposition. The deadline may be extended by the Executive Director for good cause. The decision of the Executive Director on the appeal is final.

8. **Confidentiality**

SANDAG will take reasonable measures to protect the privacy of the complaining party and those individuals who may be the subject of a complaint. SANDAG cannot guaranty privacy, however, particularly if disclosure is necessary for a complete investigation or is required by law.
DELEGATION OF AUTHORITY

The purpose of this policy is to establish the authority granted by the Board of Directors to the Executive Director. It also provides the Executive Director with the authority to delegate functions he or she has been delegated by the Board to SANDAG staff.

Definitions

The following words shall have the meanings indicated when used in this policy:

“Agreement” shall be interpreted to include contracts, memorandums of understanding, agreement amendments, purchase orders, invoices, money transfers, or any other document that could be enforced against SANDAG in a court of law.

“Budget” shall be interpreted to include SANDAG’s annual budget, revisions and amendments thereto, and the Overall Work Program.

“Emergency or Urgent Need” for purposes of this policy shall mean a situation in which, in the Executive Director’s or his/her designee’s opinion, injury to persons, or significant injury to property or interruption of a public service will occur if immediate action is not taken.

Procedures

1. Adoption of a budget by the Board shall automatically authorize the Executive Director to enter into any agreements or take any other actions necessary to implement the budget items or other actions approved by the Board.

2. Any authority delegated to the Executive Director shall automatically vest with a Chief Deputy Executive Director when business must be conducted in the absence of the Executive Director.

3. In the event of emergency or an urgent need, the Executive Director is authorized to take all necessary actions to prevent significant unnecessary loss to SANDAG, a shut-down of public services, or to address a situation threatening the health or safety of persons or property, including, but not limited to, authorization to contract with a contractor or consultant on a sole source basis, consistent with applicable state or federal law without prior approval from the Board. In the event such an emergency or urgent need occurs, the Executive Director will consult with the Chair of the Board, promptly communicate all
actions taken to the Board members, and submit a report to the Board at its next regular meeting in order to obtain ratification for those actions.

4. The Executive Director is hereby authorized to carry out the actions set forth below. In the event any of the authorities in this paragraph are exercised, the Executive Director will report actions taken to the Board in summary written form at the next regular meeting of the Board.

4.1 Enter into agreements not currently incorporated in the budget and make other modifications to the budget in an amount up to $100,000 per transaction so long as the overall budget remains in balance. This provision may not, however, be used multiple times on the same budget line item or contract in order to circumvent the $100,000 limit.

4.2 Approve all design plans, specifications and estimates for capital improvement projects.

4.3 Execute all right-of-way property transfer documents, including but not limited to, rights of entry, licenses, leases, deeds, easements, escrow instructions, and certificates of acceptance.

4.4 Direct payment to persons for right-of-way property so long as the payment amount does not exceed 110% of the appraised value.

4.5 Reject all bids and/or suspend the competitive procurement process.

4.6 Provide the final determination to persons or firms filing a protest regarding SANDAG’s procurement or contracting process or procedures.

4.7 File administrative claims and to initiate and maintain lawsuits on behalf of the Board to recover for damage to or destruction of SANDAG property, or interruption of a public service.

4.8 Settle all lawsuits initiated under paragraph 4.7.

5. The Executive Director shall act as the appointing authority for SANDAG with the authority to appoint, promote, transfer, discipline, and terminate all employees of SANDAG subject to the provisions of SANDAG’s Administrative Rules and Regulations.

6. Pursuant to Article V, Section 4, paragraph c of the Bylaws, the Executive Director shall promulgate an administrative policy governing the procedures for delegating his/her authority to other SANDAG staff.
LOCAL TECHNICAL ASSISTANCE (LTA) PROJECTS REQUIRING MORE THAN $1,000 OR THREE DAYS STAFF TIME

Local Technical Assistance (LTA) policy guidelines require that all projects involving more than three days staff time be reported to the Board of Directors.

City of Chula Vista—Public Opinion Survey Regarding Police Services

SANDAG will assist the City of Chula Vista in designing, conducting, and analyzing a survey of its citizens. The purpose of this survey is to learn about the quality of residents’ experiences with the Chula Vista Police Department, as well as their views on public safety. Similar studies were conducted as part of the LTA program in 1997 and 2000; results from those surveys will be compared to those from the current study where possible. For the current project, 3,000 surveys will be sent to randomly selected Chula Vista households. Participants also will have the option of completing the survey online. The total estimated cost of this project is $22,928. With the LTA deduction of $1,000, the cost to the City of Chula Vista will not exceed $21,928.

Project Manager: Cindy Burke, (619) 595-5361; cbu@sandag.org

City of La Mesa—Public Opinion Survey

The City of La Mesa periodically surveys its residents to examine attitudes and opinions about City services, public safety concerns, budget issues, use of and satisfaction with public facilities, and other issues. The survey will be mailed to 4,000 randomly selected households. SANDAG has assisted the City of La Mesa on similar surveys dating back to 1987. Since the current survey includes many questions from previous surveys, the results will be compared to evaluate changes in attitudes and perceptions over time. The total estimated cost of this project is $17,412. With the LTA deduction of $1,000, the cost to the City of La Mesa will not exceed $16,412.

Project Manager: Karen Lamphere, (619) 595-5355; kla@sandag.org

GARY L. GALLEGOS
Executive Director

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Funds are budgeted in Overall Work Program #7000200 and Reimbursement by the Requesting Agency.
LOCAL TECHNICAL ASSISTANCE ANNUAL REPORT—FY 2003

Introduction

In accordance with the policy guidelines approved by the SANDAG Board, this report summarizes the projects and activities conducted under the Local Technical Assistance (LTA) program in FY 2003. Attached to this report is the most recent annual newsletter we produce to keep member agencies informed about the LTA program and its services. The work conducted through the LTA program benefits our member agencies through cost savings and by providing access to information and technical capabilities that may otherwise not be available. Your continued use of this successful program is encouraged.

LTA policy guidelines state that the first $1,000 of staff time and agency resources for each project are provided free of charge, with costs in excess of $1,000 reimbursed by the requesting agency. A total of 76 projects were conducted in FY 2003. About two-thirds of these projects were done at no cost to the requesting agency. Figure 1 shows LTA projects by the type of service provided. Compiling, analyzing and mapping demographic and economic information comprise the greatest number of LTA projects. Smaller in number but generally much larger in scope are subarea transportation modeling and analysis projects and survey design and analysis.

Discussion

The LTA Program is our member agencies' link to the Regional Information System (RIS).

The RIS is a fully integrated system of data, computer hardware and software, and staff expertise. It consists of historic, current and forecasted demographic, economic, land use, criminal justice and transportation-related information. This nationally recognized system has been developed, updated and maintained through the projects and tasks identified in the Overall Work Program and projects conducted with member agencies.

The mission of the LTA program in recent years has been to:

- promote collaborative projects to increase efficiency and cost effectiveness;
- develop innovative approaches;
- enhance our Web site to provide the maximum amount of information and tools to display and download the information; and inform and educate member agency staffs about the LTA program.
Collaboration on LTA projects takes many forms. SANDAG has spearheaded several data development partnerships, where a consortium of public and private agencies pooled resources to create large, regional datasets (such as the digital aerial photography shown in Figure 2) that would be too cost-prohibitive for an individual agency to purchase. This concept has been implemented in LTA projects such as the development of a customized subarea transportation model for the Cities of Carlsbad, Oceanside, Vista, and San Marcos. City staffs reviewed and updated land use, traffic count, and street network information. SANDAG staff calibrated the model and prepared future year forecasts. This collaborative model will be used by the jurisdictions in future transportation modeling efforts, resulting in cost savings and more consistent traffic forecasts, maps and reports.

Innovation helps us prepare products that more clearly illustrate the purpose or outcome of a project. It results from the requestor’s detailed understanding of how the project will ultimately be used combined with the tools and expertise SANDAG has gained in the 25 years the LTA program has been part of the agency’s Work Program.

Figure 3 illustrates a project conducted for the San Diego County Lead Based Paint Hazard Control Program. County staff identified three characteristics (children under age six, housing built before 1970, and families below poverty) that can be indicators of lead-based paint poisoning risk. The map shows how these three characteristics were combined on one map to highlight areas with concentrations of one, two, or all three criteria. This was used by the County of San Diego to target lead-based paint education programs.

Web enhancements are a continuing process at SANDAG and are designed to place data and tools for analysis in the hands of the people who need them. An enormous quantity of current, high-quality information is available at sandag.org in several forms: reports and other publications; meeting schedules and agendas; formatted profiles, data downloads and Geographic Information System (GIS) data layers; and interactive database and mapping applications. Our Web applications are designed to be used by people with a wide range of skills, from novices to more experienced users. Since its inception in 1995, sandag.org has expanded dramatically and now averages 12,500 page views from 1,800 unique visitors each day. As our datasets and technology evolve, we update and enhance the applications used to deliver our information. A new mapping application, the Geographic Boundary
Viewer, was developed this year. It allows the user to simultaneously display two or more geographic area boundaries to examine the relationship between them. For example, ZIP code boundaries can be displayed with community planning areas, or census tracts with jurisdictions. Other reference information, such as freeways, roads, and streams, also can be displayed.

FIGURE 4.—SANDAG DATA WAREHOUSE

The Profile Warehouse and Data Warehouse were developed a few years ago to provide information via the Internet from our three largest datasets—the census, our demographic/economic estimates, and the Regional Growth Forecast—in two formats. From the Profile Warehouse, preformatted reports are available for geographic areas such as jurisdictions, census tracts, and ZIP codes. While the reports are available for standard geographic areas from this site, custom reports also can be prepared through the LTA program for user-defined areas such as service areas and police beats.

The Data Warehouse (shown in Figure 4) was recently overhauled. It has a new look, much greater functionality, and is easier to use than the previous version. The enhanced application offers a more intuitive interface, and users can select from hundreds of demographic, economic, and land use variables to create custom datasets and reports. In addition to simply viewing the selection results on-screen, users may download the data as formatted tables, text files, or directly into a spreadsheet for use in their own analysis of the information. The new Data Warehouse also features updated geographic area maps, and a detailed glossary of terms.

Education of member agency staffs about the LTA program is important because of the evolving nature of the information and services we can provide. We have several mechanisms in place to provide information about the LTA program, including a special “Technical Assistance to Members” section of our Web site, LTA workshops that are part of the agency’s Technical Workshop series, and on-site presentations about the LTA program. Also, people interested in receiving periodic updates about new data or services can go to sandag.org, subscribe to the monthly SANDAG e-mail newsletter, and select “Technical Assistance for Members." Finally, an annual LTA News is published that highlights new or updated information, interactive applications, and services available through the LTA program. It also provides examples of how local agencies have used the LTA program on various types of projects and a list of recent publications.

The use of the LTA program by all member agencies is encouraged. Please contact the SANDAG staff member below to find out more about the program, to arrange an on-site presentation, or to initiate an LTA project.

GARY L. GALLEGOS
Executive Director

Attachment

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(619) 595-5355, kla@sandag.org

No Budget Impact
SANDAG CONSOLIDATION: A New Team to Meet Regional Challenges

Regional governance enters a new era in 2003 with SANDAG evolving into a consolidated agency responsible for transportation planning, funding allocation, project development, and eventually construction in the San Diego region. Culminating three years of work among local mayors and council members, Governor Davis signed Senate Bill 1703 (Peace, D-EI Cajon). This new consolidated agency now has under one roof all of the responsibilities and roles of SANDAG, and many of the transit functions of both the San Diego Metropolitan and North County Transit Development Boards.

By the end of this year, all bus, trolley, and commuter rail planning, financing, and design and construction work will be the responsibility of SANDAG. The San Diego Metropolitan Transit Development Board (MTDB) and the North San Diego County Transit Development Board (NCTD) will continue to provide day-to-day transit operations.

Final 2030 Cities/County Forecast Nears Completion

SANDAG produces long-range forecasts of population, housing, employment, land use, and demographic characteristics every three to five years. These forecasts are an integral part of our planning process and are used for many purposes by policymakers and public and private agencies throughout the region. Among other things, SANDAG uses the forecasts to develop the Regional Transportation Plan, the Regional Comprehensive Plan, and the Air Quality Conformity Plan. Local jurisdictions use the forecasts for general plan updates; transportation planning; and capital facilities planning, including environmental impact reports. Other agencies such as the San Diego County Water Authority and the San Diego Regional Energy Office use aspects of SANDAG’s forecasts to develop plans for providing these essential services.

The Preliminary 2030 Cities/County Forecast was accepted for use in planning and other studies by the SANDAG Board of Directors in October 2002. The final forecast goes to the Board for approval in November 2003. The final 2030 Cities/County Forecast incorporates comments about the Preliminary Forecast from member agencies and other groups. It also includes information not available at the time the preliminary forecast was prepared including a revised U.S. Economic Forecast and the latest release of detailed population, economic, and housing characteristics from Census 2000.

For the first time, SANDAG’s forecast explicitly takes into account the phenomenon of interregional commuting—individuals who work in the region but live outside its boundaries (as well as the reverse). Historically, the amount of interregional commuting has been relatively small. However, recent evidence indicates that interregional commuting is increasing rapidly. Between 1990 and 2000, the number of workers commuting from Riverside County to jobs in the San Diego region has increased nearly three-fold (from 6,964 to 18,671) according to the U.S. Census Bureau.
LTA Project Highlight

Combined North County Transportation Model

The Cities of Carlsbad, Oceanside, San Marcos, and Vista are working together with SANDAG to improve the transportation conditions for their jurisdictions and surrounding North County areas. Historically, different computer models have been used in each jurisdiction to help plan for future transportation facilities. A combined transportation model is in development that will show average daily traffic through 2030 using each city’s adopted circulation element and consistent base data. This combined model will provide a tool to consistently evaluate transportation and land use projects for individual cities while also more accurately considering the traffic impacts that affect adjacent communities.

The combined North County Model also is being used by policymakers and planners to evaluate and rank 35 proposed transportation network improvements.

GIS News

San Diego / Baja California View from Space Map Now Available

Using vivid imagery and topographical relief, SANDAG’s newest publication map shows a view from space on one side and planned land use for the San Diego/Baja California Border Region on the other. The 46” by 36” full-color map depicts the region from the coastline east to Tecate, Mexico and from Mission Bay south to Rosarito Beach. SANDAG collaborated with its member agencies, the Instituto Municipal de Planeación (IMPlan) of Tijuana, and the municipalities of Tijuana, Tecate, and Playas de Rosarito to gather information used to make the map.

Policymakers, researchers, and planners from both sides of the international border use the information depicted on the map to help make decisions about economic development, transportation, and environmental management.

City of San Diego Water Quality Map

Increased attention is being focused on the quality of our region’s water bodies. The City of San Diego is addressing these issues through its Storm Water Pollution Prevention Program. The Program’s mission is to protect and improve the water quality of rivers, bays and the ocean. This is in part implemented through development regulations intended to eliminate and reduce urban storm water runoff from new development and redevelopment projects.

Development project applicants are required to identify the water body(ies) into which the project’s storm water runoff drains, then determine if that water body is listed as impaired in the Clean Water Act Section 303(d) List of Water Quality Limited Segments.

To assist the City of San Diego in this effort, SANDAG recently prepared a poster-size map that displays watersheds that intersect the City of San Diego boundary, hydrologic areas, wetlands, and 303(d) listed rivers, beaches, lakes, bays and lagoons. A table also was included on the map that listed hydrologic area numbers, water body names, and associated pollutants/stressors. The poster was prepared to give project applicants a visual tool to help determine if their project discharges to a 303(d) listed water body, and if so, to identify the pollutants causing the impairment. This map makes information about the 303(d) listed water bodies clear and simple so that it can be effectively incorporated during the project design process.

This information can be viewed on an interactive Web site at http://laguna.sangis.org/SangisInteractive/viewer/viewer.asp. From the main page, select the Stormwater tab and check the box next to the appropriate data layer to display 303(d) listed rivers, beaches, bays, estuaries and lakes.

SANDAG Technical Workshop Schedule

SANDAG offers a series of training workshops that focus on popular PC software such as word processing, databases, spreadsheets, and presentation graphics. The workshops are free to the staff of local jurisdictions, Caltrans, and transit operators. Although usually offered twice a year, there will be no fall 2003 session. The spring 2004 workshops will be conducted in April and will include a session that provides an overview of the LTA program. Classes fill up fast — if you would like to be added to the Technical Workshop mailing list to receive registration information, please contact the Public Information Office.
What’s New on the ‘Net

A New and Improved Data Warehouse

In May 2003, SANDAG launched its new Data Warehouse. The enhanced application offers a more intuitive interface to get a detailed look at the Regional Information System. With the Data Warehouse, users can select from hundreds of population, housing, economic, and land use variables to create custom datasets and reports. In addition to simply viewing the selection results on-screen, users may download the data as formatted tables, text files, or directly into a spreadsheet.

Data Warehouse improvements include access to multiple data types at one time, including 2000 Census, Current Estimates, and the 2030 Forecast as well as hundreds of data topics and variables such as population, ethnicity, age, and income. The new Data Warehouse also features updated geographic area maps, a detailed glossary of terms, and links to sites and other interactive applications including the Profile Warehouse, the Geographic Boundary Viewer and interactive maps. Information is available for the region, its 18 cities and the unincorporated area, Major Statistical Areas, Subregional Areas, census tracts, County community planning areas, and ZIP code areas.

SANDAG’s databases are continually updated and maintained, so new information will be added to the Data Warehouse periodically. Check back in December for the addition of Final 2030 Cities/County Forecast data.

Census Update

Although most of the data from Census 2000 has been released, there are two special files that have been or will be released in the near future.

The Public Use Microdata Sample (PUMS) file was released in September. PUMS files contain a sample of individual census records. With this file, user-defined crosstabs of census data can be compiled. Examples of how the PUMS file has been used include determining the number of vehicles by housing type (to evaluate parking regulations); and crosstabulating year housing structure built by children in household and income (to target lead-based paint education programs). Due to confidentiality issues, PUMS data are available only for areas of 100,000 or more, known as PUMAs. In the San Diego region, there are 16 PUMAs that are aggregations of Subregional Areas.

The Census Transportation Planning Package (CTPP) will be available in January 2004. This file contains work-trip information, including origin/destination information and demographic characteristics of people where they work rather than their place of residence. CTPP allows us to look in more detail at inter and intraregional commuting. For example, we’ll be able to determine where residents of a community work, where workers live, and the specific area of the San Diego region that people from Riverside and other counties are commuting to.

Draft Regional Comprehensive Plan Nearing Completion

The future of the San Diego region is full of promise, but it also faces a serious housing crisis, congested roadways, and continuing sprawl into our rural areas. The Regional Comprehensive Plan (RCP) is a cooperative effort among SANDAG, local jurisdictions, other regional stakeholders, and the public. The RCP will help define regional priorities and actions that can be taken to implement them. It will serve as the foundation for integrating land uses, transportation systems, infrastructure needs, and public investment strategies for the San Diego region.

Public involvement is a critical part of the RCP’s success. To gain public input, SANDAG is conducting an extensive outreach and involvement program. A series of workshops was held throughout the region between January and March 2003, followed by a second round of workshops in September and October 2003. The workshops, attended by the public and representatives from many agencies and organizations, included activities for participants that helped identify the goals and policy objectives that are most important to San Diego residents.

Once the Draft RCP is complete in December 2003, it will undergo review by the public and interested organizations and agencies, with the final document prepared by June 2004. For more information, visit the RCP section of our Web site. If you would like to be added to the RCP newsletter list, contact SANDAG’s Public Information Office.
Recent Publications

Most of SANDAG’s publications are available in PDF format from our Web site. If you would like a copy sent to you in the mail, please contact our new toll free Publications Hotline at 1-888-707-PUBS or 1-888-707-7827. Leave your name, address, and telephone number and the name of the publication or map you are requesting, and your order will be processed within 24 hours. Publications from the last six months are listed below.

Binational
California - Baja California Ports of Entry Trade Graphs - July 2003
San Diego - Baja California Land Ports of Entry - July 2003

Criminal Justice
The Incidence and Prevalence of Domestic Violence Victimization Among Female Arrestees in San Diego County - August 2003
Report on Drug Use Among the San Diego County Juvenile Arrestee Population, 2002 - August 2003

Housing
Housing Element Self-Certification Report to the Legislature - April 2003

Land Use and Regional Growth
Definition and Principles of Smart Growth - July 2003
Preliminary 2030 Forecast Process and Model Documentation - April 2003

Maps and GIS
San Diego/Baja California Border Region View From Space and Planned Use Map - May 2003
Fact Sheet - Regional Economic Development (REDI) - May 2003
Fact Sheet - SANDAG and GIS - October 2003

General
Fact Sheet - About SANDAG (English and Español) - September 2003
Fact Sheet - SANDAG Web Site - August 2003

Transportation
Central I-5 Corridor Study - July 2003
Mobility 2030: The Transportation Plan for the San Diego Region - September 2003
Progress Report on Transportation Projects - July 2003
TransNet Update 2003 - April 2003
San Diego Seaport Ground Access Study Phase II - June 2003
Travel Time Analysis of San Diego’s Major Transportation Corridors - April 2003
Fact Sheet - Congestion Management Program - May 2003

Future issues of LTA News and periodic LTA updates will be available electronically. If you would like to receive this and other occasional news about the LTA program via e-mail, please visit our Web site at www.sandag.org and subscribe to the email newsletter, then select Technical Assistance for Members.

Contacts

Any SANDAG staff member may be contacted to discuss a potential LTA project. Those most involved in the program and their areas of expertise are shown below.

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SANDAG Member Agencies:

The Cities of:
CARLSBAD
CHULA VISTA
CORONADO
DEL MAR
EL CAJON
ENCINITAS
ESCONDIDO
IMPERIAL BEACH
LA MESA
LEMON GROVE
NATIONAL CITY
OCEANSIDE
POWAY
SAN DIEGO
SAN MARCOS
SANTEE
SOLANA BEACH
VISTA
COUNTY OF SAN DIEGO

ADVISORY

IMPERIAL COUNTY
CALIFORNIA DEPARTMENT OF TRANSPORTATION
METROPOLITAN TRANSIT DEVELOPMENT BOARD
NORTH SAN DIEGO COUNTY TRANSIT DEVELOPMENT BOARD
U.S. DEPARTMENT OF DEFENSE
SAN DIEGO UNIFIED PORT DISTRICT
SAN DIEGO COUNTY WATER AUTHORITY
BAJA CALIFORNIA/MEXICO
PROGRESS REPORT ON TRANSPORTATION PROJECTS

Introduction

This report summarizes the current status of major highway, transit, arterial, traffic management, and transportation demand management (TDM) projects in SANDAG’s five-year Regional Transportation Improvement Program (RTIP). The TransNet one-half cent local sales tax and other local, state, and federal sources fund the projects. The projects contained in this report have been previously prioritized and are included in the 2030 Regional Transportation Plan (RTP).

Attachment 1 – “TransNet Program” – indicates sales tax revenue available for allocation was $19.9 million in September 2003, bringing the fiscal year total to $51.7 million. Revenue for the fiscal year is 8.7% higher than it was last fiscal year at this time. Revenue is approximately 2.8% higher than the FY 2003-04 TransNet Program budget to date. An increase in the construction cost index offsets the revenue stream increase. The California Highway Construction Price Index is currently 4.9% higher than last year at this time. Revenue available for allocation since the inception of the TransNet Program totals $2.225 billion.

Highway Projects

Attachment 2 – “Highway Projects” – provides basic cost and schedule information on the major highway projects in the San Diego region. The accompanying map (Attachment 3 – “Major Highway Projects”) locates these projects.

Caltrans opened all through lanes to traffic on the SR 125 Fanita freeway (project #34) between Grossmont College Drive to Navajo Road in El Cajon on September 30. Prior to the opening, vehicles traveling southbound were routed on the northbound lane side. The opening of all lanes to traffic on this TransNet funded project allows vehicles to travel more seamlessly between SR 52 and Interstate 8.

The California Transportation Commission approved the request for Grant Anticipation Revenue Vehicle (GARVEE) bonds for the I-15 Managed Lanes project at its September 25, 2003 meeting. The bonds are anticipated to be issued in January 2004, and they will be used to finance the construction of Stages 2, 3, and 5 (projects #19, #20, and #21) on I-15 between Camino del Norte in San Diego and Centre City Parkway in Escondido. The Middle Segment of I-15 Managed Lanes is scheduled to be open to traffic by 2007.

Transit and Bikeway Projects

Attachment 4 – “Transit and Bikeway Projects” – provides basic cost and schedule information on the major transit and bikeway projects in the San Diego region. The accompanying map (Attachment 5 – “Major Transit and Bikeway Projects”) locates these projects.

Construction of the Mission Valley East Trolley (project #42) continues. Concrete is being poured for the bridge spans in the Camino del Rio North area west of Mission Gorge Road. Concrete pours have been...
completed for the segment between Ward Road and the Grantville station over Mission Gorge Road. The bridge connecting the alignment along I-8 to the tunnel on the west side of the San Diego State University campus is complete. Construction of the tunnel and underground station is over 80% complete. The project is scheduled to begin revenue service May 2005.

Arterial and Freeway Interchange Projects

Attachment 6 – “Arterial and Freeway Interchange Projects” – provides cost and schedule information on the major arterial and interchange projects in the San Diego region. The accompanying map (Attachment 7 – “Major Arterial and Interchange Projects”) locates these projects.

The City of Poway continues the environmental document process for its Espola Road Widening (project #72). Draft technical studies have been submitted for review by Caltrans and the federal agencies and a Public Information meeting is scheduled for October 29, 2003. The final environmental document is scheduled for completion May 2005.

Traffic and Demand Management

Attachment 8 – “Traffic Management and Intelligent Transportation System Projects” – provides cost and schedule information on the major traffic management and intelligent transportation system projects in the San Diego region. The accompanying map (Attachment 9 – “Major Traffic Management Projects”) locates some of these projects, as applicable. Attachment 10 – “Transportation Demand and Incident Management” – summarizes monthly activities in those functional areas. Attachment 11 – “Freeway Service Patrol Assists” – summarizes the number of assists by the Freeway Service Patrol. Attachment 12 – “Vanpool Program” – summarizes the number of daily vanpool origins by major area.

Transportation Demand Management (TDM) programs reduced an estimated 17,100 pounds of smog forming pollution last month, bringing the fiscal year total to 51,200 pounds reduced, an increase of 37% over last year at this time. Since July 1, 2003, the Freeway Service Patrol has assisted nearly 13,400 motorists, about the same as last year at this time.

SANDAG’s Vanpool Program participation rate continues to increase, growing 34% percent in the last year, from 225 vanpools to 302 vanpools. Vanpools from outside San Diego County represent 48% of all vanpools, and have increased 47% in the past year from 98 to 144 vanpools. Average ridership per vanpool was approximately 9.4 passengers, with 2,844 passengers participating in the program.

Employer Programs: During the past month, SANDAG contacted 41 employers regarding transportation programs. Of those contacts, one resulted in a formal presentation to the employer. Twenty-seven companies began internally marketing or promoting commuter services to their employees using the marketing materials they received in the employer tool kit. Preparations continued for the Rideshare Week employer fairs.

Marketing/Outreach: Staff prepared for the annual Rideshare Week promotion and the employer Diamond Awards. The 1,500 largest employers in the RidePro employer database received a Rideshare Week 2003 promotional tool kit. The tool kit consisted of a Rideshare Week poster, a letter inviting the employer to hold a Rideshare Week transportation fair, and a CD-ROM containing various marketing collateral for the employer’s use to aid in promoting ridesharing to their workforce. Eight Rideshare Week employer fairs were planned and coordinated with transportation vendors. Rideshare Week promotions began on September 22 with advertising placed on commuter buses, newspapers, drive-time radio, taxi tops, and movie theaters; e-mail
reminders also were sent to employer representatives.

GARY L. GALLEGOS
Executive Director

Attachments (12)

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Funds are budgeted in the TransNet, STIP-RIP, RSTP, and CMAQ Programs
## TransNet Program - September 2003 Progress Report

### TransNet Allocations Fund Disbursements

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<th>TransNet Allocations</th>
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<td></td>
<td>$19,938,607</td>
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1) TransNet Allocations consist of tax allocations from the State plus interest earnings.
2) Disbursements include cash disbursements and bond proceeds. Debt service costs are not included.
<table>
<thead>
<tr>
<th>Route - Description</th>
<th>Current Phase</th>
<th>Total Project</th>
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<tbody>
<tr>
<td><strong>Route - Description</strong></td>
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<td><strong>Limits</strong></td>
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<td>1 I-5 Realignment* Virginia Ave POE Relocation in San Ysidro</td>
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</tr>
<tr>
<td><strong>2 I-5 Widening 24th Street to Harbor Drive</strong></td>
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<td><strong>3 I-5 Widening Genesee Ave to Sorrento Valley Road</strong></td>
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<td><strong>4 I-5/ I-805 Merge Widening Genesee Ave to Del Mar Heights Rd</strong></td>
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<td><strong>5 I-5 Widening (Northbound) Del Mar Heights Rd to Via de la Valle</strong></td>
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<td><strong>6 I-5 HOV/General Purpose Lanes Del Mar Heights Rd to Vandegrift Blvd</strong></td>
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<tr>
<td><em><em>7 I-5 Noise Barriers</em> City of Oceanside</em>*</td>
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<td>Aug-04</td>
</tr>
<tr>
<td><strong>8 I-5/ SR-56 Connectors West to North and South to East</strong></td>
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<tr>
<td><strong>9 I-5/ SR-78 Connectors North to East Connector and West to South</strong></td>
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<td><em><em>11 SR-11 4-Lane Freeway</em> New Border Crossing</em>*</td>
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<td><strong>12 I-15 Widening (Southbound) Friars Road to I-8</strong></td>
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<td><em><em>13 I-15 Managed Lanes South Segment</em> SR-163 to SR-56</em>*</td>
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<tr>
<td><strong>14 I-15 Widening Mira Mesa Blvd to Miramar Way</strong></td>
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<td><strong>15 I-15 Widening Mercy Rd to SR-56</strong></td>
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<tr>
<td><strong>16 I-15 Managed Lanes Middle (stage 4) South of 15/56 to 15/56</strong></td>
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<td><strong>17 I-15/ SR-56 Interchange Modifications and I-15 Widening</strong></td>
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<tr>
<td><strong>18 I-15 Managed Lanes Middle (stage 1) 15/56 to Camino del Norte</strong></td>
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</table>

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October 2003
## Highway Projects

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<thead>
<tr>
<th>Route - Description</th>
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<td>Highland Valley Road to Centre City Pkwy</td>
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<td>I-15 Managed Lanes North Segment*</td>
<td>Centre City Pkwy to SR-78</td>
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<tr>
<td>SR-52 4-Lane Freeway</td>
<td>SR-125 to Cuyamaca St</td>
<td>Design &amp; Right of Way</td>
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<td>SR-52 4-Lane Freeway</td>
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<td>SR-54 and SR-125 HOV Lanes*</td>
<td>I-805 to SR-94</td>
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<td>SR-76 4-Lane Conventional Highway</td>
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<td>SR-76 Intersection Improvements</td>
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<td>Environmental</td>
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<td>SR-76 Corridor</td>
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<td>SR-78 Widening (Eastbound)</td>
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<td>SR-94 Capacity Enhancement*</td>
<td>I-5 to SR-125</td>
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<td>SR-94 Noise Barriers*</td>
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<td>West to North and South to East SR-125 Frwy Widening</td>
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<td>SR-125/ SR-54 6-Lane Freeway</td>
<td>San Miguel Rd to Briarwood Rd and Elkelton Blvd (Gap &amp; Connector)</td>
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<td>SR-125 4-Lane Toll Highway</td>
<td>SR-905 to San Miguel Rd</td>
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<td>Sep-06</td>
<td>$400,000,000</td>
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</table>

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October 2003
## Highway Projects

<table>
<thead>
<tr>
<th>Route - Description</th>
<th>Limits</th>
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<th>Total Project</th>
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<td>37  SR-905 4-Lane Freeway</td>
<td>I-805 to U.S./Mexico Border</td>
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<tr>
<td>38  SR-905 Construct Interchange</td>
<td>Siempre Viva Rd</td>
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### Totals

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## Transit and Bikeway Projects

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<th>Project Title</th>
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<td>Station Modifications</td>
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<td>41 East Village Stations</td>
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<td>Station Modifications</td>
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<tr>
<td>42 Mission Valley East LRT</td>
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<tr>
<td>I-15 to Baltimore Drive</td>
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<td>43 Mid-Coast Balboa LRT</td>
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<tr>
<td>Old Town to Balboa Ave</td>
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<tr>
<td>44 Nobel Drive Station</td>
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<tr>
<td>New Coaster Station</td>
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<tr>
<td>45 I-15 Bus Rapid Transit Centers</td>
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<td>Sabre Springs, Rancho Bernardo Del Lago</td>
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<td>Parking Structure</td>
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<td>Coast Hwy to Valley Pkwy</td>
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<td>Double Track Corridor Level EIR</td>
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<td>51 San Diego Bayshore Bikeway</td>
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<tr>
<td>52 Escondido-San Diego Bikeway</td>
<td>Design</td>
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<tr>
<td>Mission Valley Segment</td>
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**Totals**

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<tr>
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<td>$1,035,624,000</td>
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<td></td>
<td></td>
<td>Phase</td>
<td>Completion</td>
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<tr>
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<tr>
<td>Widen Rancho Santa Fe Rd</td>
<td>City of Carlsbad</td>
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<tr>
<td>Olympic Parkway/ I-805 Interchange</td>
<td>City of Chula Vista</td>
<td>Construction</td>
<td>Mar-05</td>
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<tr>
<td>Widen Palomar Street</td>
<td>City of Chula Vista</td>
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<tr>
<td>Coronado Tunnel</td>
<td>City of Coronado</td>
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<td>Jun-04</td>
</tr>
<tr>
<td>Widen Jamacha Road</td>
<td>City of El Cajon</td>
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<tr>
<td>Manchester Ave/ I-5 Interchange</td>
<td>City of Encinitas</td>
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<td>Widen Bear/ East Valley Pkwy</td>
<td>City of Escondido</td>
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<td>Nordahl Road/ SR-78 Interchange</td>
<td>City of Escondido</td>
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<tr>
<td>Widen Plaza Blvd</td>
<td>City of National City</td>
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<td>Nov-04</td>
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<td>Extend Rancho Del Oro Drive</td>
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<tr>
<td>Rancho Del Oro Dr/ SR-78 Interchange</td>
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<tr>
<td>Widen Espola Road</td>
<td>City of Poway</td>
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<td>Apr-05</td>
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<td>Extend Carroll Canyon Rd</td>
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<td>Genesee Ave/ I-5 Interchange</td>
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<td>Environmental</td>
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<td>Genesee Ave Widening</td>
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<td>Design &amp; Right of Way</td>
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<td>Friars Rd/ SR-163 Interchange</td>
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<td>Clairemont Mesa Blvd/SR-163 Interchange</td>
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<td>El Camino Real</td>
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<tr>
<td>Las Posas Rd/ SR-78 Interchange</td>
<td>City of San Marcos</td>
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<td>Nov-03</td>
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</table>

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<td>Design</td>
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October 2003
**Traffic Management and Intelligent Transportation System Projects**

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<td>I-8: SR-163 to Mission Gorge Rd</td>
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<td>I-15: I-8 to SR-163</td>
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<td>I-805: I-8 to SR-163</td>
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<tr>
<td>CCTV Incident Identification System</td>
<td>I-15: SR-163 to SR-56</td>
<td>Construction</td>
<td>Nov-03</td>
</tr>
<tr>
<td></td>
<td>I-805: SR-163 to Balboa Ave</td>
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<tr>
<td>CCTV Incident Identification System</td>
<td>I-15: SR-94 to I-8</td>
<td>Design</td>
<td>May-04</td>
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<tr>
<td></td>
<td>I-805: SR-94 to I-8</td>
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<tr>
<td>Changeable Message Signs</td>
<td>I-5: 3 Locations</td>
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<td>Changeable Message Signs</td>
<td>SR-94: 1 Location</td>
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<td>Traffic Monitoring Systems</td>
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</tr>
<tr>
<td>Automated Vehicle Classification</td>
<td>Freeway System, Ports</td>
<td>Design</td>
<td>Jul-04</td>
</tr>
<tr>
<td>Advanced Traveler Information System</td>
<td>Freeway System</td>
<td>Permit Approval</td>
<td>Dec-03</td>
</tr>
<tr>
<td>Performance Monitoring System</td>
<td>Arterial, Freeway, Transit Systems</td>
<td>Design</td>
<td>Jul-04</td>
</tr>
<tr>
<td>Regional Arterial Management System</td>
<td>Arterial System</td>
<td>Design</td>
<td>Jul-04</td>
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</table>

**Totals**

<table>
<thead>
<tr>
<th>Cost Estimate</th>
<th>Programmed</th>
</tr>
</thead>
<tbody>
<tr>
<td>$65,650,000</td>
<td>$65,050,000</td>
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</table>

**Underlined items changed from last report.**  
* Work suspended due to program budget deficit.  

October 2003
### DEMAND MANAGEMENT

<table>
<thead>
<tr>
<th>Reduced Travel</th>
<th>This Month</th>
<th>Last Month</th>
<th>Fiscal Year To Date</th>
<th>Last Fiscal Year To Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Person Trips Reduced</td>
<td>123,464</td>
<td>121,028</td>
<td>368,792</td>
<td>284,226</td>
</tr>
<tr>
<td>Vehicle Miles Traveled (VMT) Reduced</td>
<td>6,163,062</td>
<td>6,045,066</td>
<td>18,440,200</td>
<td>13,428,322</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Reduced Emissions</th>
<th>This Month</th>
<th>Last Month</th>
<th>Fiscal Year To Date</th>
<th>Last Fiscal Year To Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pounds of Smog-forming Pollution Reduced</td>
<td>17,119</td>
<td>16,792</td>
<td>51,220</td>
<td>37,299</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Reduced Fuel Consumption</th>
<th>This Month</th>
<th>Last Month</th>
<th>Fiscal Year To Date</th>
<th>Last Fiscal Year To Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gallons of Fuel</td>
<td>335,954</td>
<td>329,521</td>
<td>1,005,189</td>
<td>731,988</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Reduced Costs</th>
<th>This Month</th>
<th>Last Month</th>
<th>Fiscal Year To Date</th>
<th>Last Fiscal Year To Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reduced Auto Fees</td>
<td>$3,007,575</td>
<td>$2,949,992</td>
<td>$8,998,818</td>
<td>$6,553,020</td>
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<table>
<thead>
<tr>
<th>Program Activity</th>
<th>This Month</th>
<th>Last Month</th>
<th>Fiscal Year To Date</th>
<th>Last Fiscal Year To Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Vanpools</td>
<td>302</td>
<td>297</td>
<td>302</td>
<td></td>
</tr>
<tr>
<td>Vanpool Passengers</td>
<td>2,844</td>
<td>2,790</td>
<td>2,844</td>
<td></td>
</tr>
<tr>
<td>Companies in RideLink Subsidy Program</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bike Locker Members</td>
<td>441</td>
<td>436</td>
<td>441</td>
<td></td>
</tr>
<tr>
<td>Guaranteed Ride Home Participants</td>
<td>3,045</td>
<td>2,919</td>
<td>3,045</td>
<td></td>
</tr>
<tr>
<td>Total Phone Calls Received</td>
<td>1,322</td>
<td>1,145</td>
<td>3,562</td>
<td>3,452</td>
</tr>
<tr>
<td>Carpool Matchlists Distributed</td>
<td>1,667</td>
<td>808</td>
<td>2,813</td>
<td>2,742</td>
</tr>
</tbody>
</table>

### INCIDENT MANAGEMENT

<table>
<thead>
<tr>
<th>Freeway Service Patrol</th>
<th>This Month</th>
<th>Last Month</th>
<th>Fiscal Year To Date</th>
<th>Last Fiscal Year To Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Assists</td>
<td>4,231</td>
<td>4,462</td>
<td>13,402</td>
<td>13,344</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Freeway Changeable Message Signs</th>
<th>This Month</th>
<th>Last Month</th>
<th>Fiscal Year To Date</th>
<th>Last Fiscal Year To Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Incident Broadcasts</td>
<td>34</td>
<td>47</td>
<td>146</td>
<td>114</td>
</tr>
<tr>
<td>Broadcast Duration (total minutes)</td>
<td>3,566</td>
<td>3,570</td>
<td>18,746</td>
<td>20,776</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Freeway Incident Advisories</th>
<th>This Month</th>
<th>Last Month</th>
<th>Fiscal Year To Date</th>
<th>Last Fiscal Year To Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sig Alerts</td>
<td>39</td>
<td>42</td>
<td>123</td>
<td>92</td>
</tr>
<tr>
<td>Sig Alert Duration (total minutes)</td>
<td>3,615</td>
<td>3,747</td>
<td>10,894</td>
<td>13,820</td>
</tr>
</tbody>
</table>
2003 YEAR-END LEGISLATIVE WRAP UP

Introduction

In terms of Federal and State Legislation, 2003 was a critical year for SANDAG and one which can be categorized as a fairly successful one. Following the passage of Senate Bill 1703, the Metropolitan Transit Development Board (MTDB), North County Transit District (NCTD), and SANDAG joined together in the development of a joint federal transportation agenda, including the pursuit of federal discretionary dollars and other federal programs. While various Federal legislation affecting transportation programs has not been finalized yet, the combined advocacy efforts of MTDB, NCTD, and SANDAG were fruitful now and for the future. The San Diego Congressional delegation in Washington was supportive and appreciative of the unified message.

Although the State Budget and recall efforts have taken center stage in Sacramento, there have been a few highlights on the positive side for SANDAG. Described in more detail below, of particular significance to SANDAG was the passage of Senate Bill 491, which extended the housing element deadline for cities and counties throughout the state one year. This extension will allow SANDAG and our member agencies to better coordinate planning efforts in conjunction with the regional comprehensive plan. Also on the positive side was the passage of AB 361. Through the efforts of SANDAG, AB 361, the deadline requirement for the report by the Legislative Analyst Office (LAO) to the Governor and the Legislature has been changed from December 31, 2004 to December 31, 2005. The legislation additionally revised SANDAG's requirement to submit a progress report to the Governor and Legislature from December 31, 2005 to December 31, 2004. Consistent with SANDAG policy, the bill also calls for a public vote to make effective any future legislation which changes SANDAG's governing structure.

Discussion

In December 2002, the Board set the items listed below as the highest/higher priority legislative items for this year. The items and outcomes are as follows:

1. Support/Co-Sponsor legislation and/or initiatives that would authorize local sales taxes or other new revenue sources for transportation projects and purposes to be approved by a majority vote.

Outcome

Although successful outcome was not achieved in the 2003 legislative session, there was a myriad of bills introduced addressing a change to the super majority vote. The effort will continue next year.

ACA 7 (Dutra) authorizes a local transportation agency and a regional transportation agency as defined to impose an additional transactions and use tax for a specified period at a rate of .5% for transportation purposes only within jurisdiction of the local transportation agency if the tax is approved by 55% of voters of the affected jurisdiction.
STATUS-Assembly Inactive File 9/03

ACA 9 (Levine) authorizes a city, county, or special district to impose a qualified special tax, as defined, to fund capital infrastructure construction projects, with the approval of a majority of its voters voting on the tax.

STATUS-Assembly Inactive File 9/03

ACA 14 (Steinberg) authorizes the imposition by a local government for an additional transaction and use tax upon the approval of 55% of its voters, if the tax is imposed exclusively to fund projects for local infrastructure.

STATUS-Assembly Inactive File 9/03

SCA 7 (Murray) authorizes a county, a city, a local transportation authority, or a regional transportation agency, with the approval of a majority of its voters voting on the proposition, to impose a special tax if the tax is imposed exclusively to fund transportation projects and services and smart growth planning.

STATUS-Senate Third Reading 3/03

SCA 11 (Alarcon) authorizes a local government to incur indebtedness for infrastructure projects with the approval of 55% of its voters, to fund infrastructure projects, including construction of affordable housing for persons of very low, low, and moderate income, transportation enhancement activities, acquisitions of land for open-space use, and other general infrastructure needs.

STATUS-Postponed by the Senate Committee 7/03

2. Participate in the development of a unified statewide position on TEA-21 reauthorization in accordance with adopted Board policy and support ongoing implementation of the TEA-21 legislation with a focus on obtaining discretionary funding from the new programs established in TEA-21.

Outcome

The Bush Administration proposed a six-year transportation bill, titled SAFETEA (Safe, Accountable, Flexible and Efficiency Transportation Equity Act) for $246 billion. The House Transportation and Infrastructure Committee proposed a $375 billion six-year plan to be funded with an increase in federal gasoline tax. The Senate proposed a $311 billion bill for the next six years. Unfortunately, consensus on a six-year transportation bill was not accomplished and a five-month bill extension of TEA-21 (Transportation Equity Act for the 21st Century) was sent to the President on September 29, 2003.

The 2003 Federal Joint Transportation Agenda included requests for discretionary funding in both the six-year Transportation Reauthorization bill and the FY 2004 Transportation Appropriations bill.

There is no new funding in the five-month extension, thus decisions on SANDAG’s discretionary funding requests for inclusion in the reauthorization bill are unknown at this time. The FY 2004 Appropriations bill has not been approved yet and a one month continuing resolution was passed on September 30. Thus far, conference committee hearings to resolve House and Senate differences have not been scheduled. The House bill included $41 billion for highway and transit programs. The Senate Appropriations Committee bill proposed a $41.1 billion bill, but the full Senate has not taken action. The House and Senate Appropriations recommendations included for San Diego are provided in Table 1.

3. Oppose revisions to state transportation programming and funding reform legislation not consistent with Board policy and SB 45. Oppose legislative appropriation of State Highway Account (SHA) Funds for specific programs and projects which would reduce the amounts available for the State Transportation Improvement Program (STIP).
Outcome

There were early reports that there was a desire to change the formula allocation for state transportation dollars from the 75/25 percent split directed by SB 45. However there was no legislation introduced to do so.

However, due to the State Budget problems, transportation funding was affected significantly. The budget partially suspended Proposition 42 and only $289 million of the $1.145 billion originally slated for transportation will be transferred to the Transportation Investment Fund. Of the $289 million, $189 million will fund the continuation of the Transportation Congestion Relief Program (TCRF) and $100 million would be allocated to the STIP. Assembly Bill 751 directs that the $856 million be paid back by June 30, 2009.

Over the last two years, the General Fund borrowed $1.283 billion from the Traffic Congestion Relief Fund (TCRF) with repayments scheduled over a three year period. The first of these repayments will now be deferred until 2008-2009.

The Public Transportation Account (PTA) was funded at $100 million, with the estimated PTA “spillover” of $87 million retained for the General Fund. This is significant because the funds could have been used for transportation purposes, including transit operations.

There have been many attempts to increase the SHA funding. SB 1055 was approved at the end of the legislative session and is currently awaiting the Governor’s signature. This bill addresses a number of fees for the Department of Motor Vehicle and California Highway Patrol budget items. Most significantly the bill provides for an across-the-board increase in weight fees for commercial vehicles. Estimates by Caltrans indicate that this measure will provide $600 million over the life of the 2004 STIP.

AB 487, currently pending the Governor’s signature, permits car rental companies to capture a transaction fee of 5%. Of this amount, 2.71% would be retained by car rental companies to equal 80% of the increase in Vehicle License Fees. The remaining 2.29% would generate more than $300 million to the SHA and will serve as a credit towards the amount the General Fund owes the SHA.

The California Transportation Commission (CTC) may only spend the AB 487 funds on projects near airports or tourist destinations. There are sufficient projects already in the STIP, identified with other funding sources that have shortfalls that could now utilize this new source of funding.

4. Support, in coordination with the transit operators, efforts to identify additional transit operating funds in response to near-term operating shortfalls and long-term needs to implement the Regional Transit Vision and to support the implementation of the Smart Growth strategies.

Outcome

Due to the Budget issues in the State, identifying funding for transit operations this year was difficult. If Federal discretionary funding for some of the smaller projects is approved, for example, the Escondido Bus Maintenance Facility, formula funds are leveraged.

While not finalized, the House appropriations bill has funding recommendations for projects that implement the Regional Transit Vision and support the Smart Growth strategies. Their recommendations include funding for Spring Valley Multimodal Facility, I-15 Managed Lanes/Bus Rapid Transit, and Transit First Implementation in Chula Vista.

5. In cooperation with MTDB and NCTD, seek to obtain the annual appropriation levels needed to meet the federal funding commitments identified in the Full Funding Grant Agreements for the Mission Valley East project and the Oceanside-Escondido Rail Project.
Outcome

MTDB and NCTD have executed Full Funding Grant Agreements (FFGA) with the Federal Transit Administration for the Mission Valley East and the Oceanside-Escondido Rail projects, respectively. Included in the FFGA contracts are schedules for annual appropriations. Both the House approved appropriations bill and the Senate Appropriations Committee bill include $65 million for Mission Valley East and $48 million for the Oceanside-Escondido Rail project, which is consistent with the schedules included in the projects’ respective agreements.

Other significant legislation or administrative action this past year related to the Board’s position or responsibilities is as follows:

A. AB 361 (Kehoe) San Diego Consolidated Transportation Agency

AB 361 declares that it is the intent of the Legislature that if the Agency (SANDAG), adopts a regional comprehensive plan (RCP), to make the plan, policies and objectives available to all local agencies and to maintain materials used in formulating the plan in a form suitable for the availability and use by other government agencies and private organizations and that the regional comprehensive plan be compatible with the regional transportation plan.

It is also the intent of the legislature that the Consolidated Agency complete a public process by June 30, 2004, to prepare and adopt a regional comprehensive plan based on the local general and regional plans, that integrates land uses, transportation systems, infrastructure needs, and public investment strategies, within a regional framework, in cooperation with member agencies and the public.

The legislation changes the dates for the submittal of the report by the Legislative Analyst Office to the Governor and Legislature from December 31, 2005 to December 31, 2004. Both of these revisions were recommended by SANDAG.

B. AB 1279 (Horton) High Occupancy Lanes

This bill, introduced by Assembly Member Horton, which SANDAG will sponsor next year, would authorize a transportation agency to design and implement a high-occupancy vehicle lane concept that authorizes single occupant vehicles to operate in underutilized high-occupancy vehicle lanes on the state highway system within the jurisdiction of the transportation planning agency. Passage of a bill with this language is critical to enable the implementation of the Regional Transportation Plan. The bill did not get out of committee this year and thus will become a high priority in the 2004 Legislative Program.

C. SB 491 (Ducheny) Local Government: Housing Element

This bill, signed by the Governor July 14, extends the housing element deadline for cities and counties by one year, which will allow SANDAG and the local jurisdictions to coordinate planning efforts in conjunction with the development of the regional comprehensive plan.

D. SB 492 (Ducheny) Housing Element Self Certification

This bill would extend the sunset date on the sections of law that relate to the San Diego housing element self-certification pilot program. This bill has been held over until next year to evaluate the issue on a state-wide basis.

GARY L. GALLEGOS
Executive Director

Key Staff Contact: Ellen Roundtree, (619) 595-5631, ero@sandag.org
TABLE 1

<table>
<thead>
<tr>
<th>Project</th>
<th>House</th>
<th>Senate Appropriations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mission Valley East LRT</td>
<td>$65.0 million</td>
<td>$65.0 million</td>
</tr>
<tr>
<td>Oceanside-Escondido Rail</td>
<td>$48.0 million</td>
<td>$48.0 million</td>
</tr>
<tr>
<td>State Route 905</td>
<td>--</td>
<td>$3.0 million</td>
</tr>
<tr>
<td>I-15 Managed Lanes BRT</td>
<td>$2.0 million</td>
<td>--</td>
</tr>
<tr>
<td>Spring Valley Multi-modal Center</td>
<td>$1.6 million</td>
<td>--</td>
</tr>
<tr>
<td>Escondido Bus Facility</td>
<td>$1.0 million</td>
<td>--</td>
</tr>
<tr>
<td>Oceanside Maintenance Improvements</td>
<td>$750,000</td>
<td>--</td>
</tr>
<tr>
<td>Transit First Implementation-Chula Vista</td>
<td>$400,000</td>
<td>--</td>
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</table>
AMERICAN PUBLIC TRANSPORTATION ASSOCIATION (APTA) 2003 ANNUAL MEETING

Introduction

The Annual Meeting of the American Public Transportation Association (APTA) was held in Salt Lake City, Utah, September 28 – October 2, 2003. Attendees from the region included representatives from SANDAG, the Metropolitan Transit Development Board (MTDB), the North County Transit District (NCTD), San Diego Trolley, Inc., and Chula Vista Transit (CVT). Board officials at the meeting included:

- SANDAG—Chairman Ron Morrison, National City Councilmember; Christy Guerin, Encinitas Councilmember; and Lori Holt-Pfeiler, Escondido Mayor.

- MTDB—Tom Clabby, Lemon Grove Councilmember; Bob Emery, Poway Councilmember (and SANDAG Transportation Committee member); Phil Monroe, Coronado Mayor Pro Tem (and SANDAG member); Jerry Rindone, Chula Vista Deputy Mayor (and SANDAG Transportation Committee member); Ruth Sterling, La Mesa Councilmember; and Chairman Leon Williams.

- NCTD—Ed Gallo, Escondido Councilmember (and SANDAG Borders Committee member).

- San Diego Trolley, Inc.—Chairman Harry Mathis.

The meeting location was on the edge of downtown Salt Lake City and adjacent to a station on the Utah Transit Authority’s (UTA) TRAX light rail system. The proximity of TRAX afforded us daily opportunities to use public transportation to get around. On September 29 a number of us participated in the opening ceremonies of a new TRAX extension to the Medical Center, and then on October 1 we were treated to a tour of the system by the former project manager responsible for its initial construction.

There were 34 general and educational sessions over the three-day meeting, plus an array of technical tours. Distinguished speakers during the week’s sessions included Jenna Dorn, Administrator, Federal Transit Administration (FTA); Tom Peters, management “guru,” Dr. James Smith, economic forecaster and Professor of Finance, University of North Carolina; and Author Ellen Goodman. From Ms. Dorn we did not learn anything new with regard to reauthorization of the Transportation Enhancement Act for the 21st Century (TEA-21); a five-month extension of the existing legislation took effect while we were at the meeting.

Some of the primary messages from the meeting were:

- Finances and economic issues—this general theme seemed to capture the most attention with sessions dealing with referendums, new funding sources, public/private partnerships, insurance and bonding, procurement and contracting.
The “business case” for public transportation—we need to develop and use economic information (e.g., return on investment) that demonstrates the importance of transit to the community.

“Managing for performance”—the “management and operations” of our transportation systems is expected to influence federal transportation investments as part of the reauthorization of TEA-21, referred to as SAFETEA. There is expected to be a significant focus on managing transportation system performance, with reliance on real-time information.

Bus Rapid Transit (BRT)—there were a number of sessions devoted to ways to improve performance of bus transit through pricing, managed lanes, and intelligent transportation systems (ITS) applications.

Quality growth and transit—transit and pedestrian-oriented development and community partnerships.

Our agencies were also represented as participants on several panels:


“Congestion Pricing Programs: Transit Improvements are Part of the Package”—Tom Larwin, SANDAG

“Competitive Contracting”—Susan Hafner, MTDB

In addition, our region received three APTA AdWheel Awards which honor APTA member organizations for their efforts in transit marketing and communications:

Chula Vista Transit won a first place for its new CVT System Map.


GARY L. GALLEGOS
Executive Director

Key Staff Contact: Thomas F. Larwin, (619) 595-5328, tla@sandag.org

No Budget Impact
FRAMEWORK FOR THE TransNet Extension ORDINANCE AND EXPENDITURE PLAN

It is recommended that the Board of Directors approve the framework for the TransNet Extension Ordinance and Expenditure Plan as shown in the Discussion section. The framework is intended to provide guidance to the Ad Hoc Working Group on TransNet in the development of the draft Ordinance and Expenditure Plan.

Introduction

At the September 12, 2003 Policy Board meeting a number of key issues relating to the development of the Ordinance and Expenditure Plan for the TransNet Extension were discussed. Based on the direction provided at that meeting, a draft framework for the Ordinance and Expenditure Plan was prepared outlining the key components to be contained in the measure to be presented to the voters.

The draft framework was reviewed and approved by the Ad Hoc Working Group on TransNet at its September 26th meeting. The final framework, including any additional refinements provided by the Board at today’s meeting, will be used to direct the work effort on developing the draft Ordinance and Expenditure Plan.

Discussion

The attached table provides a framework for the development of the Ordinance and Expenditure Plan for the TransNet Extension. The key components to be included in the Ordinance and Expenditure Plan and the approach to be followed for each component are outlined in this attachment based on prior Board actions and general direction provided by the Board to date.

If the Board supports the major concepts outlined in this framework, it will be used as the basis for the ongoing work of the Ad Hoc Working Group on TransNet in the refinement of the details of each of these concepts for inclusion in the draft Ordinance and Expenditure Plan.

Bi-weekly meetings of the Working Group have been scheduled through mid-December 2003 with the objective of bringing a recommended draft expenditure plan to the Board at its January 9, 2004 Policy meeting.

GARY L. GALLEGOS
Executive Director

Attachment

Key Staff Contact: Craig Scott,
(619) 595-5326; csc@sandag.org

No Budget Impact
Framework for the TransNet Extension Ordinance and Expenditure Plan

<table>
<thead>
<tr>
<th>KEY COMPONENT</th>
<th>APPROACH</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timing</td>
<td>The TransNet Extension ballot measure will be scheduled for the November, 2004 General Election.</td>
</tr>
<tr>
<td>Approach</td>
<td>The ballot measure will be designed to meet the existing two-thirds vote requirement.</td>
</tr>
<tr>
<td>Sales Tax Rate</td>
<td>The current ½ percent transportation sales tax will be extended.</td>
</tr>
<tr>
<td>Length of Extension</td>
<td>The tax will be extended by 30 years from 2008 to 2038.</td>
</tr>
<tr>
<td>Process</td>
<td>The development of the Ordinance and Expenditure Plan and the related voter opinion research will be based on six geographic sub-areas with direction provided through the Ad Hoc Working Group on TransNet.</td>
</tr>
<tr>
<td>Expenditure Plan Basis</td>
<td>The TransNet Extension will be focused on a strategic, specific, and geographically balanced set of projects and programs focusing on congestion relief and other key issues identified in the voter opinion research. The Expenditure Plan will focus on the capital and operating costs of major congestion relief projects and services and other highly rated regional and local transportation programs, such as transit fare discounts and improved transportation services for seniors.</td>
</tr>
<tr>
<td>10-year Plan Reviews</td>
<td>The TransNet Extension will include a review process to allow for program reevaluations and potential modifications every 10 years. This review would provide an opportunity to refine the program based upon any changes in regional priorities over the 10-year period. A change to the program would require a 2/3rds vote of the Board.</td>
</tr>
<tr>
<td>Maintenance of Effort</td>
<td>The “maintenance of effort” (MOE) requirements in the existing TransNet measure will be strengthened and broadened in the new measure to provide additional voter safeguards. These provisions are intended to ensure that TransNet funds are used to augment, not supplant other revenues used for the same purposes. MOE provisions help to guarantee that the funds generated by the sales tax extension will be used for the new services and projects included in the ballot measure.</td>
</tr>
</tbody>
</table>
| Impact Fees              | The existing TransNet program requirements regarding private developer funding will be strengthened to make it clear that the sales tax revenues are not being used to replace transportation infrastructure funding which should be provided by new development. Local jurisdictions should be required to establish a minimum level of regional transportation impact fees, either as new fees or as a
<table>
<thead>
<tr>
<th>KEY COMPONENT</th>
<th>APPROACH</th>
</tr>
</thead>
<tbody>
<tr>
<td>REALLOCATION OF EXISTING FEES, TO QUALIFY FOR RECEIPT OF TRANSNET FUNDS. THE IMPACT FEE CONCEPT SHOULD BE DEVELOPED IN COORDINATION WITH THE REGIONAL COMPREHENSIVE PLAN (RCP) PROCESS.</td>
<td></td>
</tr>
<tr>
<td>ENVIRONMENTAL MITIGATION</td>
<td>THE TRANSNET EXTENSION WILL INCLUDE AN ENVIRONMENTAL MITIGATION COMPONENT BASED ON A MITIGATION BANK CONCEPT THAT FACILITATES EARLY, LARGE-SCALE ACQUISITION AND MANAGEMENT OF HABITAT CONSISTENT WITH PLANNED REGIONAL PRESERVES. THIS APPROACH WOULD BE BASED ON ESTIMATED COSTS OF MITIGATION FOR MAJOR PROJECTS IN THE MEASURE’S EXPENDITURE PLAN, WITH AN EMPHASIS ON HABITAT ACQUISITION AND RELATED ONGOING MONITORING AND MANAGEMENT COSTS. BY ESTABLISHING A LEGALLY BINDING MITIGATION BANK, TANGIBLE BENEFITS WOULD BE PROVIDED FOR HABITAT ACQUISITION AND PROTECTION BY ALLOWING ACCELERATED ACQUISITION OF LARGER AMOUNTS OF CRITICAL HABITAT THAN WOULD OTHERWISE BE POSSIBLE THROUGH PROJECT-BY-PROJECT MITIGATION. A KEY TRANSPORTATION OBJECTIVE OF THIS PROGRAM WOULD BE TO PRE-MITIGATE FOR FUTURE TRANSPORTATION PROJECT IMPLEMENTATION THEREBY REDUCING FUTURE CONSTRUCTION COSTS AND ACCELERATING PROJECT DELIVERY. IT NEEDS TO BE CAUTIONED THAT THIS PROGRAM IS ONLY WORKABLE TO BENEFITING THE REGION’S INTERESTS IF ADVANCE AGREEMENT CAN BE REACHED WITH THE FEDERAL AND STATE PERMITTING AGENCIES. IN ADDITION, THIS MITIGATION PROGRAM SHOULD BE COORDINATED WITH THE RCP PROCESS.</td>
</tr>
<tr>
<td>OVERSIGHT COMMITTEE</td>
<td>AN INDEPENDENT TAXPAYERS OVERSIGHT COMMITTEE WILL BE ESTABLISHED TO STRENGTHEN THE VOTER SAFEGUARD PROVISIONS OF THE NEW MEASURE. THIS OVERSIGHT COMMITTEE WILL BE RESPONSIBLE FOR THE INDEPENDENT FISCAL AUDIT PROCESS TO ENSURE THAT THE FUNDS ARE BEING SPENT ON ACTIVITIES AUTHORIZED BY THE ORDINANCE AND WILL MAKE AN ANNUAL REPORT ON FISCAL COMPLIANCE AND OTHER RECOMMENDATIONS FOR IMPROVEMENTS TO THE PROGRAM. THE COMMITTEE WILL CONDUCT PERIODIC PERFORMANCE AUDITS FOCUSING ON THE AGENCY’S PERFORMANCE IN TERMS OF PROJECT COST CONTROL AND SCHEDULE ADHERENCE. THE COMMITTEE ALSO WILL REVIEW ANY PROPOSED AMENDMENTS TO THE ORDINANCE AND PLAY A KEY ROLE IN THE 10-YEAR PROGRAM REVIEW PROCESS.</td>
</tr>
<tr>
<td>INCENTIVE PROGRAMS</td>
<td>THE TRANSNET PROGRAM WILL INCLUDE A SET ASIDE FOR SMART GROWTH/LIVABLE COMMUNITY INCENTIVE PROGRAMS INCLUDING BICYCLE PROJECTS, PEDESTRIAN/WALKABLE COMMUNITY IMPROVEMENTS, TRANSPORTATION ENHANCEMENTS, AND OTHER PROJECTS AND PROGRAMS CONSISTENT WITH CONCEPTS BEING DEVELOPED THROUGH THE RCP. THE PROGRAM WILL BE STRUCTURED AS A COMPETITIVE GRANT PROGRAM BASED ON SPECIFIC EVALUATION CRITERIA. THE FUNDING LEVEL WILL BE HIGHER THAN THE $1 MILLION PER YEAR SET ASIDE FOR BICYCLE FACILITIES IN THE CURRENT TRANSNET PROGRAM.</td>
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<tr>
<td>MATCHING FUNDS</td>
<td>THE TRANSNET EXPENDITURE PLAN WILL ASSUME SIGNIFICANT</td>
</tr>
<tr>
<td>KEY COMPONENT</td>
<td>APPROACH</td>
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<td>leveraging of other local, state, and federal funds to match TransNet funding on major improvements. While certain programs will be funded off the top without consideration of matching funds, the TransNet funds to be devoted to major transportation improvements will be assumed to leverage a significant amount of other local, state and federal funds so that, in total, the TransNet share will be 50% of the total costs of these major projects.</td>
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<tr>
<td>Public Education</td>
<td>SANDAG will expand its public education efforts to communicate the accomplishments of the existing TransNet program and the specific project and program costs and benefits associated with the TransNet Extension ballot proposal.</td>
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</tbody>
</table>
BILL NUMBER: AB 361  CHAPERED
BILL TEXT

CHAPTER  508
FILED WITH SECRETARY OF STATE  SEPTEMBER 25, 2003
APPROVED BY GOVERNOR  SEPTEMBER 24, 2003
PASSED THE ASSEMBLY  SEPTEMBER 8, 2003
PASSED THE SENATE  SEPTEMBER 4, 2003
AMENDED IN SENATE  SEPTEMBER 2, 2003
AMENDED IN SENATE  JULY 8, 2003
AMENDED IN ASSEMBLY  JUNE 2, 2003

INTRODUCED BY  Assembly Member Kehoe

FEBRUARY 14, 2003

An act to amend Section 132352.6 of, and to add Article 6.5 (commencing with Section 132360) to Chapter 3 of Division 12.7 of, the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 361, Kehoe. San Diego Consolidated Transportation Agency.
Existing law establishes the San Diego Consolidated Transportation Agency from specified existing agencies, including the San Diego Association of Governments (SANDAG), the Metropolitan Transit Development Board (MTDB), and the North County Transit Development Board (NCTDB), and authorizes the agency to assume certain responsibilities and functions of those other agencies. Existing law provides that the consolidated agency is governed by a board of 20 members selected from specified areas within the county and provides that the agency assumes the powers of the transportation commission and is designated the transportation planning agency for its area. Existing law provides that the executive director is the administrator of the agency and requires the agency to submit a report to the Governor and the Legislature beginning in 2005 regarding its progress in carrying out its powers and functions.

This bill would declare the intent of the Legislature for the agency to complete the public process of preparing and adopting a regional comprehensive plan, based upon specified criteria, by June 30, 2004. The bill would declare the intent of the Legislature that the agency, if it adopts a regional comprehensive plan, to make the regional comprehensive plan policies and objectives available to all local agencies and to maintain data, maps, and other specified information used in formulating the comprehensive plan in a form suitable for the availability of and use by other government agencies and private organizations and that the regional comprehensive plan be compatible with the regional transportation plan.
THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.  (a) The Legislature finds and declares that it is critical that the people of San Diego County be aware of the structure of governance that oversees implementation of regional issues and that at a future date, to be determined, that the people concur, through a public vote on the future structure and responsibilities of the agency. The Legislature also finds that the function of the consolidated agency is to plan and construct a transportation system with an understanding and consideration of the community as a whole.

(b) To maintain the quality of life that all San Diegans deserve, the consolidated agency should fully appreciate all of the following:

1. Transportation is only one of the many aspects of a region's quality of life. In order to create a successful mobility system, land use must be considered. Our water and air quality are also directly connected to our transportation, urban infrastructure, and natural resources.

2. There is no single plan or agency that considers, comprehensively or financially, all quality of life issues.

3. Several agencies currently have purview over the varied aspects of our quality of life.

4. Compatibility and thoroughness of these various agencies' plans and financing mechanisms are key to implementing mobility improvements in San Diego. This should be the goal of a regional comprehensive plan.

5. It is further the goal that the consolidated agency in allocating transportation funding consider the extent to which each jurisdiction's general plan implements land use policies recommended in the regional comprehensive plan.

6. The public is directly affected by the actions of the consolidated agency and must have adequate opportunities to participate in the consolidated agency's decisions affecting the future of our regional quality of life.

7. To ensure that the vision and goals of the regional comprehensive plan are implemented, the consolidated agency must monitor its progress through realistic measurable standards and criteria, which must be included in the regional comprehensive plan itself and made available to the public.

8. It is critical that the public be informed in a timely manner on the regional decisionmaking process within their own jurisdictions and have access to the records of decisions, in compliance with the California Public Records Act.

SEC. 2. Section 132352.6 of the Public Utilities Code is amended to read:

132352.6.  (a) The consolidated agency shall submit a report to the Governor and Legislature by December 31 of even-numbered years beginning in 2004, regarding progress in carrying out the provisions of this act.

(b) On December 31, 2005, the Legislative Analyst's Office (LAO) shall submit a report to the Governor and the Legislature which shall evaluate and make recommendations on the consolidated agency in the following areas:

1. The effectiveness of the current governance structure within the region, including, but not limited to, public participation,
accountability, proportional representation and to examine various alternative governance structures.

(2) The effectiveness in addressing the transportation needs of the region, including coordination and efficiencies in transportation planning and implementation as a result of the consolidation.

(3) The effectiveness of addressing quality of life indicators, including, but not limited to, land use patterns, a viable and sustainable economy, affordable public transportation, affordable housing, transportation mobility options, air and water quality, and open space and natural habitat preservation, including, but not limited to, the agency created by the act, and the county board of supervisors.

(4) The adequacy of the scope and authority for regional decisionmaking.

(c) The consolidated agency shall pay for the costs of the study which shall be capped at an amount not to exceed one hundred fifty thousand dollars ($150,000).

(d) (1) After the Legislative Analyst's report has been submitted to the Governor and the Legislature as required by subdivision (b), if legislation is enacted that makes a change in the governance structure or the scope of the authority and responsibility of the consolidated agency, the change shall be submitted for approval at a regularly scheduled election to the voters residing within the jurisdiction of the consolidated agency prior to the implementation of those changes.

(2) To provide opportunity for full regional public participation in any change made according to paragraph (1), the consolidated agency should convene regional working groups and take other steps that will allow for the greatest level of regionwide input from all segments of San Diego County and all interested groups and organizations.

(3) This subdivision shall apply to legislation that specifically references this subdivision and shall remain in effect until the election required pursuant to paragraph (1) has occurred. After the election has occurred, this subdivision shall become inoperative.

SEC. 3. Article 6.5 (commencing with Section 132360) is added to Chapter 3 of Division 12.7 of the Public Utilities Code to read:

Article 6.5. Adoption and Administration of a Regional Comprehensive Plan

132360. (a) It is the intent of the Legislature that the consolidated agency complete a public process by June 30, 2004, to prepare and adopt a regional comprehensive plan based on the local general and regional plans that integrates land uses, transportation systems, infrastructure needs, and public investment strategies, within a regional framework, in cooperation with member agencies and the public.

(b) The regional comprehensive plan should be updated as necessary for the consolidated agency to comply with Section 132360.2.

132360.1. If the consolidated agency prepares a regional comprehensive plan, it is the intent of the Legislature that:

(a) The regional comprehensive plan preserve and improve the quality of life in the San Diego region, maximize mobility and transportation choices, and conserve and protect natural resources.

(b) In formulating and maintaining the regional comprehensive plan, the consolidated agency shall take account of and shall seek to
harmonize the needs of the region as a whole, the plans of the county and cities within the region, and the plans and planning activities of organizations that affect or are concerned with planning and development within the region.

(c) The consolidated agency shall engage in a public collaborative planning process. The recommendations resulting from the public collaborative planning process shall be made available to and considered by the consolidated agency for integration into the draft regional comprehensive plan. The consolidated agency shall adopt a procedure to carry out this process including a method of addressing and responding to recommendations from the public.

(d) In formulating and maintaining the regional comprehensive plan, the consolidated agency shall seek the cooperation and consider the recommendations of all of the following:

1. Its member agencies and other agencies of local government within the jurisdiction of the consolidated agency.
2. State and federal agencies.
3. Educational institutions.
4. Research organizations, whether public or private.
5. Civic groups.
6. Private individuals.
7. Governmental jurisdictions located outside the region but contiguous to its boundaries.

(e) The consolidated agency shall make the regional comprehensive plan, policies, and objectives available to all local agencies and facilitate consideration of the regional comprehensive plan in the development, implementation, and update of local general plans. The consolidated agency shall provide assistance and enhance the opportunities for local agencies to develop, implement, and update general plans in a manner that recognizes, at a minimum, land use, transportation compatibility, and a jobs-to-housing balance within the regional comprehensive plan.

(f) The consolidated agency shall maintain the data, maps, and other information developed in the course of formulating the regional comprehensive plan in a form suitable to assure a consistent view of developmental trends and other relevant information for the availability of and use by other government agencies and private organizations.

(g) The components of the regional comprehensive plan may include, but are not limited to, transportation, housing, water quality, infrastructure, and open space, including habitat. At some future date, components such as water supply, air quality, solid waste, economy, and energy should be part of the regional comprehensive plan. Performance standards and measurable criteria shall be established through a public process to ensure that the regional comprehensive plan is prepared consistent with these measures as well as in determining achievement of the regional comprehensive plan goals throughout its implementation.

(h) Any water supply component or provision of the regional infrastructure strategy regarding water supply contained in the regional comprehensive plan shall be consistent with the urban water management plan and other adopted regional water facilities and supply plans of the San Diego County Water Authority.

Source: http://info.sen.ca.gov/pub/bill/asm/ab_0351 0400/ab_361_bill_20030925_chaptered.html
132360.3. The consolidated agency shall maintain the data, maps, and other information developed in the course of formulating the regional comprehensive plan in a form suitable to assure a consistent view of developmental trends and other relevant information for the availability of and use by other government agencies and private organizations.

132360.4. Each member agency should review the actions that the consolidated agency makes on state and federally regulated or mandated items and report these actions to their respective jurisdiction for review.

132360.5. All documents created in compliance with this article shall be made available and ready for public review in compliance with the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code).
Overview

Four water agencies and the state of California finalized the Quantification Settlement Agreement for the Colorado River in October 2003. This historic agreement provides California a transition period to implement water transfers and supply programs that will reduce California’s over-dependence upon the Colorado River and reduce the state’s draw to its 4.4 million acre-foot basic annual apportionment.

The QSA commits the state to a restoration path for the environmentally sensitive Salton Sea and provides full mitigation for these water supply programs. The QSA assures California up to 75 years of stability in its Colorado River water supplies.

The Parties

- San Diego County Water Authority (SDCWA)
- Coachella Valley Water District (CVWD)
- Imperial Irrigation District (IID)
- Metropolitan Water District of Southern California (MWD)
- State of California

Statewide Benefits

1. Reduces California’s Over-dependence on Colorado River — the QSA enables California to reduce its historic over-dependence on the Colorado River to its 4.4 million acre-foot basic annual apportionment through voluntary agriculture-to-urban water transfers and other water supply programs.

2. Restores Surplus Colorado River Water — the QSA allows renewed access to surplus water, when available, under the federal Interim Surplus Guidelines. For 2004, urban Southern California would be entitled to receive 260,000 acre-feet of surplus water.

3. Salton Sea Restoration — the state of California has committed to a restoration path for the Salton Sea by providing $20 million this year to fund the development of a restoration plan by 2006;

Under the QSA, an innovative restoration funding program is implemented, under which the state of California purchases up to 1.6 million acre-feet of water from IID for sale to MWD, generating up to $300 million for the restoration program.

4. Voluntary agricultural transfers provide more than 30 million acre-feet for urban use — over the life of the QSA programs, more than 30 million acre-feet moves from primarily agricultural use to primarily urban use.

5. Decreases pressure on the Bay-Delta — by resolving Southern California disputes over one of California’s two major water resources, the reliability of Southern California’s Colorado River water is improved and pressures to import more Northern California water into Southern California are reduced. This results in improved water reliability for all of California.

6. Beneficiaries pay — the QSA adheres to the beneficiaries-pay principle and no state funds are used for QSA environmental mitigation. There is no Proposition 50 funding requested for the QSA mitigation programs.

Major Features

- Quantification of IID’s Colorado River entitlement at 3.1 million acre-feet;
- Quantification of CVWD’s Colorado River entitlement at 330,000 acre-feet;
- A peace treaty between the four water agencies and the promise for lasting peace among the seven states that share the Colorado River; and
• Water transfers:
  — IID-SDCWA transfer, ramping up to 200,000 acre-feet per year from IID to SDCWA for up to 75 years;
  — IID-MWD transfer of up to 110,000 acre-feet per year from IID to MWD;
  — IID-CVWD transfers ramping up to 103,000 acre-feet per year from IID to CVWD;
  — Potential water transfers between 25,000 and 111,000 acre-feet annually from the Palo Verde Irrigation District to MWD;
  — Lining of the All-American and Coachella canals, with the 77,700 acre-feet of water produced annually going to the SDCWA for 110 years; and
  — 16,000 acre-feet per year of additional canal-lining water provided to the San Luis Rey Settlement Parties to implement a 1988 federal law that resolved decades-old litigation.

Legislation
On Sept. 29, 2003, the Governor of California signed legislation that:
1. Commits the state to a restoration path for the Salton Sea
2. Creates the Salton Sea Restoration Advisory Committee
3. Provides limited relief from California’s Fully Protected Species Act for the QSA

The All-American and Coachella Canal Lining Projects
In addition to the Water Authority-IID water transfer, the Water Authority accepted assignment of the Metropolitan Water District’s water rights to 77,700 acre-feet per year for 110 years from projects that will line the All-American and Coachella canals. The project will stop the loss of water that currently occurs through seepage, and that conserved water will go to the Water Authority. This will provide the San Diego region with an additional 8.5 million acre-feet of water over the 110-year life of the agreement. The State Legislature authorized $200 million from the state to help pay for construction of the canal-lining projects. The projects are also eligible for $20 million in Proposition 50 funding. By taking on this responsibility, the Water Authority has secured for the San Diego region a major, new, 110-year water supply that is highly reliable, drought-proof and cost competitive.

• MWD assigns its canal lining water rights to SDCWA — Project yields 77,700 acre-feet annually to San Diego County for 110 years (8.5 million acre-feet)
• SDCWA receives $200 million of state money for construction of the canal lining projects.
• The project is eligible for $20 million in Proposition 50 funding
• In consideration for MWD’s assignment of canal lining water rights to SDCWA, SDCWA pays MWD’s lawful wheeling rate in lieu of the 1998 Exchange Agreement rates. SDCWA receives firm capacity for the IID transfer for 45 years and for the canal lining water for 110 years

Total water made available to SDCWA
45 years: 9.9 million acre-feet
75 years: 18.3 million acre-feet
110 years: 21.0 million acre-feet