San Diego Regional Traffic Engineers Council

The San Diego Regional Traffic Engineers Council may take action on any item appearing on this agenda.

Thursday, February 20, 2020
9:30 to 11:30 a.m.
SANDAG Board Room
401 B Street, Suite 800
San Diego, CA 92101

Staff Contact: Ellison Alegre
(619) 699-0729
ellison.alegre@sandag.org

Agenda Highlights

- Nomination and Election of SANTEC Chair and Vice Chair
- Fiberoptic Cable Sharing Agreement
- The Boulevard Bus Way

Please silence all electronic devices during the meeting

Mission Statement

The 18 cities and county government are SANDAG serving as the forum for regional decision-making. SANDAG builds consensus; makes strategic plans; obtains and allocates resources; plans, engineers, and builds public transit; and provides information on a broad range of topics pertinent to the region’s quality of life.
Welcome to SANDAG. Members of the public may speak to the Working Group on any item at the time the Working Group is considering the item. Please complete a Request to Comment form and then present the form to the Working Group coordinator. Members of the public may address the Working Group on any issue under the agenda item entitled Public Comments/Communications/Member Comments. Public speakers are limited to three minutes or less per person. The Working Group may take action on any item appearing on the agenda.

Both agenda and non-agenda comments should be sent to SANDAG via comment@sandag.org. Please include the Working Group name and meeting date, agenda item, your name, and your organization. Any comments, handouts, presentations, or other materials from the public intended for distribution at the meeting should be received by the Working Group coordinator no later than 5 p.m. two working days prior to the meeting. All public comments and materials received by the deadline become part of the official public record and will be provided to the members for their review at the meeting.

In order to keep the public informed in an efficient manner and facilitate public participation, SANDAG also provides access to all agenda and meeting materials online at sandag.org/meetings. Additionally, interested persons can sign up for email notifications at sandag.org/subscribe.

SANDAG operates its programs without regard to race, color, and national origin in compliance with Title VI of the Civil Rights Act. SANDAG has developed procedures for investigating and tracking Title VI complaints, and the procedures for filing a complaint are available to the public upon request. Questions concerning SANDAG nondiscrimination obligations or complaint procedures should be directed to the SANDAG General Counsel, John Kirk, at (619) 699-1997 or john.kirk@sandag.org. Any person who believes himself or herself or any specific class of persons to be subjected to discrimination prohibited by Title VI also may file a written complaint with the Federal Transit Administration.

In compliance with the Americans with Disabilities Act (ADA), SANDAG will accommodate persons who require assistance in order to participate in SANDAG meetings. If such assistance is required, please contact the SANDAG ADA Coordinator, the Director of Diversity and Equity, at (619) 699-1900, at least 72 hours in advance of the meeting. To request this document or related reports in an alternative format, please call (619) 699-1900 or (619) 699-1904 (TTY), or fax (619) 699-1905.

SANDAG agenda materials can be made available in alternative languages. To make a request, call (619) 699-1900 at least 72 hours in advance of the meeting.

Los materiales de la agenda de SANDAG están disponibles en otros idiomas. Para hacer una solicitud, llame al (619) 699-1900 al menos 72 horas antes de la reunión.

如有需要，我们可以把SANDAG议程材料翻译成其他语言。请在会议前至少 72 小时打电话 (619) 699-1900 提出请求。

SANDAG offices are accessible by public transit. Phone 511 or visit 511sd.com for route information. Bicycle parking is available in the parking garage of the SANDAG offices. To access the meeting room, please arrive on the 8th floor.
**San Diego Regional Traffic Engineers Council**  
*Thursday, February 20, 2020*

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Welcome and Introductions</td>
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<tr>
<td>+2.</td>
<td>Approval of Meeting Minutes</td>
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<tr>
<td></td>
<td>The San Diego Regional Traffic Engineers Council (SANTEC) is asked to review and approve the minutes from its December 19, 2019, meeting.</td>
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<tr>
<td>3.</td>
<td>Public Comments/Communications/Member Comments</td>
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<tr>
<td></td>
<td>Members of the public shall have the opportunity to address the SANTEC on any issue within the jurisdiction of SANDAG that is not on this agenda. Anyone desiring to speak shall reserve time by completing a Request to Comment form and giving it to the meeting coordinator prior to speaking. Public speakers should notify the meeting coordinator if they have a handout for distribution to SANTEC members. Public speakers are limited to three minutes or less per person. SANTEC members also may provide information and announcements under this agenda item.</td>
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<td>4.</td>
<td>Nomination and Election of SANTEC Chair and Vice Chair</td>
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<td>In accordance with the SANTEC Charter, nominations will be accepted for the new one-year term for Chair and Vice Chair from February 2020 to January 2021.</td>
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<td>+5.</td>
<td>2020 Membership Roster and Other Administrative Items</td>
</tr>
<tr>
<td></td>
<td>SANTEC members are asked to review the 2020 meeting schedule and membership roster and submit any changes in writing during the meeting. Information on the Form 700, which SANTEC members and alternates are required to submit for 2020, will be provided.</td>
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<tr>
<td>6.</td>
<td>Update on SB 743 and San Diego Regional Transportation Impact Study Guidelines</td>
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<td></td>
<td><em>Erik Ruehr, Institute of Transportation Engineers San Diego Section</em></td>
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<td></td>
<td>Senate Bill 743 (Steinberg, 2013) is set for implementation on July 1, 2020. A task force of the San Diego Section of the Institute of Transportation Engineers (ITE) has prepared revised Transportation Impact Study Guidelines for the San Diego region to incorporate SB 743. An update on recent changes will be presented.</td>
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<tr>
<td>+7.</td>
<td>Fiberoptic Cable Sharing Agreement</td>
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<td><em>Raj Singh, Caltrans</em></td>
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<td></td>
<td>In 2017, Caltrans District 11, Metropolitan Transit System, North County Transit District, and SANDAG entered into a Memorandum of Understanding (MOU) allowing agencies to share unused fiberoptic strands as needed for specific projects. An overview of the MOU, which provides a regional example of interagency cooperation and collaboration considered for future regional transportation initiatives, will be presented.</td>
</tr>
</tbody>
</table>
The Boulevard Bus Way

Everett Hauser, City of San Diego

The Boulevard Bus Way is a three-mile, dedicated bus lane along El Cajon Boulevard between Park Boulevard and Fairmount Avenue in the City of San Diego. The bus lane supports Metropolitan Transit System (MTS) passengers using the Rapid 215, Route 1, and Route 6 along El Cajon Boulevard. This pilot dedicated bus lane was designed to improve transit performance, benefit local street safety, and create more sustainable communities. An overview of the Boulevard Bus Way Project, a collaborative effort between the City of San Diego, MTS, SANDAG, and the local business improvement district, will be provided.

Caltrans Updates and Announcements

Caltrans staff will provide updates on various local programs, funding program deadlines, and announcements regarding upcoming conferences.

Cities/County Transportation Advisory Committee Meeting Briefing

SANTEC Members

SANTEC members will be provided with an overview of the Cities/County Transportation Advisory Committee (CTAC) discussion items presented during the CTAC December 5, 2019, meeting.

Matters from Members

SANTEC members are encouraged to discuss additional topics of general interest.

Upcoming Agenda Items

Members are asked to provide input to SANDAG staff on possible items for future meeting agendas.

Upcoming Meetings

The next SANTEC meeting is scheduled for March 19, 2020, at 9:30 a.m.

Adjournment

+ next to an item indicates an attachment
San Diego Regional Traffic Engineers Council

February 20, 2020

December 19, 2019, Meeting Minutes

Please note: The audio file of the meeting is available on the SANDAG website, sandag.org, on the San Diego Regional Traffic Engineers Council (SANTEC) page.

Chair Mario Sanchez (El Cajon) called the meeting of the SANTEC to order at 9:37 a.m.

1. Welcome and Introductions
Self-introductions were made. The attendance sheet for this meeting is included.

2. Approval of Meeting Minutes (Approve)

2A: November 21, 2019, Minutes

Action: Upon a motion by Jeff Morgan (Santee) and a second by Ali Shahzad (Escondido), the SANTEC approved the minutes from its November 21, 2019, meeting. Yes: Scott Barker (Chula Vista), Vice Chair Jim Newton (Coronado), Chair Sanchez, Mike Kinnard (La Mesa), and Zoubir Ouadah (County of San Diego). No: None. Abstain: Jake Swim (Del Mar), Bob Goralka (Encinitas), Henry Trang (Imperial Beach), Mike James (Lemon Grove), Teala Cotter (Oceanside), Dan Goldberg (Solana Beach), and Raj Singh (Caltrans). Absent: City of Carlsbad, National City, City of Poway, City of San Marcos, City of Vista, City of San Diego, MTS, and NCTD.

2B: September 19, 2019

Action: Upon a motion by Mr. Ouadah and a second by Mr. Kinnard, the SANTEC approved the minutes from its September 19, 2019, meeting. Yes: Mr. Barker, Vice Chair Newton, Chair Sanchez, Mr. Shahzad. No: None. Abstain: Mr. Swim, Mr. Goralka, Mr. Trang, Mr. James, Ms. Cotter, Mr. Morgan, Mr. Goldberg, and Mr. Singh. Absent: City of Carlsbad, National City, City of Poway, City of San Marcos, City of Vista, City of San Diego, MTS, and NCTD.

3. Public Comments/Communications/Member Comments
Members of the public had the opportunity to address the SANTEC on any issue.

Ralph Boaz of Pillar consulting informed SANTEC members of the acceptance of the new Advanced Transportation Controller Standard by the ATE Joint Committee, and that it is in the voting process for approval.

Reports


In the absence of Troy Bucko of Caltrans, Zoubir Ouadah (County of San Diego) gave a summary of a presentation on colored pavement and using red-colored pavement for bus-only lanes.

Troy Bucko’s presentation was tabled for a future SANTEC meeting.

SANTEC members discussed the pros and cons of colored pavement and the regulations around it.
5. **Smart Cities and Technologies Series: Traffic Signal Controllers (Discussion)**

In April, SANTEC began a discussion series on relevant ideas and topics related to Smart Cities and the nexus between technology and traffic engineering. Topics included smart intersections, smart signals, connected and automated vehicles, etc.

This item continued discussion on the current state of traffic signal control at local jurisdictions and Caltrans as well as information gathering on short- and mid-range plans for advanced traffic signal control.

A round-table discussion followed regarding the future of regional traffic signal control, emerging Smart Intersection System concepts, and the future vision of the Regional Arterial Management System.


This item was tabled to a future SANTEC meeting.

7. **California Department of Transportation Updates and Announcements (Information)**

Rob Owen, Caltrans, provided members with an update on various local programs and funding program deadlines.

8. **Cities/County Transportation Advisory Committee Meeting Briefing (Information)**

Chair Sanchez gave a summary of the discussion items presented during its December 5, 2019, meeting.

9. **Matters from Members (Information)**

Zoubir Ouadah (County of San Diego) updated SANTEC members on the status of the city and county’s progress on completing their own Traffic Impact Study Guidelines. He then discussed the impact of the ITE Traffic Impact Study Guidelines and suggested a discussion on SANTEC adopting those guidelines for smaller cities.

10. **Upcoming Agenda Items (Discussion)**

There were no upcoming agenda items discussed.

11. **Upcoming Meetings (Information)**

The next SANTEC meeting is scheduled for Thursday, January 16, 2020, at 9:30 a.m.

12. **Adjournment**

Chair Sanchez adjourned the meeting at 11:19 a.m.
## Confirmed Attendance at SANDAG San Diego Regional Traffic Engineers Council Meeting

**April 18, 2019**

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<th>Jurisdiction</th>
<th>Name</th>
<th>Attended</th>
<th>Comments</th>
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<td>Caltrans</td>
<td>Rajpreet Singh</td>
<td>Yes</td>
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<td>Melina Pereira, Alternate</td>
<td>No</td>
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<td>City of Carlsbad</td>
<td>Vacant</td>
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<td>Doug Bilse, Alternate</td>
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<td>John Kim, Alternate</td>
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<td>City of Chula Vista</td>
<td>Eddie Flores</td>
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<td>Paul Oberbauer, 1st Alternate</td>
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<td>Scott Barker, 2nd Alternate</td>
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<td>City of Coronado</td>
<td>Jim Newton, Vice Chair</td>
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<td>Ryan Zellers</td>
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<td>Jake Swim, Alternate</td>
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<td>City of El Cajon</td>
<td>Mario Sanchez, Chair</td>
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<td>Raul Armenta, Alternate</td>
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<td>City of Encinitas</td>
<td>Abraham Bandegan</td>
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<td>Bob Goralka, 1st Alternate</td>
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<td>Ed Wimmer, 2nd Alternate</td>
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<td>City of Escondido</td>
<td>Ali Shahzad</td>
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<td>Luca Zappiello</td>
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<td>Carla Hutchinson, 1st Alternate</td>
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<td>Stephen Manganiello, 2nd Alternate</td>
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<td>City of Oceanside</td>
<td>David DiPierro</td>
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<td>Teala Cotter, Alternate</td>
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<td>Thomas Frank</td>
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<td>Jon Collins, Alternate</td>
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<td>Duncan Hughes</td>
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<td>Maureen Gardiner, 1st Alternate</td>
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<td>Mariana Sadek, 2nd Alternate</td>
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<td>Jeff Morgan, Alternate</td>
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<td>Jim Greenstein</td>
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<td><strong>Other Attendees</strong></td>
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<tr>
<td>Rob Owen (Caltrans)</td>
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<td>Ralph Boaz (Pillar Consulting)</td>
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<td>Shahnaz Alvi (Caltrans)</td>
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<td>Nathan Schmidt (Carlsbad)</td>
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<td>Mike Kenney (McCain, Inc.)</td>
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<tr>
<td><strong>SANDAG Staff</strong></td>
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<tr>
<td>Ellison Alegre</td>
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<td>Gabe Jensen</td>
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Membership Roster and Other Administrative Items

The San Diego Regional Traffic Engineers Council (SANTEC) is asked to review the 2020 meeting schedule and membership roster and submit any changes in writing during the meeting. Information on the Form 700, which SANTEC members and alternates are required to submit for 2020, will be provided.

Key Staff Contact: Ellison Alegre, (619) 699-0729, ellison.alegre@sandag.org
Attachments: 1. SANTEC 2020 Meeting Schedule
2. SANTEC Membership Roster
3. Form 700 Requirements
2020 SANTEC Meeting Schedule

SANTEC meetings are generally held at SANDAG on the third Thursday of each month at 9:30 a.m. in the SANDAG Board Room. The SANTEC meeting schedule for 2020 is listed below.

- January 23, 2020
- February 20, 2020
- March 19, 2020
- April 16, 2020
- May 21, 2020
- June 18, 2020
- July 16, 2020
- August 20, 2020
- September 17, 2020
- October 15, 2020
- November 19, 2020
- December 17, 2020
SAN DIEGO REGIONAL TRAFFIC ENGINEERS COUNCIL

MEMBERSHIP

The San Diego Regional Traffic Engineers Council (SANTEC) serves as the agency's technical advisory committee on regional traffic engineering matters. Membership consists of a traffic engineering representative from each of the region's cities, the County of San Diego, Caltrans, Metropolitan Transit System, and North County Transit District.

The SANTEC generally meets at 9:30 a.m. on the third Thursday of the month.

Staff Contact: Ellison Alegre, (619) 699-0729, Ellison.Alegre@sandag.org

MEMBERS

Raj Singh
Caltrans

Vacant
City of Carlsbad

Eddie Flores
City of Chula Vista

Jim Newton
City of Coronado

Ryan Zellers (Michael Baker Int’l)
City of Del Mar

Mario Sanchez
City of El Cajon

Abraham Bandegan
City of Encinitas

Ali Shahzad
City of Escondido

Henry Trang (Stack Traffic)
City of Imperial Beach

Matthew Kinnard
City of La Mesa

Mike James
City of Lemon Grove

FIRST ALTERNATE/ SECOND ALTERNATE

Melina Pereira
Caltrans

Doug Bilse
City of Carlsbad

Paul Oberbauer / Scott Barker
City of Chula Vista

Dave Johnson
City of Coronado

Jake Swim (Michael Baker Int’l)
City of Del Mar

Raul Armenta
City of El Cajon

Bob Goralka / Ed Wimmer
City of Encinitas

Miriam Jim
City of Escondido

Jason Stack (Stack Traffic)
City of Imperial Beach

Phil Kern
City of La Mesa

Mark Jugar (Rick Engineering)
City of Lemon Grove
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<tr>
<th>Name</th>
<th>Position</th>
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<tbody>
<tr>
<td>Luca Zappiello</td>
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<td>City of National City</td>
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<td>North County Transit District</td>
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Form 700 Requirements
Statements of economic interests

The Political Reform Act requires SANDAG to adopt and promulgate a Conflict of Interest Code (attached). Persons holding positions listed in the code are designated employees or officials. It has been determined that these persons make or participate in the making of decisions that may foreseeably have a material effect on the financial interests of the agency. Designated persons are required to file statements of economic interests with SANDAG when assuming or leaving their position, and annually while holding the position. If you have been provided with this information, your position on a SANDAG committee/working group requires you to fill out a Form 700, which discloses your financial interests so that you can avoid a conflict of interest.

- The SANDAG Form 700 process is now fully electronic through the County of San Diego’s eDisclosure system.

- Access the eDisclosure system and complete your annual Form 700 at this link: https://www.southtechhosting.com/SanDiegoCounty/eDisclosure

- Your login ID is your email address on file. If you need your password reset, please contact the Clerk of the Board.

- Submit your annual Form 700 electronically by April 1, 2020.

Questions regarding the Form 700 or process contact:
Tessa Lero, Clerk of the Board
(619) 595-5629
ClerkoftheBoard@sandag.org
401 B Street, Suite 800, San Diego, CA 92101

Members of the following SANDAG committees and working groups are required to file a Form 700:

- Board of Directors
- Transportation Committee
- Regional Planning Committee
- Borders Committee
- Public Safety Committee
- TransNet Independent Taxpayer Oversight Committee (ITOC)
- Bayshore Bikeway Working Group
- Active Transportation Working Group (ATWG)
- Cities/County Transportation Advisory Committee (CTAC)
- San Diego Regional Traffic Engineers Council (SANTEC)
- Environmental Mitigation Program Working Group (EMPWG)
- Regional Planning Technical Working Group (TWG)
- Chiefs'/Sheriff’s Management Committee
MEMORANDUM OF UNDERSTANDING

INTER-AGENCY FIBER OPTIC CABLE SHARING AGREEMENT

STATE OF CALIFORNIA
Department of Transportation

San Diego Association of Governments

North County Transit District

San Diego Metropolitan Transit System

AND

This Memorandum of Understanding ("Agreement") memorializes the agreement between the parties thereto with respect to the shared resources discussed. Funding commitments providing for the deposit of funds for specific work phases or project effort committing machine or personnel time will be covered by one or more separate: a) cooperative agreement(s), b) encroachment permit(s), c) Right of Entry (ROE) Permit(s), or other mechanism as may be outlined herein.

WHEREAS, on December 1, 1997, the California Department of Transportation, "(CALTRANS)" issued Traffic Operations Program Policy (TOPP) 97-4 “Fiber Optic Communications Network and the Sharing of Fibers with Governmental Entities.” The policy encourages broad development of Intelligent Transportation Systems ("ITS") communications networks, as well as providing redundancy; and

WHEREAS, it is the further policy of CALTRANS that fiber optic cables installed in State highway right of way will be restricted to transportation information use only; and

WHEREAS, the San Diego Association of Governments, ("SANDAG"), as the comprehensive planning organization, Metropolitan Planning Organization, and regional transportation planning agency, encourages the sharing of public transportation infrastructure to the mutual benefit of CALTRANS, the North County Transit District ("NCTD"), and the San Diego Metropolitan Transit System ("MTS"); as well as the general public; and
WHEREAS, SANDAG, CALTRANS, NCTD, and MTS, hereinafter collectively referred to as the “AGENCIES” and individually referred to as “AGENCY”, in order to provide redundancy and expand the effectiveness of their individual fiber optic investments, desire to provide individual fiber optic strands from each of their respective fiber optic backbone cables or cable raceways which are located along each of the AGENCIES’ transportation corridors for the use by each of the other AGENCIES; and

WHEREAS, CALTRANS constructed and operates its Transportation Management Center (“TMC”), located at 7183 Opportunity Road, San Diego, CA 92111. The purpose of the TMC is to develop an optimum system to monitor freeway traffic flow, to manage traffic, and to issue advisory information intended to minimize delay and inconvenience to travelers; and

WHEREAS, CALTRANS, as part of its Advanced Traffic Management System (“ATMS”) program, monitors freeway conditions in and around San Diego County, has and continues to develop and deploy new methods of information gathering by means of an electronic surveillance system utilizing electronic loop detectors, Closed Circuit Television (“CCTV”) systems, and various other sources (collectively “ITS field devices”); and

WHEREAS, CALTRANS desires to expand its existing high speed fiber optic digital information network, known as its Traffic Operations Systems Network (“TOSNET”). TOSNET connects the TMC and ITS field devices, including CCTV systems, along the state highway system. CALTRANS further desires to extend new ITS facilities constructed along the state highway system to enhance the performance and utilization of information gathered by the ITS field devices and the TMC and to communicate information to the public via digital changeable electronic message boards, and

WHEREAS, NCTD maintains a fiber optic communications network linking sites at 810 Mission Avenue in the City of Oceanside, the SPRINTER Operations Facility, the Stuart Mesa Maintenance Facility, eight (8) COASTER Stations, and fifteen (15) SPRINTER stations; and

WHEREAS, NCTD, as part of its Positive Train Control (“PTC”) project, monitors train locations via track circuits; communicates with trains via vital wireless communications; ensures trains stop short of restrictive signals; and provides for enhanced railway traffic management; and
WHEREAS, NCTD’s main fiber network transmits video surveillance, platform paging, voice over IP (VoIP) communications, and related digital information to and from various field equipment systems to and from various NCTD locations; and

WHEREAS, NCTD desires to create a physically independent “Rail Network” to isolate and improve security and reliability for rail operations systems including PTC, Centralized Train Control (“CTC”) signaling, radio communications, etc; and

WHEREAS, NCTD desires to establish independent, geographically separated, ring networks to provide failover, disaster recovery and redundant paths for both NCTD rail and core networks; and

WHEREAS, MTS monitors and manages light rail and freight train traffic via track circuits, CCTV, and fare collection systems. MTS communicates with passengers via public address and visual messaging systems that enhance operations, security, and public communications with passengers; and

WHEREAS, MTS transmits the train information from the field equipment to an Operations Control Center (“OCC”), located in downtown San Diego via a fiber optic network located along the MTS rail lines; and

WHEREAS, MTS desires to share bus transit vehicle arrival time information with passengers, operate CCTV, and deploy other information systems to enhance operations, security, and public communications with passengers at Bus Rapid Transit (BRT) Stations along BRT corridors; and

WHEREAS, CALTRANS, MTS, NCTD, and SANDAG will benefit from sharing fiber strands in the AGENCIES’ existing fiber optic cables and enable each AGENCY to establish redundant fiber paths that will enhance network reliability and performance, all of which advance the public interest and maximize local, state and federal taxpayer investments.

NOW, THEREFORE, the parties hereto agree as follows:
ARTICLE I
Obligations of AGENCIES

1. CALTRANS, MTS and NCTD shall provide all other AGENCIES with access to dark (unused) fiber optic strands owned by such AGENCY as shown in, Exhibits A, B & C, consistent with Article III below.

2. CALTRANS, MTS, and NCTD shall continue to maintain and monitor the fiber optic backbone owned by such AGENCY, as resources permit within the reasonable discretion of such AGENCY. It is understood that the fiber optic cable that is the subject of this Agreement is likely to be exposed to various hazards such as construction activity and vandalism. Each Agency shall make all reasonable efforts to keep its fiber optic system operational at all times, but does not warrant or otherwise guarantee its availability.

3. CALTRANS, MTS, and NCTD shall allow all other AGENCIES, to utilize their fiber optic strands so long as they are not needed for a higher priority activity, as determined by AGENCY which owns such strands in the exercise of reasonable discretion. Any access by any AGENCY to the right-of-way of another AGENCY for design or construction activity or to access fiber optic connection points shall require the encroaching AGENCY to first obtain an encroachment permit, right of entry permit, or other access permit from the AGENCY owning the right-of-way or facility in accordance with such AGENCY’s normal business practices. The AGENCIES recognize the potential time-sensitivity of access needed to resolve network connection problems, and will take all reasonable steps to facilitate expedited access to the fiber network.

4. CALTRANS, MTS, and NCTD shall fund and/or implement Fiber Optic Projects in conjunction with other AGENCIES pursuant to Exhibit D and subject to approval by their respective boards of directors or other governing body.

5. CALTRANS Point of Contact:

Brian Pecus
Senior Transportation Engineer Electrical
Phone: (858) 467-3025
E-Mail: brian.pecus@dot.ca.gov
6. **NCTD Point of Contact:**

   Ryan Cashin  
   Chief Technology Officer  
   Phone: (760) 966-6554  
   E-Mail: rcashin@nctd.org

7. **MTS Point of Contact:**

   Sandra Bobek  
   Chief Technology Officer  
   Phone: (619) 238-0100 x6412  
   E-Mail: sandra.bobek@sdmts.com
ARTICLE II
Obligations of SANDAG

8. SANDAG will assist in coordinating the utilization of fiber optic strands provided by CALTRANS to improve efficiency and performance of the overall transportation system utilizing TOSNET connections: a) to interconnect the region’s local transportation management centers for Regional Intermodal Transportation Management Systems (TMS) and b) between SANDAG Central Office and Toll Road Facilities for Tolling System Management Communications. Written approval from the CALTRANS shall be obtained prior to any AGENCY utilizing the fiber for other purposes.

9. Provide rack space to CALTRANS as defined in Exhibit C.

10. Fund and/or implement Fiber Optic Projects pursuant to Exhibit D subject to approval by the SANDAG Board of Directors. SANDAG’s implementation of certain projects will require actions of other AGENCIES, including but not limited to budget transfer actions.

11. SANDAG Point of Contact:

Dale Neuzil
Capital Development Project Manager
Phone (619) 595-5373
E-Mail: Dale.Neuzil@sandag.org
ARTICLE III

Mutual Obligations of the Parties

12. Each AGENCY shall designate a Coordinator for purposes of implementing this Agreement. The Coordinator for each AGENCY shall hold the title of Senior Transportation Electrical Engineer, Chief Technology Officer, Capital Development Project Manager, or Principal Civil Engineer, or shall otherwise have a technical understanding of the AGENCY’s fiber optic infrastructure so as to facilitate the linking and sharing of the fiber optic strands. Each AGENCY shall keep other parties informed of any change in the status or contact information of its Coordinator.

13. All phases of a fiber optic connection within another AGENCY’s right of way or to another AGENCY’s fiber optic cable located outside of that AGENCY’s right of way shall be conducted in accordance with all policies, procedures, practices and standards that the AGENCY with the ownership interest in the right of way or cable would normally follow and/or that such owning AGENCY may in its sole and reasonable discretion deem necessary.

14. SANDAG and/or NCTD will utilize existing projects which are already listed in SANDAG’s and/or NCTD’s Capital Budget Plan and which will utilize shared fiber network infrastructure to initially establish connections between the various AGENCIES’ existing infrastructure as described elsewhere herein and to interconnect the existing fiber optic cables identified in Exhibits A, B, C & D, unless otherwise noted.

15. All AGENCIES agree to be responsible for any costs for the repair or replacement of their own facilities, except if the damage is caused by one of the other AGENCIES. If a disagreement relating to the cause of damage arises, the AGENCIES agree to first pursue informal dispute resolution.

16. Each AGENCY shall maintain the necessary minimum continuing control over its fiber optic infrastructure, as required by applicable local, state or federal grant requirements. Availability of a specific fiber optic connection pursuant to this Agreement may be delayed or rejected if the owning-AGENCY determines its utilization under this Agreement would violate applicable grant requirements.
17. This agreement shall commence on the date of the last signature of an AGENCY and will remain in effect until superseded by another agreement or terminated in accordance with its terms. If any AGENCY withdraws from this Agreement, all equipment and communications hardware owned by other parties will be removed from the withdrawing AGENCY’s Right of Way by the other AGENCIES at the expense of the removing AGENCY. Such removal shall be accomplished within 60 calendar days of the effective date of the withdrawal and shall leave the facility or property of the other PARTIES in the same or better condition than it was in prior to the installation of such equipment or communications hardware.

18. Each AGENCY shall hold harmless, defend and indemnify the other AGENCIES, and each of them, as well as their directors, officers, agents and employees, against any and all loss, liability, damage, or expense, including any direct, indirect or consequential loss, but not including attorneys’ fees unless awarded by a court of competent jurisdiction, for injury or death to persons, including employees of any AGENCY, or damage to property, including property of any AGENCY, arising out of or in connection with intentional, willful, wanton, reckless or negligent conduct regarding any activity undertaken pursuant to this Agreement. However, no AGENCY shall be held harmless, defended or indemnified for any loss, liability, damage, or expense resulting from its sole negligence or the willful misconduct of its agents.

19. Each AGENCY agrees to provide dark fiber optic strands to each of the other AGENCIES in accordance with the allocation reflected in Exhibit “C”. To the extent that one or more AGENCIES desire to amend the allocation reflected in Exhibit “C”, each AGENCY directly involved in such reallocation agrees to work cooperatively to allocate strands in a manner that meets all AGENCIES’ reasonable needs. Any such re-allocation shall be reflected in a written Amendment to Exhibit “C”. No AGENCY may assign strands designated for their use to any party not a signatory to this Agreement. To the extent that an Agency desires to assign strands designated for their use to a non-signatory agency, they shall propose to add such agency as a party to this Agreement by a written amendment to the Agreement.

20. An AGENCY may submit a request for additional fiber strands to another AGENCY. Additional dark fiber optic strands may be allocated by the AGENCY that owns the cable to another requesting AGENCY provided the AGENCY seeking additional strands shall:
A. Demonstrate a reasonable need; and
B. Utilize the strands for public benefit.

Any such modified allocation shall be reflected in a written Amendment to Exhibit “C”. Each AGENCY shall have sole discretion to determine the number of fiber optic strands it classifies as “dark” and available for sharing under this Agreement.

21. Except as otherwise provided for in this Agreement, each AGENCY establishing or modifying one or more fiber optic access points shall be responsible for all costs associated with such establishment, as well as for obtaining any necessary permits required for such establishment.

22. Each AGENCY agrees to allow each of the other AGENCIES to place network interface equipment within each of the other AGENCIES’ right-of-way conditioned upon the AGENCY seeking to place such equipment first obtaining an encroachment, right of entry, or other access permit from the AGENCY owning the right-of-way in accordance with such AGENCY’s normal business practices. Any such equipment shall be maintained by the AGENCY owning the network interface equipment. Such equipment shall be located in a manner that does not unreasonably interfere with the owning AGENCY’s use and enjoyment of its right-of-way.

23. Any improvements or facilities placed or modified pursuant to this Agreement shall be designed, constructed and maintained in accordance with all applicable local, state, and federal requirements, standards and policies.

24. Each AGENCY which owns the right of way being accessed pursuant to this Agreement agrees to:

A. Not charge any of the other AGENCIES fees for processing of the ROE or encroachment permit, except that such charges may be imposed to pay for direct costs associated with the implementation of the improvements (e.g. railroad flagmen, highway lane closures, etc.).

B. Work cooperatively with each of the other AGENCIES to facilitate the processing of the ROE or encroachment permits;

C. Require the consultants, agents, or construction contractors to name the AGENCIES who own the right-of-way as first party additionally named insureds;
D. Require that any consultants, agents and contractors’ insurance to conform, at a minimum, to the insurance requirements of the AGENCY possessing the right of way;

E. Minimize the review and ROE or encroachment permit issuance period to the maximum extent practicable;

F. Minimize associated work to develop the additional access point to that which is required to conform to applicable standards and regulatory requirements; and

G. Require all construction workers and construction managers attend specialized training and possess proper certification in order to perform work in or near access controlled right-of-way (e.g. Roadway Worker Training) when working within or near access controlled rights-of-way.

25. Additional access point enclosures and equipment located in access controlled right-of-way shall only be considered at locations where interface points in publicly accessible right-of-way are determined to be undesirable, impractical, or excessively expensive to implement. The AGENCY desiring the additional access point shall submit a written request detailing why the additional access point is needed and why it is undesirable, impractical, or excessively expensive to construct the access point within publicly accessible right-of-way. The AGENCY possessing the access controlled right-of-way may, in its sole discretion, refuse the request of the other AGENCY considering the following factors:

A. Whether the proposed access point provides a significant benefit consistent with the overall intent of this Agreement;

B. Whether the proposed access point could create an unsafe condition;

C. Whether the proposed access point could create a significant adverse impact on an existing or future facility.

26. Should an AGENCY refuse a request from another AGENCY, then the AGENCIES involved shall work cooperatively to develop an alternative interface solution that would be mutually agreeable to the parties.
27. Any AGENCY may terminate this agreement at any time, and without cause, by providing 60 days’ written notice to all other AGENCIES.

28. This Agreement is for the benefit of the AGENCIES only. No third party beneficiary is intended.

29. The AGENCIES agree and understand that the obligations created by this Agreement are subject to the appropriation of the required resources by the board or other governing body of such AGENCY.

30. It is the responsibility of each party to update their respective fiber sharing network and connections as expansion of the system occurs beyond that shown in the attached exhibits through amending Exhibit “C” and providing written notice to the other AGENCIES.

31. This Agreement is not transferable or assignable except upon written approval by every AGENCY or as otherwise provided for herein.

32. Any amendment to this Agreement, or any of the Exhibits hereto, shall require the written approval of all Agencies. Each Agency shall expeditiously consider any proposed amendment and shall endeavor to provide either its written approval or comments supporting its lack of approval within 14 days. No Agency shall unreasonably withhold its consent from any proposed amendment.
### Exhibit C

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### Exhibit C

#### Fiber Sharing Matrix

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A. NCTD will fund the closure of the fiber optic gap in Escondido near the intersection of I-15 and Washington Avenue including interface cabinet along West Washington Avenue (Escondido Project).

B. SANDAG shall utilize funding in various projects listed in SANDAG’s Capital Budget to create fiber optic interface connections (including pulling cable, installing enclosure(s), trenching in conduit, and splicing and terminating fiber optic strands) in: a) San Diego between Caltrans Hub 3 and the MTS/Caltrans Interface cabinet at I-5 and Imperial Avenue, and b) at any other gap location not previously identified. SANDAG will solely utilize the funds provided by other AGENCIES for the specific project for which they were provided.

C. CALTRANS, as part of the North Coast Corridor Project, shall create a fiber optic interface connection (including pulling cable, installing enclosure(s), trenching in conduit, and splicing and terminating fiber optic strands) from the I-5 corridor to the NCTD railroad corridor, currently planned to be located under a bike path along Manchester Avenue near the San Elijo Lagoon.

D. CALTRANS, as part of the SR-905/125 Interchange at Otay Mesa Port of Entry Project, shall create a fiber optic interface connection (including pulling cable, installing enclosure(s), trenching in conduit, and splicing and terminating fiber optic strands) a) in San Diego from Caltrans Hub 13 to SR-125 Toll Plaza and b) from Hub 13 to SR-11 project, and provide rack space within Hub 13 for fiber optic connections to the SR-11 Tolling System and MTS Otay Mesa Transit Center.

E. SANDAG shall utilize South Bay BRT (SANDAG project no. 1280504-1000) project funding to install fiber optic cabling, bore and trench conduit from the Otay Mesa Transit Center to CALTRANS Hub 13 via a point of connection to existing conduit in the SR-905 just north of the Otay Mesa Port of Entry and south of Siempre Viva Road.

F. MTS shall permit Caltrans to install a fiber connection from the MTS trolley line at Cuyamaca Street and State Route 52 to the CALTRANS Traffic Signal Control Cabinet at the east bound State Route 52 on ramp.

G. SANDAG shall utilize Mid-Coast LRT Extension (SANDAG project no. 1257001-1000) project funding to create a fiber optic interface connection (including pulling fiber optic cable, boring and trenching conduit from the Mid-Coast fiber optic cable interface cabinet located about 100 feet south of the San Diego River Bridge abutment to CALTRANS Hub 2, and splicing and terminating fiber optic strands) in San Diego from CALTRANS Hub 2 to the Old Town Transit Center Communications Room to connect to NCTD PTC fiber.
The Boulevard Bus Way
El Cajon Boulevard Bus Only Lanes
SANTEC
February 20, 2020

Project Goals
• Better Reliability
• Economic Development
• Public Safety/Vision Zero
• Climate Action Plan Mode Share Targets

Project History
• Mid-City Rapid Bus 2008-2012
• Boulevard 20/20 Town Hall June 2018
• Council District 9 & 3 memo for evaluation of Bus Only Lane January 2019
• City Staff Response May 2019
• Fully open January 2020
Previous Conditions
Six (6) general purpose lanes

Project Conditions
BUS ONLY/Bike OK Lanes
Four (4) general purpose lanes
**Intersection Conditions**

**Right Turn Lanes**

- Bikes allowed in Bus Only Lane
- Parallel streets north (Meade Ave) and south (Howard Ave) of ECB will be lower stress bicycle boulevards as part of the SANDAG EAP program

**Bus and Bicycle Operations**

- **El Cajon Boulevard Transit: Existing Conditions**
  - Second-busiest bus transit corridor in San Diego County
  - *Rapid 215* + Route 1 = 9,470 average weekday passengers
  - Busiest is University Avenue – 10,500 average weekday passengers between Route 7 and Route 10

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- **Existing Conditions**
  - *Rapid 215*
    - Limited-stop service, Downtown to SDSU
    - 10 minute peak/15 minute off-peak frequency – 6 buses/hour
  - **Route 1**
    - Local service, Fashion Valley to La Mesa
    - 15 minute all-day frequency – 4 buses/hour
  - **Route 6**
    - Local service, Fashion Valley to 30th/University
    - 15 minute all-day frequency – 4 buses/hour
    - Peak segment: 14 buses/hour
Operational Approach

- Partially limited by service change schedule
  - Three schedule change periods: January, June, and September
- Network integration critical
  - Timed transfers
- Phased approach
  - First phase – existing schedules, target improved reliability
  - Second phase – revise schedules with improved running times
  - Future options: Headway-based operation?

Performance Measures

- MTS Data
  - Service reliability – On-time performance
  - Travel time
  - Headway adherence
  - Ridership – Boardings and alightings by stop
- City of San Diego Data
  - Traffic volumes – pedestrian/bike/auto
  - Intersection operations
  - Traffic safety – collision history
- Qualitative data – Public intercept surveys

Outreach Process

- Direct Outreach and Rider Engagement
  - Community meetings
  - Business groups
- Media and Marketing
  - MTS website – Project FAQs and guide
  - MTS Rider Insider e-Newsletter
  - Local video, print & digital social
  - Flyers, posters, stops, etc.
Transportation & Storm Water Department

The Boulevard Bus Way

El Cajon Boulevard Bus Only Lanes

SANTEC

February 20, 2019
Inactive Projects

Inactive and Future Inactive projects should be billed within the specified and agreed-upon timeframe to avoid deobligation of funds.

As of February 7, 2020, the INACTIVE and FUTURE Inactive list was updated. Action is required by the County of San Diego, as well as these cities: Carlsbad, Encinitas, La Mesa, San Diego, and San Marcos.

February 20, 2020 is the deadline to submit Inactive invoices. District 11 must receive accurate and complete invoices to prevent deobligation of federal funds! Verify on the “Inactive” link shown below for Inactive Project dates.

Note: An invoice is not cleared from either “Inactive” or “Future Inactive” lists until paid by the State Controller’s Office. Provided local agencies adhere to the format described in Chapter 5 of the Local Assistance Procedures Manual (LAPM), invoices typically are paid by check within 60 days of receipt (or 50 days if paid through Electronic Funds Transfer).

A complete list of Inactive Projects is online at this webpage -
https://dot.ca.gov/programs/local-assistance/projects/inactive-projects

New Invoice Form Required – Effective Immediately

In January 2020, Caltrans updated the new invoice form to incorporate many suggestions from staff and local agencies. Please transmit all invoices on this new LAPM Exhibit 5-A.

These following links have details with instructions -
https://dot.ca.gov/programs/local-assistance/projects/local-agency-invoice-process
https://forms.dot.ca.gov/v2Forms/servlet/FormRenderer?frmid=LAPM5A

For questions, please contact the assigned District 11 Local Area Engineer or Local Assistance Program Support Analyst, Alma Sanchez, via email at Alma.Sanchez@dot.ca.gov or by phone: 619-278-3735.


Funding Requests for Authorization (RFA) during this federal fiscal year were due by January 31, 2020. Please continue to transmit all RFA submittals and minimize delay in obtaining fund authorizations.

2020 Updates for Local Assistance Procedures Manual (LAPM) and LA Program Guidelines (LAPG)

Please refer to page 7 attached at the end of these updates with links to this latest documentation for 2020.

Quality Assurance Program (QAP) – Documentation Expired in 2019 or Expiring in 2020!

As a reminder, Quality Assurance Program (QAP) approval is expiring in 2020 for these cities: Del Mar, El Cajon, Encinitas, Escondido, and Vista. Poway and Solana Beach must have a QAP approval if federal funds are anticipated for future projects. Only Oceanside and the Port of San Diego remain incompliant.

Updated QAP packages must be submitted to the Local Area Engineers ASAP. Otherwise, no funding for Construction authorization requests will be processed.

The following schedule lists due dates for all eligible agencies in San Diego County:
<table>
<thead>
<tr>
<th>Agency</th>
<th>QAP Current</th>
<th>QAP Expires</th>
<th>Additional Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Carlsbad</td>
<td>2/23/2017</td>
<td>2/23/2022</td>
<td></td>
</tr>
<tr>
<td>City of Chula Vista</td>
<td>10/17/2019</td>
<td>10/17/2024</td>
<td></td>
</tr>
<tr>
<td>City of Coronado</td>
<td>10/15/2019</td>
<td>10/15/2024</td>
<td></td>
</tr>
<tr>
<td><strong>City of Del Mar</strong></td>
<td>5/26/2015</td>
<td><strong>5/26/2020</strong></td>
<td></td>
</tr>
<tr>
<td>City of El Cajon</td>
<td>9/13/2015</td>
<td><strong>9/13/2020</strong></td>
<td></td>
</tr>
<tr>
<td>City of Escondido</td>
<td>5/22/2015</td>
<td><strong>5/22/2020</strong></td>
<td></td>
</tr>
<tr>
<td>City of Imperial Beach</td>
<td>7/9/2019</td>
<td>7/9/2024</td>
<td></td>
</tr>
<tr>
<td>City of La Mesa</td>
<td>10/10/2019</td>
<td>10/10/2024</td>
<td></td>
</tr>
<tr>
<td>City of Lemon Grove</td>
<td>11/7/2019</td>
<td>11/7/2024</td>
<td></td>
</tr>
<tr>
<td>City of National City</td>
<td>10/10/2019</td>
<td>10/10/2024</td>
<td></td>
</tr>
<tr>
<td><strong>City of Oceanside</strong></td>
<td>5/27/2010</td>
<td><strong>5/27/2015</strong></td>
<td>not in compliance</td>
</tr>
<tr>
<td>City of Poway</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>City of San Diego</td>
<td>5/14/2016</td>
<td>5/14/2021</td>
<td></td>
</tr>
<tr>
<td>City of San Marcos</td>
<td>7/10/2014</td>
<td>7/10/2019</td>
<td>Agency submitted QAP to Caltrans on 1/31/20.</td>
</tr>
<tr>
<td>City of Santee</td>
<td>10/10/2019</td>
<td>10/10/2024</td>
<td></td>
</tr>
<tr>
<td><strong>City of Solana Beach</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>City of Vista</td>
<td>6/23/2015</td>
<td><strong>6/23/2020</strong></td>
<td></td>
</tr>
<tr>
<td>County of San Diego</td>
<td>10/31/2019</td>
<td>10/31/2024</td>
<td></td>
</tr>
<tr>
<td>SD Association of Govts.</td>
<td>3/11/2016</td>
<td>3/11/2021</td>
<td></td>
</tr>
<tr>
<td><strong>Port of San Diego</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
# 2020 PREPARATION SCHEDULE

## CALIFORNIA TRANSPORTATION COMMISSION (CTC) MEETINGS

### AGENDA ITEM(S) DUE DATES

Prepared by:
OFFICE OF CTC LIAISON
DIVISION OF TRANSPORTATION PROGRAMMING
CALIFORNIA DEPARTMENT OF TRANSPORTATION

As of: August 2019

<table>
<thead>
<tr>
<th>2020 California Transportation Commission (CTC) Meeting Schedule</th>
<th>Local Agency Submits Off System Funds Requests, Program Amendments, and Time Extensions to Caltrans Districts</th>
<th>District Submits Off System and On System Requests to HQ Divisions</th>
<th>HQ Divisions Submit Final Off System and On System Requests to Budgets</th>
<th>Final Agenda Language Due From HQ Divisions to Office of CTC Liaison</th>
<th>Final Book Items Due from HQ Divisions to Office of CTC Liaison</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date and Location:</td>
<td>10:00 AM District &amp; CTC</td>
<td>10:00 AM HQ Divisions</td>
<td>5:00 PM Budgets</td>
<td>10:00 AM CTC Liaison</td>
<td>10:00 AM CTC Liaison</td>
</tr>
</tbody>
</table>

| Jan 29-30 - Sacramento Area | Mon, Dec 2, 19 | Mon, Dec 9, 19 | Fri, Dec 13, '19 | Fri, Dec 20, '19 | Tue, Dec 24, '19 |
| May 13-14 - San Diego | Mon, Mar 16, 20 | Mon, Mar 23, 20 | Mon, Mar 30, '20 | Wed, Apr 8, '20 | Thu, Apr 9, '20 |
| June 24-25 - Sacramento Area | Mon, Apr 27, 20 | Mon, May 4, 20 | Mon, May 11, '20 | Wed, May 20, '20 | Thu, May 21, '20 |

*No Scheduled Meeting in: February, April, July, September and November*
Preparation Schedule for California Transportation Commission (CTC) Allocation Requests

Please review the preceding schedule of deadlines to send allocation request packages for California Transportation Commission (CTC) approval by the June 2020 CTC meeting. When possible, do not wait to submit requests. All documents must be received by the Caltrans District 11 Office at least two months prior to the preferred CTC meeting date. Friday, March 13, 2020 is the next deadline (for the meeting in May 2020).

Local Roadway Safety Plan (LRSP) Application Status

Caltrans announced a Call for Local Roadway Safety Plan (LRSP) Applications on October 8, 2019. Funds were awarded to applicants on a “first-come, first-served” basis with no application deadlines. However, Caltrans must know how much funding is anticipated for these plans. Please notify the assigned Local Area Engineer about any interest in applying for this LRSP opportunity.

Highway Safety Improvement Program (HSIP) Cycle 11 (around April 2022) begins a requirement for the LRSP (or an equivalent) from any agency applying for HSIP project funds. To assist local agencies with LRSP development, a total of $10 million through the HSIP was set-aside and exchanged for state funds. Details regarding this Call for LRSP Applications are available through the following link-


January 21, 2020: Obligation Authority Plan (Cycle 21) for Federal FY 19/20 – PAST DUE!

An agency Obligation Authority Plan must indicate amount of federal dollars being obligated for each project by fund type and planned date of obligation (when a phase or phases of work are anticipated to be authorized and obligated). This Plan template with instructions are available through the following link –

https://dot.ca.gov/programs/local-assistance/projects/ab1012

Disadvantaged Business Enterprise (DBE) Running Tally Procedure: Office Bulletin (OB) 20-02

Effective March 1, 2020, after submitting an invoice for reimbursement that includes a payment to a DBE, no later than the 10th of the following month, the prime contractor/consultant shall complete and email the Exhibit 9-F: Disadvantaged Business Enterprise Running Tally of Payments to business.support.unit@dot.ca.gov (with a copy to local administering agencies).

Caltrans Division of Local Assistance OB 20-02 has further details (attachment).

Rescission of Patented or Proprietary Product Regulations: Office Bulletin (OB) 20-01

Effective October 28, 2019, local agencies are no longer required to submit LAPM Exhibit 12-F: Cost-Effective Determination/Public Interest Finding, for using patented or proprietary materials in Federal-aid highway projects. Federal funds participation will no longer be restricted when local agencies specify a trade name in Federal-aid contracts.

Caltrans Division of Local Assistance OB 20-01 has further details (attachment).

Caltrans Division of Local Assistance released OB 19-03, effective November 22, 2019, which implements LAPM Exhibit 9-D, Disadvantaged Business Enterprise (DBE) Contract Goal Methodology by setting DBE contract goals and providing simplified responsibilities for all stakeholders.

The following link has further details –

LAPM Ex. 10-C: New Online Process for Submission (Link to Details and the Instructions)

A new online database entry replaces the traditional way of completing a LAPM Exhibit 10-C –
http://www.localassistanceblog.com/2020/01/14/new-online-submission-process-exhibit-10-c

Using Cost Plus Fixed Fee on Architectural & Engineering (A&E) Contract and Escalation Rates

The cost-plus fixed fee is a payment method whereby a consultant is compensated for services on actual cost plus a negotiated fixed fee amount. Contracting agencies can maintain eligibility for federal-aid reimbursement by ensuring costs incurred or cost estimates from contract negotiation are allowable per the cost principles in 48 CFR part 31. When an objective assessment of the reasonableness of proposed rates in accordance with the cost principles has not been performed, the contracting agencies use of the consultant’s actual direct salary or wage rates is acceptable in negotiation, administration, and payment of the contract.

The following link has further details –

Division of Local Assistance Blog (LAB)

http://www.localassistanceblog.com

The Caltrans Local Assistance Blog (LAB) provides clarity on issues and contributes to the successful delivery of transportation projects using federal resources. Categories covered by the LAB include: Subsidized Classes for Local Agencies, Policy/Procedures, Program Guidelines, Training, Environmental Review, and Right of Way.

TRAINING

Weds., March 25, 2020 – Southern California Local Assistance Management Meeting (SCLAMM)

Caltrans welcomes the Federal Highway Administration, as well as local public agency staff from regions covered by SANDAG and the Southern California Association of Governments, to attend the semiannual Southern California Local Assistance Management Meeting (SCLAMM).

More information is forthcoming. SCLAMM will be held at the Caltrans District 7 Office located at 100 South Main St., Los Angeles, CA 90012.
Architectural & Engineering Contract Procurement Training Webinar Recording Now Available

This recording of a recently delivered class is now available online. Training focuses on Chapter 10 of the LAPM and provides an overview of step-by-step procedures that local agencies must follow to select and procure Architectural & Engineering service contracts related to State and federal aid highway projects. Click this link for the recording – https://www.youtube.com/watch?v=CtJGAh1iJc&feature=youtu.be

Subsidized Classes for Local Agencies

The California Local Technical Assistance Program is a jointly funded effort between Caltrans and the Federal Highway Administration to provide local governments with training, information, technology and direct assistance to help transportation infrastructure. Upcoming courses are listed at the following link – http://californialtap.org/index.cfm?pid=1077

Send any questions to the California Local Technical Assistance Program Center: californialtap@csus.edu

For questions about additional training opportunities, please contact the District 11 Local Assistance Training Coordinator, Alma Sanchez, via email at Alma.Sanchez@dot.ca.gov or by phone: 619-278-3735.

Title VI Nondiscrimination Program

A reminder that local agencies shall comply with all Title VI requirements. See LAPM Section 9.2, Title VI of the Civil Rights Act of 1964 (Title VI) and Related Statutes:

Title VI and the additional nondiscrimination requirements are applicable to all programs and activities administered by a recipient, in addition to programs receiving federal financial assistance, due to the Civil Rights Restoration Act of 1987. Nondiscrimination provisions apply to all programs and activities of federal-aid recipients, subrecipients, and contractors, regardless of tier (49 CFR part 21).

The requirements include providing and maintaining the following, as detailed in LAPM Section 9.2: Title VI Nondiscrimination Statement, Assurances (as part of the Master Agreement and Program Supplement Agreement), Designation of a Title VI Coordinator, Complaint Procedures, Data Collection, Training, Limited English Proficiency (LEP) accessibility, Dissemination of Information, Contracts and Agreements, Environmental Justice, Public Hearings and Meetings, Right-of-Way activities, Construction Contract Compliance, Monitoring, and others.

Note that an agency is subject to Title VI program and compliance review at any time.

Please note this new link, with guidance to local agencies for Title VI complaints - https://dot.ca.gov/programs/local-assistance/guidance-and-oversight/title-vi
Caltrans Division of Local Assistance has released the 2020 Local Assistance Procedures Manual (LAPM) and 2020 updates to the Local Assistance Program Guidelines (LAPG). All changes to the LAPM and LAPG have been documented in Local Programs Procedures 19-01 (LPP 19-01) and can be viewed here.

The LAPM helps California local agencies scope, organize, design, construct and maintain their public transportation facilities when participating in Federal Highway Administration (FHWA) funded federal-aid or state funding. The manual describes the processes, procedures, documents, authorizations, approvals and certifications required in order to receive federal-aid and/or state funds for many types of local transportation projects.

**2020 Local Assistance Procedures Manual (LAPM)**

- To view the 2020 LAPM in its entirety, click here.
- To view the 2020 LAPM by individual chapter, click here.

The LAPG provides local project sponsors with a complete description of the federal and state programs available for financing local public transportation-related facilities. Each program is discussed in detail by chapter and addresses such topics as: project eligibility, project selection process, funding levels, key decision makers, significant dates, relevant statutory references and related publications.

**2020 Local Assistance Program Guidelines (LAPG)**

- To view the 2020 updates to the LAPG, click here.
Disadvantaged Business Enterprise (DBE) Running Tally Procedure

I. BACKGROUND

Title 49 of the Code of Federal Regulations (CFR), Part 26.37(c) requires recipients of federal-aid funding to “provide a running tally of actual attainments¹, including a means of comparing these attainments to commitments.” This requirement does not apply to projects that do not have federal funding.

II. POLICY

To comply with 49 CFR 26.37(c), the prime contractor/consultant must complete the Exhibit 9-F: Disadvantaged Business Enterprise Running Tally of Payments until all DBE subcontracting or material supply activity on the entire project is completed.

III. PROCEDURE

Effective March 1, 2020, after submitting an invoice for reimbursement that includes a payment to a DBE, but no later than the 10th of the following month, the prime contractor/consultant shall complete and email the Exhibit 9-F: Disadvantaged Business Enterprise Running Tally of Payments to business.support.unit@dot.ca.gov with a copy to local administering agencies. Exhibit 9-F lists accurate payment amount, total amount paid to date, and total commitment amount for each DBE on the federal-aid highway project. It also includes contract award amount and total payment to date to the prime contractor/consultant.

The following flowchart shows the process of generating the Running Tally of Actual Attainment summary report once the Exhibit 9-F is submitted.

¹ e.g., payments actually made to DBE firms
IV. APPLICABILITY/IMPACTS

This policy applies to all federal-aid highway projects with DBE participation.

Recommended:  
Original Signature By  
Hau Doan, Policy Liaison Engineer  
Office of Guidance and Oversight  
02/11/2020  
Date

Approved:  
Original Signature By  
Felicia Haslem, Acting Office Chief  
Office of Guidance and Oversight  
02/11/2020  
Date

Attachments:  
- Exhibit 9-F: Disadvantaged Business Enterprise Running Tally of Payments  
- Sample Output: Running Tally of Attainments Summary Reports
Rescission of Patented or Proprietary Product, Specification and Process Regulations, 23 CFR 635.411 (a)-(e)

I. BACKGROUND

On September 27, 2019, the Federal Highway Administration (FHWA) issued a final rule in the Federal Register rescinding the requirements in 23 CFR 635.411 (a)-(e) that limit the use of Federal funds in paying for patented or proprietary materials, specifications, or processes specified in project plans and specifications. It is believed that rescinding the regulations will provide greater flexibility and encourage innovation in the development of highway transportation technology and methods.

II. POLICY

Effective October 28, 2019, local agencies are no longer required to submit Exhibit 12-F: Cost-Effective Determination/Public Interest Finding, for using the patented or proprietary materials in Federal-aid highway projects. Federal funds participation will no longer be restricted when local agencies specify a trade name in Federal-aid contracts. In addition, Federal-aid participation will no longer be restricted when a local agency specifies patented or proprietary materials in design-build Request-for-Proposal documents.

III. APPLICABILITY / IMPACTS

This Office Bulletin applies to all aspects of the Federal-aid program including, but not limited to, traffic operations, safety, geotechnical, and structural engineering. This change in Federal regulation does not, however, affect State requirements for the use of patented or proprietary products. For State requirements on the use of patented or proprietary products, please refer to California Public Contract Code 3400.

The following table lists the changes to the January 2020 LAPM and associated Exhibits that take effect with the publication of this Office Bulletin. Changes to the LAPM listed in the table will be incorporated into the January 2021 Local Programs Procedure (LPP); changes to the Exhibits will be incorporated and released as February 2020 versions.
<table>
<thead>
<tr>
<th>Chapter Section / Exhibit</th>
<th>Description of Changes that supersede current publications</th>
</tr>
</thead>
<tbody>
<tr>
<td>LAPM 2.8</td>
<td>• Removal of proprietary items in the “Restricted Construction Contract Provisions” section.</td>
</tr>
</tbody>
</table>
| LAPM 12.11               | • Revision of Proprietary Items section  
• Removal of the following sections:  
  ▪ “Public Interest Finding”  
  ▪ “Certification”  
  ▪ “Other Proprietary Item Considerations” |
| LAPM 16.10               | • Removal of two bullets for nonparticipating items |
| LAPM 20.2                | • Removal of “use of patented/proprietary materials” for ER projects bullet |
| Exhibit 2-B              | • Removal of PIF – Use of proprietary products and processes in Chapter 12 section |
| Exhibit 12-D             | • Removal of Section XIII, (E) Proprietary Items |
| Exhibit 12-E             | • Removal of Section XIII, (E) Proprietary Items |
| Exhibit 12-F             | • Removal of Proprietary related statements / certification |

Recommended:  

Original Signature By  
Kitae Nam, Senior Transportation Engineer  
Office of Guidance & Oversight  
02/06/2020  
Date

Approved:  

Original Signature By  
Felicia Haslem, Chief (Acting)  
Office of Guidance & Oversight  
02/06/2020  
Date
SAVE THE DATE
Southern California Local Assistance Management (SCLAM) Meeting

Wednesday March 25, 2020 from 9:00 AM to 3:00 PM
Caltrans, District 7, at 100 S. Main, Los Angeles, CA 90012
Registration information and Agenda to follow at a later date.