**BOARD OF DIRECTORS**

**AGENDA**

Friday, November 19, 2004
9 a.m.
SANDAG
401 B Street, 7th Floor
Downtown San Diego

**AGENDA HIGHLIGHTS**

- PROPOSITION A ELECTION RESULTS
- PROGRESS REPORT ON AGENCY CONSOLIDATION
- IMPLEMENTING THE REGIONAL COMPREHENSIVE PLAN

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**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 Board on any item at the time the Board is considering the item. Request to Speak forms are located in the rear of the room. Once completed, the form should be presented to the Clerk of the Board seated at the front table. Public speakers should notify the Clerk of the Board if they have a handout for distribution to Board members. Members of the public also are invited to address the Board on any issue under the agenda item entitled Public Comments/Communications. All speakers are limited to three minutes. The SANDAG Board may take action on any item appearing on the agenda.

This agenda and related staff reports can be accessed on SANDAG’s Web site at www.sandag.org under Meetings. Public comments regarding the agenda can be forwarded to SANDAG via the e-mail comment form also available on the Web site. E-mail comments should be received no later than noon on the Wednesday preceding the Friday SANDAG Board meeting.

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SANDAG offices are accessible by public transit. Phone 1-800-COMMUTE or see www.sdcommute.com for route information.
+1. APPROVAL OF OCTOBER 22, 2004, MEETING MINUTES
   APPROVE

2. ADDITIONS AND DELETIONS

3. 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 also may provide information and announcements under this agenda item.

CONSENT ITEMS (4 through 10)

+4. ACTIONS FROM POLICY ADVISORY COMMITTEES
   APPROVE

+5. AMENDMENTS TO CONFLICT OF INTEREST CODE (Julie Wiley)
   APPROVE

The agenda report recommends the approval for filing of proposed amendments to SANDAG’s Conflict of Interest Code with the County of San Diego. The proposed amendments reflect necessary updates to the list of designated positions subject to filing annual economic disclosure statements and the financial disclosure categories applicable to such designated positions.

+6. QUARTERLY INVESTMENT REPORT (Marlene Kelleher)
   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 September 30, 2004, including funds of the San Diego County Regional Transportation Commission, SourcePoint, and ARJIS.

+7. REPROGRAMMING OF FEDERAL TRANSIT ADMINISTRATION (FTA) CAPITAL FUNDS/TRANSIT CAPITAL PROJECT BUDGET AMENDMENTS (Susan Brown)
   APPROVE

As part of an annual grants review, SANDAG staff and MTS staff have identified approximately $1.2 million from completed projects that can be transferred to new projects which would include rehabilitation/painting of light rail transit vehicles, rehabilitation of traction motors, renovation of MTS office space, and implementation of the MTS Comprehensive Operational Analysis (COA). The funds for the COA would supplement the existing budget and a newly approved Caltrans grant for this purpose. The Transportation Committee recommended that the SANDAG Board take three actions: 1) approve proposed budget amendments and reprogramming of older grant funds; 2) adopt Resolution No. 2005-10, authorizing the Executive Director to receive the Caltrans grant for the MTS COA; and 3) authorize the Executive Director to execute a Memorandum of Understanding to transfer funds to MTS for payment of costs associated with the COA.
+8. UPDATED PUBLIC PARTICIPATION POLICY (Anne Steinberger) APPROVE

The Board authorized the distribution of the updated Public Participation Policy (No. 025) for a 45-day public review and comment period at its September 24, 2004, meeting. Comments were received from jurisdictions, agencies, and individuals. Staff responded to all comments and revised the final Public Participation Policy as needed. This policy will serve as an umbrella policy for construction, transit service and fare changes, and Native American Consultation. A summary of all comments received and the final Public Participation Policy are attached to the agenda report.

+9. UPGRADE OF KEY ADMINISTRATIVE AND FINANCE POSITIONS (Leslie Campbell) APPROVE

A Classification and Compensation Study is being conducted as the result of the consolidation of the transit agencies. In the interim, there have been several recruitment failures due to a noncompetitive salary scale. The Executive Committee recommended that the Board approve early implementation of four key position upgrades: Human Resources Manager, Finance Manager, and two Associate Accountant positions.

+10. QUARTERLY PROGRESS REPORT ON TRANSPORTATION PROJECTS APRIL-JUNE 2004 (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.

CHAIR’S REPORT

11. RECOGNITION OF RETIRING BOARD MEMBER RAMONA FINNILA (Chair Mickey Cafagna)

The Board will recognize retiring Board member Ramona Finnila, Carlsbad Mayor Pro Tem, for her service and contributions to the region and SANDAG.

+12. 2005 ANNUAL RETREAT (Vice Chair Mary Sessom) APPROVE

The annual retreat is scheduled for February 9, 10, and 11, 2005. The primary objective of this meeting is to afford participants the opportunity to discuss strategies for some of the agency’s more important regional policies and programs. From these retreat discussions, participants can develop ideas for the future direction of the agency. The primary topics for the retreat are recommended by the Executive Committee.

13. REPORT ON AMERICAN PUBLIC TRANSPORTATION ASSOCIATION (APTA) ANNUAL MEETING (Councilmember Ron Morrison) INFORMATION

Board members who attended the APTA Annual Meeting on October 10-14, 2004, will summarize the event and provide comments.
14. REPORT ON THE UCLA EXTENSION ARROWHEAD SYMPOSIUM ON GOODS MOVEMENT (Mayor Lori Holt Pfeiler)

Lori Holt Pfeiler and other Board members who attended the October 24 and 25, 2004, symposium on goods movement will provide comments.

REPORTS

+15. TransNet Extension – PROPOSITION A ELECTION RESULTS (Craig Scott)

On November 2, 2004, the voters of the region expressed their opinion on the extension of the TransNet program. An analysis of the election results will be presented in terms of the level of support by subarea of the region. In addition, preliminary information will be provided regarding why voters responded in support or opposition of Proposition A.

+16. PROPOSED AMENDMENTS TO BYLAWS AND BOARD POLICIES (Vice Chair Mary Sessom)

The attachments to this report show tracked proposed amendments to SANDAG’s Bylaws and Board Policies. These proposed amendments were discussed by the Executive Committee at its October and November meetings and are recommended for approval by the Board by the Executive Committee.

+17. DRAFT REPORT ON CONSOLIDATED AGENCY PURSUANT TO SENATE BILL 1703, AMENDED BY ASSEMBLY BILL 361 (Councilmember Ron Morrison)

Senate Bill (SB) 1703, amended by Assembly Bill (AB) 361, requires the consolidated agency, SANDAG, to submit to the Governor and Legislature a progress report by December 31, 2004, and each even-numbered year thereafter. This first draft report expands upon the preliminary draft report presented to the Board in January 2004 and focuses on progress made in implementing the provisions of SB 1703, identifies findings related to consolidation, and celebrates accomplishments faced over the last two years and identifies future challenges. The draft report is presented today for discussion to be brought back in December prior to submittal to the Governor and Legislature.

+18. REGIONAL COMPREHENSIVE PLAN AND REGIONAL TRANSPORTATION PLAN INTEGRATION (Mayor Lori Holt Pfeiler and Mayor Joe Kellejian)

A. APPROACH FOR INTEGRATING THE IMPLEMENTATION OF THE REGIONAL COMPREHENSIVE PLAN (RCP) AND THE UPDATE OF THE REGIONAL TRANSPORTATION PLAN (RTP) – The RCP identifies a number of strategic initiatives that are critical to achieving the plan’s goals and policy objectives. These include a smart growth incentive program, an updated Regional Housing Needs Assessment, land use and transportation performance indicators and targets, a smart growth concept map, an updated regional growth forecast, and an update to the RTP. This item summarizes the proposed approach for implementing core RCP strategic initiatives and integrating them with the upcoming RTP update. The Regional Planning and Transportation Committees have reviewed the approach, and staff will report on their comments at the Board meeting. The SANDAG Board is asked to approve the proposed approach.
+18. REGIONAL COMPREHENSIVE PLAN AND REGIONAL TRANSPORTATION PLAN INTEGRATION (Mayor Lori Holt Pfeiler and Mayor Joe Kellejian)

B. CREATION OF NEW REGIONAL PLANNING STAKEHOLDERS WORKING GROUP – The Regional Planning and Transportation Committees recommend that SANDAG establish a new Regional Planning Stakeholders Working Group (SWG) to provide interested residents with a direct mechanism for involvement in RCP implementation and the RTP update. This item describes the proposed SWG’s roles and responsibilities, and the process for selecting and appointing members. The SANDAG Board is asked to approve the creation of the SWG, which would act in an advisory capacity to the Regional Planning and Transportation Committees.

+19. ANNUAL TRANSPORTATION DEMAND MANAGEMENT (TDM) REPORT (Ray Traynor) INFORMATION/POSSIBLE ACTION

SANDAG staff will give an annual report on progress made with our TDM program. The presentation will include projects such as rideshare/vanpool, Flexcar, and overall strategies to improve mobility throughout the region.

20. UPCOMING MEETINGS INFORMATION

The next meeting is scheduled for Friday, December 17, 2004, at 9 a.m.

21. ADJOURNMENT

GARY L. GALLEGOS
Executive Director
BOARD OF DIRECTORS DISCUSSION AND ACTIONS
October 22, 2004

Chairman Mickey Cafagna (Poway) called the meeting of the SANDAG Board of Directors to order at 9:06 a.m. The attendance sheet for the meeting is attached.

1. APPROVAL OF MINUTES

Action: Upon a motion by Councilmember Christy Guerin (Encinitas) and a second by Councilmember Patricia McCoy (Imperial Beach), the SANDAG Board of Directors approved the minutes from the September 24, 2004, meeting.

2. ADDITIONS AND DELETIONS

There were no additions or deletions to the agenda.

3. PUBLIC COMMENTS/COMMUNICATIONS/MEMBERS COMMENTS

Chuck Lungerhausen, a member of the public, commented that if Proposition A does not receive the two-thirds required vote for passage, he will contemplate moving to a more transit-funded and friendly area. Other people may be similarly affected, especially those directly employed by public transportation agencies. There would also be a domino effect on related industries and employees. He asked if SANDAG has determined the number of people who will be affected and the tourist dollars lost if adequate bus and trolley service is not provided in the future. He felt that one reason why all of the goals contained in the original TransNet measure in 1987 were not achieved was the major state funding that was spent on earthquake retrofit work on many freeway and road bridges during Governor Pete Wilson’s term.

Chair Cafagna introduced two guests: Admiral Gary Engel and Elliott Parks.

CONSENT ITEMS (4 through 5)

Chair Cafagna indicated that a member of the public asked that item 4 be pulled from the agenda to allow comment.
4. ACTIONS FROM POLICY ADVISORY COMMITTEES (APPROVE)

Deborah Knight, representing the Friends of Rose Canyon and UC Golden, stated that both organizations are deeply involved in the Regents Road Bridge project. This project has been under study for ten years and seven different alternatives have been developed. In four of the alternatives, the Regents Road Bridge project would never be built. If SANDAG approved funds for the Regents Road Bridge project that would send a message to the community that this project would move forward without equal consideration of all of the alternatives. They are asking that the title of this project be changed to the University City North-South Corridor Transportation project. That way, funds could be used for any alternative that is ultimately selected. If the City is requesting funding for this project, it is “double dipping” as much of the cost of this project has been funded by Federal Transit Administration (FTA) monies. She asked that this item be deferred or the title changed.

Gary Gallegos, Executive Director, said that this item was brought up at the October 15, 2004, Transportation Committee meeting, on an item related to an amendment to the Regional Transportation Improvement Program (RTIP). This item was brought to SANDAG by the City of San Diego for the use of its local TransNet dollars. Approval of the RTIP amendment does not preclude the RTIP from being amended again once a decision is made on a project selection. The Transportation Committee action did not endorse any of the alternatives. The City of San Diego representative, Councilmember Jim Madaffer, who was present at that meeting, had no problem with changing the name of the project, but felt that as the City proceeded through the Environmental Impact Report (EIR) process and an alternative is selected, then the City would ask that SANDAG adjust the RTIP as necessary.

5. ANNUAL MEETING CALENDAR (APPROVE)

Councilmember Jack Feller (Oceanside) asked why the Board Retreat was not included on the 2005 meeting calendar. He also asked for confirmation of the Retreat dates. Mr. Gallegos replied that next year’s Board Retreat is scheduled for February 9-11, 2005.

Action: Upon a motion by Councilmember Guerin and second by Councilmember McCoy, the SANDAG Board voted to approve Consent Item Nos. 4 through 5. Yes – 16 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (0%). Absent – County of San Diego, City of San Diego, and Santee.

3. PUBLIC COMMENTS/COMMUNICATIONS/MEMBERS COMMENTS (Continued)

Chair Cafagna announced that Leon Williams, Chair of the Metropolitan Transit System (MTS), was the recipient of the American Public Transportation Association’s (APTA’s) 2004 Transit Board Member of the Year award. Mr. Williams received this award in recognition of his tremendous service as a transportation leader.

Mayor Joe Kellejian (Solana Beach) noted that this was a national award presented at APTA’s Annual Meeting, and we in San Diego are fortunate to have Leon Williams as a member of our team.
6. LOCAL TECHNICAL ASSISTANCE ANNUAL REPORT--FY 2004 (INFORMATION)

Karen Lamphere, Principal Regional Planner, reported that the Local Technical Assistance (LTA) program has been part of SANDAG’s Overall Work Program (OWP) for over 25 years. The report focused on the recent LTA projects and services available to member agencies. A total of 72 projects were conducted in Fiscal Year (FY) 2004, about the same number as last year. About two-thirds of these projects were done at no cost to the requesting agency. Compiling, analyzing, and mapping geographic and economic information comprise the greatest number of LTA projects. Other projects larger in scope are subarea transportation modeling and analysis projects and survey design and analysis. Ms. Lamphere provided examples of how local agencies have used the LTA program.

Ms. Lamphere explained that on-line applications improve access to SANDAG data and provide tools to use and analyze information. She displayed examples of some of the information that is available including customized maps of census data for both sides of the border and census, current, and forecast data and reports for many geographic areas. She also told Board members how to learn more about the LTA program on the Web. There are several mechanisms in place to provide information about the LTA program including a special “Technical Assistance to Members” section on the Web site, LTA workshops that are part of the agency’s Technical Workshop series, and on-site presentations about the LTA program. Finally, the LTA News is published annually highlighting new or updated information, interactive applications, and services available through the LTA program.

Ms. Lamphere mentioned that the SourcePoint Board is discussing the possibility of putting these services as well as some others under one service bureau umbrella.

Mayor Pro Tem Ramona Finnila (Carlsbad) asked who uses the REDI (Regional Economic Development Information) system the most. Ms. Lamphere responded that it is widely used by both private and public entities.

Mayor Kellejian asked if this information was available to other entities such as the water districts, the military, and Mexico. Ms. Lamphere replied affirmatively.

Mayor Kellejian asked that everyone be notified of the upcoming workshops.

Councilmember Jack Feller (Oceanside) asked about the project conducted for the Oceanside Fire Department. Ms. Lamphere said that after the fire in October 2003, the Oceanside Fire Department wanted to specifically look for slope areas within the city and their relationship to fire station locations to determine travel time information. Councilmember Feller asked for that map to be sent to him.

Chair Cafagna commented that this is one of the most useful services that SANDAG has been providing for years. He has been using it for a long time.

Action: This item was presented for information only.
7. REGIONAL FARE POLICY AND COMPREHENSIVE FARE ORDINANCE (ADOPT)

Mayor Kellejian stated that under regional consolidation, SANDAG is responsible for adopting three things: a regional transit fare policy, establishing a regional fare structure, and setting transit fares. The transit agencies and the Transportation Committee have reviewed and considered the proposed fare policy that establishes the guiding principles for fare setting. The Transportation Committee is recommending that the Board adopt the Regional Fare Policy. The objective of the fare policy is to have a single fare system so passengers can travel and transfer easily between transit operators throughout the region. He noted that a regional fare policy has been in place in San Diego County for 25 years through an agreement among all of the transit operators through mutual agreement. This policy continues that tradition and policy under the SANDAG umbrella of regional transit coordination.

Toni Bates, Division Director of Transportation, reported that this fare policy has five guiding principles:

- Regional Participation - for the policy to be effective, it is necessary for all transit agencies and operators to participate. The policy outlines the mechanisms that allow that participation.

- Production – the goal of this principle is that fare revenues should meet or exceed the level necessary to support the level of service provided given the recurring public subsidies available.

- Fairness – the policy must be fair and equitable to all transit operators and passengers within the region.

- Simplicity – the purpose of the fare policy is to promote seamless travel throughout the region by developing one common and easily-understood fare structure.

- Responsibilities – SANDAG, the transit agencies, and transit operators all have roles and responsibilities to ensure successful implementation of the Regional Fare Policy. The Policy outlines the individual responsibilities of each of the agencies involved in fare structure implementation.

She stated that there is a companion document to the policy, which is the Comprehensive Fare Ordinance. Staff will present this Ordinance to the Transportation Committee in early 2005. The purposes of the Comprehensive Fare Ordinance are to outline the fare structure, establish fare revenues, set pass sales commissions, and set ongoing special fares. Any fare structure changes are reviewed and adopted during the annual budget process. This Ordinance will replace the current Uniform Fare Structure Agreement. Ms. Bates noted that the transit agencies have the authority and ability to set special events fares and fares for temporary promotional events.

Ms. Bates reviewed the process for fare changes. The Regional Fare Structure Working Group reviews the fare ordinance and proposes revisions, the transit agency boards provide input, SANDAG holds a public hearing, and the transit agencies/operators implement the fare structure changes and enforce the fare ordinance.
Chair Cafagna asked what the basic differences are between this policy and the policies of the transit agencies prior to this. Ms. Bates replied that there are a lot of similarities, but key provisions in this policy include a statement that fares should generally try to cover the unsubsidized cost of operation and keep pace with operating costs and inflation. Another key provision of the SANDAG policy includes the establishment of goals for the farebox recovery ratio for each transit agency. Those goals would be a guide for how to evaluate fare changes each year.

Mayor Pro Tem Monroe complimented Ms. Bates and her staff for doing a wonderful job on this policy.

Mayor Kellejian expressed his appreciation for the assistance of the transit agencies in the development of this policy.

Action: Upon a motion by Mayor Kellejian and a second by Councilmember Guerin, the SANDAG Board adopted Board Policy No. 029, the Regional Fare Policy and Comprehensive Fare Ordinance. Yes -16 (weighted vote, 100%). No - 0 (weighted vote, 0%). Abstain - 0 (0%). Absent - County of San Diego, City of San Diego, and Santee.

3. PUBLIC COMMENTS/COMMUNICATIONS/MEMBERS COMMENTS (Continued)

Councilmember Bud Lewis announced that area city councils will soon be making appointments to the County Water Authority. He requested that they each consider appointing an elected official as their representative.

8. UPCOMING MEETINGS

The next regular Board of Directors business meeting is scheduled for Friday, November 19, 2004.

13. ADJOURNMENT

The meeting was adjourned at 9:43 p.m.

GARY L. GALLEGOS
Secretary

DGunn/M/DGU
# ATTENDANCE
## SANDAG BOARD OF DIRECTORS’ MEETING
### OCTOBER 22, 2004

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**ADVISORY MEMBERS LISTED BELOW (ATTENDANCE NOT COUNTED FOR QUORUM PURPOSES)**

- Caltrans: Bill Figge (Alternate) Yes
- MTDB: Leon Williams (Member) Yes
- NCTD: Judy Ritter (Member) Yes
- Imperial County: Victor Carrillo (Member) No
- US Dept. of Defense: CAPT Daniel King (Member) Yes
- SD Unified Port District: Jess Van Deventer (Member) No
- SD County Water Authority: Bud Lewis (Alternate) Yes
- Baja California/Mexico: Luis Cabrera Cuaron (Member) Yes

Last Revised 11/15/2004 7:57 AM
The following actions were taken by the Policy Advisory Committees (PACs) since the last Board meeting. Actions printed in bold typeface must be ratified by the Board of Directors to be effective.

Executive Committee (November 5, 2004)

The Executive Committee took the following actions or recommended the following approvals:

- Recommended that the Board reaffirm the agency’s commitment to an Equal Employment Opportunity (EEO) Program to actively recruit, hire, train, and promote all applicants and employees without regard to race, color, religion, ancestry, national origin, gender, age, marital status, medical condition, sexual orientation, or disability.

- Approved an amendment to the FY 2005 Program Budget and OWP for the Criminal Justice Research Division, which accepts $130,500 from Family Health Centers of San Diego to evaluate an HIV behavior change campaign.

- Effective January 2005, SANDAG will begin to implement new distribution methods for agenda materials for the Board and Policy Advisory Committee (PAC) meetings. These new methods will include e-mail notification or compact disc (CD) distribution. All Board members and alternates will continue to receive printed (hard) copies of all agenda materials. Those parties interested in receiving traditional hard copies of agendas and supplemental materials may subscribe on an annual basis to receive agenda materials. The SANDAG Web site includes the Board and PAC agenda materials, Board Actions, meeting minutes, and voting results. As always, printed materials will continue to be available at each Board and PAC meeting for interested members of the public.

- Recommended that the Board approve early implementation of four key position upgrades in the Finance Department: Human Resources Manager, Finance Manager, and two Associate Accountant positions.

- Recommended that the Board approve the following topics of discussion for the 2005 Annual
SANDAG Board Retreat: TransNet, public safety, and integrating the RCP with the RTP.

- Recommended that the SANDAG Board approve the amended Bylaws and Board Policies 001, 002, 003, 004, 007, 008, 009, 016, 017, and 026.

Regional Planning Committee (November 5, 2004)

The Regional Planning Committee took the following actions or recommended the following approvals:

- Approved the approach for integrating the Regional Comprehensive Plan (RCP) and Regional Transportation Plan (RTP) activities outlined in the staff report, and approved Mayor Maggie Houlihan and Supervisor Pam Slater-Price as the two representatives from the Regional Planning Committee (RPC) to serve on the selection panel for the Regional Planning Stakeholders Working Group.

- Approved the proposed approach for the Pilot Smart Growth Incentive Program.

Transportation Committee (November 12, 2004)

The Transportation Committee took the following actions or recommended the following approvals:

- Recommended that the SANDAG Board: (1) approve proposed budget amendments and reprogramming of older grant funds; (2) adopt Resolution No. 2005-10, authorizing the Executive Director to receive the Caltrans grant for the Metropolitan Transit System (MTS) Comprehensive Operational Analysis (COA); and (3) authorize the Executive Director to execute a Memorandum of Understanding to transfer funds to MTS for payment of costs associated with the COA.

- Approved the approach for integrating the RCP and RTP activities outlined in this report.

- Approved Councilmember Jim Madaffer (City of San Diego), Mayor Pro Tem Phil Monroe (South County), and Councilmember Judy Ritter (North San Diego County Transit Development Board) as the three representatives from the Transportation Committee to serve on the selection panel for the Regional Planning Stakeholders Working Group.

Public Safety Committee (November 12, 2004)

The Public Safety Committee took the following actions or recommended the following approvals:

- Approved the use of up to $16,000 in ARJIS start-up funds to hire a consultant to conduct a needs assessment, the preliminary results of which will be presented to the Chiefs'/Sheriff's Management Committees and the Public Safety Committee in January 2005, as well as at the SANDAG Board Retreat in February 2005.

Borders Committee (November 19, 2004)

Actions from this meeting will be reported in December 2004.

GARY L. GALLEGOS
Executive Director
AMENDMENTS TO CONFLICT OF INTEREST CODE

Introduction

Changes need to be made to SANDAG’s Conflict of Interest Code to reflect updates to existing job titles and the addition of job titles coming to SANDAG due to the consolidation of employees under Senate Bill (SB) 1703. The County of San Diego is the reviewing body for SANDAG’s Conflict of Interest Code pursuant to Government Code section 87306.5. The Board approved the Notice and Proposed Amendment for distribution at its September 10, 2004, meeting.

Discussion

This Amendment reflects necessary updates to the list of designated positions subject to filing annual economic disclosure statements and the financial disclosure categories applicable to such designated positions as a result of SB 1703. An introductory section has also been added to the Code to clarify its intent. The disclosure categories in Appendix B will remain unchanged, but it is attached for ease of reference.

Distribution of the Notice and Proposed Amendment and commencement of the public comment period began immediately following the Board’s determination to accept those documents for distribution at its September meeting. Notice of the Proposed Amendment was published in the San Diego Union. The public comment period ended on November 12, 2004. No public comment or request for public hearing was received.

If the Board accepts the Proposed Amendment for filing, staff will submit it to the County of San Diego. Those persons who need to submit an update to their initial statement via an annual statement, must do so no later than March 31, 2005. All persons listed in SANDAG’s Conflict of Interest Code will be informed of their submission requirements on a timely basis by staff.

Recommendation

That the Board of Directors approve the Proposed Amendments to the Conflict of Interest Code for filing with the County of San Diego.

GARY L. GALLEGOS
Executive Director

Attachment

Key Staff Contact: Julie D. Wiley,
(619) 699-6966, jwi@sandag.org

No Budget Impact
NOTICE OF INTENTION TO AMEND SANDAG’S EXISTING CONFLICT OF INTEREST CODE

New positions have been added to SANDAG’s staff and the duties for other positions have been broadened to include more significant involvement in the processes SANDAG uses to select and contract with consultants, contractors, and vendors. Renaming and realignment of some of SANDAG’s committees has led to inclusion of the members of SANDAG’s five policy committees as designated positions. Additionally, many job titles have been modified or added. Therefore, additional positions need to be added to the list of designated persons. An introductory section is also proposed in order to clarify the purpose of the Code. SANDAG has prepared a written explanation of the reasons for the additional designations and the disclosure responsibilities and has available all of the information upon which its proposal is based.

A copy of the proposed amendments to the Conflict of Interest Code, including the titles of the additional designated employee positions, committee positions, and firms, is either attached to this Notice or available upon request. Written comments, oral inquiries, and all other requests concerning the proposed amendment to the Code may be submitted to: Julie Wiley, Deputy General Counsel, SANDAG, 401 B Street, Suite 800, San Diego, CA 92101, (619) 699-6966. Written comments must be received by the close of the written comment period in order for them to be considered by SANDAG before it amends its Conflicts of Interest Code. The closing date for the written comment period is October 25, 2004.

Any interested person or his or her duly authorized representative may request, no later than 15 days prior to the close of the written comment period, a public hearing on SANDAG’s proposed amended Conflict of Interest Code.
CONFLICT OF INTEREST CODE

The Political Reform Act, Government Code Sections 81000, et seq., requires SANDAG to adopt and promulgate a Conflict of Interest Code. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs. Section 18730, which contains the terms of a standard model Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 Cal. Code of Regs. Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission along with the attached Appendices in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code of SANDAG.

The persons holding positions listed in the Appendix are designated employees or officials. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on financial interests. Designated persons shall file statements of economic interests with SANDAG when assuming or leaving their position and annually while holding the position. SANDAG will make the statements available for public inspection and reproduction. (Gov. Code Section 81008). Statements for all designated employees will be retained by SANDAG and the County of San Diego.
### APPENDIX A

<table>
<thead>
<tr>
<th>Designated Positions</th>
<th>Disclosure Categories</th>
</tr>
</thead>
<tbody>
<tr>
<td>Members and alternate members of the Board of Directors</td>
<td>1, 2</td>
</tr>
<tr>
<td>Members and alternate members of the Five Policy Committees</td>
<td>1, 2</td>
</tr>
<tr>
<td>Executive Director</td>
<td>1, 2</td>
</tr>
<tr>
<td>Chief Deputy Executive Director</td>
<td>1, 2</td>
</tr>
<tr>
<td>General Counsel and Deputy General Counsel</td>
<td>1, 2</td>
</tr>
<tr>
<td><strong>Director of Administration</strong></td>
<td>1, 2</td>
</tr>
<tr>
<td><strong>Director of Mobility Management &amp; Project Implementation</strong></td>
<td>1, 2</td>
</tr>
<tr>
<td><strong>Director of Finance</strong></td>
<td>1, 2</td>
</tr>
<tr>
<td><strong>Director of Land Use &amp; Transportation Planning</strong></td>
<td>1, 2</td>
</tr>
<tr>
<td><strong>Director of Technical Services</strong></td>
<td>1, 2</td>
</tr>
<tr>
<td><strong>Division Directors</strong></td>
<td>3, 4</td>
</tr>
<tr>
<td><strong>Chief Economist</strong></td>
<td>3, 4</td>
</tr>
<tr>
<td>Special Projects Director</td>
<td>3, 4</td>
</tr>
<tr>
<td>Administrative Services Manager</td>
<td>3, 4</td>
</tr>
<tr>
<td><strong>Human Resources Manager</strong></td>
<td>3, 4</td>
</tr>
<tr>
<td><strong>Administrative Analyst</strong></td>
<td>3, 4</td>
</tr>
<tr>
<td><strong>Senior Planner</strong></td>
<td>3, 4</td>
</tr>
<tr>
<td>Associate Research Technician/Analyst</td>
<td>3, 4</td>
</tr>
<tr>
<td><strong>Associate Planner</strong></td>
<td>3, 4</td>
</tr>
<tr>
<td><strong>Senior Engineer</strong></td>
<td>3, 4</td>
</tr>
<tr>
<td><strong>Contracts &amp; Procurement Manager</strong></td>
<td>1, 2</td>
</tr>
<tr>
<td><strong>Associate Engineer</strong></td>
<td>3, 4</td>
</tr>
<tr>
<td>Senior Technician</td>
<td>3, 4</td>
</tr>
<tr>
<td>-------------------</td>
<td>-----</td>
</tr>
<tr>
<td>Financial Services Manager</td>
<td>3, 4</td>
</tr>
<tr>
<td>Contracts/Procurement Specialist</td>
<td>3, 4</td>
</tr>
<tr>
<td>Office Services Specialist</td>
<td>3, 4</td>
</tr>
<tr>
<td>Communications Design Supervisor</td>
<td>3, 4</td>
</tr>
<tr>
<td>Information Systems Manager</td>
<td>3, 4</td>
</tr>
<tr>
<td>Senior Analyst</td>
<td>3, 4</td>
</tr>
<tr>
<td>Principal Planner/Project Manager</td>
<td>3, 4</td>
</tr>
<tr>
<td>Government Relations Director</td>
<td>1, 2</td>
</tr>
<tr>
<td>Executive Assistant</td>
<td>3, 4</td>
</tr>
<tr>
<td>Communications Coordinator</td>
<td>3, 4</td>
</tr>
<tr>
<td>Pass Sales Manager</td>
<td>3, 4</td>
</tr>
<tr>
<td>Financial Planning Administrator</td>
<td>3, 4</td>
</tr>
<tr>
<td>Principal Engineer</td>
<td>3, 4</td>
</tr>
<tr>
<td>Financial Planning &amp; Budgeting Manager</td>
<td>3, 4</td>
</tr>
<tr>
<td>Financial Analyst</td>
<td>3, 4</td>
</tr>
<tr>
<td>Business Development Manager</td>
<td>3, 4</td>
</tr>
<tr>
<td>Principal Information Systems</td>
<td>3, 4</td>
</tr>
<tr>
<td>Administrator of Systems Integration</td>
<td>3, 4</td>
</tr>
<tr>
<td>Information Systems Analyst</td>
<td>3, 4</td>
</tr>
<tr>
<td>Capital Development Manager</td>
<td>3, 4</td>
</tr>
<tr>
<td>Quality Control Management Specialist</td>
<td>3, 4</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Type of Consultant</th>
<th>Designated Firm Name / Job Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Financial Advisor</td>
<td>Public Financial Management</td>
</tr>
</tbody>
</table>
Positions shall be listed by the name or job title of each person classified as a “designated employee or official” in any contract in which SANDAG enters into with a person or business entity (whether or not a nonprofit entity) for the consulting services. Such a designation will be made in the contract with respect to any person who, in the opinion of SANDAG, may reasonably be expected to make, participate in making, or in any way attempt to use his/her position as a “consultant” to influence a governmental decision in which the person might reasonably be expected to have a financial interest.
When a designated person is required to disclose investments and sources of income, he or she need disclosing investments in business entities and sources of income that do business in SANDAG’s jurisdiction, plan to do business in the jurisdiction, or have done business in the jurisdiction in the past two years. In addition to other activities, a business entity is doing business within the jurisdiction if it owns real property within the jurisdiction. When a designated person is required to disclose interests in real property, he or she need only disclose real property that is located in whole or in part within or not more than two miles outside the boundaries of the jurisdiction or within two miles of any land owned or used by SANDAG.

Persons designated in Appendix A shall disclose their financial interests pursuant to the appropriate disclosure categories described in the table below.

<table>
<thead>
<tr>
<th>Disclosure Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>All investments and sources of income.</td>
</tr>
<tr>
<td>2</td>
<td>All interests in real property.</td>
</tr>
<tr>
<td>3</td>
<td>All investments, interest in real property, and sources of income subject to the authority of SANDAG.</td>
</tr>
<tr>
<td>4</td>
<td>Investments in business entities and sources of income of the type which, within the past two years, have contracted with SANDAG to provide services, supplies, materials, or equipment.</td>
</tr>
</tbody>
</table>
QUARTERLY INVESTMENT REPORT – PERIOD ENDED SEPTEMBER 30, 2004

Background

The California Government Code 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 September 30, 2004, including funds of the San Diego County Regional Transportation Commission, SourcePoint, and ARJIS. The cash and investments of ARJIS are held by the City of San Diego. Those funds are currently undergoing an audit by an Independent CPA firm, which is scheduled to be completed by the end of the calendar year. As a result, the specific amount of cash and investments related to ARJIS is not currently available for inclusion in the report for the quarter ended September 30, 2004, but should be available for inclusion in the report for the quarter ended December 31, 2004.

Discussion

SANDAG’s Investment Policy and California Government Code Section 53646 (b) outline the requirements for the treasurer or chief financial officer of a local agency in reporting to the legislative body of the local agency. The attached report prepared by the Financial Services Manager shows summary (Attachment 1), as well as detailed information (Attachment 2) regarding SANDAG’s investment portfolio as of the end of the last fiscal quarter.

As of September 30, 2004, a total of $167.1 million was held by SANDAG in a number of investment accounts in comparison to $107.4 million held in the previous quarter. The $59.7 million increase during the quarter is primarily due to the timing of sales tax receipts and the payment of TransNet debt service.

Approximately $54.3 million was held in five Bank of America money market checking accounts at the end of the quarter. Funds in these money market checking accounts are transferred to other accounts discussed below, or to local agencies as part of their TransNet payments on an ongoing basis. The majority of the money managed by SANDAG, including funds of the San Diego County Regional Transportation Commission, is currently invested in seven major funds or accounts.

They are:

1. State of California Local Agency Investment Fund (LAIF) – State law allows local agencies to invest up to $40 million in LAIF. SANDAG currently has $10,000 invested in LAIF. This fund is highly liquid, and funds may be accessed easily for immediate needs.

2. California Asset Management Program (CAMP) – Cash Reserve Portfolio – This is a fund administered by SANDAG’s financial advisor, Public Financial Management, Inc. (PFM), for the specific purpose of managing the investment of bond funds that are subject to arbitrage investment restrictions. SANDAG uses this program for debt service related to its various sales tax revenue bond issues. All bond debt service funds in CAMP are actually under the control of our bond trustee, US Bank. Only the trustee may deposit or withdraw bond debt service money. Approximately $51.6 million is currently on deposit with CAMP.
3. Fidelity Funds – These are a series of high quality money market instruments, including AAA rated US treasury funds, managed by Fidelity Investments Public Sector Services Company. These also are highly liquid and are used for immediate cash needs. Approximately $2.0 million is invested in these mutual funds.

4. Nations Funds – These are a series of government treasury obligation mutual funds managed by Bank of America. These also are highly liquid and are used for immediate cash needs. Approximately $2.3 million is invested in these mutual funds.

5. US Bank – SANDAG has a forward delivery agreement with Wachovia Bank for investment of its bond principal and interest funds. These funds also are under the control of US Bank, SANDAG’s bond trustee. This money, totaling approximately $41.7 million, is held by the trustee for bond debt service payments and payment of interest on the short-term commercial paper program as part of the sales tax program.

6. US Trust – US Trust was hired to manage the bond fund proceeds within the guidelines of SANDAG’s Investment Policy. These funds are under the control of our bond trustee, US Bank. Only the trustee may deposit or withdraw bond proceeds money. US Trust also invests a portion of SANDAG’s sales tax proceeds as well as TCRP funds for future purchase of buses. Approximately $2.1 million of sales tax proceeds is invested by US Trust, and approximately $10.3 million of TCRP funds is invested with US Trust.

7. Duetsche Asset Management Funds – These are a series of high quality money market instruments, including AAA rated US treasury funds, managed by Duetsche Asset Management. These also are highly liquid and are used for immediate cash needs. Approximately $2.9 million is invested in these mutual funds.

As of September 30, 2004, the yield to maturity of the portfolio was 1.83 percent with a weighted average maturity of 118 days, in comparison to 1.99 percent and 234 days in the prior quarter.

A report has also been prepared on our non-money market investments, in accordance with SANDAG’s Investment Policy (Attachment 3). Management has continued to implement the Board’s strategy to diversify SANDAG’s investment portfolio. This will continue to be an important investment objective for the future.

Certifications

As required by state law, the Director of Finance reports that this portfolio, together with the authorized short-term commercial paper program, will provide the necessary liquidity to meet the expenditure requirements of SANDAG and the TransNet program for the next six months.

This portfolio is in compliance with state law and SANDAG’s updated Investment Policy, approved at the SANDAG Board of Director’s meeting on January 23, 2004.

GARY L. GALLEGOS
Executive Director

Attachments

Key Staff Contact: Marlene Kelleher, (619) 699-1988; mke@sandag.org
<table>
<thead>
<tr>
<th></th>
<th>BOOK VALUE</th>
<th>PERCENT OF PORTFOLIO</th>
<th>MARKET VALUE</th>
<th>MARKET PRICE</th>
<th>UNREALIZED GAIN/(LOSS)</th>
<th>YIELD TO MATURITY</th>
<th>WEIGHTED AVG DAYS TO MATURITY</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>BANK OF AMERICA</strong></td>
<td>$54,254,146.72</td>
<td>32.46%</td>
<td>$54,254,146.72</td>
<td>100.00%</td>
<td>$0.00</td>
<td>0.01%</td>
<td>1</td>
</tr>
<tr>
<td><strong>STATE OF CA LOCAL AGENCY INVEST. FUND (LAIF)</strong></td>
<td>9,823.75</td>
<td>0.01%</td>
<td>9,823.75</td>
<td>0.00%</td>
<td>0.00</td>
<td>1.77%</td>
<td>182 **</td>
</tr>
<tr>
<td><strong>CALIFORNIA ASSET MANAGEMENT PRGM (CAMP)</strong></td>
<td>51,607,305.66</td>
<td>30.88%</td>
<td>51,534,616.21</td>
<td>99.86%</td>
<td>(72,689.45)</td>
<td>2.18%</td>
<td>337 **</td>
</tr>
<tr>
<td><strong>FIDELITY FUNDS</strong></td>
<td>1,985,200.28</td>
<td>1.19%</td>
<td>1,985,200.28</td>
<td>100.00%</td>
<td>0.00</td>
<td>1.36%</td>
<td>26 **</td>
</tr>
<tr>
<td><strong>NATIONS FUNDS</strong></td>
<td>2,332,157.88</td>
<td>1.40%</td>
<td>2,332,157.88</td>
<td>100.00%</td>
<td>0.00</td>
<td>0.90%</td>
<td>45 **</td>
</tr>
<tr>
<td><strong>US BANK</strong></td>
<td>41,649,710.55</td>
<td>24.92%</td>
<td>42,061,407.29</td>
<td>100.99%</td>
<td>411,696.74</td>
<td>3.89%</td>
<td>30 **</td>
</tr>
<tr>
<td><strong>US TRUST</strong></td>
<td>12,435,146.00</td>
<td>7.44%</td>
<td>12,436,514.00</td>
<td>100.01%</td>
<td>1,368.00</td>
<td>1.70%</td>
<td>56</td>
</tr>
<tr>
<td><strong>DEUTSCHE ASSET MANAGEMENT FUNDS</strong></td>
<td>2,851,959.97</td>
<td>1.71%</td>
<td>2,851,959.97</td>
<td>100.00%</td>
<td>0.00</td>
<td>1.57%</td>
<td>37 **</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>$167,125,450.81</td>
<td>100.00%</td>
<td>$167,465,826.10</td>
<td>100.20%</td>
<td>$340,375.29</td>
<td>1.83%</td>
<td>118</td>
</tr>
</tbody>
</table>

**Although average days to maturity is greater than one day, funds are available at par the same day**

### SUMMARY BY TYPE OF FUNDS:

<table>
<thead>
<tr>
<th></th>
<th>BOOK VALUE</th>
<th>PERCENT OF PORTFOLIO</th>
<th>MARKET VALUE</th>
<th>MARKET PRICE</th>
<th>UNREALIZED GAIN/(LOSS)</th>
<th>YIELD TO MATURITY</th>
<th>AVG DAYS TO MATURITY</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>SANDAG FUNDS</strong></td>
<td>$15,349,211.30</td>
<td>9.18%</td>
<td>$15,349,211.30</td>
<td>100.00%</td>
<td>0.00</td>
<td>1.24%</td>
<td>40</td>
</tr>
<tr>
<td><strong>SOURCEPOINT FUNDS</strong></td>
<td>464,602.64</td>
<td>0.28%</td>
<td>464,602.64</td>
<td>100.00%</td>
<td>0.00</td>
<td>0.95%</td>
<td>16</td>
</tr>
<tr>
<td><strong>CORONADO BRIDGE TOLL FUNDS</strong></td>
<td>1,428,649.17</td>
<td>0.85%</td>
<td>1,428,649.17</td>
<td>100.00%</td>
<td>0.00</td>
<td>0.87%</td>
<td>46</td>
</tr>
<tr>
<td><strong>TRANSNET FUNDS - Sales Tax</strong></td>
<td>89,178,293.06</td>
<td>53.36%</td>
<td>89,117,676.10</td>
<td>99.93%</td>
<td>(60,616.96)</td>
<td>1.05%</td>
<td>182 **</td>
</tr>
<tr>
<td><strong>TRANSNET FUNDS - Debt Service</strong></td>
<td>60,704,694.64</td>
<td>36.32%</td>
<td>61,105,686.89</td>
<td>100.66%</td>
<td>400,992.25</td>
<td>3.15%</td>
<td>45</td>
</tr>
<tr>
<td><strong>TOTAL TRANSNET FUNDS</strong></td>
<td>$149,882,987.70</td>
<td>89.68%</td>
<td>$150,223,362.99</td>
<td>100.23%</td>
<td>$340,375.29</td>
<td>1.90%</td>
<td>126</td>
</tr>
<tr>
<td><strong>TOTAL FUNDS</strong></td>
<td>$167,125,450.81</td>
<td>100.00%</td>
<td>$167,465,826.10</td>
<td>100.20%</td>
<td>$340,375.29</td>
<td>1.83%</td>
<td>118</td>
</tr>
</tbody>
</table>
## SANDAG
**DETAIL OF PORTFOLIO BALANCES**  
**AS OF SEPTEMBER 30, 2004**

<table>
<thead>
<tr>
<th>Bank of America:</th>
<th>BOOK VALUE</th>
<th>PERCENT OF PORTFOLIO</th>
<th>MARKET VALUE</th>
<th>MARKET PRICE</th>
<th>UNREALIZED GAIN/(LOSS)</th>
<th>YIELD TO MATURITY</th>
<th>AVG DAYS TO MATURITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Checking - Transnet</td>
<td>$50,025,254.71</td>
<td>29.93%</td>
<td>$50,025,254.71</td>
<td>100.00%</td>
<td>$0.00</td>
<td>0.00%</td>
<td>1</td>
</tr>
<tr>
<td>Checking - SANDAG (General)</td>
<td>3,930,509.60</td>
<td>2.35%</td>
<td>3,930,509.60</td>
<td>100.00%</td>
<td>$0.00</td>
<td>0.00%</td>
<td>1</td>
</tr>
<tr>
<td>Checking - SourcePoint</td>
<td>298,382.41</td>
<td>0.18%</td>
<td>298,382.41</td>
<td>100.00%</td>
<td>$0.00</td>
<td>0.95%</td>
<td>1</td>
</tr>
<tr>
<td><strong>TOTAL BANK OF AMERICA</strong></td>
<td>$54,254,146.72</td>
<td>32.46%</td>
<td>$54,254,146.72</td>
<td>100.00%</td>
<td>$0.00</td>
<td>0.01%</td>
<td>1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>State of CA Local Agency Investment Fund (LAIF):</th>
<th>BOOK VALUE</th>
<th>PERCENT OF PORTFOLIO</th>
<th>MARKET VALUE</th>
<th>MARKET PRICE</th>
<th>UNREALIZED GAIN/(LOSS)</th>
<th>YIELD TO MATURITY</th>
<th>AVG DAYS TO MATURITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sales Tax</td>
<td>$9,823.75</td>
<td>0.01%</td>
<td>$9,823.75</td>
<td>0.00%</td>
<td>$0.00</td>
<td>1.77%</td>
<td>182</td>
</tr>
<tr>
<td><strong>TOTAL STATE OF CA LOCAL AGENCY INVESTMENT FUND</strong></td>
<td>$9,823.75</td>
<td>0.01%</td>
<td>$9,823.75</td>
<td>0.00%</td>
<td>$0.00</td>
<td>1.77%</td>
<td>182 **</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>California Asset Management PRGM (CAMP): Cash Reserve Portfolio</th>
<th>BOOK VALUE</th>
<th>PERCENT OF PORTFOLIO</th>
<th>MARKET VALUE</th>
<th>MARKET PRICE</th>
<th>UNREALIZED GAIN/(LOSS)</th>
<th>YIELD TO MATURITY</th>
<th>AVG DAYS TO MATURITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>92 Bond Principal</td>
<td>$966,657.15</td>
<td>0.58%</td>
<td>$966,116.32</td>
<td>99.94%</td>
<td>$(540.83)</td>
<td>1.51%</td>
<td>77</td>
</tr>
<tr>
<td>92 Bond Interest</td>
<td>229,943.30</td>
<td>0.14%</td>
<td>229,814.65</td>
<td>99.94%</td>
<td>$(128.65)</td>
<td>1.51%</td>
<td>77</td>
</tr>
<tr>
<td>93 Bond Principal</td>
<td>2,868,829.56</td>
<td>1.72%</td>
<td>2,867,224.49</td>
<td>99.94%</td>
<td>$(1,605.07)</td>
<td>1.51%</td>
<td>77</td>
</tr>
<tr>
<td>93 Bond Interest</td>
<td>445,528.78</td>
<td>0.27%</td>
<td>445,079.65</td>
<td>99.94%</td>
<td>$(499.15)</td>
<td>1.51%</td>
<td>77</td>
</tr>
<tr>
<td>94 Bond Principal</td>
<td>309,986.92</td>
<td>0.19%</td>
<td>309,813.49</td>
<td>99.94%</td>
<td>$(173.43)</td>
<td>1.51%</td>
<td>77</td>
</tr>
<tr>
<td>94 Bond Interest</td>
<td>321,635.36</td>
<td>0.19%</td>
<td>321,455.41</td>
<td>99.94%</td>
<td>$(179.95)</td>
<td>1.51%</td>
<td>77</td>
</tr>
<tr>
<td>94 Bond Reserve</td>
<td>12,169,673.87</td>
<td>7.28%</td>
<td>12,162,865.10</td>
<td>99.94%</td>
<td>$(6,808.77)</td>
<td>1.51%</td>
<td>77</td>
</tr>
<tr>
<td>96 Bond Principal</td>
<td>1,465,225.91</td>
<td>0.88%</td>
<td>1,464,406.14</td>
<td>99.94%</td>
<td>$(819.77)</td>
<td>1.51%</td>
<td>77</td>
</tr>
<tr>
<td>96 Bond Interest</td>
<td>355,419.84</td>
<td>0.21%</td>
<td>355,220.99</td>
<td>99.94%</td>
<td>$(198.85)</td>
<td>1.51%</td>
<td>77</td>
</tr>
<tr>
<td>TNET Sales Tax</td>
<td>519,326.59</td>
<td>0.31%</td>
<td>519,036.03</td>
<td>99.94%</td>
<td>$(290.56)</td>
<td>1.51%</td>
<td>77</td>
</tr>
<tr>
<td><strong>TOTAL CASH RESERVE PORTFOLIO:</strong></td>
<td>$19,652,027.28</td>
<td>11.76%</td>
<td>$19,641,032.23</td>
<td>99.94%</td>
<td>$(10,995.05)</td>
<td>1.51%</td>
<td>77 **</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Individual Portfolio</th>
<th>BOOK VALUE</th>
<th>PERCENT OF PORTFOLIO</th>
<th>MARKET VALUE</th>
<th>MARKET PRICE</th>
<th>UNREALIZED GAIN/(LOSS)</th>
<th>YIELD TO MATURITY</th>
<th>AVG DAYS TO MATURITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>TNET Sales Tax</td>
<td>$31,955,278.38</td>
<td>19.12%</td>
<td>$31,893,583.98</td>
<td>99.81%</td>
<td>$(61,694.40)</td>
<td>2.59%</td>
<td>497</td>
</tr>
<tr>
<td><strong>TOTAL INDIVIDUAL PORTFOLIO:</strong></td>
<td>$31,955,278.38</td>
<td>19.12%</td>
<td>$31,893,583.98</td>
<td>99.81%</td>
<td>$(61,694.40)</td>
<td>2.59%</td>
<td>497 **</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Total California Asset Management PRGM (CAMP):</th>
<th>BOOK VALUE</th>
<th>PERCENT OF PORTFOLIO</th>
<th>MARKET VALUE</th>
<th>MARKET PRICE</th>
<th>UNREALIZED GAIN/(LOSS)</th>
<th>YIELD TO MATURITY</th>
<th>AVG DAYS TO MATURITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>$51,607,305.66</td>
<td>30.88%</td>
<td>$51,534,616.21</td>
<td>99.86%</td>
<td>$(72,689.45)</td>
<td>2.18%</td>
<td>337</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fidelity Funds</th>
<th>BOOK VALUE</th>
<th>PERCENT OF PORTFOLIO</th>
<th>MARKET VALUE</th>
<th>MARKET PRICE</th>
<th>UNREALIZED GAIN/(LOSS)</th>
<th>YIELD TO MATURITY</th>
<th>AVG DAYS TO MATURITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Domestic Money Market Trust Fund</td>
<td>BOOK VALUE</td>
<td>PERCENT OF PORTFOLIO</td>
<td>MARKET VALUE</td>
<td>MARKET PRICE</td>
<td>UNREALIZED GAIN/(LOSS)</td>
<td>YIELD TO MATURITY</td>
<td>AVG DAYS TO MATURITY</td>
</tr>
<tr>
<td>Sales Tax</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>100.00%</td>
<td>$0.00</td>
<td>1.48%</td>
<td>52</td>
</tr>
<tr>
<td>Treasury Fund</td>
<td>$1,985,200.28</td>
<td>1.19%</td>
<td>$1,985,200.28</td>
<td>100.00%</td>
<td>$0.00</td>
<td>1.36%</td>
<td>26</td>
</tr>
<tr>
<td><strong>TOTAL FIDELITY FUNDS</strong></td>
<td>$1,985,200.28</td>
<td>1.19%</td>
<td>$1,985,200.28</td>
<td>100.00%</td>
<td>$0.00</td>
<td>1.36%</td>
<td>26 **</td>
</tr>
</tbody>
</table>
## SANDAG
**DETAIL OF PORTFOLIO BALANCES**
**AS OF SEPTEMBER 30, 2004**

<table>
<thead>
<tr>
<th>BOOK VALUE</th>
<th>PERCENT OF PORTFOLIO</th>
<th>MARKET PRICE</th>
<th>MARKET VALUE</th>
<th>UNREALIZED GAIN/(LOSS)</th>
<th>YIELD TO MATURITY</th>
<th>AVG DAYS TO MATURITY</th>
</tr>
</thead>
</table>

### NATIONS FUNDS:
**CASH RESERVES FUND**
- **Sales Tax**
  - SourcePoint: $166,220.23 (0.10%)
- **SANDAG**
  - 398,848.66 (0.24%)
- **TOTAL PRIME FUND**
  - Bridge Toll Funds: 1,428,649.17 (0.85%)
- **TREASURY RESERVES FUND**
  - **GOVERNMENT RESERVES FUND**
    - **Sales Tax**
      - 82,191.26 (0.05%)
- **TOTAL NATIONS FUNDS**
  - $2,332,157.88 (1.40%)

### US BANK
- **96 Arbitrage Rebate**
  - $103,304.80 (0.06%)
- **96 Bond Principal**
  - 8,795,716.74 (5.26%)
- **96 Bond Interest**
  - 2,133,302.80 (1.28%)
- **93 Bond Principal**
  - 17,222,720.40 (10.31%)
- **93 Bond Interest**
  - 2,672,965.55 (1.60%)
- **92 Project Fund**
  - 2,456.54 (0.00%)
- **92 Bond Principal**
  - 5,802,817.33 (3.47%)
- **92 Bond Interest**
  - 1,380,169.19 (0.83%)
- **94 Bond Principal**
  - 1,855,885.73 (1.11%)
- **94 Bond Interest**
  - 1,602,654.87 (0.96%)
- **91 Commercial Paper Interest**
  - 70,662.42 (0.04%)
- **91 Commercial Paper Project Fund**
  - 7,054.18 (0.00%)
- **91 Commercial Paper Interest Acct**
  - 0.00 (0.00%)
- **TOTAL US BANK**
  - $41,649,710.55 (24.92%)

### US TRUST
- **Sales Tax**
  - 2,150,877.00 (1.29%)
- **SANDAG**
  - 10,284,269.00 (6.15%)
- **TOTAL US TRUST**
  - $12,435,146.00 (7.44%)

### DUETSCHEN ASSET MANAGEMENT FUNDS
- **SANDAG**
  - 735,584.04 (0.44%)
- **Sales Tax**
  - 2,116,375.93 (1.27%)
- **TOTAL DUETSCHEN FUNDS**
  - $2,851,959.97 (1.71%)

### TOTAL
- **SANDAG**
  - 167,125,450.81 (100.00%)
- **SANDAG**
  - 167,465,826.10 (100.20%)
- **TOTAL**
  - 340,375.29 (1.83%)

---

**Source:** SANDAG

**Attachment 2**
## NON-MONEY MARKET INVESTMENTS
### US TRUST
#### AS OF SEPTEMBER 30, 2004

**Cash Equivalents ONLY**

<table>
<thead>
<tr>
<th></th>
<th>Book Value</th>
<th>Market Value</th>
<th>Unrealized Gain/(Loss)</th>
<th>Current Yield</th>
<th>Weighted Average Days to Maturity</th>
</tr>
</thead>
<tbody>
<tr>
<td>FHLB</td>
<td>$1,198,632</td>
<td>$1,200,000</td>
<td>1,368</td>
<td>1.12%</td>
<td>6</td>
</tr>
<tr>
<td>FHLB Cons Disc Note</td>
<td>$996,488</td>
<td>$996,488</td>
<td>0</td>
<td>1.77%</td>
<td>15</td>
</tr>
<tr>
<td>FHLM Corp Disc Notes</td>
<td>$996,039</td>
<td>$996,039</td>
<td>0</td>
<td>1.76%</td>
<td>26</td>
</tr>
<tr>
<td>FNMA Disc Note</td>
<td>$995,930</td>
<td>$995,930</td>
<td>0</td>
<td>1.75%</td>
<td>34</td>
</tr>
<tr>
<td>FHLM Corp Disc Notes</td>
<td>$996,628</td>
<td>$996,628</td>
<td>0</td>
<td>1.74%</td>
<td>46</td>
</tr>
<tr>
<td>FNMA Disc Note</td>
<td>$995,930</td>
<td>$995,930</td>
<td>0</td>
<td>1.74%</td>
<td>48</td>
</tr>
<tr>
<td>FHLM Corp Disc Notes</td>
<td>$199,055</td>
<td>$199,055</td>
<td>0</td>
<td>1.73%</td>
<td>57</td>
</tr>
<tr>
<td>FNMA Disc Note</td>
<td>$995,762</td>
<td>$995,762</td>
<td>0</td>
<td>1.72%</td>
<td>62</td>
</tr>
<tr>
<td>FHLM Corp Disc Notes</td>
<td>$995,564</td>
<td>$995,564</td>
<td>0</td>
<td>1.73%</td>
<td>68</td>
</tr>
<tr>
<td>FNMA Disc Note</td>
<td>$994,805</td>
<td>$994,805</td>
<td>0</td>
<td>1.74%</td>
<td>74</td>
</tr>
<tr>
<td>GE Cap Corp Disc Coml Paper</td>
<td>$497,882</td>
<td>$497,882</td>
<td>0</td>
<td>1.74%</td>
<td>75</td>
</tr>
<tr>
<td>HBOS Treas Svc Plc Disc Comm</td>
<td>$497,816</td>
<td>$497,816</td>
<td>0</td>
<td>1.74%</td>
<td>78</td>
</tr>
<tr>
<td>FHLB Cons Disc Note</td>
<td>$993,568</td>
<td>$993,568</td>
<td>0</td>
<td>1.75%</td>
<td>89</td>
</tr>
<tr>
<td>FHLM Corp Disc Notes</td>
<td>$994,052</td>
<td>$994,052</td>
<td>0</td>
<td>1.99%</td>
<td>102</td>
</tr>
</tbody>
</table>

(1) $12,348,151 $12,349,519 $1,368 1.70% 56

(1) - This schedule is presented to detail SANDAG’s investment in Non-Money Market investments only in accordance with SANDAG’s Investment Policy and therefore does not agree to the total investments held by US Trust on the preceding pages of the quarterly investment report. The difference of $86,995 represents investments in Money Market investments.
REPROGRAMMING OF FEDERAL TRANSIT ADMINISTRATION (FTA) CAPITAL FUNDS/TRANSIT CAPITAL PROJECT BUDGET AMENDMENTS

Recommendation

The Transportation Committee recommends that the SANDAG Board: (1) approve proposed budget amendments and reprogramming of older grant funds as shown in Attachment 1; (2) adopt Resolution No. 2005-10, authorizing the Executive Director to receive the Caltrans grant for the MTS Comprehensive Operational Analysis; and (3) authorize the Executive Director to execute a Memorandum of Understanding (MOU) for the transfer of funds to MTS to pay costs associated with the Comprehensive Operational Analysis.

Discussion

Existing FTA Grants:

SANDAG staff has worked with MTS staff to conduct the annual review of open federal grants. As a result, five grants, including four of the five oldest ones, have been closed, and we have identified funding transfers that can address urgent operational needs, ensuring the earliest expenditure of the grant funds and the potential closeout of additional grants within the next 12 months. Attachment 1 identifies the proposed project budget reductions and, on October 28, 2004, the MTS Board of Directors recommended that the SANDAG Board budget the following capital projects to use a portion of the surplus funds shown in Attachment 1:

1. U-2 LRV Traction Motor Replacement $358,145
2. U-2 Car Body Renovation/Painting 380,000
3. Mills Building Office Renovations 250,000 $988,145

- The U-2 LRVs are approximately 20 years old, so motors require more frequent replacement. The Traction Motor Replacement project would replace failed spare motors and is critical to keeping vehicles in service.
- The funds for the U-2 Car Body Renovation would continue the project to correct rust and other body damage and repaint these older, faded LRVs.
- The Mills Building Office Renovation would reconfigure offices on the 9th and 10th floors to facilitate the consolidation of MTS, San Diego Transit, and San Diego Trolley staff.

Introduction

As a result of our annual review of open grants, SANDAG staff and the Metropolitan Transit System (MTS) staff have identified funding from completed projects that can be transferred to new projects. Approximately $1.2 million from prior-year completed projects would be transferred to projects for the rehabilitation/painting of light rail transit vehicles (LRVs), rehabilitation of traction motors, renovation of MTS office space, and implementation of the MTS Comprehensive Operational Analysis (COA). The funds for the COA would supplement existing budget and a newly approved Caltrans grant for this purpose.
All of the projects from which the funds are to be transferred have been completed. The funds can be used only for projects that qualify under existing grant budget line items and cannot be reprogrammed outside of the grants. If the funds were otherwise deobligated, they would return to the U.S. Treasury, and would no longer be available to the region.

It should be noted that SANDAG staff is responsible for managing all FTA grants for the metropolitan area, and we are working toward reinstating the quarterly grants management review process previously employed at the former Metropolitan Transit Development Board. This, coupled with a policy of closing projects upon completion, should help us close old grants and make sure that grant funds are put to use in the most efficient manner.

Comprehensive Operational Analysis: After deducting the above new projects, the balance of surplus funds remaining from the $1,210,639 shown in Attachment 1 is $222,494. Staff proposes to use these prior year grant funds for completion of the MTS COA. The goal of this effort is to evaluate and restructure MTS services and operations as needed to more efficiently and effectively serve the MTS area transit needs and meet regional transportation goals within the constraints of the current financial and operating environment. This system evaluation is expected to provide the building blocks necessary to restructure the transit system according to current mobility needs and a refined service concept (based on the Regional Transit Vision).

In addition, SANDAG staff received approval of a federal grant estimated at $240,000 for the COA. Combined with existing FTA and Transportation Development Act (TDA) planning funds in the MTS budget, the project funding for the COA is expected to exceed $707,000, but is subject to change if the state is able to provide its own matching funds. The following is the proposed MTS budget for the project:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing MTS Planning Funds</td>
<td>$185,000</td>
</tr>
<tr>
<td>Transfer of Surplus Capital Funds</td>
<td>222,494</td>
</tr>
<tr>
<td>Caltrans Grant</td>
<td>240,000</td>
</tr>
<tr>
<td>MTS Local Match</td>
<td>60,000</td>
</tr>
<tr>
<td></td>
<td>$707,494</td>
</tr>
</tbody>
</table>

In order to receive the funds from Caltrans, SANDAG is required to execute a state fund transfer agreement. Resolution No. 2005-10, Attachment 2, is required by Caltrans to authorize the Executive Director to sign that agreement. In addition, a Memorandum of Understanding (MOU) will be needed to provide a mechanism to transfer the $240,000 for the COA to MTS. The SANDAG Board is requested to authorize the Executive Director to negotiate and execute that MOU.

GARY L. GALLEGOS
Executive Director

Attachments

Staff contact: Susan Brown, (619) 699-1913, sbr@sandag.org
# SAN DIEGO ASSOCIATION OF GOVERNMENTS PROPOSED GRANT PROJECT REDUCTIONS

<table>
<thead>
<tr>
<th>Grant No.</th>
<th>Project No.</th>
<th>DESCRIPTION</th>
<th>Total (1)</th>
<th>Federal Share</th>
<th>Local Match</th>
</tr>
</thead>
<tbody>
<tr>
<td>CA-90-X693</td>
<td>20426</td>
<td>MISSION VALLEY EAST PLANNING</td>
<td>$157,155</td>
<td>$139,129</td>
<td>$18,026</td>
</tr>
<tr>
<td>CA-90-X867</td>
<td>10907</td>
<td>SECURITY CAMERAS</td>
<td>$120,406</td>
<td>$96,325</td>
<td>$24,081</td>
</tr>
<tr>
<td></td>
<td>10858</td>
<td>ENGINE REBUILDS</td>
<td>1,139</td>
<td>911</td>
<td>228</td>
</tr>
<tr>
<td></td>
<td>10790</td>
<td>PC/PRINTERS/SOFTWARE</td>
<td>1,686</td>
<td>1,349</td>
<td>337</td>
</tr>
<tr>
<td></td>
<td>NA</td>
<td>MISCELLANEOUS CLOSED PROJECTS</td>
<td>10,239</td>
<td>8,191</td>
<td>2,048</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Total</strong></td>
<td><strong>$133,470</strong></td>
<td><strong>$106,776</strong></td>
<td><strong>$26,694</strong></td>
</tr>
<tr>
<td>CA-90-X925</td>
<td>NA</td>
<td>MISCELLANEOUS CLOSED PROJECTS</td>
<td>11,801</td>
<td>9,441</td>
<td>$2,360</td>
</tr>
<tr>
<td></td>
<td>10443</td>
<td>IMPERIAL AVENUE FACILITY IMPROVEMENTS</td>
<td>26,250</td>
<td>21,000</td>
<td>5,250</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Total</strong></td>
<td><strong>$38,051</strong></td>
<td><strong>$30,441</strong></td>
<td><strong>$7,610</strong></td>
</tr>
<tr>
<td>CA-90-X971</td>
<td>10992</td>
<td>IMPERIAL AVE. TELEPHONES</td>
<td>$7,085</td>
<td>$5,668</td>
<td>$1,417</td>
</tr>
<tr>
<td></td>
<td>10991</td>
<td>MISCELLANOUS OPS. CAPITAL</td>
<td>4,424</td>
<td>3,539</td>
<td>885</td>
</tr>
<tr>
<td></td>
<td>10957</td>
<td>IMPERIAL AVE. NEW OFFICE</td>
<td>1,491</td>
<td>1,193</td>
<td>298</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Total</strong></td>
<td><strong>$13,000</strong></td>
<td><strong>$10,400</strong></td>
<td><strong>$2,600</strong></td>
</tr>
<tr>
<td>CA-03-0489</td>
<td>NA</td>
<td>MISC. CLOSED PROJECT</td>
<td>$24,564</td>
<td>$19,651</td>
<td>$4,913</td>
</tr>
<tr>
<td></td>
<td>10793</td>
<td>BLUE LINE SUBSTATION FENCING</td>
<td>22,542</td>
<td>18,034</td>
<td>4,508</td>
</tr>
<tr>
<td></td>
<td>10782</td>
<td>MAINLINE DRAINAGE</td>
<td>11,418</td>
<td>9,134</td>
<td>2,284</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Total</strong></td>
<td><strong>$58,524</strong></td>
<td><strong>$46,819</strong></td>
<td><strong>$11,705</strong></td>
</tr>
<tr>
<td>CA-90-X793</td>
<td>10747</td>
<td>UPGRADE TICKET VENDING MACHINES</td>
<td>$73,401</td>
<td>$58,721</td>
<td>$14,680</td>
</tr>
<tr>
<td></td>
<td>10765</td>
<td>LIGHT RAIL VEHICLES BATTERIES</td>
<td>15,821</td>
<td>12,657</td>
<td>3,164</td>
</tr>
<tr>
<td></td>
<td>10418</td>
<td>IMPERIAL AVE. TANK REMOVAL</td>
<td>34,801</td>
<td>27,841</td>
<td>6,960</td>
</tr>
<tr>
<td></td>
<td>10766</td>
<td>WHEELCHAIR LIFT RETROFIT</td>
<td>20,133</td>
<td>16,106</td>
<td>4,027</td>
</tr>
<tr>
<td></td>
<td>10452</td>
<td>CURVE STRAIGHTENING</td>
<td>121,239</td>
<td>96,991</td>
<td>24,248</td>
</tr>
<tr>
<td></td>
<td>NA</td>
<td>MISCELLANEOUS CLOSED PROJECTS</td>
<td>34,605</td>
<td>27,684</td>
<td>6,921</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Total</strong></td>
<td><strong>$300,000</strong></td>
<td><strong>$240,000</strong></td>
<td><strong>$60,000</strong></td>
</tr>
<tr>
<td>CA-03-0493</td>
<td>NA</td>
<td>MISCELLANEOUS CLOSED PROJECTS</td>
<td>$25,925</td>
<td>$20,740</td>
<td>$5,185</td>
</tr>
<tr>
<td>CA-03-0525</td>
<td>10925</td>
<td>INSULATOR REPLACEMENT</td>
<td>$1,618</td>
<td>$1,294</td>
<td>$324</td>
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<tr>
<td></td>
<td>10835</td>
<td>REMODEL CENTRAL CONTROL OFFICE</td>
<td>813</td>
<td>650</td>
<td>163</td>
</tr>
<tr>
<td></td>
<td>10841</td>
<td>RECORD OF SURVEY</td>
<td>25,632</td>
<td>20,506</td>
<td>5,126</td>
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<tr>
<td></td>
<td>10792</td>
<td>MASTER ALTERNATOR SET REPLACEMENT</td>
<td>36,686</td>
<td>29,349</td>
<td>7,337</td>
</tr>
<tr>
<td></td>
<td>NA</td>
<td>MISCELLANEOUS CLOSED PROJECTS</td>
<td>47,046</td>
<td>37,637</td>
<td>9,409</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Total</strong></td>
<td><strong>$111,795</strong></td>
<td><strong>$89,436</strong></td>
<td><strong>$22,359</strong></td>
</tr>
<tr>
<td>CA-03-0590</td>
<td>11021</td>
<td>ASH STREET SIDEWALK</td>
<td>$45,548</td>
<td>$36,438</td>
<td>$9,110</td>
</tr>
<tr>
<td></td>
<td>11030</td>
<td>TROLLEY NONREVENUE VEHICLES</td>
<td>11,973</td>
<td>9,578</td>
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<td>NA</td>
<td>MISCELLANEOUS CLOSED PROJECTS</td>
<td>3,392</td>
<td>2,714</td>
<td>678</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Total</strong></td>
<td><strong>$60,913</strong></td>
<td><strong>$48,730</strong></td>
<td><strong>$12,183</strong></td>
</tr>
<tr>
<td>CA-03-0541</td>
<td>10951</td>
<td>12TH/IMP. RAIL REPLACEMENT</td>
<td>$869</td>
<td>$695</td>
<td>$174</td>
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<td></td>
<td>10953</td>
<td>BLDG. B CENTRAL HEATING</td>
<td>1,215</td>
<td>972</td>
<td>243</td>
</tr>
<tr>
<td></td>
<td>10748</td>
<td>BLUE LINE CROSSOVER</td>
<td>25,389</td>
<td>20,311</td>
<td>5,078</td>
</tr>
<tr>
<td></td>
<td>10950</td>
<td>ELECTRIFY SWITCHES</td>
<td>6,122</td>
<td>4,898</td>
<td>1,224</td>
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<tr>
<td></td>
<td>NA</td>
<td>MISCELLANEOUS CLOSED PROJECTS</td>
<td>246,438</td>
<td>197,150</td>
<td>49,288</td>
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<tr>
<td></td>
<td>10876</td>
<td>VITAL RELAY REPLACEMENT</td>
<td>31,774</td>
<td>25,419</td>
<td>6,355</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Total</strong></td>
<td><strong>$311,807</strong></td>
<td><strong>$249,446</strong></td>
<td><strong>$62,361</strong></td>
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<tr>
<td></td>
<td></td>
<td><strong>Total Remaining Available</strong></td>
<td><strong>$1,210,639</strong></td>
<td><strong>$981,917</strong></td>
<td><strong>$228,723</strong></td>
</tr>
</tbody>
</table>

(1) Amounts may change on some subject to final close out of projects.
RESOLUTION NO. 2005-10

RESOLUTION AUTHORIZED THE EXECUTION OF A FUND TRANSFER AGREEMENT WITH THE STATE OF CALIFORNIA FOR THE METROPOLITAN TRANSIT SYSTEM COMPREHENSIVE OPERATIONAL ANALYSIS

WHEREAS, the Metropolitan Transit System (MTS) is planning to undertake a Comprehensive Operational Analysis (COA) to evaluate and restructure MTS services and operations as needed to more efficiently and effectively serve the MTS-area transit needs consistent with the San Diego Association of Governments (SANDAG) Regional Transit Vision and within the constraints of the current financial and operating environment; and

WHEREAS, SANDAG proposes to receive funding from the State of California to assist MTS in the completion of the COA; and

WHEREAS, the State of California has identified state and/or federal funds that it proposes to transfer to SANDAG for the MTS COA; and

WHEREAS, receipt of these funds will impose certain obligations upon SANDAG and may require SANDAG to identify local match funds;

NOW, THEREFORE, BE IT RESOLVED by the SANDAG Board of Directors that the Executive Director or his designee is authorized to execute and file certifications and assurances and other documents required by the State of California and the Federal Department of Transportation for award of the above-referenced financial assistance; and

BE IT FURTHER RESOLVED that the SANDAG Executive Director be authorized to execute all Fund Transfer Agreements, Program Supplements, and/or other funding instruments required, including any amendments thereto with the State of California.

PASSED AND ADOPTED this _____ day of ________________, 2004.

______________________________  ATTEST: ________________________________
CHAIRPERSON                   SECRETARY

MEMBER AGENCIES: 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, and County of San Diego.

ADVISORY MEMBERS: California Department of Transportation, Metropolitan Transit System, North San Diego County Transit Development Board, Imperial County, U.S. Department of Defense, San Diego Unified Port District, San Diego County Water Authority, and Baja California/Mexico.
UPDATED PUBLIC PARTICIPATION POLICY

Recommendation

That the SANDAG Board adopt the updated Public Participation Policy.

Introduction

The attachment to this report is the updated and more comprehensive agencywide Public Participation Policy (Attachment 1). The policy will serve as an umbrella policy for all public participation activities related to comprehensive planning, program planning and development, design/build construction; transit service and fare changes; and Native American consultation.

Discussion

The draft Public Participation Policy was presented to the SANDAG Board in September 2004. The policy was distributed and available for a 45-day public review and comment period. Public notices were placed in general circulation newspapers including the Union Tribune, North County Times, La Prensa, Voice & Viewpoint, Asian Journal, and Daily Transcript. A “News” item was featured on the SANDAG Web site. Announcements were distributed to jurisdictions, member agencies, transportation funding agencies, regional organizations, and other stakeholders inviting review and comment of the revised policy.

Public Participation Policy

The updated policy establishes a process for obtaining input from and providing information to the public concerning all agency programs, projects, and program funding to help ensure the public is informed and has the opportunity to provide SANDAG with input so plans can reflect the public’s desire. The policy addresses Title VI, related nondiscrimination requirements, and reflects the principles of social equity and environmental justice. The policy also fulfills various state and federal public involvement requirements. SANDAG will review and update this policy every three years.

Comments Received

Comments were received via letter, fax, and e-mail. Comments were received from North County Transit District (NCTD), Metropolitan Transit System (MTS), Caltrans, the San Diego Regional Chamber of Commerce, and other individuals and organizations. The comments and responses are attached (Attachment 2). The following changes were made to the final policy based on comments received.

1. Specific language has been included that addresses holding public hearings, workshops, or other meetings in NCTD and/or MTS service areas if service, fare, and other changes are to be implemented in either or both areas.

2. The language about “Take One” notices in Section D has been expanded to include “Rider Alerts” and other “public notices” to inform transit riders about public meetings, route changes, and other information.
3. Specific language has been included that identifies all groups SANDAG seeks to involve in the public participation process in section A-2.

4. Language has been added to clarify opportunities for public participation in public meetings, at working groups, and in other settings, and opportunities for public input to the Board of Directors and Committees.

GARY L. GALLEGOS
Executive Director

Attachments: Revised Board Policy No. 25;
Comments and responses

Key Staff Contact: Anne Steinberger
(619) 699-1937 or ast@sandag.org

No Budget Impact
PUBLIC PARTICIPATION/INVOLVEMENT POLICY

Purpose

This policy establishes a process for obtaining input from and providing information to the public concerning agency programs, projects, and program funding in order to ensure the public is informed and has the opportunity to provide SANDAG with input so plans can reflect the public's desire. SANDAG will review and update this plan every three years. Various federal and state laws and regulations require that an agency such as SANDAG conduct public participation programs to ensure that the public is involved and that community concerns are addressed. For example, planning of mass transit guideway projects and fare and service changes to public transportation require public participation. The California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) also have public information components that require an agency such as SANDAG to conduct public participation programs to ensure that the public is involved and that community concerns are addressed. A significant component of SANDAG’s mission is a strong commitment to public participation and involvement to include all residents and stakeholders in the regional planning process.

The public participation policy is consistent with the requirements of Public Utility Code Section 132360.1 established with the passage of Assembly Bill 361 which reads as follows:

(c) The agency shall engage in a public collaborative planning process; recommendations from that process shall be made available and considered for integration into the plan. A procedure to carry out this process including a method of addressing and responding to recommendations from the public shall be adopted.

Social Equity and Environmental Justice

Ensuring the meaningful involvement of low income, minority, disabled, senior, and other traditionally underrepresented communities is a key component of SANDAG’s public participation activities. SANDAG’s policies, procedures, and programs are consistent with federal and state environmental justice laws, regulations, and requirements, Title VI, related nondiscrimination requirements, and reflect the principles of social equity and environmental justice. Social equity means ensuring that all communities are treated fairly and are given equal opportunity to participate in the planning and decision-making process, with an emphasis on ensuring that traditionally disadvantaged groups are not left behind. Environmental justice means ensuring that plans, policies, and actions do not disproportionately affect low income and minority communities.
Scope

The policy addresses public participation policies and public information efforts in the following areas:

A. Overall Public Participation Process
B. Development Planning
C. Design and Construction
D. Transit Service and Fare Changes
E. Native American Consultation

A. Overall Public Participation Process -- Unless otherwise noted or required, these are SANDAG’s general policies for public participation for major planning initiatives such as the Regional Transportation Plan, Regional Comprehensive Plan, and other planning and programming projects.

1. SANDAG’s Public Participation/Involvement Program is designed to inform and involve the region’s residents in the decision-making process on issues such as growth, transportation, environmental management, housing, open space, air quality, energy, fiscal management, economic development, and public safety.

2. The Public Participation/Involvement Program seeks to involve all citizens, including but not limited to low income households, Hispanic, African American, Asian, American Indian, senior, and other communities, persons with disabilities, as well as community and civic organizations, public agencies, business groups and associations, environmental organizations, and other stakeholders.

3. SANDAG’s board meetings provide the public forum and decision point for significant regional issues. SANDAG Directors usually hold one or two board meetings each month: a Board Policy Meeting the second Friday of each month and a Board Business Meeting the fourth Friday of each month. Meetings held at the SANDAG office are accessible by public transit. During these meetings, Directors adopt plans, allocate transportation funds, approve transit construction plans, approve transit fare and service changes, and establish policies and develop programs that are used by local governments as well as other public and private organizations.

4. SANDAG’s Public Participation/Involvement Program shall comply with the Americans with Disabilities Act (ADA). SANDAG shall hold public meetings in buildings, rooms, or locations that are accessible to persons with disabilities. SANDAG shall provide public meeting information in alternate formats and shall provide special accommodations at public meetings with three business days notice.

5. SANDAG’s Public Participation/Involvement Program is carried out as an integrated work element of the agency’s Overall Work Program and Budget and as part of other programming, development, and implementation processes such as the Regional Transportation Plan, the Regional Comprehensive Plan, Environmental
Impact Reports, transit capital project development, project construction, transit service implementation and fare changes, corridor studies, and other projects.

6. SANDAG shall proactively seek and promote public participation in SANDAG’s workshops and public hearings, as well as participation and attendance at committees, working groups, and task forces. SANDAG shall follow local, state, and federal guidelines for posting public meeting and hearing notices. Depending upon the specific project, SANDAG shall endeavor to hold meetings at times that can attract as many participants as possible, including evenings and weekends and at locations in communities throughout the region. SANDAG shall endeavor to hold these meetings in locations that are accessible by public transit.

7. SANDAG shall inform the public in a timely manner about regional issues, actions, and pending decisions through a number of efforts. As needed or required, SANDAG shall post public notices in newspapers of general circulation for publication of legal notices. Other publication and distribution efforts can include mail distribution to residents, agencies, and city/county governments, the SANDAG Web site, e-mail lists, and rEgion – SANDAG’s monthly electronic newsletter. As needed, SANDAG also shall distribute press releases and media alerts to local, regional, and Mexico border area print and broadcast media.


9. SANDAG shall use its Web site to provide the public with useful and timely information including meeting schedules and agendas; plans and environmental documents; reports and other publications; demographic profiles and data downloads; and interactive database and mapping applications.

10. As appropriate and depending on the specific project, SANDAG shall translate into Spanish, and other languages, publications, announcements, and Web content. In addition, numerous staff members are bilingual Spanish-English speakers and participate in public outreach and conduct presentations in Spanish. Translators shall be hired as needed to provide services in Spanish and other languages as appropriate.

11. SANDAG conducts periodic public opinion surveys as part of the outreach and citizen participation component of SANDAG’s work program. These surveys shall be designed to include the San Diego region’s residents in the regional planning process and to keep SANDAG officials aware of issues that are of concern to the people who live here.
12. SANDAG will endeavor to respond to general comments received by phone, fax, letter, or e-mail within five (5) business days of receipt. Comments shall be routed to the SANDAG staff person who is responsible for that issue. Comments may be responded to in writing (e-mail or letter) or may be resolved with the initial phone call. Some comments may need to be resolved by another agency or jurisdiction so the customer is referred to the appropriate entity. When a comment is submitted as part of a public review process (e.g., a plan or environmental report) the comment and response is logged into a database. Comments, concerns, and responses received as part of a public review process shall be included in the final plan or report.

B. Development Planning – Planning, environmental, preliminary engineering activities on major capital projects.

1. SANDAG shall follow current federal and state regulations regarding public involvement processes and procedures. SANDAG shall develop public involvement programs tailored to meet specific project needs which address the unique challenges presented by each project. Programs shall be developed using the joint Federal Highway Administration and Federal Transit Administration (FHWA/FTA) guidelines titled “Public Involvement Techniques for Transportation Decision-Making.”

2. The public involvement program shall set objectives, identify people to be reached, develop public involvement strategy, and define specific outreach techniques.

3. The public involvement program shall be developed so that critical community concerns and technical issues are identified in the study. The issues need to address the engineering, environmental, economic, and financial analyses that respond effectively to community needs and preferences and satisfy local, state, and federal environmental clearance requirements.

4. To facilitate community participation, lists of individuals, agencies, and organizations shall be developed for distribution of agency materials. These lists will include persons who have indicated an interest in transportation planning projects during previous public information efforts and/or focused on the specific project. Project information would be distributed to the persons on this list in conjunction with public meetings and workshops, to solicit comments and recommendations.

5. Environmental documents shall be prepared in accordance with California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA), as appropriate, and in coordination and consultation with various federal, state, and local agencies, and with elected officials, community leaders, organizations, and other individuals from the neighborhoods and communities potentially affected by the proposed action. Coordination and public involvement shall be achieved through a variety of means, such as formal public hearings and meetings, circulation of draft documents, mailings, focus group meetings, workshops, and individual/group contacts.

6. Formal scoping meetings, public hearings, and/or other meetings during the comment period and environmental document certification shall be held in
accordance with the requisite environmental document. As required, meetings shall be announced in the Federal Register, local publications, and on SANDAG’s Web site. Persons and organizations on the project mailing list also will be notified. SANDAG shall endeavor to hold public meetings in locations accessible by public transit.

7. SANDAG shall prepare and distribute appropriate notices and communications to comply with CEQA and NEPA requirements.

8. A public information program shall be developed to inform the community of factors related to the project. The information program may include briefings for the news media, informational meetings, presentations to include community and professional associations and educational institutions, business groups and associations, environmental organizations, and other public forums.

9. A project working group may be organized to review and comment on the project to build understanding and identify support for feasible alternatives. This group may consist of various elected officials/staff, community and neighborhood organizations, business organizations, property owners, and other stakeholders and interested parties. This group would be formed to provide comment and guidance regarding technical issues, review study alternatives and evaluation results, and provide community input regarding the alternatives. This iterative process would allow for identified issues and concerns to receive follow-up responses. Meeting summaries of project working group activities shall be produced. Meeting notices, agendas, and/or other information shall be posted to SANDAG’s Web site.

10. Other public input opportunities include SANDAG Board of Directors meetings and meetings of SANDAG’s five policy committees: Executive, Transportation, Regional Planning, Borders, and Public Safety. Other opportunities for public participation are at working group meetings, general public meetings, and presentations to planning and community groups.

C. Design and Construction – Design and construction of capital projects.

1. For all capital improvement projects with significant community impacts, SANDAG shall provide opportunities for members of the public to provide input and express concerns. SANDAG also shall implement a program designed to inform the public of progress, as well as safety and community impacts in the event of construction.

2. SANDAG shall hold publicly noticed meetings at key stages of project development and implementation in the area(s) being impacted. The location of the meetings shall depend upon the geographic location of the project. Meetings concerning projects exclusively within the North San Diego County Transit Development Board’s (NSDCTDB’s) service area shall be held in North County locations, and if appropriate, at SANDAG’s offices. Meetings concerning all other projects shall be held at SANDAG’s offices or other locations specified in SANDAG’s agendas. SANDAG, MTS, and NCTD offices are accessible by public transit. SANDAG shall endeavor to hold off-site public meetings at locations accessible by public transit.
3. SANDAG shall solicit input from the representatives of interest groups of the local population, such as community groups, planning groups, business groups and associations, business improvement districts, environmental organizations, neighborhood associations, and senior and disabled riders. These stakeholders will be consulted during the design and construction of capital projects.

4. SANDAG shall work to advise the public regarding actual and perceived disruption during construction of capital projects by distributing informational, educational, and public information materials, and by using other traditional community relations tools.

5. SANDAG shall endeavor to meet citizen concerns as they arise and attempt to resolve those concerns.

6. For all projects requiring environmental review under CEQA and NEPA, such as major capital improvement projects, SANDAG shall provide opportunities for members of the public to provide input and comply with all related legal requirements.

6.1 SANDAG shall solicit input from the representatives of interest groups of the local population, such as community groups, planning groups, business groups and associations.

6.2 SANDAG shall incorporate public input into project planning and development where practical and feasible.

6.3 SANDAG shall hold a public hearing to seek public comment whenever required under CEQA and/or NEPA.

6.3.1 Published notifications for such hearings shall be published in newspapers of general circulation for publication of legal notices. Notices also may be published in regional, community, or Spanish-language newspapers to reach the affected area.

6.3.2 Any item subject to a public hearing will be listed and described in the Board’s published agenda, which shall be posted at least 72 hours in advance of the meeting at the Board’s meeting place and on SANDAG’s Web site.

6.3.3 Public hearings shall be conducted by SANDAG at the published date, time, and place. The public hearing will allow for interested parties to be heard. The Board also will consider any written comments that were forwarded to the Board prior to the hearing.
D. Transit Service and Fare Changes

1. SANDAG has adopted Transit Service Planning and Fare Setting policies to provide policy guidance for transit service and fare changes. This section of the policy is designed to inform and involve public transit riders, stakeholders, and the general public about proposed changes in transit fares and regionally significant transit services (as defined in the SANDAG Policy on Regional Transit Service Planning). Public information and involvement programs for other service changes would fall under adopted policies of the Metropolitan Transit System (MTS) and North San Diego County Transit Development Board (NSDCTDB).

1.1. As appropriate, local jurisdiction staffs and/or community groups will be notified regarding proposals for regionally significant service changes prior to publishing a notice for formal public hearing.

1.2. A public hearing will be held by SANDAG for major transit service changes and fare changes. The public hearings will be held at the SANDAG offices during a regularly scheduled meeting of the SANDAG Transportation Committee and/or Board of Directors and/or in the general geographic area of the affected public at a special or relocated meeting of the SANDAG Transportation Committee or Board of Directors, as determined by the SANDAG Transportation Committee or Board. Public meetings shall be held at a time and location that is accessible by users of public transit. Public hearings for fare and service changes of regional significance affecting North County and/or NCTD service area residents shall be held by SANDAG in the North County area. Public hearings for fare and service changes of regional significance affecting MTS service area residents shall be held by SANDAG in the affected area.

1.3. Take One, Rider Alerts, or other public notices in both English and Spanish will be posted on all affected public transit vehicles within the affected area at least 21 calendar days prior to the public hearing and will include a description of the proposed change, the date, time, intent and location of the public hearing, and the deadline for written, e-mail and phone comments from the public. The notices will be posted to the SANDAG and Transit Agency Web site(s).

1.4. Print notice of public hearings will be provided at least 15 calendar days prior to the public hearing meeting date in newspapers of general circulation in the affected area(s), including appropriate minority and community publications. The public hearing notice will include a description of proposed changes, the date, time, intent, and location of the public hearing, and the deadline for written, e-mail, and phone comments from the public.

1.5. An open phone line will be made available to take public comments at least 15 calendar days prior to public hearing.
1.6. A SANDAG Policy Committee and/or Board report (as appropriate) will be completed and available for public review at least 72 hours prior to the public hearing and posted to the SANDAG Web site(s).

2. After a fare or service change is approved by SANDAG:

2.1. The public will be notified via news release(s)

2.2. Take One, Rider Alerts, or other public notices in both English and Spanish will be posted on all affected transit vehicles at least 15 calendar days prior to changes going into effect and posted to the SANDAG and Transit Agency Web site(s).

3. SANDAG shall follow federal Title VI and environmental justice requirements when implementing transit service or fare changes.

3.1. Residential, employment, and transportation patterns of low-income and minority populations shall be identified so that their needs can be identified and addressed, and the benefits and burdens of transportation investments can be fairly distributed. SANDAG shall endeavor to involve the affected communities in evaluating the benefits and burdens of transportation investments.

3.2. SANDAG shall evaluate and - where necessary - improve the public involvement processes to eliminate participation barriers and engage minority and low-income populations in transportation decision making.

E. Native American Consultation

1. SANDAG shall establish and adhere to government-to-government relationships when interacting with Tribal Governments, acknowledging these tribes as unique and separate governments within the United States.

2. SANDAG shall recognize and respect important California Native American rights, sites, traditions, and practices.

3. SANDAG engages in “consultation” with Tribal Governments prior to making decisions, taking actions, or implementing programs that may impact their communities.

4. To facilitate effective consultation with Tribal Governments, SANDAG has established a Tribal Government Liaison. The Liaison shall serve as an initial contact for Tribal Governments and communicates with tribal governments regarding SANDAG’s activities.

4.1. “Consultation” is the active, affirmative process of: (1) identifying and seeking input from appropriate American Indian government bodies, community groups, and individuals; and (2) considering their interests as a necessary and integral part of the decision-making process.
<table>
<thead>
<tr>
<th>Date</th>
<th>From</th>
<th>Name/Agency</th>
<th>Comment</th>
<th>Response</th>
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<tbody>
<tr>
<td>10/11/2004</td>
<td>e-mail</td>
<td>Robert Hoffman, resident</td>
<td>As SANDAG’s Public Participation Policy now stands, it is nothing but propaganda, brainwashing. It is a marketing tool, not a learning device. The major change needed is for SANDAG to seek those with the expertise, knowledge, wisdom, and insight to truly cope with current binds and grinds. SANDAG is flawed in seeking political solutions rather than practical. SANDAG needs to grow!</td>
<td>As part of SANDAG's public involvement effort, stakeholder committees, technical working groups, and other outreach activities seek to include feedback and generate input from participants with a variety of experiences and expertise.</td>
</tr>
<tr>
<td>10/11/2004</td>
<td>e-mail</td>
<td>Harvey Goodfriend, SDSU</td>
<td>...serving upon several SANDAG advisory committees over the last three years is that I often felt like we were there simply to create the illusion of citizen participation but did not have the opportunity to make changes or engage in meaningful dialogue. While staff was always responsive to our inquires the outcomes of both committees appeared to me predetermined. The design of the TransNet extension reflects polling to discover how to achieve a successful outcome at the polls rather than the views of those on the advisory committees. Apparently this was not just my reaction since as time went on attendance diminished from about twenty to only a few individuals.</td>
<td>SANDAG has continued to refine the selection process, goals, and expectations for citizens involved in stakeholder committees. These efforts have improved the input/feedback loop for both participants and SANDAG.</td>
</tr>
<tr>
<td>10/20/2004</td>
<td>Letter</td>
<td>North San Diego County Transit Development Board</td>
<td>Requested changes to Section D Items 1.2 and 1.3 to address when public hearings will be held in North County locations, ensure the location is accessible to riders of transit, and ensure meeting times allow for community participation. Language added to clarify printing/publication of notices.</td>
<td>Recommended changes reflected in final policy.</td>
</tr>
<tr>
<td>10/27/2004</td>
<td>e-mail</td>
<td>Theresa Quiroz</td>
<td>8-year bus rider. Overall dissatisfaction with public participation process regarding transit issues, service changes, and getting involved in the early stages of route, fare, and service planning process at MTS.</td>
<td>This updated public participation policy will clarify the roles of SANDAG, MTS, and NCTD. The policy also will clarify for residents how and when they provide input into planning, construction, transit service change, and transit fare change decision-making process. MTS staff has discussed these issues with Ms. Quiroz and is working with her to address her comments.</td>
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<td>Date</td>
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<tr>
<td>11/03/2004</td>
<td>e-mail</td>
<td>James Snider Community Relations Liaison</td>
<td>I have reviewed the Public Participation Policy document and I do not have any issues with the policy.</td>
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<td>Customs and Border Protection San Diego Field</td>
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<td>Office</td>
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<td>11/10/2004</td>
<td>e-mail</td>
<td>Metropolitan Transit System</td>
<td>Clarify that when regionally significant changes to transit fare or service are proposed that affect both NCTD and MTS service areas, public meetings shall be held in each of the service areas.</td>
<td>Recommended change reflected in final policy.</td>
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<td>San Diego Regional Chamber of Commerce</td>
<td>The policy should reflect that SANDAG includes business groups in the public participation process.</td>
<td>Recommended change reflected in final policy.</td>
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<td>Section A.4: The Policy should note that meetings should be accessible by transit.</td>
<td>Recommended change reflected in final policy.</td>
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<td>“Project construction” should be added to the list in A.5</td>
<td>Recommended change reflected in final policy.</td>
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<td>Advertising in community papers is another good way to inform the public and should be considered.</td>
<td>Advertising in community newspapers is included in Sections A, B, and C.</td>
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<td>“Participation” may be the wrong word to use in section B.10. It is unlikely that SANDAG wants to involve the public in participatory ways (such as membership) on its main committees (Executive, Transportation, Regional Planning, Borders, and Public Safety other than informing them, consulting with them or taking their testimony.</td>
<td>Recommended changes reflected in final policy.</td>
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<td>Section D.1.2 needs to be clarified. It states that all the public hearings will be held at SANDAG during SANDAG meetings, which are not held at a particularly convenient time for the public to attend. SANDAG may intend to change the time for public hearings, but that is not clear.</td>
<td>Reflected in final policy.</td>
</tr>
<tr>
<td>11/10/2004</td>
<td>Letter</td>
<td>Caltrans, District 11</td>
<td>We look forward to working with you and our local/regional partners in incorporating such strategies into the development SANDAG’s plans, programs, and projects</td>
<td></td>
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</tbody>
</table>
Introduction

In conjunction with implementing the consolidation of the transit agencies under SB 1703, SANDAG has been conducting a Classification and Compensation Study to realign and confirm employee classification levels and salary scales. This study is focused on developing a singular system from the three systems merged under consolidation. The study is in the final stages and as we compile the data and survey results, we anticipate the study will be completed by the end of the year. In the interim, we have been facing a crisis of recruitment failures and request that the Executive Committee recommend that the Board approve early implementation of four key positions: Human Resources Manager, Finance Manager, and two Associate Accountant positions.

<table>
<thead>
<tr>
<th>POSITION</th>
<th>CURRENT SALARY GRADE/RANGE</th>
<th>PROPOSED SALARY GRADE/RANGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assoc. Accountant</td>
<td>Grade 10 $36,689-$55,076</td>
<td>Grade 12 $40,449-$60,722</td>
</tr>
<tr>
<td>Finance Manager (Senior Level)</td>
<td>Grade 20 $59,769-$89,683</td>
<td>Grade 21 $62,757-$94,167</td>
</tr>
<tr>
<td>Human Resources Manager (Principal)</td>
<td>Grade 20 $59,769-$89,683</td>
<td>Grade 24 $72,645-$109,054</td>
</tr>
</tbody>
</table>

It is only fair to note that these ranges may change as we compile the new Position Classification/ Salary Range Table with further information from the compensation study. While two of these positions have the title “Manager,” the study put them at different levels, one at Senior, the other at Principal because of the duties and responsibilities involved as well as the impact and consequence of error.
Discussion

SANDAG has recently experienced difficulty in recruiting or hiring several key positions. Specifically, the positions of Human Resources Manager, Finance Manager, and Associate Accountants have been difficult to recruit. We’ve experienced failures in recruitments and retention. A recruitment process is considered failed when there is not an adequate pool of qualified applicants or the position(s) are offered but ultimately turned down because of salary.

The following are examples of recent or pending failures:

<table>
<thead>
<tr>
<th>DATE</th>
<th>POSITION</th>
<th>RESULTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>March 2003</td>
<td>Finance Manager</td>
<td>Failed recruitment; one viable candidate but could not negotiate an acceptable salary.</td>
</tr>
<tr>
<td>November 2003</td>
<td>Finance Manager</td>
<td>Failed recruitment; two viable candidates—again we could not offer acceptable salary. Finally a temporary placement was utilized from a head hunter/temp agency. This became a permanent hire, but she recently left our employment.</td>
</tr>
<tr>
<td>October 2004</td>
<td>Finance Manager</td>
<td>Have only received 4 applications at this time.</td>
</tr>
<tr>
<td>June 2004</td>
<td>Associate Accountant</td>
<td>Failed recruitment; one viable candidate was offered the position but was then offered more money to stay at current position. Another candidate was contacted about our intent to offer the job when she informed us she was negotiating with another company and would let us know if she was interested. She never contacted us again. There were no other viable candidates.</td>
</tr>
<tr>
<td>September 2004</td>
<td>Associate Accountant</td>
<td>Advertised two positions—would like to avoid another failure.</td>
</tr>
<tr>
<td>September 2004</td>
<td>Human Resources Manager</td>
<td>Application date is closed. We’ve received many applications but of the top ten, four are already being compensated significantly beyond our current range. This is another key position where we would like to avoid failure.</td>
</tr>
</tbody>
</table>
SANDAG is in the process of having a Classification and Compensation Study done that will be completed by the end of the year. The compensation survey was conducted comparing the local cities and agencies as well as other councils of governments similar in complexity and size to SANDAG. We have already received preliminary salary information from the study that identifies some positions as being under compensated. These positions include Finance Manager, Associate Accountant, and Human Resources Manager. All of these positions are in the midst of a recruitment process, hence we would like to implement the recommended salary changes for these classifications now to avoid further failed recruitments. Because of our long-term vacancies, we have salary savings within our budget and can afford the possibility of offering a higher salary in order to recruit the finest candidates.

The cost of these recruitment failures is not only in the lack of qualified staff being hired to do necessary work (creating additional workload on existing staff), but also in the effort and time to conduct the recruitment and selection process. Not only Human Resources staff, but three or four panel members waste valuable work time when a failed process yields no hire.

GARY L. GALLEGOS
Executive Director

Key Staff Contact: Leslie Campbell;
619.699.1999; lca@sandag.org
QUARTERLY PROGRESS REPORT
ON TRANSPORTATION PROJECTS
JULY-SEPTEMBER 2004

Introduction

This quarterly 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) for July-September 2004. 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 $55.7 million in the FY 2004-05 first quarter. Revenue for the fiscal year is 7.8% higher than it was last fiscal year at this time. Revenue is approximately 6.6% higher than the FY 2004-05 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 5.6% higher than last year at this time. Revenue available for allocation since the inception of the TransNet Program totals $2.441 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.

The I-15/SR 56 Interchange Improvements project (project #17) has been opened to traffic. Some of the ramps had opened earlier when SR 56 was opened to traffic during the summer and the remaining ramps are nearly completed. Construction work associated with the I-15 Managed Lanes project (projects 16, 18-21) continues in the vicinity of the I-15/SR 56 interchange. The overall I-15 Managed Lanes project, from SR 56 to Escondido, is scheduled to open to traffic in late 2007.

Caltrans advertised the SR 76 intersection at Olive Hill Road (project #27) in early November. This TransNet-funded project will widen SR 76 on both sides of Olive Hill Road and provide congestion relief to commuters and residents. Construction of the intersection widening is scheduled to begin December 2004 with completion scheduled for July 2005.

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 has begun on the East Village Transit Improvements – City College Trolley Station project (project #41). Currently, the trolley must stop on a 90 degree curve around the corner of “C” Street and Park Boulevard. The new station will allow trolleys to stop on a straight
line and will feature improved amenities for transit riders and bus loading areas. The station is being modernized and re-built in conjunction with revitalization work by the Centre City Redevelopment Corporation. Completion is scheduled for the end of 2006.

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 San Diego completed the design for the Genesee Avenue Widening project (project #105). The City will advertise the project in December. This project will widen Genesee Avenue by two lanes to a total of six lanes from I-5 to Campus Point. This project is scheduled to be open to traffic November 2005.

The City of San Marcos held a ground breaking ceremony for the SR 78/Las Posas Road Interchange (project #109) in October 2004. This new interchange will provide access from Downtown San Marcos and alleviate congestion at adjacent interchanges. Completion and opening to traffic is scheduled for fall 2006.

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.

Caltrans completed the construction of a Closed Circuit Television (CCTV) Incident Identification System project (project #120). This project installed cameras along I-8, I-15, and I-805 in the Mission Valley and Kearny Mesa areas. This system will allow incident response teams to monitor and respond to accidents in a more efficient manner.

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 60,600 pounds of smog forming pollution during the first quarter of FY 2004-05, an increase of 18% over last year at this time. During this same time period, the Freeway Service Patrol assisted approximately 13,600 motorists, about 3% fewer than last quarter.

SANDAG’s Vanpool Program participation rate continues to increase, growing 20% percent in the last year, from 302 vanpools to 363 vanpools. Vanpools from outside San Diego County represent 51% of all vanpools and have increased 28% in the past year from 144 to 184 vanpools. Vanpools originating in Riverside County continue to be a large and fast-growing component of the program, increasing 27% from 120 to 152 in the last year and accounting for 42% of all the regional vanpools. Average ridership per vanpool was approximately 9.3 passengers, with 3,378 passengers participating in the program.

Employer Programs: During the quarter, staff contacted 136 employers. Three formal presentations were delivered to employers; and four employer surveys were conducted. Five employers began offering a transportation benefit to their employees. Three employers increased the benefit they
offer to their employees. Seven employers began internally marketing or promoting commuter services to their employees.

Marketing/Outreach: The Survive the Drive marketing campaign was launched with new collateral materials for vanpool, carpooling, biking, SchoolPool, and employer benefits. A newsletter was developed and distributed to employers in the I-5/I-805 area. Work continued on the development of the updated RideLink Web site. A gas-card reward promotion was introduced to provide incentive for vanpool formation in the I-5/I-805 area.

GARY L. GALLEGOS
Executive Director

Attachments (12)

Key Staff Contact: José A. Nuncio, (619) 699-1908; jnu@sandag.org

Funds are budgeted in the TransNet, STIP-RIP, RSTP, and CMAQ Programs
<table>
<thead>
<tr>
<th>Program &amp; Recipient</th>
<th>TransNet Allocations</th>
<th>Fund Disbursements</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>This Quarter FY To Date Program To Date</td>
<td>This Quarter FY To Date Program To Date</td>
</tr>
<tr>
<td><strong>BICYCLE ELEMENT</strong></td>
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<tr>
<td>Various Agencies</td>
<td>$ 250,000 $ 250,000 $ 18,420,483</td>
<td>$ - $ - $ 14,027,063</td>
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<tr>
<td></td>
<td>$ 250,000 $ 250,000 $ 18,420,483</td>
<td>$ - $ - $ 14,027,063</td>
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<tr>
<td><strong>WALKABLE COMMUNITIES DEMONSTRATION PROGRAM</strong></td>
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<tr>
<td>Various Agencies</td>
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</tr>
<tr>
<td></td>
<td></td>
<td>$ 1,056,883 $ 1,000,000</td>
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<tr>
<td><strong>HIGHWAY ELEMENT</strong></td>
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<tr>
<td>Programwide</td>
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<td>$ 3,000,000 $ 3,000,000 $ 786,909,119</td>
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<tr>
<td></td>
<td>$ 18,465,495 $ 18,465,495 $ 819,451,635</td>
<td>$ 3,000,000 $ 3,000,000 $ 786,909,119</td>
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<tr>
<td><strong>TRANSIT ELEMENT</strong></td>
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<td>Elderly/Disabled (Various Agencies)</td>
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<td>623,519 623,519 25,889,968</td>
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<td>Chula Vista</td>
<td>1,196,486 1,196,486 42,717,142</td>
<td>3,000,000 3,000,000 40,036,100</td>
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<tr>
<td>Coronado</td>
<td>$ 153,561 $ 153,561 $ 7,222,279</td>
<td>144,330 144,330 6,861,946</td>
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<td>Del Mar</td>
<td>48,957 48,957 2,561,277</td>
<td>50,000 50,000 2,559,300</td>
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<tr>
<td>El Cajon</td>
<td>560,432 560,432 24,936,919</td>
<td>697,000 697,000 25,866,187</td>
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<tr>
<td>Encinitas</td>
<td>396,319 396,319 19,357,144</td>
<td>380,000 380,000 18,136,026</td>
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<tr>
<td>Escondido</td>
<td>811,019 811,019 34,164,684</td>
<td>452,000 452,000 32,992,091</td>
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<tr>
<td>Imperial Beach</td>
<td>159,401 159,401 7,491,090</td>
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<tr>
<td>La Mesa</td>
<td>358,324 358,324 17,231,745</td>
<td>50,000 50,000 15,034,400</td>
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<tr>
<td>Lemon Grove</td>
<td>167,684 167,684 8,062,131</td>
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<td>National City</td>
<td>323,862 323,862 14,893,673</td>
<td>153,200 153,200 14,148,188</td>
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<td>Oceanside</td>
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<td>Poway</td>
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<td>San Diego City</td>
<td>7,439,504 7,439,504 321,733,003</td>
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<td>San Marcos</td>
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<td>Santee</td>
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<td>Solana Beach</td>
<td>105,402 105,402 5,295,402</td>
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<td>Vista</td>
<td>599,104 599,104 24,007,457</td>
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<td>County of San Diego</td>
<td>3,435,443 3,435,443 150,738,198</td>
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<td></td>
<td>$ 18,522,378 $ 18,522,378 $ 792,685,263</td>
<td>$ 12,537,224 $ 12,537,224 $ 788,922,896</td>
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<tr>
<td><strong>TRANSNET PROGRAM</strong></td>
<td>$ 55,703,369 $ 55,703,369 $ 2,441,169,100</td>
<td>$ 16,359,187 $ 16,359,187 $ 2,430,247,034</td>
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</tbody>
</table>

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.
## Highway Projects

<table>
<thead>
<tr>
<th>Project Title</th>
<th>Sponsor Agency</th>
<th>Current Phase</th>
<th>Total Project</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description/Limits</strong></td>
<td></td>
<td>Phase</td>
<td>Approved Budget ($1,000's)</td>
</tr>
<tr>
<td>1 I-5 Realignment</td>
<td>US GSA/Caltrans</td>
<td>Environmental</td>
<td>Apr-06</td>
</tr>
<tr>
<td>Virginia Ave POE Relocation in San Ysidro</td>
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<tr>
<td>2 I-5 Widening</td>
<td>Caltrans</td>
<td>Design</td>
<td>May-05</td>
</tr>
<tr>
<td>24th Street to Harbor Drive</td>
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</tr>
<tr>
<td>3 I-5 Widening - Phase I</td>
<td>Caltrans</td>
<td>Complete</td>
<td></td>
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<tr>
<td>Genesee Ave to Sorrento Valley Road</td>
<td></td>
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<tr>
<td>Genesee Ave to Del Mar Heights Rd</td>
<td></td>
<td></td>
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<tr>
<td>5 I-5 Widening (Northbound)</td>
<td>Caltrans</td>
<td>Complete</td>
<td></td>
</tr>
<tr>
<td>Del Mar Heights Rd to Via de la Valle</td>
<td></td>
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<tr>
<td>6 I-5 HOV/Managed Lanes</td>
<td>Caltrans</td>
<td>Environmental</td>
<td>Apr-08</td>
</tr>
<tr>
<td>La Jolla Village Dr to Vandegrift Blvd</td>
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<tr>
<td>7 I-5 Noise Barriers</td>
<td>SANDAG</td>
<td>Environmental</td>
<td>N/A</td>
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<td>City of Cereside</td>
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<tr>
<td>8 I-5/ SR-56 Connectors</td>
<td>City of San Diego</td>
<td>Environmental</td>
<td>Jul-09</td>
</tr>
<tr>
<td>West to North and South to East</td>
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<tr>
<td>9 I-5/ SR-78 Connectors</td>
<td>Caltrans</td>
<td>Feasibility Study</td>
<td>May-05</td>
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<tr>
<td>South to East Connector and West to South</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>10 I-8 Widening (Eastbound)</td>
<td>Caltrans</td>
<td>Design</td>
<td>Jul-06</td>
</tr>
<tr>
<td>2nd Street to Greenfield Drive</td>
<td></td>
<td></td>
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<tr>
<td>11 SR-11 4-Lane Freeway</td>
<td>Caltrans</td>
<td>Environmental</td>
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<tr>
<td>Freeway Access to New Border Crossing</td>
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<tr>
<td>12 I-15 Widening (Southbound)</td>
<td>Caltrans</td>
<td>Construction</td>
<td>Mar-05</td>
</tr>
<tr>
<td>Friars Road to I-8</td>
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<tr>
<td>13 I-15 Managed Lanes South</td>
<td>Caltrans</td>
<td>Design</td>
<td>Feb-08</td>
</tr>
<tr>
<td>SR-163 to SR-56</td>
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<tr>
<td>14 I-15 Widening</td>
<td>Caltrans</td>
<td>Construction</td>
<td>Jan-05</td>
</tr>
<tr>
<td>Mira Mesa Blvd to Miramar Way</td>
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<td></td>
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<tr>
<td>15 I-15 Widening</td>
<td>Caltrans</td>
<td>Construction</td>
<td>Oct-05</td>
</tr>
<tr>
<td>Mercy Rd to SR-56</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*TransNet funded projects in **bold**

**Underlined items changed from last report**

* Work suspended due to program budget deficit

October 2004
<table>
<thead>
<tr>
<th>Project Title</th>
<th>Sponsor Agency</th>
<th>Current Phase</th>
<th>Total Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Title Description/Limits</td>
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<td>Cost and Budget</td>
</tr>
<tr>
<td></td>
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<td>Phase</td>
<td>Approved Budget ($1,000's)</td>
</tr>
<tr>
<td>16 I-15 Managed Lanes Middle Poway Road to north of SR 56</td>
<td>Caltrans</td>
<td>Design</td>
<td>Dec-04</td>
</tr>
<tr>
<td>17 I-15/SR-56 Interchange I-15/SR 56 Interchange Improvements and I-15 Widening</td>
<td>Caltrans</td>
<td>Complete</td>
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<tr>
<td>18 I-15 Managed Lanes Middle 15/56 to Camino del Norte</td>
<td>Caltrans</td>
<td>Construction</td>
<td>Dec-07</td>
</tr>
<tr>
<td>19 I-15 Managed Lanes Middle Camino del Norte to Duenda Road</td>
<td>Caltrans</td>
<td>Construction</td>
<td>Dec-07</td>
</tr>
<tr>
<td>20 I-15 Managed Lanes Middle Duenda Road to Lake Hodges</td>
<td>Caltrans</td>
<td>Construction</td>
<td>Dec-07</td>
</tr>
<tr>
<td>21 I-15 Managed Lanes Middle Rancho Bernardo Road to Clarence Lane</td>
<td>Caltrans</td>
<td>Design</td>
<td>Jul-05</td>
</tr>
<tr>
<td>22 I-15 Managed Lanes North Centre City Pkwy to SR-78</td>
<td>Caltrans</td>
<td>Design</td>
<td>Dec-06</td>
</tr>
<tr>
<td>23 SR-52 4-Lane Freeway SR-125 to SR 67</td>
<td>Caltrans</td>
<td>Design &amp; Right of Way</td>
<td>Apr-07</td>
</tr>
<tr>
<td>24 SR-54 and SR-125 HOV Lanes* I-5 to SR-94</td>
<td>Caltrans</td>
<td>Environmental</td>
<td>N/A</td>
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<tr>
<td>25 SR-56 4-Lane Freeway Camino del Sur to Carmel Country Rd</td>
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<td>Complete</td>
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<tr>
<td>26 SR-76 4-Lane Conventional Merrose Dr to Mission Rd (S133)</td>
<td>Caltrans</td>
<td>Environmental</td>
<td>Dec-06</td>
</tr>
<tr>
<td>27 SR-76 Intersection Olive Hill Road</td>
<td>Caltrans</td>
<td>Construction</td>
<td>Jul-05</td>
</tr>
<tr>
<td>28 SR-78 Widening (Eastbound) El Camino Real</td>
<td>Caltrans</td>
<td>Design</td>
<td>Jan-05</td>
</tr>
<tr>
<td>29 SR-94 Capacity Enhancement* I-5 to SR-125</td>
<td>Caltrans</td>
<td>Environmental</td>
<td>N/A</td>
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<tr>
<td>30 SR-94 Noise Barriers City of La Mesa</td>
<td>SANDAG</td>
<td>Environmental</td>
<td>N/A</td>
</tr>
</tbody>
</table>

*TransNet funded projects in bold
*Underlined items changed from last report
*Work suspended due to program budget deficit

October 2004
## Highway Projects

<table>
<thead>
<tr>
<th>Project Title</th>
<th>Sponsor Agency</th>
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<tbody>
<tr>
<td><strong>Project Title</strong></td>
<td><strong>Sponsor Agency</strong></td>
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<td><strong>Completion</strong></td>
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<tr>
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<td>33 SR-125 4-Lane Toll Highway</td>
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<td>34 SR-905 4-Lane Freeway</td>
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<td>I-805 to U.S./Mexico Border</td>
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<td>35 SR-905 Construct Interchange</td>
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### Totals

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* TransNet funded projects in **bold**
* Underlined items changed from last report
* Work suspended due to program budget deficit

October 2004
## Transit and Bikeway Projects

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<th>Project Title</th>
<th>Description/Limits</th>
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<td>41 East Village Stations</td>
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<td>44 Nobel Drive Coaster Station</td>
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<td>45 I-15 Managed Lanes/BRT</td>
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<td>49 SDTC New Buses</td>
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<td>55 Grossmont Station</td>
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TransNet funded projects in bold
Underlined items changed from last report
1 Work suspended due to program budget deficit
$Baseline established when construction is funded

October 2004
## Transit and Bikeway Projects

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Attachment 4

October 2004
## Transit and Bikeway Projects

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### Totals

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TransNet funded projects in bold

Underlined items changed from last report

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October 2004
## Arterial and Freeway Interchange Projects

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<th>Project Title</th>
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<td>97 Widen Bear/ East Valley Parkway Orlando to North city limit</td>
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<td>99 Widen Plaza Blvd Highland Avenue to Euclid Avenue</td>
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<td>Fashion Valley Rd. to Frazee Rd.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>107 Clairemont Mesa Blvd/SR-163 Interchange</td>
<td>San Diego</td>
<td>Design &amp;</td>
<td>$20,000</td>
</tr>
<tr>
<td>Kearny Mesa Rd. to Kearny Villa Rd.</td>
<td></td>
<td>Right of Way</td>
<td></td>
</tr>
<tr>
<td>108 El Camino Real</td>
<td>San Diego</td>
<td>Environmental</td>
<td>$23,480</td>
</tr>
<tr>
<td>Via de la Valle to San Dieguito Rd.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>109 Las Posas Rd/ SR-76 Interchange</td>
<td>San Marcos</td>
<td>Construction</td>
<td>$16,100</td>
</tr>
<tr>
<td>Construct new interchange</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>110 Rancho Santa Fe Rd</td>
<td>San Marcos</td>
<td>Construction</td>
<td>$29,100</td>
</tr>
<tr>
<td>Melrose Drive to Island Drive</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>111 Forester Creek Channelization</td>
<td>Santee</td>
<td>Design &amp;</td>
<td>$20,400</td>
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<tr>
<td>Mission Gorge Rd. to Prospect Avenue</td>
<td></td>
<td>Right of Way</td>
<td></td>
</tr>
<tr>
<td>112 Lomas Santa Fe Dr/ I-5 Interchange</td>
<td>Solana Beach</td>
<td>Design &amp;</td>
<td>$18,020</td>
</tr>
<tr>
<td>Reconstruct interchange</td>
<td></td>
<td>Right of Way</td>
<td></td>
</tr>
<tr>
<td>Thunder Drive to Melrose Drive</td>
<td></td>
<td>Right of Way</td>
<td></td>
</tr>
<tr>
<td>114 South Santa Fe Ave</td>
<td>Co. of San Diego</td>
<td>Design &amp;</td>
<td>$22,600</td>
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<tr>
<td>Vista city limit to San Marcos city limit</td>
<td></td>
<td>Right of Way</td>
<td></td>
</tr>
<tr>
<td>115 Bradley Ave/ SR-67 Interchange</td>
<td>Co. of San Diego</td>
<td>Environmental</td>
<td>$6,931</td>
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<tr>
<td>Reconstruct and widen interchange</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>116 Los Coches/ I-8 Interchange</td>
<td>Co. of San Diego</td>
<td>Construction</td>
<td></td>
</tr>
</tbody>
</table>

| Totals                                           |                |              | $559,026            | $292,392            | $1,013,026            |

*TransNet funded projects in bold*

*Underlined items changed from last report*

*Work suspended due to program budget deficit*
### Traffic Management and Intelligent Transportation System Projects

<table>
<thead>
<tr>
<th>Project Title</th>
<th>Sponsor Agency</th>
<th>Current Phase</th>
<th>Total Project</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Phase</td>
<td>Approved Budget</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Completion</td>
<td>($1,000's)</td>
</tr>
<tr>
<td>120 CCTV Incident Identification System</td>
<td>Caltrans</td>
<td>Construction</td>
<td>$11,200</td>
</tr>
<tr>
<td>I-8: SR-163 to Mission Gorge Rd</td>
<td></td>
<td>Nov-04</td>
<td></td>
</tr>
<tr>
<td>I-15: I-8 to SR-163</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I-805: I-8 to SR-163</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>121 CCTV Incident Identification System</td>
<td>Caltrans</td>
<td>Construction</td>
<td>$9,000</td>
</tr>
<tr>
<td>I-15: SR-94 to I-8</td>
<td></td>
<td>Jul-06</td>
<td></td>
</tr>
<tr>
<td>I-805: SR-94 to I-8</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>122 Changeable Message Signs</td>
<td>Caltrans</td>
<td>Construction</td>
<td>$1,200</td>
</tr>
<tr>
<td>I-5: 3 Locations</td>
<td></td>
<td>Feb-06</td>
<td></td>
</tr>
<tr>
<td>123 Changeable Message Signs</td>
<td>Caltrans</td>
<td>Complete</td>
<td>$1,700</td>
</tr>
<tr>
<td>I-8: 3 Locations</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SR-94: 1 Location</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>124 Ramp Meters (Northbound)</td>
<td>Caltrans</td>
<td>Environmental</td>
<td>$7,700</td>
</tr>
<tr>
<td>I-5: Coronado Ave to E Street</td>
<td></td>
<td>Feb-07</td>
<td></td>
</tr>
<tr>
<td>125 Ramp Meters (Northbound)</td>
<td>Caltrans</td>
<td>Design</td>
<td>$9,800</td>
</tr>
<tr>
<td>I-805: Otay Valley Rd to E Street</td>
<td></td>
<td>Aug-06</td>
<td></td>
</tr>
<tr>
<td>126 Traffic Monitoring Systems</td>
<td>Caltrans</td>
<td>Design</td>
<td>$6,500</td>
</tr>
<tr>
<td>I-5, SR-52, SR-94 and I-805</td>
<td></td>
<td>Oct-08</td>
<td></td>
</tr>
<tr>
<td>127 Regional Automated Vehicle Location Coaster,</td>
<td>SANDAG</td>
<td>Construction</td>
<td>$2,800</td>
</tr>
<tr>
<td>Inland Breeze, Airporter, Poway Bus</td>
<td></td>
<td>Nov-04</td>
<td></td>
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<tr>
<td>128 Automated Vehicle Classification</td>
<td>SANDAG</td>
<td>Design</td>
<td>$750</td>
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<tr>
<td>Freeway System, Ports</td>
<td></td>
<td>Aug-05</td>
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<tr>
<td>129 Advanced Traveler Information System</td>
<td>SANDAG</td>
<td>Permit Approval</td>
<td>$3,000</td>
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<tr>
<td>Freeway System</td>
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<td>Dec-04</td>
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<tr>
<td>130 Performance Monitoring System</td>
<td>SANDAG</td>
<td>Design</td>
<td>$240</td>
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<tr>
<td>Arterial, Freeway, Transit Systems</td>
<td></td>
<td>Jun-05</td>
<td></td>
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<tr>
<td>131 Regional Arterial Management System</td>
<td>SANDAG</td>
<td>Implementation</td>
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<tr>
<td>Arterial System</td>
<td></td>
<td>Jan-06</td>
<td></td>
</tr>
</tbody>
</table>

CCTV: Closed Circuit Television Camera
Underlined items changed from last report
* Work suspended due to program budget deficit

October 2004
### Traffic Management and Intelligent Transportation System Projects

<table>
<thead>
<tr>
<th>Project Title</th>
<th>Current Phase</th>
<th>Total Project</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Description/Limits</td>
<td>Approved Budget</td>
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<tr>
<td>132 Pulsing Ramp Meters</td>
<td>Proposal</td>
<td>$0</td>
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<tr>
<td></td>
<td>Sponsor Agency</td>
<td>2006</td>
</tr>
<tr>
<td>SANDAG</td>
<td>Mar-05</td>
<td></td>
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</table>

**Cost and Budget** ($1,000's)

<table>
<thead>
<tr>
<th>Approved Budget</th>
<th>Funded Budget</th>
<th>Cost to Complete</th>
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<tbody>
<tr>
<td>$54,890</td>
<td>$54,890</td>
<td>$54,290</td>
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**Schedule**

<table>
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<tr>
<th>Current Completion</th>
<th>On schedule?</th>
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</thead>
<tbody>
<tr>
<td>2006</td>
<td>On Schedule</td>
</tr>
</tbody>
</table>

* CCTV: Closed Circuit Television Camera
* Underlined items changed from last report
* Work suspended due to program budget deficit

October 2004
MAJOR TRAFFIC MANAGEMENT PROJECTS
July – September 2004

- Project Under Development
- Project Under Construction
- CMS Under Development
- CMS Under Construction

MAP KEY:
CCTV: Closed Circuit Television Camera
CMS: Changeable Message Sign

SAN DIEGO REGION

MAP AREA

PACIFIC OCEAN

ATTACHMENT 9
# Transportation Demand and Incident Management

## Jul-Sep 2004 Quarterly Progress Report

### DEMAND MANAGEMENT

<table>
<thead>
<tr>
<th>Activity</th>
<th>This Quarter</th>
<th>Last Quarter</th>
<th>Fiscal Year To Date</th>
<th>Last Fiscal Year To Date</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Reduced Travel</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Person Trips Reduced</td>
<td>424,632</td>
<td>396,574</td>
<td>424,632</td>
<td>368,792</td>
</tr>
<tr>
<td>Vehicle Miles Traveled (VMT) Reduced</td>
<td>21,816,473</td>
<td>20,245,867</td>
<td>21,816,473</td>
<td>18,440,200</td>
</tr>
<tr>
<td><strong>Reduced Emissions</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pounds of Smog-forming Pollution Reduced</td>
<td>60,600</td>
<td>56,236</td>
<td>60,600</td>
<td>51,220</td>
</tr>
<tr>
<td><strong>Reduced Fuel Consumption</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gallons of Fuel</td>
<td>1,189,234</td>
<td>1,103,607</td>
<td>1,189,234</td>
<td>1,005,189</td>
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<tr>
<td><strong>Reduced Costs</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Reduced Auto Fees</td>
<td>10,646,440</td>
<td>9,879,884</td>
<td>10,646,440</td>
<td>8,998,818</td>
</tr>
<tr>
<td><strong>Program Activity</strong></td>
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<td></td>
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<tr>
<td>Number of Vanpools</td>
<td>363</td>
<td>338</td>
<td>363</td>
<td>302</td>
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<td>Vanpool Passengers</td>
<td>3,378</td>
<td>3,171</td>
<td>3,378</td>
<td>2,844</td>
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<tr>
<td>Companies in RideLink Subsidy Program</td>
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<td></td>
<td></td>
<td></td>
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<tr>
<td>Bike Locker Members</td>
<td>407</td>
<td>408</td>
<td>407</td>
<td>441</td>
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<tr>
<td>Guaranteed Ride Home Participants</td>
<td>3,130</td>
<td>3,493</td>
<td>3,130</td>
<td>3,045</td>
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<tr>
<td>Total Phone Calls Received</td>
<td>2,981</td>
<td>2,981</td>
<td>2,981</td>
<td>3,562</td>
</tr>
<tr>
<td>Carpool Matchlists Distributed</td>
<td>3,008</td>
<td>1,179</td>
<td>3,008</td>
<td>2,813</td>
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</table>

### INCIDENT MANAGEMENT

<table>
<thead>
<tr>
<th>Activity</th>
<th>This Quarter</th>
<th>Last Quarter</th>
<th>Fiscal Year To Date</th>
<th>Last Fiscal Year To Date</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Freeway Service Patrol</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Assists</td>
<td>13,594</td>
<td>14,027</td>
<td>13,594</td>
<td>13,402</td>
</tr>
<tr>
<td>(Incl. FSP for Traffic Management Plans on I-5, I-15)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Freeway Changeable Message Signs</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Incident Broadcasts</td>
<td>122</td>
<td>167</td>
<td>122</td>
<td>146</td>
</tr>
<tr>
<td>Broadcast Duration (total minutes)</td>
<td>21,887</td>
<td>27,714</td>
<td>21,887</td>
<td>18,746</td>
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<tr>
<td><strong>Freeway Incident Advisories</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sig Alerts</td>
<td>129</td>
<td>130</td>
<td>129</td>
<td>123</td>
</tr>
<tr>
<td>Sig Alert Duration (total minutes)</td>
<td>12,983</td>
<td>11,491</td>
<td>12,983</td>
<td>10,894</td>
</tr>
</tbody>
</table>
2005 ANNUAL RETREAT

Recommendation

It is the recommendation of the Executive Committee that the Board of Directors approve the topics outlined in this report to serve as the foundation to develop the retreat agenda.

Public Safety — Participants may want to discuss the work being undertaken by the new Public Safety Committee (PSC), and how it impacts jurisdictions collectively. The committee has an opportunity and potential role in the region as a resource to enhance the effectiveness of joint initiatives and programs to benefit the region’s law enforcement, criminal justice, homeland security, and emergency planning activities. SANDAG is conducting a regional public safety needs assessment that will focus, although not exclusively, on four priority areas identified by the PSC: (1) regional training (including crime analysts and first responders); (2) interoperability and regional communications; (3) a regional information center for centralized analysis of data; and (4) a regional public safety service center for research, grant solicitation, and acquisition, maintenance, and support of technology, information, and communications. While individual public safety agencies and departments have undertaken such efforts, they have not been regional in scope, which has the potential to be value-added by this effort. This needs assessment will identify opportunities for enhanced collaboration and sharing of resources; provide information to gain consensus on the priorities for regional public safety initiatives; and highlight a legislative focus for the PSC.

Integration and Implementation of the Regional Comprehensive Plan (RCP) and Regional Transportation Plan (RTP) — One of the agency’s most complex work elements is the integration of the RCP and RTP. The Regional Comprehensive Plan identifies several strategic initiatives that are critical to achieving the goals and policy objectives in the Plan related to land use and transportation coordination. These initiatives include the smart growth incentive program; performance indicators and targets; smart growth concept map; an updated regional growth forecast; and an updated Regional Transportation Plan. In addition, the RCP identifies other new initiatives for SANDAG such as the regional energy planning program. Retreat participants might want to discuss these initiatives in terms of where we are and what we hope to accomplish in the coming year.

TransNet — Directors need to establish a strategic plan for implementing the provisions of the voter-approved TransNet Extension, including expediting projects and programs that provide near-term traffic congestion relief.

SANDAG Basics — This is a primer on the agency’s vision, mission, and functions, and the roles and responsibilities of a Director (important for new Board members beginning to serve during the new year as well as a refresher for veteran members). The primer also would be used to preview topics to be discussed during the retreat so new
members as well as interested veteran Board members can dialogue with one another with much of the same foundation of information.

Agency Evaluation — Participants will be asked to evaluate the agency’s work during calendar year 2004, including the legislative program, and develop a consensus on regional priorities for 2005.

Overview

The SANDAG annual retreat is scheduled to start on Wednesday, February 9, 2005, in the early afternoon, run all day Thursday, and conclude by midday on Friday, February 11, 2005. The venue is La Casa Del Zorro in the desert community of Borrego Springs.

The primary objective of this public meeting is to afford participants the opportunity to strategize about regional public policies and programs. From these retreat discussions, participants can evaluate the agency’s overall work, develop ideas for the future direction of SANDAG, and establish priorities. Members also may want to consider some of these issues during the ensuing months as they develop the Fiscal Year 2006 Overall Work Program and associated Program Budget.

Speaker(s)

The Executive Committee is very receptive to inviting the California Secretary of Business, Transportation and Housing, the Honorable Sunne Wright McPeak. Committee members also suggest extending an invitation to the new Caltrans Director Will Kempton. In addition, in preparation for the public safety retreat discussion item, San Diego City Councilman Jim Madaffer has suggested inviting a well-known Harvard professor to speak on the political dynamics facing local government officials related to homeland security.

Discussion

Why Have a Retreat?
A retreat provides the opportunity for Board members and alternates to get together in a relaxed and informal atmosphere to allow for more time to have in-depth discussions on a few significant regional public policies. A well-planned, well-executed retreat provides the time for reflection on and evaluation of the worthiness of existing programs as well as the development of new initiatives. For example, initiatives from past retreats have resulted in your development of the Regional Comprehensive Plan, the Regional Economic Prosperity Strategy, your statewide fiscal reform proposal, the creation of the Committee on Binational Regional Opportunities, and the overall strategy for the extension of the TransNet program. In addition, a well-organized retreat enhances team building, program planning, commitment-to-goal accomplishment, and organizational development.

Where Is the Best Location?

The key to any retreat is to get participation. It is important to afford participants a different physical setting from the routine and pressures of their daily workplaces. The best location is a place that is relaxing and lends itself to clear, creative thought. La Casa Del Zorro in the community of Borrego Springs has worked very well as our retreat venue.

What’s the Proper Duration for the Retreat?

A one and one-half to two-day retreat offers the best opportunity to incorporate work time and team building, according to the California Association of Chambers of Commerce. A two-day session may allow time for a presentation by an outside speaker, reports on various committees and projects, brainstorming, development of a wish list, and time to fine tune the overall organization. Chamber executives note that
retreat social events can be as valuable as the working sessions.

Conclusion

The annual retreat has been of immense value for SANDAG Board members and alternates to help set the direction of the agency.

Based on the discussion and action during the Board meeting, staff will finalize the retreat agenda and associated support materials. A letter of invitation along with an RSVP card will be mailed to each Director and Alternate by mid-December 2004. The final agenda, background materials, and retreat logistics will be mailed to participants during the first week of February 2005.

Directors are asked to encourage their colleagues to participate in the retreat because of the inherent value this type of public forum provides regional policymakers.

GARY L. GALLEGOS
Executive Director

Key Staff Contact: Garry Bonelli, (619) 699-1960, gbo@sandag.org

No Budget Impact
TRANSNET EXTENSION - PROPOSITION A ELECTION RESULTS

Discussion

Analysis of Preliminary Election Results

The Registrar of Voters provided a breakdown of the results available on election night. This information is as of early November 3 and reflects 505,870 “Yes” votes on Proposition A out of a total of 758,649 votes cast for a support level of 66.68%. The incremental daily additions to the vote count are not available on a jurisdiction or precinct basis. Once the election results are certified, a similar breakdown of the final results can be prepared.

The table below provides a summary of the results on a jurisdiction-by-jurisdiction basis. The attached figure depicts the city-by-city breakdown. A precinct-level analysis also is being prepared and will be available at the meeting.

Unofficial Proposition A Results by Jurisdiction
(Preliminary Results as of November 3, 2004)

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Total Votes</th>
<th>Yes Votes</th>
<th>Percent Yes</th>
<th>No Votes</th>
<th>Percent No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carlsbad</td>
<td>33,119</td>
<td>23,282</td>
<td>70.30%</td>
<td>9,837</td>
<td>29.70%</td>
</tr>
<tr>
<td>Chula Vista</td>
<td>47,444</td>
<td>34,279</td>
<td>72.25%</td>
<td>13,165</td>
<td>27.75%</td>
</tr>
<tr>
<td>Coronado</td>
<td>6,192</td>
<td>4,313</td>
<td>69.65%</td>
<td>1,879</td>
<td>30.35%</td>
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<tr>
<td>Del Mar</td>
<td>1,890</td>
<td>1,215</td>
<td>64.29%</td>
<td>675</td>
<td>35.71%</td>
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<tr>
<td>El Cajon</td>
<td>21,208</td>
<td>12,975</td>
<td>61.18%</td>
<td>8,233</td>
<td>38.82%</td>
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<tr>
<td>Encinitas</td>
<td>21,716</td>
<td>14,617</td>
<td>67.31%</td>
<td>7,099</td>
<td>32.69%</td>
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<tr>
<td>Escondido</td>
<td>28,849</td>
<td>19,064</td>
<td>66.08%</td>
<td>9,785</td>
<td>33.92%</td>
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<td>Imperial Beach</td>
<td>5,212</td>
<td>3,755</td>
<td>72.05%</td>
<td>1,457</td>
<td>27.95%</td>
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<tr>
<td>La Mesa</td>
<td>17,603</td>
<td>11,537</td>
<td>65.54%</td>
<td>6,066</td>
<td>34.46%</td>
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<tr>
<td>Lemon Grove</td>
<td>6,427</td>
<td>4,215</td>
<td>65.58%</td>
<td>2,212</td>
<td>34.42%</td>
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<tr>
<td>National City</td>
<td>7,471</td>
<td>5,625</td>
<td>75.29%</td>
<td>1,846</td>
<td>24.71%</td>
</tr>
<tr>
<td>Oceanside</td>
<td>43,304</td>
<td>29,999</td>
<td>69.28%</td>
<td>13,305</td>
<td>30.72%</td>
</tr>
<tr>
<td>Poway</td>
<td>16,878</td>
<td>10,530</td>
<td>62.39%</td>
<td>6,348</td>
<td>37.61%</td>
</tr>
<tr>
<td>San Diego</td>
<td>325,057</td>
<td>221,709</td>
<td>68.21%</td>
<td>103,348</td>
<td>31.79%</td>
</tr>
<tr>
<td>- District 1</td>
<td>55,597</td>
<td>37,885</td>
<td>68.14%</td>
<td>17,712</td>
<td>31.86%</td>
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<tr>
<td>- District 2</td>
<td>51,600</td>
<td>34,101</td>
<td>66.09%</td>
<td>17,499</td>
<td>33.91%</td>
</tr>
<tr>
<td>District</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>----------</td>
<td>-----</td>
<td>----</td>
<td>-----</td>
<td>-----</td>
<td>-----</td>
</tr>
<tr>
<td>District 1</td>
<td>123,445</td>
<td>87,790</td>
<td>71.12%</td>
<td>35,655</td>
<td>28.88%</td>
</tr>
<tr>
<td>District 2</td>
<td>162,824</td>
<td>98,552</td>
<td>60.53%</td>
<td>64,272</td>
<td>39.47%</td>
</tr>
<tr>
<td>District 3</td>
<td>179,542</td>
<td>120,791</td>
<td>67.28%</td>
<td>58,751</td>
<td>32.72%</td>
</tr>
<tr>
<td>District 4</td>
<td>142,645</td>
<td>97,309</td>
<td>68.22%</td>
<td>45,336</td>
<td>31.78%</td>
</tr>
<tr>
<td>District 5</td>
<td>150,193</td>
<td>101,428</td>
<td>67.53%</td>
<td>48,765</td>
<td>32.47%</td>
</tr>
<tr>
<td>Regional Total</td>
<td>758,649</td>
<td>505,870</td>
<td>66.68%</td>
<td>252,779</td>
<td>33.32%</td>
</tr>
</tbody>
</table>

Bold indicates areas exceeding the 2/3 threshold based on preliminary results

Results of Other Self-Help County Elections Statewide

In addition to Proposition A, there were nine other counties statewide with transportation sales taxes on the ballot. All were ½% sales taxes with the exception of Sonoma County at ¼%. The following table provides a summary of the results in those counties and a basic summary of the expenditure plans. Five of the measures (all four extensions and one of the new taxes) were successful, with the new measure in Sonoma County pending absentee and provisional vote counts like Proposition A in San Diego County.

<table>
<thead>
<tr>
<th>County</th>
<th>% Yes</th>
<th>Revenue</th>
<th>Years</th>
<th>Extension</th>
<th>Highways</th>
<th>Transit</th>
<th>Roads</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contra Costa</td>
<td>70.50%</td>
<td>$2.0 Bil.</td>
<td>25</td>
<td>Yes</td>
<td>26.3%</td>
<td>31.7%</td>
<td>24.1%</td>
<td>17.9%</td>
</tr>
<tr>
<td>Marin</td>
<td>70.83%</td>
<td>$0.3 Bil.</td>
<td>20</td>
<td>No</td>
<td>7.5%</td>
<td>55.0%</td>
<td>26.5%</td>
<td>11.0%</td>
</tr>
<tr>
<td>Sacramento</td>
<td>74.76%</td>
<td>$4.7 Bil.</td>
<td>30</td>
<td>Yes</td>
<td>12.0%</td>
<td>42.8%</td>
<td>38.0%</td>
<td>7.2%</td>
</tr>
<tr>
<td>San Bernardino</td>
<td>79.44%</td>
<td>$6.1 Bil.</td>
<td>30</td>
<td>Yes</td>
<td>37.4%</td>
<td>14.3%</td>
<td>43.8%</td>
<td>4.5%</td>
</tr>
<tr>
<td>San Mateo</td>
<td>75.33%</td>
<td>$1.5 Bil.</td>
<td>25</td>
<td>Yes</td>
<td>27.5%</td>
<td>45.0%</td>
<td>22.5%</td>
<td>5.0%</td>
</tr>
<tr>
<td>Santa Cruz</td>
<td>42.80%</td>
<td>$0.6 Bil.</td>
<td>30</td>
<td>No</td>
<td>66.6%</td>
<td>5.0%</td>
<td>19.5%</td>
<td>8.9%</td>
</tr>
<tr>
<td>Sonoma</td>
<td>66.70%</td>
<td>$0.5 Bil.</td>
<td>20</td>
<td>No</td>
<td>40.0%</td>
<td>15.0%</td>
<td>40.0%</td>
<td>5.0%</td>
</tr>
<tr>
<td>Solano</td>
<td>63.77%</td>
<td>$1.4 Bil.</td>
<td>30</td>
<td>No</td>
<td>47.0%</td>
<td>25.0%</td>
<td>15.0%</td>
<td>13.0%</td>
</tr>
<tr>
<td>Ventura</td>
<td>40.40%</td>
<td>$1.5 Bil.</td>
<td>30</td>
<td>No</td>
<td>40.0%</td>
<td>20.0%</td>
<td>40.0%</td>
<td>0.0%</td>
</tr>
</tbody>
</table>
San Diego Region
Proposition A
Unofficial Election Results as of November 3, 2004

Percent Yes
- Under 62%
- 62% to 64%
- 64% to 2/3rds
- 2/3rds to 70%
- 70% to 75%
- Over 75%

San Diego Region   66.68%
City of San Diego    68.21%
Unincorporated       59.48%

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November 12, 2004
PROPOSED AMENDMENTS TO BYLAWS AND BOARD POLICIES

Recommendation
The Executive Committee recommends that the Board of Directors approve the amendments shown in the attached Bylaws and Board Policies.

Introduction
Staff conducted a review of the current Bylaws and Board Policies and brought some proposed updates to the Executive Committee in October for discussion. Some of the changes were necessary to reflect changes over the past year and some additions were necessary to clarify roles and responsibilities. The Executive Committee provided feedback to staff on the proposed amendments and made several suggestions for additional amendments. Staff brought a revised version of the proposed amendments to the Executive Committee on November 5, 2004, which included the suggested revisions as well as the recommended amendments from the Nominating Committee related to the selection of the Board Chair and Vice Chairs as well as the chairs and vice chairs of the Policy Advisory Committees. The Executive Committee recommended approval of the versions of the Bylaws and Board Policies attached to this report at its November 5 meeting.

Board Policy 001 (Operations Policy) – A paragraph is added to the introductory section of this policy to provide more flexibility regarding delegation of authority from the Board to the Policy Advisory Committees. A new section is added to the end of the policy concerning document distribution requirements. Also, new responsibilities are added to the lists in the Transportation Committee and Executive Committee sections so that they are consistent with changes requested by the Executive Committee in October.

Board Policy 002 (Policies and Procedures for Policy Advisory Committees) – Sections 3, 4, and 6 are amended to incorporate changes recommended by the Nominating Committee concerning a second vice chair position and a modified calendar for nominations. Section 7 is revised to require notice to members.
following three absences by a jurisdiction from Board or policy committee meetings.

Board Policy 003 (Investment Policy) - Section 3 is revised to remove the requirement for annual delegation to the Executive Director. All references to the former position of the Director of Finance and Administration have been changed to reference the Director of Finance. Section 6 has been modified to add a reference to SANDAG’s Conflicts of Interest Code and Employee Conduct Policy.

Board Policy 004 - (Rules of Procedure) - Section 1.6 is revised to clarify the exceptions to the effective date of an ordinance or amendment. Section 4 is revised to clarify that the ethics requirements apply to the members of all of the SANDAG’s legislative bodies. Section 6 has been added to create procedures applicable to SANDAG’s legislative bodies other than the Board and Policy Advisory Committees. Section 6.6 has been added to prohibit staff from forming standing committees without Board approval or ad hoc committees without Executive Committee approval.

Board Policy 007 (EEO Program) - This policy is revised to reflect that the Director of Administration is responsible for implementation of SANDAG’s EEO Program.

Board Policy 008 (Legal Matters) - This policy is revised to add reference to SANDAG’s newly acquired responsibility to provide legal representation for ARJIS.

Board Policy 009 (Discrimination Complaint Procedures) - This policy is revised to clarify that the Office of General Counsel is SANDAG’s Compliance Officer. Additionally, the references to SANDAG’s phone numbers have been removed.

Board Policy 016 (Procurement of Services) - Section 7 of this policy is revised to clarify categories of contractors that are precluded from submitting proposals or bids to SANDAG based on potential conflicts of interest.

Board Policy 017 (Delegation of Authority) - Section 4.4 is revised to expand the Executive Director’s authority with regard to real property purchases. Section 4.9 is added to give the Executive Director authority to settle matters that do not exceed $50,000. A sentence has been added to Section 4.9 to require the Executive Director to immediately report any action taken under this section.

Board Policy No. 026 (Public Safety Policy Advisory Committee) - Authority to approve financial transactions up to $500,000 was added in Section 4.1 for consistency with a parallel change to the Bylaws.

GARY L. GALLEGOS
Executive Director

Attachment 1: Bylaws
Attachment 2: Board Policies 001, 002, 003, 004, 007, 008, 009, 016, 017, 026

Key Staff Contact: Julie D. Wiley, (619) 699-6966; jwi@sandag.org

No Budget Impact
SAN DIEGO ASSOCIATION OF GOVERNMENTS

BYLAWS

ARTICLE I

NAME AND PURPOSE

Section 1

The name of this Organization shall be the San Diego Association of Governments (hereinafter referred to as SANDAG).

Section 2

The purposes of this Organization are as set forth in SB 1703 (Chapter 743 of the Statutes of 2002), as established by state and federal law, and as approved by the Board of Directors. The primary purpose for which this organization is created is to engage in regional cooperative comprehensive planning, programming and where authorized, implementation thereof, and to assist the Member Agencies.

ARTICLE II

DEFINITIONS

The following terms shall have the meanings ascribed to them within this section unless the content of their use dictates otherwise:

a. “Region” shall mean that territory physically lying within the boundaries of San Diego County.

b. “Regional Board” shall mean the Regional Planning and Growth Management Review Board.

c. “Population” of any Member Agency shall mean that population as defined in SB 1703.

d. “Fiscal Year” shall mean that year beginning July 1, and ending June 30.

e. “Member Agencies” shall mean the cities within San Diego County and the County of San Diego collectively.

f. “Subregion” shall mean one of the five following portions of San Diego County: “North county coastal,” which includes the Cities of Del Mar, Solana Beach, Encinitas, Carlsbad, and Oceanside; “North county inland,” which included the Cities of Vista, San Marcos, Escondido, and Poway; “South county,” which includes the Cities of Chula Vista, National City, Imperial Beach, and Coronado; “East county,” which includes the Cities of El Cajon, Santee, La Mesa, and Lemon Grove; and “San Diego region,” which includes the territory located within the boundaries of San Diego County.
ARTICLE III

MEMBERSHIP AND ORGANIZATION

Section 1

Membership in this Organization shall be as provided in state law and these Bylaws.

Section 2

a. All powers of this Organization shall be exercised by the Board of Directors. The Board of Directors may choose to delegate several of its responsibilities from time to time in accordance with Board policy.

b. Only the duly selected official representative(s), in his or her absence, his or her duly selected alternate or alternates, shall be entitled to represent his or her Member Agency in the deliberations of the Board of Directors.

c. When changes occur, names of the official representatives and alternates shall be communicated in writing to the Organization by each participating Member Agency.

Section 3

There shall be at least five standing committees which shall be known as policy advisory committees with the membership set forth in SB 1703 or Board Policy.

a. The procedure for City and County of San Diego and subregional appointments to the policy advisory committees shall be established by Board policy. In the case of the subregional appointments, the policy shall ensure a noticed, formal process wherein all regular Board members from each subregion are provided an opportunity to participate in the selection process. A majority of the members present at the subregion meeting shall make a selection by January 31. An alternate member may vote in the absence of the regular member. In appointing persons to the Transportation Committee, to the extent possible, the subregions and other agencies should avoid duplication of representation from any city other than the City of San Diego.

b. Procedures for policy advisory committee attendance and voting shall be established by Board policy. The policy shall ensure the formal delineation of the voting membership at each meeting.

c. The Board Chair, First Vice Chair, and Second Vice Chair may serve as ex-officio non-voting members of the policy advisory committees.

d. The Board Chair shall select the chair and vice chair of all policy advisory committees except the Executive Committee, annually in February. When serving on the Executive Committee, the Board Chair, First Vice Chair, and Second Vice Chair shall serve as the Chair, First Vice Chair and Second Vice Chair of the Executive Committee.
Section 4

The Board of Directors shall have the authority to appoint all additional committees or working groups and may provide for the appointment of alternates to these committees.

a. Additional standing committees may be appointed by the Board of Directors as may be required to carry out general and continuing functions and may be abolished only upon specific action by the Board of Directors.

b. Ad hoc specialized subcommittees or working groups may be appointed by the Board of Directors as the need arises to accomplish specific tasks. The policy advisory committees may appoint working groups to advise them. Upon completion of its assignment, each ad hoc subcommittee or working group shall disband.

Section 5

In addition to any compensation mandated by state law for Board meetings, the following rates shall apply.

a. For attendance by Board members, or alternates in their absence, at Board meetings, $150 per meeting.

b. For meetings or events attended by Board members, other than committee meetings of SANDAG, where the members are officially representing the Board, $150 per meeting or event. The Board may adopt and amend from time to time a list of such meetings and events.

c. For members and alternates of policy advisory committees, $100 per meeting.

d. The limit on the total number of paid meetings for Board and policy advisory committee members or alternates per individual is six meetings per month.

e. The Chair of the Board shall receive additional monthly compensation of $500 per month.

f. Both the Vice Chairs of the Board shall receive additional monthly compensation of $250 per month.

ARTICLE IV

MEETINGS

Section 1

a. A quorum for a meeting of the Board of Directors shall be as provided for in Section 5 of this Article.

b. A quorum shall be required for the conduct of any business of a committee. No business shall be conducted by a committee without a quorum. A simple majority of the appointed members of a committee shall constitute a quorum. All decisions by a committee shall be by
simple majority of the quorum.

Section 2

Parliamentary procedure at all meetings shall be governed by Roberts Rules of Order except as otherwise modified by state law or these Bylaws. The Secretary shall forward written notice of the meetings of the Board of Directors and each standing committee, stating the time, location, and the agenda of business to each member’s agency and to the respective members and alternates of the Board of Directors or the standing committees, at the earliest time possible, but in no event less than 72 hours prior to meetings, except that such written notice of regular Board of Directors’ meetings may be forwarded by first class mail or other appropriate means not less than seven days prior to such meeting.

Section 3

All meetings of SANDAG, including without limitation regular, adjourned regular, and special meetings of the Board of Directors, shall be called, noticed, held and conducted in accordance with the provisions of the Ralph M. Brown Act (commencing with Section 54950 of the California Government Code). Closed session items should be heard by the Board of Directors unless timeliness requires consideration by the Executive Committee or, for transportation matters the Transportation Committee. In any event, the Transportation Committee is authorized to convene closed sessions and make final decisions with regard to real property transactions related to transportation projects, however, this delegation does not include the authority to make a Resolution of Necessity or to commence litigation. The Transportation Committee will report real property transaction purchase amounts at the next regular meeting of the Board occurring after final execution of the purchase documents.

Section 4

The Board and committees shall meet according to the following schedule:

a. The Board of Directors and policy advisory committees shall hold their regular meetings on Fridays unless otherwise determined from time to time by the Board of Directors or policy advisory committee. Regular meetings of the Board of Directors shall be held on the second and fourth Friday mornings of the month at the offices of the Organization or at other locations within San Diego County, unless otherwise provided by the Board. Special meetings of the Board of Directors or policy advisory committees may be called from time to time by their respective Chair.

b. Other committees shall meet whenever called by their respective Chair.

Section 5 (Section 132351.2 of the Public Utilities Code)

a. A majority of the Member Agencies constitute a quorum for the transaction of business. In order to act on any item, except consent items which only require the vote specified in paragraph (1), the following voting formula in both paragraphs (1) and (2) shall apply:

(1) A majority vote of the members present on the basis of one vote per agency.
(2) A majority of the weighted vote of the Member Agencies present.

b. The City of San Diego shall determine how to allocate its single agency vote and its weighted votes between its two members.

c. For the weighted vote, there shall be a total of 100 votes, except additional votes shall be allowed pursuant to subdivision (f). Each representative shall have that number of votes determined by the following apportionment formula, provided that each agency shall have at least one vote, no agency shall have more than 40 votes, and there shall be no fractional votes:

(1) If any agency has 40 percent or more of the total population of the San Diego County region, allocate 40 votes to that agency and follow paragraph (2), if not, follow paragraph (3).

(2) Total the population of the remaining agencies determined in paragraph (1) and compute the percentage of this total that each agency has.

   (A) Multiply each percentage derived above by 60 to determine fractional shares.

   (B) Boost fractions that are less than one, to one and add the whole numbers.

   (C) If the answer to subparagraph (B) is 60, drop all fractions and the whole numbers are the votes for each agency.

   (D) If the answer to subparagraph (B) is less than 60, the remaining vote(s) is allocated one each to that agency(s) having the highest fraction(s) excepting those whose vote was increased to one in subparagraph (B) above.

   (E) If the answer to subparagraph (B) is more than 60, the excess vote(s) is taken one each from the agency(s) with the lowest fraction(s). In no case shall a vote be reduced to less than one.

(3) Total the population determined in paragraph (1) and compute the percentage of this total that each agency has.

   (A) Boost fractions that are less than one, to one and add the whole numbers.

   (B) If the answer to subparagraph (A) is 100, drop all fractions and the whole numbers are the votes for each agency.

   (C) If the answer to subparagraph (A) is less than 100, the remaining vote(s) is allocated one each to that agency(s) having the highest fraction(s) excepting those whose vote was increased to one in subparagraph (A) above.

   (D) If the answer to subparagraph (A) is more than 100, the excess vote(s) is taken one each from that agency(s) with the lowest fraction(s). In no case shall a vote be reduced to less than one.
d. When a weighted vote is taken on any item that requires more than a majority vote of the board, it shall also require the supermajority percentage of the weighted vote.

e. The weighted vote shall be recomputed in the above manner every July 1.

f. Any other newly incorporated city shall receive one vote under the single vote procedure and one vote under the weighted vote procedure specified above until the next recomputation of the weighted vote, at which time the new agency shall receive votes in accordance with the formula specified in subdivision (b). Until this recomputation, the total weighted vote may exceed 100.

ARTICLE V

OFFICERS AND THEIR DUTIES

Section 1

The Board of Directors shall have as officers a Chair, First Vice Chair, and Second Vice Chair, who are members of the Board. Standing committees shall have as officers a Chair and Vice Chair, who are members of their respective committees. The Executive Director shall be the Secretary of the Board and each standing committee.

a. The Chair shall preside over Board and committee meetings, and have general supervision of Board and committee affairs. The Chair shall sign all official documents when directed to do so by the Board and committees respectively.

b. The First Vice Chair shall perform the duties of the Chair in his or her absence and perform any duties that the Chair may require. The Second Vice Chair shall perform the duties of the First Vice Chair in his or her absence and perform any duties that the Chair may require.

c. In the event of the absence of the three officers of the Board of Directors or both officers of other standing committees, the Immediate past Chair may preside or the quorum of members present shall elect a Chair Pro Tempore to preside for that meeting. The Secretary, with a quorum present, shall call the meeting to order and preside during such election of a Chair Pro Tempore; he or she shall immediately relinquish the chair upon completion of the election.

Section 2

The Board may delegate authority to the Board Chair for action consistent with Board approved criteria on categories of items.

Section 3

Election of officers of the Board of Directors shall be held annually during a regular December meeting. Officers for the Board of Directors shall be elected in the following manner:
a. The Chair shall appoint a five-person nominating committee, who shall be members of the Board from each of the sub regions and a Board member from either the City or County of San Diego, at a regular October meeting who shall submit nominees for the Board offices in writing for mailing to Board members in November. Additional nominations for any office may be made by Board members at a December meeting.

b. In choosing the nominees from the Board membership, the nominating committee shall take into account the nominee’s availability, experience, skills, geographic diversity, and the benefits associated with having the First Vice Chair succeed the outgoing Chair and the Second Vice Chair succeed the outgoing First Vice Chair.

c. The officers shall be elected by a majority of the votes including weighted votes of those Board members present.

d. All officers shall be elected for a term of one year and shall serve until their successors are elected. They shall begin their term of office on January 1.

e. In the event that the Board member who has been elected Chair, First Vice Chair, or Second Vice Chair is no longer a member of the Board of Directors, the office shall be considered vacant.

f. Any vacated office of Chair, First Vice Chair, or Second Vice Chair shall be filled at the next regular Board meeting by nominations from the floor, and a majority of votes from the members present.

Section 4

a. The Board of Directors shall appoint an Executive Director who shall hold office until he or she resigns or is removed by the Board of Directors. The Executive Director shall be the chief executive officer of SANDAG. The Executive Director shall have charge of all projects and property of the Organization and shall file with the Director of Finance of SANDAG an official bond in the minimum amount of $100,000 or such larger amount as the Board of Directors specifies, guaranteeing faithful performance of his or her duties. The Executive Director will be responsible to the SANDAG Board of Directors as set out in the Administrative Rules and Regulations for the administration of SANDAG’s business, including: (1) development of program objectives, definition, directions and priorities; (2) management of SANDAG programs and coordination of staff and support services; (3) the development of financial support programs for SANDAG activities; (4) the recommendation and submission of an annual SANDAG program budget to the Board of Directors; and (5) execution of the adopted personnel, purchasing, and budgetary systems. The Executive Director shall perform such other and additional duties as is necessary to carry out the objectives and function of SANDAG and as directed by the Board of Directors.

b. Any additional staff support services provided by Member Agencies or others shall be coordinated by the Executive Director.
c. The Executive Director is hereby enabled to promulgate an administrative manual, known as the Administrative Rules & Regulations, as well as all other administrative policies governing the administrative procedures of the Organization.

ARTICLE VI

FINANCIAL

Section 1

The Board of Directors shall approve a preliminary budget no later than April 1 of each year. The Board of Directors shall adopt a final budget no later than June 30 of each year. A copy of the preliminary budget when approved and a copy of the final budget when adopted shall be filed with each Member Agency.

Section 2

Responsibility for supplying funds for that portion of the budget for SANDAG which is to be supplied by the Member Agencies, as adopted by the Board of Directors, shall be divided among the Member Agencies based on their population with each Member Agency including within its budget as funds to be supplied to SANDAG that sum of money determined by taking the ratio its population bears to the total population of the region and multiplying it by that portion of the approved budget to be supplied by the Member Agencies. Payment of this determined sum of money shall be made by each Member Agency by July 15 of each year. If payment by a Member Agency has not been made by September 1 of each year, that Member Agency shall no longer vote as a member of the Board of Directors. A delinquent Member Agency will be allowed to vote when full payment has been made, including interest computed from July 15 at the established legal rate.

Section 3

The Director of Finance of SANDAG shall establish and maintain such funds and accounts as may be required by good accounting practice, state and federal law, and these Bylaws. The books and records of SANDAG in the hands of the Director of Finance shall be open to inspection at all reasonable times by representatives of the Member Agencies. The Director of Finance of SANDAG within 120 days after the close of each fiscal year shall give a complete written report of all financial activities for each fiscal year to Member Agencies.

Section 4

The Director of Finance of SANDAG shall receive, have the custody of, and disburse SANDAG funds upon the warrant or check-warrant of the Finance Manager pursuant to the accounting procedures developed under Section 3 above, and shall make the disbursements required to carry out any of the provisions or purposes of the Organization. The Director of Finance of SANDAG may invest SANDAG funds in accordance with state and federal law. All interest collected on SANDAG funds shall be accounted for and posted to the account of such funds.
Section 5

Delegation of authority from the Board of Directors for final financial/contracting approvals, including selection of vendors, acceptance of funding, stipulations of any nature, and any resulting budget amendment, to serve as a limitation applicable to a particular job or program (not to be exceeded on a serial basis), shall be as follows:

a. Up to $100,000 to the Executive Director, subject to increase by Board action.

b. Up to $500,000 to the Executive Committee for any item, subject to increase by Board action.

c. Up to $500,000 to the Transportation Committee for transportation items, subject to increase by Board action.

d. Up to $500,000 to the Public Safety Committee for ARJIS and Criminal Justice Division items, subject to increase by Board action.

e. The Executive Director, Public Safety Committee, and Transportation Committee shall report approvals under this section to the Executive Committee as needed. The Executive Committee shall report approvals under this section to the Board of Directors at least quarterly.

ARTICLE VII

RELATIONSHIPS AND RULES OF PROCEDURE

Section 1

The functions of the Board of Directors and policy advisory committees shall be established by Board policy. The Board of Directors may delegate functions to the policy advisory committees as it deems appropriate.

Section 2

The Board of Directors shall provide guidance to committees and working groups. The Board may advise Member Agencies on the coordination of general plans, or on the resolution of conflicts between the general plans of agencies in the San Diego region.

Section 3

Conflicts between governmental agencies should be resolved among the affected agencies. In matters affecting more than one local government, and where requested by the affected agencies, the Organization shall have the authority to hear and make recommendations if the conflicts are not resolved to the satisfaction of each affected agency. Regional plans should serve as the guideline for the resolution of conflicts.
Section 4

Each action taken by the Organization which requires implementation should include designation of the agency or agencies directly responsible for such implementation.

Section 5

The general and specific references to the construction authority of SANDAG in SB 1703 shall be interpreted as applicable solely to its responsibilities for project development and construction of transit projects which were previously within the purview of the transit development boards and are consolidated under the authority of SANDAG.

ARTICLE VIII

ESTABLISHMENT OF REGIONAL PLANNING AND GROWTH MANAGEMENT REVIEW BOARD

In addition to the purposes and powers set forth by law and these Bylaws, pursuant to Proposition C, a countywide measure approved by the voters in 1988, SANDAG is designated and shall serve as the Regional Planning and Growth Management Review Board.

Section 1

The issues the Regional Board shall address shall include, but not be limited to: quality of life standards and objectives; holding capacities; growth rate policies; growth phasing; regional land use distribution; growth monitoring; open space preservation; significant regional arterials; transportation system management; transportation demand management; siting and financing regional facilities; fiscal abilities and responsibilities; consistency of regional and local plans; and regional growth management strategy.

Section 2

Member Agencies may be requested, and have agreed, to determine (“self-certify”) the consistency of the pertinent elements of their general plans with regional plans. Upon request by a member agency, the Regional Board will review these self-certifications, and make comments and recommendations regarding consistency. Where determined by the Regional Board to be appropriate, the Regional Board shall use SANDAG’s Conflict Resolution Procedure for resolving disputes among Member Agencies. The Regional Board shall adopt rules to establish the self-certification process.

ARTICLE IX

INFORMATION AND EVALUATION

Section 1

a. The Organization shall disseminate information concerning its work program and activities. The required information system should be organized and categorized so that it will continue to allow full and efficient use of information by the public and private sectors.
b. Adequate provision for citizen participation shall be provided as required by law and as
directed by the Board of Directors.

c. The Board shall perform an annual evaluation of the Organization's goals, purpose,
structure, and performance, directed toward continually improving the planning,
coordination, and implementation process.

ARTICLE X

AMENDMENTS

Section 1

The Board of Directors shall be responsible for making all amendments to these Bylaws.

a. Proposed amendments may be originated by the Board of Directors, the Executive
Committee, or any member of the Board of Directors.

b. Prior to being taken to the Board of Directors for approval, proposed amendments should
be taken to the Executive Committee preliminarily for review and discussion and then
brought to the Executive Committee at a subsequent meeting for a recommendation for
approval to the Board.

c. A copy of any proposed amendments shall be forwarded by the Secretary to the official
representative of each Member Agency, his or her alternate and the Agency itself, at the
same time as the proposed amendments are mailed as a report attachment to the agenda
for the preliminary Executive Committee meeting referred to in subsection b of this section.

d. Amendments to these Bylaws (except those provisions mandated by state law) shall require
the vote of a majority of the Member Agencies which also represents at least 51% of the
weighted vote of Member Agencies.

Adopted July 2003 by the SANDAG Board of Directors
Revised November 2003 by the SANDAG Board of Directors
Amended November 2004 by the SANDAG Board of Directors
OPERATIONS POLICY

Board and Policy Advisory Committees Responsibilities

Shown below are responsibilities for the Board of Directors and each of the five Policy Advisory Committees (Executive, Transportation, Regional Planning, Borders, Public Safety) of the new Agency. Selected responsibilities are delegated by the Board to the Policy Committees to allow the Agency to effectively address key public policy and funding responsibilities. All items delegated to the Policy Advisory Committees are subject to Board action upon request of any member.

All functions not specifically delegated by the Board to a Policy Advisory Committee may be delegated to a Policy Advisory Committee on a one-time basis upon request by the Executive Director and approval by the Chair. Such actions shall be reported to the Board at its next regular meeting.

Board Responsibilities

1. Approve Regional Comprehensive Plan and plan components and other regional plans (e.g. Regional Energy Plan, MHCP, etc.)
2. Approve Regional Transportation Plan (RTP), Regional Transportation Improvement Program (RTIP) and corridor studies
3. Fulfill responsibilities of SB 1703 as consolidated agency
4. Fulfill the responsibilities of the San Diego Regional Transportation Commission (RTC)
5. Approve programming of funds (TDA, CMAQ, STIP, etc.)
6. Approve project environmental reports
7. Approve Overall Work Program and Program Budget
8. Approve amendments to the Budget and Work Program and authorize contracts with consultants for amounts equal to or greater than the amounts to be determined for administrative and policy committee authorization.
9. Approve the annual legislative agenda
10. Provide policy direction through Policy Development Board meetings
11. Appoint Committees and Board officers
12. Delegate responsibilities to Policy Advisory Committees and approve Committee actions. All items delegated to the four Policy Advisory Committees are subject to direct Board action upon request of any members.
13. Delegate responsibilities to Board Chair consistent with Board criteria. Conference sponsorships and proclamations are hereby delegated subject to current or subsequently approved criteria.

Executive Committee Membership and Responsibilities

The Executive Committee shall consist of six voting members with board members representing East County, North County Coastal, North County Inland, South County, and the representative, or the
representative’s alternate in their absence, from the City of San Diego and the County. The Chairperson of the consolidated agency shall be one of the six voting members. The First and Second Vice Chairpersons of the consolidated agency shall serve as voting members if one or both of the Vice Chairpersons represent an area of the region that is different from the area of the region represented by the Chairperson or the other Vice Chairperson.

1. Set agenda for Board
2. Review and recommend annual work program and program budget
3. Approve amendments to the Budget and Overall Work Program and authorize contracts up to amount approved by the Board
4. Review and act on state and federal legislation
5. Comment on project EIR/EIS
6. Act upon and evaluate dispute resolution
7. Advise on personnel actions
8. Act on behalf of Board when timing requires
9. Make policy recommendations to the Board
10. Perform other duties as assigned by the Board
11. Approve financial/contracting transactions, including selection of vendors, acceptance of funding, stipulations of any nature, and any resulting budget amendment up to $500,000, subject to increase by Board action.
12. Annually review a list of all of SANDAG’s lower level committees and working groups to determine the need to maintain the committee or working group and approve any revisions in functions or membership.
13. Review all proposed amendments to the Bylaws or Board Policies and make recommendations to the Board regarding those amendments.

Transportation Committee Membership and Responsibilities

The Transportation Committee shall consist of nine voting members with board members or alternates representing East County, North County Coastal, North County Inland, South County and the mayor or a council member from the City of San Diego, a supervisor from the County of San Diego, a member of the Board of the MTDB appointed by the Board of the MTDB, a member of the Board of the NCTD appointed by the Board of the NCTD, and a member of the San Diego County Regional Airport Authority appointed by the airport authority.

1. Provide oversight for consolidated transit responsibilities
2. Provide policy oversight for transportation plans and corridor and systems studies
3. Establish/approve transportation prioritization criteria
4. Establish/approve policies and monitor “Use it or lose it” project funding
5. Approve TDA Claim, RTIP, and STIP amendments
6. Recommend funding allocations to the Board
7. Approve transit operator budgets for funding
8. Approve Short Range Transit Plan
9. Consistent with the transition plans, approve regional fare policy

1 To ensure seamless transit service for the transit users of the region the consolidated agency, in consultation with the transit agencies, will be responsible for the development of a Regional Fare Policy. The Regional Fare Policy will incorporate a uniform fare structure, a transfer policy, and agreement for revenue sharing of regional tickets, tokens, and passes, while also allowing the consolidated agency to adopt specialized fare procedures for travel within each operator’s service area. Additionally, the consolidated agency will adopt a Comprehensive Fare Ordinance setting forth all fares for all operators, including their special fares.
10. Conduct public hearings as delegated by Board
11. Approve contracts for transit up to amount approved by the Board
12. Advise Board on other transportation policy-level issues
13. Recommend legislative program for transportation and transit

14. Approve financial/contracting transactions, including selection of vendors, acceptance of funding, stipulations of any nature, and any resulting budget amendment up to $500,000 for transportation items, subject to increase by Board action.

15. To convene closed sessions and make final decisions with regard to real property transactions related to transportation projects, however, this delegation does not include the authority to make a Resolution of Necessity or to commence litigation.

Regional Planning Committee Membership and Responsibilities

The Regional Planning Committee shall consist of six voting members with board members or alternates representing East County, North County Coastal, North County Inland, South County, and the mayor or a council member from the City of San Diego, and a supervisor from the County of San Diego.

1. Provide oversight for preparation and implementation of Regional Comprehensive Plan (RCP) and its components
2. Recommend regional infrastructure financing strategies to the Board
3. Represent the Board for outreach and public information on the Regional Comprehensive Plan and its components
4. Advise Board on regional planning policy issues

Borders Committee Membership and Responsibilities

The Borders Committee shall consist of seven voting members with board members or alternates representing East County, North County Coastal, North County Inland, South County and the mayor or a council member from the City of San Diego, a supervisor from the County of San Diego, and a mayor, council member, or supervisor from the County of Imperial.

1. Provide oversight for planning activities that impact the borders
2. Provide oversight for the preparation of bi-national and interregional planning programs
3. Recommend border infrastructure financing strategies to the Board
4. Establish closer SANDAG working relations with surrounding counties and Mexico
5. Advise Board on bi-national and interregional policy-level issues

Public Safety Committee Membership and Responsibilities

The membership, authority and responsibilities for this committee are set forth in Board Policy 26.

Distribution of Meeting Materials

1. All agendas for meetings of the Board of Directors, Policy Advisory Committees, and all other SANDAG legislative bodies covered by the Brown Act (Gov’t. Code § 54950 et seq.) shall be posted on SANDAG’s Web site and copies of such agendas will be available for viewing by the public in SANDAG’s business office reception area.
2. All closed session items shall be provided to appropriate Board and/or Policy Advisory Committee members prior to the closed session. Closed session meeting materials will be sent in sealed envelopes and clearly labeled as confidential. If a representative will not be able to attend a meeting he/she should ensure the closed session materials are given to the appropriate alternate to review prior to the meeting. All closed session meeting materials must be returned to the Office of General Counsel at the end of the closed session. (Amended November 2004)
POLICIES AND PROCEDURES FOR POLICY ADVISORY COMMITTEES

1. Membership

1.1 Executive Committee: Six members to include the City and County of San Diego Board members, and a Board member from each subregion (South County, East County, North County Coastal, North County Inland).

1.1.1 Alternates may be the second City of San Diego Board member or Board alternate, the County of San Diego Board alternate, and alternates selected from each subregion who shall be members of the Board.

1.2 Transportation Committee: Nine members to include a member from the City and County of San Diego governing bodies, a Board member or alternate from each subregion, and a member of NCTD, MTDB and the Airport Authority appointed by those agencies. There may be nine alternates chosen in the same manner.

1.3 Regional Planning Committee: Six members to include a member from the City and County of San Diego governing bodies, and a Board member or alternate from each subregion. There may be six alternates chosen in the same manner.

1.4 Borders Committee: Seven members to include a member from the City and County of San Diego governing bodies, a Board member or alternate from each subregion, and a mayor, councilmember, or supervisor from the County of Imperial. There may be seven alternates chosen in the same manner.

1.5 Public Safety Committee: Six members to include a member from the City and County of San Diego governing bodies and a Board member or alternate from each subregion. The five Associate Member organizations taking part in this committee shall have the following representation: two members from the County Chiefs/Sheriff Association, a member selected by the County Sheriff, a member of the Regional Homeland Security Committee, and a member selected by the State public safety agencies. In addition, there will be four non-voting Advisory Members selected as follows: Two persons selected by the Federal public safety agencies, one person selected from the San Diego County District Attorney’s or Probation Department Offices, and one person selected by the courts. There may be alternates chosen in the same manner.

2. Limitation on Committee Memberships

No Board member or alternate may serve as the regular member of more than three Policy Advisory Committees (“PACs”) at any one time. Committee membership may be expanded by the Board.
3. Ex-Officio Members

A PAC may include Ex-Officio members if appropriate to roles and responsibilities of the committee. The Board Chair, first Vice Chair, and Second Vice Chair may serve as Ex-Officio members on any of the PACs.

4. Appointments

4.1 Public Agencies

4.1.1 The City and County of San Diego will make their appointments annually by January 31 and when vacancies occur.

4.1.2 The SANDAG Chair will provide notice requesting that Board members from each of the subregions appoint a Board member or alternate as authorized to serve as a regular member on each PAC and one to serve as an alternate to each PAC. Each Board member shall be provided a reasonable opportunity to participate in the selection process. A majority of members present at the subregion meeting shall make a selection. An alternate member may vote in the absence of the regular member. Appointments will be made by January 31 or as vacancies occur.

4.2 Associate Members

In addition to the members appointed pursuant to Section 4.2, the Public Safety Committee shall have voting members appointed from the organizations listed below by their respective appointing authorities by January 31 of each year:

4.2.1 County Chief’s/Sheriff Association – 2 voting members
4.2.2 County Sheriff – 1 voting member
4.2.3 Regional Homeland Security Committee – 1 voting member
4.2.4 State Public Safety Agency Association – 1 voting member

4.3 Advisory Members

In addition to the voting members appointed pursuant to Sections 4.2 and 4.3, the Public Safety Policy Advisory Committee shall have the following non-voting members appointed from the following organizations by their respective appointing authorities by January 31 of each year:

4.3.1 County Criminal Justice Association – 1 advisory member
4.3.2 Federal Justice Agency Association – 2 advisory members
4.3.3 Courts – 1 advisory member

4.4 If any subregion fails to make an annual appointment to a PAC by January 31 or within three weeks of mailing of the notice to proceed to appoint to fill a vacancy, the Chair of SANDAG shall make the appointment. If any organization referred to Sections 4.3 or 4.4 fails to make an appointment to the Public Safety Policy Advisory Committee, the current representative shall continue to serve until a replacement appointment is made by his/her organization.
5. Vacancies

Vacancies on PACs shall be filled as they occur in the same manner as appointments.

2. Chair/Vice Chair

The Chair and Vice Chair of the PAC, other than the Executive Committee, shall be appointed by the Board Chair in **February** or as vacancies occur. The Board Chair, **First Vice Chair**, and **Second Vice Chair** when serving as a member of the Executive Committee, shall serve as the Chair, **First Vice Chair**, and **Second Vice Chair** of the Executive Committee. The Vice Chair conducts the meetings in the absence of the Chair. In the event of the absence of the **Chair, First Vice Chair and Second Vice Chair for the Executive Committee** or both the Chair and Vice Chair for a PAC or other standing committee, the quorum of members present shall elect a chairperson pro tempore to preside for that meeting. The Executive Director or a Chief Deputy Executive Director, with a quorum present, shall call the meeting to order and preside during such election of chairperson pro tempore; he/she shall immediately relinquish the chair upon completion of the election.

3. Attendance

3.1 Regular and alternate members are encouraged to attend all Committee meetings. Roll call shall be taken by the Chair at the beginning of the meeting to determine the voting members present at that time. The voting members shall be seated collectively in order for the public to recognize them as such. Other non-voting alternates in attendance may participate in Committee discussion but shall not be authorized to act on any item.

3.2 If a member agency is unrepresented at three consecutive Committee meetings a letter will be sent to the member agency’s governing board members, all other members and alternates of the Committee, and the Board of Directors members and alternates concerning the absences.

4. Quorum

A simple majority of members (either regular or alternates) constitute a quorum.

5. Voting

Regular members vote on all committee actions. Alternates vote only when their corresponding regular member from their area is absent. A simple majority of the quorum of regular and eligible alternate members voting constitutes approval. A quorum shall be required for the conduct of any business of a PAC.

6. Compensation

Regular and alternate members of the PACs will be compensated $100 per meeting attended subject to the limitations on number of meetings per month set forth in the SANDAG Bylaws.
7. Meetings

PAC meetings should normally be held on Fridays or when called by the committee Chair. Parliamentary procedure at all meetings shall be governed by Roberts Rules of Order, Newly Revised.

8. Working Groups & Subcommittees

The PACs shall have the authority to appoint PAC working groups and may provide for the appointment of alternates to these working groups. Ad hoc working groups may be appointed by the Board or PACs as the need arises to accomplish specific tasks. Upon completion of its assignment, each working group shall disband. Standing subcommittees may be appointed by the Board as may be required to carry out general and continuing functions and may be abolished only upon specific action by the Board. As the Board creates standing subcommittees, it shall specify the method for appointing persons to those subcommittees.

Revised 12/20/03
Amended November 2004
INVESTMENT POLICY

1. Introduction

The purpose of this document is to identify various policies and procedures that enhance opportunities for a prudent and systematic investment policy, and to organize and formalize investment-related activities.

The investment policies and practices of the San Diego Association of Governments (SANDAG) are based upon state law and prudent money management. All funds will be invested in accordance with SANDAG’s Investment Policy, and California Government Code Sections 53600 et seq. The investment of bond proceeds will be further governed by the provisions of relevant bond documents.

2. Scope

It is intended that this policy cover all funds and investment activities, with the exception of bond proceeds, under the direction or care of the San Diego Association of Governments (SANDAG), including funds of the San Diego County Regional Transportation Commission and SourcePoint, SANDAG’s chartered nonprofit corporation. Investment of bond proceeds shall be subject to the conditions and restrictions of bond documents and Treasury regulations related to arbitrage restrictions on tax-exempt bonds.

3. Prudence

Investments shall be made with judgment and care — under circumstances then prevailing — which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

The standard of prudence to be used by investment officials shall be the “prudent person” standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security’s credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

4. Objectives

The primary objectives, in priority order, of SANDAG’s investment activities are:
1. Safety. Safety of principal is the foremost objective of the investment program. Investments of SANDAG shall be undertaken in a manner that seeks to ensure preservation of capital in the portfolio.

2. Liquidity. The investment portfolio of SANDAG will remain sufficiently liquid to enable SANDAG to meet its cash flow requirements.

3. Return on Investment. The investment portfolio of SANDAG shall be designed with the objective of attaining a market rate of return on its investments consistent with the constraints imposed by its safety objective and cash flow considerations.

3. Delegation of Authority

The Board of Directors delegates the authority to invest or to reinvest funds, or to sell or exchange securities so purchased, to the Executive Director. The Executive Director is charged with the responsibility for carrying out the policies of the Board of Directors and shall assume full responsibility for investment transactions until the delegation of authority is revoked or expires. In accordance with SANDAG’s established system for internal control, all financial transactions of SANDAG require the signature of at least two individuals authorized by the Executive Director.

For the purposes of carrying out this investment policy, any two of the following individuals are hereby authorized to make investment decisions, in strict accordance with this investment policy, on behalf of SANDAG:

- Executive Director
- Deputy Executive Director
- Director of Finance
- Financial Services Manager
- Such other individuals authorized, in writing, by the Executive Director.

All accounts established for the purpose of investing SANDAG funds shall require the written authorization of the Executive Director.

No single individual, acting alone, may engage in an investment activity.

The Executive Director may delegate investment management and decision authority, via written agreement, to one or more professional investment advisors/managers who are duly qualified and registered with the Securities and Exchange Commission under the Investment Advisers Act of 1940. All agents engaged in this capacity shall make all investment decisions and transactions in strict accordance with state law and this investment policy.

The daily management responsibility for the investment program is assigned to the Director of Finance, who shall monitor and review all investments for consistency with this investment policy.
4. Ethics (Conflict of Interest)

Officers, employees, and agents thereof involved in the investment process shall comply with state law and refrain from personal business activities that could conflict with proper execution of the investment program, or which could impair their ability to make impartial decisions. Employees engaged in such positions shall comply with SANDAG’s Conflicts of Interest Code and with SANDAG’s Standard of Conduct Policy.

5. Selection of Financial Institutions and Broker/Dealers

SANDAG shall transact business only with banks, savings and loan associations, and registered investment securities dealers. The purchase by SANDAG of any investment other than those purchased directly from the issuer shall be either from an institution licensed by the State as a broker/dealer, as defined in Section 25004 of the Corporation Code, who is a member of the National Association of Securities Dealers, or a member of a federally-regulated securities exchange, a National or State-Chartered Bank, a Federal or State Association (as defined by Section 5102 of the Financial Code), or a brokerage firm designated as a Primary Government Dealer by the Federal Reserve Bank. The Director of Finance shall investigate all institutions which wish to do business with SANDAG, in order to determine if they are adequately capitalized, make markets in securities appropriate to SANDAG’s needs, and agree to abide by the conditions set forth in SANDAG’s Investment Policy.

The Director of Finance shall maintain a list of authorized broker/dealers and financial institutions which are approved for investment purposes, and it shall be the policy of SANDAG to purchase securities only from those authorized institutions and firms. If SANDAG has contracted investment advisors/managers, the Director of Finance may approve and use a list of authorized broker/dealers provided by the investment advisor/manager.

6. Permitted Investment Instruments

Government Code §53601 states that when there is a percentage limitation for a particular category of investment, that percentage is applicable only at the date of purchase.

Treasury Obligations: Government obligations for which the full faith and credit of the United States are pledged for the payment of principal and interest.

Federal Agencies and U.S. Government Sponsored Enterprises: Federal agency or United States government-sponsored enterprise obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises.

State of California Obligations: Registered state warrants, treasury notes or bonds of the State of California, including bonds payable solely out of revenues from a revenue-producing property owned, controlled, or operated by the state or by a department, board, agency or authority of the state. Such obligations must be rated A-1/P-1, or equivalent or better short-term; or Aa/AA or better long-term by at least one of the nationally-recognized rating agencies.
Local Agency Obligations: Bonds, notes, warrants, or other evidences of indebtedness issued by any local agency within the State, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the local agency, or by a department, board, agency, or authority of the local agency. Such obligations must be rated A-1/P-1, or equivalent or better short-term; or Aa/AA or better long-term by one of the nationally-recognized rating agencies.

Repurchase Agreements: Repurchase Agreements used solely as short-term investments not to exceed 90 days.

The following collateral restrictions will be observed: Only U.S. Treasury securities or Federal Agency securities will be acceptable collateral. All securities underlying Repurchase Agreements must be delivered to SANDAG’s custodian bank or handled under a properly executed tri-party repurchase agreement. The total of all collateral for each Repurchase Agreement must equal or exceed, on the basis of market value plus accrued interest, 102 percent of the total dollar value of the money invested by SANDAG for the term of the investment. Since the market value of the underlying securities is subject to daily fluctuation, the investments in repurchase agreements shall be in compliance if the value of the underlying securities is brought back up to 102 percent no later than the next business day.

Market value must be calculated each time there is a substitution of collateral.

SANDAG or its trustee shall have a perfected first security interest under the Uniform Commercial Code in all securities subject to Repurchase Agreement.

SANDAG may enter into Repurchase Agreements with (1) primary dealers in U.S. Government securities who are eligible to transact business with, and who report to, the Federal Reserve Bank of New York, and (2) California and non-California banking institutions having assets in excess of $1 billion and in the highest short-term rating category, as provided by Moody’s Investors Service, Inc. or Standard & Poor’s Corporation.

SANDAG will have properly executed a Public Securities Association (PSA) agreement with each firm with which it enters into Repurchase Agreements.

Bankers’ Acceptances: Bankers’ Acceptances issued by domestic banks or domestic branches or foreign banks, which are eligible for purchase by the Federal Reserve System, the short-term paper of which is rated in the highest rating category by Moody’s Investors Services or by Standard & Poor’s Corporation.

Purchases of Bankers’ Acceptances may not exceed 180 days maturity or 40 percent of SANDAG’s surplus money. No more than 10 percent of SANDAG’s surplus funds may be invested in the Bankers’ Acceptances of any one commercial bank.

Commercial Paper: Commercial paper rated in the highest short-term rating category, as provided by Moody’s Investors Service, Inc., Standard & Poor’s Corporation or Fitch Financial Services, Inc.; provided that the issuing corporation is organized and operating within the United States, has total assets in excess of $500 million, and has an “A” or higher rating for its long-term debt, if any, as provided by Moody’s, Standard & Poor’s or Fitch.
Purchases of eligible commercial paper may not exceed 270 days maturity nor represent more than 10 percent of the outstanding paper of an issuing corporation. No more than 10 percent of SANDAG’s surplus funds may be invested in Commercial Paper of any one U.S. corporation.

Purchases of commercial paper may not exceed 25 percent of SANDAG’s surplus money which may be invested.

Medium-Term Notes: Medium-term notes, defined as all corporate and depository institution securities with a maximum remaining maturity of five years or less, issued by corporations organized and operating within the United States or depository institutions licensed by the United States or any state and operating within the United States. Medium-term notes shall be rated in a rating category of “A” or better by a nationally-recognized rating service.

Purchase of medium-term corporate notes may not exceed 30 percent of the agency’s surplus money. No more than 10 percent of SANDAG’s surplus funds may be invested in the Medium-Term Notes of any one corporation.

Negotiable Certificates of Deposit: Negotiable certificates of deposit issued by a nationally- or state-chartered bank or a state or federal savings and loan association or by a state-licensed branch of a foreign bank; provided that the senior debt obligations of the issuing institution are rated “AA” or better by Moody’s or Standard & Poor’s.

Purchase of negotiable certificates of deposit may not exceed 30 percent of SANDAG’s surplus money.

State of California’s Local Agency Investment Fund: State of California’s Local Agency Investment Fund (LAIF) may be invested in for the benefit of local agencies up to $40 million.

San Diego County Treasurer’s Pooled Investment Fund: Deposits in the County pooled investment fund shall be limited to the dollar maximums of the State LAIF.

Savings/Money Market Accounts: Insured savings account or money market account.

California Asset Management Program: Shares in a portfolio of the California Asset Management Program, so long as the portfolio is rated among the top two rating categories by one of the nationally-recognized rating agencies.

Money Market Funds: Shares of beneficial interest issued by diversified management companies that are money market funds registered with the Securities and Exchange Commission under the Investment Company Act of 1940 (15 U.S.C. Sec. 80a-1 et seq.). To be eligible for investment pursuant to this subdivision, these companies shall either: (1) attain the highest ranking letter or numerical rating provided by not less than two of the three largest nationally-recognized rating services, or (2) have an investment advisor registered or exempt from registration with the Securities and Exchange Commission with not less than five years experience managing money market mutual funds with assets under management in excess of $500,000,000.
The purchase price of shares shall not include any commission that the companies may charge. The purchase of shares may not exceed 20 percent of SANDAG’s surplus money.

Mortgage and Asset-Backed Obligations: Any mortgage pass-through security collateralized mortgage obligation, mortgage-backed or other pay-through bond, equipment lease-backed certificate, consumer receivable-pass-through certificate, or consumer receivable-backed bond of a maximum of 5 years maturity. Such obligations must be rated Aa/AA or higher by two national rating agencies and the issuer of such obligations must be rated Aa/AA or higher by two of the national rating agencies as well.

Purchases of securities authorized by this section may not exceed 20 percent of SANDAG’s surplus funds that may be invested pursuant to this section.

Ineligible Investments: Security types which are thereby prohibited include, but are not restricted to:

(a) Reverse repurchase agreements.
(b) “Complex” derivative securities such as range notes, dual index notes, inverse floating-rate notes, leveraged or deleveraged floating-rate notes, or any other complex variable-rate or structured note.
(c) Interest-only strips that are derived from a pool of mortgages, or any security that could result in zero interest accrual if held to maturity.
(d) Securities lending.

In the event that SANDAG possesses ineligible investments purchased prior to the adoption of this policy, SANDAG may hold these investments to their maturity dates. The limitation in this section shall not apply to SANDAG’s investments in shares of beneficial interest issued by diversified management companies registered under the Investment Company Act of 1940.

7. Maximum Maturity

Investment maturities shall be based upon a review of cash flow forecasts. Maturities will be scheduled so as to permit SANDAG to meet all projected obligations.

The maximum maturity will be no more than five years from purchase date to maturity date.

8. Performance Standards

The investment performance of SANDAG’s portfolio shall be evaluated and compared to appropriate indices in order to assess the success of the investment program. The comparable benchmarks should be consistent with SANDAG’s portfolio in terms of maturity and composition, which includes credit quality and security type.

9. Reporting Requirements

The Director of Finance shall submit to the Board annually a statement of investment policy, which the Board shall consider at a public meeting.
A monthly report of all investment transactions shall be submitted to the Board Members within 60 days following the end of the month covered by the report.

Quarterly investment reports shall be submitted to the Board within 60 days following the end of the quarter covered by the report. The reports should include the following information for each individual investment, and all returns should be reported net of all fees:

- Description of investment instrument
- Interest rate or yield to maturity
- Exact issuer name
- Coupon rate (if applicable)
- Call/Refunding date and price (if applicable)
- Purchase date
- Maturity date
- Purchase price
- Par value
- Book value
- Current market value (include source of valuation)
- Discounts or premiums, if any
- Accrued interest paid at purchase, if any
- Accrued interest to date
- Portfolio weighted average maturity
- Yield on cost
- Yield at market
- Overall portfolio yield
- Sale date (if investment is sold prior to maturity)

The report shall summarize the investment strategies employed in the most recent quarter, and describe the portfolio in terms of investment securities, maturity distribution, asset allocations, risk characteristics.

The quarterly report shall state compliance of the portfolio with this policy, or manner in which the portfolio is not in compliance. Each quarterly report shall indicate any area of policy concern and suggested or planned revision of investment strategies.

The Director of Finance shall include a statement denoting the ability of SANDAG to meet its expenditure requirements for the next six months, or provide an explanation as to why sufficient money shall, or may, not be available.

Together with the annual independently audited financial report each fiscal year, the Director of Finance shall prepare a comprehensive report utilizing the audited financial statements on SANDAG’s investment program and investment activity. Such annual report shall include any other item of significance which may enhance the understanding of the investment program.

SANDAG shall establish the following reporting and accounting standards for callable U.S. Government, Agency and Instrumentality securities. These are securities with a stated
maximum maturity date that could, at the issuer’s option, be retired at a date or number of dates prior to maturity.

All securities holdings reports for SANDAG shall disclose the maximum maturity liability to SANDAG (the stated maturity), as well as the first call date of each callable security held. The weighted average maturity, as well as computation of the yield on each callable security, in SANDAG’s portfolio will be calculated using professional judgment as to the most likely principal redemption date. If the investments coupon rate is greater than market levels, then the security shall be valued to the next call date. Otherwise, the security shall be valued to the maturity date. In any case, the “yield to worst” should be calculated and disclosed.

Included in the report should be any securities which have been downgraded from the previous quarter. If there are any securities downgraded below the minimum credit rating criteria permitted by this investment policy, the Director of Finance should be notified immediately. The decision to retain the security in question until maturity, sell (or put) the security, or other action shall be approved by the Director of Finance.

10. Safekeeping and Custody

All security transactions, including collateral for repurchase agreements, entered into by SANDAG shall be conducted on a delivery-versus-payment (DVP) basis. Securities shall be held by a third party custodian and evidenced by safekeeping receipts.

The only exception to the foregoing shall be securities purchases made with: (i) local government investment pools; and, (ii) money market mutual funds, since the purchased securities are not deliverable.

Amended November 2004

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Inserted: October 2004

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This policy is intended to define and clarify Rules of Procedure for the Board and incorporate them in Board policy.

From time to time over the last 30 years the Board has utilized and amended rules of procedure. It is desirable to have these rules contained in Board Policy for ease of reference.

Procedures for the Board and Policy Advisory Committees

1. Ordinances

1.1 Every ordinance shall be signed by the Chair of the Board and attested by the Clerk of the Board.

1.2 Upon the passage of an ordinance, the votes of the Board members shall be entered in the minutes.

1.3 Ordinances shall not be passed within five days of their introduction, nor at any meeting other than a regular meeting. An urgency ordinance may, however, be passed immediately upon introduction and either at a regular or special meeting. Except when, after reading the title, further reading is waived by regular motion adopted by unanimous vote of the Board members present, all ordinances shall be read in full at the time of introduction or passage. When ordinances, other than urgency ordinances, are altered after introduction, they shall be passed only at a regular or an adjourned regular meeting held at least five days after alteration. Corrections of typographical or clerical errors are not alterations within the meaning of this section.

1.4 The Clerk of the Board shall cause a proposed ordinance or proposed amendment to an ordinance, and any ordinance adopted by the Board to be published at least once in a newspaper of general circulation in the Board’s area of jurisdiction.

1.5 The publication of an ordinance as required by this policy, may be satisfied by either of the following actions:

1.5.1 The Board may publish a summary of a proposed ordinance or proposed amendment to an ordinance. The summary shall be prepared by the Clerk of the Board and the Office of General Counsel. The summary shall be published and a certified copy of the
full text of the proposed ordinance or proposed amendment shall be posted in the office of the Clerk of the Board at least five days prior to the Board meeting at which the proposed ordinance or amendment is to be adopted. Within fifteen (15) days after adoption of the ordinance or amendment, the Board shall publish a summary of the ordinance or amendment with the names of the Board members voting for and against the ordinance or amendment and the Clerk of the Board shall post in the office of the clerk a certified copy of the full text of the adopted ordinance or amendment along with the names of those Board members voting for and against the ordinance or amendment; or

1.5.2 If the person designated by the Board determines that it is not feasible to prepare a fair and adequate summary of the proposed ordinance or amendment, and if the Board so orders, a display advertisement of at least one-quarter of a page in a newspaper of general circulation in the Board’s area of jurisdiction shall be published at least five (5) days prior to the Board meeting at which the proposed ordinance or amendment is to be adopted. Within fifteen (15) days after adoption of the ordinance or amendment, a display advertisement of at least one-quarter of a page shall be published. The advertisement shall indicate the general nature of, and prove information regarding, the adopted ordinance or amendment including information sufficient to enable the public to obtain copy of the complete text of the ordinance or amendment, and the name of those Board members voting for and against the ordinance amendment.

1.3 Ordinances and amendments shall take effect thirty (30) days after their final passage. Exceptions to this effective date are: 1. When the ordinance is for the immediate preservation of the public peace, health or safety, and contains a declaration of facts constituting urgency, and is passed by a two-thirds vote of the Board, the ordinance or amendment will take effect immediately, and 2. If otherwise provided by law.

2. Board Policies

2.1 Board policies shall be reviewed to determine if updates are needed no less often than every three years.

2.2 Once updated, policies shall contain a footer identifying the last date they were modified by the Board.

3. Public Comment

3.1 Persons wishing to provide comment or testimony shall be permitted to address the Board or Policy Advisory Committee after submitting a written request to speak, identifying themselves and the agenda item on which they want to be heard.
Ordinarily, each speaker will be allowed no more than three minutes. The Chair, however, may extend or limit the time for each presentation or may permit additional time to speakers representing a group of individuals or organizations to avoid duplicative testimony or for other reasons that are in the best interest of the Board or committee in the Chair’s discretion. Testimony must be limited to issues relevant to the agenda item.

3.2 Public comment on matters not on the agenda will be permitted on items of interest to the public that are within the subject matter jurisdiction of the Board or committee. Persons wishing to comment during the general public comment period must submit a written request in advance identifying themselves and the subject matter on which they wish to speak. The Chair may limit the time for each speaker. Ordinarily, each speaker will be allowed no more than three minutes.

4. Standards of Conduct & Ethics Applicable to All of SANDAG’s Legislative Bodies

4.1 This policy shall be supplemental to SANDAG’s Conflict of Interest Code and is not intended to supercede such Code or any provisions thereof. All Board and Policy Advisory Committee members, and all other members of committees or working groups covered by the Brown Act, including alternates, shall file a Statement of Economic Interests with SANDAG upon request by SANDAG’s Office of General Counsel.

4.2 Each Board member and alternate occupies a position of public trust that demands the highest moral and ethical standards of conduct. All references to “Board members” in Section 4 of this Policy shall be read to include all Board and Policy Advisory Committee members, and all other members of committees or working groups covered by the Brown Act, including ex officio members and alternates.

4.3 Board members shall not engage in any business or transaction or have a financial or other personal interest, actual, potential, or apparent that is incompatible with the proper discharge of his or her official duties or would tend to impair his or her independence of judgment or action in the performance of such duties. Such business, transaction, or interest shall constitute a conflict of interest.

4.4 Generally, no Board member shall engage in any enterprise or activity that will result in any of the following:

4.4.1 Using the prestige or influence of the Board office for private gain or advantage of the member or another person.

4.4.2 Using time, facilities, equipment, or supplies of the Board for the private gain or advantage of the member or another person.

4.4.3 Receiving or accepting money or other consideration from anyone other than the Board or another government agency for the performance of acts done in the regular course of duty.
4.4.4 Receiving or accepting, directly or indirectly, any gift or favor from anyone doing business with the Board under circumstances from which it could reasonably be inferred that such was intended to influence such person in their duties or as a reward for official action.

4.4.5 Soliciting any gift or favor in the member’s official capacity, either directly or indirectly, when such solicitation might reasonably be inferred as to have a potential effect on the member’s duties or decisions, or when the individual’s position as a Board member would in any way influence the decision of the person being solicited.

4.5 Prohibited Interests

4.5.1 It is unlawful for any current SANDAG Board member to render a decision where a party to the decision has given the SANDAG Board member, promised to give the SANDAG Board member, or acted as an intermediary for the SANDAG Board member to have, an opportunity for compensation. For purposes of this section, opportunities for compensation provided to a SANDAG Board member include opportunities for compensation provided to the SANDAG Board member’s immediate family. When such an opportunity for compensation is provided to a member of the SANDAG Board member’s immediate family, the SANDAG Board member shall not participate in a decision involving a party to the decision unless the SANDAG Board member had no knowledge or involvement in securing the opportunity for compensation.

4.5.2 It is unlawful for any current SANDAG Board member to make, participate in making, or use his or her Board member position to influence a decision involving the interests of a person with whom he or she is seeking, negotiating, or securing an agreement concerning future employment.

4.5.3 It is unlawful for any current SANDAG Board Member to be financially interested in any contract made by them in their Board member capacity. It is also unlawful for any contract to be made by SANDAG or any board or commission established by SANDAG if any individual member of the body has a financial interest in the contract.

4.5.4 Definitions

4.5.4.1 For purposes of the prohibitions set forth in this section, the term “financial interest” means any interest, other than a remote interest as prescribed in California Government Code section 1091 or a non-interest prescribed in California Government Code section 1091.5, that would prevent SANDAG Board members involved from exercising absolute loyalty and undivided allegiance to the best interests of SANDAG.
4.5.4.2 For purposes of this section, "material financial effect" has the same meaning as that term is used in title 2, sections 18705 through 18705.5 of the California Code of Regulations.

4.5.4.3 For purposes of this section, "render a decision" means to take part personally and substantially in the project by rendering a decision, approval, or disapproval; by making a formal written recommendation; by conducting an investigation; by rendering advice on a significant basis; or by using confidential information.

4.5.4.4 For purposes of this section, "project" means any matter where a private business has made an application to SANDAG for discretionary funding or discretionary entitlements, or where SANDAG exercises discretion to enter into a lease, agreement, or contract with a private business.

4.5.5 Any SANDAG Board Member with a remote financial interest in a prospective contract of SANDAG must disclose the existence of the remote interest to the body of the board in which the SANDAG Board member is a member if that board has any role in creating, negotiating, reviewing, or approving the contract; and the SANDAG Board member must abstain from influencing or participating in the creation, negotiation, review, or approval of the contract.

4.5.6 It is unlawful for any SANDAG Board member to knowingly influence a decision of the SANDAG Board if it is reasonably foreseeable that the decision will have a material financial effect on:

4.5.6.1 the SANDAG Board member or a member of his or her immediate family, if the material financial effect is distinguishable from its effect on the public generally; or any of the following economic interests:

4.5.6.1.1 any business entity in which SANDAG Board member or a member of SANDAG Board member’s immediate family has invested $2,000 or more; and

4.5.6.1.2 any business entity for which a SANDAG Board member or a member of the SANDAG Board member’s immediate family is a director, officer, partner, trustee, employee, or holds any position of management; and

4.5.6.1.3 any real property which SANDAG Board member or a member of SANDAG Board member’s immediate family has invested $2,000 or more; and

4.5.6.1.4 any person from whom a SANDAG Board member or a member of the SANDAG Board member’s immediate
family has received (or by whom you have been promised) $500 or more in income within twelve months prior to the decision; and

4.5.6.1.5 any person from whom a SANDAG Board member or a member of the SANDAG Board member’s immediate family has received gifts that total $300 or more within twelve months prior to the decision;

4.5.6.1.6 the personal expenses, income, assets, or liabilities of a SANDAG Board member or a member of SANDAG Board member’s immediate family.

4.5.7 Prohibitions Applicable to Former Board Members

4.5.7.1 It is unlawful for any former SANDAG Board Member who received compensation from SANDAG to render a decision on a particular project during his or her SANDAG service to engage in direct communication with SANDAG, for compensation, with regard to any pending application for discretionary funding or discretionary entitlements before SANDAG relating to that particular project on behalf of any person other than a public agency for a one year period immediately following the last payment from SANDAG to the Board Member.

4.5.7.2 It is unlawful for any former SANDAG Board member, for compensation, to knowingly counsel or assist any person other than a public agency in connection with an appearance or communication in which the former SANDAG Board Member is prohibited from engaging pursuant to subsection 4.5.7.1 for a one year period immediately following termination of service with SANDAG.

4.6 Lobbying and Campaign-Related Activities

4.6.1 It is unlawful for any SANDAG Board Member to engage in campaign-related activities, such as fund-raising, the development of electronic or written materials, or research, for a campaign for any elective office using SANDAG facilities, equipment, supplies, or other SANDAG resources. Nothing in this section, however, shall prohibit the use of SANDAG resources to provide information to the public about the possible effects of any bond issue or other ballot measure relating to SANDAG activities, operations, or policies, provided that:

4.6.1.1 the use of public resources is otherwise legally authorized; and
4.6.1.2 the information provided constitutes a fair and impartial presentation of relevant facts to aid the electorate in reaching an informed judgment regarding the bond issue or ballot measure.
4.6.2 It is unlawful for any former SANDAG Board Member to engage in direct communication for the purpose of lobbying SANDAG if all of the following circumstances apply:

4.6.2.1 the former SANDAG Board Member served as a SANDAG Board Member within the previous twelve months; and

4.6.2.2 the former SANDAG Board Member received compensation from SANDAG for his or her service as a SANDAG Board Member; and

4.6.2.3 the former SANDAG Board Member is receiving compensation from a private business to engage in the direct communication with SANDAG.

4.6.3 The prohibitions contained in 4.6.2 shall not apply:

4.6.3.1 to prevent a former SANDAG Board Member from making or providing a statement, based on the former SANDAG Board Member's own special knowledge in the particular area that is the subject of the statement, provided that no compensation is thereby received other than that regularly provided for by law or regulation for witnesses;

4.6.3.2 to prevent any former SANDAG Board Member from representing himself or herself, or any member of his or her immediate family, in their individual capacities, in connection with any matter pending before SANDAG;

4.6.3.3 to the activities of any former SANDAG Board Member who is an elected or appointed officer or employee of any public agency, or a consultant of any public agency, when that former SANDAG Board Member is solely representing that agency in his or her Board Member capacity as an officer, employee, or consultant of the agency;

4.6.3.4 to any ministerial action. A ministerial action is one that does not require a SANDAG Board Member to exercise discretion concerning any outcome or course of action; or

4.6.3.5 to any individual who terminated status as a SANDAG Board Member prior to July 1, 2003, except that any such individual who returns to service as a SANDAG Board Member on or after July 1, 2003, shall thereafter be subject to the provisions of this section.

4.7 If a Board member has an actual, potential, or apparent conflict of interest in the subject of an agenda item, and the Board will be making a decision regarding the agenda item during an open session meeting, the Board member must recuse himself or herself or, in the case of uncertainty, request a binding determination.
from the Board’s legal counsel. If the Board member has a conflict, he or she may observe, but not participate, in the decision-making process.

4.8 If a Board member has an actual, potential, or apparent conflict of interest in the subject of an agenda item to be discussed during a closed session meeting, the Board member must state that he or she has a conflict of interest and shall be disqualified and shall leave the room during such discussion so as not to make, participate in making, or in any way attempt to use his or her official position to influence the decision or discussion. In the case of uncertainty, the Board member must request a binding determination from the Board’s legal counsel. In accordance with the Brown Act, any Board member who is disqualified shall be entitled to any information that is publicly reported. The Board member will not, however, be privy to any confidential or privileged information or communications pertaining to the closed session agenda item.

4.9 No Board member shall disclose to any person, other than members of the Board and other Board staff designated to handle such confidential matters, the content or substance of any information presented or discussed during a closed session meeting unless the Board authorizes such disclosure by the affirmative vote of a majority of the Board.

4.10 No Board member may disclose confidential or privileged information or communication to any person other than a Board member, counsel to the Board, or other Board staff designated to handle such matters, unless disclosure is mandated by law or the Board authorizes such disclosure by the affirmative vote of a majority of the Board.

4.11 Confidential or privileged information concerning threatened, anticipated, or actual litigation or claims will not be disclosed to a Board member if he or she has an actual, potential, or apparent conflict of interest. In the case of uncertainty as whether a conflict of interest exists, the Board’s legal counsel will issue a binding determination.

4.12 No Board member shall represent a position on an issue to be the Board’s position unless the Board has formally adopted such position at a public meeting.

4.13 Any violation of this policy shall constitute official misconduct if determined as such by an affirmative vote of the majority of the Board in an open and public meeting. The Board may elect to censure the Board member and the violation may be subject to criminal and/or civil penalties as provided for by applicable law.

5. **Additional Advisory Membership on Board**

5.1 From time to time, the Board may determine it is in SANDAG’s best interest to supplement the Board with additional members that can provide beneficial advice and information to the Board on matters of interest to the region.

5.2 The criteria for selection of additional advisory members shall be as follows:
5.2.1 Agency/group has land use or eminent domain authority;

5.2.2 Agency/group has regional authorities and responsibilities important to SANDAG’s mission;

5.2.3 Membership by the agency/group would enhance SANDAG’s regional decision-making;

5.2.4 Agency/group desires representation, submits a written request, and commits to participation; and

5.2.5 Agency/group is able to agree on the form of representation and who will represent it.

6. Procedures Applicable to SANDAG’s Legislative Bodies Other Than the Board and Policy Advisory Committees

The Brown Act is a state law which governs open meetings for local governmental bodies. The Brown Act (also “Act”) is contained in the Government Code at § 54950 et seq., and establishes rules designed to ensure that actions and deliberations of public bodies of local agencies are taken openly and with public access and input. The Brown Act governs the meetings of all local “legislative bodies,” that is, all multi-member committees and the like, of a local governmental agency such as SANDAG. Bodies created by ordinance, resolution, or formal action of SANDAG’s Board or one of the Policy Advisory Committees are covered by the Act.

6.1 All of SANDAG’s Legislative Bodies are required to comply with the requirements of the Act, including but not limited to the following:

6.1.1 Agendas for all regular meetings must be posted at least 72 hours in advance of the meeting and all meetings must be open to the public.

6.1.2 The Act applies whenever a majority of the voting members of the legislative body meet to discuss, deliberate or acquire information about a matter within the subject matter of the body.

6.1.3 A public comment period must be provided at each meeting.

6.1.3 The Act prohibits “serial meetings.” Serial meetings are a series of in-person meetings, phone calls, emails, or other types of communication that ultimately involve a majority of the legislative body to develop a consensus as to action to be taken on a matter coming before the body. This prohibition is based on the Act’s goal to ensure that the public’s business is in fact conducted in public. In addition, a third party cannot be used to communicate among the members to obtain a consensus; an intermediary cannot be used to accomplish the actions directly prohibited by the Act.

6.1.4 Secret ballots and anonymous voting are prohibited.
6.1.5 An attendance, registration, or sign-in sheet may be used at public meetings to document the presence of persons other than the members of the legislative body, however, the sheet must clearly state that its completion is voluntary and not a precondition for attendance.

6.1.6 Meetings may not be held in facilities that are inaccessible to disabled persons or in facilities that prohibit the admittance of any persons on the basis of race, religious creed, color, national origin, ancestry or sex.

6.1.7 Meetings must be held within the County of San Diego, unless some exception under the Act applies. Questions regarding the applicability of the Act should be directed to SANDAG’s Office of General Counsel.

6.1.8 The agenda must list all items that will be discussed or acted upon by the legislative body. That listing should be described in an informative way so that members of the body as well as members of the public understand the general nature of the agenda item and can make an informed decision whether to attend the meeting or not. The Act provides that this description need not exceed 20 words, but as many words as necessary to give adequate notice should be used.

6.1.9 Members may take action to add an item to the agenda of a regular meeting if, by two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, the body determines that there is a need to act immediately, that the body’s consideration of the matter cannot await the next meeting and that the need for immediate action arose after the posting of the agenda. This should only occur in very rare occasions, and SANDAG’s Office of General Counsel should be consulted before relying on this exception.

6.2 In addition to the requirements of the Act, SANDAG legislative bodies must also comply with the following requirements:

6.2.1 Only the regular members, or in their absence, a designated alternate, may vote on action items. Seating or placards at meetings should be arranged so that it is clear which persons in the room are voting members, as compared to non-voting members, alternates, speakers, or members of the public. Non-voting members and alternates in attendance may participate in the body’s discussion, but may not vote.

6.2.2 The members of a legislative body may only designate an alternate if their service on the legislative body is based on their capacity as a representative of another group; members selected for their individual qualifications do not act as a representative of another group and may not designate an alternate.
6.2.3 A quorum shall be a majority of the voting members of a legislative body. A majority of the quorum must approve all actions taken by the legislative body.

6.2.3 Unless otherwise provided by the Board or Policy Advisory Committee, each legislative body should select a chair and vice chair by a vote of the majority of a quorum on an annual basis.

6.2.4 Roberts Rules of Order should be used by legislative bodies for guidance on procedural matters such as the making of motions and voting.

6.2.5 The chair of a legislative body may direct that comments from the public shall be limited to no more than three minutes per person. Comments from the public should be requested following introduction of each agenda item. Efforts should be made to make it clear to the members of the legislative body and audience when a comment is being made by a member of the public versus a member of the legislative body.

6.2.6 In the event a legislative body is having difficulty taking action on items due to lack of attendance to create a quorum, the legislative body may make a recommendation regarding changes to membership and seek approval of these recommendations from the Board or Policy Advisory Committee that created the legislative body.

6.3 The scope of topics within the jurisdiction of the legislative shall be limited to those issues delegated to the legislative body by the Board or relevant Policy Advisory Committee.

6.4 Legislative bodies created by the Board or a Policy Advisory Committee do not have authority to take action on behalf of SANDAG, make a final determination on behalf of SANDAG, and/or take a position on behalf of SANDAG.

6.5 SANDAG’s Committee and Working Group Guidelines should be used for additional guidance.

6.6 New standing committees shall not be created by SANDAG staff. Staff may request approval for creation of a new standing committee from the Board. Staff may create ad hoc (temporary) committees or working groups subject to the approval of the Executive Committee. An informational report shall be provided to the Board on a quarterly basis concerning the status of all standing and ad hoc committees and working groups.

Amended November 2004
EQUAL EMPLOYMENT OPPORTUNITY (EEO) PROGRAM

The purpose of this policy is to establish an equal employment opportunity program for employees and contractors.

Federal regulations require the adoption of an Equal Employment Opportunity (EEO) Program as a condition of receipt of federal funds. SANDAG’s Administrative Rules & Regulations mandate equal employment opportunities in recruitment, hiring, and employment for applicants to, and employees of, SANDAG. SANDAG also has separate written policies which forbid discrimination and provide grievance procedures for employees and visitors to SANDAG who believe they have been a victim of discrimination. In addition, SANDAG incorporates an EEO requirement in its contracts with third parties.

Procedures

1. **EEO Program**
   1.1 It is the policy of SANDAG to recruit, hire, train, and promote all applicants and employees in accordance with Title VII of the Civil Rights Act of 1964, as amended. SANDAG will ensure that recruiting, selecting, hiring, and promoting procedures do not adversely affect the employment of persons protected by Title VII and, in addition, that all SANDAG hiring and promoting criteria, requirements, and tests are job-related. Unless impracticable, SANDAG will adhere to the affirmative action provisions of Executive Order 11246, the Equal Employment Opportunity Guidelines, and all other applicable standards for affirmative action, taking into account its present size and expected growth.

   1.2 It is SANDAG’s policy to assure that discrimination based on race, color, religion, ancestry, national origin, gender, age (over 40 years), marital status, medical condition, sexual orientation, or disability does not occur in relationships that may exist between SANDAG and any employee or applicant for employment. Such relationships include, but are not limited to, recruitment, hiring, promotion, compensation, benefits, terminations, transfers, layoffs, recalls, or SANDAG-sponsored training, education, or social and recreational programs.

   1.3 It is SANDAG’s policy to require the contractors and consultants that it contracts with to have EEO policies in place that forbid discrimination in violation of Title VII.
SANDAG maintains a Disadvantaged Business Enterprises (DBE) Program that is approved annually by the California Department of Transportation. The DBE Program sets forth annual goals for participation by DBE businesses.

Responsibility for implementation of the EEO Program is assigned to the Director of Administration. All management personnel within SANDAG are expected to support and implement this EEO Program in performance of their job duties and responsibilities. Any employee or applicant who feels they have been discriminated against, has a right to file a complaint under SANDAG’s policies.

When developing and implementing its employment and contracting policies, SANDAG will base its decisions solely on the individual’s qualifications and merit, and the feasibility of any necessary accommodations.

2. Procedures

2.1 The Director of Administration will review employment statistics annually to determine whether there is a need to set goals for any under-represented groups and then recommend goals to the Executive Director if necessary.

2.2 The Executive Director will approve or disapprove the Director of Administration’s recommendation(s) at his/her discretion.

2.3 The Director of Administration will update lists of women’s and minority media, community organizations, and college minority placement offices as needed, for the use of SANDAG’s staff in recruiting for employees, interns, consultants, and contractors.

2.4 The Director of Administration will communicate this EEO Program to all employees.

2.5 SANDAG staff will solicit community involvement by under-represented groups on issues of importance to the region that fall within its jurisdiction.

2.6 All of SANDAG’s requests for proposals, requests for qualifications, and invitations for bids will contain language encouraging participation by DBE consultants, contractors, and subcontractors.

2.7 Consultants and contractors awarded contracts with DBE Program goals will be required to submit Employment Utilization Reports with their invoices and/or a DBE Final Utilization Report with their final invoice.

2.8 The Director of Administration will maintain a record on each job applicant, each promotional opportunity, and employee termination data, which documents whether the affected individuals are in a class protected by Title VII.
In January of each year, the Board of Directors will review an EEO report prepared by the Director of Administration, which covers the preceding year. The report will include employment results, DBE Program results, and a review of EEO Program goals for the upcoming year.

This EEO Program will be posted in the employee lounge and will be incorporated into SANDAG’s employee Web site.

All employment ads will contain the following language: “SANDAG is an Equal Employment Opportunity Employer.”

Required federal and state posters concerning EEO will be displayed in the employee lounge.

All successful consultants and contractors will be notified of their obligations under the EEO Program in their contracts with SANDAG.

Amended November 2004
LEGAL MATTERS

To establish procedures for the filing of claims and institution of claims and lawsuits, for obtaining the review and concurrence or comment from the Office of General Counsel on all requests to the Board for authority to file lawsuits in court, and for handling process servers or individuals serving other legal documents.

Under Public Utilities Code section 132354(a), SANDAG can sue or be sued. All claims for money or damages against SANDAG are governed by Part 3 (commencing with section 900) and Part 4 (commencing with section 940) of the Government Code (the Tort Claims Act). Government Code section 935 authorizes SANDAG to adopt local claims procedures for claims that are not governed by any other statutes or regulations. From time to time it may be necessary for SANDAG to initiate litigation in order to resolve issues of significant concern to SANDAG. The Board desires to have the concurrence or written review from the Office of General Counsel relative to the merits of such lawsuits prior to their consideration by the Board. For these reasons, it is necessary to establish these procedures.

Procedures

1. **Claims and Actions Against SANDAG**

Any and all claims for money or damages against SANDAG must be presented to, and acted upon, in accordance with the following procedures. Compliance with these procedures is a prerequisite to any court action, unless the claim is governed by statutes or regulations which expressly free the claimant from the obligation to comply with this policy and the claims procedures set forth in Government Code 900 et seq.

1.1 **Form of Claims**

All claims must be presented to SANDAG using the form entitled “Claim Against SANDAG” available on SANDAG’s Web site or upon request.

1.2 **Time Limitations**

1.2.1 Claims for money or damages relating to a cause of action for death, injury to person or personal property, or growing crops, shall be presented to the Board not later than six (6) months after the accrual of the cause of action (Government Codes 905, and 911.2).

1.2.2 Claims for money or damages as authorized in Government Code 905 that are not included in Paragraph 1 above shall be filed not later than one year...
from the date the cause of action accrues (Government Codes 905 and 911.2).

1.2.3 Claims for money or damages specifically excepted from Government Code 905 shall be filed not later than six (6) months after the accrual of the cause of action (Government Codes 905, 911.2, and 935).

1.3 Late Claims

1.3.1 Claims under "Time Limitations" Paragraphs 1.2.1 and 1.2.3 above, which are filed outside the specified time limitations, must be accompanied by an application to file a late claim. Such claim and application to file a late claim must be filed not later than one year after the accrual of the cause of action. If a claim is filed later than the specified time limitation and is not accompanied by an application to file a late claim, the Board or Executive Director may, within forty-five (45) days, give written notice that the claim was not filed timely and that it is being returned without further action.

1.3.2 The application shall state the reason for the delay in presenting the claim. The Board shall grant or deny the application within forty-five (45) days after it is presented. By mutual agreement of the claimant and the Board, such forty-five (45) day period may be extended by written agreement made before the expiration of such period. If the Board does not take action on the application within forty-five (45) days, it shall be deemed to have been denied on the forty-fifth (45th) day unless such time period has been extended, in which case it shall be denied on the last day of the period specified in the extension agreement.

1.3.3 If the application to present a late claim is denied, the claimant shall be given notice as required by Government Code section 911.8 (Government Codes 911.3, 911.4, 911.6, 911.8, 912.2, and 935).

1.4 Delivery and Form of Claim

1.4.1 A claim, any amendment thereto, or an application for leave to present a late claim shall be deemed presented when delivered to the office of the Executive Director or deposited in a post office, sub-post office, substation, or mail chute or other like facility maintained by the U.S. Government in a sealed envelope properly addressed to SANDAG’s offices with postage paid (Government Codes 915 and 915.2).

1.4.2 Claims must contain the information set forth in Section 910 and 910.2 of the Government Code (Government Codes 910, 910.2, and 910.4).

1.5 Notice of Claim Insufficiency

The Executive Director shall cause all claims to be reviewed for sufficiency of information. The Executive Director or designee may, within twenty (20) days of
receipt of claim, either personally deliver or mail to claimant a notice stating deficiencies in the claim presented. If such notice is delivered or sent to claimant, the Board shall not act upon the claim until at least fifteen (15) days after such notice is sent (Government Codes 910.8, and 915.4).

1.6 Amendments to Claim

Claims may be amended within the above time limits or prior to final action by the Board, whichever is later, if the claim, as amended, relates to the same transaction or occurrence which gave rise to the original claim.

1.7 Action on Claim

1.7.1 If the Board acts properly to reject the claim, the claimant has only six (6) months from such rejection to institute a lawsuit. If the Board takes no action, the claim is deemed rejected after forty-five (45) days, but the claimant has two (2) years to institute a suit against the SANDAG. The notice of rejection must comply with requirements of Government Code 913 unless the claim has no address on it.

1.7.2 If the claim is filed late and not accompanied by an application to file a late claim, then the Board or its agent must notify the claimant that no action was taken due to the claim being filed late.

1.7.3 Within forty-five (45) days after the presentation or amendment of a claim, the Board shall take action on the claim. This time limit may be extended by written agreement before the expiration of the forty-five (45) day period or before legal action is commenced or barred by legal limitations. The Executive Director or designee shall transmit to the claimant a notice of action taken. If no action is taken by the Board, the claim shall be deemed to have been rejected (Government Code 945.6).

1.7.4 The Board delegates to the Executive Director the authority to take action on claims under one hundred thousand dollars ($100,000) (Government Code 935.4).

1.8 Retroactivity of This Policy

This policy is intended to apply retroactively to any existing causes of action and/or claims for money and/or damages. Any claim filed later than twelve (12) months following accrual of the cause of action is barred, regardless of whether the cause of action accrued before the effective date of this policy. (First Adopted by Board Resolution March 22, 2002.)

2. Claims & Actions Initiated by SANDAG

It is the policy of the Board that except as may be otherwise determined by the Board, prior to Board authorization and direction to the Office of General Counsel to file a lawsuit in
court, the Office of General Counsel shall be consulted as to the merits of such a lawsuit. Any request or recommendation for authorization and direction from the Board to the Office of General Counsel to file a lawsuit in court shall be accompanied by written views of the Office of General Counsel with regard to the merits of the case, provided however, that the Office of General Counsel may, in lieu of such written concurrence or written views, request that the matter be discussed with the Board in Closed Session. As part of this attorney-client review, all requests or recommendations on potential lawsuits will be reviewed for comment by the Executive Director prior to being submitted to the Office of General Counsel.

3. Legal Counsel for SourcePoint and ARJIS

SANDAG shall provide legal counsel to SourcePoint and the Automated Regional Justice Information System Joint Powers Agency (ARJIS) to the extent time allows, and as long as no potential conflict of interest exists. In general, SANDAG’s Office of General Counsel should ensure consistent legal treatment of all matters. In areas involving a need for special expertise, substantial time commitments, or separate counsel, SANDAG, on behalf of SourcePoint or ARJIS, may contract with an outside firm and SourcePoint or ARJIS will pay for those services out of its own funds. Such contracts shall be reported to the SANDAG Board.

4. Acceptance of Garnishments, Wage Attachments, Summons & Complaints

4.1 SANDAG’s Office of General Counsel will accept service of a summons and complaint upon SANDAG and/or any Board members being sued in his or her official capacity as a member of SANDAG’s Board of Directors.

4.2 In compliance with California Civil Code of Procedure 415.20, SANDAG will also accept service of a summons and complaint upon one of its employees at its offices under the substituted services of process method provided for in that statute.

4.3 Whenever SANDAG, as employer, is served with a garnishment and wage attachment, the server should be instructed to present such document to SANDAG’s Office of General Counsel.

Amended November 2004
CLAIM AGAINST SANDAG

TO THE HONORABLE BOARD OF DIRECTORS OF THE SAN DIEGO ASSOCIATION OF GOVERNMENTS:

The undersigned respectfully submits the following claim and information relative to damage to persons and/or personal property:

1. NAME OF CLAIMANT: ________________________________
   ADDRESS OF CLAIMANT: ________________________________
   PHONE NO.: HOME __________________ WORK __________________

2. Name, telephone and post office address to which claimant desires notices to be sent if other than above:

3. Occurrence or event from which the claim arises:
   a. DATE: __________________
   b. TIME: __________________
   c. PLACE (exact and specific location):
   d. Specify the circumstances of the occurrence, event, act or omission which you claim caused the injury, damage or loss. (use additional paper if necessary):
   e. State how or in what manner SANDAG or its employees were at fault:
4. Give a description of the injury, property damage or loss incurred so far as is known at the time of this claim. If there were no injuries, state “no injuries.” (If your claim involves a vehicle, include license, year, make and model.)

5. Give the name(s) of the SANDAG employee(s) causing the injury, damage or loss, if known:

6. Name and address of any other person injured:

7. Name and address of the owner of any damaged property:

8. Damages claimed:
   a. Amount claimed as of this date: $ _________________
   b. Estimated amount of any future costs: $ _________________
   c. Total amount claimed: $ _________________
   d. Basis for computation of amounts claimed (include copies of all bills, invoices, estimates, etc.):

9. Names and addresses of all witnesses, hospitals, doctors, etc.

10. Any additional information that might be helpful in considering claim:

WARNING: IT IS A CRIMINAL OFFENSE TO FILE A FALSE CLAIM
(Penal Code § 72; Insurance Code § 556.1)

I have read the matters and statements made in the above claim and I know the same to be true of my own knowledge, except as to those matters stated upon information or belief and as to such matters I believe the same to be true. I certify under penalty of perjury that the foregoing is TRUE and CORRECT.

Signed this day of _______________ 20__ at_________________________________________________

Claimants Signature:__________________________________________________________________________
LEGAL MATTERS

To establish procedures for the filing of claims and institution of claims and lawsuits, for obtaining
the review and concurrence or comment from the Office of General Counsel on all requests to the
Board for authority to file lawsuits in court, and for handling process servers or individuals serving
other legal documents.

Under Public Utilities Code section 132354(a), SANDAG can sue or be sued. All claims for money or
damages against SANDAG are governed by Part 3 (commencing with section 900) and Part 4
section 935 authorizes SANDAG to adopt local claims procedures for claims that are not governed
by any other statutes or regulations. From time to time it may be necessary for SANDAG to initiate
litigation in order to resolve issues of significant concern to SANDAG. The Board desires to have the
concurrence or written review from the Office of General Counsel relative to the merits of such
lawsuits prior to their consideration by the Board. For these reasons, it is necessary to establish these
procedures.

Procedures

1. Claims and Actions Against SANDAG

Any and all claims for money or damages against SANDAG must be presented to, and acted
upon, in accordance with the following procedures. Compliance with these procedures is a
prerequisite to any court action, unless the claim is governed by statutes or regulations which
expressly free the claimant from the obligation to comply with this policy and the claims
procedures set forth in Government Code 900 et seq.

1.1 Form of Claims

All claims must be presented to SANDAG using the form entitled “Claim Against SANDAG”
available on SANDAG’s Web site or upon request.

1.2 Time Limitations

1.2.1 Claims for money or damages relating to a cause of action for death, injury
to person or personal property, or growing crops, shall be presented to the
Board not later than six (6) months after the accrual of the cause of action
(Government Codes 905, and 911.2).

1.2.2 Claims for money or damages as authorized in Government Code 905 that
are not included in Paragraph 1 above shall be filed not later than one year
from the date the cause of action accrues (Government Codes 905 and 911.2).

1.2.3 Claims for money or damages specifically excepted from Government Code 905 shall be filed not later than six (6) months after the accrual of the cause of action (Government Codes 905, 911.2, and 935).

1.3 Late Claims

1.3.1 Claims under "Time Limitations" Paragraphs 1.2.1 and 1.2.3 above, which are filed outside the specified time limitations, must be accompanied by an application to file a late claim. Such claim and application to file a late claim must be filed not later than one year after the accrual of the cause of action. If a claim is filed later than the specified time limitation and is not accompanied by an application to file a late claim, the Board or Executive Director may, within forty-five (45) days, give written notice that the claim was not filed timely and that it is being returned without further action.

1.3.2 The application shall state the reason for the delay in presenting the claim. The Board shall grant or deny the application within forty-five (45) days after it is presented. By mutual agreement of the claimant and the Board, such forty-five (45) day period may be extended by written agreement made before the expiration of such period. If the Board does not take action on the application within forty-five (45) days, it shall be deemed to have been denied on the forty-fifth (45th) day unless such time period has been extended, in which case it shall be denied on the last day of the period specified in the extension agreement.

1.3.3 If the application to present a late claim is denied, the claimant shall be given notice as required by Government Code section 911.8 (Government Codes 911.3, 911.4, 911.6, 911.8, 912.2, and 935).

1.4 Delivery and Form of Claim

1.4.1 A claim, any amendment thereto, or an application for leave to present a late claim shall be deemed presented when delivered to the office of the Executive Director or deposited in a post office, sub-post office, substation, or mail chute or other like facility maintained by the U.S. Government in a sealed envelope properly addressed to SANDAG’s offices with postage paid (Government Codes 915 and 915.2).

1.4.2 Claims must contain the information set forth in Section 910 and 910.2 of the Government Code (Government Codes 910, 910.2, and 910.4).

1.5 Notice of Claim Insufficiency

The Executive Director shall cause all claims to be reviewed for sufficiency of information. The Executive Director or designee may, within twenty (20) days of
receipt of claim, either personally deliver or mail to claimant a notice stating
deficiencies in the claim presented. If such notice is delivered or sent to claimant, the
Board shall not act upon the claim until at least fifteen (15) days after such notice is
sent (Government Codes 910.8, and 915.4).

1.6 Amendments to Claim

Claims may be amended within the above time limits or prior to final action by the
Board, whichever is later, if the claim, as amended, relates to the same transaction
or occurrence which gave rise to the original claim.

1.7 Action on Claim

1.7.1 If the Board acts properly to reject the claim, the claimant has only six (6)
months from such rejection to institute a lawsuit. If the Board takes no
action, the claim is deemed rejected after forty-five (45) days, but the
claimant has two (2) years to institute a suit against the SANDAG. The notice
of rejection must comply with requirements of Government Code 913 unless
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written agreement before the expiration of the forty-five (45) day period or
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4.1 SANDAG’s Office of General Counsel will accept service of a summons and complaint upon SANDAG and/or any Board members being sued in his or her official capacity as a member of SANDAG’s Board of Directors.

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4.3 Whenever SANDAG, as employer, is served with a garnishment and wage attachment, the server should be instructed to present such document to SANDAG’s Office of General Counsel.

Amended November 2004
CLAIM AGAINST SANDAG

TO THE HONORABLE BOARD OF DIRECTORS OF THE SAN DIEGO ASSOCIATION OF GOVERNMENTS:

The undersigned respectfully submits the following claim and information relative to damage to persons and/or personal property:

1. NAME OF CLAIMANT: __________________________________________
   ADDRESS OF CLAIMANT: _______________________________________
   PHONE NO.: HOME __________________ WORK ____________________

2. Name, telephone and post office address to which claimant desires notices to be sent if other than above:

3. Occurrence or event from which the claim arises:
   a. DATE: ________________
   b. TIME: ________________
   c. PLACE (exact and specific location): ____________________________
   d. Specify the circumstances of the occurrence, event, act or omission which you claim caused the injury, damage or loss. (use additional paper if necessary):
   e. State how or in what manner SANDAG or its employees were at fault:
4. Give a description of the injury, property damage or loss incurred so far as is known at the time of this claim. If there were no injuries, state “no injuries.” (If your claim involves a vehicle, include license, year, make and model.)

5. Give the name(s) of the SANDAG employee(s) causing the injury, damage or loss, if known:

6. Name and address of any other person injured:

7. Name and address of the owner of any damaged property:

8. Damages claimed:
   a. Amount claimed as of this date: $ ____________________
   b. Estimated amount of any future costs: $ ____________________
   c. Total amount claimed: $ ____________________
   d. Basis for computation of amounts claimed (include copies of all bills, invoices, estimates, etc.):

9. Names and addresses of all witnesses, hospitals, doctors, etc.

10. Any additional information that might be helpful in considering claim:

WARNING: IT IS A CRIMINAL OFFENSE TO FILE A FALSE CLAIM
(Penal Code § 72; Insurance Code § 556.1)

I have read the matters and statements made in the above claim and I know the same to be true of my own knowledge, except as to those matters stated upon information or belief and as to such matters I believe the same to be true. I certify under penalty of perjury that the foregoing is TRUE and CORRECT.

Signed this day of ____________________, 20__ at___________________________________________________

Claimant’s Signature: __________________________________________________________________________
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 the Compliance Officer and is responsible for administering this complaint procedure as well as ensuring compliance with applicable laws.

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.

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.

Amended November 2004
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
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 for a design-bid-build project 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, except for General design/Engineering Consultants for a design-bid-build project, 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 General design/Engineering Consultant for a project is eligible for award of a contract to provide the following general construction management services for that project so long as a SANDAG employee will oversee the project and make all final decisions and approvals: Office Engineer, Assistant Resident...
Any firm that provides construction management services to SANDAG for a design-bid-build project 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 for various assigned projects 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.

Amended November 2004
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 or $100,000 above the appraised value, whichever is greater.

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.

4.9 Settle all lawsuits, alternative dispute matters, and claims that SANDAG must defend when the settlement amount does not exceed $100,000. In the event the Executive Director exercises this authority he/she shall send a memo to the members of the Board as soon as possible in order to notify them of any action taken.

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.

Amended November 2004
1. Purpose

The purpose of the Public Safety Policy Advisory Committee (PSPAC) is to advise the Board on matters concerning the Automated Regional Justice Information System and the Criminal Justice Division.

2. Governance

2.1. The PSPAC shall be overseen by the Board and shall govern itself in accordance with the Automated Regional Justice Information System Joint Powers Agreement (“ARJIS JPA”), as amended on January 1, 2004, and the policies and procedures applicable to all of SANDAG’s policy advisory committees.

2.2. If the ARJIS JPA is in conflict with state or federal statutes or regulations, the statutes or regulations shall supersede the conflicting provision of the JPA. If the ARJIS JPA is in conflict with SANDAG Board policy or procedure, SANDAG Board policy or procedure shall supersede the conflicting provision of the JPA.

3. PSPAC Subcommittees

3.1. There shall be a standing Management Subcommittee composed of standing members who shall be the Chief of Police, Sheriff, or Public Safety CEO of each Member Agency. The term “Member Agency” as used in this Policy shall have the same meaning as in the ARJIS JPA and shall refer to the voting members on the PSPAC. The Management Subcommittee may appoint advisory members to the Subcommittee as needed and shall serve at the pleasure of the Management Subcommittee.

3.2. Each Member Agency representative of the Management Subcommittee shall have one vote.

3.3. Whenever a member is not present at a meeting of the Management Subcommittee, a designated alternate selected by the member may act as a member.

3.4. The Management Subcommittee shall appoint members to standing working groups known as the Users, Technical, Business, and Crime Analysis working groups. The membership of these working groups shall be composed of members of public safety agencies who operate or use the ARJIS. Each member of these working groups shall have one vote.
3.5. The Management Subcommittee meetings shall be at least monthly or whenever called by its Chairperson. The Chairperson of the Management Subcommittee shall notify the members of the Management Subcommittee of any such scheduled meetings at least five days prior to the scheduled date of the meeting. Upon a finding by the Chairperson that an item has arisen that requires immediate action, he/she may call a meeting on 48 hours notice.

3.6. Other standing subcommittees and standing or ad hoc working groups shall meet whenever called by their respective chairperson.

3.7. Standing subcommittees and working groups shall have as elected officers a chairperson and vice chairperson, who are members or alternates of their respective Member Agency. The Chairperson and Vice Chairperson of each standing subcommittee or working group shall be elected from among its membership.

3.8. The functions of the Management Subcommittee shall be to: (1) review, evaluate, and provide preliminary approval of the ARJIS and Criminal Justice Division work plan and budget for final approval by the SANDAG Board of Directors; (2) evaluate and prioritize the ARJIS and Criminal Justice Division work plan; (3) oversee the implementation of the ARJIS and Criminal Justice Division work plan and budget; (4) establish policies and procedures; (5) approve and oversee the implementation of the recommendations from other subcommittees and working groups; and (6) perform other functions delegated by the PSPAC.

4. Authority

4.1 The PSPAC shall have the authority to approve financial/contracting transactions, including selection of vendors, acceptance of funding, stipulations of any nature, and any resulting budget amendment up to $500,000 for ARJIS and Criminal Justice Division items, subject to increase by Board action.

Adopted December 2003
Amended November 2004
DRAFT REPORT ON CONSOLIDATED AGENCY PURSUANT TO SENATE BILL 1703, AMENDED BY ASSEMBLY BILL 361

Introduction

Senate Bill (SB) 1703, amended by Assembly Bill (AB) 361, requires SANDAG to submit to the Governor and Legislature a progress report by December 31, 2004, and each even-numbered year, thereafter. This draft report expands upon the preliminary draft report presented to the Board in January 2004 and focuses on progress made in implementing the provisions of SB 1703, identifies findings related to consolidation, and recognizes accomplishments and challenges faced over the last two years. Today’s draft report is presented for discussion and comment. The final report will be presented in December for Board approval prior to submittal to the Governor and Legislature.

Discussion

On September 20, 2002, California Senate Bill (SB) 1703 was signed into law. The law which consolidated the roles and responsibilities of SANDAG with the transit planning, programming, project development, and construction responsibilities of the San Diego Metropolitan Transit Development Board (MTDB) and the North San Diego County Transit Development Board (NSDCTDB) included a requirement for SANDAG to complete an evaluation of progress in carrying out its responsibilities under the legislation and report the findings to the Governor and California Legislature. AB 361, signed into law on September 25, 2003, directed the submission of the evaluation by December 31, 2004, and each even-numbered year, thereafter.

In addition to implementing the provisions of SB 1703 including organizational restructuring, the three Boards, (i.e., SANDAG, MTDB, and NSDCTDB) were faced with many challenges since its enactment. The internal challenges were expected and involve the re-making of the three organizations. On the other hand, external challenges, such as the State’s budget problems effect on transportation funding and the still pending reauthorization of the federal multi-year transportation program, were not expected. Yet, there is much to celebrate: adoption of the TransNet Expenditure Plan and Ordinance (Proposition A), adoption of the Regional Comprehensive Plan (RCP), the continued implementation of major transportation projects in the region, namely, the Mission Valley East and the Oceanside-Escondido Rail (the SPRINTER) projects, the advancement of the Regional Transit Vision, and most recently a 2/3rds voter approval (still pending certification by the County Registrar of Voters) of Proposition A extending a half-cent sales and transaction tax providing $14 billion for highway, transit, and local road improvements over a 40-year period. These success stories are the result of the collaboration and cooperation of SANDAG and all of its partners.

In addition to the above successes since the January 2004 report, SANDAG, as the consolidated Agency has:

- adopted its first consolidated budget
• adopted its first Short Range Transit Plan (SRTP)
• adopted its first transit capital improvement program
• adopted new policies related to transit planning, programming, development and construction

The draft report before you today includes input from a variety of sources, ranging from external stakeholders, elected officials and senior staff from the three agencies, the employees consolidated under SANDAG, and as suggested by the Board during the presentation of the Preliminary Report in January 2004, this report incorporates a perspective from the transit agencies.

Conclusions

The report points to five primary conclusions:

1. The transition is complete. SANDAG has taken all actions required by State legislation [SB 1703 (2002) and AB 361 (2003)] and is now functioning as the Consolidated Agency.

2. The effort to make consolidation “work” now begins. Now that the consolidation pieces are in place, they serve as a foundation for what remains: that is, the need to build effective and efficient interrelationships among the three agencies at both the policy and working levels with a focus on regional strategies.

3. The functional relationships are being re-defined. The integration of transit development activities of SANDAG with the operational responsibilities of MTDB and NSDCTDB will require additional time to develop processes and up to several annual cycles to create the efficiencies expected.

The completion of the Regional Comprehensive Plan (RCP) in July 2004 demonstrates the advantages of the closer ties between transportation and land use planning; this is a beginning versus an end. The foundation offered by this initial RCP provides the opportunity for significant integrated planning and subsequent implementation.

4. Consolidation offered additional opportunities for gaining efficiencies, identifying cost savings, and achieving improved results in the pursuit of federal and state dollars. The consolidation of ARJS (Automated Regional Justice Information System) under SANDAG, and the reorganization of the San Diego Transit Corporation and San Diego Trolley, Inc., Boards within MTDB were spurred on by the legislation. Some immediate cost savings have been realized that are identified in the report. Managing costs and continuing to identify areas where costs can be minimized and duplication of efforts avoided is a high priority. Joint advocacy efforts in the pursuit of federal and state dollars is also a priority.

5. SANDAG’s new governance structure resulting from consolidation is off to a good start. SB 1703 made three significant changes affecting governance:

- It expanded the governance structure for the Consolidated Agency from 19 members to 20 members by adding a second member from the City of San Diego; as a result, the Board of Directors is composed of one primary representative selected by the governing body of each city in the county, with the exception of the City of San Diego, which has two representatives, and a member of the San Diego County Board of Supervisors. This change was made in recognition of the City of San Diego’s population and the desire to ensure that the voters receive proportional representation on the Board.
• It defined the voting formula for the Board of Directors in order to act on any item which required a vote, other than on consent items, to include both a majority of member votes and a majority of weighted votes as determined by the respective population of each jurisdiction. This change resulted in the SANDAG voting structure emulating the balanced and tested bicameral system used by the State Legislature.

• Finally, the legislation established four policy advisory committees: Executive, Transportation, Regional Planning, and Borders.

Findings

The function, structure, culture, and philosophy of SANDAG, MTDB, and NSDCTDB were and continue to be different. Since SB 1703 called for the consolidation of very specific functions and not a complete consolidation, the interagency issues and relationships or functions, structure, and work-flow are complicated and the next few years will continue to be challenging. Efforts to build on the trust and respect of each agency and all of the individuals will be the foundation for further success.

Through the input from Board members, Executives, and staff from the three agencies and other stakeholders, the following opinions were consistently identified:

• A significant “transition period” still lies ahead, and it is too early to make judgments about long-term success or failure.

• Some apparent early successes are the result of work in progress before consolidation and, likewise, the real benefits from consolidation will not be evident for some time.

• Funding shortfalls in the region caused by a variety of factors and the effect on future funding decisions could have the potential to overshadow the impacts of organizational restructuring in the region.

• The stated purpose of SB 1703 was to “implement an efficient regional transportation system and develop a comprehensive plan coordinated with the regional transportation plan with the goals of reducing traffic congestion, limiting sprawl, and improving the quality of life for San Diegans.” However, there is an expectation of budgetary savings and a desire to minimize costs of duplicative functions and to achieve cost savings through consolidated planning and implementation actions. Efforts to monitor and identify areas where cost savings can be achieved have been and will continue to be a high priority of the Board and management.

• The policy committee structure as defined in SB 1703 provided SANDAG a framework to define and delegate roles and responsibilities. The Transportation Committee has been delegated significant authority by the SANDAG Board and it is viewed as a particularly effective body due to its transit-knowledgeable membership and the inclusion of Transit Board representation as voting members.

• Until there are several annual cycles of experience there will be concerns about the process, criteria, and consequences of future funding allocation decisions.
Next Steps

The final report will be presented to the Board on December 17, 2004. Following Board approval the report will be forwarded to Governor Schwarzenegger and the California Legislature. In 2005, efforts to assist the Legislative Analyst’s Office in the development of its report will begin in earnest.

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The attachments to this Board report are available in hard copy only. Please contact Deborah Gunn, Clerk of the Board, at (619) 699-1912 for more information.
APPROACH FOR INTEGRATING THE IMPLEMENTATION OF THE REGIONAL COMPREHENSIVE PLAN AND THE UPDATE OF THE REGIONAL TRANSPORTATION PLAN

Recommendation

The SANDAG Board of Directors is asked to approve the proposed approach for integrating the Regional Comprehensive Plan and Regional Transportation Plan initiatives outlined in this report.

Introduction

The Regional Comprehensive Plan (RCP) identifies several strategic initiatives that are critical to achieving key goals and policy objectives of the Plan related to land use and transportation. These core initiatives include:

- A smart growth incentive program
- An updated Regional Housing Needs Assessment
- Performance indicators and targets related to land use and transportation
- A smart growth concept map
- An updated regional growth forecast
- An updated Regional Transportation Plan (RTP) that contains:
  - An updated long-range regional transportation network plan
  - Updated short-range and mid-range plans

Supporting policies and transportation project evaluation criteria

The purpose of this report is to provide a summary of issues related to the implementation of these initiatives and to lay out an overall approach for implementing them, and ensuring effective coordination between the implementation of the RCP and the next update of the RTP. In addition, the Regional Planning and Transportation Committees have reviewed and discussed the approach at their November meetings, and staff will report on their comments at the Board meeting.

Discussion

The RCP establishes a policy framework to better connect land use and transportation plans within our region. The following section provides an overview of the core RCP land use and transportation-related initiatives, their interrelationships, and issues to be resolved. Attachment 1 provides a draft flow chart and timeline for these efforts. The flow chart and timeline will be refined based on comments from the SANDAG Board of Directors, Policy Advisory Committees, and further staff work.

Smart Growth Incentive Program

Successful implementation of the RCP will require incentives for smart growth development. Policies included in the RCP and in the current RTP, MOBILITY 2030, call for the development and implementation of a smart growth incentive program at the regional level. Combined with other federal, state, and local incentives, a regional program would encourage local jurisdictions to plan for and implement smart growth land uses in areas that help support regional transportation investments envisioned in the RTP.
MOBILITY 2030 calls for an initial five-year, $25 million pilot smart growth incentive program. The approach for developing this initial pilot program is described more fully in Agenda Item #7. The use of approximately $17 million of Transportation Enhancements (TE) funds available during FY 2005–FY 2009 to fund the Pilot Smart Growth Incentive Program is proposed. Under the expected schedule, a call for projects for the full $17 million would be completed by the end of FY 2005. (Identifying a specific funding source for the remaining $8 million would occur after the adoption of a new federal transportation reauthorization act.)

The pilot program would be a precursor to the anticipated longer-term $280 million funding program proposed in the extension of the TransNet local transportation sales tax (Proposition A). Proposition A includes a 2 percent set-aside that would provide an average of $7 million per year over the 40-year measure (2008-2048). Lessons learned from the pilot program would be used to develop the longer-term incentive program.

Regional Housing Needs Assessment

The RCP recognizes the importance of providing adequate housing to the region in the future, and identifies the Regional Housing Needs Assessment (RHNA) process as an opportunity to help meet this goal. In September 2004, the SANDAG Board of Directors accepted for distribution the draft RHNA for the years 2005–2010. The draft RHNA sets forth an overall estimate of housing units that should be produced within the region during this period, an allocation of those housing units to the 19 local jurisdictions, and a proposed distribution of housing units in each jurisdiction by income category.

The 2005–2010 RHNA is an important first step because, once adopted, it will be used by local jurisdictions as a basis for updating the housing elements of their general plans. These housing element updates are likely to lead to amendments to the land use elements of local general plans to provide additional housing capacity through means such as redesignating nonresidential lands to residential, increasing the densities of existing residential land, and/or modifying development regulations (e.g., density bonus ordinances, accessory unit ordinances, mixed-use development ordinances).

In updating their housing elements, local jurisdictions ideally should locate additional housing units in smart growth opportunity areas close to public transit and other infrastructure and services. These areas could be illustrated on the Smart Growth Concept Map discussed below. In particular, locating multifamily housing in these areas will help support regional transportation investments. Providing additional housing opportunities and product types in the San Diego region also would likely reduce projected levels of interregional commuting from adjacent regions, such as Riverside County and Baja California, Mexico.

Performance Indicators and Targets

The RCP calls for annual monitoring of performance indicators that will allow us to measure our progress toward meeting our regional quality of life goals. Several specific performance indicators related to transportation and land use are identified in the RCP:

- Share of new housing units and jobs located in “smart growth opportunity areas”
- Share of new housing units located within County Water Authority water service boundary
- Annual weekday transit ridership
- Commute mode shares (single-occupancy vehicles, carpools, transit, walking, biking, etc.)
- Travel times and volumes for key auto corridors and transit corridors
- Miles of deficient roads on Congestion Management Program network
- Annual hours of delay per capita

The first step in implementing a performance monitoring program is preparing a Baseline Monitoring Report that provides information about existing performance levels for each of the annual indicators identified in the RCP (Chapter 8). Where possible, historical information for these indicators, along with comparisons with other regions, would be provided in order to help benchmark our region’s performance.
This baseline and historical information would lead to a second step—setting future performance "targets" for each indicator. These performance targets would quantify specific short-term and long-term objectives, and help measure the progress we are making toward achieving our RCP goals, and readjust our directions, if needed.

Smart Growth Concept Map

The RCP recommends that smart growth development be planned in locations near existing and future transit stations along regional transit corridors identified in the adopted RTP, as well as other appropriate locations, such as rural community village cores that can provide a focal point for commercial and civic uses that serve surrounding rural areas. The RCP defines seven categories of smart growth "place types," ranging from "metropolitan center" to "rural community."

The RCP calls for preparation of a Smart Growth Concept Map to identify specific locations where smart growth development exists, is planned, or has the potential to exist in the future. Areas with potential will be designated as "smart growth opportunity areas." SANDAG will work with city and county planning and public works staffs, stakeholders, and the Policy Advisory Committees to identify specific locations of smart growth place types throughout the region.

To better connect land use and transportation, local plans for smart growth should be coordinated with regional plans, such as the RTP. An initial step in developing the Smart Growth Concept Map would be to illustrate existing and planned land uses around the regional transit networks in MOBILITY 2030 (both the Reasonably Expected Revenue and Unconstrained Revenue scenarios).

While the focus of the Smart Growth Concept Map will be on identifying and illustrating the location of existing, planned, and potential compact urban development near regional transit, the map also should include other land uses, such as the locations of key open space preserve areas that are planned for acquisition through the various habitat conservation plans. Incorporating preserve areas into the concept map will help identify areas of the region where urban development should not occur, as well as appropriate locations for the rural community smart growth place type.

The Smart Growth Concept Map would be used in the update of the regional growth forecast and the development of RTP land use alternatives described below. It is anticipated that the map would be updated regularly to reflect general plan amendments and updates in a timely manner.

Regional Growth Forecast Update

The RCP calls for preparation of an updated regional growth and development forecast, which is based on transportation and land use priorities as reflected in local general plans. The updated growth forecast would incorporate the amendments to housing and land use elements resulting from the RHNA process, other major general plan updates from local jurisdictions (e.g., County of San Diego, City of San Diego, City of Chula Vista), and input from the Smart Growth Concept Map that are acceptable for inclusion by the local jurisdictions. Ideally, the updated forecast also should include the location of existing and planned land uses on tribal reservations.

The updated regional growth forecast would be prepared in conjunction with the 2007 or 2008 comprehensive update of the RTP (discussed below). It would include both an updated 2030 regionwide forecast and an updated 2030 cities/county forecast.

Regional Transportation Plan Update

As the primary vehicle for integrating land use and transportation consistent with the RCP, the next update of the RTP will be one of the most important strategic initiatives. The ultimate objective is to develop a comprehensive update to the RTP that incorporates the policies from the RCP and makes progress in achieving the plan’s vision and goals. However, several factors (described below) complicate the development of the next RTP update, and affect the schedule for implementing the other core initiatives described in this report.
Federal RTP Requirements

Under existing law, an RTP update is required every three years, and the next RTP update for this region would need to be adopted in early 2006 (3-year cycle). Pending federal legislation could extend that deadline to 2007 or 2008 (4- or 5-year cycle). The deadline for the RTP update establishes the critical path for the various initiatives described in this report.

Since the adoption of MOBILITY 2030 in March 2003, SANDAG’s regional planning efforts have focused on the development of the San Diego region’s first RCP (adopted in July 2004) and the extension of the TransNet program. As specified in the current Overall Work Program and Budget, staff will begin preparing the next update of the RTP in early 2005, regardless of the due date.

If current federal law remains unchanged and SANDAG must adopt an RTP by early 2006, the tight schedule would not allow staff to incorporate many of the core initiatives described above. The 2006 update would be based on the currently adopted 2030 Regional Forecast, and would primarily incorporate updates to revenue forecasts and transportation project/program cost estimates. This approach affords the opportunity to satisfy existing law and adopt an RTP in 2006, while at the same time laying the groundwork for completion of a comprehensive update in 2007.

The more comprehensive RTP update would include input from the Smart Growth Concept Map, an updated regional growth forecast, and updated input from the various technical reports summarized below.

Figure 1 illustrates the major RTP deadlines under the current 3-year cycle and under the 4-year update cycle (which is the most likely of the current legislative proposals). The next update of the RCP would occur sometime after the first comprehensive RTP update in 2007.

![Figure 1: Current and Pending RTP Update Schedules](image)

Elements of a Comprehensive RTP Update

As identified in the RCP, the next comprehensive RTP update (under the 4- or 5-year cycle) should:

- Integrate the smart growth goals and policy objectives contained in the RCP, and incorporate local commitments for smart growth opportunity areas into the updated regional growth forecast
- Identify transportation improvement needs at intermodal connection points at key locations, such as transit centers, airports, rail stations, and major employment centers
In order to address these issues, a number of specific technical reports would be completed in conjunction with the overall preparation of the comprehensive RTP update. These reports would be reviewed by the various working groups (both technical and stakeholders), with recommendations brought to SANDAG’s Policy Advisory Committees.

The technical reports would be used in the development of transportation network alternatives for the RTP update. In addition, the technical reports could be used in the preparation of supporting policies, actions, and updated performance measures and targets to be included in the draft RTP.

Once a draft RTP has been prepared, an environmental impact report (EIR) also would be prepared to analyze the environmental impacts of the proposed plan, pursuant to the California Environmental Quality Act.

Integration of Key Elements

The RCP provides an overall vision and a policy framework for better connecting transportation and land use plans. Coordinating the implementation of the core initiatives outlined above will result in an integrated regional transportation and land use “functional plan” comprised of the following elements:

- Updated Regional and “Cities/County” Growth Forecast
- Smart Growth Concept Map
- Regional Transportation Plan
- Performance Indicators and Targets
- Smart Growth Incentive Program

Once these work elements are completed, a summary document should be prepared which includes key provisions of each of the elements, and that describes their interrelationships.

Next Steps

Following approval of the proposed approach for integrating the implementation of RCP and RTP update, staff will prepare work programs for each of the core initiatives described in this report and will begin implementing these work programs.
Public Participation

Effective public participation is a critical component to the success of the implementation of the RCP and the RTP update. As discussed more fully in Agenda Item #15B, the creation of a Regional Planning Stakeholders Working Group is proposed to assist in the specific RCP implementation and RTP preparation activities.

In addition to the new Stakeholders Working Group, the integrated RCP/RTP public participation program would include activities such as subregional workshops, open houses, public meetings, survey research, websites, and other public involvement methods.

Subregional Teams

SANDAG would organize “subregional staff teams” to collaborate with local jurisdictions on many of the core initiatives described in this report. Staff from SANDAG and local jurisdictions would work together to develop the Smart Growth Concept Map, update the regional growth forecast, and review and update transportation networks for the RTP update. Four subregional teams would be organized focused on the following geographic areas: North County (Coastal and Inland), South County, Central, and East County.

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Attachment

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RCP/RTP Integration – Draft Flow Chart and Timeline

**Smart Growth Incentive Program**
- Jul-Dec 2004: Initiate Pilot Program
- Jan-Jun 2005: Implement Pilot Program
- Jul-Dec 2005: Adopt Incentive Program
- Jan-Jun 2006: Develop Incentive Program
- Jul-Dec 2006: Implement Pilot Program
- Jan-Jun 2007: Develop Incentive Program

**Regional Housing Needs Assessment (RHNA)**
- Jul-Dec 2004: Draft RHNA accepted (Sep-04)
- Jan-Jun 2005: Public Review
- Jul-Dec 2005: Approve Final RHNA (Jan-05)

**RCP Performance Indicators/Targets**
- Jul-Dec 2004: Prepare Baseline Monitoring Report
- Jan-Jun 2005: Develop and Adopt Performance Indicators and Targets
- Jul-Dec 2005: Adopt Concept Map (Sep-05)

**Smart Growth Concept Map**
- Jul-Dec 2004: Initiate Process
- Jan-Jun 2005: Develop Draft Concept Map
- Jul-Dec 2005: Adopt Concept Map

**Regional Growth Forecast Update**
- Jul-Dec 2004: Update Forecast Models
- Jan-Jun 2005: Conduct Technical Analysis
- Jul-Dec 2005: Develop Draft 2030 Forecast
- Jan-Jun 2006: Accept Draft 2030 Forecast
- Jul-Dec 2006: Accept Final 2030 Forecast (Feb-07)

**RTP Update (4-year cycle)**
- Jul-Dec 2004: Update Transportation Model
- Jan-Jun 2005: Prepare Technical Reports
- Jul-Dec 2005: Conduct Alternatives Analysis
- Jan-Jun 2006: Accept Draft RTP
- Jul-Dec 2006: Accept Draft EIR
- Jan-Jun 2007: Adopt Final RTP (Feb-07)

**RTP Update (3-year cycle)**
- Jul-Dec 2004: Update Transportation Model
- Jan-Jun 2005: Prepare Technical Updates
- Jul-Dec 2005: Accept Draft RTP
- Jan-Jun 2006: Accept Draft EIR
- Jul-Dec 2006: Adopt Final RTP (Feb-06)
- Jan-Jun 2007: Certify Final EIR (Feb-06)
CREATION OF A NEW REGIONAL PLANNING STAKEHOLDERS WORKING GROUP

Recommendation

The Regional Planning and Transportation Committees recommended that the Board of Directors create a new Regional Planning Stakeholders Working Group to provide interested citizens with a direct mechanism for early and continuous involvement in Regional Comprehensive Plan implementation and the Regional Transportation Plan update.

Introduction

The Regional Comprehensive Plan (RCP) identifies a number of land use and transportation-related strategic initiatives that are critical to achieving the plan's goals and policy objectives. Agenda Item #18A describes these key RCP initiatives and summarizes the proposed approach for integrating them with the upcoming Regional Transportation Plan (RTP) update.

To provide a direct mechanism for stakeholder involvement in RCP implementation and the RTP update, establishment of a new Regional Planning Stakeholders Working Group. This report describes the proposed working group's roles and responsibilities, and the general process for selecting and appointing members.

At their November 2004 meetings, the Regional Planning and Transportation Committee recommended creation of a new working group and appointed members to serve on the selection committee that will be reviewing applications for the working group.

Discussion

Consistent with our adopted policies, SANDAG promotes active public participation in the development and implementation of our regional plans and programs. Typical public participation tools used include open houses, community workshops, web sites, and public meetings. SANDAG also has routinely used working groups as one of the components of an effective public participation program.

In December 2002, the Regional Planning Committee appointed a working group to directly involve regional stakeholders interested in contributing to the preparation of the RCP; that group completed its work with the adoption of the RCP in July 2004. In 2001, SANDAG appointed a 2030 RTP Working Group to assist in the development of MOBILITY 2030; that group began meeting in late 2001 and concluded its work with the adoption of the MOBILITY 2030 in March 2003.

Relationship among SANDAG Board, Policy Advisory Committees, and Working Groups

According to adopted SANDAG policies, the Board of Directors has the responsibility for approving the RCP and its components and for approving the RTP and its related corridor and system studies. The SANDAG Board has delegated certain responsibilities to its Policy
Advisory Committees (PACs). Among other responsibilities, the Regional Planning Committee provides oversight for the preparation and implementation of the RCP and its components, and the Transportation Committee provides policy oversight for transportation plans such as the RTP.

SANDAG also has a variety of working groups that act in an advisory role to the PACs. The Regional Planning Technical Working Group (RPTWG), made up of the region’s planning directors, advises the Regional Planning Committee on land use planning issues. The Cities/County Transportation Advisory Committee (CTAC), which includes the region’s public works directors and transit agencies, advises the Transportation Committee on transportation-related issues.

The proposed Regional Planning Stakeholders Working Group (SWG) would act in an advisory capacity to both the Regional Planning and Transportation Committees on specific RCP implementation and RTP preparation activities described below. The following figure illustrates the relationships among the Board, Committees, and working groups, and their primary responsibilities regarding the RCP and RTP.

Regional Planning Stakeholders Working Group Role

The role of the proposed SWG would be to review and provide input into key RCP implementation and RTP update activities. These include the development of a smart growth concept map, a smart growth incentive program, land use and transportation performance indicators and targets, and the RTP update. (See Attachment 1 for a more detailed description.) The SWG would provide comments and feedback to the Regional Planning Committee and Transportation Committee.

The SWG also would assist with associated RCP/RTP public outreach, and help inform and encourage active public participation by outside groups. The previous stakeholders working group created for the RCP preparation reviewed various components of the RCP with other groups with which they were affiliated. In some cases this review generated new ideas that were incorporated into the RCP, making the document stronger, more comprehensive, and reflective of various ideas and points of view. The result was a plan that was supported and endorsed by many organizations and agencies in the San Diego region.

To help develop specific work products for the integrated RCP/RTP work plan, we also may form smaller ad hoc working groups that draw from the stakeholders and the technical working groups (RPTWG and CTAC). A good example may be the development of updated transportation evaluation criteria, which would include both transportation and land use objectives.
Relationship of Regional Planning Stakeholder Working Group to other SANDAG Working Groups

In general, the SWG’s focus would be on regionwide planning activities. It would not focus on specific subregionally based planning efforts or on individual transit project development activities. Other separate working groups would continue to advise either the Regional Planning or Transportation Committees on these more specific planning and project development activities.

However, SANDAG has several existing single-purpose working groups and task forces whose interests and responsibilities may overlap the proposed stakeholders working group. Two examples of these are the Walkable Communities Advisory Committee and the Regional Housing Task Force. With the creation of the SWG, staff will identify opportunities to eliminate or consolidate duplicative working groups and task forces.

Process for Selecting the Regional Planning Stakeholders Working Group

The following section sets forth a proposed process for selecting the SWG. The same basic process was used to establish the stakeholders working group for the development of the RCP, which was viewed as successful:

Membership – Staff recommends selecting 22 to 25 SWG members. The working group should have balanced representation from the various subregions (i.e., North County Coastal, North County Inland, East County, South County, and City of San Diego and County). The working group also should be balanced among urban design/development, housing, transportation, environmental, social equity, and infrastructure interest groups, consistent with the major elements of the RCP.

Selection Process

• Recruitment. Staff recommends that membership applications and credentials be solicited from groups who have shown an interest in the RCP, the RTP, and other related projects; groups identified by the Regional Planning and Transportation Committees; and from the general public through advertisements in community newspapers, postings at local jurisdictions, and Internet postings.

• Applications. An application form will be developed whereby interested parties can provide information on their qualifications.

• Selection Criteria. Criteria should include balancing the group by geography and interests, maximizing the number of groups the member is associated with, skills and abilities, experience with regional planning issues, and a demonstrated commitment to serve.

• Selection Committee. At their November 2004 meetings, the Regional Planning and Transportation Committees appointed members to review applications. In addition, two members each from RPTWG, CTC, and SANDAG staff would review applications. The Regional Planning and Transportation Committee would be asked to recommend the SWG slate to the SANDAG Board of Directors. The Board would approve the slate at its January 2005 meeting.

• Reappointment Process. Establishing a process for reappointments will help ensure active membership at all times. If a SWG member misses two meetings in a row or three meetings over the course of one year, he/she would be replaced. The Regional Planning and Transportation Committees would recommend that the SANDAG Board appoint a new member in the category in need of representation from the original candidate list.
• **Termination of Working Group.** The group would complete its work with the adoption of the comprehensive RTP update (anticipated in early 2007).

Chair - The Chair of the Regional Planning Stakeholders Working Group should be an elected official appointed by the SANDAG Board of Directors.

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Attachment

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No Budget Impact
Proposed RCP/RTP Activities for the
Regional Planning Stakeholders Working Group

Smart Growth Incentive Program. Successful implementation of the RCP will require incentives for smart growth development. The adopted RTP, MOBILITY 2030, and the RCP call for the development and implementation of a smart growth incentive program, as funding becomes available. The Stakeholders Working Group (SWG) would provide input into program development activities, such as the specific types of projects that are eligible, the project selection criteria, and program requirements.

RCP Performance Monitoring and Targets. The RCP calls for annual monitoring of performance indicators to measure progress meeting regional quality of life goals. The first step is to prepare a baseline report that provides information regarding existing performance levels for each of the annual indicators identified in the RCP. The baseline report would lead to a discussion regarding setting future targets for each performance indicator. The SWG would provide input regarding these targets, which quantify short-term and long-term objectives.

Smart Growth Concept Map. The RCP calls for preparation of a “smart growth concept map” that illustrates locations where smart growth development exists, is planned, or could occur. Developing the map would include evaluating and identifying potential locations for smart growth place types throughout the region, and connections to existing and future regional and corridor transit services and stations. The SWG would provide input into potential locations and types of smart growth opportunity areas.

RTP Update. The SWG would review and provide input into RTP activities, including:

- **Vision, Goals, and Objectives.** The vision, goals, and policy objectives of the RTP should be revisited to be consistent with the overall vision and goal of the RCP.

- **Transportation Project Evaluation Criteria.** The SWG can provide input as the project evaluation criteria are revised to reflect a transportation project’s relationship to smart growth development. This is a major effort over the course of the next year as we research new criteria to emphasize the land use-transportation connection.

- **Preferred Alternative.** The SWG can provide input into the preferred alternative for the RTP, including measures of performance that should be considered. While various transportation-related performance measures are typically used in evaluating alternatives, the SWG can provide input into other potential factors.
REGIONAL TRANSPORTATION DEMAND MANAGEMENT (TDM) PROGRAM UPDATE

Introduction

Demand Management is one of the four major components identified in Mobility 2030 for increasing mobility in the San Diego region. TDM programs and services focus on ways to manage peak period demand on the region’s transportation system. Since 1995, SANDAG has administered the Regional TDM Program. SANDAG coordinates a number of commuter services to promote alternatives to driving alone to work or school. By offering customized employer assistance, SANDAG helps employers to develop value-added commuter programs. Participation in any of the programs and services is entirely voluntary.

Current programs and services include assistance to employers and schools, ridematching, regional vanpool, guaranteed ride home, and bike lockers. More information on these services can be found at www.ridelink.org or by calling 1-800-COMMUTE. In FY 2005, the Regional TDM Program will focus on increasing vanpooling, increased program awareness, I-5/I-805 Construction Mitigation project, and new innovations such as carsharing.

Discussion

The Regional TDM Program offers many services through the RideLink program commonly found at rideshare agencies across the country as well as a few services not found anywhere else. The TDM program assists employers, employees, and students with identifying and using alternative ways to commute to work or school. Descriptions of the programs and services currently offered and new services proposed for FY 2005 are summarized below.

TDM Services

Regional Vanpool Program – The Regional Vanpool Program is designed to provide long distance commuters with an alternative to driving alone. SANDAG contracts with two vanpool vendors to provide the vehicles, maintenance, and insurance. Drivers lease the vans on a month-to-month basis. SANDAG provides a $400 per month subsidy per van to reduce the lease costs. As of September 2004, there were 363 vanpools and 3,378 passengers enrolled in the program, which resulted in the removal of more than 3,000 vehicles from the region’s roadways each day. The program is growing at a rate of six new vans each month.

The top three destinations are Coronado/NASNI (64 vans), Camp Pendleton (27 vans), and Kearny Mesa (23 vans). The top origin is Riverside County, which has 151 vans enrolled in the program. Currently, the average one-way distance for the vanpools is 57 miles.

Employer Outreach – Staff educates employers on federal and state tax incentives, free survey services, RideLink services, and trip-reduction programs. By educating and promoting commuting alternatives to employers, SANDAG is able to reach the target audience more effectively. Outreach efforts include employer presentations, informational forums and educational seminars. In June 2004 an educational seminar was offered in the Sorrento Valley area with over 50 employers in attendance. A
similar outreach effort is planned for March 2005. The annual Diamond Awards provides local recognition to area employers who offer commuting programs that help to reduce peak period commute trips. A partnership with the US Environmental Protection Agency (EPA) has been developed to recognize employers on a national level.

Carpool/Vanpool Partner Matching – RideLink maintains a database of commuters who are interested in joining a carpool or vanpool. Users can request a matchlist online, via telephone, or through their employer via an electronic survey. Matchlist requests are typically responded to within 24 hours. Once a commuter receives the matchlist, it is up to them to contact the other commuters listed. A new follow-up questionnaire will be used to collect demographic data and identify key motivating factors of those commuters who request assistance. There are currently over 16,000 commuters in the regional database.

Guaranteed Ride Home (GRH) Program – The GRH Program provides a free taxicab ride or 24-hour car rental to those who use a commute alternative at least three days per week. Registered participants can use this service in the event of an emergency, illness, or unscheduled overtime up to three times per year. The program is like an insurance policy, most commuters will never use it, but they like to know that the service is available should they need it. As of September 2004, there were 3,130 active registrants. During FY 2004, 276 commuters took advantage of the GRH services offered by SANDAG.

SchoolPool Services – RideLink offers a SchoolPool program that helps parents whose children attend the same schools to form carpools. Over the last year, more than one-third of all matchlist requests were from parents seeking assistance with forming a carpool. In FY 2005, SchoolPool outreach will focus on three school districts which specifically requested assistance: Encinitas, Oceanside, and Poway. To encourage participation, SANDAG partners will provide monthly promotional rewards to randomly selected SchoolPool participants.

Regional Bike Locker and Biking Program – Bike lockers provide cyclists a secure place to store their bike at transit centers and park-n-ride lots. As of September 2004, there were 641 lockers in the program and 407 active participants. The annual Bike to Work Day (BTWD) celebration is scheduled for May 20, 2005. SANDAG will provide certain employers with free bicycle safety courses in the months prior to BTWD to encourage safe bicycle commuting.

Emphasis in FY 2005

Increased Vanpooling – SANDAG, in partnership with Caltrans, introduced a promotional vanpool gas card to spur the growth of new vanpools in the Sorrento Valley area. The gas card provides a reward, distributed over six months, totaling $300 for new vanpools that form in the I-5/I-805 area. The two vanpool vendors will incorporate this special promotion into their marketing efforts.

Increased Program Awareness – Survive the Drive is the theme of a new marketing effort aimed at employers and commuters. Marketing materials with the Survive the Drive theme will be distributed along with a new employer toolkit that helps employers successfully market commuting programs to employees. SANDAG formed strategic partnerships with industry associations representing human resource professionals and facilities managers that will provide additional exposure to employers.

I-5/I-805 Construction Mitigation Project – SANDAG, in partnership with Caltrans, developed a focused outreach effort in the Sorrento Valley area to help reduce traffic congestion caused by the I-5/I-805 Merge construction. An employer kick-off event was held in June 2004 with over 50 employers in attendance. In FY 2005, focused marketing materials, featuring solutions tailored to
Sorrento Valley employers and commuters will be distributed to area employers.

Carsharing Demonstration – In Spring 2005, a pilot test will begin for the Compass+ card which combines transit services and carsharing privileges into a single fare media. This new product is being jointly developed with MTS and NCTD. A research team from San Diego State University will study the Compass+ card and assess its effectiveness to encourage new transit patrons. San Diego State University received grant funding from the Partners for Advanced Transit and Highways to study this innovative concept. Results of the pilot effort are being watched statewide by other transportation agencies.

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Funds are budgeted in Work Element #4.04