

January 12, 2024, Meeting Minutes

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Chairwoman Nora Vargas (County of San Diego) called the meeting of the Board of Directors to order at 10:19 a.m.

4. Non-Agenda Public Comments/Member Comments

Robert Germann, member of the public, commented regarding lead emissions from aircraft.

Dan Summers, member of the public, commented regarding a SANDAG grant for State Route 67.

Michael Brando, member of the public, commented regarding restrictions on public comment.

Bee Mittermiller, member of the public, commented regarding the need to reduce vehicle miles traveled and improved transit.

Cori Schumacher, IBEW 569, commented regarding funding for road and safety upgrades.

There were no member comments.

Chair and Management Comments

1. 2023 Year in Review and 2024 Look Ahead

Chairwoman Vargas and Coleen Clementson presented agency highlights from 2023 and a preview of what is ahead in 2024.

Mark, member of the public, commented regarding expenditure of public funds on toll lanes.

Truth, member of the public, commented in opposition to the report.

The Original Dra, member of the public, commented regarding the Year in Review report.

Paul the Bold, member of the public, commented regarding the appointment of the Interim CEO.

Action: Information only.

Reports

2. Toll Road Operations Action Plan

Deputy CEO Ray Major presented an update on toll road operations, including an action plan to address deficiencies with the current system and implement a new back-office system to protect all toll road customer accounts. The Board of Directors was asked to authorize the CEO to execute a sole source contract for a new back-office system.

Mark commented in opposition to this item.

Consuelo, member of the public, commented in opposition to this item.

Alan, member of the public, commented regarding removal of the toll on SR 125.

Truth commented in opposition to this item.

Paul the Bold commented in opposition to this item.

Blair B., member of the public, commented regarding the future of AI in tolling and accountability.

The Original Dra commented in opposition to this item.

Action: A motion was made by Mayor Rebecca Jones (City of San Marcos) and seconded by Councilmember Melanie Burkholder (City of Carlsbad), to vote to authorize the CEO to execute a sole source contract for a new back-office system, and direct staff to return to the next Board meeting to discuss options to reduce costs during the transition to the new back-office system, including the roles of HNTB and ETAN.

Action: Upon a substitute motion by Deputy Mayor Terry Gaasterland (City of Del Mar), and a second by Councilmember Vivian Moreno (City of San Diego), the Board voted to move forward with the contract for the new back-office system, and suspend all tolls as soon as feasible on the SR 125 under the current system for the year and return in two months to analyze whether to recommend reinstating the toll. .

The motion failed.

Yes: Deputy Mayor Gaasterland.

No: Chairwoman Vargas, Vice Chair Lesa Heebner (City of Solana Beach), Councilmember Burkholder, Councilmember Carolina Chavez (City of Chula Vista), Councilmember John Duncan (City of Coronado), Mayor Bill Wells (City of El Cajon), Mayor Tony Kranz (City of Encinitas), Mayor Dane White (City of Escondido), Councilmember Mitch McKay (Imperial Beach), Councilmember Jack Shu (City of La Mesa), Councilmember Alysson Snow (City of Lemon Grove), Councilmember Luz Molina (City of National City), Deputy Mayor Ryan Keim (City of Oceanside), Councilmember Raul Campillo (City of San Diego), Mayor Jones, Mayor John Minto (City of Santee), and Councilmember Katie Melendez (City of Vista).

Abstain: None.

Absent: City of Poway.

The Board voted on the original motion to authorize the CEO to execute a sole source contract for a new back-office system, and direct staff to return to the next Board meeting to discuss options to reduce costs during the transition to the new back-office system, including the roles of HNTB and ETAN.

The motion passed.

Yes: Chairwoman Vargas, Vice Chair Heebner, Councilmember Burkholder, Councilmember Chavez, Councilmember Duncan, Deputy Mayor Gaasterland, Mayor Wells, Mayor Kranz, Mayor White, Councilmember McKay, Councilmember Shu, Councilmember Snow, Councilmember Molina, Deputy Mayor Keim, Mayor Jones, Mayor Minto, and Councilmember Melendez.

No: Councilmember Vivian Moreno (City of San Diego).

Abstain: None.

Absent: City of Poway.

3. Revised FY 2024 Position Classification / Salary Range Table

Coleen Clementson presented the item.

Consuelo commented in opposition to this item.

Mark commented regarding inflation.

Truth commented in opposition to this item.

Alan commented regarding stipends and public comment time limits.

Paul the Bold commented in opposition to this item.

The Original Dra commented in opposition to this item.

Action: Upon a motion by Councilmember Shu, and a second by Councilmember Molina, the Board voted to approve the mid-year changes to the SANDAG FY 2024 Position Classification / Salary Range Table.

The motion passed.

Yes: Vice Chair Heebner, Councilmember Burkholder, Councilmember Chavez, Councilmember Duncan, Deputy Mayor Gaasterland, Mayor White, Councilmember McKay, Councilmember Shu, Councilmember Snow, Councilmember Molina, Deputy Mayor Keim, and Mayor Jones.

No: None.

Abstain: None.

Absent: County of San Diego, City of El Cajon, City of Encinitas, City of Poway, City of San Diego, City of Santee, and City of Vista.

Consent

5. Approval of Meeting Minutes

The Board of Directors was asked to approve the minutes from its December 8, 2023, meeting.

6. New Grant Funding: Project Safe Neighborhoods Fiscal Agent 2023

The Public Safety Committee recommended that the Board of Directors approve a budget amendment to the FY 2024 Overall Work Program and Budget to accept \$1.33 million in funding on behalf of three U.S. Attorney's Offices in California from the U.S. Department of Justice.

7. FY 2023 Transportation Development Act Audit Extension Requests

The Board of Directors was asked to approve Transportation Development Act (TDA) audit extension requests for the Cities of El Cajon, Coronado, La Mesa, National City, Poway, and Full Access & Coordinating Transportation, and SANDAG TDA Agreed Upon Procedures until March 26, 2024, as permitted by the California Public Utilities Code and the California Code of Regulations.

9. Policy Advisory Committee Actions

The Board of Directors was asked to ratify the actions taken by the Policy Advisory Committees since the last Board meeting, including changes to the January 26, 2024, agenda to remove the Otay Mesa East Toll Revenue Agreement and the San Dieguito Double Track items from consent, and to add the Office of the Independent Auditor's revised annual audit plan to the consent agenda and a closed session litigation item to reports.

Truth commented on Consent Agenda Items 5, 6, 7, 8, and 9.

Consuelo commented on Consent Agenda Items 5, 6, 7, 8, and 9.

Alan commented on Consent Agenda Items 5, 6, and 8.

Mark commented on Consent Agenda Items 5, 6, 8, and 9.

The Original Dra commented on the Consent Agenda Items.

Blair B. commented on the Consent Agenda Items.

Paul the Bold commented on the Consent Agenda Items.

Phone #899, member of the public, commented on the Consent Agenda Items.

Action: Upon a motion by Mayor Minto, and a second by Deputy Mayor Gaasterland, the Board voted to approve the Consent Agenda balance.

The motion passed.

Yes: Vice Chair Heebner, Councilmember Burkholder, Councilmember Duncan, Deputy Mayor Gaasterland, Councilmember McKay, Councilmember Shu, Councilmember Snow, Councilmember Molina, Deputy Mayor Keim, Mayor Minto, and Mayor Jones.

No: Mayor White.

Abstain: None.

Absent: County of San Diego, City of Chula Vista, City of El Cajon, City of Encinitas, City of Poway, City of San Diego, and City of Vista.

8. Approval of Proposed Solicitations and Contract Awards

The Board of Directors was asked to authorize the CEO to conduct a solicitation for the Sustainable Transportation Services Outreach, Education, and Marketing Program; and award contracts to vendors for On-Call Public Affairs Professional Consulting Services.

Action: Upon a motion by Councilmember Burkholder, and a second by Mayor Minto, the Board voted to approve Agenda Item 8.

The motion passed.

Yes: Vice Chair Heebner, Councilmember Burkholder, Councilmember Chavez, Councilmember Duncan, Mayor White, Councilmember McKay, Councilmember Shu, Councilmember Snow, Councilmember Molina, Deputy Mayor Keim, Mayor Minto, and Mayor Jones.

No: Mayor White.

Abstain: None.

Absent: County of San Diego, City of Del Mar, City of El Cajon, City of Encinitas, City of Poway, City of San Diego, and City of Vista.

Second Vice Chair Heebner took continued non-agenda public comments at this time.

Alan commented regarding homelessness in San Diego.

Truth commented regarding various agency issues.

Consuelo commented regarding government concerns.

Blair B. commented regarding security measures.

Paul the Bold commented regarding various agency issues.

The Original Dra commented regarding various agency issues.

Second Vice Chair Heebner took closed session public comments at this time.

Truth commented regarding the closed session litigation and other potential agency litigation issues.

The Original Dra commented regarding alleged agency litigation issues.

Blair B. commented regarding the closed session item description.

Second Vice Chair Heebner recessed to Closed Session at 1:28 p.m.

Closed Session

10. Closed Session: Conference with Legal Counsel - Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2) (One Potential Case)

The Board of Directors was briefed on a written claim filed by Brandon Kelsoe, on his own behalf and on behalf of other similarly situated individuals, alleging fabricated toll violations.

Second Vice Chair Heebner reconvened open session at 1:43 p.m.

Deputy General Counsel Amberlynn Deaton reported the following out of Closed Session: On Item No. 10, the Board denied the claim identified.

11. Adjournment

The next Board of Directors meeting is scheduled for Friday, January 26, 2024, at 9 a.m.

Second Vice Chair Heebner adjourned the meeting at 1:44 p.m.

Confirmed Attendance at Board of Directors Meeting

Board of Directors	Title	Name	Attend
City of Carlsbad	Councilmember	Melanie Burkholder (Primary)	Yes
City of Chula Vista	Councilmember	Carolina Chavez (Primary)	Yes
City of Coronado	Councilmember	John Duncan (Primary)	Yes
County of San Diego	Chairwoman	Nora Vargas (Primary)	Yes
County of San Diego	Supervisor	Joel Anderson (Primary)	No
City of Del Mar	Deputy Mayor	Terry Gaasterland (Primary)	Yes
City of El Cajon	Mayor	Bill Wells (Primary)	Yes
City of Encinitas	Mayor	Tony Kranz (Primary)	Yes
City of Escondido	Mayor	Dane White (Primary)	Yes
City of Imperial Beach	Councilmember	Mitch McKay (1st Alt)	Yes
City of La Mesa	Councilmember	Jack Shu (Primary)	Yes
City of Lemon Grove	Councilmember	Alysson Snow (2nd Alt.)	Yes
City of National City	Councilmember	Luz Molina (Primary)	Yes
City of Oceanside	Deputy Mayor	Ryan Keim (Primary)	Yes
City of Poway	Mayor	Steve Vaus (Primary)	Yes
City of San Diego	Councilmember	Raul Campillo (Alternate)	Yes
City of San Diego	Councilmember	Vivian Moreno (1st Alt)	Yes
City of San Marcos	Mayor	Rebecca Jones (Primary)	Yes
City of Santee	Mayor	John Minto (Primary)	Yes
City of Solana Beach	Second Vice Chair	Lesa Heebner (Primary)	Yes
City of Vista	Councilmember	Katie Melendez (Primary)	Yes
Caltrans	Executive Director	Everett Townsend (1st Alt.)	Yes
Metropolitan Transit System	Mayor Pro Tem	Matthew Leyba-Gonzalez (Primary)	Yes
North County Transit District	Councilmember	Jewel Edson (Primary)	Yes
Imperial County	Supervisor	Jesus Eduardo Escobar (Primary)	No
U.S. Department of Defense	Director	Dennis Keck (Primary)	Yes
Port of San Diego	Executive Director	Joe Stuyvesant (Primary)	No
San Diego County Water Authority	Director	Mel Katz (Primary)	Yes
SDCRAA	Director	James Sly (Alt)	Yes
Mexico	Consul General	Carlos González Gutiérrez (Primary)	No
SCTCA	Chairwoman	Erica Pinto (Primary)	Yes
Association of Planning Groups	Member	Robin Joy Maxson (Primary)	Yes