

June 28, 2024, Board of Directors Minutes

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Chairwoman Nora Vargas (County of San Diego) called the meeting of the Board of Directors to order at 9 a.m.

1. Non-Agenda Public Comments/Member Comments

Public Comments: Michael Brando, Alan C., Truth, Rita Clement, and Mark.

Agency Updates: Chairwoman Vargas and Chief Executive Officer Mario Orso.

Member Comments: None.

Consent

2. Approval of Meeting Minutes

The Board of Directors was asked to approve the minutes from its May 24, 2024, meeting and the June 14, 2024, Tribal Summit.

3. Meetings and Events

This report provided an update on meetings and events attended by Board members.

4. Transportation Development Act: FY 2024 Productivity Improvement Program and FY 2025 Allocations

The Transportation Committee recommended that the Board of Directors approve the eligibility of the Metropolitan Transit System and North County Transit District to receive their FY 2025 Transportation Development Act allocations of funds.

5. FY 2025 Transportation Development Act and State Transit Assistance Claims

The Transportation Committee recommended that the Board of Directors adopt Resolution Nos. 2024-24 through 2024-29, approving the FY 2025 Transportation Development Act and State Transit Assistance (STA) claims in substantially the same form as the attached resolutions; and approve the STA findings as certified by the North County Transit District.

6. Federal Transit Administration Section 5311 Program of Projects

The Transportation Committee recommended that the Board of Directors approve the Federal Fiscal Year 2024 apportionments of Federal Transit Administration Section 5311 Non-Urbanized Area Formula Program funds for the San Diego region.

7. Annual Public Transit Report

The Transportation Committee recommended that the Board of Directors approve the submission of the Annual Public Transit Report to the State Legislature.

8. Waiver of Timeline to Prepare Coordinated Plan

The Board of Directors was asked to approve a waiver of Board Policy No. 018 to authorize staff to update the Coordinated Plan (Regional Short-Range Transit Plan and Coordinated Public Transit-Human Services Transportation Plan) by mid-2025 rather than 2024.

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.

10. FY 2025 Transportation Development Act Unobligated Funds Reserve Release

The Transportation Committee recommended that the Board of Directors adopt Resolution Nos. 2024-20 through 2024-23, approving the release of Transportation Development Act reserves as requested by the Metropolitan Transit System, North County Transit District, the Consolidated Transportation Services Agency, and SANDAG.

11. Chief Executive Officer Delegated Actions*

In accordance with various Board Policies, this report summarized delegated actions taken by the Chief Executive Officer.

12. Approval of Proposed Solicitations and Contract Awards

The Board of Directors was asked to authorize the Chief Executive Officer to conduct a solicitation for Next Gen Rapid Planning and Design as detailed in this report, and award contracts to the vendors identified in this report for Transportation Demand Management Outreach and Marketing and SANDAG Regional Vanpool Leasing Program.

13. Approval of Proposed Solicitation: Otay Mesa East Port of Entry Project and Proposed Evaluation Criteria for Construction Manager/General Contractor Procurement

The Board of Directors was asked to authorize the Chief Executive Officer to conduct a solicitation for the Otay Mesa East Port of Entry Project Construction Manager/General Contractor Services and approve the proposed evaluation criteria.

14. 2023 Regional Transportation Improvement Program Amendment No. 13 and Air Quality Conformity Re-Determination*

The Transportation Committee recommended that the Board of Directors adopt Resolution No. 2024-31, approving Amendment No. 13 to the 2023 Regional Transportation Improvement Program and adopting the Air Quality Conformity Re-Determination.

Public Comments: Truth, Alan C., Mark, Hermes, Paul the Bold, The OriginalDra, and Blair Beekman.

Action: Upon a motion by Mayor Rebecca Jones (San Marcos), and a second by Councilmember Jack Shu (La Mesa), the Board voted to approve the Consent Agenda.

The motion passed.

Yes: Chairwoman Vargas, Second Vice Chair Lesa Heebner (Solana Beach), Councilmember Melaine Burkholder (Carlsbad), Councilmember Carolina Chavez (Chula Vista), Councilmember John Duncan (Coronado), Deputy Mayor Terry Gaasterland (Del Mar), Mayor Bill Wells (El Cajon), Mayor Tony Kranz (Encinitas), Mayor Dane White (Escondido), Councilmember Jack Fisher (Imperial Beach), Councilmember Shu, Mayor Racquel Vasquez (Lemon Grove), Councilmember Luz Molina (National City), Councilmember Rick Robinson (Oceanside), Councilmember Raul Campillo (City of San Diego),

Mayor Jones, Mayor John Minto (Santee), and Deputy Mayor Katie Melendez (Vista).

No: None.

Abstain: None.

Absent: Poway.

Reports

15. LOSSAN Rail Realignment Project

Regional Planning Program Manager Danny Veeh and Deputy Director of Planning Keith Greer presented an update on the California Environmental Quality Act Notice of Preparation and future National Environmental Policy Act processes for the LOSSAN Rail Realignment project, including proposed public outreach and engagement activities during the scoping period.

Public Comments: Truth, Alan C., Laura Schaefer, Mark, Hermes, Paul the Bold, Shirli Weiss, Camilla Rang, Lisa Montes, Carla Hayes, Sandra Hutton, Samsung (Consuelo), Solana Beach Chamber, Blair Beekman, and The OriginalDra.

A motion was made by Second Vice Chair Heebner, and a second by Mayor Kranz, to stop the NOP and concurrently assemble a group of stakeholders from the Cities of Del Mar, Solana Beach, and San Diego, as well as NCTD and the Del Mar Fairgrounds, to provide input on a value analysis, and also consider alignments that do not maintain the train station in the City of Solana Beach.

A substitute motion was made by Deputy Mayor Gaasterland, and a second by Councilmember Burkholder, to move forward with the environmental process for the LOSSAN Rail Realignment Project, and concurrently assemble a group of stakeholders from the Cities of Del Mar, Solana Beach, and San Diego, as well as NCTD and the Del Mar Fairgrounds, to provide input on a value analysis.

After discussion and direction to staff, the Board withdrew both the original motion and the substitute motion by unanimous consent.

16. Specialized Transportation Grant Program Cycle 13 Call for Projects*

The Transportation Committee recommended that the Board of Directors approve the Specialized Transportation Grant Program Cycle 13 Call for Projects and other process changes as described in the report.

Public Comments: Truth, Alan C., Mark Fletcher, Dan Totah, Arun Prem, Deborah Martin, Kristine Stensberg, Lisa Nokes, Adrianna Yenhatpe, Marcy Roke, Kaley Levitt, Phil Monroe, Mark, Jean Durgan, Blair Beekman, Samsung (Consuelo), Paul the Bold, and Felix Lafuente.

Action: Upon a motion by Councilmember Shu, and a second by Councilmember Chavez, the Board voted to approve the Specialized Transportation Grant Program Cycle 13 Call for Projects, as follows: approve the proposed STGP Cycle 13 Call for Projects, including the evaluation criteria and process for awarding funding, except the Board shall retain discretion over final Section 5310 awards subject to FTA requirements; lower the maximum amount of SMG funding an applicant can receive to \$1 million and keep the existing maximum amount of Section 5310 funding an applicant can receive at \$1.2 million; approve a 26% annual allocation of FFY 2023 and 2024 Section 5310 pass-through funding available (approximately \$835,543 and \$856,666 respectively) to FACT for RideFACT service and mobility management; should the Board approve a direct allocation of Section 5310 funds to FACT, exempt the direct allocation of Section 5310 funds to FACT from FACT's maximum grant award amount, and prohibit FACT from competing for or receiving the remaining Section 5310 grant funding; and reinstate the allowability of indirect costs for the SMG program starting with the STGP Cycle 13 Call for Projects consistent with the proposed indirect cost guidelines.

The motion passed.

Yes: Chairwoman Vargas, Second Vice Chair Heebner, Councilmember Burkholder, Councilmember Chavez, Councilmember Duncan, Deputy Mayor Gaasterland, Mayor Kranz, Mayor White, Councilmember Fisher, Councilmember Shu, Mayor Vasquez, Councilmember Molina, Councilmember Robinson, and Mayor Jones.

No: Councilmember Vivan Moreno (City of San Diego) and Mayor Minto.

Abstain: None.

Absent: El Cajon, Poway, and Vista.

Closed Session Public Comments: Truth, Mark, Paul the Bold, Blair Beekman, Samsung (Consuelo), and The OriginalDra.

Chairwoman Vargas recessed to closed session at 1:16 p.m.

Closed Session

17. Conference with Property Negotiators Pursuant to Government Code Section 54956.8

The Board of Directors was briefed on the status of the sale of the real property located at 5965 & 5975 Santa Fe Street, San Diego, CA (Assessor Parcel Numbers 359-010-40 and 359-010-41) and consider granting authority to its negotiators regarding the price and terms of payment for the property's sale on the open market.

18. Conference with Legal Counsel –Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2) (One Potential Case) and Potential Initiation of Litigation Pursuant to Government Code Section 54956.2(d)(4) (One Potential Case)

The Board of Directors was briefed on a written claim filed by Rodrigo Rodriguez alleging lost wages in connection with work performed on behalf of a SANDAG contractor as well as the potential initiation of litigation for a related matter.

Chairwoman Vargas reconvened to open session at 1:39 p.m.

Deputy General Counsel Amberlynn Deaton reported the following out of closed session: The Board met in closed session and on Agenda Item No.17, there was no reportable action at this time; and on Agenda Item No. 18, the Board voted to deny the claim.

Continued Non-Agenda Public Comments: Paul the Bold, The OriginalDra, Blair Beekman, and Samsung (Consuelo).

19. Adjournment

The next Board of Directors meeting is scheduled for Friday, July 12, 2024, at 10 a.m.

Chairwoman Vargas adjourned the meeting at 1:45 p.m.

Confirmed Attendance at SANDAG 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)(left 11:50)	Yes
City of Encinitas	Mayor	Tony Kranz (Primary)	Yes
City of Escondido	Mayor	Dane White (Primary)	Yes
City of Imperial Beach	Councilmember	Jack Fisher (Primary)	Yes
City of La Mesa	Councilmember	Jack Shu (Primary)	Yes
City of Lemon Grove	Mayor	Racquel Vasquez (Primary)	Yes
City of National City	Councilmember	Luz Molina (Primary)	Yes
City of Oceanside	Councilmember	Rick Robinson (Alternate)	Yes
City of Poway	Mayor	Steve Vaus (Primary)	No
City of San Diego	Councilmember	Raul Campillo (Alternate)(left 11:40)	Yes
City of San Diego	Councilmember	Vivan Moreno (Alternate)	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	Lesia Heebner (Primary)	Yes
City of Vista	Deputy Mayor	Katie Melendez (Primary)(left 11:30)	Yes
Caltrans	Deputy Director	Roy Abboud	Yes
Metropolitan Transit System	Councilmember	Matthew Leyba-Gonzalez (Primary)	No
North County Transit District	Deputy Mayor	Jewel Edson (Primary)	Yes
Imperial County	Supervisor	Jesus Eduardo Escobar	No
U.S. Department of Defense	Executive Director	Dennis Keck (Primary)	Yes
Port of San Diego	Commissioner	Dan Malcolm (Primary)	Yes
San Diego County Water Authority	Director	Mel Katz (Primary)	No
SDCRAA	Director	Gil Cabrera (Primary)	Yes
Mexico	Consul General	Alicia Kerber (Primary)	Yes
SCTCA	Chairwoman	Erica Pinto (Primary)	No
Association of Planning Groups	Chairwoman	Robin Joy Maxson	Yes