



Board of Directors Agenda

Friday, November 22, 2024
9 a.m.

Welcome to SANDAG. The Board of Directors meeting scheduled for Friday, November 22, 2024, will be held in person in the SANDAG Board Room. While the Board of Directors members will attend in person, members of the public will have the option of participating either in person or virtually.

For public participation via Zoom webinar, click the link to join the meeting: <https://us02web.zoom.us/j/84147366940>

Webinar ID: 841 4736 6940

To participate via phone, dial a number based on your current location in the US:

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Public Comments: Members of the public may speak to the Board of Directors on any item at the time the Board of Directors is considering the item. Public speakers are generally limited to three minutes or less per person.

Persons who wish to address the members on an item to be considered at this meeting, or on non-agendized issues, may email comments to the Clerk at clerkoftheboard@sandag.org (please reference Board of Directors meeting in your subject line and identify the item number(s) to which your comments pertain). Comments received by 4 p.m. the business day before the meeting will be provided to members prior to the meeting. All comments received prior to the close of the meeting will be made part of the meeting record.

If you desire to provide in-person verbal comment during the meeting, please fill out a speaker slip, which can be found in the lobby. If you have joined the Zoom meeting by computer or phone, please use the "Raise Hand" function to request to provide public comment. On a computer, the "Raise Hand" feature is on the Zoom toolbar. By phone, enter *9 to "Raise Hand" and *6 to unmute. Requests to provide live public comment must be made at the beginning of the relevant item, and no later than the end of any staff presentation on the item. The Clerk will call on members of the public who have timely requested to provide comment by name for those in person and joining via a computer, and by the last three digits of the phone number of those joining via telephone. Should you wish to display media in conjunction with your comments, please inform the Clerk when called upon. The Clerk will be prepared to have you promoted to a position where you will be able to share your media yourself during your allotted comment time. In-person media sharing must be conducted by joining the Zoom meeting on the personal device where the content resides. Please note that any available chat feature on the Zoom meeting platform should be used by panelists and attendees solely for procedural or other "housekeeping" matters as comments provided via the chat feature will not be retained as part of the meeting record. All comments to be provided for the record must be made in writing via email or speaker slip, or verbally per the instructions above.

In order to keep the public informed in an efficient manner and facilitate public participation, SANDAG provides access to all agenda and meeting materials online at sandag.org/meetings. Additionally, interested persons can sign up for email notifications at sandag.org/subscribe. A physical copy of this agenda may be viewed at the SANDAG Toll Operations Office, 1129 La Media Road, San Diego, CA 92154, at any time prior to the meeting.

To hear the verbatim discussion on any agenda item following the meeting, the [audio/video](#) recording of the meeting is accessible on the SANDAG website.

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

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

Message from the Clerk: In compliance with Government Code §54952.3, the Clerk hereby announces that the compensation for legislative body members attending the following simultaneous or serial meetings is: Executive Committee (EC) \$100, Borders Committee (BC) \$100, Board of Directors (BOD) \$150, and Regional Transportation Commission (RTC) \$100. Compensation rates for the EC, BC, and BOD are set pursuant to the SANDAG Bylaws, and the compensation rate for the RTC is set pursuant to state law.



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Phone 511 or visit 511sd.com for route information. **Bike parking is available in the parking garage of the SANDAG offices.**

SANDAG operates its programs without regard to race, color, and national origin in compliance with Title VI of the Civil Rights Act. SANDAG has developed procedures for investigating and tracking Title VI complaints, and the procedures for filing a complaint are available to the public upon request. Questions concerning SANDAG nondiscrimination obligations or complaint procedures should be directed to the SANDAG Director of Diversity and Equity at (619) 699-1900. Any person who believes they or any specific class of persons to be subjected to discrimination prohibited by Title VI also may file a written complaint with the Federal Transit Administration.



SANDAG Notice of Non-Discrimination | Aviso de no discriminación de SANDAG | Abiso sa Hindi Pandidiskrimina ng SANDAG | Thông cáo Không phân biệt đối xử của SANDAG | SANDAG 非歧视通知 | SANDAG: إشعار عدم التمييز

This meeting will be conducted in English, and simultaneous interpretation will be provided in Spanish. Interpretation in additional languages will be provided upon request to ClerkoftheBoard@sandag.org at least 72 business hours before the meeting.

Esta reunión se llevará a cabo en inglés, y se ofrecerá interpretación simultánea en español. Se ofrecerá interpretación en otros idiomas previa solicitud a ClerkoftheBoard@sandag.org al menos 72 horas antes de la reunión.

Free Language Assistance | Ayuda gratuita con el idioma | Libreng Tulong sa Wika | Hỗ trợ ngôn ngữ miễn phí |

免費語言協助 | 免費語言協助 | مجانية لغوية مساعدة | 무료 언어 지원 | رایگان زبان کمک | 無料の言語支援 |

Бесплатная языковая помощь | Assistència lingüística gratuita | मुफ्त भाषा सहायता | Assistance linguistique gratuite |

ជំនួយភាសាឥតគិតថ្លៃ | ఉచిత భాషా సహాయం | ການຊ່ວຍເຫຼືອດ້ານພາສາຟຣີ | Kaalmada Luqadda ee Bilaashka ah |

Безкоштовна мовна допомога | sandag.org/LanguageAssistance | (619) 699-1900

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SANDAG uses readily available speech recognition technology to automatically caption our meetings in Zoom. The accuracy of captions may vary based on pronunciations, accents, dialects, or background noise. To access Closed Captions, click the "CC" icon in the toolbar in Zoom. To request live closed caption services, please contact the Clerk of the Board at clerkoftheboard@sandag.org or at (619) 699-1900, at least 72 hours in advance of the meeting.

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Vision Statement: *Pursuing a brighter future for all*

Mission Statement: *We are the regional agency that connects people, places, and innovative ideas by implementing solutions with our unique and diverse communities.*

Our Commitment to Equity: *We hold ourselves accountable to the communities we serve. We acknowledge we have much to learn and much to change; and we firmly uphold equity and inclusion for every person in the San Diego region. This includes historically underserved, systemically marginalized groups impacted by actions and inactions at all levels of our government and society.*

We have an obligation to eliminate disparities and ensure that safe, healthy, accessible, and inclusive opportunities are available to everyone. The SANDAG equity action plan will inform how we plan, prioritize, fund, and build projects and programs; frame how we work with our communities; define how we recruit and develop our employees; guide our efforts to conduct unbiased research and interpret data; and set expectations for companies and stakeholders that work with us.

We are committed to creating a San Diego region where every person who visits, works, and lives can thrive.

Board of Directors

Friday, November 22, 2024

Comments and Communications

1. Non-Agenda Public Comments/Member Comments

Public comments under this agenda item will be limited to five public speakers. Members of the public shall have the opportunity to address the Board on any issue within the jurisdiction of SANDAG that is not on the agenda. Public speakers are limited to three minutes or less per person. If the number of public comments under this agenda item exceeds five, additional public comments will be taken at the end of the agenda. Board members and SANDAG staff also may present brief updates under this agenda item.

Consent

+2. Approval of Meeting Minutes

Approve

Tessa Lero, SANDAG

The Board of Directors is asked to approve the minutes from its November 8, 2024, meeting.

[Meeting Minutes](#)

+3. Chief Executive Officer Delegated Actions*

Information

Beth Lupu, SANDAG

In accordance with various board policies, this report summarizes delegated actions taken by the Chief Executive Officer.

[Chief Executive Officer Delegated Actions](#)

[Att. 1 - Investment Securities Transactions Activity - October 2024](#)

[Att. 2 - Budget Transfers and Amendments - October 2024](#)

[Att. 3 - Administrative Policy Actions - FY 2025 Q1](#)

+4. Policy Advisory Committee Actions

Approve

Francesca Webb, SANDAG

The Board of Directors is asked to ratify the actions taken by the Policy Advisory Committees as noted in the report.

[Policy Advisory Committee Actions](#)

+5. 2025 Legislative Calendar*

Approve

Ariana Galvan, SANDAG

The Board of Directors is asked to approve the calendar of meetings of the Board and the Policy Advisory Committees for the upcoming year.

[2025 Legislative Calendar](#)

+6. Quarterly Project Progress and Budget Update, FY 2025, Quarter 1

Information

David Cortez, Clint Peace, Antoinette Meier, Lucinda Broussard

This quarterly report provides an update on the status of the agency's projects as approved in the FY 2025 Program Budget through September 2024 (Quarter 1).

[Quarterly Project Progress and Budget Update, FY 2025, Quarter 1](#)

[Att. 1 - FY 2025 Project Summary](#)

[Att. 2 - Capital Program Schedule Report](#)

+7. Annual Public Transit Report

Approve

Brian Lane, SANDAG

The Transportation Committee recommends that the Board of Directors approve the report for submission to the state legislature.

[Annual Public Transit Report](#)

[Att. 1 - Annual Report on Public Transit SD FY 2024.pdf](#)

+8. Proposed Amendment to Board Policy No. 004: Rules of Procedure for Board of Directors, Policy Advisory Committees, and Other Legislative Bodies

Approve

Amberlynn Deaton, SANDAG

The Executive Committee recommends that the Board of Directors approve an amendment to Board Policy No. 004: Rules of Procedure for Board of Directors, Policy Advisory Committees, and other Legislative Bodies.

[Proposed Amendment to Board Policy No. 004](#)

[Att. 1 - Board Policy No. 004](#)

Reports

+9. Role and Scope of Board Counsel

Discussion
/ Possible
Action

Amberlynn Deaton, SANDAG

The Board of Directors is asked to provide feedback on the role, scope, and future needs for legal counsel support.

[Role and Scope of Contract Counsel](#)

+10. Proposed FY 2025 Program Budget Amendment: Border Climate Adaptation and Environmental Justice Plan

Approve

Kim Smith, Zach Hernandez, SANDAG

The Board of Directors is asked to approve an amendment to the FY 2025 SANDAG Program Budget, accepting the Climate Adaptation Planning grant of \$3,000,000 from Caltrans Sustainable Transportation Planning Grant Program and creation of a new Overall Work Program number for the Border Climate Adaptation and Environmental Justice Plan.

[Proposed Budget Amend Border Climate Adaptation and EJ Plan](#)

[Att. 1 - New Work Element Report \(OWP#\)](#)

[Att. 2 - Draft Border Environmental Taskforce Charter Presentation](#)

+11. State Route 11/Otay Mesa East Update

Information

Maria Rodriguez Molina, SANDAG

Staff will present an update on the Otay Mesa East Port of Entry Project including the toll revenue legal and financial parameters.

[State Route 11/Otay Mesa East Update](#)

[Att. 1 - Memorandum from PFM, SANDAG Financial Advisor Presentation](#)

Adjournment

12. Adjournment

The next Board of Directors meeting is scheduled for Friday, December 6, 2024, at 10 a.m.

+ next to an agenda item indicates an attachment

* next to an agenda item indicates that the Board of Directors also is acting as the San Diego County Regional Transportation Commission for that item

November 8, 2024, Board of Directors Minutes

[View Meeting Video](#)

Chairwoman Nora Vargas (County of San Diego) called the meeting of the Board of Directors to order at 10:02 a.m.

1. Non-Agenda Public Comments/Member Comments

Public Comments: Rita Clement, Truth, Mark, Alex Wong, and Paul the Bold.

Member Comments: Executive Director Everett Townsend (Caltrans), Deputy Mayor Jewel Edson (NCTD), Chief Executive Officer (CEO) Mario Orso, and Chairwoman Vargas.

Consent

2. Approval of Meeting Minutes

The Board of Directors was asked to approve the minutes from its October 25, 2024, meeting.

3. 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 amendments to the Board Draft Agenda for November 22, 2024.

4. Meetings and Events Attended on Behalf of SANDAG

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

5. Approval of Proposed Solicitation for Project Management Consultant Services for State Route 11/Otay Mesa East Port of Entry Project

The Board of Directors was asked to authorize the Chief Executive Officer to conduct a solicitation for Project Management Consultant Services for State Route 11/Otay Mesa East Port of Entry Project.

6. Proposed FY 2025 Program Budget Amendments: Flexible Fleet Pilots and Southeast San Diego Microtransit

The Board of Directors was asked to approve the proposed amendments to the FY 2025 Program Budget, accepting \$500,000 in pass-through funds from the City of San Diego for Southeast San Diego Microtransit operations and transferring \$1,500,000 from Overall Work Program (OWP) Project No. 3501000 to OWP Project No. 3501002.

Public Comments: Truth, Item Nos. 2-6; Mark, Item Nos. 2-6; Rita Clement, Item No. 6; Phone #813, Item Nos. 5-6; and Paul the Bold, Item Nos. 5-6.

Action: Upon a motion by Second Vice Chair Lesa Heebner (Solana Beach), and a second by Councilmember Jack Fisher (Imperial Beach), the Board voted to approve the Consent Agenda, as amended.

The motion passed.

Yes: Chairwoman Vargas, Second Vice Chair Heebner, Councilmember Melanie Burkholder (Carlsbad), Councilmember Carolina Chavez (Chula Vista), Councilmember John Duncan (Coronado), Deputy Mayor

Terry Gaasterland (Del Mar), Councilmember Steve Goble (El Cajon), Mayor Tony Kranz (Encinitas), Councilmember Fisher, Councilmember Shu (City of La Mesa), Mayor Racquel Vasquez (Lemon Grove), Councilmember Luz Molina (National City), Councilmember Rick Robinson (Oceanside), Mayor Steve Vaus (Poway), Councilmember Raul Campillo (City of San Diego), Mayor Rebecca Jones (San Marcos), and Mayor John Minto (Santee).

No: None.

Abstain: None.

Absent: Escondido and Vista.

Chair's Report

7. Chief Executive Officer Performance Evaluation Process

The Board of Directors was asked to receive a report on the proposed Chief Executive Officer performance evaluation process.

Public Comments: Truth, Mark, Paul the Bold, and Phone #813.

Action: Information.

Reports

8. TransNet Major Corridor Projects Updates

8A. North Coast Corridor

SANDAG and Caltrans staff presented an update on the North Coast Corridor program of projects.

8B. State Route 78

SANDAG and Caltrans staff presented an update on the State Route 78 Corridor Program of Projects.

Public Comments: Truth, Mark, Paul the Bold, Kathryn Rhodes, Phone #813, and Blair Beekman.

Action: Information.

Continued Non-Agenda Public Comments: Phone #813.

9. Adjournment

The next Board of Directors meeting is scheduled for Friday, November 22, 2024, at 9 a.m.

Chairwoman Vargas adjourned the meeting at 12:08 p.m.

Confirmed Attendance at SANDAG Board of Directors Meeting

| Board of Directors | Title | Name | Attend |
|--------------------------------|-------------------|---------------------------------------|--------|
| Carlsbad | Councilmember | Melanie Burkholder (Primary) | Yes |
| Chula Vista | Councilmember | Carolina Chavez (Primary) | Yes |
| Coronado | Councilmember | John Duncan (Primary) | Yes |
| County of San Diego | Chairwoman | Nora Vargas (Primary) | Yes |
| County of San Diego | Supervisor | Joel Anderson (Primary) | Yes |
| Del Mar | Deputy Mayor | Terry Gaasterland (Primary) | Yes |
| El Cajon | Councilmember | Steve Goble (Alternate)(left 11:49am) | Yes |
| Encinitas | Mayor | Tony Kranz (Primary) | Yes |
| Escondido | Mayor | Dane White (Primary) | No |
| Imperial Beach | Councilmember | Jack Fisher (Primary) | Yes |
| La Mesa | Councilmember | Jack Shu (Primary) | Yes |
| Lemon Grove | Mayor | Racquel Vasquez (Primary) | Yes |
| National City | Councilmember | Luz Molina (Primary) | Yes |
| Oceanside | Councilmember | Rick Robinson (Alternate) | Yes |
| Poway | Mayor | Steve Vaus (Primary) | Yes |
| City of San Diego | Councilmember | Raul Campillo (Alternate) | Yes |
| City of San Diego | Councilmember | Vivan Moreno (Alternate) | Yes |
| San Marcos | Mayor | Rebecca Jones (Primary) | Yes |
| Santee | Mayor | John Minto (Primary) | Yes |
| Solana Beach | Second Vice Chair | Lesia Heebner (Primary) | Yes |
| Vista | Deputy Mayor | Katie Melendez (Primary) | Yes |
| Caltrans | Director | Everett Townsend (Alternate) | Yes |
| Metropolitan Transit System | Councilmember | Matthew Leyba-Gonzalez (Primary) | Yes |
| North County Transit District | Deputy Mayor | Jewel Edson (Primary) | Yes |
| Imperial County | Supervisor | Jesus Eduardo Escobar (Primary) | No |
| U.S. Department of Defense | Deputy Director | Anna Shepherd (Alternate) | Yes |
| Port of San Diego | Commissioner | Dan Malcolm (Primary) | No |
| SD County Water Authority | Director | Mel Katz (Primary) | Yes |
| SDCRAA | Director | Gil Cabrera (Primary) | Yes |
| Mexico | Consul General | Alicia Kerber-Palma (Primary) | No |
| SCTCA | Chairwoman | Erica Pinto (Alternate) | No |
| Association of Planning Groups | Board Chair | Robin Joy Maxson (Primary) | Yes |

Chief Executive Officer Delegated Actions

Overview

Various board policies require the Chief Executive Officer to report certain actions to the Board of Directors monthly or upon taking specified actions.

Action: Information

In accordance with various board policies, this report summarizes delegated actions taken by the Chief Executive Officer.

Delegated Actions

Investment Transactions: [Board Policy No. 003](#), Section 11.2, states that a monthly report of all investment transactions shall be submitted to the Board. Attachment 1 contains the reportable investment transactions for October 2024.

Fiscal Impact:

One security was purchased in October for \$1.1 million.

Schedule/Scope Impact:

None.

Real Property Transfer: [Board Policy No. 017](#), Section 4.3, authorizes the Chief Executive Officer to execute all real property transfer documents, including but not limited to, rights of entry, licenses, leases, deeds, easements, escrow instructions, and certificates of acceptance. The following real property agreement was approved:

- On October 30, 2024, a First Amendment to Purchase and Sale Agreement between SANDAG and Parallel Capital Partners, LLC was executed for the properties at 5965 and 5975 Santa Fe Street, San Diego, CA 92109.

Legal Matters: [Board Policy No. 008](#), Section 6.1, authorizes the Office of the General Counsel or outside counsel to file documents and make appearances on behalf of the agency in court proceedings.

In the matter of Garcia v. SANDAG (Superior Court Case No. 2024-00014432), the following actions were taken by Quarles & Brady on behalf of SANDAG:

- On October 10, 2024, filed a Case Management Statement
- On October 25, 2024, attended a Case Management Conference

In the matter of Osmon v. City of San Diego (Superior Court Case No. 2020-00018911), the following actions were taken by BDG Law Group on behalf of SANDAG:

- On October 30, 2024, filed a Case Management Statement

In the matter of Kelsoe v. SANDAG (Superior Court Case No. 2024-00005322), the following actions were taken by Nossaman on behalf of SANDAG:

- On September 9, 2024, filed an Answer to Kelsoe's First Amended Complaint

Budget Modifications: [Board Policy No. 017](#), Section 4.1, authorizes the Chief Executive Officer to enter into agreements not currently incorporated in the budget and make other modifications to the budget in an amount up to \$300,000 per project per fiscal year so long as the overall annual budget remains in balance. Actions taken since the last regular meeting of the Board are shown in Attachment 2.

Administrative Policies: The [SANDAG Bylaws](#), Article V, Section 4d, states the Executive Director is enabled to develop and maintain an Employee Handbook, as well as all other administrative policies governing the administrative procedures of SANDAG. In accordance with the administrative policies noted below, quarterly reports shall be prepared for the Board. The reports for FY 2025 Q1 are shown in Attachment 3.

- Purchase Card Policy: pertains to the issuance, use, and reporting of transactions made using SANDAG credit cards.
- Hospitality and Events Policy: pertains to the purchase of food and beverage for SANDAG meetings and events.
- Business Meals Policy: pertains to hosting of meals for the purpose of conducting agency business.

Mario Orso, Chief Executive Officer

Attachments: 1. Investment Securities Transactions Activity – October 2024
 2. Budget Transfers and Amendments – October 2024
 3. Administrative Policy Actions – FY 2025 Q1

MONTHLY ACTIVITY FOR INVESTMENT SECURITIES TRANSACTIONS
OCTOBER 1 THROUGH OCTOBER 31

| Transaction Date | Security/Coupon/Maturity Date | Par Value | Original Cost |
|---------------------|---|------------------------|------------------------|
| BOUGHT | | | |
| 10/02/24 | U S TREASURY NT 1.000% 12/15/24 | \$ 1,150,000.00 | \$ 1,141,738.23 |
| | TOTAL BOUGHT: | <u>\$ 1,150,000.00</u> | <u>\$ 1,141,738.23</u> |
| MATURED | | | |
| | NO REPORTABLE SECURITIES FOR THIS MONTH | | |
| SOLD | | | |
| | NO REPORTABLE SECURITIES FOR THIS MONTH | | |

FY 2025 BUDGET TRANSFERS AND AMENDMENTS

in '000s

| PROJECT NUMBER | PROJECT NAME | CURRENT BUDGET | NEW BUDGET | CHANGE | EXPLANATION |
|----------------|--|----------------|------------|-----------|--|
| 1607801 | CMCP - SPRINTER/Palomar Airport Road/SR 78/SR 76 | \$2,204.91 | \$2,175.84 | (\$29.07) | Project is complete and can be closed out. Total project savings of \$29.07 (\$14.74 RSTP and \$14.33 TransNet) |
| 3312500 | Santa Fe Street Building Management | \$0.0 | \$200.0 | \$200.0 | When the FY 2025 budget was finalized, staff had assumed sale of the Santa Fe property would be complete in FY 2024. Since SANDAG had to go back a third time for the sale of the property, the OWP budget for property management needs to be added to the FY 2025 budget. Property management for this parcel is not an allowable expense for the Mid-Coast project. |
| 7352900 | ARJIS: UASI FFY 2022 | \$1,359.3 | \$1,388.2 | \$28.9 | Adjusting budget expenditure authority to match total funding awarded per contract. |

SANDAG Business Meal Expenses

Quarterly Report for period July 1 through September 30, 2024

From Business Meals Policy: To ensure transparency regarding the use of SANDAG funds for business meals, the CFO shall prepare a quarterly report for the Board of Directors. The report shall include details of each business meal hosted, including date, location, attendees, cost, and the purpose and/or actual benefits derived from the meeting.

July 2024

| Executive Host | Date | Meal Type | Location | Number of Attendees | Attendee Names/Affiliations | Purpose/Benefits Derived | Total Cost of Business Meal | Amount Reimbursed ¹ |
|----------------|------|-----------|----------|---------------------|-----------------------------|--------------------------|-----------------------------|--------------------------------|
|----------------|------|-----------|----------|---------------------|-----------------------------|--------------------------|-----------------------------|--------------------------------|

No business meals were hosted in July 2024.

Total monthly Business Meal expenses: **\$0.00**

Notes:

1. SANDAG uses the following rates as the per-person cap for food expenses, including fees, taxes, and gratuity, for meetings and events.
(Breakfast = \$19, Lunch = \$28, Dinner = \$57)

SANDAG Business Meal Expenses

Quarterly Report for period July 1 through September 30, 2024

From Business Meals Policy: To ensure transparency regarding the use of SANDAG funds for business meals, the CFO shall prepare a quarterly report for the Board of Directors. The report shall include details of each business meal hosted, including date, location, attendees, cost, and the purpose and/or actual benefits derived from the meeting.

| August 2024 | | | | | | | | |
|---|------|-----------|----------|---------------------|-----------------------------|--------------------------|-----------------------------|--------------------------------|
| Executive Host | Date | Meal Type | Location | Number of Attendees | Attendee Names/Affiliations | Purpose/Benefits Derived | Total Cost of Business Meal | Amount Reimbursed ¹ |
| No business meals were hosted in August 2024. | | | | | | | | |

Total monthly Business Meal expenses: **\$0.00**

Notes:

1. SANDAG uses the following rates as the per-person cap for food expenses, including fees, taxes, and gratuity, for meetings and events.
(Breakfast = \$19, Lunch = \$28, Dinner = \$57)

SANDAG Business Meal Expenses

Quarterly Report for period July 1 through September 30, 2024

From Business Meals Policy: To ensure transparency regarding the use of SANDAG funds for business meals, the CFO shall prepare a quarterly report for the Board of Directors. The report shall include details of each business meal hosted, including date, location, attendees, cost, and the purpose and/or actual benefits derived from the meeting.

| September 2024 | | | | | | | | |
|--|------|-----------|----------|---------------------|-----------------------------|--------------------------|-----------------------------|--------------------------------|
| Executive Host | Date | Meal Type | Location | Number of Attendees | Attendee Names/Affiliations | Purpose/Benefits Derived | Total Cost of Business Meal | Amount Reimbursed ¹ |
| No business meals were hosted in September 2024. | | | | | | | | |

Total monthly Business Meal expenses: **\$0.00**

Notes:
1. SANDAG uses the following rates as the per-person cap for food expenses, including fees, taxes, and gratuity, for meetings and events.
(Breakfast = \$19, Lunch = \$28, Dinner = \$57)

SANDAG Hospitality and Event Expenses

Quarterly Report for period July 1 through September 30, 2024

From Hospitality and Events Policy: To ensure transparency regarding the use of SANDAG funds for hospitality items, the CFO shall prepare a quarterly report for the Board of Directors. The report shall include details of all meetings and events where there were expenses for hospitality items, including date, location, description of attendees/participants, cost, and the purpose and/or benefits derived from the meeting/event.

July 2024

| Meeting/Event | Date | Location | Description of Attendees/Participants | Purpose/Benefits Derived | Number of Attendees | Cost ¹ |
|---|-----------|------------------------|---------------------------------------|--|---------------------|-----------------------|
| Blue Line Transit-Oriented Development Study Pop-up | 7/9/2024 | Palomar Transit Center | Public | Pop-up event to gather input from community members who frequent the areas around San Ysidro and Palomar transit centers, seeking their recommendations on how to create more community-friendly land use. | 50 | \$60.53 |
| TransNet Independent Taxpayer Oversight Committee Meeting | 7/10/2024 | SANDAG, Board Room | ITOC Members | Regular ITOC meetings support an enhanced level of accountability for expenditure of TransNet funds, as outlined in the TransNet Ordinance and Expenditure Plan. | 8 | \$77.08 |
| Audit Committee Meeting - Special Session | 7/11/2024 | SANDAG, Board Room | Audit Committee members | Audit Committee meetings support oversight of the Independent Performance Auditor and serve as a forum for the recommendation of internal control guidelines, the annual audit plan and annual financial statement audits. | 8 | \$76.47 |
| Executive Committee Meeting | 7/12/2024 | SANDAG, Board Room | Executive Committee members | Executive Committee meetings support oversight of the preparation of the agency budget and work program, recommendations on legislative proposals and agency policies, and setting the Board of Directors agendas. | 15 | \$105.98 |
| Board of Directors Meeting | 7/12/2024 | SANDAG, Board Room | SANDAG Board members | Board of Directors meetings provide the public forum for policy decision-making on significant regional issues. | 35 | \$732.39 ² |

July 2024

| Meeting/Event | Date | Location | Description of Attendees/Participants | Purpose/Benefits Derived | Number of Attendees | Cost ¹ |
|---|-----------|-------------------------------|---|--|---------------------|-----------------------|
| Blue Line Transit-Oriented Development Study Pop-up | 7/12/2024 | 670 E. San Ysidro Blvd | Public | Pop-up event to gather input from community members who frequent the areas around San Ysidro and Palomar transit centers, seeking their recommendations on how to create more community-friendly land use. | 50 | \$60.53 |
| Transportation Committee Meeting | 7/19/2024 | SANDAG, Board Room | Transportation Committee members | Transportation Committee meetings serve as a forum for the discussion and recommendation of policies related to transportation, and for the oversight of regional transportation planning and programming efforts. | 15 | \$151.16 |
| Blue Line Transit-Oriented Development Study Pop-up | 7/25/2024 | 333 Oxford St, Chula Vista CA | Public | Pop-up event to gather input from community members who frequent the areas around San Ysidro and Palomar transit centers, seeking their recommendations on how to create more community-friendly land use. | 50 | \$60.53 |
| Board of Directors Meeting | 7/26/2024 | SANDAG, Board Room | SANDAG Board members | Board of Directors meetings provide the public forum for policy decision-making on significant regional issues. | 35 | \$945.17 ² |
| Pershing Ribbon Cutting Event | 7/27/2024 | Bird Park at Morley Field | Members of the public, elected officials, SANDAG Board members and SANDAG staff | Ribbon-cutting ceremony to celebrate the completion of the Pershing Bikeway. | 150 | \$19.36 |
| San Diego Regional Climate Table | 7/30/2024 | Mission Valley Branch Library | Community Stakeholders and SANDAG staff | Workshop to engage community stakeholders in discussing and providing input on the Comprehensive Climate Action Plan (CCAP) and GHG emission reduction measures. | 70 | \$423.49 |
| Total monthly Hospitality and Event expenses: | | | | | | \$2,712.67 |

Notes:

1. SANDAG uses the following rates as the per-person cap for food expenses, including fees, taxes, and gratuity, for meetings and events.

(Breakfast = \$19, Lunch = \$28, Dinner = \$57)

2. Cost reflects breakfast and lunch

SANDAG Hospitality and Event Expenses

Quarterly Report for period July 1 through September 30, 2024

From Hospitality and Events Policy: To ensure transparency regarding the use of SANDAG funds for hospitality items, the CFO shall prepare a quarterly report for the Board of Directors. The report shall include details of all meetings and events where there were expenses for hospitality items, including date, location, description of attendees/participants, cost, and the purpose and/or benefits derived from the meeting/event.

| August 2024 | | | | | | |
|--|-----------|---|--|---|---------------------|-------------------|
| Meeting/Event | Date | Location | Description of Attendees/Participants | Purpose/Benefits Derived | Number of Attendees | Cost ¹ |
| CTC San Diego Meeting - North County Tour | 8/14/2024 | San Diego County | Caltrans, NCTD, CTC, and SANDAG staff | Tour of recently funded transportation projects in north county San Diego with Caltrans District 11 and NCTD to showcase progress to the California Transportation Commission. | 28 | \$458.60 |
| 2024 Caltrans Procurement & Resource Fair | 8/14/2024 | 4050 Taylor Street, San Diego, CA 92110 | Members of the public, local organizations, small business owners, Caltrans, SANDAG PAC members and SANDAG staff | SANDAG participates in the annual Caltrans Procurement Fair, an annual event to educate the public about upcoming contracting opportunities and learn best practices for "doing business" with public agencies. | 500 | \$1,500.00 |
| SR 11/Otay Mesa East Port of Entry tours - Day 1 | 8/23/2024 | Siempra Viva Interchange Bridge | Caltrans, GSA, US DOT, Senator Padilla's staff, and SANDAG staff | Caltrans and SANDAG hosted tours for Senator Padilla's staff, GSA, and U.S. DOT to showcase progress on the SR 11/Otay Mesa East Port of Entry Project. | 30 | \$19.37 |
| SR 11/Otay Mesa East Port of Entry tours - Day 2 | 8/26/2024 | Siempra Viva Interchange Bridge | Caltrans, GSA, US DOT, Senator Padilla's staff, and SANDAG staff | Caltrans and SANDAG hosted tours for Senator Padilla's staff, GSA, and U.S. DOT to showcase progress on the SR 11/Otay Mesa East Port of Entry Project. | 30 | \$19.37 |
| SR 11/Otay Mesa East Port of Entry tours - Day 3 | 8/29/2024 | Siempra Viva Interchange Bridge | Caltrans, GSA, US DOT, Senator Padilla's staff, and SANDAG staff | Caltrans and SANDAG hosted tours for Senator Padilla's staff, GSA, and U.S. DOT to showcase progress on the SR 11/Otay Mesa East Port of Entry Project. | 30 | \$19.37 |
| Total monthly Hospitality and Event expenses: | | | | | | \$2,016.71 |

Notes:

1. SANDAG uses the following rates as the per-person cap for food expenses, including fees, taxes, and gratuity, for meetings and events.

2. Cost reflects breakfast and lunch

SANDAG Hospitality and Event Expenses

Quarterly Report for period July 1 through September 30, 2024

From Hospitality and Events Policy: To ensure transparency regarding the use of SANDAG funds for hospitality items, the CFO shall prepare a quarterly report for the Board of Directors. The report shall include details of all meetings and events where there were expenses for hospitality items, including date, location, description of attendees/participants, cost, and the purpose and/or benefits derived from the meeting/event.

September 2024

| Meeting/Event | Date | Location | Description of Attendees/Participants | Purpose/Benefits Derived | Number of Attendees | Cost ¹ |
|---|-----------|------------------------|---|--|---------------------|-------------------|
| Otay Mesa East Port of Entry Workshop - Day 1 | 9/4/2024 | WSP Offices, San Diego | Caltrans, GSA, CBP, consultants, and SANDAG staff | Kick-off meeting for the 65% design phase of the OME POE project to discuss housekeeping updates, schedule and deliverables, outstanding review comments, focus group insights, and site updates. | 15 | \$207.23 |
| Otay Mesa East Port of Entry Workshop - Day 2 | 9/5/2024 | WSP Offices, San Diego | Caltrans, GSA, CBP, consultants, and SANDAG staff | Kick-off meeting for the 65% design phase of the OME POE project to discuss housekeeping updates, schedule and deliverables, outstanding review comments, focus group insights, and site updates. | 15 | \$207.23 |
| Regional Planning Committee | 9/6/2024 | SANDAG, Board Room | Regional Planning Committee members | Regular Regional Planning Committee meetings support the preparation of the Regional Comprehensive Plan, which includes review of the transportation, housing, environment, economy, regional infrastructure needs, financing, and land use design components. | 12 | \$107.06 |
| TransNet Independent Taxpayer Oversight Committee Meeting | 9/11/2024 | SANDAG, Board Room | ITOC members | Regular ITOC meetings support an enhanced level of accountability for expenditure of TransNet funds, as outlined in the TransNet Ordinance and Expenditure Plan. | 8 | \$77.08 |
| Executive Committee Meeting | 9/13/2024 | SANDAG, Board Room | Executive Committee members | Executive Committee meetings support oversight of the preparation of the agency budget and work program, recommendations on legislative proposals and agency policies, and setting the Board of Directors agendas. | 15 | \$89.72 |

September 2024

| Meeting/Event | Date | Location | Description of Attendees/Participants | Purpose/Benefits Derived | Number of Attendees | Cost ¹ |
|---|-----------|--|--|--|---------------------|-----------------------|
| Board of Directors Meeting | 9/13/2024 | SANDAG, Board Room | SANDAG Board members | Board of Directors meetings provide the public forum for policy decision-making on significant regional issues. | 35 | \$687.96 ² |
| LOSSAN Rail Realignment Value Analysis Workshop | 9/16/2024 | Del Mar Fairgrounds | Local jurisdictions staff and SANDAG staff | Workshop to discuss the LOSSAN Rail Realignment Value Analysis project goals and objectives, and conduct project functional analysis. | 30 | \$374.00 |
| Transportation Committee Meeting | 9/20/2024 | SANDAG, Board Room | Transportation Committee members | Transportation Committee meetings serve as a forum for the discussion and recommendation of policies related to transportation, and for the oversight of regional transportation planning and programming efforts. | 15 | \$151.16 |
| Purple Line Transit-Oriented Development Study Pop-up | 9/25/2024 | Castle Park Middle School, Chula Vista | Public | Collect feedback from travelers on the future Purple Line and Rapid 688 bus route about key destinations within the study area they want these routes to serve. | 71 | \$50.06 |
| Tijuana Mayor Elect Meet & Greet with SANDAG Board of Directors | 9/27/2024 | SANDAG, Vision Lab | SANDAG Board members and Tijuana Mayor Elect | Meet and greet between SANDAG Board members and the Tijuana Mayor-elect. | 40 | \$676.37 |
| Board of Directors Meeting | 9/27/2024 | SANDAG, Board Room | SANDAG Board members | Board of Directors meetings provide the public forum for policy decision-making on significant regional issues. | 35 | \$475.12 |
| Borders Committee Meeting | 9/27/2024 | SANDAG, Board Room | Borders Committee members | Borders Committee meetings provide a public discussion forum regarding major interregional planning activities that impact the San Diego region. | 15 | \$152.95 |

September 2024

| Meeting/Event | Date | Location | Description of Attendees/Participants | Purpose/Benefits Derived | Number of Attendees | Cost ¹ |
|---|-----------|--|---------------------------------------|---|---------------------|-------------------|
| Purple Line Transit-Oriented Development Study Pop-up | 9/29/2024 | Urban Collaborative Project, San Diego | Public | Collect feedback from travelers on the future Purple Line and Rapid 688 bus route about key destinations within the study area they want these routes to serve. | 71 | \$50.06 |

Total monthly Hospitality and Event expenses: **\$3,306.01**

Notes:
1. SANDAG uses the following rates as the per-person cap for food expenses, including fees, taxes, and gratuity, for meetings and events.
(Breakfast = \$19, Lunch = \$28, Dinner = \$57)
2. Cost reflects breakfast and lunch

SANDAG Purchase Card Program

Quarterly Report for period July 1, 2024-September 30,2024

From Sections 11.2 and 11.3 of the P-card Policy: The Director of Accounting and Finance shall oversee the preparation of quarterly P-card program reports for review by the CFO and CEO, and for review by the Audit Committee and Board of Directors. The reports shall include the volume and total value of transactions for each cardholder; any purchases made for emergency/business continuity reasons; and any instances of misuse or non-compliance with the policy.

July 2024

| Cardholder | Program Area | Number of Transactions ¹ | Value of Transactions ¹ | Transactions Over \$10K | Emergency Purchases | Instances of Non-Compliance | Resolution/Notes |
|------------------|------------------------------|-------------------------------------|------------------------------------|-------------------------|---------------------|-----------------------------|---|
| Anthony Lacsina | Information Technology | 11 | \$8,359.86 | None | None | None | |
| Anthony Ray | ARJIS | 1 | \$386.67 | None | None | None | |
| Jana Miclat | Human Resources | 1 | \$140.04 | None | None | None | |
| Jennifer Bailey | Org Effectiveness | 6 | \$578.25 | None | None | None | |
| Kami Leone | Board/Employee Travel | 5 | \$2,449.96 | None | None | None | |
| Kimberly King | Human Resources | 30 | \$4,947.15 | None | None | None | Refund Pending DataJob Postings \$150. Refund Received for June CALCOG charge of \$140. |
| Mike Stopani | SR 125 Roadway Operations | 26 | \$14,279.31 | None | None | None | |
| Silvia Olivarria | Board/Employee Travel | 1 | \$205.00 | None | None | None | |
| Tessa Lero | Board/Employee Travel | 1 | \$245.00 | None | None | None | |
| Tom Goggin | Facility/Business Operations | 6 | \$18,544.07 | None | None | None | |

Total monthly spend using SANDAG credit cards: **\$50,135.31**

Notes:

1. The Number and Value of Transactions include both purchases and credits.
2. All purchases for Board/Employee travel are consistent with Board Policy No. 011 (Travel Expenses). This policy incorporates the GSA's Federal Travel Regulation which requires the purchase of coach class transportation, and sets location specific limits for lodging and per diem for meals.

SANDAG Purchase Card Program

Quarterly Report for period July 1, 2024-September 30,2024

From Sections 11.2 and 11.3 of the P-card Policy: The Director of Accounting and Finance shall oversee the preparation of quarterly P-card program reports for review by the CFO and CEO, and for review by the Audit Committee and Board of Directors. The reports shall include the volume and total value of transactions for each cardholder; any purchases made for emergency/business continuity reasons; and any instances of misuse or non-compliance with the policy.

August 2024

| Cardholder | Program Area | Number of Transactions ¹ | Value of Transactions ¹ | Transactions Over \$10K | Emergency Purchases | Instances of Non-Compliance | Resolution/Notes |
|------------------|---------------------------|-------------------------------------|------------------------------------|-------------------------|---------------------|---|--|
| Anthony Lacsina | Information Technology | 15 | \$10,491.69 | None | None | None | |
| Anthony Ray | ARJIS | 1 | \$322.58 | None | None | Missing micro purchase form from original submission. | Requested on 11/5 |
| Jana Miclat | Human Resources | | | None | None | None | |
| Jennie Sharp | Board/Employee Travel | | | None | None | None | |
| Jennifer Bailey | Org Effectiveness | 1 | \$423.49 | None | None | None | |
| Kami Leone | Board/Employee Travel | 24 | \$12,018.34 | None | None | None | |
| Kimberly King | Human Resources | 27 | \$4,096.85 | None | None | None | Refund Received for six June CALCOG charges of \$140/ea. Refund received for July DataJob Posting \$150. |
| Mike Stopani | SR 125 Roadway Operations | 47 | \$22,757.59 | None | None | None | |
| Silvia Olivarria | Board/Employee Travel | 8 | \$3,166.03 | None | None | None | |

SANDAG Purchase Card Program

Quarterly Report for period July 1, 2024-September 30,2024

From Sections 11.2 and 11.3 of the P-card Policy: The Director of Accounting and Finance shall oversee the preparation of quarterly P-card program reports for review by the CFO and CEO, and for review by the Audit Committee and Board of Directors. The reports shall include the volume and total value of transactions for each cardholder; any purchases made for emergency/business continuity reasons; and any instances of misuse or non-compliance with the policy.

| August 2024 (continued) | | | | | | | |
|---|------------------------------|-------------------------------------|------------------------------------|-------------------------|---------------------|---|-----------------------------------|
| Cardholder | Program Area | Number of Transactions ¹ | Value of Transactions ¹ | Transactions Over \$10K | Emergency Purchases | Instances of Non-Compliance | Resolution/Notes |
| Tessa Lero | Board/Employee Travel | 1 | \$99.99 | None | None | Erroneous charge for annual subscription from OTTER AI for \$99.99. The renew was automatically charged to the card without staff approval. | Refund was received in September. |
| Tom Goggin | Facility/Business Operations | 17 | \$4,646.43 | None | None | None | |
| Total monthly spend using SANDAG credit cards: \$ 58,022.99 | | | | | | | |

- Notes:
- 1. The Number and Value of Transactions include both purchases and credits.
 - 2. All purchases for Board/Employee travel are consistent with Board Policy No. 011 (Travel Expenses). This policy incorporates the GSA's Federal Travel Regulation which requires the purchase of coach class transportation, and sets location specific limits for lodging and per diem for meals.

SANDAG Purchase Card Program

Quarterly Report for period July 1, 2024-September 30,2024

From Sections 11.2 and 11.3 of the P-card Policy: The Director of Accounting and Finance shall oversee the preparation of quarterly P-card program reports for review by the CFO and CEO, and for review by the Audit Committee and Board of Directors. The reports shall include the volume and total value of transactions for each cardholder; any purchases made for emergency/business continuity reasons; and any instances of misuse or non-compliance with the policy.

September 2024

| Cardholder | Program Area | Number of Transactions ¹ | Value of Transactions ¹ | Transactions Over \$10K | Emergency Purchases | Instances of Non-Compliance | Resolution/Notes |
|------------------|------------------------------|-------------------------------------|------------------------------------|-------------------------|---------------------|---|---|
| Anthony Lacsina | Information Technology | 12 | \$6,174.25 | None | None | None | |
| Jennifer Bailey | Org Effectiveness | 16 | \$3,822.80 | None | None | Reservation of \$770.69 was cancelled | Refund was received in October. |
| Kami Leone | Board/Employee Travel | 11 | \$1,885.44 | None | None | None | Refund for July Charge \$450.00 was received. |
| Kassandra Befort | Org Effectiveness | 7 | \$8,224.87 | None | None | None | |
| Kimberly King | Human Resources | 11 | \$17,880.27 | None | None | None | |
| Mike Stopani | SR 125 Roadway Operations | 24 | \$9,001.97 | None | None | Lost Receipt on a Lowes purchase of \$29.86 | Card holder ordered a new card due to fraudulent charges and the old card purchase was on the his new card. The card holder can't obtain a copy of the lost receipt from the store. |
| Silvia Olivarria | Board/Employee Travel | 20 | \$3,525.59 | None | None | None | |
| Tessa Lero | Board/Employee Travel | 1 | \$99.99 | None | None | 2 Fraudulent charges for OTTER AI | Card holder filed fraudulent claim with the bank. Credit card account was closed. |
| Tom Goggin | Facility/Business Operations | 10 | \$909.87 | None | None | None | |

Total monthly spend using SANDAG credit cards: \$ **51,525.05**

Notes:

1. The Number and Value of Transactions include both purchases and credits.
2. All purchases for Board/Employee travel are consistent with Board Policy No. 011 (Travel Expenses). This policy incorporates the GSA's Federal Travel Regulation which requires the purchase of coach class transportation, and sets location specific limits for lodging and per diem for meals.

Policy Advisory Committee Actions

Overview

[SANDAG Board Policy No. 001](#) delegates certain responsibilities to the Policy Advisory Committees to allow SANDAG to effectively address key public policy and funding responsibilities. All items delegated to the Policy Advisory Committees are subject to ratification by the Board of Directors. Below are the delegated actions taken by the Policy Advisory Committees that are subject to ratification.

The links provided below will navigate to the SANDAG web page where the meeting agenda and minutes (when available) will be posted.

Action: **Approve**

The Board of Directors is asked to ratify the actions taken by the Policy Advisory Committees as noted in the report.

Fiscal Impact:

None.

Schedule/Scope Impact:

None.

[Transportation Committee – November 15, 2024¹](#)

The Transportation Committee adopted Federal Performance Management Targets on transit assets, transit safety, and system reliability as recommended by the Mobility Working Group.

Victoria Stackwick, Chief of Staff

¹ Any changes to these actions will be reported to the Board of Directors following the Transportation Committee meeting on Friday, November 15, 2024.

2025 Legislative Calendar of Meetings of the SANDAG Board of Directors and Policy Advisory Committees

| Borders Committee First Thursday at 9:30 a.m. | Audit Committee First Friday at 9 a.m. | Regional Planning Committee First Friday at 1 p.m. | Executive Committee Second Friday at 9 a.m. | Board of Directors Second Friday at 10:30 a.m. | Board of Directors Fourth Friday at 9 a.m. | Transportation Committee First Friday at 1 p.m. | Transportation Committee Third Friday at 9 a.m. | Public Safety Committee Third Friday at 1 p.m. |
|---|--|--|---|--|---|---|---|--|
| January 2, 2025 | January 3, 2025 | January 3, 2025 | January 10, 2025 | January 10, 2025 | January 24, 2025 | ----- | January 17, 2025 | ----- |
| February 6, 2025 | February 7, 2025 | ----- | February 14, 2025 | February 14, 2025 | February 28, 2025 | February 7, 2025 | February 21, 2025 | February 21, 2025 |
| March 6, 2025 | March 7, 2025 | March 7, 2025 | March 14, 2025 | March 14, 2025 | March 28, 2025 | ----- | March 21, 2025 | ----- |
| April 3, 2025 | April 4, 2025 | ----- | April 11, 2025 | April 11, 2025 | April 25, 2025 | April 4, 2025 | April 18, 2025 | April 18, 2025 |
| May 1, 2025 | May 2, 2025 | May 2, 2025 | May 9, 2025 | May 9, 2025 | May 23, 2025 | ----- | May 16, 2025 | ----- |
| June 5, 2025 | June 6, 2025 | ----- | June 13, 2025 | June 13, 2025 | June 27, 2025 | June 6, 2025 | June 20, 2025 | June 20, 2025 |
| July 3, 2025 | July 3, 2025 at 1pm | July 18, 2025 | July 11, 2025 | July 11, 2025 | July 25, 2025 | ----- | July 18, 2025 | ----- |
| NO SCHEDULED MEETINGS IN AUGUST | | | | | | | | |
| September 4, 2025 | September 5, 2025 | ----- | September 12, 2025 | September 12, 2025 | September 26, 2025 | September 5, 2025 | September 19, 2025 | ----- |
| October 2, 2025 | October 3, 2025 | October 3, 2025 | October 10, 2025 | October 10, 2025 | October 24, 2025 | ----- | October 17, 2025 | October 17, 2025 |
| November 6, 2025 | November 14, 2025 | ----- | November 7, 2025 | November 7, 2025 | November 21, 2025 | November 14, 2025 | ----- | ----- |
| December 4, 2025 | December 5, 2025 | To be scheduled only if needed | December 12, 2025 | December 12, 2025 | (Only one meeting due to holiday schedule) | December 5, 2025 | ----- | To be scheduled only if needed |

*Changes to the normal meeting schedule are shown in **bold**

Quarterly Project Progress and Budget Update, FY 2025, Quarter 1

Overview

This report provides an update on the status of SANDAG's Overall Work Program (OWP), Capital Program, and Regional Operations and Services projects through the first quarter of FY 2025. Our projects and programs help to improve transportation, air quality, equity, the economy, public health, public safety, and housing throughout the San Diego region. These programs and initiatives are funded by a variety of federal, state, local, and TransNet revenue sources.¹

Attachment 1 highlights FY 2025 investments, key project status updates, and upcoming work in the first quarter of FY 2025 for several agency projects. Attachment 2 provides an overview of major milestones achieved through the first quarter of FY 2025 as well as the current phase of work and the upcoming milestone for each capital project.

More detail on each of the agency's projects can be found in Chapter 2 (OWP), Chapter 3 (Regional Operations and Services), and Chapter 5 (Capital Projects) of the [FY 2025 Program Budget](#). This includes project scope, milestones, project limits, progress to date, and/or proposed funding for each project.

Next Steps

The next progress report will be presented in February 2025 and will provide data through the second quarter of FY 2025.

David Cortez, Director of Engineering and Construction

Clint Peace, Director of Program/Project Management

Antoinette Meier, Senior Director of Regional Planning

Lucinda Broussard, Director of Regional Transportation Services

Attachments: 1. FY 2025 Project Summary – through September 2024
2. Capital Program Schedule Status Report – through September 2024

Action: Information

This quarterly report provides an update on the status of the agency's projects as approved in the FY 2025 Program Budget through September 2024 (Quarter 1).

Fiscal Impact:

The projects summarized in this report represent an investment in approximately 119 capital projects and 100 overall work program and regional operations projects in the San Diego regional transportation system.

Schedule/Scope Impact:

Project statuses and major milestones are captured in Attachments 1 and 2.

¹ The projects in this report are a subset of projects shown in the Final FY 2025 Program Budget. This report does not include minor capital projects or projects in the closeout phase.

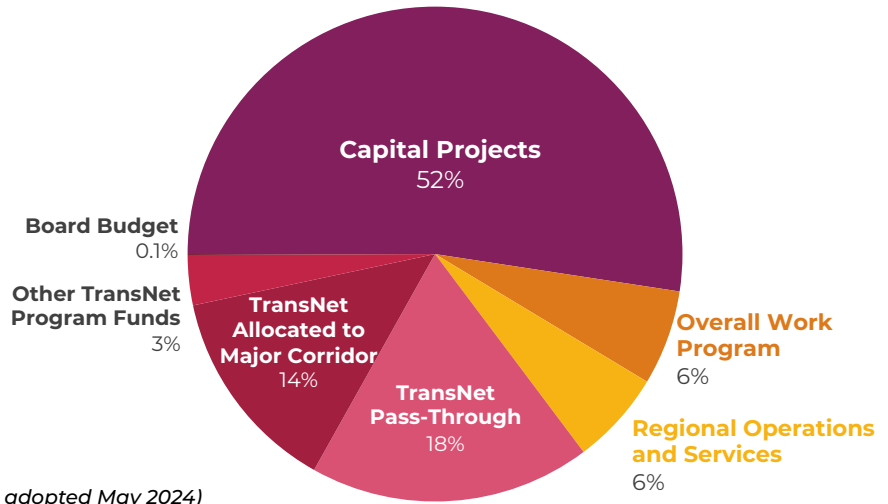
FISCAL YEAR
2025

BUDGET UPDATE

QUARTER 1

FY 2025 Total Budget

SANDAG adopts an annual program budget, which is a comprehensive financial summary of the agency's activities and includes a multiyear capital program. The budget sets out our planned activities, illustrates how our work aligns with the priorities of our member agencies, and positions us to serve the region through the delivery of major infrastructure projects, policy initiatives, and regional services. The three primary components of the program budget are Capital Projects, the Overall Work Program, and Regional Operations.



Budget Components

Capital Program

The Capital Projects budget is the largest component of the SANDAG Program Budget. This component of the budget includes the multiyear TransNet Major Corridors and Regional Bikeway Program and other transit and capital improvements. Examples of this work include the LOSSAN rail realignment, North Coast Corridor Program, bike infrastructure, and Otay Mesa East Port of Entry projects.

Overall Work Program

The Overall Work Program (OWP) is an inventory of the regional planning projects and programs that will be undertaken during the fiscal year. Examples of this work include the Regional Plan and data and modeling services. The OWP includes a summary of local, state, and federal funding sources to support these work efforts.

Regional Operations and Services

This component of the budget provides management of ongoing operational programs and customer services that deliver enhanced mobility and public safety services. It provides for maintenance and support of intelligent transportation and regional law enforcement data systems that support travelers and public safety agencies in the San Diego region. Examples of this work include management of the SR 125 Toll Road, Freeway Service Patrol, and the SANDAG Vanpool program.

Capital Program Budget

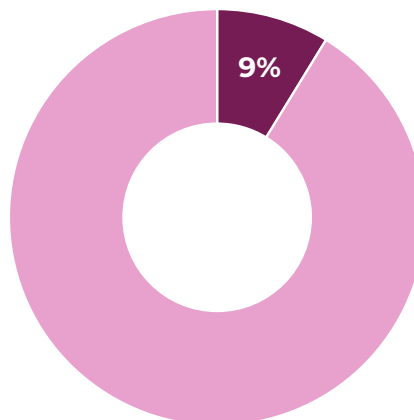
Total FY 2025 budget (for active projects)
\$662 million

Budget spent: \$58 million (9%)

Remaining: \$604 million

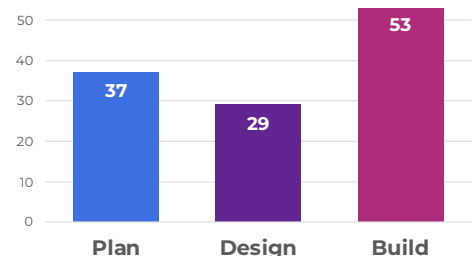
**Budget spent for FY 2025 does not include SANDAG labor expenses for FY 2025 Q1. SANDAG's Indirect Cost Allocation Plan (ICAP) rate was recently approved. Complete expenditures for Q1 and Q2 will be included in the Q2 report in February 2025.*

Budget Spent*



119 Total Capital Projects

Projects by Phase



Major Project Updates

SANDAG is continually working to fulfill our commitment to the people of this region through major infrastructure and planning projects. In chapter 1 of each year's budget, we describe our projected major work efforts for the upcoming fiscal year. On the following pages, you will find updates on some of the major projects that we worked on in FY 2025.

In general, our projects follow a similar progression. The graphic below explains the lifecycle of a typical project once it's been approved. For each of our major project descriptions, we've identified the current phase.

Project Phases*



**This shows the typical lifecycle of a SANDAG major project. Please note that not all projects progress in a perfectly linear fashion, and not all projects require every one of these subphases.*



The 2025 Regional Plan

The Regional Plan is the guiding document for much of SANDAG's work. It is updated every four years using a data-driven planning process and feedback from stakeholders, including the public, the Board and Policy Advisory Committees, working groups, and partner agencies. Recommendations provided by the California Air Resources Board (CARB) also provide critical input. The major projects on subsequent pages are some of the most significant activities we are undertaking to implement the Regional Plan. SANDAG.org/regionalplan

FY 2025 | Q1 Activity

- Revised the transportation network and confirmed the land use pattern with feedback from the Board, member agency staff, and stakeholders
- Tested the transportation network, land use pattern, and supporting policies in the SANDAG Activity Based Model 3 to determine if they meet state requirements for reducing greenhouse gas emissions and vehicle miles traveled as well as federal requirements for air quality
- Presented preliminary modeling outcomes and Draft Proposed 2025 Regional Plan Transportation Network to the Board

FY 2025 | Q2 Projections

- Respond to CARB's comments and resubmit the Technical Methodology to Estimate Greenhouse Gas (GHG) emissions for the 2025 Regional Plan and Sustainable Communities Strategy (SCS)
- Continue modeling the Draft Proposed 2025 Regional Plan Transportation Network to evaluate performance measures
- Update proposed cost and revenue assumptions
- Begin the programmatic Environmental Impact Report and start drafting the 2025 Regional Plan

Major Project Updates

Airport Transit Connection

The Airport Transit Connection (ATC) will provide a reliable, direct, and convenient transit link to the San Diego International Airport for people across the region. This transportation improvement will help reduce the increased traffic projected with the airport's expansion, provide a practical travel option for residents and visitors, and contribute to the regional economy. [SANDAG.org/atc](https://www.sandag.org/atc)



FY 2025 | Q1 Activity

- Designed and launched a large-scale airport travel survey to update our data assumptions about how people access the airport
- Convened project partner agencies to collaborate on concept refinements and paring down the number of concepts for environmental analysis

FY 2025 | Q2 Projections

- Continue collecting and analyzing airport travel survey data from passengers and employees at the San Diego International Airport and onboard airport shuttles and MTS Bus Route 992
- Provide updates to SANDAG Board, Policy Advisory Committees, and working groups on project planning

Project Phase

☐ **PLAN** Alternatives Analysis

Blue Line Improvements

The Blue Line Trolley is one of the most heavily traveled in the southwestern United States and serves some of the region's most historically underserved communities. SANDAG is developing plans to improve this existing transit service, expand capacity for new bus and rail connections, and better leverage stations to enhance community development and encourage more ridership. These studies look at potential solutions such as improving trip times and safety for the Trolley, adding a new Rapid bus route to reduce Trolley crowding, a future extension of commuter and intercity rail (e.g., NCTD COASTER and Amtrak Surfliner) to the border, transit-oriented development around two key stops, and upgrades to the San Ysidro Transit Center (SYTC) in the near and long term. [SANDAG.org/blueline](https://www.sandag.org/blueline)



FY 2025 | Q1 Activity

- Prepared a solicitation for consultant support on the Rapid planning study which will help identify potential station and routing options, costs, and timelines
- Prepared a solicitation for consultant support with preliminary engineering and environmental tasks for the SYTC Improvements project
- Continued developing scopes of work, schedules, and budgets to prepare for the release of solicitations for the Blue Line Trolley, Commuter and Intercity Rail Extension, and San Ysidro Mobility Hub studies

FY 2025 | Q2 Projections

- Publish the solicitation for consultant support on the Rapid planning study
- Publish the solicitation for consultant support on the SYTC Improvements project
- Continue developing scopes of work, schedules, and budgets to prepare for the release of a solicitation for Blue Line Trolley Service Enhancements Study
- Finalize and publish a solicitation for consultant support on the Commuter and Intercity Rail Extension project

Project Phase

☐ **PLAN** Feasibility Analysis | Blue Line Trolley, Rapid bus routes, Commuter and Intercity Rail Extension, Blue Line TOD studies
Preliminary Engineering and Environmental Analysis | San Ysidro Transit Center Improvements

Major Project Updates *(continued)*

LOSSAN

The Los Angeles-San Diego-San Luis Obispo (LOSSAN) Corridor is one of the busiest intercity rail corridors in the nation and a critical link between the San Diego region and the rest of the country for passengers, goods movement, and the military. Projects in this corridor include stabilization of the Del Mar bluffs, relocation of the railroad tracks, bridge replacements, double tracking, and new special events platforms at the Del Mar Fairgrounds and San Diego Convention Center. [SANDAG.org/lossan](https://sandag.org/lossan)



FY 2025 | Q1 Activity

- Continued construction on the Del Mar Bluffs V stabilization project, including drainage improvements and installing additional columns to support the railroad and reinforce the bluffs
- Advertised for bidding on the San Onofre to Pulgas Phase 2 project
- Started construction on the Batiquitos Lagoon Double Track project
- Started preliminary engineering on the Del Mar Bluffs Access Improvements project
- Continued working on final design and permitting for San Dieguito Double Track, Eastbrook to Shell Double Track, and Sorrento to Miramar Phase 2 projects
- Completed CEQA scoping period and began a value analysis study on the rail realignment project
- Prepared and submitted grant applications for federal and state funding for Del Mar Bluffs V stabilization, Eastbrook to Shell Double Track, and Carlsbad Village Trench Double Track projects

FY 2025 | Q2 Projections

- Prepare a draft Alternatives Analysis for the Del Mar Bluffs Access Improvements project
- Continue development of the rail realignment value analysis study
- Continue construction to stabilize the Del Mar bluffs
- Work toward creating the bid package for the San Dieguito Double Track project
- Move into final design and permitting phase for the Eastbrook to Shell Double Track and Sorrento to Miramar Phase 2 projects
- Continue construction activities on the Batiquitos Lagoon Double Track project

Project Phase

- PLAN** **Environmental Analysis** | Rail Realignment
Preliminary Engineering | Del Mar Bluffs Access Improvements
- DESIGN** **Final Design** | Eastbrook to Shell Double Track, Sorrento to Miramar Phase 2, San Dieguito Double Track
Advertise and Award | San Onofre to Pulgas Phase 2
- BUILD** **Construction** | Batiquitos Lagoon Double Track, Del Mar Bluffs V

Otay Mesa East Port of Entry

The future port of entry that we are building with partners at Caltrans will reduce wait times, strengthen border security and safety, increase economic efficiencies, and foster innovative technology solutions, all while reducing emissions and ensuring that the Cali-Baja region has the infrastructure it needs to continue its dynamic growth. [SANDAG.org/ome](https://sandag.org/ome)



FY 2025 | Q1 Activity

- Began 60% design plans
- Started Construction Manager/General Contractor (CM/GC) procurement
- Developed draft Toll Policy document with binational technical team
- Continued Federal Project Agreement negotiations with our federal partners
- Allocated \$36 million in Trade Corridor Enhancement Program funds for an Early Work Package to construct drainage elements, prepare site, and add striping on SR 11
- Began a refresh of the investment grade traffic and revenue study

FY 2025 | Q2 Projections

- Complete 60% design package
- Sign Federal Project Agreement with federal partners
- Work toward awarding the CM/GC contract
- Continue the investment grade traffic and revenue study refresh
- Meet with rating agencies for indicative rating process

Project Phase

 **DESIGN** 60% Design

Purple Line

The Purple Line will connect South County to Sorrento Mesa through National City, City Heights, and Kearny Mesa. It will link some of the most populated areas of the San Diego region with major destinations for jobs, health care, education, and more.

[SANDAG.org/purpleline](https://sandag.org/purpleline)



FY 2025 | Q1 Activity

- Continued work on the Feasibility Study and modeled route options
- Collected 1,166 public responses through in-person and online public outreach, including a paper survey and online mapping tool
- Prepared a solicitation for consultant support on an interim Rapid planning study which will help identify potential station and routing options, costs, and timelines

FY 2025 | Q2 Projections

- Complete the Feasibility Study and present findings to working groups, Transportation Committee, and the Board of Directors
- Publish a solicitation for consultant support on the Rapid planning study

Project Phase

 **PLAN** Initial Planning

Major Project Updates *(continued)*

Regional Bike Network

The San Diego region has nearly 1,800 miles of existing bikeways and several projects in the works. By providing this transportation option, we are helping to alleviate traffic and ensure that biking and walking are safe and convenient choices. SANDAG not only builds regional bike paths but also works to educate and encourage anyone interested in learning more about the health and environmental benefits of choosing biking. [SANDAG.org/bikes](https://www.sandag.org/bikes)



FY 2025 | Q1 Activity

- Completed the Pershing Drive Bikeway and opened it to the public on July 27, 2024
- Continued construction of the Downtown to Imperial Avenue, Border to Bayshore, and Inland Rail Trail Phase 3 bikeways
- Completed 75% of construction on the Bayshore Bikeway: Barrio Logan Phase 1 project and continued coordination with the City of San Diego, U.S. Navy, BNSF, and other partners to complete the project
- Worked toward finalizing the design plans and estimates for Bayshore Bikeway: Barrio Logan Phases 2 and 3
- Advertised the construction contract for the University Avenue Bikeway

FY 2025 | Q2 Projections

- Begin construction on University Avenue, Eastern Hillcrest, and Washington Street and Mission Valley bikeways
- Continue construction of the Downtown to Imperial Avenue Bikeway
- Prepare to advertise the Bayshore Bikeway: Barrio Logan Phase 2 project
- Receive Caltrans approval on the Central Avenue Bikeway design
- Complete plans, specifications, and cost estimates for Orange and Central Avenue bikeways and prepare to advertise
- Work toward utility agreements for the Howard Bikeway project right-of-way certificate

Project Phase

DESIGN

60% Design | Inland Rail Trail Phase 4

90% Design | Bayshore Bikeway: Barrio Logan Phases 2 and 3

Final Design | Howard Bikeway, Robinson Bikeway, Orange Bikeway, Central Avenue Bikeway

Advertise and Award | Eastern Hillcrest Bikeway, University Avenue Bikeway, Washington Street and Mission Valley Bikeways

BUILD

Construction | Bayshore Bikeway: Barrio Logan Phase 1, Border to Bayshore, Inland Rail Trail Phase 3, Downtown to Imperial Avenue Bikeway

Toll Operations

SANDAG is implementing an action plan to resolve ongoing tolling system deficiencies for the I-15 Express Lanes and the SR 125 Toll Road. The transition to a new regional tolling back-office system will include regular assessments, a quality assurance/control plan, operational and customer service improvements, regular and proactive reporting to the Board, and transparent communication with the public. [SANDAG.org/tolloperations](https://www.sandag.org/tolloperations)



FY 2025 | Q1 Activity

- Continued working toward finalizing the Data Migration Plan and System Design document for the new regional tolling back-office system

FY 2025 | Q2 Projections

- Provide progress update to Board of Directors
- Finalize Data Migration Plan and System Design document
- Begin system design and configuration

Project Phase

PLAN

Preliminary Engineering

TransNet Major Corridors

SANDAG continues to complete dozens of transit and highway projects identified in the TransNet Extension (2008). Roadway projects include improvements to SR 67, SR 52, SR 78, I-5, and I-805. Transit projects include Blue Line Railway Signal Improvements, Palomar Street Rail Grade Separation, double-tracking projects, and six new Rapid bus projects. [SANDAG.org/transnet](https://www.sandag.org/transnet)



FY 2025 | Q1 Activity

- Completed the San Dieguito Lagoon Wetland Restoration project, restoring 84 acres of wetland habitat
- Began construction on bike and pedestrian improvements, auxiliary lane, sound walls, and shoulder and slope repairs on Palomar Airport Road
- Prepared the Blue Line Railway Signal Improvements project for construction
- Advanced the NEPA clearance process for the Palomar Street Rail Grade Separation project
- Continued developing draft environmental documents for the I-15/SR 78 Managed Lanes Direct Connectors project
- Studied traffic patterns and evaluated project alternatives for the I-5/SR 78 Interchange Improvements project

FY 2025 | Q2 Projections

- Continue the NEPA clearance process for the Palomar Street Rail Grade Separation project
- Start construction on the Blue Line Railway Signal Improvements project
- Begin constructing a temporary trestle bridge to support work on the Batiquitos Lagoon Double Track project
- Begin sand replenishment work on South Ponto State Beach

Project Phase

- PLAN** Environmental Analysis | SR 52, SR 67, and SR 78
30% Design | Palomar Street Rail Grade Separation
- DESIGN** Right-of-Way and Permits | I-805/SR 15 Transit Only Connector and Managed Lanes
60% Design | SR 94/SR 125 Connector
- BUILD** Construction | Build NCC, Batiquitos Lagoon Double Track, SR 56 HOV Lanes, I-805 North Auxiliary Lanes

Quarterly Capital Program Status Report

July 2024 - September 2024

Capital Program 6-Month Outlook

Milestones marked as A indicate an actualized event. Milestones marked as X indicate a planned event.

| Segment | Milestone | 2024 July | 2024 Aug | 2024 Sep | 2024 Oct | 2024 Nov | 2024 Dec |
|--|-----------|--------------|-------------|-------------|-------------|-------------|-------------|
| Bikeway Program Projects | | | | | | | |
| North Park/Mid-City Bikeways: University Bikeway (CIP-1223081) | ADVERTISE | | A | | | | |
| Uptown Bikeways: Washington Street and Mission Valley Bikeways (CIP-1223084) | ADVERTISE | | | | A | | |
| Uptown Bikeways: Eastern Hillcrest (CIP-1223083) | BEGIN | | | | | X | |
| Pershing Drive Bikeway (CIP-1223057) | OPEN | A | | | | | |
| Goods Movement Projects | | | | | | | |
| SR 11 and Otay Mesa East Port of Entry (CIP-1201101) | ADVERTISE | A | | | | | |
| SR 11 and Otay Mesa East Port of Entry: Segment 2A and SR 905/125/11 Southbound Connectors (CIP-1201103) | COMPLETE | A | | | | | |
| LOSSAN Rail Corridor | | | | | | | |
| Batiquitos Lagoon Double-Track (CIP-1239816) | BEGIN | | A | | | | |
| Major Capital Projects | | | | | | | |
| San Onofre to Pulgas Double-Track Phase 2 (CIP-1146600) | ADVERTISE | | | | | X | |
| Joint Transportation Operations Center (CIP-1142600) | ADVERTISE | | | | | X | |
| State Routes 52, 67, 76 and 78 Projects | | | | | | | |
| SR 76 East (CIP-1207606) | COMPLETE | | A | | | | |

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COMPLETE represents the completion of all construction and most of project closeout items for the project. This includes, but is not limited to: construction contract acceptance, complete plant establishment/landscaping, final inspection, closure of task orders, and all claims settled.

Quarterly Capital Program Status Report

July 2024 - September 2024

Schedule Data as of 09/30/2024

The table below is a subset of the entire capital program and does not include Projects Pending Closeout or Minor Capital Projects.

Capital Program Upcoming Milestones

*Variance between current schedule and FY25 Baseline schedule in months.

| Segment | Milestone | FY Baseline | Current Date | Date var.* (mos) | Current Phase of Work | Comment (If delayed, TBD, or N/A) |
|---|-----------|-------------|--------------|---------------------|-----------------------------|--|
| I-5 North Projects | | | | | | |
| I-5 HOV: Manchester Avenue to Palomar Airport Road (CIP-1200504) | COMPLETE | 08/31/2025 | 08/31/2025 | 0 | CON | |
| I-5 HOV: San Elijo Bridge Replacement (CIP-1200509) | COMPLETE | 12/31/2028 | 12/31/2028 | 0 | CON | |
| I-5 HOV: Carlsbad (CIP-1200510) | COMPLETE | 01/31/2029 | 01/31/2029 | 0 | CON | |
| SR 56 HOV Lanes (CIP-1200513) | OPEN | 05/31/2025 | 05/31/2025 | 0 | CON | |
| I-5/I-805 HOV Conversion to Express Lanes (CIP-1200515) | N/A | N/A | N/A | 0 | DES | Construction occurring on 1200514, 1280517 |
| I-5 HOV Lanes: Oceanside (CIP-1200516) | ADVERTISE | TBD | TBD | 0 | DES | Construction funds are pending |
| I-15 Projects | | | | | | |
| Downtown Multiuse and Bus Stopover Facility (CIP-1201514) | ADVERTISE | TBD | TBD | 0 | ROW | Design/construction funds are pending |
| I-15 Express Lanes—Forrester Creek Improvements (CIP-1201520) | N/A | N/A | N/A | 0 | N/A | Scope is environmental mitigation activities |
| Mid-Coast | | | | | | |
| Elvira to Morena Double-Track (CIP-1239811) | COMPLETE | 03/31/2025 | 04/30/2026 | -13 | CON | Monitoring wall settlement before conducting repairs |
| Mid-Coast Light Rail Transit (LRT) (CIP-1257001) | COMPLETE | 07/31/2026 | 07/31/2026 | 0 | CON | |
| LOSSAN Rail Corridor | | | | | | |
| Poinsettia Station Improvements (CIP-1239805) | COMPLETE | 09/30/2026 | 09/30/2026 | 0 | CON | |
| Sorrento Valley Double Track (CIP-1239807) | COMPLETE | 09/30/2024 | 04/30/2026 | -18 | CON | Ongoing negotiations with contractor regarding sidewalk correction |
| Eastbrook to Shell Double-Track (CIP-1239809) | ADVERTISE | TBD | TBD | 0 | DES | Construction funds are pending |
| Carlsbad Village Double-Track (CIP-1239810) | ADVERTISE | TBD | TBD | 0 | DES | Final design and construction funds are pending |
| Sorrento to Miramar Phase 2 (CIP-1239812) | ADVERTISE | TBD | TBD | 0 | DES | Construction funds are pending |
| San Dieguito Lagoon Double-Track and Platform Design (CIP-1239813) | ADVERTISE | N/A | N/A | 0 | DES | Construction occurring on 1239822 |
| COASTER Preliminary Engineering (CIP-1239814) | N/A | N/A | N/A | 0 | PE | Scope of project is PE only |
| Batiquitos Lagoon Double-Track (CIP-1239816) | OPEN | 03/31/2027 | 03/31/2027 | 0 | CON | |
| COASTER Train Sets (CIP-1239820) | OPEN | 05/31/2024 | 04/30/2025 | -11 | CON | Vehicle shipment and IT installation delayed |
| San Dieguito Lagoon Double-Track Phase 1 Construction (CIP-1239822) | ADVERTISE | 07/31/2024 | 07/31/2025 | -12 | DES | Combining with phase 2 to save on support costs |
| San Dieguito to Sorrento Valley Double-Track (CIP-1239823) | DED | 01/31/2025 | 01/31/2025 | 0 | ENV | |
| San Dieguito Lagoon Double-Track Phase 2 Construction (CIP-1239824) | ADVERTISE | 05/30/2025 | 07/31/2025 | -2 | DES | Combining with phase 1 to save on support costs |

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Quarterly Capital Program Status Report

July 2024 - September 2024

Schedule Data as of 09/30/2024

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Capital Program Upcoming Milestones

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|---|-----------|-------------|--------------|---------------------|-----------------------|--|
| State Route 125 Projects | | | | | | |
| SR 94/SR 125 South to East Connector (CIP- 1212501) | ADVERTISE | 01/31/2026 | 01/31/2026 | 0 | DES | |
| State Routes 52, 67, 76 and 78 Projects | | | | | | |
| SR 52 Improvements (CIP-1205204) | DED | TBD | TBD | 0 | ENV | Environmental work is pending authorization of federal earmark funds |
| SR 67 Improvements (CIP-1206701) | DED | 07/31/2026 | 07/31/2026 | 0 | ENV | |
| I-15/SR78 HOV Connectors (CIP-1207802) | DED | 12/30/2024 | 03/31/2025 | -3 | ENV | Delays due to religious significance of site |
| SR 78/I-5 Express Lanes Connector (CIP-1207803) | DED | 12/31/2028 | 12/31/2028 | 0 | ENV | |
| SR 78 HOV Lanes: I-5 to I-15 (CIP-1207804) | DED | 04/30/2029 | 04/30/2029 | 0 | ENV | |
| Trolley Renewal Projects | | | | | | |
| Blue Line Railway Signal Improvements (CIP-1210021) | ADVERTISE | 08/31/2024 | N/A | 0 | DES | Work will be completed through a job order contract (JOC) |
| Low-Floor Light Rail Transit Vehicles (CIP-1210090) | OPEN | 05/31/2025 | 05/31/2025 | 0 | CON | |
| Palomar Street Rail Grade Separation (CIP-1210091) | FED | 11/30/2025 | 11/30/2025 | 0 | ENV | |
| Interstate 805 Projects | | | | | | |
| I-805/SR 94 Bus on Shoulder Demonstration Project (CIP-1280513) | COMPLETE | 05/31/2026 | 05/31/2026 | 0 | CON | |
| I-805 South Soundwalls (CIP-1280515) | COMPLETE | 10/31/2029 | 10/31/2029 | 0 | CON | |
| I-805 North Auxiliary Lanes (CIP-1280516) | OPEN | 08/30/2025 | 05/31/2025 | 3 | CON | Projected to open early |
| SR 94 Transit Priority Lanes: I-805 to I-5 (CIP-1280518) | DED | TBD | TBD | 0 | ENV | Project is not fully funded for environmental clearance |
| I-805 Transit Priority Lanes: SR 94 to SR 52 (CIP-1280519) | DED | 07/31/2027 | 07/31/2027 | 0 | ENV | |
| I-805/SR 94/SR 15 Transit Connection (CIP-1280520) | ADVERTISE | TBD | TBD | 0 | DES | Still seeking construction funds |
| I-805 South: HOV Conversion to Express Lanes (Palomar to SR 94) (CIP-1280521) | ADVERTISE | TBD | TBD | 0 | DES | Applying for grant funding |
| Goods Movement Projects | | | | | | |
| SR 11 and Otay Mesa East Port of Entry (CIP-1201101) | BEGIN | 10/31/2025 | 10/31/2025 | 0 | DES | |
| SR 11 and Otay Mesa East Port of Entry: Traffic and Revenue Study (CIP-1201105) | N/A | N/A | N/A | 0 | DES | Scope is for traffic and revenue study |

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|--|-----------|-------------|--------------|---------------------|-----------------------|--|
| Bikeway Program Projects | | | | | | |
| Coastal Rail Trail Encinitas: E Street to Chesterfield Drive (CIP-1223017) | OPEN | 05/31/2027 | 05/31/2027 | 0 | DES | |
| North Park/Mid-City Bikeways: Robinson Bikeway (CIP-1223020) | FED | 08/30/2024 | 08/30/2025 | -12 | ENV | Pursuing federal NEPA clearance |
| San Diego River Trail: Carlton Oaks Segment (CIP-1223053) | N/A | N/A | N/A | 0 | DES | Scope is for 65% design |
| Central Avenue Bikeway (CIP-1223054) | ADVERTISE | 02/28/2025 | 02/28/2025 | 0 | DES | |
| Bayshore Bikeway: Barrio Logan (CIP-1223055) | OPEN | 12/31/2025 | 12/31/2025 | 0 | CON | |
| Border to Bayshore Bikeway (CIP-1223056) | OPEN | 09/30/2025 | 09/30/2025 | 0 | CON | |
| Pershing Drive Bikeway (CIP-1223057) | COMPLETE | 07/31/2025 | 07/31/2025 | 0 | CON | |
| Downtown to Imperial Avenue Bikeway (CIP-1223058) | OPEN | 01/31/2026 | 01/31/2026 | 0 | CON | |
| North Park/Mid-City Bikeways: Howard Bikeway (CIP-1223079) | ADVERTISE | TBD | TBD | 0 | DES | Additional construction funds are pending |
| North Park/Mid-City Bikeways: University Bikeway (CIP-1223081) | BEGIN | 12/31/2024 | 02/28/2025 | -2 | DES | Strategic timing of advertisement due to funding allocation schedule |
| Uptown Bikeways: Eastern Hillcrest Bikeways (CIP-1223083) | BEGIN | 11/30/2024 | 11/30/2024 | 0 | DES | |
| Uptown Bikeways: Washington Street and Mission Valley Bikeways (CIP-1223084) | ADVERTISE | 08/31/2024 | 10/31/2024 | -2 | DES | Peer design and constructability review |
| Uptown Bikeways: Mission Hills and Old Town Bikeways (CIP-1223085) | ADVERTISE | TBD | TBD | 0 | DES | Construction funding is pending |
| North Park/Mid-City Bikeways: Orange Bikeway (CIP-1223087) | ADVERTISE | 11/30/2024 | 02/28/2025 | -3 | DES | Strategic timing of advertisement due to funding allocation schedule |
| GObyBIKE San Diego: Construction Outreach Program (CIP-1223093) | N/A | N/A | N/A | 0 | N/A | Scope of project is communications outreach |
| Inland Rail Trail Phase 3 (CIP-1223094) | OPEN | 04/30/2026 | 04/30/2026 | 0 | CON | |
| Inland Rail Trail Phase 4 (CIP-1223095) | ADVERTISE | 07/31/2025 | 07/31/2025 | 0 | DES | |
| Bayshore Bikeway: Barrio Logan Phase 2 (CIP-1223096) | FED | 05/31/2024 | 02/28/2025 | -9 | ENV | Pursuing federal NEPA clearance |
| Bayshore to Imperial Bikeway (CIP-1223097) | DED | 04/30/2026 | 04/30/2026 | 0 | ENV | |
| Bayshore Bikeway: Barrio Logan Phase 3 (CIP-1223098) | ADVERTISE | 07/31/2025 | 07/31/2025 | 0 | DES | |
| Pacific Coast Highway/Central Mobility Bikeway (CIP-1223200) | DED | 08/31/2025 | 08/31/2025 | 0 | ENV | |
| Comprehensive Multimodal Corridor Plan (CMCP) Projects | | | | | | |
| CMCP - Regional CMCP Development (CIP-1600101) | N/A | N/A | N/A | 0 | PE | Preliminary analysis |
| CMCP - Central Mobility Connections (CIP-1600504) | N/A | N/A | N/A | 0 | PE | Preliminary analysis |
| CMCP - High Speed Transit/SR 94 (CIP-1609401) | N/A | N/A | N/A | 0 | PE | Preliminary analysis |
| CMCP - High Speed Transit/SR 125 (CIP-1612501) | N/A | N/A | N/A | 0 | PE | Preliminary analysis |

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July 2024 - September 2024

Schedule Data as of 09/30/2024

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Capital Program Upcoming Milestones

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|--|-----------|-------------|--------------|---------------------|-----------------------|--|
| Major Capital Projects | | | | | | |
| OCS Insulator & Catch Cable Replacement (CIP-1129200) | COMPLETE | 07/31/2025 | 07/31/2025 | 0 | CON | |
| Financial ERP System (CIP-1130100) | COMPLETE | 01/31/2026 | 01/31/2026 | 0 | IMPL | |
| Fiber Optic Information Network Gap Closures (CIP-1131500) | OPEN | 12/31/2024 | 12/31/2025 | -12 | CON | Final connection and network configuration with regional partners is ongoing |
| Joint Transportation Operations Center (JTOC) (CIP-1142600) | ADVERTISE | 07/31/2024 | 11/30/2024 | -4 | DES | Scope modifications |
| Rose Canyon Bridge Replacements (CIP-1145300) | DED | TBD | TBD | 0 | ENV | Environmental phase is not fully funded |
| San Onofre Bridge Replacements (CIP-1145400) | DED | TBD | TBD | 0 | ENV | Environmental phase is not fully funded |
| Bridge 257.2 Replacement Project (CIP-1146500) | FED | 07/31/2024 | 08/31/2025 | -13 | ENV | 401 and 404 permit delays |
| San Onofre to Pulgas Double Track - Phase 2 (CIP-1146600) | ADVERTISE | 03/31/2024 | 11/30/2024 | -8 | DES | Bid alternative discussions |
| Beyer Blvd. Slope & Drainage (CIP-1147000) | ADVERTISE | 09/30/2024 | N/A | 0 | DES | Project will be constructed by MTS |
| Del Mar Bluffs V (CIP-1147100) | OPEN | 01/31/2027 | 1/31/2027 | 0 | CON | |
| Del Mar Bluffs Access Improvements (CIP-1147101) | DED | 10/31/2025 | 10/31/2025 | 0 | ENV | |
| Next Operating System Implementation - Phase 1 (CIP-1147700) | GO-LIVE | 09/30/2024 | 07/31/2026 | -22 | IMPL | Updated to align with OME construction schedule |
| SR 76 Roadway Straightening (CIP-1147800) | DED | TBD | TBD | 0 | ENV | Environmental phase is not fully funded |
| I-8/Willows Road Interchange Improvements (CIP-1147900) | DED | TBD | TBD | 0 | ENV | Environmental phase is not fully funded |
| Harbor Drive 2.0/Vesta Street Bridge (CIP-1148000) | ADVERTISE | TBD | TBD | 0 | DES | Funded through design phase |
| Airport Transit Connection (CIP-1149100) | DED | 12/31/2025 | 12/31/2025 | 0 | ENV | |
| San Ysidro Track Relocation (CIP-1149200) | DED | TBD | TBD | 0 | ENV | Environmental phase is not fully funded |
| Regional Tolling Back Office System (CIP-1400000) | COMPLETE | 03/31/2025 | 09/30/2025 | -6 | IMPL | Extending to maintain access to historical data as new system goes live |
| Roadway Toll Collection System (CIP-1400402) | COMPLETE | 04/30/2025 | 12/31/2025 | -8 | IMPL | Pending settlement of claims |
| New SR 125 Regional Tolling Back-Office System (CIP-1400406) | GO-LIVE | 01/31/2025 | 07/31/2025 | -6 | IMPL | Data migration is ongoing |
| New I-15 Regional Tolling Back-Office System (CIP-1400407) | GO-LIVE | 01/31/2025 | 07/31/2025 | -6 | IMPL | Data migration is ongoing |

Scheduled Milestones:

DED represents the release of the Draft Environmental Document to the public for comment, or when the document is sent to the lead federal agency for review.

FED represents the signing of the Final Environmental Document by approving agency.

ADVERTISE represents the completion of the project design and advertisement of the construction contract. Before advertisement, all environmental permits have been acquired, right of way has been certified, and the plans, specifications, and engineer's estimate has been completed.

BEGIN represents the beginning of construction initiated by the Notice to Proceed.

OPEN or GO-LIVE represents the opening of the constructed facility for its intended use or go-live date for new technology.

COMPLETE represents the completion of all construction and most of project closeout items for the project. This includes, but is not limited to: construction contract acceptance, complete plant establishment/landscaping, final inspection, closure of task orders, and all claims settled.

Current Phases:

PE = Preliminary Engineering, ENV = Environmental, DES = Design, ROW = Right-of-Way, CON = Construction, IMPL = Implementation

Annual Public Transit Report

Overview

California Assembly Bill 805 (Gonzalez, 2017) requires the Board of Directors to provide a report, developed through the Transportation Committee, to the State Legislature on or before December 31 of each year that outlines the region's public transit needs, transit funding criteria, recommended transit funding levels, additional work on public transit, and funds spent explicitly on public transportation.

Key Considerations

This report reflects the status of the San Diego region's public transportation system in place during FY 2024 (July 1, 2023, through June 30, 2024). During FY 2024, SANDAG continued implementing transit projects from the 2021 Regional Plan and continued popular services and programs countywide.

In 2024, SANDAG celebrated the second anniversary of the Mid-Coast Trolley Extension. The Blue Line continues to host the highest ridership of any transit line in the region and remains a top performer compared to other light rail lines nationally. Additionally, SANDAG started construction on the Del Mar Bluffs V project to stabilize the LOSSAN Corridor.

In partnership with Metropolitan Transit System (MTS), North County Transit District (NCTD), and local community-based organizations, SANDAG extended the Youth Opportunity Pass pilot program, providing two additional years of free public transit service to anyone in the region 18 and under. This investment in our region's youth is improving mobility regionwide, with over 10 million rides provided in FY 2024 and a culture of transit continuing to take shape.

SANDAG finalized construction of the Pershing Bikeway, providing an important connection between Downtown San Diego to North Park. SANDAG broke ground on the Imperial Avenue Bikeway, which will connect Imperial Ave. with the [Regional Bike Network](#). Finally, SANDAG continued construction of the Border to Bayshore Bikeway, which will connect the San Ysidro Port of Entry with the Imperial Beach segment of the Bayshore Bikeway. When completed, these bikeways will provide over 10 new miles of safe connections for people using bicycles and other active transportation options.

This report also contains information regarding regional needs for public transit, active transportation, and regionwide annual expenditures. These figures are compiled from SANDAG's 2021 Regional Plan, the Regional Transportation Improvement Program, and SANDAG, MTS, and NCTD reports.

Next Steps

Upon approval of the Board, staff will submit the report to the State Legislature by the December 31, 2024, deadline.

Antoinette Meier, Senior Director of Regional Planning

Attachment: 1. Annual Report on Public Transit in the San Diego Region, FY 2024 (with appendices)

Action: Approve

The Transportation Committee recommends that the Board of Directors approve the report for submission to the state legislature.

Fiscal Impact:

Staff effort on this report is funded through existing funding in Overall Work Program 3320100.

Schedule/Scope Impact:

The report must be submitted to the state legislature by December 31, 2024.

Fiscal Year 2024 Annual Report to the Legislature on Public Transit in the San Diego Region

Assembly Bill 805 (Gonzalez, 2017) requires the SANDAG Board of Directors to provide an annual report, developed through the Transportation Committee, to the State Legislature that outlines the region's efforts to support public transportation. The legislation, its criteria, and all required data are detailed in this report's appendices.

Implementing the 2021 Regional Plan

Throughout Fiscal Year 2024, SANDAG has taken steps to implement the Regional Plan's vision for providing convenient and timely transit options. In FY 2024, SANDAG continued initial concept planning for three new Next Generation *Rapid* routes identified in the Regional Plan. *Rapid* routes provide fast and frequent connections to regional destinations, transit connections, education opportunities, and healthcare. SANDAG finalized this study at the end of Fiscal Year 2024.

The 2021 Regional Plan identified the concept of "Flexible Fleets," offering new options for getting to and from transit and for short trips within the community via shared mobility services. New flexible fleet services launched in the summer of 2023 and continued providing service throughout 2024, improving transit access to our popular beach communities. SANDAG continues to work with local jurisdictions and community organizations to increase the availability of flexible fleet services across the region.

SANDAG's Youth Opportunity Pass completed its second full year, providing free public transit access to all youth 18 and under throughout the San Diego region. This partnership with our local transit operators, MTS and NCTD, has been extremely successful. In Fiscal Year 2024, the Youth Opportunity Pass provided over 10 million rides to San Diego youth, taking them to school, to internships, to the beach, and to visit friends and family. SANDAG has approved funding to continue the Youth Opportunity Pass program for at least one more year and will continue working with our local and state partners to provide this program permanently for the youth of San Diego.

Other highlights of planning and construction for FY 2024 were:

Planning highlights from FY2024:

2025 Regional Plan: Developed initial concept based on public input and guidance from the SANDAG Board of Directors

Airport Transit Connection: Progressed on concept development with input from the Board and in coordination with regional stakeholders and identified additional features in preparation for future environmental review

San Ysidro Transit Center/Mobility Hub: Secured \$927,778 in federal funding to advance planning and engineering efforts, collected more than 600 survey responses about potential upgrades, and drafted a final study report

Blue Line Express: Started the existing conditions analysis and prepared the project work plan

LOSSAN rail realignment: Completed 30% of preliminary engineering and environmental work, released the Notice of Preparation of the draft environmental impact report, and held a public scoping meeting

Purple Line: Identified station and maintenance facility locations along potential routes

Reconnecting Communities: ~~SANDAG received \$3.3 million in federal funding to study the feasibility of a freeway lid at the two locations sited in the Barrio Logan Community Plan to prepare for future implementation of one or both lids. Received \$63 million in federal and state funds to work toward reconnecting three communities in Southeastern San Diego and National City divided by transportation infrastructure~~

Central Avenue Bikeway: Completed the final environmental document

Eastern Hillcrest, University, Washington Street/Mission Valley Bikeways, and Howard Bikeway projects: Entered the final design phase and prepared to begin construction. These bikeways are slated to open in the coming years and will improve safety and connectivity throughout the region. ¹

Vision Zero: Kicked off the development of the first Regional Vision Zero Action Plan to work toward eliminating all traffic fatalities and severe injuries in our region

Construction highlights from FY2024:

Del Mar bluffs stabilization: Began construction and installed bluff toe protection walls

North Coast Corridor: Began construction on bike and pedestrian improvements, auxiliary lane, sound walls, and shoulder and slope repairs new Palomar Airport Road

Imperial Avenue Bikeway: Broke ground

Inland Rail Trail Phase 3: Began construction

Otay Mesa East Port of Entry: Completed construction on the Siempre Viva Interchange, obtained approval to execute three binational agreements, completed the 30% design milestone, and secured permission to proceed to final design.

Looking Forward

In October 2023 the SANDAG Board approved funding to advance planning and design for six *Rapid* routes, new Flexible Fleet pilots, and ongoing construction of regional bikeways.

The Blue Line trolley and the transit center in San Ysidro are also slated for improvements. The future San Ysidro Mobility Hub will be able to host an enhanced Blue Line Trolley, the new Purple Line, and improved local and *Rapid* bus service. These improvements are designed to enhance the experience of people traveling throughout our binational region.

Additionally, SANDAG continued planning for the Airport Transit Connection in FY 2024, launching the environmental review process to determine regional transportation connections and direct transit options to the airport. The Airport Transit Connection will create a direct link between the San Diego International Airport and our regional transit system, making it easier for residents and visitors to navigate the region.

¹ [SANDAG TransNet Regional Bike Projects](#)

Fiscal Cliff

Like other transit agencies statewide, MTS and NCTD are still recovering from the impact of the pandemic and rely on funding from federal and state sources. Sustainable sources of funding are needed to both provide high-quality service and continue to deliver planned improvements. SANDAG and our operating partners in the region are actively working with partner agencies around the state to advocate for funding for transit operations, including participating in statewide listening sessions, coordinating on funding allocation discussions, and maintaining a strong presence in Sacramento.

Transit operators in San Diego estimate that their federal funding will dry up by 2027, just over two years from now.² With local revenue still reduced from recovering ridership and costs increasing due to inflation, MTS and NCTD have started to make contingency plans for their operations should that deadline arrive without a viable replacement in place. Options include reducing existing transit service, delaying planned capital projects and increasing fares.

In 2023, new state transit assistance was approved through SB 125, providing relief to transit agencies across the state and signaling a willingness from the state government to ensure that transit service remains active throughout California. The funds have since been released, and MTS plans to use SB 125 funding to shore up operations for several more years while also delivering long-awaited capital improvements on the Orange Line trolley and enhancements to frequencies and spans of service systemwide. However, San Diego will need assistance to continue providing the transit service that our residents and visitors rely on.

² [MTS Board of Directors](#), March 16, 2023, Item 14

Appendix A

Reporting Requirements

Consistent with Section 9795 of the California State Government Code:

(a)(1) Any report required or requested by law to be submitted by a state or local agency to the Members of either house of the Legislature generally, shall instead be submitted as a printed copy to the Secretary of the Senate, as an electronic copy to the Chief Clerk of the Assembly, and as an electronic or printed copy to the Legislative Counsel. Each report shall include a summary of its contents, not to exceed one page in length. If the report is submitted by a state agency, that agency shall also provide an electronic copy of the summary directly to each member of the appropriate house or houses of the Legislature. Notice of receipt of the report shall also be recorded in the journal of the appropriate house or houses of the Legislature by the secretary or clerk of that house.

(2) In addition to and as part of the information made available to the public in electronic form pursuant to [Section 10248](#), the Legislative Counsel shall make available a list of the reports submitted by state and local agencies, as specified in paragraph (1). If the Legislative Counsel receives a request from a member of the public for a report contained in the list, the Legislative Counsel is not required to provide a copy of the report and may refer the requester to the state or local agency that authored the report, or to the California State Library as the final repository of public information.

(b) No report shall be distributed to a Member of the Legislature unless specifically requested by that Member.

(c) Compliance with subdivision (a) shall be deemed to be full compliance with [subdivision \(c\) of Section 10242.5](#).

(d) A state agency report and summary subject to this section shall include an Internet website where the report can be downloaded and telephone number to call to order a hard copy of the report.

A report submitted by a state agency subject to this section shall also be posted at the agency's Internet website.

(e) For purposes of this section, "report" includes any study or audit.

Regional Identified Public Transit Needs

A comprehensive list of transit projects identified by SANDAG and the region's transit operators that would meet the transit needs of the San Diego region is included in the 2021 Regional Plan. The 2021 Regional Plan presents the overall vision for how the San Diego region will grow through 2050, including all the transportation-related investments that will be needed to support that vision.

Each year, the Metropolitan Transit System (MTS) and North County Transit District (NCTD) are required to submit a Service Implementation Plan (SIP) to SANDAG in advance of the budget approval process. The SIPs list the operational changes each transit operator implemented or plans to implement to balance proposed fiscal year budgets.

Regional Public Transit Needs

The 2021 Regional Plan identifies 56 public transit projects across a variety of modes and jurisdictions. These projects include Next Generation Rapid bus, new light rail, new regional rail, streetcar, ferry, mobility hubs, and an airport transit connection. The full list of identified projects is available in [Appendix A of SANDAG's 2021 Regional Plan](#).

The 2021 Regional Plan also identifies 124 active transportation projects that support the regional transit network. These projects include on-street and off-street facilities for bicycles, scooters, pedestrians, and more. The full list of identified projects is available in [Appendix A of SANDAG's 2021 Regional Plan](#).

Operator-Identified Service Area Needs

MTS identified 42 projects for transit service improvements in its latest Service Implementation Plan, an element of its annual budgeting process. These improvements include frequency enhancements on bus and rail services, adjustments of certain bus route schedules, and realigned rail service patterns. The full list of identified projects is available in [MTS's 2024 Adopted Fiscal Year Budget](#).

NCTD identified 9 projects for transit service improvements in its latest Service Implementation Plan, an element of its annual budgeting process. These improvements include frequency enhancements on bus and rail services, implemented capital investment plans, bus service modifications, and new paratransit and microtransit service. The full list of identified projects is available in [NCTD's FY 2024 Service Implementation Plan](#).

Transit Project Evaluation Criteria

SANDAG prioritizes projects and their phasing through the development of project evaluation criteria and network-based performance measures as part of the 2021 Regional Plan, among other factors. Input for the criteria is received through public workshops, as well as from the region's planning directors, the transit operators, SANDAG policy committees, and the Board of Directors.

The project evaluation criteria for the 2021 Regional Plan are organized within the three goals established by the Board of Directors: (1) Environment & Quality of Life; (2) Mobility & Safety; and (3) Economy. Each individual criterion is nested into one of the three goals. The full list of criteria is available in [Appendix T of SANDAG's 2021 Regional Plan](#).

Additional Work on Public Transit

In addition to the regular work that SANDAG undertakes as part of its core mission to develop transportation programs and projects, there are a variety of additional efforts that are undertaken at the direction of the SANDAG Board of Directors which are transit supportive. The transit supportive

studies and work that SANDAG implemented in FY 2024 total over \$21 million. The full list of expenditures is available in Chapters 2 and 5 of [SANDAG's Fiscal Year 2025 Budget](#).

Recommended Transit Funding Levels

SANDAG, as the Metropolitan Planning Organization and the Regional Transportation Planning Agency, is required by state and federal laws to develop and adopt a Regional Transportation Improvement Program (RTIP). The RTIP is a multi-billion-dollar, multi-year program of proposed projects for major transportation improvements in the San Diego Region. All public transit funding that is recommended for expenditure in the five-year period covered by the RTIP is SANDAG Board approved as part of the FY 2024 Transit CIP. The RTIP includes committed funds of \$4.3 million by the region through as far as FY 2033. The full list of expenditures and funding levels is available in [the latest update to the Regional Transportation Improvement Program](#).

Funds Spent Specifically on Public Transit

Each year, SANDAG expends funding on transit-specific projects. Examples of transit-specific projects include the Mid-Coast Trolley, South Bay *Rapid*, and double tracking of the COASTER corridor. MTS and NCTD also expend transit-specific funding, including for operation of transit services, vehicles, and facility replacements. SANDAG's Expenditures total \$130.6 million³. MTS expenditures total \$631.4 million. NCTD's expenditures total \$158.3 million. The full list of expenditures is available in [SANDAG's Fiscal Year 2024 Budget](#), as well as the Annual Comprehensive Financial Reports for [MTS](#) and [NCTD](#).

³ Based on estimates of FY24 actuals and subject to change

Proposed Amendment to Board Policy No. 004: Rules of Procedure for Board of Directors, Policy Advisory Committees, and Other Legislative Bodies

Overview

Board Policy No. 004 is intended to define and clarify Rules of Procedure for the Board of Directors, Policy Advisory Committees, and other legislative bodies.

Key Considerations

At its meeting on September 13, 2024, the Executive Committee considered a request to add to the Board policies a requirement that meetings be opened with the recitation of the Pledge of Allegiance and an acknowledgement of the tribal nations of the San Diego region. The proposed amendment adding this requirement is reflected in redline in Attachment 1.

The Executive Committee recommended that the Board approve the proposed revisions to Board Policy No. 004 at its October 11, 2024, meeting.

Next Steps

Pending approval by the Board, staff will implement the amendment as directed.

Amberlynn Deaton, Deputy General Counsel

Attachment: 1. Board Policy No. 004: Rules of Procedure for Board of Directors, Policy Advisory Committees and Other Legislative Bodies

Action: **Approve**

The Executive Committee recommends that the Board of Directors approve an amendment to Board Policy No. 004: Rules of Procedure for Board of Directors, Policy Advisory Committees, and other Legislative Bodies.

Fiscal Impact:

None.

Schedule/Scope Impact:

None.



BOARD POLICY NO. **004**

RULES OF PROCEDURE FOR BOARD OF DIRECTORS, POLICY ADVISORY COMMITTEES, AND OTHER LEGISLATIVE BODIES

This policy is intended to define and clarify Rules of Procedure for the Board of Directors and Policy Advisory Committees (PACs).

Procedures for the Board and Policy Advisory Committees

1. Ordinances

- 1.1 Every ordinance shall be signed by the Chair of the Board, or for the comprehensive fare ordinance the Chair of the Transportation Committee, and attested by the Clerk of the Board.
- 1.2 Upon the passage of an ordinance, the votes of the Board members or Transportation Committee members, as appropriate, 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 or Transportation Committee 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 at 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 or Transportation Committee to be published at least once in a newspaper of general circulation in the SANDAG 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 Publication of 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 meeting at which the proposed ordinance or amendment is to be adopted. Within fifteen (15) days after adoption of the ordinance or amendment, the Clerk of the Board shall publish a summary of the ordinance or amendment with the names of the Board or Transportation

Committee 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 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 or Transportation Committee so orders, a display advertisement of at least one-quarter of a page in a newspaper of general circulation in the SANDAG area of jurisdiction shall be published at least five (5) days prior to the 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 provide 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 members voting for and against the ordinance amendment.

1.6 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 or Transportation Committee, the ordinance or amendment will take effect immediately; and 2. If otherwise provided by the ordinance or another 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 and Public Meetings

- 3.1 Persons wishing to provide comment or testimony shall be permitted to address the Board or PAC 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 The Board wishes to maximize the number of people who can address SANDAG legislative bodies within the time limits set for the meeting while a quorum is present. The Board believes that meetings that last longer than the time set for meeting adjournment can discourage public participation and can hinder the conduct of government business due to loss of a quorum. Therefore, meetings of SANDAG legislative bodies shall be adjourned by the end time set forth in the agenda, unless extended to a specific time by a majority vote of the legislative body. The meeting shall be extended no more than once and may be adjourned to a later date. The Board of Directors wishes to maximize the number of people who can address SANDAG legislative bodies within the time limits set for the meeting while a quorum is present. Accordingly, the chair of a SANDAG legislative body may reduce the speaking time allocated for each speaker or establish a time certain for completion of one or more agenda items when the number of speakers and/or number of items on the agenda are reasonably likely to prevent the conclusion of business prior to the time the meeting is set to adjourn. Decisions by the chair shall be based on the time allocated for the meeting, the number of agenda items, the complexity of each item, and the number of persons wishing to address the legislative body on each item.
- 3.3 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.
- 3.4 The Board or a PAC Chair, as applicable, will determine with staff's assistance whether additional public meetings at which formal public testimony will be taken outside of regularly scheduled Board or PAC meetings are appropriate. Such additional public meetings may take the form of scoping meetings, focus group meetings, open houses, workshops or similar alternative formats. The applicable Chair will appoint one or more members of the relevant legislative body to act as public meeting officer(s) at SANDAG public meetings that are not held during a meeting of a SANDAG legislative body. If no Board or PAC members are available to serve as public meeting officers, the Chair may appoint the Executive Director or his/her delegate to serve as the public meeting officer. When a public meeting occurs before a public meeting officer, the public meeting officer or Clerk of the Board shall ensure that all official public testimony given at the public regarding the subject matter of the public meeting are accurately included in the written records, and ensure those written records are forwarded to the Board of Directors or PAC for review prior to the time designated for the relevant legislative body to render its recommendation or final decision.
- 3.5 The public meeting officer's written records regarding the public meeting must include, at least, the following elements:
- 3.5.1 An objective description of the subject matter of the public meeting.

- 3.5.2 The public comments received by proponents and opponents of the meeting's subject matter. The records shall indicate the hour and minute when the public meeting was opened and closed.
- 3.5.3 A list of the notices that were published, mailed, or Internet-posted, including the date of mailing or publication, the name of any newspaper, Internet address or web site, and a list of addresses and entities to which the notice was delivered. If multiple public meetings at which official public testimony is taken regarding the same subject matter are held throughout San Diego County, information regarding the notices and agendas for each public meeting shall be included in the public meeting records.
- 3.5.4 A copy of the agenda for the public meeting, including the time period during which public testimony was heard. The agenda also shall list contact information for the transcriber attending the public meeting.
- 3.5.5 A reference to the location where an audio and/or video recording, or transcript of the public meeting is archived, and where all original written comments submitted to the public meeting officer are available for viewing.
- 3.6 Before the Board of Directors or PAC takes action on the item that was the subject of a public meeting conducted by a public meeting officer, it will allow additional public comment at a regularly scheduled meeting of the legislative body.
- 3.7 By voting at a meeting where a public meeting officer's records will be relied upon, each voting member of the legislative body will be affirming that he or she has:
 - 3.7.1 Thoroughly reviewed the public meeting officer's records of any minutes or transcript from, or listened to an audio or watched a sound video recording of, the public meeting(s); and
 - 3.7.2 Given due consideration to any letters, emails, voicemails, or other comments submitted by the public that are part of the public meeting record.
 - 3.7.3 If a voting member of a legislative body cannot attest that he or she has met the criteria listed in Section 3.6, he or she may participate in the discussion regarding the subject matter of the public meeting, and need not leave the legislative body meeting room, but should not vote on the matter.

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

- 4.1 This policy shall be supplemental to the SANDAG Conflict of Interest Code and is not intended to supersede such Code or any provisions thereof. All Board and PAC members, and all other members of committees or working groups covered by the Brown Act, including alternates and advisory members, shall file a Statement of Economic Interests in accordance with the California Fair Political Practices Commission guidelines and deadlines imposed by the Political Reform Act. Failure to file a Statement of Economic Interests by the deadlines imposed by the Political Reform Act shall result in a loss of voting privileges for the member.

- 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 PAC 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 noninterest 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 \$420¹ 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.

¹ This amount is subject to adjustment by the Fair Political Practices Commission.

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 to 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.

- 4.14 All SANDAG Board or committee members (including alternates) who may receive any type of stipend, compensation, salary, or reimbursement for travel expenses from SANDAG must attend at least two hours of ethics training every two years. All such persons who hold office with SANDAG as of January 1, 2006, must complete their first course no later than January 1, 2007. The ethics training course materials must be approved by the Fair Political Practices Commission and Attorney General's Office in compliance with the requirements of Government Code § 53234 et seq. Proof of attendance may be issued by SANDAG or any other local government agency providing an ethics training course that complies with these requirements.
- 4.15 Pursuant to Section 18944.1 and 18944.2 of Title 2 of the California Code of Regulations, certain procedures must be followed in order for a gift (travel, tickets, seats at an event, food, etc.) to be considered a gift to SANDAG instead of to an individual SANDAG public official or designated employee. A document entitled "Guidance Regarding Gifts" shall be posted on the SANDAG Web site to provide information regarding SANDAG practices, which are intended to assist public officials and designated employees in complying with regulations promulgated by the California Fair Political Practices Commission.

5. Additional Advisory Membership on Board and PACs

- 5.1 From time to time, the Board may determine it is in best interest of SANDAG 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 In determining whether to supplement the Board with additional regular or temporary advisory members, the Board will first review whether the existing Board and PAC membership structures provide the opportunity for beneficial advice and information to SANDAG on matters of interest to the region.
- 5.2.1 The Board will consider adding a new regular advisory member to the Board or a PAC if it finds that the additional advisory member would provide beneficial advice and information to the Board or PAC, and that such advice/information cannot be provided by the existing Board and PAC membership structures. The agency/group wishing to become a regular advisory member shall submit a written request to the Board Chair or PAC Chair. For new regular advisory Board or PAC members, the finding and review required by this Section 5.2.1 as well as the selection criteria in Section 5.3 shall apply.
- 5.2.2 From time to time, the Board or a PAC may determine it is in best interest of SANDAG to provide an agency/group with temporary advisory "seat" at the Board or at one of its PACs when specific agenda items arise. The agency/group wishing to obtain a temporary advisory seat shall meet the criteria listed in Section 5.3 and shall submit a written request to the Board Chair or PAC Chair at least three days prior to the meeting, identifying the reasons for its request and the specific agenda item(s) to be considered. The decision about whether to fulfill the request shall be at the sole discretion of the Board Chair or PAC Chair.
- 5.3 The following criteria for selection of additional advisory members also apply:

- 5.3.1 Agency/group has land use and/or eminent domain authority;
- 5.3.2 Agency/group has regional authorities and responsibilities important to the SANDAG mission;
- 5.3.3 Membership by the agency/group would enhance SANDAG's regional decision-making;
- 5.3.4 Agency/group desires representation, submits a written request, and commits to participation; and
- 5.3.5 Agency/group is able to agree on the form of representation and who will represent it.

6. Agenda Creation for PACs

- 6.1 PAC agendas will be developed jointly by the Committee's Chair and SANDAG staff.
- 6.2 Any request by a primary member of the Board or PAC to add an item to a PAC agenda shall be presented in writing to the PAC Chair and the Board Chair for consideration.

7. Procedures Applicable to All SANDAG Legislative Bodies

- 7.1 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 the SANDAG Board or one of the PACs are covered by the Act.
 - 7.1.1 All of the SANDAG legislative bodies are required to comply with the requirements of the Act, including but not limited to the following:
 - 7.1.1.1 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.
 - 7.1.1.2 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.
 - 7.1.1.3 A public comment period must be provided at each meeting.
 - 7.1.1.4 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.

- 7.1.1.5 Secret ballots and anonymous voting are prohibited.
 - 7.1.1.6 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.
 - 7.1.1.7 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.
 - 7.1.1.8 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 the SANDAG Office of General Counsel.
 - 7.1.1.9 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.
 - 7.1.1.10 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 the SANDAG Office of General Counsel should be consulted before relying on this exception.
- 7.2 In addition to the requirements of the Act, SANDAG legislative bodies must also comply with the following requirements:
- 7.2.1 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 nonvoting members, alternates, speakers, or members of the public. Nonvoting members and alternates in attendance may participate in the body's discussion, but may not vote.
 - 7.2.2 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.
 - 7.2.3 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.

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

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

7.2.6 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.

7.2.7 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 PAC that created the legislative body.

7.2.7.2.8 Every meeting of a legislative body should be opened with the body reciting the Pledge of Allegiance and an acknowledgement of the Tribal nations of the San Diego region.

7.3 The scope of topics within the jurisdiction of the legislative body shall be limited to those issues delegated to the legislative body by the Board or relevant PAC.

7.4 Legislative bodies created by the Board or a PAC 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, unless that authority has been specifically delegated and ratified by an action of the Board.

7.5 The SANDAG Committee and Working Group Guidelines should be used for additional guidance.

7.6 New committees shall not be created by SANDAG staff without approval of either (1) the Board, (2) a PAC, or (3) the Executive Director with the concurrence of the Chair of the Board. A PAC or the Board must approve all charter or membership changes for committees that are created by ordinance, resolution, or formal action of the Board or one of the PACs.

7.6.1 When appointing new committees or working groups, PACs may provide for the appointment of alternates.

7.6.2 As the Board creates standing subcommittees, it shall specify the method for appointing persons to those subcommittees.

7.6.3 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.

- 7.6.4 An informational report shall be provided to the Board on an annual basis concerning the status of all standing and ad hoc committees and working groups.
- 7.7 A quorum shall be required for the conduct of any business. A simple majority of members (either primary or alternates) shall constitute a quorum.
- 7.8 Primary members vote on all legislative body action items. Alternates vote only when their corresponding primary member from their area is absent. A simple majority of the quorum of primary and eligible alternate members voting constitutes approval.
- 7.9 Upon assuming office, the Chair of Board shall be provided with a list of all of the SANDAG legislative bodies that are not PACs and the Chairs and Vice Chairs of those bodies. The Chair shall determine if a new Chair and/or Vice Chair should be appointed for these bodies and shall report any changes he/she wishes to make at a Board meeting. When making decisions concerning the Chair and Vice Chair appointments to legislative bodies, the potential appointee's participation at the PAC reported to by the legislative body shall be taken into consideration.

Adopted June 2003

Amended November 2004

Amended January 2006

Amended December 2006

Amended July 2007

Amended December 2007

Amended September 2008

Amended January 2010

Amended February 2012

Amended November 2015

Amended June 2021

Amended November 2024

Role and Scope of Board Counsel

Overview

In September of 2024, SANDAG engaged the services of contracted legal counsel to provide support to the Board of Directors as part of a pilot program aimed at considering alternative models for the provision of legal services. The Board is asked to discuss whether it would like to continue with this model and, if so, the preferred scope of services to be provided.

Background

The SANDAG Office of General Counsel (OGC) consists of six attorneys providing legal support for all agency functions, including such core areas as planning, construction, procurement, claims, personnel and regulatory compliance. The General Counsel has traditionally overseen all functions of the OGC and provided legal support to the Board as a direct report to both the agency's Chief Executive Officer and the Board . SANDAG's most recent General Counsel retired from the agency in August of 2024.

Based on a model used by other public agencies, SANDAG initiated a pilot program utilizing contract legal counsel to provide support to the Board. This model establishes contracted counsel as the primary counsel to the agency's governing body, with the agency's internal legal department serving as primary counsel to agency management and staff.

The law firm Nossaman LLP was selected from a bench of pre-qualified firms to participate in this pilot program. The scope of work for this pilot period was limited to participation in Board and Executive Committee meetings only, with additional responsibilities to include participation in the preparation of meeting agendas and reports, providing advice and counsel to staff and management regarding particular items of Board business, and providing guidance to the SANDAG Board on agency policies and procedures. OGC legal staff have continued to provide legal support to the agency's Policy Advisory Committees and all other agency functions.

Key Considerations

As the pilot mid-point approaches, the Board is asked to discuss whether it would like to continue with this alternative model utilizing contract counsel or return to the traditional model utilizing counsel employed by the agency. If the Board is inclined to continue with contract counsel, the Board also will be asked to consider the scope of those services, including whether such services would extend to the Board's Policy Advisory Committees, and discuss its expectations for providing direction to and communicating with its contract counsel.

Action: Discussion/Possible Action

The Board of Directors is asked to discuss the role, scope and future needs for legal counsel support.

Fiscal Impact:

SANDAG issued a task order for \$142,000 to support contract counsel services during the pilot period from September 2024 through February 2025.

Schedule/Scope Impact:

Should the Board of Directors wish to continue with contracted counsel support, staff would initiate a new procurement to solicit proposals for the scope of work defined by the Board.

Next Steps

Staff will take direction from the Board regarding its preferred model for delivery of legal services. Should the Board wish to continue utilizing contract counsel, staff would initiate a procurement to solicit proposals for the scope of work defined by the Board.

Amberlynn Deaton, Deputy General Counsel

Proposed FY 2025 Program Budget Amendment: Border Climate Adaptation and Environmental Justice Plan

Overview

In September 2024 Caltrans provided a conditional award letter to SANDAG for a Climate Adaptation Planning grant from the [Sustainable Transportation Planning Grant](#) (STPG) Program, totaling \$3,000,000. The funding will support the development of a Border Climate Adaptation and Environmental Justice Plan (Plan) which will develop strategies and recommendations to address environmental challenges in the California-Baja California border region including transborder sewage issues. Acceptance of the award requires an amendment to the FY 2025 Program Budget and Overall Work Program (OWP) for the grant amount (Attachment 1). SANDAG would also establish a Border Environmental Taskforce (Attachment 2) to support the project during its development as discussed below.

Key Considerations

At its meeting on July 12, 2024, the Board of Directors directed SANDAG to establish “a temporary working group to address environmental concerns, including but not limited to transborder sewage issues, in the border region.” In response, SANDAG staff coordinated with Caltrans on a grant that would provide funding to develop a Plan to address environmental issues along the border and to establish a new taskforce to support its development.

Utilizing funds from the STPG, SANDAG and partner agencies will develop a vetted and prioritized list of strategies, programs, and projects to address climate adaptation challenges and environmental justice issues, such as the ongoing sewage and air quality issues. This effort builds off of prior work by the State of California (via Caltrans) and the State of Baja California (via the Secretariat of Infrastructure, Urban Development, and Territorial Reorganization (SIDURT)) to prepare a [Border Master Plan](#) (BMP). The BMP is a binational effort to coordinate and prioritize transportation infrastructure projects along the international border between the Pacific Ocean, east to the California-Arizona state border, and within ten miles north and south of the border.

The Plan would identify the various climate and public health challenges affecting the border region, evaluate existing efforts by federal, state and/or local agencies to address these challenges, and identify any potential gaps. The Plan would include extensive outreach and collaboration with border region communities, public agencies, academic research institutions, and other stakeholder groups to develop strategies that address the environmental challenges and improve climate resiliency and equity. In addition to a list of vetted and prioritized projects, the final Plan will also identify potential lead entities, proposed financial strategies for implementation, and recommended metrics for tracking progress on the various efforts. Strategies that address the ongoing transboundary sewage issues would be addressed first due to the critical timing and the amount of existing work already done on this issue.

Action: Approve

The Board of Directors is asked to approve an amendment to the FY 2025 SANDAG Program Budget, accepting the Climate Adaptation Planning grant of \$3,000,000 from Caltrans Sustainable Transportation Planning Grant Program and creation of a new Official Work Program number for the Border Climate Adaptation and Environmental Justice Plan.

Fiscal Impact:

Approval of the proposed budget amendment will add in grant funds to the FY 2025 Program Budget as shown in Attachment 1.

Schedule/Scope Impact:

Work is anticipated to begin in December 2024 and be completed by April 2027.

Rather than establishing a new SANDAG working group, it is proposed that policy guidance for the Plan be provided from the SANDAG Borders Committee to the Board of Directors, with technical support from the SANDAG Project Development Team (PDT) and a new Border Environmental Taskforce (Attachment 2). This structure will provide additional flexibility for binational participation by allowing for remote meeting attendance and meetings hosted in other locations, i.e. site visits, etc. As part of the PDT, SANDAG, in close coordination with Caltrans, Southern California Association of Governments (SCAG), and the State of Baja California, will carry out the project activities supporting development of the Plan. Membership of the Taskforce would consist of binational representatives from federal, state, local and tribal governments, community-based organizations, non-profits and academia, all representing disciplines and interests involved in environmental planning, climate adaptation and environmental justice issues.

Additional technical input would be sought via existing groups and forums such as the U.S. Environmental Protection Agency (EPA) and Mexico's Ministry of the Environment and Natural Resources (SEMARNAT) [Border 2025 Program](#), International Boundary and Water Commission's (IBWC) [Minute 320 Core Group](#), as well as others. The final report will also propose a roadmap for future integration of the Plan's climate and environmental justice elements into the existing BMP process.

Next Steps

Staff will coordinate with Caltrans to amend the FY 2025 Program Budget and the OWP Agreement to accept the grant funds. Project work will commence in December 2024 and be completed by April 2027.

Antoinette Meier, Senior Director of Regional Planning

Attachments: 1. New Work Element Report (OWP#)
 2. Draft Border Environmental Taskforce Charter

Work Element: # – Border Climate Adaptation & Environmental Justice Plan

Project Manager: Kim Smith

Project Expenses

| Expense | FY 2025 Budget | Future Years | Multi-Year Total |
|--------------------------------|------------------|--------------------|--------------------|
| Salaries, Benefits, Indirect | \$460,861 | \$988,093 | \$1,448,954 |
| Other Direct Costs | \$20,000 | \$50,305 | \$70,305 |
| Contracted Services | \$91,979 | \$1,777,444 | \$1,869,423 |
| Pass-Through to Other Agencies | \$0 | \$0 | \$0 |
| Total | \$572,840 | \$2,815,842 | \$3,388,682 |

Project Funding

| Funding | FY 2025 Funding | Future Years | Total |
|--|------------------|--------------------|--------------------|
| Caltrans Climate Adaptation Planning Grant | \$530,640 | \$2,469,360 | \$3,000,000 |
| TDA Planning/Administration (local match) | \$42,200 | \$346,482 | \$388,682 |
| Total | \$572,840 | \$2,815,842 | \$3,388,682 |

Objective

The project will prepare a Climate Adaptation and Environmental Justice Plan for the border region. The project will first identify climate and public health stressors, particularly those facing environmental justice communities in the California-Baja California border region. This includes building consensus around the development of a recommended list of prioritized climate adaptation strategies, programs, and projects that reduce climate pollution, promote environmental justice and provide co-benefits improving water and air quality. Stakeholder engagement will occur to expand outreach to community groups and stakeholders in the border region to gain insights about their climate and environmental concerns while maintaining and strengthening binational coordination on climate and environmental justice issues affecting the border region. The Plan could be included in a future update of the Border Master Plan.

Previous Accomplishments

This is a new project for FY 2025.

Justification

The border region has been historically overburdened by water and air pollution on communities that have fewer resources to cope with these impacts. Climate change is expected to exacerbate these impacts with more frequent wildfires, floods, severe storms, and heat waves, and place an increased stress on transportation and other public infrastructure. This grant would develop adaptation strategies to reduce climate pollution and promote environmental justice along the border region.

Product, Tasks, and Schedule for FY 2025

| Task No. | Total | Task Description | Task Product | Completion Date |
|----------|-----------|--|--|-----------------|
| 01. | \$36,307 | Project Administration | <ul style="list-style-type: none"> Kick-off meeting with Caltrans – meeting agenda, notes and action items Quarterly invoices and progress reports DBE reporting (federal grants only) | 6/30/2025 |
| 02. | \$101,660 | Consultant Procurement | <ul style="list-style-type: none"> SANDAG Procurement procedures Task Order RFP Executed Task Order with selected consultant Consultant project kick-off meeting agenda, notes, and action items | 6/30/2025 |
| 1. | \$20,081 | Existing Conditions; Literature Review and Data Collection | <ul style="list-style-type: none"> Draft literature review library Draft literature review summary report | 6/30/2025 |

| Task No. | Total | Task Description | Task Product | Completion Date |
|----------|-----------|------------------------|--|-----------------|
| 3. | \$414,792 | Stakeholder Engagement | <ul style="list-style-type: none"> • Begin development of Public Participation and Stakeholder Outreach Plan • Conduct pre-study stakeholder coordination meetings • Initial stakeholder engagement activities with draft Partnership Charter | 6/30/2025 |

Future Activities

This is a 2.5-year grant project. Future activities include the identification of climate and environmental stressors vulnerabilities through robust stakeholder and community engagement, vulnerability and adaptation analysis for the border region, development of climate and environmental justice adaptation strategies, potential funding sources and financial strategies, priority actions, metrics for tracking process, continued public outreach and stakeholder engagement, and development of a final report with recommended strategies, programs, and projects that address improvements to water quality and the reduction of air pollution, and corresponding climate adaptation strategies with implementation considerations.



Border Environmental Task Force

Taskforce Charter

Purpose

The purpose of the Border Environmental Taskforce is to provide technical guidance, background knowledge and cross-agency coordination to support SANDAG's development of the Border Climate Adaptation and Environmental Justice Plan under the Caltrans Sustainable Transportation Planning Grant, which will identify the various climate and public health challenges affecting the California-Baja California border region, evaluate existing efforts by federal, state and/or local agencies to address these challenges, and identify any potential gaps.

Responsibilities

This group will provide technical subject-matter expertise in environmental and climate adaptation issues affecting the border region. The Taskforce provides a venue for regional stakeholders to: (1) collaborate, coordinate and develop solutions to address issues related to environmental health and climate adaptation within the California-Baja California border region; and (2) provide a regional collaboration among the jurisdictions and stakeholders on the development of the Border Climate Adaptation and Environmental Justice Plan.

Commitment / Duration of Existence

Taskforce participants are asked to attend and participate in taskforce meetings to share information and give feedback on environmental issues facing the border region, including input on issues related to coordination and implementation of the Border Climate Adaptation and Environmental Justice Grant.

It is anticipated that the Taskforce will meet on quarterly basis for the duration of SANDAG Border Climate Adaptation and Environmental Justice Plan grant through April of 2027, with additional meetings convened as needed to support project development.

Membership

The Taskforce will be comprised of representation from federal, state and local jurisdictions within the border region and sector advisors with interests involved in climate adaptation, environmental health, and environmental justice issues. SANDAG may solicit interest from other entities in participating in the Task force based on project needs.

Taskforce member agencies are asked to designate an alternate representative when the primary representative is unable to attend to promote participation in meetings.



Proposed FY 2025 Program Budget Amendment:

Border Climate Adaptation and Environmental Justice Plan

Board of Directors | Item 10
Kim Smith, Senior Regional Planner
Zach Hernandez, Associate Regional Planner

November 22, 2024

1

Binational Border Region



SANDAG | 2

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Border Climate Adaptation and Environmental Justice Plan



SANDAG | 3

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Building from Past and Ongoing Efforts

Federal

- International Boundary and Water Commission (IBWC) Minutes 320 and 328
- Border 2025: United States – Mexico Environmental Program



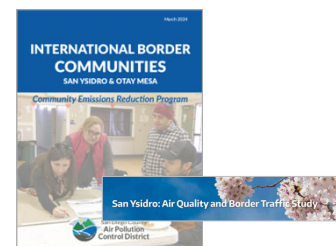
State

- California-Baja California 2021 Border Master Plan
- California-Mexico Border Relations Council



Local

- San Ysidro: Air Quality and Border Traffic Study
- International Border Communities, Community Emissions Reduction Program



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A Comprehensive Approach

Border Climate Adaptation and Environmental Justice Plan

Including:

- Inventory of existing programs, policies, planning efforts, datasets and data gaps
- Climate & Environmental Justice Vulnerabilities
- Climate Adaptation Analysis and Strategies
- Identification of responsible agencies, funding sources, and priority actions
- Stakeholder Engagement
- Metrics for measuring progress

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Anticipated Outcomes

- Identify climate and public health stressors in the border region
- Identify work currently being done to address issues and identify gaps
- Develop a list of prioritized strategies, policies, and projects with binational public agencies and non-governmental organizations
- Develop financial strategies, potential lead entities, and metrics for tracking progress
- Maintain and strengthen binational coordination



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Working with Partners in the Border Region

(NEW) Border Environmental Task Force

- Local/State/Federal staff
- Academia
- Non-profits
- NGOs
- CBOs
- Private sector
- Others



Existing Environmental Groups, Forums, Task Forces, etc.,

- IBWC Minute 320 Core Group
- Border 2025
- AB 617
- Tijuana Verde
- IMBA
- Others

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Anticipated Timeline



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Next Steps



**BOD approval of FY 25 Budget
Amendment and Acceptance of Grant**



Formation of Task Force

- First meeting est. February 2025



**Identify Existing Groups/
Collect Data and Identify Gaps**



**Develop Public Participation
and Stakeholder Outreach Plan**

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State Route 11/Otay Mesa East Update

Overview

The SR 11/Otay Mesa East Project (OME or Project) is a joint venture between SANDAG and Caltrans, in collaboration with state and federal partners in the U.S. and Mexico, to create a 21st century border crossing and supportive facilities that will enhance regional mobility, improve border security, reduce air pollution, fuel economic growth, and bolster binational trade.

This report provides an update on the OME including the toll revenue's legal and financial parameters.

Action: Information

Staff will present an update on the Otay Mesa East Port of Entry Project including the toll revenue legal and financial parameters.

Fiscal Impact:

None.

Schedule/Scope Impact:

None.

Key Considerations

Since the late 1990s, SANDAG, Caltrans, and the U.S. and Mexican federal governments have coordinated binational transportation infrastructure planning and investments toward safe and efficient mobility between nations. The California-Baja California Border Master Plan includes the Otay Mesa East – Mesa de Otay II Binational Strategic Corridor.

In 2008, the General Services Administration (GSA) and Customs and Border Protection (CBP) completed an Expanded Feasibility Study that showed that even with improvements to the existing Otay Mesa Port of Entry, a new facility was warranted to keep up with future demand and mitigate infrastructure and space limitations at the existing port. Following completion of the Feasibility Study, the Project's first Presidential Permit was issued to GSA (10-year duration) and enabling legislation was passed to provide SANDAG authority to work with Mexico to build the Otay Mesa East Port of Entry. By 2012, the Project Environmental Document was completed and construction on SR 11 would begin the following year. The Presidential Permit was renewed in 2018, expiring in 2028.

In 2020, SANDAG completed a traffic and revenue study which clarified that revenues generated by the facility could not sustain all operating costs. Despite CBP's suggested use of 'flexible' lanes to help increase revenues, the traffic and revenue study was still unable to show revenues funding all operating costs, including staffing. Securing congressional appropriations for staffing became a central piece of the Federal Project Agreement terms, with CBP agreeing in principle to cover staffing costs for an otherwise cost-neutral project.

Over the last four years, Caltrans built three highway interchanges, seven bridges, two and half miles of new roadway, 17 miles of fiber optic cables, 181 acres of environmental mitigation, relocated two international gas lines and 1 international water line. The remaining pieces of the project to be built are the port of entry buildings and commercial vehicle inspection facility. SANDAG and Caltrans must obligate the \$150 million federal INFRA Grant and \$192 in State TCEP funds by late 2025 or risk losing the federal and state investments in the project. However, the funding cannot be obligated until the U.S. federal government agrees to move to construction. Federal government concurrence is also needed before SANDAG can sell non-recourse Toll Revenue Bonds, which is central to the Project's finance plan.

Mexico's Mesa de Otay II facility is substantially complete, although full completion is not possible until Otay Mesa East is constructed. Three final agreements with the Government of Mexico are necessary to complete the Project Financial Plan. The project team had previously negotiated and finalized the agreements with the Lopez-Obrador Administration, which the Board of Directors approved at their [July 12, 2024 meeting](#). The agreements are now under review with the new Sheinbaum Administration and the project team is beginning engagement with that team with the goal of executing the agreements as soon as possible.

Legal Parameters

The Project is anticipated to generate \$7.4 billion in net toll revenue over approximately forty years of operation. Pursuant to the Toll Allocation Agreement as amended (discussed below), SANDAG is required to allocate that revenue equitably with Mexico. Therefore, of the \$7.4 billion in toll revenues, SANDAG controls only its portion, which is anticipated to be approximately \$3.7 billion.

Toll Allocation Agreement

In 2022, SANDAG and Mexico's Ministry of Infrastructure, Communications and Transportation (SICT) signed a binding Toll Revenue Sharing Agreement. The Agreement memorializes the parties' innovative toll collection process whereby SANDAG would impose a single, dynamically priced toll for both northbound and southbound traffic through OME and allocate the collected toll revenues equitably between the Parties. In early years, SANDAG would receive 60% to get to the needed debt service coverage and then pay back Mexico 10% at the end of each year. If SANDAG fails to pay back the 10%, interest would be paid to Mexico. Mexico would not charge a toll of its own. In July 2024, the SANDAG Board approved an amendment to the 2022 Toll Agreement that preserves this structure, provides for the primary toll readers to be located in Mexico with redundant readers in the US, and for SICT to earn interest *during the year* on the 10% of revenues that SANDAG will use in the early years of the Agreement.

OME Toll Facility Act

The Otay Mesa East Toll Facility Act, which is a part of the California Streets and Highways Code, was enacted in 2008 through California Senate Bill 1486 (Ducheny). The Act was amended in 2022 (California Senate Bill 985 (Hueso)) and again in 2023 (California Assembly Bill 427 (Alvarez)). The law limits the usage of OME toll revenues to the OME project (as the same is defined in the Act), SR 11, or payments to Mexico pursuant to a collaborative tolling agreement (e.g., the Toll Allocation Agreement). The authorizing language does not permit any other uses of the toll revenue.

U.S. Federal Law

Although U.S. federal law limits how tolls collected from federally-funded highways like SR 11 may be used, SANDAG and Caltrans recently signed an Memorandum of Understanding (MOU) with Federal Highway Administration that confirms that tolls collected from Mexico-side equipment will not be subject to such limitations. Such toll revenues may therefore be used to fund CBP's and GSA's operations and maintenance expenses at the Port of Entry, as well as be shared with Mexico pursuant to the Toll Allocation Agreement.

California Constitutional Limitations

The California Constitution requires that in order for certain government fees, like tolls, to not be considered a tax (subject to certain public or general assembly voting thresholds), the amount be "no more than necessary to cover the reasonable costs of the governmental activity, and that the manner in which those costs are allocated to a payor bear a fair or reasonable relationship to the payor's burdens on, or benefits received from, the governmental activity." (Cal. Const., art. XIII.A, §3, subd. (d); art. XIII.C, §1.). Even if the OME Toll Facility Act were amended to liberalize how the collected toll revenues could be used, such usage must comply with California Constitutional restrictions.

Financial Plan

PFM Financial Advisors LLC (“PFM”), as financial advisor to SANDAG, has worked with SANDAG staff to prepare the financial analysis for the OME. PFM has participated in the discussion of revenue sharing agreements with Mexico and the federal partners: CBP and GSA. Attachment 1 is a memorandum from PFM that provides an overview of the financial plan to deliver the Project, a summary of the estimated toll revenues and annual cashflows, and how those toll revenues are currently contemplated to be applied and shared between Project partners.

It has been SANDAG’s objective to deliver the OME while also ensuring its long-term operations, maintenance and sustainability. The Toll Allocation Agreement with Mexico and the draft Federal Project Agreement with GSA and CBP have been negotiated with that in mind while also trying to satisfy the requests of the parties in this transaction. Certain tolling operation and maintenance costs are shared with Mexico and first funded “off the top.” Remaining net toll revenues are thereafter split equitably as discussed above. Net toll revenues available to SANDAG are then pledged to bond holders so that the capital funding requirements may be met and the Project delivered. Thereafter, the revenues are shared with the federal partners only as revenues become available as agreed upon in the Federal Project Agreement (which is currently being negotiated). Revenues must apply to Project costs in every year, satisfying statutory and legal requirements. As a result of the negotiations between Mexico and the federal partners, all toll revenues have been allocated within the defined flow of funds and the revenue sharing agreements through 2064.

Next Steps

The Project is currently at a critical stage with regard to cost, funding, and schedule. Negotiations with federal and Mexican partners are ongoing and may create new requirements or conditions under which the Project will operate. Importantly, the Intelligent Transportation Systems component of the Project and operation and maintenance of the tolling equipment is still being negotiated

The Project team continues negotiations with CBP and GSA to determine roles, responsibilities, conveyance process, and financial contributions. It is critical to maintaining funding that we expeditiously secure an agreement with CBP and GSA to proceed to construction. Work will continue on finalizing the Project’s Financial Plan as well as coordination with the new Mexican federal administration on binational Intelligent Transportation Systems (ITS) matters and the execution of binational agreements.

Maria Rodriguez Molina, Director of Mega Projects, Border and Goods Movement

Attachment: 1. Memorandum from PFM, SANDAG Financial Advisor



October 28, 2024

MEMORANDUM

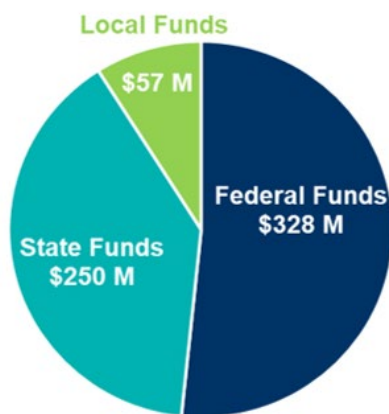
To: SANDAG Board of Directors
From: PFM Financial Advisors LLC
Re: SR 11/Otay Mesa East Project Financial Plan Review

INTRODUCTION

PFM Financial Advisors LLC (“PFM”), as financial advisor to SANDAG, has worked with SANDAG staff to prepare financial analysis for the SR 11/Otay Mesa East Project (OME or Project). We have also participated in the discussion of revenue sharing agreements with Mexico and the federal partners: the US Customs and Border Protection (CBP) and the General Services Administration (GSA). This memo provides an overview of the financial plan to deliver the Project, a summary of the estimated toll revenues and annual cashflows, and how those toll revenues are currently contemplated to be applied and shared between Project partners.

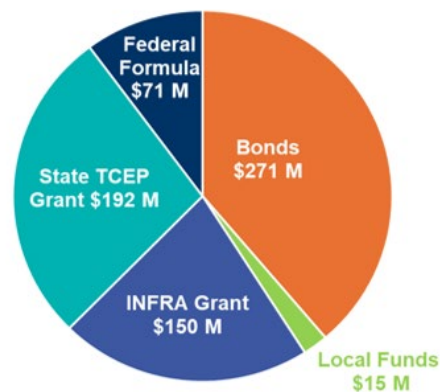
The Project is a joint venture between SANDAG and Caltrans, in collaboration with state and federal partners in the U.S. and Mexico, to create a 21st century border crossing and supportive facilities that will enhance regional mobility, improve border security, reduce air pollution, fuel economic growth, and bolster binational trade. The Project is funded through a combination of federal and state grant funds and with toll revenues that are used for both operating and maintenance (O&M) costs as well as to secure bond financing necessary to fully fund Project capital costs. The total capital cost for the Project is currently estimated to be approximately \$1.334 billion. Approximately \$635 million has been funded to date, with an additional \$699 million required to complete and deliver the Project. The capital funding sources are summarized below.

Prior Expenditures and Design



Total Spent to Date: **\$635 M**

Future Financing



Total Capital Funding Need: **\$699 M**

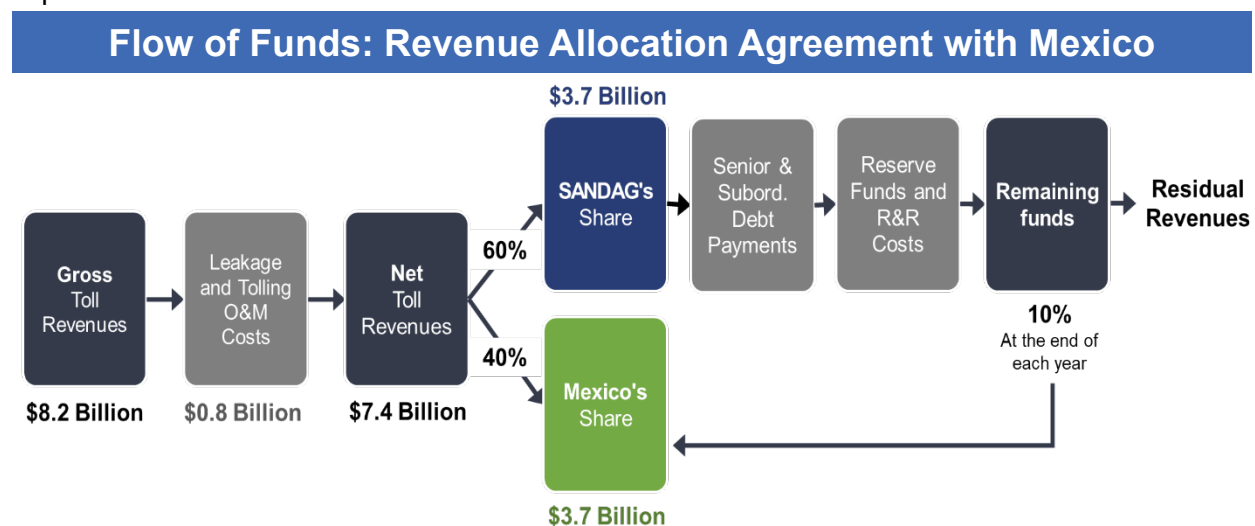


APPLICATION OF TOLL REVENUES

The Project will be tolled for passenger and commercial vehicles, and toll revenues through 2066 are estimated to total \$8.2 billion over the 40-yr period. These estimates are based upon a traffic and revenue (T&R) study and forecast prepared in 2022 by CDM Smith. In order to satisfy financing requirements, and to satisfy the funding demands of the US Customs and Border Protection (CBP) and the General Services Administration (GSA), all anticipated toll revenues will be fully utilized through 2066.

The first required application of toll revenue is to fund O&M costs for the tolling equipment. Bond investors will require that any O&M costs required to operate the tolling facility are funded first in the flow of funds. Tolling O&M costs are shared equally by SANDAG and Mexico. Toll revenues after the payment of tolling O&M costs are defined as “Net Revenues.” SANDAG and Mexico have agreed to share Net Revenues on an equal, 50/50 basis. However, Mexico has allowed SANDAG to retain 60% of Net Revenues at the beginning of the flow of funds each month (with SANDAG repaying such 10% to Mexico from available funds at the close of each fiscal year), so that SANDAG may pledge a greater share of Net Revenues to bond holders, thereby strengthening the credit quality of the bonds compared to a simple 50% pledge of Net Revenues.

SANDAG will use the 60% of Net Revenue to first pay principal and interest on any outstanding bonds and will then fund up required operating and debt service reserve funds established and legally required under the bond documents. Thereafter, based on forecasted toll revenues, there is expected to be sufficient Net Revenues remaining to pay Mexico the 10% to bring them to an equal 50% share of Net Revenues by the end of each fiscal year. The remaining Net Revenues after paying Mexico their 10% are defined as Residual Revenues. A summary of this flow of funds is presented below.

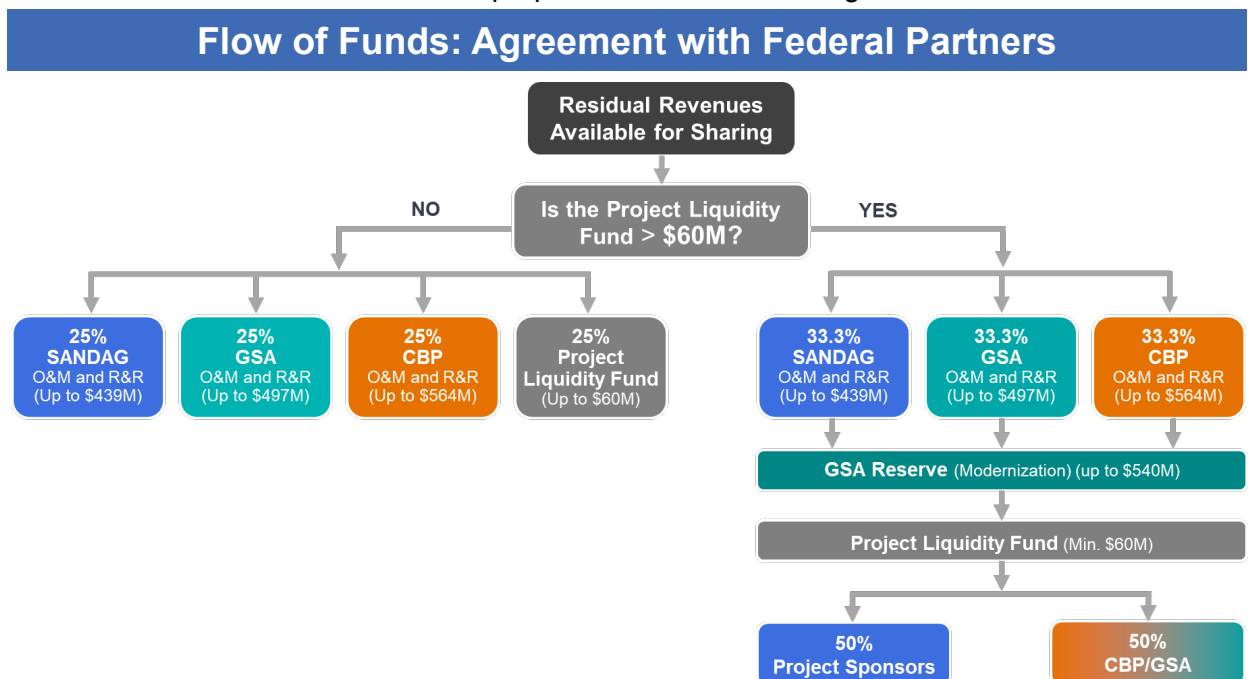


The application of the Residual Revenues has been the subject of lengthy negotiation between SANDAG and the federal partners. First, it is important to note that existing state law requires that all Residual Revenues stay in the SR 11 corridor and Port of Entry (POE) to support the Project. Consequently, while the Residual Revenues are shared between SANDAG, Caltrans, CBP and GSA, the use of those Residual Revenues are all directly related to ongoing Project costs. The amounts shared with GSA support the ongoing maintenance and eventual repair and replacement (R&R) of the POE buildings. The amounts shared with CBP help to offset a portion of CBP's



operating costs required for maintenance and replacement of technology, IT systems and vehicles. Both GSA and CBP are expected to accept the obligation to operate and maintain the Project, regardless of the amount of Residual Revenues that actually materialize. In other words, GSA and CBP will be expected to take some “revenue-risk” and will be reimbursed with Residual Revenues (up to specified caps) only if Residual Revenues are available.

SANDAG and Caltrans worked with staff from CBP and GSA to evaluate their anticipated costs for operating and maintaining the Project. Based on the review of those costs, and the review of potential Residual Revenues, the parties have been developing an agreement that outlines how Residual Revenues are to be used to support the Project’s capital, O&M, and modernization. An overview of the application of the Residual Revenues is depicted below, which is based on the terms of SANDAG and Caltrans’ last proposed version of such agreement.



Residual Revenues are first shared equally between SANDAG, GSA and CBP and towards a Project-specific Project Liquidity Fund. Each partner and the Project Liquidity Fund receives 25% of annual Residual Revenues until the Project Liquidity Fund is established at a minimum balance of \$60 million. In the view of SANDAG’s finance team, it is critical to the Project and the financing to maintain a Project Liquidity Fund that may be used to meet any unforeseen costs that SANDAG may need to fund to keep the Project open and operating. The Project Liquidity Fund may also be used, if needed, to pay bond principal and interest under specified conditions. The \$60 million minimum balance is subject to rating agency review in support of the bond credit rating.

After the Project Liquidity Fund reaches \$60 million, Residual Revenues are scheduled to be shared equally between SANDAG, GSA and CBP, that is 33.3% to each, up to specified amounts. SANDAG will accumulate a maximum total of \$439 million from Residual Revenues over time, GSA will accumulate a maximum of \$497 million, and CBP will accumulate a maximum of \$564 million. When partner-maximums (or “caps”) are reached, then GSA is eligible to receive Residual Revenues for the purposes of eventually replacing the POE building, up to \$540 million. Thereafter, Residual Revenues are proposed to be split 50/50 between SANDAG/Caltrans, and



federal partners (GSA and CBP combined). It has taken over two years and multiple rounds of negotiations to arrive at these proposed terms and as negotiations continue, they are subject to further review and change.

TIMING OF AVAILABLE TOLL REVENUES¹

It is useful to have an understanding of timing, when revenues are anticipated to begin, and when these caps are anticipated to be reached on a cashflow basis. The revenue forecast *assumes* that the Project will open to commercial vehicles (CV) in FY 2027 and be open to both CV and passenger vehicles (PV) in FY 2028. However, the start date of the Project and the CV and PV components of the Project may change driven by several factors, including but not limited to federal negotiations. FY 2028 Net Revenues, after paying shared tolling O&M costs, totals \$13 million. This is the amount to be shared 50/50 with Mexico, leaving SANDAG approximately \$6.5 million to use for Project costs, including bond repayment costs. SANDAG's share of Net toll revenues increases to \$39.7 million in 2035, to \$59.3 million in 2040, and \$113 million in 2050 and continues to grow through 2066 (see appendix for a summary graph of cashflows through 2066). These Net Revenues, as discussed, first pay bond debt service and fund any reserve fund contributions before being split between SANDAG and the federal partners.

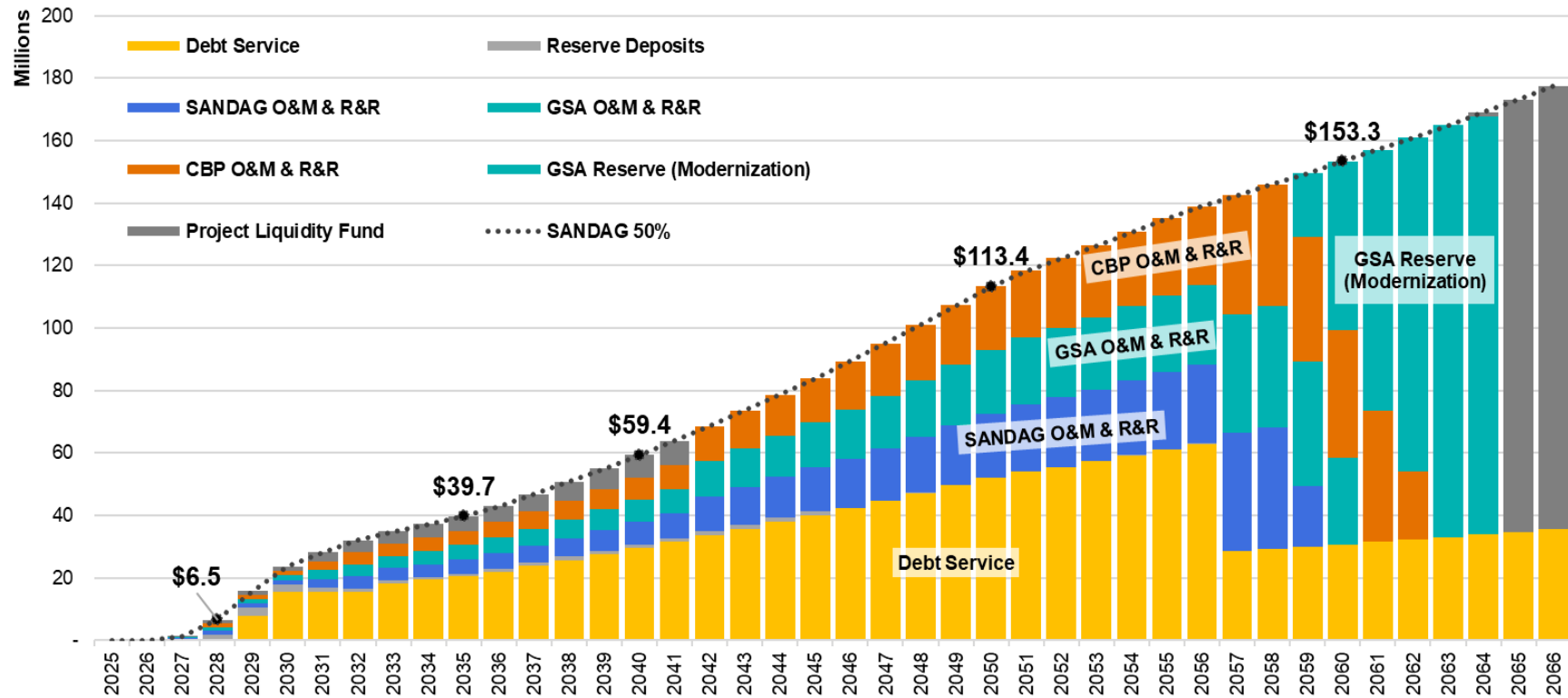
Based on the forecasted revenues, the Project Liquidity Reserve reaches approximately \$60 million in 2041. Similar amounts are accrued to SANDAG, GSA and CBP by 2041 under the equal sharing structure. After the Project Liquidity Reserve is fully funded, Residual Revenues are shared equally across the three partners to fund each party's respective O&M and R&R cost up to their respective maximum funding cap. SANDAG reaches the defined cap of \$439 million in 2059. GSA reaches their defined cap of \$497 million in 2060 and CBP reaches their defined cap of \$564 million in 2062. GSA begins to accrue funds for building replacement and modernization in 2059 and accrues the cap of \$540 million for that purpose by 2064. Thereafter, there is \$281 million of additional revenue between 2064 and 2066.

CONCLUSION

It has been SANDAG's objective to deliver the SR 11/Otay Mesa East Project while also ensuring its long-term operations, maintenance and sustainability. The revenue sharing agreements with Mexico and the federal partners have been negotiated with that in mind while also trying to satisfy the requests of the parties in this transaction. Tolling O&M costs are shared with Mexico and first funded off the top. Net revenues are thereafter split in an equally (50/50) split to satisfy both partners on each side of the border. Net toll revenues available to SANDAG are then pledged to bond holders so that the capital funding requirements may be met and the Project delivered. Thereafter, the revenues are shared with the federal partners only as revenues become available as agreed upon in the Federal Project Agreement. Revenues must apply to Project costs in every year, satisfying statutory and legal requirements. As a result of the negotiations between Mexico and the federal partners, all toll revenues have been allocated within the defined flow of funds and the revenue sharing agreements through 2064.

¹ All amounts listed herein are estimates based on most recent forecasts.

APPENDIX: APPLICATION OF TOLL REVENUES (SANDAG'S 50% SHARE)





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Summary

- Project Background and Update
- Legislative Context
- Financial Plan
- Schedule Update
- Questions and Discussion

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Project Background and Update

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Background Key Milestones

Envisioned as a "self help" and "revenue neutral" project

- Innovative financing to fund capital build to meet regional need
- Toll revenues to leverage state and federal dollars and manage demand

1998 – Region signed MOU to create the Otay Mesa–Mesa de Otay Binational Corridor

- Goal to facilitate cross border travel

2006 – SANDAG released a study on economic impacts of border wait times

- Severe economic impacts

2008 – GSA Feasibility Study emphasized need for OME even with planned improvements at Existing Otay Mesa

- Toll Authority Legislation and US Presidential permit issued

2011 – SANDAG Signed MOU with US Federal Government

2012 – Completed Environmental Document

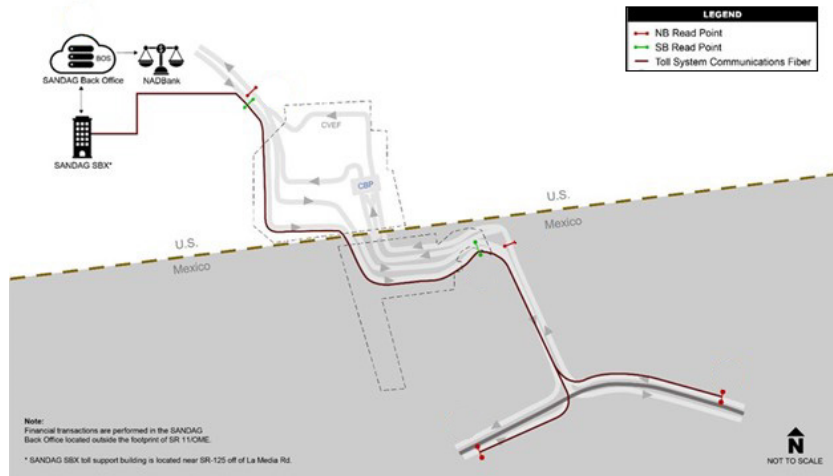
2018 – New US Presidential Permit issued

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Background

Unique Binational Tolling Structure

- SANDAG is toll authority and collects tolls for northbound and southbound traffic
- Dynamic toll to manage demand and provide average 20-30-minute wait time goal.
- Toll Allocation Agreement splits revenue equitably between US and Mexico
- NADBank serves as Custodian of funds

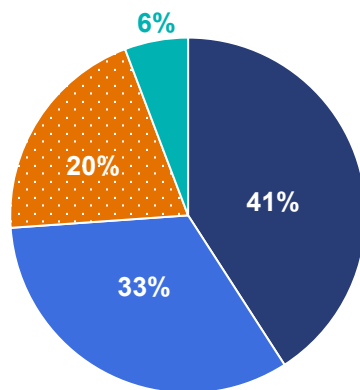


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Background

Toll Financing Augments Significant State and Federal Funding

State Route 11/Otay Mesa East Port of Entry
Funding Categories



| Fund Category | Dollars (Millions) |
|----------------|--------------------|
| Federal | \$545.2 |
| State | \$440.3 |
| Local | \$76.9 |
| Bonds (Future) | \$271.3 |
| Total | \$1,333.7 |

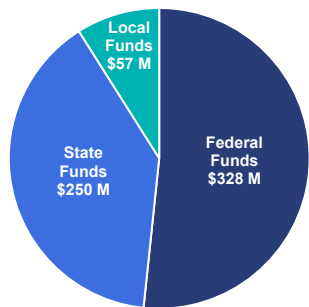
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Background

Project Financial Plan for Construction

Currently Funded

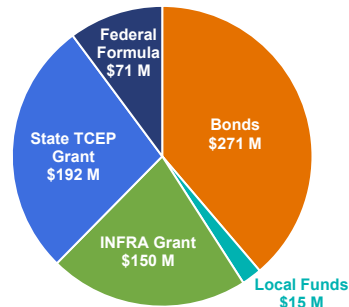
- Right-of-way Acquisition
- SR-11/SR-905/SR-125 Connectors
- State Route 11



Total Funded to Date: **\$635 M**

Future Funding Needs

- Otay Mesa East Port of Entry (POE)
- Intelligent Transportation System (ITS) and Tolling
- CHP/FMCSA Commercial Vehicle Enforcement Facility (CVEF)



Total Capital Funding Need: **\$699 M**

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Federal Negotiations Overview

GSA and CBP are requiring project Sponsors to pay for all Operations and Maintenance and Modernization costs

April 2022

Weekly meetings began between GSA, CBP, SANDAG, and Caltrans

July 2023

Agreement to complete 30% design executed

January 2024

SANDAG submits draft Federal Project Agreement to GSA/CBP

April 2024

Project Sponsors complete 30% design package and provide to CBP and GSA

Fall 2024

Current challenges: responsibility for certain costs; progressing to construction

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Legislative Context

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Legislative Context

**Otay Mesa East Toll Facility Act (SB 1486 (2008, Ducheny);
SB 985 (2022, Hueso); AB 427 (2023, Alvarez)**

- Limits use of Toll Revenues to certain project cost in the SR 11 Corridor like:
 - Bonds
 - Tolling operations and administration
 - Federal costs (e.g., staffing, equipment, etc.)
 - Capital improvements (e.g., repair, expansion, increasing transit and non-motorized options in the Corridor)
 - Cooperative tolling arrangements with Mexico

California Constitutional Limitations

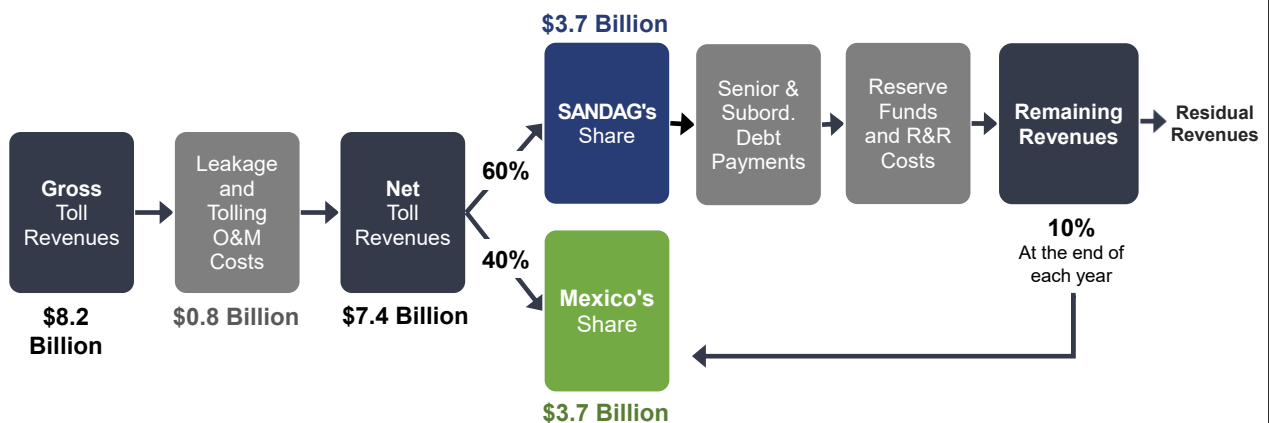
U.S. Federal Limitations

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Financial Plan

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Flow of Toll Revenues Funds*



* Chart reflects Modified 50/50
Pure 50/50 effective appx. year 10

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Federal Requests

Capital & Outfitting



Operations & Maintenance (O&M) and Repair & Replace (R&R)



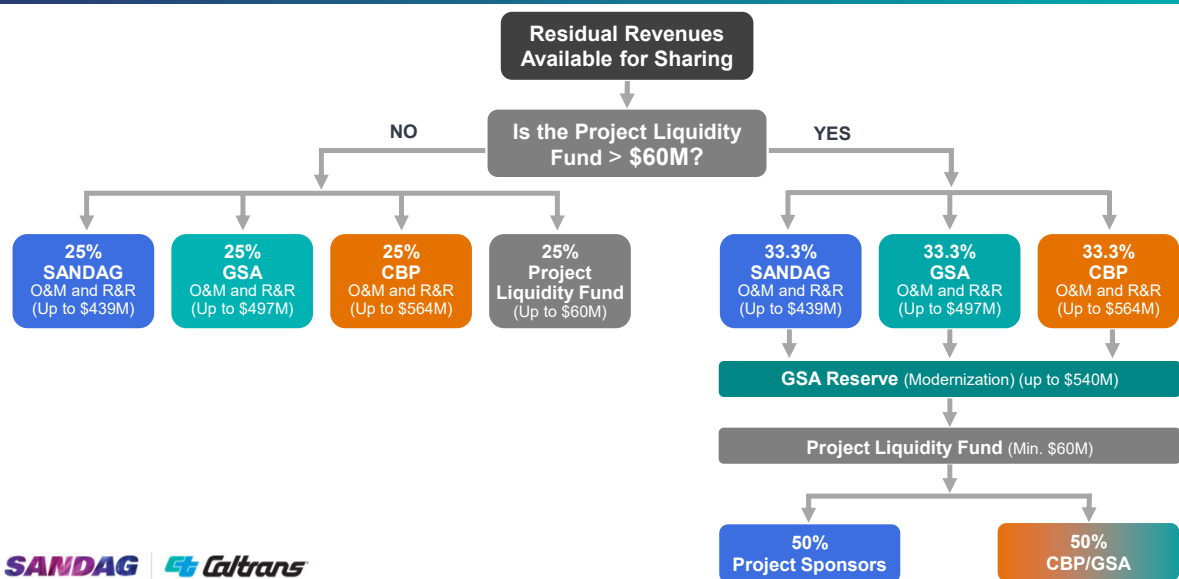
Modernization



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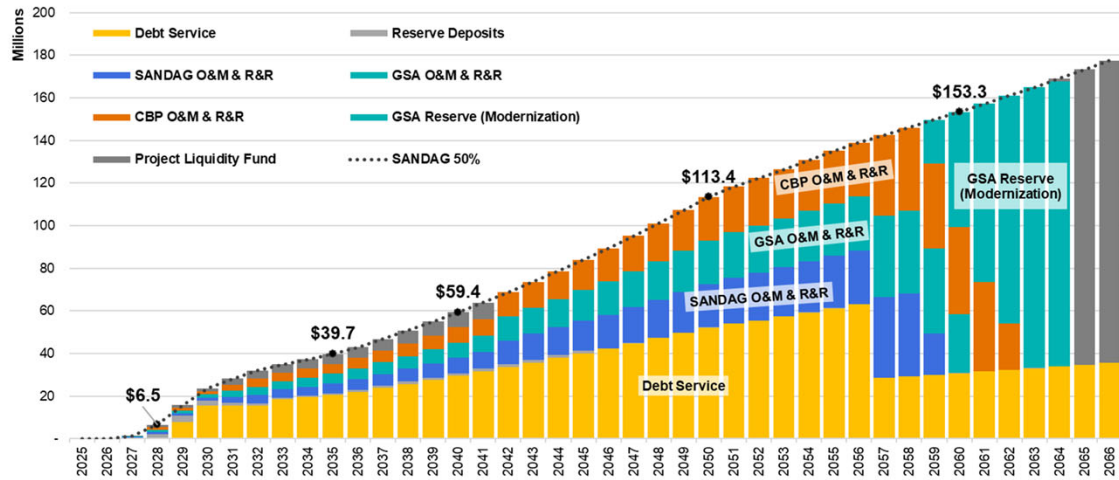
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Proposed Revenue Sharing Structure



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Application of Toll Revenues



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Schedule Update and Next Steps

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DRAFT Project Delivery Schedule



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Questions & Discussion

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