



Board of Directors Agenda

Friday, May 13, 2022
9 a.m.

Welcome to SANDAG. The Board of Directors meeting scheduled for Friday, May 13, 2022, will be a teleconferenced/hybrid meeting in accordance with the provisions of AB 361 and Resolution RTC-2022-11.

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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.

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SANDAG

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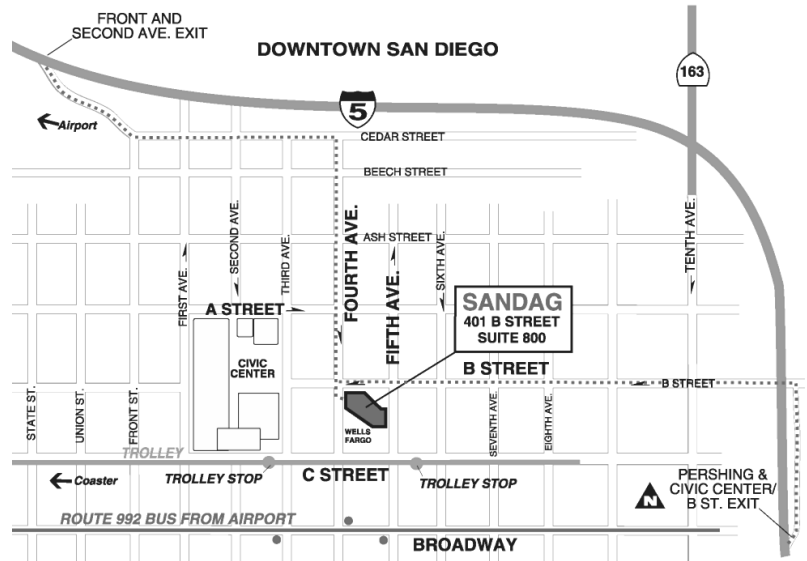
Vision Statement: *Pursuing a brighter future for all*

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.



SANDAG
Board of Directors
 Friday, May 13, 2022

Item No.		Action
1.	<p>Public Comments/Communications</p> <p>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 this 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. Subjects of previous agenda items may not again be addressed under public comments.</p>	
2.	<p>Chief Executive Officer’s Report <i>Hasan Ikhata, SANDAG</i></p> <p>Chief Executive Officer Ikhata will present an update on key programs, projects, and agency initiatives.</p>	Discussion
Consent		
+3.	<p>Approval Of Meeting Minutes <i>Francesca Webb, SANDAG</i></p> <p>The Board of Directors is asked to approve the minutes from its April 22, 2022, meeting.</p>	Approve
+4.	<p>Continuation of Teleconferenced/Hybrid Meetings* <i>Melissa Coffelt, SANDAG</i></p> <p>The Board of Directors, acting as the Regional Transportation Commission, is asked to adopt Regional Transportation Commission (RTC) Resolution No. RTC-2022-13, making a determination of the need for continuation of teleconferenced/hybrid public meetings to ensure the health and safety of attendees.</p>	Adopt
+5.	<p>California Active Transportation Program Cycle 6: Regional Call for Projects <i>Jenny Russo, SANDAG</i></p> <p>The Board of Directors is asked to adopt Resolution No. 2022-19, certifying the submission of the proposed Scoring Criteria to the California Transportation Commission for use in the Cycle 6 Regional Active Transportation Program competition.</p>	Adopt

+6. **TransNet Smart Growth Incentive Program Funding Recommendations*** Approve
Jenny Russo and Tracy Ferchaw, SANDAG

The Regional Planning Committee recommends that the Board of Directors approve the funding recommendations for the Cycle 5 TransNet Smart Growth Incentive Program.

+7. **Policy Advisory Committee Actions** Approve
Francesca Webb, SANDAG

The Board of Directors is asked to ratify the actions taken by the Policy Advisory Committees since the last Board meeting.

Reports

+8. **Central Mobility Hub: A Regional Transit Connection to the Airport**
Ryan Kohut, SANDAG

+8A. **Central Mobility Hub: A Regional Transit Connection to the Airport** Information

Staff will provide an update on the Central Mobility Hub Program.

+8B. **Proposed FY 2022 Program Budget Amendment: Central Mobility Hub** Approve

The Board of Directors is asked to approve an amendment to the FY 2022 Program Budget accepting \$2.92 million of Cy Pres Residue funds to support development of feasibility, environmental, and planning studies improving access to the San Diego Airport's Consolidated Rental Car Center in connection with the Central Mobility Hub project (Capital Improvement Project No. 1149000).

+9. **Regional Equitable Housing Subcommittee** Information
Supervisor Terra Lawson-Remer

Supervisor Lawson-Remer will present an overview of the Regional Equitable Housing Subcommittee's workplan as well as an update on the development of legislation to create a Regional Housing Finance Authority.

10. **Member Comments**

Board members shall have the opportunity to provide information and announcements on any issue within the jurisdiction of SANDAG that is not on this agenda. Subjects of previous agenda items may not again be addressed under member comments.

11. Upcoming Meetings

The Board of Directors is scheduled to participate in a Board Workshop on Thursday, May 26, 2022, at 8 a.m. The next regular Board meeting is scheduled for Friday, May 27, 2022, at 9 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

April 22, 2022, Board of Directors Meeting Minutes

Chair Catherine Blakespear (City of Encinitas) called the meeting of the Board of Directors to order at 9 a.m.

Action: Approve

The Board of Directors is asked to approve the minutes from its April 22, 2022, meeting.

1. Public Comments/Communications

Douglas Shultz, member of the public, spoke regarding a sound wall in Encinitas.

Tim Bilash, member of the public, spoke in support of SANDAG.

Kathryn Rhodes, member of the public, spoke regarding Central Mobility Hub and airport connectivity planning.

Alex Wong, member of the public, spoke regarding airport connectivity.

John Stahl, member of the public, spoke regarding Del Mar Bluffs stabilization and safety measures.

Additional public comments were continued to the end of the agenda.

2. Chief Executive Officer's Report (Discussion)

Chief Executive Officer (CEO) Hasan Ikhata provided an update on key programs, projects, and agency initiatives.

There were no public comments on this item.

Action: Discussion only.

3. SR 125 Revenue Update (Discussion)

Independent Performance Auditor Mary Khoshmashrab, Deputy CEO Ray Major, and Chief Financial Officer (CFO) Andre Douzdjian provided an update on actions taken in response to potentially lost SR 125 revenues as reported in the Office of the Independent Auditor's Fraud, Waste, and Abuse 3rd Quarter report.

Dr. Tim Bilash, member of the public, spoke regarding transit infrastructure.

Mike Bullock, member of the public, spoke regarding system and infrastructure improvements.

Action: Discussion only.

Reports¹

7. Continuation of Teleconferenced/Hybrid Meetings (Discussion/Possible Action)

Director of Organization Effectiveness Melissa Coffelt presented the item.

Kathryn Rhodes, member of the public, spoke in support of hybrid meetings.

¹ These items were taken out of order

Mary Davis, member of the public, spoke in opposition to virtual meetings.

Action: Upon a motion by Councilmember Terry Gaasterland (City of Del Mar), and a second by Mayor Lesa Heebner (City of Solana Beach), the Board of Directors, also acting as the Regional Transportation Commission (RTC), voted to adopt RTC Resolution No. RTC-2022-11 to allow teleconference or hybrid meeting attendance by members of SANDAG's legislative bodies.

The motion passed.

Yes: Second Vice Chair Alejandra Sotelo-Solis (City of National City), Mayor Matt Hall (City of Carlsbad), Councilmember Gaasterland, Mayor Bill Wells (City of El Cajon), Vice Mayor Jack Shu (City of La Mesa), Mayor Racquel Vasquez (City of Lemon Grove), Councilmember Marni von Wilpert (City of San Diego), Mayor Heebner, and Mayor Judy Ritter (City of Vista).

No: Chair Blakespear, Mayor Mary Salas (City of Chula Vista), Mayor Richard Bailey (City of Coronado), Mayor Serge Dedina (City of Imperial Beach), Councilmember Christopher Rodriguez (City of Oceanside), Mayor Rebecca Jones (City of San Marcos), and Mayor John Minto (City of Santee).

Abstain: None.

Absent: County of San Diego, City of Escondido, and City of Poway.

5. Revised FY 2022 Apportionment and FY 2023 TransNet Program and Transit-Related Revenues (Approve)

Ariana zur Nieden and Senior Economist Jim Miller presented the item.

Mike Bullock spoke in support of the item.

Action: Upon a motion by Chair Blakespear, and a second by Mayor Minto, the Board of Directors voted to approve the revised FY 2022 apportionment and revised FY 2023 estimates for Transportation Development Act and TransNet funds .

The motion passed.

Yes: Chair Blakespear, Vice Chair Todd Gloria (City of San Diego), Mayor Hall, Councilmember Gaasterland, Mayor Dedina, Mayor Vasquez, Vice Mayor Shu, Councilmember Rodriguez, Mayor Jones, Mayor Minto, Mayor Heebner, and Mayor Ritter.

No: None.

Abstain: None.

Absent: County of San Diego, City of El Cajon, City of Escondido, City of National City, and City of Poway.

Consent²

8. Approval of Meeting Minutes (Approve)

The Board of Directors was asked to approve the minutes from its March 25, 2022, meeting.

There were no public comments on this item.

² These items were taken out of order

9. FY 2021 TransNet Extension Ordinance Funding Eligibility Request (Approve)

The Transportation Committee recommended that the Board of Directors, acting as the San Diego County Regional Transportation Commission, approve the TransNet funding eligibility requests of the North County Transit District, City of San Marcos, and City of Del Mar.

There were no public comments on this item.

10. Approval of Proposed Solicitations and Contract Awards (Approve)

The Board of Directors was asked to authorize the Chief Executive Officer to:

1. Conduct a solicitation for on-call mobility technology planning and design services as detailed in this report; and
2. Award contracts to vendors for on-call sustainable communities consulting services.

There were no public comments on this item.

11. Policy Advisory Committee Actions (Approve)

The Board of Directors was asked to ratify the actions taken by the Policy Advisory Committees since the last Board meeting.

There were no public comments on this item.

12. Federal Transit Administration Section 5311 Program of Projects (Approve)

The Transportation Committee recommended that the Board of Directors approve the Federal Fiscal Year 2022/2023 apportionments of Federal Transit Administration Section 5311 Non-Urbanized Area Formula Program funds for the San Diego region.

There were no public comments on this item.

13. FY 2023 Transit Capital Improvement Program (Approve)

The Transportation Committee recommended that the Board of Directors:

1. Approve the submittal of Federal Transit Administration grant applications for the San Diego region; and
2. Adopt Regional Transportation Commission Resolution RTC 2022-10, approving Amendment No. 11 to the 2021 Regional Transportation Improvement Program.

There were no public comments on this item.

14. Bike Month 2022 (Adopt)

The Board of Directors was asked to adopt Resolution No. 2022-16 in support of May as Bike Month, and to encourage member agencies to approve similar proclamations and promote Bike Month activities encouraging individuals and organizations to GO by BIKE.

There were no public comments on this item.

15. Office of the Independent Auditor – Fraud, Waste, and Abuse Report 3rd Quarter Update (Information)

The Audit Committee recommended that the Board of Directors be provided the update on reported incidents on the Fraud, Waste, and Abuse Hotline for the quarter ending March 31, 2022.

Tim Bilash spoke regarding the purchase card audit.

16. Chief Executive Officer's Delegated Actions (Information)

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

There were no public comments on this item.

17. Meetings and Events Attended on Behalf of SANDAG (Information)

This report summarized external meetings and events attended by Board members on behalf of SANDAG.

There were no public comments on this item.

18. Criminal Justice Research and Clearinghouse Annual Update (Information)

This report provided an overview and update on the Criminal Justice Research and Clearinghouse activities.

There were no public comments on this item.

Action: Upon a motion by Mayor Minto and a second by Chair Blakespear, the Board of Directors voted to approve Consent Item Nos. 8 through 18.

The motion passed.

Yes: Chair Blakespear, Mayor Hall, Mayor Bailey, Councilmember Gaasterland, Mayor Dedina, Vice Mayor Shu, Mayor Vasquez, Councilmember Rodriguez, Councilmember Von Wilpert, Mayor Jones, Mayor Minto, Mayor Heebner, and Mayor Ritter.

No: None.

Abstain: None.

Absent: County of San Diego, City of El Cajon, City of Escondido, City of National City, and City of Poway.

19. Member Comments

None.

4. Otay Mesa East Port of Entry Project: Financial Strategy and Delivery Method Update (Discussion)

The Board of Directors was asked to discuss the Otay Mesa East Port of Entry Project financial strategy and alternative project delivery method.

Action: Discussion only.

5. Changes from Draft to Proposed Final FY 2023 Program Budget

This item was continued to a future meeting.

1. Public Comments (Continued)

Camilla Rang, member of the public, spoke regarding the Del Mar Bluffs.

Nicole Burgess, member of the public, spoke regarding climate stabilization.

Mike Maier, member of the public, spoke regarding the Del Mar Bluffs.

Mike Bullock spoke regarding climate stabilization and reduction of vehicle miles travelled.

Mary Davis spoke regarding the purchase card audit and SR 125 toll revenues.

Karen Lare spoke regarding the Del Mar Bluffs.

20. Upcoming Meetings

The next Board meeting is scheduled for May 13, 2022, at 9 a.m.

21. Adjournment

Second Vice Chair Sotelo-Solis adjourned the meeting at 12:23 p.m.

Confirmed Attendance – April 22, 2022, Board of Directors Meeting

Board of Directors	Title	Name	Attend
City of Carlsbad	Mayor	Matt Hall (Primary)	Yes
City of Chula Vista	Mayor	Mary Salas (Primary)	Yes
City of Coronado	Mayor	Richard Bailey (Primary)	Yes
County of San Diego	Supervisor	Terra Lawson-Remer (Primary)	No
County of San Diego	Supervisor	Joel Anderson (Primary)	No
City of Del Mar	Councilmember	Terry Gaasterland (Primary)	Yes
City of El Cajon	Mayor	Bill Wells (Primary)	Yes
City of Encinitas	Chair	Catherine Blakespear (Primary)	Yes
City of Escondido		Vacant	
City of Imperial Beach	Mayor	Serge Dedina (Primary)	Yes
City of La Mesa	Vice Mayor	Jack Shu (1st Alt)	Yes
City of Lemon Grove	Councilmember	Racquel Vasquez (Primary)	Yes
City of National City	Second Vice Chair	Alejandra Sotelo-Solis (Primary)	Yes
City of Oceanside	Councilmember	Christopher Rodriguez (Primary)	Yes
City of Poway	Mayor	Steve Vaus (Primary)	No
City of San Diego	Vice Chair	Todd Gloria (Primary)	Yes
City of San Diego	Councilmember	Sean Elo-Rivera (Primary)	Yes
City of San Marcos	Mayor	Rebecca Jones (Primary)	Yes
City of Santee	Mayor	John Minto (Primary)	Yes
City of Solana Beach	Councilmember	Lesa Heebner (Primary)	Yes
City of Vista	Mayor	Judy Ritter (Primary)	Yes
Caltrans		Gustavo Dallarda (1st Alt.)	Yes
Metropolitan Transit System	Councilmember	Paloma Aguirre (Primary)	No
North County Transit District	Councilmember	Jewel Edson (Primary)	Yes
Imperial County	Interim Director	David Aguirre (Primary)	No
U.S. Department of Defense		Dennis Keck (Primary)	Yes
Port of San Diego	President/CEO	Joe Stuyvesant (Primary)	Yes
San Diego County Water Authority	Councilmember	Mel Katz (Primary)	No
San Diego County Regional Airport Authority		Gil Cabrera (Primary)	No
Mexico	Consul General	Carlos González Gutiérrez (Primary)	Yes
SCTCA	Chair	Erica Pinto (Alternate)	Yes

Continuation of Teleconferenced/Hybrid Meetings

Overview

Assembly Bill 361 (AB 361) (Rivas, 2021) provides legislative bodies of local agencies—including the SANDAG Board of Directors (Board), Policy Advisory Committees (PACs), and working groups that report to the Board—the opportunity to continue teleconferenced public meetings, including hybrid options, if certain conditions are met.

Background

Governor Newsom proclaimed a state of emergency in California on March 4, 2020, due to the COVID-19 pandemic. While many of the COVID-19 related Executive Orders have been rescinded or are scheduled to be rescinded in the coming months, provisions remain in place to ensure that workplace safety standards remain aligned with current public health guidance, and to provide flexibility to state and local agencies while the state of emergency remains in effect. AB 361 enables governing bodies to make a determination, via a majority vote of the governing body, about the safety of holding in-person meetings when a state of emergency exists. The Board made such a determination each month between September 2021 and March 2022; the most recent determination was made on April 22, 2022.

Adoption of Resolution No. RTC-2022-13 would allow the option for all SANDAG's legislative bodies to meet virtually—including hybrid participation for members. Adoption of the resolution would be based on the continued state of emergency arising from the COVID-19 pandemic and the Board's findings that meeting in person would create an imminent risk to the health or safety of participants due to the pandemic.

Regardless of whether the resolution is adopted with regard to members of SANDAG's legislative bodies, absent contrary direction from the Board, staff intends to continue to facilitate both in-person and remote public participation in SANDAG's meetings. No findings are necessary to allow remote public participation.

Action: **Adopt**

The Board of Directors, acting as the Regional Transportation Commission, is asked to adopt Regional Transportation Commission (RTC) Resolution No. RTC-2022-13, making a determination of the need for continuation of teleconferenced/hybrid public meetings to ensure the health and safety of attendees.

Fiscal Impact:

None.

Schedule/Scope Impact:

If Resolution No. RTC-2022-13 is approved, meetings of the Board of Directors, Policy Advisory Committees, and working groups would continue per their usual meeting schedules.

Next Steps

Should Resolution No. RTC-2022-13 be adopted, meetings of the Board, PACs, and working groups could, at the discretion of the Board Chair, be conducted virtually with the option for hybrid participation for up to another 30 days. Should the Resolution not be adopted, upon expiration on May 22, of the previously-adopted Resolution No. RTC-2022-11, all meetings of these groups would be held per the normal provisions of the Brown Act. Regardless of the action taken today, should the Board wish to consider the issue of teleconferenced/hybrid public meetings at any point in the future, an item may be included on an upcoming agenda.

Hasan Ikhata, Chief Executive Officer

Key Staff Contact: Melissa Coffelt, (619) 699-1955, melissa.coffelt@sandag.org

- Attachment: 1. Resolution No. RTC-2022-13: A Resolution of the SANDAG Board of Directors Authorizing Remote Teleconferenced/Hybrid Meetings of the Legislative Bodies of SANDAG



San Diego, CA 92101
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sandag.org

Regional Transportation Commission
Resolution No. RTC-2022-13

A Resolution of the SANDAG Board of Directors Authorizing Remote Teleconferenced/Hybrid Meetings of the Legislative Bodies of SANDAG

WHEREAS, the San Diego Association of Governments (SANDAG) is committed to preserving and nurturing public access and participation in meetings of the Board of Directors, as well as SANDAG Policy Advisory Committees and working groups; and

WHEREAS, the Board also acts as the San Diego County Transportation Commission and provides oversight of SANDAG committees and working groups; and

WHEREAS, all meetings of SANDAG's legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code Sections 54950 – 54963), so that any member of the public may attend, participate, and watch SANDAG's legislative bodies conduct their business; and

WHEREAS, Assembly Bill 361 (AB 361), which was signed into law on September 16, 2021, amended Government Code section 54953, and thereby makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3) (including the requirement that all teleconference meeting locations be open to the public), subject to the existence of specified conditions; and

WHEREAS, the Board previously adopted Resolution Number RTC-022-11 on April 22, 2022, finding that the requisite conditions exist for the legislative bodies of SANDAG to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in section 54953(e), the Board must reconsider the circumstances of the state of emergency that exists, and the Board of Directors has done so; and

WHEREAS, emergency conditions persist in San Diego County, specifically, a state of emergency has been declared by the Governor on March 4, 2020, pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and is still in effect; and

WHEREAS, federal, state, and local officials continue to recommend measures to limit the transmission of COVID-19, including social distancing under certain circumstances or for certain populations, including, but not limited to, persons who have COVID-19, persons who have recently been in close contact with a person who has COVID-19, and persons in high-risk groups; and

WHEREAS, the San Diego County Health Officer Order (effective June 15, 2021) has directed all governmental entities in the County to take necessary measures within the governmental entity's control to ensure compliance with State and local laws, regulations, and orders related to the control of COVID-19; and

WHEREAS, the San Diego County Health Officer has recommended the use of teleconferencing as an effective social distancing measure to facilitate participation in public affairs and encourage meeting attendees to protect themselves and others from COVID-19; and

WHEREAS, SANDAG has taken the following measures to ensure public access to SANDAG's Board, Policy Advisory Committee, and working group meetings:

- Written public comments may be submitted to SANDAG, and
- A live public participation option is provided to the public and detailed on the cover page of each meeting agenda package.

NOW THEREFORE, THE BOARD, ALSO ACTING AS THE SAN DIEGO COUNTY REGIONAL TRANSPORTATION COMMISSION, DOES HEREBY FIND AND RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Existing Conditions. The state of emergency has caused, and will continue to cause, conditions of peril to the safety of persons within San Diego County that are likely to be beyond the control of services, personnel, equipment, and facilities of SANDAG.

Section 3. Imminent Risk to Attendees. Due to the perils presented by the COVID-19 pandemic, requiring in-person only participation by all members of SANDAG's legislative bodies would present imminent risks to the health or safety of attendees.

Section 4. Continuation of Teleconference Meetings. As a consequence of the local emergency, the legislative bodies of SANDAG may conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953 of the Government Code.

Section 5. Conduct of Teleconference Meetings. The SANDAG Chief Executive Officer and his designee(s) and all legislative bodies of SANDAG are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, in the discretion of the Chair of the SANDAG Board of Directors, conducting open and public teleconferenced meetings, including hybrid options for members and the public, in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 6. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of June 12, 2022, or such time as the Board adopts a subsequent finding in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of SANDAG may continue to conduct teleconferenced public meetings without compliance with paragraph (3) of subdivision (b) of section 54953 of the Government Code.

PASSED, APPROVED, AND ADOPTED at the meeting of the Board of Directors this 13th day of May, 2022.

Ayes

Noes

Absent

**Chair of the Board of Directors
of the San Diego County Regional
Transportation Commission**

[Seal]

Attest

**Secretary of the Board of Directors of the
San Diego County Regional
Transportation Commission**

California Active Transportation Program Cycle 6: Regional Call for Projects

Overview

The California Active Transportation Program (ATP) is a competitive funding program administered jointly by the California Transportation Commission (CTC) and Caltrans to fund projects that encourage active modes of transportation. The competition will be held in two stages, beginning with the statewide competition that opened in March, followed by the San Diego regional competition opening in July. This report provides an overview of the regional component of the ATP, including the role of SANDAG, and next steps in the process.

Key Considerations

Active Transportation Program Funding Distribution and Available Funding

State and federal law separate the ATP into multiple, overlapping components.

Approximately \$650 million has been budgeted for the 2023 ATP over four years, beginning with FY 2023-2024. ATP funds are distributed through three separate competitive programs:

1. **Small Urban/Rural Component:** 10% of ATP funds (\$65 million in total, or approximately \$16.25 million per year) are distributed to small, urban and rural areas with populations of 200,000 or less via a competitive process jointly administered by the CTC and Caltrans. This portion of the ATP is not applicable to the San Diego region since the region's population is greater than 200,000.
2. **Statewide Component:** 50% of ATP funds (\$325 million, or approximately \$81.25 million per year) are distributed to projects competitively awarded by the CTC on a statewide basis.
3. **Regional Component:** 40% of ATP funds (\$260 million, or approximately \$65 million per year) are distributed to Metropolitan Planning Organizations (MPOs) in urban areas with populations greater than 200,000. The CTC distributes these funds based on the total MPO population. The funds allocated under this portion of the ATP must be selected through a competitive process facilitated by the MPOs. SANDAG is the administrator for the San Diego regional ATP competition. The estimated funding available for the San Diego region is \$23.6 million total, or approximately \$5.9 million per year. Projects not selected for funding in the statewide component must be considered in the regional component.

Action: **Adopt**

The Board of Directors is asked to adopt Resolution No. 2022-19, certifying the submission of the proposed Scoring Criteria to the California Transportation Commission for use in the Cycle 6 Regional Active Transportation Program competition.

Fiscal Impact:

Pending the results of the regional competition, approximately \$23.6 million in state and federal funding will be provided to active transportation projects in the San Diego region.

Schedule/Scope Impact:

Funding would be available for selected projects between FY 2024 and FY 2027.

A minimum of 25% of the funds distributed by each of the three components must benefit disadvantaged communities.

Eligible Applicants

Local, regional, and state agencies are eligible to apply for both the statewide and regional competitive programs. Examples include but are not limited to cities, counties, MPOs, and Regional Transportation Planning Agencies. Other eligible applicants include Caltrans, transit agencies, natural resources or public land agencies, public schools or school districts, tribal governments, and private nonprofit tax-exempt organizations.

Regional Competition Guidance and Selection Criteria

The [CTC Guidelines](#) allow an MPO, with CTC approval, to use different project selection criteria or weighting, minimum project size, match requirement, or definition of disadvantaged community for its competitive selection process. For the past five cycles of the ATP, the Board of Directors has approved using the project selection criteria from the most recent TransNet Active Transportation Grant Program (ATGP) as the basis for the San Diego regional ATP competition. The last cycle of the ATGP was conducted in 2018 and those criteria and weighting, adopted by the Board in December 2017, were used as the foundation for the 2023 San Diego regional ATP. Adjustments have been made to add criteria required by the CTC and change the weighting of some of the ATGP criteria to accommodate the additional points needed for the CTC criteria. A comparison of the evaluation criteria and weighting for the Regional ATP and TransNet ATGP is included in Attachment 1.

Staff proposes updating the Call for Projects for the 2023 San Diego regional ATP to incorporate changes made to the 2023 ATP Guidelines by the CTC, as well as adjustments as a result of the last cycle of the ATP. A summary of the changes proposed to be made to the 2023 San Diego Regional ATP Call for Projects are outlined in Attachment 2. The proposed scoring criteria and weighting are included in Attachment 3.

Next Steps

Pending action by the Board of Directors, staff will submit the proposed 2023 San Diego Regional ATP Call for Projects to the CTC. The San Diego regional competition would be opened following CTC approval of the proposed Call for Projects at its June 29-30, 2022, meeting.

Susan Huntington, Director of Financial Programming, Budgets, and Grants

Key Staff Contacts: Jenny Russo, (619) 699-7314, jenny.russo@sandag.org

Tracy Ferchaw, (619) 699-1977, tracy.ferchaw@sandag.org

- Attachments:
1. Comparison of Evaluation Criteria and Weighting for Regional Active Transportation Program and TransNet Active Transportation Grant Program
 2. Summary of Proposed Changes to the 2023 San Diego Regional Active Transportation Program Call for Projects
 3. Proposed Scoring Criteria and Weighting
 4. Resolution No. 2022-19: 2023 San Diego Regional Active Transportation Program Call for Projects

**Comparison of Evaluation Criteria and Weighting for Regional Active
Transportation Program and TransNet Active Transportation Grant Program**

INFRASTRUCTURE PROJECTS				
CTC Req.	No.	CATEGORY	MAXIMUM POINTS POSSIBLE	
			Regional ATP	TransNet ATGP
	1.	DEMAND ANALYSIS	Up to 14	Up to 15
	2.	PROJECT CONNECTIONS		
	A.	Regional Bicycle Network	Up to 8	Up to 8
	B.	Existing or Programmed Transit	Up to 12	Up to 12
	C.	Completes Connection in Local Bicycle Network	Up to 10	Up to 8
	D.	Existing Pedestrian Network	Up to 10	Up to 8
	3.	SAFETY AND QUALITY OF PROJECT		
	A.	Safety and Access Improvements	Up to 18	Up to 12
	B.	Impact and Effectiveness of Proposed Bicycle, Pedestrian, and/or Traffic Calming Measures	Up to 18	Up to 15
	C.	Alignment with ATP Goals	Up to 18	Up to 18
	D.	Innovation	Up to 12	Up to 8
	4.	SUPPORTIVE POLICIES AND PROGRAMS		
	A.	Complementary Programs	Up to 6	Up to 3
	B.	Climate Action Plan and Complete Streets Policies	Up to 2	Up to 2
	B.	Greenhouse Gas (GHG) Emission Reductions	Up to 8	Up to 8
	5.	PROJECT READINESS/COMPLETION OF MAJOR MILESTONES	Up to 20	Up to 20
	6.	PUBLIC HEALTH	Up to 10	N/A
X	7.	USE OF CALIFORNIA CONSERVATION CORPS OR A QUALIFIED COMMUNITY CONSERVATION CORPS	Up to 6	N/A
X	8.	BENEFIT TO DISADVANTAGED COMMUNITY	Up to 10	N/A
	9.	MATCHING FUNDS	Up to 8	Up to 7
	10.	COST EFFECTIVENESS	Up to 10	Up to 6
	11.	REGIONAL HOUSING NEEDS ASSESSMENT (SANDAG Board Policy No. 033)*	N/A	Up to 50
		TOTAL POINTS	200	200

* The criteria for the Regional Housing Needs Assessment was not included in the Regional ATP criteria per paragraph 2.4 that states funds that can be allocated to entities other than local jurisdictions are not subject to the provisions of SANDAG Board Policy No. 033.

NON-INFRASTRUCTURE PROJECTS						
CTC Req.	No.	CATEGORY	MAXIMUM POINTS POSSIBLE			
			Regional ATP		TransNet ATGP	
			PLANS	NON- INFR	PLANS	EEA
	1.	DEMAND ANALYSIS	Up to 28	N/A	Up to 2	N/A
	2.	ALIGNMENT WITH ATP GOALS	Up to 30	Up to 30	Up to 30	Up to 20
	3.	COMPREHENSIVENESS AND GREENHOUSE GAS EMISSION REDUCTIONS				
	A.	Comprehensiveness	Up to 30	Up to 30	Up to 15	Up to 15
	B.	Climate Action Plan and Complete Streets Policies	Up to 2	Up to 2	Up to 2	Up to 2
	C.	Greenhouse Gas Emission Reductions	Up to 8	Up to 8	Up to 8	Up to 8
	4.	METHODOLOGY	Up to 30	Up to 30	Up to 30	Up to 30
	5.	COMMUNITY SUPPORT	Up to 15	Up to 15	Up to 15	Up to 15
	6.	EVALUATION	N/A	Up to 20	N/A	Up to 20
	7.	INNOVATION	N/A	Up to 15	N/A	Up to 10
	8.	PUBLIC HEALTH	Up to 15	Up to 15	N/A	N/A
X	9.	USE OF CALIFORNIA CONSERVATION CORPS OR A QUALIFIED COMMUNITY CONSERVATION CORPS	N/A	Up to 5	N/A	N/A
X	10.	BENEFIT TO DISADVANTAGED COMMUNITY	Up to 20	Up to 10	N/A	N/A
	11.	MATCHING FUNDS	Up to 10	Up to 10	Up to 20	Up to 20
	12.	COST EFFECTIVENESS	Up to 12	Up to 10	Up to 10	Up to 10
	13.	REGIONAL HOUSING NEEDS ASSESSMENT (SANDAG Board Policy No. 033)*	N/A	N/A	Up to 50	Up to 50
		TOTAL POINTS	200	200	200	200

* The criteria for the Regional Housing Needs Assessment was not included in the Regional ATP criteria per paragraph 2.4 that states funds that can be allocated to entities other than local jurisdictions are not subject to the provisions of SANDAG Board Policy No. 033.

**Summary of Proposed Changes
to the 2023 San Diego Regional Active Transportation Program Call for Projects**

- Projects within 500 feet of a freeway or roadway with traffic volume over 125,00 average daily traffic must include a description of any project design elements intended to minimize exposure to air pollution and an explanation of circumstances that make locating the project components in close proximity to heavily travelled freeways or roadways unavoidable or an explanation of why the location was chosen.
- Identification of disadvantaged community to include projects submitted by Federally Recognized Native American Tribes or projects submitted by Tribal Governments.
- The Community Description was expanded to require applicants to include how the project will benefit the non-motorized users of all ages and varying abilities. For Safe Route to school projects, applicants must describe the benefit to include children, parents, care givers, teachers and faculty.
- For transformative projects, language was added to require applicants to include how the project increases active local transportation and Land Use Pro-Housing Designation Program efforts.
- A performance measure for Non-infrastructure (NI) projects was added to require applicants to include the knowledge increase that will result as a result of the project and how the program will be sustained after completion.
- Applicants must describe strategies used to address engagement challenges due to COVID-19 pandemic in their public participation process.

I. Infrastructure Scoring Criteria

Infrastructure projects will be scored based on how well the applicant responses meet the Infrastructure Scoring Criteria, below. Points calculated by SANDAG's Department of Data Science or Grants staff are marked with an asterisk (*).

No.	CRITERIA	POINTS POSSIBLE
1.*	DEMAND ANALYSIS	
	Factors contributing to score: population and employment, population and employment densities, intersection density, vehicle ownership, and activity centers.	Up to 14
2.	PROJECT CONNECTIONS	
A.*	Regional Bicycle Network: Will the project build or connect to the existing or planned Regional Bicycle Network?	Up to 8
B.*	Existing or Programmed Transit: <ul style="list-style-type: none"> Bicycle improvement within 1.5 miles of a regional transit station (6 points) Pedestrian improvement within 0.25 mile of a local transit stop (2 points) Pedestrian improvement directly connects to a local transit stop (4 points) Pedestrian improvement within 0.5 mile of a regional transit station (4 points) Pedestrian improvement directly connects to a regional transit station (6 points) 	Up to 12
C.	Existing Bicycle Network: How well will the project close a gap between existing bicycle facilities?	Up to 10
D.	Existing Pedestrian Network: How well will the project close a gap in the existing pedestrian network?	Up to 10
3.	SAFETY AND QUALITY OF PROJECT	
A.	Safety and Access Improvements: How well the project will: <ul style="list-style-type: none"> increase bicycle or pedestrian trips at a location with documented safety hazards or accident history within the last seven years? create access or overcome barriers in an area where hazardous conditions prohibit safe access for bicyclists and pedestrians? create a new or safer crossing for bicyclists and/or pedestrians across heavy or light rail? 	Up to 18
B.	Impact and Effectiveness of Proposed Bicycle, Pedestrian, and/or Traffic Calming Measures: How well will the proposed traffic calming devices, pedestrian improvements, and/or bicycle improvements address the identified need in the project area? Are the proposed solutions appropriate for the situation?	Up to 18
C.	Alignment with ATP Goals: How well does the project align with the ATP goals?	Up to 18
D.	Innovation: Is this project a Federal Highway Administration or state experimentation effort? Does the project propose innovative solutions that are new to the region/city? Does the project leverage advanced technologies?	Up to 12
4.	SUPPORTIVE POLICIES AND PROGRAMS	
A.	Complementary Programs: Are capital improvements accompanied by supportive programs such as an awareness campaign, education efforts, and/or increased enforcement?	Up to 6
B.	Greenhouse Gas (GHG) Emission Reductions: How well will the proposed effort directly reduce greenhouse gas emissions such as	Up to 10

	through implementation of a Climate Action Plan, complete streets policy, parking strategies, advanced technologies, or other strategies?	
5.	PROJECT READINESS/COMPLETION OF MAJOR MILESTONES	
	<ul style="list-style-type: none"> • Neighborhood-level plan, corridor study, or community active transportation strategy. (2 points) • Environmental clearance (CEQA and NEPA) (4 points) • Completed right-of-way acquisition (4 points) • Progress toward obtaining final design (Up to 10 points) 	Up to 20
6.	PUBLIC HEALTH	
	Does the project improve public health by targeting populations with high risk factors for obesity, physical inactivity, asthma, or other health issues?	Up to 10
7.	USE OF CALIFORNIA CONSERVATION CORPS OR A QUALIFIED COMMUNITY CONSERVATION CORPS	
	Did the applicant seek California Conservation Corps or a qualified Community Conservation Corps for participation on the project? Does the applicant intend not to utilize a corps in a project in which the corps can participate?	Up to 6
8.	BENEFIT TO DISADVANTAGED COMMUNITY	
	Does the project benefit a Disadvantaged Community?	Up to 10
9.*	MATCHING FUNDS	
	Points for matching funds will be awarded based on a scale. The matching fund percentage is derived by comparing the total matching funds relative to the total project cost.	Up to 8
10.*	COST EFFECTIVENESS	
	Project grant request, divided by score in criteria 1 through 9, ranked relative to each other.	Up to 10
	Total	200

II. Non-Infrastructure Scoring Criteria

Non-Infrastructure projects will be scored based on how well the applicant responses meet the Non-Infrastructure Scoring Criteria below. Points calculated by the SANDAG Department of Data Science or Grants staff are marked with an asterisk (*).

No.	CRITERIA	POINTS POSSIBLE	
		PLANS	EEA
1*	Demand Analysis		
	Factors contributing to score: population and employment, population and employment densities, intersection density, vehicle ownership, and activity centers.	Up to 28	N/A
2.	Alignment with ATP Goals		
	How well does the proposed project align with the ATP goals?	Up to 30	Up to 30
3.	Comprehensiveness and Greenhouse Gas Emission Reductions		
A.	Comprehensiveness: How comprehensive is the proposed project, plan, or program? Does this effort accompany an existing or proposed capital improvement project?	Up to 30	Up to 30
B.	Greenhouse Gas Emission Reductions: Does the relevant local jurisdiction have an adopted Climate Action Plan (CAP)? How well will the proposed effort directly reduce greenhouse gas emissions such as through implementation of a CAP, parking strategies, advanced technologies, or other strategies?	Up to 10	Up to 10
4.	Methodology		
	How well will the planning process or proposed effort meet the demonstrated need and project goals?	Up to 30	Up to 30
5.	Community Support		
	Does the planning project include an inclusive process? Does the project involve broad segments of the community and does it have broad and meaningful community support?	Up to 15	Up to 15
6.	Project Effectiveness		
	How will the project evaluate its effectiveness?	N/A	Up to 20
7.	Innovation		
	Does the project propose solutions that show the potential to serve as a replicable model to the region/city?	N/A	Up to 15
8.	Public Health		
	Does the project improve public health by targeting populations with high risk factors for obesity, physical inactivity, asthma, or other health issues?	Up to 15	Up to 15
9.	Use of California Conservation Corps or a Qualified Community Conservation Corps		
	Did the applicant seek California Conservation Corps or a qualified Community Conservation Corps for participation on the project? Does the applicant intend not to utilize a corps in a project in which the corps can participate?	N/A	Up to 5
10.	Benefit to Disadvantaged Community		
	Does the project benefit a Disadvantaged Community?	Up to 20	Up to 10
11.*	Matching Funds		
	Points for matching funds are awarded based on a scale. The matching fund percentage is derived by comparing the total matching funds relative to the total project cost.	Up to 10	Up to 10
12.*	Cost Effectiveness		
	Total ATP funding request, divided by score in criteria 1 through 11, ranked relative to each other.	Up to 12	Up to 10
	TOTAL	200	200



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Resolution No. 2022-19

2023 San Diego Regional Active Transportation Program Call for Projects

WHEREAS, the Legislature and Governor of the State of California have provided funds for the Active Transportation Program (ATP) under Senate Bill 99, Chapter 359; Assembly Bill 101, Chapter 354; and Senate Bill 1 (SB 1); and

WHEREAS, the California Transportation Commission (CTC) has been delegated the responsibility for the administration of this grant program, and has established necessary procedures in its ATP Guidelines; and

WHEREAS, the CTC has required in its ATP Guidelines that Metropolitan Planning Organizations (MPOs) coordinate the competitive selection process to select projects to receive a portion of the ATP funding; and

WHEREAS, the ATP Guidelines allow MPOs to use a different project selection criteria or weighting, minimum project size, match requirement, or definition of disadvantaged community for their competitive selection process with CTC approval; and

WHEREAS, the San Diego Association of Governments (SANDAG), as the MPO for the San Diego region, has developed the 2023 San Diego Regional ATP Call for Projects that utilizes different project selection criteria and weighting and a definition of disadvantaged community to be consistent with its Regional Transportation Plan; and

WHEREAS, the CTC requires the Governing Body of the MPO to approve the proposed 2023 San Diego Regional ATP Call for Projects for submittal to the CTC; NOW THEREFORE

BE IT RESOLVED, that the SANDAG Board of Directors, acting as the MPO Governing Body, confirms that the 2023 San Diego Regional ATP Call for Projects is consistent with the ATP Guidelines established by the CTC, and hereby directs that the 2023 San Diego Regional ATP Call for Projects be submitted to the CTC for consideration.

PASSED AND ADOPTED this 13th of May 2022.

Attest:

 Chair

 Secretary

Member Agencies: Cities of Carlsbad, Chula Vista, Coronado, Del Mar, El Cajon, Encinitas, Escondido, Imperial Beach, La Mesa, Lemon Grove, National City, Oceanside, Poway, San Diego, San Marcos, Santee, Solana Beach, Vista, and County of San Diego.

Advisory Members: California Department of Transportation, Metropolitan Transit System, North County Transit District, Imperial County, U.S. Department of Defense, Port of San Diego, San Diego County Water Authority, Southern California Tribal Chairmen's Association, and Mexico.

TransNet Smart Growth Incentive Program Funding Recommendations

Overview

The TransNet Smart Growth Incentive Program (SGIP) provides funding to support regional initiatives for smart growth development consistent with the 2021 Regional Plan, the Sustainable Communities Strategy, and smart growth and transit priority areas. The SGIP is a competitive grant program that ranks applications based on their consistency with the goals, objectives, and evaluation criteria established in the call for projects.

The Board of Directors approved the evaluation criteria for the fifth cycle [call for projects](#) on November 19, 2021, and it was released on November 24, 2021. This report describes the evaluation process and the projects recommended to receive funding.

Additional Projects

In January 2022, the cities of Escondido and National City submitted applications for grant funding under SANDAG's new Housing Acceleration Program (HAP). Escondido's application was deemed inconsistent with the HAP legislation and minimum eligibility requirements established by California Department of Housing and Community Development, and portions of National City's application were found ineligible for HAP funding due to conflicts of interest. However, Escondido's application and the remaining portions of National City's application were found to be congruent with the goals and criteria established under the SGIP and eligible for funding. SANDAG staff moved Escondido's HAP application and the remaining portions of National City's HAP application to the Cycle 5 SGIP grant program. This action was consistent with the November 2021 Board approval of the HAP and SGIP and the intent to have the two complementary programs work together.

Evaluation Process

On February 28, 2022, the SGIP solicitation closed and SANDAG received [five applications](#) from local jurisdictions and the County of San Diego. Two applications did not meet the definition of Smart Growth as defined by the TransNet Ordinance and were deemed nonresponsive. The two ineligible projects are not recommended for funding and SANDAG staff have advised those applicants to submit those projects under the California Active Transportation Program where they would be deemed eligible. With the addition of the two HAP projects, five projects were considered eligible to continue in the SGIP evaluation process.

Action: **Approve**

The Regional Planning Committee recommends that the Board of Directors approve the funding recommendations for the Cycle 5 TransNet Smart Growth Incentive Program.

Fiscal Impact:

Approximately \$1.9 million of TransNet Smart Growth Incentive Program (SGIP) funds will be awarded to local jurisdictions.

Schedule/Scope Impact:

Pending Board of Directors approval, SGIP grantees will be issued a Notice to Proceed in June 2022. All project funding must be expended 36 months after Notice to Proceed.

An evaluation panel consisting of five SANDAG staff members scored the qualitative responses of each application based on the evaluation criteria in the call for projects. For each project, the project's quantitative scores were calculated by SANDAG Grants staff and were added to the qualitative scores from each evaluator, forming a total score from each evaluator. SANDAG staff recommends all five projects to receive funding, as shown in Attachment 1.

A social equity analysis (Attachment 2) has been conducted and found the projects do not have a disproportionate effect for low-income populations or disparate impacts for minority populations. All project rankings were independently reviewed by data quality assurance staff to ensure there were no potential errors.

Next Steps

Pending Board approval, staff will begin executing grant agreements, and projects are anticipated to begin in late May or early June 2022. All awarded project funding must be expended within 36 months after Notice to Proceed.

The remaining \$1.1 million in SGIP funding that was not awarded through this competitive process will be returned to the SGIP budget and made available through the next call for projects. The Cycle 6 call for projects is anticipated for release in late 2022 or early 2023, will contain a larger amount of funding from Cycle 5, and will be open to both planning and capital projects. Staff will present the draft goals, objectives, and evaluation criteria for the Cycle 6 call for projects to the Regional Planning Committee and Board later this year.

Susan Huntington, Director of Financial Programming, Budgets, and Grants

Key Staff Contacts: Tracy Ferchaw, (619) 699-1977, tracy.ferchaw@sandag.org
Jenny Russo, (619) 699-7314, jenny.russo@sandag.org

Attachments: 1. SGIP Funding Recommendations
 2. Social Equity Analysis of the Cycle 5 Smart Growth Incentive Grant Program Funding Recommendations

SGIP Funding Recommendations

Agency Name	Final Rank	Project Title	Description	Total SGIP Funding Requested	Amount of Matching Funds	Total Project Cost	% of Matching Funds
San Diego (City)	1	Mid-City Communities Smart Growth Study Areas	The Project will perform a study of existing/planned smart growth and employment areas to increase housing and mobility options in the Mid-City Communities in the City of San Diego. The study will include a public outreach program and recommendations on opportunities for growth and transit-supportive densities in combination with corridor enhancements. The Smart Growth study will serve as a critical first step to facilitate a land use plan to support a healthier, more sustainable community.	\$500,000	\$340,000	\$840,000	40.48%
San Diego (County)	2	Community Based Transportation Program	Four (4) Neighborhood Mobility Plans for four (4) separate unincorporated areas which will analyze how to better connect to SANDAG's Mobility Hubs, and recommendations for future implementation actions.	\$500,000	\$350,000	\$850,000	41.18%
Santee	3	Santee Town Center Specific Plan	The proposed project involves updating the goals, policies, and objectives of the General Plan, the Town Center Specific Plan, and the Arts and Entertainment District Overlay to promote and encourage new development including commercial, housing, and mixed-use development. The project area is positioned along the San Diego River and Trolley Station and increases the potential to create a mixed-use activity center with residential, commercial, open space, and entertainment oriented uses.	\$400,000	\$400,000	\$800,000	50.00%
Escondido	4	Escondido General Plan Amendments and Environmental Review	City of Escondido is completing amendments to the General Plan's Safety Elements and is creating a new Environmental Justice element. These amendments will reduce VMTs, increase environmental sustainability, and improve housing equity. REAP funds will be used for the environmental review.	\$175,000	\$25,000	\$200,000	12.50%
National City	5	Together We Plan National City	National City is producing a Focused General Plan Update (FGPU) including Land Use and Community Character, Circulation (Transportation), Safety, and Housing. National City is also producing a Climate Action Plan (CAP) Update that will include a new opt-in floor area ratio-based (FAR) residential density bonus program called House National City.	\$294,477	\$1,102,227	\$1,602,227	68.79%
			Total Amount of Funds Requested	\$1,869,477	\$2,217,227	\$4,292,227	51.66%
			All projects will be awarded 100% of the funds requested				

Social Equity Analysis of the Cycle 5 Smart Growth Incentive Grant Program Funding Recommendations

I. Introduction

Staff conducted a Social Equity Analysis to determine whether the funding recommendations for the Cycle 5 Smart Growth Incentive Grant Program (SGIP) would result in an equitable allocation of funding expenditures and services for low-income and minority areas of the County compared to non-low-income and non-minority areas. Table 1, which is included, shows the funding recommendations; the project service areas determined as low-income, non-low-income, minority, and non-minority based on percentage of population as compared to the County of San Diego; and the resulting expenditure allocation percentages. The data in Table 1 was independently produced by Phoebe Ho, Associate GIS Analyst, and verified for accuracy by Calvin Raab, Quality Assurance Analyst.

II. Steps in the Social Equity Analysis

1. Using GIS, staff mapped the service areas for each project recommended for funding under SGIP. The resulting map is included.
 - Staff used the service area descriptions provided by applicants in their applications to map the project service area of each project recommended for funding.
2. Staff determined the percent low-income and percent minority within the service area of each project recommended for funding using the spatial data mapped in Step 1 and demographic data from the 2020 SANDAG Population and Housing Estimates. Low-income was defined as households with a reported household income of \$44,999 or less, or at or below 200 percent of the 2012 federal poverty level adjusted for inflation. The minority population was defined as any persons not identifying as non-Hispanic White. These definitions of low-income and minority are consistent with those used in the 2021 Regional Plan. Table 1 shows the list of projects recommended for funding under SGIP and the percentage of low-income and minority populations within each of the project's service areas. Next, staff compared these percentages to the percentage averages for low-income and minority populations for the County of San Diego. Table 1 shows a "1" or a "0" next to each recommended project for each category (low-income and minority), where a 1 means the project would serve an area with an equal or higher percentage than the County average, and a 0 means the project would serve an area with a lower percentage than the County average.
3. Based on the funding recommendations, staff next calculated the percentage of recommended funding for projects that would serve identified low-income areas and the percentage of recommended funding to serve identified minority areas. This also is shown in Table 1.
4. The map created in Step 1 were overlaid with the low-income households and minority populations for the County of San Diego. The population groups are displayed as dot densities where 1 dot is equal to 300 people or 100 low-income households.

5. Lastly, staff used the data in Table 1 and the map to determine whether any disparate impacts or disproportionate treatment would be experienced by low-income or minority populations resulting from the proposed funding awards.

III. Summary of Analysis

The analysis shows a broad geographic distribution of program funding would occur based on the service areas of the projects recommended for grant funding.

The analysis also shows that low-income and minority populations would receive an equitable proportion of the SGIP benefits. Below are the more specific findings.

Minority

Table 1 shows that 4 of the 5 SGIP projects recommended for funding have service areas with a percentage of minority population equal to or greater than the County's overall average. Of these 4 projects 2 represent the full city limits of two jurisdictions, with the other 2 representing specific communities within the City of San Diego and the unincorporated County of San Diego. Projects that cover service areas with a percentage of minority population equal to or greater than the County's overall average accounts for 78.60% of SGIP funding to be awarded.

Low-Income

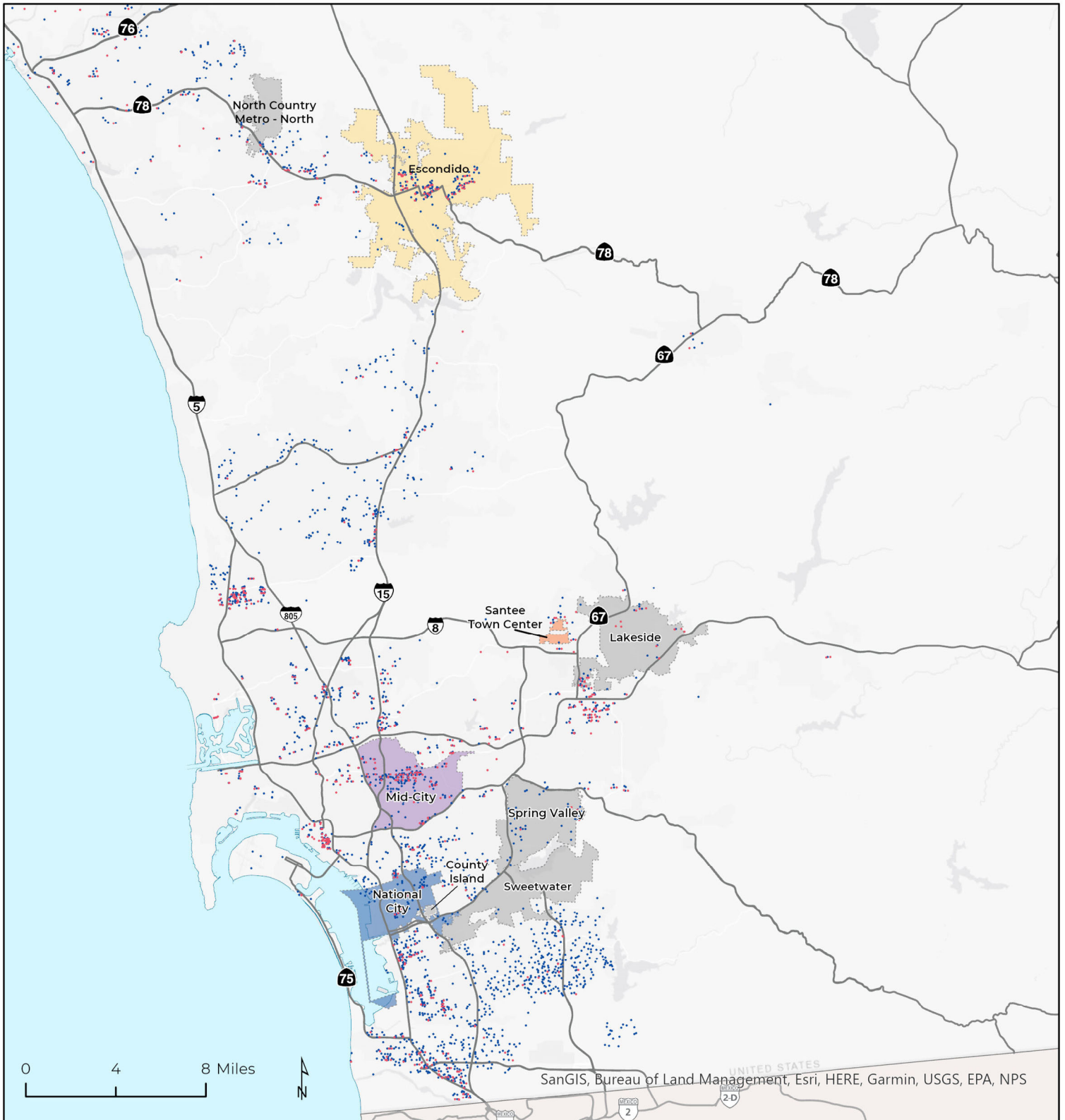
Table 1 shows that 4 of the 5 SGIP projects recommended for funding have service areas that have a percentage of low-income population equal to or greater than the County's overall average. Of these 4 projects 2 represent the full city limits of two jurisdictions, with the other 2 representing specific communities within the City of San Diego and the unincorporated County of San Diego. Projects that cover service areas with a percentage of low-income households equal to or greater than the County's overall average accounts for 78.60% of SGIP funding to be awarded.

IV. Conclusions

The analysis found that the funding recommendations proposed by the Evaluation Panel for the SGIP will result in an equitable distribution of funds and services to low-income and minority populations. Additionally, all projects submitted and considered eligible for SGIP funding were recommended for the full award amount requested by the applicant.

SANDAG Social Equity Data

Cycle 5 Smart Growth Incentive Grant Program Recommended for Funding



Project Area

- Escondido
- Mid-City(San Diego)
- National City
- Santee Town Center
- County of San Diego (Sweetwater, Lakeside, North Country Metro, County Island)

Minority Population

● 1 Dot = 300 people

Low Income Households

● 1 Dot = 100 households

SANDAG has prepared this map, data, metadata and information for internal use, but is making it available as a public record. Conclusions drawn from the information are the sole responsibility of the user. SANDAG disclaims all warranties, express or implied, as to the accuracy, reliability, utility or completeness of the information. SANDAG assumes no liability for errors, omissions or inaccuracies regardless of the cause of such, or for any decision made, or action taken or omitted in reliance thereon. Furthermore, SANDAG disclaims all warranties, express or implied, including but not limited to liability for quality, performance, merchantability, and fitness for a particular purpose arising out of the use of or inability to use the information.

Minority Pop is defined as any persons not identifying as non-Hispanic White. Low Income households are defined as households with a reported household income of \$44,999 or less.

Data Source: SANDAG 2020 Demographic and Socioeconomic Estimate

March 2022

Table 1

Cycle 5 Smart Growth Incentive Program

Grantee	Project Name	Project Area	GIS File (Y/N)	Total Population	Minority Population	% Minority	Total Households	Low Income Households	% Low Income	% Minority at/above County	% Low income at/above County	Recommended Award Amount	% of Total Funding Recommended
City of Escondido	City of Escondido General Plan Amendments and Environmental Review	City of Escondido (city limits)	N	153,008	91,429	59.75%	47,691	47,691	100.00%	1	1	\$ 175,000	9.4%
City of National City	Together We Plan	City of National City (city limits)	N	62,099	49,405	79.56%	16,239	8,270	50.93%	1	1	\$ 294,477	15.8%
City of San Diego	Mid-City Smart Growth Study Areas	Mid-City communities (City Heights, Normal Heights, Kensington-Talmadge, Eastern Area)	Y	141,914	100,949	71.13%	51,013	24,663	48.35%	1	1	\$ 500,000	26.7%
City of Santee	Santee Town Center Specific Plan	Santee Town Center Specific Plan Area	Y	3,561	1,535	43.11%	875	184	21.03%	0	0	\$ 400,000	21.4%
County of San Diego	Community Based Transportation Program	Buena Creek, Lakeside, Spring Valley, Sweetwater and County Islands community areas	Y	149,258	82,679	55.39%	50,386	16,628	33.00%	1	1	\$ 500,000	26.7%

SAN DIEGO COUNTY	3,343,349	1,807,081	54.05%	1,159,436	363,267	31.33%	Total Amount Recommended		\$ 1,869,477	100.0%
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Projects per Category	Minority	Low-Income	Total Projects	5
	4	4		

Cycle 5 SGIP Projects Recommended for Funding	Category	Amount Recommended for Funding	Percent of Total Recommended
	Minority	\$ 1,469,476.89	78.60%
	Low-income	\$ 1,469,476.89	78.60%

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 Board of Directors ratification. Below are the delegated actions taken by the Policy Advisory Committees that are subject to ratification.

Executive Committee: May 13, 2022¹

Approved the draft agendas for the May 27, 2022, and June 10, 2022, Board of Directors meetings.

Approved taking a support position on AB 1640 (Ward).

Robyn Wapner, Director of Public Affairs

Key Staff Contact: Francesca Webb, (619) 699-1985, francesca.webb@sandag.org

Action: Approve

The Board of Directors is asked to ratify the actions taken by the Policy Advisory Committees since the last Board meeting.

Fiscal Impact:

None.

Schedule/Scope Impact:

None.

¹ Any changes to the delegated actions will be reported to the Board of Directors following the Executive Committee meeting on May 13.

Central Mobility Hub: A Regional Transit Connection to the Airport

Overview

The Central Mobility Hub Program is a SANDAG priority that will improve regional transportation connectivity and solve the San Diego region's longstanding challenge of direct transit connectivity to San Diego International Airport.

To expedite delivery of a direct transit connection to the airport, SANDAG is proposing to pursue the Central Mobility Hub Program in two elements. The first project element is an

airport transit connector, a fast and direct transit connection between the San Diego region's existing transit network and the airport. The second project element will construct a Central Mobility Hub, a fundamental objective of the 2021 Regional Plan. The Central Mobility Hub would serve as a place of connectivity and activity by creating a public gathering space that brings together all current and future modes of regional public transportation – including the airport transit connector – while offering amenities to improve the transit user experience. The two elements are complementary in purpose and objective but are independent in nature and delivery.

Action: **Information**

Staff will provide an update on the Central Mobility Hub Program.

Fiscal Impact:

None

Schedule/Scope Impact:

None

Background

On December 10, 2021, the Board of Directors adopted the 2021 Regional Plan. One of the 5 Big Moves included in the plan is the creation of Mobility Hubs around the region. The cornerstone of the Mobility Hubs strategy is the Central Mobility Hub, which is envisioned to improve connectivity between regional transportation services, including San Diego International Airport. In addition, the Regional Plan calls for a direct high speed transit connection to the Airport.

On December 3, 2021, SANDAG staff presented an update on the Central Mobility Hub to the Board. At that time, staff presented that based on stakeholder feedback provided during the environmental review process, two additional sites were being considered as possible locations for the Central Mobility Hub: Port of San Diego Headquarters and Downtown San Diego. Since that time, staff has continued to advance consideration of those sites while developing a plan to expedite a fast, convenient, and direct transit connection to the airport.

Recent Progress

Since the Board update in December, SANDAG staff has been working on the following priority areas to advance the Central Mobility Hub Program:

- *Technical Concept Development* – SANDAG continues to progress a feasibility assessment and conceptual engineering work to advance both elements of the program. This process includes ridership analysis, alignment engineering, and operational concepts.
- *Stakeholder Engagement* – SANDAG has engaged local stakeholders to advance regional goals and ensure transparency throughout the program's development. Key participants in this effort include the San Diego County Regional Airport Authority, Port of San Diego, and City of San Diego. Additionally, local leaders, community groups, and the public had the opportunity to provide feedback through the environmental review process.
- *Environmental Review Strategy* – SANDAG has developed an approach for efficient environmental clearance at both the state and federal levels for the program.
- *Federal Funding Strategy* – SANDAG is actively identifying and assessing opportunities for federal funding and working to position the program to receive funds, especially since Bipartisan Infrastructure Law that presents a historic opportunity to achieve both elements of the program. In the near term, SANDAG has submitted a RAISE grant to the U.S. Department of Transportation to support ongoing project development.

In addition, SANDAG and the Navy have agreed to cease exploration of the Navy's Old Town Campus as a site for the Central Mobility Hub (the previously proposed site). The Navy will continue to explore opportunities to redevelop its property and construct new NAVWAR facilities as part of its own Navy Old Town Revitalization project. The Navy's Old Town Campus is still being considered for future transit upgrades, and SANDAG remains partners with the Navy in this endeavor.

Current Status

Given stakeholder feedback and planning analysis completed to date, SANDAG staff will advance the airport transit connector as the first element of the Central Mobility Hub Program. SANDAG expects to release a CEQA Notice of Preparation for the airport transit connector in Summer 2022.

The airport transit connector is expected to carry between 37,000 to 52,000 passengers per day and run every 2-4 minutes at peak travel times. SANDAG staff envisions a system with two lines or "legs". The leg to the south will connect the airport terminals to Santa Fe Depot, providing a critical link to San Diego's urban core. This leg would be designed to be extended to the Central Mobility Hub in downtown. This leg will provide a direct, fast, and frequent connection to San Diego's existing regional transit hub and serve districts in an around downtown. The leg is expected to relieve congestion on Harbor Drive by diverting airport traffic from local roadways.

The leg to the north will connect the airport terminals to an upgraded transit center at Middletown Station, which would be located along this route to link the airport transit connector to the Trolley and local bus networks, as well as the SDIA consolidated rental car facility. This leg will relieve congestion local roadway congestion with a direct drop-off option from I-5 and by replacing SDIA's existing bus service to the rental car facility.

SANDAG staff is working to develop Central Mobility Hub site options in downtown San Diego in order to respond to stakeholder feedback, better support regional land use goals, and provide strong integration with existing transportation infrastructure. Staff will continue to advance multiple locations with the Board of Directors and other stakeholders to determine a preferred site that best meets the region's needs. The site ultimately chosen will integrate airport transit connectivity, regional rail (e.g., COASTER, Amtrak), light rail, and bus operations into the urban fabric of San Diego while advancing transit-oriented development goals and the full vision of the 2021 Regional Plan.

Next Steps

SANDAG will progress both elements of the Central Mobility Hub Program in parallel. For the airport transit connector, SANDAG plans to kick off the environmental review process. As part of this, SANDAG will continue extensive coordination with local, state, and federal stakeholders to advance the project development.

For the Central Mobility Hub, SANDAG will continue coordination with the Board of Directors and stakeholders to identify a preferred site and concept to advance regional goals. Multiple locations in the midtown/downtown area are under assessment to determine alignment with regional goals.

Ryan Kohut, Director of Strategic Projects

Key Staff Contacts: Ryan Kohut, (619) 595-5339, ryan.kohut@sandag.org
Omar Atayee, (619) 595-5319, omar.atayee@sandag.org

Attachment: 1. Central Mobility Hub Program Budget Summary

Central Mobility Hub Program Budget Summary
(Initial Project Budget \$40 million)

Central Mobility Hub Expenditures to Date (\$ millions)

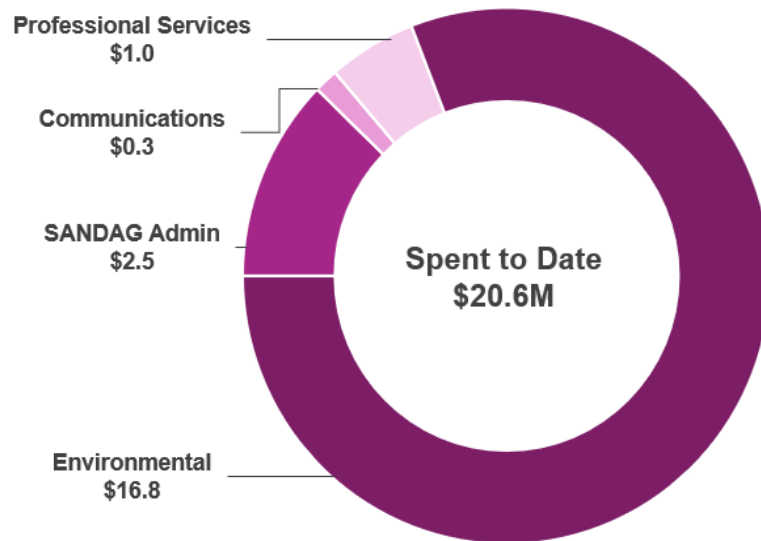
Category	Expenditures
SANDAG Administration	\$2.5
Professional Services	\$1.3
Legal support (federal advising, infrastructure development, legislative support)	\$0.5
Innovative funding analysis (value capture, etc.) and financial support	\$0.5
Strategic planning	\$0.3
Environmental, Concept Development and Project Administration	\$16.8
Preliminary engineering and environmental process support	\$3.9
Navy environmental and requirements definition support	\$3.5
ATC and roadway planning and initial concept development	\$1.1
Program controls stand-up and monitoring	\$2.0
Commercial advising, funding and financing analysis, real estate / transportation-oriented development support, FTA advising	\$3.5
Program administration, risk management, technical reviews, federal and state grant support	\$3.0
Total	\$20.6
Remaining Budget	\$19.4

- *Work done to analyze and coordinate a potential CMH on the Navy site was used to develop the current Airport Transit Connector (ATC) concept*

Data as of 3/31/2022

Expenditures Breakdown

Millions USD



Data as of 3/31/2022

Proposed FY 2022 Program Budget Amendment: Central Mobility Hub

Overview

SANDAG has been designated to receive \$2.92 million in unclaimed funds in the class action settlement of *Jeffrey Garvin v. San Diego Unified Port District*, California Superior Court Case No. 37-2020-00015054-CU-MC-CTL. Upon acceptance by the Board of Directors, the funds would be available to support improvement of access to the San Diego Airport's Consolidated Rental Car Center, in accordance with the Court's order (Attachment 1).

Key Considerations

In 2020, a class action lawsuit was filed against the San Diego Port Authority (Port) challenging a fee for each rental car transaction in the Port's jurisdiction. In 2020, the class action plaintiffs and the Port reached a settlement in that matter, which required the Port to pay certain amounts into a settlement fund which could be claimed by members of the class. The time period for those individuals to make claims against the settlement fund has passed and \$2.92 million remains in the fund. While SANDAG was not a party to the class action, the court in that matter has designated SANDAG as the recipient of the amounts remaining in the fund, known as "Cy Pres Residue". Pursuant to the court's order, SANDAG may utilize the Cy Pres Residue to fund "feasibility, environmental, and planning studies for a project or projects that in SANDAG's discretion would improve ingress and egress at the Consolidated Rental Car Center at the San Diego International Airport." The court's order further identifies the Central Mobility Hub, as envisioned in the adopted 2021 Regional Plan, as a project that will improve access to the San Diego International Airport ("SDIA") and enhance circulation in and around the SDIA, including the Consolidated Rental Car Center.

The Board's action of accepting the funds and amending the budget are not considered a project approval and are exempt from CEQA review. Prior to advancing a project that would improve egress and ingress at the Consolidated Rental Car Center, SANDAG would be required to undertake environmental, planning, and feasibility studies, including consideration of a "no build" project alternative, and adoption of CEQA findings regarding the feasibility of alternatives and mitigation measures that may reduce the environmental effects of the project. If, following conclusion of the environmental clearance process for the project, the Board opts to proceed with a "no build" project alternative, SANDAG would return any remaining Cy Pres Residue monies.

Action: **Approve**

The Board of Directors is asked to approve an amendment to the FY 2022 Program Budget accepting \$2.92 million of Cy Pres Residue funds to support development of feasibility, environmental, and planning studies improving access to the San Diego Airport's Consolidated Rental Car Center in connection with the Central Mobility Hub project (Capital Improvement Project No. 1149000).

Fiscal Impact:

Approval of the proposed budget amendment will add \$2.92 million to the FY 2022 Program Budget to fund feasibility, environmental, and planning studies that improve ingress and egress at the Consolidated Rental Car Center at the San Diego International Airport.

Schedule/Scope Impact:

None.

Next Steps

Upon approval, SANDAG will commence the work authorized by the Court's order.

Sharon Humphreys, Director of Engineering and Construction

Key Staff Contacts: Ryan Kohut, (619) 595-5339, ryan.kohut@sandag.org
Amberlynn Deaton, (619) 595-1405, amberlynn.deaton@sandag.org

Attachments:

1. Garvin v. San Diego Unified Port District Court Order, dated February 25, 2022
2. Proposed FY 2022 Budget Amendment for Capital Improvement Program Project No. 1149000, Central Mobility Hub

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General Counsel
2 SIMON M. KANN, State Bar No. 197907
Deputy General Counsel
3 **SAN DIEGO UNIFIED PORT DISTRICT**
OFFICE OF THE GENERAL COUNSEL
4 3165 Pacific Highway
San Diego, CA 92101
5 Phone: (619) 686-6219
Fax: (619) 686-6444

ELECTRONICALLY FILED
Superior Court of California,
County of San Diego
02/25/2022 at 03:36:00 PM
Clerk of the Superior Court
By Richard Day, Deputy Clerk

6 MICHAEL G. COLANTUONO, State Bar No. 143551
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Exempt from Filing Fees
Government Code § 6103

11 Attorneys for Defendant
12 SAN DIEGO UNIFIED PORT DISTRICT

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **FOR THE COUNTY OF SAN DIEGO, CENTRAL COURTHOUSE**

15 JEFFREY GARVIN, an individual, on
16 behalf of himself and all others similarly
situated,

CASE NO. 37-2020-00015054-CU-MC-CTL
(Related Cases: 37-2018-00028276-CU-MC-CTL
37-2019-00029137-CU-MC-CTL

17 Plaintiffs,

Unlimited Jurisdiction

18 v.
19 SAN DIEGO UNIFIED PORT DISTRICT
and DOES 1–100, inclusive,

Assigned for all purposes to:
Judge Katherine Bacal – Dept C-69

20 Defendants.

JOINT STIPULATION AND REQUEST
FOR CLARIFICATION OF REVISED
ORDER AND JUDGMENT GRANTING
FINAL APPROVAL OF CLASS ACTION
SETTLEMENT; ~~PROPOSED~~ ORDER

IMAGED FILE

Complaint Filed: May 26, 2020

Colantuono, Highsmith & Whatley, PC
790 E. COLORADO BOULEVARD, SUITE 850
PASADENA, CA 91101-2109

1 IT IS HEREBY STIPULATED between Plaintiff Jeffrey Garvin (“Plaintiff”) for himself and
2 the Settlement Class Members and Defendant San Diego Unified Port District (the “Port”)
3 (collectively “Parties”) as follows:

4 WHEREAS, the Revised Order and Judgment Granting Final Approval of Class Action
5 Settlement, Award of Attorneys’ Fees and Costs, and Approval of Class Representative Service
6 Award (“Revised Order and Judgment”) [ROA No. 71] in this action, in relevant part, provides:

7 If any funds are still remaining 100 days after the distribution (the “cy près residue”),
8 they shall be paid to the San Diego Association of Governments (“SANDAG”) for
9 use to improve ingress and egress at the Consolidated Rental Car Center at the San
10 Diego International Airport. If, for any reason, the Parties determine that this recipient
is no longer appropriate, the Parties shall agree on replacement recipients, subject to
Court approval. If there is no agreement, Class Counsel shall move for Court
approval of appropriate recipients.

11 (Revised Order and Judgment, p. 3:19–24.)

12 WHEREAS, it is the Parties’ intent in the Settlement Agreement and Release by and between
13 Plaintiff Jeffrey Garvin for himself and the Settlement Class Members and the San Diego Unified
14 Port District (“Settlement Agreement and Release”) that SANDAG be the recipient of the cy près
15 residue and that the cy près residue be used for the purposes stated in the Revised Order and
16 Judgment.

17 WHEREAS, on December 10, 2021, the SANDAG Board of Directors adopted Resolution
18 No. 2022-09, certifying the Final Environmental Impact Report for San Diego Forward: The 2021
19 Regional Plan (“Regional Plan”) and adopted Resolution No. 2022-10, finding that the Sustainable
20 Communities Strategy (“SCS”) achieves the regional greenhouse gas reduction targets established by
21 the California Air Resources Board, and adopting the Regional Plan, including the SCS. The
22 Regional Plan identifies a Central Mobility Hub that will improve access to the San Diego
23 International Airport (“SDIA”) and enhance circulation in and around the SDIA, including the
24 Consolidated Rental Car Center.

25 WHEREAS, consistent with regional transportation planning efforts, SANDAG has initiated
26 environmental review of the Central Mobility Hub and connection to the SDIA and is currently
27 evaluating public and agency comments on the range of alternative locations and design concepts for
28 the Central Mobility Hub and connection to the SDIA.

1 WHEREAS, SANDAG is a public agency and is subject to the requirements of the California
2 Environmental Quality Act (“CEQA”), Pub. Resources Code, §§ 21000 et seq., and as such its
3 approval of a project that improves ingress and egress at the Consolidated Rental Car Center must be
4 preceded by compliance with CEQA. (See *Laurel Heights Improvement Assn. v. Regents of*
5 *University of California* (1988) 47 Cal.3d 376, 395 [CEQA review required before any agency may
6 make a definite commitment to carry out a “project”].)

7 WHEREAS, prior to advancing a project that would improve egress and ingress at the
8 Consolidated Rental Car Center, SANDAG would be required to undertake environmental, planning
9 and feasibility studies, including consideration of a “no build” project alternative, and adoption of
10 CEQA findings regarding the feasibility of alternatives and mitigation measures that may reduce the
11 environmental effects of the project.

12 WHEREAS, in order to not violate CEQA, SANDAG’s acceptance of the cy près residue for
13 the development of a project to improve ingress and egress at the Consolidated Rental Car Center at
14 the SDIA must reserve SANDAG’s ability to comply with CEQA in connection with its approval of
15 such project. (*Saltonstall v. City of Sacramento* (2015) 234 Cal.App.4th 570, 570; *Cedar Fair L.P. v.*
16 *City of Santa Clara* (2011) 194 Cal.App.4th 1150, 1170–71; *Delaware Tetra Technologies, Inc. v.*
17 *County of San Bernardino* (2016) 247 Cal.App.4th 352, 361.)

18 WHEREAS, pursuant to Paragraph 1 of the Revised Order and Judgment, the Court retains
19 jurisdiction over the subject matter of the above-captioned proceeding, including the authority to
20 interpret the prior orders of the Court, and over all parties to the proceeding, including all members
21 of the settlement class.

22 NOW THEREFORE, in consideration of the above, the Parties and each of them, through
23 their respective counsel of record, hereby seek an interpretation of the Revised Order and Judgment
24 and stipulate as follows:

- 25 1. In order to effectuate the Parties’ intent in the Settlement Agreement and Release and
26 enable SANDAG’s acceptance of the cy près residue in compliance with CEQA, the Parties hereby
27 request the Court’s interpretation of the Proposed Order and Judgment, as follows:
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- a. The cy près residue may be used by SANDAG to fund feasibility, environmental, and planning studies for a project or projects that in SANDAG’s discretion would improve ingress and egress at the Consolidated Rental Car Center at SDIA.
- b. If the SANDAG Board determines following completion of CEQA review, to proceed with a “no build” project alternative, the Parties shall seek an alternative recipient for any remaining cy près residue, consistent with Paragraph 10 of the Revised Order and Judgment.
- c. Any cy près residue paid to and accepted by SANDAG shall be held by SANDAG in accordance with the Government Code and SANDAG’s own Investment Policy.

2. The above interpretation of the Revised Order and Judgment are consistent with and do not require amendments to the Settlement Agreement and Release, which would be interpreted in accordance with state law, including compliance with CEQA.

3. The undersigned counsel have consulted with their respective clients regarding this Stipulation and are authorized to enter into it on behalf of their clients.

DATED: February 24, 2022

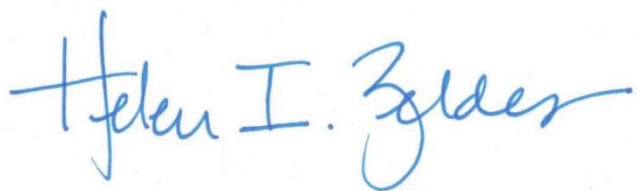
COLANTUONO, HIGHSMITH & WHATLEY, PC



MICHAEL G. COLANTUONO
JOHN L. JONES II
Attorneys for Defendant
SAN DIEGO UNIFIED PORT DISTRICT

DATED: February 24, 2022

SCHONBRUN SEPLOW HARRIS HOFFMAN & ZELDES LLP



HELEN I. ZELDES
Attorneys for Plaintiff JEFFREY GARVIN

~~PROPOSED~~ ORDER

Based upon the above stipulation of the parties, and the Court’s independent review and judgment, for good cause shown,


IT IS HEREBY ORDERED that the above stipulation is entered as an Order of the Court:

4. The cy près residue discussed in Paragraph 10 of the Revised Order and Judgment may be used by SANDAG to fund feasibility, environmental, and planning studies for a project or projects that in SANDAG’s discretion would improve ingress and egress at the Consolidated Rental Car Center at the San Diego International Airport.

5. Any cy près residue paid to and accepted by SANDAG shall be held by SANDAG in accordance with the Government Code and SANDAG’s investment policy.

6. If the SANDAG Board determines, following completion of CEQA review, to proceed with a no build project alternative, the Parties shall seek an alternative recipient for any remaining cy près residue.

Dated: 2/28/22



Hon. Katherine A. Bacal
Judge of the Superior Court

Colantuono, Highsmith & Whitley, PC
790 E. COLORADO BOULEVARD, SUITE 850
PASADENA, CA 91101-2109

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1 **PROOF OF SERVICE**

2 *Jeffrey Garvin v. San Diego Unified Port District, et al.*
3 San Diego Superior Case No. 37-2020-00015054-CU-MC-CTL
4 (*Related Cases: 37-2018-00028276-CU-MC-CTL; 37-2019-00029137-CU-MC-CTL*)

5 I, Christina M. Rothwell, declare:

6 I am employed in the County of Los Angeles, State of California. I am over the age of 18
7 and not a party to the within action. My business address is 790 E. Colorado Boulevard, Suite 850,
8 Pasadena, California 91101-2109. My email address is: CRothwell@chwlaw.us. On February 25,
9 2022, I served the document(s) described as **JOINT STIPULATION AND REQUEST FOR
10 CLARIFICATION OF REVISED ORDER AND JUDGMENT GRANTING FINAL
11 APPROVAL OF CLASS ACTION SETTLEMENT; [PROPOSED] ORDER**, on the interested
12 parties in this action addressed as follows:

13 **SEE ATTACHED SERVICE LIST**

14 **BY E-MAIL OR ELECTRONIC TRANSMISSION:** Based on a court order or an
15 agreement of the parties to accept service by e-mail or electronic transmission, by causing the
16 documents to be sent to the persons at the e-mail addresses listed on the service list on
17 February 25, 2022, from e-mail address: CRothwell@chwlaw.us. No electronic message or
18 other indication that the transmission was unsuccessful was received within a reasonable time
19 after the transmission.

20 I declare under penalty of perjury under the laws of the State of California that the above is
21 true and correct.

22 Executed on February 25, 2022, at Pasadena, California.

23 

24 Christina M. Rothwell

25 Colantuono, Highsmith & Whitley, PC
26 790 E. COLORADO BOULEVARD, SUITE 850
27 PASADENA, CA 91101-2109

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SERVICE LIST

Jeffrey Garvin v. San Diego Unified Port District, et al.
San Diego Superior Case No. 37-2020-00015054-CU-MC-CTL
(Related Cases: 37-2018-00028276-CU-MC-CTL; 37-2019-00029137-CU-MC-CTL)

Helen I. Zeldes *Attorneys for Plaintiffs Jeffrey Garvin*
Ben Travis
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Proposed FY 22 Capital Budget Amendment in '000's		
Project Number: 1149000		Corridor Director: Coleen Clementson
RTIP Number: SAN258		Project Manager: Omar Atayee
Project Name: Central Mobility Hub		PM Phone Number: (619) 595-5319
Project Scope	Site Location	Progress to Date
Conduct alternatives analysis, preliminary engineering, and environmental analysis for Central Mobility Hub and Airport Connection.		Revised Notice of Preparation (NOP) to initiate environmental work was initiated.
Project Limits		Major Milestones
From I-8 to the San Diego Airport and 12th and Imperial Trolley Center subject to concept screening through the environmental process		Draft Environmental Document Jan-25 Jan-25 Final Environmental Document Jun-26 Jun-26 Ready to Advertise N/A N/A Begin Construction N/A N/A Open to Public N/A N/A Construction Complete N/A N/A

SANDAG Expenditure Plan (\$000)

Budget Phase	Prior Years	FY 22	FY 23	FY 24	FY 25	FY 26	Total						
Administration	\$1,657	\$1,147	\$1,147	\$58	\$594	\$1,580	\$1,580	\$1,580	\$1,580	\$1,580	\$1,580	\$7,602	\$8,138
Environmental Document	10,586	21,954	21,954	964	2,985	31,680	28,742	32,480	32,480	29,080	29,080	126,741	125,827
Design	0	0	0	0	0	0	0	0	0	0	0	0	0
Right-of-Way Support	0	0	0	0	0	0	0	0	0	0	0	0	0
Right-of-Way Capital	0	0	0	0	0	0	0	0	0	0	0	0	0
Construction Support	0	0	0	0	0	0	0	0	0	0	0	0	0
Construction Capital	0	0	0	0	0	0	0	0	0	0	0	0	0
Vehicles	0	0	0	0	0	0	0	0	0	0	0	0	0
Legal Services	856	1,500	1,500	73	73	2,880	2,880	2,180	2,180	2,180	2,180	9,669	9,669
Communications	139	500	500	19	397	660	660	660	660	660	660	2,638	3,016
Project Contingency	0	0	0	0	0	5,330	5,330	5,330	5,330	3,940	3,940	14,600	14,600
Total SANDAG	\$13,238	\$25,101	\$25,101	\$1,111	\$4,049	\$42,130	\$39,192	\$42,230	\$42,230	\$37,440	\$37,440	#####	\$161,250

Outside Agency

Budget Phase	Prior Years	FY 22	FY 23	FY 24	FY 25	FY 26	Total						
Environmental Document	\$0	\$0	\$0	\$550	\$550	\$550	\$550	\$550	\$550	\$600	\$600	\$2,250	\$2,250
Design	0	0	0	0	0	0	0	0	0	0	0	0	0
Right-of-Way Support	0	0	0	0	0	0	0	0	0	0	0	0	0
Right-of-Way Capital	0	0	0	0	0	0	0	0	0	0	0	0	0
Construction Support incl Flagging	0	0	0	0	0	0	0	0	0	0	0	0	0
Construction Capital	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Outside Agency	\$0	\$0	\$0	\$550	\$550	\$550	\$550	\$550	\$550	\$600	\$600	2,250	\$2,250

Total SANDAG & Outside Agency	\$13,238	\$25,101	\$25,101	\$1,661	\$4,599	\$42,680	\$39,742	\$42,780	\$42,780	\$38,040	\$38,040	#####	\$163,500
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Federal Pass-Through (PIO 93)

Federal Pass-Through (PIO 93)	\$0	\$0	\$0	\$550	\$550	\$550	\$550	\$550	\$550	\$600	\$600	2,250	2,250
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Funding Plan (\$000)

Funding Source	Prior Years	FY 22	FY 23	FY 24	FY 25	FY 26	Total						
Federal													
72310001 FTA Section 5307 (RSTP T)	\$0	\$15,565	\$15,565	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$15,565	\$15,565
72500001 FTA Section 5307 CA-20:	3,000	0	0	0	0	0	0	0	0	0	0	3,000	3,000
72100001 CMAQ*	0	0	0	0	11,244	11,244	11,244	8,156	8,156	0	0	19,400	19,400
Local													
91070001 Port District	0	0	0	2,938	0	0	0	0	0	0	0	0	2,938
91000100 TransNet MC AC	8,340	9,399	9,399	1,661	1,661	(11,244)	(11,244)	(8,156)	(8,156)	0	0	0	0
91000100 TransNet MC	1,898	137	137	0	0	0	0	0	0	0	0	2,035	2,035
Total	\$13,238	\$25,101	\$25,101	\$1,661	\$4,599	\$0	\$0	\$0	\$0	\$0	\$0	\$40,000	\$42,938

Notes

The entire cost of this project is estimated to be \$163.5 million. Continued funding is subject to the annual capital programming process.

* Matched with Toll Credits

Regional Equitable Housing Subcommittee

Overview

The Regional Equitable Housing Subcommittee (Subcommittee) was created in December 2021 with the purpose of leading discussions around voluntary, innovative, and incentive-based housing approaches that address housing needs throughout the San Diego region. The Subcommittee workplan includes SANDAG Housing Acceleration Program Strategy, exploration of concepts for regional housing finance models, and potential revenue structures to support housing programs.

Key Considerations

The Subcommittee's discussions on concepts for a regional housing finance model are timely as there are currently four state bills across California proposing regional housing finance agencies. Senator Ben Hueso (CA-40) recently introduced SB-1105 which proposes to create the San Diego Regional Equitable and Environmentally Friendly Housing Agency (SD REEF). The bill language highlights addressing regional equitable housing by: providing technical assistance to local jurisdictions; deploying funds to support affordable and missing middle housing; balancing housing production, preservation, and rental protections; and ensuring that affordable housing is built near current and proposed future transit facilities as identified in the 2021 Regional Plan.

The Subcommittee is also considering feedback on this concept from a complementary group of regional stakeholders known as the Housing Task Force. The Housing Task Force is supporting the Subcommittee in making recommendations on programmatic criteria, governance, and revenue possibilities for Senator Hueso as SB 1105 language moves throughout the legislative process. Both the Subcommittee and the Housing Task Force have met three times to date.

Next Steps

The Regional Equitable Housing Subcommittee will continue to meet and discuss items in the workplan and continue to convene the Housing Task Force group to ensure robust community and stakeholder engagement. The next meeting of the Regional Equitable Housing Subcommittee is May 18, 2022, at 2 p.m. and SANDAG staff will continue to update the Executive Committee on legislation pursuant to [SANDAG Board Policy No. 001](#).

Supervisor Terra Lawson-Remer, County of San Diego
Chair, Regional Equitable Housing Subcommittee

Attachment: 1. Regional Equitable Housing Subcommittee Workplan Update

Action: Information

Supervisor Lawson-Remer will present an overview of the Regional Equitable Housing Subcommittee's workplan as well as an update on the development of legislation to create a Regional Housing Finance Authority.

Fiscal Impact:

None.

Schedule/Scope Impact:

None.

Regional Equitable Housing Subcommittee Workplan Update

Overview

The Regional Equitable Housing Subcommittee (Subcommittee) was created in December 2021 with the purpose of leading discussions around voluntary, innovative, and incentive-based housing approaches that address housing needs throughout the San Diego region. The Subcommittee workplan includes a review of SANDAG's Regional Housing Framework and Housing Acceleration Program, exploration of concepts for regional housing finance models, and potential revenue structures to support housing programs.

Key Considerations

The work of the Subcommittee is timely as there are currently four state bills across California proposing regional housing finance agencies, including SB-1105 (Hueso) that proposes to create a San Diego Regional Equitable and Environmentally Friendly Housing Agency (SD REEF). The proposed agency would catalyze regional equitable housing by: providing technical assistance to local jurisdictions, deploying funds to support affordable and missing middle housing, balancing housing production, preservation, and rental protections, and ensuring that affordable housing is built near transit to support and align with SANDAG's Regional Transportation Plan.

The Subcommittee is continuing to review SB-1105 language, discussing programmatic, governance, and revenue concepts, convening a diverse housing stakeholder task force representing a range of perspectives and interests, and working in coordination with Senator Ben Hueso's Office. Both the Subcommittee and the Housing Task Force have met three times to date.

Action: Informational

This report provides an update on the latest workplan activities and discussions at the Subcommittee focused on innovative and incentive-based housing approaches that address housing needs throughout the San Diego region.

Fiscal Impact

No fiscal impact to SANDAG for Subcommittee workplan items.

Schedule/Scope Impact

No schedule/scope impact to SANDAG for Subcommittee workplan items.

Next Steps

The Subcommittee will continue to meet and discuss items in the workplan and continue to convene the Housing Task Force group to ensure robust community and stakeholder engagement.

SANDAG Housing Taskforce

MEMBERS

- AARP
- Biocom California
- Brookings Institute
- Building Industry Association
- Building Trades
- Climate Action Campaign
- County of San Diego
- Environmental Center of San Diego
- Greater San Diego Association of Realtors
- Habitat for Humanity
- Legal Aid Society of San Diego
- LISC
- MAAC Project
- National CORE
- Pacific Southwest Association of Realtors
- Quality of Life Coalition
- Regional Task Force on the Homeless
- San Diego Continuing Education Foundation
- San Diego Foundation
- San Diego Housing Commission
- San Diego Housing Federation
- San Diego Regional Chamber of Commerce
- San Diego Regional EDC
- San Diego Unified School District
- San Diego Workforce Partnership
- San Diego & Imperial Counties Labor Council
- UCSD