

TRANSPORTATION COMMITTEE

January 18, 2008

AGENDA ITEM NO.: **1**

Action Requested: APPROVE

TRANSPORTATION COMMITTEE DISCUSSION AND ACTIONS MEETING OF DECEMBER 14, 2007

The meeting of the Transportation Committee was called to order by Chair Jim Madaffer (City of San Diego) at 9:05 a.m. See the attached attendance sheet for Transportation Committee member attendance.

1. APPROVAL OF MEETING MINUTES

Action: Upon a motion by Mayor Lori Holt Pfeiler (North County Inland) and a second by Deputy Mayor Dave Druker (North County Coastal), the Transportation Committee approved the minutes from the November 16, 2007, meeting.

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

Sandy Shapery, a member of the recently disbanded Regional Planning Stakeholders Working Group (SWG) expressed his appreciation to the committee for the opportunity to participate on the SWG.

Mayor Art Madrid (East County) asked the Chair if it would be possible to convene a Stakeholders Working Group II at some future time.

Chair Madaffer stated that it is a possibility with the renewal process every four years to convene a Stakeholders Working Group II to assist with the next four year update of the Regional Transportation Plan.

Mayor Jim Desmond (San Diego County Regional Airport Authority [the Authority]) stated that the Authority had received several requests to extend the Environmental Impact Report (EIR) comment period and the Board made the decision to extend the deadline to February 4, 2008.

Mayor Pfeiler commented that she attended an event by the San Diego Architectural Foundation where she accepted the Grand Orchid award on behalf of SANDAG. The Grand Orchid was awarded for the San Diego State University transit station and Aztec Green. The project was the east line trolley extension, which was the final link of the green line connecting to the orange and blue lines. She stated that at the same event, the Grand Onion award was given for the Interstate 5/Interstate 805 (I-5/I-805) merge project.

Councilmember Phil Monroe (South County) noted that the Grand Orchid was received for a project that improved transit while the Grand Onion was given for a highway project that basically put more cars on the road.

CONSENT ITEMS

3. FY 2007 TRANSPORTATION DEVELOPMENT ACT AUDIT STATUS

The TDA audits for most of the claimants are complete. However, there are a few claimants that may need extensions as the audits may not be completed within 180 days of fiscal year end. The Transportation Committee is asked to approve of the extensions that have been requested by the City and County of San Diego.

4. TRIBAL TRANSIT FEASIBILITY DRAFT REPORT

SANDAG received a transit planning grant from Caltrans to conduct a feasibility study for implementing transit service in one or two key transportation corridors between selected tribal reservations and cities and/or urbanized community planning areas in the unincorporated area of San Diego County. SANDAG and the Reservation Transportation Authority (RTA) partnered to examine traditional public transit services, as well as the potential for nontraditional services that could be funded by private sources and/or public-private partnerships and be integrated in services coordinated by the Coordinated Public Transportation and Human Services Transportation Plan (Coordinated Plan). The Interagency Technical Working Group on Tribal Transportation Issues served as the project advisory group. On November 30, 2007, the Borders Committee recommended that the SANDAG Board of Directors accept this report. The report was presented to the Transportation Committee for information.

Action: Upon a motion by Chairman Ed Gallo, (North County Transit District [NCTD]) and a second by Chair Pro Tem Bob Emery, (Metropolitan Transit System [MTS]) the Transportation Committee approved Consent Items 3 through 4.

CHAIR'S REPORTS

5. STATE ROUTE 905 STATUS UPDATE

Chairman Madaffer introduced the item and Pedro Orso-Delgado provided the monthly update of discussion by the State Route 905 (SR 905) strike team. He stated that Caltrans opened bids yesterday for Portion 1A of the SR 905 project. The engineer's estimated cost for the project was \$78.9 million and Caltrans received five bids with the lowest one coming in at \$61.8 million. Caltrans will move the savings back into the project to be used for Portion 1B. The lawsuits for property acquisition were scheduled for trial in October but due to the wildfires some of the dates were pushed out to the first quarter of 2008. We expect resolution of the current trial this month. Caltrans is moving forward with Portion 1B of the project with the goal of going out to bid by March 2009.

Chair Madaffer stated that it is important to note that the bids are coming in much better than the engineering estimates and that we are receiving a larger number of bids. This savings will allow us to use fewer *TransNet* dollars.

Mr. Orso-Delgado stated that the trend seems to be that when we receive three or fewer bids, they tend to come in much higher than the engineering estimate, and when we receive five or more bids, they tend to come in much lower than the engineer estimate.

Mr. Gallegos reported that at the California Transportation Commission (CTC) meeting yesterday, that with the State budget concerns we were concerned about getting projects voted but the last phase of SR 52 was accelerated by Caltrans so we could get the CTC to consider the project in December. The CTC voted to invest \$72 million dollars in the project. The Santa Margarita Bridge project was up for vote but was delayed because they wanted to swap funds. We did receive an iron clad agreement from the CTC and the Director of Transportation that when the project was ready, the CTC would vote to fund it.

REPORTS

10. MID-CITY INTERSTATE 15 BUS RAPID TRANSIT STATIONS STATUS REPORT

This item was taken first.

Councilmember Toni Atkins expressed her thanks to SANDAG for convening the ad hoc working group for this project. She stated that today's report is a culmination of the many meetings of the working group with input from community members and elected representatives as well. She also expressed her thanks to Barrow Emerson, Senior Regional Planner for his participation. The efforts of this working group will help to complete a major infrastructure project, which will connect the region and provide more mobility options for the Mid-City area.

Mr. Emerson presented the item. Staff is commencing a design charette process with the Mid-City community to develop alternatives for future Bus Rapid Transit stations along I-15 at El Cajon Boulevard and University Avenue. This process is necessary due to safety concerns brought up by Caltrans. Mr. Emerson reported on the ad hoc working group membership and charter, project schedule, and scope.

A 13-member Community Ad Hoc Working Group was created to serve in an advisory capacity to the Transportation Committee on the station redesign effort. The working group expects to meet twice a month between now and early summer 2008 when the station design alternatives are scheduled to be brought forth to the Transportation Committee for consideration. The ad hoc working group has reviewed the charter and schedule for working group meetings, and considered a range of performance criteria by which alternative station concepts will be evaluated. A number of design concepts for the transit stations will be developed to a level of detail necessary to measure costs, benefits, and impacts, and assess how well they achieve the performance criteria. Areas of analysis will include: capital and operating costs, civil/traffic/structural engineering, pedestrian access, and environmental impacts.

The process for the development of preferred alternatives will include the following steps: identification of performance evaluation criteria, creation of technical analysis scope of work, development of range of station design concepts, analysis of station design concepts against criteria, review of station design concepts at community open house, selection of preferred station design alternatives, and refinement of preferred station design capital cost estimates. Staff estimates that planning costs for this design charette process will be approximately \$200,000 depending on the station design concepts that are evaluated. Funding for the design charette will be obtained through the I-15 BRT Capital Improvement Program budget. Capital funding of \$22.3 million for the station facilities is provided in the *TransNet* Early Action Program.

Stephen Russell, City Heights Community Development Corporation, stated that he has accepted the position of chair of the working group and expressed his thanks to Mr. Delgado for coming to the meeting and stating that although Caltrans could not support the current project it was committed to working with the group to find an acceptable alternative. The members of the working group are very committed to the fulfillment of this project and to providing a safe, quality transit system to support the economic needs of the community. This committee is committed to upholding the principle of smart growth. Bus Route 960 is a perfect example of a transit facility that successfully connects our region to the job centers. He stated that the group looks forward to bringing forward an alternative as successful as Route 960.

Councilmember Monroe stated that the promise made to the voters of centerline BRT stations was finally buried during the working group meeting, which was a key step to moving the project forward. He expressed his thanks to the leadership of Councilmember Atkins, the working group, Mr. Emerson, and to Mr. Orso-Delgado for Caltrans' commitment to the project.

Chair Madaffer also expressed appreciation to Councilmember Atkins and the working group members and stated that he looks forward to hearing the options that the working group will bring forward. The SANDAG Board of Directors is committed to funding this project and bringing it to completion.

Action: Upon a motion by Deputy Mayor Druker and a second by Chair Madaffer, the Transportation Committee accepted the Mid-City I-15 BRT Status Report.

6. SPRINTER PROJECT STATUS REPORT AND SANDAG INDEPENDENT ASSESSMENT

Jim Linthicum, Division Director, presented the item and provided a monthly status report on the SPRINTER rail project, including discussion of implementation and effectiveness of project cost control measures, and recent progress on the project.

Mr. Linthicum stated that there has been significant progress. The signal system, radio systems, and communication systems are complete. Landscaping and clean up work are ongoing. The San Marcos loop is complete and the Diesel Multiple Units have preliminary acceptance and the ticket vending machines are being installed. All 22 miles of track are available for pre-revenue operations. Milestone 7 was completed which allowed for pre-revenue operations. Milestone 8 is now the key, which are the system safety certifications.

The certifications will allow for full revenue service to commence. The contractor missed Milestone 9, completion of landscaping, which was due December 1, 2007. Milestone 9 is scheduled for March 2008 and should be met.

The California Public Utilities Commission (CPUC) is set to approve the systems safety program and system security plans in January 2008. The staff approval of the safety certifications should be completed by the end of December. The retrofit of the gap between the gangways and the vehicles is completed except for one platform that requires a special retrofit. The Settlement Agreement continues to be negotiated with \$3.1 million paid to date. The Estimate at Completion (EAC) has increased to \$477.8 million and includes a contingency of \$10.8 million. The budget is still set at \$484.1 million. NCTD continues to resolve \$4 million of outstanding issues per month. The EAC also includes a \$6.3 million project contingency for a total of \$17.1 million of total contingency funds. The ribbon cutting is set for December 28, 2008, at 12:30 p.m. The largest risks to the EAC are construction quantities and change order backlogs but the risk is decreasing as NCTD resolves backlogs.

Chairman Gallo stated that the grand opening invitations were sent out and Karen King, Executive Director, NCTD, confirmed the date and time. Ms. King also described the activities for the day.

Chairman Gallo stated that the previous weekend, NCTD had an open house with SPRINTER cars open for public review. He stated that the comments made by the public were positive and the public was impressed by the vehicle.

Action: This item was presented for information only.

7. *TransNet* PLAN OF FINANCE AND BOND ISSUANCE

Charles "Muggs" Stoll presented the item. A bond issuance of \$600 million is being prepared for April 2008 to coincide with the commencement of sales tax collection under the *TransNet* extension. As part of this process, the *TransNet* Plan of Finance (POF) was updated and presented to the Transportation Committee.

In December 2005, the SANDAG Board of Directors approved the first POF for the *TransNet* extension and established a financial strategy for implementing the Early Action Program (EAP) of projects and fulfilling ongoing commitments for the existing *TransNet* program with the understanding that the POF is a dynamic process that requires continual refinement as circumstances change, and should be updated at least annually. Although this update is consistent with an annual cycle, an update of the POF is particularly appropriate at this time to support the pending \$600 million bond issuance in April 2008, in addition to including the cost and revenue developments over the past year.

Mr. Stoll highlighted some of the changes to the program since 2005. Important developments for the *TransNet* Program since 2005 include the approval of \$19.9 billion Proposition 1B State Infrastructure Bonds by the California voters in November 2006, various actions taken by the SANDAG Board of Directors that have resulted in a number of additions and modifications to the EAP, and construction costs have continued to escalate at

historically high rates. Mr. Stoll briefed the committee in detail on the effects of these three developments. The EAP was established to “jump-start” the implementation of several key projects prior to the beginning of *TransNet* Extension in FY 2009, with the objective of completing those projects within the first five to seven years of the new program. Mr. Stoll briefed the committee on the details of the projects included in the EAP. The proposed POF update presented in this report confirms that both the EAP and the overall *TransNet* Program of projects can be completed with some adjustments to project schedules, a greater commitment to securing matching funds and a modification to the funding set-aside established in December 2005.

The SANDAG *TransNet* Program Office continues to work with the Corridor Directors and project teams to refine the costs and schedules for the EAP projects. Mr. Stoll briefed the Committee on the details of the project delivery schedules. The costs are updated to current year dollars and then escalated to the year of construction. The amount of state and federal funds assumed for the EAP are based on committed funds to date. In addition, the revenue forecast is based on a series of assumptions that Mr. Stoll summarized. It is anticipated that during the 40-year life of the *TransNet* program, there will be periods of high and low economic cycles, and that the program as presented in this updated POF has a reasonable expectation of fulfilling the Ordinance. Mr. Stoll briefed on the results of the updated project costs and revenue forecast. The proposed POF update presented in this report successfully delivers not only the EAP, but the entire *TransNet* extension program with some reasonable modifications to the POF as approved in 2005 and modified in 2006, which include revising the set-aside for the future State Transportation Improvement Program (STIP), Congestion Mitigation and Air Quality (CMAQ) and Surface Transportation Program (STP) funds from 15 percent to 6 percent and include State and Local Partnership Program (SLPP) funds in this set-aside. The completion of the EAP would extend from 2015 to 2020 with the only significant change in project schedule being the delay of the construction of the Mid-Coast transit corridor, and continuing to seek and secure approximately 5 percent more in total program funds over the life of the program to further match the projected revenues. Mr. Stoll said that to make the program work all key assumptions must be closely monitored, the project office will continue to manage the cost/schedule, and we must continue to manage the program to take advantage of opportunities as they present themselves. Mr. Stoll went over on the next steps for the POF and said that the continued success of the EAP relies on the issuance of the \$600 million in long-term variable rate bonds (previously approved by the Board in November 2005).

Deputy Mayor Jerry Rindone (Chula Vista) commented that with the possibility of the new Chargers Stadium being located in the South Bay Area, the recent Otay Ranch development, and the fact that the South Bay area is one of the most unserved transit areas, the 2011 project delivery date is too far out to support the needs of the community. He inquired whether there was any flexibility to adjust funding should the Chargers decide to locate in the South Bay to advance the I-805 Environmental Documents and BRT project.

Mr. Stoll stated that staff will continue to review the delivery schedule, and should funding opportunities arise and we can take advantage of moving the project forward, we would consider doing so.

Deputy Mayor Rindone stated that this extension of the BRT into east Chula Vista is essential should the Chargers locate their Stadium in this area of the South Bay. He requested confirmation that should the Chargers locate in the South Bay area, staff would reevaluate the timeline and the I-805 project could be advanced.

Mr. Gallegos stated that the timeline is flexible but if you advance one project, you would delay another or have to find a source of new revenue to allow for advancing a project without delaying another.

Deputy Mayor Rindone stated his appreciation for the clarification and stated that this is the first time he has been briefed that the Mid-Coast transit project was delayed from 2014 to 2020. He asked staff if there was any flexibility in the timeline to advance the Mid-Coast transit project, which is a critical link in finalizing light rail services in the county.

Mr. Gallegos stated that the project delivery timeline is a proposal for this Committee's review and comments. The Mid-Coast project is to be funded in part with federal funds and staff will continue to pursue opportunities for funding at the federal level. He stated that we would continue to advance the project with the *TransNet* funds that are currently available but that it is necessary to find additional funding sources to complete the project.

Deputy Mayor Rindone requested clarification that should more funding at the federal level become available, we would have the flexibility to advance the Mid-Coast transit project.

Mr. Gallegos reiterated that this project would need a large infusion of federal funding and that we would continue to advance the project to make it competitive for those federal funds.

Chair Pro Tem Emery stated that this was the first time he was briefed on the delay for the Mid-Coast transit project and that he would like assurances that the project would go forward as funding was found and that the date could advance if federal funding or other matching funds could be found. He would like a guarantee that should funding be available that this project would be the top priority due to the work done to keep it advancing.

Mr. Gallegos stated the proposed schedule looks at current funds available and at the assumptions we made based on cost. The three projects that are a top priority in the *TransNet* Ordinance are the SR 76 widening project, the SR 52 extension and widening projects, and the Mid-Coast transit project, and we must make sure that we hold enough funds to move forward with all three projects.

Chairman Ron Roberts (County of San Diego) stated that if the Mid-Coast project is a top priority and one of the remaining projects from the first *TransNet* Ordinance, delaying the project six more years to 2020 is not sending the message that the project is priority. We need to work at completing this project by 2014 and do what is needed to get the federal funding.

Mr. Gallegos stated that the purpose of the POF is to look at how the whole program works in terms of available funds. If we choose to advance the Mid-Coast transit project, we would have to look at which other project would have to be delayed.

Chairman Roberts stated that this project should be a priority and we have repeatedly moved the project back. This project should not continue to absorb the organizational structure of the program.

Mr. Orso-Delgado commented that one of the opportunities for funding that could be possible for the South Bay BRT would be another Urban Partnership Agreement and having the project ready for implementation is essential.

Paul Jablonski, Executive Director, MTS, stated that we need to be aggressive in finding funding for the Mid-Coast transit project. San Diego has always been a leader in delivering high quality transit projects and we should be competitive with this project. Mr. Jablonski commented that MTS assumed that the Blue/Orange Lines upgrade project was going to be a higher priority but the POF pushed the delivery schedule to 2016.

Mr. Stoll stated that we continue to work toward many milestones for the trolley upgrades and portions of the trolley upgrades will be completed earlier than 2016 even though the full project is shown as finishing in 2016. He also noted that staff is still working on finalizing the project schedules for this project and the Mid-City Rapid Bus project.

Chairman Roberts stated that with the Mid-Coast transit project, we have an opportunity to connect with a major educational institution and employer in this area in a positive way. We need to keep the delivery schedule for this project at 2014 and do what we need to do to make it happen.

Mr. Gallegos stated that the schedule is driven by the dollars available at this time. This is a financial plan and is the best possible plan based on estimated costs and revenues at this time.

Chairman Roberts asked how many projects from the first *TransNet* Ordinance have been delayed to 2020.

Mr. Gallegos stated that all of the three priority projects are included in the POF EAP project delivery schedule; one project is complete and we are beginning another.

Chair Madaffer commented that the quality of life ballot measure could accelerate some of the projects and asked staff to include in the next presentation of the POF how the ballot measure could affect the timeline. He stated that he agreed that pushing the Mid-Coast project to 2020 was unfortunate but the reasons are valid. We need to find out how to find the federal funding for this project.

Chairman Harry Mathis, MTS stated that pushing the project out sends a message that we don't consider this a high priority project and this message could affect the possibility of receiving federal funding. We need to have a good credible argument that this is a priority project and pushing it out six more years undercuts that argument.

Deputy Mayor Druker commented that we need to do what is necessary to get the Mid-Coast project ready for federal funding and we should accelerate that work so we

know whether we will get the federal funding. If we are planning to expand the task to get ready for federal funding, pushing it out would be a problem. He also asked what projects would be dropped or delayed if we are unable to secure the 5 percent shortfall in matching funding and asked staff to brief the Committee on this possibility when it brings the POF back.

Jack Boda, Director of Mobility Management and Project Implementation, stated that we are working aggressively on the Mid-Coast transit project and within the next two years we should have a Full Funding Grant Agreement application. We are aggressively working on finding funding for the I-805 Corridor and the BRT. The SWOOP project just received a federal highway grant and we are working closely with Caltrans to put buses on the shoulder and to combine that project with the Otay Mesa BRT. We are working on a public/private partnership for a transit station at Bonita Plaza.

Mayor Madrid commented that several years ago, when we first looked at the plan, we were criticized for not having the Mid-Coast project completed. Also, we were criticized for having a generous description of smart growth, and said he would like to see how our description of smart growth would comply with the intent of the entire Mid-Coast transit line. Mayor Madrid stated that we are receiving approximately \$400 million from Proposition 1B for mobility. He stated that SANDAG is working with Mexico to develop its own port and asked whether the relationship between SANDAG and Mexico was formal or informal and whether it was possible to leverage our funds with Mexico funding to make our mobility projects more feasible.

Mr. Gallegos stated that the discussions are currently informal. Mexico continues to plan for its goods movement projects and development of its port. The idea is to work with Mexico and tie in the new border crossing at Otay Mesa with its goods movement plans. Our understanding is that while it is designing its port, Mexico is looking at rail and highway connections that would take them east through Mexico to Arizona.

Mayor Madrid stated that we met with the Mexican planners from Tijuana several years ago and the lack of funding has placed its long-term goods movement plan on hold. The loss of revenues we are experiencing now due to the border delays will continue with the implementation of those connections from the Mexican port to Arizona.

Councilmember Scott Peters (City of San Diego) requested clarification of the timeline for the Mid-Coast transit project environment documents and the current progress and status.

Leslie Blanda, Manager of Capital Development, stated that we anticipate a final EIR for the Mid-Coast corridor in two years with the draft environmental document in 14-16 months.

Councilmember Peters stated that the Mid-Coast area is now the Region's job center and he stated that we need to move this project forward and get the project into the EIR review process as quickly as possible. We need to work through issues such as potential litigation and engineering problems and continue to pursue federal funding. We need to move faster than the timeline represents because a delay to 2020 would cause very negative economic consequences for this area.

Deputy Mayor Rindone stated that the escalation of costs by pushing the project out would also make it possible that the project would be out of reach even in 2014. He stated this project was a commitment in the original *TransNet* and that staff needs to consider today's discussion regarding the Mid-Coast transit project and the I-805 environmental effort and BRT and return to brief this committee with possible alternatives.

Mr. Gallegos stated that staff will return to brief this Committee with alternatives that consider advancing the Mid-Coast transit schedule and how it impacts the other projects' timelines.

Deputy Mayor Rindone requested that staff's alternative proposal include a detail on advancing the I-805 Corridor environmental effort and BRT project. He made the motion to direct staff to take the input provided this morning and to return to brief the Committee.

Mayor Pfeiler requested clarification with how advancing the Mid-Coast transit project and delaying the other projects would affect local dollars versus federal dollars. Would this take federal dollars from the other projects and move them to the Mid-Coast project or would the federal funds be replaced by *TransNet* dollars.

Mr. Gallegos stated that this would assume that we would get the federal dollars in the timeframe on the current delivery schedule. We would look at the balance of the *TransNet* funds and determine how the funding needs to be adjusted. All the projects assume a 50/50 match of *TransNet* and other funding. The current match has *TransNet* providing 43 percent of the cost and other sources providing 57 percent. The goal was to brief this committee with enough lead time to take into account the committee's input to bring alternatives back if necessary.

Action: Upon a motion by Deputy Mayor Rindone and a second by Chair Pro Tem Emery, the Transportation Committee directed staff to return at the January 18, 2008, meeting with an alternative POF that takes into account the input from the Committee.

8. FUNDING RECOMMENDATION FOR FY 2007 JOB ACCESS/REVERSE COMMUTE AND NEW FREEDOM PROJECTS

Dan Levy, Senior Regional Planner, presented the item. SANDAG was selected by the Governor of California to be the designated recipient of the Jobs Access and Reverse Commute (JARC) and New Freedom (NF) federal funding programs for the San Diego urbanized area. The JARC program is eligible to fund operating, capital, and mobility management projects providing transportation services to jobs and employment related activities for persons with limited means; the New Freedom program is eligible to fund operating, capital, and mobility management projects providing new or expanded transportation services and facilities for persons with disabilities.

Safe, Accountable, Flexible and Efficient Transportation Equity Act: a Legacy for Users (SAFETEA-LU) requires that SANDAG conduct a competitive selection process open to private nonprofit organizations, governmental authorities, private and public transportation providers, and the Consolidated Public Transit and Human Services Agency (CTSA). The purpose of this competitive selection process is to evaluate potential projects and

recommend to the Federal Transit Administration (FTA) which projects should be funded. The competitive process closed on October 19, 2007, and a total of 16 proposals were received from 10 transportation providers and agencies. Nine proposals were received requesting JARC funding and seven were received requesting New Freedom funding for Fiscal Years (FY) 2007, 2008, and 2009. An amendment will be added to the 2006 Regional Transportation Improvement Plan (RTIP) to include all JARC and New Freedom projects approved by the Board of Directors before the projects are forwarded to the FTA.

On August 3, 2007, the Transportation Committee approved the competitive process and evaluation criteria for allocating FY 2007 through FY 2009 JARC and New Freedom funds (see Attachment 2). Two review committees were established: one for the JARC applications and one for New Freedom applications. The members of these review committees scored each project against the adopted evaluation criteria and not relative to other projects. These scores were then used to rank the projects.

The Federal Guidance for JARC and New Freedom permitted applicants to apply for funding appropriated to three different fiscal years: FY 2007, FY 2008, and FY 2009. This also allows SANDAG greater flexibility in awarding funding. The evaluation committee recommended shifting some funding between fiscal years to accommodate funding as many projects possible. For JARC this also frees up some current year funding for operating projects, which will help compensate for some of the budget shortfalls facing MTS and NCTD. For both JARC and New Freedom projects, recipients must provide a 50 percent local match for operating costs, and a 20 percent local match for capital and mobility management projects. The amount of available funding for FY 2008 and FY 2009 are estimates provided by FTA. If the amount appropriated when the federal appropriations bill is passed differs from the estimates, adjustments will be made to the lowest ranked project being funded.

The JARC Evaluation Committee recommended seven projects to receive JARC funding. The seven recommended projects represent the top JARC projects based on the scoring and ranking performed by the evaluation committee. Mr. Levy briefed the committee on these projects. One project submitted by the Travelers Aid Society was determined to be nonresponsive. The scoring committee also recommended not funding the proposal from Full Access and Coordinated Transportation (FACT) in its current form and suggested that FACT reapply for the remaining funding in future years' competitive processes with a more clearly articulated proposal. The available JARC funding was not able to fully fund two projects--MTS Routes 960 and 905. In light of its current operating budget problems, MTS has requested consideration of how Route 905 might be fully funded in order to avoid possible service cutbacks. Staff has come up with two suggested modifications to the JARC evaluation committee's recommendations that we feel would meet this request without changing the overall project rankings. Mr. Levy briefed the committee on these two options.

The New Freedom evaluation committee recommended six projects to receive New Freedom funding. One project submitted by Accessible San Diego was disqualified due to an inadequate match amount. The six projects recommended for funding represent the top New Freedom projects based on the ranking of projects performed by the scoring committee. Unallocated funds will be rolled over for future competitions. Mr. Levy briefed the committee on the next steps for the process. He stated that in the past two years only

seven jurisdictions have been prepared enough to be able to award funds from both New Freedom and JARC funding.

Deputy Mayor Rindone stated that the funding of \$168,000 for the bus lockers does not seem to be as critical as funding the MTS Route 905 and asked what the difficulty would be to move the funds from the bus lockers to the MTS Route 905.

Mr. Levy stated that the project is acceptable under the federal requirements for the funds and after scoring of the projects under the set criteria it scored high enough to receive the funding,

Deputy Mayor Rindone asked if the bus lockers scored higher than the MTS Route 905 as a greater need and Mr. Levy confirmed that it had.

Chairman Gallo asked whether the proposed mobility connection between the SPRINTER's transit center and downtown Escondido would qualify for funding under one of these programs.

Mr. Levy stated that for New Freedom funding, the program has to be for services that accommodate and cater to the disabled.

Chairman Gallo stated that at a recent Transportation Committee meeting, Supervisor Roberts commented that the cost for a single bus station was extremely high. He stated that one bus station in Escondido was put in with solar lighting but it was not necessary because there was ample lighting already in the area from a retail center and street lights. We need to look at each station and consider whether solar lighting is needed and if not, transfer those funds for another project.

Mr. Jablonski stated that in 2008, MTS would receive state funding for Route 905 or MTS would guarantee to backfill the Route to keep the Route running. MTS and SANDAG worked very hard to ensure that all three routes were funded at a level to continue moving people.

Deputy Mayor Rindone stated MTS Route 905 is a very critical route and that it was clear in 2007 and 2009 that the Route was getting full funding but wanted to push for full funding for MTS Route 905 in 2008.

Clive Richard, a member of the public, stated that he could not support staff's recommendation. He stated his concern for funding routes that are successful as they should be able to fund themselves over time. The purpose of these grants should be for funding new competitive projects.

Wes Johnson, a member of the public stated that he would like to appeal the decision for not funding the Accessible San Diego grant. He stated that one of the reasons for not funding this project was that the funding was intended for new programs and we were asking for funding for a project already in place. The program we submitted was not to fund a current program but to expand the program to include a new service. He also stated that staff information was incorrect because their required match is 20 percent not

50 percent and the funding requested was incorrect. He requested that the committee grant his appeal based on his reasoning or that the committee direct staff to work with Accessible San Diego to improve the applications for funding and grant funding under the current funding cycle.

Bob Prath, representing AARP, stated that his organization has recognized the inefficiencies of the independent transportation assets many of them public funded. He stated that with coordination many of these transportation systems would increase their value. SANDAG hired a transportation authority, CTSA, which has done what is needed by creating a mobility management center. The JARC proposal makes it appear that the effort to meet the transportation coordination responsibilities is half funded. He congratulated SANDAG for qualifying for the JARC/New Freedom funds but their concern is that by half funding the mobility management center, SANDAG is not meeting its commitment to the public. He commented that he hopes future awards will fully fund this essential program.

Laurie Edwards Tate, President and Founder of "At Your Home Family Care" which provides at home nonmedical care for persons with disabilities, seniors, and persons with mental disabilities. It also is a partner with Full Access to Coordinated Transportation (FACT). Ms. Edwards Tate stated that the current systems do not meet disability needs and FACT plays a major role in providing much needed transportation. She stated her support for full funding of FACT with these grants or any other funding sources.

Alane Haynes, representing FACT, stated that funding for mobility management projects is an important need in the country. Recent legislation recognizes that coordination among transportation agencies was necessary to avoid duplication and that is required under SAFETEA-LU. This allows the coordination agency to provide more and better services with the same amount of funding. The initial committee recommended full funding for FACT and the second committee recommended zero funding. She stated her concern that the second committee that reviewed the JARC applications was not aware of mobility management obligations and requirements. She stated her opposition to the current funding recommendations and requested full funding for the FACT program.

Chairman Madaffer requested that Mr. Levy respond to the issue raised by Accessible San Diego regarding the denial for funding due to an inadequate funding match.

Mr. Levy stated that staff felt there was not sufficient match of funds and requested SANDAG Counsel address the legality of the application.

Julie Wiley, General Counsel stated that the circular provides that projects need to be new projects not pre-existing. The matching funds proposed were from existing projects and staff interpreted the circular so that the matching funds must be new monies so that existing funding is not being supplanted.

Chair Madaffer asked for clarification of the timeline for the next grant process.

Mr. Levy stated that the program would continue into next year. Outreach is scheduled for January 2008, and the competitive process would close in March 2008. We would return to the Transportation Committee for approval of grant funding in April 2008.

Councilmember Bob Campbell (North County Inland) stated that he is the Chairman of FACT and commented that the lack of funding for FACT will seriously affect its ability to continue to provide the current level of services. We will come back to this Committee for new funding under the New Freedom program and he requested that those funds be held in abeyance to give FACT some latitude to provide services to low-income passengers.

Deputy Mayor Druker stated that we are having problems with transit funding for the disabled. Other agencies that use FACT type programs have reduced their costs and provided better services. It is very important that we fully fund FACT in order to continue to provide better services and lower costs.

Mayor Pfeiler asked why there were two committees that reviewed the applications.

Mr. Levy stated that because SANDAG submitted an application for the bike locker program, we had to convene a committee of non-SANDAG staff to review the applications.

Mayor Pfeiler stated that we have to disqualify the first committee because it was comprised with SANDAG staff members. She asked whether the second committee fully understood the mobility issue.

Mr. Levy stated that the second committee was briefed in full on the JARC rules and that it was critical to score the applications against the criteria. The committee stated that the application by FACT was poorly written and they encouraged FACT to resubmit an improved application in a future competitive process.

Chair Pro Tem Emery stated that FACT is an important, essential program and if it could not be funded due to not meeting the criteria then something must be wrong with the criteria. If we can fund bike lockers and consider that program to be a higher priority under the current criteria and not fund a program that is fully supported by this committee. He stated that this Committee needs to re-evaluate the criteria so they support the priority programs.

Chair Madaffer stated that the fact that SANDAG did not receive funding supports the fact that the process is fair.

Councilmember Monroe stated that if the criteria were good, you would not have one committee look at a project and fully fund it while a second committee recommends no funding under the same criteria. There is a logic disconnect. A poorly written application is not one of the stated criteria to be evaluated. He asked if it were possible to take the New Freedom funds that remain and move them into this funding cycle and fund the FACT application.

Mr. Levy stated that the remaining funds are available under the New Freedom program and the FACT application was made under the JARC program. Due to federal requirements there must be another competitive process. He stated that the committee could not fund the application because they could not find the answers to the criteria as it was written.

Mayor Desmond stated that in the North County, the individual cities have their own senior transportation programs and he would like to see these separate programs placed under one program like FACT.

Chair Madaffer stated that sending the program back to staff would only delay granting these funds. There is an opportunity for FACT to apply for funding under New Freedom in April.

Councilmember Jerry Kern (North County Coastal) commented that in the next process, staff should review the applications so that if they are not written well, the applicant can make adjustments to make it more clear before going through the process.

Chair Madaffer requested that staff provide notice to those interested applicants of the Transportation Committee meeting where staff will be reporting on the application process so they can attend and hear any discussion of the process up front.

Chairman Gallo asked for staff to explain what happens to the FACT program if the motion passes.

Mr. Levy stated that the disabled and elderly portion would be funded under the New Freedom program but they would not receive funding under JARC, which is approximately half the funding requested. FACT is eligible to apply for more funding under New Freedom in March 2008.

Councilmember Campbell stated that the delay in funding would limit their ability to provide services to low-income workers.

Action: Upon a motion by Chair Pro Tem Emery and a second by Mayor Pfeiler, the Transportation Committee recommended to the Board of Directors that the list of JARC and New Freedom Projects be approved for funding and directed staff to review the criteria and return to the committee in January with recommendation for how the process will be structured in the future.

13. STATUS OF *TransNet* MAINTENANCE OF EFFORT (MOE) AUDITS

Renée Wasmund presented the item. The *TransNet* Extension Ordinance requires the setting of new MOE levels. The process is nearly complete and a few issues have been raised for which Transportation Committee guidance is sought. It is anticipated that the resolution of these issues will be documented in an amendment to Board Policy No. 031, *TransNet* Ordinance and Expenditure Plan Rules.

Section 8 of the *TransNet* Extension Ordinance prescribes the requirement to develop a new MOE level, based on the level of local discretionary funds expended for street and road purposes on average over the fiscal years 2000-01, 2001-02 and 2002-03. The MOE level will then be subject to adjustment every three years based on the Construction Cost Index developed by Caltrans, not to exceed the growth rate in the local jurisdiction's general fund revenues over the same time period. The audits have been underway and are substantially complete. During the audits, two issues were raised. The ITOC reviewed this matter at its

November 14 meeting, and provided staff with their recommendations which staff is presenting today for this committee's input and determination.

Some cities had "banked" their general fund monies in order to fund a particular, high cost project in a future year. If those "banked" funds were spent on the project during the base period (FY 2001-FY 2003), then the expenditures during the base period were artificially high and perhaps not representative of a normal annual spending level. At issue is whether the MOE requirements allow for expenditures to be averaged over a different period of time other than three years or allow for some sort of consideration of spikes in expenditures by the member agencies? Staff recommends Option 1A, isolating and removing the one-time expenditures that were a result of "banking" general fund monies and subsequently expended during the base period FY 2001-2003 so that the MOE represents a normal annual spending level. The ITOC also recommends this option, with the clarification that the prior three-year period should also be reviewed in order to provide corroborating evidence that the exception is clearly a one-time expenditure.

The language in Section 8 of the Extension Ordinance states the MOE will be determined on the basis of "a discretionary fund expended for street and road purposes....as was reported in the State Controller's Annual Report of Financial Transactions for Streets and Roads." The Extension Ordinance also states "the MOE also shall apply to any local agency discretionary funds being used for the other purposes specified under Section 4." The language in the Extension Ordinance for this provision is identical to the language used in the original Ordinance. Under the original Ordinance, the informal practice was to use the separate totals as the basis for calculating the MOE. At issue is whether the Ordinance requires that the MOE levels be calculated on an aggregate basis or on the basis of each category listed in Section 4 of the Ordinance. Both the ITOC and staff recommend Option 2A, establishing separate MOE levels to be consistent with past practice (i.e. separate MOE levels for each category in Section 4 of the Ordinance: major highway and transit congestion relief projects; transit programs to support seniors and disabled persons; specialized transportation services for seniors; monthly transit passes for senior, disabled, and youth riders; transit operations; local streets and roads; habitat-related mitigation costs of local transportation projects; and the smart growth incentive program).

Kevin Cummins, a member of the ITOC commented that the ITOC as a whole is supportive of Option 1A but he has concerns regarding allowing some cities to use additional years to determine their baseline. He questioned whether the option was legally permissible, whether it was good government, and whether it is reasonable policy. He also requested that the committee consider, if adopting Option 1A, that the timeline be increased from three years prior to ten years prior.

Councilmember Kern asked if staff was waiting for direction for the Committee to complete those audits still outstanding.

Ms. Wasmund stated that the audits are continuing but that staff was waiting for direction from this Committee on those two specific issues so we can direct the auditors on how to continue on these specific issues.

Action: Upon a motion by Chair Pro Tem Emery and a second by Mayor Madrid, the Transportation Committee approved staff recommendations of Option 1A and Option 2A to be included as documentation in an amendment to Board Policy No. 31, "*TransNet Ordinance and Expenditure Plan Rules.*"

9. SAN DIEGO SMART PARKING PILOT PROJECT

This item was continued to the January 18, 2008, meeting.

11. 2006 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM: AMENDMENT NO. 9.1

Susan Brown, Financial Manager of Programming presented the item. SANDAG Board approved the 2006 RTIP, a multibillion dollar transportation program for the San Diego region, on August 2006. SANDAG processes amendments on a quarterly basis and more frequently as circumstances warrant. The 2006 RTIP allows for two different types of amendments – administrative and formal. Formal amendments require, among other things, a 30-day public review, and fiscal constraint analysis. Administrative amendments are for changes that are minor in nature, such as project changes of less than 20 percent or \$2 million, and requires state approval only (no federal approval is needed). Amendment No. 9.1 qualifies as an administrative amendment. Caltrans requested a minor change to its State Route (SR) 52 project.

The federal transportation legislation SAFETEA-LU authorized a total of \$10 million in High Priority Program (HPP) funds. HPP funds are allocated annually (20 percent per year based on a five-year authorization). Through FY 2008, total HPP available should be \$8 million; however, without a federal budget, only part of the FY 2008 funding is available. As a result, this amendment proposes to reduce the HPP program amount in FY 2008 (from \$8 million down to \$6 million) and program the remaining amount (\$2 million) to HPP-Advance Construction (AC) funds source. This proposed change does not affect the project cost, scope or schedule but will allow Caltrans to utilize whatever funding is available to continue the project while pursuing the full obligation of HPP funds once the federal budget is approved. The total project budget remains unchanged at \$599.5 million. This change has been requested by Caltrans to demonstrate full funding of this project in support of the State Transportation Improvement Program allocation pending California Transportation Commission (CTC) action in December 2007.

Action: Upon a motion by Deputy Mayor Rindone and a second by Chair Pro Tem Emery, the Transportation Committee approved Amendment No. 9.1 to the 2006 RTIP.

12. TRANSPORTATION DEVELOPMENT ACT (TDA) CLAIM AMENDMENT: COUNTY OF SAN DIEGO

Lauren Warrem, Finance Manager presented the item. Each year, SANDAG undertakes a review of bicycle and pedestrian projects funded under Transportation Development Act (TDA) Article 3.0 programs. The purpose of the review is to identify projects that have been completed by the sponsoring agency. The review has been completed for the County of San Diego projects. After a final accounting, unexpended funds from the County of San Diego projects remain, and the allocations for these TDA claims must be reduced by a total of \$100,400. The unexpended funds, plus accumulated interest of approximately \$60,000 will

be returned to the Local Transportation Fund, subject to Transportation Committee approval, for use on other bicycle and pedestrian projects.

Action: Upon a motion by Councilmember Kern, and a second by Deputy Mayor Rindone, the Transportation Committee approved Resolution No. 2008-05, approving revisions to TDA Article 3.0 claims for various County of San Diego completed bicycle and pedestrian projects.

14. 2008 STATE TRANSPORTATION IMPROVEMENT PROGRAM (STIP)

This item was continued to the January 18, 2008, meeting.

15. UPCOMING MEETINGS

The Transportation Committee cancelled the next regularly scheduled meeting for January 4, 2008, due to the holidays. The next meeting of the Transportation Committee is scheduled for Friday, January 18, 2008, at 9 a.m.

16. ADJOURNMENT

Chair Madaffer adjourned the meeting at 11:23 a.m.

Attachment: Attendance Sheet

**CONFIRMED ATTENDANCE
SANDAG TRANSPORTATION COMMITTEE MEETING
DECEMBER 14, 2007**

GEOGRAPHICAL AREA/ ORGANIZATION	JURISDICTION	NAME	MEMBER/ ALTERNATE	ATTENDING
North County Coastal	City of Del Mar	David Druker	Member	Yes
	City of Oceanside	Jerry Kern	Alternate	Yes
North County Inland	City of Escondido	Lori Holt Pfeiler	Member	Yes
	City of Vista	Bob Campbell	Alternate	Yes
East County	City of Santee	Jack Dale (Vice Chair)	Member	No
	City of La Mesa	Art Madrid	Alternate	Yes
South County	City of Chula Vista	Jerry Rindone	Member	Yes
	City of Coronado	Phil Monroe	Alternate	Yes
City of San Diego	----	Jim Madaffer (Chair)	Member	Yes
	----	Scott Peters	Alternate	Yes
	----	Ben Hueso	Alternate	No
County of San Diego	----	Ron Roberts	Member	Yes
	----	Bill Horn	Alternate	Yes
	----	Greg Cox	Alternate	No
Metropolitan Transit System	City of Poway	Bob Emery	Member	Yes
	MTS	Harry Mathis	Alternate	Yes
North County Transit District		Ed Gallo	Member	Yes
		Jerome Stocks	Alternate	No
		David Druker	Alternate	?
San Diego County Regional Airport Authority		Charlene Zettel	Member	No
		Jim Desmond	Alternate	Yes
		Ramona Finnila	Alternate	No
ADVISORY/LIAISON Caltrans	----	Pedro Orso- Delgado	Member	Yes
	---	Bill Figge	Alternate	No
SCTCA	---	vacant	Member	No
	---	Albert Phoenix	Alternate	Yes