

# TRANSPORTATION COMMITTEE

July 18, 2008

AGENDA ITEM NO.: **1B**

**Action Requested: APPROVE**

## TRANSPORTATION COMMITTEE DISCUSSION AND ACTIONS MEETING OF JUNE 20, 2008

The meeting of the Transportation Committee was called to order by Chair Jim Madaffer (City of San Diego) at 9:04 a.m. See the attached attendance sheet for Transportation Committee member attendance.

1. APPROVAL OF MEETING MINUTES

Action: Upon a motion by Mayor Lori Pfeiler (North County Inland) and a second by Councilmember Matt Hall (North County Coastal), the Transportation Committee approved the minutes from the May 30, 2008, special meeting, and the June 6, 2008, regular meeting.

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

Don Stillwell, a member of the public submitted written comments which he read into the record regarding bus route 14 service and its connecting services.

Clive Richard, a member of the public expressed his support of Mr. Stillwell's comments.

Councilmember Phil Monroe (South County) requested that the Metropolitan Transit System (MTS) provide a report to the Transportation Committee regarding the reasoning and background for the bus route 14 service and route changes.

Chair Madaffer directed staff add this item to a future agenda.

### CONSENT ITEM

4. SMART GROWTH TRIP GENERATION AND PARKING DEMAND GUIDELINES (INFORMATION)

SANDAG staff has initiated work on the Smart Growth Trip Generation and Parking Demand Guidelines, a strategic initiative in the RCP that is included in the FY 2009 RCP Planning and Implementation work program and is funded through Blueprint Planning Grant funds. This study will collect data and evaluate parking and trip generation characteristics of existing smart growth areas in the San Diego region. The report provided an overview of the study, expected outcomes, and timeline.

Action: Upon a motion by Mayor Pfeiler and a second by Chair Pro Tem Bob Emery (MTS), the Transportation Committee approved Consent Item 4.

### 3. METROPOLITAN TRANSIT SYSTEM TRANSIT SERVICE CHANGES (INFORMATION)

Chair Madaffer pulled Item 3 from the consent agenda and Phil Trom, Associate Transit Service Planner, presented this item. He stated that MTS is proposing a number of service changes as a result of a major shortfall in revenue resulting from changes to the California State Budget, declining sales tax receipts, and increases in fuel costs. SANDAG Board Policy No. 018 (Regional Transit Service Planning and Implementation Policy) requires an analysis to determine whether changes to routes of regional significance are consistent with regional transportation and land use plans. Mr. Trom briefed the committee on the proposed changes, the budgetary savings from these changes, and stated that none of the changes was regionally significant.

Mary J. Bartholomew, a member of the public requested the Transportation Committee create an advisory committee or panel of community members to address MTS route and fare changes. She stated that she would serve on the panel and would request the membership be community members who are affected by service and rate changes.

Action: Upon a motion by Chair Pro Tem Emery and a second by Councilmember Hall, the Transportation Committee accepted the report.

## CHAIRS REPORTS

### 5. STATE ROUTE 905 STATUS UPDATE (INFORMATION)

Chair Madaffer introduced the item and Pedro Orso Delgado, Director Caltrans District 11 provided an update of the current status of the State Route (SR) 905 project.

Mr. Orso Delgado stated that the SR 905 Phase 1A project is moving forward and Caltrans has been able to mediate right of way agreements with several properties. He stated that there are three more parcels to be negotiated and they are scheduled for court this fall. He stated that the SR 905 Phase 1B project received \$91.6 million in TCIF funds and Caltrans is moving forward with the Bid Opening in January 2009, and expects to start construction in April or May 2009. Mr. Orso Delgado stated that the SR 11 project including the new Port of Entry also received TCIF funds and is moving forward. He commented that Caltrans is receiving positive feedback regarding the Conditional Presidential Permit once the tiered environmental document is approved. Mexico has completed its scoping document and Caltrans and Mexico are discussing who will purchase the land for the border crossing. We expect to begin construction by 2012 and are expecting the proposed legislation for tolling on SR 11 (SB 1486) to move forward.

Chair Madaffer expressed his appreciation to the Caltrans District 11 team for their work on this project.

Councilmember Monroe stated that the discussion during the recent Joint Borders Committee/City of Tijuana meeting for the SR 11 and new Port of Entry project was very exciting and the officials from Mexico were very supportive of this project.

Action: This item was provided for information only.

Discussion ensued among the members regarding how the opening of the new HOV lane from Via de la Valle to Manchester Avenue on Interstate 5 (I-5) has alleviated congestion and were looking forward to the future extension of the HOV lane to Carlsbad and then Oceanside.

Mr. Orso Delgado stated that Caltrans has received delivery of the barrier transfer machines for I-15 and barrier rail construction has begun. He expects to have a demonstration of the process next week.

Discussion ensued regarding whether there was support for the I-5 Lane Widening project in North County and the status of the project.

## **REPORTS**

### **6. FY 2009 TRANSPORTATION DEVELOPMENT ACT PRODUCTIVITY IMPROVEMENT PROGRAM (RECOMMEND)**

Mr. Trom presented the item and briefed the Committee on the background of the Transportation Development Act (TDA). The TDA provides ¼ percent of the state sales tax for operating and capital support of public transportation systems and non-motorized transportation projects. SANDAG, as the designated Regional Transportation Planning Agency (RTPA), is responsible for the allocation of TDA funds to the region's cities, the County, and transit operators.

Pursuant to California Public Utilities Code (PUC) Section 99244, an operator can be allocated no more in FY 2009 than it was allocated in FY 2008 unless SANDAG determines that the operator made a reasonable effort to implement the productivity improvement recommendations adopted by the SANDAG Board of Directors for the current fiscal year.

Mr. Trom stated that in FY 2007 the transit agencies and SANDAG jointly established performance goals for FY 2008 and evaluated transit agency performance from the current year, which were approved by the Board of Directors in June 2007. The MTS goals were established for each operating component of the MTS system (Chula Vista Transit, MTS fixed-route and demand responsive Contract Services, San Diego Transit, and San Diego Trolley). The NCTD goals were established for the fixed-route BREEZE/demand responsive FAST, COASTER, and Americans with Disabilities Act (ADA) services.

Mr. Trom reviewed the four categories of the FY 2008 performance improvement objectives and the extent to which the transit agencies and operators were on target to meet the performance objectives. MTS was able to meet 23 of its 26 performance objectives. Data was not available for the evaluation of on-time performance for either MTS or NCTD since SANDAG is currently revising the data collection program that includes this statistic. It is notable that ridership on MTS has been increasing this year at a much faster rate than the population of the MTS service area. Based on the most recent data, MTS ridership is growing at an annual rate of about 3.75 percent, while the population of the service area grew by only 0.93 percent. Additionally, MTS began implementation of its Comprehensive Operational Analysis (COA) in 2006, which was expected to result in improved system performance. The final route and schedule changes for the COA were implemented in March 2007 during the third quarter of FY 2007. As such, the FY 2008 performance evaluation takes into account the final COA implementation. Mr. Trom reviewed the specific goals and objectives met by each MTS component.

Mr. Tom stated that NCTD was able to meet 10 of its 17 performance objectives. Overall, NCTD ridership declined by 0.28 percent from first half of FY 2007 to the same period in FY 2008 while the NCTD service area population grew by 1.56 percent. However, NCTD recently completed a major service redesign in the third quarter of FY 2008 which involved the deployment of SPRINTER service and major BREEZE changes to better align bus and rail services. These changes are expected to increase ridership in the coming years. Mr. Trom reviewed the specific goals and objectives met by each NCTD component.

Mr. Trom stated that in previous years, the transit agencies have made reasonable efforts to achieve the productivity targets that were established through the TDA process as previously discussed. However, changes were needed to the Productivity Improvement Program to make it a more useful tool to measure and improve the regional transit system. The issue concerns the emphasis on annual targets which involve too short a period to draw definitive conclusions about performance. In response, productivity improvement goals are not being set for FY 2009 and are being replaced with the evaluation of longer-term performance trends. The revised Productivity Improvement Program for FY 2009 would be the evaluation of the following TDA performance data over a three-year (12 quarter) period: the operating cost per passenger (adjusted for annual inflation), the operating cost per revenue hour (adjusted for annual inflation), passengers per revenue hour, passengers per revenue mile, revenue hours per employee, and farebox recovery ratio.

Mr. Trom stated that specific targets have not been established for FY 2009, however, the data will be used to evaluate whether the transit agencies are improving their performance in light of external circumstances (e.g., fuel prices). If trend data suggests that performance is weakening or declining, SANDAG and the transit agencies work together to understand the factors behind the decline and develop strategies for reversing the trend. The data will also be examined to determine if short-term aberrations in costs or ridership are causing the performance problems.

Mr. Trom stated that in addition to the three-year performance monitoring associated with the annual TDA claim, the triennial performance audit commissioned by SANDAG includes the development of improvement recommendations for the transit agencies. Based on the most recently completed performance audit, MTS and NCTD were advised of several recommendations to address opportunities to improve efficiency and effectiveness. These recommendations and the associated MTS and NCTD action plans to implement the recommendations were provided to the Committee members to review.

Action: Upon a motion by Vice Chair Jack Dale (East County) and a second by Mayor Pfeiler, the Transportation Committee recommended that the SANDAG Board of Directors find that Metropolitan Transit System and North County Transit District made a reasonable effort to implement productivity improvements during FY 2008 and to concur that the productivity evaluation process for FY 2009 fulfills TDA requirements.

7. FY 2009 TRANSPORTATION DEVELOPMENT ACT BICYCLE AND PEDESTRIAN/*TransNet* BICYCLE, PEDESTRIAN, AND NEIGHBORHOOD SAFETY FUNDING (RECOMMEND)

Chris Kluth, Associate Regional Planner presented the item. Each year, the SANDAG Board of Directors allocates funds under the TDA and the *TransNet* local sales tax program to support bicycle

and pedestrian transportation projects in the San Diego region. For FY 2009, approximately \$7.3 million is available for allocation.

Historically, the majority of funds have been allocated on a competitive basis to local jurisdictions through an annual call for projects process. This year, however, there are existing regional bicycle projects with large costs that do not fit into this project selection criteria and funding structure which has led to the preclusion of the FY 2009 call for projects and a staff recommendation that all available FY 2009 funds be programmed for regional bicycle projects. Mr. Kluth noted that the Bicycle-Pedestrian Working Group (BPWG) did not support this recommendation, primarily citing the loss of the ability to fund key local bicycle and pedestrian projects and the cost of the Inland Rail Trail. The ITOC supported the proposed recommendations but expressed concerns in keeping the Inland Rail Trail (IRT) funds separate from the SPRINTER costs and to ensure that the IRT does not absorb more than its fair share of costs.

Mr. Kluth reviewed the recommended funding allocation for FY 2009. Current additional costs for the fully constructed portion of the IRT are estimated at \$3.87 million. The total amount will not be known until later in the calendar year when all construction claims from the SPRINTER have been submitted and approved. To be prudent, the recommendation is to allocate \$3,870,000 for the IRT and set aside \$501,000 as unallocated funds.

Jim Linthicum, Division Director, provided background and information regarding why this portion of the IRT project was constructed in conjunction with the SPRINTER. He stated that he anticipates that the project needs approximately an additional \$3.87 million. We won't know the exact amount until all negotiations on the project are resolved.

Mr. Kluth stated that SANDAG has been working on preliminary engineering study for an extension of the Bayshore Bikeway from Main Street in the City of Chula Vista to 32nd Street in the City of San Diego since January 2008. The study is funded through grants from the County of San Diego and with funding from the cities of Chula Vista and National City. The Bayshore Bikeway Working Group recommends that the Transportation Committee and Board of Directors approve funding in the amount of \$450,000 to complete the final design for this portion of the Bayshore Bikeway.

Due to the impact of inflation on the cost of construction, the additional cost of having to prepare an EIR to address the historic resource issues, and the cost of settlement with Save Our Heritage Organization, the final cost to complete the project has increased \$624,000 for the Western Salt segment of the Bayshore Bikeway.

Mr. Kluth reviewed the next steps. Once the final costs for the IRT are known and have been accepted, staff will return to the Transportation Committee for a final recommendation. Work has begun on the *San Diego Regional Bicycle Plan*, and later this year the Transportation Committee will be asked to provide input and guidance on the development of policies that will shape future funding programs for the implementation of the Regional Bikeway Network and the Bicycle, Pedestrian, and Neighborhood Safety/Traffic Calming Program. Concurrently with the development of the *San Diego Regional Bicycle Plan* we are revising the project selection criteria for the overall program in anticipation of the FY 2010 Call for Projects.

Chairman Ed Gallo (NCTD) asked if the \$3.87 million allocation was part of the SPRINTER Mainline contract and whether these funds are restricted for that use only. He expressed his concern that

money is being spent in this manner during a time of financial crisis for the transit agencies. He asked whether the funds could be used for operational uses for transit.

Mr. Linthicum stated that these funds are restricted and have been spent. Currently, the contractor and construction manager are determining what additional funds are needed.

Councilmember Hall expressed his concerns that these TDA funds should not be restricted based on whether a jurisdiction has an approved housing element.

Action: Upon a motion by Councilmember Monroe and a second by Vice Chair Dale, the Transportation Committee recommended that the SANDAG Board of Directors approve the following FY 2009 TDA/*TransNet* funding actions: 1) \$450,000 allocation for Main Street (Chula Vista) to 32<sup>nd</sup> Street (City of San Diego) segment of the Bayshore Bikeway; 2) \$624,000 allocation for Western Salt segment of the Bayshore Bikeway; and 3) \$3,870,000 allocation for the Inland Rail Trail project.

#### 8. FY 2009 TDA ALLOCATIONS (RECOMMEND)

Sookyung Kim, Financial Programming Manager, presented the item and provided background information. The TDA provides ¼ percent of the state sales tax for operating and capital support of public transportation systems and non-motorized transportation projects. SANDAG, as the designated RTPA, is responsible for the allocation of TDA funds to the region's cities, the County, and transit operators.

At the February 22, 2008, meeting, the Board adopted the San Diego County Auditor's estimate of \$119,734,000 for the region's FY 2009 TDA apportionment. Ms. Kim stated that the report today would present the allocation requests for the TDA Article 3 (based on action from Agenda Item No. 7), Article 4, Article 4.5, and Article 8 claims, and one State Transit Assistance (STA) claim.

Ms. Kim stated that the TDA allocations are authorized under four separate articles of the law. Article 3 funds are designated for bicycle and pedestrian projects. Article 4 funds are used to provide general public transit services. Article 4.5 funds are designated for community transit services, and by Board Policy No. 027 are allocated within the San Diego region to support Paratransit services required by the Americans with Disabilities Act (ADA). Article 8 supports specialized services, such as express bus and ferry services. Finally, the STA fund is a state program administered locally that provides additional support for public transit services.

Ms. Kim stated that under Article 3, for FY 2009, \$2,320,279 in TDA Bicycle and Pedestrian funds are available for non-motorized projects (including prior year carryover). The allocation for this program as well as the *TransNet* Bicycle program was discussed as part of Agenda Item No. 7. Beginning with FY 2009, the productivity improvement measurement became part of the overall coordinated plan. Agenda Item No. 6 discussed this requirement as well as determination of achieving prior year goal efforts and the establishment of future goals.

Ms. Kim stated that a written summary of the FY 2009 claims by the different articles was provided to the Committee for its review.

Action: Upon a motion by Councilmember Hall and a second by Chairman Gallo, the Transportation Committee recommended that the SANDAG Board of Directors approve Resolution Nos. 2008-31 to 2008-36 approving the final FY 2009 TDA allocations at its June 27, 2008, meeting.

9. DRAFT 2008 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM (ACCEPT)

Ms. Kim presented the item. SANDAG, serving as the region's Metropolitan Planning Organization (MPO), is required by state and federal law to develop and adopt a Regional Transportation Improvement Program (RTIP) every two years. The RTIP is a multi-year program of proposed major highway, arterial, transit, and non-motorized projects, including the *TransNet* Program of Projects. The current 2006 RTIP, adopted by the Board of Directors on August 4, 2006, covers the five-year period FY 2007 through FY 2011. The draft 2008 RTIP, covering the period FY 2009 through FY 2013, is an \$8.9 billion program consisting of major highway, transit, local streets and roads, and other projects.

Ms. Kim stated that of the \$8.9 billion program total, \$4.8 billion is allocated for highway projects, including the *TransNet* Early Action Program (EAP) projects: I-5, I-15, I-805, SR 52, and SR 76. For transit, the \$2.5 billion program includes the *TransNet* EAP projects: Mid-Coast, I-15 Bus Rapid Transit project, light rail vehicle purchases, Blue and Orange Trolley Line Upgrade projects and other infrastructure rehabilitation projects. Local Street and Road projects (\$1 billion) and other miscellaneous projects (\$580 million) such as Bicycle/Pedestrian, Transportation Demand Management, and Transportation Management System projects make up the rest of the 2008 RTIP. Federal and state funds account for about 52.1 percent of the total RTIP.

A major component of the RTIP includes the state and federally funded transportation projects that are programmed in the State Transportation Improvement Program (STIP) and State Highway Operation and Protection Program (SHOPP). The California Transportation Commission (CTC) adopted the 2008 STIP and SHOPP at its meeting on May 29, 2008. This draft 2008 RTIP includes the CTC-adopted 2008 STIP funded projects for the San Diego region. The final 2008 RTIP is due to the state by August 1, 2008.

Ms. Kim stated that federal and state regulations identify the process and required content of the RTIP. In general, the RTIP must include all major projects receiving certain categories of federal or state transportation funding, projects needing federal project approval, and/or projects identified as being regionally significant. This includes projects funded by the federal Regional Surface Transportation Program (RSTP), Congestion Mitigation and Air Quality (CMAQ) program, Federal Transit Administration (FTA) formula and discretionary programs and other federal sources, as well as projects funded by the STIP and SHOPP. As prescribed by the *TransNet* Ordinance, the RTIP also includes the *TransNet* Program of Projects.

On January 4, 2008, SANDAG transmitted a memorandum to all local agencies requesting project submittals for the 2008 RTIP. The draft list of projects proposed for the 2008 RTIP was presented for the Committee's consideration. The list includes projects submitted by local agencies, transit agencies, Caltrans, and SANDAG, as well as other agencies that have transportation projects in the San Diego region. For the local agencies, this proposed list is pending the approval by their governing body. The documentation attesting to the approval at the local level is due to SANDAG by June 30, 2008. Any project not included with the local approval will be removed from further consideration for the 2008 RTIP.

Ms. Kim stated that at its meeting on June 11, 2008, the Draft 2008 RTIP was reviewed by the Independent Taxpayers Oversight Committee (ITOC), which focused its review on the *TransNet* Program of Projects including compliance with the Ordinance and requirements of Board Policy No. 031 " *TransNet* Ordinance and Expenditure Plan Rules." The ITOC did not have significant comments.

Federal regulations require that SANDAG conduct an air quality conformity analysis of all regionally significant projects that increase the transportation system capacity. This includes major local and privately funded projects and any other state or federally funded projects that might not otherwise appear in the RTIP, as well as new projects or major changes in the project scope for existing programmed projects.

The draft quantitative emissions analyses for the 2008 RTIP and for the conformity re-determination for the 2030 Revenue Constrained RTP, Pathways for the Future have been conducted, and draft results indicate that they meet the air quality conformity requirements. The draft Regional Emissions Analysis and Modeling Procedures report was distributed for public review on June 2, 2008. Written comments are due to SANDAG by July 2, 2008. The San Diego Region Conformity Working Group (CWG) reviewed the draft air quality conformity assessment at its June 4, 2008, meeting. There were no comments at that meeting. The CWG will be providing comments throughout the RTIP process.

Ms. Kim stated that should the Transportation Committee accept the staff recommendation, the Draft 2008 RTIP will be distributed for public review and comment, and a public hearing will be held at the Transportation Committee meeting on July 18, 2008. Pending the Transportation Committee's action, the Board of Directors will be requested to adopt the final 2008 RTIP and make its air quality conformity determination at its July 25, 2008, meeting.

Jay Powell, a member of the public and the City Heights Community Development Corporation, expressed his support of the I-15 BRT Transit Stations project but requested that the language to modify existing stations be removed. He stated that the current stations are temporary and there was never any intention to modify those stations. He stated the language should address new transit stations and the lanes. He stated that the working group wants to make sure that the project is for the I-15 Mid-City Centerline project. He stated that even though there will be an opportunity for amendments the working group prefers the clarity to the language at this time prior to distribution to the public.

Gary Gallegos, Executive Director stated that this item is to accept the list of projects for distribution and staff will address Mr. Powell's comments in a revision that will be brought back for approval at the July Transportation Committee and Board of Directors meetings.

Deputy Mayor Jerry Rindone (South County) requested that the title of Project CHV30 should be changed from H Street and I-5 Interchange Improvements to the I-5 Multimodal Corridor Study from SR 54 to Main Street. He stated that the change results from the recent passage of HR 1195, the "clean-up" federal legislation for the latest transportation reauthorization. He formally requested that the project name and description be changed. Deputy Mayor Rindone stated that in addition the High Priority Project (HPP) funds have been reduced by 8 percent to \$1.9872 million and he requested that change be made as well.

Chair Madaffer stated that this was a similar to Mr. Powell's and directed staff to address this change prior to returning in July for approval of the list of projects.

Councilmember Monroe stated that the FACT Work Plan under Item 8 was different than what the FACT Board approved and requested clarification regarding how staff developed the Work Plan.

Ms. Kim stated that the Work Plan was approved by the CTSA and reviewed by SANDAG planning staff.

Chair Madaffer requested staff to address this issue with Councilmember Monroe following the meeting.

Councilmember Hall again expressed his concerns regarding the restrictions to jurisdictions that do not have approved housing elements.

Action: Upon a motion by Vice Chair Dale and a second by Chair Madaffer, the Transportation Committee (1) accepted for review and distribution the Draft 2008 Regional Transportation Improvement Program including its air quality conformity analysis and the draft air quality conformity re-determination of the 2030 Revenue Constrained RTP, Pathways for the Future; and (2) scheduled a public hearing for the July 18, 2008, Transportation Committee meeting.

#### 10. AGREEMENT WITH STATE WATER RESOURCES CONTROL BOARD CONCERNING IMPLEMENTATION OF *TransNet* PROJECTS (APPROVE)

Richard Chavez, Principal Engineer, presented the item. On May 4, 2007, the Transportation Committee authorized the Executive Director to enter into an agreement with the State Water Resources Control Board (Water Board) to expedite the delivery of *TransNet* projects. This agreement allows Water Board staff to participate in the project development process, expediting the issuance of project conformity permits. Mr. Chavez stated that staff is proposing to renew this agreement with the Water Board. Funds would be made available through the *TransNet* Project Office, work element 1200100. The new agreement would provide similar access to the cities and the County for their projects should they chose to participate.

Mr. Chavez stated that the Agreement will help expedite *TransNet* Early Action Projects (EAP) and the terms of the renewed agreement would be in effect until June 2010. The Water Board would invoice SANDAG for reimbursement for the hours of work actually performed under the terms of this agreement up to \$410,000 during FY 2009 and FY 2010. *TransNet* funds from the *TransNet* Project Office budget, work element 1200100, would be used for the majority of this expense. Should cities or the County chose to participate in this program, city or County funds would be used for those expenses.

Action: Upon a motion by Councilmember Hall and a second by Mayor Pfeiler, the Transportation Committee authorized the Executive Director to renew an existing agreement with the State Water Resources Control Board to expedite the delivery of *TransNet* projects. The new agreement would also allow cities and the County similar access for their projects should they choose to participate. The agreement would be in substantially the same form as presented to the Committee. The agreement would last through June 2010. Costs would not exceed \$410,000.

## 11. STATUS OF *TransNet* MAINTENANCE OF EFFORT (MOE) AUDITS (APPROVE)

Lisa Kondrat-Dauphin, Associate Financial Analyst, presented the item. The *TransNet* Extension Ordinance requires the setting of new maintenance of effort (MOE) levels. The process is complete. On February 22, 2008, the Board of Directors approved the MOE base levels for the Cities of Chula Vista, Coronado, Del Mar, El Cajon, Escondido, Imperial Beach, La Mesa, Lemon Grove, National City, Poway, San Marcos, Santee, Solana Beach, and Vista, and the County of San Diego. On March 28, 2008, the Board of Directors approved the MOE base levels for the Cities of Carlsbad, Encinitas, and Oceanside. On April 25, 2008, the Board of Directors approved the MOE base level for the City of San Diego.

Ms. Kondrat-Dauphin stated that at the April 18, 2008, Transportation Committee meeting, the City of Del Mar requested that its audit be revisited in order to exclude those one-time expenditures that resulted from 'banking' general fund monies so that the result would be representative of a normal annual spending level. This is identical to the exception previously approved by the ITOC, Transportation Committee, and the Board of Directors for the Cities of Carlsbad and Encinitas. At that time, the ITOC recommended certain additional procedures be performed to review and analyze the one-time expenditures. The auditors have performed those additional procedures for Del Mar. The additional procedures included obtaining discretionary local street and road expenditures from the City of Del Mar for the three years preceding the MOE base period for trend analysis, as well as a listing of the one-time expenditures for all six years. Based on the revised audit, the MOE for Del Mar was reduced.

Mayor Dave Druker (North County Coastal) expressed the City of Del Mar's concerns regarding the inclusion of nondiscretionary funds and stated that the City of Del Mar requested SANDAG's consideration of separating the General Fund revenues between discretionary revenues and nondiscretionary revenues and then isolating only the growth rate in the discretionary revenues for purposes of adjusting the maintenance of effort level. He stated that the City does not agree with the opinion of the SANDAG General Counsel and requested this issue be brought to the Transportation Committee at a future agenda to be thoroughly discussed. He stated that the City does not have control over nondiscretionary funds and so it should not be included in the calculations.

Chair Madaffer directed the SANDAG General Counsel provide a report to the Transportation Committee for consideration of separating discretionary and nondiscretionary funds in assessing escalation in *TransNet* MOE levels. He stated that it was his understanding though that the Ordinance was very specific to this issue.

Julie Wiley, General Counsel stated that the determination is basically an interpretation of the language of the Ordinance.

Mr. Gallegos stated that the ITOC was given a presentation on this item and it concurred with General Counsel's interpretation.

Action: Upon a motion by Mayor Pfeiler and a second by Chairman Gallo, the Transportation Committee recommended that the Board of Directors approve the revised MOE level for the City of Del Mar.

## 12. SPRINTER PROJECT STATUS REPORT AND SANDAG INDEPENDENT ASSESSMENT (INFORMATION)

Jim Linthicum, Division Director, provided an update on the status of the SPRINTER project. He stated that revenue service began on March 9, 2008. In May, the SPRINTER ridership was 181,433 passengers with an on-time performance of 99 percent. He stated that security checked 49,186 passengers and issued 204 warnings and 22 citations, and the fare evasion rate is only .5 percent. Mr. Linthicum stated that ridership has increased from 6262 passengers in May to 7093 in the first two weeks of June. He reviewed the daily boardings at the various SPRINTER stations.

The Nordahl Station parking lot is complete and open to the public. The deployable fall protection plates on the eastbound Escondido Avenue Station platform gangways are installed and undergoing testing with the opening expected this month. Mr. Linthicum stated that NCTD has requested the California Public Utilities Commission witness the final installation and testing. Work on permanent stormwater control measures, landscaping, and punch list items continues. All work on the project should be complete by early August.

Mr. Linthicum briefed in more detail the current status of stormwater issues. NCTD submitted a plan for compliance in response to the San Diego Regional Water Quality Control Board's (Regional Board) "clean up and abatement order." On May 5, 2008, NCTD certified to the Regional Board that the SPRINTER corridor was compliant with all stormwater control requirements. The Regional Board reviewed the project and concurs with this assessment.

On March 4, 2008, the Regional Board issued NCTD a \$685,000 fine for violations of the stormwater regulations. The Regional Board held its hearing on June 11, 2008 and upheld staff recommendation to not reduce the fine. NCTD's position is that the majority of the fine is the responsibility of the contractor but NCTD retains responsibility for that portion of the fine for the silt that entered the project from outside the contractor's right of way.

Mr. Linthicum stated that there was no new estimate at completion (EAC) issued this month and therefore it remains \$479.3 million. The \$479.3 million includes a \$10 million contingency and assumes NCTD will pay the maximum potential value of the settlement agreement with the mainline contractor. It also includes a forecasted cost for change orders yet to be negotiated. The project budget set by the NCTD Board, and included in the Amended Recovery Plan for the FTA, is \$484.1 million, giving NCTD an additional \$14.8 million of capacity between budget and EAC.

The risks to budget continue to be the backlog of change orders, the cost of the additional stormwater control measures, and the potential claim from the Mainline contractor for impacts from the delay to the start of revenue service. Additionally there is a potential new \$1.4 million claim from the Mainline contractor for rework on bridges. NCTD has denied the claim but it continues to be a risk to budget.

Councilmember Hall asked whether the stormwater issues would be addressed as punch list items or will there be re-engineering in Oceanside.

Mr. Linthicum stated that the stormwater issues are separate from the flooding issues. In Oceanside the flooding along Loma Alta Creek is being addressed by a mitigation agreement between the City of Oceanside and NCTD to build detention basins and drainage cleanouts.

Councilmember Hall asked if the excess funds could potentially be used to fund the mitigation efforts for the flooding and Mr. Linthicum stated that it could affect the funding for the project. He stated that it depends on how NCTD decides to budget those solutions. NCTD could determine that the reason for the work is due specifically to the SPRINTER project and could be budgeted against the SPRINTER project. Conversely, NCTD could determine it is a factor of ownership of the right-of-way.

Councilmember Monroe asked staff what the predicated future ridership for the SPRINTER was and Mr. Linthicum stated that the ridership after the first year was predicted to be approximately 11,000 passengers daily.

Deputy Mayor Druker stated that NCTD believes the flooding problems are the responsibility of the City of Oceanside because they did not build the detention basins when the SPRINTER project was underway. He also stated the suggestion brought up at the NCTD Board meeting that the SPRINTER project may be causing the budget impacts is not accurate.

Action: This item was provided for information only.

#### 13. UPCOMING MEETINGS

The next meeting of the Transportation Committee is scheduled for Friday, July 18, 2008, at 9 a.m.

#### 14. ADJOURNMENT

Chair Madaffer adjourned the meeting at 10:05 a.m.

Attachment: Attendance Sheet

**CONFIRMED ATTENDANCE  
SANDAG TRANSPORTATION COMMITTEE MEETING  
JUNE 20, 2008**

| GEOGRAPHICAL AREA/<br>ORGANIZATION             | JURISDICTION        | NAME                   | MEMBER/<br>ALTERNATE | ATTENDING |
|--|---------------------|------------------------|----------------------|-----------|
| North County Coastal                           | City of Carlsbad    | Matt Hall              | Member               | Yes       |
|  | City of Del Mar     | Dave Druker            | 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               | Yes       |
|  | City of La Mesa     | Art Madrid             | Alternate            | No        |
| South County                                   | City of Coronado    | Phil Monroe            | Member               | Yes       |
|  | City of Chula Vista | Jerry Rindone          | Alternate            | Yes       |
| City of San Diego                              | ----                | Jim Madaffer (Chair)   | Member               | Yes       |
|  | ----                | Toni Atkins            | Alternate            | Yes       |
|  | ----                | Ben Hueso              | Alternate            | No        |
| County of San Diego                            | ----                | Ron Roberts            | Member               | Yes       |
|  | ----                | Greg Cox               | Alternate            | No        |
|  | ----                | Bill Horn              | 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        |
|  |                     | Chris Orlando          | Alternate            | No        |
| San Diego County Regional<br>Airport Authority |                     | Charlene Zettel        | Member               | No        |
|  |                     | Jim Desmond            | Alternate            | No        |
|  |                     | Ramona Finnilla        | Alternate            | No        |
| ADVISORY/LIAISON Caltrans                      | ----                | Pedro Orso-Delgado     | Member               | Yes       |
|  | ---                 | Bill Figge             | Alternate            | Yes       |
| SCTCA  | ---                 | Albert Phoenix         | Member               | No        |
|  |                     | Shane Chapparosa       | Alternate            | Yes       |
|  |                     |                        |                      |           |
|  |                     |                        |                      |           |