

**From:** alan mil

**Sent:** Monday, February 12, 2024 8:07 AM

**Subject:** SANDAG BOUGHT 125 WITH OUR TAX REFUSES STOP 125 TOLL AFFECTS TRAFFIC CONGESTION 805 AND 5

**WARNING** - This email originated from outside the City of Chula Vista. Do not click any links and do not open attachments unless you can confirm the sender. PLEASE REPORT SUSPICIOUS EMAILS BY USING THE **PHISH ALERT REPORT BUTTON** or to [reportphishing@chulavistaca.gov](mailto:reportphishing@chulavistaca.gov)

ATTACHMENT  
POWERPOINT SANDAG TRANSNET TAX

COPY TO  
MAYORS  
SANDAG  
SUPERVISORS  
CITY COUNCILS  
CITY CLERKS IN SD COUNTY  
CALIFORNIA STATE REPRESENTATIVES

BCC TO TAX PAYERS PAYING 125 TOLL ALREADY FUNDED BY OUR TAX

Good morning,

**@CHULA CITY CLERK** - Please confirm PowerPoint File received and functioning for display on the video screen during my public speaking under Agenda 6.

**@CITY CLERKS Every City** - Please enter entire email including PowerPoint attachment into Public Record Comment under Non Agenda Public Comment for city meeting.

## **CITY MEETING**

**5PM TUESDAY FEB 13 2024**

**276 FOURTH AVE CHULA VISTA**

<https://pub-chulavista.escrimemeetings.com/Meeting.aspx?Id=02cf7b34-1001-4576-8b7e-e91f6bbfae18&Agenda=Merged&lang=English>

SLIDE 1

1988-2047 60 YEAR TRANSNET SALES TAX

The voters TWICE in 1987 and again in 2004 were promised expansion of freeways.

**TransNet**  
1988 - 2048 Transportation  
Sixty Year County Sales Tax

**A** SAN DIEGO COUNTY TRANSPORTATION IMPROVEMENT PROGRAM. 2004 Vote  
<https://www.keepsandiegomoving.com/transnet-about.aspx>

To relieve traffic congestion, improve safety, and match state/federal funds by:

- Expanding I-5, I-8, I-15, SR 52, SR 54, SR 56, SR 76, SR 76, SR 78, SR 94, SR 125, I-805;
- Maintaining/improving local roads;
- Increasing transit for seniors and disabled persons;
- Expanding commuter express bus, trolley, Coaster services;

Shall San Diego County voters continue the existing half-cent transportation sales tax (SDCRTC Ordinance 04-01) for forty years, including creating an Independent Taxpayer Oversight Committee to conduct yearly audits ensuring voter mandates are met?

**SANDAG** — **EXPAND FREEWAYS = NO TOLLS** YES 000 → ○  
NO 000 → ○

SLIDE 2

VOTERS WERE PROMISED **FREEWAY** EXPANSION NOT TOLL ROADS  
EXPRESS LANE CONCRETE BARRIERS TAKE AWAY TWO ROAD LANES

### I-15 and SR 125 Differences

[https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/2382302/Item\\_2\\_-\\_Supporting\\_Materials.pdf](https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/2382302/Item_2_-_Supporting_Materials.pdf)

**I-15 Express Lanes**

- HOV (Carpool) can use without payment (no transponder required)
- Payment by FasTrak account only (transponder required)

**SANDAG OFFICIAL DOCUMENT POWERPOINT PRESENTATION WHILE THE REGULAR LANES CLOGGED CARS STUCK TRAFFIC SANDAG PHOTO PROOF HOV AND TOLL ROADS NEAR EMPTY**

**SR 125 Toll Road**

- All vehicles must pay
- Payment by FasTrak (transponder), Pay-by-Plate, credit card, or cash

**SANDAG** | 5

SLIDE 3

**FREEWAY PROJECTS CANCELED**

*“The rub for the public will be, ‘I hear that you’re canceling this freeway expansion I’ve been hearing about for 10 years, convince me that what you’re replacing that with is going to impact my life in a more beneficial way,’”* he said. *“That’s their challenge, and I think they can answer those questions, they just haven’t started that part of the communication process yet.”*

<https://voiceofsandiego.org/2021/08/11/here-are-the-transnet-projects-that-probably-arent-happening/>

Table 2: TransNet Extension Ordinance Remaining Projects

Corridor	Project	Future Project
I-5 South	I-5 South Express Lanes (SR 905 to SR 54)	CANCELLED
I-5 South	I-5 South Express Lanes (SR 54 to I-8)	CANCELLED
I-5 South	I-5 Express Lanes (8 to Merge)	CANCELLED
I-5 North	I-5-805 Merge (Express Lanes)	CANCELLED
I-5 North	I-5-805 HOV Connectors	CANCELLED
I-5 North	I-5/SR 56 Freeway Connectors	CANCELLED
I-5 North	I-5/SR 78 Freeway Connectors	CANCELLED
I-8	I-8 Widening (2nd to Los Coches)	CANCELLED
I-805	I-805 Express Lanes (Mission Valley Viaduct)	CANCELLED
I-805	SR 94 (I-805 to I-15)	CANCELLED
I-805	BRT Service from San Ysidro to Torrey Mesa	CANCELLED
I-805	SR 52 Express Lanes (I-15 to I-805)	CANCELLED
I-805	I-805/SR 52 HOV Connectors	CANCELLED
I-15	I-15 Express Lanes (SR 94 to SR 163)	CANCELLED
I-15	I-15/SR 94 HOV Connectors	CANCELLED
I-15	SR 94 (I-5 to I-15) and Connectors	CANCELLED
SR 56	56 Widening and Connectors (I-5 to I-15)	CANCELLED
SR 94/ SR 125	SR 94 Widening (SR 125 to Bees Canyon)	CANCELLED
SR 94/ SR 125	SR 125 Express Lanes (I-805 to I-8)	CANCELLED
SR 54/SR 125	SR 54 Express Lanes (I-805 to SR 94)	CANCELLED
Coronado Tunnel	Coronado Tunnel (Scripps Blvd to Alameda Blvd)	CANCELLED

## TRANSNET COUNTY WIDE SALES TAX 1987-2048 LIE

<https://voiceofsandiego.org/2021/08/11/here-are-the-transnet-projects-that-probably-arent-happening/>

## VOTERS WERE LIED TO PROMISE EXPAND FREEWAYS

<https://www.kpbs.org/news/midday-edition/2017/07/12/sandag-misled-voters-2004-tax-measure-showing-patt>



**IGNORES VOTE OF THE PEOPLE**  
*"I would question whether we should continue with the thinking of 1987, the world is different today," Hasan Ikhrata stated referring to when TransNet was first passed by voters"*

### SLIDE 4

ENTIRE COUNTY AFFECTED

REMOVAL OF 125 TOLL BY 2027

JULY 2022 SANDAG UNANIMOUS VOTE

LED BY MAYOR SALAS AND COUNCIL JOHN MCCANN

Immediate removal of the toll will immediately improve traffic conditions 805 and 5; delivery of product from Mexico results in lower prices of product for entire county. **By immediate stopping toll to make 125 as a FREEWAY AS PROMISED BY 1988 TRANSNET, the adjacent freeways of 805 and 5 will be less congested.**

JURISDICTION	VOTE	TALLY
Carlsbad	Yes	1
Chula Vista	Yes	1
Coronado	Yes	1
County A		
Del Mar	Yes	1
El Cajon	Yes	1
Encinitas	Yes	1
Escondido		
Imperial Beach	Yes	1
La Mesa	Yes	1
Lemon Grove	Yes	1
National City	Yes	1
Oceanside		
Poway		
San Diego A	Yes	1
San Marcos	Yes	1
Santee	Yes	1
Solana Beach	Yes	1
Vista	Yes	1

**Item 9 Action: ADOPT  
State Route 125**

**Item 9**  
State Route 125

**Action** [https://www.sandag.org/uploads/meetingid/meetingid\\_6011\\_32368.pdf](https://www.sandag.org/uploads/meetingid/meetingid_6011_32368.pdf)

The Board of Directors is asked to consider adoption of a resolution to eliminate debt and toll-only operations on the State Route 125 as early as 2027.

**SANDAG**

TALLY  
15  
% Yes 100%  
% No 0%

**Pass**

**SANDAG**  
Board of Directors - July 8, 2022

### SLIDE 5

AFTER JUNE 2022 UNANIMOUS VOTE STOP TOLL

MONTH LATER TAX WASTE NEW TOLL READERS

<https://timesofsandiego.com/life/2022/07/29/sandag-to-close-sr-125-toll-road-this-weekend-for-new-tolling-equipment/>

45,000 DRIVERS WERE THEN MISCHARGED ON THE 125 TOLL

<https://www.msn.com/en-us/news/us/45000-drivers-faced-incorrect-sr-125-toll-charges-lawsuit-against-sandag-claims/ar-AA1kj62O>



SLIDE 6

HISTORY 125 TOLL TAX WASTE FAILURES

VOTED JAN 12 SPEND MORE MONEY EXTENDS TOLL

Instead of STOPPING Toll that was already paid by tax payers thru Transnet promise expand freeways, SANDAG spending another over \$30 million to continue the toll!

[https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/2370933/Item\\_X\\_-\\_Toll\\_Road\\_Operations\\_Action\\_Plan.pdf](https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/2370933/Item_X_-_Toll_Road_Operations_Action_Plan.pdf)



### HISTORY OF 125 TOLL FAILURE

Toll Road Operator Files For Chapter 11  
South Bay Expensive Toll Expressway Use Below Forecast  
LOW USE 125 FREEWAY CAUSES 805 AND 5 CONGESTION  
<https://www.sandiegouniontribune.com/sdut-south-bay-expressway-builders-file-chapter-11-2010mar23-htmistory.html>

#### TOOK TRANSNET BONDS FROM EXPAND FREEWAYS

SANDAG BOUGHT 125 IN 2011 FOR \$341 MILLION  
IGNORED TRANSNET TAX PROMISE EXPAND FREEWAYS  
\$265 MILLION NOT SPENT EXPANDING OTHER FREEWAYS  
[https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/2322756/Item\\_15\\_-\\_Supporting\\_Materials.pdf](https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/2322756/Item_15_-_Supporting_Materials.pdf)

**IMMEDIATE STOP TOLL NOW**  
**SANDAG PAY NEW TOLL OPERATOR**  
**ADDITIONAL COST \$31.7 MILLION**

[https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/2370933/Item\\_X\\_-\\_Toll\\_Road\\_Operations\\_Action\\_Plan.pdf](https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/2370933/Item_X_-_Toll_Road_Operations_Action_Plan.pdf)

SLIDE 7

NOV 2024 TAX BALLOT FUNDED BY UNIONS

UNIONS ARE FUNDED BY THE TAX PAYERS!

SANDAG 2023 AUDIT REPORT MILLIONS WASTE

This November there is **ANOTHER** sales tax on the ballot sponsored by unions who are paid by tax payers with yet another lie of promise to expand the freeways. The **existing county wide sales tax DOES NOT EXPIRE UNTIL 2048!** Last year audit millions wasted and not accounted yet **SANDAG** paying unions to fund the Nov 2024 ballot initiative wants to voters trust for yet another tax increase! NO TO ANY BOND OR TAX INCREASE!

SANDAG 2023 AUDIT REPORT MILLIONS WASTED

[https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/1966761/Item 13 - Att. 1 - OIPA CPO SC Audit Report Part II .pdf](https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/1966761/Item_13_-_Att._1_-_OIPA_CPO_SC_Audit_Report_Part_II_.pdf)

**Audit Findings (Part II)**

Independent Performance Auditor:  
Mary Khoshmashrab, MSBA, CFE, CPA  
mary.khoshmashrab@sandag.org

8 Audit Findings

**SANDAG**

July 1, 2017 to June 30, 2021

[https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/1966990/Item 13A - PPT - C P Audit - 2022-05 Part 2.pdf](https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/1966990/Item_13A_-_PPT_-_C_P_Audit_-_2022-05_Part_2.pdf)

- Finding I** Noncompliance with Procurement Laws, Rules, Regulations, and Internal Policies and Processes (Includes 9 Sub-Findings)
- Finding II** High Awards And Increases Due To Non-competed Procurements And Excessive Amendments
- Finding III** Invoices are Missing or Lacking Supporting Documentation, or are Not Consistent with the Corresponding Fee Schedule
- Finding IV** Encumbrances are Not Recorded Upon Award/Execution of a Procurement
- Finding V** Weakened Internal Controls Due to Excessive Delegation of Authority Granted by Board Of Directors (BOD) to Staff to Govern Agency Oversight
- Finding VI** Retroactive Procurements by Executive Leadership to Rectify and Pay for Unauthorized Work
- Finding VII** Inefficient Monetary Amendments of Contracts for Non-Performance
- Finding VIII** Contracts Awarded for Services that In-house Staff Should be Qualified to Perform

**SANDAG** | 5



**Stop the Mileage TAX**

**CALIFORNIA SANDAG PROPOSED TAXES**

<https://www.kusi.com/proposed-sandag-plan-will-charge-sandag-san-diegans-for-every-mile-traveled-increase-sales-tax/>

- Future Local Sales Tax Ballot Measure – half-cent measure (would require ballot measure)
- Future MTS Sales Tax ballot measure – half-cent sales tax after 2024 presidential election (would require ballot measure) **TAXPAYERS PAY TRANSNET HALF CENT SALES TAX 1987-2048**
- Future State Mileage-Based Road User Fee - begin in 2026 that would \$0.023 per mile with a half cent increase on an annual basis (would require legislation) **ADD TO SB1 GAS TAX ANNUAL INCREASE**
- Future Local Road User Charge - \$0.02 per mile starting in 2026 **MILEAGE TAX EXISTING ROADS**  
<https://www.keepsandagmoving.com/transnet-about.aspx> **ALREADY PAID BY TAXPAYERS**
- Future Ridehailing (UBER/LIFT) User Fee - \$1.25 for single trips, \$0.65 for pooled trips

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**Alan Curry**

On Sat, Feb 10, 2024 at 6:26 PM <Paul> wrote:

Honorable Mayor, Councilmembers,

Concerning item 9.1 on the agenda for Tuesday 1/13/2024 (Council Referral: Response on SR 125 Toll Road Briefing Request - This item has attachments.)

Don't know whether a council referral by itself is good enough. I do not think that it is a substitute for a valid public hearing.

The SR 125 Tolls were charged incorrectly to at least 45,000 drivers.

This is not a huge number compared to the total, but what is so disturbing is that this happened over at least 5 or 6 years without the Board being notified. At least one payment went to the Golden Gate Bridge District. Moreover, the people at SANDAG want to use the same people who ran the broken system to patch it.

Meanwhile, there was a proposal made by one SANDAG Boardmember who has substantial computer expertise to not collect tolls for a year while the new fixes are thoroughly vetted. Makes sense, but was apparently dropped from consideration.

In addition, I would like it to be explained why SANDAG needs so many contractors on this: HNTB ("owner's rep"); Kapsch system operator; ETAN system operator; Fagan Consulting; SANDAG auditor; Davis Farr outside auditor; and Deloitte/A to Be Toll Systems Consultant. The more fingers in the pot they have, the more can go wrong. With 2 system operators, 2 auditors and 2 consultants, apparently overseen by the same owner's rep

who oversaw a program it knew was broken for 5+ years, is SANDAG looking for trouble? And why are we paying for all of these?

SANDAG has shown bad stewardship of this (and other) projects and on this one the issue is compounded by a poor audit process.

Having attended many SANDAG meetings, including the ones where the SR 125 tolls and scandal were discussed (repetitively) several times, I think that this whole question needs to be thoroughly aired in public and it is disgraceful that there is no attachment explaining the situation for the public to study and give ideas.

I heard something about a plan to pay off the debt from SANDAG buying the SR-125 toll road, which would probably involve either more taxes or raised tolls, or both, and it would be desirable to have public comment as to the best way to do this, or if it is practicable.

I am concerned that we are not getting enough information on SANDAG's goals. As of Saturday, the 10th, less than 72 hours prior to the meeting, all the public has is a statement "Attachment will be uploaded when available." The public may not have sufficient time to read the documents thoroughly and to form a reasoned opinion thereon. In the absence of an emergency situation, this short notice to the public is legally questionable under the Brown Act.

That is why there should be a public hearing into this.

Regards,

Paul Henkin





# TransNet



## 1988 - 2048 Transportation Sixty Year County Sales Tax

### A

**SAN DIEGO COUNTY TRANSPORTATION IMPROVEMENT PROGRAM. 2004 Vote**

<https://www.keepsandiegomoving.com/transnet-about.aspx>

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Shall San Diego County voters continue the existing half-cent transportation sales tax (SDCRTC Ordinance 04-01) for forty years, including creating an Independent Taxpayer Oversight Committee to conduct yearly audits ensuring voter mandates are met?



**EXPAND FREEWAYS = NO TOLLS**

YES 000 → ○

NO 000 → ○

# I-15 and SR 125 Differences

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## I-15 Express Lanes

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**SANDAG OFFICIAL DOCUMENT POWERPOINT PRESENTATION WHILE THE REGULAR LANES CLOGGED CARS STUCK TRAFFIC SANDAG PHOTO PROOF HOV AND TOLL ROADS NEAR EMPTY**



## SR 125 Toll Road

- All vehicles must pay
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Table 2: TransNet Extension Ordinance Remaining Projects

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I-5 North	I-5/I-805 HOV Connectors	<b>CANCELLED</b>
I-5 North	I-5/SR 56 Freeway Connectors	<b>CANCELLED</b>
I-5 North	I-5/SR 78 Freeway Connectors	<b>CANCELLED</b>
I-8	I-8 Widening (2nd to Los Coches)	<b>CANCELLED</b>
I-805	I-805 Express Lanes (Mission Valley Viaduct)	<b>CANCELLED</b>
I-805	SR 94 (I-805 to I-15)	<b>CANCELLED</b>
I-805	BRT Service from San Ysidro to Sorrento Mesa	<b>CANCELLED</b>
I-805	SR 52 Express Lanes (I-15 to I-805)	<b>CANCELLED</b>
I-805	I-805/SR 52 HOV Connectors	<b>CANCELLED</b>
I-15	I-15 Express Lanes (SR 94 to SR 163)	<b>CANCELLED</b>
I-15	I-15/SR 94 HOV Connectors	<b>CANCELLED</b>
I-15	SR 94 (I-5 to I-15) and Connectors	<b>CANCELLED</b>
SR 56	56 Widening and Connectors (I-5 to I-15)	<b>CANCELLED</b>
SR 94/ SR 125	SR 94 Widening (SR 125 to Steele Canyon)	<b>CANCELLED</b>
SR 94/ SR 125	SR 125 Express Lanes (I-805 to I-8)	<b>CANCELLED</b>
SR 54/SR 125	SR 54 Express Lanes (I-805 to SR 94)	<b>CANCELLED</b>
Coronado Tunnel	Coronado Tunnel (Glorietta Blvd to Alameda Blvd)	<b>CANCELLED</b>

# TRANSNET COUNTY WIDE SALES TAX 1987-2048 LIE

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## VOTERS WERE LIED TO PROMISE EXPAND FREEWAYS

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Carlsbad	Yes	1
Chula Vista	Yes	1
Coronado	Yes	1
County A		
Del Mar	Yes	1
El Cajon	Yes	1
Encinitas	Yes	1
Escondido		
Imperial Beach	Yes	1
La Mesa	Yes	1
Lemon Grove	Yes	1
National City	Yes	1
Oceanside		
Poway		
San Diego A	Yes	1
San Marcos	Yes	1
Santee	Yes	1
Solana Beach	Yes	1
Vista	Yes	1

## Item 9 Action: ADOPT State Route 125

### Item 9

State Route 125



Mary Salas



John McCann  
City Development, District 1  
CITY OF CHULA VISTA

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**Action** [https://www.sandag.org/uploads/meetingid/meetingid\\_6011\\_32368.pdf](https://www.sandag.org/uploads/meetingid/meetingid_6011_32368.pdf)

The Board of Directors is asked to consider adoption of a resolution to eliminate debt and toll-only operations on the State Route 125 as early as 2027.

SANDAG

		TALLY
Pass	% Yes	15 100%
	% No	0%

**GOVERNMENT WASTE VOTE NO ALL TAXES  
07-08-2022 SANDAG VOTED REMOVE TOLL 125  
07-30-2022 NEW TOLL EQUIPMENT ADDED  
VOTE IGNORED TOLL SYSTEM UPGRADE**



**<https://timesofsandiego.com/life/2022/07/29/sandag-to-close-sr-125-toll-road-this-weekend-for-new-tolling-equipment/>**



# HISTORY OF 125 TOLL FAILURE

Toll Road Operator Files For Chapter 11

South Bay Expensive Toll Expressway Use Below Forecast  
**LOW USE 125 FREEWAY CAUSES 805 AND 5 CONGESTION**

<https://www.sandiegouniontribune.com/sdut-south-bay-expressway-builders-file-chapter-11-2010mar23-htmlstory.html>

**TOOK TRANSNET BONDS FROM EXPAND FREEWAYS**

**SANDAG BOUGHT 125 IN 2011 FOR \$341 MILLION  
IGNORED TRANSNET TAX PROMISE EXPAND FREEWAYS  
\$265 MILLION NOT SPENT EXPANDING OTHER FREEWAYS**

<https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/2322756/Item 15 - Supporting Materials.pdf>

**IMMEDIATE STOP TOLL NOW  
SANDAG PAY NEW TOLL OPERATOR  
ADDITIONAL COST \$31.7 MILLION**

<https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/2370933/Item X - Toll Road Operations Action Plan.pdf>

# Audit Findings

(Part II)

Independent Performance Auditor:

Mary Khoshmashrab, MSBA, CFE, CPA  
mary.khoshmashrab@sandag.org

8 Audit Findings

**SANDAG**

July 1, 2017 to  
June 30, 2021

[https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/1966990/Item\\_13A - PPT - C P Audit - 2022-05 Part 2.pdf](https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/1966990/Item_13A_-_PPT_-_C_P_Audit_-_2022-05_Part_2.pdf)

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