

# INDEPENDENT TAXPAYER OVERSIGHT COMMITTEE

June 10, 2009

DRAFT

AGENDA ITEM NO.: **1**

**Action Requested: APPROVE**

MEETING SUMMARY FOR THE MAY 13, 2009,  
INDEPENDENT TAXPAYER OVERSIGHT COMMITTEE MEETING

File Number 1110200

## Attendance

- Committee Members:
- John Meyer, ITOC Chair
  - Kevin Cummins
  - Hamid Bahadori
  - Tracy Sandoval
  - Carolyn Lee
  - Valerie Harrison
  - Jesus Garcia
- Absent:
- Jim Ryan
- Staff:
- Charles “Muggs” Stoll
  - Gary Gallegos

The meeting of the *TransNet* Independent Taxpayer Oversight Committee (ITOC) was called to order by Chair John Meyer at 9:34 a.m.

### 1. APPROVAL OF MEETING SUMMARY

Chair Meyer directed staff to provide the members with information on how to follow the soni-clear audio on the Web site.

Action: Upon a motion by Mr. Garcia and a second by Mr. Bahadori, the ITOC approved the April 8, 2009, meeting summary. Mr. Cummins and Ms. Harrison abstained due to their absence from the meeting.

### 2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

There were no public comments or member communications.

### 3. REQUEST BY THE CITY OF SANTEE TO EXECUTE A MEMORANDUM OF AGREEMENT (MOA) WITH SANDAG TO USE \$3.95 MILLION IN SHORT-TERM DEBT THROUGH THE COMMERCIAL PAPER PROGRAM AND EXCEPTION TO RULE NO. 16 OF BOARD POLICY NO. 031 (RECOMMEND)

The Santee City Council has approved the borrowing of \$3.95 million from the SANDAG Commercial Paper (CP) program, which will allow it to complete funding for the Forester Creek Improvement Project. The City of Santee also requested a one-time waiver of the repayment policy period to allow the repayment period to extend up to ten years.

Mr. Stoll introduced Lauren Warrem, Acting Director of Finance, and stated that Renée Wasmund had been promoted to the position of Chief Deputy Executive Director.

The ITOC directed staff to provide the following comments to the Transportation Committee to: (1) include in the agenda report the fiscal advantage of this action; (2) establish reasonable criterion for repayment, such as limiting the extension for repayment to ten years; (3) include the criterion that if a jurisdiction loses eligibility for *TransNet* in any year repayment of the borrowed funds would occur in full in that year; (4) include an analysis of any other funding source or lack thereof; and (5) clearly state that the calculation is from the portion of *TransNet* funds for congestion relief. Additionally, the ITOC directed staff to request that the Transportation Committee delay action until after the ITOC hears the item with the above changes included at its June 10, 2009, meeting and take the item for approval after that to the Transportation Committee and the Board of Directors.

4. *TransNet* BICYCLE AND PEDESTRIAN ACCOMMODATION CONSISTENCY FINDING – CITY OF POWAY (DISCUSSION/POSSIBLE ACTION)

Staff provided a report that summarized results from the City of Poway's request for a consistency finding under the guidelines of the *TransNet* Routine Bicycle/Pedestrian Accommodations Policy and requested the review and potential recommendation of the ITOC for approval to the Transportation Committee.

Action: Upon a motion by Ms. Lee and a second by Mr. Garcia, the ITOC recommended that the Transportation Committee make a consistency finding that the proposal from the City of Poway for exclusion from Board Policy No. 31, *TransNet* Ordinance and Expenditure Plan Rules, Rule #21: Accommodation of Bicyclists and Pedestrians for Poway Road. Mr. Cummins abstained.

9. DISCUSSION OF RECENT *TransNet*-RELATED REPORTS PRESENTED TO THE TRANSPORTATION COMMITTEE AND BOARD OF DIRECTORS (DISCUSSION)

An overview was presented by staff regarding two *TransNet*-related reports recently presented to the Transportation Committee and Board of Directors. The first report was presented on April 10, 2009, to a joint meeting of the Transportation Committee and the Board of Directors. A follow-up report was presented to the Board of Directors on April 24, 2009. The ITOC discussed the results of the presentations and current status of the issues addressed.

Action: This item was presented for discussion.

5. REVIEW OF FY 2008 *TransNet* COMPLIANCE AUDITS (INFORMATION)

All recipients of *TransNet* funds are required to undergo an annual compliance audit. The preliminary draft reports are ready for review for the last five recipients that had requested an extension through April 30, 2009.

The ITOC directed staff to include balances of amounts that exceed the FY 2008 30 percent rule on the graph for Compliance with 30 Percent Fund Balance Limitation for FY 2006 and FY 2007.

Action: This item was presented for information only.

6. OVERVIEW OF DEVELOPMENTS IN THE FINANCIAL MARKETS (INFORMATION)

Given the recent turbulence in the financial markets, the SANDAG Finance staff and Chief Economist provided an update of events that affect sales tax revenues and/or *TransNet* program financing plans. Staff also reported on revised Transportation Development Act and *TransNet* revenue estimates.

Action: This item was presented for information only.

7. LAKE HODGES BICYCLE AND PEDESTRIAN BRIDGE STATUS REPORT (INFORMATION)

The San Dieguito River Park Joint Powers Authority has undertaken construction of a bicycle and pedestrian bridge over Lake Hodges, west of Interstate 15. The bridge is scheduled to be open for use beginning May 15, 2009. Funding in the amount of \$1,875,000 was provided by the *TransNet* Extension Ordinance for the project, which is subject to review by the ITOC. SANDAG provided the additional \$1,875,000 in funds in March 2007 under the condition that the River Park would not come back to request additional funding. The ITOC requested that SANDAG staff take an active role in providing oversight on the project and that the River Park provide a regular status report on the progress of the project. With the pending project opening and close out of the construction contract, staff provided the final informational update of the project to the ITOC.

Action: This item was presented for information only.

8. ESTABLISHMENT OF AN ITOC SUBCOMMITTEE FOR THE IMPLEMENTATION OF THE FIRST TRIENNIAL *TransNet* PERFORMANCE AUDIT (DISCUSSION)

As a means to assure the recommendations of the first Triennial *TransNet* Performance Audit are addressed and/or implemented, the ITOC discussed the establishment of a subcommittee to work with key project development staff on appropriate follow-up actions. Issues discussed included the need to select an ITOC subcommittee and potential workload, appropriate project development staff to assign, and organizational strategies for assessing the recommendations.

The ITOC provided input and directed staff to work on implementation recommendations for the audit and report to the ITOC at its July 8, 2009, meeting. The ITOC will appoint a subcommittee at that July meeting to work on specific ITOC implementation recommendations.

Action: This item was presented for discussion.

10. FUTURE MEETING SCHEDULE

The next ITOC meeting is scheduled for Wednesday, June 10, 2009, at 9:30 a.m.

11. ADJOURNMENT

Chair Meyer adjourned the meeting at 1:03 p.m.