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MEETING NOTICE AND AGENDA

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 and
 County of San Diego

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 Mexico

SELECTION COMMITTEE FOR THE *TransNet* INDEPENDENT TAXPAYER OVERSIGHT COMMITTEE

The Selection Committee may take action on any item appearing on this agenda.

Friday, May 28, 2010

8 a.m. (prior to the Board of Directors Meeting)

SANDAG, Conference Room 8A
 401 B Street, Suite 800
 San Diego, CA 92101-4231

Staff Contact: Kim Kawada
 (619) 699-6994
 kka@sandag.org

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Welcome to SANDAG. Members of the public may speak to the Selection Committee for the *TransNet* Independent Taxpayer Oversight Committee (Selection Committee) on any item at the time the Selection Committee is considering the item. Also, members of the public are invited to address the Selection Committee on any issue under the agenda item entitled Public Comments/Communications/Member Comments. Speakers are limited to three minutes. The Selection Committee may take action on any item appearing on the agenda.

This agenda and related staff reports can be accessed at www.sandag.org under Meetings on SANDAG's Web site. Public comments regarding the agenda can be forwarded to SANDAG via the e-mail comment form also available on the Web site. E-mail comments should be received no later than noon, two working days prior to the Selection Committee meeting.

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SELECTION COMMITTEE FOR THE INDEPENDENT TAXPAYER OVERSIGHT COMMITTEE

Friday, May 28, 2010

ITEM #		RECOMMENDATION
1.	SELECTION OF A CHAIR The Selection Committee should select a chairperson for purposes of conducting the meeting.	APPROVE
2.	PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS Members of the public will have the opportunity to address the Selection Committee on any issue within the jurisdiction of the Committee. Speakers are limited to three minutes each and shall reserve time by completing a "Request to Speak" form and giving it to the Clerk prior to speaking. Committee members also may provide information and announcements under this agenda item.	INFORMATION
+3.	REVIEW OF THE <i>TransNet</i> INDEPENDENT TAXPAYER OVERSIGHT COMMITTEE (ITOC) MEMBER SELECTION PROCESS SANDAG staff will summarize the process established in the <i>TransNet</i> Extension Ordinance for selecting the ITOC members.	INFORMATION
+4.	SELECTION OF THE ITOC MEMBERS The Selection Committee is to approve the selection of ITOC members for the remainder of the term for the two vacant positions. The terms for both positions would last through May 2011.	APPROVE
5.	OTHER ISSUES The Selection Committee may consider other issues under its jurisdiction.	DISCUSSION/ POSSIBLE ACTION
6.	ADJOURNMENT	



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May 20, 2010

File Number 1500100

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Poway
San Diego
San Marcos
Santee
Solana Beach
Vista
and
County of San Diego

ADVISORY MEMBERS

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Unified Port District
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Tribal Chairmen's Association
Mexico

TO: Selection Committee for the *TransNet* Independent Taxpayer Oversight Committee (ITOC): San Diego Mayor Jerry Sanders, San Diego County Supervisor Pam Slater-Price, San Diego County Supervisor Bill Horn, Escondido Mayor Lori Holt-Pfeiler, Carlsbad Mayor Bud Lewis, La Mesa Mayor Art Madrid, and Chula Vista Mayor Cheryl Cox

FROM: Kim Kawada, *TransNet* and Legislative Affairs Program Director

SUBJECT: Selection of New ITOC Members

The *TransNet* ITOC is seeking qualified members of the public to fill two vacancies on its seven-member committee. Therefore, a meeting of the Selection Committee is being held on May 28, 2010, at 8 a.m. at SANDAG to select new ITOC members to fill the remaining term for these positions (through May 2011).

The positions proposed to be filled are in the following categories:

- o The chief executive officer or person in a similar senior-level decision-making position, of a major private sector employer with demonstrated experience in leading a large organization
- o A professional in biology or environmental science with demonstrated experience of ten years or more with environmental regulations and major project mitigation requirements and/or habitat acquisition and management

As background, the *TransNet* Extension Ordinance and Expenditure Plan language regarding the ITOC is provided as Attachment 1. This attachment includes the basic description of the roles and responsibilities of the ITOC, as well as the roles of the Technical Screening and Selection Committees in the selection process for the ITOC members.

Although the *TransNet* Extension Ordinance includes provisions for a Technical Screening Committee to short-list applications, at the conclusion of the application period only one qualified application was received for the professional in biology or environmental science category, and only two qualified applications were received in the category of chief executive officer or person in senior-level decision-making position of a major private sector employer. Therefore, a Screening Committee was not utilized.

The public notice soliciting applications for ITOC candidates is included as Attachment 2. A list of current ITOC members is included as Attachment 3. The Selection Committee's role is to approve the final selection from the candidates. If the Selection Committee is unable to reach agreement on a candidate, then an additional advertisement could be made.

If you have any questions regarding the upcoming meeting, please feel free to contact me at (619) 699-6994 or by e-mail at kka@sandag.org.

KKA/azu

Attachments: 1. Excerpts from *TransNet* Extension Ordinance and Expenditure Plan
2. ITOC Membership Opportunity Public Notice
3. Current ITOC Membership

[Excerpt from *TransNet Extension* Ordinance and Expenditure Plan]

**STATEMENT OF UNDERSTANDING REGARDING THE IMPLEMENTATION OF THE
INDEPENDENT TAXPAYER OVERSIGHT COMMITTEE
FOR THE *TransNet* PROGRAM**

Purpose of the ITOC

The Independent Taxpayer Oversight Committee (ITOC) is intended to provide an increased level of accountability for expenditures made under the *TransNet Extension*, in addition to the independent annual fiscal and compliance audits required under the existing *TransNet* program. The ITOC should function in an independent, open and transparent manner to ensure that all voter mandates are carried out as required in the Ordinance and Expenditure Plan, and to develop positive, constructive recommendations for improvements and enhancements to the financial integrity and performance of the *TransNet* program.

Intent of the ITOC as a Functional Partner to SANDAG

The *TransNet* Ordinance contains a summary of the ITOC's role and responsibilities consistent with the above Purpose. In this document, additional and supplementary details with regard to the ITOC are delineated. These pertain to the process for selecting members of ITOC, terms and conditions governing membership, responsibilities, funding and administration, and conflict of interest provisions.

It is noteworthy that these details have been developed in a cooperative process between SANDAG and representatives of the San Diego County Taxpayers Association, and with the involvement of other transportation professionals within the region. This document is understood to provide the basis for describing how the ITOC will function once the Ordinance is approved.

In addition to the details outlined in this document the intent that provides the foundation for the desired partnership between ITOC and SANDAG, as viewed by the principal authors, is summarized as follows:

- Resource—it is the intent that the ITOC will serve as an independent resource to assist in SANDAG's implementation of *TransNet* projects and programs. The Committee's membership is designed to provide to SANDAG a group of professionals who, collectively, can offer SANDAG the benefit of their experience to advance the timely and efficient implementation of *TransNet* projects and programs. The ITOC will work in a public way to ensure all deliberations are conducted in an open manner. Regular reports from the ITOC to the SANDAG Board of Directors (or policy committees) are expected with regard to program and project delivery, and overall performance.
- Productive—it is the intent that the ITOC will rely upon data and processes available at SANDAG, studies initiated by the ITOC, and other relevant data generated by reputable sources. It is understood, however, that SANDAG will be continuously striving to improve the reliability of data and to update analytical and modeling processes to be consistent with the state-of-the-art, and that the ITOC will be kept abreast of any such efforts, and invited to participate in development of such updates in a review capacity.

- Cost-efficient—it is the intent that the ITOC will not add cost burden to SANDAG’s implementation of the TransNet program and projects. Rather, through a cooperative and productive working relationship between ITOC and the SANDAG implementation team, it is the objective that costs will be saved.
- Flexible—it is the intent that the ITOC will assist SANDAG to be opportunistic to take advantage of changing situations in the future with regard to technologies and transportation developments. Therefore, the provisions contained below are viewed through 2048 based upon a 2004 perspective and are not meant to be unduly restrictive on ITOC’s and SANDAG’s roles and responsibilities.

Membership and Selection Process

1. Membership: There shall be seven ITOC voting members with the characteristics described below. The intent is to have one member representing each of the specified areas of expertise. If, however, after a good faith effort, qualified individuals have not been identified for one or more of the areas of expertise, then no more than two members from one or more of the remaining areas of expertise may be selected. For each of the areas of expertise listed below, an individual representing one of the region’s colleges or universities with a comparable level of academic experience also would be eligible for consideration.
 - A professional in the field of municipal/public finance and/or budgeting with a minimum of ten years in a relevant and senior decision making position in the public or private sector.
 - A licensed architect, civil engineer or traffic engineer with demonstrated experience of ten years or more in the fields of transportation and/or urban design in government or the private sector.
 - A professional with demonstrated experience of ten years or more in real estate, land economics, and/or right-of-way acquisition.
 - A professional with demonstrated experience of ten years or more in the management of large-scale construction projects.
 - A licensed engineer with appropriate credentials in the field of transportation project design or construction and a minimum of ten years experience in a relevant and senior decision making position in the government or private sector.
 - The chief executive officer or person in a similar senior-level decision making position, of a major private sector employer with demonstrated experience in leading a large organization.
 - A professional in biology or environmental science with demonstrated experience of ten years or more with environmental regulations and major project mitigation requirements and/or habitat acquisition and management.
 - Ex-Officio Members: SANDAG Executive Director and the San Diego County Auditor

The criteria established for the voting members of the ITOC are intended to provide the skills and experience needed for the ITOC to carry out its responsibilities and to play a valuable and constructive role in the ongoing improvement and enhancement of the *TransNet* program.

Applications will be requested from individuals interested in serving on the ITOC through an open, publicly noticed solicitation process.

2. **Technical Screening Committee:** A technical screening committee will be established to review applications received from interested individuals. This committee will consist of three members selected by the SANDAG Executive Director from high-level professional staff of local, regional, state, or federal transportation agencies outside of the San Diego region, or from one of the region's colleges or universities in a transportation-related field, or a combination thereof. The committee will develop a list of candidates determined to be qualified to serve on the ITOC based on the criteria established for the open position(s) on the ITOC. The technical screening committee will recommend two candidates for each open position from the list of qualified candidates for consideration by the Selection Committee. The recommendations shall be made within 30 days of the noticed closing date for applications.

3. **Selection Committee:** A selection committee shall be established to select the ITOC members from the list of qualified candidates recommended by the technical screening committee. The selection committee shall consist of the following:

- Two members of the County of San Diego Board of Supervisors
- The Mayor of the City of San Diego
- A mayor from the Cities of Chula Vista, Coronado, Imperial Beach, or National City selected by the mayors of those cities.
- A mayor from the Cities of El Cajon, La Mesa, Lemon Grove, or Santee selected by the mayors of those cities.
- A mayor from the Cities of Carlsbad, Del Mar, Encinitas, Oceanside, or Solana Beach selected by the mayors of those cities.
- A mayor from the Cities of Escondido, Poway, San Marcos, or Vista selected by the mayors of those cities.

The selection of ITOC members shall be made within 30 days of the receipt of recommendations from the technical screening committee. All meetings of the selection committee shall be publicly noticed and conducted in full compliance with the requirements of the Brown Act. Should the selection committee be unable to reach agreement on a candidate from the qualified candidates recommended by the technical screening committee, the selection committee shall request the technical screening committee to recommend two additional qualified candidates for consideration.

Terms and Conditions for ITOC members

- ITOC members shall serve a term of four years, except that initial appointments may be staggered with terms of two to four years.
- ITOC members shall serve without compensation except for direct expenses related to the work of the ITOC.
- In no case shall any member serve more than eight years on the ITOC.

- If and when vacancies in the membership of the ITOC occur, the same selection process as outlined above shall be followed to select a replacement to fill the remainder of the term. At the completion of a term, eligible incumbent members will need to apply for reappointment for another term.
- Term limits for ITOC members should be staggered to prevent significant turnover at any one time. The initial appointment process should be based on this staggered term limit concept.

ITOC Responsibilities

The ITOC shall have the following responsibilities:

1. Conduct an annual fiscal and compliance audit of all TransNet-funded activities using the services of an independent fiscal auditor to assure compliance with the voter-approved Ordinance and Expenditure Plan. This annual audit will cover all recipients of TransNet funds during the fiscal year and will evaluate compliance with the maintenance of effort requirement and any other applicable requirements. The audits will identify expenditures made for each project in the prior fiscal year and will include the accumulated expenses and revenues for ongoing, multi-year projects.
2. Prepare an annual report to the SANDAG Board of Directors presenting the results of the annual audit process. The report should include an assessment of the consistency of the expenditures of *TransNet* funds with the Ordinance and Expenditure Plan and any recommendations for improving the financial operation and integrity of the program for consideration by the SANDAG Board of Directors. This consistency evaluation will include a review of expenditures by project type for each local jurisdiction. The ITOC shall share the initial findings of the independent fiscal audits and its recommendations with the SANDAG Transportation Committee 60 days prior to their release to resolve inconsistencies and technical issues related to the ITOC's draft report and recommendations. Once this review has taken place, the ITOC shall make any final amendments it deems appropriate to its report and recommendations, and adopt its report for submission directly to the SANDAG Board of Directors and the public. The ITOC shall strive to be as objective and accurate as possible in whatever final report it adopts. Upon completion by the ITOC, the report shall be presented to the SANDAG Board of Directors at its next regular meeting and shall be made available to the public.
3. Conduct triennial performance audits of SANDAG and other agencies involved in the implementation of TransNet-funded projects and programs to review project delivery, cost control, schedule adherence and related activities. The review should include consideration of changes to contracting, construction, permitting and related processes that could improve the efficiency and effectiveness of the expenditure of TransNet revenues. These performance audits shall be conducted using the services of an independent performance auditor and should include a review of the ITOC's performance. A draft of the ITOC's report and recommendations regarding the performance audits shall be made available to the SANDAG Transportation Committee at least 60 days before its final adoption by the ITOC to resolve inconsistencies and technical issues related to the ITOC's draft report and recommendations. Once this review has taken place, the ITOC shall make any final amendments it deems appropriate to its report and related recommendations, and adopt its report for presentation directly to the SANDAG Board of Directors and the public. The ITOC shall strive to be as

objective and constructive as possible in the text and presentation of the performance audits. Upon completion by the ITOC, the report shall be presented to the SANDAG Board of Directors at its next regular meeting and shall be made available to the public.

4. Provide recommendations to the SANDAG Board of Directors regarding any proposed amendments to the Ordinance and Expenditure Plan.
5. Provide recommendations as part of the 10-year review process. This process provides an opportunity to undertake a comprehensive review of the TransNet program every 10 years and to make recommendations for improving the program over the subsequent 10 years. This review process should take into consideration the results of the TransNet-funded improvements as compared to the performance standards established through the Regional Transportation Plan and the Regional Comprehensive Plan.
6. Participate in the ongoing refinement of SANDAG's transportation system performance measurement process and the project evaluation criteria used in development of the Regional Transportation Plan (RTP) and in prioritizing projects for funding in the Regional Transportation Improvement Program. The focus of this effort will be on TransNet-funded projects. Based on the periodic updates to the RTP, as required by state and federal law, the oversight committee shall develop a report to the SANDAG Transportation Committee, the SANDAG Board of Directors and the public providing recommendations for possible improvements and modifications to the TransNet program.
7. On an annual basis, review ongoing SANDAG system performance evaluations, including SANDAG's "State of the Commute" report, and provide an independent analysis of information included in that report. This evaluation process is expected to include such factors as level of service measurements by roadway segment and by time of day, throughput in major travel corridors, and travel time comparisons by mode between major trip origins and destinations. Such information will be used as a tool in the RTP development process.
8. Review and comment on the programming of *TransNet* revenues in the Regional Transportation Improvement Program (RTIP). This provides an opportunity for the ITOC to raise concerns regarding the eligibility of projects proposed for funding before any expenditures are made. In addition to a general eligibility review, this effort should focus on significant cost increases and/or scope changes on the major corridor projects identified in the Ordinance and Expenditure Plan.
9. Review proposed debt financings to ensure that the benefits of the proposed financing for accelerating project delivery, avoiding future cost escalation, and related factors exceed issuance and interest costs.
10. Review the major Congestion Relief projects identified in the Ordinance for performance in terms of cost control and schedule adherence on a quarterly basis.

In carrying out its responsibilities, the ITOC shall conduct its reviews in such a manner that does not cause unnecessary project delays, while providing sufficient time to ensure that adequate analysis can be completed to allow the ITOC to make objective recommendations and to provide the public with information about the implementation of the *TransNet* program.

ITOC Funding and Administration

1. All costs incurred in administering the activities of the ITOC, including related fiscal and performance audit costs, shall be paid annually from the proceeds of the *TransNet* sales tax. The funds made available to the ITOC shall not exceed \$250,000 annually, as adjusted for inflation annually for the duration of the program. Any funds not utilized in one fiscal year shall remain available for expenditure in subsequent years as part of the annual budget process.
2. The expenditures of the ITOC shall be audited annually as part of the same fiscal audit process used for all other *TransNet*-funded activities.
3. The process for selecting the initial ITOC members shall be started no later than April 1 of the year following the passage of the Ordinance by the voters. Because the funding for this activity would not be available until Fiscal Year 2008-09, the ITOC activities during the initial transition period will be phased in to the extent possible within the budget constraints of the one percent administrative cap under the current *TransNet* Ordinance. Given the forty-year duration of the *TransNet* tax extension, the ITOC shall continue as long as funds from the current authorization remain available.
4. An annual ITOC operating budget shall be prepared and submitted to the SANDAG Board of Directors for its approval 90 days prior to the beginning of each fiscal year.
5. All ITOC meetings shall be public meetings conducted in full compliance with the Brown Act. The ITOC will meet on a regular basis, at least quarterly, to carry out its roles and responsibilities.
6. SANDAG Directors and staff will fully cooperate with and provide necessary support to the ITOC to ensure that it successfully carries out its duties and obligations, but should limit involvement to the provision of information required by the ITOC to ensure the independence of the ITOC as it carries out its review of the *TransNet* program and develops its recommendations for improvements.
7. ITOC members and their designated auditors shall have full and timely access to all public documents, records and data with respect to all *TransNet* funds and expenditures.
8. All consultants hired by the ITOC shall be selected on an open and competitive basis with solicitation of proposals from the widest possible number of qualified firms as prescribed by SANDAG's procedures for procurement. The scope of work of all such consultant work shall be adopted by the ITOC prior to any such solicitation.
9. SANDAG shall provide meeting space, supplies and incidental materials adequate for the ITOC to carry out its responsibilities and conduct its affairs. Such administrative support shall not be charged against the funds set aside for the administration of the ITOC provided under No. 1 above.

Conflict of Interest

The ITOC shall be subject to SANDAG's conflict of interest policies. ITOC members shall have no legal action pending against SANDAG and are prohibited from acting in any commercial activity directly or indirectly involving SANDAG, such as being a consultant to SANDAG or to any party with pending legal actions against SANDAG during their tenure on the ITOC. ITOC members shall not have direct commercial interest or employment with any public or private entity, which receives *TransNet* sales tax funds authorized by this Ordinance.



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PUBLIC NOTICE

Solicitation of Applications for Membership on the *TransNet* Independent Taxpayer Oversight Committee

The *TransNet* Independent Taxpayer Oversight Committee (ITOC) is seeking qualified members of the public to fill two vacancies on its seven-member committee in the following categories:

- o The chief executive officer or person in a similar senior-level decision-making position, of a major private sector employer with demonstrated experience in leading a large organization. (Term expires May 2011)
- o A professional in biology or environmental science with demonstrated experience of ten years or more with environmental regulations and major project mitigation requirements and/or habitat acquisition and management. (Term expires May 2011)

ITOC aids in the implementation of the \$14 billion *TransNet* program, the San Diego region's half-cent sales tax for transportation improvements. The *TransNet* program is administered by SANDAG.

As outlined in the *TransNet* Ordinance and Expenditure Plan, ITOC provides an increased level of accountability for expenditures. ITOC members are unpaid, but certain expenses are reimbursed. Due to their public service status, ITOC members must meet strict conflict of interest standards. ITOC functions in an independent, open, and transparent manner to ensure that all voter mandates are carried out, and it develops positive, constructive recommendations for improvements and enhancements to the financial integrity and performance of the *TransNet* program. ITOC membership is open to individuals from throughout the region, who possess a set of appropriate professional skills and experience.

More detailed information regarding the ITOC and its responsibilities can be found at www.sandag.org/itoc. Individuals interested in applying for this ITOC position should contact SANDAG for an application at twr@sandag.org or (619) 699-1991, or go to www.sandag.org/notices. Applications must be postmarked no later than Monday, April 12, 2010.

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 San Marcos
 Santee
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 Vista
 and
 County of San Diego

ADVISORY MEMBERS

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 California Department
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 Transit System
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 San Diego
 Unified Port District
 San Diego County
 Water Authority
 Southern California
 Tribal Chairmen's Association
 Mexico

Current Independent Taxpayer Oversight Committee (ITOC) Members

Hamid Bahadori, ITOC Chair (Term expires May 2011): Hamid is serving in the ITOC position for a licensed architect or civil/traffic engineer with experience in transportation and/or urban design. He is a registered traffic/civil engineer with 25 years of experience, including right-of-way acquisition and large-scale project design and construction management. He is an employee of the Automobile Club of Southern California. Hamid is a South Orange County resident and works throughout Southern California.

Jesus Garcia (Term expires May 2011): Jesus is serving in the ITOC position for an engineer with experience in transportation project design and construction. Jesus is a registered professional engineer (retired) with a BS in Civil Engineering and a Masters in Transportation Planning. He has extensive experience in the field of transportation planning, including 12 years as a District Director for Caltrans. He also has been involved in numerous community service initiatives and program.

Kevin Cummins (Term expires May 2011): Kevin is serving in the ITOC position of biology/environmental science. Kevin has 11 years of experience in evaluating project impacts on natural resources. He also teaches biology at the community college level. He is a resident of Encinitas and works in the La Jolla/Kearny Mesa area. *

Carolyn Lee (Term expires May 2012): Carolyn is serving in the ITOC position for a professional with experience in real estate, land economics, and/or right-of-way acquisition. Carolyn will draw upon her experience in supervising capital and support budgets with multiple funding sources in fulfilling her oversight role on the committee. She lives in the Tierrasanta area of San Diego.

John Meyer (Term expires May 2012): John is serving in the ITOC position for a professional with experience in municipal or public finance and/or budgeting. John has 35 years of combined experience in finance and administration with San Diego Transit, two toll road authorities, and as a private consultant. He is an Escondido resident.

Jim Ryan (Term expires May 2012): Jim is serving in the ITOC position for a professional with experience in the management of large-scale construction projects. He has over 30 years of experience in various aspects of the construction industry, including labor relations, safety, and service procurement. Jim has served as Executive Director of Associated General Contractors in San Diego for the past five years. He is a Poway resident working in Sorrento Valley.

Vacant (Term expires May 2011): The chief executive officer or person in a similar senior-level decision-making position of a major private sector employer with demonstrated experience in leading a large organization.

* One of the ITOC positions proposed to be filled.

APPLICATION FORM FOR THE

INDEPENDENT TAXPAYER OVERSIGHT COMMITTEE
March 2010

Name: David Lloyd Phone Number: () 760-710-2147
Address 1817 Aston #104 Carlsbad CA E-mail address: david.lloyd@nrgenergy.com
92008

(Please make response as concise as possible - applications will not be judged on length of response.)

1. Why are you interested in serving on the Independent Taxpayer Oversight Committee (ITOC)?
Transportation infrastructure is an important component in the successful growth of clean high-tech and medical jobs in the County. Employers need assurance their employees can get to work and products can flow efficiently, and that environmental goals are achieved in a sustainable way.

2. What professional skills and abilities would you bring to the committee, and how would they benefit ITOC?

I am an attorney and serve on management committees of large electric power generating facilities in southern California. I am also on the Boards (and Executive Committees) of the Carlsbad Chamber of Commerce and the San Diego North Economic Development Council. I previously served on the Environmental Council of the Utah Transportation Commission (appointed by the Governor) for several years during a period of growth of federal, state and local highways, rail, and airports in Utah. I am currently Director, Community Relations, for NRG West, a subsidiary of NRG Energy, Inc.

3. The current ITOC vacancies are in the following categories. Please check the category(ies) you are applying for:

The chief executive officer or person in a similar senior-level decision making position, of a major private sector employer with demonstrated experience in leading a large organization. (Term expires May 2011)

A professional in biology or environmental science with demonstrated experience of ten years or more with environmental regulations and major project mitigation requirements and/or habitat acquisition and management. (Term expires May 2011)

4. Describe the nature of your professional experience as related to the category(ies) you are applying for, including the number of years of experience you have in that area.

I have been on the management committee of entities owning major electric power plants in southern California, and across the U.S. since 1984, as a general counsel in-house for utility independent power subsidiaries, or regional offices of independent power companies. In that role, I have had responsibility to review capital and operations budgets, obtain financing in excess of \$500 million each for projects, and participated in SEC reporting reviews of publicly filed reports.

5. What do you hope to accomplish by your participation in ITOC?

Contribute experience to help formulate public policy recommendations that can be supported by the business community and citizens to assure adequate and functional transportation for the region, while addressing environmental and sustainability goals. I am active in the community in various roles, including membership on the SANDAG Energy Working Group representing the SD North EDC, and the EC3 citizens review committee for Carlsbad's general plan update, the Public Advisory Committee of the Southern California Wetlands Recovery Project, and participated on the Southern California Caulera Action Team (successful eradication of "killer algae").

6. In what part(s) of the region do you live and work?

I live in north San Diego County, and office in Carlsbad, with extensive participation in Long Beach and El Segundo, where NRG also owns major power plants.



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**Taxpayers
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April 6, 2010

Kim Kawada
TransNet and Legislative Affairs Program Director
San Diego Association of Governments
401 B Street, Suite 800
San Diego, CA 92101

RE: *TransNet* Independent Taxpayer Oversight Committee

Dear Ms. Kawada:

On behalf of the San Diego County Taxpayers Association (SDCTA), I'd like to recommend Mr. David Lloyd as the SDCTA designee for membership on the above referenced Committee.

Mr. Lloyd is a member of the San Diego County Taxpayers Association and is currently the Director of Community Relations for NRG Energy, Inc. He has over 30 years of legal experience as a general counsel and attorney working for utility and independent electric companies, representing them before regulatory agencies in all phases of development, finance and construction.

In addition to his vast legal experience working in the public utilities industry, Mr. Lloyd is also an active member of the Board of Directors of the Carlsbad Chamber of Commerce, the San Diego North Economic Development Council and the SANDAG Energy Working Group.

David Lloyd will be a strong asset to the *TransNet* Independent Taxpayer Oversight Committee and I hope you will look favorably upon his application.

Please do not hesitate to contact my office at (619) 234-6423 if you require further information or have any questions.

Sincerely,

Lani Lutar
President & CEO

Enclosure

David Lloyd

Current Status

Director, Community Relations, NRG Energy, Inc.

- Responsible for development of community education and support for NRG's repowering of existing major power stations in Carlsbad, Long Beach and El Segundo, CA.
- Serve as Treasurer and member of Board of NRG's political action committee, making compliance filings and keeping records (since 2006).
- Provide legal support to Regional General Counsel as needed.

Experience

1999-2008

NRG Energy, Inc.

Carlsbad, CA

Senior Attorney and Regional General Counsel

- Responsibility for legal matters for NRG's Western Region electric power plant acquisition, financing, development, ownership, operation and maintenance, and new development (3,400 MW installed capacity).
- Handled sales of plants not within strategic core (\$250 million in value) including 800 windmills in Altamont Pass, CA.
- Provided support for regulatory filings for siting new generating projects, environmental permits and variances, and land use compliance.
- Serve as a general officer (Secretary) of numerous subsidiaries and partnerships and on management committees of joint ventures.
- Represented NRG and its joint ventures on community-based organizations and before regulatory agencies (federal, state and local).
- Participation on reporting committee for review of SEC filings.

1992-1999

Stoel Rives LLP

Portland, OR

Partner

- Represented utility and independent electric utility companies as a part of the firm's energy group, before regulatory agencies in all phases of developing, siting, financing, constructing, owning and operating electric projects in the U.S. and selected foreign countries.
- Completed the development and financing of the Klamath Falls, OR 500 MW generating station using a public-private partnership with the City of Klamath Falls, including negotiating the engineering, procurement and construction (EPC) contract with Black & Veatch, Steam Agreement, Lease, and easements with Weyerhaeuser, and other project agreements.

1989–1992 Pacific Generation Company Portland, OR

Vice President and General Counsel

- Responsible for development of independent power projects in U.S.
- Merged the legal matters of Onsite Energy, Inc., and Energy National, Inc., after the merger of PacifiCorp and Utah Power & Light Company.
- Developed the Crockett Cogeneration Project (260 MW), negotiated the EPC contract with Bechtel Power Corporation and project financing agreements.

1984–1989 Energy National, Inc. Salt Lake City, UT

Vice President and General Counsel

- Organized new independent power subsidiary for Utah Power & Light Company, and developed cogeneration, biomass, wind generation, hydro generation, and waste-to-energy projects in the U.S. and Canada, negotiated amendments to EPC contract with GE for PowerSmith and MERC Projects.
- Assisted in the organization of the Energy Investors Funds which have provided substantial capital to numerous independent power projects in the U.S. and abroad.

1980–1984 Utah Power & Light Co. Salt Lake City, UT

Attorney

- Represented major electric utility before regulatory agencies and courts; responsible for EPC contracts for major construction projects, tax and human resources matters.
- Treasurer and Board member, UP&L PAC, making compliance filings and keeping records.

1975–1979 Watkins & Faber Salt Lake City, UT

Partner

- Represented small business organizations (including regulated utilities) before regulatory commissions and courts, and handled commercial transactions and tax matters. Litigation included NEPA compliance.

1972–1975 Brigham Young University Provo, UT

Assistant Professor of Law and Law Librarian

- Organized and purchased new law library for J. Reuben Clark Law School; helped plan curriculum and new law building.
- Taught legal writing, legal research, introduction to law, workers compensation and honors writing.

Education 1968–1972 Univ. of Utah College of Law Salt Lake City, UT

- J.D., Order of *Coif*
- Managing Editor, and member, Board of Editors, *Utah Law Review*.

1966-1968 Univ. of Utah Salt Lake City, UT

- B.S. political science, *cum laude*

Public Service

- Vice Chair Public Policy, Executive Committee of the Board, and Member, Board of Directors, Carlsbad Chamber of Commerce 2004-present; 2009 Community Leadership Award; Nominee, Chamber Business Person of Year, 2008.
- Member of Executive Committee and Board of Directors, San Diego North Economic Development Council (2006-present).
- Elected to Board of Directors of the Agua Hedionda Lagoon Foundation, Carlsbad, CA, and Secretary (1999-2008; termed out one year, re-elected to Board, 2009) Chair of Governance Committee 2009;
- Member, Board of Directors Carlsbad Charitable Foundation 2009 to present;
- Member, Board of Directors Angel's Depot 2010 (seniors food bank);
- Alternate Member appointed by Carlsbad City Council, Envision Carlsbad Citizen's Committee 2009;
- Member, Energy Working Group, SANDAG since 2008;
- Appointed member of Southern California Wetlands Recovery Project Public Advisory Committee (2002-present);
- Appointed, then elected to Oregon State Bar Association House of Delegates (2000-2004);
- Appointed by Governor to Utah Department of Transportation Environmental Council (1976-1982);
- Appointed by Utah Labor Commission to Worker's Compensation Advisory Committee (1975-1979);
- Chairman and Board member, Children's Center, a United Way agency (1977-1988);
- Bar Examiner, contracts section, Utah Bar Association for 7 years.
- U.S. Army 1968-70, infantry training company administrative specialist (E-5) Ft. Ord, CA, Army Commendation Medal, Good Conduct Medal, National Defense Service Medal.

Bar Memberships

Admitted to California Bar Association (2001); Oregon Bar Association (1991); active status in California and Oregon; admitted to Utah Bar Association (1972) (active but not practicing in Utah status). Admitted to U.S. Supreme Court (1977), U.S. Tax Court, and 10th Circuit Court of Appeals.

APPLICATION FORM FOR THE INDEPENDENT TAXPAYER OVERSIGHT COMMITTEE

Name: Lesha Montoya	Phone Number: 619 992-5863	
Address 1586 Linwood St., San Diego, Ca 92103	E-mail address: leshamontoya@gmail.com	

1. Why are you interested in serving on the Independent Taxpayer Oversight Committee (ITOC)?

I am very interested in becoming a valued member of the process and gaining a more comprehensive background of the TransNet Program.

2. What professional skills and abilities would you bring to the committee, and how would they benefit ITOC?

My ability to analyze and understand the correlation of each of these agencies, projects and programs will allow me to interact with the other committee members in a productive manner. I hold a Bachelor’s Degree from San Diego State University in Public Administration/City Planning Emphasis. I continued to work on a MCP, also at SDSU, in 1995. (unfinished)

3. The current ITOC vacancies are in the following categories. Please check the category(ies) you are applying for:

** The chief executive officer or person in a similar senior-level decision making position, of a major private sector employer with demonstrated experience in leading a large organization. (Term expires May 2011)

4. Describe the nature of your professional experience as related to the category(ies) you are applying for, including the number of years of experience you have in that area.

For the past twenty-two years, I have been in the Arts and Entertainment Industry, ranging from commercial to movie, spokeswoman and host, voiceover and theatre, to professional dancer. I have owned my own dance company since 1990. I’ve been in the public eye for most of those years, directly, giving seminars to up to several hundred people at a time, adjudicating National competitions, creating Dance Education and Physical Education programs in school systems from Elementary to the Collegiate level, and running the daily business, and managing several studio locations.

5. What do you hope to accomplish by your participation in ITOC?

I plan to make a positive impact by providing recommendations to SANDAG with the most equitable and time efficient solutions in mind. My hopes are to become a well-educated individual in a much-needed regulatory program.

6. In what part(s) of the region do you live and work?

I live in Mission Hills. I run my business throughout the County and educational systems of the San Diego Unified, and UCSD.

APPLICATION FORM FOR THE

 INDEPENDENT TAXPAYER OVERSIGHT COMMITTEE
 March 2010

Name: Paul FromerPhone Number: (619) 308-9333Address RECONE-mail address: pfromer@reconenvironmental.com1927 FIFTH AVESAN DIEGO, CA 92101

(Please make response as concise as possible – applications will not be judged on length of response.)

1. Why are you interested in serving on the Independent Taxpayer Oversight Committee (ITOC)?

As a long-term resident of San Diego, as well as, professional interest in the growth and development of the community, I am interested in contributing to the improvement in effectiveness and efficiency of our transportation related infrastructure. This interest is especially focused on the relationship between improved transportation efficiency in the context of endangered species and natural resource conservation, my area of expertise.

2. What professional skills and abilities would you bring to the committee, and how would they benefit ITOC?

I am a vice-president and team leader for RECON's local agency team, where I have been for the past 30 years. I manage a multidisciplinary group of environmental professionals involved in all aspects of the environmental review and planning process for a full range of public agencies. My professional area of expertise is in the development and implementation of regional-scale conservation plans for endangered species.

3. The current ITOC vacancies are in the following categories. Please check the category(ies) you are applying for:

The chief executive officer or person in a similar senior-level decision making position, of a major private sector employer with demonstrated experience in leading a large organization. (Term expires May 2011)

A professional in biology or environmental science with demonstrated experience of ten years or more with environmental regulations and major project mitigation requirements and/or habitat acquisition and management. (Term expires May 2011)

4. Describe the nature of your professional experience as related to the category(ies) you are applying for, including the number of years of experience you have in that area.

As alluded to in answers 1 and 2, I am a conservation biologist with RECON Environmental, where I have worked for the past 30 years. In the last 25 years, I have been involved in developing and implementing HCPs and NCCPs, including mitigation and conservation programs guiding habitat acquisition and management activities for large, complex projects at county scales. My clients have included San Diego County, Riverside County, San Diego County Water Authority, as well as Counties in Arizona, Nevada, and Texas.

5. What do you hope to accomplish by your participation in ITOC?

I believe that my experience in developing conservation plans that balance the needs of endangered species and their habitats with the full range of needs of a diversity of communities, and my ability to encompass the big picture perspective, will be of value to the ITOC. Transportation planning, impact assessment, and mitigation programs have been a key component of most of the regional conservation planning efforts that I have directed.

6. In what part(s) of the region do you live and work?

I have lived in the community of Rancho Peñasquitos since 1992 and previously resided in Mira Mesa, Linda Vista, and Hillcrest in the City of San Diego. I graduated from Grossmont High School in La Mesa and later attended graduate school at SDSU. My office is located on 5th Avenue in Banker's Hill.