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Gary L. Gallegos  
*Executive Director, SANDAG*

# BOARD OF DIRECTORS AGENDA

Friday, January 10, 2003

10:15 a.m.

SANDAG

401 B Street, 7<sup>th</sup> Floor  
San Diego, CA

## AGENDA HIGHLIGHTS

- INTERIM BYLAWS FOR NEW AGENCY
- NEW RESPONSIBILITIES UNDER SB 1703

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## MISSION STATEMENT

*The 18 cities and county government are SANDAG serving as the forum for regional decision-making. SANDAG builds consensus, makes strategic plans, obtains and allocates resources, and provides information on a broad range of topics pertinent to the region's quality of life.*

San Diego Association of Governments • 401 B Street, Suite 800, San Diego, CA 92101-4231  
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Welcome to SANDAG. Members of the public may speak to the Board on any item at the time the Board is considering the item. Please complete a Speaker's Slip which is located in the rear of the room and then present the slip to the Clerk of the Board seated at the front table. Also, members of the public are invited to address the Board on any issue under the agenda item entitled Public Comments/Communications. Speakers are limited to three minutes. The SANDAG Board may take action on any item appearing on the agenda.

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# BOARD OF DIRECTORS AGENDA

Friday, January 10, 2003

***NOTE: Instructions on the use of the new voting equipment will be provided prior to Agenda Item #1***

## ITEM #

## RECOMMENDATION

1. ADDITIONS AND DELETIONS

### CONSENT ITEMS (2 through 3)

*The Board of Directors will take action on the consent agenda without further discussion and with one vote unless an item is pulled by a Board member or by a member of the public for comment.*

- + 2. AUTHORIZING THE EXECUTIVE DIRECTOR TO ACCEPT UP TO AN ADDITIONAL \$75,000 FROM THE SAN DIEGO COUNTY PROBATION DEPARTMENT, AMEND THE FY 2003 OVERALL WORK PROGRAM AND BUDGET, AND CONTRACT FOR SERVICES FOR THE WORKING TO ENSURE AND NURTURE GIRLS SUCCESS (WINGS) PROJECT (Resolution 2003-19) (Cynthia Burke) APPROVE

The San Diego County Probation Department has contracted with the SANDAG Criminal Justice Research Division since FY 2000 to evaluate the Working to Insure and Nurture Girls' Success (WINGS) Program. The Probation Department has requested that two consultants be provided to assist in the development of a new Probation Case Management System which will be used by the Probation Department and SANDAG in future evaluations. With Board approval, the current contract would be amended.

- + 3. AUTHORIZING THE EXECUTIVE DIRECTOR TO ACCEPT \$27,000 FROM THE LOCAL HIDTA (HIGH INTENSITY DRUG TRAFFICKING AREAS) AND AMEND THE FY 2003 OVERALL WORK PROGRAM AND BUDGET FOR THE SUBSTANCE ABUSE MONITORING FOR YOUTH PROJECT (Resolution 2003-20) (Cynthia Burke) APPROVE

From 1987 through 2002, the National Institute of Justice (NIJ) provided funding through the Arrestee Drug Abuse Monitoring (ADAM) Program to conduct interviews with adult and juvenile offenders regarding their drug use history. Local interest to retain the juvenile component of the program led to funding support offered by the local HIDTA (High Intensity Drug Trafficking Areas). With Board approval, SANDAG would contract with HIDTA to accept funds to continue this research.

## **PUBLIC COMMENTS/COMMUNICATIONS**

4. Members of the public shall have the opportunity to address the Board on any issue within the jurisdiction of the Board. Anyone desiring to speak shall reserve time by filing a written request with the Clerk of the Board prior to speaking. Speakers are limited to three minutes.

## **CHAIR'S REPORT**

5. **REPORT FROM THE AD HOC WORKING GROUP ON TRANSITION** **INFORMATION**

The Chair will provide an overview of the January 2, 2003 partnering session of the Working Group.

## **REPORTS**

- + 6. **AUTHORIZING THE EXECUTIVE DIRECTOR TO TAKE ADVANTAGE OF THE FLUCTUATING MARKET FOR DEBT-REDUCTION BY REFINANCING BONDS (Resolution RC2003-1) (Leslie Campbell)** **APPROVE**

In a poor economic climate, often the only way to increase income is by restructuring debt. Since late September, two windows of opportunity have opened for very short time periods during which bonds could have been called and re-issued, providing significant savings over the final period of financing. While costs will be about 40 to 50 percent, the savings are still valid. These windows open for such a short time not allowing for Board action. Advance approval to take action should the circumstances arise again is being requested. Expert analysis suggests that the next "window" will be in the first half of January, 2003.

7. **NEW TRANSIT RESPONSIBILITIES UNDER SB 1703 AND STATUS OF INITIAL TRANSITION PLAN (Gary Gallegos)** **INFORMATION**

Mr. Gallegos will review the requirements of SB 1703 which call for consolidation of transit responsibilities beginning July 1, 2003 and review the work to date on the initial transition plan due at the end of February.

- + 8. **INTERIM BYLAWS (Debra Greenfield)** **ADOPT**

The interim bylaws were accepted for distribution with revisions at the December meeting. Board action would adopt them for use for at least the first six months of operation of the consolidated agency. At that time, they will be reviewed to determine if any changes are needed to address consolidation.

- + 9. OPERATIONS POLICY FOR THE NEW AGENCY: BOARD AND COMMITTEE RESPONSIBILITIES (Chair Ron Morrison) APPROVE

The operations policy which has been modified to reflect the roles and responsibilities of the Board and Policy Advisory Committees under SB 1703 is recommended for approval. This policy has been reviewed by the Executive Committee and the Ad Hoc Working Group on Transition.

- + 10. POLICIES AND PROCEDURES FOR POLICY ADVISORY COMMITTEES (Debra Greenfield) APPROVE

In December, the Board approved policies and procedures for the Policy Advisory Committees, which have been incorporated into this policy document. The Executive Committee also has previously recommended them for approval.

#### ADJOURNMENT

GARY L. GALLEGOS  
Executive Director

+ next to an agenda item indicates an attachment.

**AUTHORIZING THE EXECUTIVE DIRECTOR TO ACCEPT UP TO AN ADDITIONAL \$75,000 FROM THE SAN DIEGO COUNTY PROBATION DEPARTMENT, AMEND THE FY 2003 OVERALL WORK PROGRAM AND BUDGET, AND CONTRACT FOR SERVICES FOR THE WORKING TO ENSURE AND NURTURE GIRLS' SUCCESS (WINGS) PROJECT**

**Recommendation**

It is my recommendation that the Board of Directors approve Resolution 2003-19 authorizing the Executive Director to modify the current contract with the San Diego County Probation Department by accepting up to an additional \$75,000 to provide consultant services for quality assurance and supervision, beginning January 13, 2003.

**Introduction**

The San Diego County Probation Department has contracted with the SANDAG Criminal Justice Research Division since FY 2000 to evaluate the Working to Insure and Nurture Girls' Success (WINGS) Program (work element #7.09). This contract was renewed for FY 2003 and will end June 30, 2003. The Probation Department has the need for assistance to provide quality assurance and supervision as leads in the development of the new Probation Case Management System (PCMS) which will be used by the Probation Department and SANDAG in future evaluations.

**Discussion**

The SANDAG Criminal Justice Research Division has collaborated with the San Diego County Probation Department since July 1999 on the evaluation of the WINGS program. As part of this evaluation, data are collected from computerized Probation Department records. The Probation Department has approached SANDAG to provide two consultants for quality assurance and supervision as leads in the development of the new computerized Probation Case Management System (PCMS). The experience of these consultants will be essential in the conversion of the Probation legacy case management system for matching and merging records to the new system.

Activities of the two consultants would include reviewing and implementing business process and practices, creating test scripts, performing training, and providing daily consultation in code development and error reporting.

For the completion of these tasks, SANDAG will receive up to an additional \$75,000.

GARY L. GALLEGOS  
Executive Director

Key Staff Contact: Cynthia Burke,  
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Funds will be Budgeted in Work Element #7.09



San Diego's Regional Planning Agency

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# RESOLUTION NO. 2003-19

AUTHORIZING THE EXECUTIVE DIRECTOR TO ACCEPT UP TO AN ADDITIONAL \$75,000 FROM THE SAN DIEGO COUNTY PROBATION DEPARTMENT, AMEND THE OVERALL WORK PROGRAM AND BUDGET, AND CONTRACT FOR SERVICES FOR THE WORKING TO ENSURE AND NURTURE GIRLS' SUCCESS (WINGS) PROJECT

WHEREAS, the San Diego County Probation Department has the need for two consultants to provide quality assurance and supervision as leads in the development of the new Probation Case Management System (PCMS); and

WHEREAS, SANDAG, through the Criminal Justice Research Division, will be able to utilize this database in future evaluations; and

WHEREAS, SANDAG, through the Criminal Justice Research Division, is willing to meet this need by providing the consultants whose work will be directed by the Probation Department; and

WHEREAS, the Probation Department is willing to provide the necessary funding to support the consultant services; NOW THEREFORE

BE IT RESOLVED by the Board of Directors of the San Diego Association of Governments that the Executive Director is hereby authorized to accept funding up to an amount of \$75,000 from the Probation Department, and contract for necessary consultant services; and

BE IT FURTHER RESOLVED that the SANDAG Auditor and Comptroller is hereby authorized to amend the FY 2003 Appropriations upwards in the amount of \$75,000 upon execution of an agreement with the Probation Department.

PASSED AND ADOPTED this 10th day of January, 2003.

\_\_\_\_\_  
CHAIRPERSON

ATTEST: \_\_\_\_\_  
SECRETARY

MEMBER AGENCIES: Cities of Carlsbad, Chula Vista, Coronado, Del Mar, El Cajon, Encinitas, Escondido, Imperial Beach, La Mesa, Lemon Grove, National City, Oceanside, Poway, San Diego, San Marcos, Santee, Solana Beach, Vista, and County of San Diego.  
ADVISORY/LIAISON MEMBERS: California Department of Transportation, Metropolitan Transit Development Board, North San Diego County Transit Development Board, U.S. Department of Defense, S.D. Unified Port District, S.D. County Water Authority, and Baja California/Mexico.

**AUTHORIZING THE EXECUTIVE DIRECTOR TO ACCEPT \$27,000 FROM THE LOCAL HIDTA (HIGH INTENSITY DRUG TRAFFICKING AREAS) AND AMEND THE FY 2003 OVERALL WORK PROGRAM AND BUDGET FOR THE SUBSTANCE ABUSE MONITORING FOR YOUTH PROJECT**

**Recommendation**

It is my recommendation that the Board of Directors approve Resolution 2003-20 authorizing the Executive Director to enter into a contract with the local HIDTA for \$27,000 to continue monitoring illegal drug use among juveniles, beginning March 1, 2003.

**Introduction**

From 1987 through 2002, the National Institute of Justice (NIJ) provided funding through the Arrestee Drug Abuse Monitoring (ADAM) Program (work element #7.03) to conduct interviews with adult and juvenile offenders regarding their drug use history. In 2002, funding for the juvenile component of the project was discontinued. Local interest to retain the program led to funding support offered by the local HIDTA (High Intensity Drug Trafficking Areas).

**Discussion**

The social, health, and financial costs and consequences of drug use are important concerns for the San Diego region. To target resources appropriately with respect to prevention, intervention, enforcement,

treatment, and interdiction, the nature and scope of drug use must be carefully monitored. ADAM statistics collected in San Diego County for juvenile arrestees in 2000 indicate that 47 percent of males and 43 percent of females tested positive for some type of drug at the time they were arrested and booked.

The tasks performed by SANDAG staff will include recruiting, hiring, and training staff to interview juveniles arrested and booked into Juvenile Hall, conducting at least 200 interviews and obtaining urine samples, and preparing reports and presentations to policymakers and practitioners regarding drug use trends, characteristics of users, and the impact of drug control strategies on drug use in the offender population.

For the completion of these tasks, SANDAG will receive \$27,000.

GARY L. GALLEGOS  
Executive Director

Key Staff Contact: Cynthia Burke,  
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Funds will be Budgeted in Work Element #7.22



San Diego's Regional Planning Agency

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# RESOLUTION NO. 2003-20

## AUTHORIZING THE EXECUTIVE DIRECTOR TO ACCEPT \$27,000 FROM THE LOCAL HIDTA (HIGH INTENSITY DRUG TRAFFICKING AREAS) AND AMEND THE FY 2003 OVERALL WORK PROGRAM AND BUDGET FOR THE SUBSTANCE ABUSE MONITORING FOR YOUTH PROJECT

WHEREAS, National Institute of Justice (NIJ) funding for the juvenile-component of the Arrestee Drug Abuse Monitoring (ADAM) program (work element #7.03) was discontinued; and

WHEREAS, there is local interest in maintaining the ability to monitor illegal drug use among juvenile arrestees; and

WHEREAS, the SANDAG Criminal Justice Research Division has the experience and ability to conduct this research; and

WHEREAS, the Local High Intensity Drug Trafficking Areas (HIDTA) is willing to provide the necessary funding to continue this research activity; NOW THEREFORE

BE IT RESOLVED by the Board of Directors of the San Diego Association of Governments that the Executive Director is hereby authorized to accept funding in the amount of \$27,000 from HIDTA; and

BE IT FURTHER RESOLVED that the SANDAG Auditor and Comptroller is hereby authorized to amend the FY 2003 Appropriations upwards in the amount of \$27,000 upon execution of an agreement with HIDTA.

PASSED AND ADOPTED this 10th day of January, 2003.

\_\_\_\_\_  
CHAIRPERSON

ATTEST: \_\_\_\_\_  
SECRETARY

MEMBER AGENCIES: Cities of Carlsbad, Chula Vista, Coronado, Del Mar, El Cajon, Encinitas, Escondido, Imperial Beach, La Mesa, Lemon Grove, National City, Oceanside, Poway, San Diego, San Marcos, Santee, Solana Beach, Vista, and County of San Diego.  
ADVISORY/LIAISON MEMBERS: California Department of Transportation, Metropolitan Transit Development Board, North San Diego County Transit Development Board, U.S. Department of Defense, S.D. Unified Port District, S.D. County Water Authority, and Baja California/Mexico.

**AUTHORIZING THE EXECUTIVE DIRECTOR TO TAKE ADVANTAGE OF THE FLUCTUATING MARKET FOR DEBT-REDUCTION BY REFINANCING BONDS**

**Recommendation**

It is my recommendation that the Board of Directors, acting as the San Diego County Regional Transportation Commission, approve Resolution RC2003-1 recommending that:

1. The Board designate Morgan Stanley Capital Services as Swaption counter party.
2. The Executive Director, or the Director of Finance and Administration acting on his behalf, be delegated the ability to execute a Swaption agreement with Morgan Stanley Capital Services structured to achieve the following objectives:
  - a. Upfront payment to SANDAG of no less than \$400,000.
  - b. Fixed Swap payment that achieves payment neutrality with the existing debt, taking into account the call premium.
  - c. Variable rate receipt pegged to an index designed to achieve projected actual variable rate experience.

**Introduction**

SANDAG, acting as the San Diego County Regional Transportation Commission, currently has outstanding \$415.79 million in sales tax bonds. Of this amount, \$33.42 million is potentially advance refundable under federal

tax rules. An additional \$7 million could be refunded; however, it is unlikely that economic conditions would produce savings related to these bonds.

SANDAG's refundable bonds are callable on April 1, 2006 and they fully mature in 2007 and 2008. Typically, refunding bonds are issued and the proceeds used to fund an escrow to pay off the refunded bonds. Since issuers only have one advance refunding opportunity, a minimum savings threshold of 3% present value savings is typically established to maximize value from the call option.

In SANDAG's case, however, the short time period between the call date and the maturity date make achieving 3% savings mathematically unlikely. To achieve this level, borrowing rates must fall by more than 55 basis points while at the same time the escrow investment rates must rise. Since this is unlikely to happen, SANDAG faces a "use it or lose it" choice related to the option value imbedded in its bonds. If the Agency does nothing, the option value will expire worthless in 2006.

Since October, we have been exploring strategies with our financial advisor, Public Financial Management, to capture value from the call options in our bonds. In early October, \$400,000 in upfront savings could have been realized; however, with the volatility in short term rates, this savings opportunity moved away by October 20<sup>th</sup>. In November, SANDAG solicited investment-banking proposals. These proposals confirmed the difficulty in achieving traditional present value savings and presented new opportunities to capture the value of the option through a "Swaption".

A Swaption is the combination of "Swap" and "Option". Simply stated, SANDAG will sell an

option to a counter party for an upfront payment. The option will provide the counter party a one-time right to execute a Swap transaction with SANDAG. In the Swap, the counter party will exchange variable rate payments to SANDAG in exchange for a fixed rate payment.

In this context, SANDAG would ramp up its commercial paper or issue variable rate debt in April of 2006 sized to refund the callable 1996 bonds. SANDAG would receive a variable rate payment to offset its cost of variable rate debt, and in exchange pay a fixed amount to the counter party equal to the prior debt service. The benefit to SANDAG would be the upfront payment received at the time of initial execution. The Swap would amortize over the remaining two years of the *TransNet* program and terminate in April of 2008. The Swaption was deemed superior to a traditional refunding due to the greater likelihood of obtaining savings, ease in implementation, lack of negative arbitrage in the escrow, flexibility, and lower initial costs.

SANDAG has previously used interest rate swaps to reduce its cost of capital for bond issues due in 2002 and 2004.

Staff, in consultation with our financial advisor, believes a minimum benefit of \$400,000 should be established prior to execution of this transaction. This is equal to approximately 1% present value savings of the refunded bonds. In the current market, the Swaption payment would be only \$350,000; however, market volatility can change this level rapidly and, therefore, staff is seeking authorization of the Board to enter into a Swaption agreement, predicated on achieving a minimum financial benefit of \$400,000.

Based on the competitive procurement of investment bankers and interviews with six of the nine respondents held on December 4, 2002, staff is recommending that Morgan Stanley Capital Services be designated as counter party for the Swaption.

Swaps are commonly used in the municipal market and, as previously noted, SANDAG has

entered into over \$380 million in swap agreements during the life of the *TransNet* Program. Swaps involve certain risks, however, including the credit deterioration of the counter party and the risk that the variable rate received from the counter party will be less than the variable rate paid on SANDAG bonds.

The first risk is mitigated by the upfront payment to be received by SANDAG and the second is mitigated by the strong historical performance of SANDAG's commercial paper, short two-year term of the swap agreement and rapid amortization.

Bottom line, this action allows SANDAG to realize monetary value from its bond call option which would otherwise expire worthless. Staff will not execute the Swaption agreement if its designated objectives are not achieved.

GARY L. GALLEGOS  
Executive Director

Key Staff Contact: Leslie Campbell,  
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# **RESOLUTION**

## **NO. RC2003-1**

### **SAN DIEGO COUNTY REGIONAL TRANSPORTATION COMMISSION**

#### **RESOLUTION NO. RC2003-1**

**AUTHORIZING THE EXECUTION OF A SWAPTION IN CONNECTION WITH THE POTENTIAL REFUNDING OF THE SAN DIEGO COUNTY REGIONAL TRANSPORTATION COMMISSION SECOND SENIOR SALES TAX REVENUE BONDS (LIMITED TAX BONDS), 1996 SERIES A, AND DELEGATING TO OFFICERS OF THE COMMISSION POWER TO NEGOTIATE AND EXECUTE AGREEMENTS FOR SAID SWAPTION, AUTHORIZING DISTRIBUTION OF SAID DOCUMENTS AND AUTHORIZING TAKING OF ALL NECESSARY ACTIONS**

WHEREAS, the Board of Directors (the "Board") of the San Diego County Regional Transportation Commission (the "Commission"), pursuant to the San Diego County Regional Transportation Commission Act (constituting Chapter 2 of Division 12.7 of the California Public Utilities Code) and Chapter 6 of Part 1 of Division 2 of Title 5 of the California Government Code, as referenced in said San Diego County Regional Transportation Act and other applicable provisions of the laws of the State of California (collectively, the "Law"), is authorized to issue bonds payable from the proceeds of the retail transactions and use tax levied by the Commission;

WHEREAS, the Commission has heretofore issued \$175,000,000 in aggregate principal amount of its Sales Tax Revenue Bonds (Limited Tax Bonds), 1989 Series A and \$250,000,420 in aggregate principal amount of its Sales Tax Revenue Bonds (Limited Tax Bonds), 1991 Series A (collectively, the "First Senior Bonds");

WHEREAS, the Commission has heretofore authorized the issuance of not to exceed \$135,000,000 in aggregate principal amount of Subordinate Sales Tax Revenue Commercial Paper Notes (Limited Tax Bonds), Series A (the "CP Notes"), pursuant to a Subordinate Indenture dated as of August 1, 1991 (the "Subordinate Indenture"), between the Commission and U.S. Bank N.A., as successor trustee (the "Trustee");

WHEREAS, the Commission has heretofore issued \$141,600,000 in aggregate principal amount of its Second Senior Sales Tax Revenue Bonds (Limited Tax Bonds), 1992 Series A (the "Series 1992 Bonds"), pursuant to an Indenture dated as of October 1, 1992 (as amended and supplemented, including as amended and supplemented by a First Supplemental Indenture dated as of October 1, 1992, the "Indenture"), by and between the Commission and the Trustee;

WHEREAS, the Commission has heretofore issued \$174,595,000 in aggregate principal amount of its Second Senior Sales Tax Revenue Bonds (Limited Tax Bonds), 1993 Series A Refunding (the "Series 1993 Refunding Bonds"), pursuant to the Indenture, including a Second Supplemental Indenture dated as of March 1, 1993, for the purpose of refunding a portion of the First Senior Bonds;

WHEREAS, the Commission has heretofore issued \$265,000,000 in aggregate principal amount of its Second Senior Sales Tax Revenue Bonds (Limited Tax Bonds), 1994 Series A (the "Series 1994 Bonds," pursuant to the Indenture and a Third Supplemental Indenture dated as of April 1, 1994;

WHEREAS, the Series 1992 Bonds were converted to a fixed rate pursuant to a Fourth Supplemental Indenture dated as of May 15, 1995 and the Series 1994 Bonds were converted to a fixed rate pursuant to a Fifth Supplemental Indenture dated as of December 13, 1995;

WHEREAS, the Commission has heretofore issued \$185,000,000 in aggregate principal amount of its Second Senior Sales Tax Revenue Bonds (Limited Tax Bonds), 1996 Series A (the "Series 1996 Bonds" and, together with the Series 1992 Bonds, the Series 1993 Refunding Bonds and the Series 1994 Bonds, hereafter collectively referred to as the "Second Senior Bonds"), pursuant to the Indenture and the Sixth Supplemental Indenture dated as of September 1, 1996;

WHEREAS, the Commission hereby determines that, dependent on market conditions, debt service savings may be achieved by entering into a swaption in connection with a potential refunding of a portion of the Series 1996 Bonds;

WHEREAS, the Commission hereby further determines that following a request for proposal process, Morgan Stanley Capital Markets ("Morgan Stanley") was chosen as the counterparty on the swaption;

WHEREAS, upon the exercise of the swaption, a portion of the 1996 Series A Bonds will be refunded either by an issuance of CP Notes or an issue of variable rate refunding bonds; and

WHEREAS, the Commission desires to authorize and direct the execution of such documents as are necessary for the swaption and the consummation of such refinancing; NOW THEREFORE

BE IT RESOLVED by the San Diego County Regional Transportation Commission as follows:

Section 1. The execution by the Commission of a swaption with Morgan Stanley in connection with a potential refunding of a portion of the Series 1996 Bonds and payment of costs incurred in connection with the swaption is hereby authorized and approved.

Section 2. The proposed swaption will utilize an ISDA Master Agreement, and related schedule and confirmation, between the Commission and Morgan Stanley, in substantially the form submitted to the Commission, and the terms and conditions thereof, are hereby approved. The Executive Director of the Commission or the Director of Finance and Administration of the Commission are authorized and directed to execute and deliver the required documentation, with such additions thereto or changes therein, as such officer, with the advice of counsel to the Commission and Orrick, Herrington & Sutcliffe LLP, as bond counsel ("Bond Counsel"), shall approve, such approval to be conclusively evidenced by the execution and delivery of the documentation; provided that the Commission shall receive not less than \$400,000 for entering into the swaption. The swap agreement to be entered into pursuant to the swaption shall provide for the receipt by the Commission of a variable interest rate not less than 60% of LIBOR and provide for the payment by the Commission of a fixed rate of not more than 6% and shall be designed to duplicate current scheduled debt service requirements on the refunded 1996 Series A Bonds.

Section 3. The Board hereby finds and determines pursuant to Government Code section 5922, that the swaption and related swap agreement will reduce the amount and duration of interest rate risk with respect to the CP Notes or refunding bonds and are issued in connection with the Series 1996 Bonds and that the swaption and related swap agreement are designed to reduce the amount or duration of payment, rate, spread or similar risk or result in a lower cost of borrowing when used in combination with such bonds. The Executive Director or the Director of Finance and Administration is hereby authorized and directed to execute and deliver the swaption and any other related agreement or agreements on behalf of the Commission as may be approved by such officer, such approval to be conclusively evidenced by the execution and delivery of such agreement or agreements.

Section 4. The Chairman and the Secretary of the Board, the Executive Director and the Director of Finance and Administration of the Commission, and other appropriate officers of the Board or the Commission, be and they are hereby authorized and directed, jointly and severally, for and in the name and on behalf of the Commission, to execute and deliver any and all documents, certificates and representations, including credit documents, escrow agreements, signature certificates, no-litigation certificates, tax certificates and related agreements, and to do any and all things and take any and all actions which may be necessary or advisable, in their discretion, to effectuate the actions which the Commission has approved in this Resolution.

In the event the Chairman or Secretary of the Board or Executive Director of the Commission is unavailable to execute the documents authorized hereby, such documents may be executed by the Vice-Chairperson of the Board or Assistant Secretary or designee of the Executive Director, respectively.

Section 5. All actions heretofore taken by the officers and agents of the Board or the Commission with respect to the swaption and refunding of the 1996 Series A Bonds are hereby ratified, confirmed and approved.

Section 6. This Resolution shall take effect from and after its adoption.

PASSED AND ADOPTED this 10th day of January, 2003.

\_\_\_\_\_  
CHAIRPERSON

ATTEST: \_\_\_\_\_

\_\_\_\_\_  
SECRETARY

MEMBER AGENCIES: Cities of Carlsbad, Chula Vista, Coronado, Del Mar, El Cajon, Encinitas, Escondido, Imperial Beach, La Mesa, Lemon Grove, National City, Oceanside, Poway, San Diego, San Marcos, Santee, Solana Beach, Vista, and County of San Diego.  
ADVISORY/LIAISON MEMBERS: California Department of Transportation, Metropolitan Transit Development Board, North San Diego County Transit Development Board, U.S. Department of Defense, S.D. Unified Port District, S.D. County Water Authority, and Baja California/Mexico.

## SECRETARY'S CERTIFICATE

I, Gary L. Gallegos, Secretary of the Board of Directors of the San Diego County Regional Transportation Commission, hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted at a regular meeting of the Commission duly and legally held at the regular meeting place of the Commission in San Diego, California, on January 10, 2003, of which meeting all of said Directors of the Commission had due notice and at which a majority thereof were present and acting throughout;

At said meeting said resolution was adopted by the following vote:

AYES:

NOES:

ABSENT:

An agenda of said meeting was posted at least 72 hours before said meeting at a location in San Diego, California, freely accessible to members of the public, and a brief general description of said resolution appeared on said agenda;

I have carefully compared the foregoing with the original minutes of said meeting on file and of record in my office, and the foregoing is a full, true, and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said original resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

WITNESS my hand and the seal of the San Diego County Regional Transportation Commission this 10<sup>th</sup> day of January, 2003.

[Seal]

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Secretary of the Board of Directors  
of the San Diego County Regional  
Transportation Commission



**BOARD OF DIRECTORS  
JANUARY 10, 2003**

**AGENDA ITEM NO. 03-1-8  
ACTION REQUESTED - ADOPT**

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INTERIM

SAN DIEGO ASSOCIATION OF GOVERNMENTS

BYLAWS

ARTICLE I

NAME AND PURPOSE

Section 1

The name of this Organization shall be the San Diego Association of Governments (hereinafter referred to as SANDAG).

Section 2

The purposes of this Organization are as set forth in SB 1703 (Chapter 743 of the Statutes of 2002), as established by state and federal law, and as approved by the Board of Directors. The primary purpose for which this organization is created is to engage in regional cooperative comprehensive planning, programming and where authorized implementation thereof, and to assist the Member Agencies.

ARTICLE II

DEFINITIONS

The following terms shall have the meanings ascribed to them within this section unless the content of their use dictates otherwise:

- a. "Region" shall mean that territory physically lying within the boundaries of San Diego County.
- b. "Regional Board" shall mean the Regional Planning and Growth Management Review Board.

- c. "Population" of any Member Agency shall mean that population as defined in SB 1703.
- d. "Fiscal Year" shall mean that year beginning July 1, and ending June 30.
- e. "Member Agencies" shall mean the cities within San Diego County and the County of San Diego collectively.

### ARTICLE III

#### MEMBERSHIP AND ORGANIZATION

##### Section 1

Membership in this Organization shall be as provided in state law and these Bylaws.

##### Section 2

- a. All powers of this Organization shall be exercised by the Board of Directors. The Board of Directors may choose to delegate several of its responsibilities from time to time in accordance with Board policy.
- b. Only the duly selected official representative(s), or in his or her absence, his or her duly selected alternate or alternates, shall be entitled to represent his or her Member Agency in the deliberations of the Board of Directors.
- c. When changes occur, names of the official representatives and alternates shall be communicated in writing to the Organization by each participating Member Agency.

##### Section 3

There shall be at least four standing committees which shall be known as policy advisory committees with the membership set forth in SB 1703.

- a. The procedure for City and County of San Diego and subregional appointments to the policy advisory committees shall be established by Board policy. In the case of the subregional appointments, the policy shall ensure a noticed, formal process wherein all regular Board members from each subregion are provided an opportunity to participate in the selection process.
- b. Procedures for policy advisory committee attendance and voting shall be established by Board policy. The policy shall ensure the formal delineation of the voting membership at each meeting.
- c. The Board Chair and Vice Chair may serve as ex-officio non voting members of the policy advisory committees.

- d. The Board Chair shall select the chair and vice chair of all policy advisory committees except the Executive Committee, annually in July. When serving on the Executive Committee the Board Chair and Vice Chair shall serve as the Chair and Vice Chair of the Executive Committee.

#### Section 4

The Board of Directors shall have the authority to appoint all additional committees or working groups and may provide for the appointment of alternates to these committees.

- a. Additional standing committees may be appointed by the Board of Directors as may be required to carry out general and continuing functions and may be abolished only upon specific action by the Board of Directors.
- b. Ad hoc specialized subcommittees or working groups may be appointed by the Board of Directors as the need arises to accomplish specific tasks. The policy advisory committees may appoint working groups to advise them. Upon completion of its assignment, each ad hoc subcommittee or working group shall disband.

#### Section 5

In addition to any compensation mandated by state law for Board meetings, the following rates shall apply.

- a. For attendance by Board members, or alternates in their absence, at Board meetings, \$150 per meeting.
- b. For official meetings or events attended by Board members representing the Board, \$150 per meeting or event.
- c. For members and alternates of policy advisory committees, \$100 per meeting.
- d. The limit on the total number of paid meetings for Board and policy advisory committee members or alternates per individual is four meetings per month. For the Board Chair and Vice Chair the limit is six meetings per month.
- e. The Chair of the Board shall receive additional monthly compensation of \$500 per month.
- f. The Vice Chair of the Board shall receive additional monthly compensation of \$250 per month.

## ARTICLE IV

### MEETINGS

#### Section 1

- a. A quorum for a meeting of the Board of Directors shall be as provided for in Section 5.
- b. A quorum shall be required for the conduct of any business of a committee. No business shall be conducted by a committee without a quorum. A simple majority of the appointed members of a committee shall constitute a quorum. All decisions by a committee shall be by simple majority of the quorum.

#### Section 2

Parliamentary procedure at all meetings shall be governed by Roberts Rules of Order except as otherwise modified by state law or these Bylaws. The Secretary shall forward written notice of the meetings of the Board of Directors and each Standing Committee, stating the time, location, and the agenda of business to each member's agency and to the respective members and alternates of the Board of Directors or the Standing Committees, not less than five days prior to meetings, except that such written notice of regular Board of Directors' meetings may be forwarded by first class mail or other appropriate means not less than seven days prior to such meeting.

#### Section 3

All meetings of SANDAG, including without limitation regular, adjourned regular, and special meetings of the Board of Directors, shall be called, noticed, held and conducted in accordance with the provisions of the Ralph M. Brown Act (commencing with Section 54950 of the California Government Code). Closed session items should be heard by the Board of Directors unless timeliness requires consideration by the Executive Committee or, for transportation matters the Transportation Committee.

#### Section 4

The Board and committees shall meet according to the following schedule:

- a. The Board of Directors and policy advisory committees shall hold their regular meetings on Fridays unless otherwise determined from time to time by the Board of Directors or policy advisory committee. Regular meetings of the Board of Directors shall be held at least monthly, normally on the fourth Friday morning of the month at the offices of the Organization or at other locations within San Diego County. Special meetings of the Board of Directors or policy advisory committees may be called from time to time by their respective Chair.
- b. Other committees shall meet whenever called by their respective Chair.

Section 5 (Section 132351.2 of the Public Utilities Code)

- a. A majority of the Member Agencies constitute a quorum for the transaction of business. In order to act on any item, except consent items which only require the vote specified in paragraph (1), the following voting formula in both paragraphs (1) and (2) shall apply:
  - (1) A majority vote of the members present on the basis of one vote per agency.
  - (2) A majority of the weighted vote of the Member Agencies present.
- b. The City of San Diego shall determine how to allocate its single agency vote and its weighted votes between its two members.
- c. For the weighted vote, there shall be a total of 100 votes, except additional votes shall be allowed pursuant to subdivision (f). Each representative shall have that number of votes determined by the following apportionment formula, provided that each agency shall have at least one vote, no agency shall have more than 40 votes, and there shall be no fractional votes:
  - (1) If any agency has 40 percent or more of the total population of the San Diego County region, allocate 40 votes to that agency and follow paragraph (2), if not, follow paragraph (3).
  - (2) Total the population of the remaining agencies determined in paragraph (1) and compute the percentage of this total that each agency has.
    - (A) Multiply each percentage derived above by 60 to determine fractional shares.
    - (B) Boost fractions that are less than one, to one and add the whole numbers.
    - (C) If the answer to subparagraph (B) is 60, drop all fractions and the whole numbers are the votes for each agency.
    - (D) If the answer to subparagraph (B) is less than 60, the remaining vote(s) is allocated one each to that agency(s) having the highest fraction(s) excepting those whose vote was increased to one in subparagraph (B) above.
    - (E) If the answer to subparagraph (B) is more than 60, the excess vote(s) is taken one each from the agency(s) with the lowest fraction(s). In no case shall a vote be reduced to less than one.
  - (3) Total the population determined in paragraph (1) and compute the percentage of this total that each agency has.
    - (A) Boost fractions that are less than one, to one and add the whole numbers.
    - (B) If the answer to subparagraph (A) is 100, drop all fractions and the whole numbers are the votes for each agency.
    - (C) If the answer to subparagraph (A) is less than 100, the remaining vote(s) is allocated one each to that agency(s) having the highest fraction(s) excepting those whose vote was increased to one in subparagraph (A) above.
    - (D) If the answer to subparagraph (A) is more than 100, the excess vote(s) is taken one each from that agency(s) with the lowest fraction(s). In no case shall a vote be reduced to less than one.
- d. When a weighted vote is taken on any item that requires more than a majority vote of the board, it shall also require the supermajority percentage of the weighted vote.
- e. The weighted vote shall be recomputed in the above manner every July 1.

- f. Any other newly incorporated city shall receive one vote under the single vote procedure and one vote under the weighted vote procedure specified above until the next recomputation of the weighted vote, at which time the new agency shall receive votes in accordance with the formula specified in subdivision (b). Until this recomputation, the total weighted vote may exceed 100.

ARTICLE V  
OFFICERS AND THEIR DUTIES

Section 1

The Board of Directors and standing committees shall have as officers a Chair and Vice Chair, who are members of their respective Board or committees. The Executive Director shall be the Secretary of the Board and each standing committee.

- a. The Chair shall preside over Board and committee meetings, and have general supervision of Board and committee affairs. The Chair shall sign all official documents when directed to do so by the Board and committees respectively.
- b. The Vice Chair shall perform the duties of the Chair in his or her absence and perform any duties that the Chair may require.
- c. In the event of the absence of both officers of the Board of Directors or other standing committee, the quorum of members present shall elect a Chair Pro Tempore to preside for that meeting. The Secretary, with a quorum present, shall call the meeting to order and preside during such election of a Chair Pro Tempore; he or she shall immediately relinquish the chair upon completion of the election.

Section 2

The Board may delegate authority to the Board Chair for action consistent with Board approved criteria on categories of items.

Section 3

Election of officers of the Board of Directors shall be held annually during the regular June meeting.

Officers for the Board of Directors shall be elected in the following manner:

- a. The Chair shall appoint a three-person nominating committee at the regular May meeting who shall submit nominees for the Board offices in writing for mailing to Board members. Additional nominations for any office may be made by Board members at the June meeting.
- b. The officers shall be elected by a majority of the votes including weighted votes of those Board members present.

- c. All officers shall be elected for a term of one year and shall serve until their successors are elected. They shall begin their term of office at the close of the annual June meetings.
- d. In the event that the Board member who has been elected Chair or Vice Chair is no longer a member of the Board of Directors, the office shall be considered vacant.
- e. Any vacated office of Chair or Vice Chair shall be filled at the next regular Board meeting by nominations from the floor, and a majority of votes from the members present.

#### Section 4

- a. The Board of Directors shall appoint an Executive Director who shall hold office until he or she resigns or is removed by the Board of Directors. The Executive Director shall be the chief executive officer of SANDAG. The Executive Director shall have charge of all projects and property of the Organization and shall file with the Director of Finance of SANDAG an official bond in the minimum amount of \$100,000 or such larger amount as the Board of Directors specifies, guaranteeing faithful performance of his or her duties. The Executive Director will be responsible to the SANDAG Board of Directors as set out in the Administrative Rules and Regulations for the administration of SANDAG's business, including: (1) development of program objectives, definition, directions and priorities; (2) management of SANDAG programs and coordination of staff and support services; (3) the development of financial support programs for SANDAG activities; (4) the recommendation and submission of an annual SANDAG program budget to the Board of Directors; and (5) execution of the adopted personnel, purchasing, and budgetary systems. The Executive Director shall perform such other and additional duties as is necessary to carry out the objectives and function of SANDAG and as directed by the Board of Directors.
- b. Any additional staff support services provided by Member Agencies or others shall be coordinated by the Executive Director.
- c. The Executive Director is hereby enabled to promulgate an administrative manual, governing the administrative procedures of the Organization.

### ARTICLE VI

#### FINANCIAL

#### Section 1

The Board of Directors shall approve a preliminary budget no later than April 1 of each year. The Board of Directors shall adopt a final budget no later than June 1 of each year. A copy of the preliminary budget when approved and a copy of the final budget when adopted shall be filed with each Member Agency.

## Section 2

Responsibility for supplying funds for that portion of the budget for SANDAG which is to be supplied by the Member Agencies, as adopted by the Board of Directors, shall be divided among the Member Agencies based on their population with each Member Agency including within its budget as funds to be supplied to SANDAG that sum of money determined by taking the ratio its population bears to the total population of the region and multiplying it by that portion of the approved budget to be supplied by the Member Agencies. Payment of this determined sum of money shall be made by each Member Agency by July 15 of each year. If payment by a Member Agency has not been made by September 1 of each year, that Member Agency shall no longer vote as a member of the Board of Directors. A delinquent Member Agency will be allowed to vote when full payment has been made, including interest computed from July 15 at the established legal rate.

## Section 3

The Director of Finance of SANDAG shall establish and maintain such funds and accounts as may be required by good accounting practice, state and federal law, and these Bylaws. The books and records of SANDAG in the hands of the Director of Finance shall be open to inspection at all reasonable times by representatives of the Member Agencies. The Director of Finance of SANDAG within 120 days after the close of each fiscal year shall give a complete written report of all financial activities for each fiscal year to Member Agencies.

## Section 4

The Director of Finance of SANDAG shall receive, have the custody of, and disburse SANDAG funds upon the warrant or check-warrant of the Finance Manager pursuant to the accounting procedures developed under Section 3 above, and shall make the disbursements required to carry out any of the provisions or purposes of the Organization. The Director of Finance of SANDAG may invest SANDAG funds in accordance with state and federal law. All interest collected on SANDAG funds shall be accounted for and posted to the account of such funds.

## Section 5

Delegation of authority from the Board of Directors for financial/ contracting approvals and stipulations of any nature, to serve as a limitation applicable to a particular job or program (not to be exceeded on a serial basis), shall be as follows:

- a. Up to \$50,000 to the Executive Director, subject to increase by Board action.
- b. Up to \$250,000 to the Executive Committee for any item, subject to increase by Board action.
- c. Up to \$250,000 to the Transportation Committee for transportation items, subject to increase by Board action.
- d. The Executive Director and Transportation Committee shall report contract approvals to the Executive Committee as needed. The Executive Committee shall report contract approvals to the Board of Directors at least quarterly.

## ARTICLE VII

### RELATIONSHIPS AND RULES OF PROCEDURE

#### Section 1

The functions of the Board of Directors and policy advisory committees shall be established by Board policy. The Board of Directors may delegate functions to the policy advisory committees as it deems appropriate.

#### Section 2

The Board of Directors shall provide guidance to committees and working groups. The Board may advise Member Agencies on the coordination of general plans, or on the resolution of conflicts between the general plans of agencies in the San Diego region.

#### Section 3

Conflicts between governmental agencies should be resolved among the affected agencies. In matters affecting more than one local government, and where requested by the affected agencies, the Organization shall have the authority to hear and make recommendations on appeals if the conflicts are not resolved to the satisfaction of each affected agency. Regional plans should serve as the guideline for the resolution of conflicts.

#### Section 4

Each action taken by the Organization which requires implementation shall include designation of the agency or agencies directly responsible for such implementation.

#### Section 5

The general and specific references to the construction authority of SANDAG in SB 1703 shall be interpreted as applicable solely to its responsibilities for project development and construction of transit projects which were previously within the purview of the transit development boards and are consolidated under the authority of SANDAG.

## ARTICLE VIII

### ESTABLISHMENT OF REGIONAL PLANNING AND GROWTH MANAGEMENT REVIEW BOARD

In addition to the purposes and powers set forth by law and these Bylaws, pursuant to Proposition C, a countywide measure approved by the voters in 1988, SANDAG is designated and shall serve as the Regional Planning and Growth Management Review Board.

### Section 1

The issues the Regional Board shall address shall include, but not be limited to: quality of life standards and objectives; holding capacities; growth rate policies; growth phasing; regional land use distribution; growth monitoring; open space preservation; significant regional arterials; transportation system management; transportation demand management; siting and financing regional facilities; fiscal abilities and responsibilities; consistency of regional and local plans; and regional growth management strategy.

### Section 2

Member Agencies may be requested, and have agreed, to determine ("self-certify") the consistency of the pertinent elements of their general plans with regional plans. Upon request by a member agency, the Regional Board will review these self-certifications, and make comments and recommendations regarding consistency. Where determined by the Regional Board to be appropriate, the Regional Board shall use SANDAG's Conflict Resolution Procedure for resolving disputes among Member Agencies. The Regional Board shall adopt rules to establish the self-certification process.

## ARTICLE IV

### INFORMATION AND EVALUATION

#### Section 1

- a. The Organization shall disseminate information concerning its work program and activities. The required information system should be organized and categorized so that it will continue to allow full and efficient use of information by the public and private sectors.
- b. Adequate provision for citizen participation shall be provided as required by law and as directed by the Board of Directors.
- c. The Board shall perform an annual evaluation of the Organization's goals, purpose, structure, and performance, directed toward continually improving the planning, coordination, and implementation process.

ARTICLE X

AMENDMENTS

Section 1

The Board of Directors shall be responsible for making all amendments to these Bylaws.

- a. Proposed amendments may be originated by the Board of Directors, the Executive Committee, or any member of the Board of Directors.
- b. Each proposed amendment shall be considered by the Board of Directors and a copy thereof forwarded by the Secretary to the official representative of each Member Agency, his or her alternate and the Agency itself, at least 20 days prior to the meeting at which such proposed amendment will be voted upon.
- c. Amendments to these Bylaws (except those provisions mandated by state law) shall require the vote of a majority of the Member Agencies which also represents at least 51 % of the weighted vote of Member Agencies.

Attachment

Attachment to the Agenda Item #8 may be obtained by contacting SANDAG's Public Information Office at (619) 595-5347



**BOARD OF DIRECTORS  
JANUARY 10, 2003**

**AGENDA ITEM NO. 03-01- 9  
ACTION REQUESTED - APPROVE**

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**OPERATIONS POLICY FOR THE  
NEW AGENCY: BOARD AND  
COMMITTEE RESPONSIBILITIES**

**Recommendation**

Based on direction provided by the Executive Committee and the Ad Hoc Working Group on Transition, it is my recommendation that the Board approve the operations policy for the new agency in the attached Board policy.

In December, the Executive Committee recommended Board approval of the operations policy for the new agency. The policy is slightly revised from the policy that has been in effect since May, 2001 to reflect the responsibilities added to the Board's purview under SB 1703. The purpose of the policy is to establish structure and efficiencies by delegating certain functions to Policy Advisory Committees while still allowing the Board to have the final authority over their actions. The Ad Hoc Working Group on Transition also has approved these policies.

GARY L. GALLEGOS  
Executive Director

Key Staff Contact: Debra Greenfield,  
(619) 595-5366; dgr@sandag.org



## BOARD POLICY NO. 03-01- 001

### OPERATIONS POLICY FOR NEW AGENCY

#### Board and Policy Advisory Committees Responsibilities

Shown below are responsibilities for the Board of Directors and each of the four Policy Advisory Committees (Executive, Transportation, Regional Planning, Borders) of the new Agency. Selected responsibilities are delegated by the Board to the Policy Committees to allow the Agency to effectively address key public policy and funding responsibilities. All items delegated to the Policy Committees are subject to Board action upon request of any member.

##### *Board Responsibilities*

- Approve Regional Comprehensive Plan and plan components and other regional plans (e.g. Regional Energy Plan, MHCP, etc.)
- Approve Regional Transportation Plan (RTP), Regional Transportation Improvement Program (RTIP) and corridor studies
- Fulfill responsibilities of SB 1703 as consolidated agency
- Fulfill the responsibilities of the San Diego Regional Transportation Commission (RTC)
- Approve programming of funds (TDA, CMAQ, STIP, etc.)
- Approve project environmental reports
- Approve Overall Work Program and Program Budget
- Approve amendments to the Budget and Work Program and authorize contracts with consultants for amounts equal to or greater than the amounts to be determined for administrative and policy committee authorization.
- Approve the annual legislative agenda
- Provide policy direction through Policy Development Board meetings
- Appoint Committees and Board officers
- Delegate responsibilities to Policy Advisory Committees and approve Committee actions. All items delegated to the four Policy Advisory Committees are subject to direct Board action upon request of any members.
- Delegate responsibilities to Board Chair consistent with Board criteria. Conference sponsorships and proclamations are hereby delegated subject to current or subsequently approved criteria.

##### *Executive Committee Membership and Responsibilities*

The Executive Committee shall consist of six voting members with board members representing East County, North County Coastal, North County Inland, South County, and the representative, or the representative's alternate in their absence, from the City of San Diego and the County. The Chairperson of the consolidated agency shall be one of the six voting members. The Vice Chairperson of the consolidated agency shall be one of the six voting members if the Vice Chairperson represents an area of the region that is different from the area of the region represented by the Chairperson.

- Set agenda for Board
- Review and recommend annual work program and program budget

- Approve amendments to the Budget and Overall Work Program and authorize contracts up to amount approved by the Board
- Review and act on state and federal legislation
- Comment on project EIR/EIS
- Act upon and evaluate dispute resolution
- Advise on personnel actions
- Act on behalf of Board when timing requires
- Make policy recommendations to the Board
- Perform other duties as assigned by the Board

#### *Transportation Committee Membership and Responsibilities*

The Transportation Committee shall consist of nine voting members with board members or alternates representing East County, North County Coastal, North County Inland, South County and the mayor or a council member from the City of San Diego, a supervisor from the County of San Diego, a member of the Board of the MTDB appointed by the Board of the MTDB, a member of the Board of the NCTD appointed by the Board of the NCTD, and a member of the San Diego County Regional Airport Authority appointed by the airport authority.

- Provide oversight for consolidated transit responsibilities
- Provide policy oversight for transportation plans and corridor and systems studies
- Establish/approve transportation prioritization criteria
- Establish/approve policies and monitor "Use it or lose it" project funding
- Approve TDA Claim, RTIP, and STIP amendments
- Recommend funding allocations to the Board
- Approve transit operator budgets for funding
- Approve Short Range Transit Plan
- Consistent with the transition plans, approve regional fare policy<sup>1</sup>
- Conduct public hearings as delegated by Board
- Approve contracts for transit up to amount approved by the Board
- Advise Board on other transportation policy-level issues
- Recommend legislative program for transportation and transit

#### *Regional Planning Committee Membership and Responsibilities*

The Regional Planning Committee shall consist of six voting members with board members or alternates representing East County, North County Coastal, North County Inland, South County, and the mayor or a council member from the City of San Diego, and a supervisor from the County of San Diego.

- Provide oversight for preparation and implementation of Regional Comprehensive Plan (RCP) and its components
- Recommend regional infrastructure financing strategies to the Board
- Represent the Board for outreach and public information on the Regional Comprehensive Plan and its components

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<sup>1</sup> To ensure seamless transit service for the transit users of the region the consolidated agency, in consultation with the transit agencies, will be responsible for the development of a Regional Fare Policy. The Regional Fare Policy will incorporate a uniform fare structure, a transfer policy, and agreement for revenue sharing of regional tickets, tokens, and passes, while also allowing the consolidated agency to adopt specialized fare procedures for travel within each operator's service area. Additionally, the consolidated agency will adopt a Comprehensive Fare Ordinance setting forth all fares for all operators, including their special fares.

- Advise Board on regional planning policy issues

*Borders Committee Membership and Responsibilities*

The Borders Committee shall consist of seven voting members with board members or alternates representing East County, North County Coastal, North County Inland, South County and the mayor or a council member from the City of San Diego, a supervisor from the County of San Diego, and a mayor, council member, or supervisor from the County of Imperial.

- Provide oversight for planning activities that impact the borders
- Provide oversight for the preparation of bi-national and interregional planning programs
- Recommend border infrastructure financing strategies to the Board
- Establish closer SANDAG working relations with surrounding counties and Mexico
- Advise Board on bi-national and interregional policy-level issues



**BOARD OF DIRECTORS  
JANUARY 10, 2003**

**AGENDA ITEM NO. 03-01- 10  
ACTION REQUESTED - APPROVE**

**POLICIES AND PROCEDURES FOR  
POLICY ADVISORY COMMITTEES**

**Recommendation**

It is my recommendation that the Board of Directors approve the attached Board policy as the policies and procedures for the Policy Advisory Committees.

**Introduction**

In November 2001, the Board authorized the establishment of the four Policy Advisory Committees (PAC) for SANDAG – the Executive Committee, Transportation Committee, Regional Planning Committee, and Borders Committee. SB 1703 and the Interim Bylaws mandate these committees but call for changes to their current structure and procedures. In addition, last month the Executive Committee and Board of Directors reviewed and approved recommended revisions which have been incorporated into the Interim Bylaws and this policy document.

**Appointments to Fill Vacancies**

A number of jurisdictions are scheduled to make their SANDAG Board Member and Alternate(s) appointments in January. To allow each Board Member and the Alternates the opportunity to participate on the Policy Advisory Committees, letters to the Board Members of the subregions requesting appointments to fill vacancies will be sent out in mid-January.

Attachment 2 indicates the membership and vacancies as of January 1, 2003 on each of the four Policy Advisory Committees.

GARY L. GALLEGOS  
Executive Director

Attachments

Key Staff Contact: Debra Greenfield,  
(619) 595-5366; dgr@sandag.org



## **POLICIES AND PROCEDURES FOR POLICY ADVISORY COMMITTEES**

### *Membership*

- **Executive Committee:** Six members to include the City and County of San Diego Board members, and a Board member from each subregion (South County, East County, North County Coastal, North County Inland)<sup>1</sup>.

Alternates may be the second City of San Diego Board member or Board alternate, the County of San Diego Board alternate, and alternates selected from each subregion who shall be members of the Board.

- **Transportation Committee:** Nine members to include a member from the City and County of San Diego governing bodies, a Board member or alternate from each subregion, and a member of NCTD, MTDB and the Airport Authority appointed by those agencies. There may be nine alternates chosen in the same manner.
- **Regional Planning Committee:** Six members to include a member from the City and County of San Diego governing bodies, and a Board member or alternate from each subregion. There may be six alternates chosen in the same manner.
- **Borders Committee:** Seven members to include a member from the City and County of San Diego governing bodies, a Board member or alternate from each subregion, and a mayor, councilmember, or supervisor from the County of Imperial. There may be seven alternates chosen in the same manner.

### *Limitation on Committee Memberships*

No Board member or alternate may serve as the regular member of more than two PACs at any one time. Committee membership may be expanded by the Board.

### *Ex-Officio Members*

A PAC may include Ex-Officio members if appropriate to roles and responsibilities of the committee. The Board Chair and Vice Chair may serve as Ex-Officio members on any of the PACs.

### *Appointments*

- The City and County of San Diego will make their appointments in December or January and when vacancies occur.

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<sup>1</sup> South County includes: Chula Vista, Coronado, Imperial Beach, and National City. East County includes: El Cajon, La Mesa, Lemon Grove and Santee. North County Coastal includes: Carlsbad, Del Mar, Encinitas, Oceanside, and Solana Beach. North County Inland includes: Escondido, Poway, San Marcos and Vista.

- The SANDAG Chair will provide notice requesting that Board members from each of the subregions appoint a Board member or alternate as authorized to serve as a regular member on each PAC and one to serve as an alternate to each PAC. Each Board member shall be provided a reasonable opportunity to participate in the selection. Appointments will be made in January or as vacancies occur.
- If any subregion fails to make an appointment to a PAC within three weeks of mailing of the notice to proceed to appoint, the Chair of SANDAG shall make the appointment.

#### *Vacancies*

Vacancies on PACs shall be filled as they occur in the same manner as appointments.

#### *Chair/Vice Chair*

The Chair and Vice Chair of the PAC, other than the Executive Committee, shall be appointed by the Board Chair in July or as vacancies occur. The Board Chair, and the Vice Chair when serving as a member of the Executive Committee, shall serve as the Chair and Vice Chair of the Executive Committee. The Vice Chair conducts the meetings in the absence of the Chair.

#### *Attendance*

Regular and alternate members are encouraged to attend all Committee meetings. Roll call shall be taken by the Chair at the beginning of the meeting to determine the voting members present at that time. The voting members shall be seated collectively in order for the public to recognize them as such. Other non-voting alternates in attendance may participate in Committee discussion but shall not be authorized to act on any item.

If a regular member misses three consecutive Committee meetings without justification, the position on the Committee will be considered vacant and shall be filled in the same manner as appointments.

#### *Quorum*

A simple majority of members (either regular or alternates) representing different areas constitute a quorum.

#### *Voting*

Regular members vote on all committee actions. Alternates vote only when their corresponding regular member from their area is absent. A simple majority of the quorum of regular and eligible alternate members voting constitutes approval.

#### *Compensation*

Regular and alternate members of the PACs will be compensated \$100 per meeting attended subject to the limitations on number of meetings per month set forth in the SANDAG Bylaws.

#### *Meetings*

PAC meetings should normally be held on Fridays or when called by the committee Chair.



## MEMBERSHIP ON POLICY ADVISORY COMMITTEES (As of January 1, 2003)

COMMITTEE MEMBERSHIP	EXECUTIVE COMMITTEE	TRANSPORTATION COMMITTEE	REGIONAL PLANNING COMMITTEE	BORDERS COMMITTEE
<b>North County Inland</b>				
<i>Members</i>	Mickey Cafagna, Cmte Vice Chair City of Poway	Mickey Cafagna, Mayor City of Poway	Lori Pfeiler, Cmte Chair Mayor, City of Escondido	Hal Martin, Councilmember City of San Marcos
<i>Alternates</i>	Vacant	Hal Martin, Councilmember City of San Marcos	Judy Ritter, Councilmember City of Vista	Judy Ritter, Councilmember City of Vista
<b>North County Coastal</b>				
<i>Members</i>	Vacant	Joe Kellejian, Cmte Chair Councilmember, City of Solana Beach	Vacant	Crystal Crawford, Cmte Chair Councilmember, City of Del Mar
<i>Alternates</i>	Vacant	Ramona Finnila Councilmember, City of Carlsbad	Richard Earnest, Deputy Mayor City of Del Mar	Vacant
<b>South County</b>				
<i>Members</i>	Ron Morrison, Cmte Chair City of National City	Vacant	Patty Davis, Cmte Vice Chair Councilmember, City of Chula Vista	Patricia McCoy, Cmte Vice Chair Councilmember, City of Imperial Beach
<i>Alternates</i>	Vacant	Ron Morrison, Councilmember City of National City	Ron Morrison, Councilmember City of National City	Phil Monroe, Mayor Pro Tem City of Coronado
<b>East County</b>				
<i>Members</i>	Vacant	Art Madrid, Mayor City of La Mesa	Vacant	Jill Greer, Councilmember City of Lemon Grove
<i>Alternates</i>	Vacant	Jack Dale, Councilmember City of Santee	Jill Greer, Councilmember City of Lemon Grove	Vacant
<b>City of San Diego</b>				
<i>Members</i>	Dick Murphy, Mayor	Dick Murphy, Cmte Vice Chair Mayor	Jim Madaffer, Councilmember	Ralph Inzunza, Councilmember
<i>Alternates</i>	Jim Madaffer, Councilmember	Jim Madaffer, Councilmember	Vacant	Vacant
<b>County of San Diego</b>				
<i>Members</i>	Ron Roberts, Chair of Supervisors	Ron Roberts, Chair of Supervisors	Ron Roberts, Chair of Supervisors	Greg Cox, Supervisor
<i>Alternates</i>	Bill Horn, Supervisor	Bill Horn, Supervisor	Bill Horn, Supervisor	Dianne Jacob, Supervisor



## MEMBERSHIP ON POLICY ADVISORY COMMITTEES (As of January 1, 2003)

COMMITTEE MEMBERSHIP	EXECUTIVE COMMITTEE	TRANSPORTATION COMMITTEE	REGIONAL PLANNING COMMITTEE	BORDERS COMMITTEE
<b>Metropolitan Transit Development Board</b>		VOTING MEMBER	ADVISORY MEMBER	
<i>Members</i>	None	Bob Emery	Leon Williams, Chairman	None
<i>Alternates</i>	None	Leon Williams, Chairman	Vacant	None
<b>North County Transit Development Board</b>		VOTING MEMBER	ADVISORY MEMBER	
<i>Members</i>	None	Vacant	Vacant	None
<i>Alternates</i>	None	Vacant	None	None
<b>San Diego County Airport Authority (Transportation Committee Only)</b>		VOTING MEMBER		
<i>Members</i>	None	Vacant	None	None
<i>Alternates</i>	None	Vacant	None	None
<b>Imperial County (Borders Committee Only)</b>				VOTING MEMBER
<i>Member</i>	None	None	None	Victor Curillo, Supervisor County of Imperial
<i>Alternate</i>	None	None	None	Larry Grogan, Mayor City of El Centro
<b>COMMITTEE ADVISORY MEMBERS</b>				
<b>Caltrans</b>				
<i>Members</i>	None	Pedro Orso-Delgado, District 11 Director	Pedro Orso-Delgado, District 11 Director	Pedro Orso-Delgado, District 11 Director
<i>Alternates</i>	None	Gene Pound, Deputy District Director	Gene Pound, Deputy District Director	Gene Pound, Deputy District Director
<b>Department of Defense</b>				
<i>Members</i>	None	None	Susannah Aguilera	None
<i>Alternates</i>	None	None	None	None



## MEMBERSHIP ON POLICY ADVISORY COMMITTEES (As of January 1, 2003)

COMMITTEE MEMBERSHIP	EXECUTIVE COMMITTEE	TRANSPORTATION COMMITTEE	REGIONAL PLANNING COMMITTEE	BORDERS COMMITTEE
<b>San Diego County Water Authority</b> <i>Members</i>	None	None	Jim Turner, Chair San Diego County Water Authority	Jim Turner, Chair San Diego County Water Authority
<i>Alternates</i>	None	None	None	None
<b>San Diego Unified Port District</b> <i>Members</i>	None	None	Jess Van Deventer, Commissioner	None
<i>Alternates</i>	None	None	Bill Chopyk, Mgr. of Planning Services	None
<b>Baja California/Mexico</b> <i>Members</i>	None	None	Vacant	Rodulfo Figueroa Consul General of Mexico
<i>Alternates</i>	None	None	Vacant	Javier Diaz, Deputy Consul General
<b>Riverside County (Borders Committee Only)</b> <i>Member</i>	None	None	None	Thomas Buckley, Councilmember City of Lake Elsinore
<i>Alternate</i>	None	None	None	Kelly Seyarto, Councilmember City of Murrietta
<b>Orange County (Borders Committee Only)</b> <i>Member</i>	None	None	None	Vacant
<i>Alternate</i>	None	None	None	Vacant