EXECUTIVE COMMITTEE
AGENDA

Friday, June 13, 2003
9:00 a.m.
SANDAG
401 B Street
7th Floor Conference Room
San Diego, CA 92101

AGENDA HIGHLIGHTS

• FINAL BYLAWS FOR THE CONSOLIDATED AGENCY
• NEW AND UPDATED POLICIES
• FY 2004 FINAL PROGRAM BUDGET AMENDMENT

PLEASE TURN OFF CELL PHONES DURING THE MEETING

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
(619) 595-5300 ● Fax (619) 595-5305 ● www.sandag.org
Welcome to SANDAG. The regularly scheduled meeting of the San Diego Association of Governments Executive Committee has been called by its Chair for Friday, June 13, 2003, starting at 9 a.m. in the SANDAG offices, 401 B Street, Suite 800, 7th Floor Conference, San Diego. The Executive Committee may take action on any item appearing on the agenda.

In compliance with the Americans with Disabilities Act (ADA), SANDAG will accommodate persons who require assistance in order to participate in SANDAG meetings. If such assistance is required, please contact SANDAG at (619) 595-5300 at least 72 hours in advance of the meeting. To request this document or related reports in an alternative format, please call (619) 595-5300, (619) 595-5393 (TTY), or fax (619) 595-5305.

SANDAG offices are accessible by public transit. Phone 1-800-COMMUTE or see www.sdcommute.com for route information.
EXECUTIVE COMMITTEE AGENDA
Friday, June 13, 2003

ITEM #  RECOMMENDATION

CONSENT

1. LEGISLATIVE UPDATE: SB 491 AND SB 492 (DUCHENY) (Susan Baldwin) INFORMATION

This item is an update for the Executive Committee on the status of these two bills. SB 491 proposes a one year extension of the housing element due date for the San Diego region. It has passed the Senate. SB 492, the self-certification bill, and other housing element-related policy bills are now two-year bills. The authors of these housing element-related bills have agreed to make them two-year bills to allow the Department of Housing and Community Development (HCD) to work on a comprehensive package of changes to housing element law. SANDAG will participate in HCD’s working group to develop this package and will keep the Executive Committee informed.

+ 2. CONTINUATION OF THE AGREEMENT BETWEEN SANDAG AND THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY (Nan Valerio) APPROVE

Approval will extend for 18 months, until December 31, 2004, the Memorandum of Understanding (MOU) with the San Diego County Regional Airport Authority. The MOU provides for SANDAG technical assistance for the Airport Authority as the Airport Land Use Commission, the costs of which are fully reimbursable to SANDAG.

PUBLIC COMMUNICATIONS/COMMENTS

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

REPORTS

+ 4. LEGISLATIVE UPDATE: AB 361 (KEHOE) – REGIONAL COMPREHENSIVE PLAN (Mayor Mickey Cafagna) PENDING

The bill was amended on June 2 to include some of SANDAG’s requested amendments. Other proposed amendments, including the timing of the LAO report and requiring a public vote, are still under discussion. The attached report details the changes to the bill and its status.

+ 5. FINAL BYLAWS (Debra Greenfield) APPROVE

The interim bylaws adopted in January have been modified and are recommended to serve as the final bylaws of the consolidated agency. The Executive Committee is asked to approve these bylaws for distribution. Final action will take place at the July 25, 2003 Board meeting.
+6. NEW AND UPDATED GENERAL BOARD POLICIES OF THE CONSOLIDATED AGENCY (Julie Wiley) APPROVE

Last month, the following policies were provided to the Executive Committee for review: Rules of Procedure for Board of Directors and Committees; Sponsorship of Events; Proclamations; Equal Employment Opportunity (EEO) Program; Legal Matters; Discrimination Complaint Procedures; Ballot Measures; Travel Expenses; Local Technical Assistance (LTA); Conflict Resolution Procedure; Environmental Quality; and Records Management. In response to the Executive Committee’s comments, staff has prepared revisions to the policy entitled “Ballot Measures” and proposed language concerning ethics and conflicts for inclusion in the “Rules of Procedure for Board of Directors and Committees.” The Executive Committee is asked to approve these policies at this time. Contingent upon this approval, the Board of Directors will be asked to approve these policies at its June 27, 2003 meeting.

+7. FY 2004 FINAL PROGRAM BUDGET AMENDMENT (Leslie Campbell) APPROVE

The Final Program Budget is being amended to include updated TransNet distributions based on the certified population figures from the State Department of Finance. The amendment also includes adjustments to the transit projects, transfers between funds, and transfers between salaries and benefits. These changes are being made as we receive more information from the transit agencies as they finalize their budgets. The overall budget and percentages have been lowered slightly.

This amended Final Program Budget also includes a compensation package that represents the benefits approved for the consolidated agency by the Ad Hoc Working Group on Transition. The recommended comprehensive package is essentially equal to the benefit packages of the three agencies before consolidation.

+8. PERFORMANCE EVALUATION OF EXECUTIVE DIRECTOR

Pursuant to the employment agreement with the Executive Director, an annual evaluation is required. If the Executive Director’s performance is deemed to have been satisfactory over the past year, his contract amount is automatically revised. The Chair recommends that the Executive Committee determine that this requirement has been met. In addition, the Chair recommends that the Executive Director be provided a fringe benefit in the manner of a bonus award as is currently available to all staff in the amount of 10% based on accomplishment of performance goals over the past year.

Attached is the Executive Director’s Performance Review for the past year (July 2002 to July 2003) and the objectives for the Executive Director for the coming year.

+9. REVIEW OF DRAFT BOARD AGENDA FOR JUNE 27, 2003 APPROVE
10. **CLOSED SESSION**

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8**

Properties: 401 B Street, San Diego, CA 92101; and 701 B Street, San Diego, CA 92101

SANDAG Negotiators: Debra Greenfield, Julie Wiley, Gary Gallegos, Eric Pahlke, Ron Goldman

Negotiating Parties: SANDAG, California Teachers' Retirement System, and Arden Realty, Inc.

Under Negotiation: Price and terms of office space lease

GARY L. GALLEGOS
Executive Director

+ next to an agenda item indicates an attachment

**Note:** The July 11, 2003 meeting of the Executive Committee will be held at San Ysidro Middle School (site of the Homeland Security Conference) beginning at 12 Noon.
CONTINUATION OF THE AGREEMENT BETWEEN SANDAG AND THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY

Introduction

Under the legislation that formed the San Diego County Regional Airport Authority (SDCRAA), the responsibility for airport planning efforts was transferred from SANDAG to the SDCRAA. This included the Airport Land Use Commission (ALUC) responsibility as well as various airport planning projects (see below). Since the formation of the SDCRAA, SANDAG has provided technical services to the SDCRAA, including ALUC-related staff assistance and GIS mapping, under a Memorandum of Understanding (MOU). The MOU expires June 30, 2003. The SDCRAA has requested that the MOU be extended for a period of 18 months to continue SANDAG services related to ALUC activities.

Therefore, it is my

RECOMMENDATION

that the Executive Committee approve the Memorandum of Understanding with the San Diego County Regional Airport Authority that will extend SANDAG’s provision of ALUC-related technical assistance at full cost reimbursement, to December 31, 2004.

Discussion

SANDAG and the SDCRAA entered into an MOU in early 2002 to provide SANDAG staff assistance to SDCRAA for several airport-planning related activities: the aviation portion of the Regional Transportation Plan (RTP), the Air Transportation Action Program (ATAP), and the Airport Land Use Commission (ALUC). The RTP recently was adopted by SANDAG, and the ATAP grant is being transferred to the SDCRAA under a separate MOU.

This MOU extends the staff technical assistance for ALUC work with the SDCRAA for 18 months, until December 31, 2004. The work will be conducted on full cost-reimbursement basis, similar to LTA work. SDCRAA, as an advisory member, would not receive the $1,000 deduction that is available to the member agencies.

The technical assistance that will be provided to the SDCRAA, as the ALUC, includes assisting with the review of projects and plans to determine their consistency with the adopted Airport Comprehensive Land Use Plans (CLUPs), and responding to inquiries regarding the status of properties within Airport Influence Areas.

GARY L. GALLEGOS
Executive Director

Attachment

Key Staff Contact: Nan Valerio; (619) 595-5365; nva@sandag.org
CONTINUATION OF THE AGREEMENT BETWEEN SANDAG AND THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY

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GARY L. GALLEGOS
Executive Director

Attachment

Key Staff Contact: Nan Valerio; (619) 595-5365; nva@sandag.org
MEMORANDUM OF UNDERSTANDING (MOU)
BETWEEN
SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY
AND
SAN DIEGO ASSOCIATION OF GOVERNMENTS
REGARDING
AIRPORT LAND USE COMMISSION FUNCTIONS

WHEREAS, AB 93 (2001) transferred the San Diego Association of Governments’ SANDAG airport-related responsibilities and functions to the San Diego County Regional Airport Authority (SDCRAA), including the responsibilities of the Airport Land Use Commission (ALUC); and

WHEREAS, the permanent members of the Board of the SDCRAA were seated in December 2002 and the SDCRAA assumed full responsibilities for the ALUC January 1, 2003; and

WHEREAS, SANDAG and SDCRAA entered into an MOU for technical services that expires June 30, 2003; and

WHEREAS, SDCRAA requests continued SANDAG staff assistance in carrying out its ALUC responsibilities; and

WHEREAS, it is in the best interest of the citizens of the San Diego region for the parties to this MOU to continue the smooth transfer of ALUC responsibilities from SANDAG to SDCRAA; NOW THEREFORE

The parties hereto enter into this Memorandum of Understanding (MOU):

1. SDCRAA, as the ALUC, and SANDAG agree to continue to coordinate airport planning.

2. SDCRAA agrees to pay for SANDAG staff and Geographic Information System (GIS) services for technical assistance related to ALUC matters, including the preparation of maps in response to inquiries, consultation on plans and projects submitted to the ALUC for findings of compatibility, assistance with managing the contract for the preparation of the new Comprehensive Land Use Plans, due June 2005, and other related services.

3. Payment will be made pursuant to the Fee Schedule attached hereto as Exhibit A, for services as may be requested by the SDCRAA. The parties anticipate that SDCRAA will rely on SANDAG staff for technical assistance on ALUC matters continuously during an additional 18-month period, beginning July 1, 2003.

4. The total amount of the technical assistance will not exceed $75,000.

5. SANDAG shall invoice SDCRAA quarterly for these services, and SDCRAA shall pay SANDAG for approved amounts within 30 (thirty) days of being invoiced.
6. SDCRAA shall retain the authority to make all decisions and to take all actions in its capacity as the ALUC.

7. This MOU shall commence effective on July 1, 2003 and shall continue until either December 31, 2004 or until one of the parties elects to terminate the MOU, whichever occurs first. The SDCRAA or SANDAG can terminate this agreement by providing the other party written notification to terminate. Termination becomes effective 60 days after receipt of such notification.

GARY L. GALLEGOS 
Executive Director 
San Diego Association of Governments

THELLA F. BOWENS 
President and CEO 
San Diego County Regional Airport Authority

Date:___________________________ Date:_____________________________
EXHIBIT A

SAN DIEGO ASSOCIATION OF GOVERNMENTS

FEE SCHEDULE

FY 2004

Hourly Billing Rates for Technical Services:

<table>
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<tr>
<th>Class No.</th>
<th>Minimum</th>
<th>Mid-Range</th>
<th>Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>15 (Senior Research Analyst)</td>
<td>$72.41</td>
<td>$90.51</td>
<td>$108.61</td>
</tr>
<tr>
<td>16 (Senior Regional Planner)</td>
<td>$76.03</td>
<td>$95.06</td>
<td>$114.09</td>
</tr>
</tbody>
</table>

Geographic Information System Services

Parcel Map showing CLUP-related Overlay Zones, including:
- Noise – Community Noise Equivalent Level (CNEL)
- Safety – Runway Protection Zone, Accident Potential Zone, Approach/Departure Zone, Flight Activity Zone, Other Safety Zones
- Airport Influence Area

Fee per map: $150, including staff time
EXECUTIVE COMMITTEE

June 13, 2003

LEGISLATIVE UPDATE: AB 361 (KEHOE) – REGIONAL COMPREHENSIVE PLAN

Introduction

At its April 25 meeting the Board reviewed the provisions of AB 361 and acted to oppose the bill unless amended to address the items listed in the discussion section below. SANDAG proposed amendments to address those items and some, but not all, of the items were resolved in the current version of the bill, as amended June 2. Two outstanding issues remain. They deal with the timing of the LAO’s report and a public vote on regional governance, structure, and responsibilities which is based on that report. Also, some mandated costs to local government are still contained in the bill.

The bill has passed the Assembly, primarily along party line votes on the floor, and is now in the Senate. Staff and Board members continue to discuss issues with Assemblymember Kehoe and hope to resolve them as the bill moves through the Senate.

Discussion

The following amendments were requested by the Board for inclusion in the bill.

- Adjust the timing of the LAO report (now due in December 2004) so that it comes after SANDAG’s initial report to the legislature (now due in December 2005). The initial SANDAG report would be a progress report on the implementation of consolidation. No change. This is the key issue that remains to be addressed.

- Revise language establishing the linkage between the Regional Comprehensive Plan (RCP) and Regional Transportation Plan (RTP) so that they effectively work together to accomplish land use and transportation objectives and encourage the provision of financial incentives to implement the RCP. Concern addressed.

- Specify that there will be a public vote required to make effective any legislation enacted to change the governance structure of the consolidated agency from local elected officials of city and county government to any other governance structure (e.g. directly elected). Bill has been amended to now include that recommendations on responsibilities and authority in addition to governance to go to voters. More work needed on this item to make it clear when and to what the vote applies.

- Retain the principle that the bill does not usurp local land use control. Concern addressed.
• Refine the public participation process for the RCP to ensure that public input is taken into consideration and responded to during the development of the plan. Concern addressed.

• Identify that the RCP be updated regularly, and that the scope of the updates be contingent on funding availability. Concern addressed.

GARY L. GALLEGOS
Executive Director

Key Staff Contact: Debra Greenfield, (619) 595-5366; dgr@sandag.org
San Diego Association of Governments

EXECUTIVE COMMITTEE

June 13, 2003

AGENDA REPORT NO.: 5

Action Requested: APPROVE

FINAL BYLAWS

Introduction

Interim bylaws were adopted by the Board in January with the understanding that they would be finalized after the initial transition for consolidation was implemented. Upon review of the interim bylaws for this purpose only a few changes are needed. They are unrelated to transition, but do clean up a few areas for purposes of interpretation. The non grammatical changes include:

1. That the subregions and other agencies in making appointments to the Transportation Committee attempt to avoid duplication of city membership other than the City of San Diego.

2. That attendance by board members at other events or meetings on behalf of the Board, for which they are compensated, not include SANDAG committee meetings (other than policy committee meetings).

Therefore, it is my

RECOMMENDATION

that the Executive Committee accept for distribution the attached bylaws and recommends them for adoption by the SANDAG Board at the July meeting.

Discussion

The bylaws require that amendments be distributed to the member agencies for at least 20 days prior to Board action. Therefore, they will appear for adoption at the July Board of Directors meeting.

GARY L. GALLEGOS
Executive Director

Attachment

Key Staff Contact: Debra Greenfield, (619) 595-5366; dgr@sandag.org
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. In appointing persons to the Transportation Committee, to the extent possible, the subregions and other agencies should avoid duplication of representation from any city other than the City of San Diego.

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 meetings or events attended by Board members, other than committee meetings of SANDAG, where the members are officially 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 of this Article.

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 five-person nominating committee, who shall be members of the Board from each of the sub regions and a Board member from either the City or County of San Diego, 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. In choosing the nominees the nominating committee shall take into strong consideration the desired outcome of geographic rotation of officers from the sub regions and the benefits associated with having the Vice Chair succeed the outgoing Chair.

c. The officers shall be elected by a majority of the votes including weighted votes of those Board members present.
d. 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.

e. 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.

f. 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 (including vendors) 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 $100,000 to the Executive Director, subject to increase by Board action.

b. Up to $500,000 to the Executive Committee for any item, subject to increase by Board action.

c. Up to $500,000 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 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 IX

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.
NEW AND UPDATED GENERAL BOARD POLICIES OF THE CONSOLIDATED AGENCY

Introduction

Last month, the following policies were provided to the Executive Committee for review: Rules of Procedure for Board of Directors and Committees; Sponsorship of Events; Proclamations; Equal Employment Opportunity (EEO) Program; Legal Matters; Discrimination Complaint Procedures; Ballot Measures; Travel Expenses; Local Technical Assistance (LTA); Conflict Resolution Procedure; Environmental Quality; and Records Management. Modifications requested by the Executive Committee have been incorporated in the policies concerning Rules of Procedure for Board of Directors and Committees (03-06-004) and Ballot Measures (03-06-010).

Therefore, it is my

RECOMMENDATION

that the Executive Committee approve the attached proposed Board Policies.

Discussion

Copies of the full text for all 12 proposed Board Policies, which include changes in bolded italics, are attached. A description of the changes made to proposed Board Policies 004 and 010 are discussed below:

Board Policy 03-06-004 – Rules of Procedure for the Board of Directors and Committees

In response to requests from the Executive Committee, a new section 2 was added to this policy entitled “Board Policies.” This new section states that Board Policies must be reviewed for updates no less often than every three years. It also provides that the date a policy was last updated should appear in the footer of each policy.

Some members of the Executive Committee requested that clarifying language be proposed by staff in the section previously entitled “Board and Committee Member Standards of Conduct” concerning ethics and timelines applicable to engaging in private employment or representing private interests. To address these requests, additional language has been added to the section and it has been retitled as “Board and Committee Member Standards of Conduct and Ethics.”
Board Policy 03-06-010 – Ballot Measures

The purpose of this policy was originally limited to providing criteria for use by the Board and Executive Committee to determine what position SANDAG should take on ballot measures. The Executive Committee requested that it be expanded to include a discussion of SANDAG’s ability to place a measure on a ballot. Therefore, the title of the policy was renamed from “Taking a Position on Ballot Measures” to simply “Ballot Measures,” and language was added in a new section 3 that sets forth the Board’s power to place measures on a ballot.

GARY L. GALLEGOS
Executive Director

Attachment

Key Staff Contact: Julie D. Wiley, (619) 595-5647; jwi@sandag.org
RULES OF PROCEDURE FOR BOARD OF DIRECTORS AND COMMITTEES

This policy is intended to define and clarify Rules of Procedure for the Board and incorporate them in Board policy.

From time to time over the last 30 years the Board has utilized and amended rules of procedure. It is desirable to have these rules contained in Board Policy for ease of reference.

Procedures

1. **Ordinances**
   1.1 Every ordinance shall be signed by the Chair of the Board and attested by the Clerk of the Board.
   
   1.2 Upon the passage of an ordinance, the votes of the Board members shall be entered in the minutes.
   
   1.3 Ordinances shall not be passed within five days of their introduction, nor at any meeting other than a regular meeting. An urgency ordinance may, however, be passed immediately upon introduction and either at a regular or special meeting. Except when, after reading the title, further reading is waived by regular motion adopted by unanimous vote of the Board members present, all ordinances shall be read in full at the time of introduction or passage. When ordinances, other than urgency ordinances, are altered after introduction, they shall be passed only at a regular or at an adjourned regular meeting held at least five days after alteration. Corrections of typographical or clerical errors are not alterations within the meaning of this section.
   
   1.4 The Clerk of the Board shall cause a proposed ordinance or proposed amendment to an ordinance, and any ordinance adopted by the Board to be published at least once in a newspaper of general circulation in the Board’s area of jurisdiction.
   
   1.5 The publication of an ordinance as required by this policy, may be satisfied by either of the following actions:
   
   1.5.1 The Board may publish a summary of a proposed ordinance or proposed amendment to an ordinance. The summary shall be prepared by the Clerk of the Board and the Office of General Counsel. The summary shall be published and a certified copy of the full text of the proposed ordinance or proposed amendment shall be
posted in the office of the Clerk of the Board at least five days prior to the Board meeting at which the proposed ordinance or amendment is to be adopted. Within fifteen (15) days after adoption of the ordinance or amendment, the Board shall publish a summary of the ordinance or amendment with the names of the Board members voting for and against the ordinance or amendment and the Clerk of the Board shall post in the office of the clerk a certified copy of the full text of the adopted ordinance or amendment along with the names of those Board members voting for and against the ordinance or amendment; or

1.5.2 If the person designated by the Board determines that it is not feasible to prepare a fair and adequate summary of the proposed ordinance or amendment, and if the Board so orders, a display advertisement of at least one-quarter of a page in a newspaper of general circulation in the Board’s area of jurisdiction shall be published at least five (5) days prior to the Board meeting at which the proposed ordinance or amendment is to be adopted. Within fifteen (15) days after adoption of the ordinance or amendment, a display advertisement of at least one-quarter of a page shall be published. The advertisement shall indicate the general nature of, and prove information regarding, the adopted ordinance or amendment including information sufficient to enable the public to obtain copy of the complete text of the ordinance or amendment, and the name of those Board members voting for and against the ordinance amendment.

1.6 Ordinances and amendments shall take effect thirty (30) days after their final passage. Except that, if the ordinance is for the immediate preservation of the public peace, health or safety, and contains a declaration of facts constituting urgency, and is passed by a two-thirds vote of the Board, the ordinance or amendment will take effect immediately.

2. Board Policies

2.1 Board policies shall be reviewed to determine if updates are needed no less often than every three years.

2.2 Once updated, policies shall contain a footer identifying the last date they were modified by the Board.

3. Public Comment

3.1 Persons wishing to provide comment or testimony shall be permitted to address the Board or committee after submitting a written request to speak, identifying themselves and the agenda item on which they want to be heard. Ordinarily, each speaker will be allowed no more than three minutes. The Chair, however, may extend or limit the time for each presentation or may permit additional time to
speakers representing a group of individuals or organizations to avoid duplicative testimony or for other reasons that are in the best interest of the Board or committee in the Chair’s discretion. Testimony must be limited to issues relevant to the agenda item.

3.2 Public comment on matters not on the agenda will be permitted on items of interest to the public that are within the subject matter jurisdiction of the Board or committee. Persons wishing to comment during the general public comment period must submit a written request in advance identifying themselves and the subject matter on which they wish to speak. The Chair may limit the time for each speaker. Ordinarily, each speaker will be allowed no more than three minutes.

4. Board and Committee Member Standards of Conduct & Ethics

4.1 This policy shall be supplemental to SANDAG’s Conflict of Interest Code and is not intended to supersede such Code or any provisions thereof.

4.2 Each Board member and alternate occupies a position of public trust that demands the highest moral and ethical standards of conduct. All references to “Board members” shall be read to include all Board members, including ex officio members and alternates.

4.3 Board members shall not engage in any business or transaction or have a financial or other personal interest, actual, potential, or apparent, which is incompatible with the proper discharge of his or her official duties or would tend to impair his or her independence of judgment or action in the performance of such duties. Such business, transaction, or interest shall constitute a conflict of interest.

4.4 Generally, no Board member shall engage in any enterprise or activity that will result in any of the following:

4.4.1 Using the prestige or influence of the Board office for private gain or advantage of the member or another person.

4.4.2 Using time, facilities, equipment, or supplies of the Board for the private gain or advantage of the member or another person.

4.4.3 Receiving or accepting money or other consideration from anyone other than the Board or another government agency for the performance of acts done in the regular course of duty.

4.4.4 Receiving or accepting, directly or indirectly, any gift or favor from anyone doing business with the Board under circumstances from which it could reasonably be inferred that such was intended to influence such person in their duties or as a reward for official action.

4.4.5 Soliciting any gift or favor in the member’s official capacity, either directly or indirectly, when such solicitation might reasonably be inferred as to have a
potential effect on the member's duties or decisions, or when the individual's position as a Board member would in any way influence the decision of the person being solicited.

4.5 Prohibited Interests

4.5.1 It is unlawful for any current SANDAG Board member to render a decision where a party to the decision has given the SANDAG Board member, promised to give the SANDAG Board member, or acted as an intermediary for the SANDAG Board member to have, an opportunity for compensation. For purposes of this section, opportunities for compensation provided to a SANDAG Board member include opportunities for compensation provided to the SANDAG Board member's immediate family. When such an opportunity for compensation is provided to a member of the SANDAG Board member's immediate family, the SANDAG Board member shall not participate in a decision involving a party to the decision unless the SANDAG Board member had no knowledge or involvement in securing the opportunity for compensation.

4.5.2 It is unlawful for any current SANDAG Board member to make, participate in making, or use his or her Board member position to influence a decision involving the interests of a person with whom he or she is seeking, negotiating, or securing an agreement concerning future employment.

4.5.3 It is unlawful for any current SANDAG Board Member to be financially interested in any contract made by them in their Board member capacity. It is also unlawful for any contract to be made by SANDAG or any board or commission established by SANDAG if any individual member of the body has a financial interest in the contract.

4.5.4 Definitions

4.5.4.1 For purposes of the prohibitions set forth in this section, the term “financial interest” means any interest, other than a remote interest as prescribed in California Government Code section 1091 or a non-interest prescribed in California Government Code section 1091.5, which would prevent SANDAG Board members involved from exercising absolute loyalty and undivided allegiance to the best interests of SANDAG.

4.5.4.2 For purposes of this section, "material financial effect" has the same meaning as that term is used in title 2, sections 18705 through 18705.5 of the California Code of Regulations.
4.5.4.3 For purposes of this section, "render a decision" means to take part personally and substantially in the project by rendering a decision, approval, or disapproval; by making a formal written recommendation; by conducting an investigation; by rendering advice on a significant basis; or by using confidential information.

4.5.4.4 For purposes of this section, "project" means any matter where a private business has made an application to SANDAG for discretionary funding or discretionary entitlements, or where SANDAG exercises discretion to enter into a lease, agreement, or contract with a private business.

4.5.5 Any SANDAG Board Member with a remote financial interest in a prospective contract of SANDAG must disclose the existence of the remote interest to the body of the board which SANDAG Board member is a member if that board has any role in creating, negotiating, reviewing, or approving the contract; and SANDAG Board member must abstain from influencing or participating in the creation, negotiation, review, or approval of the contract.

4.5.6 It is unlawful for any SANDAG Board member to knowingly influence a decision of the SANDAG Board if it is reasonably foreseeable that the decision will have a material financial effect on:

4.5.6.1 the SANDAG Board member or a member of his or her immediate family, if the material financial effect is distinguishable from its effect on the public generally; or any of the following economic interests:

4.5.6.1.1 any business entity in which SANDAG Board member or a member of SANDAG Board member’s immediate family has invested $2,000 or more; and

4.5.6.1.2 any business entity for which SANDAG Board member or a member of SANDAG Board member’s immediate family is a director, officer, partner, trustee, employee, or hold any position of management; and

4.5.6.1.3 any real property which SANDAG Board member or a member of SANDAG Board member’s immediate family has invested $2,000 or more; and

4.5.6.1.4 any person from whom a SANDAG Board member or a member of the SANDAG Board member’s immediate family has received (or by whom you


have been promised) $500 or more in income within twelve months prior to the decision; and

4.5.6.1.5 any person from whom a SANDAG Board member or a member of the SANDAG Board member’s immediate family has received gifts which total $300 or more within twelve months prior to the decision;

4.5.6.1.6 the personal expenses, income, assets, or liabilities of a SANDAG Board member or a member of SANDAG Board member’s immediate family.

4.5.7 Prohibitions Applicable to Former Board Members

4.5.7.1 It is unlawful for any former SANDAG Board Member who received compensation from SANDAG to render a decision on a particular project during his or her SANDAG service to engage in direct communication with SANDAG, for compensation, with regard to any pending application for discretionary funding or discretionary entitlements before SANDAG relating to that particular project on behalf of any person other than a public agency for a one year period immediately following the last payment from SANDAG to the Board Member.

4.5.7.2 It is unlawful for any former SANDAG Board member, for compensation, to knowingly counsel or assist any person other than a public agency in connection with an appearance or communication in which the former SANDAG Board Member is prohibited from engaging pursuant to subsection 4.5.7.1 for a one year period immediately following termination of service with SANDAG.

4.6 Lobbying and Campaign-Related Activities

4.6.1 It is unlawful for any SANDAG Board Member to engage in campaign-related activities, such as fund-raising, the development of electronic or written materials, or research, for a campaign for any elective office using SANDAG facilities, equipment, supplies, or other SANDAG resources. Nothing in this section, however, shall prohibit the use of SANDAG resources to provide information to the public about the possible effects of any bond issue or other ballot measure relating to SANDAG activities, operations, or policies, provided that:

4.6.1.1 the use of public resources is otherwise legally authorized; and
4.6.1.2 the information provided constitutes a fair and impartial presentation of relevant facts to aid the electorate in reaching an informed judgment regarding the bond issue or ballot measure.

4.6.2 It is unlawful for any former SANDAG Board Member to engage in direct communication for the purpose of lobbying SANDAG if all of the following circumstances apply:

4.6.2.1 the former SANDAG Board Member served as a SANDAG Board Member within the previous twelve months; and

4.6.2.2 the former SANDAG Board Member received compensation from SANDAG for his or her service as a SANDAG Board Member; and

4.6.2.3 the former SANDAG Board Member is receiving compensation from a private business to engage in the direct communication with SANDAG.

4.6.3 The prohibitions contained in 4.6.2 shall not apply:

4.6.3.1 to prevent a former SANDAG Board Member from making or providing a statement, based on the former SANDAG Board Member's own special knowledge in the particular area that is the subject of the statement, provided that no compensation is thereby received other than that regularly provided for by law or regulation for witnesses;

4.6.3.2 to prevent any former SANDAG Board Member from representing himself or herself, or any member of his or her immediate family, in their individual capacities, in connection with any matter pending before SANDAG;

4.6.3.3 to the activities of any former SANDAG Board Member who is an elected or appointed officer or employee of any public agency, or a consultant of any public agency, when that former SANDAG Board Member is solely representing that agency in his or her Board Member capacity as an officer, employee, or consultant of the agency;

4.4.6.4 to any ministerial action. A ministerial action is one that does not require a SANDAG Board Member to exercise discretion concerning any outcome or course of action; or

4.4.6.5 to any individual who terminated status as a SANDAG Board Member prior to July 1, 2003, except that any such individual
who returns to service as a SANDAG Board Member on or after July 1, 2003, shall thereafter be subject to the provisions of this section.

4.7 If a Board member has an actual, potential, or apparent conflict of interest in the subject of an agenda item, and the Board will be making a decision regarding the agenda item during an open session meeting, the Board member must recuse himself or herself or, in the case of uncertainty, request a binding determination from the Board’s legal counsel. If the Board member has a conflict, he or she may observe, but not participate, in the decision-making process.

4.8 If a Board member has an actual, potential, or apparent conflict of interest in the subject of an agenda item to be discussed during a closed session meeting, the Board member must state that he or she has a conflict of interest and shall be disqualified and not present during such discussion so as not to make, participate in making, or in any way attempt to use his or her official position to influence the decision or discussion. In the case of uncertainty, the Board member must request a binding determination from the Board’s legal counsel. In accordance with the Brown Act, any Board member who is disqualified shall be entitled to any information that is publicly reported. The Board member will not, however, be privy to any confidential or privileged information or communications pertaining to the closed session agenda item.

4.9 No Board member shall disclose to any person, other than members of the Board and other Board staff designated to handle such confidential matters, the content or substance of any information presented or discussed during a closed session meeting unless the Board authorizes such disclosure by the affirmative vote of a majority of the Board.

4.10 No Board member may disclose confidential or privileged information or communication to any person other than a Board member, counsel to the Board, or other Board staff designated to handle such matters, unless disclosures is mandated by law or the Board authorizes such disclosure by the affirmative vote of a majority of the Board.

4.11 Confidential or privileged information concerning threatened, anticipated, or actual litigation or claims will not be disclosed to a Board member if he or she has an actual, potential, or apparent conflict of interest. In the case of uncertainty as whether a conflict of interest exists, the Board’s legal counsel will issue a binding determination.

4.12 No Board member shall represent a position on an issue to be the Board’s position unless the Board has formally adopted such position at a public meeting.

4.13 Any violation of this policy shall constitute official misconduct if determined as such by an affirmative vote of the majority of the Board in an open and public meeting. The Board may elect to censure the Board member and the violation may be subject to criminal and/or civil penalties as provided for by applicable law.
5. **Additional Advisory Membership on Board**

5.1 From time to time, the Board may determine it is in SANDAG’s best interest to supplement the Board with additional members that can provide beneficial advice and information to the Board on matters of interest to the region.

5.2 The criteria for selection of additional advisory members shall be as follows:

5.2.1 Agency/group has land use or eminent domain authority;
5.2.2 Agency/group has regional authorities and responsibilities important to SANDAG’s mission;
5.2.3 Membership by the agency/group would enhance SANDAG’s regional decision-making;
5.2.4 Agency/group desires representation, submits a written request, and commits to participation; and
5.2.5 Agency/group is able to agree on the form of representation and who will represent it.
SPONSORSHIP OF EVENTS

The purpose of this policy is to provide criteria to assist the Chair in deciding whether to accept or deny sponsorship and/or co-sponsorship requests.

SANDAG continues to gain visibility and notoriety in communities throughout the region. As more private and public organizations, businesses and individuals use our information, requests for SANDAG event sponsorship and/or co-sponsorship have increased.

Procedures

1. Consistent with Article V, Section 2 of the SANDAG Bylaws the Chair will apply the criteria in this policy when SANDAG considers requests for event sponsorship and/or co-sponsorship so long as the cost of the sponsorship is less than $5,000 and adequate funds are available in the SANDAG budget. When sponsorship costs are expected to exceed $5,000 the decision to sponsor an event is subject to Board approval.

2. The criteria for approval are separated into two categories that can be used in determining the potential for SANDAG sponsorship of public workshops, summits, planning meetings, community, civic and business forums, and other special events.

   2.1 Substantive Criteria

      2.1.1 The subject matter of the event is within SANDAG’s purview and will have regional significance.

      2.1.2 The subject of the event or position that results from the event will be consistent with SANDAG adopted policy.

      2.1.3 The subject of the event or position that results from the event will not conflict with the authority of any SANDAG member agency.

   2.2 Procedural Criteria

      2.2.1 The event’s agenda, program, and supporting materials must be provided, reviewed and be in accordance with this policy.

      2.2.2 An explicit definition of SANDAG’s commitment to the event (speakers, logistics, funding, indirect support) must be known and considered.

      2.2.3 The status of other participants’ and/or stakeholders’ commitments must be determined prior to a decision concerning sponsorship.

3. All requests for sponsorship will be documented in a memo from the Executive Director to the Chair and will require Chair approval.
PROCLAMATIONS

The purpose of this policy is to provide criteria to assist the Chair in determining whether an official SANDAG proclamation is appropriate. This policy is intended to establish guidelines for the issuance of formal recognition in support of a particular event, program or cause, or recognition of a particular group or individual.

From time to time SANDAG receives requests for proclamations that could be considered controversial. Therefore, SANDAG is in need of a policy for the issuance of proclamations to provide guidance to the SANDAG Chair to assist in determining when a proclamation or other formal recognition is appropriate.

Procedures

1. Consistent with Article V, Section 2 of the SANDAG Bylaws, the Chair will apply the criteria in this policy when SANDAG considers whether issuance of a proclamation is appropriate.

2. The Chair may consider and approve of a proclamation, plaque or certificate of appreciation for any event, group or individual, as long as the request meets at least one of the following general criteria:

   2.1 Events

      2.1.1 The subject matter of the event is within SANDAG’s purview and will have regional significance.

      2.1.2 The subject of the event or position that results from the event will be consistent with SANDAG adopted policy.

      2.1.3 The subject of the event or position that results from the event will not conflict with the authority of any SANDAG member agency.

      2.1.4 The event’s agenda, program, and supporting materials must be provided, reviewed and be in accordance with this policy.

   2.2 Groups or Individuals

      2.2.1 The accomplishments or activities of the group or individual have a regional appeal and promote positive quality of life activities taking place in the San Diego region, which are within SANDAG’s purview.

      2.2.2 The accomplishments or activities of the group or individual concern issues of widespread regional interest, with a primary emphasis on SANDAG’s goals, programs, or policies.
EQUAL EMPLOYMENT OPPORTUNITY (EEO) PROGRAM

The purpose of this policy is to establish an equal employment opportunity program for employees and contractors.

Federal regulations require the adoption of an Equal Employment Opportunity (EEO) Program as a condition of receipt of federal funds. SANDAG’s Administrative Rules & Regulations mandate equal employment opportunities in recruitment, hiring, and employment for applicants to, and employees of, SANDAG. SANDAG also has separate written policies which forbid discrimination and provide grievance procedures for employees and visitors to SANDAG who believe they have been a victim of discrimination. In addition, SANDAG incorporates an EEO requirement in its contracts with third parties.

Procedures

1. **EEO Program**

   1.1. It is the policy of SANDAG to recruit, hire, train, and promote all applicants and employees in accordance with Title VII of the Civil Rights Act of 1964, as amended. SANDAG will ensure that recruiting, selecting, hiring, and promoting procedures do not adversely affect the employment of persons protected by Title VII and, in addition, that all SANDAG hiring and promoting criteria, requirements, and tests are job-related. Unless impracticable, SANDAG will adhere to the affirmative action provisions of Executive Order 11246, the Equal Employment Opportunity Guidelines, and all other applicable standards for affirmative action, taking into account its present size and expected growth.

   1.2. It is SANDAG’s policy to assure that discrimination based on race, color, religion, ancestry, national origin, gender, age (over 40 years), marital status, medical condition, sexual orientation, or disability does not occur in relationships that may exist between SANDAG and any employee or applicant for employment. Such relationships include, but are not limited to, recruitment, hiring, promotion, compensation, benefits, terminations, transfers, layoffs, recalls, or SANDAG-sponsored training, education, or social and recreational programs.

   1.3. It is SANDAG’s policy to require the contractors and consultants that it contracts with to have EEO policies in place that forbid discrimination in violation of Title VII.
1.4. SANDAG maintains a Disadvantaged Business Enterprises (DBE) Program that is approved annually by the California Department of Transportation. The DBE Program sets forth annual goals for participation by DBE businesses.

1.5. Responsibility for implementation of the EEO Program is assigned to the Office of General Counsel. All management personnel within SANDAG are expected to support and implement this EEO Program in performance of their job duties and responsibilities. Any employee or applicant who feels they have been discriminated against, has a right to file a complaint under SANDAG’s policies.

1.6. When developing and implementing its employment and contracting policies, SANDAG will base its decisions solely on the individual’s qualifications and merit, and the feasibility of any necessary accommodations.

2. Procedures

2.1. The Office of General Counsel will review employment statistics annually to determine whether there is a need to set goals for any under-represented groups and then recommend goals to the Executive Director if necessary.

2.2. The Executive Director will approve or disapprove the Office of General Counsel’s recommendation(s) at his/her discretion.

2.3. The Administrative Services Manager will update lists of women’s and minority media, community organizations, and college minority placement offices as needed, for the use of SANDAG’s staff in recruiting for employees, interns, consultants, and contractors.

2.4. The Administrative Services Manager will communicate this EEO Program to all employees.

2.5. SANDAG staff will solicit community involvement by under-represented groups on issues of importance to the region that fall within its jurisdiction.

2.6. All of SANDAG’s requests for proposals, requests for qualifications, and invitations for bids will contain language encouraging participation by DBE consultants, contractors, and subcontractors.

2.7. Consultants and contractors awarded contracts with DBE Program goals will be required to submit Employment Utilization Reports with their invoices and/or a DBE Final Utilization Report with their final invoice.

2.8. The Administrative Services Manager will maintain a record on each job applicant, each promotional opportunity, and employee termination data, which documents whether the affected individuals are in a class protected by Title VII.
2.9. In January of each year, the Board of Directors will review an EEO report prepared by the Administrative Services Manager, which covers the preceding year. The report will include employment results, DBE Program results, and a review of EEO Program goals for the upcoming year.

2.10. This EEO Program will be posted in the employee lounge and will be incorporated into SANDAG’s employee Web site.

2.11. All employment ads will contain the following language: “SANDAG is an Equal Employment Opportunity Employer.”

2.12. Required federal and state posters concerning EEO will be displayed in the employee lounge.

2.13. All successful consultants and contractors will be notified of their obligations under the EEO Program in their contracts with SANDAG.
LEGAL MATTERS

To establish procedures for the filing of claims and institution of claims and lawsuits, for obtaining the review and concurrence or comment from the General Counsel on all requests to the Board for authority to file lawsuits in court, and for handling process servers or individuals serving other legal documents.

Under Public Utilities Code section 132354(a), SANDAG can sue or be sued. All claims for money or damages against SANDAG are governed by Part 3 (commencing with section 900) and Part 4 (commencing with section 940) of the Government Code (the Tort Claims Act). Government Code section 935 authorizes SANDAG to adopt local claims procedures for claims that are not governed by any other statutes or regulations. From time to time it may be necessary for SANDAG to initiate litigation in order to resolve issues of significant concern to SANDAG. The Board desires to have the concurrence or written review from the General Counsel relative to the merits of such lawsuits prior to their consideration by the Board. For these reasons, it is necessary to establish these procedures.

Procedures

1. **Claims and Actions Against SANDAG**

Any and all claims for money or damages against SANDAG must be presented to, and acted upon, in accordance with the following procedures. Compliance with these procedures is a prerequisite to any court action, unless the claim is governed by statues or regulations which expressly free the claimant from the obligation to comply with this policy and the claims procedures set forth in Government Code 900 et seq.

1.1. **Form of Claims**

All claims must be presented to SANDAG using the form entitled “Claim Against SANDAG” available on SANDAG’s Web site or upon request.

1.2. **Time Limitations**

1.2.1. Claims for money or damages relating to a cause of action for death, injury to person or personal property, or growing crops, shall be presented to the Board not later than six (6) months after the accrual of the cause of action (Government Codes 905, and 911.2).

1.2.2. Claims for money or damages as authorized in Government Code 905 that are not included in Paragraph 1 above shall be filed not later than one year
from the date the cause of action accrues (Government Codes 905 and 911.2).

1.2.3. Claims for money or damages specifically excepted from Government Code 905 shall be filed not later than six (6) months after the accrual of the cause of action (Government Codes 905, 911.2, and 935).

1.3. Late Claims

1.3.1. Claims under “Time Limitations” Paragraphs 1.2.1 and 1.2.3 above, which are filed outside the specified time limitations, must be accompanied by an application to file a late claim. Such claim and application to file a late claim must be filed not later than one year after the accrual of the cause of action. If a claim is filed later than the specified time limitation and is not accompanied by an application to file a late claim, the Board or Executive Director may, within forty-five (45) days, give written notice that the claim was not filed timely and that it is being returned without further action.

1.3.2. The application shall state the reason for the delay in presenting the claim. The Board shall grant or deny the application within forty-five (45) days after it is presented. By mutual agreement of the claimant and the Board, such forty-five (45) day period may be extended by written agreement made before the expiration of such period. If the Board does not take action on the application within forty-five (45) days, it shall be deemed to have been denied on the forty-fifth (45th) day unless such time period has been extended, in which case it shall be denied on the last day of the period specified in the extension agreement.

1.3.3. If the application to present a late claim is denied, the claimant shall be given notice as required by Government Code section 911.8 (Government Codes 911.3, 911.4, 911.6, 911.8, 912.2, and 935).

1.4. Delivery and Form of Claim

1.4.1. A claim, any amendment thereto, or an application for leave to present a late claim shall be deemed presented when delivered to the office of the Executive Director or deposited in a post office, sub-post office, substation, or mail chute or other like facility maintained by the U.S. Government in a sealed envelope properly addressed to SANDAG’s offices with postage paid (Government Codes 915 and 915.2).

1.4.2. Claims must contain the information set forth in Section 910 and 910.2 of the Government Code (Government Codes 910, 910.2, and 910.4).

1.5. Notice of Claim Insufficiency

The Executive Director shall cause all claims to be reviewed for sufficiency of information. The Executive Director or designee may, within twenty (20) days of
receipt of claim, either personally deliver or mail to claimant a notice stating deficiencies in the claim presented. If such notice is delivered or sent to claimant, the Board shall not act upon the claim until at least fifteen (15) days after such notice is sent (Government Codes 910.8, and 915.4).

1.6. Amendments to Claim

Claims may be amended within the above time limits or prior to final action by the Board, whichever is later, if the claim, as amended, relates to the same transaction or occurrence which gave rise to the original claim.

1.7. Action on Claim

1.7.1. If the Board acts properly to reject the claim, the claimant has only six (6) months from such rejection to institute a lawsuit. If the Board takes no action, the claim is deemed rejected after forty-five (45) days, but the claimant has two (2) years to institute a suit against the SANDAG. The notice of rejection must comply with requirements of Government Code 913 unless the claim has no address on it.

1.7.2. If the claim is filed late and not accompanied by an application to file a late claim, then the Board or its agent must notify the claimant that no action was taken due to the claim being filed late.

1.7.3. Within forty-five (45) days after the presentation or amendment of a claim, the Board shall take action on the claim. This time limit may be extended by written agreement before the expiration of the forty-five (45) day period or before legal action is commenced or barred by legal limitations. The Executive Director or designee shall transmit to the claimant a notice of action taken. If no action is taken by the Board, the claim shall be deemed to have been rejected (Government Code 945.6).

1.7.4. The Board delegates to the Executive Director the authority to take action on claims under one hundred thousand dollars ($100,000) (Government Code 935.4).

1.8. Retroactivity of This Policy

This policy is intended to apply retroactively to any existing causes of action and/or claims for money and/or damages. Any claim filed later than twelve (12) months following accrual of the cause of action is barred, regardless of whether the cause of action accrued before the effective date of this policy. (First Adopted by Board Resolution March 22, 2002.)

2. Claims & Actions Initiated by SANDAG

It is the policy of the Board that except as may be otherwise determined by the Board, prior to Board authorization and direction to the General Counsel to file a lawsuit in court, the
General Counsel shall be consulted as to the merits of such a lawsuit. Any request or recommendation for authorization and direction from the Board to the General Counsel to file a lawsuit in court shall be accompanied by written views of the General Counsel with regard to the merits of the case, provided however, that the General Counsel may, in lieu of such written concurrence or written views, request that the matter be discussed with the Board in Closed Session. As part of this attorney-client review, all requests or recommendations on potential lawsuits will be reviewed for comment by the Executive Director prior to being submitted to the General Counsel.

3. **Legal Counsel for SourcePoint**

SANDAG shall provide legal counsel to SourcePoint to the extent time allows, and as long as no potential conflict of interest exists. In general, SANDAG’s General Counsel should ensure consistent legal treatment of all matters. In areas involving a need for special expertise, substantial time commitments, or separate counsel, SANDAG, on behalf of SourcePoint, may contract with an outside firm and SourcePoint will pay for those services out of its own funds. Such contracts shall be reported to the SANDAG Board.

4. **Acceptance of Garnishments, Wage Attachments, Summons & Complaints**

4.1. SANDAG’s General Counsel or Deputy General Counsel will accept service of a summons and complaint upon SANDAG and/or any Board members being sued in his or her official capacity as a member of SANDAG’s Board of Directors.

4.2. In compliance with California Civil Code of Procedure 415.20, SANDAG will also accept service of a summons and complaint upon one of its employees at its offices under the substituted service of process method provided for in that statute.

4.3. Whenever SANDAG, as employer, is served with a garnishment and wage attachment, the server should be instructed to present such document to SANDAG’s General Counsel or Deputy General Counsel.
CLAIM AGAINST SANDAG

TIME & DATE RECEIVED STAMP:
Received by – via _____ U.S. Mail _____ Inter-Office Mail _____ Over the Counter

File No. ______________________

A claim must be presented to the SANDAG General Counsel not later than six (6) months after the date of the incident or event. Where space is insufficient, please use additional paper and identify information by paragraph number. Completed claims must be presented to: SANDAG, Attention: General Counsel, 401 B Street, Suite 800, San Diego, CA 92101.

TO THE HONORABLE BOARD OF DIRECTORS OF THE SAN DIEGO ASSOCIATION OF GOVERNMENTS:

The undersigned respectfully submits the following claim and information relative to damage to persons and/or personal property:

1. NAME OF CLAIMANT: ____________________________________________
   ADDRESS OF CLAIMANT: ____________________________________________
   PHONE NO.: HOME ___________ WORK __________________

2. Name, telephone and post office address to which claimant desires notices to be sent if other than above:

3. Occurrence or event from which the claim arises:
   a. DATE: ___________________
   b. TIME: ___________________
   c. PLACE (exact and specific location):
   d. Specify the circumstances of the occurrence, event, act or omission which you claim caused the injury, damage or loss. (use additional paper if necessary):
   e. State how or in what manner SANDAG or its employees were at fault:
4. Give a description of the injury, property damage or loss incurred so far as is known at the time of this claim. If there were no injuries, state "no injuries." (If your claim involves a vehicle, include license, year, make and model.)

5. Give the name(s) of the SANDAG employee(s) causing the injury, damage or loss, if known:

6. Name and address of any other person injured:

7. Name and address of the owner of any damaged property:

8. Damages claimed:
   a. Amount claimed as of this date: $ ____________________
   b. Estimated amount of any future costs: $ ____________________
   c. Total amount claimed: $ ____________________
   d. Basis for computation of amounts claimed (include copies of all bills, invoices, estimates, etc.):

9. Names and addresses of all witnesses, hospitals, doctors, etc.

10. Any additional information that might be helpful in considering claim:

WARNING: IT IS A CRIMINAL OFFENSE TO FILE A FALSE CLAIM
(Penal Code § 72; Insurance Code § 556.1)

I have read the matters and statements made in the above claim and I know the same to be true of my own knowledge, except as to those matters stated upon information or belief and as to such matters I believe the same to be true. I certify under penalty of perjury that the foregoing is TRUE and CORRECT.

Signed this day of ____________________ 20__ at _______________________________________________________

Claimants Signature: __________________________________________________________________________
DISCRIMINATION COMPLAINT PROCEDURES

This policy is intended to establish a procedure under which complaints alleging discrimination in SANDAG’s provision of services or SANDAG activities can be made by persons who are not employees of SANDAG.

It is SANDAG policy to comply with state and federal laws and regulations including the Americans with Disabilities Act of 1990 (ADA), Title VI of the Civil Rights Act of 1964 (Title VI) and other federal and state discrimination laws. SANDAG prohibits discrimination by its employees, contractors and consultants. The responsibility for the implementation of the discrimination complaint procedures is assigned to the Office of General Counsel. SANDAG does not discriminate on the basis of race, color, sex, creed, religion, national origin, age, marital status, ancestry, medical condition, disability, or sexual orientation in conducting government business. Persons who believe they have been subjected to discrimination or have been denied access to services or accommodations required by law, have the right to use this grievance procedure.

Procedures

1. **Applicability**

   This complaint procedure is applicable to all persons who are not employees of SANDAG. This includes, but is not limited to, visitors to SANDAG, members of the public viewing SANDAG publications, Board, committee, and working group members, vendors, or any other person transacting business with SANDAG or using SANDAG’s services. In general, it is designed to address disputes concerning the following:
   
   1.1. Disagreements regarding a requested service, accommodation, or modification of a SANDAG practice or requirement.
   
   1.2. Inaccessibility of a program, publication, or activity.
   
   1.3. Harassment or discrimination on the basis of disability.
   
   1.4. Violation of privacy in the context of disability.

2. **Compliance Officer**

   SANDAG’s Office of General Counsel is responsible for administering this complaint procedure as well as ensuring compliance with applicable laws. The Office of General Counsel can be contacted at: (619) 595-5300 (Voice), (619) 595-5393 (TTY), Fax (619) 595-5625.
3. **Preliminary Review Process**

3.1. **Informal Resolution** - Prior to initiating the formal complaint procedure set forth below, and as a prerequisite to it, the complaining party shall contact the Compliance Officer for assistance in resolving the matter informally within fifteen (15) calendar days of the time the grievant became aware of the SANDAG act or omission that is the subject of the complaint. If the Compliance Officer is not successful in quickly achieving a satisfactory resolution (that is, generally within approximately thirty (30) calendar days), the Compliance Officer will take the steps described in subparagraph "3.2." below.

3.2. **Review Panel** - The Compliance Officer will convene an ad-hoc review panel to review the issue(s) raised. The panel will consist of the following (or their designees): the Compliance Officer, a member of the management staff, a Chief Deputy Executive Director, and (depending upon the issues) such other personnel as may be appropriate. This panel will review the request, investigate and attempt to resolve the issues within approximately thirty (30) calendar days of the request for or initiation of a second review. No formal report need be issued by the panel, but the panel will document the outcome of its review in a letter to the complaining party. If the complaining party is not satisfied with the panel's disposition of the matter, the complaining party may file a formal complaint in accordance with the procedure described below.

4. **Formal Complaint**

If the procedure set forth above for preliminary review does not yield a successful resolution, then the complaining party may file a formal complaint in the following manner:

4.1. **When To File Complaint** - Complaints must be in writing and must be filed within ten (10) calendar days of the end of the preliminary review process described above.

4.1.1. **What To File** - A complaint must be in writing and include the following:

4.1.2. The complaining party's name, address, e-mail address and phone number;

4.1.3. A full description of the problem;

4.1.4. A statement of the remedy requested; and

4.1.5. A copy of the letter from the Review Panel setting forth the outcome of the preliminary review procedure described above.

4.2. **Where To File Complaint** - The complaint shall be filed with the Compliance Officer at SANDAG, 401 B Street, Suite 800, San Diego, CA 92101; Fax number (619) 595-5625.
4.3. Notice of Receipt - Upon receipt of the complaint, the Compliance Officer will review the complaint for timeliness and appropriateness for this grievance procedure, and will provide the complaining party with written notice acknowledging its receipt.

4.4. Investigation - The Compliance Officer or his or her designee shall promptly initiate an investigation. In undertaking the investigation, the Compliance Officer may interview, consult with and/or request a written response to the issues raised in the complaint from any individual the Compliance Officer believes to have relevant information, including staff and members of the public. The Compliance Office also may hold an informal hearing at his or her discretion.

4.5. Representation - The complaining party and any party against whom the grievance is directed shall have the right to have a representative. The party shall indicate whether he or she is to be assisted by a representative and, if so, the name of that representative. For purposes of this procedure, an attorney is not an appropriate representative.

4.6. Findings And Notification - Upon completion of the investigation, the Compliance Officer will prepare and transmit to the complaining party, and to any party against whom the complaint is directed, a final report containing a summary of the investigation, written findings and a proposed disposition. This transmission will be expected within forty-five (45) calendar days of the filing of the formal complaint. The deadline may be extended by the Compliance Office for good cause. The final report shall also be provided, where appropriate, to any person whose authority will be needed to carry out the proposed disposition or to determine whether any personnel action is appropriate.

4.7. Final Disposition - The disposition proposed by the Compliance Officer shall be put into effect promptly. The complaining party or any party against whom the complaint or the proposed disposition is directed may appeal. The appeal to the Executive Director (as set forth below) will not suspend the implementation of the disposition proposed by the Compliance Officer, except in those circumstances where the Executive Director decides that good cause exists making the suspension of implementation appropriate.

5. Urgent Matters

Whenever the application of any of the time deadlines or procedures set forth in this complaint procedure creates a problem due to the nature of the complaint, the urgency of the matter, or the proximity of an upcoming event, the Compliance Officer will, at the request of the complaining party, determine whether an appropriate expedited procedure can be fashioned.

6. Remedies

Possible remedies under this complaint procedure include corrective steps, actions to reverse the effects of discrimination or to end harassment, and measures to provide a reasonable
accommodation or proper ongoing treatment. As stated above, a copy of the Compliance Officer's report may, where appropriate, be sent to appropriate persons to determine whether any personnel action should be pursued.

7. **Appeal**

7.1. Within ten (10) calendar days of the issuance of the final report, the complaining party or any party against whom the complaint is directed may appeal to the Executive Director the Compliance Officer's determination.

7.2. An appeal is taken by filing a written request for review with the SANDAG Executive Director, SANDAG, 401 B Street, Suite 800, San Diego, CA 92101; Fax (619) 595-5625.

7.3. The written request for review must specify the particular substantive and or procedural basis for the appeal, and must be made on grounds other than general dissatisfaction with the proposed disposition. Furthermore, the appeal must be directed only to issues raised in the formal complaint as filed or to procedural errors in the conduct of the complaint procedure itself, and not to new issues.

7.4. The review by the Executive Director or his or her designee normally shall be limited to the following considerations: Were the proper facts and criteria brought to bear on the decision? Were improper or extraneous facts or criteria brought to bear on the decision that substantially affected the decision to the detriment of the complaining party? Were there any procedural irregularities that substantially affected the outcome of the matter to the detriment of the complaining party? Given proper facts, criteria, and procedure, was the decision one that a person in the position of the decision-maker might reasonably have made?

7.5. A copy of the Executive Director's written decision will be expected within thirty (30) calendar days of the filing of the appeal and shall be sent to the parties, the Compliance Officer and, if appropriate, to persons whose authority will be needed to carry out the disposition. The deadline may be extended by the Executive Director for good cause. The decision of the Executive Director on the appeal is final.

8. **Confidentiality**

SANDAG will take reasonable measures to protect the privacy of the complaining party and those individuals who may be the subject of a complaint. SANDAG cannot guaranty privacy, however, particularly if disclosure is necessary for a complete investigation or is required by law.
BALLOT MEASURES

The purpose of this policy is to provide criteria for use by the Board and Executive Committee to determine what position SANDAG should take on ballot measures and to describe the Board’s ability to place measures on the ballot.

It is difficult to categorize or predict what propositions will be placed on the ballot at future elections. Such measures are highly varied in their content, scope and impacts. It is easier, however, to determine which propositions relate to SANDAG’s roles and responsibilities.

Procedures

1. The following criteria shall be applied to ballot propositions to be considered by the Board and Executive Committee:
   
   1.1 The proposition should be on the statewide or countywide ballot;
   
   1.2 The proposition should not result in usurpation of the authority of any member agency, unless such member agency is on record in support of the proposition;
   
   1.3 The subject matter of the proposition should be within SANDAG’s purview; and
   
   1.4 The subject matter of the proposition should have potential for substantial regional impact.

2. The Board or Executive Committee shall review the proposition for compliance with these criteria. Then, if the criteria are satisfied, the Board or Executive Committee may consider whether a position should be taken. The Board or Executive Committee may direct staff to provide an analysis of the impacts of the measure and information on pro and con positions prior to taking any action.

3. Pursuant to Public Utilities Code section, if SANDAG provides compensation to San Diego County for the cost of including an ordinance or measure on the ballot, the Board may call an election, including an advisory election, in San Diego County on any ordinance or measure regarding SANDAG’s governance or matters related to its powers, privileges, or duties, including, but not limited to, merger or complete consolidation of transit boards.
TRAVEL EXPENSES

This policy is intended to establish a basis for budgeting Board member and employee attendance at conferences, training, seminars, or other meetings and provide guidelines for Board members and employees who have been approved to travel on behalf of SANDAG.

It is desirable and beneficial to SANDAG and its constituents to have Board members and employees participate in state and national activities, training, and conferences related to SANDAG’s subject matter jurisdiction.

Procedures

1. **Budgeting**

   1.1 Each year the Executive Director will survey the Board and committee (Board) members to ascertain their interest in attending upcoming conferences and meetings. These conferences may include legislative and annual meetings for the California Transit Association, the American Public Transit Association, and the Association of Metropolitan Planning Organizations, as well as California Transportation Commission meetings and legislative hearings. The Chair of the Board will make the final decision regarding who should attend all conferences and meetings. Upon return, Board members will be asked to present their experiences to the Board in order to share the knowledge obtained from their attendance.

   1.2 Employees also may attend conferences related to their respective disciplines. Each year, the department directors will submit a list of desired conferences and other meetings to be attended to the Executive Director. The Executive Director will make the final decision regarding which employees should attend conferences and meetings within the adopted budget. Upon return, employees will submit a report to their director in order to share the knowledge obtained from their attendance.

   1.3 Board member and employee attendance will be funded in the annual budget subject to the availability of funds and based on the results reported by previous attendees. As part of the budgeting process, the Executive Director or his/her designee will set objectives to ensure minimum representation at key conferences, and to make sure that cumulative attendance by Board members and employees at any one conference is not excessive.

   1.4 The number of Board members or committee members attending any conference or meeting should not exceed a quorum unless this provision is specifically waived by the Board after seeking advice from legal counsel.
1.5 Basic travel arrangements for flights, hotels, and rental cars will be made by the Clerk of the Board or other designated staff. Board members and employees are responsible for contacting the Clerk of the Board or the designated staff if itinerary changes are needed. Board members or employees desiring different travel arrangements will contact the Clerk of the Board or other designated staff to place her/him on notice and will be financially responsible for any costs over and above those determined by SANDAG’s travel agent for the basic trip.

1.6 If a Board member or employee initiates a change in travel plans that is not due to a medical/death emergency by the Board member or employee, or his/her immediate family, then the Board member or employee will be responsible for the cost impacts of those changes.

1.7 Employees must fill out a travel request form prior to traveling out of San Diego County on SANDAG business. The Overall Work Program code, purpose of travel, and trip budget must be filled in on the form. The form must be approved by a department director prior to the time of travel, unless a department director is the traveler, in which case a Chief Deputy Executive Director must approve the travel. The Clerk of the Board or Executive Assistant will fill out the top portion of the travel request form for Board members.

2. Out-of-Town Travel Expense Reimbursement

2.1 The lower portion of the travel request form must be used by Board members and employees to record actual trip expenses. The report must be completed within one week from the return date. For employees, the actual expenses must be approved by a department director unless a department director is the traveler, in which case a Chief Deputy Executive Director must approve the expenses. The form should then be forwarded to the Finance Department for processing, with a personal check attached for any funds due to SANDAG. Failure to submit expense reports within the required time frame may result in the traveler not being reimbursed or collection action being taken if money is owed to SANDAG. Extensions may be granted by the Executive Director.

2.2 All expenses should be itemized, including items SANDAG may have paid for in advance so that the report provides a complete record of expenses. It is the traveler’s responsibility to submit a completed report in order to receive prompt reimbursement.

2.3 Receipts for expenditures must be attached to the expense report for all expenses where a receipt is practicably attainable. A receipt is mandatory for all expenses in excess of $10 unless a written satisfactory explanation is provided. Such written explanations are subject to approval by the Finance Department.

2.4 Travel advances may be requested. Any travel advance shall not exceed the total estimated amount of the trip, minus any items prepaid by SANDAG, such as airfare and registration.
2.5 The following expenditure guidelines should be observed as upper limits unless the circumstances dictate otherwise and the expense is approved by a department director or Chief Deputy Executive Director.

2.5.1 Air Travel - Air travel is to be coach class for the most direct route. Travelers are encouraged to book at least 21 to 14 days in advance to qualify for the lowest airfares. SANDAG will cover the cost if it is more cost-effective (i.e., difference in airfare as compared to the additional cost for hotel and meals) to include a Saturday stay. Travelers should consider this option, when practical.

2.5.2 Personal Auto Use - In the event that a private auto is used for the trip, mileage shall be paid at the currently established Internal Revenue Service rate. Maximum reimbursement shall not exceed the cost of using a rental car, train, or commercial airline to reach the same destination.

2.5.3 Ground Transportation - In using surface transportation, the least expensive alternative must be utilized where practical. For example, an airport shuttle should be used instead of a taxi. Such transportation should be used for travel to and from the airport and for reasonable business-related trips at the location.

2.5.4 Parking - SANDAG will reimburse the lesser of the parking cost for a personal auto left at the airport or the cost of a shuttle service or cab to and from the airport.

2.5.5 Personal Travel - If a traveler wishes to combine SANDAG travel with personal travel, or to travel with family members, the traveler may do so, provided that it does not exceed the cost equivalent of a single-person trip.

2.5.6 Rental Car - Use of rental cars must be pre-approved. SANDAG will only reimburse for the cost of renting the least expensive size vehicle necessary for the number of people traveling. SANDAG will not reimburse for rental car insurance coverage because employees are included under SANDAG general automobile insurance coverage.

2.5.7 Meals - SANDAG will pay for meals while the traveler is in travel status. Reasonable discretion concerning the cost of the meals should be used.

2.5.8 Business Meals - Reasonable business meals involving outside persons or when necessary to conduct SANDAG-related business are permitted. All such meals must be itemized with justification on the Expense Report to determine if eligible for reimbursement.

2.5.9 Hotel - Travelers will be reimbursed for the cost of a moderate and reasonably priced single occupancy hotel room. Travelers should request the
“government rate” when making hotel reservations. Reasonable discretion regarding the cost of the hotel should be used.

2.5.10 Other Business-Related Expenses - Other business-related expenses that arise when traveling such as supplies, equipment rental, reprographics, facsimiles, and other documented business-related expenses may be reimbursed when traveling on SANDAG business and used for SANDAG purposes.

2.5.11 Travel Outside of the U.S. – Reimbursement for travel to a foreign country will be calculated at the average exchange rate during the trip as posted in the Wall Street Journal. All reimbursement for any Value Added Taxes (VAT) charged for hotel accommodations must be reimbursed to SANDAG.

2.5.12 Telephone Calls – Reimbursement for telephone calls made while traveling are permitted, provided that such calls are directly related to SANDAG business. Personal calls are permitted to a maximum of $10 per day. Calls charged to personal calling cards or wireless phone accounts may be submitted for reimbursement no later than thirty days for the time that the expense report is submitted.

2.5.13 Registration – Travelers requesting to attend a conference or training that requires registration should do so in sufficient time to take advantage of any discounts.

2.5.14 Cancellation Penalties – In the event that registration, airfare, hotel deposit, or similar items that require prepayment are paid and nonrefundable and the traveler is unable to attend, then the traveler will be responsible for reimbursing SANDAG for all prepaid amounts, unless the inability to attend is for valid medical reasons or personal emergencies, as approved by the Executive Director for employees or the Executive Committee for Board members.

2.5.15 Nonallowable Expenses – SANDAG will not provide any reimbursement for personal entertainment expenses, travel expense for family members, movies in hotels, personal items, charitable contributions, air travel insurance, or any other expenses not deemed necessary for business purposes. SANDAG also will not provide reimbursement for the purpose of attending political events or for expenses incurred with any private club that discriminates on the basis of race, gender, religion, sexual orientation, disability, or any other discriminatory criteria in its membership policy.

3. Local Expense Reimbursement

3.1 Expense reports must be submitted that record any potentially eligible expenses. The form must be submitted together with all receipts and should be submitted within thirty days of the expense being incurred. The report must describe the item or the destination (if mileage reimbursement is requested) and the purpose. The traveler should indicate which OWP number each item should be charged to.
3.2 Expenses are eligible for reimbursement if they are related to and necessary to carrying out SANDAG business. They may include, but are not limited to: phone calls, business meals or meetings, mileage, parking, and miscellaneous out-of-pocket expenses. The Director of Finance or Executive Director may disallow any extraordinary or inappropriate expense. Whenever possible, travel should be by public transportation.

3.3 All necessary approvals must be obtained in advance and the form must be submitted to the Finance Department for processing. Reimbursement will ordinarily occur within thirty days.
LOCAL TECHNICAL ASSISTANCE (LTA)

The San Diego Association of Governments’ capability for providing technical assistance to its Member Agencies has evolved over the years as a by-product of the programs, products and tasks carried out each year in the Overall Work Program (OWP).

The benefits to SANDAG Member Agencies through this sharing of data, resources, skills, and information are many and varied. Nothing in these policy guidelines is intended to prevent the efficient and effective delivery of service to a Member Agency when requested. The Executive Director has the responsibility of interpreting this policy in as fair and practical a manner as possible so that Member Agencies and SANDAG are served to their best advantage.

1. **Types of Requests**

   1.1 The SANDAG LTA program is designed to assist Member Agencies in solving planning, management, and data analysis problems by using specific data, skills, and tools available at SANDAG.

   1.2 The LTA program is designed to aid Member Agency staffs and projects directly, and is not intended to provide assistance to private consultants on contract to Member Agencies. All requests should be for assistance or information to be used directly by Member Agency staff or policymakers and not by private contractors. Such assistance to private contractors working for Member Agencies may be authorized only by the Executive Director on a case-by-case basis.

2. **Assistance to Voting Member Agencies**

   2.1 All requests should be in writing. Requests that require more than two (2) person days or $1,000 of equivalent resources must be in writing and approved by the CEO of the requesting agency.

   2.2 Each request from a Member Agency which requires less than two (2) person days or $1,000 shall be conducted at no cost as long as the request can be accomplished within the scope of SANDAG’s Overall Work Program using existing resources and does not cause a delay or deferral of the schedule for completion of OWP work tasks.

   2.3 All costs for outside services, such as printing and data entry, will be fully reimbursed. SANDAG staff costs in excess of $1,000 also shall be subject to full reimbursement. The Executive Director is authorized to negotiate cost sharing if the project can be shown to have benefit to Member Agencies and to SANDAG’s Regional Information System.
2.4 Each Member Agency shall be encouraged to develop its own in-house abilities to use the Regional Information System on a continuing basis. When a specific project or application becomes an ongoing part of the requesting agency’s work program, it will be continued subject to full cost reimbursement.

3. Assistance to Advisory Member Agencies

3.1 All requests must be in writing and approved by the CEO of the requesting agency.

3.2 All project costs, including SANDAG staff time and costs for outside services, will be fully reimbursed. The Executive Director is authorized to negotiate cost sharing if the project can be shown to have benefit to Advisory Member Agencies and to SANDAG’s Regional Information System.

4. Project Priorities and Response Time

In the event that SANDAG is unable to respond to the number of requests for technical assistance within the allocated staff and budget limitations, and such scheduling problems cannot be worked out to the satisfaction of the Member Agencies, the Executive Director will be requested to set project priorities.

5. Reports to the Board

5.1 All projects over $1,000 shall be reported to the Board on a monthly basis.

5.2 The Board will receive annual progress reports on the SANDAG technical assistance program indicating the volume and types of projects requested and project results and benefits to Member Agencies.
CONFLICT RESOLUTION PROCEDURE

This policy is intended to provide member agencies with a working knowledge of dispute resolution options, to provide information on the methods and techniques of resolving disputes that require neutral intervention, and to reduce the frequency of unresolved disputes between public agencies.

Procedures

1. Agreement to Participate
   1.1. Government agencies involved in an interjurisdictional conflict which cannot be resolved among the agencies may, through formal action of their policy bodies, agree to participate in resolving the dispute in accordance with this procedure. Evidence of the agreement to participate shall be forwarded by the agencies to SANDAG, and shall describe the issue(s) for which review is requested. SANDAG’s role shall be limited to providing assistance to the agencies in accordance with this procedure.

   1.2. Participation in the conflict resolution process shall be voluntary, but is strongly encouraged prior to initiation of litigation by an agency. All parties involved in the dispute shall be requested to participate.

2. Implementation

The Conflict Resolution Procedure may be initiated by:

- one or more involved public agencies
- the SANDAG Board of Directors
- the SANDAG Executive Committee (where timing requires).

The parties to an action in Superior Court may initiate dispute resolution by SANDAG in accordance with Government Code Section 66030 et. seq.

3. Confidentiality

The process set forth in Section 4, below, shall be subject to the provisions of California law relating to confidentiality, and specifically, the provisions of Section 703.5, Chapter 1 of Division 6 of the Evidence Code, which concerns compelled testimony by arbitrators and mediators.
4. **Process**

4.1. SANDAG, with the assistance of a neutral third party, obtains affected agency agreements to participate.

4.2. If appropriate, SANDAG staff may meet with the affected agencies for purposes of interviewing them regarding the nature and scope of the conflict and to request any necessary information. Such interviews shall be undertaken as soon as possible, but in no case later than 30 days from the date of agreement by the agencies to participate.

4.3. SANDAG staff facilitates the selection by the agencies of a neutral third party to recommend an appropriate facilitation and negotiation model to be used in resolving the dispute which may include, but not be limited to mediation and/or arbitration.

4.4. SANDAG staff serving, where appropriate, as a resource to the agencies and a neutral third party convene the conflict resolution conference using the model agreed to by the agencies.

4.4.1. The conference should generally consist of the following elements:

- **Stage I.** Introduction
- **Stage II.** Opening statement by the agencies
- **Stage III.** Exchange (for purposes of developing an understanding of each agency’s issues and positions)
- **Stage IV.** Development of options
- **Stage V.** Draft and execute agreement

4.5. The agreement is implemented by the agencies.

4.6. The Executive Director shall report to the Board at regular intervals on the use of the procedure by public agencies.
ENVIROMENTAL QUALITY

Section 21082 of California Environmental Quality Act (CEQA) requires SANDAG to adopt objectives, criteria and procedures for the evaluation of public and private projects undertaken or approved by SANDAG, and the preparation, if required, of environmental impact reports in connection with that evaluation. This policy is intended to record SANDAG’s adoption of updated local guidelines for implementing CEQA and to make those guidelines consistent with the current provisions and interpretations of CEQA.

Procedures

1. The California Legislature has amended the California Environmental Quality Act ("CEQA") (Pub. Resources Code § 21000 et seq.), the CEQA Guidelines (Cal. Code of Regs, tit. 14, §15000 et seq.) have been revised, and the California courts have provided new interpretations of the provisions of CEQA since SANDAG last adopted local guidelines for implementation of CEQA.

2. The Board hereby adopts the guidelines found at California Code of Regulations, Title 14, beginning at section 1500 and in effect as of January 1, 2003, and as subsequently amended as its "Local Guidelines for Implementing the California Environmental Quality Act." Any and all prior actions of the Board of Directors enacting earlier guidelines are hereby repealed.
RECORDS MANAGEMENT

These procedures are intended to ensure the safekeeping of SANDAG records with administrative, legal, fiscal, programmatic or historical value; provide ease of access to SANDAG records by staff; provide ease of access to SANDAG records by members of the public in accordance with SANDAG’s Public Records Request Guidelines; and provide the necessary guidance to ensure proper records management, including retention and disposition.

SANDAG’s records are a valuable resource. This policy provides procedures to ensure SANDAG’s records are maintained in a consistent, orderly, secure and accessible manner.

Procedures

1. **Policy Statement**

   1.1. Records kept by a SANDAG employee because they are necessary or convenient to the discharge of that employee’s duties for SANDAG are public records. Any and all records generated in the course of SANDAG business are the property of SANDAG. These records include, but are not limited to, correspondence, memoranda, emails, phone logs, reports, maps, tapes, contracts, project files, photographic files, digital imagery data, prints, charts, drawings, machine-readable records, videos, and audio tapes.

   1.2. Records must be maintained in accordance with SANDAG’s Records Retention Schedule until their retention period expires, after which the records should be disposed of promptly and appropriately. The periods shown in the Records Retention Schedule are minimum time periods that do not start until the document and/or project is complete. Records can be maintained for time periods in excess of the retention period in the schedule if the records are still needed for reference.

2. **Application**

   This policy applies to all persons, including employees, consultants, and contractors, responsible for the generation and/or maintenance of SANDAG records.

3. **Public Records**

   3.1. Records that pertain to “housekeeping” matters that will not be needed for future reference may be disposed of immediately. For example, preliminary drafts, notes, and interagency and intra-agency memoranda that have been retained for less than
60 days and that are no longer needed for use or reference should be disposed of immediately.

3.2. All records that are kept for more than 60 days for use or reference by an employee must be treated as a public record. All public records must be kept for a minimum of two years. Some records must be kept for longer than two years and the retention period for most records is contained in the Records Retention Schedule. The time periods shown in the Records Retention Schedule should be followed unless a document needs to be retained for a longer time period than that shown because the custodian believes the record is still needed for reference. All of the time periods shown for retention begin on the date the record is put in its final form.

3.3. Records that are purely personal in nature such as shopping lists, personal email, or correspondence from a friend should not be treated as public records. In order to prevent a claim that such records are subject to disclosure, and to prevent an unnecessary burden on SANDAG’s resources, however, records unrelated to SANDAG’s business should be purged from SANDAG’s computers and files.

3.4. After a public record has been maintained for the required time period it should be disposed of promptly. If records contain confidential or trade secret information, steps should be taken to ensure the records are not disclosed when they are destroyed.

3.5. At least once each year the Records Retention Schedule will be reviewed and revised as needed. The Schedule will be circulated to the department directors for recommended changes and additions and reviewed by the Office of General Counsel. Changes to the Records Retention Schedule must be approved by the Office of General Counsel.

3.6. Records may be kept in electronic form instead of hardcopy form if the following conditions are met:

3.6.1. The media on which the electronic form of the record is kept does not permit additions, changes, or deletions of the information or image in or on the original record.

3.6.2. The media selected for storing the records in electronic form is considered permanent and reliable.

3.6.3. The media selected for storing the records in electronic form does not prevent the records from being easily accessible.

3.6.4. The copy must be kept in a safe and separate place for security purposes.

3.7. Retention periods for records required for current litigation, audit, or environmental review must be suspended and the records maintained in their original condition and format until the matter is resolved.
3.8. Duplicates of hardcopy records may be destroyed at any time as long as at least one
accurate and legible copy is maintained for the time period set forth in the Records
Retention Schedule.

4. Project File Maintenance

The project manager for a project should maintain a centralized file for each project. The
project file should not contain preliminary drafts, working papers, notes, or “housekeeping”
memoranda or emails that are not needed for future use or reference (as these records
should be discarded if they are less than 60 days old). The project team members should
keep the following documents in the centralized file:

- Project authorization
- Original purpose and justification documentation
- Project team responsibilities and goals
- Budget and source of funding documentation
- Schedules
- Work Products
- Consultant/Contractor deliverables
- Final project evaluation
- A list of the names and job positions of the members of the evaluation committee
- Conflict of Interest Declarations from outside evaluators
- The evaluation forms and score sheets for all proposers
- Any protests or other complaints filed with SANDAG concerning the contract award, and
  any responses thereto
- Correspondence with proposers and potential proposers
- Questions from proposers and SANDAG’s responses
- Notices and correspondence with the selected consultant/contractor
- The RFP and/or RFQ
- Independent Cost Estimate
- Sole source approval forms (if necessary)
- Written approval of funding source (if necessary)
- Copy of Board Resolution (if necessary)
- Mailing list for RFP/RFQ
- Copies of newspaper advertisements
- The recommendation memo and approval to begin contract negotiations
- Notice of Intent to Award
- Notices of Intent to Proceed With Another Proposer
- Copy of selected consultant’s proposal
- Cost Analysis (if applicable)
- Any record of negotiations
- The negotiated agreement with all exhibits
- Amendments to the agreement
- Certificates of Insurance
- Pre-award audit request and audit results documentation
- Notice to Proceed
- Work Orders or Task Orders
- Notice of Completion
- DBE documentation
5. **Records Containing Confidential or Trade Secret Information**

Records created at or received by SANDAG containing confidential or trade secret information must be marked as such and filed in a locked cabinet or other location where the records will be secure and inaccessible to third parties. Staff should take all necessary steps to ensure that such records are not copied or disclosed to third parties. Once a record is submitted to SANDAG by a company or individual it immediately becomes a public record unless that party has expressly designated the record or portion thereof as confidential, proprietary, or trade secret. For example, unless a proposal or price list from a consultant or contractor is clearly marked as confidential or trade secret it will automatically become a public record. Note, however, that even if a consultant or contractor marks a document as “confidential,” “proprietary,” or “trade secret” this will not necessarily exempt the document from disclosure under the California Public Records Act or other applicable laws.

6. **Public Records Requests**

6.1. Generally, the following types of records can be provided to persons based on a simple verbal request to a staff member:

- Bound SANDAG reports
- Information bulletins
- Fact sheets
- Board agendas, resolutions, and reports
- Committee agendas and reports
- Letters in support of, or opposition to, bills

6.2. Requests from members of the public for compilations of SANDAG records, a large number of copies, or records that contain confidential or sensitive information should be referred to SANDAG’s Office of General Counsel pursuant to the Public Records Request Guidelines. The Office of General Counsel will serve as SANDAG’s Public Records Officer and will respond to these requests with the assistance of SANDAG’s Public Information Office. If the following types of records are requested, the staff member should refer the request to the Office of General Counsel:

- Requests for all records of a certain type or category
- Requests for compilations of data
- Requests for accounting or financial records
- Requests for records containing trade secret, confidential, or proprietary information or marked “confidential” or “trade secret” or “proprietary”
- Requests for records containing social security numbers or private individual’s phone number or addresses
- Requests for copies of proposals and/or cost estimates from proposers
- All written requests for SANDAG public records referring to the California Public Records Act or the federal Freedom of Information Act
- All requests from attorneys for records
6.3. Keep in mind the above list is not exhaustive. If a staff member is unsure whether a particular type of record should be released, the staff member should refer the request to the Office of General Counsel who will prepare an appropriate response.

6.4. Timing on responses to public record requests is very important. Under the law a response must be provided to the requester within ten (10) calendar days. If a staff member is unable to meet this deadline, the staff member should immediately contact the Office of General Counsel for assistance.
FY 2004 FINAL PROGRAM BUDGET AMENDMENT

Introduction

The Final Program Budget for FY 2004 was adopted by the Board on May 24, 2003, meeting the June 1 deadline as required by the Interim Bylaws. At that time, information was not available for the redistribution of TransNet funds based on the latest certified local population figures and for the reductions taken for transit capital projects. Along with these items, we have finished the comparisons of Staff Benefits for the three consolidating agencies and have recommendations for the Executive Committee to approve.

Instead of attaching the entire program budget, we have included the summary pages and reports. Attachment A is the Comparative Revenue and Expenditure Summary, the Final Funding Summary and the Final Budget Summary. Attachment B is the amended FY 2004 TransNet Program Budget. Attachment C is the Transition Team Benefit Comparisons and Recommendations for the New Regional Agency.

Therefore, it is my

RECOMMENDATION

that the Executive Committee recommend that the Board approve the FY 2004 Final Program Budget Amendment, as summarized in Attachments A and B, and the Employee Benefit Plan shown in Attachment C.

Discussion

The amendments to the Final Program Budget include the distribution of TransNet funds to the local agencies. These numbers are recalculated each year based on the certified population figures from the State Department of Finance.

Other changes were the reductions to the transit projects coming over from MTDB in the transition. The budget cycles for SANDAG and MTDB do not coincide, hence the amendment. These reductions were a result of fiscal constraints and impact FTA and TransNet funds. Expenditures were reduced in contracts and direct expenses.

These reductions were offset by additional funds acquired in TDA, Section 4.5 for a Senior/Disabled Ride program formerly administered by the Red Cross.
The Employee Benefit package is also a part of the budget amendment. The Ad Hoc Working Group on Transition, consisting of three members of each of the three Boards, recommends the adoption of this Employee Benefits Package for the new Regional Agency. This package has been assembled with the purpose of assuring that the employees of NCTD and MTDB who are transferring shall suffer no loss or reduction in wages or benefits as a result of the consolidation. This was accomplished while paying attention to the bottom line. The overall package was completed at a cost of approximately $50,000.

Overall, the amended budget is just under $200,000 dollars less than the budget adopted in May. Further amendments will be necessary as we continue the consolidation efforts and as we receive final quotes from PERS and the insurance companies.

GARY L. GALLEGOS
Executive Director

Attachments

Key Staff Contact: Leslie Campbell; (619) 595-5340; lca@sandag.org
### SAN DIEGO ASSOCIATION OF GOVERNMENTS

**FISCAL YEARS 2003 AND 2004 COMPARATIVE REVENUE & EXPENDITURE SUMMARY**

<table>
<thead>
<tr>
<th>REVENUE SUMMARY</th>
<th>AMENDED FY 2003</th>
<th>% OF TOTAL</th>
<th>PRELIMINARY FY 2004</th>
<th>FINAL FY 2004</th>
<th>AMENDED FY 2004</th>
<th>% OF TOTAL</th>
<th>% CNG</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>FEDERAL GRANTS</strong></td>
<td>$28,264,794</td>
<td>11%</td>
<td>$20,182,952</td>
<td>22,799,451</td>
<td>22,434,651</td>
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<td>-21%</td>
</tr>
<tr>
<td><strong>STATE GRANTS &amp; SUBVENTIONS</strong></td>
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<td>$17,746,784</td>
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<td>-45%</td>
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<td>$211,406,959</td>
<td>$211,411,228</td>
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<td>5%</td>
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<td>547,425</td>
<td>547,425</td>
<td>547,425</td>
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<td>0%</td>
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<tr>
<td><strong>OTHER LOCAL FUNDS</strong></td>
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<td>$3,775,301</td>
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<td>605,000</td>
<td>0%</td>
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<tr>
<td><strong>INTEREST &amp; RESERVES</strong></td>
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<td>2%</td>
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<td>5,030,554</td>
<td>5,030,554</td>
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<td>-3%</td>
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<tr>
<td><strong>Sub-Total SANDAG Estimated Revenues</strong></td>
<td>$261,389,351</td>
<td>100%</td>
<td>$259,096,176</td>
<td>$264,542,293</td>
<td>$264,347,585</td>
<td>100%</td>
<td>1%</td>
</tr>
<tr>
<td><strong>Sub-Total Transit Estimated Revenues</strong></td>
<td>4,528,228</td>
<td>0%</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>TOTAL - INITIAL CONSOLIDATION</strong></td>
<td>$265,917,579</td>
<td>100%</td>
<td>$259,096,176</td>
<td>$264,542,293</td>
<td>$264,347,585</td>
<td>100%</td>
<td>1%</td>
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</table>

**EXPENDITURE SUMMARY**

<table>
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<tr>
<th>EXPENDITURE SUMMARY</th>
<th>AMENDED FY 2003</th>
<th>% OF TOTAL</th>
<th>PRELIMINARY FY 2004</th>
<th>FINAL FY 2004</th>
<th>AMENDED FY 2004</th>
<th>% OF TOTAL</th>
<th>% CNG</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PERSONNEL SALARIES &amp; BENEFITS</strong></td>
<td>$8,050,824</td>
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<tr>
<td><strong>OUTSIDE GRAPHICS &amp; REPORTS</strong></td>
<td>366,700</td>
<td>0%</td>
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<td>286,291</td>
<td>285,059</td>
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<td>-22%</td>
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<tr>
<td><strong>OTHER DIRECT COSTS</strong></td>
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<td>1,424,080</td>
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<td>88%</td>
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<td><strong>TEMPORARY/LIMITED TERM EMPLOYEES</strong></td>
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<td>610,020</td>
<td>604,479</td>
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<td><strong>PASS-THROUGH &amp; IN-KIND SERVICES</strong></td>
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<td>10,142,122</td>
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<td>$68,734,821</td>
<td>$68,734,821</td>
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<td>4%</td>
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<td><strong>TRANSNET TRANSIT PROGRAM</strong></td>
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<td>$69,234,821</td>
<td>$69,234,821</td>
<td>26%</td>
<td>5%</td>
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<td><strong>TRANSNET LOCAL STREETS PROGRAM</strong></td>
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<td>$69,234,821</td>
<td>$69,234,821</td>
<td>26%</td>
<td>5%</td>
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<td><strong>INDIRECT COST - NON PERSONNEL</strong></td>
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<td>440,000</td>
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<td><strong>INTEREST &amp; RESERVES</strong></td>
<td>5,211,800</td>
<td>2%</td>
<td>5,030,554</td>
<td>5,030,554</td>
<td>5,030,554</td>
<td>2%</td>
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</tr>
<tr>
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<td>1%</td>
</tr>
<tr>
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<td>4,528,228</td>
<td>0%</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
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<td>100%</td>
<td>$259,096,176</td>
<td>$264,542,293</td>
<td>$264,347,585</td>
<td>100%</td>
<td>1%</td>
</tr>
</tbody>
</table>

* TransNet Highway Program has been reduced by the amount shown in the Advanced Traveller project for match of $500,000.

** TransNet Transit Program has been reduced by the amounts incorporated in the transit projects absorbed by SANDAG - no longer pass-thru.

*** Initial Transit Consolidation revenues and expenditures have been included in SANDAG totals in Final Budget following change in grantee status.
## SAN DIEGO ASSOCIATION OF GOVERNMENTS

**FY 2004 FINAL FUNDING SUMMARY**

### AMENDED PRELIMINARY FINAL AMENDED

<table>
<thead>
<tr>
<th>Category</th>
<th>FY 2003</th>
<th>FY 2004</th>
<th>FY 2004</th>
<th>FY 2004</th>
<th>% OF</th>
</tr>
</thead>
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<tr>
<td><strong>FEDERAL:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>DEPARTMENT OF TRANSPORTATION:</td>
<td></td>
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<td></td>
<td></td>
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</tr>
<tr>
<td>FTA MPO PLANNING (Section 5303)</td>
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<td>$846,644</td>
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<td>FTA TRANSIT PLANNING (Section 5307)</td>
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<td>FTA, PLANNING STUDIES &amp; OTHER FUNDS</td>
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<td>SAN DIEGO COUNTY (Criminal Justice Research)</td>
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<td><strong>SERVICES TO OTHER AGENCIES:</strong></td>
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<td><strong>Sub-TOTAL SANDAG PROGRAM FUNDING</strong></td>
<td>256,177,551</td>
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<td>259,511,740</td>
<td>259,317,031</td>
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<td><strong>Sub-TOTAL INITIAL TRANSIT FUNDING</strong></td>
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<td>(In FINAL ‘04, allocated by fund type above)</td>
<td>4,528,228</td>
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<td><strong>TOTAL INITIAL CONSOLIDATION PROGRAM FUNDING</strong></td>
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<td>259,317,031</td>
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<td><strong>INTEREST &amp; RESERVES:</strong></td>
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<td><strong>TOTAL REVENUES &amp; RESERVES</strong></td>
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<td>$263,624,404</td>
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## FY 2004 Final Budget Summary

<table>
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<tr>
<th>Estimated Expenditures</th>
<th>AMENDED FY 2003</th>
<th>PRELIMINARY FY 2004</th>
<th>FINAL AMENDED FY 2004</th>
<th>FINAL FINAL FY 2004</th>
<th>% OF TOTAL</th>
<th>% CNG</th>
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<td>PERSONNEL:</td>
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<td>Program Salaries &amp; Benefits</td>
<td>$6,538,327</td>
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<td>Indirect Charges</td>
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<td>Total Program Salaries &amp; Indirect Costs</td>
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<td>10,936,716</td>
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<td>13,633,877</td>
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<td>32%</td>
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<td>MISCELLANEOUS NON-PERSONNEL:</td>
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<td>Data Processing</td>
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<td>Outside Materials, Graphics &amp; Reports</td>
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<td>Other Direct Costs</td>
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<td>Total Miscellaneous Non-Personnel:</td>
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<td>CONTRACT SERVICES:</td>
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<td>Program Mgmt &amp; External Relations</td>
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<td>Technical Services -- Communications</td>
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<td>Planning -- Land Use, Environ, Infrastructure</td>
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<td>Transit Agencies *</td>
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<td>TransNet Highway Program *</td>
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<td>TransNet Transit Program **</td>
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<td>217,975,585</td>
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<td>Total Program Expenditures</td>
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<td>98%</td>
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<td>Sub-Total, SANDAG Budget Summary</td>
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<td>259,317,031</td>
<td>36%</td>
<td>98%</td>
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<tr>
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<td>259,511,740</td>
<td>259,317,031</td>
<td>259,317,031</td>
<td>38%</td>
<td>98%</td>
</tr>
<tr>
<td>Interest &amp; Reserves:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TransNet Interest</td>
<td>4,011,800</td>
<td>3,773,545</td>
<td>3,773,545</td>
<td>3,773,545</td>
<td>39%</td>
<td></td>
</tr>
<tr>
<td>Unallocated Reserves</td>
<td>1,200,000</td>
<td>1,200,000</td>
<td>1,257,009</td>
<td>1,257,009</td>
<td>40%</td>
<td></td>
</tr>
<tr>
<td>Total Interest &amp; Reserves</td>
<td>5,211,800</td>
<td>4,973,545</td>
<td>5,030,554</td>
<td>5,030,554</td>
<td>41%</td>
<td></td>
</tr>
<tr>
<td>Total Expenditures, Carryover &amp; Reserves</td>
<td>$261,389,350</td>
<td>$263,624,404</td>
<td>$264,542,293</td>
<td>$264,347,585</td>
<td>42%</td>
<td>100%</td>
</tr>
</tbody>
</table>

* TransNet Highway Program has been reduced by the amount shown in the Advanced Traveller project for match of $500,000.
** TransNet Transit Program has been reduced by the amounts incorporated in the transit projects absorbed by SANDAG - no longer pass-thru.
*** In the preliminary FY 2004 budget, transit agency costs were included as a separate line item. In the Final Buget, these costs have been incorporated into each category of expense.
## SAN DIEGO COUNTY REGIONAL TRANSPORTATION COMMISSION

### FY 2004 TRANSNET PROGRAM BUDGET

<table>
<thead>
<tr>
<th>TRANSNET PROGRAM REVENUES</th>
<th>FY 2003 PROJECTED</th>
<th>FY 2004 PRELIMINARY</th>
<th>FY 2004 FINAL</th>
<th>% CNG</th>
</tr>
</thead>
<tbody>
<tr>
<td>ESTIMATED SALES TAX RECEIPTS</td>
<td>$204,838,054</td>
<td>$213,974,779</td>
<td>$213,974,779</td>
<td>1</td>
</tr>
<tr>
<td>LESS: BOARD OF EQUALIZATION FEES</td>
<td>(3,027,163)</td>
<td>(3,162,189)</td>
<td>(3,162,189)</td>
<td>2</td>
</tr>
<tr>
<td>NET SALES TAX RECEIPTS</td>
<td>201,810,891</td>
<td>210,812,590</td>
<td>210,812,590</td>
<td>4%</td>
</tr>
<tr>
<td>INTEREST INCOME</td>
<td>4,046,460</td>
<td>3,773,545</td>
<td>3,773,545</td>
<td>4</td>
</tr>
<tr>
<td>TOTAL ESTIMATED REVENUES</td>
<td>$205,857,351</td>
<td>$214,586,135</td>
<td>$214,586,135</td>
<td>4%</td>
</tr>
</tbody>
</table>

### TRANSNET PROGRAM ALLOCATIONS

#### ADMINISTRATIVE ALLOCATIONS:

<table>
<thead>
<tr>
<th>ADMINISTRATIVE ALLOCATIONS</th>
<th>FY 2003</th>
<th>FY 2004</th>
<th>FY 2004</th>
<th>% CNG</th>
</tr>
</thead>
<tbody>
<tr>
<td>COMMISSION/BOARD EXPENSES</td>
<td>$180,399</td>
<td>$222,360</td>
<td>$224,400</td>
<td>6</td>
</tr>
<tr>
<td>ADMINISTRATIVE/CONTRACT SERVICES</td>
<td>1,837,710</td>
<td>1,885,766</td>
<td>1,883,726</td>
<td>7</td>
</tr>
<tr>
<td>ADMINISTRATIVE RESERVE</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>8</td>
</tr>
<tr>
<td>TOTAL ADMINISTRATIVE ALLOCATIONS</td>
<td>2,018,109</td>
<td>2,108,126</td>
<td>2,108,126</td>
<td>4%</td>
</tr>
</tbody>
</table>

#### PROGRAM ALLOCATIONS:

<table>
<thead>
<tr>
<th>PROGRAM ALLOCATIONS</th>
<th>FY 2003</th>
<th>FY 2004</th>
<th>FY 2004</th>
<th>% CNG</th>
</tr>
</thead>
<tbody>
<tr>
<td>BICYCLE FACILITIES</td>
<td>1,000,000</td>
<td>1,000,000</td>
<td>1,000,000</td>
<td>10</td>
</tr>
<tr>
<td>HIGHWAY IMPROVEMENTS</td>
<td>66,264,261</td>
<td>69,234,821</td>
<td>69,234,821</td>
<td>11</td>
</tr>
<tr>
<td>PUBLIC TRANSIT IMPROVEMENT</td>
<td>66,264,261</td>
<td>69,234,821</td>
<td>69,234,821</td>
<td>12</td>
</tr>
<tr>
<td>LOCAL STREET &amp; ROAD IMPROVEMENTS</td>
<td>66,264,261</td>
<td>69,234,821</td>
<td>69,234,821</td>
<td>13</td>
</tr>
<tr>
<td>TOTAL PROGRAM ALLOCATIONS</td>
<td>199,792,782</td>
<td>208,704,464</td>
<td>208,704,464</td>
<td>4%</td>
</tr>
</tbody>
</table>

#### TOTAL ALLOCATIONS

<table>
<thead>
<tr>
<th>TOTAL ALLOCATIONS</th>
<th>FY 2003</th>
<th>FY 2004</th>
<th>FY 2004</th>
<th>% CNG</th>
</tr>
</thead>
<tbody>
<tr>
<td>201,810,891</td>
<td>210,812,590</td>
<td>210,812,589</td>
<td>4%</td>
<td></td>
</tr>
</tbody>
</table>

#### INTEREST (To be Allocated)

<table>
<thead>
<tr>
<th>INTEREST (To be Allocated)</th>
<th>FY 2003</th>
<th>FY 2004</th>
<th>FY 2004</th>
<th>% CNG</th>
</tr>
</thead>
<tbody>
<tr>
<td>4,046,460</td>
<td>3,773,545</td>
<td>3,773,546</td>
<td>16</td>
<td></td>
</tr>
<tr>
<td>TOTAL ALLOCATIONS AND INTEREST</td>
<td>$205,857,351</td>
<td>$214,586,135</td>
<td>$214,586,135</td>
<td>4%</td>
</tr>
</tbody>
</table>

### NOTES:

The TransNet Ordinance established the rules for the allocation of all Commission revenues. Commission funds are allocated according to the following priority:

1. No more than one percent of the annual revenues shall be allocated for administrative expenses.
2. Annually, $1,000,000 shall be allocated for bicycle facilities.
3. The remaining funds shall be allocated equally among highway improvements, public transit improvements, and local street and road improvements. Partial funding came back to SANDAG as transit project funding.
4. Funds allocated to these program areas include annual debt service for Transnet revenue bonds and commercial paper notes.
## SAN DIEGO COUNTY REGIONAL TRANSPORTATION COMMISSION

### FY 2004 TRANSNET PROGRAM BUDGET

#### ESTIMATED PROGRAM ALLOCATIONS

<table>
<thead>
<tr>
<th>Project</th>
<th>FY 2003 PROJECTED</th>
<th>FY 2004 PRELIMINARY</th>
<th>FY 2004 FINAL-AMENDED</th>
<th>% CNG</th>
</tr>
</thead>
<tbody>
<tr>
<td>BICYCLE FACILITIES</td>
<td>$1,000,000</td>
<td>$1,000,000</td>
<td>$1,000,000</td>
<td>0%</td>
</tr>
<tr>
<td>HIGHWAY IMPROVEMENTS</td>
<td>$66,264,261</td>
<td>$69,234,821</td>
<td>$69,234,821</td>
<td>4%</td>
</tr>
<tr>
<td>PUBLIC TRANSIT IMPROVEMENTS:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1% FOR SERVICES FOR SENIORS AND DISABLED</td>
<td>$662,643</td>
<td>692,348</td>
<td>$692,348</td>
<td>3%</td>
</tr>
<tr>
<td>MTDB PROJECTS &amp; SERVICES (72%):</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>80% FOR RAIL CAPITAL PROJECTS</td>
<td>37,742,730</td>
<td>39,434,699</td>
<td>39,434,699</td>
<td>4%</td>
</tr>
<tr>
<td>PASS PROGRAMS &amp; SERVICE IMPROVEMENTS</td>
<td>9,435,683</td>
<td>9,858,675</td>
<td>9,858,675</td>
<td>5%</td>
</tr>
<tr>
<td>TOTAL MTDB</td>
<td>47,178,413</td>
<td>49,293,374</td>
<td>49,293,374</td>
<td>4%</td>
</tr>
<tr>
<td>NCTD PROJECTS &amp; SERVICES (28%)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>80% FOR RAIL CAPITAL PROJECTS</td>
<td>14,738,564</td>
<td>15,399,280</td>
<td>15,399,280</td>
<td>7%</td>
</tr>
<tr>
<td>PASS PROGRAMS &amp; SERVICE IMPROVEMENTS</td>
<td>3,694,038</td>
<td>3,849,820</td>
<td>3,849,820</td>
<td>8%</td>
</tr>
<tr>
<td>TOTAL NCTD</td>
<td>18,423,206</td>
<td>19,249,099</td>
<td>19,249,099</td>
<td>4%</td>
</tr>
<tr>
<td>TOTAL PUBLIC TRANSIT IMPROVEMENTS</td>
<td>$66,264,261</td>
<td>$69,234,821</td>
<td>$69,234,821</td>
<td>4%</td>
</tr>
<tr>
<td>LOCAL STREET &amp; ROAD IMPROVEMENTS:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CARLSBAD</td>
<td>$2,111,523</td>
<td>2,206,181</td>
<td>$2,347,060</td>
<td>11%</td>
</tr>
<tr>
<td>CHULA VISTA</td>
<td>4,098,997</td>
<td>4,282,751</td>
<td>4,368,717</td>
<td>12%</td>
</tr>
<tr>
<td>CORONADO</td>
<td>562,903</td>
<td>588,137</td>
<td>581,572</td>
<td>13%</td>
</tr>
<tr>
<td>DEL MAR</td>
<td>187,316</td>
<td>195,713</td>
<td>193,857</td>
<td>14%</td>
</tr>
<tr>
<td>EL CAJON</td>
<td>2,053,036</td>
<td>2,145,071</td>
<td>2,116,586</td>
<td>15%</td>
</tr>
<tr>
<td>ENCINATAS</td>
<td>1,433,819</td>
<td>1,498,095</td>
<td>1,495,472</td>
<td>16%</td>
</tr>
<tr>
<td>ESCONDIDO</td>
<td>2,935,527</td>
<td>3,067,124</td>
<td>3,046,332</td>
<td>17%</td>
</tr>
<tr>
<td>IMPERIAL BEACH</td>
<td>587,444</td>
<td>613,778</td>
<td>602,343</td>
<td>18%</td>
</tr>
<tr>
<td>LA MESA</td>
<td>1,318,896</td>
<td>1,378,021</td>
<td>1,357,002</td>
<td>19%</td>
</tr>
<tr>
<td>LEMON GROVE</td>
<td>619,722</td>
<td>647,504</td>
<td>636,960</td>
<td>20%</td>
</tr>
<tr>
<td>NATIONAL CITY</td>
<td>1,215,978</td>
<td>1,270,489</td>
<td>1,273,921</td>
<td>21%</td>
</tr>
<tr>
<td>OCEANSIDE</td>
<td>3,677,893</td>
<td>3,842,769</td>
<td>3,849,456</td>
<td>22%</td>
</tr>
<tr>
<td>POWAY</td>
<td>1,246,797</td>
<td>1,302,689</td>
<td>1,287,768</td>
<td>23%</td>
</tr>
<tr>
<td>SAN DIEGO</td>
<td>28,858,568</td>
<td>28,062,611</td>
<td>28,047,026</td>
<td>24%</td>
</tr>
<tr>
<td>SAN MARCOS</td>
<td>1,351,037</td>
<td>1,411,603</td>
<td>1,488,549</td>
<td>25%</td>
</tr>
<tr>
<td>SANTÉE</td>
<td>1,202,914</td>
<td>1,258,839</td>
<td>1,246,227</td>
<td>26%</td>
</tr>
<tr>
<td>SOLANA BEACH</td>
<td>390,192</td>
<td>407,684</td>
<td>401,562</td>
<td>27%</td>
</tr>
<tr>
<td>VISTA</td>
<td>1,937,522</td>
<td>2,024,380</td>
<td>2,007,810</td>
<td>28%</td>
</tr>
<tr>
<td>COUNTY OF SAN DIEGO</td>
<td>12,474,175</td>
<td>13,033,380</td>
<td>12,884,599</td>
<td>29%</td>
</tr>
<tr>
<td>TOTAL LOCAL STREET &amp; ROAD IMPROVEMENTS</td>
<td>$66,264,261</td>
<td>$69,234,821</td>
<td>$69,234,821</td>
<td>4%</td>
</tr>
<tr>
<td>TOTAL PROGRAM ALLOCATIONS</td>
<td>$199,792,782</td>
<td>$208,704,464</td>
<td>$208,704,464</td>
<td>4%</td>
</tr>
</tbody>
</table>

### NOTES:

1. This table does not include interest earnings which are allocated to each agency based upon actual cash flow or revenue bond proceeds allocated for specific projects.
2. Transit allocations are 1% for services to seniors and disabled with the balance allocated by population to MTDB (72%) and NCTD (28%).
3. Local program funds are allocated as $50,000 to each jurisdiction and the balance allocated by a formula based on 2/3 population and 1/3 miles of local streets and roads. Final Budget is based on Dept. of Finance January 1, 2002 population estimates.

** Amended Final Budget based on January 1, 2003 population estimates provided by Department of Finance.
The attachments to the Agenda Item may be obtained by contacting SANDAG’s Public Information Office at (619) 595-5347.
Agenda Item #8 may be obtained by contacting SANDAG’s Public Information Office at (619) 595-5347.
REVIEW OF DRAFT BOARD AGENDA FOR JUNE 27, 2003

ITEM #

#1. MINUTES OF THE MAY 23, 2003 BOARD MEETING

#2. ADDITIONS AND DELETIONS

CONSENT ITEMS (3 through ----)
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.

#3. SUMMARY OF JUNE 13, 2003 POLICY DEVELOPMENT BOARD MEETING

#4. DISCUSSIONS AND ACTIONS FROM POLICY ADVISORY COMMITTEES

   A. EXECUTIVE COMMITTEE MEETING (June 13, 2003)

   B. TRANSPORTATION COMMITTEE MEETING (June 20, 2003) (This report will be faxed to all Board members by Tuesday, June 24, 2003)

   C. REGIONAL PLANNING COMMITTEE MEETING (June 6, 2003)

   D. BORDERS COMMITTEE MEETING (June 20, 2003) (This report will be faxed to all Board members by Tuesday, June 24, 2003)

#5. LOCAL TECHNICAL ASSISTANCE (LTA) PROJECTS REQUIRING MORE THAN $1,000 OR THREE DAYS STAFF TIME (Jeff Tayman)

#6. PROGRESS REPORT ON TRANSPORTATION PROJECTS (Jose Nuncio)

#7. TRANSIT SERVICE PLANNING POLICY FOR THE CONSOLIDATED AGENCY (Joe Kellejian, Chair, Transportation Committee; Kim Kawada, SANDAG Staff)

#8. FY 2004 TRANSPORTATION DEVELOPMENT ACT (TDA) ALLOCATIONS (Joe Kellejian, Chair, Transportation Committee; Sookyung Kim, SANDAG Staff) (Pending Transportation Committee Recommendation)
#9. SUBSEQUENT TRANSITION PLAN FOR CONSOLIDATION (SB 1703)  
(Joe Kellejian, Chair, Transportation Committee; Tom Larwin, SANDAG Staff) (Pending Transportation Committee Recommendation)

#10. FY 2004 WEIGHTED VOTING FORMULA (Leslie Campbell)

11. NEW AND UPDATED GENERAL BOARD POLICIES OF THE CONSOLIDATED AGENCY (Julie Wiley)

#12. AMENDMENT TO THE SOURCEPOINT BYLAWS (Marney Cox)

13. PUBLIC COMMENTS/COMMUNICATIONS

14. Members of the public shall have the opportunity to address the Board on any issue within the jurisdiction of SANDAG. Anyone desiring to speak shall reserve time by filing a written request with the Clerk of the Board prior to speaking. Public speakers should notify the Clerk of the Board if they have a handout for distribution to Board members. Speakers are limited to three minutes.

CHAIR’S REPORT

15. RECOGNITION OF BOB PARROTT

#16. ELECTION OF BOARD OFFICERS: REPORT OF THE NOMINATING COMMITTEE (Mayor Lori Holt Pfeiler)

17. LEGISLATIVE UPDATE: AB 361 (KEHOE) – REGIONAL COMPREHENSIVE PLAN (Mayor Mickey Cafagna)

18. SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG)/SANDAG JOINT INFORMATION MEETING

19. REPORTS

#20. PUBLIC HEARING: ORDINANCE CO-03-2 AMENDING ORDINANCE CO-87-1 (SAN DIEGO TRANSPORTATION IMPROVEMENT PROGRAM ORDINANCE AND EXPENDITURE PLAN) REVISING THE EXPENDITURE OF TRANSIT FUNDS TO PROVIDE ADDITIONAL FLEXIBILITY FOR TRANSIT OPERATING PURPOSES (2ND READING) (Joe Kellejian, Chair, Transportation Committee; Craig Scott, SANDAG Staff)
21. ANNUAL UPDATE ON THE ACTIVITIES OF THE CRIMINAL JUSTICE RESEARCH DIVISION AND CLEARINGHOUSE (Cynthia Burke)

22. STATUS REPORT ON CONTENT OF SECOND ROUND OF RCP WORKSHOPS (Lori Holt Pfeiler, Chair, SANDAG’s Regional Planning Committee; Carolina Gregor, SANDAG Staff)

#23. QUANTIFICATION SETTLEMENT AGREEMENT (QSA – WATER TRANSFER) (Mayor Bud Lewis, CWA Representative to SANDAG; Shelby Tucker, SANDAG Staff)

ADJOURNMENT

GARY L. GALLEGOS
Executive Director

Note: The July Policy Board Meeting has been canceled and Board Members are encouraged to participate in the COBRO Conference.

# Items are on the agenda based upon Board policy, based on previous requests by the Board, recommendations from Policy Committees, or because of program requirements.