SANDAG
Selection Committee for the
TransNet Independent Taxpayer
Oversight Committee

Friday, January 29, 2021
1 to 2 p.m.
**Teleconference Meeting**

Agenda Highlights

- TransNet Independent Taxpayer Oversight Committee: Appointment of Members

MEETING ANNOUNCEMENT AMIDST COVID-19 PANDEMIC:
The Selection Committee for the TransNet Independent Taxpayer Oversight Committee meeting scheduled for Friday, January 29, 2021, will be conducted virtually in accordance with Governor Newsom’s State of Emergency declaration regarding the COVID-19 outbreak, Executive Order N-29-20, and the Guidance for Gatherings issued by the California Department of Public Health. Committee Members will primarily participate in the meeting virtually, while practicing social distancing, from individual remote locations.

There are a few options for public participation:

- Submit comments via email to clerk@sandag.org
- To participate via Zoom webinar, click the link: zoom.us/j/91514020235
  Webinar ID: 915 1402 0235
- To participate via Telephone, dial a number based on your current location:
  +1 (312) 626-6799; or +1 (929) 205-6099
  International numbers are available: zoom.us/u/ad2ihnXV6d

SANDAG is relying on commercial technology to broadcast the meeting via Zoom. With the recent increase of virtual meetings, platforms such as Zoom are working to scale their systems to meet the new demand. If we experience technical difficulty or you are unexpectedly disconnected from the broadcast, please close and reopen your browser and click the link to rejoin the meeting. SANDAG staff will take all possible measures to ensure a publicly accessible experience.

Public Comments: Persons who wish to address the members on an item to be considered at this meeting, or on non-agendized issues, may email comments to the Clerk at clerk@sandag.org (please reference: “January 29 ITOC Selection Committee Meeting” in your subject line and identify the item number(s) to which your comments pertain). Comments received by 4 p.m. on Thursday, January 28 will be provided to members prior to the meeting. If you desire to provide a live verbal comment during the meeting, please join the Zoom meeting either by computer or phone. At the time for public comments, members of the public will be advised to “Raise Hand” if they wish to provide comments. The “Raise Hand” feature can be found on the Zoom toolbar for those who are joining via computer or by entering *9 for those who are joining via telephone only. The Clerk will call on members of the public by name for those joining via a computer and by the last three digits of the telephone number for those joining via telephone. All comments received prior to the close of the meeting will be made part of the meeting record.
Welcome to SANDAG. Members of the public may speak to the ITOC on any item at the time the ITOC is considering the item. Public speakers are limited to three minutes or less per person. The ITOC may only take action on any item appearing on the agenda.

In order to keep the public informed in an efficient manner and facilitate public participation, SANDAG also provides access to all agenda and meeting materials online at sandag.org/meetings. Additionally, interested persons can sign up for email notifications at sandag.org/subscribe.

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如有需要，我们可以把SANDAG议程材料翻译成其他语言。
请在会议前至少72小时打电话(619) 699-1900提出请求。

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Open your browser and go to https://www.streamtext.net/player?event=SANDAG-ITOC

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; plans, engineers, and builds public transit; 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) 699-1900 · Fax (619) 699-1905 · sandag.org
Selection Committee for the
TransNet Independent Taxpayer Oversight Committee
Friday, January 29, 2021

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Action</th>
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</table>
| 1.       | Selection of Chair  
The Selection Committee should select a chairperson for purposes of conducting the meeting. |
| 2.       | Approve  
Estimated Start Time: 1 p.m. |
| +2.      | TransNet Independent Taxpayer Oversight Committee: Overview  
Julie Barajas, SANDAG  
An overview of the TransNet Independent Taxpayer Oversight Committee (ITOC) and its responsibilities will be presented. |
| 3.       | Information  
Estimated Start Time: 1:10 p.m. |
| +3.      | TransNet Independent Taxpayer Oversight Committee: Appointment of Members  
Julie Barajas, SANDAG  
The Selection Committee for the ITOC is asked to consider the appointment of one ITOC member in the Real Estate/Right-of-Way category to fill the current mid-term vacancy and serve through May 2024 (the expiration date of the mid-term vacancy). |
| 4.       | Appoint  
Estimated Start Time: 1:15 p.m. |
| 5.       | Public Comments/Communications/Member Comments  
Public comments under this agenda item will be limited to five public speakers. Members of the public shall have the opportunity to address the ITOC on any issue within the jurisdiction of SANDAG that is not on this agenda. |
|          | Estimated Start Time: 1:55 p.m. |
| 5.       | Adjournment |

+ next to an item indicates an attachment
Selection Committee for the TransNet Independent Taxpayer Oversight Committee

January 29, 2021

TransNet Independent Taxpayer Oversight Committee: Overview

In accordance with the TransNet Extension Ordinance (Ordinance), an Independent Taxpayer Oversight Committee (ITOC) was established to provide an enhanced level of accountability for expenditures made under the Expenditure Plan. The ITOC functions in an independent, open, and transparent manner to ensure all voter mandates are carried out as required in the Ordinance and develop constructive recommendations for improvements to the financial integrity and performance of the TransNet program.

Key Considerations

The ITOC membership consists of seven voting members, each of whom represents a specified area of expertise intended to provide the skills and experience necessary for ITOC to carry out its responsibilities. The ITOC has ten primary responsibilities, as outlined in the Ordinance, including conducting both annual fiscal and compliance audits and triennial performance audits of the TransNet program. The ITOC also prepares an annual ITOC report including the results of its audit process in the form of findings and/or recommendations. The most recent annual report, the FY 2020 ITOC Annual Report, was presented to the Board of Directors in July 2020. Additional information regarding ITOC responsibilities and membership is included in Attachment 1.

José Nuncio, TransNet Department Director

Key Staff Contacts:  Ariana zur Nieden, (619) 619-699-6961, ariananzurnieden@sandag.org
                       Julie Barajas, (619) 595-5386, julie.barajas@sandag.com

Attachment: 1. ITOC Overview and Current Membership
## Current Membership on the *TransNet* Independent Taxpayer Oversight Committee

### Terms Expiring May 2021

<table>
<thead>
<tr>
<th>Name</th>
<th>Position Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brad Barnum</td>
<td>Brad is serving in the ITOC position for a professional with experience in the management of large-scale construction projects. He has over 20 years of experience in various aspects of the construction industry, including bidding practices, specifications content, project delivery methods, payment schedules, inspector methods, change order procedures, contracts, safety, and labor compliance. Brad is the Executive Vice President for the Associated General Contractors of America, San Diego Chapter, Inc. He is a Torrey Hills resident working in Sorrento Valley.</td>
</tr>
<tr>
<td>Sunnie House,</td>
<td>Sunnie is serving in the ITOC position for a chief executive officer or person in a similar senior-level decision-making position of a major private-sector employer with demonstrated experience in leading a large organization. As an executive in operations and business development for large global infrastructure consulting firms for more than 23 years, she led diverse teams of professionals in areas of transportation planning, engineering, and program and construction management. Sunnie owns a consulting firm providing management and leadership optimization solutions to public and private organizations to support their growth and success. Sunnie lives and works in Rancho Bernardo area of San Diego.</td>
</tr>
</tbody>
</table>

### Term Expiring May 2022

<table>
<thead>
<tr>
<th>Name</th>
<th>Position Details</th>
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<tbody>
<tr>
<td>Michael Kenney</td>
<td>Michael is serving in the ITOC position for a licensed architect or civil/traffic engineer with experience in transportation and/or urban design. Michael is a Civil and Traffic Engineer with more than 28 years of experience. He has worked for both private and public entities and has served as City Traffic Engineer for several cities. Michael lives in the Rolando neighborhood of San Diego.</td>
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</tbody>
</table>

### Terms Expiring May 2023

<table>
<thead>
<tr>
<th>Name</th>
<th>Position Details</th>
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<tbody>
<tr>
<td>Dustin Fuller</td>
<td>Dustin is serving in the ITOC position for a professional in biology or environmental science with demonstrated experience in environmental regulations and major project mitigation requirements and/or habitat acquisition and management. He is a Supervising Environmental Planner with the 22nd District Agricultural Association. Dustin has more than 20 years of experience in the environmental planning field, including coordination with resource agencies, preparation of environmental documents, and permit processing. He currently serves on the San Dieguito River Park JPA Board of Directors (Ex-Officio), is a member of the LOSSAN San Diego Regional Coast Corridor Working Group, and a member of the Association of Environmental Professionals. Dustin is an Oceanside resident working in Del Mar.</td>
</tr>
</tbody>
</table>
Stewart Halpern  
Stewart is serving in the ITOC position for a professional in the field of municipal/public finance and/or budgeting with a minimum of ten years in a relevant and senior decision-making position in the public or private sector. He has over 30 years of experience in various aspects of financial decision-making, managing external auditors, budgeting, and financial analysis. Stewart has served as a senior financial executive for major Wall Street firms with his extensive experience including tax-exempt entity budget analysis and financing. He currently serves as a member of the Board of Directors of four local not-for-profit organizations and as a member of the Audit Committees of the City of San Diego and of SANDAG. Stewart lives and works in the Pacific Beach area of San Diego.

Terms Expiring May 2024

Les Hopper  
Les is serving in the ITOC position for a licensed engineer with appropriate credentials in the field of transportation project design or construction and a minimum of ten years of experience in a relevant and senior decision-making position in the government or private sector. Les is a Principal at Rick Engineering Company and leads the Transportation Infrastructure Practice. He has 40 years of hands-on experience in the management, planning, permitting, and design of both public and private projects from inception through construction. He has a Master’s of Business Administration from Chapman University and currently holds board positions on the local WTS and ACEC chapters. He is a past president of the San Diego Transportation Development Agency and of the Society of American Value Engineers. Les enjoys living in North County and works in Mission Valley.

Jeff Schneider1  
Jeff is serving in the ITOC position for a professional experienced in real estate and land economics. With graduate degrees from Stanford, Harvard, and Fielding, Jeff has been a real estate lawyer, real estate executive, real estate professor, real estate broker, real estate lender, and real estate investor and operator. He retooled and now helps individuals and organizations with their growth and development goals and commits much of his time to public service. Jeff lives and works in the downtown area of San Diego.

1 At the time this report was written, a solicitation for the right of way category was underway to replace the seat currently filled by Jeff Schneider due to his resignation.
**TransNet Independent Taxpayer Oversight Committee: Appointment of Members**

**Overview**

The membership of the ITOC consists of seven voting members, each of whom represents a specified area of expertise. The term for the Real Estate/Right-of-Way position will become vacant at the end of January 2021.

**Key Considerations**

The ITOC selection process consists of two steps:

1. Review by a Technical Screening Committee, which is responsible for reviewing applications received from interested individuals and recommending two candidates for each open position
2. Approval by a Selection Committee that is responsible for selecting the ITOC member from the list of qualified candidates recommended by the Technical Screening Committee

Consistent with the TransNet Extension Ordinance, the Technical Screening Committee reviewed all applications received. The Technical Screening Committee’s recommendation memo and applications for each recommended candidate are included as Attachment 1. Additional information regarding the selection process is included in Attachment 2.

The candidates recommended for consideration by the Technical Screening Committee have been notified of the January 29, 2021, Selection Committee meeting and are anticipated to participate in the meeting.

**Selection Process**

In early summer 2020, six applications for the vacant position were received from individuals interested in serving on the ITOC through an open, publicly noticed solicitation process. Jeffrey Schneider was appointed by the Selection Committee on August 17, 2020, to serve in the Real Estate/Right-of-Way position. Subsequently, Mr. Schneider informed staff of plans to move out of state. Given the recency of the original application period and the number of well-qualified applications received, the ITOC approved the use of the most recent ITOC applicant pool such that readvertisement of the vacant position would not be necessary. This process saved both staff time and money in readvertising the position and allowed the Technical Screening Committee to revisit the original applications received to advance two new candidates for Selection Committee consideration.¹

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¹ Subsequent to Mr. Schneider’s resignation, staff contacted each applicant to determine their willingness to be reconsidered. One applicant declined the invitation to be reconsidered. The remaining four applications were considered by the Technical Screening Committee. Consistent with Ordinance provisions, two applications were advanced for Selection Committee consideration.
Next Steps

Following the Selection Committee’s consideration of applications, all applicants will be notified of the final selection results. The successful candidate in the Real estate/Right-of-Way category will begin serving in February 2021. Should the Selection Committee be unable to reach agreement on a candidate from the qualified candidates recommended by the Technical Screening Committee, the Selection Committee will request that the Technical Screening Committee recommend two additional qualified candidates for consideration, and the same selection process outlined above for new members will be initiated.

José Nuncio, TransNet Department Director

Key Staff Contacts: Ariana zur Nieden, (619) 699-6961, arianazurnieden@sandag.org
Julie Barajas, (619) 595-5386, julie.barajas@sandag.org

Attachments:
1. Technical Screening Committee Recommendation Memo Including Candidate Applications
2. Discussion Memo
December 21, 2020

TO: Selection Committee for the TransNet Independent Taxpayer Oversight Committee (ITOC)

FROM: Technical Screening Committee

SUBJECT: Recommendation of ITOC Candidates

As required by the TransNet Extension Ordinance, a Technical Screening Committee composed of the following members was formed to provide recommendations to the Selection Committee regarding candidates for ITOC:

- Kome Ajise, Executive Director, Southern California Association of Governments
- Mark Baza, Executive Director, Imperial County Transportation Commission
- Wm. Joel King, Assistant Vice Chancellor, Campus Architect, UC San Diego

Request for Appointment

Consistent with the Extension Ordinance, the Technical Screening Committee met via telephone conference call on December 11, 2020, to discuss candidate applications.

A slight variation in the screening process was approved by the ITOC at its regular meeting on November 4, 2020, to allow for consideration of the most recently submitted applications (July 2020) for the right-of-way position. In May, six applications were received for the right-of-way position. One member was appointed by the Selection Committee in July and has resigned, and another applicant is no longer interested in serving. Therefore, a total of four applications were reviewed for the current vacancy in the following category:

A professional with experience in real estate, land economics, and/or right-of-way acquisition

The Technical Screening Committee commented on the well qualified applications received from all candidates. In its review, the Technical Committee considered factors such as the applicant’s quality of the responses to the questions in the application, the depth of experience of each applicant, the level of demonstrated understanding of the role of ITOC, and the type of skills that the applicant would bring to ITOC.

The Technical Screening Committee recommends two candidates for the real estate, land economics, and/or right-of-way acquisition category be advanced for consideration by the Selection Committee based on their qualifications.

The candidates for the real estate, land economics, and/or right-of-way acquisition position are:
Jonathan Frankel – Technical Screening Committee members considered Mr. Frankel's experience in real estate development, land acquisitions, land use law, economic policy, housing policy and Right-of-Way. Mr. Frankel has also served as the liaison to Metropolitan Transportation Committee/Association of Bay Area Governments, MTC/ABAG, as a California state senate aide, for the Office of the San Diego City Attorney and a previous law clerk for the SANDAG Office of General Counsel. Mr. Frankel has participated as chair of the Mission Valley Planning Group and as a member of both the Building Industry Association and Urban Land Institute. Mr. Frankel's education includes a juris doctorate of law and a BA in political science from Indiana University, Bloomington.

Tony Pauker – Technical Screening Committee members considered Mr. Pauker's experience in the real estate consulting, financial feasibility, and redevelopment fields over the past 30 years. Mr. Pauker also participates as a member of the American Institute of Certified Planners, AICP, boy scouts, Urban Land Institute and Building Industry Association. Mr. Pauker’s education includes a Master of Business Administration and master’s degree in planning.

Conflicts of Interest Review

Technical Screening Committee members noted applicant’s affiliations with business entities that may present potential conflicts of interest should they be appointed. Based on SANDAG Board Policy, as well as guidance from SANDAG’s Office of General Counsel (OGC), staff noted that the possibility of a potential conflict of interest does not automatically require disqualification of an applicant.
Independent Taxpayer Oversight Committee

Applicants Requesting Appointment
Applicant name: Frankel, Jonathan

Position applied for: A professional in real estate, land economics, and/or right-of-way acquisition
APPLICATION TO SERVE ON THE INDEPENDENT TAXPAYER OVERSIGHT COMMITTEE

(Sandag Request for Appointment to the Independent Taxpayer Oversight Committee May 2020)

Application submission

To submit your application, please complete and submit the following information to the office listed below no later than July 1, 2020:

1. All eight pages of the completed and signed application form;
2. A copy of your resume
3. A completed and signed Statement of Economic Interests (Form 700), and
4. Any additional information you believe relevant to your application.

SANDAG
Attn: Ariana zur Nieden
401 B Street, Suite 800
San Diego, CA 92101

If submitted by email: ariana.zurnieden@sandag.org
(with a subject line of “SANDAG Independent Taxpayer Oversight Committee”)

Your application is deemed submitted when you receive an acknowledgement from SANDAG.

If you need additional space to answer any of the following questions, please provide the information in an attachment.

Section A – General information

<table>
<thead>
<tr>
<th>Title</th>
<th>Mr.</th>
<th>Ms.</th>
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<tbody>
<tr>
<td>Name (last, first, middle)</td>
<td>Jonathan Frankel</td>
<td></td>
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<tr>
<td>Email address</td>
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<tr>
<td>Primary telephone number</td>
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<td>Current address (number, street, city, state, ZIP code)</td>
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<tr>
<td>How did you hear about the open position?</td>
<td>Referral via current board member Stewart Halpern.</td>
<td></td>
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</table>
Section B – Licenses or certifications relevant to the position

Please list the type of license or certificate, issuing state/entity, license number, date of issue/expiration date:

State Bar of California #306417

Section C – Education (college/university or other education history)

Please list the school, degree, major, year earned:

Juris Doctor, University of San Diego School of Law (2015)
BA, Political Science, Indiana University, Bloomington (2008)

Section D – Civic/community/volunteer experience over past five years

Please list the organization name, city/state, activity/type of work, dates (from/to):

Chair, Mission Valley Planning Group (2018-Present)

Section E – Professional/other relevant organizations over past five years

Please list the organization name, city/state, activity/type of work, dates (from/to):

Member, Building Industry Association of San Diego (2015-Present)
Member, Urban Land Institute, San Diego/Tijuana Chapter (2015-2019)

Section F – Three references familiar with your qualifications for this appointment

Please list the reference name, your association with reference, reference telephone number:

Heather Riley, Partner, Allen Matkins (worked together on various development projects)
Marcela Escobar-Eck, Managing Principal, Atlantis Group Land Use Consultants (Worked together on various development projects)
Cary Lowe, Land use attorney & mediator (friend and mentor)
Section G – Vacancy available

The following Independent Taxpayer Oversight Committee position(s), shown in BOLD, is/are VACANT. Briefly describe the nature of your experience as related to that category, including the number of years of experience you have in that area.

☐ A licensed engineer with appropriate credentials in the field of transportation project design or construction and a minimum of ten years’ experience in a relevant and senior decision-making position in the government or private sector.

☐ A chief executive officer or person in a similar senior-level decision-making position of a major private sector employer with demonstrated experience in leading a large organization.

☐ A professional with demonstrated experience of ten years or more in real estate, land economics, and/or right-of-way acquisition.

I have over 10 years of experience in real estate development, land acquisitions, land use law, economic policy and housing policy, including experience with right-of-way acquisition, construction, and condemnation actions. I currently serve as Vice President for a local real estate development firm where I am responsible for managing projects exceeding $200 million in total value across four southern California Counties. Locally, our firm has built or planned over 3,000 housing units in five San Diego County jurisdictions.
Section G – Vacancy available (continued)

The following Independent Taxpayer Oversight Committee position(s), shown in **BOLD**, is/are vacant. Briefly describe the nature of your experience as related to that category, including the number of years of experience you have in that area.

☐ A professional with demonstrated experience of ten years or more in the management of large-scale construction projects.

☐ A professional in the field of municipal/public finance and/or budgeting with a minimum of ten years in a relevant and senior decision-making position in the public or private sector.

☐ A licensed architect, civil engineer, or traffic engineer with demonstrated experience of ten years or more in the fields of transportation and/or urban design in government or the private sector.
Section G – Vacancy available (continued)

The following Independent Taxpayer Oversight Committee position(s), shown in **BOLD**, is/are vacant. Briefly describe the nature of your experience as related to that category, including the number of years of experience you have in that area.

☐ A professional in biology or environmental science with demonstrated experience of ten years or more with environmental regulations and major project mitigation requirements and/or habitat acquisition and management.
Section H – About yourself, as related to the job position

Please respond as concisely as possible. Applications will not be judged on length of response.

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

The TransNet program is critically important to the economic future of our region. Bringing my expertise to bear to assist in the efficient and effective implementation of this program provides a wonderful opportunity to serve my community and support ongoing public investment in vitally important infrastructure projects that advance San Diego.

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

In my current position as Vice President at New Urban West, I am responsible for the management of large teams of professionals across a wide variety of fields. This provides the opportunity to gain insight and expertise into every facet of real estate development including acquisition, entitlement, construction, and contracting amongst other areas. In addition to experience in the private sector, I have worked at all levels of government. I previously served as an aide in the California State Senate, providing support to the then Chair of the Housing and Transportation committee. During this time, I served as liaison to the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG). This role allowed me to understand municipal finance, MPO structure and governance, and transportation policy matters. I previously served as a law clerk in the office of SANDAG General Counsel and had the opportunity to work on right-of-way acquisition issues related to the mid-coast trolley extension. I believe this diverse mix of experience will allow me to effectively serve the ITOC.

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

I hope to provide valuable insight and support in the implementation of the TransNet program through thoughtful and careful review of ongoing projects and collaboration with staff and fellow board members. I will seek to faithfully represent taxpayers in ensuring projects are delivered in accordance with the objectives of the program and authorizing ballot measure.
Section I – Affiliations

To the best of your knowledge, have you currently, or have you ever been, affiliated (as a director, officer, partner, trustee, employee, owner, advisor, or consultant) with any institution, organization, or business entity that might present an actual, potential, or apparent conflict of interest should you be appointed? An example would include, but not be limited to, a contract with SANDAG.

☐ Yes (If “Yes”, please explain below)  ☑ No

Section J – Financial holdings and property

To the best of your knowledge, do you have financial holdings in or receive income from any source or own real property or personal property that might present an actual, potential, or apparent conflict of interest should you be appointed?

☐ Yes (If “Yes”, please explain below)  ☑ No
Applicant certifies

All statements in this application are true and correct to the best of my knowledge and belief. I understand that false or misleading answers are cause for rejection of this application.

By submitting my application to SANDAG, I authorize employers, schools, law enforcement agencies, and other individuals and organizations named in this application to provide candid and full information regarding my work record, job performance, volunteer work or service as a public official, character, ability, and fitness to authorized employees of SANDAG. I understand that the information may be positive, negative, confidential, and/or privileged in nature and may be used by SANDAG in any phase of the application process. I release current and previous employers, schools, law enforcement agencies, individuals, organizations, and SANDAG and its employees/representatives from any liability and/or damages that may result from the release, receipt, or use of requested information.

By checking the “I agree” box below, I hereby certify that I have read and understood the instructions, conditions, and other information provided in this document.

I agree ✓  Signature (please type name)  Date

| Jonathan Frankel | 7/1/20 |

Please feel free to provide additional information or letters of endorsement.

Thank you for your interest in serving on the SANDAG Independent Taxpayer Oversight Committee.
Jonathan P. Frankel

Experience

Vice President, Forward Planning
Director, Forward Planning

• Manage acquisition and entitlement of residential units in single family, multi-family, mixed use and affordable residential communities throughout San Diego, Los Angeles and Ventura Counties
• Process all applications associated with complex residential subdivision maps including completion of environmental review, processing of final engineering, rezoning and resource agency permits
• Manage consultant team to ensure CEQA compliance and address issues related to land use, traffic, biological resources, fire protection, hazardous materials, water quality, hydrology, geotechnical feasibility, archaeology, and civil engineering
• Negotiate project conditions of approval and review findings for all entitlements
• Conduct planning and zoning analysis for acquisitions team including negotiation of purchase and sale agreements, joint ventures, option agreements and review of title reports
• Attend public hearings and present projects to local stakeholders, community leaders, and elected officials

Office of the City Attorney, San Diego, California 1/14 – 5/14
Real Property and Land Use Advisory Division

• Research and prepare legal opinions for use by planning commission and city council on issues related to land use, zoning, environmental law, and real property transactions
• Assist staff in review of applications for development permits and various entitlements
• Staff Historic Resources Board and review applications for historic designation
• Review creation of public facilities financing plans and infrastructure finance districts

San Diego Association of Governments, San Diego, California 4/13 – 12/13
Office of General Counsel

• Draft memoranda for Board of Directors concerning public records act compliance, eminent domain procedure, internal governance, and public contracting
• Negotiate with local property owners during condemnation proceedings associated with mid-coast trolley extension and other major regional transportation projects
• Manage and respond to California Public Records Act requests
• Review board and committee agendas, minutes pursuant to Brown Act

California State Senate, Walnut Creek, California 9/10 – 8/12
Senator Mark DeSaulnier
• Provide analysis and consult with local stakeholders on legislation related to land use, housing, and transportation
• Serve as liaison to regional planning and transportation agencies including Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG)
• Create district foreclosure prevention counseling center and negotiate loan workouts with major national mortgage servicers
• Monitor economic development initiatives and provide analysis on redevelopment agencies, enterprise zones, and infrastructure financing districts

**Merrill Strategy Group**, Berkeley, California  5/09 – 7/10

*Political Consultant*

• Create outreach and communications strategy for federal, state and local candidates for elected office including direct mail, television, canvassing, and GOTV efforts
• Develop political strategy and outreach for local land use ballot initiative supporting a general plan amendment to allow for the construction of a major regional shopping mall
• Assist in candidate fundraising activities, travel, and securing of endorsements
• Attend public forums and media availability with candidates

**Education**

**University of San Diego School of Law**, San Diego, California

Juris Doctor

Honors:  *cum laude* (top 20% of graduates)

Dean’s Scholarship for Academic Excellence

Activities:  Member, National Mock Trial Team

Member, Real Estate & Land Use Society

**Indiana University**, Bloomington, Indiana

Bachelor of Arts, Political Science

Honors:  Dean’s list (3.75 GPA)

Pi Sigma Alpha, National Political Science Honors Society

**Professional Activities**

Chair, Mission Valley Planning Group

Member, Building Industry Association

Member, Urban Land Institute

**Personal**

Interests include volunteering to distribute food to insecure families, hiking, history, following political news and exploring the local culinary scene.
Applicant name: Pauker, Anthony "Tony", John Henry

Position applied for: A professional in real estate, land economics, and/or right-of-way acquisition
APPLICATION TO SERVE ON THE
INDEPENDENT TAXPAYER OVERSIGHT
COMMITTEE

(This is a fill-in PDF form)

Application submission

To submit your application, please complete and submit the following information to the office listed below no later than July 1, 2020:

1. All eight pages of the completed and signed application form;
2. A copy of your resume
3. A completed and signed Statement of Economic Interests (Form 700), and
4. Any additional information you believe relevant to your application.

SANDAG
Attn: Ariana zur Nieden
401 B Street, Suite 800
San Diego, CA 92101

If submitted by email: ariana.zurnieden@sandag.org
(with a subject line of “SANDAG Independent Taxpayer Oversight Committee”)

Your application is deemed submitted when you receive an acknowledgement from SANDAG.

If you need additional space to answer any of the following questions, please provide the information in an attachment.

Section A – General information

Title: □ Mr. □ Ms.
Name (last, first, middle): Pauker, Anthony "tony", John Henry
Email address:
Primary telephone number
Number: □ Specify type: □ Mobile □ Work □ Home
Alternative telephone number (optional):
Number: □ Specify type: □ Mobile □ Work □ Home
Current address (number, street, city, state, ZIP code):
How did you hear about the open position?
Email from SANDAG
Section B – Licenses or certifications relevant to the position

Please list the type of license or certificate, issuing state/entity, license number, date of issue/expiration date:

California Real Estate Broker lic.# 01146656, expires 09/21/2024

California Class B General lic.# 893087, expires 04/30/2020

American Institute of Certified Planners (AICP), not active

Section C – Education (college/university or other education history)

Please list the school, degree, major, year earned:

UCLA, BA Geography 1988
USC Marshall School of Business, MBA, 1990
USC, Master is Urban and Regional Planning, 1990

Section D – Civic/community/volunteer experience over past five years

Please list the organization name, city/state, activity/type of work, dates (from/to):

Boy Scout Troop and Pack 4, La Jolla, CA. Troop Board, 2010-2016

Section E – Professional/other relevant organizations over past five years

Please list the organization name, city/state, activity/type of work, dates (from/to):

Urban Land Institute San Diego/Tijuana District Council, Board Member, 1998 to Present.

Lambda Alpha Land Economics Society, Memenber, 2005 to Present

Building Industry Association, Board Member, 2017 to 2019

Section F – Three references familiar with your qualifications for this appointment

Please list the reference name, your association with reference, reference telephone number:

Gary London, friend and industry colleague, [redacted]
Beth Callender, ULI, [redacted]
Scott Darnell, industry friend, [redacted]
Section G – Vacancy available

The following Independent Taxpayer Oversight Committee position(s), shown in **BOLD**, is/are VACANT.
Briefly describe the nature of your experience as related to that category, including the number of years of experience you have in that area.

☐ **A licensed engineer with appropriate credentials in the field of transportation project design or construction and a minimum of ten years' experience in a relevant and senior decision-making position in the government or private sector.**

☐ **A chief executive officer or person in a similar senior-level decision-making position of a major private sector employer with demonstrated experience in leading a large organization.**

☑ **A professional with demonstrated experience of ten years or more in real estate, land economics, and/or right-of-way acquisition.**

I have an undergraduate degree from UCLA in geography and MBA and Masters in City Planning from USC. I have been a member and in leadership roles with ULI, LAI and BIA in San Diego for many years. I have been involved in the real estate industry for 30 years. The first seven were in real estate consulting related to financial and market feasibility, fiscal impact analysis, demographics, market studies and redevelopment. Since then I have been in commercial and residential development and investment. I have worked for both large and small private and large publicly traded companies. I have also done my own developments and investments. Through the course of this I have worked in all aspects of the industry. Through this I have a great depth of experience in public infrastructure, acquisitions, land valuation, development and transit. I look forward to using these skills on the Independent Taxpayer Oversight Committee where I can combined my academic background in planning with my on the ground real estate and business experiences.
Section G – Vacancy available (continued)

The following Independent Taxpayer Oversight Committee position(s), shown in BOLD, is/are vacant.
Briefly describe the nature of your experience as related to that category, including the number of years of experience you have in that area.

☐ A professional with demonstrated experience of ten years or more in the management of large-scale construction projects.

☐ A professional in the field of municipal/public finance and/or budgeting with a minimum of ten years in a relevant and senior decision-making position in the public or private sector.

☐ A licensed architect, civil engineer, or traffic engineer with demonstrated experience of ten years or more in the fields of transportation and/or urban design in government or the private sector.
Section G – Vacancy available (continued)

The following Independent Taxpayer Oversight Committee position(s), shown in BOLD, is/are vacant.
Briefly describe the nature of your experience as related to that category, including the number of years of experience you have in that area.

☐ A professional in biology or environmental science with demonstrated experience of ten years or more with environmental regulations and major project mitigation requirements and/or habitat acquisition and management.
Section H – About yourself, as related to the job position

Please respond as concisely as possible. Applications will not be judged on length of response.

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

I would like to serve on the ITOC because I believe the public and private sectors must be aligned when making multi-million and billion dollar investments on transit expenditures that will define our region for next century.

Our region is evolving. Over 97% of our county that is zoned for development has been developed. As we enter the second and third generation of redevelopment mobility is a key element of a healthy and productive region. Current and future residents – tax payers – will shoulder a heavy cost burden ensuring that we build the transit needed for our future vitality. It is incumbent that tax payers are part of these decisions.

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

My academic and professional skills are best summarized as 1) planning & urban design, 2) market feasibility, 3) finance & economics, and 4) public private partnerships. Since college I have studied these four areas, and these four sectors are the basis of my thirty year professional career.

Those skills and abilities are central to much of SANDAG’s work in our region. I am at a point in my personal and professional life where I would like to volunteer and use my background to help better our region. My goal is to bring these on the ground land use experience to the ITOC. I believe my background is well aligned to provide recommendations regarding the TransNet program.

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

I do not have a specific action item, program, or agenda I want to implement on the ITOC. I don’t have a crystal ball. Rather, I want to help ensure that the intent and integrity of the TransNet program is implemented. We voted for a half cent sales tax. Those funds should be used to implement the intent of the voters.

This is also a multi-decade tax. What were wise planning and mobility concepts in 1960 (pre TransNet) do not apply today. What is relevant twenty years from now may be different that our current actions. However, transit investments are extremely expensive long term decisions that must last well into the next century. Let’s make the best, most informed, prudent and long lasting decisions that represent the will of the voters as our region evolves.
Section I – Affiliations

To the best of your knowledge, have you currently, or have you ever been, affiliated (as a director, officer, partner, trustee, employee, owner, advisor, or consultant) with any institution, organization, or business entity that might present an actual, potential, or apparent conflict of interest should you be appointed? An example would include, but not be limited to, a contract with SANDAG.

☑ Yes (if “Yes”, please explain below)  ☐ No

I am employed by Brookfield Properties Development. My focus is residential and mixed use property. It is possible that a Brookfield property could be impacted by, or benefit from, actions of SANDAG. I am not aware of any properties that currently would be impacted by SANDAG. If such conflicts arise I would have to recuse myself from such involvement on activities related to that project.

Section J – Financial holdings and property

To the best of your knowledge, do you have financial holdings in or receive income from any source or own real property or personal property that might present an actual, potential, or apparent conflict of interest should you be appointed?

☐ Yes (if “Yes”, please explain below)  ☑ No
Applicant certifies

All statements in this application are true and correct to the best of my knowledge and belief. I understand that false or misleading answers are cause for rejection of this application.

By submitting my application to SANDAG, I authorize employers, schools, law enforcement agencies, and other individuals and organizations named in this application to provide candid and full information regarding my work record, job performance, volunteer work or service as a public official, character, ability, and fitness to authorized employees of SANDAG. I understand that the information may be positive, negative, confidential, and/or privileged in nature and may be used by SANDAG in any phase of the application process. I release current and previous employers, schools, law enforcement agencies, individuals, organizations, and SANDAG and its employees/representatives from any liability and/or damages that may result from the release, receipt, or use of requested information.

By checking the “I agree” box below, I hereby certify that I have read and understood the instructions, conditions, and other information provided in this document.

I agree ☑️

Signature (please type name)  Date

Anthony John Henry Pauker  06/29/2020

Please feel free to provide additional information or letters of endorsement.
Thank you for your interest in serving on the SANDAG Independent Taxpayer Oversight Committee.
OVERVIEW:

Proven track record in residential and retail development from site acquisition through sales and build out. Responsible for the profitable development and acquisition of over 3,000 for-sale attached and detached residential homes, over 500,000 square feet of retail development, and approximately 400 apartment units. Experience in the acquisition of operating apartments and acquisition/development of market rate and affordable rental housing.

EDUCATION:

University of Southern California, Los Angeles, California.
Master in Business Administration - Concentration in Real Estate Finance, 1990.

University of Southern California, Los Angeles, California.
Master in Urban and Regional Planning - Focus in Real Estate Development, 1990.

University of California at Los Angeles, Los Angeles, California.
Bachelor of Arts Urban Geography - Specialization in Business Administration, 1988.

PROFESSIONAL EXPERIENCE:

Brookfield Residential
Sr. Director Land & Housing - Acquisitions, 2016 - Present
- Responsible for all residential land acquisition in the southern California market. Notably a $62.5 million JV acquisition of a 200 home/400,000 sf mixed use center, and the purchase and redevelopment of major mall sites into residential housing
- Led housing team in the San Diego and SW Riverside market. Responsibility included approximately 1,000 homes in 12+ neighborhoods at any one time.
- Part of SoCal Leadership team.

ColRich
VP Acquisitions, 2013 - 2016
- Responsible for acquisition of for-sale and rental development opportunities in southern California.
- Responsible for processing entitlements on for sale and rental development.
- Coordinate equity investment in company development projects.
- Assist with debt financing.

City Ventures
VP of Development & Acquisition, 2009 - 2012
Responsible for site selection, entitlement and permit processing of for-sale single family and attached homes in San Diego and Orange County. Major achievements include:
- Started San Diego division.
- Assisted in set up of all systems and procedures for the company.
- Sourced and assisted in all facets of land acquisition.
- Entitled and permitted eight communities.
Acquisition, Disposition and Entitlement Consulting
On behalf of property owners led acquisition, disposition and entitlement of real estate assets in the southern
California region. Transactions include:
- For Strand Capital sold a 78-unit single family entitled, unimproved, parcel in Lemon Grove.
- For BRIDGE Housing acquired 250 unit multifamily properties in conjunction with City gap financing.
- For BRIDGE Housing assembling 20 parcels for a 120-unit affordable rental project in Lake Elsinore.
- Formed SaleHaus to provide sales services and sold six tracts in south Riverside for BofA and GMAC.
- Acquired rental apartments, homes, condominiums and apartment development sites for family account

The Olson Company, San Diego, CA
Served as the San Diego Regional President overseeing land acquisition, entitlements, design, construction, sales,
divisional finance and accounting, and customer service. Highlights include:
- Helped to start the San Diego division and hired all staff.
- Acquired, entitled and built out approximately 1,000 attached and detached units.
- Managed gross annual revenues in excess of $80 million.
- Consistently exceeded business plan (exceeded 2007 business plan by 53%).
- Achieved the highest satisfaction rating of over 250 divisions nationally based on Eliant survey.
- Managed all construction staff activities, including purchasing, field supervision, and contract
  administration/accounting.
- Hired and managed sales force.
- Overseas divisional finances and accounting.

Developers Diversified Realty (formerly DDR OliverMcMillan), San Diego, CA
Served as VP of Development for Queensway Bay, a 500,000 square foot, $150 million retail, restaurant, and
entertainment development project located in downtown Long Beach, California. Oversaw development-related
activities and due diligence with DDR’s acquisition of the Burnham Pacific portfolio.
- Negotiated Development Disposition Agreement (DDA) and ground leases.
- Oversaw design from conceptual plans, entitlements to construction documents.
- Led entitlement process, including discretionary approvals from City Planning, Planning Commission,
- Led negotiations for a $43 million Mello Roos bond that funded a 2,200-stall garage and site infrastructure.
- Coordinated leasing, lease documentation and review/approval of all tenants.

1991-1998
- Manager, Kotin Mouchly Group
- Senior Economist, Gruen + Associates

PROFESSIONAL AFFILIATIONS, CERTIFICATIONS, & OTHER:
- Building Industry Association, San Diego Board Member
- California Real Estate Broker (#01145656).
- California Class B General Contractor License (#893087)
- Chair, San Diego/Tijuana District Council of the Urban Land Institute 2006-2008 and FY2012/2012
- Mobile Workshop Chair, Urban Land Institute, National Spring Conference 2013
- MOVE San Diego Policy Advisory Committee
- American Institute of Certified Planners (AICP)
- Named “Metro Mover of 2008” by San Diego Metropolitan Magazine
- Instructor at Burnham Moore School of Real Estate at the University of California San Diego 2007 and 2008
- Boy Scout Troop 4 La Jolla Executive Committee
Discussion Memo

Background

In accordance with the TransNet Extension Ordinance, an Independent Taxpayer Oversight Committee (ITOC) was established to provide an enhanced level of accountability for expenditures made under the Expenditure Plan. The ITOC functions in an independent, open, and transparent manner to ensure all voter mandates are carried out as required in the Ordinance, and to develop constructive recommendations for improvements to the financial integrity and performance of the TransNet program.

The membership of the ITOC consists of seven voting members, each of whom represents a specified area of expertise. The term for the Real Estate/Right-of-Way position will become vacant at the end of January 2021.¹

Selection Process

The ITOC selection process consists of two steps pursuant to the TransNet Extension Ordinance. First, the Technical Screening Committee reviews applications and recommends candidates for each position. Second, the Selection Committee is asked to consider applications for each position based on recommendations provided by the Technical Screening Committee. For a member eligible to serve for an additional term, an application for reappointment to continue as a member of the ITOC must be submitted.

¹ The TransNet Extension Ordinance states that “ITOC members shall serve no more than eight years unless the member’s first term was less than four years, in which case the member may serve an additional two terms after the partial term. In no case, however, shall any member serve more than ten years on the ITOC.” ITOC member Jeffrey Schneider was initially appointed to fill a mid-term vacancy in August 2020 and has since submitted his resignation.

¹ The TransNet Extension Ordinance states that “ITOC members shall serve no more than eight years unless the member’s first term was less than four years, in which case the member may serve an additional two terms after the partial term. In no case, however, shall any member serve more than ten years on the ITOC.”
A mayor from the cities of Escondido, Poway, San Marcos, or Vista selected by the mayors of those cities.

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

Technical Screening Recommendations

Requests for Appointment

Following the original solicitation for the position, four applications were considered for the following publicly noticed ITOC positions:

A professional with demonstrated experience of ten years or more in real estate, land economics, and/or right-of-way acquisition

Consistent with the TransNet Extension Ordinance, the Technical Screening Committee reviewed all candidate applications received and recommends two candidates be advanced for consideration by the Selection Committee based on their qualifications.

The candidates for a professional experienced in real estate and land economics position are:

- Jonathan Frankel – Technical Screening Committee members considered Mr. Frankel’s experience in real estate development, land acquisitions, land use law, economic policy, housing policy and Right-of-Way. Mr. Frankel has also served as the liaison to Metropolitan Transportation Committee/Association of Bay Area Governments, MTC/ABAG, as a California state senate aide, for the Office of the San Diego City Attorney and a previous law clerk for the SANDAG Office of General Counsel. Mr. Frankel has participated as chair of the Mission Valley Planning Group and as a member of both the Building Industry Association and Urban Land Institute. Mr. Frankel’s education includes a juris doctorate of law and a Bachelor of Arts in political science from Indiana University, Bloomington.

- Tony Pauker – Technical Screening Committee members considered Mr. Pauker’s experience in the real estate consulting, financial feasibility, and redevelopment fields over the past 30 years. Mr. Pauker also participates as a member of the American Institute of Certified Planners, AICP, boy scouts, Urban Land Institute and Building Industry Association. Mr. Pauker’s education includes a Master of Business Administration and master’s degree in planning.

The Technical Screening Committee’s recommendation memo, along with the applications for the recommended candidates, are included as Attachment 1.

Conflicts of Interest Review

The SANDAG Office of General Counsel (OGC) conducted a conflicts of interest review based on both the ITOC application and required statement of economic interests provided by each applicant. While the OGC determined potential conflicts exist for Mr. Frankel and Mr. Pauker based on their current employment status, none would be precluded from serving as an ITOC member.

Should the Selection Committee not approve the requested appointments, the selection process for a new member would be initiated. A Technical Screening Committee would be established to review applications received from interested individuals and recommend qualified candidates for consideration by the Selection Committee.