Welcome to SANDAG. The Selection Committee for the TransNet Independent Taxpayer Oversight Committee (Selection Committee) meeting scheduled for Wednesday, May 25, 2022, will be a teleconferenced/hybrid meeting in accordance with the provisions of AB 361 and Resolution RTC-2022-11.

To participate via Zoom webinar, click the link to join the meeting: https://us06web.zoom.us/j/89203501240
Webinar ID: 892 0350 1240

To participate via phone, dial a number based on your current location in the US:
+1 (669) 900-6833 +1 (929) 205-6099
+1 (253) 215-8782 +1 (301) 715-8592
+1 (346) 248-7799 +1 (312) 626-6799
International numbers available: https://us06web.zoom.us/u/kcopKeYRgM

SANDAG relies on commercial technology to broadcast the meeting via Zoom. 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: Members of the public may speak to the Selection Committee on any item at the time the Selection Committee is considering the item. Public speakers are generally limited to three minutes or less per person.

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 clerkoftheboard@sandag.org (please reference Selection Committee meeting in your subject line and identify the item number(s) to which your comments pertain). Comments received by 4 p.m. the business day before the meeting will be provided to members prior to the meeting. All comments received prior to the close of the meeting will be made part of the meeting record.

If you desire to provide in-person verbal comment during the meeting, please fill out a speaker slip, which can be found in the lobby. If you have joined the Zoom meeting by computer or phone, please use the “Raise Hand” function to request to provide public comment. On a computer, the “Raise Hand” feature is on the Zoom toolbar. By phone, enter *9 to “Raise Hand” and *6 to unmute. Requests to provide live public comment must be made at the beginning of the relevant item, and no later than the end of any staff presentation on the item. The Clerk will call on members of the public who have timely requested to provide comment by name for those in person and joining via a computer, and by the last three digits of the phone number of those joining via telephone. Please note that any available chat feature on the Zoom meeting platform should be used by panelists and attendees solely for procedural or other “housekeeping” matters as comments provided via the chat feature will not be retained as part of the meeting record. All comments to be provided for the record must be made in writing via email or speaker slip, or verbally per the instructions above.

In order to keep the public informed in an efficient manner and facilitate public participation, SANDAG 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. A physical copy of this agenda may be viewed at the SANDAG Toll Operations Office, 1129 La Media Road, San Diego, CA 92154, at any time prior to the meeting.

To hear the verbatim discussion on any agenda item following the meeting, the audio/video recording of the meeting is accessible on the SANDAG website.
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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 the Clerk of the Board at clerkoftheboard@sandag.org or at (619) 699-1985, at least 72 hours in advance of the meeting. To request this document or related reports in an alternative format, please call (619) 699-1900 or (619) 699-1904 (TTY), or fax (619) 699-1905 at least 72 hours in advance of the meeting.

SANDAG agenda materials can be made available in alternative languages. To make a request, call (619) 699-1900 in advance of the meeting.

Vision Statement: Pursuing a brighter future for all

Mission Statement: We are the regional agency that connects people, places, and innovative ideas by implementing solutions with our unique and diverse communities.

Our Commitment to Equity: We hold ourselves accountable to the communities we serve. We acknowledge we have much to learn and much to change; and we firmly uphold equity and inclusion for every person in the San Diego region. This includes historically underserved, systemically marginalized groups impacted by actions and inactions at all levels of our government and society.

We have an obligation to eliminate disparities and ensure that safe, healthy, accessible, and inclusive opportunities are available to everyone. The SANDAG equity action plan will inform how we plan, prioritize, fund, and build projects and programs; frame how we work with our communities; define how we recruit and develop our employees; guide our efforts to conduct unbiased research and interpret data; and set expectations for companies and stakeholders that work with us.

We are committed to creating a San Diego region where every person who visits, works, and lives can thrive.
Selection Committee for the
TransNet Independent Taxpayer Oversight Committee
Wednesday, May 25, 2022

Item No.                      Action
1.  Selection of Chair
    The Selection Committee for the TransNet Independent Taxpayer
    Oversight Committee (Selection Committee) will select a
    chairperson for purposes of conducting the meeting.

Consent

+2.  TransNet Independent Taxpayer Oversight Committee: Overview
     Zara Sadeghian, SANDAG
     Staff will provide an overview of the TransNet Independent Taxpayer
     Oversight Committee and its responsibilities.

Reports

+3.  TransNet Independent Taxpayer Oversight Committee:
     Reappointment of Current Member
     Zara Sadeghian, SANDAG
     The Selection Committee is asked to consider reappointment of the
     current member in the licensed architect, civil engineer, or traffic
     engineer category, for a term of up to four years, through May 2026.

4.   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 Selection Committee on any issue within the jurisdiction
     of SANDAG that is not on this agenda.

5.   Adjournment

+ next to an item indicates an attachment
TransNet Independent Taxpayer Oversight Committee: Overview

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 2021 ITOC Annual Report, was presented to the Board of Directors in June 2021. Additional information regarding ITOC responsibilities and membership is included in Attachment 1.

**Fiscal Impact:** None.

**Schedule/Scope Impact:** The ITOC was established as a requirement of the TransNet Extension Ordinance, and its purview is limited to ensuring accountability for expenditures made under the TransNet Expenditure Plan and recommending improvements to the program.

**Action:** Information

Staff will provide an overview of the TransNet Independent Taxpayer Oversight Committee and its responsibilities.

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**Susan Huntington, Director of Financial Planning, Budgets, and Grants**

Key Staff Contact: Zara Sadeghian, (619) 595-5395, zara.sadeghian@sandag.org

Attachment: 1. ITOC Overview and Current Membership
Independent Taxpayer Oversight Committee

Overview

Responsibilities

The Independent Taxpayer Oversight Committee (ITOC) responsibilities will include the following:

- Conduct an annual fiscal and compliance audit of all TransNet-funded activities using the services of an independent fiscal auditor to ensure compliance with the voter-approved Ordinance and Expenditure Plan.
- Prepare an annual report to the Board of Directors presenting the results of the annual audit process.
- Conduct triennial performance audits of SANDAG and other agencies involved in the implementation of TransNet-funded projects and programs to review project delivery, cost control, schedule adherence, and related activities.
- Provide recommendations to the Board regarding any proposed amendments to the TransNet Ordinance and Expenditure Plan.
- Provide recommendations as part of the required ten-year review process. This process provides an opportunity to undertake a comprehensive review of the TransNet Program every ten years and to make recommendations for improving the program over the subsequent ten years.
- Participate in the ongoing refinement of the SANDAG transportation system performance measurement process and the project evaluation criteria used in development of the Regional Transportation Plan and in prioritizing projects for funding in the Regional Transportation Improvement Program.
- On an annual basis, review ongoing SANDAG system performance evaluations, including the “State of the Commute” report, and provide an independent analysis of information included in that report.
- Review and comment on the programming of TransNet revenues in the Regional Transportation Improvement Program.
- Review proposed debt financings to ensure that the benefits of the proposed financing for accelerating project delivery, avoiding future cost escalation, and related factors exceed issuance and interest costs.
- Review the major Congestion Relief projects identified in the Ordinance for performance in terms of cost control and schedule adherence on a quarterly basis.

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

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

- A licensed architect, civil engineer, or traffic engineer with demonstrated experience of ten years or more in the fields of transportation and/or urban design in government or the private sector.*

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

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

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

- 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 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.

*The member currently in the position shown in bold is seeking reappointment.

Selection Process

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

A selection committee shall be established to select an ITOC member from the list of qualified candidates recommended by the technical screening committee. The selection committee shall consist of the following: two members of the County of San Diego Board of Supervisors; the mayor of the City of San Diego; a mayor from the cities of Chula Vista, Coronado, Imperial Beach, or National City selected by the mayors of those cities; a mayor from the cities of El Cajon, La Mesa, Lemon Grove, or Santee selected by the mayors of those cities; a mayor from the cities of Carlsbad, Del Mar, Encinitas, Oceanside, or Solana Beach selected by the mayors of those cities; and a mayor from the cities of Escondido, Poway, San Marcos, or Vista selected by the mayors of those cities.

Conflict of Interest

ITOC members shall be subject to SANDAG conflict of interest policies. ITOC members shall have no legal action pending against SANDAG and are prohibited from acting in any transactions directly or indirectly involving SANDAG, such as being a consultant to SANDAG or to any party with pending legal actions against SANDAG during their tenure on ITOC. ITOC members also are prohibited from having a direct financial interest or employment with any private entity or public agency division which receives TransNet sales tax funds.
# Current Membership on the TransNet Independent Taxpayer Oversight Committee

## Term Expiring May 2022

<table>
<thead>
<tr>
<th>Name</th>
<th>Position Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Michael Kenney</td>
<td>Licensed architect or civil/traffic engineer with experience in transportation and/or urban design. Michael is a Civil and Traffic Engineer with over 28 years' 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>
</tr>
</tbody>
</table>

## Terms Expiring May 2023

<table>
<thead>
<tr>
<th>Name</th>
<th>Position Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stewart Halpern, Vice Chair</td>
<td>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 a focus on tax-exempt entity 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.</td>
</tr>
<tr>
<td>Dustin Fuller</td>
<td>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 Senior Environmental Planner with the 22nd District Agricultural Association. Dustin has more than 15 years of experience in the environmental planning field, including coordination with resource agencies, preparation of environmental documents, and permit processing. He currently serves as a member of the Association of Environmental Professionals. Dustin is a Clairemont resident working in Del Mar.</td>
</tr>
</tbody>
</table>

## Terms Expiring May 2024

<table>
<thead>
<tr>
<th>Name</th>
<th>Position Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jonathan Frankel</td>
<td>Professional experienced in real estate and land economics. He is currently Principal Project Manager at Atlantis Group Land Use Consultants where he manages the processing of complex entitlements for residential, mixed use, commercial, and institutional development projects throughout San Diego County. Jonathan also has served in various public sector positions supporting the California State Senate Housing and Transportation Committee, the Office of the City Attorney in San Diego, and the Office of General Counsel at SANDAG. Jonathan holds a Juris Doctor from University of San Diego School of Law and a Bachelor of Arts in Political Science from Indiana University. He currently serves as chair of the Mission Valley Planning Group, member of the Building Industry Association, and member of the Urban Land Institute. Jonathan is a Mission Valley resident.</td>
</tr>
<tr>
<td>Les Hopper</td>
<td>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</td>
</tr>
</tbody>
</table>
Agency and of the Society of American Value Engineers. Les enjoys living in North County and works in Mission Valley.

Terms Expiring May 2025
Sunnie House, Chair

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 over 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.

Pedro Orso-Delgado

Pedro is serving in the ITOC position for a professional in the management of large-scale construction projects. Mr. Orso-Delgado is the principal of his own consulting firm, Under Construction. He served in the capacity of City Manager for the City of Santee from May 2014 to July 2015, and was named the City of Santee’s Deputy City Manager/Director of Development Services in August 2009. In addition, Mr. Orso-Delgado had a 25-year career at Caltrans serving in several capacities, including as the District 11 Director from 2001 through 2009. Mr. Orso-Delgado served as the chair of the Border Governors Infrastructure working table, and led the Caltrans team which applied for and within record time obtained the presidential permit for the new border crossing at Otay Mesa II. He currently serves as Advisor to the College of Engineering Board at San Diego State University, is a Commissioner at the Safety Commission for the City of Chula Vista, and is a Board member at Circulate San Diego. Mr. Orso-Delgado is a San Diego native, attended schools in both San Diego and Tijuana, Mexico. He graduated from San Diego State University in 1983 with a Bachelor's Degree in Civil Engineering and began his career with Caltrans in 1984. Mr. Orso-Delgado currently lives in the south bay community of Chula Vista.
Selection Committee for the TransNet Independent Taxpayer Oversight Committee

May 25, 2022

TransNet Independent Taxpayer Oversight Committee: Reappointment of Current Member

Overview

The membership of the ITOC consists of seven voting members, each of whom represents a specified area of expertise. The term for the licensed architect, civil engineer, or traffic engineer with demonstrated experience of ten years or more in the fields of transportation and/or urban design will end in May 2022.

Key Considerations

The ITOC reappointment process consists of two steps:

1. Review by a Technical Screening Committee, which is responsible for reviewing the “Request for Reappointment to the ITOC” application received from a member with an expiring term, and recommending the applicant for reappointment.

2. Approval by a Selection Committee that is responsible for reappointing the ITOC member recommended by the Technical Screening Committee.

Consistent with the TransNet Extension Ordinance, on April 28, 2022, the Technical Screening Committee met to review the reappointment request application. The Technical Screening Committee’s recommendation memo is included as Attachment 1 and the application for the recommended reappointment is included as Attachment 2. Additional information regarding the selection process is included in Attachment 3.

The candidate recommended for reappointment by the Technical Screening Committee has been notified of the May 25, 2022, Selection Committee meeting and is anticipated to participate in the meeting.

Next Steps

Following the Selection Committee’s consideration, the applicant will be notified of the final selection results. If reappointed, the new term for the licensed architect, civil engineer, or traffic engineer category will begin in June 2022. Should the Selection Committee not

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1 Since this is a reappointment of the current member, the position is not advertised. Aside from advertisement requirement, the member reappointment must follow the rest of the selection process provided within the Ordinance.

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Action: Appoint

The Selection Committee is asked to consider reappointment of the current member in the licensed architect, civil engineer, or traffic engineer category, for a term of up to four years, through May 2026.

Fiscal Impact:

Consistent with TransNet Extension Ordinance provisions, ITOC members shall serve without compensation except for direct expenses (parking/mileage for attendance at meetings) related to the work of the ITOC.

Schedule/Scope Impact:

The term for the licensed architect, civil engineer, or traffic engineer will end in May 2022. If approved, the new term for the reappointed member would start in June 2022.
approve the requested reappointment, the selection process for a new member would be initiated and the position would be advertised to develop a candidate pool. A Technical Screening Committee would be established to review applications received from interested individuals and recommend qualified candidates for consideration by the Selection Committee.

Susan Huntington, Director of Financial Planning, Budgets, and Grants
Key Staff Contact: Zara Sadeghian, (619) 595-5395, zara.sadeghian@sandag.org
Attachments: 1. Technical Screening Committee Recommendation Memo
2. Candidate Application
3. Discussion Memo
April 29, 2022

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

From: Technical Screening Committee

Subject: Recommendation of ITOC Candidate

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:

- Darin Chidsey, Chief Operating Officer, Southern California Association of Governments
- Wm. Joel King, Assistant Vice Chancellor, Campus Architect, UC San Diego
- Kristina Svensk, Director of Transportation, Sacramento Area Council of Governments

Request for Reappointment

Consistent with the TransNet Extension Ordinance, the ITOC member currently serving in the position below applied by the submittal deadline to continue as a member of the ITOC for Selection Committee approval as follows:

Michael Kenney - 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.

The Technical Screening Committee noted Mr. Kenney has strong qualifications and relevant expertise in his respective subject matter. The Committee considered Mr. Kenney’s attendance record and willingness to participate on various ITOC subcommittees, as well as having previously served as both Vice Chair and Chair of the ITOC. In addition, Technical Screening Committee members considered the benefit of having experienced members with institutional memory on the ITOC to provide meaningful input based on their knowledge of the TransNet program over the years.

The Technical Screening Committee recommends the reappointment of Mr. Kenney for consideration by the Selection Committee.
Conflicts of Interest Review

All applicants’ affiliations with business entities 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.

AZU/
I. Purpose

SANDAG thanks you for your willingness to serve on an evaluation panel. As an evaluator you will be assisting SANDAG in making recommendations for selection of one or more persons to serve on a SANDAG committee. Non-SANDAG persons are invited to assist as evaluators when it is required by law or Board Policy, or when SANDAG management believes persons other than SANDAG employees can provide valuable additional experience and input that will assist in the ranking or selection process. These guidelines are intended to provide you with information regarding your role as an evaluator for SANDAG.

II. Role as An Evaluator

You were most likely asked to assist SANDAG in evaluating applicants due to your experience and/or position as an elected official or as a representative of a public agency, regional interest group, or community stakeholder. The interests of the public with regard to the selection of person to serve on a SANDAG committee may or may not coincide with the interests of the public or private organization you represent or with your personal interests. Since the funds used by SANDAG to carry out its responsibilities are public funds, however, you will be expected to evaluate candidates using objective standards that will best serve the interests of the public and SANDAG.

You will be asked to review applications, and/or interview applicants who would like to sit on a SANDAG committee using evaluation criteria or eligibility requirements that vary depending upon the functions of the committee. All of SANDAG’s solicitations for applicants contain the evaluation criteria and eligibility criteria for the position. You must use only the criteria discussed in the solicitation when evaluating applicants.

You may be asked to take part in interviewing applicants after the written application materials are reviewed. SANDAG staff may carry out additional tasks as part of the evaluation process that you will not be involved in, such as checking references and determining if an applicant has prohibited conflicts of interest. After the evaluation process is complete, a recommendation will be prepared. Selection panel members do not have authority to approve final selection; only to make recommendations.

From time to time an applicant who is not selected is disgruntled regarding the evaluation process or final selection. If this occurs, the objectivity of the evaluators and the integrity of the evaluation process may be closely scrutinized by persons outside of SANDAG. Application and evaluation documents are potentially public records subject to disclosure to the public. Therefore, evaluators should exercise care so that their documents are legible and do not contain comments that could be perceived as ambiguous, discriminatory, or derogatory.

III. Conflicts of Interest

Conflicts of interest may arise as a consequence of the many and varied roles you play in our community. One of the goals of these Guidelines is to manage real or perceived conflicts of interest. SANDAG has determined that a system of self-disclosure is most effective since conflicts of interest must be dealt with on a case-by-case basis. Discussion and disclosure generally can resolve issues related to conflict of interest.
A conflict of interest occurs when there is or could be a divergence between an individual's professional, private, or personal relationships or interests and his/her obligations to SANDAG as an evaluator such that an independent observer might reasonably question whether the evaluator's actions or decisions are determined by considerations of private benefit, gain, or advantage. A conflict of interest or the appearance of it depends on the situation, and not necessarily on the character or actions of the individual. The appearance of a conflict of interest can be as damaging or detrimental as an actual conflict.

Potential conflicts of interest are not unusual and must be addressed. For example, sometimes people from the private sector are selected to serve as a member of one of SANDAG’s selection panels because of their experience in a particular industry. Therefore, it is expected that situations may arise where a person that has served as an evaluator may work for a private sector employer or client that will in the future want to submit an application. In order to prevent an actual or perceived conflict of interest, a person serving as an evaluator must disqualify him or herself if he/she receives income from an individual or entity that also has a financial relationship with an applicant. California law states that certain financial interests are automatically a prohibited conflict of interest. SANDAG has listed these prohibited interests as well as others that it chooses to avoid in the attached Declaration Concerning Conflicts.

It is wrong for an individual’s actions or decisions made in the course of his or her SANDAG activities to be determined by considerations of personal financial gain or illegal bias. Such behavior calls into question the professional objectivity and ethics of the individual and it also reflects negatively on SANDAG. As a SANDAG evaluator, please respect SANDAG’s status as a recipient of public funds and conduct your affairs in ways that will not compromise SANDAG’s integrity.

For all of the above reasons, evaluators must fill out the attached “Declaration Concerning Conflicts” and return it to SANDAG before they begin evaluating any applications, and must report potential conflicts that may arise during the evaluation process. Potential conflicts must be reported up until the time final selection is made or until an evaluator’s role in the evaluation process is complete, whichever occurs first, so that appearances can be separated from reality. If an evaluator believes she/he may have a potential conflict and it arises subsequent to submitting the Declaration Concerning Conflicts, the evaluator has an affirmative duty to immediately disclose any potential conflict of interest to the SANDAG Office of General Counsel. Evaluators with an actual or potential conflict of interest will be excused from assisting in the evaluation process.

IV. Confidential Information

The information you will receive in the application materials must be treated as confidential information that the evaluator should not share with anyone not involved in the evaluation process. Please keep in mind that Emails and other correspondence or records that you may create or share with others during the evaluation process concern the public’s business and will likely be considered public records subject to a California Public Records Act request. So that the competitive environment for selection is fair and unbiased, information a SANDAG evaluator may be exposed to at SANDAG may not be disclosed to persons outside of the evaluation process.

V. Prohibition Against Discrimination and Harassment

SANDAG has a policy of nondiscrimination as required by federal and state law due to SANDAG’s use of federal and state money funds. This policy applies to the selection of committee members. SANDAG’s policy prohibits discrimination on the basis of gender, age (over 40), religion, creed, race, nationality, color, disability, sexual orientation, veterans or marital status, or on any other basis prohibited by law. All evaluators are expected to abide by this policy when evaluating candidates. SANDAG’s policies prohibiting harassment, discrimination, or violence when dealing with SANDAG’s employees or using SANDAG’s facilities or property also apply. Evaluators suspected of actual or potential discrimination in violation of SANDAG policy will be excused from assisting in the evaluation process.
Independent Taxpayer Oversight Committee

Applicants Requesting Reappointment
Applicant name: Kenney, Michael L.

Position applied for: A licensed architect, civil engineer, or traffic engineer.
REQUEST FOR REAPPOINTMENT TO
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 December 31, 2021:

1. All eight pages of the completed and signed application form;
2. A copy of your resume; and
3. Any additional information you believe relevant to your application.

Please note that SANDAG already has a completed and signed Statement of Economic Interests (Form 700) on file for members seeking reappointment.

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 Request for Reappointment”)

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) Kenney, Michael Lawrence
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)

SANDAG Request for Reappointment to the Independent Taxpayer Oversight Committee

December 2021
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 Civil Engineer C56661
California Traffic Engineer TR2045

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

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

San Diego State University - Bachelor's Of Science Civil Engineer (BSCE) 1993

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

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

Independent TRANSNET Over-site Committee (ITOC) 2019 to 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):

Institute of Transportation Engineers (ITE), San Diego Section, current member and past President, 1992 to Present

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

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

Kai Ramer, President of Rick Engineering, 619 291-0707, Previous Supervisor
Bob Ung, Director of ITS Group, McCain, Inc 760 727-8100, Current Supervisor
Brian Stephenson, Associate at Rick Engineering, 619 291-0707, Previous Co-Worker
Section G – Positions Eligible for Reappointment

The following Independent Taxpayer Oversight Committee positions, shown in **BOLD**, are eligible for reappointment. 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 real estate, land economics, and/or right-of-way acquisition.

☐ 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.

I have 30 years of experience in Civil and Traffic Engineering. My expertise covers Advanced Transportation Planning, Traffic Study Preparation, Preparation of Plans, Specifications, and Estimates (P,S&E) for transportation related projects, as well as Operations and Maintenance of Transportation facilities.

I have worked in both the private sector as a consultant and sole proprietor as well as in the public sector as the City/County Traffic Engineer.

☐ A professional with demonstrated experience of ten years or more in the management of large-scale construction projects.
Section G – Positions Eligible for Reappointment (continued)

The following Independent Taxpayer Oversight Committee positions, shown in **BOLD**, are eligible for reappointment. 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 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)?

As a resident of San Diego County I have a vested interest in seeing that Regional Transportation Planning is done a way that benefits all existing and future residents.

As a taxpayer I have a vested interest in the cost effective management of regional transportation projects.

As a local civil engineer I have a personal and professional interest in the Civil Engineering projects that are up-coming and on-going in the region.

As a member of the ITOC, I am able to serve all three of these interests.

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

I have an understanding of the benefits of different types of transportation projects and the associated costs of transportation projects. This in site gives me unique perspective on each type of project brought before the committee.

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

My participation in the ITOC allows me to provide service to my community utilizing my unique background and experience.
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) __________________________

Michael L. Kenney

Date __________
12/29/21

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.

Section K – Area of San Diego County you reside in:

City of San Diego, Unincorporated San Diego County, South (Chula Vista, Coronado, Imperial Beach, or National City), East (El Cajon, La Mesa, Lemon Grove, or Santee), North Coastal (Carlsbad, Del Mar, Encinitas, Oceanside, or Solana Beach) or North Inland (Escondido, Poway, San Marcos, or Vista).

☑ City of San Diego
☐ Unincorporated San Diego County

South
☐ Chula Vista
☐ Coronado
☐ Imperial Beach
☐ National City

East
☐ El Cajon
☐ La Mesa
☐ Lemon Grove
☐ Santee

North Coastal
☐ Carlsbad
☐ Del Mar
☐ Encinitas
☐ Oceanside
☐ Solana Beach

North Inland
☐ Escondido
☐ Poway
☐ San Marcos
☐ Vista
Michael L. Kenney is a Civil and Traffic Engineer with over 28 years' experience. He has prepared traffic signals plans, and traffic signal timing for agencies all over California and Arizona. He has prepared traffic studies for both private and public entities. He has also served as City Traffic Engineer for several Cities. A few of Mr. Kenney's representative engagements are:

- **SENIOR TRAFFIC ENGINEER - MCCAIN INC. (MARCH 2017 – PRESENT):** Mike Kenney works in the Intelligent Transportation Systems (ITS) Department of McCain. He is the Senior Traffic Engineer in charge of signal timing installation and migration. He leads the installation of citywide traffic signal software projects throughout the United States. He is an expert in signal timing and traffic signal controller operations.

- **SENIOR TRAFFIC ENGINEER - CHEN RYAN AND ASSOCIATES - (MARCH 2017 – MARCH 2015):** Mike Kenney was the Senior Traffic for Chen Ryan and Associates preparing traffic signal plans, traffic control plans, and signing/striping plans. He was the project manager for the Clean Water pipeline traffic control project preparing over 200 traffic control plans.

- **COUNTY TRAFFIC ENGINEER – COUNTY OF SAN DIEGO, CA (MARCH 2012 – MARCH 2015):** Mike Kenney served as the County of San Diego's Traffic Engineer. He managed a staff of 15 Traffic Engineers within the Department of Public Works. His work included reviewing new projects and managing community traffic concerns. He was the Engineer of Record for all of the traffic signal design projects initiated by the Capital Improvement Projects section.

- **PRINCIPAL AND OWNER – KENNEY ENGINEERING (OCTOBER 2010 – MARCH 2012):** Mike Kenney has a passion for Traffic Engineering which led him to form his own firm, Kenney Engineering. His client base included numerous public and private clients including the Cities of Temecula and Chula Vista. He retimed the entire City of Temecula's traffic signal system and installed the first Traffic Adaptive Signal Timing System in Riverside County.

- **ASSOCIATE – RICK ENGINEERING COMPANY (NOVEMBER 1995 – OCTOBER 2010):** Mike worked at Rick Engineering Company for 15 years, rising to the position of Associate. He was the first Traffic Engineer hired and grew the traffic engineering section to 10 engineers. In addition to managing his design group, he served as Contract Traffic Engineer for several Cities. Some of them are:
  - **CITY OF LAKE FOREST, CA (NOV 2008 – NOV 2010)**
  - **CITY OF VISTA, CA (NOV 2006 – NOV 2008)**
  - **CITY OF MURRIETA, CA (NOV 2003 – NOV 2006)**
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 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 category will end in May 2022.1

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.

The TransNet Extension Ordinance states:

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

2. Selection Committee: A selection committee shall be established to select the ITOC members from the list of qualified candidates recommended by the Technical Screening Committee. The Selection Committee shall consist of the following:
   - Two members of the County of San Diego Board of Supervisors
   - The Mayor of the City of San Diego
   - A mayor from the cities of Chula Vista, Coronado, Imperial Beach, or National City selected by the mayors of those cities.

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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 Michael Kenney was initially appointed in May 2011 and stopped serving in 2012. Mr. Kenney was then appointed in April 2019 to serve through May 2022. Altogether, Mr. Kenney has served for a total of four years and at this time is eligible to be reappointed for an additional four-year term.
o A mayor from the cities of El Cajon, La Mesa, Lemon Grove, or Santee selected by the mayors of those cities.
o A mayor from the cities of Carlsbad, Del Mar, Encinitas, Oceanside, or Solana Beach selected by the mayors of those cities.
o 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 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.

**Technical Screening Recommendations**

**Request for Reappointment**

Consistent with the TransNet Extension Ordinance, the ITOC member currently serving in the position below applied by the submittal deadline to continue as a member of the ITOC for Selection Committee approval as follows:

- Michael Kenney – 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.

The Technical Screening Committee noted Mr. Kenney has strong qualifications and relevant expertise in his respective subject matter. The Committee considered Mr. Kenney's attendance record and willingness to participate on various ITOC subcommittees, as well as having served previously as both ITOC Vice Chair and Chair. In addition, Technical Screening Committee members considered the benefit of having experienced members with institutional memory on the ITOC to provide meaningful input based on their knowledge of the TransNet program over the years.

The Technical Screening Committee recommends the reappointment of Mr. Kenney for consideration by the Selection Committee.

**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.

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.

**ITOC Term Limits**
In 2017, the SANDAG Board of Directors amended the TransNet Extension Ordinance to further stagger ITOC terms to prevent turnover of more than two members at any one time and to allow members filling mid-term vacancies to serve additional terms (not to exceed a total of ten years). In addition, the TransNet Extension Ordinance amendment acknowledged that if more than two members need to be replaced during the same recruitment period, the Selection Committee would determine the length of each member’s first term to limit concurrent future turnover.

The ITOC member requesting reappointment (licensed architect, civil engineer, or traffic engineer) was originally appointed in May 2011 and stopped serving in 2012. Mr. Kenney was then appointed in April 2019 to serve through May 2022 as shown below. Altogether, Mr. Kenney has served for a total of four years. The proposed new term end date is also noted.2

<table>
<thead>
<tr>
<th>ITOC Member Requesting Reappointment</th>
<th>Michael Kenney</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Term Start</td>
<td>May 2011</td>
</tr>
<tr>
<td>Original Term End</td>
<td>May 2012</td>
</tr>
<tr>
<td>Second Term Start</td>
<td>April 2019</td>
</tr>
<tr>
<td>Second Term End</td>
<td>May 2022</td>
</tr>
<tr>
<td>Proposed Third Term Start</td>
<td>June 2022</td>
</tr>
<tr>
<td>Proposed Third Term End</td>
<td>May 2026</td>
</tr>
</tbody>
</table>

Based on the proposed term end date shown above, term limits for all seven ITOC members would be as follows and would ensure term expirations do not result in more than two vacancies at any one time. Alternatively, the Selection Committee could elect to stagger the term differently than proposed below for the member seeking reappointment as shown in grey cells.

<table>
<thead>
<tr>
<th>Terms expiring May 2023</th>
<th>Terms expiring May 2024</th>
<th>Terms expiring May 2025</th>
<th>Term expiring May 2026 (Proposed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A professional in the field of municipal/public finance and/or budgeting (Stewart Halpern)</td>
<td>A professional experienced in real estate and land economics (Jonathan Frankel)</td>
<td>A chief executive officer or person in a similar senior-level decision-making position, of a major private sector employer (Sunnie House)</td>
<td>A licensed architect, civil engineer, or traffic engineer (Michael Kenney)</td>
</tr>
<tr>
<td>A professional in biology or licensed engineer with appropriate</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2 In accordance with the TransNet Extension Ordinance, ITOC members are to serve a term of four years, except that appointments may be less than four years to ensure the terms of the ITOC members are sufficiently staggered. The TransNet Extension Ordinance also 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.
| Environmental science (Dustin Fuller) | Credentials in the field of transportation project design or construction (Les Hopper) | Large-scale construction projects (Pedro Orso-Delgado) |