

SANDAG

Board of Directors Agenda

October 22, 2021

9 a.m.

*** *Teleconference Meeting* ***

MEETING ANNOUNCEMENT AMIDST COVID-19 PANDEMIC:

The Board of Directors meeting scheduled for October 22, 2021, will be conducted virtually in accordance with Governor Newsom's State of Emergency declaration regarding the COVID-19 outbreak, Government Code Section 54953(e), Assembly Bill 361 (Rivas 2021), and the Guidance for Gatherings issued by the California Department of Public Health. Board of Directors members will primarily participate in the meeting virtually, while practicing social distancing, from individual remote locations.

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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 clerkoftheboard@sandag.org (please reference Friday, October 22, 2021, in your subject line and identify the item number(s) to which your comments pertain). Comments received by 4 p.m. on Thursday, October 21, will be provided to members prior to the meeting. If you desire to provide live verbal comment during the meeting, please join the Zoom meeting by computer or phone and 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 joining via a computer and by the last three digits of for those joining via telephone. All comments received prior to the close of the meeting will be made part of the meeting record. 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 via email or orally per the instructions above.

SANDAG

Welcome to SANDAG. Members of the public may speak to the Board of Directors on any item at the time the Board of Directors is considering the item. Public speakers are limited to three minutes or less per person. The Board of Directors may only take action on any item appearing on the agenda.

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Message from the Clerk

In compliance with Government Code §54952.3, the Clerk hereby announces that the compensation for legislative body members attending the following simultaneous or serial meetings is: Executive Committee (EC) \$100, Board of Directors (BOD) \$150, and Regional Transportation Commission (RTC) \$100. Compensation rates for the EC and BOD are set pursuant to the SANDAG Bylaws, and the compensation rate for the RTC is set pursuant to state law.

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. In 2021, SANDAG will develop an equity action plan that 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.

San Diego Association of Governments

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Board of Directors

Friday, October 22, 2021

Item No.		Action
Reports		
+1.	Proposed Fiscal Year 2022 Budget Amendment: Social Equity Early Action Transit Pilots <i>Supervisor Nora Vargas, County of San Diego Brian Lane, SANDAG</i>	Approve
	<p>The Transportation Committee recommends that the Board of Directors approve an amendment to the FY 2022 Program Budget to:</p> <ol style="list-style-type: none">1) create new Overall Work Program Project Element No. 3505000 for the Early Action Transit Pilot project; and2) program \$2.13 million of Congestion Mitigation and Air Quality Improvement funds to fund the project.	
+2.	Regional Digital Equity Strategy <i>Antoinette Meier and Krystal Ayala, SANDAG Sarah Aghassi, County of San Diego Mike Connolly, Southern California Tribal Chairmen's Association Sam Attisha, Cox Communications</i>	Information
	<p>An overview of the Regional Digital Equity Strategy will be presented, as well as an update from Digital Divide Taskforce members on partnership initiatives to bridge the digital divide.</p>	
+3.	Release of Debt Service Reserve Fund for 2008 Series A, B, C, and D Bonds* <i>André Douzdjian, SANDAG Peter Shellenberger, PFM Financial Advisors LLC</i>	Adopt
	<p>The Board of Directors is asked to adopt Regional Transportation Commission (RTC) Resolution No. RTC-2022-01 authorizing the release of the 2008 Series A-D Debt Service Reserve Fund, and the execution and distribution of the documents, in substantially the same form as attached.</p>	
Consent		
4.	Regional Equitable Housing Subcommittee <i>Supervisor Terra Lawson-Remer, County of San Diego</i>	Approve
	<p>The Board of Directors is asked to approve the creation of a regional equitable housing subcommittee to discuss the SANDAG housing program.</p>	

+5.	Approval of Meeting Minutes <i>Francesca Webb, SANDAG</i>	Approve
	The Board of Directors is asked to approve the meeting minutes from its October 8, 2021, meeting.	
+6.	Wildlife Conservation Board Grant Funding <i>Kim Smith, SANDAG</i>	Adopt
	The Board of Directors is asked to adopt resolution 2022-08 to receive Proposition 50 funding from the California Wildlife Conservation Board and to authorize SANDAG to accept the grant, if awarded.	
+7.	TransNet Environmental Mitigation Program: Land Management Grant Program Call for Projects* <i>Kim Smith and Courtney Pesce, SANDAG</i>	Approve
	The Transportation Committee recommends that the Board of Directors approve the modifications to the draft evaluation criteria and the release of the call for projects for the tenth cycle of the <i>TransNet</i> Environmental Mitigation Program Land Management Grant Program.	
+8.	Approval of Proposed Contract Awards <i>Julie Wiley, SANDAG</i>	Approve
	The Board of Directors is asked to authorize negotiations to proceed, and the Executive Director to execute agreements for:	
	1) Enterprise Resource Planning Solution with Tyler Technologies, Inc., and 2) The Pershing Drive Bikeway Project to West Coast General Group, a Joint Venture.	
+9.	Policy Advisory Committee Actions <i>Francesca Webb, SANDAG</i>	Approve
	The Board of Directors is asked to ratify the actions taken by the Policy Advisory Committees since the last Board of Directors meeting.	
+10.	Continuation of Teleconferenced Meetings* <i>Melissa Coffelt, SANDAG</i>	Adopt
	In accordance with recent amendments to the Brown Act open meetings law (Assembly Bill 361), the Board of Directors is asked to adopt Regional Transportation Commission (RTC) Resolution No. RTC-2022-02, allowing for continued remote teleconferenced public meetings for all SANDAG legislative bodies based upon a continued state of emergency related to the COVID-19 pandemic as well as recommendations from state or local officials regarding social distancing.	

- +11. Chief Executive Officer Delegated Actions* Kim Monasi, SANDAG Information

In accordance with various SANDAG Board Policies, this report summarizes certain delegated actions taken by the Chief Executive Officer since the last Board of Directors meeting.

- +12. Meetings and Events Attended on Behalf of SANDAG Francesca Webb, SANDAG Information

Board members will provide brief reports on external meetings and events attended on behalf of SANDAG.

Reports (continued)

13. Chief Executive Officer's Report Hasan Ikhrrata, SANDAG Discussion

An update on key programs, projects, and agency initiatives will be presented.

14. Public Comments/Communications/Member Comments

Members of the public shall have the opportunity to address the Board on any issue within the jurisdiction of SANDAG that is not on this agenda. Public speakers are limited to three minutes or less per person. Board members also may provide information and announcements under this agenda item. Subjects of previous agenda items may not again be addressed under public comment.

15. Upcoming Meetings Information

A Special meeting of the Board of Directors is scheduled for Friday, October 29, 2021, at 9 a.m.

16. Adjournment

+ next to an agenda item indicates an attachment

* next to an agenda item indicates that the Board of Directors also is acting as the San Diego County Regional Transportation Commission for that item

Proposed Fiscal Year 2022 Budget Amendment: Social Equity Early Action Transit Pilots

Overview

On Friday, February 12, 2021, the SANDAG Board of Directors approved a Commitment to Equity statement that is meant to inform all decisions and projects implemented by SANDAG. This statement says:

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. In 2021, SANDAG will develop an equity action plan that 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.

A statement is only as good as the actions to which it informs. The time is now to implement mobility solutions for historically underserved communities. Toward this end, staff has worked with a representative group of the SANDAG 2021 Regional Plan Social Equity Working Group along with other stakeholders and staff from the transit operators to implement several early action pilot projects. These include public transit and bike projects, policies, and programs that will benefit the most marginalized members of our region.

These pilot projects will function as building blocks toward achieving the aim of the Board of Directors as described in the Commitment to Equity and will serve as a proof of concept for projects identified in the draft 2021 Regional Plan. The draft 2021 Regional Plan, should it be adopted, includes funding for transit operating funds and fare subsidies.

To provide funding for these pilot projects, the Transportation Committee recommends that the Board of Directors approve a budget amendment to consider the following projects for inclusion in the 2021 Early Action Transit Pilot: free youth fares for all riders age 18 and under, public education and program research, and transit improvements for underserved areas.

Action: **Approve**

The Transportation Committee recommends that the Board of Directors approve an amendment to the FY 2022 Program Budget to:

- 1) create new Overall Work Program Project No. 3505000 for the Early Action Transit Pilot project; and
- 2) program \$2.13 million of Congestion Mitigation and Air Quality Improvement funds to fund the project.

Fiscal Impact:

An FY 2022 budget amendment to program \$2,130,000 of CMAQ funds to OWP 3505000. The balance of the project, \$5,870,000, will be funded in the FY 2023 and FY 2024 Budgets

Schedule/Scope Impact:

The Free Youth Fares would start in the spring of 2022, the education, outreach, and research would begin just before the free youth fares start, and the transit improvements would start in the fall of 2022. The pilot would end in the summer of 2023, with a research report presented shortly thereafter.

Key Considerations

The SANDAG 2021 Regional Plan Social Equity Working Group (Working Group), chaired by City of San Diego Councilmember Vivian Moreno, is charged with providing input on the 2021 Regional Plan from an equity perspective. The Working Group has weighed in on early actions in the plan that show a true commitment to equity.

In response to recommendations from stakeholders and the Working Group, the Working Group asked SANDAG staff to work with members and friends of the Working Group to discuss possible projects to bring back for consideration. This small working group has met over the course of the past two months and devised the following proposals for the transit pilot:

- A free transit fare for all Youth 18 and under
 - All youth 18 and under would receive a free fare on their PRONTO account
 - Estimated \$6 million to reimburse Metropolitan Transit System (MTS) and North County Transit District (NCTD) (\$2 million in FY 2022, \$4 million in FY 2023)
- Transit improvements on a network of high-demand routes in traditionally underserved areas of the region
 - Add transit service on weekdays and weekends on routes with infrequent service, or late-night service that ends too early
 - Estimated \$1.75 million to reimburse MTS
- Education and outreach to youth and to residents in traditionally underserved areas of the region
 - Work with our Community Based Organizations (CBOs) to help get PRONTO accounts for youth, and to educate residents on the existing and added services in their areas
 - Estimated \$200,000 for CBOs
- Conduct a Research Study
 - Evaluate the benefits of the pilot using both qualitative and quantitative measures
 - Estimated \$50,000 for a consultant

The Working Group, at its September 23, 2021, meeting, voted unanimously to recommend that the Transportation Committee and Board of Directors approve a budget amendment to consider the following projects for inclusion in the Early Action Transit Pilot: Free Youth Fares for 18 and Under, Education and Research, and Transit Improvements in Underserved Areas. The Transportation Committee, at its October 1, 2021, meeting, also voted unanimously to recommend that the Board of Directors approve the budget amendment.

Next Steps

Staff would work with MTS, NCTD, and stakeholders to finalize the details of the fare costs and transit improvement projects. Pending MTS and NCTD Board approvals, the Free Youth Fares would start in the spring of 2022; the education, outreach, and research would begin before the free fares start; and the transit improvements would start in the fall of 2022. The pilot would end in the late summer of 2023, with a research report presented shortly thereafter.

Coleen Clementson, Director of Regional Planning

Key Staff Contacts: Brian Lane, (619) 699-7331, brian.lane@sandag.org

Attachment: 1. Proposed FY 2022 Program Budget Amendment for Overall Work Program Project No. 3505000, Early Action Transit Pilot

WORK ELEMENT: 3505000 NEW - Early Action Transit Pilot**FY 2022 BUDGET:** \$0 \$2,130,000**AREA OF EMPHASIS:** Sustainable Mobility Programs and Services

Amendment Title: Early Action Transit Pilot (FY 2022 Budget Amendment)

Funds Source				
	Prior	FY 2022	FY 2023 - 2024	Total
Congestion Mitigation and Air Quality (CMAQ) Improvement Program	\$0	\$0 \$2,130,000	\$0 \$5,870,000	\$0 \$8,000,000
TOTAL	\$0	\$0 \$2,130,000	\$0 \$5,870,000	\$0 \$8,000,000

Funds Application				
	Prior	FY 2022	FY 2023 - 2024	Total
Other Direct Costs	\$0	\$0 \$100,000	\$0 \$100,000	\$0 \$200,000
Contracted Services	\$0	\$0 \$30,000	\$0 \$20,000	\$0 \$50,000
Pass Through to Other Agencies	\$0	\$0 \$2,000,000	\$0 \$5,750,000	\$0 \$7,750,000
Employee Benefits		\$0		\$0
TOTAL	\$0	\$0 \$2,130,000	\$0 \$5,870,000	\$0 \$8,000,000

OBJECTIVE

Select Transit Leap projects from the draft San Diego Forward: The 2021 Regional Plan (2021 Regional Plan) will be brought forward as pilot projects. Transit Leap improvements make public transit a compelling option to driving; fast, convenient, and safe. The draft 2021 Regional Plan identifies social equity as one of the primary challenges that must be addressed in this region. Stakeholders advocating for equity have asked for immediate investment in public transit projects, policies, or programs that will benefit the most marginalized members of our region. Emphasis in FY 22 will be in implementing free transit for Youth 18 and under, work with stakeholders to educate and inform residents in underserved areas on the benefits of transit, begin a research study that demonstrates the benefits of the Pilot, and plan for service increases to begin in the fall of 2022.

PREVIOUS ACCOMPLISHMENTS

This project builds from the draft 2021 Regional Plan and efforts by SANDAG's Social Equity Working Group to promote transit projects that benefit residents in traditionally underserved areas.

Project Manager: Lane, Brian

Committee(s): Transportation Committee

Working Group(s): Regional Plan Social Equity Working Group

PRODUCTS, TASKS, AND SCHEDULES FOR FY2022

Task No.	% of Effort	Task Description / Product / Schedule
1	40	Task Description: Work with MTS and NCTD to implement free transit for Youth 18 and under. Product: Free fares on PRONTO for Youth Completion Date: 6/30/2022
2	40	Task Description: Work with stakeholders and MTS on planning for transit improvements in underserved areas Product: Proposed improvements with schedule adjustments Completion Date: 6/30/2022
3	10	Task Description: Work with Community Based Organizations to educate and provide outreach to residents of underserved areas. Product: Education and Outreach Materials Completion Date: 6/30/2022
4	10	Task Description: Conduct a research study to evaluate the benefits of the Early Action Transit Pilot Product: Study Plans Completion Date: 6/30/2022

FUTURE ACTIVITIES

Complete the pilot through FY 2023 and part of FY 2024.

Note: Program CMAQ funds to this OWP. Funds would be used to reimburse MTS and NCTD for lost revenues from free youth fares and for transit improvements, as well as for a research study, and to provide funds to CBO stakeholders to conduct outreach and education. SANDAG staff hours would be billed through OWP 3320100, Transit Planning.

Regional Digital Equity Strategy

Overview

The growing gap between people who do and do not have reliable access to high-speed, high-quality internet service, and a suitable device for connecting to the internet, is known as the digital divide. The COVID-19 pandemic brought renewed attention to the disparities and detrimental impacts of the digital divide. Providing access to affordable, high-speed broadband can improve economic prosperity, sustainability, and quality of life in the region. Technology and connectivity are also critical to transportation and the vision outlined in the [Draft 2021 Regional Plan](#).

Recognizing the severity of this issue, Governor Newsom signed [Executive Order N-73-20](#) on August 14, 2020, directing state agencies to increase access to high-quality broadband. In January 2021, the SANDAG Board of Directors [adopted Board Resolution 2021-09](#), committing to develop a Digital Equity Strategy and Action Plan that leads to rapid broadband deployment and adoption in the San Diego region. This initiative supports [SANDAG's commitment to equity](#), which was adopted by the Board of Directors on February 12, 2021. To help shape the development of the Digital Equity Strategy and Action Plan, SANDAG formed a [Regional Digital Divide Taskforce](#) to provide technical input. The taskforce consists of [representatives](#) from public agencies, broadband providers, and non-profit organizations that are actively working to bridge the digital divide.

Various state activities have underscored the need for a Digital Equity Strategy and Action Plan to prepare the region for opportunities that address broadband deployment. The California Broadband Council, in response to the Governor's Executive Order, completed the [State's Action Plan](#) that identifies a wide range of policies, partnerships, and programs to improve broadband access and adoption in the state. More recently, through state legislation, billions of dollars have been allocated to fund programs aimed at building out a statewide open-access middle-mile broadband network and expanding broadband affordability and adoption programs. Federal activities have also signaled that broadband investment is a great need as it moves forward with proposed infrastructure funding.

Key Considerations

The first step in developing the Regional Digital Equity Strategy and Action Plan was to conduct a gap analysis to identify where there are disparities in broadband infrastructure and service. The analysis revealed that only 66% of rural households have access to fixed broadband in the San Diego region. In urban areas, 94% of households have fixed broadband service available, but service is not affordable, so adoption is low among households earning less than \$50,000 per year. More than 20% of low-income households in some communities don't have a broadband subscription or computer at home making it difficult to participate in virtual learning, remote work, telehealth and other critical online services. The [SANDAG COVID-19 Employment Analysis](#) revealed that many of these same communities have the highest unemployment rates in the region and were hit hardest by the COVID 19 pandemic. SANDAG staff recently launched an

Action: Information

An overview of the Regional Digital Equity Strategy will be presented by SANDAG staff and members of the Regional Digital Divide Taskforce.

Fiscal Impact:

This effort is funded by Overall Work Program Element Nos. 3310714 and 3503000.

Schedule/Scope Impact:

The Action Plan will be completed and presented to the Board of Directors in December.

interactive story map on the [Digital Divide in the San Diego Region](#) which provides more information on the state of broadband access and adoption in the region.

To address these inequities, SANDAG staff worked with the Regional Digital Divide Taskforce to develop a Draft Regional Digital Equity Strategy (Attachment 1). Staff along with members of the Digital Divide Taskforce including the County of San Diego, Southern California Chairmen's Tribal Association, and Cox Communications will provide the Board of Directors with an overview of the strategy and early actions that are underway to deploy broadband infrastructure and better service in the region.

Next Steps

The Action Plan for the Digital Equity Strategy will be completed in November and presented to the Board of Directors on December 17, 2021.

Ray Traynor, Chief Planning & Innovation Officer

Key Staff Contacts: Antoinette Meier, Director of Mobility and Innovation, (619) 699-7381,
antoinette.meier@sandag.org

Krystal Ayala, Senior Partnerships Strategist, (619) 699-1998, krystal.ayala@sandag.org

Attachment: 1. Regional Digital Equity Strategy

Agenda Item 2 — Attachment 1:

Regional Digital Equity Strategy

The full document in electronic format can be downloaded at
https://www.sandag.org/uploads/projectid/projectid_614_29866.pdf.

A reference copy will be available at the meeting. For a printed copy, please contact the Public Information Office at (619) 699-1950 or pio@sandag.org.

Release of Debt Service Reserve Fund for 2008 Series A, B, C, and D Bonds*

Overview

SANDAG currently has \$402.3 million outstanding in Series 2008 A, B, C and D variable rate bonds. Those bonds were issued with a debt service reserve fund (DSRF), which is currently funded in the approximate amount of \$17.2 million.

At the November 20, 2020, Board of Directors meeting, along with SANDAG's financial advisors, staff identified cash flow needs over the next five fiscal years (FY 2021–FY 2025) of \$170 million to \$220 million to cover project costs currently included in the SANDAG Program Budget. Staff presented a package of strategies to enable the agency to increase its financial flexibility, while meeting its short-term funding commitments under the Major Corridors program. The proposed release of the DSRF was one of those identified strategies.

Key Considerations

In 2008, it was common to issue revenue bonds with a DSRF to satisfy rating agency criteria and support the highest possible ratings on the bonds. Since then, rating agency criteria has evolved and SANDAG has enjoyed "AAA" ratings on senior lien sales tax revenue bonds without funding a DSRF. With the strong revenue source of the ½% county-wide sales tax, high debt service coverage and the fact that SANDAG funds the debt service payments monthly in advance of payments coming due, rating agencies and investors have concluded that there is no added benefit to holding funds in a separate reserve.

SANDAG sought legal opinions on the most efficient strategy to release the DSRF. It was determined that a document amendment to the 2008 documents will result in the release of those funds.

The 2008 Bonds Reserve Fund can be released with an amendment to the Indenture under Section 9.01(B)(13). That provision requires:

1. Consents of the 2008 Bonds Credit Providers; and
2. Thirty (30) days' notice to Holders of the 2008 Bonds.

With regard to the interest rate swap agreements related to the 2008 Bonds, they do not require swap provider consent. The Commission may seek consents from the swap providers as a precautionary measure.

The transaction requires a new remarketing memorandum. While the Indenture does not require a mandatory tender in connection with the amendment to release the 2008 Bonds Reserve Fund, the existing disclosure document describes the 2008 Bonds Reserve Fund as available to support the 2008 Bonds. Thus, this would not be accurate disclosure from after the effective date of the Indenture amendment.

Consequently, the Board of Directors is asked to authorize the release the approximately \$17.2 million in bond proceeds that are currently held in the 2008 DSRF and allocate those towards projects.

Action: Adopt

The Board of Directors is asked to approve Regional Transportation Commission (RTC) Resolution No. RTC-2022-01 authorizing the release of the 2008 Series A-D Debt Service Reserve Fund, and the execution and distribution of the documents, in substantially the same form as attached.

Fiscal Impact:

The release of the Debt Service Reserve Fund will free up approximately \$17 million in funding to be used for the *TransNet* program.

Schedule/Scope Impact:

The release of the funding will fund work on priority projects in the *TransNet* program.

The release of the DSRF is estimated to cost approximately \$150,000, which will be paid by the released funds. The memo provided by PFM (Attachment 1) provides further details of this transaction.

Responsibilities for Review

Attached to this report for review and information are the preliminary documents for the proposed release of the DSRF (Attachments 2 through 4).

The Board of Directors, in its role as the San Diego County Regional Transportation Commission, has the ultimate responsibility for approving the transaction. Before making a decision, Board members will be asked to review all of the documents to become familiar with their contents. Board members should pay particular attention to the information contained in the Remarketing Memorandum (Attachment 2) to ensure there are no inaccuracies concerning SANDAG.

Board members also will be asked to ensure that to the best of their knowledge all of the factual statements are true and correct in all material respects and that the information does not contain any untrue or misleading statement of a material fact or omit to state any material fact that would make the information in any of the documents regarding SANDAG misleading. When carrying out their fiduciary responsibilities, public officials may rely upon employees, bond counsel, disclosure counsel, and other professionals to assure that they are in compliance with the antifraud provisions of the federal securities laws, as long as the reliance is reasonable. In order for the reliance to be considered reasonable, the public official must: (1) make complete disclosure to the appropriate professional of any potentially material mistake or omission in the documents; (2) request the professional's advice as to what disclosure is proper; (3) receive advice regarding the appropriate disclosure; and (4) rely in good faith on that advice.

SANDAG Bond and Disclosure Counsel, Norton Rose Fulbright LLP, and Financial Advisor, Public Financial Management Advisors LLC (PFM), will be present at the October 22, 2021, Board meeting to provide information to the Board regarding proper disclosure. The Chief Executive Director (Hasan Ikrata), Chief Financial Officer (André Douzdjian), Chief Economist (Ray Major), General Counsel (John Kirk), Senior Legal Counsel (Betsy Blake) and Strategic Capital Funding & ITOC Manager (Dawn Vettese) have all reviewed the draft Bond documents, and to the best of staff's knowledge, all of the statements are true and correct in all material respects, and the information does not contain any untrue or misleading statement of a material fact or omit to state any material fact that would make the information in those documents regarding SANDAG misleading.

Next Steps

Upon approval, the expected schedule for the planned release of the DSRF is as follows:

- Week of October 25 – notice to bond holders
- Week of November 17 – post remarketing memo
- Week of November 29 – close and release DSRF
- Under Securities and Exchange Commission Rule 15c2-12, the Commission must file a notice of any material modifications to rights of Holders of the Commission's bonds. Release of the 2008 Bonds Reserve Fund is a material modification of the rights of 2008 Bond Holders. Even though the amendment is a permitted modification under the Indenture and advance notice of the amendment will be given to Holders, Rule 15c2-12 requires posting a separate notice after the effective date of the amendment.

André Douzdjian, Chief Financial Officer

Key Staff Contact: Dawn Vettese, (619) 595-5346, dawn.vettese@sandag.org

- Attachments:
1. PFM Financial Advisors LLC Memorandum
 2. Remarketing Memorandum
 3. Resolution No. RTC-2022-01
 4. Twelfth Supplemental Indenture



October 13, 2021

Memorandum

To: SANDAG Board of Directors
From: PFM Financial Advisors LLC
RE: The Release of the Series 2008 Debt Service Reserve Fund for Projects

INTRODUCTION

PFM Financial Advisors LLC (“PFM”), as the financial advisor to SANDAG, works with SANDAG to evaluate program financing needs, and funding opportunities to meet those needs. Currently, SANDAG has the opportunity to release an existing debt service reserve fund (DSRF) in the approximate amount of \$17 million and use those proceeds for projects. The DSRF was funded in 2008 in association with the Series 2008 Bonds, when it was still common to do so. Based upon the well-established strengths of SANDAG’s borrowing program and evolving rating criteria, the rating agencies and investors have concluded that there is no added benefit to holding funds in a separate reserve. Consequently, SANDAG may release the \$17 million in bond proceeds that are currently sitting in the 2008 DSRF and allocate those towards projects with no impact to their borrowing program.

This memorandum discusses SANDAG’s existing debt portfolio, with details and timing on the potential release of Series 2008 debt service reserve fund.

SANDAG’S OUTSTANDING DEBT OVERVIEW

SANDAG, serving as the San Diego County Regional Transportation Commission, has \$2.402 billion of outstanding long-term debt, including the Series 2021A and 2021B Bonds and the Series 2021A Short Term Notes (Notes) issued in March 2021. The Series 2021A and 2021B Bonds refunded the callable portion of the Series 2014A Bonds for a total of \$22.1 million NPV savings, while also providing about \$130.4 million funding for projects.

The Series 2021A Notes refunded the Series 2018A Notes with a lower rate and extended the final maturity to October 1, 2022. In addition, on January 14, 2021 SANDAG renegotiated the Transportation Infrastructure Finance and Innovation Act (TIFIA) loan to a lower rate of 1.75 percent through 2046 compared to the prior rate of 2.72 percent. Together the extension of the Notes and the TIFIA refinancing resulted in an aggregate debt service savings of \$131.2 million through 2046. The loan is undrawn and does not represent an obligation of SANDAG at this time. A summary of the outstanding bonds is tabulated and graphically presented below.



Summary of Outstanding Debt						
Series	Tax Status	Coupon Type	Original Issue Size	Outstanding Par	Call Option	Final Maturity
2008A	Tax-Exempt	Variable Rate	\$150,000,000	\$100,575,000	Current	4/1/2038
2008B	Tax-Exempt	Variable Rate	\$150,000,000	\$100,575,000	Current	4/1/2038
2008C	Tax-Exempt	Variable Rate	\$150,000,000	\$100,575,000	Current	4/1/2038
2008D	Tax-Exempt	Variable Rate	\$150,000,000	\$100,575,000	Current	4/1/2038
2010A	Taxable	Fixed Rate	\$338,960,000	\$338,960,000	Make-Whole	4/1/2048
2012A	Tax-Exempt	Fixed Rate	\$420,585,000	\$20,965,000	4/1/2022	4/1/2022
2014A	Tax-Exempt	Fixed Rate	\$350,000,000	\$18,475,000	4/1/2024	4/1/2024
2016A	Tax-Exempt	Fixed Rate	\$325,000,000	\$302,610,000	4/1/2026	4/1/2048
2019A	Taxable	Fixed Rate	\$442,620,000	\$442,620,000	4/1/2030	4/1/2048
2020A	Taxable	Fixed Rate	\$74,820,000	\$73,280,000	4/1/2030	4/1/2048
2021A	Taxable	Fixed Rate	\$149,840,000	\$149,840,000	4/1/2031	4/1/2048
2021B	Tax-Exempt	Fixed Rate	\$116,150,000	\$116,150,000	4/1/2031	4/1/2039
2021A Notes	Tax-Exempt	Fixed Rate	\$537,480,000	\$537,480,000	Non-Callable	10/1/2022
Total				\$2,402,680,000		
Summary of TIFIA Loan Commitment						
Series	Tax Status	Coupon Type	Original Issue Size	Outstanding Par	Call Option	Final Maturity
TIFIA*	Taxable	Fixed-Rate	\$537,480,000	\$0	Anytime	10/1/2045
Total with Loan Commitment				\$2,402,680,000		

* The TIFIA loan will be drawn upon to retire the 2021A Notes. The simultaneous draw on the TIFIA loan and the retirement of the 2021A Notes will have an offsetting impact and will not increase the amount of total obligations outstanding.

SANDAG has debt obligations on three separate lien levels, providing different priority of sales tax payment to investors based on their respective lien level. Senior lien obligations are paid first, followed by subordinate lien obligations and then junior subordinate lien obligations (i.e., TIFIA loan). This three-tiered lien structure has been developed by SANDAG to maximize program capacity, keep senior lien ratings as high as possible, and minimize borrowing costs.

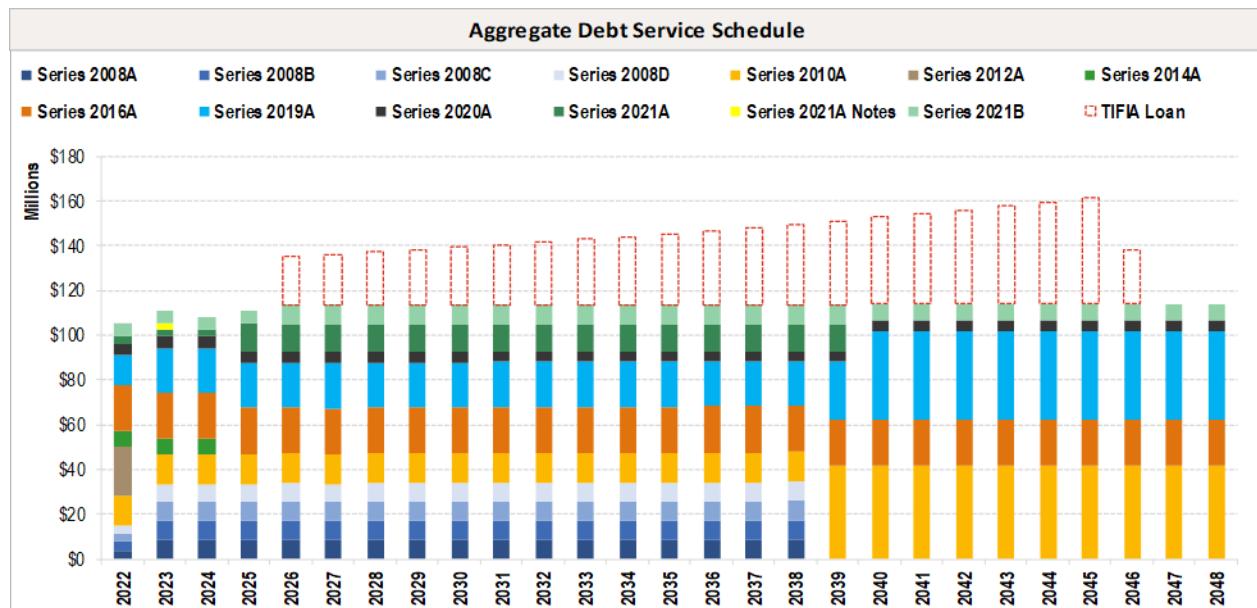
The Series 2021B Bonds and the 2021A Notes are repayable from sales tax revenues that are subordinate to the outstanding bonds (which are on the senior lien) and are on parity with the existing commercial paper (which is on the subordinate lien). The Notes will be taken out with a draw on the TIFIA loan in October 2022.

The TIFIA loan is repayable from a third lien that is subordinate to the senior lien bonds, the 2021B Bonds, the 2021A Notes, and the commercial paper. SANDAG's has a level debt service profile with senior lien annual debt service ranging from \$100.2 million to \$106.7 million per year through FY 2048. The aggregate senior and subordinate lien debt service ranges from \$106.2 million to \$115.3 million. Assuming SANDAG draws on the TIFIA loan as expected to complete the Mid-Coast Corridor Transit Project, SANDAG aggregate debt service will peak at \$161.2 million in FY 2045.

Senior lien debt service coverage, using sales tax receipts of \$334 million for the 12 months ending June 30, 2021, is 3.13 times. Meaning, for every \$1 of senior lien debt service, SANDAG received \$3.13 of sales tax revenue providing ample coverage, supporting SANDAG senior lien triple-A



ratings. Total coverage, when comparing the annual revenues for the 12 months ending June 30, 2021, to peak debt service (including assumed debt service on the undrawn TIFIA loan) in FY 2045, is 1.99 times



RELEASE OF THE SERIES 2008 DEBT SERVICE RESERVE FOR PROJECTS

SANDAG currently has \$402.3 million outstanding in Series 2008A, B, C and D variable rate bonds. Those bonds were issued with a debt service reserve fund (DSRF), which is currently funded in the approximate amount of \$17 million. The funding source of the DSRF is bond proceeds from the original issuance in 2008. Those bond proceeds are eligible to be used for capital projects.

In 2008, it was common to issue revenue bonds with a DSRF to satisfy rating agency criteria and support the highest possible ratings on the bonds. Since then, rating agency criteria has evolved and SANDAG has enjoyed “AAA” ratings on their sales tax revenue bonds without funding a DSRF since 2008. With the strong revenue source of the county-wide sales tax, high debt service coverage and the fact that SANDAG funds their debt service payments monthly in advance of principal and interest payments coming due, rating agencies and investors have concluded that there is no added benefit to holding funds in a separate reserve. Consequently, SANDAG may release the \$17 million in bond proceeds that are currently sitting in the 2008 DSRF and allocate those towards projects.

NEXT STEPS

The legal documents associated with the Series 2008 bonds contemplate the ability to release the DSRF and describe the steps necessary to effectuate the release. SANDAG must receive the consent from their liquidity providers on the Series 2008 bonds and their swap counterparties associated with the interest rate swaps. The financing team is in the process of receiving those documented consent forms. SANDAG must also obtain rating confirmations from S&P and Moody’s (the rating agencies that currently maintain ratings on the Series 2008 bonds) and demonstrate that the release of the DSRF will not impact SANDAG’s rating on the outstanding bonds. SANDAG’s



financing team has engaged both S&P and Moody's for their rating confirmation. SANDAG's bond counsel (Norton Rose Fulbright) has drafted a twelfth supplemental indenture that describes the release of the DSRF and has also provided an update to the offering document (i.e., the Remarketing Memorandum) that is provided to potential investors describing the release of the DSRF, as well as providing updated sales tax data and other relevant information required to make an informed investment decision. Both of these documents will be provided to the Board for review and potential approval via a Resolution at the October 22nd Board meeting.

Following the potential Board approval, SANDAG's trustee (US Bank) will send a notice to the current holders of the Series 2008 bonds notifying them of the upcoming release. This notice must be posted at least 30-days prior to the release of the DSRF. Approximately two to three weeks ahead of the scheduled release of the DSRF, the financing team will post the updated Remarketing Memorandum for investor consumption. All consents required from SANDAG's liquidity providers and swap counterparties will be received prior to posting the updated Remarketing Memorandum.

Under the current schedule of events, the release of the DSRF is expected to be released and available for projects on or about December 3, 2021.

Agenda Item 3 — Attachment 2:

**Remarketing Memorandum – San Diego County
Regional Transportation Commission**

The full document in electronic format can be downloaded at
https://www.sandag.org/uploads/meetingid/meetingid_5688_29856.pdf.

A reference copy will be available at the meeting. For a printed copy, please contact the Public Information Office at (619) 699-1950 or pio@sandag.org.



401 B Street, Suite 800
 San Diego, CA 92101
 Phone (619) 699-1900
 Fax (619) 699-1905
 sandag.org

**Regional Transportation Commission
 Resolution No. 2022-01**

**AUTHORIZING THE EXECUTION AND DELIVERY OF A TWELFTH
 SUPPLEMENTAL INDENTURE AND A REMARKETING
 MEMORANDUM AND DELEGATING TO THE CHAIR AND
 SECRETARY OF THE BOARD AND CHIEF EXECUTIVE OFFICER
 OF THE COMMISSION AND OTHER AUTHORIZED
 REPRESENTATIVES POWER TO COMPLETE SAID DOCUMENTS,
 AUTHORIZING DISTRIBUTION OF SAID DOCUMENTS AND
 AUTHORIZING TAKING OF ALL NECESSARY ACTIONS IN
 CONNECTION THEREWITH**

WHEREAS, the Commission has heretofore issued \$600,000,000 in original aggregate principal amount of its Sales Tax Revenue Bonds (Limited Tax Bonds) Variable Rate Demand Bonds 2008 Series A, 2008 Series B, 2008 Series C and 2008 Series D (collectively, the "2008 Bonds"), pursuant to an Indenture (the "Original Indenture"), as supplemented by a First Supplemental Indenture, each dated as of March 1, 2008 and entered into by the Commission and U.S. Bank National Association, as trustee (the "Trustee");

WHEREAS, the Original Indenture was further supplemented and amended (i) to provide for additional remarketing agents for the 2008 Bonds by a First Supplemental Indenture, dated as of July 1, 2008, and (ii) to provide for pooling of debt service reserve funds, including the 2008 Bonds Reserve Fund, by a Second Supplemental Indenture, dated as of October 1, 2010, each entered into by the Commission and the Trustee (the Original Indenture, as heretofore amended and supplemented, referred to herein as the "Indenture");

WHEREAS, to secure the 2008 Bonds, there is established and maintained under the Indenture the 2008 Bonds Reserve Fund;

WHEREAS, the Commission desires to close the 2008 Bonds Reserve Fund and provide for release to the Commission of the amounts on deposit therein (the "Reserve Release");

WHEREAS, the Commission has determined that, pursuant to Section 9.01(B)(13) of the Indenture, the Commission and the Trustee are authorized to amend the Indenture, subject to satisfaction of certain notice, consent and other conditions, including (1) providing notice of the proposed amendments to holders of the 2008 Bonds at least thirty (30) days before the proposed effective date of such amendments, with the right, on or before such effective date, to demand purchase of their 2008 Bonds pursuant to the provisions of the Indenture, and (2) acquiring consent to the amendments from the liquidity providers for the 2008 Bonds;

WHEREAS, there has been prepared and presented to the Commission a proposed form of Twelfth Supplemental Indenture (the "Twelfth Supplemental Indenture") to be executed and delivered by the Commission to amend the Indenture by providing for the Reserve Release;

WHEREAS, the Commission has been presented with the form of the Remarketing Memorandum relating to the 2008 Bonds that reflects the Reserve Release, and the Commission has examined and approved such document;

WHEREAS, the Commission desires to authorize and direct the execution of such the Twelfth Supplemental Indenture and the Remarketing Memorandum and such other documents as are necessary in connection with the Reserve Release and to authorize and direct the consummation of the Reserve Release;

WHEREAS, Norton Rose Fulbright US LLP is representing the Commission as bond counsel ("Bond Counsel") and as disclosure counsel ("Disclosure Counsel") and PFM Financial Advisors LLC is serving as municipal advisor to the Commission in connection with the Reserve Release; and

WHEREAS, all acts, conditions and things required by the Law and the Constitution and laws of the State of California to exist, to have happened and to have been performed precedent to and in connection with the consummation of the Reserve Release authorized hereby do exist, have happened and have been performed in regular and due time, form and manner as required by law, and the Commission is now duly authorized and empowered, pursuant to each and every requirement of law, to authorize such Reserve Release and to authorize the execution of the Twelfth Supplemental Indenture and the Remarketing Memorandum for the purposes, in the manner and upon the terms provided; NOW THEREFORE

BE IT RESOLVED that the SANDAG Board of Directors, ALSO ACTING AS THE SAN DIEGO COUNTY REGIONAL TRANSPORTATION COMMISSION, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The proposed form of Twelfth Supplemental Indenture, between the Commission and the Trustee, submitted to the Commission, and the terms and conditions thereof, are hereby approved. The Secretary of the Board is directed to file a copy of said form of Twelfth Supplemental Indenture with the minutes of this meeting, and any one of the Chair of the Board, the Chief Executive Officer of the Commission or the Chief Financial Officer of the Commission or a designee of any such official (each an "Authorized Representative"), and the Secretary of the Board are authorized and directed to execute and deliver the Twelfth Supplemental Indenture to the Trustee, in substantially such form, and with such additions thereto or changes therein, as they, with the advice of Bond Counsel, shall approve, such approval to be conclusively evidenced by the execution and delivery of the Twelfth Supplemental Indenture.

Section 2. The proposed form of the Remarketing Memorandum describing the 2008 Bonds, the security therefor (reflecting the Reserve Release) and the documents executed in connection with the 2008 Bonds, and related matters, submitted to the Commission, is hereby approved. The Authorized Representative is hereby authorized and directed to execute and deliver the Remarketing Memorandum in substantially such form, and with such additions thereto or changes therein, as the Authorized Representative executing the same, with the advice of Disclosure Counsel, shall approve, such approval to be conclusively evidenced by the execution and delivery of the Remarketing Memorandum. The distribution by the remarketing agents for the 2008 Bonds of copies of the Remarketing Memorandum in final form to all actual purchasers of the 2008 Bonds and the distribution by the remarketing agents of the Remarketing Memorandum to potential purchasers of the 2008 Bonds are hereby authorized and approved.

Section 3. The Chair and the Secretary of the Board, the Chief Executive Officer and the Chief Financial Officer of the Commission, and other appropriate officers of the Board or the Commission, and each of them, are hereby authorized and directed, for and in the name and on behalf of the Commission, to execute and deliver any and all documents, certificates and representations, including, without limitation, signature certificates, no-litigation certificates, tax certificates, investment instructions, certificates concerning the contents of the Remarketing Memorandum, and certificates, agreements, and the documents authorized by this Resolution, substantially in the respective forms presented at this meeting, and with such additions thereto or changes therein, including such changes as they, with the advice of Bond Counsel, shall approve, and to seek additional consents and provide additional notices, and to do any and all

things and take any and all actions that may be necessary or advisable, in their discretion, to effectuate the actions that the Commission has approved in this Resolution.

Section 4. The Commission hereby approves the execution and delivery of all agreements, documents, certificates and instruments referred to herein with electronic signatures as may be permitted under the California Uniform Electronic Transactions Act.

Section 5. All actions heretofore taken by the officers and agents of the Board or the Commission with respect to the Reserve Release are hereby ratified, confirmed and approved.

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

PASSED AND ADOPTED this 22nd of October, 2021

Ayes

Noes

Absent

**Chair of the Board of Directors
of the San Diego County Regional
Transportation Commission**

[Seal]

Attest

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

TWELFTH SUPPLEMENTAL INDENTURE

between

SAN DIEGO COUNTY REGIONAL TRANSPORTATION COMMISSION

and

U.S. BANK NATIONAL ASSOCIATION,
as Trustee

Dated as of November 1, 2021

Amending and Supplementing the Indenture
Dated as of March 1, 2008

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TWELFTH SUPPLEMENTAL INDENTURE

THIS TWELFTH SUPPLEMENTAL INDENTURE, dated as of November 1, 2021 (this "Twelfth Supplemental Indenture"), between the SAN DIEGO COUNTY REGIONAL TRANSPORTATION COMMISSION, a public entity duly established and existing under the laws of the State of California (the "Commission"), and U.S. BANK NATIONAL ASSOCIATION, a national banking association duly organized and existing under and by virtue of the laws of the United States of America, as trustee (the "Trustee"):

WITNESSETH:

WHEREAS, this Twelfth Supplemental Indenture amends and supplements the Indenture, dated as of March 1, 2008 (as supplemented and amended from time to time pursuant to its terms, the "Indenture"), between the Commission and the Trustee;

WHEREAS, the Indenture provides that the Commission may issue Bonds from time to time as authorized by a Supplemental Indenture, which Bonds are to be payable from Revenues and from such other sources as may be specified with respect to a particular Series of Bonds in the Supplemental Indenture authorizing such Series;

WHEREAS, the Commission has previously issued Series of Bonds respectively designated "San Diego County Regional Transportation Commission Sales Tax Revenue Bonds (Limited Tax Bonds) Variable Rate Demand Bonds 2008 Series A," "San Diego County Regional Transportation Commission Sales Tax Revenue Bonds (Limited Tax Bonds) Variable Rate Demand Bonds 2008 Series B," "San Diego County Regional Transportation Commission Sales Tax Revenue Bonds (Limited Tax Bonds) Variable Rate Demand Bonds 2008 Series C" and "San Diego County Regional Transportation Commission Sales Tax Revenue Bonds (Limited Tax Bonds) Variable Rate Demand Bonds 2008 Series D" (collectively, the "2008 Bonds");

WHEREAS, to secure the 2008 Bonds, there is established and maintained under the Indenture the 2008 Bonds Reserve Fund;

WHEREAS, the Commission desires to close the 2008 Bonds Reserve Fund and release to the Commission the amounts on deposit therein;

WHEREAS, the Commission has determined that, pursuant to Section 9.01(B)(13) of the Indenture, the Commission and the Trustee are authorized to amend the Indenture by this Twelfth Supplemental Indenture, if notice of the proposed amendments is given to Holders of the affected Bonds at least thirty (30) days before the proposed effective date of such amendments and, on or before the effective date hereof, such Holders have the right to demand purchase of their Bonds pursuant to the provisions of the Indenture;

WHEREAS, the Holders of the Bonds affected by the amendments under this Twelfth Supplemental Indenture are the Holders of the 2008 Bonds;

WHEREAS, notice of the amendments contained herein was given to Holders of the 2008 Bonds on _____, 2021 and, on or before the effective date hereof, such Holders had the right to demand purchase of their 2008 Bonds pursuant to the provisions of the Indenture;

WHEREAS, pursuant to the applicable provisions of each 2008 Liquidity Facility, the Commission has secured the consent of each 2008 Liquidity Provider to the amendment of the Indenture as set forth herein;

WHEREAS, pursuant to the relevant provisions of each Interest Rate Swap Agreement, the Commission has secured the consent of each Counterparty to the amendment of the Indenture as set forth herein; and

NOW, THEREFORE, the parties hereto hereby agree as follows:

ARTICLE LXVI DEFINITIONS; AMENDMENTS TO INDENTURE

Section 66.01 Definitions.

(a) **Definitions.** Unless the context otherwise requires, or as otherwise provided in subsection (b) of this Section, all terms that are defined in Section 1.02 of the Indenture shall have the same meanings in this Twelfth Supplemental Indenture.

(b) **Deleted Definitions.** The following terms defined in Section 12.01 of the First Supplemental Indenture and their related definitions (as previously amended under the Third Supplemental Indenture, as applicable) are hereby deleted:

“2008 Bonds Reserve Fund”

“2008 Bonds Reserve Requirement”

“2008 Reserve Fund Eligible Bonds”

Section 66.02 Amendments to Indenture. Pursuant to Section 9.01(B)(13) of the Indenture, for all purposes of the Indenture and of any Supplemental Indenture, including this Twelfth Supplemental Indenture, and of any certificate, opinion or other document therein mentioned, the provisions of the Indenture are hereby amended and supplemented as follows:

- (a) Section 17.01(b) and Section 17.03 of the Indenture are deleted.
- (b) There is added a Section 17.06 to the Indenture as follows:

Section 17.06 Release of 2008 Bonds Reserve Fund. Upon receipt of a written request of the Commission to such effect, the Trustee shall transfer all amounts on deposit in the 2008 Bond Reserve Fund to the Commission and close the 2008 Bond Reserve Fund.

ARTICLE LXVII MISCELLANEOUS

Section 67.01 Severability. If any covenant, agreement or provision, or any portion thereof, contained in this Twelfth Supplemental Indenture, or the application thereof to any person

or circumstance, is held to be unconstitutional, invalid or unenforceable, the remainder of this Twelfth Supplemental Indenture, and the application of any such covenant, agreement or provision, or portion thereof, to other Persons or circumstances, shall be deemed severable and shall not be affected thereby, and this Twelfth Supplemental Indenture shall remain valid.

Section 67.02 Parties Interested Herein. Nothing in this Twelfth Supplemental Indenture expressed or implied is intended or shall be construed to confer upon, or to give to, any person or entity, other than the Commission and the Trustee, any right, remedy or claim under or by reason of this Twelfth Supplemental Indenture or any covenant, condition or stipulation hereof; and all the covenants, stipulations, promises and agreements in this Twelfth Supplemental Indenture contained by and on behalf of the Commission shall be for the sole and exclusive benefit of the Commission and the Trustee.

Section 67.03 Headings Not Binding. The headings in this Twelfth Supplemental Indenture are for convenience only and in no way define, limit or describe the scope or intent of any provisions or sections of this Twelfth Supplemental Indenture.

Section 67.04 Notices to Rating Agencies. The Trustee shall provide notice to the Rating Agencies of the amendments to the Indenture under this Twelfth Supplemental Indenture.

Section 67.05 Indenture to Remain in Effect. Save and except as amended and supplemented by this Twelfth Supplemental Indenture, the Indenture, as heretofore supplemented by the First Supplemental Indenture, the Second Supplemental Indenture, the Third Supplemental Indenture, the Fourth Supplemental Indenture, the Fifth Supplemental Indenture, the Sixth Supplemental Indenture, the Seventh Supplemental Indenture, the Eighth Supplemental Indenture, the Ninth Supplemental Indenture, the Tenth Supplemental Indenture and the Eleventh Supplemental Indenture shall remain in full force and effect.

Section 67.06 Effective Date of Twelfth Supplemental Indenture. This Twelfth Supplemental Indenture shall take effect upon its execution and delivery.

Section 67.07 Execution in Counterparts. This Twelfth Supplemental Indenture may be executed in several counterparts, each of which shall be deemed an original, and all of which shall constitute but one and the same instrument.

Section 67.08 Electronic Signature. Each of the parties hereto agrees that the transaction consisting of this Twelfth Supplemental Indenture may be conducted by electronic means. Each party agrees, and acknowledges that it is such party's intent, that if such party signs this Twelfth Supplemental Indenture using an electronic signature, it is signing, adopting, and accepting this Twelfth Supplemental Indenture and that signing this Twelfth Supplemental Indenture using an electronic signature is the legal equivalent of having placed its handwritten signature on this Twelfth Supplemental Indenture on paper. Each party acknowledges that it is being provided with an electronic or paper copy of this Twelfth Supplemental Indenture in a usable format.

IN WITNESS WHEREOF, the parties hereto have executed this Twelfth Supplemental Indenture by their officers thereunto duly authorized as of the day and year first written above.

SAN DIEGO COUNTY REGIONAL
TRANSPORTATION COMMISSION

By: _____
Chief Executive Officer

ATTEST:

Clerk

APPROVED AS TO FORM:

General Counsel

U.S. BANK NATIONAL ASSOCIATION,
as Trustee

By: _____
Authorized Officer

October 8, 2021, Board of Directors Meeting Minutes

Chair Catherine Blakespear (City of Encinitas) called the meeting of the Board of Directors to order at 9:01 a.m.

Action: **Approve**

The Board of Directors is asked to approve the minutes from its October 8, 2021, meeting.

1. Public Comments/Communications/ Member Comments

Gustavo Dallarda, Caltrans, provided an update on Caltrans programs and projects.

Second Vice Chair Alejandra Sotelo-Solis (City of National City) provided an update on her recent trip to Washington DC.

Mayor Matt Hall, City of Carlsbad, announced a North Coast Corridor groundbreaking event on October 12 at Holiday Park.

Councilmember Christopher Rodriguez, City of Oceanside, Mayor Terry Gaasterland, City of Del Mar, Johanna Schiavoni, San Diego County Regional Airport Authority, announced the recent approval of the Terminal 1 airport project.

Mayor Serge Dedina, City of Imperial Beach, commented on the recent oil spill and shoreline preservation projects.

Casey Bennet, member of the public, spoke in opposition to Project Labor Agreements (PLAs).

Nicole Burgess, member of the public, spoke regarding the reduction of concrete and fossil fuel use, and in support of people-centric mobility.

Abdur Rahim Hamed, member of the public, spoke regarding National Apprenticeship Week.

Gary Venable, member of the public, spoke in opposition to PLAs.

Shane Harris, member of the public, spoke in opposition to PLAs.

2. Chief Executive Officer's Report (Discussion)

Chief Executive Officer Hasan Ikhrata presented an update on key programs, projects, and agency initiatives.

Action: This item was presented for discussion.

Consent

3. Approval of Meeting Minutes (Approve)

The Board of Directors was asked to approve the minutes from its September 24, 2021, meeting.

There were no public comments on this item.

4. Policy Advisory Committee Actions (Approve)

The Board was asked to ratify the delegated actions taken by the Policy Advisory Committees.

There were no public comments on this item.

Action: Upon a motion by X (City of X), and a second by X (City of X), the Board voted to approve Consent Item Nos. 3 and 4.

The motion passed.

Yes: Chair Blakespear, Vice Chair Gloria (City of San Diego), Second Vice Chair Sotelo-Solis, Mayor Hall, Mayor Mary Salas (City of Chula Vista), Mayor Richard Bailey (City of Coronado), Supervisor Terra Lawson-Remer (County of San Diego), Mayor Gaasterland, Councilmember Steve Goble (City of El Cajon), Mayor Paul McNamara (City of Escondido), Mayor Dedina, Councilmember Jack Shu (City of La Mesa), Mayor Racquel Vasquez (City of Lemon Grove), Councilmember Rodriguez, Councilmember John Mullin (City of Poway), Mayor Rebecca Jones (City of San Marcos), Mayor John Minto (City of Santee), Mayor Lesa Heebner (City of Solana Beach), and Mayor Judy Ritter (City of Vista).

No: None.

Abstain: None.

Absent: None.

Reports

5. Salaries and Compensation Audit (Discussion)

5A. Salaries and Compensation Audit: Action Plan Progress Report

Director of Organization Effectiveness Melissa Coffelt presented an update on progress achieved to date regarding the Compensation Audit Action Plan.

There were no public comments on this item.

5B. Salaries and Compensation Audit Corrective Action Plan as of June 30, 2021

Independent Performance Auditor Mary Khoshmashrab presented an update on the progress and testing results of the Corrective Action Plan actions that have been taken this quarter.

There were no public comments on this item.

Action: This item was presented for discussion only.

6. Overview of the Draft Environmental Impact Report for San Diego Forward: The Regional Plan and its Sustainable Communities Strategy (Information)

Senior Regional Planner Keith Greer presented an overview on the draft Environmental Impact Report for San Diego Forward: The 2021 Regional Plan.

Action: This item was presented for information only.

7. Upcoming Meetings

The next Board of Directors meeting is scheduled for Friday, October 22, 2021, at 9 a.m.

8. Adjournment

Chair Blakespear adjourned the meeting at 11:02 a.m.

Confirmed Attendance at Board of Directors Meeting

October 8, 2021

Board of Directors	Title	Name	Attend Virtually
City of Carlsbad	Mayor	Matt Hall (Primary)	Yes
City of Chula Vista	Mayor	Mary Salas (Primary)	Yes
City of Coronado	Mayor	Richard Bailey (Primary)	Yes
County of San Diego	Supervisor	Terra Lawson-Remer (Primary)	Yes
County of San Diego	Supervisor	Joel Anderson (Primary)	Yes
City of Del Mar	Mayor	Terry Gaasterland (Primary)	Yes
City of El Cajon	Councilmember	Steve Goble (Alternate)	Yes
City of Encinitas	Mayor	Catherine Blakespear (Primary)	Yes
City of Escondido	Mayor	Paul McNamara (Primary)	Yes
City of Imperial Beach	Mayor	Serge Dedina (Primary)	Yes
City of La Mesa	Councilmember	Jack Shu (Primary)	Yes
City of Lemon Grove	Mayor	Racquel Vasquez (Primary)	Yes
City of National City	Second Vice Chair	Alejandra Sotelo-Solis (Primary)	Yes
City of Oceanside	Councilmember	Christopher Rodriguez (Primary)	Yes
City of Poway	Councilmember	John Mullin (2nd Alt.)	Yes
City of San Diego	Vice Chair	Todd Gloria (Primary)	Yes
City of San Diego	Council President	Jennifer Campbell (Primary)	Yes
City of San Marcos	Mayor	Rebecca Jones (Primary)	Yes
City of Santee	Mayor	John Minto (Primary)	Yes
City of Solana Beach	Mayor	Lesa Heebner (Primary)	Yes
City of Vista	Mayor	Judy Ritter (Primary)	Yes
Caltrans		Gustavo Dallarda (1st Alt.)	Yes
Metropolitan Transit System	Councilmember	Paloma Aguirre (Primary)	Yes
North County Transit District	NCTD Chair	Tony Kranz (Primary)	Yes
Imperial County	Supervisor	Sup. Jesus Escobar (Primary)	No
U.S. Department of Defense	Executive Director	Dennis Keck (Primary)	Yes
Port of San Diego	Commissioner	Garry Bonelli (Primary)	Yes
San Diego County Water Authority	Councilmember	Mel Katz (Primary)	Yes
San Diego County Regional Airport Authority		Johanna Schiavonni (1st Alt)	Yes
Mexico	Consul General	Carlos González Gutiérrez (Primary)	No
SCTCA	Chairman	Cody Martinez	No

Wildlife Conservation Board Grant Funding

Overview

The passage of the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 made \$940 million available to the California Wildlife Conservation Board (WCB) for habitat protection such as fee and conservation easements, restoration, and enhancement. These funds are distributed (allocated) by the WCB through grants and contracts to eligible recipients for appropriate and qualified projects.

Through the Southern California Wetlands Recovery Project Wetlands Manager's Group, the WCB identified the Buena Vista Lagoon Enhancement Project as an eligible recipient for Proposition 50 funding. SANDAG Staff applied for \$3 million in funding to move forward with design and permitting for the Buena Vista Lagoon Enhancement Project. The WCB requires a resolution in order to approve the application for this funding.

Acceptance of an award would require an amendment to the fiscal year 2022 Program Budget (CIP 1200260) for the grant funds, in the amount of \$3,000,000, and matching funds, estimated to be \$100,000 for in kind services.

Key Considerations

The 220-acre Buena Vista Lagoon is located in northern San Diego County, bisected by the cities of Oceanside and Carlsbad. The lagoon is in a state of decline due to accumulation of sediment and uncontrolled expansion of cattails, leading to problems with flooding, water quality, mosquitos, and the potential for mosquito-borne diseases.

The Final EIR for the project was certified by the SANDAG Board of Directors on Friday, May 22, 2020. The Board adopted a resolution to accept the Modified Saltwater Alternative with support from key stakeholders, including adjacent property owners. Once the Board certified the Final EIR and adopted the resolution, SANDAG began working with the cities of Carlsbad and Oceanside and the landowners to identify funding to move the project into design and permitting. Funding from the WCB will allow SANDAG to begin design and permitting, while concurrently seeking future state and federal funding to complete final engineering.

Next Steps

If approved, SANDAG's grant application will go before the WCB on November 18, 2021 for approval. Pending approval, staff will coordinate with the WCB to develop a grant agreement for acceptance of funds.

Hasan Ikrata, Executive Director / Chief Deputy Executive Director

Key Staff Contact: Kim Smith (619) 699-6949, Kim.Smith@sandag.org

Attachments: 1. Resolution No. 2022-08

2. Wildlife Conservation Board Application

3. Draft Wildlife Conservation Board Grant Agreement

Action: **Adopt**

The Board of Directors is asked to adopt resolution 2022-08 to receive Proposition 50 funding from the California Wildlife Conservation Board and to authorize SANDAG to accept the grant, if awarded.

Fiscal Impact:

If awarded funding, \$3 million in grant funds, and matching funds estimated to be \$100,000 for in kind services, would be added to the FY 2022 budget under CIP 1200260.

Schedule/Scope Impact:

If awarded funding, \$3 million in grant funds will be issued to SANDAG to move forward with design and permitting for the Buena Vista Lagoon Enhancement Project.



401 B Street, Suite 800
 San Diego, CA 92101
 Phone (619) 699-1900
 Fax (619) 699-1905
 sandag.org

Resolution No. 2022-08

Resolution of the San Diego Association of Governments (SANDAG) to receive funds from the Wildlife Conservation Board's Proposition 50 Grants Program

WHEREAS, the Buena Vista Lagoon Enhancement Project (Project) is meant to enhance the biological and hydrological functions and recreational values of Buena Vista Lagoon by addressing increased sedimentation and invasive vegetation encroachment, as well as resulting declining coastal biodiversity, degrading water quality, water circulation restriction, and increased vector concerns; and

WHEREAS, the SANDAG Board of Directors certified the Final Environmental Impact Report (EIR) for the Project and adopted Resolution No. RTC-2020-05 accepting the Modified Saltwater Alternative with support from key stakeholders, including adjacent property owners; and

WHEREAS, Proposition 50 (The California Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002) made \$940 million available to the California Wildlife Conservation Board (WCB) for habitat protection, restoration, and enhancement; and

WHEREAS, WCB distributes these funds through grants and contracts to eligible recipients for appropriate and qualified projects; and

WHEREAS, the Project was identified as a qualified project eligible for Proposition 50 funding by the WCB and is included on the Southern California Wetlands Recovery Project Work Plan; and

WHEREAS, SANDAG submitted an application for approximately \$3 million in funding to be used to implement design and permitting for the Project; NOW THEREFORE

BE IT RESOLVED, that the SANDAG Board of Directors:

1. Certifies that SANDAG understands the assurances and certification in the WCB Proposition grant application.
2. Authorizes SANDAG to enter into a grant agreement with the WCB for the Project and accept the template terms and conditions if the Project is awarded funding.
3. Authorizes SANDAG's Executive Director, or designated staff member, as agent, to accept the award of grant funding and to execute tasks, such as signing documents related to the application, grant agreement, payment requests, and other documents which may be necessary to accept the award of grant funding, if the project is awarded funding.

PASSED AND ADOPTED this day of 22 of October 2021.

Attest:

Chair

Secretary

Member Agencies: Cities of Carlsbad, Chula Vista, Coronado, Del Mar, El Cajon, Encinitas, Escondido, Imperial Beach, La Mesa, Lemon Grove, National City, Oceanside, Poway, San Diego, San Marcos, Santee, Solana Beach, Vista, and County of San Diego.

Advisory Members: California Department of Transportation, Metropolitan Transit System, North County Transit District, Imperial County, U.S. Department of Defense, San Diego Unified Port District, San Diego County Water Authority, Southern California Tribal Chairmen's Association, and Mexico.

Agenda Item 6 — Attachment 2:

Restoration Funding Application

The full document in electronic format can be downloaded at
https://www.sandag.org/uploads/meetingid/meetingid_5688_29857.pdf.

A reference copy will be available at the meeting. For a printed copy, please contact the Public Information Office at (619) 699-1950 or pio@sandag.org.

CALIFORNIA WILDLIFE CONSERVATION BOARD

GRANT AGREEMENT

Between

STATE OF CALIFORNIA, WILDLIFE CONSERVATION BOARD

And

GRANTEE

for

PROJECT NAME

_____ COUNTY, CALIFORNIA

WC-XXXXXX

State of California
Natural Resources Agency
Department of Fish and Wildlife
Wildlife Conservation Board

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DRAFT

1. SCOPE OF AGREEMENT

Pursuant to the Wildlife Conservation Law of 1947, **Chapter 4.0** of Division 2, (commencing with Section of the California Fish and Game Code; the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Proposition 50), Water Code Section 79572(a); and the approval granted by the Wildlife Conservation Board on **DATE**, the Wildlife Conservation Board (Grantor) hereby grants to **[Eligible Public or Non-profit Entity]**, (Grantee), a sum not to exceed _____ dollars (\$_____) (Grant Funds), upon and subject to the terms and conditions of this Grant Agreement (Agreement).

2. PURPOSES OF GRANT

Grantor is entering into this Agreement, and the Grant Funds shall be used, only for the purpose of assisting Grantee with the project generally described as: [briefly describe project; must be consistent with purposes of program and allowed uses of fund source identified in Paragraph 1] (Project) on approximately _____ acres of [privately-owned] land commonly known as _____, located in _____ County, California (Property). The Property is generally shown on the attached Exhibit A - LOCATION MAP. [CHOOSE ONE: Grantee OR the Name of the Landowner] is the fee owner of the Property.

3. CONDITIONS OF GRANT

Grantor's obligation to disburse Grant Funds under this Agreement is conditioned upon and subject to the satisfactory completion of all of the following conditions:

- 3.1 Grantor shall have reviewed and approved all documents pertaining to the Project, including, without limitation, feasibility and planning studies, designs, plans, budgets, cost estimates, timelines, and agreements. Such review and approval by Grantor will be for compliance with this Agreement as well as funding and other requirements applicable to Grantor and shall not be unreasonably withheld.
- 3.2 Grantor shall have reviewed and approved a certified resolution or other appropriate action of the governing board or governing body of Grantee, authorizing the execution and performance of this Agreement and the carrying out of the Project by Grantee.
- 3.3 Grantee shall have disclosed all funding sources for the Project, including all amounts applied for or obtained from sources other than Grantor. These amounts shall be reflected in the attached Exhibit B – BUDGET (Budget) by Budget category. As between Grantor and Grantee, Grantee shall be responsible for any and all Project costs that exceed the amount of the Grant Funds provided under this Agreement.
- 3.4 The grant proposal shall have been approved by the Wildlife Conservation Board at a public meeting, this Agreement shall have been fully executed by Grantor and Grantee, and Grantee shall have received a written "Notice to Proceed" from Grantor. The approval of the grant proposal by the Wildlife Conservation Board, if such approval is given, shall not constitute authorization for the commencement of the Project or expenditure of Grant Funds. No expenditure made or activity initiated prior to Grantee's

receipt of a written Notice to Proceed from Grantor will be eligible for reimbursement by Grantor.

4. DISBURSEMENTS

- 4.1 Upon satisfaction of all of the Conditions of Grant set forth in Section 3, above, and so long as Grantee is not in breach or default under this Agreement, Grantor agrees to disburse the Grant Funds to Grantee, in arrears, in installments as set forth in this Section 4. Disbursements shall be made not more frequently than monthly and disbursements of less than \$5000 should be made not more frequently than quarterly. All disbursements shall be subject to the availability of funds for purposes of the Project as provided in Section 4.8.
- 4.2 Grantee shall request disbursement of Grant Funds by submitting a disbursement request to Grantor for approved budgeted work performed on the Project in accordance with Section 4.3. Disbursement shall be contingent upon approval of the disbursement request by Grantor.
- 4.3 The disbursement request must be submitted on Grantee's letterhead, signed by an authorized representative of Grantee, and include a written description of the work completed during the period of the disbursement request. Requests for disbursement must be itemized using the same categories included in the attached Budget. A [Disbursement Request Template](#) provides the format to use for submitting disbursement requests to Grantor. Each disbursement request shall contain supporting or back-up documentation for all amounts shown on the request, including receipts for all materials and supplies, all Grantee staff time shown by number of hours worked and hourly rate, and all contractor or sub-contractor services.
- 4.4 Grantor may withhold ten percent (10%) of the total approved amount from each disbursement (Retained Grant Funds) until Grantor has approved the completion of the Project, the final report required by Section 6.4, and the final request for disbursement.
- 4.5 Upon completion of Project activities, Grantee may request disbursement of the Retained Grant Funds. Grantee shall submit this request no later than thirty (30) days after the Projected Completion Date (as defined in Section 6.1).
- 4.6 Please submit disbursement requests electronically to WCB at WCBClerical@wildlife.ca.gov and WCB Project Manager [Name here](#) (your.name@wildlife.ca.gov) with "Project ID ____ Invoice No. ____" in the subject line.

Alternatively, hard copy requests for disbursement can be sent to:

Wildlife Conservation Board
P.O. Box 944209
Sacramento, California 94244-2090
Attn: [Project Manager name](#)

- 4.7 Grantee shall reimburse Grantor for any erroneous disbursement of Grant Funds under this Agreement. Reimbursement shall occur within 30 days of written demand by

Grantor. Interest shall accrue at the highest rate allowed by law from the time that reimbursement becomes due and owing until received by Grantor.

- 4.8 Despite any contrary provision of this Agreement, Grantor shall not be obligated to disburse any remaining unpaid portion of the Grant Funds unless and until sufficient funds identified for allocation to the Project (as further specified in the Funding Certification attached to this Agreement) are released by the State Treasurer's Office to Grantor for expenditure for this grant. No request for disbursement submitted prior to the release of such funds to Grantor shall be effective.
- 4.9 With the final invoice, Grantee shall provide a completed [Final Cost Share Accounting Form](#) when work is completed. The completed Final Cost Share Accounting Form shall identify and delineate all cost share funds expended and in-kind services provided during the Grant term before Project completion and will be consistent with Exhibit B – BUDGET.

5. BUDGET AND INDIRECT COSTS

- 5.1 The attached Budget is an estimate of the Grantee's anticipated costs for the Project and discloses all funding sources for the Project, including all amounts applied for or obtained from sources other than Grantor. Should the Budget not disclose all funding sources for the Project, Grantor may refer this grant to the Department of Finance for a Project audit. Grantee may seek additional funding from sources other than Grantor, with Grantor's approval, to cover cost increases or to reduce Grantor's cost share. Should Grantee obtain additional funds from sources other than Grantor, Grantee shall promptly notify Grantor of the amounts and sources of the additional funding and submit a proposed new budget reflecting any changes to Grantor for its approval.

When actual Project costs indicate that the costs of certain Budget categories payable by Grantor are higher than estimated, and these higher costs are offset by lower costs in other Budget categories payable by Grantor, the Grantee may submit a written request to Grantor to shift funds between such Budget categories. Contingencies shall be used only upon written approval by Grantor. Grantor shall approve or deny a requested Budget revision or use of contingencies in writing within 10 business days of receipt of Grantee's written request.

- 5.2 Indirect cost rates are limited to 20 percent of the total direct WCB Grant Funds minus subcontractor and equipment costs. Any amount over 20 percent will not be funded but may be used as cost share. If Grantee seeks to recover indirect or administrative costs, this item should be included as a line item in the Budget. Any cost that is billed as a direct cost may not be included in indirect cost rates. Indirect costs include, but are not limited to, the following: workers compensation insurance, utilities, office space rental, phone, and copying which is directly related to completion of the Project.

Costs for subcontractors and purchase of equipment cannot be included in the calculation of indirect costs in the Budget. It is the responsibility of the Grantee to keep documentation for all indirect costs claimed in Exhibit B. For all indirect costs claimed,

Grantee must keep backup documents in audit-ready files (these documents are not provided to WCB).

6. GRANTEE'S COVENANTS

In consideration of this Agreement, Grantee hereby covenants and agrees as follows:

- 6.1. Grantee will complete or cause to be completed all Project activities in accordance with Grantee's proposed design and specifications submitted to Grantor, a copy of which is attached as Exhibit C - WORK PLAN and incorporated herein by this reference, on or before _____, 20____ (Projected Completion Date). The Project will be considered complete when all Project activities have been completed and Grantor has approved the completion of the Project, the final report required by Section 6.4, and the final request for disbursement.
- 6.2 Grantee is responsible for obtaining all necessary permits and approvals for the Project (including its construction, management, monitoring, operation, use and maintenance), and complying with all federal, state and local statutes, laws, regulations, ordinances, orders and other governmental and quasi-governmental requirements that apply to the Project (including its construction, management, monitoring, operation, use and maintenance).
- 6.3 Grantee shall recognize the cooperative nature of the Project and shall provide credit to the Grantor and the California Department of Fish and Wildlife on signs, demonstrations, promotional materials, advertisements, publications and exhibits prepared or approved by Grantee referencing the Project. Any sign installed on the Property referencing the Project shall be subject to the mutual agreement of Grantor, Grantee and Landowner regarding text, design and location and shall display the logo of Grantor.
- 6.4 Not later than 30 days following the completion of all Project activities Grantee will submit one hard copy and one digital copy of a final report of accomplishments, including pre- and post-Project photographs and a final design or site plan of the Project, to Grantor.

7. BREACH AND REMEDIES

- 7.1 In the event of a breach of Grantee's obligations under this Agreement, Grantor shall give notice to Grantee describing the breach. If Grantee does not cure the breach described in the Grantor's notice within 90 days after the date of Grantor's notice (or, if the breach cannot reasonably be cured within 90 days, Grantee does not commence the cure within the 90-day period and diligently pursue it to completion), then Grantee shall be in default of this Agreement.
- 7.2 In the event of a default by Grantee before the Project is complete then, in addition to any and all other remedies available at law or in equity, Grantor may seek specific performance of this Agreement. Grantee agrees that specific performance is an appropriate remedy because the benefits to Grantor from Grantee's completion of the

Project in accordance with this Agreement, as described in Section 2 (Purposes of Grant), are unique and damages would not adequately compensate Grantor for the loss of such benefits.

- 7.3 In the event of a default by Grantee, in addition to any and all other remedies available at law or in equity, Grantor may withhold Grant Funds from Grantee or may require reimbursement of Grant Funds that were disbursed in error due to a breach of the Grant terms, including incorrect billing of indirect costs as identified in Section 5.2.
- 7.4 In the event of a default by Grantee, in addition to any and all other remedies available under this Agreement, at law or in equity, Grantor may require Grantee to reimburse the Grant Funds to Grantor in an amount determined by application of the following Reimbursement Formula:

"Reimbursement Formula"

Formula: Dollar amount of Grant Funds divided by Project Life, times the number of years remaining in the Project Life.

Example: Grantor grants \$50,000 to Grantee for the restoration and enhancement of wetland and riparian habitat, and the Project Life is 25 years. With 10.5 years remaining on the Project Life, the Grantee is in default under the Agreement. The reimbursement amount would be \$21,000, calculated as follows:

$$(\$50,000 \div 25 \text{ years}) \times 10.5 \text{ years} = \$21,000$$

Reimbursement shall be due from Grantee immediately upon written demand by Grantor. Interest shall accrue at the highest rate allowed by law from the time that the reimbursement becomes due until it is actually received by Grantor.

- 7.5 Any costs incurred by Grantor, where Grantor is the prevailing party, in enforcing the terms of this Agreement, including but not limited to costs of suit, attorneys' and experts' fees, at trial and on appeal, and costs of enforcing any judgment, shall be borne by Grantee.
- 7.6 Waiver of any breach or default by Grantee shall not be deemed to be a waiver of any subsequent breach or default, nor shall it constitute a modification of this Agreement.

8. ADDITIONAL TERMS AND CONDITIONS

8.1 Grantee Responsible for Project

While the Grantor undertakes to assist the Grantee with the Project by providing a grant pursuant to this Agreement, the Project itself remains the sole responsibility of the Grantee. Grantor undertakes no responsibilities to the Grantee, the Landowner, or any third party, other than as expressly set out in this Agreement. The responsibility for implementing the Project is solely that of the Grantee, as is the responsibility for any claim or suit of any nature by any third party related in any way to the Project.

8.2 Contracts

All agreements between Grantee and any third party related to the Project must be in writing and contain language that establishes the right of the auditors of the State of California to examine the records of the third party relative to the goods, services, equipment, materials, supplies or other assistance provided to Grantee for the Project. Grantee shall provide a complete copy of each agreement over \$10,000 to Grantor prior to commencing work.

8.3 Indemnification

To the fullest extent permitted by law, Grantee shall indemnify, protect, and hold harmless the Wildlife Conservation Board and the State of California, and their respective members, officers, agents, employees and representatives, from and against any and all claims, demands, damages, losses, costs (including attorneys' fees), expenses, and liability of any nature (Claims) arising out of or incident to the Project, Grantee's entry upon and use of the Property, and the performance of, or failure to observe or perform, any obligations of the Grantee under this Agreement. The obligations of Grantee under this Section 8.3 include, without limitation, Claims resulting from the generation, use, storage, disposal, release or threatened release of any hazardous or toxic substance, material or waste; petroleum or petroleum products and other substances that present a threat to human health or the environment.

8.4 Amendment; Severability

This Agreement may be modified only by a written amendment signed by Grantor and Grantee. No oral or written understanding or agreement not incorporated in this document shall be binding on the parties.

If any provision of this Agreement or the application thereof to any person or circumstance is held to be invalid or unenforceable, that shall not affect any other provision of this Agreement or applications of the Agreement that can be given effect without the invalid provision or application. To this end the provisions of this Agreement are severable.

8.5 Independent Capacity of Grantee; Withholding and Payments

Grantee, its members, officers, directors, employees, agents, and representatives, is each acting in an independent capacity in entering into and carrying out this Agreement, and not as a partner, member, officer, agent, employee, or representative of Grantor. Grantee is responsible for withholding and paying employment taxes, insurance and deductions of any kind required by federal, state, or local laws.

8.6 No Assignment or Transfer

This Agreement is not assignable or transferable by Grantee, either in whole or in part, without the prior written consent of Grantor which Grantor may grant or withhold in Grantor's discretion.

8.7 Accounting/Records/Audits

Grantee shall maintain complete and accurate records of its actual Project costs, in accordance with generally accepted accounting principles and practices, and shall retain said records for at least three years after final disbursement by Grantor. During such time, Grantee shall make said records available (or cause them to be made

available) to the State of California for inspection and audit purposes during normal business hours. Expenditures not documented, and expenditures not allowed under this Agreement or otherwise authorized in writing by Grantor shall be borne by Grantee. The audit shall be confined to those matters connected with this Agreement, including but not limited to administration and overhead costs.

8.8 Use of Grant Funds to Secure Additional Funding

Grantee agrees that the funding provided under this Agreement shall not be used as cost share for other grants, or to secure loans or other monetary awards without written approval from the Executive Director, Wildlife Conservation Board. Such approval shall not be unreasonably withheld as long as the purposes for which the grant was awarded are maintained.

8.9 Termination or Suspension of Agreement

At any time before Grantee has broken ground on the Project Grantor may terminate this Agreement for any reason by providing Grantee not less than 30 days written notice of termination. In addition, Grantor may suspend this Agreement at any time upon written notice to Grantee. In either case, Grantee shall immediately stop work under this Agreement and take all reasonable measures to prevent further costs to Grantor. The Grantor shall be responsible for reasonable and non-refundable obligations or expenses incurred by the Grantee under this Agreement prior to the date of the notice to terminate or suspend, but only up to the undisbursed balance of funding authorized in this Agreement. Any notice suspending work under this Agreement shall remain in effect until Grantor authorizes work to resume by giving further written notice to Grantee.

8.10 Resolution of Disputes

The State Project Representative is identified on Page 1 of this Agreement. The State Project Representative has initial jurisdiction over each controversy arising under or in connection with the interpretation or performance of this Agreement or disbursement of Grant Funds. The Grantee will diligently pursue with the State Project Representative a mutually agreeable settlement of any such controversy.

If the controversy cannot be resolved between Grantee and the State Project Representative, the Grantee must direct the grievance together with any evidence, in writing, to the Executive Director of the Wildlife Conservation Board. The grievance must state the issues in the dispute, the legal authority or other basis for the Grantee's position and the relief sought.

The Executive Director or designee shall meet with a representative of the Grantee to review the issues. A written decision signed by the Executive Director or designee shall be returned to the Grantee within twenty (20) working days of the conclusion of this meeting.

8.11 Drug-Free Workplace Certification

By signing this Agreement, Grantee hereby certifies under penalty of perjury under the laws of the State of California that Grantee will comply with the requirements of the

Drug-Free Workplace Act of 1990 (Government Code Section 8350 et seq.) and will provide a drug-free workplace by taking the following actions:

- 8.11.1 Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations, as required by Government Code Section 8355(a).
- 8.11.2 Establish a Drug-Free Awareness Program as required by Government Code Section 8355(b) to inform employees about all of the following:
 - a) the dangers of drug abuse in the workplace;
 - b) the person's or organization's policy of maintaining a drug-free workplace;
 - c) any available counseling, rehabilitation, and employee assistance programs; and,
 - d) penalties that may be imposed upon employees for drug abuse violations.
- 8.11.3 Provide, as required by Government Code Section 8355(c), that every employee who works on the proposed contract:
 - a) will receive a copy of the company's drug-free policy statement; and,
 - b) will agree to abide by the terms of the company's statement as a condition of employment on the contract.

Failure to comply with these requirements may result in suspension of disbursements under this Agreement or termination of the Agreement or both and Grantee may be ineligible for award of any future state contracts if the Grantor determines that any of the following has occurred: (1) Grantee has made false certification, or (2) Grantee violates the certification by failing to carry out the requirements as noted above.

8.12 Union Organizing

By signing this Agreement, the Grantee hereby acknowledges the applicability to this Agreement of Government Code Sections 16645 through 16649, and certifies that:

- 8.12.1 No state funds disbursed by this grant will be used to assist, promote, or deter union organizing;
- 8.12.2 Grantee shall account for state funds disbursed for a specific expenditure by this grant, to show those funds were allocated to that expenditure;
- 8.12.3 Grantee shall, where state funds are not designated as described in 8.12.2 above, allocate, on a pro-rata basis, all disbursements that support the grant program; and
- 8.12.4 If Grantee makes expenditures to assist, promote or deter union organizing, Grantee will maintain records sufficient to show that no state funds were used for those expenditures, and that Grantee shall provide those records to the Attorney General upon request.

8.13 Labor Code Requirements; Prevailing Wage

State grants may be subject to California Labor Code requirements, which include prevailing wage provisions. Certain State grants administered by the California Wildlife Conservation Board and the California Department of Fish and Wildlife are not subject to Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code. For more details, please refer to California Fish and Game Code Section 1501.5 and to the Department of Industrial Relations (DIR) website at <http://www.dir.ca.gov>. Grantee shall pay prevailing wage to all persons employed in the performance of any part of the Project if required by law to do so.

8.14 Disposition of Equipment

Title or ownership of equipment with a unit cost of \$5,000 or more may be retained by Grantee or Grantor upon end of the grant cycle; final disposition will be coordinated by WCB's Grant Manager.

8.15 Informational Products

All informational products (e.g. data, studies, findings, management plans, manuals, photos etc.) relating to California's natural environment and produced with the use of public funds shall be cataloged in the California Geoportal (<https://gis.data.ca.gov>), maintained by the California Department of Technology.

8.16 Non-Discrimination

During the performance of this Agreement, Grantee shall not unlawfully discriminate against, harass, or allow harassment against any employee or applicant for employment because of race, religion, color, national origin, ancestry, physical disability (including HIV and AIDS), mental disability, medical condition, marital status, age (over 40), sex, sexual orientation, or use of family-care leave, medical-care leave, or pregnancy-disability leave. Grantee shall take affirmative action to ensure that the evaluation and treatment of its employees and applicants for employment are free of such discrimination and harassment. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Grantee shall comply with the provisions of the Fair Employment and Housing Act (Government Code Section 12900 (a-f) et seq.), and applicable regulations (California Code of Regulations, Title 2, Section 7285 et seq.). The regulations of the Fair Employment and Housing Commission regarding Contractor Nondiscrimination and Compliance (Chapter 5 of Division 4 of Title 2 of the California Code of Regulations) are incorporated by reference into this Agreement. Grantee shall give written notice of its obligations under this non-discrimination clause to labor organizations with which Grantee has a collective bargaining or other agreement and shall post in conspicuous places available to employees and applicants for employment, notice setting forth the provisions of this section. Grantee shall also include the nondiscrimination and compliance provisions of this Agreement in all contracts related to the Project.

9. NOTICE OF AGREEMENT

The terms, conditions and restrictions of this Agreement shall be binding upon and inure to the benefit of the parties hereto and their personal representatives, heirs, successors, and assigns and shall continue as a servitude running with the Property for the Project Life.

10. AUTHORIZATION

The signature of the Executive Director certifies that at the meeting of the Wildlife Conservation Board held on _____, 20____, the Board authorized the award of a grant of up to \$_____ to Grantee for the Project.

11. COUNTERPARTS

This Agreement may be executed in counterparts, each of which shall be deemed an original and all of which together shall constitute one, and the same instrument.

12. ELECTRONIC SIGNATURES

The Parties agree to accept electronic signatures (as defined in Section 1633.2 of the California Civil Code), faxed versions of an original signature, or electronically scanned and transmitted versions (e.g., via pdf) of an original signature.

13. EFFECTIVENESS OF AGREEMENT

This Agreement shall be deemed executed and effective when fully signed by authorized representative(s) of each of Grantor and Grantee. Each party shall sign original counterparts of this Agreement, by written signature, via DocuSign, or another electronic method acceptable to Grantor. Each fully executed counterpart shall be deemed an original. Grantee shall receive a fully executed original and Grantor shall receive one fully executed original.

14. EXHIBITS

Each of the Exhibits referenced in this Agreement is incorporated by reference as though set forth in full herein. The following Exhibits are attached to this Agreement:

Exhibit A – Location Map

Exhibit B – Budget

Exhibit C – Work Plan

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement.

GRANTOR

STATE OF CALIFORNIA
WILDLIFE CONSERVATION BOARD

By: _____
John P. Donnelly

Date: _____

Executive Director

GRANTEE
NAME OF ORGANIZATION

By: _____

Date: _____

Print Name: _____

Title: _____

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EXHIBIT A – Location Map

DRAFT

EXHIBIT B - Budget

Project Task	WCB	Grantee	State Sources	Federal Sources	Local Sources	Total
Project Management						
Permitting						
Monitoring						
Construction						
Restoration						
Indirect Costs						
TOTAL						

DRAFT

EXHIBIT C – Work Plan

Start with a lead in paragraph or two describing the scope of the project. Follow that with a description of actions, deliverables and to be completed items for each task. Include a timeline with estimated completion dates

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TransNet Environmental Mitigation Program: Land Management Grant Program Call for Projects

Overview

The *TransNet* Extension Ordinance and Expenditure Plan, approved by the voters in November 2004, includes the Environmental Mitigation Program (EMP). The EMP provides funding to mitigate habitat impacts from regional and local transportation projects and provides funding for regional land management and biological monitoring. The EMP is implemented in accordance with a Memorandum of Agreement between SANDAG and the state and federal resource agencies that allocates \$4 million annually for ten years. A biennial Work Plan is developed for Board of Directors consideration along with annual funding recommendations for its implementation. As part of the [FY 2021–2022 Work Plan](#), \$2.4 million was approved by the SANDAG Board of Directors on October 23, 2020, for the 10th cycle of competitive land management grants.

Key Considerations

This report provides information on the recommended 10th cycle of the *TransNet* EMP Land Management Grant Program. The Transportation and Regional Planning Committees unanimously reviewed and approved the eligibility, submittal, and evaluation criteria and recommend approval for the call for projects at the September 17, 2021, joint meeting. Details on eligible project activities and the evaluation criteria are described in Attachment 1.

Recommendations include:

- The \$2.4 million of grant funding be allocated to projects within the following categories: Threat Reduction Stewardship (\$800,000) and Species and Habitat Recovery (\$1.6 million).
- Only minor changes to the evaluation criteria used in the 9th grant cycle are proposed that will help to align the competitive grant program to better reflect the most at-risk habitats and species.
- A new criterion that scores projects higher for providing potential co-benefits to Community-Based Organization Network (CBO) Communities and fosters social equity was added in order to better align the land management grant program with SANDAG's commitment to social equity.
- Based upon past grant cycles, a minimum score of 40 points out of 80 total points is recommended in order for Threat Reduction Stewardship grant projects to be awarded funding to prevent projects that do not meet all evaluating criteria from being awarded. Any remaining budget in the Threat Reduction Stewardship grant category, will be allocated to the Species and Habitat Recovery grant projects.

Next Steps

If approved by the Board of Directors, staff will release the call for projects by November 1, 2021.

Hasan Ikrata, Executive Director / Chief Deputy Executive Director

Key Staff Contacts: Courtney Pesce, (619) 699-6942, Courtney.Pesce@sandag.org
Kim Smith (619) 699-6949, Kim.Smith@sandag.org

Action: Approval

The Transportation Committee recommends that the Board of Directors approve the modifications to the draft evaluation criteria and the release of the call for projects for the tenth cycle of the *TransNet* Environmental Mitigation Program Land Management Grant Program.

Fiscal Impact:

Approximately \$2.4 million is available to be awarded for the tenth cycle of Land Management Grant Projects.

Schedule/Scope Impact:

Pending Board of Directors approval, the EMP Land Management Grants can be awarded by summer 2022 and Notice to Proceed by the fall 2022.

Attachment: 1. Environmental Mitigation Program Evaluation Criteria for Tenth Cycle of Land Management Grants



TransNet Environmental Mitigation Program Land Management Grant Program

Tenth Cycle Call for Projects July 2021

Release Date	XXXXXX, 2021
Applications Due	February XX, 2022
Grant Agreements Executed	September 2022

**Call for Projects for the Tenth Cycle of the
TransNet Environmental Mitigation Program Land Management Grant Program**

Overview and Instructions

Program Description

The *TransNet* Extension Ordinance and Expenditure Plan, as approved by voters on November 2, 2004, includes an Environmental Mitigation Program (EMP). The EMP is a funding allocation category for the costs to mitigate habitat impacts for regional transportation projects. The EMP is a unique component of the *TransNet* Extension in that it goes beyond traditional mitigation for transportation projects by including a funding allocation for habitat acquisition, management, and monitoring activities as needed to help implement regional habitat conservation plans.

On October 25, 2019, and October 23, 2020, the Board of Directors approved the funding for the call for projects for the tenth cycle of the EMP Land Management Grant Program with a budget of \$2.4 million. Two funding categories have been identified for the tenth cycle of EMP Land Management Grants. Approximately \$800,000 will be allocated to short-term threat reduction projects and approximately \$1,6200,000 will be allocated to long-term (three- to five-year) species and habitat recovery projects pursuant to the Management Strategic Plan for Conserved Lands in Western San Diego (MSP).

Eligible Projects

To be eligible for funding, proposed projects must meet the following criteria:

- The project must be located within the MSP area (MSPA) on lands conserved for habitat preservation and must include activities within one of the categories below. SANDAG will accept project applications from land managers in San Diego County that will benefit regional conservation planning under the Natural Communities Conservation Planning Program.
- The applicant must own the land or be designated to manage the land by the landowner under a contract or other written form of legal documentation and should have any applicable state and federal permits prior to the initiation of work.
- The land must be conserved as open space for natural resources.
- Representatives of the landowner and land manager must be identified on the Grant Application form (Attachment 2 or 3) and be authorized in writing to enter into a grant agreement with SANDAG.

Projects that are not ready to begin work within 12 months of submission of the application to SANDAG will not be eligible for this funding cycle. Project applications approved by the Board for funding that do not begin work within one year will be at risk of losing their funding. The total length of time funded should be appropriate to the proposed project. All requests for extensions to proposed project schedules within final executed grant agreements are subject to SANDAG Board Policy No. 035: Competitive Grant Program Procedures, available at sandag.org/legal.

Funding Categories

Threat Reduction Stewardship

Approximately \$800,000 is available. Eligible activities include management stewardship actions to reduce threats to MSP species and their habitats on existing conserved lands. Projects must demonstrate that future funding is available (if needed) and that the project will maintain benefits long term. Highest priority will be given to projects that focus on Species at risk of Loss (SL¹) and Significant Occurrence at risk of loss (SO²) species. Example stewardship activities include but are not limited to: control of invasive plant³ and animal species; erosion control; trail maintenance needed to protect MSP species; signage and directional fencing; enforcement; linkage improvement, and access control. Applicants should use the SDMMP portal to research species-specific threats and management objectives (<https://portal.sdmmp.com/species.php>). Threats are noted in each species' profile.

Projects in this category should be short-term projects in need of one-time funding necessary to fill existing budget gaps for specific tasks. Projects should be completed within 18 months of receiving a notice to proceed (NTP) from SANDAG and must meet a minimum of 40 points in this category in order to be eligible for funding. Any remaining funds that are not awarded will be allocated to the Species and Habitat Recovery category. *The maximum amount of funding that can be awarded for a project in this category is \$80,000.*

Applicants applying for funding in the Threat Reduction Stewardship category must complete a Grant Application Form (Attachment 2) that does not exceed eight pages. The project application will include the purpose of the proposed project, the scope of work, costs, and schedule. Applicants must clearly identify: (1) their proposed tasks in the scope of work; (2) funding requested for each task; (3) start and end dates of the tasks; and (4) deliverables. Any required supplementary materials (with the exception of right-of-entry permit and indirect cost proposal, if applicable) will be counted toward the eight-page maximum. Letters of support should **not** be included with the project application materials.

Species and Habitat Recovery

Approximately \$1,600,000 is available. Eligible activities include habitat restoration and enhancement projects with a focus on MSP priority species and their habitats. Highest priority will be given to projects that focus on SL¹ and SO² species. Example activities include but are not limited to: habitat restoration including control of invasive plant³ and animal species and planting and seeding of areas with native vegetation; minimization of wildfire ignition and fuel sources to reduce intensity of spread and increase viability of MSP species; and management actions as identified through MSP Roadmap's Management Objectives to reduce impacts to SL or SO species. These projects should promote the goals and objectives identified in the MSP for those species. Funding will not be granted to projects being pursued to fulfill a permit obligation.

Projects in this category should be completed within three to five years of receiving an NTP from SANDAG. *The maximum amount of funding that can be awarded for a project in this category is \$1,600,000, but applicants are encouraged to phase their projects into discrete tasks because full funding may not be awarded.*

¹ Category SL Species: species whose persistence in the MSPA is at high-risk of loss without immediate management action above and beyond that of daily maintenance activities.

² Category SO Species: species whose persistence of one or more significant occurrences in the MSPA is at high-risk of loss without immediate management action above and beyond that of daily maintenance activities.

³ Invasive plant species: species that are determined to be impacting MSP SL or SO species, as identified in the Management Priorities for Invasive Non-native Plants, A Strategy for Regional Implementation.

Call for Projects for the Tenth Cycle of the TransNet Environmental Mitigation Program Land Management Grant Program

Applicants applying for funding in the Species and Habitat Recovery category must complete a Grant Application form (Attachment 3) that does not exceed 12 pages. The project application will include the purpose of the proposed project, the scope of work, costs, and schedule. Applicants must clearly identify: (1) their proposed tasks in the scope of work; (2) funding requested for each task; (3) start and end dates of the tasks; and (4) deliverables. Any required supplementary materials (with the exception of right-of-entry permit, indirect cost proposal, and matching funds confirmation, if applicable) will be counted towards the 12-page maximum. Letters of support should **not** be included with the project application materials.

Process for Allocating Funds

Scoring and Ranking of Applications

All project applications will be reviewed for eligibility, scored, and ranked for funding consideration, and prioritized as described below. An evaluation committee made up of Environmental Mitigation Program Working Group (EMPWG) members and/or other qualified individuals who do not have an affiliation with any of the proposed projects will score and rank the applications, in conformance with the criteria and values listed below. The committee will be composed of individuals with knowledge of the regional preserve system and land management.

Social Equity Considerations

The California Environmental Protection Agency defines disadvantaged communities as areas disproportionately affected by environmental pollution and other hazards that can lead to negative public health effects, exposure, or environmental degradation or areas with concentrations of people that are of low-income, high unemployment, low levels of home ownership, high rent burden, sensitive populations, or low levels of educational attainment. Further information on disadvantaged communities can be found in the California Communities Environmental Health Screening Tool (CalEnviroScreen 3.0). In San Diego County, the top 50% of communities identified as most vulnerable by the CalEnviroScreen 3.0 tool represent the SANDAG Community-Based Organizations (CBO) Network Communities.

Project applications that receive a minimum of 40 points will be eligible to receive an additional 5 points for social equity. Scores for this criterion will be based on the following parameters: higher points will be awarded to projects that utilize multiple methods of incorporating CBO Network Communities and/or populations; 0 points will be awarded if this criterion is not met.

Examples for fostering social equity or providing co-benefits to CBO Network Communities include but are not limited to restoring open space in CBO Network Communities, providing educational opportunities on environmental conservation in San Diego to CBO Network Communities, engaging the California Conservation Corps to conduct invasive species removal, and engaging a minority owned organization⁴ to conduct work on the project.

A minimum of 40 points earned for the other evaluation criteria must be met in order to qualify for additional points for social equity.

⁴ Minority group members are United States citizens who are Asian-Indian, Asian-Pacific, Black, Hispanic and Native American. Ownership by minority individuals means the business is at least 51% owned by such individuals or, in the case of a publicly owned business, at least 51% of the stock is owned by one or more such individuals (i.e., the management and daily operations are controlled by those minority group members.)

**Call for Projects for the Tenth Cycle of the
TransNet Environmental Mitigation Program Land Management Grant Program**

Recommendation and Approval of Ranked Project List

A list of recommended project applications will be submitted for review and recommendation to the EMPWG, Regional Planning Committee, and Transportation Committee; for information and review for consistency with the *TransNet* Extension Ordinance to the Independent Taxpayer Oversight Committee; and for final approval by the Board.

[Protest procedures for SANDAG grant programs are available online at sandag.org/contracts.](#)

Insurance Verification and Entering of Grant Agreement

Following approval of the funding recommendations by the Board, each successful applicant will receive an email from certificaterequest@mycoisolution.com, the SANDAG insurance tracking system myCOI. The applicant shall follow the instructions contained in the email and complete the online registration. Upon completion of registration, myCOI will request proof of insurance directly from the applicant's insurance agents. SANDAG will not issue a notice to proceed until the Grantee is registered with myCOI and compliant certificates of insurance and endorsements have been received, and SANDAG has deemed the Grantee as compliant with the insurance requirements.

Successful applicants will be required to enter into a grant agreement with SANDAG in order to receive grant funding. The grant agreement signed by the parties will be in substantially the same form as the Sample Grant Agreement (Attachment 4) included in this call for projects.

Successful applicants will be required to submit quarterly invoices and reports on their progress. In addition, a final report of the project's contribution to promote habitat conservation in the region along with the final invoice and all remaining deliverables will be submitted at the conclusion of the grant term. Quarterly report and final report templates will be sent to the Grantee after the grant agreement is executed and a notice to proceed is issued.

Program Monitoring

SANDAG has developed a standardized monitoring program for the EMP. The purpose is to collect information on individual projects and the grant program as a whole for reporting to SANDAG committees. SANDAG monitors grantees through invoices, progress reports, performance measures, and designated photograph points. SANDAG may also perform site visits and/or desk reviews to monitor grantees and evaluate performance.

Call for Projects for the Tenth Cycle of the
TransNet Environmental Mitigation Program Land Management Grant Program

Project Application Evaluation Criteria

The following evaluation criteria will be used by the evaluation committee.

Threat Reduction Stewardship Projects (18-month Projects)		
Project Application Evaluation Criteria	Point Range	Maximum Score Possible
Proposed project addresses relevant high-priority MSP species and their habitats. SL or SO species will be given <u>a higher score, a higher priority</u> .	0-20	20
Proposed project will address an urgent need and includes actions that will reduce or manage an identified threat.	0-20	20
Success criteria have been identified and will be monitored and reported.	0-10	10
Success of the proposed project is likely with clear, measurable, proven results that will promote conservation.	0-10	10
Any activities necessary to maintain the proposed project after the 18-month grant period have been identified and funding for those activities have been secured.	0-10	10
Total		70
<i>Additional Points (if applicable)</i>		
<u>Project provides co-benefit to CBO Network Communities and fosters social equity.⁵</u>	<u>0-5</u>	<u>5</u>
Total with Additional Points		75

Species and Habitat Recovery (Three- to Five-Year Projects)		
Project Application Evaluation Criteria	Point Range	Maximum Score Possible
Proposed project addresses relevant high-priority MSP species and their habitats. SL or SO species will be given <u>a higher priority, a higher score</u> .	0-20	20
The degree to which actions proposed meet MSP objectives and will benefit targeted Species.	0-30	30
Long-term success of management activities is likely. Proposed project is synergistic with other larger and ongoing efforts to recover a priority species and/or sensitive habitats.	0-20	20
Success criteria have been identified and will be monitored and reported.	0-10	10
Matching funds are available to implement the proposed project. ⁶	0-10	10
Total		90
<i>Additional Points (if applicable)</i>		
<u>Project provides co-benefit to CBO Network Communities and fosters social equity.</u>	<u>0-5</u>	<u>5</u>
Total with Additional Points		95

⁶ Scores for matching funds will be based on the following scale: 1 point for 1-10% match; 2 points for 11-20% match; 3 points for 21-30% match; 4 points for 31-40% match; 5 points for 41-50% match; 6 points for 51-60% match; 7 points for 61-70% match; 8 points for 71-80% match; 9 points for 81-90% match; and 10 points for 91-100% match. For example, if \$500,000 of grant funding is requested and \$200,000 in matching funds are identified, the project will receive 4 points because matching funds equate to 40% of the grant amount requested.

**Call for Projects for the Tenth Cycle of the
TransNet Environmental Mitigation Program Land Management Grant Program**

Proposed Timeline

Dates proposed are subject to change.

November 2021

- The call for projects is provided to interested stakeholders included in SANDAG's *TransNet* EMP stakeholder database and will be available on the SANDAG website through its online bidding portal BidNet: <https://www.bidnetdirect.com/sandag/sandag-grants>.
- A public workshop will be conducted to provide an overview of this call for projects and application process and to address any questions. SANDAG staff will also provide information and address questions on the eligibility, approval, contracting, and specific requirements of this grant program. ~~This workshop will be held virtually. SANDAG will post the virtual meeting link and other details on BidNet.~~

February 2022

- Applications are due to SANDAG and must be submitted through the SANDAG vendor portal, BidNet, no later than 5 p.m. on XXX, 2022. BidNet is available at <https://www.bidnetdirect.com/sandag/sandag-grants>.

March 2022

- The evaluation committee will review, score, and rank project applications using the criteria included in the call for projects and forward the list of prioritized project applications to the EMPWG for consideration.

June 2022

- The EMPWG will recommend a list of prioritized project applications to the Regional Planning and Transportation Committees.

July 2022

- The list of prioritized project applications will be provided to the *TransNet* Independent Taxpayer Oversight Committee to review for consistency with the *TransNet* Extension Ordinance.

August 2022

- The Board will be asked to approve the recommended list of project applications for funding.

September 2022

- Grant agreements will be prepared and executed with successful applicants. Notices to proceed will be issued following grant agreement execution.

Approval of Proposed Contract Awards

Overview

Pursuant to Board direction, contract awards associated with an original solicitation valued at \$5 million or more are brought to the Board of Directors for approval. This month there are two contract awards that are ready for the Board of Director's authorization: a services award for an Enterprise Resource Planning (ERP) Solution, and a construction award for the Pershing Drive Bikeway project.

Key Considerations for ERP Award

On [January 22, 2021](#), the Board of Directors authorized issuance of a Request for Proposals to solicit qualified firms to provide and implement an innovative Enterprise Resource Planning (ERP) Solution that would replace several of SANDAG's core legacy systems as part of the agency's technology modernization plan. The selected firm's ERP Solution will replace several outdated standalone systems that are currently required to support budgeting, financial, human resource, and payroll functions. For a visualization of SANDAG key processes to be replaced and integrated with the selected ERP Solution, please refer to Attachment 1. A contract term of up to 20 years was authorized by the Board in recognition of the extensive procedural changes, data migration, training, and staff time commitment necessary to implement the ERP Solution.

To ensure SANDAG would be sufficiently represented across all departments, eleven subject matter experts and eight voting members were strategically selected to serve as the Evaluation Committee to recommend the top ERP firm to the Board of Directors. In response to this solicitation, SANDAG received proposals from three firms. One firm was deemed non-responsive, and two firms were fully evaluated: Tyler Technologies, Inc. and CherryRoad Technologies Inc. After reviewing each of the two firm's proposals, which included a twenty-year Price Proposal and completion of a 3,000+ line itemized Requirements Traceability Matrix (RTM), both firms were invited to provide Best and Final Offers (BAFO) and several demonstrations. The firms were scored by incorporating evaluations of the firm's written proposal, their demonstrations, and their BAFOs. The voting members unanimously recommend award of a contract to Tyler Technologies.

Key Considerations for Pershing Drive Award

An invitation for bids (IFB) to seek qualified contractors who could construct the Pershing Drive Bikeway Project was issued on July 27, 2021. The project consists of constructing an approximate 2-mile Class IV bikeway and parallel sidewalk and roadway improvements along Pershing Drive in the City of San Diego from C Street to Upas Street with a roundabout at the Pershing/Redwood intersection and traffic circle at

Action: Approve

The Board of Directors is asked to authorize negotiations to proceed, and the Executive Director to execute agreements for:

1. Enterprise Resource Planning (ERP) Solution with Tyler Technologies, Inc. and
2. The Pershing Drive Bikeway Project to West Coast General Group, a Joint Venture.

Fiscal Impact:

ERP: This will be a multi-year contract. The amount approved in this fiscal year's budget is \$3.98 million.

Pershing Drive: Funding will be derived from Capital Improvement Program Project No. 1223057.

Schedule/Scope Impact:

ERP: The selected vendor will provide services for a period of up to twenty years following contract execution.

Pershing Drive: Construction of this project is estimated at 480 days.

Redwood/28th Street. Improvements include bikeway improvements, sidewalk improvements, roadway improvements, earthwork, retaining walls, a prefabricated bridge, drainage improvements, storm water treatment devices, landscaping, irrigation, fencing, traffic signal modifications, street lighting, signage, striping, and other traffic calming improvements. An engineer's estimate of \$12,980,675.00 was prepared prior to issuance of the IFB.

On September 15, 2021, SANDAG received four bids in response to the IFB.

Name of Bidder	Amount Bid
West Coast General Group	\$12,159,035.75
Dick Miller, Inc.	\$13,976,212.22
Hazard Construction	\$14,684,871.00
Palm Engineering Construction Co., Inc.	\$12,494,964.50

Staff proposes to award West Coast General Group, a Joint Venture, as the lowest responsive and responsible bidder, in the amount of \$12,159,035.75.

Next Steps

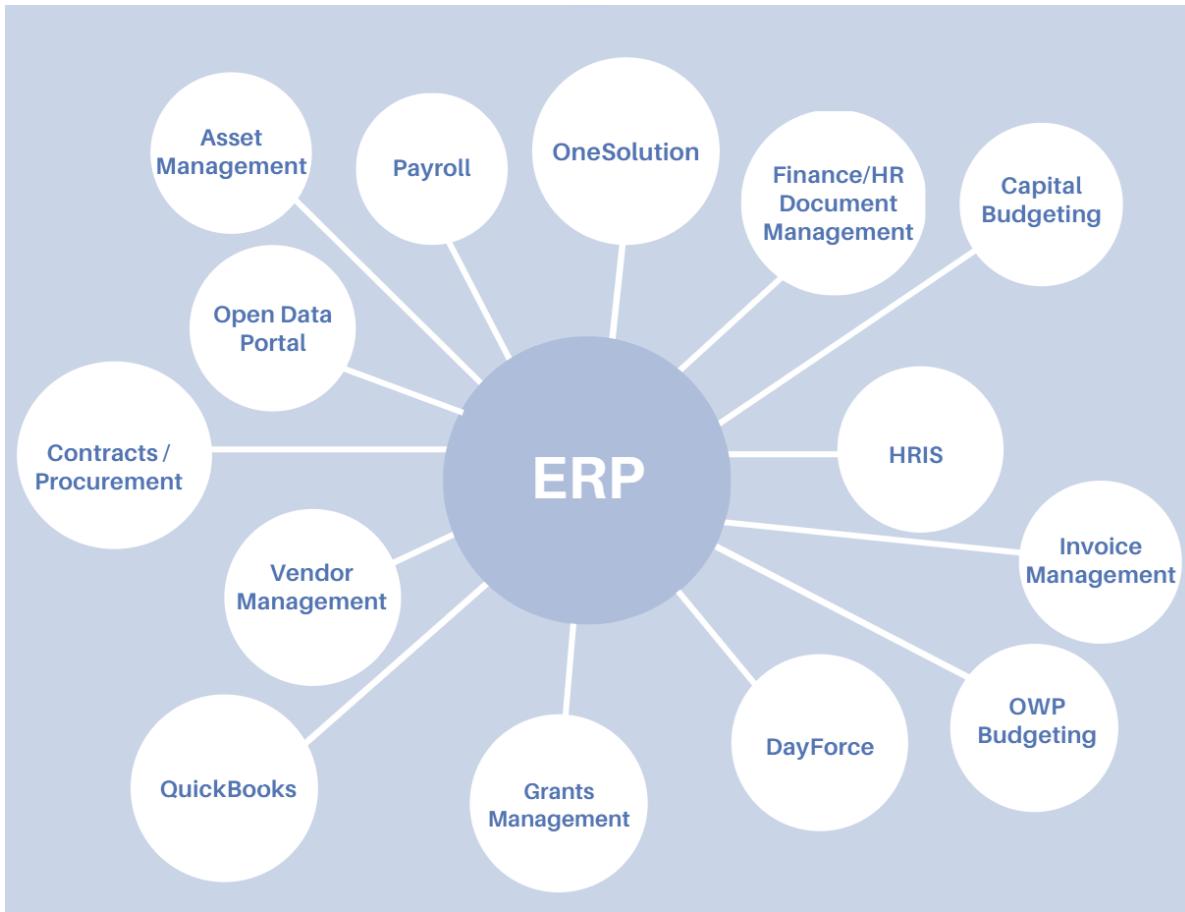
Pending approval by the Board of Directors, staff will continue negotiations and if the negotiations are successful, execute a contract with Tyler Technologies for the ERP. Steps also will be taken to award a contract to West Coast General for the Pershing Drive Bikeway Project.

Hasan Ikrata, Executive Director

Key Staff Contact: Julie Wiley, (619) 699-6966, julie.wiley@sandag.org

Attachment: 1. SANDAG's Current Processes to be Replaced and Integrated with the Selected ERP Solution

SANDAG's Current Processes to be Replaced and Integrated with the Selected ERP Solution



Policy Advisory Committee Actions

Overview

[SANDAG Board Policy No. 001](#) delegates certain responsibilities to the Policy Advisory Committees to allow SANDAG to effectively address key public policy and funding responsibilities. All items delegated to the Policy Advisory Committees are subject to Board ratification. Below are the delegated actions taken by the Policy Advisory Committees that are subject to ratification.

Executive Committee: October 8, 2021

Approved the October 22, 2021, and October 29, 2021, Board of Directors meeting agendas.

Transportation Committee: October 15, 2021¹

Adopted Resolution No. 2022-07, approving the FY 2021 Transportation Development Act amendment for the North County Transit District.

Hasan Ikrata, Executive Director

Key Staff Contact: Francesca Webb, (619) 699-1985, francesca.webb@sandag.org

Action: **Approve**

The Board of Directors is asked to ratify the actions taken by the Policy Advisory Committees since the last Board of Directors meeting.

Fiscal Impact:

None.

Schedule/Scope Impact:

None.

¹ Any changes to the delegated actions will be reported to the Board of Directors following the Transportation Committee meeting on October 15.

Continuation of Teleconferenced Meetings

Overview

Executive Orders issued during the COVID-19 pandemic provided local government agencies with temporary relief from many of the usual teleconferencing requirements that are part of open meeting laws. AB 361 was signed recently and provides legislative bodies of local agencies, including the SANDAG Board of Directors (Board) and the Policy Advisory Committees and Working Groups that report to the Board, an opportunity to continue teleconferenced, or virtual, public meetings if certain conditions are met pertaining to the health and safety of meeting attendees.

Resolution No. RTC-2022-02 is provided for the Board's consideration to allow for continued teleconferenced meetings.

Background

For more than 18 months, the COVID-19 pandemic has caused schools, businesses, governments, and other organizations to make significant adaptions to ensure continuity of services and functions while protecting the health and safety of families, workers, customers, and the community at large. Governor Newsom proclaimed a state of emergency in California on March 4, 2020, and that remains in effect to this day. Various state and local health orders outline measures that are required to be taken, or recommended, to limit the transmission of COVID-19, including vaccination, wearing of face coverings, and social distancing. COVID-19 continues to be a health risk throughout the region; the Centers for Disease Control and Prevention consider San Diego County to be a substantial transmission area.

Among its provisions, Executive Order N-29-20, issued March 17, 2020, authorized exemptions to certain requirements under the Brown Act and the Bagley-Keene Open Meeting Act to allow for government entities to conduct teleconferenced, or virtual, public meetings while social distancing orders were in place. All meetings of the SANDAG Board, Policy Advisory Committees, and Working Groups have been conducted using an Internet-based platform since March 2020 with a high degree of effectiveness and increased levels of engagement and participation by the public. The decision to continue conducting virtual public meetings has been a matter of health and safety for attendees. SANDAG's meeting facilities are not large enough to accommodate Board members, presenters, support staff, and members of the public and allow for appropriate levels of social distancing given the ongoing risk of COVID-19 transmission.

Action: Approve

The Board is asked to adopt Resolution No. RTC-2022-02 ratifying state and local health emergency conditions due to COVID-19 and the need for continuation of teleconferenced public meetings to ensure the health and safety of attendees.

Fiscal Impact:

There is no financial impact to the continuation of teleconferenced public meetings.

Schedule/Scope Impact:

If Resolution No. RTC-2022-02 is approved, meetings of the SANDAG Board of Directors, Policy Advisory Committees, and Working Groups would continue per their usual meeting schedule.

Assembly Bill 361, signed on September 16, 2021, incorporates into state law some aspects of the teleconferencing rules that have applied to local public agencies by Executive Order N-29-20. The intent of AB 361 is to enable governing bodies, such as the SANDAG Board, to make a determination, via a majority vote of the Board, about the safety of holding in-person meetings when a state of emergency exists. Should the Board wish to conduct virtual public meetings, it may consider adoption of Resolution No. RTC-2022-02. This action would find that continuing to allow all of SANDAG's legislative bodies to meet virtually is in SANDAG's best interests based on the continued state of emergency arising from the COVID-19 pandemic as well as state and/or local officials continuing to recommend measures to promote social distancing, thereby allowing use of the adapted teleconferencing rules allowed for under AB 361. The Board may reconsider continuation or cessation of teleconferenced meetings every 30 days through adoption of a subsequent resolution.

Next Steps

Should Resolution No. RTC-2022-02 be adopted, meetings of the SANDAG Board, Policy Advisory Committees, and Working Groups would be conducted virtually through November 22, 2021. The Board shall reconsider the state of emergency and its impact on the ability for members and other attendees to meet safely in person at its meeting on November 19, 2021.

Hasan Ikrata, Chief Executive Officer

Key Staff Contacts: Melissa Coffelt, (619) 699-1955, melissa.coffelt@sandag.org

Attachment: 1. Resolution No. RTC-2022-02



401 B Street, Suite 800
 San Diego, CA 92101
 Phone (619) 699-1900
 Fax (619) 699-1905
 sandag.org

**Regional Transportation Commission
 Resolution No. 2022-02**

**A RESOLUTION OF THE SANDAG BOARD OF
 DIRECTORS AUTHORIZING REMOTE TELECONFERENCE
 MEETINGS OF THE LEGISLATIVE BODIES OF SANDAG**

WHEREAS, the SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG) is committed to preserving and nurturing public access and participation in meetings of the Board of Directors, as well as SANDAG Policy Advisory Committees and Working Groups; and

WHEREAS, the SANDAG Board of Directors also acts as the San Diego County Transportation Commission and provides oversight of SANDAG committees and working groups; and

WHEREAS, all meetings of SANDAG's legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code Sections 54950 – 54963), so that any member of the public may attend, participate, and watch SANDAG's legislative bodies conduct their business; and

WHEREAS, Assembly Bill 361 (AB 361), which was signed into law on September 16, 2021, amended Government Code section 54953, and thereby makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3) (including the requirement that all teleconference meeting locations be open to the public), subject to the existence of specified conditions; and

WHEREAS, a required condition under AB 361 is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, it is further required under AB 361 either that state or local officials have imposed or recommended measures to promote social distancing, or that the legislative body finds that the state of emergency continues to directly impact the ability of the members to meet safely in person; and

WHEREAS, such conditions now exist in San Diego County, specifically, a State of Emergency has been proclaimed by the Governor on March 4, 2020 and is still in effect; and

WHEREAS, the San Diego County Health Officer Order (effective June 15, 2021) has directed all governmental entities in the County to take necessary measures within the governmental entity's control to ensure compliance with State and local laws, regulations, and orders related to the control of COVID-19; and

WHEREAS, the California Department of Industrial Relations has recognized the fact that social distancing, in combination with other preventative measures, helps to decrease the spread of COVID-19; and

WHEREAS, as a consequence of the local emergency, the Board of Directors does hereby find that the legislative bodies of SANDAG may conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953 , as authorized by subdivision (e) of section 54953, and that such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953 of the Government Code; and

WHEREAS, SANDAG has taken the following measures to ensure public access to SANDAG's Board, Policy Advisory Committee, and Working Group Meetings:

- Written public comments may be submitted to SANDAG, and
- A live public participation option is provided to the public and detailed on the cover page of each meeting agenda package.

NOW THEREFORE, THE SANDAG BOARD OF DIRECTORS, ALSO ACTING AS THE SAN DIEGO COUNTY REGIONAL TRANSPORTATION COMMISSION, DOES HEREBY FIND AND RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Remote Teleconference Meetings. The SANDAG Chief Executive Officer and his designee(s) and all legislative bodies of SANDAG are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public teleconferenced meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 3. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of November 21, 2021, or such time as the Board of Directors adopts a subsequent finding in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of SANDAG may continue to conduct teleconferenced public meetings without compliance with paragraph (3) of subdivision (b) of section 54953 of the Government Code.

PASSED, APPROVED, AND ADOPTED at the meeting of the Board of Directors this 22nd day of October, 2021

Ayes

Noes

Absent

**Chair of the Board of Directors
of the San Diego County Regional
Transportation Commission**

[Seal]

Attest

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

Chief Executive Officer Delegated Actions

Overview

Various Board Policies require the Chief Executive Officer to report certain actions to the Board of Directors on a monthly basis or upon taking specified actions.

Delegated Actions

Investment Transactions: [SANDAG Board Policy No. 003](#)

states that a monthly report of all investment transactions shall be submitted to the Board. Attachment 1 contains the reportable investment transactions for July and August 2021.

Legal Matters: [SANDAG Board Policy No. 008](#) authorizes the Office of the General Counsel or outside counsel to file documents and make appearances on behalf of the agency in court proceedings.

In the matter of Luis Quintero v. SANDAG (Superior Court Case No. 2019-00017834), the following actions were taken by Nossaman on behalf of SANDAG:

- On September 27, 2021, attended a Motion Hearing on Unopposed Motion for Preliminary Approval of Class Action Settlement

In the matter of Anna Avenue Associates v. SANDAG (Superior Ct. Case No. 2018-00000231; Court of Appeal, Cal. Ct. App. Case No. D079524), the following actions were taken by Best Best & Krieger on behalf of SANDAG:

- On September 27, 2021, filed a Petition for Writ of Mandate and/or Other Appropriate Relief

In the matter of SANDAG v. Bank of America, et al. (S.D.N.Y. Case No. 21-cv-4893), the following actions were taken by Browne George Ross O'Brien Annaguey & Ellis on behalf of SANDAG:

- On June 2, 2021, filed a Complaint
- On July 26, 2021, filed an Amended Complaint

In the matter of SANDAG v. 8650 Villa La Jolla (Superior Ct. Case No. 2017-00039831), the following actions were taken by Nossaman on behalf of SANDAG:

- On August 4, 2021, filed an Ex Parte Application and supporting documents
- On August 6, 2021, filed a Reply to Opposition for Motion for Determination of Legal Issue Regarding Compensation
- On August 13, 2021, attended a Motion Hearing
- On August 13, 2021, filed a Notice of Ruling
- On August 16, 2021, filed a Notice of Ruling
- On October 1, 2021, filed a Request for Entry of Default – All Persons Unknown Claiming Any Title or Interest in or to the Property Described Herein
- On October 1, 2021, filed a Request for Entry of Default – DOES

Action: **Information**

In accordance with various Board Policies, this report summarizes certain delegated actions taken by the Chief Executive Officer since the last Board of Directors meeting.

Fiscal Impact:

Two securities reached maturity and one security was sold in September for a total of \$5.9 million, and two securities were purchased for \$11.8 million.

In the matter of City of Coronado et al. v. SANDAG et al. (Superior Ct. Case No. 2020-00033974; Court of Appeal, Cal. Ct. App. Case No. D079013), the following actions were taken by Meyers Nave on behalf of SANDAG:

- On September 29, 2021, filed a Stipulation for Extension of Time to File Brief

[SANDAG Board Policy No. 008](#) authorizes the Chief Executive Officer to take action on claims filed against SANDAG:

- On September 29, 2021, the claim of Stacy Lopez was rejected. Ms. Lopez alleged that her tire needed to be replaced after driving over a nail associated with the 4th and 5th Avenue Bikeway Project. Upon investigation of the claim, it was determined that SANDAG was not liable for the alleged damages.

Contract Relief from Maintenance: [SANDAG Board Policy No. 024](#): Procurement and Contracting – Construction Policy, Section 5.1, authorizes the Chief Executive Officer to grant Relief from Maintenance and Responsibility on major elements of each major construction project on behalf of the Board.

- In a letter dated September 27, 2021, Hazard Construction Company, Inc., was granted Relief from Maintenance for the Interstate 805/State Route 94 Transit-Only Lane Project – Effective June 30, 2021 (CIP 1280513, Contract No. S617857).
- In a letter dated September 28, 2021, Mid-Coast Transit Constructors was granted Limited Relief from Maintenance for the Preuss Parking Lot Project – Effective August 2, 2021 (CIP 1200507, Contract No. 5008600, Supplement 6).
- **Schedule Extensions:** [SANDAG Board Policy No. 035](#) authorizes the Chief Executive Officer to approve requests by grantees for project schedule extensions of up to six months.
- The delegated actions to report to the Board are summarized below:

Environmental Mitigation Program, Senior Transportation Mini-Grant Program, and Section 5310 Grant Program

Contract	Grantee	Project	Extension (in Months)	From	To	Amendment Execution
5005518	San Diego Audubon Society	The Mission Bay Park Project	6	11/7/2021	5/7/2022	9/23/2021
5005820	Full Access Coordinated Transportation	Consolidated Transportation Services Agency Services: Access to Health and Wellbeing through Coordinated Mobility	6	9/30/2021	3/31/2022	9/28/2021
5005821	Full Access Coordinated Transportation	Brokerage Management: Optimizing San Diego County Transportation Services	6	9/30/2021	3/31/2022	9/28/2021
5005826	City of La Mesa	Rides 4 Neighbors Program	6	10/2/2021	4/2/2022	9/27/2021
5005906	Travelers Aid Society	RideFinder Project	1	9/30/2021	10/31/21	9/15/2021

Hasan Ikrata, Chief Executive Officer

Key Staff Contact: Kimberly Monasi, (619) 699-6902, kimberly.monasi@sandag.org

Attachment: 1. September 2021 Investment Securities Transactions Activity

MONTHLY ACTIVITY FOR INVESTMENT SECURITIES TRANSACTIONS
SEPTEMBER 1 THROUGH SEPTEMBER 30, 2021

Transaction Date	Security/Coupon/Maturity Date	Par Value	Original Cost
BOUGHT			
09/08/2021	U S TREASURY NT 1.500% 11/30/24	\$ 5,900,000.00	\$ 6,093,593.75
09/13/2021	U S TREASURY NT 1.750% 12/31/24	5,500,000.00	5,727,323.11
	TOTAL BOUGHT:	<u>\$ 11,400,000.00</u>	<u>\$ 11,820,916.86</u>
MATURED			
09/14/2021	F H L M C M T N 0.270% 9/14/23	\$ 5,500,000.00	\$ 5,496,700.00
09/15/2021	TOYOTA AUTO 2.120% 2/15/23	311,846.40	314,721.23
	TOTAL MATURED:	<u>\$ 5,811,846.40</u>	<u>\$ 5,811,421.23</u>
SOLD			
09/13/2021	U S TREASURY NT 2.625% 12/15/21	\$ 100,000.00	\$ 100,265.96
	TOTAL SOLD:	<u>\$ 100,000.00</u>	<u>\$ 100,265.96</u>

Meetings and Events Attended on Behalf of SANDAG

Board members participated in the following meetings and events on behalf of SANDAG. Key topics of discussion are also summarized.

**September 17, 2021: California Association of Councils of Governments (CALCOG) Board Meeting
San Diego, CA**

City of National City Councilmember Marcus Bush attended the CALCOG Board Meeting as the SANDAG representative. Councilmember Bush participated in discussions on Assembly Bill 1147; Brown Act reform ideas, and a return to in-person Board meetings.

**September 24, 2021: FACT Board Meeting
San Diego, CA**

City of Councilmember Jewel Edson attended the FACT Board meeting as the SANDAG representative. Councilmember Edson participated in discussions on ridership, demand management, and impacts; a conversation with Councilmember Monica Montgomery Steppe; and the 2022 Board Officers Election Committee appointments.

**September 24, 2021: Metrolink Board Meeting
San Diego, CA**

City of Encinitas Councilmember Joe Mosca attended the Metrolink Board meeting as the SANDAG representative. Councilmember Mosca participated in discussions on the approval of emergency repairs in response to the San Clemente land slide that has disrupted rail service to San Diego, discussed service recovery plans, and other Metrolink related business – all information applicable to rail services in the San Diego Region.

Hasan Ikrata, Executive Director

Key Staff Contact: Francesca Webb, (619) 977-9294, francesca.webb@sandag.org

Action: **Information**

Board members will provide brief reports on external meetings and events attended on behalf of SANDAG.