

Agenda

Thursday, February 24, 2022

New Board Member Orientation: 1:00 P.M.

**Location: NCTD Administrative Offices,
810 Mission Avenue, Oceanside, CA 92054**

View Live Stream at:

<https://www.youtube.com/GoNCTD>

MISSION

North County Transit District's mission is to deliver safe, convenient, reliable and user-friendly public transportation services.

VISION

Our vision is to build an integrated transit system that enables our customers to travel easily and efficiently throughout our growing region.

For individuals with disabilities, NCTD will provide assistive services. To obtain such services or copies of documents in an alternate format, please call or write, a minimum of 72 hours prior to the event, to request these needed reasonable modifications. NCTD will make every attempt to accommodate requests that do not give 72-hour notice. Please contact the Clerk of the Board at (760) 966-6553.

For individuals with sensory disabilities, this document is available in alternate formats. For information, please contact the Clerk of the Board at 760/966-6553. Persons with hearing impairment, please use the California Relay Service (CRS): 800/735-2929 TTY; 800/735-2922 voice; 800/855-3000 Spanish. CRS Customer Service: 877/632-9095 English or 877/419-8440 Spanish.

Agenda materials can be made available in alternative languages upon request. To make a request, please call (760) 966-6553 at least 72 hours in advance of the meeting.

Los materiales de la agenda de NCTD están disponibles en otros idiomas. Para hacer una solicitud, llame al (760) 966-6553 al menos 72 horas antes de la reunión."

Any writings or documents provided to a majority of the members of the NCTD Board of Directors regarding any item on this agenda will be made available for public inspection at the office of the Clerk of the Board located at 810 Mission Avenue, Oceanside, CA 92054, during normal business hours.

COVID-19 PUBLIC SERVICE ANNOUNCEMENT AND SPECIAL PROCEDURES:

The Governor of California declared a state of emergency in March of 2020 due to the COVID-19 public health emergency. On February 17, 2022 the NCTD Board of Directors Adopted Resolution No 22-03 authorizing the District to hold virtual meetings during a proclaimed state of emergency in compliance with the Brown Act (Gov. Code § 54950 et seq.) and pursuant to Assembly Bill 361.

IN PERSON PARTICIPATION AT THE NCTD BOARD OF DIRECTORS MEETINGS WILL NOT BE ALLOWED. Pursuant to Government Code section 54953, NCTD is providing alternatives to in-person attendance for viewing and participating in NCTD Board and/or Committee meetings.

Zoom Participation:

Members of the public may view or participate in the meeting through Zoom from a PC, MAC, iPad, iPhone, or Android device, at the following URL:

<https://nctd.zoom.us/j/83631761011>

Phone Participation:

To join the meeting by phone, dial 669-900-6833

Webinar ID: 836 3176 1011

If you would like to speak on an agenda item via Zoom during the meeting, you must email the Clerk of the Board at clerk@nctd.org. Please provide the Clerk your name and item number you wish to comment on. *If you plan on calling into the Zoom meeting rather than videoconferencing, you must also provide the telephone number you will be using.* You must be logged on to the Zoom meeting by phone or online to speak. When it is your turn to comment, the Clerk will call you by name or phone number. Members of the public may register with the Clerk to speak on an agenda item up until the public comment period is closed.

Members of the public may also submit their comments via email at publiccomment@nctd.org. All timely received comments will be provided to the Board/Committee and made available for public inspection on the NCTD website at: <https://gonctd.com/about-nctd/board-information/> prior to the meeting and included in the record of the Board/Committee Meeting.

The public may also provide oral comments on agenda items by calling (760) 966-6560. When prompted, the caller should identify the agenda item they wish to speak about and leave a message not to exceed three minutes. All timely received telephonic comments will be provided to the Board/Committee prior to the meeting and made available for public inspection on the NCTD website at: <https://gonctd.com/about-nctd/board-information/>.

NEW BOARD MEMBER ORIENTATION BEGINNING AT 1:00 PM

- CALL TO ORDER
- ROLL CALL OF BOARD MEMBERS
- SAFETY BRIEF & EVACUATION PROCEDURES – Imelda Kubota, Deputy Clerk
- PUBLIC COMMUNICATIONS

There is a time limit of 15 minutes for this section of Public Communications and each speaker is limited to three minutes for their presentation.

Members of the public may submit their comments via email at publiccomment@nctd.org. The public may also provide oral comments on agenda items by calling (760) 966-6560. When prompted, the caller should identify the agenda item they wish to speak about and leave a message not to exceed three minutes. All timely received written and/or telephonic comments will be shared with the Board of Directors and made available for public inspection prior to the meeting. Written and/or telephonic comments may not be read aloud nor played for the Board of Directors during the meeting. All telephonic and written comments will be made part of the record.

A. INFORMATIONAL ITEMS 1 AND 2

1. Receive Introduction and Overview of NCTD Operations
(*Laura Coté, Chief Administrative Officer*)
2. Receive Overview of the Governance Structure of NCTD and Summary Overview of NCTD Board Policies
(*Jacob Gould, Senior Legal Counsel*)

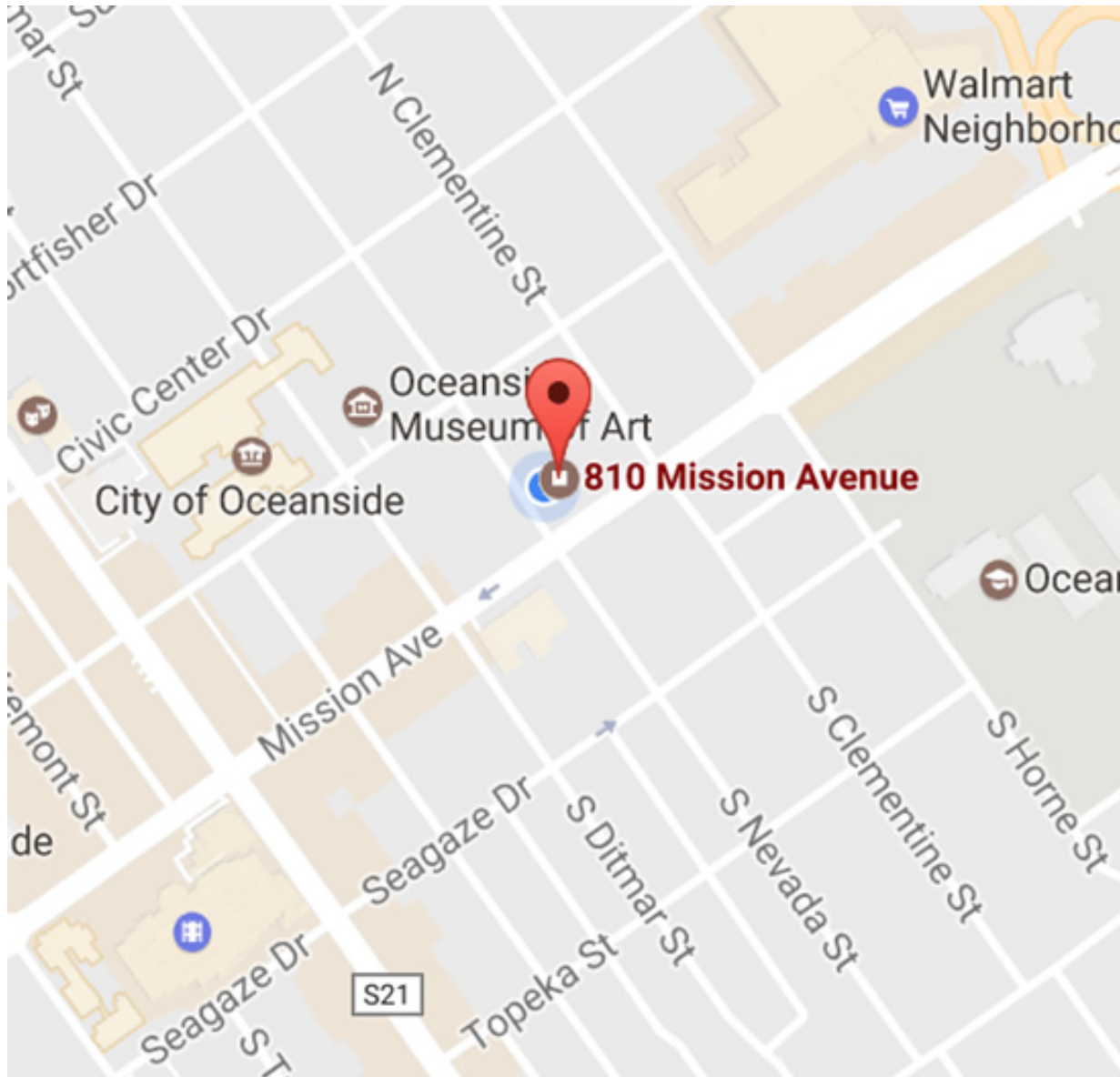
- ADJOURNMENT
- CERTIFICATIONS AND RULES (FOR BOARD AND PUBLIC INFORMATION)
 - Posting of Board Agenda (Page 5)
 - Rules for Public Speakers at meetings of the North County Transit District (Page 6)

Upcoming Meetings:

- *Executive Committee Meeting: March 1, 2022 at 11:00 a.m.*
- *Regular Board Meeting: March 17, 2022 at 2:00 p.m.*

All Regular Board and Committee Meetings will be held at NCTD Administrative Offices, 810 Mission Ave., Oceanside CA, unless otherwise provided on public notice.

MAP OF NORTH COUNTY TRANSIT DISTRICT OFFICES



The NCTD Board Chambers is located at NCTD Administrative Offices, 810 Mission Avenue, Oceanside, CA 92054 and is accessible by the COASTER (NCTD Commuter Rail), SPRINTER (NCTD Hybrid Rail), and the BREEZE (NCTD Bus).

Please log onto www.goNCTD.com to check our current routes and schedules, or call 1-800-COMMUTE.

February 17, 2022

To: North County Transit District Board Members
From: Anthony Flores, Clerk of the Board
Subject: POSTING OF BOARD AGENDA

In Compliance with the Ralph M. Brown Act, as Amended, the following information is provided.

The Agenda for this New Board Member Orientation of the Board was posted as follows:

New Board Member Orientation: February 24, 2022 at 1:00 p.m.

Posted At: 810 Mission Avenue, Oceanside, CA

Posted Online At: www.goNCTD.com

Date & Time of Posting: February 17, 2022 at 5:00 p.m.

Posted By: Anthony Flores, Clerk of the Board

Rules for Public Speakers at Meetings of the North County Transit District

Per Board policy, all public communications at meetings of the North County Transit District shall be made and received in accordance with the following procedures except where modified and/or temporarily superseded with COVID-19 protocols as provided in the **COVID-19 PUBLIC SERVICE ANNOUNCEMENT AND SPECIAL PROCEDURES** provided in this agenda.

1. COMMENTS FOR MATTERS NOT ON AGENDA

- A. Total time limit for telephonic comments:
 - Beginning of meeting: Fifteen (15) minutes
 - End of meeting: No time limit.
- B. Time limit per speaker per meeting: Three (3) minutes, with no donation of time allowed.
- C. Priority: First come, first served. Speakers who registered to speak with the Clerk will be able to address the Board of Directors in the order they were received.
- D. Order on agenda: Comments for matters not on the agenda will be heard at the beginning of the meeting and if the time limit stated in Paragraph A is exhausted, comments that were unable to be heard due to time limit stated above, will be heard at the end of the meeting under *“Remaining Public Communications.”*

2. TIME LIMITS FOR ADDRESSING MATTERS ON THE AGENDA

- A. Total time limit: None.
- B. Time limit per speaker: Three (3) minutes, with one donation of three minutes, for a maximum of six minutes.
- C. These rules apply to both public hearing and non-public hearing items listed on the agenda.
- D. Comments made not germane to the subject matter of the agenda item being considered are out of order.

3. CUTOFF FOR REGISTERING TO SPEAK

- A. Members of the public may register with the Clerk to speak on an agenda item up until the public comment period is closed.

4. MODIFICATION OF RULES BY CHAIR

- A. The Board Chair may, in his or her absolute discretion, relax the requirements of these rules. However, a decision of the Chair to do so in one instance shall not be deemed a waiver of the rules as to any other instance or matter.



Introduction and Overview of NCTD Operations Board Member Orientation

February 24, 2022

COASTER SPRINTER BREEZE FLEX LIFT

Mission Statement

To deliver safe, convenient, reliable, and user-friendly public transportation services



NCTD's Vision

To build an integrated transit system that enables our customers to travel easily and efficiently throughout our growing region.

– We will achieve this by:

- Placing service to our customers first
- Ensuring the safety and security of our employees and customers
- Delivering high-quality transit services
- Developing and maintaining facilities that sustain and promote current and future transportation services
- Securing adequate revenue, protecting our assets, and getting the maximum return on the public's investment
- Working in partnership with our communities and other stakeholders
- Encouraging innovation, creativity, and leadership



Board of Directors

- **Governing Mission Statement for the Board of Directors:**
The Board is responsible for representing the citizens of North San Diego County in providing strategic and policy level leadership to ensure that the North County Transit District (“NCTD”) meets the public transportation needs of the region in a full, safe, timely, and cost-effective manner.
- **In addition to legislative requirements, the Board is responsible for hiring two positions via employment agreements:**
 - Executive Director/Chief Executive Officer
 - General Counsel
- **The NCTD Board provides policy direction to the Executive Director primarily through the adoption of Board Policies and through Board actions. Key actions by the Board include:**
 - Adopting Ordinances
 - Adopting Annual Budget
 - Annual Financial Audit
 - Annual Performance Evaluations of the Executive Director and General Counsel



Executive Director Position

- **Per Employment Agreement Responsible for:**
 - Management of all aspects of NCTD's activities on a day-to-day basis, subject to the policy direction of the Board of Directors.
 - Supervision and management of all Division Chiefs, departments and employees, except for the General Counsel, who reports directly to the Board.
 - The Division also manages, plans, organizes and coordinates planning, research and analysis relating to specific projects, from concept to close-out. This is achieved by collaborating with all Divisions to support achievement of NCTD goals and completion of activities/projects.
 - Establishing of a proposed set of short-range goals and a proposed action plan for developing and implementing medium- and longer-term goals for the organization, to be presented to the Board for review and consideration annually.
 - Assists the Board in community and public relations matters.



Executive Director Position (continued)

- Monitor, manage and oversee the District budget and the District's revenues and expenses.
- Oversee timely development and presentation to the Board of annual proposed budgets.
- Assume overall responsibility for management of staff and in guiding NCTD towards its Board approved goals.
- Assure that NCTD's financial affairs are properly managed, accounted for; and audited, and that appropriate reports are made to the Board and to others as required by law.
- Confer with legislative liaisons regarding legislative matters, monitor, report on, and make recommendations on legislative activities.
- Attend all regular and special meetings of the Board and of committees and subcommittees as requested assuming overall responsibility for all preparation and presentation of all agendas and staff reports.
- Meet with City Councils and managers of each of the member agencies of NCTD, and with the County Board of Supervisors and its Chief Administrative Officer.



Executive Director Position (continued)

- Represent the Board and staff in contacts and communications with the public, member agencies, and other outside agencies and organizations with respect to transit matters and NCTD issues, with the scope of Board policies and programs.
- Attend activities that the Board may direct from time to time and any other activities as deemed necessary to competently and professionally carry out the Executive Director's job.
- Receives direction as to matters of NCTD business only from the Board as a whole, from the Chair, or from a duly authorized Board committee which has been granted the power by the Board to give direction to the Executive Director.



General Counsel Position

- **General Counsel – direct reporting relationship to the Board of Directors (BOD)**
 - Performance Evaluation conducted annually by the Executive Committee of the Board with feedback from the Executive Director (pursuant to Employment Agreement and Board Policy No. 3)
- **Responsibilities include:**
 - Representing the District in all legal matters and manages all litigation and claims activities on behalf of the District
 - Overseeing District-wide legal services and compliance with all applicable laws, regulations and ordinances
 - Drafting and approving all contracts, leases and other agreements on behalf of the District to ensure legality and compliance with laws and regulations
 - Advising all Divisions and Departments on matters of legal significance and Human Resources on all employment and personnel matters
 - Reviewing all items coming to the Board for consideration and approval for legality and compliance
 - Keeping the Board apprised of all legal matters through Closed Session meetings



About the Executive Director

- Highest ranking staff position at NCTD
- **Biographical Summary:**
 - NCTD employment commenced on December 15, 2008
 - Previously appointed by Governor of Virginia as the Director of the Virginia Department of Rail and Public Transportation
 - Previously served as the Chief Operating Officer for the Santa Clara Valley Transportation Authority in San Jose, CA
 - Previously served as the Deputy Public Transit Director for the City of Phoenix in Arizona
 - Previously served as the Deputy General Manager for the Greater Richmond Transit Company in Richmond, VA
 - Holds a Master of Urban and Regional Planning and Bachelor's in Political Science with a Minor in Military Science
 - Retired Army Reserve Officer, Captain



About the General Counsel

Education:

- Bachelor of Arts and Juris Doctorate degrees from UCLA

Professional Experience:

- Approximately 25 years practicing in the transportation law field
- Prior to NCTD, worked for the San Diego County Office of County Counsel for 3 years assigned to the Department of General Services and the Office of Ethics and Compliance
- Prior to County Counsel, worked as a litigator in the aviation practice group of Nixon Peabody LLP, litigating mass air disaster cases and product liability claims on behalf of aircraft and aircraft equipment manufacturers
- While in school at UCLA, worked at Lufthansa German Airlines, including their legal department during law school



Office of General Counsel

- **Office of General Counsel includes:**

- **Senior Legal Counsel:** Provides legal counsel with respect to a myriad of legal matters, such as transactional matters, project development and management, environmental and storm water compliance, litigation, and regulatory compliance. The Senior Legal Counsel is responsible for the oversight of the claims, insurance and risk management for the District, as well as oversight of the environmental and stormwater permit compliance for NCTD's real property, facilities and ROW.
- **Staff Attorney:** The Staff Attorney is the designated Civil Rights Officer. Administers and provides guidance to District leadership and the Board of Directors on the District's Civil Rights programs including the Disadvantaged Business Enterprise, Equal Employment Opportunity, Unruh, and Title VI programs. The Staff Attorney also serves as the District's DBE Liaison Officer.
- **Risk Administrator:** Performs duties in support of the District's insurance and risk management functions, including report compilation and filings, liability and cost recovery claims investigation and adjusting, and procuring various insurance coverage.
- **Compliance Officer:** Plans, directs, manages and oversees the compliance and internal audit activities of the District; coordinates audits and oversight activities with other executive staff, divisions, departments and external agencies. The Compliance Officer is responsible for overseeing District compliance with federal and state regulations.
- **Direct oversight of Procurement and Contract Administration:** Oversee contract activity and ensure compliance with applicable contracting laws and regulations



About NCTD

- **NCTD is a multimodal transit operator providing:**
 - BREEZE Fixed Route Bus
 - SPRINTER Hybrid Rail
 - COASTER Commuter Rail
 - LIFT Americans with Disabilities Act (ADA) Paratransit Service
 - FLEX Paratransit
 - NCTD+
- **NCTD is responsible for 82 directional miles of track that support freight and passenger rail operations**
 - The Surface Transportation Board has designated NCTD as a common carrier supporting interstate commerce movement by rail
 - The Federal Railroad Administration has designated NCTD as the agency of record responsible for overall safety
 - NCTD has agreements with Amtrak, Metrolink, and BNSF that support their operations on tracks owned by NCTD
- **NCTD operations are highly regulated and complex in nature**
 - Multitude of regulatory agencies providing oversight
 - Positive Train Control Technology



NCTD Overview



- 10.4 million passenger trips/year in FY2019 (pre-COVID)
- \$127 million operating budget and \$39.5 million CIP (FY2021)
- NCTD's Transit Revenue Fleet consists of:
 - BREEZE: 152 buses, 40 LIFT and 8 FLEX vehicles
 - COASTER: 7 locomotives, 10 cab cars, 18 coaches
 - SPRINTER: 12 DMUs



NCTD Quick Facts

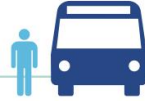


BREEZE buses

20,749 average weekday boardings

6.4 million annual boardings

152 buses cover **30** routes

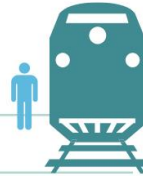


COASTER trains

4,886 average weekday boardings

1.4 million annual boardings

7 locomotives and **28** bi-level passenger coaches cover **41-mile** route north to south



SPRINTER hybrid rail

7,865 average weekday boardings

2.4 million annual boardings

12 DMU trains cover a **22-mile** route east to west



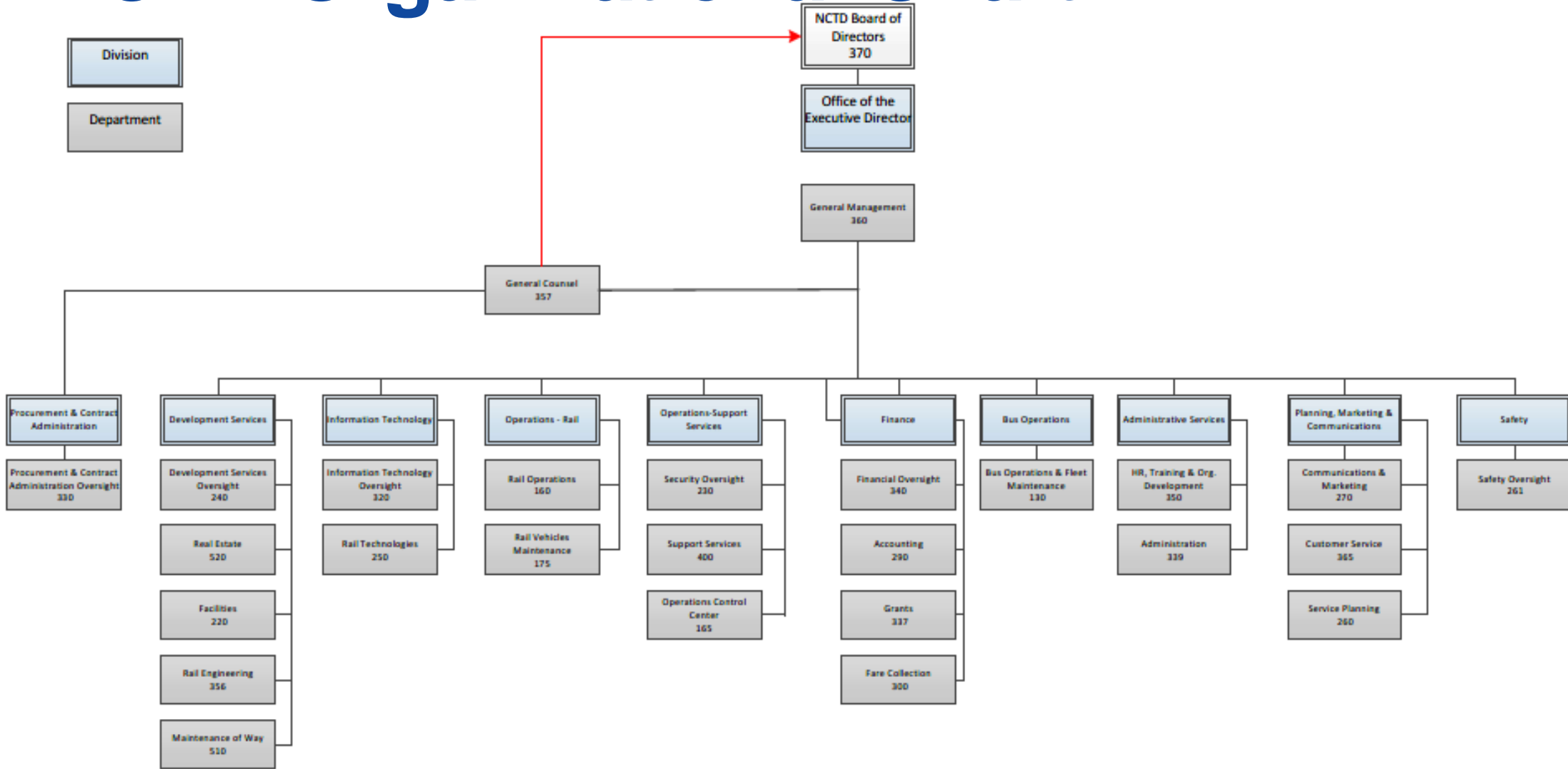
Other services

LIFT paratransit service uses a variety of ADA-certified vehicles

FLEX serves Oceanside to Camp Pendleton (392 and 395) and Escondido to Ramona (371)

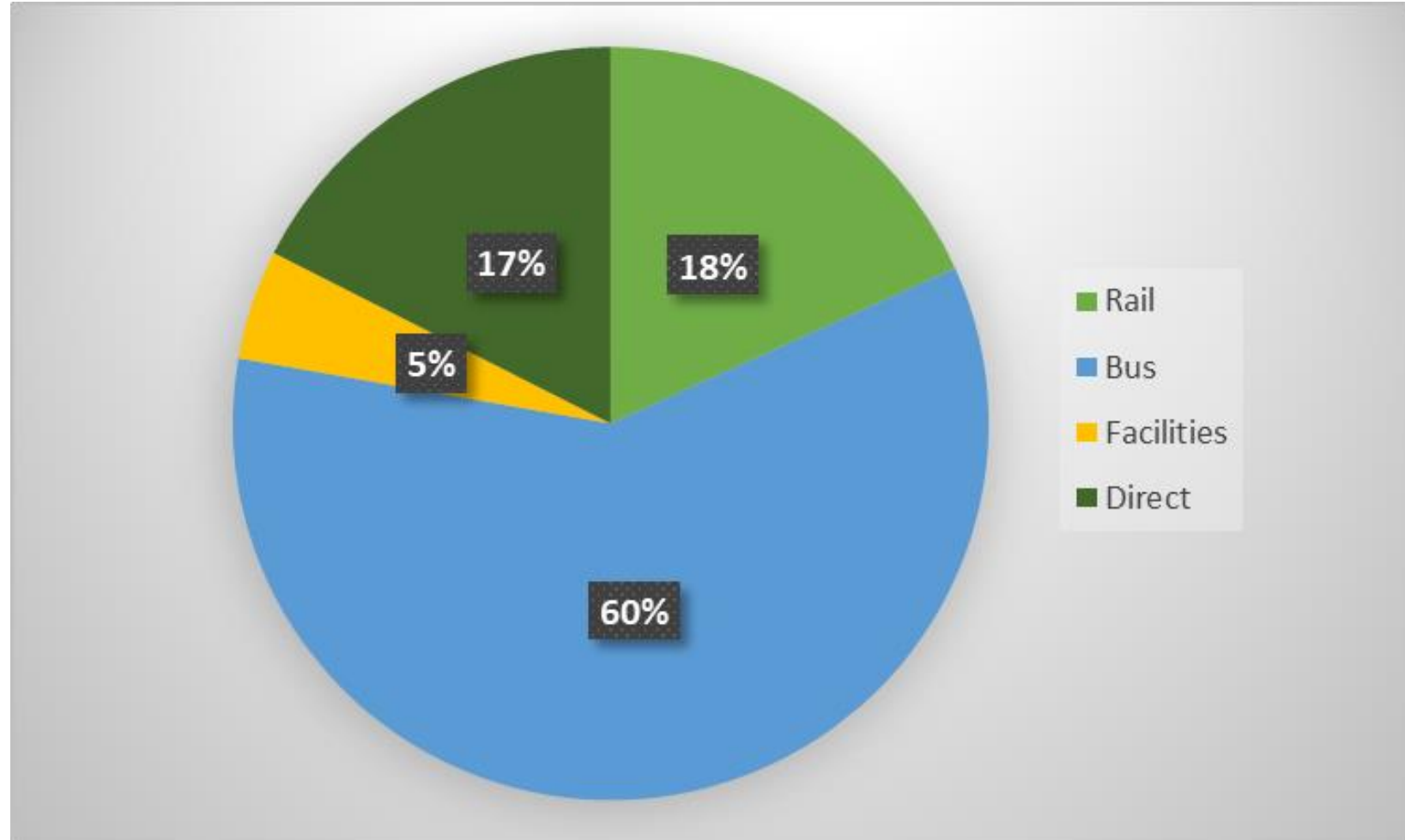


NCTD Organizational Chart



Background - Personnel

Total Direct and
Contractor
Employees: 828



Executive Director Key Areas of Focus

- **Financial Health and Sustainability**
- **Continuous Performance Improvement**
- **Strategic Planning**
- **Safety**



Administration, Laura Coté

Bio

- 10 months at NCTD
- Prior experience includes:
 - 15 years at San Diego Association of Governments (SANDAG), most recent position as Chief Operating Officer.
 - Prior work history as an Organization Effectiveness Consultant to private and non-profit organizations
- Education includes BA, Political Science and Paralegal Certificate
- Certified in Positive Psychology, Leading Positive Change and the Science of Well Being

Responsibilities

- Organization Effectiveness
- Leadership and Employee Development
- Talent Acquisition
- Employee Wellness and Safety
- Compensation and Benefits
- Clerk of the Board
- Administrative Support to District
- Policies and Procedures
- Records Management



Development Services, Tracey Foster

- **Bio**
 - Started with NCTD 10 years ago
 - Prior experience includes:
 - Managing world-wide real estate portfolios in the bio-tech sector
 - Leading large service teams in the relocation industry serving corporate clients such as IBM and Johnson & Johnson
 - BS in Management
- **Responsibilities**
 - **Facilities**
 - Maintenance, cleaning, and repairs at all NCTD facilities
 - State of good repair and new infrastructure capital projects
 - **Rail Engineering**
 - Major capital and state-of-good-repair projects on NCTD's right-of-way
 - **Real Estate**
 - Managing all property interests
 - Redevelopment of real estate assets
 - **Maintenance of Way**
 - Maintenance of track, bridges, drainage, culverts, and the right-of-way



Information Technology, Ryan Cashin

- **Bio**
 - Started with NCTD 13 years ago as Sr Systems Engineer.
 - CTO at NCTD for 9 years
 - Prior experience includes:
 - 25+ years IT technical positions
 - Started ISP and web services company in the mid 90s
- **Responsibilities**
 - District User and Division support
 - IT Major Systems
 - Network and Systems Infrastructure and Cyber Security
 - Data Centers
 - Fare Collection
 - JD Edwards
 - Rail Technologies
 - Positive Train Control and Dispatching Systems



Procurement and Contracts, Jennifer Taylor

- **Bio**

- Nearly 5 Years with NCTD
- Prior Experience includes:
 - 30+ years of experience including over 20 in the public sector
 - Public experience includes working at Metrolink, Omnitrans, and Riverside County
 - Served as the President of the California Association of Public Procurement Officials in 2011-2012
- BA in Administrative Studies
- Lifetime Certified Purchasing Manager (C.P.M.)

- **Responsibilities**

- Acquisition of Goods & Services
 - State of California Public Contracting Code
 - Federal Transportation Administration Circular 4220.1F
 - Board Policies
- Ensure fair and open competition
- Ensures regulations are adhered to
- Assist with contract administration through contract closeout
- Board Policy No. 19, Executive Director may:
 - Award contracts & TOAs up to \$200,000
 - Authorize Contract Modifications up to \$100,000



Planning, Marketing, Communications, Chris Orlando

Bio

- **25+ years of private sector experience**
 - Led key functions for companies as large as 17,000 employees; co-founded a successful financial services start-up
- **More than a decade of public service**
 - San Marcos City Council Member (12 years)
 - NCTD Board of Directors (6 years), including service as Board Chair and Vice Chair, and representing the District at LOSSAN
 - SANDAG Board Member (6 years), serving on the Executive Committee and Chair of Regional Energy Working Group
- **MBA, George Washington University; B.A., Political Science, UCSB**

Responsibilities

- **Planning**
 - Service planning, ridership development, strategic planning
- **Government Affairs**
 - Advocacy, public/legislative affairs, funding and grant strategy
- **Marketing and Communications**
 - Marketing, public relations, communications, advertising, community outreach, public information, and media relations
- **Customer Service**
 - Customer service programs and staff



Safety, Sean Loofbourrow

- **Bio**

- NCTD employment commenced on April 16, 2016
- Previously served as the Safety Director onboard USS CARL VINSON (CVN 70)
- Other assignments included Military Faculty, US Naval War College, Newport RI
- MS Operations Management, MA National Security and Strategic Studies, BS Biology, AS Culinary Arts
- Certified Safety Professional (CSP)
- Retired US Navy, Commander

- **Responsibilities**

- Lead Division of 4 Safety Specialists
- Regulatory Compliance
- Safety Plans (FRA and FTA)
- Internal Safety and Security Audit Program
- Risk Register Meetings
- Hazard Management
- Quarterly Safety Reports to the BOD



Bus Operations, Damon Blythe

- **Bio**
 - Over 9 years with NCTD
 - Previously employed by Utah Transit Authority (UTA) for 14+ years in a variety of roles
 - Rail Capital Project Oversight
 - Special Event Operations Planning
 - Rail Control Room Oversight
 - Operations Supervision
 - Bachelors of Science, Business Management
- **Responsibilities**
 - Leads a team of 5 to ensure safe and reliable transportation on NCTD rubber tire modes
 - Oversight of NCTD Bus Operations & Maintenance Contractor MV Transportation
 - Operators
 - Dispatchers, Reservations, and Street Supervisors
 - Vehicle and Facility Maintenance Staff
 - Administration
 - Procure and manage capital project implementation
 - New buses
 - Overhauls of major components



Rail Operations, Graham Blackwell

- **Bio**
 - Commenced employment with NCTD October 2020
 - Previously employment
 - Global Operations Support and Business Improvement (supporting rail O&M sites in Sweden, UK, Israel, Germany, Canada and Australia)
 - Manager of Train Operations, UP Express and Metrolinx
 - Assistant Superintendent, Trainmaster, Terminal Coordinator, Locomotive and Mechanical Supervisor, Engineer/Conductor at Canadian Pacific Railway
 - Member of APTA Leadership Class 2022
- **Responsibilities**
 - Rail Operations
 - Safe reliable Train operation of COASTER and SPRINTER compliant with FRA, FTA and CPUC
 - Rail Maintenance of Equipment
 - Quality preventative and corrective maintenance program for COASTER and SPRINTER
 - Capital Program of Rail vehicles
 - TSMMA and TSMMS oversight and coordination for Locomotives and DMUs
 - Rail Maintenance of Signals
 - Oversight of contacted signal maintenance including crossings, fixed signals and PTC



Operations Support, Karen Tucholski

- **Bio**

- NCTD tenure: 9.5 Years (previously served as Human Resources Manager and Chief Administrative Officer)
- Prior experience:
 - 15 years of Human Resources management
 - Customer service-based organizations
 - Hospitality, community mental health, arts and entertainment
- Bachelor of Arts – Political Science
- Juris Doctor (admitted to the practice of law in Ohio)

- **Responsibilities**

- **Operations Support Services**
 - Instructional Design
 - Capital Project support
- **Operations Control Center**
 - Operations hub for bus and rail services
 - Bus and rail dispatching
 - Service delivery and management
- **Security**
 - 24/7 CCTV monitoring center
 - Law enforcement services MOU oversight (Sheriff's Transit Enforcement Services Unit, OPD,EPD)
 - Emergency services/first responder coordination



Chief Financial Officer, Eun Park-Lynch

Education

- Master's Degree in Accountancy from San Diego State University

Certifications

- Certified Public Accountant (CPA) since 2005
- Certified Management Accountant (CMA) since 2007

Professional Experience

- NCTD CFO 2018-Present
- NCTD Controller 2017-2018
- Financial Reporting Manager, SynteractHCR, 2012-2017
- Senior Audit Manager, Aldrich, 2003-2012

Responsibilities

- Develops policies, procedures, and processes to promote internal controls, the safeguarding of NCTD assets, and the prevention of fraud.
- Ensures compliance with Federal Transit Administration, state, and other regulatory and grant conditions/requirements through the implementation of internal controls, business processes, effective use of financial systems, and collaboration with other Divisions.
- Analyzes short- and long-range financial planning.
- Serves as Treasurer for the District, and as such is responsible for the preparation of all financial statements; oversight for or assistance with response to federal, state, and local audits; development of annual capital and operating budgets; and presentation of financial results to the Executive Director, Board of Directors, and NCTD management.



Budget Process Overview

- **Board Policy No. 17 - Budget Development**

- Establishes the guidelines for NCTD's development of the operating and capital budget
- Balanced budget: Total revenues \geq Total expenses
- Estimate revenues conservatively. One-time revenues should be used for one-time expenses or capital investments.
- Plan expenses to support effective transportation; identify priority services; ensure fiscal stability
- Use short-term and long-term debt appropriately and for valid business reasons
- The Capital Improvement Program (CIP) must be constrained



Capital Improvement Program (CIP)

- **The CIP is designed to meet NCTD's ongoing operational and infrastructure needs**
 - The CIP incorporates the current and future capital needs of NCTD and is updated annually
 - Project managers identify projects that are in line with the District's business plan and the Transit Asset Management (TAM) Plan
 - The Capital Projects Steering Committee (CPSC) evaluates and ranks projects to ensure that the most critical projects are funded
- **The CIP is approved in December/January and reauthorized with the approval of the annual operating budget by NCTD's Board in June**
 - The CIP is fiscally constrained, meaning that sufficient revenue is committed or reasonably assumed to be available from local, state, and/or federal sources to fund the projects
 - All years beyond the current year are subject to change. Reapproval of projects is done in following budget cycles.



Capital Improvement Program (CIP)

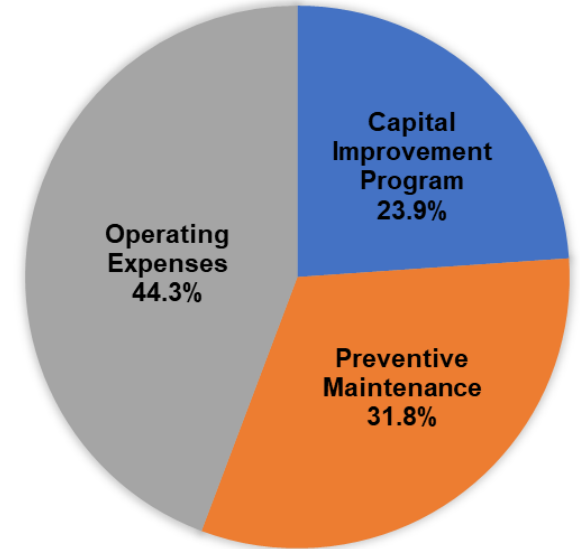
- **NCTD's Priority Evaluation Criteria include:**
 - Mandates by law
 - Project is required to meet legal obligations set forth by the California Public Utilities Commission (CPUC), Federal Railroad Administration (FRA), etc.
 - Prior and ongoing contract commitments
 - Project was previously funded and NCTD is obligated to continue work under contractual agreements
 - Safety and Security
 - Continued transit operations (overhauls, replacements)
 - State of Good Repair (SOGR) / Useful Life
 - Promote Current/Future Transportation
 - Project is necessary to maintain customer satisfaction or facilitate ridership efficiency and reliability
- **NCTD's CIP is highly contingent on receiving discretionary grant awards. Each year, NCTD develops a Discretionary Grants Program Strategy to support its goal of increased discretionary grant awards.**



FY2022 Capital and Operating Grants Summary

NORTH COUNTY TRANSIT DISTRICT
GRANT FUNDING SUMMARY
FY2022 – FY2026

Grant	FY2022	FY2023	FY2024	FY2025	FY2026	5-Year Total
FTA Section 5307	\$ 20,049,842	\$ 20,049,170	\$ 20,049,170	\$ 20,049,170	\$ 20,049,170	\$ 100,246,522
FTA Section 5337	13,535,048	12,141,061	12,141,061	12,141,061	12,141,061	62,099,292
FTA Section 5339	1,850,450	1,850,450	1,850,450	1,850,450	1,850,450	9,252,250
FTA Section 5311	488,232	488,232	488,232	488,232	488,232	2,441,160
FTA Section 5304 (Caltrans)	309,650	-	-	-	-	309,650
FTA Congestion Mitigation and Air Quality (CMAQ)	-	12,600,000	-	-	-	12,600,000
Federal CARES Act	24,637,346	-	-	-	-	24,637,346
Federal American Rescue Plan	22,353,270	14,515,305	10,905,786	4,577,478	7,648,161	60,000,000
Transportation Development Act (TDA) 4.0	39,780,468	41,456,413	42,908,935	44,250,675	45,635,937	214,032,428
Transportation Development Act (TDA) 4.5	2,077,555	2,165,000	2,241,000	2,311,000	2,383,000	11,177,555
State Transit Assistance (STA)	8,321,996	8,321,996	8,321,996	8,321,996	8,321,996	41,609,980
STA State of Good Repair	1,779,883	1,779,883	1,779,883	1,779,883	1,779,883	8,899,415
State Rail Assistance (SRA)	3,800,000	3,800,000	3,800,000	3,900,000	3,900,000	19,200,000
TransNet Senior and Disabled	370,000	385,000	399,000	412,000	424,000	1,990,000
TransNet	13,952,000	14,524,000	15,032,000	15,519,000	15,989,000	75,016,000
TransNet Major Corridor	2,200,000	8,200,000	13,100,000	-	-	23,500,000
Low Carbon Transit Operations Program (LCTOP)	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000	6,000,000
California Energy Commission	4,575,000	-	-	-	-	4,575,000
LOSSAN Incentive Program	1,340,609	2,904,652	2,904,652	2,904,652	2,904,652	12,959,217
Volkswagen Environmental Mitigation Trust Fund	-	3,200,000	-	-	-	3,200,000
Future Discretionary Grants	800,000	7,021,550	1,000,000	8,900,000	1,000,000	18,721,550
Total Grants Revenue	\$ 163,421,349	\$ 156,602,712	\$ 138,122,165	\$ 128,605,597	\$ 125,715,542	\$ 712,467,365



Allocations

Capital Improvement Program *	\$ 43,312,622	\$ 49,000,464	\$ 37,690,623	\$ 28,144,256	\$ 12,146,840	\$ 170,294,805
Preventive Maintenance	42,719,318	44,000,898	45,320,925	46,680,553	48,080,970	226,802,664
Available for Operating Expenses	77,389,409	63,601,350	55,110,617	53,780,788	65,487,732	315,369,896
Total Allocations	\$ 163,421,349	\$ 156,602,712	\$ 138,122,165	\$ 128,605,597	\$ 125,715,542	\$ 712,467,365

* FY2022 includes \$1,393,987 from FY2021 carryover projects



Major Grants Overview

- **Federal**

- Federal formula grants are based on the Federal Transit Administration (FTA) published apportionment tables
 - The formula for determining each metropolitan area's share of funds involves population, density, bus and rail vehicle miles, and rail route miles
 - Funds for the San Diego region are allocated 30% to NCTD and 70% to MTS
 - Can only be used for preventive maintenance and capital activities
- CARES Act and American Rescue Plan Act of 2021 (ARPA) one-time COVID relief funds
 - NCTD received \$95.6 million in CARES Act and \$60.2 million of ARPA funds
 - Funds have been spent primarily by NCTD for employees' wages and benefits, purchased transportation contracts, and preventive maintenance expenses

- **State**

- State Transit Assistance (STA) and State of Good Repair (SGR)
 - Derived from the statewide sales tax on gasoline and diesel fuel and vehicle taxes and fees
 - Funds are allocated by the state based on agency revenue and population



Major Grants Overview

- **State**

- State Rail Assistance (SRA)

- Senate Bill 1 created the SRA by directing a portion of new revenue specifically to intercity rail and commuter rail
- Funds are allocated among the five (5) California commuter rail operators based on a formula that combines a fixed guaranteed amount and a variable amount based on service levels

- **Local**

- Transportation Development Act (TDA) - Local Transportation Fund (LTF)

- Derived from a one-quarter of a cent of a general sales tax
- SANDAG, as the Regional Transportation Planning Agency, is responsible of releasing the apportionment of TDA funds each year in conformance with state statute
- Funds for the San Diego region are allocated to NCTD and MTS based on population (29% for NCTD in FY2022)

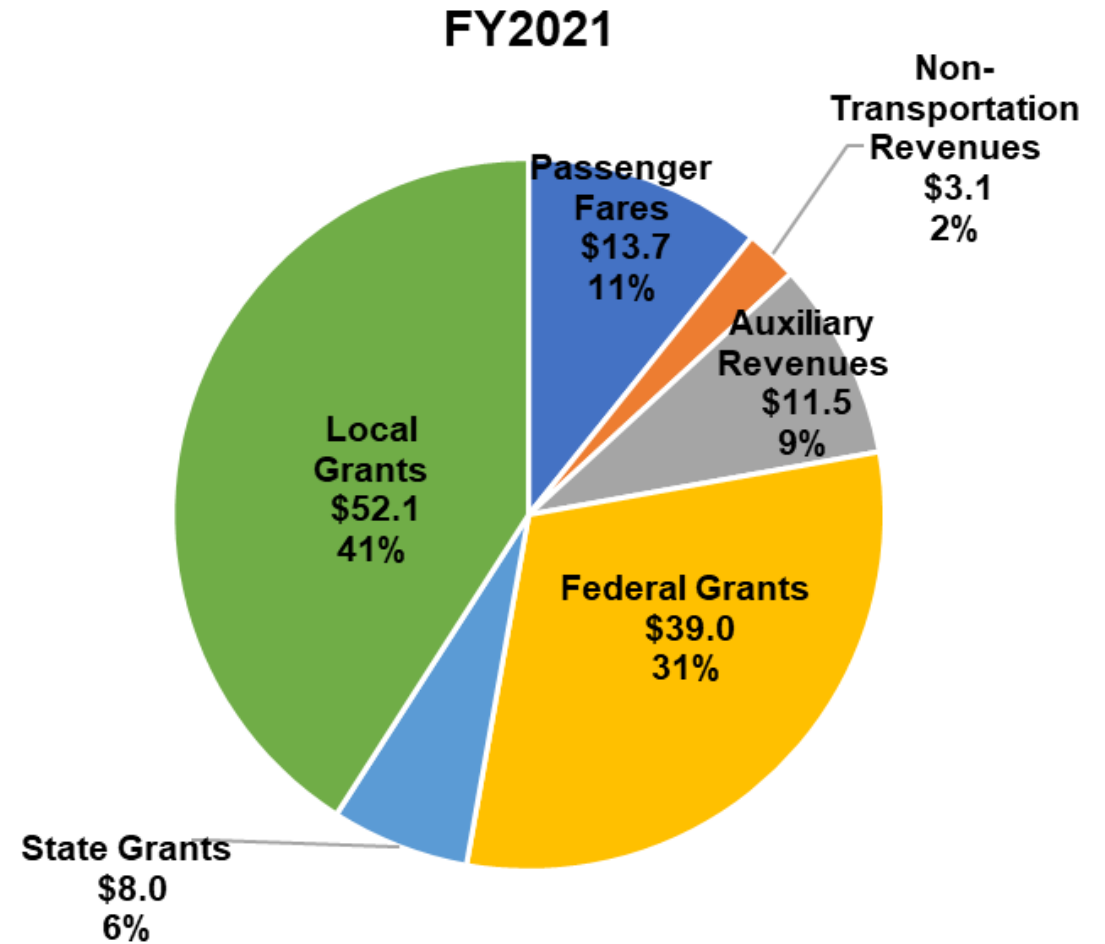
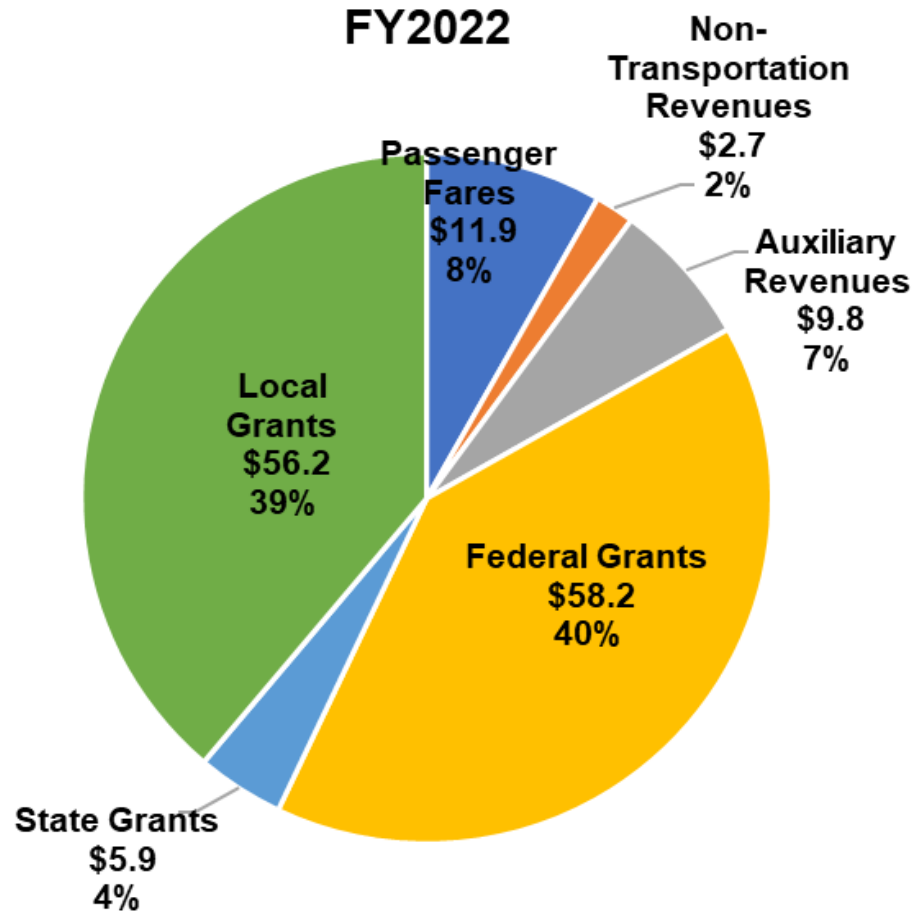
- TransNet

- One-half cent local countywide sales tax originally enacted in November 1987 and later extended in 2004 for an additional 40 years through 2048
- Funds are allocated to NCTD and MTS based on population in the same manner as TDA-LTF



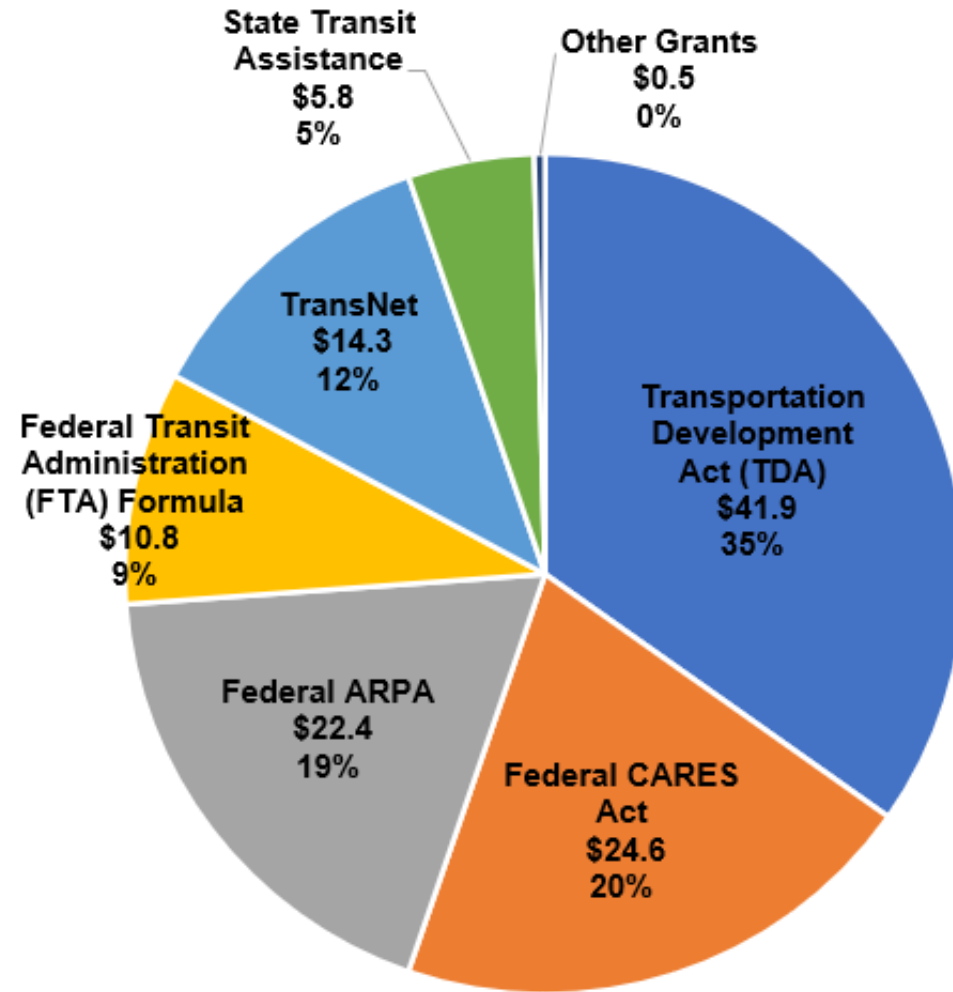
FY2022 and FY2021 Adopted Budgets

Operating Revenue Sources (in millions)



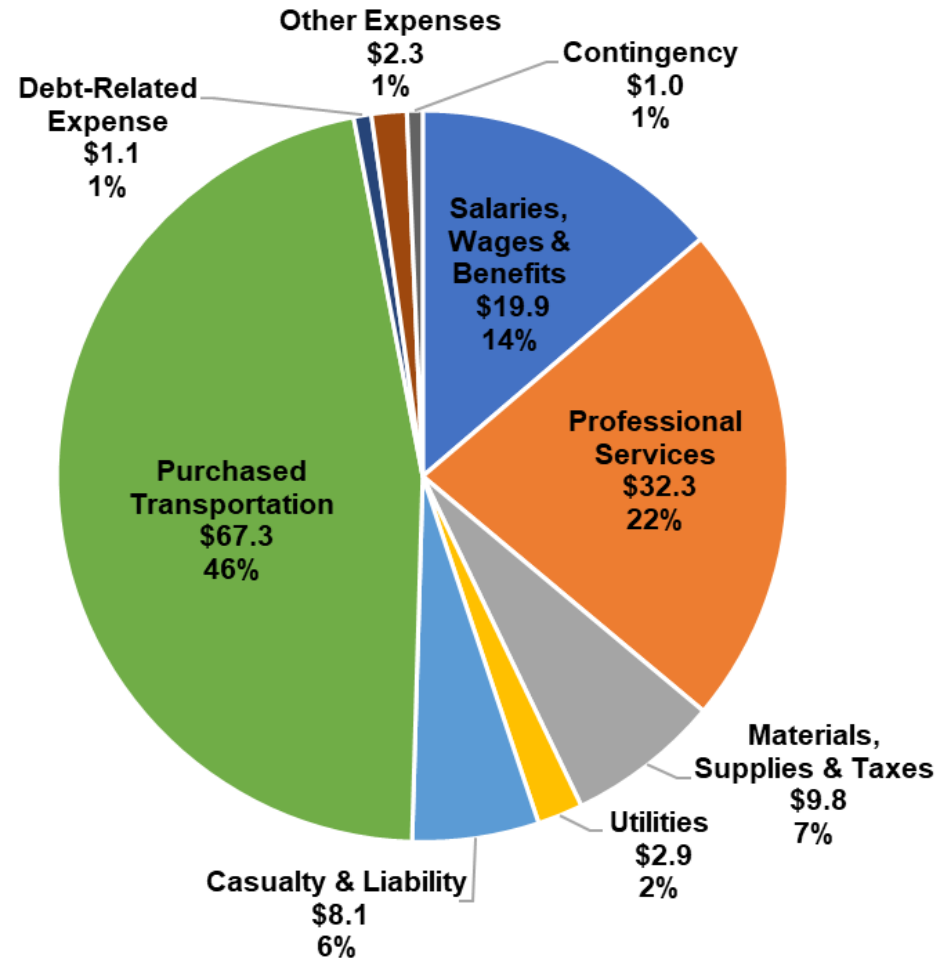
FY2022 Adopted Budget

Operating Grant Revenue Sources (in millions)



FY2022 Adopted Budget

Operating Expenses (in millions)



FY2021 Actual and FY2022 Budget

	FY2021 Actual	Percentage of FY2021 Actual	FY2022 Adopted Budget	Percentage of FY2022 Budget
Operating Revenues				
Passenger Fares	\$ 5,704,716	5.0%	\$ 11,934,188	8.2%
Non-Transportation Revenues	4,267,797	3.7%	2,663,012	1.8%
Auxiliary Revenues	9,898,891	8.6%	9,813,372	6.8%
Federal Grants	49,671,769	43.1%	58,190,340	40.2%
State Grants	5,835,113	5.1%	5,924,042	4.1%
Local Grants	39,815,030	34.6%	56,180,023	38.8%
	115,193,316	100.0%	144,704,977	100.0%
Operating Expenditures				
Salaries, Wages & Benefits *	\$ 15,907,596	14.3%	\$ 19,910,024	13.8%
Professional Services	18,545,564	16.7%	32,313,953	22.3%
Materials and Supplies	5,081,385	4.6%	8,641,365	6.0%
Utilities	2,379,280	2.1%	2,907,540	2.0%
Casualty and Liability	4,916,951	4.4%	8,101,000	5.6%
Taxes	376,432	0.3%	1,153,798	0.8%
Purchased Transportation	61,614,873	55.6%	67,293,978	46.5%
Miscellaneous Expenses	562,504	0.5%	1,505,637	1.0%
Debt-Related Expense	763,061	0.7%	1,125,259	0.8%
Leases and Rentals	711,870	0.6%	752,423	0.5%
Contingency	-	0.0%	1,000,000	0.7%
	110,859,516	100.0%	144,704,977	100.0%
Net	4,333,800		-	

* Excludes GASB 68 and GASB 75 non-cash adjustments and the required Unfunded Accrued Liability (UAL) pension contribution.



Questions?





Overview of Agency Governance and Board Policies

Board Member Orientation 2022

COASTER SPRINTER BREEZE FLEX LIFT

NCTD Background

- The North San Diego County Transit Development Board (NSDCTDB – now NCTD) was created September 20, 1975, to plan, construct and operate – directly or through a contractor – public transit systems in its area of jurisdiction.



District Governance - Board Authority

Public Utilities Code §§ 125000, *et seq.*:

- All authority of the District originates with the Board of Directors.
- Powers and duties of the Board (PUC § 125105):
 - Maintain and operate public transit system.
 - Adopt an annual budget and fix compensation of District Officers and employees.
 - Adopt an Administrative Code.
 - Cause an annual post-audit to be conducted by a CPA.
 - Appoint advisory committees as deemed necessary.
 - Do any and all things necessary to carry out the purposes of the enabling legislation to regulate the use, operation and maintenance of the District's property and facilities.



Senate Bill 1703

- On January 1, 2003, Senate Bill (SB) 1703 transferred future transit planning, programming, development and construction from NCTD to SANDAG for projects within NCTD's jurisdiction.
- NCTD continues to operate the BREEZE, COASTER and SPRINTER and implements “local and minor” Capital Improvement Projects through the NCTD Board of Directors.



SANDAG

- SANDAG, is the San Diego region's Metropolitan Planning Organization (MPO) and the Regional Transportation Planning Agency (RTPA).
- SANDAG is required by state and federal laws to develop and adopt a Regional Transportation Improvement Program (RTIP) that covers five fiscal years and incrementally implements the long-range transportation plan for the San Diego region.
- The RTIP is a multi-year program of proposed major highway, arterial, transit, rail and bikeway projects including the *TransNet* Program of Projects.
- The SANDAG RTIP is where many SANDAG Capital Improvement Projects originate and are funded.



SB 1703

- SANDAG implements transit construction projects in the region and on rail lines operated by NCTD pursuant to SB 1703 (Adopted in 2002 by Public Utilities Code Section 132353.2(d))
- Per SB 1703, SANDAG and NCTD may enter into agreements for the transfer of certain functions to SANDAG on such terms and conditions as may be mutually agreed upon.
- Initially all projects transferred pursuant to SB 1703 were done by an Amendment to the Master MOU. This was time consuming and cumbersome.
- SANDAG and NCTD (Parties) entered into Addendum 18 in order to have the flexibility to transfer local and minor Capital Improvement Projects to SANDAG upon mutual agreement of the Parties on a project-by-project basis with a standard form. That form was attached to Addendum 18 as EXHIBIT A – this is the common term for SANDAG project transfer agreements.



NCTD Regulation



District Governance - Board Authority

- The regulatory authority (the “Police Power”) of the District is vested with the Board. The Board may exercise its authority in various ways including making “laws” for the District.
- The Board enacts “laws” through the adoption of Ordinances:
 - Ordinances apply throughout the District
 - May not be waived, even by the Board
 - Require the adoption of an amended or new Ordinance to change



Board Ordinances

➤ NCTD Board has adopted 6 Ordinances:

- Ordinance 1 - (Rescinded 07/21/2016)
- Ordinance 2 – (Rescinded 12/18/2014)
- Ordinance 3 - Establishes District rules and regulations and authorizes designated NCTD employees to arrest and issue citations for violations of NCTD Ordinances
- Ordinance 4 - Establishes a Personnel Merit System and delegates day-to-day employee matters to the Executive Director, except for the Executive Director and General Counsel (*which are the only direct employees appointed by and reporting to the Board*)
- Ordinance 5 - Regulates Parking in NCTD Parking Lots (*authorizes NCTD to charge for parking - not currently implemented*)
- Ordinance 6 - Establishes informal bidding procedures for public works under the Uniform Public Construction Cost Accounting Act



Board of Directors - Direct Reports

- **The Board of Directors has two direct hires/reports who represent the North County Transit District on behalf of the Board of Directors:**
 - Executive Director
 - General Counsel



Board of Directors - Direct Reports

➤ Executive Director's primary responsibilities to the District include:

- Sole authority to supervise and direct all District staff (except General Counsel) and employee relations matters
- Establishment of short- and long-range goals for the District
- Assisting the Board in community and public relations and conferring with legislative liaisons
- Managing and overseeing the District budget to ensure its properly managed and develop an annual budget
- Guiding NCTD toward Board-approved goals
- **Has the only direct delegation of authority from the Board pursuant to Board Policy No. 19**



Board of Directors - Direct Reports

➤ **General Counsel's primary responsibilities to the District include:**

- Represents the District in all legal matters and manages all litigation and claim activities on behalf of the District
- Oversees and is responsible for District-wide legal services and compliance with all applicable laws, regulations and ordinances
- Drafts and/or approves all contracts, leases and agreements on behalf of the District to ensure legality and compliance with laws and regulations
- Advises all Divisions and Departments on matters of legal significance and Human Resources on all employment and personnel matters
- Reviews all items coming to the Board for consideration and approval for legality and compliance



Scope of Representation - General Counsel

- The General Counsel is the chief legal adviser of, and attorney for, the District and all Divisions and offices thereof in matters relating to their official powers and duties on behalf of the District.
- General Counsel is counsel to the agency as a whole and not one individual member.
- Attorney-client privilege attaches to the agency and not the individual. Waiver of the privilege, takes an action of the entire Board.



Board Policies Review

- **The Executive Director and General Counsel have assisted the Board in the development and implementation of Board Policies to guide the day-to-day activities of the District.**
- **The first Board Policies were adopted in 2012, with annual updates and review for additional policies conducted in the second quarter of each fiscal year (Oct-Nov).**
- **Unlike an Ordinance, a Board Policy may be waived, but only by a majority of the Board itself and only if not prohibited by an Ordinance or state or federal law.**
- **NCTD currently has 34 Board Policies.**



Board Policies Review

- Board Policy No. 1 – General Provisions: establishes the purpose and procedure for implementation of Board Policies
- Board Policy No. 2 – Appointment to Board of Directors: establishes the appointment process for the Board Chair and Vice-Chair to the Board of Directors
- Board Policy No. 3 – Committees and External Appointments: establishes the Board Committees and appointment process to internal and external committees:
 - **Executive**: responsible for oversight and guidance to the full Board; annual performance evaluation of Executive Director and General Counsel; annual review of Board Policies
 - **Marketing, Service Planning, and Business Development**: development of marketing and communications plan and service plans; strategies for increasing ridership and revenue
 - **Performance, Administration, and Finance**: oversees preparation of annual budget; reviews critical performance indicators



Board Policies Review

- **Board Policy No. 4 – Rules of Procedure**: establishes the rules of procedure for the conduct of NCTD Board meetings
- **Board Policy No. 5 – Public Notice and Participation**: establishes public hearing procedures for budget adoption, major service changes and adoption/modification of Ordinances
- **Board Policy No. 6 – Ethics Training**: establishes requirements for state-imposed Assembly Bill (AB) 1234 training
- **Board Policy No. 7 – Board Member Compensation and Travel Expense Reimbursement**: describes compensation and travel reimbursement procedures



Board Policies Review

- **Board Policy No. 8 – Conflict of Interest Code**: establishes NCTD's Conflict of Interest Code and disclosure requirements (SEI/Form 700)
 - Generally follows Fair Political Practices Act (FPPA) which each city should be familiar with.
 - Adds FTA Guideline 4220.1 conflict requirements
 - Each designated filing position identifies scope of disclosure in categories 1 through 5 with category 1 being the most inclusive:
 - *All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, do business in, or own real property within the jurisdiction of the District.*
 - *And 5 being the limited to the regulatory, permit, or licensing authority of the Designated Position's department, unit or division*



Board Policies Review

- **Board Policy No. 9 – Investment Policy**: establishes NCTD’s investment policy to protect investment principal, ensure compliance, meet liquidity needs and generate maximum amount of investment
- **Board Policy No. 10 – Cash Reserve Funds**: establishes guidelines for reserve funds for emergency and high-priority situations (targeted balance of \$15M).



Board Policies Review

- **Board Policy No. 11 – Real Estate:** establishes real property management goals, disposal, acquisition, and incidental use of real property.
 - Acquisition and Disposal of real property requires Board approval
 - Executive Director (or designee) is responsible for management of the District’s real estate assets
 - Incidental Use may be approved by the Executive Director if at Fair Market Value (FMV) and in compliance with the policy. FMV for a city or other public agency can be waived without Board approval as long as an equivalent reciprocal benefit is provided to NCTD.
- **Board Policy No. 12 – Excess Real Property Utilization Plan:** establishes a disposition policy for FTA-funded real property.



Board Policies Review

- **Board Policy No. 13 – Advertising, Concessions and Merchandising:** establishes policies and guidelines for revenue-generating advertising, concessions and merchandising programs focused on generating revenue, increasing ridership and keeping the riding public informed about NCTD services and programs.
- **Board Policy No. 14 – Record Management and Document Control:** establishes a policy to implement and maintain a record management and document control system.
- **Board Policy No. 15 – Records Retention Policy and Schedule:** establishes the District’s record retention schedule.



Board Policies Review

- **Board Policy No. 16 – Public Records Requests**: establishes the District policy on receipt and response to public records requests.
- **Board Policy No. 17 – Budget Development**: establishes the budget development process and procedures; budget monitoring and controls.
- **Board Policy No. 18 – Railroad Safety and Community Enhancement Projects**: establishes a position of support for city quiet zones and wayside horns; provides accountability and liability structure.



Board Policies Review

- **Board Policy No. 19 – Delegation of Authority to Executive Director:**

- Award a contract/task-order if the initial contract value does not exceed \$200,000 and is consistent with the Board-adopted budget.
- Amend a contract of any value consistent with the Board-adopted budget if the amendment does not exceed \$100,000, singular or cumulative value
- Declare an emergency or public exigency to dispense with formal procurement guidelines – requires report to Board for ratification at next Board meeting
- Execute all real property agreements
- Execute MOU/MOA for ministerial business transactions and/or where does not exceed \$100,000
- Approve settlements for liability and workers' compensation claims that do not exceed \$50,000
- Execute all local, state and federal funding documents
- Oversee all personnel and employee matters (except General Counsel)
- Manage all aspects of day-to-day operations, subject to policy direction of the Board

If the authority has not been delegated to the Executive Director within Board Policy No. 19, it takes an action of the Board to approve, implement or carry out.



Board Policies Review

- **Board Policy No. 20 – Complimentary Transit Passes**: establishes the policy and procedure for distribution of transit passes to improve customer satisfaction and as a marketing tool to increase ridership.
- **Board Policy No. 21 – Complimentary ADA Paratransit Program**: establishes the programmatic approach to paratransit operations in accordance with ADA law; outlines the service area and trip length.
- **Board Policy No. 22 – Service Requests**: establishes the process for evaluating service requests.



Board Policies Review

- **Board Policy No. 23 – Railroad Construction Scheduling and Management:** establishes principals and procedures for managing impact of construction on rail corridors:
 1. Provide high-quality rail service consistent with the operating plan of both passenger and freight operators.
 2. Capital activities are required to maintain a state of good repair and to support capital enhancements.
 3. Minimize disruption of rail service during construction.
 4. Must clearly demonstrate the need for a slowdown or closure by submitting information and alternatives to NCTD during the project development/design phase of the project.
 5. The timing of a closure and/or shutdown of the railroad is dependent on the nature of the project.
 6. Unless significant unforeseen circumstances arise, such as emergency or exigent circumstances, NCTD will honor construction schedules approved by NCTD that allow slowdowns or closures on the railroad.



Board Policies Review

- **Board Policy No. 24 – Employee Drug and Alcohol Policy:** establishes the District’s policy to comply with Department of Transportation (DOT) and Federal Transit Administration (FTA) for a drug-free/alcohol-free workplace.
- **Board Policy No. 25 – Disadvantaged Business Enterprise (DBE) Policy:** this policy ensures DBEs have an equal opportunity to participate in District contracts.



Board Policies Review

- **Board Policy No. 26 – Discrimination Complaint Procedure:** establishes a process for receipt and disposition of discrimination complaints for non-employees.
- **Board Policy No. 27 – Equal Employment Opportunity:** establishes the District policy of non-discrimination in all employment actions.
- **Board Policy No. 28 – Fraud Prevention:** establishes the District's fraud prevention policy and whistleblower protections.



Board Policies Review

- **Board Policy No. 29 – Asset Management**: establishes guidelines for distinguishing capital and operating assets and management of tangible property.
- **Board Policy No. 30 – Threshold for Major Service Change**: defines threshold for major service change as where 25% change in configuration and/or daily trips and/or elimination or addition of a route. Major service change requires Title VI analysis and public hearing.



Board Policies Review

- **Board Policy No. 31 – Threshold for Disparate Impact on Minority Populations:**
 - Defines the threshold for adverse impacts from a major service change on minority population
 - Where disparate impact to minority population is 10% more than on average non-minority population, alternatives must be reviewed and considered. Must have a substantial, legitimate reason for service change if alternatives cannot be used.



Board Policies Review

- **Board Policy No. 32 – Threshold for Disproportionate Burden on Low Income Populations:**
 - Defines the threshold for disproportionate burden from a major service change on low-income populations
 - Where disproportionate burden to low-income population is 10% more than on average non-low-income population, alternatives must be reviewed and considered. Must have a substantial, legitimate reason for service change if alternatives cannot be used).



Board Policies Review

- **Board Policy No. 33 - Joint Use and Development of Real Property:** established policy for joint use and real property development goals, objectives and procedures in order to achieve the maximum utilization and benefits of District-owned property, consistent with transportation goals and community development objectives.
- **Board Policy No. 34 – Unsolicited Proposals:** provides high-level policy considerations and procedures to guide NCTD decisions when responding to unsolicited proposals and partnership requests (unsolicited offers).



Thank you.

