

Agenda

Friday, May 31, 2024

NCTD Board Forward

Special Meeting Start: 10:30 A.M.

**Location: Fletcher Cove Community Center,
133 Pacific Avenue, Solana Beach, CA 92075**

View Live Stream at:

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

MISSION

North County Transit District's mission is to operate an environmentally sustainable and fiscally responsible transit network that provides seamless mobility for all while achieving organizational and operational excellence.

VISION

North County Transit District envisions a comprehensive transit and mobility system that connects all North County San Diego residents and visitors to a healthy, economically vibrant, and thriving 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) 966-6696 or clerk@nctd.org.

For individuals with sensory disabilities, this document is available in alternate formats. For information, please contact the Clerk of the Board at 760/966-6696 or clerk@nctd.org. 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) 966-6696 or email clerk@nctd.org 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) 966-6696 o por correo electrónico a clerk@nctd.org 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.

PUBLIC COMMENT

IN-PERSON PARTICIPATION AT THE BOARD MEETINGS: All persons wishing to address the Board of Directors during the meeting can do so in-person. Speakers must complete a “Request to Speak” form provided before entering the Community Room at the Fletcher Cove Community Center, 133 Pacific Avenue, Solana Beach, CA. The completed form must be given to the Clerk of the Board before that agenda item is called. Members of the public may also submit their comments via email at publiccomment@nctd.org. All comments received prior to the start of the Board or Committee meeting 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.

VIRTUAL PARTICIPATION AT THE BOARD MEETINGS: 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/87304125262?pwd=bNXvVlaoYNR2awDg9dGu6MORmpaDwo.1>

Phone Participation:

To join the meeting by phone, dial 669-900-6833
Webinar ID: 873 0412 5262
Passcode: 963205

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 of the Board will call you by name or phone number. Members of the public may register with the Clerk of the Board to speak on an agenda item until the public comment period for that item is closed.

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 telephonic comments received prior to the start of the Board or Committee meeting 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/>.

SPECIAL MEETING BEGINNING AT 10:30 AM

- **CALL TO ORDER**
- **ROLL CALL OF BOARD MEMBERS**
- **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- **SAFETY BRIEF & EVACUATION PROCEDURES – Suheil Rodriguez, Clerk of the Board**
- **CHANGES TO THE AGENDA**
- **PUBLIC COMMUNICATIONS SPECIFIC TO SPECIAL MEETING AGENDA**

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.

All written and/or telephonic comments received by 5:00 p.m. the day before the meeting 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 or played for the Board of Directors during the meeting. All telephonic and written comments will be made part of the record.

A. ACTION ITEMS 1

1. Authorize the Chief Executive Officer to Modify Employee Benefits Package
(*Shawn M. Donaghy, Chief Executive Officer*)

B. PRESENTATION ITEMS 2 – 5

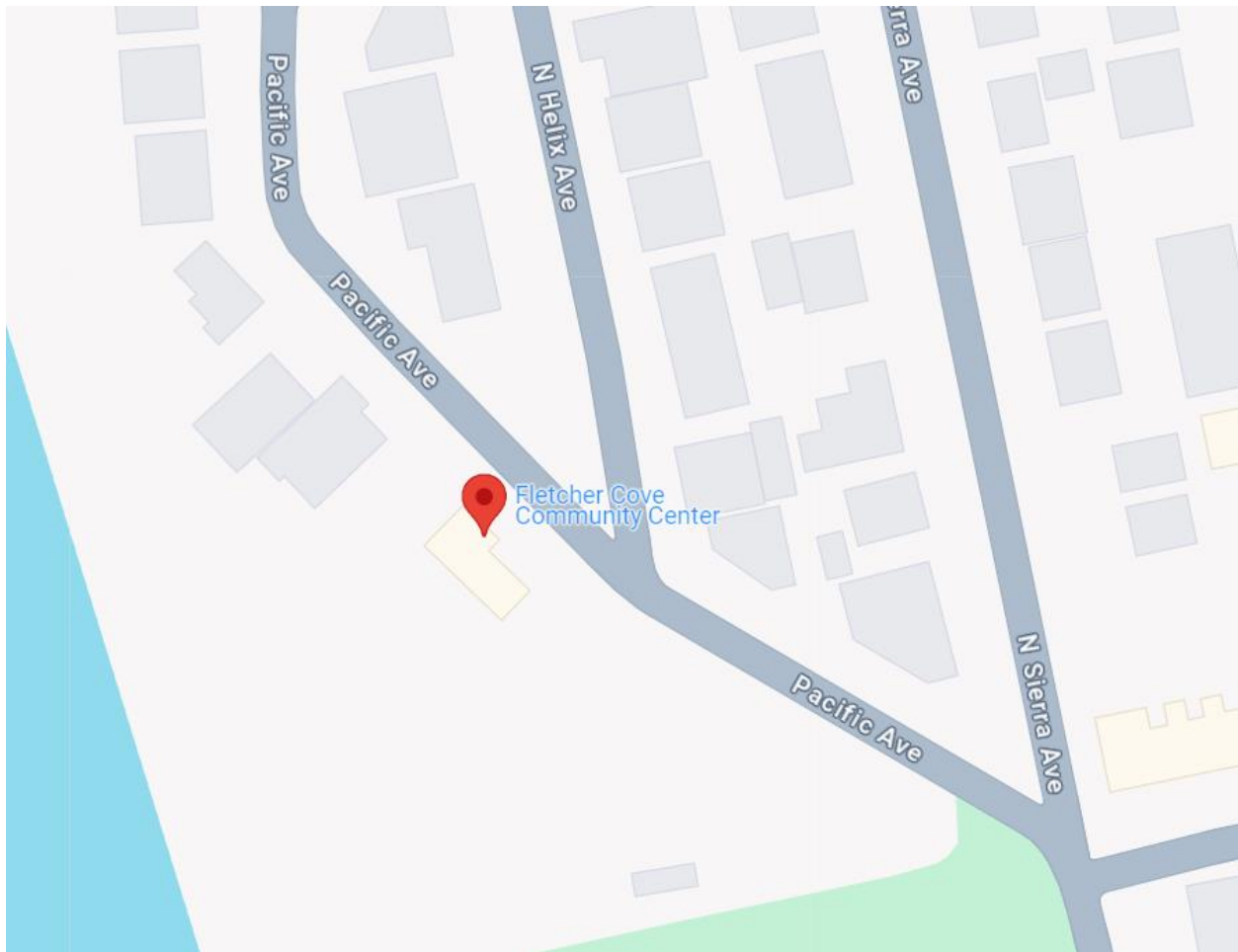
2. Receive an Update on Intergovernmental Affairs
(*Mary Dover, Chief of Staff*)
3. Receive an Overview of the Agency's Strategic Priorities
(*Shawn M. Donaghy, Chief Executive Officer*)
4. Receive an Update on Upcoming Projects and Initiatives at NCTD
(*Shawn M. Donaghy, Chief Executive Officer and Tracey Foster, Chief Development Officer*)
5. Conduct Board Workshop on Long-Range Plan
(*Shawn M. Donaghy, Chief Executive Officer*)

- **CHIEF EXECUTIVE OFFICER'S REPORT**
- **BOARD MEMBER REPORTS, COMMENTS, AND CORRESPONDENCE**
- **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)
 - Quorum and Voting Information (Page 7)

Upcoming Meetings:

- **Regular Board Meeting: June 20, 2024 at 11:00 a.m. (Location: City of Oceanside, 300 S. Coast Highway, Oceanside, CA 92054)**
- **Marketing, Service Planning and Business Development (MSPBD) Committee Meeting: Thursday, June 27, 2024 at 1:00 p.m. (Location: NCTD, 311 South Tremont Street, Oceanside, CA 92054)**

MAP OF FLETCHER COVE COMMUNITY CENTER



The Fletcher Cove Community Center is located at 133 Pacific Avenue, Solana Beach, CA 92075 and is accessible by the COASTER (NCTD Commuter Rail), and the BREEZE (NCTD Bus).

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

May 28, 2024

To: North County Transit District Board Members
From: Suheil Rodriguez, Clerk of the Board
Subject: POSTING OF SPECIAL BOARD AGENDA

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

The Agenda for this Special meeting of the Board was posted as follows:

Special Meeting: May 31, 2024 at 10:30 a.m.

Posted At: 133 Pacific Avenue, Solana Beach, CA
810 Mission Avenue, Oceanside, CA

Posted Online At: www.goNCTD.com

Date & Time of Posting: May 28, 2024 by 10:30 a.m.

Posted By: Suheil Rodriguez, 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:

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 TURNING IN SPEAKER SLIPS

- 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.

Quorum and Voting

Pursuant to Public Utilities Code § 125102, a majority of the Board members eligible to vote shall constitute a quorum for the transaction of business and all official acts of the Board shall require the affirmative vote of a majority of the members of the Board eligible to vote; however, after a vote of the members is taken, a weighted vote may be called by any two members eligible to vote.

In the case of a weighted vote, the County of San Diego and each city (with exception of the City of San Diego), shall, in total, exercise 100 votes to be apportioned annually based on population. Approval under the weighted vote procedure requires the vote of the representatives of not less than three jurisdictions representing not less than 51 percent of the total weighted vote to supersede the original action of the Board. When a weighted vote is taken on any item that requires more than a majority vote of the Board members eligible to vote, it shall also require the supermajority percentage of the weighted vote. County population: The population of the County of San Diego shall be the population in the unincorporated area of the county within the area of jurisdiction of the Board pursuant to Public Utilities Code § 125052.

Updated 08/30/22			
2020 Service Area Population (ACS*)		953,037	
Cities Total		717,978	
Jurisdictions	2020 ACS	Percentage	Adj Vote
Carlsbad	114,411	12.0%	12
Del Mar	4,331	0.5%	1
Encinitas	62,967	6.6%	7
Escondido	150,396	15.8%	16
Oceanside	175,694	18.4%	18
San Marcos	96,219	10.1%	10
SD County	235,059	24.7%	25
Solana Beach	13,301	1.4%	1
Vista	100,659	10.6%	10
Total	953,037	100.0%	100
*ACS - American Community Survey			

STAFF REPORT

**AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO MODIFY
EMPLOYEE BENEFITS PACKAGE**

Time Sensitive: **Consent:**

**STAFF
RECOMMENDATION:**

Authorize the Chief Executive Officer to modify the Employee Benefits offered to include additional federal and/or state holidays and revisions to paid time off structure.

**BACKGROUND
INFORMATION:**

The North County Transit District (NCTD) currently provides the following paid holidays for employees:

- New Year’s Day
- Martin Luther King, Jr. Day
- Presidents’ Day
- Memorial Day
- Independence Day
- Labor Day
- Veteran’s Day
- Thanksgiving Day
- Christmas Day

In January 2012, the NCTD modified its employee benefits to no longer recognize Cesar Chavez Day and the Day After Thanksgiving as paid holidays. Additionally, on June 17, 2021, President Biden signed the Juneteenth National Independence Day Act into law (Pub. L. (United States) 117–17), making Juneteenth a federal holiday. Since June 2021, NCTD chose not to recognize Juneteenth as a paid holiday.

Additionally, NCTD presently has a complicated paid time off (PTO) policy (NCTD Employee Handbook at 8.23 and 8.24) that differs depending on the date of hire. Following a review of PTO benefits of other public agencies and feedback from potential candidates during the recruitment process, NCTD has commenced a review of the PTO policy at NCTD to ensure it is competitive and not a deterrent to a potential candidate, and that it is equitable to all employees and candidates for employment.

In accordance with NCTD Board Ordinance No. 4 – *An Ordinance of the North County Transit System Establishing a Personnel Merit System* (Ordinance No. 4), the NCTD Board of Directors (Board) has expressly delegated authority to the Chief Executive Officer to administer all the provisions of Ordinance No. 4 and of the personnel policies and procedures not specifically reserved to the Board (Ordinance No. 4, Section 2.B). This delegation includes employee benefits, such as PTO and the designation of holidays recognized by NCTD as paid holidays.

The only exception to this delegation is where a personnel policy or employee benefit involves a financial commitment. (Ordinance No. 4, Section 2.D and Section 4). In such cases, the Chief Executive Officer may recommend such modifications to the Board of Directors for consideration.

Following a review of the employee benefits, the Chief Executive Officer seeks authority from the Board to make revisions to the PTO policy and certain state and federally recognized holidays following a budget review and at the discretion of the Chief Executive Officer.

Modifications to the PTO policy and recognition of certain state and federally recognized holidays, such as Cesar Chavez Day, Juneteenth and the Day After Thanksgiving, will help promote a positive equitable organizational environment and build morale among employees. It will also help support employee recruitment efforts by making NCTD's benefits package more competitive.

Based on the foregoing, the Chief Executive Officer requests that the Board authorize the Chief Executive Officer to modify the employee benefits package as it relates to modifications to the PTO policies and Employee Holiday Schedule.

ATTACHMENT: None

GOAL/STRATEGIC DIRECTION: N/A

FISCAL IMPACT: The fiscal impact for the addition of the Juneteenth holiday for FY2024 is anticipated to be approximately \$160,000 based on current employees, which is funded through budget savings in salary accounts No. 501xxx. The fiscal impact for future years for any modifications to PTO and/or paid holidays will be based on the wages of active employees and budgeted in the annual operating budget approved by the Board.

COMMITTEE REVIEW: Performance, Administration and Finance Committee

Date: May 23, 2024

STAFF CONTACT: **Shawn Donaghy, Chief Executive Officer**
E-mail: sdonaghy@nctd.org - Phone: (760) 967-2869