



## **NORTH COUNTY TRANSIT DISTRICT MEETING**

**Board Room  
810 Mission Avenue  
Oceanside, CA 92054**

**THURSDAY  
February 19, 2009  
2:00 P.M. – Regular Meeting**

### **AGENDA HIGHLIGHTS INCLUDE:**

- ***Airport Study “Destination Lindbergh”***
- ***Regional Compass Card Fare Collection***
- ***Performance Report***

#### **NCTD’s Mission**

***Deliver safe, convenient, reliable, and user-friendly public transportation services.***

***The NCTD Board of Director’s purpose is to use our diverse perspectives, knowledge, leadership and community sensitivity to provide advocacy and guidance that enables NCTD to deliver the highest quality intermodal public transportation for our region.***

*For individuals with disabilities, we 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. We will make every attempt to accommodate requests that do not give 72 hour notice. Please contact the Clerk of the Board at (760) 967-2808.*

*Persons with hearing impairment please use the California Relay Service (CRS): 800-735-2929 using TTY; 800-735-2922 using voice; 800-855-3000 for Spanish. CRS Customer Service: 800-735-0373 or 800-735-0193 TTY.*

*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 in the department of the Clerk of the Board located at 810 Mission Avenue, Oceanside, CA 92054, during normal business hours.*

#### **Board Members**

*Bob Campbell – Board Chair  
City of Vista*

*Chris Orlando – Board Vice-Chair  
City of San Marcos*

*Mark Packard  
City of Carlsbad*

*Carl Hilliard  
City of Del Mar*

*Jerome Stocks  
City of Encinitas*

*Sam Abed  
City of Escondido*

*Rocky Chavez  
City of Oceanside*

*David Roberts  
City of Solana Beach*

*Bill Horn  
County of San Diego*

#### **Executive Director/ Chief Executive Officer**

*Matthew O. Tucker*

#### **General Counsel**

*C. Michael Cowett*

**For more information on NCTD,  
please check out our web page at:**

[www.gonctd.com](http://www.gonctd.com)



The NCTD office located at 810 Mission Avenue, Oceanside, CA is accessible by the COASTER (NCTD Commuter Rail), the SPRINTER (NCTD Light Rail System) and the BREEZE (NCTD Bus). Please log onto [www.gonctd.com](http://www.gonctd.com) to check current routes and schedules, or call 1-800-COMMUTE.

## AGENDA REGULAR MEETING BEGINNING AT 2:00 PM

- **CALL TO ORDER**
- **ROLL CALL OF BOARD MEMBERS**
- **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- **CHANGES TO THE AGENDA**
- **PRESENTATION OF COMMENDATIONS**
  - **Presentation of January 2009 Employees of the Month Commendations to:**
    - \* Mr. Richard E. Curtright, Facility Maintenance Mechanic
    - \* Mr. Paul A. Yuhas, Coach Operator
    - \* Ms. M. Elizabeth Fierst , Certified Transit Instructor

- **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.*

*All persons wishing to address the Board during the meeting must complete a "Request to Speak" form. These forms are provided in a box at the table in the hallway, and must be completed and given to the Clerk of the Board before that agenda item is called.*

	<b>RECOMMENDED ACTION</b>
<b>A. MINUTES FOR REGULAR MEETING FOR JANUARY 22, 2009</b> (Pages 5 – 10)	Approve
<b>OTHER BUSINESS (Tabs 1– 5)</b>	
1. Extra Work Purchase Orders for TransitAmerica Services, Inc. Under the COASTER Services Contract RFP 05023-OS (S) (Attachment 1A)	Approve
2. Airport Study "Destination Lindbergh" Update (S)	Receive
3. Update on Implementation of the Regional Compass Card Fare Collection Project (S) (Attachment 3A)	Receive
4. Sorrento Valley COASTER Connection (Oral report)	Receive
5. Monthly Service Performance Report (S)	Receive

- **SANDAG AGENDA REVIEW AND LEGISLATIVE ACTIVITIES UPDATE**
- **BOARD MEMBER REPORTS, COMMENTS AND CORRESPONDENCE**
- **EXECUTIVE DIRECTOR'S REPORT**
- **REMAINING PUBLIC COMMUNICATIONS**  
For any remaining speakers who have completed a "Request to Speak" form before the start of the meeting.
- **ADJOURNMENT**
- **CERTIFICATIONS AND RULES (FOR BOARD AND PUBLIC INFORMATION)**
  - Posting of Board Agenda (Page 17)
  - Rules for Public Speakers at meetings of the North County Transit District (Page 18)

***The next regularly scheduled Board meeting will be held at  
2:00 p.m. on Thursday, March 19, 2009  
at 810 Mission Avenue, Oceanside, CA***

***NCTD Board Workshop is Saturday, February 28, 2009 at  
10:00 am at 810 Mission Avenue, Oceanside, CA***

**MINUTES OF THE SPECIAL MEETING/CLOSED SESSION AND THE REGULAR MEETING  
OF NORTH COUNTY TRANSIT DISTRICT HELD JANUARY 22, 2009** **PAGE 1**

CALL TO ORDER

Chairman David Roberts called the meeting to order at 2:00 pm.

ROLL CALL OF BOARD MEMBERS

David Roberts (City of Solana Beach); Mark Packard (City of Carlsbad); Carl Hilliard (City of Del Mar); Jerome Stocks (City of Encinitas); Rocky Chavez (City of Oceanside); Chris Orlando (City of San Marcos); Bob Campbell (City of Vista); Bill Horn (County of San Diego).

Sam Abed (City of Escondido) arrived at 2:05 pm.

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Former Board member Julianne Nygaard led the Board of Directors, staff, and the public in the Pledge of Allegiance to the American Flag.

CHANGES TO THE AGENDA

None.

PRESENTATION OF COMMENDATIONS

Presentation of December 2008 Employees of the Month Commendations: Don Ankney, East Division Superintendent, recognized Ms. Petra B. Sjogren, Coach Operator, as the December 2008 Employee of the Month, with the Board's congratulations. Mr. Frank Romero, Bus Servicer I, was unable to attend the meeting.

PUBLIC COMMUNICATIONS

Ms. Lorraine Leighton, El Cajon, CA welcomed Matthew Tucker.

APPROVAL OF MINUTES

MOTION BY BILL HORN TO APPROVE THE MINUTES OF THE REGULAR MEETING OF DECEMBER 18, 2008, SECONDED BY JEROME STOCKS. MOTION CARRIED UNANIMOUSLY.

1. Board Chair and Vice-Chair Election

MOTION BY DAVE ROBERTS TO NOMINATE BOB CAMPBELL AS CHAIR AND CHRIS ORLANDO AS VICE-CHAIR, SECONDED BY JEROME STOCKS. MOTION CARRIED UNANIMOUSLY.

The Board took a break to re-organize the seating and decide on Committee assignments.

BILL HORN LEFT AT 2:10 PM.

CHAIR BOB CAMPBELL RECONVENED THE MEETING AT 2:25 PM.

Bob Campbell requested Board approval of an additional item regarding cancellation of the Monitoring and Planning Committee meetings in February 2009 and to select Monitoring and Planning Committee Chairs and Vice-Chairs so that the Board could finalize the SANDAG appointments.

MOTION BY SAM ABED TO APPROVE THESE CHANGES, SECONDED BY CHRIS ORLANDO.  
MOTION CARRIED UNANIMOUSLY.

**CONSENT ITEMS**

2. 2009 Investment Policy
3. Amendment to Voice Over Internet Protocol (VOIP) Telephony Agreement
4. On-Site Information Technology Support Services
5. COASTER Wireless Mesh Network
6. Simon Wong Engineering Supplemental Agreement for Construction Management Services on the SPRINTER Project
7. Ratification of the Executive Director's Exigent Circumstance Declaration Regarding Landscape Maintenance on the Inland Rail Trail Areas

MOTION BY JEROME STOCKS TO APPROVE AGENDA ITEMS 2, 3, 4, 5, 6 AND 7,  
SECONDED BY DAVE ROBERTS. MOTION CARRIED UNANIMOUSLY.

**OTHER BUSINESS**

8. Board Committees and External Committee Assignments

Michael Cowett, General Counsel, stated that for external paid Committees, there is a requirement that the nominee(s) for that Committee(s) recuse himself from that vote.

Bob Campbell stated that he recommended Board members Roberts, Hilliard, Chavez and Horn for the Monitoring Committee and Board members Stocks, Abed, Packard and Orlando for the Planning Committee. He said that those Committee members will then decide who will Chair the Committee and that will then result in who will represent NCTD at the SANDAG Committees.

MOTION BY DAVE ROBERTS TO APPROVE THE COMMITTEE ASSIGNMENTS, SECONDED BY CHRIS ORLANDO. MOTION CARRIED UNANIMOUSLY.

The Monitoring and Planning Committee members went in separate rooms to select a Chair and Vice-Chair of their Committee.

Rocky Chavez stated that the Monitoring Committee recommended Dave Roberts as their Chair. They will choose a Vice-Chair at the March 5, 2009 Committee meeting.

Chris Orlando stated that the Planning Committee recommended Jerome Stocks as their Chair and Sam Abed as Vice-Chair.

Michael Cowett stated that for purposes of this meeting and the Brown Act, the Board should confirm those nominations as a Board, as that item was added to the agenda.

MOTION BY JEROME STOCKS TO APPROVE THE RECOMMENDED APPOINTMENTS, SECONDED BY CHRIS ORLANDO. MOTION CARRIED UNANIMOUSLY.

Bob Campbell stated that for the SANDAG Regional Planning Committee meeting, he recommended Rocky Chavez as the member and Carl Hilliard as the alternate.

MOTION BY JEROME STOCKS TO APPROVE THESE RECOMMENDATIONS, SECONDED BY SAM ABED. ABSTAIN: CHAVEZ AND HILLIARD. MOTION CARRIED.

Bob Campbell stated that for the Joint Committee on Regional Transit (JCRT) he recommended Jerome Stocks and Chris Orlando as members and Rocky Chavez as the alternate.

MOTION BY DAVE ROBERTS TO APPROVE BOB CAMPBELL AS THE JCRT MEMBER, SECONDED BY ROCKY CHAVEZ. ABSTAIN: CAMPBELL. MOTION CARRIED.

MOTION BY DAVE ROBERTS TO APPROVE JEROME STOCKS AS A JCRT MEMBER, SECONDED BY ROCKY CHAVEZ. ABSTAIN: STOCKS. MOTION CARRIED.

MOTION BY DAVE ROBERTS TO APPROVE CHRIS ORLANDO AS A JCRT MEMBER SECONDED BY ROCKY CHAVEZ. ABSTAIN: ORLANDO. MOTION CARRIED.

MOTION BY DAVE ROBERTS TO APPROVE ROCKY CHAVEZ AS A JCRT ALTERNATE, SECONDED BY JEROME STOCKS. ABSTAIN: CHAVEZ. MOTION CARRIED.

Bob Campbell stated that for the LOSSAN Corridor Board of Directors he recommended Julianne Nygaard as the member and Jerome Stocks and Chris Orlando as the alternates.

MOTION BY JEROME STOCKS TO APPROVE JULIANNE NYGAARD AS THE LOSSAN MEMBER, SECONDED BY DAVE ROBERTS. MOTION CARRIED.

MOTION BY ROCKY CHAVEZ TO APPROVE JEROME STOCKS AS FIRST ALTERNATE TO LOSSAN, SECONDED BY DAVE ROBERTS. ABSTAIN: STOCKS. MOTION CARRIED.

MOTION BY ROCKY CHAVEZ TO APPROVE CHRIS ORLANDO AS SECOND ALTERNATE TO LOSSAN, SECONDED BY DAVE ROBERTS. ABSTAIN: ORLANDO. MOTION CARRIED.

Bob Campbell stated that for the San Diego Regional Airport Planning Committee he recommended Chris Orlando be the primary member and Julianne Nygaard be the alternate after February 2009.

MOTION BY DAVE ROBERTS TO APPROVE CHRIS ORLANDO AS THE MEMBER AND JULIANNE NYGAARD AS THE ALTERNATE, SECONDED BY MARK PACKARD. ABSTAIN: ORLANDO. MOTION CARRIED.

9. Rail Safety Film

Tom Kelleher, Marketing Manager, recognized Supervisor Bill Horn, Mr. John Culea from the County of San Diego and its Cable Television Network Grant Program, Mr. Ted Owen with TABNC, Mr. Tom Reeser with KOCT Television and Ms. Phyllis Hall of NCTD for the making of a rail safety video. He encouraged Board members to schedule a rail safety presentation in each of their cities.

10. FY 09 Transportation Development Act (TDA) 4.0 and 4.5 Amended Claims and Resolution

Diane Hessler, Chief Management Accountant, provided background information on the Transportation Development Act.

MOTION BY SAM ABED TO APPROVE AGENDA ITEM 10, SECONDED BY DAVE ROBERTS. MOTION CARRIED UNANIMOUSLY.

11. Proposed Capital Improvement Program FY 2010 – 2014 and Regional Transportation Improvement Program

Diane Hessler reviewed the Capital Improvement Program (CIP) and Regional Transportation Improvement Program (RTIP) and stated that this is a routine administrative item that is brought to the Board at least once a year.

MOTION BY DAVE ROBERTS TO APPROVE AGENDA ITEM 11, SECONDED BY CHRIS ORLANDO. MOTION CARRIED UNANIMOUSLY.

12. Future Strategic Workshop

Matthew Tucker reviewed the focus of the workshop.

MOTION BY DAVE ROBERTS TO APPROVE FEBRUARY 28, 2009 AT 10:00 AM FOR THE BOARD WORKSHOP, WITH A 9:00 AM BOARD ORIENTATION AND THAT THE MONITORING AND PLANNING COMMITTEE MEETINGS SCHEDULED FOR FEBRUARY WOULD BE CANCELLED, SECONDED BY SAM ABED. MOTION CARRIED UNANIMOUSLY.

13. SPRINTER Revenue Service Report

Tom Lichterman, Director of Operations, reviewed: weekday and monthly ridership trends; daily boardings by station; parking lot counts % full; performance trends; other activities and observations; fare enforcement.

Bob Campbell asked for a comparison of SPRINTER service compared to the previous BREEZE service.

Chris Orlando suggested that, as we approach completing one year of SPRINTER service, we should prepare information regarding the success of the SPRINTER.

NO ACTION REQUIRED.

- **SANDAG AGENDA REVIEW AND LEGISLATIVE ACTIVITIES UPDATE**

Ellen Roundtree reviewed: the January 23, 2009 SANDAG agenda; Federal Transportation appropriations proposal; economic stimulus package; 2009 and 2010 appropriations; highways and transit multi-year authorization program; state funding challenges; administration's proposal; legislator's proposal; California Transit Association actions.

NO ACTION REQUIRED.

- **BOARD MEMBER REPORTS, COMMENTS AND CORRESPONDENCE**

Bob Campbell stated that he would be resigning from the FACT Chairmanship, but would remain on the Board; SANDAG will be making appointments in January to various committees like transportation for inland and coastal and he wants to make sure NCTD takes some of those seats; and updated the Board on the Airport Ad Hoc Committee and stated that the first phase completion is scheduled for 2015 with the relocation of the rental car facilities.

Dave Roberts provided the Board with an update on the presidential inauguration. He said he is serving on a national advisory panel on Medicare and they reviewed a new tool for a physician provider finder, so anyone trying to find a physician that accepts Medicare could access the website and find driving directions. He said it's missing the public transit option. He requested that Matthew Tucker send a letter saying that NCTD would like to prototype this or have APTA take it nationally.

Mark Packard requested a monthly report of administratively funded projects that are under \$100,000 and that staff provide a timeline on the status of Capital Improvement projects.

Matthew Tucker stated that he is in the process of creating a performance dashboard.

Rocky Chavez said that the City of Oceanside has done a number of community outreach visioning meetings for Oceanside Blvd and Coast Highway. He said it's important to this Board because the COASTER and SPRINTER are impacted by this because the City is looking at rezoning in areas where NCTD has some land.

- **EXECUTIVE DIRECTOR'S REPORT**

Matthew Tucker discussed the upcoming Board Workshop.

Bob Campbell informed the Board that Chris Orlando will be chairing the February 19, 2009 Board meeting.

- **REMAINING PUBLIC COMMUNICATIONS**

None

- **ADJOURNMENT**

The meeting adjourned at 3:50 pm. Submitted by Jill McNaughton, Clerk of the Board for North County Transit District.

CHAIRMAN: \_\_\_\_\_

CLERK OF THE BOARD: \_\_\_\_\_

DATE: \_\_\_\_\_

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STAFF REPORT TO THE BOARD OF DIRECTORS

Agenda Item # 1

TITLE: EXTRA WORK PURCHASE ORDERS FOR TRANSITAMERICA SERVICES, INC. UNDER THE COASTER SERVICES CONTRACT RFP 05023-OS

Time Sensitive [X] Consent [ ]

STAFF RECOMMENDATION:

That the Board of Directors authorize the Executive Director to approve all reimbursable purchase orders executed under the TransitAmerica Services, Incorporated contract.

BACKGROUND INFORMATION:

On July 17, 2007, the Board granted the Executive Director the authority to approve extra work purchase orders valued at not more than \$50,000 for routine repairs that are not covered under the basic scope of the COASTER Operating and Maintenance contract. This action was capped at an annual total of \$100,000. On January 17, 2008, the Board authorized an increase in the annual cap to \$200,000.

During the first six months of FY 09, there have been a number of purchase orders that have been generated to perform work that could not have been contemplated, primarily because the work was needed as a result of an unplanned event (accident) and/or was requested by a third party. This type of work, while not exceeding the \$50,000 cap for individual purchase orders, has rapidly caused the \$200,000 annual cap to be approached. Approximately 70% of the value of the \$200,000 annual cap has been utilized in the performance of work that will be reimbursed. In the interest of not requesting numerous cap increases, staff is recommending that reimbursable items not count as part of the cap.

Therefore, staff is recommending that the current \$200,000 annual cap be retained for work funded through NCTD's budget, but remove all limitations and caps for reimbursable work.

ATTACHMENT: 1A - FY 09 Change Order Activity on the TransitAmerica Contract.

FISCAL IMPACT: No net fiscal impact. All of the activities covered by this recommendation are reimbursed by third parties.

STAFF CONTACT: Tom Lichterman
Director of Operations
E-mail: tlichterman@nctd.org Phone: 760/967-2855

Key Staff Contact: Lane Fernandes, Manager of Commuter Rail Services
E-mail: lfernandes@nctd.org Phone: 760/967-2850



STAFF REPORT TO THE  
BOARD OF DIRECTORS

TITLE: AIRPORT STUDY “DESTINATION LINDBERGH” UPDATE

Time Sensitive  Consent

STAFF RECOMMENDATION: **None. For information only.**

**BACKGROUND INFORMATION:** Staff from the San Diego County Regional Airport Authority will provide a presentation to the Board on the “Destination Lindbergh” airport study.

**ATTACHMENT:** None

**FISCAL IMPACT:** Not applicable

**STAFF CONTACT:** **Ellen Roundtree**  
**Intergovernmental Affairs Officer**  
E-mail: [eroundtree@nctd.org](mailto:eroundtree@nctd.org) Phone: 760/967-2881



STAFF REPORT TO THE BOARD OF DIRECTORS

Agenda Item # 3

TITLE: UPDATE ON IMPLEMENTATION OF THE REGIONAL COMPASS CARD FARE COLLECTION PROJECT

Time Sensitive  Consent

STAFF RECOMMENDATION: None. For information only.

BACKGROUND INFORMATION: For several years, SANDAG, MTS, and NCTD have been working on a Regional Fare Collection Technology project to update fare collection equipment.

A key component of this project is the implementation of a county-wide "Smart Card" to replace the use of most paper fare media. The objective of this project is to simplify fare payment for the customer, and to add value to the use of transit, as well as to automate passenger and fare counting by mode. The Smart Card, which the region has dubbed the "Compass Card", employs a computer chip embedded in a card similar in appearance to a credit card, which is "loaded" with either cash value or pre-paid monthly passes, for use on all regional transit systems. The card is "tapped" on validators to pay a fare. This report provides a status report on the rollout of the Compass Card.

Compass Card System Components

The Compass Card system is comprised of several key components to create a comprehensive solution for fare collection. Following are the key components:

- Bus fareboxes equipped with Compass Card readers which passengers "tap" as they board to register their fares.
• Rail Station Ticket Vending Machines which can sell and dispense Compass Cards as well as add fare products to the cards electronically.
• Rail Station Validators which passengers "tap" as they enter the station to activate the card for the transit trip about to be taken.
• Handheld Units are used by Fare Enforcement Personnel to check the validity of Compass Cards used by passengers while on board rail transit vehicles.
• Ticket Office Terminals at the Transit Store in San Diego and at key stations in the NCTD service area for in-person sales and assistance.
• The "backroom" hardware and software system and Call Center (located at SANDAG) which runs the system, tracks sales, keeps track of valid card balances, and provides customer assistance.

- **A Reporting system** that provides the transit operators with ridership, ticket sales, and cash/credit/debit receipts.

The current milestone schedule for full implementation of the system is provided as Attachment 3A. SANDAG staff will provide a status report at the meeting.

**ATTACHMENT:** 3A - Project Milestone Schedule

**FISCAL IMPACT:** Not determined at this time. Once a budget for the backroom operation and Call Center is agreed upon, a proposed MOU for cost sharing will be developed for Board action.

**STAFF CONTACT:** **Tom Lichterman**  
**Director of Operations**  
 E-mail: tlichterman@nctd.org Phone: 760/967-2855

**Key Staff Contact:** **Cathy Sweet, Manager of Budgeting and Fare Collection**  
 E-mail: csweet@nctd.org Phone: 760/966-6658

**EXTENDED BACKGROUND:** Pictured below are the key components of the Compass Card system discussed in this agenda item:



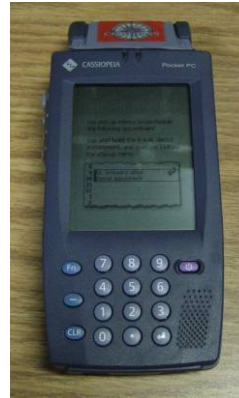
**Platform Validator**



**Closeup of Validator "Tap" reader**



**Ticket Vending Machine  
With Card Reader/Loader**



**Handheld Fare Enforcement Unit**



**Ticket Office Terminal**



**Bus Farebox with Card Reader**



**STAFF REPORT TO THE  
BOARD OF DIRECTORS**

**TITLE: MONTHLY SERVICE PERFORMANCE REPORT**

Time Sensitive  Consent

**STAFF RECOMMENDATION:** **None. For information only.**

**BACKGROUND INFORMATION:** Staff will provide a presentation to the Board on ridership and other key performance indicators for the BREEZE, LIFT, COASTER and SPRINTER services.

**ATTACHMENT:** None

**FISCAL IMPACT:** Not applicable

**STAFF CONTACT:** **Tom Lichterman**  
**Director of Operations**  
E-mail: [tlichterman@nctd.org](mailto:tlichterman@nctd.org) Phone: 760/967-2855

February 19, 2009

TO: North County Transit District Board Members  
FROM: 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 meeting of the Board was posted as follows:

Meeting Date and Time:	February 19, 2009; 2:00 p.m.
Posted At:	810 Mission Avenue, Oceanside, CA
Date & Time of Posting:	February 6, 2009; 5:00 p.m.
Posted By:	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:

### I. COMMENTS ON ITEMS NOT ON AGENDA

A. Total time limit all speakers:

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. All Speaker Slips will be numbered as the Clerk of the Board receives them. Those not allowed to speak at the beginning of the meeting due to limit stated above, will be called at the end of the meeting.

D. Order on agenda: Items will be heard at the beginning of the meeting and if the time limit stated in paragraph A is exhausted, those who filled out a speaker slip and have not yet spoken, will be given an opportunity to speak at the end of the meeting under "*Remaining Public Communications*".

Comments not addressing items on the agenda are out of order.

### II. 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.

Comments made not germane to the subject matter of the agenda are out of order.

### III. CUTOFF FOR TURNING IN SPEAKER SLIPS

Speakers wishing to speak to an item on the Board Agenda must submit a speaker slip to the Clerk of the Board before that agenda item is called. Speaker slips will be available at the meeting.

Speakers turning in slips after discussion begins on an item will be heard at the end of the meeting under "*Remaining Public Communications*".

### IV. MODIFICATION OF RULES BY CHAIR

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.