AGENDA

STAFF REPORTS AND OTHER WRITTEN DOCUMENTS ARE AVAILABLE IN THE GATEWAY CITIES COUNCIL OF GOVERNMENTS OFFICES, 16401 PARAMOUNT BOULEVARD, PARAMOUNT, CALIFORNIA. ANY PERSON HAVING QUESTIONS CONCERNING ANY AGENDA ITEM MAY CALL THE COG STAFF AT (562) 663-6850.

FOR YOUR INFORMATION: The Board of Directors will hear from the public on any item on the agenda or an item of interest that is not on the agenda. The Board of Directors cannot take action on any item not scheduled on the agenda. These items may be referred for administrative action or scheduled on a future agenda. Comments are to be limited to three minutes for each speaker, unless extended by the Board of Directors, and each speaker will only have one opportunity to speak on any one topic. You have the opportunity to address the Board of Directors at the following times:

A. AGENDA ITEM: at this time the Board of Directors considers the agenda item OR during Public Comments, and

B. NON-AGENDA ITEMS: during Public Comments, comments will be received for a maximum 20-minute period; any additional requests will be heard following the completion of the Board of Directors agenda; and

C. PUBLIC HEARINGS: at the time for public hearings.

Please keep your comments brief and complete a speaker card for the President.

I. CALL TO ORDER

II. ROLL CALL – BY SELF INTRODUCTIONS

III. PLEDGE OF ALLEGIANCE

IV. AMENDMENTS TO THE AGENDA - This is the time and place to change the order of the agenda, delete or add any agenda item(s).

V. PUBLIC COMMENTS - Three minutes for each speaker.
VI. MATTERS FROM STAFF

VII. CONSENT CALENDAR: All items under the Consent Calendar may be enacted by one motion. Any item may be removed from the Consent Calendar and acted upon separately by the Board of Directors.

A. Approval of Minutes – Minutes of the Board of Directors Meeting of January 4, 2012, is presented for approval. Approval receives and files the minutes of January 4th, Board of Directors meeting.

B. Approval of Warrant Register - Request for Approval of Warrant Register Dated February 1, 2012.

C. December 2011 Local Agency Investment Fund Statement

D. Status Report from Lobbyist - Edington, Peel & Associates

CONSENT CALENDAR ACTION:

A MOTION TO APPROVE THE RECOMMENDATIONS FOR CONSENT CALENDAR ITEMS A THROUGH D.

VIII. REPORTS


5 Min

SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF AND RECEIVE AND FILE

5 Min

B. Voluntary Participation in Funding for Municipal Representative – Regional Water Quality Control Board

SUGGESTED ACTION: APPROVE RECOMMENDATION; AND/OR GIVE DIRECTION TO STAFF AND RECEIVE AND FILE

3 Min

C. Appointment of COG Treasurer

SUGGESTED ACTION: APPROVE RECOMMENDATION; AND/OR GIVE DIRECTION TO STAFF AND RECEIVE AND FILE
IX. REPORTS FROM COMMITTEES

A. Report from the Conservancy Committee – Oral Report
SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

3 Min

B. Report from the I-710 EIR/EIS Project Committee – Oral Report
SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

3 Min

C. Report from the SR-91/I-605/I-405 Corridor Cities Committee – Oral Report
SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

3 Min

D. Report from the Transportation Committee – Oral Report

1. Legislative Review of AB-1446 & AB-1444 – (Feuer)

2. Proposed COG Comment Letter to SCAG on Draft 2012 Regional Transportation Plan and Sustainable Communities Strategy
SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

10 Min

E. Report from the Committee on Homelessness – Oral Report
SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

3 Min

F. California High Speed Rail – Oral Report
SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

3 Min

X. REPORTS – COMMITTEES/ AGENCIES – ALL COMMITTEE / AGENCY REPORTS ARE LIMITED TO 3 MINUTES UNLESS ADDITIONAL TIME IS GRANTED BY THE BOARD PRESIDENT

A. Matters from The I-5 Consortium Cities Joint Powers Authority – Oral Report
SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

3 Min
B. Matters from the League of California Cities – Oral Report

3 Min
SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

C. Matters from Southern California Association of Governments (SCAG) – Oral Report

3 Min
SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

D. Matters from the Orangeline Development Authority – Oral Report

3 Min
SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

E. Matters from the South Coast Air Quality Management District (AQMD) – Oral Report

3 Min
SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

F. Matters from the Metro Gateway Cities Service Council – Oral Report

3 Min
SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF


3 Min
SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

H. Matters from the Coalition for America’s Gateways & Trade Corridors – Oral Report

3 Min
SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

XI. MATTERS FROM THE BOARD OF DIRECTORS

XII. MATTERS FROM THE PRESIDENT

XIII. ADJOURNMENT

NOTICE: New items will not be considered after 9:00 p.m. unless the Board of Directors votes to extend the time limit. Any items on the agenda that are not completed will be forwarded to the next regular Board of Directors meeting scheduled for Wednesday, March 7, 2012, 6:00 PM.

IN COMPLIANCE WITH THE AMERICAN WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE COG OFFICE AT (562) 663-6850. NOTIFICATION 48 HOURS PRIOR TO THE MEETING WILL ENABLE THE COUNCIL OF GOVERNMENTS TO MAKE REASONABLE ARRANGEMENT TO ENSURE ACCESSIBILITY TO THIS MEETING.
VII. CONSENT CALENDAR
Item A
Approval of Minutes
MINUTES OF THE JOINT MEETING OF THE
BOARD OF DIRECTORS OF THE
GATEWAY CITIES COUNCIL OF GOVERNMENTS
AND THE EXECUTIVE COMMITTEE OF THE BOARD OF DIRECTORS
Gateway Cities Council of Governments
16401 Paramount Boulevard
Paramount, California
January 4, 2012

President Dunton called the meeting to order at 6:03 p.m.

PRESENT:  President Raymond Dunton, City of Bellflower
First Vice President Gene Daniels, City of Paramount
Second Vice President Sergio Infanzon, City of Bell Gardens
Immediate Past President Gil Hurtado, City of South Gate
Member Tony Lima, City of Artesia
Member Michael Ponce, City of Avalon
Member Ana Maria Quintana, City of Bell
Member Bruce Barrows, City of Cerritos
Member Joe Aguilar, City of Commerce
Member Lillie Dobson, City of Compton
Member Josue Barrios, City of Cudahy
Member Reynaldo Rodriguez, City of Hawaiian Gardens
Member Elba Guerrero, City of Huntington Park
Member Stan Carroll, City of La Habra Heights
Member Larry Mowles, City of La Mirada
Member Diane DuBois, City of Lakewood
Member Jim Morton, City of Lynwood
Member Felipe Aguirre, City of Maywood
Member from the City of Montebello
Member Cheri Kelley, City of Norwalk
Member Joseph Serrano, City of Santa Fe Springs
Member Edward H. J. Wilson, City of Signal Hill
Member William Davis, City of Vernon
Member Greg Nordbak, City of Whittier

ABSENT:   Member Luis Marquez, City of Downey
Member Patrick O'Donnell, City of Long Beach
Member from the City of Long Beach
Member David Armenta, City of Pico Rivera
Member Rick Velasquez, Office of Supervisor Don Knabe
Member Vincent Harris, Office of Supervisor Mark Ridley-Thomas
Member Angie Castro, Office of Supervisor Gloria Molina
Ex Officio Member Christopher Lytle, Port of Long Beach
ALSO PRESENT: Signal Hill City Manager Ken Farfsing, Chair, City Managers Steering Committee; Commerce City Administrator Jorge Rifa; La Mirada Director of
Roll was taken through self-introductions.

Member Rodriguez led the Pledge of Allegiance.

There were no amendments to the agenda.

There were no public comments.

There were no matters from staff.

It was moved by Member Davis, seconded by First Vice President Daniels, to approve the consent calendar. The motion was approved unanimously.

MTA Transportation Planner Cory Zelmer gave a PowerPoint presentation on the proposed extension of the Metro Green Line to LAX. He said alternatives under consideration would connect the Green Line to the Los Angeles International Airport terminals by various alternatives, including light rail, automated people mover, and bus rapid transit. The project would be funded by Measure R proceeds, with additional funding needed from the airport authority.

Immediate Past President Hurtado asked what the amount of the remaining costs is that would be needed from LAX. Mr. Zelmer responded that the preliminary estimate is $200 million.

It was moved by Immediate Past President Hurtado, seconded by Member DuBois, to receive and file the report. The motion was approved unanimously.

There was no report from the Conservancy Committee.

Jerry Wood presented a report from the I-710 EIR/EIS Project Committee. He said the technical reports have been completed and the draft EIR is scheduled to be released in March.
Jerry Wood presented a report from the SR-91/I-605/I-405 Corridor Cities Committee. He said the preliminary geometrics are now being prepared, including arterial highway improvements.

It was the consensus of the Board to receive and file the two freeway corridor reports.

Member DuBois presented a report from the Transportation Committee. She said the MTA Board had voted to include a Westchester station as a bid option for the Green Line expansion project, approved support for the use of $950 million in Proposition 1A funds for the Regional Connector project, and directed a letter be sent to the California High Speed Rail Authority seeking to address the concerns of stakeholders in Los Angeles County. It was the consensus of the Board to receive and file the report.

The Executive Director presented a report from the Committee on Homelessness. He said the contract with the County had been executed and that staff is currently drafting an RFP for an implementing agency. It was the consensus of the Board to receive and file the report.

Steve Forster presented report on the California High Speed Rail project. He referred the Board to a recent Los Angeles Times article which reported that the California High Speed Rail Peer Review Committee had strongly questioned the financial viability of the project. It was the consensus of the Board to receive and file the report.

There was no report from the I-5 JPA.

Kristine Guerrero presented a report from the League of California Cities. She reported on the California Supreme Court decision which upheld the legislation abolishing redevelopment agencies in the state. She said the League has planned two conference calls over the next two days. She said the plan is to put forward legislation to extend the February 1 deadline for dissolution of the agencies and to work on revival of redevelopment under another form. It was the consensus of the Board to receive and file the report.

Matt Horton presented a report from SCAG. He said two workshops would be held next month in Los Angeles County regarding the draft Regional Transportation Plan: on February 2 at the SCAG offices in downtown Los Angeles following the Regional Council meeting and on February 17 in the City of Carson. It was the consensus of the Board to receive and file the report.

Michael Kodama presented a report from the Orangeline Development Authority. He said the alternatives analysis would be coming in February to the Technical Advisory Committee, to the Steering Committee in March, and to the OLDA Board in April. He said grants had been received to be used towards the land use analysis. It was the consensus of the Board to receive and file the report.

There was no report from the South Coast Air Quality Management District.
David Hershenson presented a report from the Metro Gateway Cities Service Sector. He said the recent FTA audit report was not directed at any discriminatory practices, but on the manner of implementing fare changes. He said Metro would be holding meetings to develop a new policy. It was the consensus of the Board to receive and file the report.

Rick Stroup presented a report from the Conservation Corps of Long Beach. He said the Corps would be starting the next round of California Energy Commission funded weatherization projects for low income housing. He reported that $100,000 in Proposition 84 still remained for water conservation projects. He said the charter school had received funding from the Department of Labor and the Department of Justice for the program which serves high school dropouts from Congresswoman Sanchez’s district who are interested in combining work and school. It was the consensus of the Board to receive and file the report.

There was no report from the Coalition for America’s Gateways and Trade Corridors.

Second Vice President Infanzon requested that the meeting be adjourned in memory of Marcella Calderon, wife of Assemblyman Tom Calderon. He said a memorial service for Mrs. Calderon would be held on Saturday, January 14, at the Pla Technology Center in Montebello.

**Adjournment:** The meeting was adjourned by consensus in memory of Marcella Calderon at 6:57 p.m.

Respectfully submitted,

Richard Powers, Secretary
VII. CONSENT CALENDAR
ITEM B
Approval of Warrant Register
VII. CONSENT CALENDAR
ITEM C
December 2011 Local Agency Investment Fund Statement
Transactions

 Account Summary

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Deposit</td>
<td>0.00</td>
<td>Beginning Balance</td>
<td>1,600,699.91</td>
</tr>
<tr>
<td>Total Withdrawal</td>
<td>0.00</td>
<td>Ending Balance</td>
<td>1,600,699.91</td>
</tr>
</tbody>
</table>
VII. CONSENT CALENDAR
ITEM D
Status Report from Lobbyist - Edington, Peel & Associates
Monthly Report by Jim Dykstra to Gateway Cities COG  
January 25, 2012

I and the firm Edington, Peel & Associates continue to provide a range of services in support of the Gateway Cities Council of Governments. These include participation in a number of meetings, telephonic, email and fax exchanges and other communications.

I continued to closely coordinate with Gateway Cities COG staff regarding efforts on behalf of the Gateway Cities COG’s priorities and interests in the first session of the 112th Congress. I have had telephonic and electronic exchanges regarding possible funding opportunities and legislation of interest. I also continued to work with the staff of the I-5 Joint Powers Authority on the I-5 widening initiative, the COG’s number one priority.

On January 17, I met with Gateway Cities COG staff at the COG headquarters in Paramount. In our meeting, we discussed issues of interest to the COG, the legislative picture at the federal level for the coming year, the impact of congressional redistricting on Gateway Cities communities, and an issue with the California Transportation Commission regarding I-5 widening funds. I also spoke with senior I-5 JPA staff and congressional staff on the issue.

I have kept the Gateway Cities COG informed of continuing developments regarding of the Transportation Reauthorization Act. This week, I reported that Rep. John Mica (R-FL), chairman of the House Transportation and Infrastructure (T&I) Committee, has set mark up on the transportation bill for February 2, and Sen. Barbara Boxer, chair of the Senate Environment and Public Works (EPW) Committee, has stated that the Senate Finance and Commerce committees will mark up next week on their portions of the Senate version of the legislation. Funding of a bill remains the most difficult and contentious issue. The Senate EPW Committee marked up its portion of the measure on November 9, 2011. The House T&I Committee would use revenue made by expanding domestic energy production to pay for infrastructure projects, which Democrats in both chambers have said they oppose.

I participate on Gateway Cities' behalf in conference calls and email exchanges with the Coalition for America’s Gateways and Trade Corridors (CAGTC) and provide Gateway Cities with information on CAGTC activities in Washington, DC. I suggested Gateway Cities provide an article on its initiatives for the CAGTC newsletter, something that is expected to take place early this year. I anticipate again attending the annual CAGTC conference in May on behalf of Gateway Cities.

I have continued discussions and email exchanges with staff of Members of Congress representing Gateway Cities members, as well as other key congressional staff, regarding the COG’s legislative priorities. On January 13, I met over lunch with Joe Sheehy, legislative director for Rep. Grace Napolitano, a senior member of the House Transportation and Infrastructure Committee. I had a similar lunch meeting with Victor Castillo, legislative director to Rep. Lucille Roybal-Allard in late December.
As part of my responsibilities, I closely monitor legislation, as well as seminars, hearings, meetings and publications of key interest to legislators and senior executive branch officials for articles and information of possible interest and importance to member cities of the Gateway Cities COG. I attend Senate and House committee hearings, follow Senate and House floor proceedings, and track legislative initiatives pertinent to Gateway Cities COG interests and priorities.
VIII. REPORTS
ITEM B
Voluntary Participation in Funding for Municipal Representative – Regional Water Quality Control Board
TO: Board of Directors

FROM: Kenneth C. Farfsing, Chair of the City Manager’s Steering Committee

SUBJECT: Voluntary Participation in Funding for the Municipal Representative – Regional Water Quality Control Board

Background:

The Regional Board consists of nine members appointed by the Governor. The nine seats on the Board are divided into various categories of expertise, including a seat reserved for a local mayor or city council member. The municipal seat has been filled by the City of Monrovia’s Mayor/Council Member Mary Ann Lutz since 2007. The Los Angeles Division of the League of California Cities has provided budget support for a consultant to assist Ms. Lutz in the review of increasingly complex permits and regulations governing water quality. Due to budget difficulties the League is unable to continue this support. The consultant contract was for $30,000 annually.

The GCCOG Board is asked to support a voluntary annual assessment of $500 per member city towards consultant scientific/technical support for the municipal board member of the Los Angeles Regional Water Quality Control Board (“Regional Board”). The City Manager’s Steering Committee has reviewed the request and recommends support for the reasons outlined in this memorandum.

Cities have grown increasingly concerned over the direction of NPDES and TMDL program requirements, especially in the face of steeply declining local revenues as the impact of the Great Recession, chronic high unemployment levels, historic housing foreclosure rates, a slump in construction and the potential loss of redevelopment agencies have taken their toll on municipal budgets. The slow pace of economic recovery, combined with state and federal budget reductions to local programs have increased concerns of local elected officials, city managers and public works officials over the sustainability of the NPDES Permits and TMDLs Programs in the face of providing basic municipal services, such as public safety, fire protection and paramedics.

The importance of the Regional Board’s role has grown over the last decade, as U.S. EPA and the State have focused on increasing local responsibilities for the quality of storm water and urban runoff discharged into local flood control channels, streams, rivers lakes and bays. All Los Angeles County Cities are required to obtain a National Pollution Discharge Elimination Permit (“NPDES Permit”) in order to discharge storm water and urban runoff. The NPDES Permits have grown in complexity over the last twenty years from simple documents to permits that now contain hundreds of pages of programs and monitoring requirements. The Cities currently operate under the Los Angeles County 2001 NPDES Permit, with the exception to the City of Long Beach which obtained an individual NPDES Permit in 1999. The Regional Board is currently planning on releasing their draft
revised NPDES Permit to the majority of Los Angeles County Cities in the Spring which will specify additional programs. The City of Long Beach NPDES Permit is expected to be released after approval of the permit for the other Cities.

In addition to the increasing complexity of the NPDES Permits, the U.S. EPA is operating under federal consent decree and a time schedule for developing hundreds of Total Daily Maximum Loads (“TMDLs”) for the Los Angeles Region. TMDLs are a maximum daily load that cities are permitted to discharge into federally regulated flood control channels, streams, rivers, lakes and bays. The consent decree has already resulted in the adoption of dozens of TMDLs in the Los Angeles Region including regulations specifying certain bacteria, metals and toxic loads. EPA has divided responsibility for the development of the TMDLs with the Regional Board. The Regional Board has responsibility for the review and approval of numerous additional TMDLs.

The Cities will confront a series of major issues with the new permits and the TMDLs, including whether the TMDLs will be placed into the permit as strict numeric limits or as a series of agreed to programs, known as “best management practices.” Failure to meet the numeric limits could lead to a watershed of third-party litigation against the Cities in the upcoming years, as the Clean Water Act allows for citizen litigation. Failure to meet the numeric limits could also result in Regional Board fines.

The role of the regional board member has grown increasingly important in the last decade. The NPDES Permits and TMDLs are very complex technical, scientific and legal documents. Few local elected and appointed officials have the scientific, technical and legal backgrounds to allow them to be knowledgeable and effective Regional Board members. In reality, the storm water quality programs have grown so complex and technical that only a handful of cities have sufficient resources to support the needs of the municipal regional board member. The League volunteered to provide consultants support to our regional board member in 2008.

Both the San Gabriel Valley COG and the Gateway Cities COG recognized the importance of providing support to their MTA Board Member. This was due to the recognition of the increasing complexity of transportation programs, policies, funding and legal requirements. The consultant support for our municipal Regional Board Member is certainly of similar importance. The South Bay COG has raised a series of important questions regarding City financial support, including whether the consultant’s reports would be available for review, whether the consultant would be available to meet with the Cities, as well as provide technical assistance. Also representatives from the Gateway Cities COG met with the San Gabriel Valley COG to discuss the effectiveness of the current consultant and whether a request for qualifications would be warranted. It is recommended that a committee of city managers from the various COGs meet to report back on these questions.

The jurisdiction of the Los Angeles Water Board includes both Los Angeles County and Ventura County. There are 88 cities in Los Angeles County and 10 cities in Ventura County, for a total of 99 cities. Since the special assessments would be voluntary it is difficult to determine the number of cities that will participate. However, we have estimated
that 60 of the cities will participate for assessment budget purposes. We are suggesting a voluntary contribution of $500 per city, which would result in $30,000 in support services for the consultant.

**Recommended Action**

The GCCOG Board should approve of the voluntary participation in funding for the Municipal Representative of the Regional Water Quality Control Board. A voluntary assessment of $500 per city is suggested. It is also recommended that a subcommittee of the city managers from the various COGs meet to report back to the Board on the various concerns raised in this memorandum.
VIII. REPORTS
ITEM C
Appointment of COG Treasurer
TO: Board of Directors

FROM: City Managers Steering Committee

SUBJECT: Appointment of COG Treasurer

Background

The Joint Exercise of Powers Agreement provides that the COG Board of Directors appoint a Treasurer. Recently retired Downey City Manager Gerald M. Caton served as the COG’s Treasurer since the COG’s inception in 1996. His recent retirement has created a vacancy in that position.

The City Managers Steering Committee met last month with Pico Rivera City Manager Ronald Bates, who indicated his willingness to accept the position of Treasurer. Mr. Bates is a veteran city manager whose background includes financial management, having once served as the Budget Director for the County of Orange. Mr. Bates has been very active with the COG over the years as city manager of three different COG member cities.

Recommended Action

It is recommended that the Board appoint Pico Rivera City Manager Ronald Bates as COG Treasurer.
IX. REPORTS FROM COMMITTEES
Report from Transportation Committee
ITEM D-1
Legislative Review of AB-1446 & AB-1444 (Feuer)
TO: Board of Directors

FROM: Diane Dubois, MTA Director

BY: Karen Heit, Transportation Deputy

SUBJECT: Legislative Review of AB-1446 & AB-1444 (Feuer)

Issue

Assemblyman Mike Feuer has introduced two pieces of legislation: AB 1446 - aimed at extending Measure R to provide bonding capacity for Measure R projects and AB 1444 that contracts the appellate process for environmental legal challenges.

Background

AB1446 – proposes to extend Measure R by a finite period (an unspecified number of years – most likely 10) to provide revenue for the exclusive purpose of providing bond capacity for financing transit projects as listed in Measure R. If there is any revenue capacity left over then highway projects would receive the remaining revenue stream for bonding.

There are two transit projects located within the Gateway Cities area: the West Santa Anna Branch (OLDA project) and possibly the Metro Gold Line Eastern Extension Phase II, (Alternative is not decided between Gateway Cities and the San Gabriel Valley).

Issues

- As written, highway construction takes a secondary role to transit projects. The stated purpose of the Bill is to address economic recovery by jumpstarting major infrastructure projects with long term impacts on improving economic development. Placing highway construction as a secondary funding recipient ignores the beneficial impact of highway construction and ignores the critical role highways play in attracting firms, jobs creation and retention. Postponing highway modernization does not encourage companies to locate or remain in LA County nor does it assist the logistics or other industry clusters that depend on goods movement.

- What will this do to transportation financing in the out-years beyond the suggested Measure R extension? (MTA does not have infinite bonding capacity)

- Does this legislation send a message to Washington DC and Sacramento to keep the sales tax revenue LA County has generated, that the MTA has the capacity for self-financing.
There is no operating revenue built into this legislation (Measure R reserves 20% for transit operations). All of the revenue would support construction financing. There is a looming transit operating deficit and the legislation does not provide for operating funds, what is the wisdom of building a system faster if there insufficient operating funds?

It is not clear as to whether the revenue stream for 10 years is adequate to advance more than the first decade projects; the Westside Subway and the San Fernando Valley Rapid-ways.

**Recommended Action**

The Transportation Committee recommends that the Gateway Cities COG Board oppose this legislation unless analysis is presented that will determine the long-term impacts for LACMTA bonding capacity as well as the expanding the additional tax revenues for use on highway projects, and transit operations.

**AB1444** – Expedites the legal challenge process for transit projects only. Projects currently experiencing environmental challenge go to Superior Court and then on the Appellate Court. This bill would accelerate that process by sending environmental challenges straight through to the Appellate Court. An example of a project benefitting from similar legislation is the proposed downtown LA football stadium.

**Issue**

By applying to one mode – this bill totally dismisses the environmental benefit of congestion relief projects such as Hot Lanes, HOV Lanes and freeway expansion that reduce congestion and improve air quality.

**Recommended Action**

The Transportation Committee recommends the Gateway Cities COG Board work with the Author to amend this legislation to include all Measure R projects.

**Attachments**

AB -1446
AB -1444
AB 1446

BILL NUMBER: AB 1446  INTRODUCED
BILL TEXT

INTRODUCED BY  Assembly Member Feuer

JANUARY 4, 2012

An act to amend Section 130350.5 of, and to add Section 130350.6 to, the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL’S DIGEST

AB 1446, as introduced, Feuer. Los Angeles County Metropolitan Transportation Authority: transactions and use tax.

Existing law authorizes the Los Angeles County Metropolitan Transportation Authority (MTA) to impose, in addition to any other tax that it is authorized to impose, a transactions and use tax at a rate of 0.1% for not more than 30 years for the funding of specified transportation-related purposes pursuant to an adopted expenditure plan, subject to voter approval.

This bill would authorize MTA to impose that transactions and use tax for an additional unspecified number of years subject to voter approval. The bill would require MTA to secure bonded indebtedness payable from the proceeds of the extension and would require that the proceeds be used to accelerate the completion of specified projects and programs. The bill would require MTA to amend the expenditure plan in a specified manner and would make other related conforming changes.


THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature hereby finds and declares all of the following:

(a) Section 130350.5 of the Public Utilities Code authorizes the Los Angeles County Metropolitan Transportation Authority (MTA) to propose for voter approval a 0.1-year/2 cent sales and use tax dedicated to the construction and operation of transportation-related projects, to be enumerated in a local ballot measure. In November 2008, more than 57 percent of Los Angeles County voters approved this tax pursuant a ballot measure known as Measure R.

(b) The Measure R transit, highway, and other transportation projects became part of the MTA’s Long Range Transportation Plan, along with an expenditure plan that spread the costs and construction of the Measure R projects over the 30-year duration of the 0.1-year/2 cent sales and use tax.

(c) Since 2008, the nation and the State of California have plunged into a recession. In Los Angeles County, 336,000 jobs have been lost since 2007. An estimated 982,900 people were unemployed in
Los Angeles County as of October 2011. The construction industry has been hit particularly hard: more than 53,300 construction jobs have been lost since 2007, and some estimates put the percentage of area construction workers who are out of work as high as 40 percent.

(d) Traffic congestion is increasing throughout Los Angeles County, and new, environmentally sound transit options are desperately needed as alternatives to private vehicle trips and the economic, environmental, and health impacts that result from them.

(e) Efforts to expedite the construction of the Measure R transit projects from 30 years to 10 years by obtaining federal loans secured by Measure R revenues have not yet been successful.

(f) Therefore, the Legislature intends to authorize the MTA to seek voter approval to extend the length of the Measure R sales and use tax authorization from 30 years to 50 years in order to allow the MTA to bond against the proceeds from the extension and build the Measure R transit projects such sooner than originally contemplated without relying on federal or state funding. Providing for this sales and use tax extension and accelerated completion of the Measure R transit projects would create more than 160,000 desperately needed jobs and dramatically improve the economy, environment, and public health of Los Angeles County.

SEC. 2. Section 130350.5 of the Public Utilities Code is amended to read:

130350.5. (a) In addition to any other tax that it is authorized by law to impose, the Los Angeles County Metropolitan Transportation Authority (MTA) may impose, in compliance with subdivision (b) and Section 130350.6, a transactions and use tax at a rate of 0.5 percent that is applicable in the incorporated and unincorporated areas of the county.

(b) For purposes of the taxing authority set forth in subdivision (a), all of the following apply:

(1) The tax shall be proposed in a transactions and use tax ordinance, that conforms with Chapter 2 (commencing with Section 7261) to Chapter 4 (commencing with Section 7275), inclusive, of the Transactions and Use Tax Law (Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code), and that is approved by a majority of the entire membership of the authority.

(2) The tax may be imposed only if the proposing ordinance is approved by two-thirds of the voters, in the manner as otherwise required by law, voting on this measure, in an election held on November 4, 2008, or at a subsequent election and, if so approved, shall become operative as provided in Section 130352.

(3) The proposing ordinance shall specify, in addition to the rate of tax and other matters as required by the Transactions and Use Tax Law, that the tax is to be imposed for a period not to exceed 30 years and the net revenues derived from the tax are to be administered by the MTA as provided in this section. Net revenues shall be defined as all revenues derived from the tax less any refunds, costs of administration by the State Board of Equalization, and costs of administration by the MTA. Such costs of administration by the MTA shall not exceed one and one-half percent (1.5%) of the revenues derived from the tax. The MTA shall, during the period in which the ordinance is operative, except for the extension period authorized by Section 130350.6, allocate 20 percent of all net revenues derived from the tax for bus operations to all eligible and included municipal transit operators in the County of Los Angeles and to the MTA, in accordance with Section 99285. However, the allocations to the MTA and eligible and included
municipal operators shall be made solely from revenues derived from a tax imposed pursuant to this section, and not from local discretionary sources. Funds allocated by MTA to itself pursuant to this section shall be used for transit operations and shall not supplant funds from any other source allocated by MTA to itself for public transit operations. Funds allocated by MTA to the eligible and included municipal operators pursuant to this section shall be used for transit operations and shall not supplant any funds authorized by other provisions of law and allocated by MTA to the eligible and included municipal operators for public transit. In addition to this amount, the MTA shall allocate 5 percent of all net revenues derived from the tax, except for those derived from the extension authorized by Section 120350.6, for rail operations. The MTA shall include the projects and programs described in subparagraphs (A) and (B) in the expenditure plan required under subdivision (f). The MTA shall include all projects and programs described in the expenditure plan required under subdivision (f) in its Long Range Transportation Plan (LRTP). The priorities for projects and programs described in subparagraphs (A) and (B) and in the expenditure plan required under subdivision (f) shall be those set forth in the expenditure plan. The funding amounts specified in subparagraphs (A) and (B) are minimum amounts that shall be allocated by the MTA from the net revenues derived from a tax imposed pursuant to this section. Nothing in this section prohibits the MTA from allocating additional net revenues derived from the tax to these projects and programs.

(A) Capital Projects.

(i) Exposition Boulevard Light Rail Transit Project from downtown Los Angeles to Santa Monica. The sum of nine hundred twenty-five million dollars ($925,000,000).

(ii) Crenshaw Transit Corridor from Wilshire Boulevard to Los Angeles International Airport along Crenshaw Boulevard. The sum of two hundred thirty-five million five hundred thousand dollars ($235,500,000).

(iii) San Fernando Valley North-South Rapidways. The sum of one hundred million five hundred thousand dollars ($100,500,000).

(iv) Metro Gold Line (Pasadena to Claremont) Light Rail Transit Extension. The sum of seven hundred thirty-five million dollars ($735,000,000).

(v) Metro Regional Connector. The sum of one hundred sixty million dollars ($160,000,000).

(vi) Metro Westside Subway Extension. The sum of nine hundred million dollars ($900,000,000).

(vii) State Highway Route 5 Carmelita Road Interchange Improvement. The sum of one hundred thirty-eight million dollars ($138,000,000).

(viii) State Highway Route 5 Capacity Enhancement (State Highway Route 134 to State Highway Route 170, including access improvement for Empire Avenue). The sum of two hundred seventy-one million five hundred thousand dollars ($271,500,000).

(ix) State Highway Route 5 Capacity Enhancement (State Highway Route 605 to the Orange County line, including improvements to the Valley View Interchange). The sum of two hundred sixty-four million eight hundred thousand dollars ($264,800,000).

(x) State Highway Route 5/State Highway Route 14 Capacity Enhancement. The sum of ninety million eight hundred thousand dollars ($90,800,000).

(xi) Capital Project Contingency Fund. The sum of one hundred seventy-three million dollars ($173,000,000).
(B) Capital Programs.
   (i) Alameda Corridor East Grade Separations. The sum of two hundred million dollars ($200,000,000).
   (ii) MTA and Municipal Regional Clean Fuel Bus Capital (Facilities and Rolling Stock). The sum of one hundred fifty million dollars ($150,000,000).
   (iii) Countyside Soundwall Construction (MTA Regional List and Monterey Park/State Highway Route 60). The sum of two hundred fifty million dollars ($250,000,000).
   (iv) Local return for major street resurfacing, rehabilitation, and reconstruction. The sum of two hundred fifty million dollars ($250,000,000).
   (v) Metrolink Capital Improvements. The sum of seventy million dollars ($70,000,000).
   (vi) Eastside Light Rail Access. The sum of thirty million dollars ($30,000,000).

(c) The MTA may incur bonded indebtedness payable from the proceeds of the tax provided by this section pursuant to the bond issuance provisions of Section 130500 et seq. of the Public Utilities Code, and any successor act. The MTA shall include in the expenditure plan, required under subdivision (e), the amount of net revenue specified for all projects and programs in subparagraphs (A) and (B) of paragraph (3) of subdivision (b) as a condition of the use and expenditure of the proceeds of the tax. The MTA shall maintain the current amount of any funding for the projects and programs specified in this section that has been previously programmed or received from sources other than the proceeds of the tax, and may not reallocate money that has been previously programmed or received for those projects and programs to other projects or uses.

(d) Notwithstanding Section 7251.1 of the Revenue and Taxation Code, the tax rate authorized by this section shall not be considered for purposes of the combined rate limit established by that section.

(e) A jurisdiction or recipient is eligible to receive funds from the local return program, described in clause (iv) of subparagraph (B) of paragraph (3) of subdivision (b) of this section and in subparagraph (1) of paragraph (2) of subdivision (b) of Section 130350.6, only if it continues to contribute to that program an amount that is equal to its existing commitment of local funds or other available funds. The MTA may develop guidelines that, at a minimum, specify maintenance of effort requirements for the local return program, matching funds, and administrative requirements for the recipients of revenue derived from the tax.

(f) Prior to submitting the ordinance to the voters, the MTA shall adopt an expenditure plan for the net revenues derived from the tax. The expenditure plan shall include, in addition to other projects and programs identified by the MTA, the specified projects and programs listed in paragraph (3) of subdivision (b), the estimated total cost for each project and program, funds other than the tax revenues that the MTA anticipates will be expended on the projects and programs, and the schedule during which the MTA anticipates funds will be available for each project and program. The MTA shall also identify in its expenditure plan the expected completion dates for each project described in subparagraph (A) of paragraph (3) of subdivision (b). To be eligible to receive revenues derived from the tax, an agency sponsoring a capital project or capital program shall submit to the MTA an expenditure plan for its project or program containing the same elements as the expenditure plan that MTA is
required by this subdivision to prepare.

(g) The MTA shall establish and administer a sales tax revenue fund. The net revenue derived from the tax, after payment of any debt services and related obligations, shall be credited to this fund. The moneys in the fund shall be available to the MTA to meet expenditure and cashflow needs of the projects and programs described in the expenditure plan required under subdivision (f). In the event that there are net revenues in excess of the amount necessary to provide the amount of net revenues specified in the expenditure plan for the projects and programs described therein, the MTA may expend the excess net revenues on projects and programs in the expenditure plan or the LRTP. In the event that projects and programs in the expenditure plan are completed without the expenditure of the amount of net revenues specified, the MTA shall expend the excess net revenues on projects and programs in the expenditure plan or the LRTP within the same subregion as the project or program that is completed. For the purposes of this section, "subregion" shall be defined in the LRTP.

(h) If other funds become available and are allocated to provide all or a portion of the amount of net revenues specified in the expenditure plan for the projects or programs described therein, the MTA may expend the surplus net revenues on other projects and programs in the expenditure plan or the LRTP.

(i) (1) Notwithstanding subdivision (h), if a capital project or capital program described in clauses (i) to (x), inclusive, of subparagraph (A) of paragraph (3) of subdivision (b) and clauses (i) and (vi) of subparagraph (B) of paragraph (3) of subdivision (b), has been fully funded from other sources on or before December 31, 2008, the funds designated to the project or program in clauses (i) to (x), inclusive, of subparagraph (A) of paragraph (3) of subdivision (b) and clauses (i) and (vi) of subparagraph (B) of paragraph (3) of subdivision (b) shall remain in the subregion in which the project or program is located and shall be allocated to other projects or programs in the subregion prior to the expiration of the tax.

(2) A capital project or capital program funded with reallocated funds pursuant to paragraph (i) shall be included in the adopted 2008 Long Range Transportation Plan or the successor plan and shall be of regional significance as determined by the MTA. For purposes of this subdivision, "subregions" means the subregions as defined in the LRTP in effect as of January 1, 2008.

(j) Notwithstanding Section 130154, revenues raised under this section and Section 130350.6 may be used to facilitate the transportation of people and goods within Los Angeles County. The use of the revenues shall not be limited to public transit purposes.

(k) No later than 365 days prior to the adoption of an amendment described in paragraph (i) to an expenditure plan adopted pursuant to subdivision (f), including, but not limited to, the expenditure plan adopted by the MTA board as "Attachment A" in Ordinance #08-01 adopted by the board on July 24, 2008, and in addition to any other notice requirements in the proposing ordinance, the board shall notify the Members of the Legislature representing the County of Los Angeles of all of the following:

(1) A description of the proposed amendments to the adopted expenditure plan that would do any of the following:

(A) Affect the amount of net revenues derived from the tax imposed pursuant to this act that is proposed to be expended on a capital project or projects identified in the adopted expenditure plan.

(B) Delay the schedule for the availability of funds proposed to
be expended on a capital project or projects identified in the
adopted expenditure plan.
(C) Delay the schedule for the estimated or expected completion
date of a capital project or projects identified in the adopted
expenditure plan.
(2) The reason for the proposed amendment.
(3) The estimated impact the proposed amendment will have on the
schedule, cost, scope, or timely availability of funding for the
capital project or projects contained in the adopted expenditure
plan.
(1) The notification required pursuant to subdivision (k) shall be
achieved by resolution adopted by the MTA board.
(m) The MTA board shall provide prior written notice to the
Members of the Legislature representing the County of Los Angeles of
any proposed amendments to the adopted expenditure plan that would
accelerate funding for a capital project or projects in the adopted
expenditure plan.
SEC. 3. Section 130350.6 is added to the Public Utilities Code, to
read:
130350.6. (a) The tax authorized by Section 130350.5 may be
extended for an additional three years beyond the 30-year period set
forth in paragraph (3) of subdivision (b) of Section 130350.5. This
extension shall be proposed in a transactions and use tax ordinance,
or an amendment of the ordinance approved pursuant to paragraph (3)
of subdivision (b) of Section 130350.5, that conforms with Chapter 2
(commencing with Section 7252) to Chapter 4 (commencing with Section
7275), inclusive, of the Transactions and Use Tax Law (Part 1.6
(commencing with Section 7251) of Division 2 of the Revenue and
Taxation Code), and that is approved by a majority of the entire
membership of the authority. The tax may be extended pursuant to this
section only if the proposing ordinance, or amendment thereof, is
approved by two-thirds of the voters, in the manner as otherwise
required by law, voting on this measure, in a special or general
election and, if so approved, shall become operative as provided in
Section 130392. The proposing ordinance shall specify that the net
revenues derived from the tax extension are to be administered by the
MTA as provided in this section. Net revenues shall be defined as all
revenues derived from the tax less any refunds, costs of
administration by the State Board of Equalization, and costs of
administration by the MTA. Such costs of administration by the MTA
shall not exceed 1.5 percent of the revenues derived from the tax
extension.
(b) (1) The MTA shall incur bonded indebtedness payable from the
proceeds of the tax extension authorized by this section pursuant to
the bond issuance provisions of this chapter, and any successor act.
Proceeds from those bonds shall be used to accelerate the completion
of the following projects and programs:
(a) Green Line Extension to the Los Angeles International Airport.

(b) Green Line Extension: Redondo Beach Station to South Bay
Corridor.
(C) Metro Gold Line (Pasadena to Claremont) Light Rail Transit
Extension.
(D) Exposition Boulevard Light Rail Transit Project from downtown
Los Angeles to Santa Monica.
(E) Crenshaw Transit Corridor from Wilshire Boulevard to Los
Angeles International Airport along Crenshaw Boulevard.
(F) San Fernando Valley North-South Rapidways.
(G) San Fernando Valley I-405 Corridor Connection.
(H) Metro Regional Connector.
(I) Metro Westside Subway Extension.
(J) Alameda Corridor East Grade Separations.
(K) West Santa Ana Branch Corridor.
(L) MTA and Municipal Regional Clean Fuel Bus Capital (Facilities and Rolling Stock).
(M) Metrolink Capital Improvements.
(N) Eastside Light Rail Access.

(2) Upon completion of the projects and programs identified in paragraph (1), any funds remaining from the bonds described in paragraph (1) shall be used to accelerate the completion of the following projects and programs:
(A) Interstate 710 North Gap Closure (tunnel).
(B) Interstate 605 Corridor "Hot Spot" Interchanges.
(C) State Highway Route 5 Carmenita Road Interchange Improvement.
(D) State Highway Route 5 Capacity Enhancement (State Highway Route 134 to State Highway Route 170, including access improvement for Empire Avenue).
(E) State Highway Route 5 Capacity Enhancement (State Highway Route 605 to the Orange County line, including improvements to the Valley View Interchange).
(F) State Highway Route 5/State Highway Route 14 Capacity Enhancement.
(G) Capital Project Contingency Fund.
(H) Countywide Soundwall Construction (MTA Regional List and Monterey Park/State Highway Route 60).
(I) Local return for major street resurfacing, rehabilitation, and reconstruction.

(G) Upon completion of the projects and programs identified in paragraphs (1) and (2), any funds remaining from the bonds described in paragraph (1) and any funds remaining from the proceeds of the tax extension authorized by this section, after payment of the bonded indebtedness, shall be deposited in the fund described in subdivision (g) of Section 130350.5.

(c) Prior to submitting the ordinance described in subdivision (a) to the voters, the MTA shall amend the expenditure plan adopted pursuant to subdivision (f) of Section 130350.5. The amended plan shall update all of the following for the projects and programs listed in subdivision (b): the estimated total cost for each project or program, the schedule during which the MTA anticipates funds will be available for each project or program, and the expected completion dates for each project or program.
AB 1444

BILL NUMBER: AB 1444   INTRODUCED
BILL TEXT

INTRODUCED BY    Assembly Member Feuer

JANUARY 4, 2012

An act relating to environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

AB 1444, as introduced, Feuer. Environmental quality; expedited judicial review; public rail transit projects.

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. The Jobs and Economic Improvement Through Environmental Leadership Act of 2011 amended CEQA to establish, until January 1, 2015, an expedited judicial review process and specifies procedures for the preparation and certification of the administrative record for an EIR of a project meeting specified requirements that has been certified by the Governor as an environmental leadership development project.

This bill would state the intent of the Legislature to enact legislation to provide the benefits provided by the Jobs and Economic Improvement Through Environmental Leadership Act of 2011 for new public rail transit infrastructure projects.


THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:
(a) Since 2007, the nation and the state have plunged into a recession, and thousands of jobs have been lost. The unemployment rate in California exceeds the national average at 11.8 percent, and in certain regions of the state the rate exceeds 13 percent. The construction industry in California has been particularly hard hit. Some estimates put the percentage of construction workers who are out of work as high as 40 percent. Still, California's population continues to grow and is projected to increase by 4.3 million over the next decade. California needs to create an estimated 1.8 million jobs to keep up with its population growth.
(b) One of the results of the population growth in California will be increased traffic congestion on the state's streets and highways
and related adverse economic, environmental, and health impacts.

(c) To address both the need for jobs and the need to efficiently move people and goods, it is imperative to plan for, and expedite the construction of, new environmentally sound public rail transit options as alternatives to private vehicle trips, as well as other large infrastructure projects.

(d) The California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) requires that the environmental impacts of development projects be identified and mitigated.

(e) The act also guarantees the public an opportunity to review and comment on the environmental impacts of a project and to participate meaningfully in the development of mitigation measures for potentially significant environmental impacts.

SEC. 2. It is the intent of the Legislature to enact legislation to provide the unique and unprecedented streamlining benefits provided by the Jobs and Economic Improvement Through Environmental Leadership Act of 2011 (Chapter 6.5 (commencing with Section 21178) of Division 13 of the Public Resources Code) for new public rail transit infrastructure projects that provide the benefits specified in Section 1 of this act to put people to work as soon as possible.
IX. REPORTS FROM COMMITTEES
Report from Transportation Committee
ITEM D-2
Proposed COG Comment Letter to SCAG on Draft 2012 Regional Transportation Plan and Sustainable Communities Strategy
TO: Board of Directors

FROM: Richard Powers, Executive Director

SUBJECT: Proposed COG Comment Letter to SCAG on Draft 2012 Regional Transportation Plan and Sustainable Communities Strategy

Background

In December 2011, the Southern California Association of Governments (SCAG) released for public comment the Draft 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and associated draft Program Environmental Impact Report (PEIR). The RTP must be prepared by SCAG every four years under federal law; the SCS is a new requirement of state law (SB 375). The plan is being prepared and adopted in 2012 and has a horizon year of 2035. The public comment period for the RTP/SCS and associated PEIR closes on February 14, 2012.

Under provisions in SB 375, the Gateway Cities prepared their own subregional SCS during 2010-2011 and submitted it to SCAG as required in June 2011. The Gateway Cities SCS has been fully incorporated into the regional SCS developed by SCAG. The draft regional SCS meets the greenhouse gas (GHG) reduction targets assigned to SCAG by the California Air Resources Board: 8% reduction in per capita GHG emissions, compared to 2005 levels, by 2020 (target 8%), and 16% reduction by 2035 (target 13%).

Issue

As a long-range regional transportation infrastructure investment plan, the RTP addresses many key components of the transportation system, including some that are physically within the Gateway Cities and some that have an effect on the Gateway Cities. The plan is required by federal law to be financially constrained, meaning that it must identify known or reasonably available funding sources for the investments described in the plan.

The COG staff has reviewed the draft RTP/SCS project lists and the plan text and has several comments and requests for clarification as outlined in the attached draft comment letter. The areas of comment on the plan include:

- Financial Plan
- Major Highway Projects
- High-Speed Rail
• Express/HOT Lane Network (proposed)
• Goods Movement
• Sustainable Communities Strategy.

The staff will present these issues for discussion and direction.

**Recommended Action**

Review proposed comment letter; provide direction to staff to revise as needed and submit letter to SCAG by comment deadline of February 14, 2012.
February 1, 2012

Mr. Hasan Ikhrata, Executive Director
Southern California Association of Governments
818 West 7th Street, 12th Floor
Los Angeles, CA  90017-3435

Dear Mr. Ikhrata:

Gateway Cities Comment to SCAG on Draft 2012 RTP/SCS

Thank you very much for the opportunity to review and comment on the Draft 2012 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and associated draft Program Environmental Impact Report (PEIR). It is clear that a great deal of hard work and successful stakeholder involvement have gone into creating these very impressive documents. SCAG has done an extraordinary job of meeting multiple planning requirements and has produced an innovative and visionary plan.

The Gateway Cities respectfully submits the following comments and questions for your consideration and response:

- **Financial Plan**
  - The draft Financial Plan includes over $110 billion to come from new mileage-based user fees that would be implemented to replace and augment gasoline taxes. This is the largest single element of the overall new revenue sources anticipated for the RTP. We would like additional information on how these fees might affect lower-income residents of the SCAG region, particularly since many such residents are concentrated within the Gateway Cities.
  - The Financial Plan envisions a future split among local, state, and federal funding sources that is quite different from the current split, in which over 70% of all transportation funding is of local origin. In the future, the Plan shows 22% from federal and 25% from state, leaving only 53% from local sources. Can SCAG present a chart or plan showing how and when this transition would occur between 2012 and 2035?
  - Table 3.4.1 presents Core and Reasonably Available local sources of revenue and includes development mitigation fees for Orange and Riverside Counties. Does the revenue estimate include any assumption
of funds from the potential adoption of a development fee in Los Angeles County?

- Major Highway Projects
  - Exhibit 2.1 and Exhibit 4.12 show major highway projects under the Regional Transportation Plan. Some major Gateway Cities projects – notably those along I-5 between I-605 and the County line – are not indicated on these exhibits. We understand that this is because the exhibit show only Plan projects and do not show projects in the current Federal Transportation Improvement Program (FTIP). We suggest that the exhibits be amended to include FTIP projects over a certain cost threshold so as to show a more complete picture of regional highway infrastructure investments.

- High-Speed Rail
  - We understand that discussions are ongoing among SCAG, the County Transportation Commissions, and the California High Speed Rail Authority regarding levels of available funding for rail infrastructure improvements within the SCAG region. We look forward to further details about the specific investments that will be made in Southern California’s rail infrastructure under the 2012 RTP, particularly those that affect the Gateway Cities.

- Express/HOT Lane Network
  - Table 2.6 lists several potential routes for Express/HOT Lane development. Two of these run through the Gateway Cities: I-405 from I-5 to the LA/OC County line; and SR-91 from I-110 to SR-55. What is the anticipated timeframe or years of construction and completion for these projects?

- Goods Movement
  - Exhibit 2.8 displays “rising truck volumes in the SCAG region.” However, the assumptions underlying the data in this exhibit are not clear, and should be explained in the text. For example, how do these figures relate to the cargo forecast being projected by the San Pedro Bay Ports? Also, would different truck volumes be found under different RTP alternatives?
  - The tables relating to the proposed East-West Freight Corridor present a confusing picture of the plan for implementing reduced-emissions vehicles on the corridor. Table 2.8, Benefits of an East-West Corridor Strategy, mentions “50% clean truck utilization” under Environment, but also lists “Zero-emissions technology” under
Community. Table 2.11, Environmental Benefits, shows an “East-West Freight Corridor with 100% Zero-Emission Vehicles.” It would be helpful to clarify the timeline on which SCAG anticipates low- or zero-emission trucks would be phased in specifically on the East-West Freight Corridor. This implementation timeline should be the same on the East-West Corridor as on the I-710 Corridor through the Gateway Cities.

- Sustainable Communities Strategy
  - Page 79 of the SCS Background Documentation report states that “Subregional SCSs submitted by the Gateway Cities Council of Governments (GCCOG) and the Orange County Council of Governments (OCCOG) will be respected and integrated into the alternatives (with possible revisions for Alternative C only).” Since the PEIR alternatives are designated by number (1, 2, 3) rather than by letter (A, B, C), please clarify whether this statement refers to Alternative 3, called the “Envision 2 Alternative” in the PEIR. Also, we would appreciate having specific information on where, if anywhere, revisions may have been made to the Gateway Cities’ jurisdictional input as reflected in our subregional SCS.

We thank you again for the opportunity to review and comment on these draft documents. We also remain especially grateful to the SCAG staff for all the support they provided to the Gateway Cities as we developed our subregional SCS.

Sincerely,

Raymond Dunton, President, Board of Directors
Gateway Cities Council of Governments and
Council Member, City of Bellflower