

**GATEWAY CITIES COUNCIL OF GOVERNMENTS
JOINT MEETING OF THE BOARD OF DIRECTORS and
EXECUTIVE COMMITTEE**

Wednesday, May 6, 2009

5:30 p. m. Buffet

6:00 p. m. Meeting

Gateway Cities Council of Governments

16401 Paramount Boulevard

Paramount, California

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

A. Invitation to Attend the Fifteenth Annual California State University, Long Beach Economic Forecast Conference, Thursday, May 14, 2009, 7:30-10:00 AM at the Hyatt Regency Long Beach

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 April 1, 2009 and April 23, 2009, are presented for approval. Approval receives and files the minutes of April 1 and April 23, Board of Directors meeting.
- B. Approval of Warrant Register - Request for Approval of Warrant Register Dated May 6, 2009
- C. March 2009 Local Agency Investment Fund Statement
- D. Termination Agreements and Release Forms for Truckers Funded by the Port of Los Angeles and the Port of Long Beach
- E. Quarterly SCAG Committees Attendance Report

CONSENT CALENDAR ACTION:

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

VIII. REPORTS

A. Presentation on AB 811, Energy Efficiency – By Louis Kwiker, President of First Management Group

15 Min

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

B. Update on AB 139 – Special Storm Water Fee Legislation

5 Min

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

C. 9th Annual Los Angeles River Ride

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

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

A. 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

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 California Contract Cities Association – Oral Report

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

D. Matters from The I-5 Consortium Cities Joint Powers Authority – Oral Report

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

E. 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

F. 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

G. Matters from the Metro Gateway Cities Service Sector – Oral Report

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

X. REPORTS FROM COMMITTEES

A. Report from the Conservancy Committee

3 Min

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

B. Report from the I-710 EIR/EIS Project Committee – Oral Report

3 Min

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

C. Report from the SR-91/I-605/I-405 Corridor Cities Committee – Oral Report

3 Min

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

D. Report from the Transportation Committee – 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

A. Report on Port of Long Beach Harbor Tour

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, June 6, 2009, 9:00 a.m.

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 MEETING
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
April 1, 2009**

President Bayer called the meeting to order at 6:02 p.m.

PRESENT: President Anne M. Bayer, City of Downey
First Vice President Gordon Stefenhagen, City of Norwalk
Second Vice President Diane DuBois, City of Lakewood
Immediate Past President Elba Guerrero, City of Huntington Park
Member Larry R. Nelson, City of Artesia
Member George Mirabal, City of Bell
Member Raymond Dunton, City of Bellflower
Member Bruce Barrows, City of Cerritos
Member Lillie Dobson, City of Compton
Member Frank Gurule, City of Cudahy
Member Victor Farfan, City of Hawaiian Gardens
Member Stan Carroll, City of La Habra Heights
Member Pete Dames, City of La Mirada
Member Kathy Salazar, City of Montebello
Member Gene Daniels, City of Paramount
Member Gracie Gallegos, City of Pico Rivera
Member Betty Putnam, City of Santa Fe Springs
Member Edward H. J. Wilson, City of Signal Hill
Member Gil Hurtado, City of South Gate
Member Greg Nordbak, City of Whittier
Member Connie Sziebl, Office of Supervisor Don Knabe
Member Erica Jacquez-Santos, Office of Supervisor Gloria Molina
Member Dan Rosenfeld, Office of Supervisor Mark Ridley-Thomas

ABSENT: Member Bob Kennedy, City of Avalon
Member from the City of Bell Gardens
Member Joe Aguilar, City of Commerce
Member Patrick O'Donnell, City of Long Beach
Member from the City of Long Beach
Member Maria Teresa Santillan, City of Lynwood
Member Felipe Aguirre, City of Maywood
Member William Davis, City of Vernon
Member Richard Steinke, Ex Officio Member, Port of Long Beach
ALSO PRESENT: Bell Gardens Council Member Sergio Infanzon; Santa Fe

Springs City Manager Fred Latham; Signal Hill City Manager Ken Farfsing, Chair, City Managers Steering Committee; La Mirada Director of Public Works Steve Forster; Lakewood Director of Community Development Jack Gonsalves; Commerce Senior Administrative Analyst Fernando Mendoza; Long Beach Manager of Government Affairs Tom Modica; South Gate City Engineer Mohammad Mostahkami; Metro Deputy Executive Officer Ernest Morales; Metro Gateway Cities Service Sector General Manager Alex Clifford; Alex Kenefick, Watershed Coordinator, Los Angeles and San Gabriel Rivers Watershed Council; Derrick Alatorre, Senior Public Affairs Officer, SCAQMD; Kristine Guerrero, Public Affairs Manager, League of California Cities; Matt Horton, Regional Affairs Officer, SCAG; Yvette Kirrin, Executive Director/Authority Engineer, I-5 JPA; Jan Helleker, Vice President, Volvo; Joel Roberts, Chief Executive Officer, PATH Partners; Maggie Willis, Managing Partner, PATH Partners; Jennifer Chang, Managing Director, PATH Partners; Beverly Voran, Parsons Brinckerhoff; GCCCOG Executive Director Richard Powers; GCCCOG General Counsel Richard D. Jones; GCCCOG Deputy Executive Director Jack Joseph; GCCCOG Director of Regional Planning Nancy Pfeffer; GCCCOG Consultant Engineer Jerry Wood.

Roll was taken through self-introductions.

Member Nelson led the Pledge of Allegiance.

There were no amendments to the agenda.

There were no public comments made.

The Executive Director announced that Assembly Member Bonnie Lowenthal is carrying a bill on behalf of the COG which would help to establishing a truck inspection facility. He announced an invitation to attend the Fifteenth Annual California State University, Long Beach Economic Forecast Conference to be held on May 14, 2009.

President Bayer announced that Item E of the consent calendar would be voted on separately.

It was moved by Member Putnam, seconded by Member Daniels, to approve consent calendar items A through D as presented. The motion was approved unanimously.

The Executive Director presented an updated version of the proposed agreement for consulting services with Edington, Peel & Associates which contained some modifications recommended by the General Counsel. It was moved by Member Hurtado, seconded by Immediate Past President Guerrero, to approve the agreement with Edington, Peel & Associates with the modifications suggested by the General Counsel and to authorize staff to give the 30 day notice provided for in the current agreement with Government Relations Consultants. The motion was approved unanimously.

Santa Fe Springs City Manager Fred Latham introduced the item relating to the Gateway Cities Homeless Strategy. He summarized the background to the study which led to the award of a contract to PATH Partners to develop a strategy to address the issue of homelessness in the Gateway Cities subregion. He introduced the Executive Director of PATH Partners, Joel Roberts, and PATH Managing Partner Maggie Willis. Mr. Roberts gave a PowerPoint presentation summarizing the results of their study. Mr. Roberts explained the goals of the study to be to take an inventory of existing homeless services in the subregion, identify underserved regions and groups, engage community stakeholders, explore existing and new funding sources, and develop community education strategies. He concluded by listing eleven action items that are described in the final report.

Second Vice President DuBois asked if they looked at shelters for battered women or senior housing, and at who would pay for services. Mr. Latham responded that they have identified funding that is out there but is not applied for by our communities. In addition, he said, the County supervisors have committed to providing ongoing funding.

Member Nordbak asked if there had been 100% participation from the cities. Mr. Roberts replied that all but one city had participated.

Member Hurtado said he wondered if we focus on this issue will our region become a magnet. Mr. Latham responded that the County is addressing this issue with a separate mechanism, so we will not be alone. Mr. Roberts said if we concentrate only on housing units, it could become a magnet. He said that is why we focus on coordination of services and stakeholders for an integrated approach. Ms. Willis said that when you base your service on street outreach you focus on the people who are already there.

Member Dunton expressed concern about those that choose to remain on the streets, especially criminals. He said the court system dumps them back on the street. Member Sziebl assured the members that the County will not leave the subregion on its own.

It was moved by Member Hurtado, seconded by Member Wilson, to adopt Resolution No. 2009-01 and to refer the item back to the City Managers Steering Committee for recommendations regarding implementation:

RESOLUTION NO. 2009-01

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE GATEWAY CITIES COUNCIL OF GOVERNMENTS APPROVING THE GATEWAY CITIES HOMELESS STRATEGY

The motion was approved unanimously.

Gateway Cities COG Engineer Jerry Wood introduced Jan Hellaker, Vice President for Business Development and Government Programs, Volvo Technology, who gave a PowerPoint presentation regarding Truck Intelligent Transportation Systems developed by Volvo. Mr. Hellaker discussed the products created by Volvo for transportation

management, wireless roadside inspection concepts, and a pilot project in the Port of Gothenburg, Sweden.

Member Nordbak asked what it costs to install the system in a truck. Mr. Hellaker said the system comes already installed in the truck, but that the cost cannot be more than \$100 for it to work financially for a trucking firm.

It was the consensus of the Board to receive and file the report.

Signal Hill City Manager Ken Farfsing presented a report from the City Managers Steering Committee regarding a proposed amendment to Assembly Bill 139, which would amend the Los Angeles County Flood Control District Act dealing with storm water taxation and broaden the authority of the District to levy fees and charges for purposes of the District. AB 139 would set into motion a property owner "vote" by the County Board of Supervisors to levy a storm water fee. He said the managers had two major concerns: there is no mechanism in AB 139 to provide local return and there is no discussion of a city/county split, despite the fact that compliance with federal requirements will require both regional and local programs. Mr. Farfsing said the managers favored a 90/10 split, with 90% of the tax generated in their communities going to the cities and 10% to the County for administration and regional projects. In addition, the County would receive the 90% of taxes generated in the unincorporated areas.

Member Nordbak expressed concern that the proposed amendment to AB 139 specified a 90%/10% city/county split of generated funds. He said that Supervisor Molina had called and said that she supported language guaranteeing a share of funds for cities and that a specific funding proposal was going to be given to the City Managers at the Municipal Advisory Committee meeting on April 8th. It was suggested that the Board defer action until after the Municipal Advisory Committee meeting. Member Nordbak said he wanted to clarify the COG's position so that the City Managers would have room to negotiate.

Ken Farfsing responded that AB 139 is silent on two critical issues to cities: 1) there is no provision for a local return; and 2) there is no specific split between cities and the County. He said the amendment proposed by the City Managers Steering Committee is based on special flood control district legislation from ten years ago which pertained to a similar measure for the Contra Costa County Flood Protection District and the cities in Contra Costa County.

Mr. Farfsing said that AB 139 would provide the mechanism for a stormwater fee to be levied on all parcels in both the incorporated and unincorporated areas of the County Flood Control District. The proposed stormwater fee would be dedicated to pay for NPDES and TMDL requirements; without a "local return" cities would have to rely on general funds for stormwater compliance. Mr. Farfsing said the COG proposal would allocate 90% of the fee generated from each community to that community, with 10% retained by the District for administration and regional projects. The unincorporated areas would be treated as "cities" for purposes of the city/county split. He said the cities are concerned that they would not be able to adopt their own separate storm water fees if the County fee is passed first. He

also discussed several other reasons why there should be a local return, including the fact that local property owners will be asked to fund the fee. He said the recommendation of the City Managers Steering Committee is that the Board support an amendment to AB 139 to require a "local return" and a 90%/10% "split" of the storm water fee between the cities and the County.

Mr. Farfsing also indicated that the City Manager's Steering Committee has met with Mr. William Fujoika, County Executive Officer, on March 27th. Mr. Fujoika supported the local return, but it was unclear to the City Managers whether he supported the local return being called out for in AB 139. Also, Mr. Fujoika discussed "watershed" and "regional projects", but did not offer any specific "split" proposal to the City Managers. Mr. Fujoika will be attending the April 8th Municipal Advisory Committee meeting to present the County's proposal. Mr. Farfsing passed out copies of a letter sent to Mr. Fujoika after the meeting to outline the issues. This included the offer to discuss further the "watershed" use of fees.

Mr. Farfsing then explained the amount of funds that each community would generate using the current "residential" assessment that is being discussed.

Member Barrows said that if the County wanted the fee that they should take on the proportionate risk involved in NPDES and TMDL compliance for their share of the fee. He pointed out that some of the discharge into the watershed comes from Orange County cities.

Member Nordbak said that if the Board passes a motion based on a 90%/10% split, then Mr. Farfsing and the City Managers would have no room to negotiate. He said he wants to give Mr. Farfsing the ability to negotiate on the split at the meeting with the County on April 8th.

Mr. Farfsing said that we would like to see what the County puts on the table on April 8th. He said he would be surprised if there will be negotiations on the 8th, but would return to the COG with the proposal from the Municipal Advisory Committee meeting.

The Executive Director compared this process of negotiation to that relating to Measure R, where the Board took the position of opposition to Measure R unless equity was achieved in negotiations with the MTA regarding the return of funds.

Member Nordbak said he agreed that unless a local share is spelled out in the legislation that cities would not fare well.

Member Santos said that Supervisor Molina is very supportive of the cities on this issue and favors local return. She said she would like to table discussion until the results of the April 8th meeting are known.

Member Nordbak said that, with due respect to the Supervisor's position, he would not favor tabling this item.

Member Nelson inquired about Supervisor Knabe's position on this issue. Member Sziebl responded that Supervisor Knabe opposes the parcel tax and the legislation.

Member Santos said that Supervisor Molina believes a compromise can be reached at the April 8th meeting.

Member Barrows inquired as to the status of AB 139. Mr. Farfsing responded that the County staff was to have provided an update as of two weeks ago, and that they had not gotten back to him regarding the status.

Member Rosenfeld said that Supervisor Ridley-Thomas encouraged the COG to not take a hard and fast position. He felt that the monies might be better targeted to watershed or regional projects.

Mr. Farfsing replied that the "devil" was in the details and that many of the cities, including the City of Long Beach, are concerned that the watersheds may be too large and that sub-watersheds may be the way to assign the fees.

It was moved by Second Vice President DuBois, seconded by Immediate Past President Guerrero, to direct Ken Farfsing to meet with the County on April 8 and to negotiate a city/county split of funding that is in the best interest of the COG cities.

Member Carroll offered an amendment that Mr. Farfsing be directed to go into the meeting with a 90%/10% split.

Member Wilson asked about the purpose of the meeting of April 8th. Members Rosenfeld and Santos responded that the purpose of the meeting is to arrive at an agreement; otherwise the legislation wouldn't go forward.

Mr. Farfsing was asked to clarify what direction he needed. Mr. Farfsing responded that he needed direction in two areas; first, that local return be called out in the legislation; and second, that he be given parameters regarding the city/county split. He said he would return with the County's proposal from the April 8th meeting to the City Managers Steering Committee and to the Board.

Member Nordbak asked Member Carroll if he would agree that Mr. Farfsing could be given the flexibility to move from the 90%/10% split. Member Carroll said he would agree with that.

There being no further discussion, the motion made by Second Vice President DuBois and seconded by Immediate Past President Guerrero was approved, with Member Nelson opposed and Member Sziebl abstaining.

The Executive Director summarized the status of the consultant selection process for the Initial Strategy Assessment for the Gateway Cities Sustainable Community Strategy under California Senate Bill 375. He said that the California Air Resources Board (CARB) had

already convened a series of meetings of a Regional Targets Advisory Committee to advise CARB on how to assign greenhouse gas emission reduction targets to the various regions of the state. He said time is of the essence to retain a consultant to help the subregion devise a strategy in response to this activity at the state level, as well as the regional level at SCAG. Therefore, he recommended that the Board set a date for a special meeting of the Board to select a consultant rather than wait for the regular Board meeting in May.

Member Carroll expressed concern that responding consultants who also may be doing work at the state level would have a conflict of interest. Signal Hill City Manager Ken Farfsing responded that the subregion needs technical support to respond to the State and SCAG plans for greenhouse gas reductions and lasting greenhouse gas and transportation planning. Member Carroll asked if these would be the same consultants that would go forward with developing a sub regional plan if that ended up being the recommendation. Mr. Farfsing responded that it is possible that some could move forward with providing the plan if that is the direction that the COG chooses to go. Member Carroll said that he could see why SCAG would want the subregion to have its own plan. Mr. Farfsing said that we have to weigh the risk of not having our own plan.

It was the consensus of the Board to hold a special meeting at 4:00 p.m. on Thursday, April 23.

Matt Horton presented a report from SCAG. He said that nominations for next year's officers and stands on the state propositions on the May 19 ballot would be considered the next day by the SCAG Regional Council. He said the General Assembly would be distributed the city profiles project in May.

Kristine Guerrero presented a report from the League of California Cities. She thanked Signal Hill Councilman Larry Forester and City Manager Ken Farfsing for educating the League Board of Directors on AB 139. She said the League policy committees would be looking at the state propositions. She referred the Board to a flyer she distributed regarding upcoming best practices workshops.

There was no report from the California Contract Cities Association.

Yvette Kirrin presented a report from the I-5 JPA. She said the Carmenita interchange plans were nearly 100% complete. She said the project is still fully funded. She reported that plans for the portion of the freeway south of Carmenita are 40% complete at Alondra and 15% complete at Valley View. She said funds from Measure R should make the whole corridor fully funded. Finally, she reported that the EIR is moving forward on the segment north of I-605.

There was no report from the Orangeline Development Authority.

Derrick Alatorre presented a report from the South Coast Air Quality Management District. He said that a letter of denial had been issued on the Vernon power plant. He reported that SB 696 regarding the permit moratorium is being reintroduced.

Alex Clifford presented a report from the Metro Gateway Cities Service Sector. He said that the Sector Governance Council had approved the proposed service changes for June. He said a service providers workshop would be held the next week.

The Executive Director referred the Board to the report from the Coalition for America's Gateways and Trade Corridors in the agenda packet. He said that a report from the Coalition will be provided monthly as part of the agenda.

Member Wilson reported that there were now two vacancies on the Rivers and Mountains Conservancy Board due to the resignation of a member from Orange County and the loss of a San Gabriel Valley COG member's council seat in the recent election.

Jerry Wood presented a report from the I-710 EIR/EIS Project Committee. He said that the Project Committee would next be meeting on April 30 to select alternatives to go forward for further evaluation in the EIR/EIS process. He said the project has more air quality studies than any project like it before. He said alternative technology analysis had been completed and that the Technical Advisory Committee is leaning towards zero emission trucks, rather than a fixed guideway, as the preferred alternative technology.

Jerry Wood presented a report from the SR-91/I-605/I-405 Corridor Cities Committee. He said that Measure R included \$600 million for congestion relief projects in the corridors and that it is important to get the effort started on feasibility studies for potential projects.

Second Vice President DuBois presented a report from the Transportation Committee. She said that two new MTA directors had been appointed by the Mayor of Los Angeles and that the MTA Board had hired OCTA Executive Director Art Leahy as the new MTA Executive Director.

There were no matters from the Board of Directors.

President Bayer announced that the Port harbor tour scheduled for April 29 has been fully booked.

It was the consensus of the Board to adjourn to closed session at 8:23 p.m.

The Board returned from closed session at 8:28 p.m. The General Counsel announced that the Board had met in closed session to discuss potential litigation regarding the Gateway Cities Clean Air Program regarding trucks funded by the ports and that no action had been taken.

Adjournment: It was the consensus of the Board to adjourn the meeting at 8:29 p.m.

Respectfully submitted,

Richard Powers, Secretary

**MINUTES OF THE MEETING
OF THE SPECIAL 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
April 23, 2009**

President Bayer called the meeting to order at 4:09 p.m.

PRESENT: President Anne M. Bayer, City of Downey
First Vice President Gordon Stefenhagen, City of Norwalk
Second Vice President Diane DuBois, City of Lakewood
Immediate Past President Elba Guerrero, City of Huntington Park (Via telephone)
Member Raymond Dunton, City of Bellflower
Member Bruce Barrows, City of Cerritos (via telephone)
Member Joe Aguilar, City of Commerce (via telephone)
Member Frank Gurule, City of Cudahy
Member Victor Farfan, City of Hawaiian Gardens
Member Pete Dames, City of La Mirada
Member Kathy Salazar, City of Montebello
Member Gene Daniels, City of Paramount
Member Betty Putnam, City of Santa Fe Springs
Member Edward H. J. Wilson, City of Signal Hill
Member Gil Hurtado, City of South Gate
Member William Davis, City of Vernon
Member Erica Jacquez-Santos, Office of Supervisor Gloria Molina (via telephone)

ABSENT: Member Larry R. Nelson, City of Artesia
Member Bob Kennedy, City of Avalon
Member George Mirabal, City of Bell
Member from the City of Bell Gardens
Member Lillie Dobson, City of Compton
Member Stan Carroll, City of La Habra Heights
Member Patrick O'Donnell, City of Long Beach
Member from the City of Long Beach
Member Maria Teresa Santillan, City of Lynwood
Member Felipe Aguirre, City of Maywood
Member Gracie Gallegos, City of Pico Rivera
Member Greg Nordbak, City of Whittier
Member Kurt Pederson, Office of Supervisor Don Knabe
Member Ron Fisher, Office of Supervisor Mark Ridley-Thomas
Member Richard Steinke, Ex Officio Member, Port of Long Beach

ALSO PRESENT: Cudahy Councilman Josue Barrios; La Mirada Director of Public Works Steve Forster; La Mirada Director of Community Development Reuben Arceo; Bellflower Principal Planner Andrew Ho; Al Warot, Vice President, Willdan; GCCCOG Executive Director Richard Powers; GCCCOG Deputy Executive Director Jack Joseph; GCCCOG Director of Regional Planning Nancy Pfeffer.

Roll was taken by the Deputy Executive Director.

President Bayer led the Pledge of Allegiance.

There were no amendments to the agenda.

There were no public comments made.

The Executive Director introduced Director of Regional Planning Nancy Pfeffer, who described the steps taken to procure the services of a consultant to develop the Sustainable Community Strategy for the Gateway Cities relating to SB 375. She outlined the scope of services that the consultant will be performing and reported that a subcommittee of the Gateway Cities Planning Directors had recommended that the Board retain Willdan to perform the project.

Member Gurule asked whether the consultants would be coordinating with SCAG on the project. Ms. Pfeffer responded that they would because SCAG is ultimately responsible for the plan for the entire region. However, she said, the law allows sub-regions of SCAG to voluntarily do their own plans. Member Gurule asked if SCAG would have the last say so. Ms. Pfeffer responded that it would, but that this step would maximize the subregion's having its own say as to how the plan is finally constructed.

Second Vice President DuBois asked if the consultant team is ready to start immediately. Al Warot, Vice President, Willdan, said that they could begin immediately.

The Executive Director reported that \$60,000 had been received thus far from member cities for the \$100,000 project, but that the COG would advance the funds and be reimbursed as the funds come in.

It was moved by Member Hurtado, seconded by Member Daniels, to approve the award of a contract for consultant services to Willdan. The motion was approved unanimously.

Member Gurule introduced newly elected Cudahy Councilman Josue Barrios to the Board. Member Davis announced that Leonis Malburg had stepped down after 35 years as Mayor of Vernon and that Hilario Gonzalez was the new Mayor, and Mike McCormick was now Mayor Pro Tem.

Adjournment: It was the consensus of the Board to adjourn the meeting at 4:25 p.m.

Respectfully submitted,

Richard Powers, Secretary

VII. CONSENT CALENDAR
ITEM B
Approval of Warrant Register

**VII. CONSENT CALENDAR
ITEM C**

**March 2009 Local Agency Investment
Fund Statement**



Local Agency Investment Fund
P.O. Box 942809
Sacramento, CA 94209-0001
(916) 653-3001

www.treasurer.ca.gov/pmia-laif
April 29, 2009

GATEWAY CITIES COUNCIL OF GOVERNMENTS

PMIA Average Monthly Yields

TREASURER
16401 PARAMOUNT BOULEVARD
PARAMOUNT, CA 90723

Account Number: 40-19-045

Transactions

[Tran Type Definitions](#)

March 2009 Statement

Account Summary

Total Deposit:	0.00	Beginning Balance:	925,829.42
Total Withdrawal:	0.00	Ending Balance:	925,829.42

**VII. CONSENT CALENDAR
ITEM D**

**Termination Agreements and Release
Forms for Truckers Funded by the Port
of Los Angeles and the
Port of Long Beach**

TO: Board of Directors

FROM: Richard Powers, Executive Director

SUBJECT: Termination Agreements and Release Forms for Truckers funded by the Port of Los Angeles and the Port of Long Beach

Background

As the Board will recall, port truckers who had received grants under the port funded Gateway Cities Clean Air Program faced the serious dilemma of having contracts which bound them to call at the ports, while economic conditions, port gate fees, and progressive model year bans had imposed conditions which made it virtually impossible for a large number of them to remain in port drayage. In recognition of this situation, the Harbor Commissions of the Port of Los Angeles and the Port of Long Beach have authorized the COG to release the truckers from further obligations under those contracts. The two ports have approved the attached termination agreements that release the truckers from their contracts with the COG. The agreements were drawn up in consultation with the COG General Counsel's office and are approved as to form by the General Counsel. Because there were modest differences in the programs funded by the two ports, there are separate agreements for the releases by the Port of Los Angeles and the Port of Long Beach.

Additional Relief Granted by the Port of Long Beach

In addition to the general release, the Port of Long Beach Harbor Commission has approved a policy under which Gateway Cities truckers who had been funded under the COG's program will be exempted from the gate fees at the Port of Long Beach up until the point that the truck's model year will be subject to the ban. This exemption applies only to the Port of Long Beach, but it will be available to all Gateway Cities truckers regardless of which port funded their grant.

Recommended Action

Approve the Termination Agreement and Release for the Port of Los Angeles and the Termination Agreement and Release for the Port of Long Beach.

**VII. CONSENT CALENDAR
ITEM E
Quarterly SCAG Committees
Attendance Report**

TO: Board of Directors

FROM: Richard Powers, Executive Director

SUBJECT: Quarterly SCAG Committees Attendance Report

Background

The Board requested to have a quarterly attendance report provided to them based upon the Board's action adopted July 2, 2008. Attached are two of three attendance reports from Southern California Association of Governments for your information. The third report was not available.

Recommended Action

Receive and file reports.

VIII. REPORTS

ITEM A

**Presentation on AB 811, Energy
Efficiency – By Louis Kwiker, President
of
First Management Group**

TO: Board of Directors
FROM: Richard Powers, Executive Director
SUBJECT: Presentation on AB 811, Energy Efficiency

Background

As the COG is moving into the issue of sustainability through actions of SB375 there will be a series of presentations dealing with energy efficiency, concepts of reducing green house gas emissions, and other topics. In the same manner that the COG has provided a forum for emerging technologies in transportation we will be bringing to you concepts and innovations in sustainability programs.

Issue

A presentation will be made to you by the First Management Group addressing implementation concepts on energy efficiency resulting from AB 811.

Recommended Action

Receive and File

VIII. REPORTS
ITEM B

**Update on AB 139 – Special Storm Water
Fee Legislation**



GATEWAY CITIES
COUNCIL OF GOVERNMENTS

April 29, 2009

Mr. William T. Fujioka, Chief Administrative Officer
County of Los Angeles
500 West Temple Street
Los Angeles, CA 90012

Dear Mr. Fujioka:

Comments on the County's Proposed Fee Sharing Formula

This letter is sent as a follow-up to the discussion on the proposed amendments to AB-139 at the Municipal Advisory Committee (MAC) meeting of April 23rd. We appreciate the frank dialogue on the proposed storm water/ urban runoff fee at the meeting. The MAC discussed the fee proposal from the Gateway Cities Council of Governments (GCCOG) and the proposal from the Westside Cities Council of Governments (WCCOG). These proposals share a common ground, as well as differences. The following alternative proposal is forwarded to you and to the MAC members in order to bridge the differences such that we can reach consensus on this important matter.

We look forward to the next MAC meeting to discuss our alternative proposal. Our proposal is divided into four topic areas, summarized as follows:

Summary of the GCCOG Proposal for the Amendment to AB-139

- 1) "Situs" Collection & Disbursement of the Fee
- 2) 50% City Return/50% FCD Return
- 3) Treatment of County Areas as Cities
- 4) COG Review of FCD Projects

Situs Collection and Disbursement of the Fee

The GCCOG believes strongly that the proposed stormwater/urban runoff fee needs to be collected and disbursed on a "situs" basis, as is the case for property and sales taxes. We agree with the County Flood Control District (FCD) that the fee should be assessed based on the services provided to a property. We agree with the proposal to conduct a mailed out ballot, with the Board of Supervisor's conducting a protest hearing.

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As called out under existing law, the FCD will prepare an "Engineer's Report" to accompany the fee ordinance, which would explain and justify the property based fee to the electorate, both in how it the property based fee is assessed and to be generally disbursed.

The situs collection of the fee would remove any uncertainty with the collection and disbursement of the fee, since each city would know the total amount of fees collected from their community annually. The situs collection of the fee would also allow for the easy aggregation of the fee into sub regional groupings. We believe that the "situs" collection and disbursement of the fee needs to be codified in AB-139. This language is contained in our prior recommended amendment.

Local Return

The County and the Cities support a "local return" of a portion of the fee. The major question is how to divide the fee in an equitable manner. The GCCOG proposed a four-way split of the funds to the Regional Board, the County Flood Control District, the Cities and the COG. The WCCOG has proposed an equal two-way split of the fee between the FCD and the Cities. We support the WCCOG's proposal of the 50% County and 50% City sharing of the fees. We believe that the split percentages between the FCD and the Cities must be contained in the amendment to AB-139.

Treatment of the County Areas as Cities

We agree that for the purposes of the collection and disbursement of the local return, that the County Unincorporated areas should be treated as cities. This language was included in the GCCOG's prior amendment to AB-139.

FCD Return/ COG Review of FCD Projects

We are recommending that AB-139 be amended to require the return of 50% of the funds to the FCD for the District to design, construct and maintain sub-regional projects. These funds would be collected and disbursed to the sub-regions on the "situs" basis, just as is the local return funds. The GCCOG has consistently advocated for "sub-regional projects" due to the unworkable large size of many of the watersheds. For example, the Los Angeles River Watershed is over 838 square miles in area and is divided by the FCD into hundreds of smaller drainage areas. There are few examples of major "regional" projects on the FCD's project list dealing with these watersheds.

The majority of FCD projects will be designed for these small drainage or catchment areas. These catchment areas may cross over the boundaries of city and unincorporated County areas, making them sub-regional in nature. No comprehensive project list currently exists for these sub-regional projects, since the FCD and our communities need to engage in a planning process over the next several years to define

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and prioritize these projects. Local input in defining and prioritizing the sub-regional projects is critical to their success.

The critical nature of local input is seen in the MAC meeting discussions on whether the FCD would assume both the operational and NPDES Permit/TMDL liability for the FCD's projects and the County's example of installing trash inserts in catch basins as a "regional" project. The GCCOG does not expect that the FCD will take over the NPDES Permit/TMDL liability for FCD projects that benefit our cities. Each of our cities is regulated under NPDES Permits and the TMDL Program, this is one of the major arguments for the large size of the local return. The GCCOG believes that the FCD should install catch basin inserts into FCD catch basins with the FCD return funds, while the local return funds should be used by cities to install catch basin inserts into city catch basins. Maintenance costs should be based on the number of catch basins owned by each jurisdiction.

One of the GCCOG's major goals is to ensure that worthy projects receive funding. Our second goal is to ensure that the FCD funds collected in our sub-region are spent in our sub-region. The WCCOG appears to be proposing that FCD funds be spent on sub-regional projects as well. If this is the case, then we support this proposal.

Memorializing the concept of local review of a portion of the FCD projects should be agreed to now. We see no reason to defer this to later ordinance discussions or to develop separate Memorandums of Understanding at a later date. The GCCOG is proposing that AB-139 be amended to give the authority for individual COG Boards to elect to jointly review, with the FCD, the sub-regional projects. The COG Boards would have the ability to approve projects totaling 50% of the total of the sub-regional funds. Some COGs may choose to not exercise this option; however the Gateway Cities COG believes that our input in the sub-regional projects proposed by FCD will be critical to the success of the overall effort, including increasing the coordination and financing of local and sub-regional projects.

Status of AB-139

At the MAC meeting we requested that the County work with Assemblywomen Brownley to postpone the May 13, 2009 Local Government Committee hearing on AB-139. This deferral was requested for two reasons. First, both the GCCOG and WCCOG are requesting that amended language be placed into AB-139. This language has yet to be drafted and approved by the MAC. We do not believe sufficient time exists for the attorneys to develop this language. As explained, we have not taken an "oppose unless amended" position on AB-139 out of deference to both Assemblywoman Brownley and to the County. However, when the request for the deferment was raised at the MAC meeting, there was no indication that the County would postpone the hearing, so we must respectfully oppose AB-139 unless the County can postpone the committee hearing. We will be forwarding our suggested amendment language to you.

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We appreciate the consideration of our proposal. The GCCOG city managers pledge to work with you on the amendments to AB-139, such that the legislation can move forward and be supported by the GCCOG and its member cities.

Sincerely,



Kenneth C. Farfing
City Manager, City of Signal Hill and
Chair, City Managers Steering Committee
Gateway Cities Council of Governments

cc: GCCOG Board of Directors
MAC Members
Mr. Richard Powers, Executive Director
GCCOG City Managers

VIII. REPORTS
ITEM C
9th Annual Los Angeles River Ride

TO: Board of Directors
FROM: Richard Powers, Executive Director
SUBJECT: 9th Annual Los Angeles River Ride

Background

On Sunday, June 7th, 2009, the 9th Annual Los Angeles River Ride will take place, presented by the Los Angeles County Bicycle Coalition. As in past years, the route goes through several of the Gateway Cities. A member of the Coalition's board will brief the COG Board, recap past participation by Gateway Cities and review plans for this year's event.

Recommended Action

Receive and file presentation.

X. REPORTS FROM COMMITTEES
ITEM A
Conservancy Committee

TO: Board of Directors

FROM: Councilmember Patrick O'Donnell
Councilmember Edward Wilson

SUBJECT: San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy Update

Background

The San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy (RMC) was established by State Legislation in which the COG was an active participant. The Gateway Cities are represented on the RMC Board by two members listed above.

Issue

The Governor has announced the sale of state bonds, which along with federal stimulus money, will provide funding for a variety of projects including those funded by the RMC. Specifically, projects approved by the RMC Board before the funding freeze on December 17, 2008, will be restarted. The RMC Board will meet in May.

Recommended Action

Receive and file this report.

