

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

Wednesday, August 5, 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

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 July 1, 2009, are presented for approval. Approval receives and files the minutes of July 1st, Board of Directors meeting.
- B. Approval of Warrant Register - Request for Approval of Warrant Register Dated August 5, 2009
- C. June 2009 Local Agency Investment Fund Statement
- D. Status Report from Lobbyist - Edington, Peel & Associates
- E. Data Acquisition from the City of Los Angeles Relating to TMDL Initiative
- F. COG Support to Orangeline Development Authority
- G. Status Report on Port Trucker Program Releases
- H. 2010 United States Census – Partner Proclamation
- I. Authorization for Support for METRANS National Urban Freight Conference October 21-23, 2009, in Long Beach

CONSENT CALENDAR ACTION:
A MOTION TO APPROVE THE RECOMMENDATIONS FOR CONSENT CALENDAR ITEMS A THROUGH I.

VIII. REPORTS

- A. Goods Movement Video Presentation Produced by the Center for Trade and Transportation (CITT) at California State University Long Beach

10 Min

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

- B. National and Regional Economic Outlook– Presentation by Joseph Magaddino, Director, Department of Economics, California State University Long Beach

20 Min

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

C. SR-91/I-605/I-405 Feasibility Study Scope of Work

3 Min

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

D. Update on SB 375

3 Min

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

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

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

I. Conservation Corps Report – 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

1. Status Report on Measure R and MTA Long Range Transportation Plan

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, September 2, 2009, 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 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
July 1, 2009**

First Vice President Stefenhagen called the meeting to order at 6:05 p.m.

PRESENT: 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 Raymond Dunton, City of Bellflower
Member Sergio Infanzon, City of Bell Gardens
Member Bruce Barrows, City of Cerritos
Member Joe Aguilar, City of Commerce
Member Lillie Dobson, City of Compton
Member Victor Farfan, City of Hawaiian Gardens
Member Stan Carroll, City of La Habra Heights
Member Kathy Salazar, City of Montebello
Member Gene Daniels, City of Paramount
Member Bob Archuleta, 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 William Davis, City of Vernon
Member Connie Sziebl, Office of Supervisor Don Knabe
Member Gerry Hertzberg, Office of Supervisor Gloria Molina
Member Vincent Harris, Office of Supervisor Mark Ridley-Thomas

ABSENT: President Anne M. Bayer, City of Downey
Member Larry R. Nelson, City of Artesia
Member Bob Kennedy, City of Avalon
Member George Mirabal, City of Bell
Member Frank Gurule, City of Cudahy
Member Pete Dames, City of La Mirada
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 Greg Nordbak, City of Whittier
Member Richard Steinke, Ex Officio Member, Port of Long Beach
ALSO PRESENT: Signal Hill City Manager Ken Farfsing, Chair, City Managers

Steering Committee; Commerce City Manager Jorge Rifa; La Mirada Director of Public Works Steve Forster; Lakewood Director of Community Development Jack Gonsalves; Long Beach Government Affairs Manager Tom Modica; South Gate City Engineer Mohammad Mostahkami; Erica Jacquez-Santos, Office of Supervisor Gloria Molina; Luis Marquez, Senior Deputy, Office of Senator Alan Lowenthal; MTA Executive Officer Brad McAllester; MTA Deputy Executive Officer David Yale; MTA Deputy Executive Officer Ernest Morales; MTA Community Relations Manager David Hershenson; SCAQMD Deputy Executive Officer Mohsen Nazemi; SCAQMD Senior Public Affairs Officer Derrick Alatorre; SCAQMD Public Advisor Pom Pom Ganguli; I-5 JPA Executive Director/Authority Engineer Yvette Kirrin; SCAG Regional Affairs Officer Matt Horton; League of California Cities Public Affairs Manager Kristine Guerrero; Conservation Corps of Long Beach Board Chair Glenn Ray; Conservation Corps of Long Beach Executive Director/CEO Mike Bassett; Frank Osgood, Author, Region Aroused; GCCCOG Executive Director Richard Powers; GCCCOG Deputy General Counsel Ivy Tsai; 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 Davis led the Pledge of Allegiance.

There were no amendments to the agenda.

There were no public comments made.

The Executive Director directed the Board to the notice of the upcoming meeting of the SB 375 Regional Targets Advisory Committee to be held in Los Angeles.

It was moved by Member Sziebl, seconded by Member Dunton, to approve the consent calendar as presented. The motion was approved unanimously.

MTA Deputy Executive Officer David Yale gave a PowerPoint presentation regarding the MTA's Long Range Transportation Plan (L RTP). He reviewed the planned transit and highway projects contained within the L RTP and discussed the revised Measure R projections and assumptions.

Member Wilson said that he had three questions regarding the L RTP: whether it is too early to talk about changing Measure R; how the COG will be able to provide input; and when the next revision to the forecast of sales tax revenues be prepared. Mr. Yale responded that COGs are an important part of the process and that the outreach effort is starting today. With regard to changes in Measure R, he said that if they are to implement projects wisely, there has to be some flexibility. For example, some projects may be underfunded. He said fiscal year 09-10 receipts are now projected to be 6% lower than originally estimated. He said another 5% decline is being forecasted. Mr. Yale said the L RTP assumes a recovery in 2012, but not to the level that existed before. He said the assumption is for a 3% decline

over the life of the plan. He said they anticipated getting a forecast from UCLA over the summer.

Member Hurtado asked who makes the decisions on what projects will be fully funded. Mr. Yale responded that, ultimately, the MTA Board of Directors makes the decisions. Member Hurtado said that cities supported Measure R on the condition that our projects received equitable funding.

COG Engineer Jerry Wood said that we will set standards for our subregion based on our own projects such as the I-710 early action projects, the SR-91/I-605 "hot spots", and the I-5 project. MTA Executive Officer Brad McAllester said that they would be looking to the COG for advice.

Second Vice President DuBois referred the Board to the motion passed recently by the MTA Board of Directors that said that the MTA Board should only adopt the LRTP after completing a process that provides full transparency, public input, and subregional discussion. She said the motion was based on their concern that highway funding was not at an appropriate level. She called the Board's attention to the upcoming Measure R workshop on July 16th.

It was moved by Member Hurtado, seconded by Member Davis, to receive and file the report. The motion was approved unanimously.

The Executive Director said that we have challenged MTA from the beginning that there has been a bias against highway projects and goods movement. He said the branding of MTA as "Metro" is indicative of the bias towards transit. Mr. Yale responded that these are very fair comments regarding the highway side of the LRTP.

Mohsen Nazemi, Deputy Executive Officer for the South Coast Air Quality Management District, gave a PowerPoint presentation on SB 696 regarding the moratorium on new AQMD permits for development projects. He said that, because of lawsuits against the District, the AQMD has not been able to use its bank of offset credits and that without those credits no essential public service projects can be permitted and no other local government and business permits can be issued. He said the only current option for businesses is to purchase Emission Reduction Credits (ERCs), which are very expensive. He said the solution is for the legislature to pass SB 696, which would allow the AQMD to resume permitting and would establish a baseline offset "operating account" that is exempt from CEQA to service immediate needs. He said under SB 696 power plants would have to pay a mitigation fee to the AQMD that the District will use to mitigate emissions in the immediate area.

Member Hertzberg said that the Board of Supervisors had taken a position to oppose SB 696 unless it is amended. He said there are two issues: 1) what happens to all the good public and small business projects that can't go forward because of the moratorium; and 2) the problem in the bill in that it exempts from CEQA the AQMD rulemaking process. He said the bill as it now stands will not pass unless it is amended to require the CEQA

process for power plants.

Member Wilson said his concern is that his city's fire station is being held up without this bill. He said they also have a police station that needs to be replaced. He said these projects are being held up because of this issue.

Member Hertzberg said this is an issue that is still subject to litigation.

Member Sziebl said that Supervisor Knabe is on record as supporting the bill.

Member Harris said that Supervisor Ridley-Thomas supports separating the power plant issue. He said he agrees with Member Hertzberg's assessment that the legislature is loathe to use the legislative process to shortcut matters that are in litigation.

Member Daniels said that it appears that small businesses are being held hostage in order to get the power plant issue through. He said he supports separating that out.

Mr. Nazemi said in early 2000 we did the same thing during the power plant crisis, and older, dirtier, less efficient power plants went offline.

Commerce City Manager Jorge Rifa said that his city agrees with the environmental community in opposition to this bill. He said they were being held hostage unnecessarily to power plants. He said he supports separating out the power plants.

It was moved by Member Archuleta, seconded by Member Davis, to support SB 696.

It was moved by Member Hertzberg, seconded by Member Harris, as a substitute motion, to support SB 696 if amended to deal exclusively with lifting the moratorium for essential public services and small businesses and bifurcate this issue from any power plant exemption.

ROLL CALL

AYES: Member Infanzon, Member Aguilar, Member Dobson, Member Farfan, Member Salazar, Member Daniels, Member Putnam, Member Wilson, Member Hertzberg, Member Harris, and Immediate Past President Guerrero.

NOES: Member Dunton, Member Barrows, Member Carroll, Member Archuleta, Member Hurtado, Member Davis, Member Sziebl, Second Vice President DuBois, and First Vice President Stefenhagen.

ABSTAIN: None.

ABSENT: Member Nelson, Member Kennedy, Member Mirabal, Member Gurule, Member Dames, Member O'Donnell, Member from the City of Long Beach, Member Santillan, Member Aguirre, Member Nordbak, and President Bayer.

The substitute motion was approved.

Signal Hill City Manager Ken Farfsing presented a staff report recommending that the Board approve a Memorandum of Agreement for TMDL Jurisdictional Reach One to develop a TMDL Implementation Plan for the Los Angeles River. He said this group includes the cities of Compton, Huntington Park, Long Beach, Lynwood, Signal Hill, South Gate, and Vernon, and parts of the cities of Carson and Los Angeles and unincorporated County areas.

It was moved by Member Barrows, seconded by Member Hurtado, to approve the Memorandum of Agreement. The motion was approved unanimously.

Mr. Farfsing presented a staff report recommending support for SB 346, which is TMDL related and provides for the phase out of copper in brake pads.

It was moved by Member Barrows, seconded by Second Vice President DuBois, to send letters of support for SB 346. The motion was approved unanimously.

The Deputy Executive Director presented the proposed Fiscal Year 2009-10 Budget.

It was moved by Member Barrows, seconded by Member Dunton, to adopt Resolution No. 2009-02:

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE GATEWAY CITIES COUNCIL OF GOVERNMENTS APPROVING AND ADOPTING THE 2009-2010 ANNUAL BUDGET OF THE GATEWAY CITIES COUNCIL OF GOVERNMENTS

The motion was approved unanimously.

Matt Horton gave a summary presentation of recent activities at SCAG.

Kristine Guerrero presented a report from the League of California Cities. She said there is no State budget yet and that the legislature is starting to move towards Proposition 1A borrowing. She said the League is strongly opposed to that and the gas tax and redevelopment agency takes. She encouraged cities to contact their legislators to oppose these takes.

There was no report from the California Contract Cities Association.

Yvette Kirrin presented a report from the I-5 JPA. She said that construction is still set for November 2010 for the Carmenita Road intersection, as well as for Alondra Blvd. She said construction should begin 6 months later on Valley View Ave.

There was no report from the Orangeline Development Authority.

Derrick Alatorre presented a report from the South Coast Air Quality Management District. He announced an upcoming conference at USC regarding air quality impacts on communities. He informed the Board about a matching grant program for native tree planting. It was moved by Member Daniels, seconded by Member Davis, to receive and file the report. The motion was approved unanimously.

There was no report from the Metro Gateway Cities Service Sector.

COG Director of Regional Planning Nancy Pfeffer referred the Board to a handout on activities of the Coalition for America's Gateways and Trade Corridors.

There was no report from the Conservancy Committee.

Jerry Wood presented a report from the I-710 EIR/EIS Project Committee. He said that traffic modeling, geometric, and other studies are underway. He said the community advisory groups continue to meet. He announced that there would be no meeting of the Project Committee on July 30th.

Jerry Wood presented a report from the SR-91/I-605/I-405 Corridor Cities Committee. He said that is important to pursue Measure R funding for the corridor "hot spots" projects.

It was moved by Member Hurtado, seconded by Member Davis, to receive and file the I-710 EIR/EIS Project Committee and SR-91/I-605/I-405 Corridor Cities Committee reports. The motion was approved unanimously.

Second Vice President DuBois presented a report from the Transportation Committee. She referred the Board to a letter opposing H.R. 1799, which would allow states to increase the weight of trucks on Interstate highways within their states. Member Wilson suggested amending the letter to add language stating that the added weight will further erode the condition of streets. It was moved by Member Hurtado, seconded by Member Salazar, to send letters opposing H.R. 1799, with the additional language suggested by Member Wilson. The motion was approved unanimously. Member Barrows asked that copies of the letters be sent to other COGs.

Member Hurtado announced two upcoming anti-cancer events to be held in South Gate in July.

There were no matters from the President.

The Deputy General Counsel announced that now was the time for election of officers for 2009-10. She asked for nominations for the office of President. Member Daniels nominated First Vice President Stefenhagen for President. It was moved by Member Wilson, seconded by Member Barrows, to close nominations and elect First Vice President Stefenhagen as President. The motion was approved unanimously.

Second Vice President DuBois thanked the Board for the opportunity to serve as Second

Vice President, but said that she would not be seeking the office of First Vice President because of her other duties. Second Vice President DuBois nominated Member Hurtado for First Vice President. It was moved by Second Vice President DuBois, seconded by Member Barrows, to close nominations and elect Member Hurtado as First Vice President. The motion was approved unanimously.

Member Sziebl nominated Member Dunton for Second Vice President. It was moved by Member DuBois, seconded by Member Sziebl, to close nominations and elect Member Dunton as Second Vice President. The motion was approved unanimously.

It was moved by Member DuBois, seconded by First Vice President Hurtado, to elect former President Bayer as Immediate Past President. The motion was approved unanimously.

President Stefenhagen asked for self-nominations to the eight open seats on the Executive Committee. It was moved by Member DuBois, seconded by First Vice President Hurtado, to elect the cities of Artesia, Cerritos, Huntington Park, Lakewood, Montebello, Paramount, Santa Fe Springs, and Signal Hill to the Executive Committee. The motion was approved unanimously.

Adjournment: It was moved by First Vice President Hurtado to adjourn. It was the consensus of the Board to adjourn the meeting at 8:12 p.m.

Respectfully submitted,

Richard Powers, Secretary

VII. CONSENT CALENDAR
ITEM B
Approval of Warrant Register

**VII. CONSENT CALENDAR
ITEM C
June 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

July 27, 2009

[PMIA Average Monthly Yields](#)

Account Number:

| | |
|---------------------------|----------------------|
| GATEWAY CITIES COUNCIL OF | <input type="text"/> |
| TREASURER | <input type="text"/> |
| 16401 PARAMOUNT BOULEVA | <input type="text"/> |

Transactions

[Tran Type Definitions](#)

June 2009 Statement

Account Summary

| | | | |
|-------------------|-----------------------------------|--------------------|---|
| Total Deposit: | <input type="text" value="0.00"/> | Beginning Balance: | <input type="text" value="1,130,517.05"/> |
| Total Withdrawal: | <input type="text" value="0.00"/> | Ending Balance: | <input type="text" value="1,130,517.05"/> |

**VII. CONSENT CALENDAR
ITEM D**

**Status Report From Lobbyist – Edington,
Peel & Associates**

Monthly Report by Jim Dykstra to Gateway Cities COG
July 28, 2009

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

*I continued close coordination with Gateway Cities COG staff regarding efforts on behalf of the Gateway Cities COG's priorities and interests in the 111th Congress. I also continued to coordinate with the staff of the I-5 Joint Powers Authority on the I-5 widening initiative, the COG's number one priority.

*I coordinated with the office of Rep. Grace Napolitano in providing participation by representatives of the Gateway Cities COG and the I-5 JPA in a meeting she and Rep. Roybal-Allard had with US Department of Transportation Secretary Ray LaHood in Los Angeles on July 3. In addition, I attended a Center for National Policy luncheon at which Secretary LaHood spoke on July 15.

*Efforts focused to a significant degree on follow up regarding the requests submitted by the Gateway Cities COG to elected Representatives in the House of Representatives for the Transportation Reauthorization Act. COG staff and I worked closely together in preparation and submittal of the forms to Senators Feinstein and Boxer after the Senate Environment and Public Works Committee, chaired by Sen. Boxer, set a deadline of July 22 for project submissions. High Priority Program request forms were earlier submitted to Representatives Lucille Roybal-Allard, Linda Sanchez, Grace Napolitano (a member of the Transportation and Infrastructure Committee), Laura Richardson (who also serves on the Transportation Committee), and Dana Rohrabacher. I confirmed that all Members submitted Gateway Cities requests to the committee and provided that information to COG staff.

*I continued to keep the Gateway Cities COG informed of the status of the Transportation Reauthorization Act. Despite the requests for High Priority Program submittals by both Senate and House committees, and despite the strong desire of House Transportation and Infrastructure Committee Chairman James Oberstar to have a bill prior to the expiration of the current law on September 30, it appears likely that there will be an 18 month extension, as desired by the Administration and supported by Chairwoman Boxer.

*I also continued to monitor the Fiscal Year 2010 Appropriations process. These efforts included follow up regarding the request submitted by the Gateway Cities COG and the I-5 JPA to Reps. Roybal-Allard and Napolitano and Sens. Feinstein and Boxer for funding in the FY10 Transportation appropriations bill for the I-5 widening project.

*I participated on Gateway Cities' behalf in conference calls of the Coalition for America's Gateways and Trade Corridors regarding the surface transportation reauthorization bill. In addition, I provided to COG staff information I received regarding the bill and efforts to

include provisions of interest to the COG and other CAGTC members.

*I coordinated with Gateway Cities COG as it raised concerns with congressional offices and the Los Angeles County Metropolitan Transportation Authority regarding the MTA's Long Range Transportation Plan as it relates to highway program funding.

*I spoke with staff of Rep. Dana Rohrabacher regarding the Avalon ferry and interest in securing legislative language.

*I attended a California Institute luncheon briefing July 27 on developments in clean diesel technology in California. Speakers included former California Secretary of Natural Resources Douglas Wheeler, who gave an overview of diesel developments in California; Allen Schaeffer, executive director of the Diesel Technology Forum, who spoke on clean diesel technology, what it is and how it has changed; and Eric Prince, director of government relations for Cummins, Inc., who spoke on federal policy initiatives and diesel technology.

*I have also continued discussions and email exchanges with staff of Reps. Napolitano, Richardson, Rohrabacher, and Roybal-Allard, as well as other key congressional staff, regarding legislative priorities for the Gateway Cities COG.

*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 pertinent to the project and 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.

**VII. CONSENT CALENDAR
ITEM E**

Data Acquisition from the City of Los Angeles Relating to the TMDL Initiative

TO: Board of Directors

FROM: Richard Powers, Executive Director

BY: Ken Farfsing, Chair, City Managers Steering Committee

SUBJECT: Data Acquisition from the City of Los Angeles Relating to the TMDL Initiative

Background

The Board of Directors approved an agreement with eight cities for the preparation of the Coordinated Implementation Plan for the Los Angeles River Metals Total Daily Maximum Load (TMDL) on July 1, 2009. Under the agreement, the GCCOG will bill the cities for the costs of preparing the TMDL's required Implementation Plan. The agreement includes the payment of the GCCOG's administrative costs and the costs of the planning consultant who will prepare the implementation plan. This supplemental agreement is related to the purchase of data and mapping from the City of Los Angeles, which is required to complete the Implementation Plan.

As outlined in the July 1st Board memo, the County of Los Angeles withdrew its offer to provide implementation plan support services to the cities, which has effectively stranded the cities with little time to prepare an implementation plan. The City of Los Angeles decided based upon the County's action that it has sufficiently sized areas in the watershed to prepare its own implementation plan. They have contracted with CDM, a planning and engineering firm, to prepare this plan. This results in eight cities and Caltrans being obligated to prepare their own implementation plan for Jurisdictional Group 1, which generally includes the Compton Creek watershed and the lower portion of the Los Angeles River.

The Technical Committee for the Cities and Caltrans worked with the City of Los Angeles and CDM to determine the data that is appropriate to include in the Jurisdictional Group #1 Implementation Plan. This data is found in a Technical Memorandum 1 (TMD1) prepared by CDM for the City of Los Angeles and includes the information necessary to characterize runoff and drainage systems conditions in the Jurisdictional Group 1 area. The purchase includes summary data for maps of topography, hydrologic connectivity, drainage areas, subcatchment areas, rainfall, land use and impervious area, soil types, parcel data, depth to groundwater, liquefaction and landslide zones, and environmentally sensitive areas. The City of Los Angeles is charging based on a "pro-rata" share of the data collection, prior to the County pulling out the project.

Data Product License Memorandum of Agreement

The City of Los Angeles is requesting that the GCCOG enter into a data purchase agreement, which would establish the nature of data purchased, as well as the terms and use of the data by implementation planning consultant and the GCCOG. The GCCOG would be purchasing all final data, graphs, figures, spread sheets used by CDM to prepare their Technical Memorandum to the City of Los Angeles. This includes all ancillary data published, printed or electronic, produced the City, including GIS information. The Cities have yet to select an implementation planning consultant and the consultant's contract will reflect the terms of this MOA towards the scope and use of the data.

Attachment

Proposed Data Product License Memorandum of Agreement

Recommended Action

Approve the Memorandum of Agreement substantially in the form attached, subject to revisions by the GCCOG General Counsel and authorize the GCCOG Board President to execute.

License No. 09-001

DATA PRODUCT LICENSE MEMORANDUM OF AGREEMENT

The City of Los Angeles, a municipal corporation having offices at 1149 S. Broadway, 10th floor Los Angeles, CA 90014, acting by and through its Department of Public Works, Bureau of Sanitation, Watershed Protection Division (hereinafter referred to as "CITY") desires to grant to the Richard Watson and Associates, a corporation having offices at 21922 Viso Lane Mission Viejo, CA 92691, a consultant to the City of Signal Hill and acting as the data custodian for a group of Jurisdiction 1 cities/agencies (Signal Hill, Long Beach, Compton, Carson, South Gate, Vernon, Huntington Park, Caltrans, and Lynwood) party to the Los Angeles River Metals Total Maximum Daily Load (TMDL) regulations, a nonexclusive license to use the data products in accordance with the terms and conditions set forth in this Agreement:

Section 1. DEFINITIONS

A. "Data Product" shall mean all final data, graphs, figures, spreadsheets and products thereof used for the formulation of the Technical Memorandum 1 (TM 1) of the Los Angeles River Metals TMDL Implementation Plan as well as the document TM 1 itself. It shall also include all ancillary products, either published, printed or electronic, produced by the CITY in the operation of the its Geographic Information System database to support the TM 1. These shall include specific applications of a tabular, text, CAD or graphic nature, as well as linkages to legacy or current applications. These shall include software application programs, menus, and macros.

B. "LICENSEE" shall mean the specifically defined unit of the public or private corporation identified above which has contracted with CITY under this Agreement for the nonexclusive use of the Data Product.

C. "License Agreement" ("Agreement") shall mean this written document, which all LICENSEES of the Data Product shall sign prior to receiving copies of the Data Product, either in whole or in part.

D. "Derivatives" shall mean all works created by LICENSEE, which are based upon and incorporated into all or part of the Data Product, including, but not limited to, a revision, modification, translation, abridgement, condensation, expansion, collection, compilation or any other form of or based on the Data Product. There shall be two categories of derivatives.

1. "Proprietary Derivatives" shall mean any work created by the LICENSEE wherein LICENSEE incorporates any of its own proprietary information, exclusive of subparagraph 2 below which for business reasons cannot be supplied to the CITY for addition to the Data Product.
2. "General Derivatives" shall mean any nonproprietary work created by the LICENSEE, which represents construction or other work, which pertains to installations in the public right of way, or alters the public infrastructure in the City of Los Angeles in such a way as to require changes to the Data Product to maintain its accuracy. All errors to the Data Product corrected by the LICENSEE are deemed to be proprietary to the CITY.

E. "Payment" shall mean cash, money order, cashier's check, or check rendered and cleared in advance of the effective date of the Agreement. The Agreement shall be null and void until such date as payment is received. The purpose of this provision is to minimize the necessity for collection proceedings.

F. "Effective Date" of the Agreement shall mean the date CITY signs the Agreement. CITY shall not be required to deliver any material defined in this Agreement until full payment is rendered whereby LICENSEE obtains the right to use the Data Product.

G. "Nonexclusive" shall mean that the CITY reserves the right to provide simultaneous and equal access to any or all of the data products to multiple clients.

H. "User" shall mean the client of the LICENSEE.

I. "Subscription" or "Subscriber" shall mean a LICENSEE who maintains an annual licensing agreement for the data products.

J. "Interactive Subscription or Subscriber" shall mean a LICENSEE who maintains an ongoing relationship with CITY and deposits data into the City system.

K. "Update" shall mean new, changed or additional information added to the Data Product, new Products or application programs which come on line after the original purchase by the LICENSEE.

L. "Basic Electronic Public Records" shall mean public records electronically maintained in the form kept by CITY for its use.

M. "Value Added Electronic Public Records" shall mean services performed by staff of the CITY to electronically manipulate Basic Electronic Public

Records in order to tailor the data output to the LICENSEE's specifications. This output may include, but is not limited to: faxes, hard copies, plotted maps, on line access or electronic media methods.

N. "Cost Schedule" shall mean the current price list of the CITY for providing Basic and Value Added Electronic Data.

O. "Owner" CITY is the owner of the data.

P. "Access to Data" shall mean any of the methods normally maintained by CITY. As of the date of this agreement, such methods include on line access and media.

Q. "Media" shall mean that media which CITY normally utilizes for hard copy or electronic products. As of the date of this agreement, the media are:

1. Hard Copy: paper
2. Electronic: CD-ROM or DVD-ROM

To avoid contamination by virus, CITY shall provide all media, for which it shall charge only its cost, to be added to the total bill for services.

R. "License Fee" shall mean the amount of money paid to CITY to reimburse its costs in maintaining the GIS system and providing any services specified by the LICENSEE under the terms of this License Agreement.

S. "Agent" shall mean any consultants, contractors or subcontractors under contract to the LICENSEE to perform mapping services for LICENSEE utilizing the CITY's Data Product. The Agent shall be bound by all conditions of this contract.

Section 2. TERMS

THIS AGREEMENT SHALL BE NULL AND VOID UNLESS AND UNTIL LICENSEE HAS SIGNED AND DELIVERED THIS AGREEMENT TO CITY. THIS AGREEMENT SHALL NOT BE EFFECTIVE UNTIL PAYMENT IN FULL IS DELIVERED TO THE CITY.

Section 3. GRANT OF RIGHTS

A. Basic Rights

1. CITY is the owner of the Data Product; CITY hereby grants and LICENSEE hereby accepts, subject to the terms and conditions of the Agreement, a nonexclusive, nontransferable, and nonassignable license to use the Data Product

from the Effective Date hereof until expiration or termination of this Agreement as set forth herein. This is not an agreement for sale.

2. Nothing in this license shall grant the LICENSEE the right to resell, loan, rent, lease or sublease, donate, use or share the Data Product in support of any TMDL Implementation Plan other than the TMDL Implementation Plan for Jurisdiction 1.
3. LICENSEE may create Derivative Products (Derivatives). LICENSEE shall be entitled to use the Derivatives for its own purposes only, except that General Derivatives as defined in this agreement shall be given to CITY.
4. LICENSEE may not utilize the Data Product with any service bureau or time-sharing system.
5. LICENSEE shall be exclusively responsible for the supervision and control of its use of the Data Product.
6. LICENSEE shall also be entitled to make backup copies of the Data Product for legitimate archival purposes only.

B. Subset Rights

1. LICENSEE understands that the CITY may, from time to time, incorporate the use of other proprietary software and operating systems into its Data Product by legitimate means and user licenses. Incorporation of said products may occur after the Effective Date of this Agreement. In no case are user rights to these proprietary products transferred by means of this Agreement.
2. LICENSEE is responsible for obtaining and maintaining all legal user rights to operating systems by appropriate agreement with the holders of those copyrights.

C. Ungranted Rights

1. CITY retains all rights not expressly granted in this agreement. Nothing in this agreement constitutes a waiver of CITY's rights under U.S. Copyright laws or any other federal, state or local laws.

Section 4. DELIVERY

CITY shall deliver the Data Product to LICENSEE in one of CITY'S standard media. If LICENSEE has special delivery and/or format requirements, a predetermined service charge will be included in the price of the initial delivery and all subsequent deliveries to which the special requirements apply. The Data Product shall be delivered to LICENSEE within thirty (30) days of the Effective Date hereof. In respect of any User hereunder,

LICENSEE shall be solely responsible for any delivery of the Data Product, or any portion thereof, to any User.

Section 5. MAINTENANCE, UPDATES AND MODIFICATIONS

The CITY maintains the Data Product and all appurtenant records for its own convenience, utilizing such software programs and modifications as suits the conduct of its business. From time to time, CITY may make modifications of the factual records and/or the operating system.

A. A LICENSEE purchasing a single event usage of the Data Product is entitled only to such information resident in the Data Product as of the date of purchase. Rights under this license do not include updates.

B. A LICENSEE purchasing multiple event usages acknowledges that information received subsequent to the initial purchase may contain new or changed information and formatting. All subsequent purchases shall include such updates as may have been made.

C. A LICENSEE purchasing a maintenance, subscription or interactive subscription shall be entitled to use modifications to the Data Product provided by CITY to LICENSEE as part of CITY's ongoing maintenance of the Data Product.

D. LICENSEE may, from time to time, request that CITY incorporate certain features, enhancements or modifications into the Data Product. CITY may, in its sole discretion, undertake to incorporate such changes and distribute the Data Product, as modified, to all or any of CITY's licensees. Unless otherwise specified by CITY, such modifications and material automatically shall be deemed included within the definition of the term Data Product and subject to the terms and conditions of this Agreement and shall be the sole property of CITY. LICENSEE acknowledges and agrees that such modifications shall henceforth be considered a part of the public record.

E. CITY shall be under no obligation to make modifications that may be required for LICENSEE'S specific needs but may agree to make modifications for consideration of a payment for Value Added Electronic Public Records.

F. LICENSEE agrees to notify CITY in writing of any errors found in the Data Product and to provide CITY with a copy of any corrections LICENSEE has made.

G. General Derivatives submitted by LICENSEE to CITY for purposes of updating CITY's Data Product shall be deemed to reside in the public domain and be useable by the CITY as any other part of its Data Product. As a public domain database, City may not refuse to share it upon demand, however, said sharing would be governed by all conditions of this agreement.

Section 6. SCOPE OF WORK, CHARGES AND PAYMENTS

A. Scope of Work

The City of Los Angeles will provide the Data Product to Jurisdiction 1 cities/agencies to help with formulating their LA River Metals TMDL Jurisdictional Implementation Plans.

B. Charges

In consideration of the license rights granted in Section 3 above, LICENSEE agrees to pay CITY as a License Fee, the following amounts as determined by the percentage of the land area of the participating cities of Jurisdiction 1 of the LA River watershed times the City's cost for this work product (\$280,000) for a cost of \$16,000.

Section 7. PROTECTION OF DATA PRODUCT

A. Proprietary Notices

1. CITY claims and reserves all ownership and rights afforded at law and in equity in all software, computer programs, compilations, and materials that constitute the Data Product and its products, including, but not limited to, under federal copyright law.

2. LICENSEE agrees to respect and not to remove, obliterate, or cancel from view any copyright, trademark, confidentiality, or other proprietary notice, mark, or legend appearing on the Data Product or on the Visual Output, including, but not limited to, any such notices displayed to the user during the operation of the Data Product and any such notices in the Documentation, and agrees to reproduce and include the same on each Data Product or any portion thereof. All maps and printouts shall bear the following notice:

"Reproduced with permission granted by City of Los Angeles, Bureau of Engineering© (edition date)(City seal)."

This section also applies to all work produced for demonstration purposes at trade shows, conventions and demonstrations by any Agent of CITY. CITY may seek damages for violation of Copyright Law under Section 8 C 2 of this Agreement in each instance of disregard of this requirement.

B. Ownership

1. LICENSEE further acknowledges that the Data Product in any form provided by CITY or made by LICENSEE and any copies thereof, including, without limitation, all portions of the Products that are copied from or based on the Data Product, are the sole property of CITY.

2. LICENSEE shall not have any right, title, or interest to said portions of the Data Product or any copies of any of the foregoing except as expressly provided in this Agreement, and further shall secure and protect the Data Product consistent with maintenance of CITY's proprietary rights therein.

3. All copyrights associated with the Data and all other rights thereto not specifically granted to the LICENSEE in this Agreement are reserved by CITY. Nothing contained in this Agreement shall be construed as conferring any license or right with respect to any trademark, trade name, brand name, or the corporate name of CITY.

4. It is agreed that Proprietary Derivatives shall be owned by the LICENSEE and that General Derivatives shall be owned by the CITY, except that any LICENSEE acting as an Agent for the CITY shall not claim any Proprietary Derivatives. All Derivatives created with public funds, under any contract or agreement, shall be considered General Derivatives and as such are the property of the City. Copies of such product are to be provided to the agency or department funding the Agent's work program, and a copy must be given by the Agent to the Bureau of Sanitation which maintains the master database. All errors to the Data Product corrected by the LICENSEE are deemed to be proprietary to the CITY.

Section 8. CONFIDENTIALITY AND INJUNCTIVE RELIEF

A. Acknowledgment

1. LICENSEE hereby acknowledges and agrees that the Data Product is a valuable proprietary product, embodying substantial creative efforts, trade secrets, and confidential information, ideas, and expressions. Accordingly, LICENSEE agrees to treat (and take precautions to ensure that its employees and Users treat) the Data Product as confidential information in accordance with the confidentiality requirements and conditions set forth below.

B. Maintenance of Confidential Information

1. LICENSEE agrees to keep confidential all confidential information disclosed to it by CITY in accordance herewith, and to protect the confidentiality thereof, in the same manner in which it protects the confidentiality of similar information and data of its own (at all times exercising a reasonable degree of care in the protection of confidential information).

2. Upon ten (10) days written notice to LICENSEE, CITY shall have the right to inspect and audit LICENSEE's procedures and to examine LICENSEE's computer systems in order to determine whether such procedures and computer systems comply with the requirements set forth in this Agreement.

C. Injunctive Relief

1. LICENSEE acknowledges that the unauthorized use, transfer, assignment, sublicensing, or disclosure of the Data Product, or copies thereof will:

(a) substantially diminish the value to CITY of copyrights, and other proprietary interests that are the subject of this Agreement;

(b) render CITY's remedy at law for such unauthorized use, disclosure, or transfer inadequate;

(c) cause irreparable injury in a short period of time.

2. If LICENSEE materially breaches any of its obligations with respect to the use of confidentiality of the Data Product, CITY shall be entitled to equitable relief to protect its interests therein, including, but not limited to, preliminary and permanent injunctive relief as well as damages for any additional licensing fees or any monetary damages caused by the actions of the LICENSEE by any breach of the agreement.

D. Survival

LICENSEE's obligations under this Section shall survive the termination of this Agreement or of any license granted under this Agreement for whatever reason.

Section 9. WARRANTY

A. Limited Warranty

1. CITY represents and warrants to LICENSEE that the Data Product will perform substantially as described in this agreement as of the Effective Date for a period of ninety (90) days from the date of delivery. Should CITY be in breach of its representation and warranty under this Section, CITY's entire liability and LICENSEE's exclusive remedy shall be, at CITY's option, either:

(a) return of the Data product to CITY in exchange for a refund of the Data Product License Fee paid, or return of the Data Product to CITY and

(b) repair or replacement of the Data Product;

Provided, however, that CITY receives written notice from LICENSEE during the warranty period of a breach of warranty.

2. Any replacement Data Product will be warranted for the remainder of the original warranty period or thirty (30) days, whichever is longer.

3. The Data Product will be recorded with the effective date of that version. The warranty applies only to the recorded version of the Data Product issued, not to altered versions.

Any reported defect must be documented with the recorded version of the Data Product issued to LICENSEE. If the reported defect cannot be duplicated, or the reported defect is due to LICENSEE's alterations to the software or data, the LICENSEE shall be liable for CITY's time and materials expended in the discovery and correction process.

B. Disclaimer of Warranties

1. The warranty stated in Section A above is the sole and the exclusive warranty offered by CITY. There are no other warranties respecting the Data Product, documentation or services provided hereunder, either express or implied, including but not limited to any warranty of design, quality, accuracy, completeness, performance, of merchantability, or of fitness for a particular purpose, even if CITY has been informed of such purpose.

2. No agent of CITY is authorized to alter or exceed the warranty obligations of CITY as set forth herein.

3. It is highly probable that errors and omissions will occur in any record keeping process, especially when large numbers of records are developed and maintained, and that the Data Product may not meet LICENSEE's standards as to accuracy or completeness; notwithstanding the foregoing, LICENSEE agrees to take the Data Product "as is", fully expecting that there may well be errors and omissions in the data obtained from CITY.

C. Limitation of Liability

1. LICENSEE acknowledges and agrees that the consideration which CITY is charging hereunder does not include any consideration for assumption by CITY of the risk of LICENSEE's or LICENSEE's User's damages, including consequential or incidental damages, which may arise in connection with LICENSEE's use of the Data Product. Accordingly, LICENSEE agrees that CITY shall not be liable to LICENSEE or to LICENSEE's Users for any damages, including loss-of-profit, indirect, incidental, special, or consequential damages, arising out of the licensing, sublicensing or use of the Data Product.

2. Any provision herein to the contrary notwithstanding, the maximum liability of CITY to any person, firm, or corporation whatsoever arising out of or in connection with any license, use, or other employment of the Data Product delivered to LICENSEE hereunder, whether such liability arises from any claim based on breach or repudiation of contract, warranty, tort, or otherwise, shall in no case exceed the actual Data Product License Fee paid to CITY by LICENSEE for the Data Product the license, use, or other employment of which gives rise to the liability.

3. CITY shall have no liability or obligation with respect to any Derivatives or other modifications of the Data Product by LICENSEE or others. LICENSEE shall make every reasonable and prudent effort not to corrupt the accuracy of the Data Product.

Section 10. DEFAULT AND TERMINATION

A. Events of Default

The nondefaulting party may terminate this Agreement if any of the following events of default occur:

1. A party materially fails to perform or comply with this Agreement or any provision hereof;
2. A party fails to strictly comply with the provisions of Section 7 (Protection of Data Product) or Section 8 (Confidentiality) or makes an assignment in violation of Section 12 (Nonassignability);
3. A party ceases doing business, becomes insolvent or admits in writing its inability to pay its debts as they mature, or makes an assignment for the benefit of creditors;
4. A petition under any foreign, state, or United States bankruptcy act, receivership statute, or the like, as they now exist, or as they may be amended, is filed by a party; or, such a petition is filed by any third party, or an application for a receiver is made by anyone and such petition or application is not resolved favorably within ninety (90) days.

B. Effective Date of Termination

1. Termination under subparagraphs 10A (3) or (4) above shall be effective on notice.
2. In all other cases, termination shall be effective thirty (30) days after notice of termination to the defaulting party if the defaults have not been cured within such thirty day (30-day) period.

C. Obligations on Expiration or Termination

1. Upon termination or expiration of this Agreement, LICENSEE shall cease and desist all use of the Data Product, and LICENSEE shall deliver to CITY within three (3) days of termination all full or partial copies of the Data Products and any variations thereof in LICENSEE's possession or under its control.
2. LICENSEE shall own its Proprietary Derivatives. All General Derivatives must be submitted to CITY.
3. LICENSEE acknowledges that its failure to comply with the obligations of this Section C will constitute unauthorized use of the Data Product, entitling CITY to equitable relief under Section 8 C above.

Section 11. NOTICES

All notices, authorizations, and requests in connection with this Agreement shall be deemed given:

(A) five days after being deposited in the mail, postage prepaid, certified or registered, return receipt requested; or

(B) one day after being sent by overnight courier, charges prepaid; and addressed as first set forth above or to such other address as the party to receive the notice or request so designates by written notice to the other; or

(C) upon receipt, if by facsimile and receipt is electronically or actually acknowledged.

Section 12. NONASSIGNABILITY

LICENSEE shall not assign or transfer this Agreement or all or any part of its rights hereunder, by operation of law or otherwise, without the prior written consent of CITY. Any unauthorized assignment or transfer shall be null and void and shall constitute grounds for immediate termination of this Agreement by CITY under Section 10 above. This Agreement shall inure to the benefit of and be binding upon any permitted successor or assign.

Section 13. GOVERNING LAW

The validity, interpretation, construction and performance of this Agreement shall be governed by federal copyright laws and the laws of the State of California.

Section 14. SEVERABILITY

If any provision of this Agreement shall be held by a court of competent jurisdiction to be illegal, invalid or unenforceable, the remaining provisions shall remain in full force and effect

Section 15. CITY CONTACTS

The following are CITY contact names for administration of this licensing agreement.

| | | |
|-----------|----------------|----------------|
| Marketing | Morad Sedrak | (213) 485-3961 |
| Mapping | Oscar Figueroa | (213) 485-0579 |

IN WITNESS WHEREOF, the LICENSEE has caused its duly authorized representatives to execute and deliver this Agreement as of the date first set forth below.

CITY OF LOS ANGELES

Date: _____

By: _____
Cynthia Ruiz, President
Board of Public Works

ATTEST:

By: _____
Frank Martinez, City Clerk

APPROVED AS TO FORM:

Carmen Trutanich

City Attorney

By: _____
Christopher M. Westhoff
Assistant City Attorney

LICENSEE

Richard Watson, Consultant for the City of Signal Hill
Data Custodian for Jurisdiction 1 group of the LA River Metals TMDL Implementation Plan

Date:

**VII. CONSENT CALENDAR
ITEM F
COG Support to Orangeline
Development Authority**

TO: Board of Directors

FROM: Richard Powers, Executive Director

SUBJECT: COG Support to Orangeline Development Authority

Background

The Gateway Cites COG has previously provided varying degrees of support for the Orangeline Development Authority (OLDA), including the use of the COG address for receipt of mail and requirements of a physical address. The COG attempts to balance its support for our four priority transportation corridors. This support varies from corridor to corridor.

Issue

The Orangeline Development Authority has requested the continued use of the COG mailing and physical address for their required needs. An additional request has been made to provide limited clerical support for receipt of mail, meeting coordination occurring at the COG offices, and coordination with the City of Paramount, on their behalf, for use of the second floor meeting room, and limited periodic use of desk space in our auxiliary office.

Recommended Action

Approve the request of the Orangeline Development Authority for limited clerical and facility support.

**VII. CONSENT CALENDAR
ITEM G
Status Report on Port Trucker
Program Releases**

TO: Board of Directors

FROM: Richard Powers, Executive Director

SUBJECT: Status Report on Port Trucker Program Releases

Background

After a slow start by the Port of Los Angeles, the great majority of port truckers funded through the Gateway Cities Clean Air Program have now received executed release agreements. Of 286 Port of Los Angeles truckers who have signed the release agreements, 251 have received executed agreements from the Port of Los Angeles and are now formally released. Only 35 agreements remain to be executed by the Port. 28 of the 29 Port of Long Beach participants who have signed their release agreements have received their executed agreements.

Recommended Action

Receive and file.

**VII. CONSENT CALENDAR
ITEM H
2010 United States Census – Partner
Proclamation**

TO: Board of Directors

FROM: Richard Powers, Executive Director

SUBJECT: 2010 United States Census – Partner Proclamation

Background

As required by the U.S. Constitution, every 10 years a full census of the nation’s population is conducted. The next census will take place in 2010. Census questionnaires will be mailed or delivered to households in February and March, 2010, and “Census Day” is April 1. Follow-up visits will be made in April, May, June, and July to households that do not return a census form by mail. By December 2010, the Census Bureau must deliver counts to the President, and by December 2011, the Bureau must deliver redistricting data to states.

The Census Bureau has eliminated the “long form” questionnaire, which formerly went to one household in six. Now all households will receive only the short form. More detailed information is collected through the annual American Community Survey, which goes to a small sample of households each year. The Census web site emphasizes that census information is confidential and never identifies an individual.

A brief informational video about the census will be shown at the Board meeting.

Issue

One of our representatives in Congress, Representative Grace Napolitano, has requested that the Gateway Cities express their support for the 2010 Census by adopting the 2010 Census Partner Proclamation. According to the web page of the U.S. Census Bureau, “Census data are used to distribute Congressional seats to states, to make decisions about what community services to provide, and to distribute \$300 billion in federal funds to local, state and tribal governments each year.”

Ensuring a complete count is extremely important to all the Gateway Cities jurisdictions. The U.S. Conference of Mayors estimates that over the census decade of the 1990’s, each person counted was worth \$100 in annual revenue to each city. Thus cities stand to lose millions of dollars in program revenues such as Community Development Block Grants, Law Enforcement Block Grants, and Emergency Shelter Grants if all their residents are not counted.

The Gateway Cities COG wishes to express its support of the 2010 Census by adopting the attached Partner Proclamation. As a partner, the Gateway Cities COG pledges to encourage community participation in the census and related events by disseminating

information, to support census takers, and to seek opportunities to collaborate with other like-minded groups. Member jurisdictions may find the template proclamation in several formats here: <http://2010.census.gov/partners/materials/toolkits.php>.

Attachments

- 2010 Census Partner Proclamation for Gateway Cities Council of Governments.

Recommended Action

Approve Proclamation by Gateway Cities Council of Governments.
Each member jurisdiction also consider adopting the Proclamation.

**VII. CONSENT CALENDAR
ITEM I**

**Authorization for Support of METRANS
National Urban Freight Conference
October 21-23, 2009, in Long Beach**

TO: Board of Directors

FROM: Richard Powers, Executive Director

SUBJECT: Authorization for Support of METTRANS National Urban Freight Conference
October 21-23, 2009, in Long Beach

Background

METRANS is a United States Department of Transportation designated University Transportation Center in partnership with the University of Southern California (USC), and California State University, Long Beach (CSULB). Such centers are located in strategic areas throughout the country and have as their mission to solve transportation problems of large metropolitan areas through research, education and outreach.

The Gateway Cities COG is honored to be a part of the METTRANS partnership with USC and CSULB and is a member of the METTRANS Advisory Board.

As a part of the conference, a number of the studies conducted by the Gateway Cities COG will be “abstracts” prepared for the attendees discussing the COG initiatives in transportation, goods movement, ITS and air quality.

Issue

Attached is a request from Genevieve Guiliano, METTRANS Director, for a sponsorship of \$2,000 from the Gateway Cities COG. Funds are available in the current 2009-10 COG Budget.

Recommended Action

Approve the request of METTRANS for a \$2,000 Sponsorship of the National Urban Freight Conference, October 21-23, 2009 in Long Beach

VIII. REPORTS

ITEM A

**Goods Movement Video Presentation
Produced by the Center for Trade and
Transportation (CITT) at California
State University Long Beach**

VIII. REPORTS
ITEM B

National and Regional Economic Outlook
– Presentation by Joseph Magaddino,
Director, Department of Economics,
California State University Long Beach

VIII. REPORTS
ITEM C
SR-91/I-605/I-405 Feasibility Study
Scope of Work

TO: Board of Directors

FROM: Richard Powers, Executive Director

BY: Jerry Wood, Gateway Cities COG Engineer

SUBJECT: SR-91/I-605/I-405 Feasibility Analysis Study Scope of Work

Background

A presentation on this project will be provided at the meeting. Previously two freeway corridor studies were completed:

- SR-91/I-605 Needs Assessment Study, September, 2005
- SR-91/I-605/I-405 Initial Corridor Studies, April, 2008

These studies highlighted the issues with respect to these freeway corridors and led to adoption of a set of guiding principles for improvements in these freeway corridors. These studies further highlighted the deficiencies along these freeways and identified some “congestion hot spots” that should be addressed. These studies also highlighted the numerous other transportation studies and projects taking place in or near these freeway corridors and how these other transportation projects affect the SR-91/I-605/I-405 Freeway Corridors. The presentation will summarize the previous results and the recommendations from the TAC concurred by the Corridor Cities Committee on how to proceed.

In 2005 a Needs Assessment for the SR-91 and I-605 freeway corridors was completed. That study showed that there will be significant and large truck volumes on these freeways in the future – mostly in response to continued growth at the twin ports in San Pedro Bay. After completion of that report, an Initial Corridor Studies report of the SR-91, I-605 and I-405 freeway corridors was prepared to further examine these freeways. This report was completed with the following objectives:

1. Consultation with cities to determine the best process for them for community participation as corridor and freeway improvements are identified analyzed and developed.
2. Updating Traffic Model results from previous SR-91/I-605 Needs Assessment and refine projections of increased capacity (lanes) required to accommodate projected future growth in Southern California and future growth in port-generated truck traffic.
3. Analyzing the freeways developing the following:
 - (1). Preparing an inventory of the existing freeway corridors within the study area.
 - (2). Identifying chronic traffic congestion areas (Congestion “hot-spot”) and develop potential concepts to improve capacity and/or operations.
 - (3). Analyzing what capacity improvements could be accomplished within existing state right-of-way.

- (4). Analyzing opportunities to add carpool-to-carpool connectors at freeway-to-freeway interchanges.
4. Coordinating with other transportation studies that could affect the freeways studied in this report.

That report identified in more detail numerous “congestion hot spots” that should be addressed in these freeway corridors. The conclusions and recommendations from the Initial Corridor Studies report are attached.

Issue

As a result of the referenced studies, Measure R (1/2 cent sales tax) was passed in November, 2008 and included approximately \$600 million for “congestion hot spot” projects for the SR-91/I-605/I-405 freeway corridors. The previous studies were only able to develop the “ideas” for these congestion hot spots with limited engineering. In order to better define the congestion hot spots in more detail, set priorities and select projects by the Corridor Cities Committee, a feasibility analysis to perform more detailed engineering was suggested to the TAC. The TAC concurred with this recommendation and the subsequent development of a scope of work to retain consultants using Measure R funds to perform the Feasibility Analysis. The TAC held numerous meetings in 2009 and provided a review and comments on the draft scope of work for the Feasibility Study, which were incorporated. This also included comments from MTA and Caltrans. The final Scope of Work was presented to the Corridor Cities Committee who concurred with the approach and proceeding with it.

Recommended Action

The Corridor Cities Committee is requesting that the COG Board of Directors:

1. Accept the SR-91/I-605/I-405 Initial Corridor Studies report for distribution to other agencies and interested parties;
2. Concur with the Feasibility Analysis final Scope of Work developed with the TAC, concurred with by the Corridor Cities Committee and proceed with its implementation; and
3. Proceed with the implementing the feasibility study by:
 - (1). Requesting \$4 million of Measure R funds from MTA to perform the analysis;
 - (2). Using the final scope of work, request staff to develop an RFP to retain consultants to do the Feasibility Analysis and proceed with it as Measure R funds (and/or other funds) are available; and
 - (3). Collaborating with Caltrans, MTA and the I-5 JPA to develop the RFP to proceed with the Feasibility Analysis.

SR-91/I-605/I-405 INITIAL CORRIDOR STUDIES

CONCLUSIONS

The SR-91/I-605/I-405 Initial Corridors Studies began as a physical analysis of the existing freeway facilities, and how they could be improved to increase capacity, building on the results of the 2005 SR-91/I-605 Needs Assessment. However, due to the projected truck traffic expected from the growth at the ports of Los Angeles and Long Beach, the freeway study has evolved to include an assessment of regional goods movement through the area freight movement without total reliance on the traditional port-to-truck-to-freeway-to-destination as an option. Clearly, these freeways (and the adjoining communities) will be significantly impacted by large volumes of trucks if other options to move containers and goods are not developed. Therefore, the conclusions of this study are summarized as follows:

City Consultation Process

1. The SR-91/I-605/I-405 Guiding Principles adopted by the Corridor Cities Committee and the full Gateway Cities COG board are the governing document on which future planning for these freeways will proceed.
2. The key for transportation development of the guiding principles is that improvements to the freeways in this study are to be confined to existing State right-of-way and that Gateway Cities COG and its communities will support a separate freight movement corridor constructed along non-freeway (exclusive of the I-710 south of its interchange with I-5) alignments using minimally or non-polluting transportation technologies.
3. While the Gateway Cities share common concerns, community communications and public outreach needs regarding future corridor improvements are very individualized. The Gateway Cities COG should ensure that information is provided to cities so that it can be shared, eventually, with community members in a format that is customized for each of them.

Traffic Modeling

1. If no other transportation options are developed, traffic modeling and forecasts indicate that most of the freeways included in this study will need, as a minimum, 2 to 4 truck lanes in addition to 1 or 2 additional general purpose lanes.
2. The majority of the truck trips generated within the Gateway Cities sub-region continue through it to inland destinations (projected to access other freeways – SR-60, I-10 and I-210).

3. The future, large projected truck volumes for the Gateway Cities sub-region will result in more passenger traffic “pushed” onto the local arterial highways near the freeways.
4. Truck lanes constructed on the freeways would require each of the freeways to be widened from between 60 feet to as much as 124 feet, significantly impacting adjacent property.
5. The addition of truck lanes projected by the traffic forecast models is inconsistent with the adopted guiding principles of the SR-91/I-605/I-405 Corridor Committee Cities that were also unanimously adopted by the Gateway Cities COG board.

Intelligent Transportation Systems

1. The development of the ITS Integration Plan (working closely with the ITS Working Group) demonstrates that computer technology (providing real-time traveler information to drivers and dispatchers by cell phone or other devices) can be used to have a significant benefit for both the private and public sectors for goods movement and should be implemented as quickly as possible.

Freeway Corridor Analysis

1. Existing Congestion “Hot-Spots” should be addressed as separate projects (but consistent with any ultimate plans to improve the freeways) and further feasibility studies prepared.
2. Operational deficiencies of the SR-91 between I-710 and I-605 should be addressed as part of mainline freeway improvements; unless a local community wants to move ahead with a local interchange project sooner (any projects of that nature should also be consistent with any planned, ultimate freeway improvement).
3. It appears that one additional lane can be added to the freeways that were studied except for a few locations where there appear to be property impacts. This will have to be analyzed in more precise detail in future studies and then discussed with local communities to determine acceptability. That acceptability analysis will take into account the ability to have regional continuity for these additional lanes.
4. HOV direct connectors may be feasible at some freeway-to-freeway interchanges and should be considered but will have adjacent property impacts.

Coordination with Other Studies

1. Coordination (and support) should continue between Los Angeles and Orange Counties for transportation projects, with continuation of the Inter-County study with the next phase of that study (which will examine and develop intercounty transportation projects in more detail)
2. A further examination of a sub-regional system of one toll lane in each direction for the freeways in Southeast Los Angeles County and North Orange County (as recommended by the OC/LA Intercounty Transportation Study) should be performed as part of the next phase of the Inter-County study.
3. The Goods Movement Studies appear to support the development of a separate freight movement corridor, building on the four (4) truck lanes originally developed from the I-710 MCS (to south of the I-710 freeway interchange with I-5). Consistent with the adopted SR-91/I-605/I-405 Guiding Principles, this freight movement corridor should only be examined for non-freeway alignments and connect with inland destinations.
4. The Freight Movement Corridor – Goods Movement Analysis prepared by Gateway Cities and SCAG shows that a separate freight movement corridor must handle a large volume of containers (as well as other goods movements) in order to relieve the freeways in the Gateway Cities sub-region of the large projections of future trucks. This freight movement corridor would have to service most of the goods movement markets and connect with multiple destinations (outbound as well as inbound) in order to serve this function and provide the necessary capacity.
5. If a successful and reliable freight movement corridor becomes a reality, and can move a large volume of freight, then the freeways in the Gateway Cities sub-region will only require fewer improvements for projected traffic. This suggests the one-lane in each direction concept would likely meet the projected general traffic demand for the freeways. In order to widen the freeways an additional lane each way, the local communities will need to consider whether some minimal (or modest) property takes would be an acceptable compromise in the context of a freight movement corridor reality.

SR-91/I-605/I-405 INITIAL CORRIDOR STUDIES

RECOMMENDATIONS

The following are the study recommendations and suggested next steps:

1. Initiate detailed feasibility studies of the congestion hot spots, including aerial topographic & preliminary R/W mapping, to determine whether concepts presented herein are supported by a more precise geometric analysis and clearly identify R/W encroachments. Initiate coordination with local and regional planning agencies for each Hot Spot project, as well as other future improvements, such as HOV Direct Connector projects (if adjacent property impacts are acceptable to local communities).
2. If one or more of these projects is determined feasible and acceptable to the various stakeholders they should be advanced through the planning process, including the environmental phase in order to take advantage of future funding sources.
3. Develop and address funding strategies to implement these projects (e.g., additional sales tax for L.A. County, gas tax increase, Private sources, State sources, federal sources, etc.).
4. Coordinate with other agencies (and private industry) to realize the implementation of a regional freight movement corridor, consistent with the adopted guiding principles.
5. Proceed with an ITS Implementation Plan and begin to implement ITS projects as soon as possible and as funding can be secured.
6. Support continuing the OC/LA Inter-County Transportation Study next phase, including the development of possible toll lanes. This could be the additional one-lane in each direction for the freeways described in this study.
7. Initiate a detailed feasibility study of adding one additional lane in each direction to these freeways, including aerial topographic & preliminary R/W mapping, to determine whether the concepts presented herein are supported by a more precise geometric analysis, provide freeway lane continuity, clearly identify R/W encroachments, and determine if, and how, a phased implementation could be accomplished. Evaluate options for these additional lanes as either general purpose or toll lanes. Initiate coordination with local and regional planning agencies, including other planned future improvements.
8. Initiate a funding feasibility study to estimate the potential revenue from tolls (based on a congestion pricing model) for these additional lanes in order to build and operate them as toll lanes.
9. Develop a communication and outreach strategy and package to support city manager and elected official communications with residents, businesses and

constituents. This package would include FAQs of the corridors study area, project profiles and updates on project studies.

VIII. REPORTS
ITEM D
Update on SB 375

TO: Board of Directors

FROM: Richard Powers, Executive Director

BY: Nancy Pfeffer, Gateway Cities COG, Director of Regional Planning

SUBJECT: Update on SB 375

Background

Senate Bill (SB) 375 was signed into law in 2008 and requires the regions of the state to develop Sustainable Community Strategies (SCS) to reduce greenhouse gas (GHG) emissions resulting from vehicle use. The SCS are to be incorporated into Regional Transportation Plans (RTP) and are to reflect changes in land use patterns and transportation system investments to achieve GHG reduction goals to be set by the state. In our region, where the Southern California Association of Governments (SCAG) prepares the RTP, the law allows sub-regions such as the Gateway Cities to prepare their own SCS.

At its November meeting, the Gateway Cities Council of Governments Board of Directors approved an effort to seek expert consultant assistance in evaluating whether to accept delegation of the SCS, as well as the overall implications of the new law. A special assessment of \$5,000 per member city was approved to fund the consultant work.

Issue

The key purpose of the consultant team's work is to advise the Gateway Cities member jurisdictions on whether to accept delegation of the preparation of a sub-regional SCS. The alternative would be to leave preparation of the sub-regional SCS to SCAG. SCAG has extended the date by which sub-regions must make the delegation decision from September to December 2009.

In mid-July SCAG released the first draft of the proposed Framework and Guidelines that sub-regions would have to follow if they choose to accept delegation and prepare their own SCS. A sub-regional SCS would have similar content to a regional SCS, but would be designed to reach a sub-regional GHG reduction target to be specified by SCAG. SCAG is expected to set these targets in January of 2010. A sub-region that does not accept delegation would follow a different pathway that has not yet been laid out by SCAG.

The COG hosted an SB 375 workshop for city staff in late May and a second workshop is scheduled for late July. The agenda for the second workshop is attached for your information. A significant portion of the agenda will be devoted to discussing the issues that underlie the decision whether to accept delegation of the SCS.

In addition, the COG's white paper on SB 375 is also attached for your reference. This

paper was first drafted and circulated in May.

Attachments

- Policy framework paper on SB 375
- Agenda for July 29th SB 375 workshop.

Recommended Action

Receive and file this report.

GATEWAY CITIES AND SB 375

WHITE PAPER

General Approach

- Cities need to be engaged
- Seen as a high priority to cities
 - Proactively and defensively
- Complex subject – need expert support to match the challenge
- Cities, through the COG, assessing themselves \$5,000 each to retain consultant
- The consultant team is Willdan Energy Solutions, Iteris and West Coast Environmental and Engineering

COG Primary Issues

- Regional Housing Needs Allocation (RHNA) Component
- Transportation Funding
- Local Land Use Authority
- Growth Forecasting
- Sustainable Communities Strategy (SCS)
- AB 32 Compliance

Co- Partner: MTA

Implementation Steps

1. Planning Directors and Public Works Officers (lead staff for cities)
 - Set context and goals of a Sustainable Community Strategy (SCS) for the Gateway Cities Subregion
2. Identify Current Status of Sustainability Efforts
 - Existing sustainability efforts in COG cities
 - Quantified Greenhouse Gas (GHG) emissions
 - Anticipated reductions and time frame
 - Any implementation measures from SCAG Compass Blueprint Plan
 - Sustainability related elements in City General Plans
 - Travel Demand Management (TDM) measures planned or proposed
3. Compile an Inventory of Regional Programs and Agencies with Programs to Reduce Vehicle Miles Traveled (VMT) or Greenhouse Gas Emissions (GHG) emissions

4. Assemble Sub-regional General Plan Database of All Gateway Cities
(THIS BECOMES THE COLLECTIVE VISION OF HOW WE PLAN TO DEVELOP)

5. Compare with SCAG Visions
 - 2008 Regional Transportation Plan (RTP) (2035 Baseline)
 - Conceptual Land Use Scenario

6. Identify Differences and Mismatches with SCAG
 - Planned growth locations
 - Planned transportation investments

7. Track and Report on State and Regional Developments
 - Attend
 - Comprehend
 - Translate
 - Report back
 - Develop sub-regional consensus

Develop Recommended Strategy **IF** Gateway Cities Accepts Delegation

KEY DELEGATION ISSUES

I. SUBREGIONAL TARGETS

II. RESOURCES

III. LIABILITY FOR LAND USE CHANGES

Revised Agenda
Gateway Cities SB 375 Update Workshop
Wednesday, July 29, 2009
8:00 a.m. – 10:30 a.m.

- I. Self-introductions All (5 min.)
- II. Recap of Project Status & Goals Nancy Pfeffer, COG Dir. of Regional Planning (10 min.)
- III. Considerations for Cities in Implementing SB 375 Richard D. Jones, Gateway Cities
COG General Counsel (20 min.)
- IV. Gateway Cities SB 375 Online Survey Willdan Team (15 min.)
- V. SCAG Growth Forecast and SB 375 Frank Wen, SCAG (40 min.)
- Forecast Process
 - Data Discussion
 - Methodology, Assumptions, Schedule for City Meetings
 - Methodologies for calculating subregional targets
- VI. Los Angeles County MTA Planned Transportation Projects Ernest Morales, LACMTA (20 min.)
- Call for Projects
 - Measure R
 - Long-Range Transportation Plan
- VII. Gateway Cities Land Use/General Plan Map and Subregional Strategy All (40 min.)
(facilitated discussion)
- Current status of RTAC discussions
 - Current status of SCAG developments
 - Presentation of subregional land use map prepared by Willdan
 - Potential model “green ordinance” for Gateway Cities
- VIII. Next Steps

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 RMC Board met on Thursday, July 2nd in Rosemead. It was reported that AB 139, a bill that would authorize the collection of fees to fund flood control efforts in Los Angeles County, had been pulled and might be reintroduced next session.

RMC staff reported that a small amount of funding has been received from the state following some bond sales earlier this year. However, parks and open space are not among the state's priorities for bond funds. For the \$3.4 million just received, RMC will prioritize projects that can be completed within 8 months, followed by those where a significant portion can be completed in 12 months. A contract extension was approved for a trail improvement project in Montebello whose construction costs have dropped.

Under a state furlough order, the RMC will be closed 3 Fridays per month.

Recommended Action

Receive and file this report.

**X. REPORTS FROM COMMITTEES
ITEM D**

**Report from the Transportation
Committee**

**1. Status Report on Measure R and
MTA Long Range Transportation Plan**

TO: Board of Directors

FROM: Diane Dubois, MTA Director

BY: Karen Heit, Transportation Deputy

SUBJECT: Status Report on Measure R and MTA Long Range Transportation Plan

Issue

The MTA is in the process of updating the 2001 Long Range Transportation Plan (LRTP). The focus of this amendment is to integrate the Measure R projects and the 30-years of funding into the LRTP. The GCCOG, along with other subregions have expressed concerns about the lack of articulation of the highway program for Measure R. Currently there are no schedules, estimates of other sources of funding. The highway projects are listed "as funds become available". Letters expressing this concern are attached. The LRTP has been on the Board Agenda for adoption in the months of June and July, despite original representation to adopt the LRTP in September.

Plan adoption was delayed in June by a Board Motion written by MTA Directors Antonovich, Knabe, Najarian and DuBois. The Motion requested, among other things, a comprehensive funding plan for the highway element. In July, a similar Motion proposed by Directors Antonovich and Ridley-Thomas deferred LRTP adoption until September. Gateway Cities was represented at the July Planning and Programming Committee by Cerritos Mayor Bruce Barrows and Ken Farfsing, City Manager, City of Signal Hill, Chair City Managers Steering Committee. Mayor Barrows also voiced the COG's concerns at the MTA July full Board meeting

Background

There are two categories of highway fund projects in Measure R; those that are designated to receive minimum funding in Measure R and new initiatives. All of the Gateway Cities existing initiatives are currently fully funded with a combination of state, local and federal funds without Measure R tax receipts. The Gateway Cities projects are:

- I-5 Capacity Enhancements from I-605 to the Orange County Line - \$264.8 million
- I-5 Carmenita Road Interchange Improvement - \$138 million

These projects have first claim to the Measure R funds, if needed, for project completion. \$240 million of unused funds from the I-5 (I-605 – Orange County) project are to be reprogrammed to the West Santa Ana Branch Transit project (OrangeLine). The remainder of any unused funds as well as the unused funds for the I-5 Carmenita Project will be reallocated to other projects within the Gateway Cities subregion. The Measure R Ordinance requires funds remain within the subregion they are programmed.

The Expenditure Plan accompanying the Measure R Ordinance has the following new

Gateway Cities highway priorities:

- I-605 Hot Spot Interchanges - \$590 million
- I-710 South and/or Early Action Projects - \$590 million

The Measure R funding alone is insufficient to complete these projects. In order for these projects to move towards implementation, they will require other state, local and federal funding. This “other funding” element is missing from the current LRTP.

In order to articulate the Highway element in time for the September LRTP Plan adoption, the MTA has formed the Highway Advisory Committee to help review highway projects’ readiness status, develop schedules and assure adequate funding to move highway projects forward. The Gateway Cities Public Works Officers and other COG stakeholders have chosen Lisa Rapp, Public Works Director from Lakewood, to represent Gateway Cities interests. Ms. Rapp will be supported by Gateway COG staff.

Recommendation

It is recommended that the COG continue to advocate for the adoption of an LRTP with a comprehensive highway program that leverages other funds to complete the Gateway Cities highway initiatives,

Attachments

Letters from:

Gateway cities COG

San Gabriel Valley COG

South Bay COG

North County Transit Coalition

MTA Board Testimony – Ken Farfsing