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. MATTRES 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 June 2, 2010, are presented for approval. Approval receives and files the minutes of June 2nd, Board of Directors meeting.

B. Approval of Warrant Register - Request for Approval of Warrant Register Dated July 7, 2010

C. May 2010 Local Agency Investment Fund Statement

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

E. Fourth Amendment to Agreement for Consulting Services by and Between Gateway Cities Council of Governments and Jerry R. Wood for Engineering Services

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

VIII. REPORTS

A. Los Angeles County Energy Program, Presentation by Craig Perkins, Executive Director of the Energy Coalition

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

B. Creating Community Amenities with Innovative Use of Storm Drains, Presentation by Nancy Steele, Executive Director, The Los Angeles and San Gabriel Rivers Water Shed

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

C. Proposed 2010-2011 Gateway Cities Council of Governments Budget

10 Min SUGGESTED ACTION: A MOTION TO APPROVE PROPOSED 2010-2011 BUDGET AND ADOPT RESOLUTION

D. Election to Fill Vacancy on Metro Gateway Cities Governance Council

10 Min SUGGESTED ACTION: CONDUCT ELECTION
E. Memorandum of Understanding by and Between Gateway Cities Council of Governments and Southern California Association of Governments for Gateway Cities Sustainable Communities Strategy (SCS) Under SB 375

3 Min

SUGGESTED ACTION: APPROVE MEMORANDUM OF UNDERSTANDING OR GIVE DIRECTION TO STAFF

IX. 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
   1. SR-91/I-605/I-405 Freeway Corridors - Feasibility Study and Project Study Reports (PSR) Scope of Work

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

E. Report from the Committee on Homelessness – Oral Report

3 Min

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

F. California High Speed Rail – Oral Report

3 Min

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

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

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

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

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

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

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

D. Matters from the Orangeline Development Authority – Oral Report

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

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

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

F. Matters from the Metro Gateway Cities – Oral Report

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


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

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. ELECTION OF OFFICERS

A. Election of Officers and Members of the Executive Committee

SUGGESTED ACTION: HOLD ELECTION
XIV. 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, August 4, 2010, 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
June 2, 2010

President Stefenhagen called the meeting to order at 6:06 p.m.

PRESENT:  President Gordon Stefenhagen, City of Norwalk
First Vice President Gil Hurtado, City of South Gate
Second Vice President Raymond Dunton, City of Bellflower
Immediate Past President Anne M. Bayer, City of Downey
Member George Mirabal, City of Bell
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 Josue Barrios, City of Cudahy
Member Reynaldo Rodriguez, City of Hawaiian Gardens
Member Elba Guerrero, City of Huntington Park
Member Stan Carroll, City of La Habra Heights
Member Susan Tripp, City of La Mirada
Member Diane DuBois, City of Lakewood
Member Patrick O'Donnell, City of Long Beach
Member Felipe Aguirre, City of Maywood
Member Gene Daniels, City of Paramount
Member Betty Putnam, City of Santa Fe Springs
Member Edward H. J. Wilson, City of Signal Hill
Member William Davis, City of Vernon
Member Greg Nordbak, City of Whittier
Member Connie Sziebl, Office of Supervisor Don Knabe
Member Erica Jacquez-Santos, Office of Supervisor Gloria Molina
Member Vincent Harris, Office of Supervisor Mark Ridley-Thomas

ABSENT:  Member from the City of Artesia
Member Bob Kennedy, City of Avalon
Member from the City of Long Beach
Member from the City of Montebello
Member Maria Teresa Santillan, City of Lynwood
Member Gustavo Camacho, City of Pico Rivera
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 Administrator Jorge Rifa; La Mirada Director of Public Works Steve Forster; South Gate Director of Public Works Robert Dickey; Long Beach Manager of Government Affairs Tom Modica; Cypress Mayor Pro Tem Doug Bailey; Cypress City Manager John Bahorski; Los Alamitos City Manager Jeff Stewart; Metro Community Relations Manager David Hershenson; SCAQMD Senior Public Affairs Officer Derrick Alatorre; SCAG Public Affairs Officer Matt Horton; Youn Sim, Los Angeles County Flood Control District; Gary Hildebrand, Los Angeles County Flood Control District; Adi Liberman, American Lung Association; Dr. David Pham, American Lung Association in California; Sean Wyman, American Lung Association in California; Daniel Friedman, American Lung Association in California; Yvette Kirrin, Executive Director/Authority Engineer, I-5 JPA; Jose Torres, Lead Senior Supervisor, Conservation Corps of Long Beach; Frank Osgood, Author of Region Aroused; GCCOG General Counsel Richard D. Jones; GCCOG Deputy Executive Director Jack Joseph; GCCOG Transportation Deputy Karen Heit; GCCOG Director of Regional Planning Nancy Pfeffer; GCCOG Engineer Jerry Wood.

Roll was taken through self-introductions.

Member Carroll led the Pledge of Allegiance.

There were no amendments to the agenda

There were no public comments.

President Stefenhagen presented an award acknowledging Downey Assistant City Manager Desi Alvarez for nine years of dedicated service as the Gateway Cities representative on the MTA Technical Advisory Committee. Immediate Past President Bayer accepted the award on behalf of Mr. Alvarez.

There were no matters from staff.

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

Cypress Mayor Pro Tem addressed the Board and requested support for the efforts of the cities of Cypress and Los Alamitos and Congresswoman Loretta Sanchez to obtain $17 million in funding for the reconstruction of the runway at the Joint Forces Training Base in Los Alamitos. He said that, due to the existing cracks in the runway, air flights to the Joint Forces Training Base have been prohibited. He said the base is the staging base for natural or man-made disasters and play a vital role in the region’s emergency services. He said it is the only base between San Diego and San Bernardino from which emergency forces could be deployed. Los Alamitos City Manager Jeff Stewart said that a $1.5 million short term fix to the runway will only last one and a half years.
It was moved by First Vice President Hurtado, seconded by Member Barrows, to send a letter of support from the Board to Congresswoman Loretta Sanchez for her request for $17 million in funding for repairs to the runway at the Joint Forces Training Base in Los Alamitos. The motion was approved unanimously.

Mr. Adi Liberman of the American Lung Association introduced Dr. David Pham, a pulmonologist for the American Lung Association in California, who gave a presentation on how poor air quality impacts the health of the communities in the Gateway Cities subregion and southern California in general. He distributed material to the Board from the American Lung Association in California discussing how SB 375 presents an opportunity for communities to improve their land use and transportation planning to reduce the impacts of greenhouse gases and air pollution and their effects on health.

Dr. Pham said that the Lung Association had received a grant to track the impact of pollution on the rate of asthma in children. He said 6.8% of adults in Los Angeles County, 8.1% in South Bay, and 6.5% in Orange County suffer from asthma and the trend is higher among children. He said there is an 89% higher rate of asthma within 400 meters of a freeway versus those who live 1600 meters or more away. He said $800 million a year is spent in California on asthma treatment.

Mr. Liberman said that he urged the Board to keep these health impacts in mind when developing the Sustainable Communities Strategy.

Member Santos asked what things the Lung Association has been doing. Mr. Liberman responded that they had supported AB 32 and SB 375 at the state level and have worked with air districts and local agencies to bring attention to the health issues.

Youn Sim, Los Angeles County Flood Control District, gave a presentation on the District’s Watershed Management Modeling System. He gave background on the watershed and the sources of pollution. He described the projects needed to meet specific water quality goals and said that the District had developed a business plan based on a limited budget. Mr. Sim said that the District is developing a wastewater management strategy with stakeholder input through a technical advisory committee. He said the strategy is based on a model developed by the U.S. EPA. He said the system can handle a full range of scale from the entire watershed down to site specific and come up with the most cost effective set of projects.

It was moved by Member DuBois, seconded by Member O’Donnell, to receive and file the report. The motion was approved unanimously.

Ken Farfsing reported that the City Managers Steering Committee reviewed the Los Angeles County Economic Development Corporation’s Los Angeles County Strategic Plan for Economic Development 2010-14 and recommended that the Board support the Plan. It was moved by Member Barrows, seconded by Member DuBois, to approve the recommendation of the City Managers Steering Committee to support the LAEDC’s Plan. The motion was approved unanimously.
Ken Farfsing reported that the City Managers Steering Committee had nominated South Gate City Engineer Mohammad Mostahkami to fill the vacancy for the Gateway Cities representative to the MTA Technical Advisory Committee. He said the City Managers also recommended the nomination of La Mirada Public Works Director Steve Forster to replace Mr. Mostahkami on the MTA Streets and Freeways Subcommittee. It was moved by Member DuBois, seconded by First Vice President Hurtado, to forward to the League of California Cities the nomination of Mohammad Mostahkami as the Gateway Cities representative to the MTA Technical Advisory Committee. The motion was approved unanimously. President Steffenhagen asked that both the representative and alternate to the MTA Technical Advisory Committee attend the meetings.

It was moved by Member DuBois, seconded by Member Barrows to forward to the League of California Cities the nomination of Steve Forster as the Gateway Cities representative to the MTA Streets and Freeways Subcommittee. The motion was approved unanimously.

Member O'Donnell presented a report from the Conservancy Committee. He reported that AB 1818 had been pulled by the author because of the opposition it had received. Member O'Donnell thanked the COG cities for opposing the bill. He said the Rivers and Mountains Conservancy Board had voted to support the upcoming water bond issue.

Jerry Wood presented a report from the I-710 EIR/EIS Project Committee. He said the project draft reports had been completed on schedule, but that issues concerning the geometrics in the cities of Commerce and South Gate have caused the traffic model to need revision. He said that will add some time to the project and affect the schedule. He said new modeling results should be available by the end of the month. Mr. Wood said the Technical Advisory Committee is going through the process of nominating early action projects, and that sound walls have been approved as the first projects. He reported that a consultant had been selected by the MTA to prepare the Air Quality Action Plan.

Jerry Wood presented a report from the SR-91/I-605/I-405 Corridor Cities Committee. He said the Technical Advisory Committee is presently working on the report on the "hot spots" projects to be funded out of Measure R.

Member DuBois presented a report from the Transportation Committee. She said the I-710 gap closure was on the MTA Board agenda and that a large contingent from the Bus Riders Union had shown up to oppose the fare increase that had been approved by the MTA Board in 2007. She said the increases do not affect the elderly, disable, or students. She reported that the Transportation Committee took action to initiate the formation of a subcommittee of three COGs to work on the railroad rights of way issues such as graffiti, trash, and abandoned furniture. \ Member Guerrero presented a report from the Committee on Homelessness. She said the Committee had met on May 19th to interview candidates for the vice chair positions for the local coordinating alliances.
Jerry Wood presented a report on the California High Speed Rail project. He said meetings had been held with all cities and that he had compiled a list of their issues of concern regarding the Los Angeles to Anaheim segment. He said a second segment out of Union Station to San Diego presents a real challenge to the capacity of Union Station. The Deputy Executive Director said that Santa Fe Springs City Manager Fred Latham had asked him to report that he had sent out a letter expressing dismay at the lack of information that had been forthcoming to the cities from the High Speed Rail Authority.

Yvette Kirrin presented a report from the I-5 JPA. She said that Caltrans is still working to certify all of the right of way parcels for the I-5/Carmenita Road interchange, and is still hoping to award a contract by December. She said the JPA is working to catch up with the I-710 project on the interchange with I-5.

There was no report from the League of California Cities.

Matt Horton presented a report from SCAG. He said that last week SCAG had submitted to CARB an ambitious, but achievable, range of SB 375 targets.

Karen Heit presented a report from the Orangeline Development Authority. She said that SCAG had held the first meeting regarding the alternatives analysis on the Los Angeles and Orange County segments of the West Santa Ana Branch route. She said the first steps will be a series of community meetings to develop a Purpose and Need Statement to ultimately make the project eligible for federal funding. She reported that the Bob Hope Airport is formally joining the Authority.

Derrick Alatorre presented a report from the South Coast Air Quality Management District. He said the nomination forms for the Annual Clean Air Awards are now available and he encouraged cities to make nominations. He said CARB is having a meeting on Monday evening at Commerce City Hall to discuss rail yard emissions.

David Hershenson presented a report from the Metro Gateway Cities Service Sector. He said the last meeting of the Blue Ribbon Committee would be held on July 6th. He said the findings of the Committee would be presented to the MTA Board later that month.

Jose Torres presented a report from the Long Beach Conservation Corps. He thanked the Board for having the Corps involved in projects in the cities. He said labor is available at a rate of $16 per hour through September.

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

It was moved by Second Vice President Dunton, seconded by Member Davis, to receive and file the committee and agency reports. The motion was approved unanimously.

There were no matters from Board members.

President Stefenhagen announced that he had appointed Member Bayer to fill a vacancy.
on the Committee on Homelessness. He said that he would return to the Committee to fill the other vacancy since he would be stepping down next month as President of the Board. **Adjournment:** It was the consensus of the Board to adjourn the meeting at 7:24 p.m.

Respectfully submitted,

Richard Powers, Secretary
VII. CONSENT CALENDAR
ITEM B
Approval of Warrant Register
VII. CONSENT CALENDAR
ITEM C
May 2010 Local Agency Investment Fund Statement
June 30, 2010

PMIA Average Monthly Yields

Account Number: 40-19-045

Transactions

Tran Type Definitions

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Account Summary

- Total Deposit: 0.00
- Beginning Balance: 1,292,779.55
- Total Withdrawal: -500,000.00
- Ending Balance: 792,779.55

Note: “Withdrawal of funds to support May warrant register, including $307,095 payment to County of Los Angeles for Los Angeles River TMDL Coordinated Monitoring Plan.”
VII. CONSENT CALENDAR
ITEM D
Status Report from Lobbyist - Edington, Peel & Associates
Monthly Report by Jim Dykstra to Gateway Cities COG
June 18, 2010

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 to coordinate closely 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 continued to provide follow up regarding requests for funding in the Fiscal Year 2011 appropriations process. In addition, I continued to focus on follow up with the Gateway Cities COG’s elected Representatives in the House of Representatives and have kept the Gateway Cities COG informed of the status of the Transportation Reauthorization Act. As I have been reporting, Congress has continued to provide extensions of the existing law, and it looks increasingly unlikely there will be reauthorization legislation approved during this Congress.

*On June 4 I participated in a conference call regarding development of a strategy for seeking federal and state sustainability grants that would be beneficial to Gateway Cities COG. Preparatory to that call, I provided Gateway Cities COG officials with information regarding potential opportunities, and during the call, I made a recommendation on grant funding that could be a strong candidate to pursue.

*I participated on Gateway Cities’ behalf in conference calls and email exchanges with the Coalition for America’s Gateways and Trade Corridors regarding the surface transportation reauthorization bill. I also participated on Gateway Cities’ behalf in the CAGTC annual meeting on May 26 and 27, representing Gateway Cities and CAGTC in Hill meetings and taking part in CAGTC’s legislative forum and official business meeting.

*I have had discussions and electronic exchanges with Gateway Cities officials regarding the MTA Board of Directors policy, adopted at their April meeting, regarding the 30-10 Initiative, and I raised the issue and provided background information with senior congressional staff.

*I have continued discussions and email exchanges with staff of Members of Congress representing Gateway Cities members, as well as other key congressional staff, regarding the COG’s legislative priorities.

*As part of my responsibilities, I closely monitor legislation, as well as seminars, hearings, meetings and publications of key interest to legislators and senior executive branch officials for articles and information of possible interest and importance to member cities of the Gateway Cities COG. I attend Senate and House committee hearings, follow Senate and
House floor proceedings, and track legislative initiatives pertinent to Gateway Cities COG interests and priorities.
VII. CONSENT CALENDAR

ITEM E

Fourth Amendment to Agreement for Consulting Services by and Between Gateway Cities Council of Governments and Jerry R. Wood for Engineering Services
TO: Board of Directors

FROM: Richard Powers, Executive Director

SUBJECT: Fourth Amendment to Agreement with Jerry R. Wood, Consultant, for Engineering Services

Background

Since August 6, 2003, the Gateway Cities COG has contracted with Jerry R. Wood for consultant engineering services. Mr. Wood’s current work includes services related to the I-710 EIR/EIS project; the SR-91/I-605/I-405 Major Corridor Study; and coordination of various COG engineering projects, including the Truck Enforcement/Inspection Facilities Feasibility Study and the Intelligent Transportation Systems (ITS) Integration Study.

The agreement with Mr. Wood is now subject to renewal and the attached amendment extends the term of the agreement to June 30, 2011 for the services included in the scope of work attached to his contract. Funding for Mr. Wood’s services is included in the FY 2010-11 Budget, including a $200,000 contribution from MTA, which matches what was provided by the MTA in FY 2009-10.

Recommendation

Approve the attached fourth amendment to the agreement for consultant engineering services with Jerry R. Wood.
FOURTH AMENDMENT TO THE
AGREEMENT FOR CONSULTING SERVICES
BY AND BETWEEN
GATEWAY CITIES COUNCIL OF GOVERNMENTS
AND
JERRY R. WOOD

THE AGREEMENT FOR CONSULTING SERVICES ("Agreement") made and entered into as of July 1, 2006, by and between the Gateway Cities Council of Governments, a joint powers authority organized and existing pursuant to the laws of the State of California ("Agency") and Jerry R. Wood, an individual ("Consultant"), is amended as follows:

Section 1. Term of Agreement. This Amendment shall be effective as of July 1, 2010, and shall terminate on June 30, 2011, subject to Section 20 of the Agreement dated July 1, 2006.

IN WITNESS WHEREOF, the parties hereto have caused this Fourth Amendment to the Agreement to be executed as of July 1, 2010.

GATEWAY CITIES COUNCIL OF
GOVERNMENTS

___________________________
GORDON STEFENHAGEN
President

ATTEST:

___________________________
RICHARD R. POWERS, Secretary
APPROVED AS TO FORM:

RICHARD D. JONES
Legal Counsel

____________________

JERRY R. WOOD
VIII. REPORTS
ITEM A
Los Angeles County Energy Program, Presentation by Craig Perkins, Executive Director of the Energy Coalition
LOS ANGELES COUNTY ENERGY PROGRAM

What is the Los Angeles County Energy Program (LACEP)?
The Los Angeles County Energy Program (LACEP) is a comprehensive energy-efficiency building retrofit program that offers innovative financing in order to increase the number of retrofits and renewable power system installations for residential and commercial buildings in Los Angeles County. LACEP will create new jobs for energy-efficiency auditors, put construction professionals back to work, and reduce overall greenhouse gas emissions in the county by reducing electricity usage.

Homeowners who participate will not only be able to take advantage of significant federal and local rebates and tax credits to offset the cost, LACEP will offer convenient access to loans with low up-front costs for residents who want to upgrade their property. It will be more attractive than other financing options because it is tied to the property rather than the owner, transfers upon sale, and is repaid through a line item assessment on the annual property tax bill.

What are the goals and objectives?
- Retrofit more than 30,000 homes with an average 20% energy use reduction.
- Save energy and reduce greenhouse gas emissions
- Create/preserve green jobs
- Stimulate local economic recovery
- Provide low-cost, no-money-down financing for residential retrofits

Why is this program important?
- It eliminates the number one barrier for property owners who want to install energy efficiency and renewable energy improvements: High upfront costs. Homeowners pay for energy efficiency upgrades on their property tax bill over 15 - 20 years.
- 75% of California’s residential buildings were built before the 1978 implementation of the energy efficiency standards.
- Buildings are California’s second largest contributor to GHG. AB 32 is the state law that mandates California to reduce greenhouse gas emissions (GHG) to 1990 levels by 2020 and 80% below 1990 levels by 2050.
- The Public Utilities Commission’s California Long Term Energy Efficiency Strategic Plan targets a reduction of 20% of energy consumption in existing homes by 2015 and 40% by 2020. Local governments statewide are playing a pivotal role in influencing their communities' ability to reduce energy use and GHG.

5/19/2010
Who can participate?
- Owners of existing residential single family and multi-family buildings in all unincorporated areas and all participating cities of Los Angeles County. Commercial properties may be eligible in a later phase of the program.

Why should my city participate?
- Your residential property owners will reduce energy consumption and save money.
- Your residents will be able to take advantage of substantial financial incentives and a loan program.
- The local economy will be stimulated.
- It will help reduce greenhouse gas emissions in your city.
- Your residents can benefit from the program without your city incurring the costs of creating an assessment district.

What does this cost my city?
- There is no cost for cities to participate. This program leverages $12 million from Los Angeles County’s formula Energy Efficiency and Conservation Block Grant, $14.9 million from a Department of Energy competitive Energy Efficiency and Conservation Block Grant and an additional $8 million from the California Energy Commission Energy Efficiency and Conservation funds for a total of $34.9 million.

How can my city participate?
- Adopt a resolution to formally join LACEP after the County of Los Angeles Board of Supervisors’ final approval on May 25, 2010 but ideally before July 1, 2010 to ensure that your residents can participate as soon as the program launches. A template Resolution is available at www.LACountyEnergyProgram.org.

What does my city do next?
- Identify ways to effectively introduce and market this program to your own residents. Full program launch is expected in September 2010. A city adoption toolkit can be found on our website at www.LACountyEnergyProgram.org.
- Sign up for the LACEP list-serve by registering at www.LACountyEnergyProgram.org. You will receive the latest updates and additional program information and materials over the next few months.

For more information, please visit www.LACountyEnergyProgram.org or call 1-877-78-LACEP.

5/19/2010
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF [CITY], STATE OF CALIFORNIA, CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE INCORPORATED AREA OF THE CITY IN THE LOS ANGELES COUNTY ENERGY PROGRAM TO FINANCE DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES AND ENERGY AND WATER EFFICIENCY IMPROVEMENTS, APPROVING THE REPORT SETTING FORTH THE PARAMETERS OF THE REFERENCED PROGRAM AND CERTAIN MATTERS IN CONNECTION THEREWITH

WHEREAS, Chapter 29 of Part 3 of Division 7 of the California Streets and Highways Code (the "Act") authorizes cities and counties to assist free and willing property owners in financing the installation of distributed generation renewable energy sources and energy and water efficiency improvements (the "Improvements") that are permanently fixed to residential, commercial, industrial or other real property through a contractual assessment program; and

WHEREAS, the Board of Supervisors (the "Board of Supervisors") of the County of Los Angeles, a political subdivision of the State of California (the "County"), has established a contractual assessment program named the Los Angeles County Energy Program ("LACEP") pursuant to the Act; and

WHEREAS, the parameters of LACEP are set forth in the Report attached hereto as Exhibit A (the "Report") and such Report has been prepared by the Director of the Internal Services Department of the County, as Program Administrator (the "Program Administrator"), pursuant to Section 5898.22 of the Act and approved by the Board of Supervisors; and

WHEREAS, the Act authorizes the County to enter into contractual assessments with property owners located within incorporated cities only subsequent to the approval of the legislative body of the related city to participate in LACEP; and

WHEREAS, the City of [City] desires to participate with the County in LACEP, under terms and conditions agreed to by [City] and the County, and provide for participation in LACEP by property owners located within City limits; and

WHEREAS, this Council of the City (this "City Council") has reviewed the Report;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Council of the City of [City] as follows:

Section 1. The recitals set forth hereinafter are true and correct in all respects.

Section 2. This City Council finds and declares that properties in the City's incorporated area will be benefited by participation in LACEP.

Section 3. This City Council ratifies the resolution adopted by the Board of Supervisors on April 6, 2010 declaring the Board of Supervisors' intention to order the
implementation of a contractual assessment program to finance Improvements pursuant to the Act.

Section 4. This City Council hereby approves the Report substantially in the form attached hereto as Exhibit A and finds and determines that changes to the parameters of LACEP that are not material in nature do not require the approval of this Council.

Section 5. This City Council hereby approves the inclusion in LACEP of all of the properties in the incorporated area within the City, as same may be amended through annexation from time to time, the acquisition, construction and installation within City limits of the Improvements set forth in the Report upon the request and agreement of the affected property owner, and the assumption of jurisdiction thereover by the County for the aforesaid purposes. The adoption of this Resolution by this City Council constitutes the approval by the City to participate in the LACEP. This City Council further authorizes the County to set the terms of and implement LACEP and to take each and every action necessary or desirable for financing the Improvements, including the levying, collecting and enforcement of the contractual assessments to finance the Improvements and the issuance of bonds secured by such contractual assessments.

Section 6. The City Clerk is directed to file a certified copy of this Resolution with the Los Angeles County Office of Sustainability, located at 1100 North Eastern Avenue, Los Angeles, California 90063.

Section 7. City staff is authorized and directed to coordinate with the County, including the Program Administrator and County staff, to facilitate operation of LACEP. City staff is also authorized and directed to do all acts and things which may be required by this Resolution, or which may be necessary or desirable in carrying out LACEP as described in the Report, as may be amended from time to time, and approved by this Resolution, and all matters incidental thereto.

The foregoing Resolution was on the ___ day of _______, 20___, adopted by the City Counsel of the City of [CITY].

[APPROPRIATE CITY SIGNATURE BLOCK — TO BE INSERTED BY CITY]
VIII. REPORTS
ITEM B
Creating Community Amenities with Innovative Use of Storm Drains, Presentation by Nancy Steele, Executive Director, The Los Angeles and San Gabriel Rivers Watershed Council
TO: Board of Directors

FROM: Richard Powers, Executive Director

SUBJECT: Creating Community Amenities with Innovative Use of Storm Drains

Background

The Los Angeles & San Gabriel Rivers Watershed Council, a non-profit group, has used funding from the San Gabriel & Lower Los Angeles Rivers & Mountains Conservancy (RMC) to study the feasibility of “daylighting” sections of storm drains that serve or are connected with Compton Creek. Daylighting involves converting an underground or buried storm drain conduit into a surface water feature, like a creek. In certain settings, such as a park, this can create a community amenity and recreational site.

Issue

The Watershed Council has completed a draft feasibility study of ten sites in Southeast Los Angeles County, and is recommending three sites for implementation of daylighting, after evaluation based on a number of criteria listed in the study report. The Watershed Council is requesting public comment on its draft feasibility study report by July 15th.

All three recommended sites are within the COG boundary. Two sites (designated Site 6 and Site 8) are located within unincorporated county areas, while the third recommended site (designated Site 7) falls within the City of Compton.

Attachments

- A project summary including maps of the three recommended sites.

Recommended Action

A motion to hear report, possible action and/or give direction to staff.
Storm Drain Daylighting Feasibility Study

Funding is provided by Proposition 40 through the Rivers and Mountains Conservancy

San Gabriel & Lower Los Angeles RIVERS AND MOUNTAINS

The Los Angeles and San Gabriel Rivers WATERSHED COUNCIL

California Watershed Engineering

URBAN SEMILLAS
Focus Area: Compton Creek Watershed, Catchment 'E'

*For more information, see Compton Creek Watershed Management Plan pages 301, 302, & 303, or contact the Rivers and Mountains Conservancy or the San Gabriel Rivers Watershed Council.
Project History/Timeline

- January 2008-August 2008: site identification
- September 2008-December 2008: community outreach
- December 2008- June 2009: California State bond freeze
- June 2009-November 2009: project restart and resume community outreach
- December 2009-June 2010: Design and Draft Report
- June 2010-July 2010: Comments on Draft Report and additional outreach
- August 2010: Final report.
VIII. REPORTS
ITEM C
Proposed 2010-2011 Gateway Cities Council of Governments Budget
TO: Board of Directors

FROM: Gerald M. Caton, Treasurer

DATE: July 7, 2010

SUBJECT: Proposed Fiscal Year 2010-2011 Budget

Cognizant of the difficult economic times in general and the fiscal challenges that our member cities are facing, the proposed Fiscal Year 2010-11 Budget for the Gateway Cities Council of Governments contains no increases to the COG basic dues and assessments or to the contributions from the cities participating in the freeway corridor projects. On the expenditure side, there are no increases in any of the COG labor accounts and basic operating expenses have been held at or below last year’s levels. The one significant addition is the inclusion of the assessment and expenses related to the preparation of a subregional Sustainable Communities Strategy under SB 375, as approved by the COG Board of Directors in January of this year.

The COG will continue to provide engineering and staff support to two major freeway corridor projects. The I-710 EIR/EIS project has passed the half way point, and the SR-91/I-605/I-405 Corridor Cities Committee has approved moving forward with a feasibility analysis and project study reports for corridor “hot spots” projects. The years of effort by the COG on these two freeway corridors has resulted in the commitment by MTA to provide $590 million each to the two freeway corridors for early action projects over the next decade. The MTA has also committed to continue to provide supplemental funding for the COG’s substantial engineering support to the two freeway corridor projects.

Construction of improvements at intersections throughout the subregion will continue this year under Phase II of the Truck Impacted Intersection Project. When all projects have been completed, over 50 intersections in virtually all of the cities in the subregion will have been improved by way of the funding received by the COG.

The Gateway Cities Homeless Strategy Implementation Planning project, funded by the County of Los Angeles and overseen by the COG Committee on Homelessness, is scheduled to be completed by late fall. Once completed and approved, the Implementation Plan will serve as the basis for the ongoing provision of much needed programs for the homeless in the cities of our subregion.

The Budget includes the continuation of the Coordinated Monitoring Plan project, which involves a series of technical studies aimed at determining site specific levels of toxic metals (also known as TMDL studies) within the Los Angeles River watershed. This project is funded by contributions from our cities in the watershed, as well as the City of Los Angeles, County of Los Angeles, and cities in the San Gabriel Valley. The work is being performed by the City and County of Los Angeles. In addition, cities in “Reach 1” of the
Los Angeles River are funding independent studies by a consultant retained by the COG.

**Recommended Action**

It is recommended that the Board of Directors adopt the proposed Fiscal Year 2010-11 Budget.
RESOLUTION NO. 2010-02


THE BOARD OF DIRECTORS OF THE GATEWAY CITIES COUNCIL OF GOVERNMENTS DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Board of Directors of the Gateway cities Council of Governments (the “Board”) does hereby find, determine, and declare as follows:

a. Pursuant to the Bylaws of the Gateway Cities Council of Governments, the Board is required to adopt a budget annually.

b. A Proposed Budget has been prepared and presented to the Board.

c. The Board has publicly examined the 2010-2011 Proposed Budget.

SECTION 2. The 2010-2011 Annual Budget is hereby approved and adopted, as presented in the Proposed Budget, attached hereto as Exhibit “A”.

SECTION 3. The Executive Director is hereby authorized to transfer funds between accounts so long as total appropriations are not exceeded.

SECTION 4. This Resolution shall be effective as of July 1, 2010.

SECTION 5. The President is hereby authorized to affix his signature to this Resolution signifying its adoption, and the Secretary, is directed to attest thereto.

SECTION 6. The Secretary to the Board shall certify to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 7th day of July 2010.

_______________________________
Gordon Stefenhagen, President

ATTEST:

_________________________________
Richard Powers
SECRETARY

STATE OF CALIFORNIA )
COUNTY OF LOS ANGELES ) ss
VIII. REPORTS
ITEM D
Election to Fill Vacancy on the Metro Gateway Cities Governance Council
TO: Board of Directors

FROM: Richard Powers, Executive Director

SUBJECT: Election to Fill Vacancy on Metro Gateway Cities Governance Council

Background

In September 2002, the Los Angeles County Metropolitan Transportation Authority (MTA) Board of Directors adopted a policy for the establishment of Governance Councils for its newly created service sectors. One of the five sectors coincides almost exactly with the Gateway Cities COG territory. The COG requested and received recognition as the convening coalition charged with nominating Governance Council members.

At this time the seat for one vacancy, held by an elected official, will be filled.

Issue

In accordance with the policy and procedures, applications were solicited by direct notification of all mayors and councilmembers as well as municipal transit providers.

Timely applications were received from two elected officials. The elected officials are:

Josue Barrios, Cudahy
Gene Daniels, Paramount

Attachments

- Metro Gateway Cities Governance Council Nominating Policy and Procedure

Recommended Action

It is recommended that the Board of Directors select one applicant for the vacant seat on the Metro Gateway Cities Governance Council.
Attachment 1

Metro Gateway Cities Governance Council
Nominating Policy and Procedure
As amended June 1, 2005

I. Council composition
The Council was initiated with seven members including a majority of public transit users and not to exceed three (3) elected officials. The COG (acting as the convening coalition) exercised its the right to expand the Council to nine (9) members on June 1, 2005. These nine (9) members shall include a majority of public transit users and not exceed four (4) elected officials.

II. Nomination procedure
When one or more vacancies occur, it will be determined how many of the vacancies may be held by elected officials. For elected official vacancies, if any, all applications received will be compiled and forwarded to the COG Board of Directors for its decision. For non-elected official vacancies, if any, all applications will be reviewed by the MTA Sector Subcommittee of the Transportation Committee after all elected official vacancies have been decided. The Subcommittee will recommend candidates for each vacancy to the Board of Directors for nomination to the Governance Council. All of the Board of Director’s nominations will be forwarded to the MTA Board of Directors for its review and approval. In selecting among the applicants, the Subcommittee will strive for diversity of perspectives, expertise, geographic representation, and transit use including consideration of populations with special transit needs such as the elderly and the disabled.

III. Outreach
Applications will be accepted for a minimum period of three weeks. Notice of available applications will posted on the COG website and mailed to all mayors, councilmembers, county supervisors, city managers and municipal transit providers in the Sector area as well as the Gateway Cities Partnership. A press release will also be issued.
VIII. REPORTS
ITEM E
Memorandum of Understanding by and Between Gateway Cities Council of Governments and Southern California Association of Governments for Gateway Cities Sustainable Communities Strategy (SCS) Under SB 375
TO: Board of Directors

FROM: Richard Powers, Executive Director

SUBJECT: Memorandum of Understanding by and Between Gateway Cities Council of Governments and Southern California Association of Governments for Gateway Cities Sustainable Communities Strategy (SCS) Under SB 375

Background

In 2008 the Governor signed SB 375, a bill that addresses greenhouse gas (GHG) emission reductions related to land use and transportation. SB 375 requires the Southern California Association of Governments (SCAG) to prepare a regional Sustainable Communities Strategy (SCS) in conjunction with the Regional Transportation Plan (RTP) that will meet a GHG reduction target set by the California Air Resources Board (ARB or CARB).

Issue

In January 2010, the COG board elected to develop a subregional (SCS) as the law allows within the SCAG region. The only other subregion to elect to prepare its own SCS was Orange County. All other subregions will have their SCS prepared by SCAG as a part of the regional SCS.

With each of these two subregions, SCAG has negotiated a Memorandum of Understanding (MOU) that will guide the development of the subregional SCS. SCAG has also developed a Framework & Guidelines document to help guide the development of subregional SCS. The Gateway Cities MOU provides that the subregional SCS must be consistent with federal and state law and with the Framework & Guidelines. The MOU language has been negotiated so as to give the greatest possible flexibility to the COG in the development of the SCS, while ensuring that SCAG will accept it and incorporate it into the regional SCS.

In addition to the Framework & Guidelines, the MOU also contains a Milestones Schedule exhibit and a Deliverables Template exhibit containing additional details on what materials are to be prepared and when they are due. The preliminary subregional SCS will be due to SCAG in early 2011 and the final due in Spring 2011. The draft RTP (including the Gateway Cities SCS) will be circulated in Fall 2011 and the final RTP will be considered for approval by the SCAG board in Spring 2012.

Attachments

- Memorandum of Understanding By and Between Gateway Cities Council of Governments and the Southern California Association of Governments for
Gateway Cities Sustainable Communities Strategy
- Exhibit A – Framework & Guidelines
- Exhibit B – Milestones Schedule
- Exhibit C – Deliverables Template

**Recommended Action**

Approve Memorandum of Understanding.
MEMORANDUM OF UNDERSTANDING
BY AND BETWEEN
GATEWAY CITIES COUNCIL OF GOVERNMENTS
AND
THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS
FOR
GATEWAY CITIES SUSTAINABLE COMMUNITIES STRATEGY

THIS MEMORANDUM OF UNDERSTANDING (hereinafter referred to as “MOU”) is entered by and between the Gateway Cities Council of Governments, (hereinafter referred to as “GCCOG”), and the Southern California Association of Governments, (hereinafter referred to as “SCAG”), collectively referred to as the “Parties.”

RECITALS:

WHEREAS, Senate Bill 375 (Chapter 728, laws of 2008, “SB 375”) requires SCAG to prepare a regional Sustainable Communities Strategy (hereinafter referred to as “SCS” or “Regional SCS”) as part of SCAG’s Regional Transportation Plan (“RTP”) to achieve goals for the reduction of greenhouse gas emissions from automobiles and light trucks in the SCAG region which comprises the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura;

WHEREAS, SB 375 allows GCCOG, as a subregional council of governments for Southeast Los Angeles County, to develop and submit to SCAG a subregional SCS for its jurisdiction (hereinafter referred to as “Gateway Cities SCS”);

WHEREAS, as part of its implementation of SB 375, SCAG has developed and adopted a certain “Framework and Guidelines for the Subregional Sustainable Communities Strategy” (hereinafter referred to as “Framework and Guidelines”), attached hereto as Exhibit “A” and incorporated herein by this reference.

WHEREAS, SCAG is required by SB 375 to include a subregional SCS in the regional SCS, to the extent consistent with state and federal law;

WHEREAS, GCCOG and SCAG desire to enter into this MOU to demonstrate mutual commitments to prepare the Gateway Cities SCS.

NOW, THEREFORE, the Parties enter into the following MOU with respect to the matters set forth herein:

1. This MOU establishes the roles, responsibilities, and requirements for GCCOG and SCAG that are necessary to develop a Gateway Cities SCS that shall be included in the regional SCS prepared by SCAG.

2. GCCOG shall prepare the Gateway Cities SCS consistent with SCAG’s adopted Framework and Guidelines, as attached hereto, to ensure that the region can successfully incorporate
strategies within the Gateway Cities SCS into the Regional SCS, and not inhibit the region from complying with SB 375.

3. GCCOG agrees to comply with the Milestones Schedule, attached hereto as Exhibit “B” and incorporated herein by this reference, and work with SCAG and the other subregions to ensure the successful delivery of a regional SCS by using the Deliverables Template, attached hereto as Exhibit “C” and incorporated by this reference as the primary template for developing a subregional SCS workplan. The Deliverables Template may be subject to change based on direction from the SCAG Regional Council or Community, Economic and Human Development Policy Committee, and approval by GCCOG.

4. GCCOG are encouraged by SCAG to conduct a public participation process in developing the Gateway Cities SCS, above and beyond the process required for the regional SCS required under Section 65080(b)(2)(D)-(E) of the California Government Code. Further, SCAG encourages GCCOG to develop a public participation plan, similar to SCAG’s Public Participation Plan adopted in December 2009, for such purposes.

5. GCCOG agrees to participate in all publicly noticed meetings, workshops, hearings, and other outreach activities organized by SCAG within the GCCOG’s jurisdiction, at which the regional SCS or Gateway Cities SCS is included on the agenda. All parties shall coordinate with one another during implementation of SCAG’s public participation process in order to ensure broad public and stakeholder participation, and to avoid duplication of effort.

6. GCCOG shall retain and deliver to SCAG all documentation pertaining to the Gateway Cities SCS from publicly noticed meetings, workshops, and hearings at which the Gateway Cities SCS is included on the agenda. Such documentation shall include, but is not limited to, meeting notices, agendas, minutes, comments and responses to comments, sign-up sheets, hand-outs, and copies of power point presentations.

7. The Parties acknowledge that population, household, housing, and employment estimates are being prepared by GCCOG and/or its consultants (hereinafter referred to as “GCCOG Dataset”). SCAG agrees to use the GCCOG Dataset as reviewed and approved by GCCOG, for the Regional SCS and the 2012 RTP; provided, that SCAG, in consultation with GCCOG, may make adjustments to the GCCOG Dataset in order to ensure consistency with SCAG’s 2012 RTP growth forecast.

8. The Parties agree and acknowledge that population, household, housing, and employment data submitted to SCAG by GCCOG shall be accurately reflected in all documentation produced by SCAG that relates to the Gateway Cities SCS and the Regional SCS.
9. The Parties agree and acknowledge that RHNA responsibilities shall remain with SCAG, and that GCCOG shall not assume delegation responsibility for RHNA as part of the Gateway Cities SCS development. However, GCCOG is not precluded by this MOU from assuming delegation responsibility for RHNA as part of a subsequent, separate agreement.

10. SCAG agrees that in addition to preparation of the Gateway Cities SCS developed under this MOU, development of an Alternative Planning Strategy (APS) by GCCOG is optional. This understanding shall not preclude SCAG from preparing a regional APS pursuant to SB 375.

11. SCAG shall not develop SCS-related targets that are attributable to the subregions. Further, SCAG agrees that it will not impose a penalty on the Gateway Cities subregion if the greenhouse gas targets, as established by the California Air Resources Board, are not met by the Regional SCS.

12. SCAG shall accept the Gateway Cities SCS prepared in accordance with this MOU as the Gateway Cities subregion’s input into the Regional SCS prepared by SCAG.

13. GCCOG and SCAG shall amend this MOU in writing or develop a separate, mutual funding agreement addressing Gateway Cities SCS costs should state or federal funding become available that can be applied toward preparation of the Gateway Cities SCS.

14. GCCOG and SCAG agree to work closely together throughout the Regional SCS process and Gateway Cities SCS process to provide technical input, applicable planning data, and constructive feedback with respect to all documents, products and deliverables developed and associated with the Gateway Cities SCS.

15. SCAG agrees to make good faith efforts to provide GCCOG with assistance, including tools and models in its possession, as requested by GCCOG in evaluating preliminary Gateway Cities SCS growth and greenhouse gas (“GHG”) estimates.

16. SCAG agrees to make good faith efforts to provide GCCOG with assistance with GIS services relating to the development of the Gateway Cities SCS, as requested by GCCOG.

17. GCCOG and SCAG agree to work together in good faith, using reasonable efforts to resolve any unforeseen issues and disputes arising out of the performance of this MOU.
18. GCCOG and SCAG agree in good faith to provide the resources necessary to implement the provisions of the MOU.

19. GCCOG and SCAG agree to defend, indemnify and hold harmless each other, including their officers, agents, elected officials, and employees, from all liability, claims, losses and demands, including defense costs and reasonable attorneys’ fees, whether resulting from court action or otherwise, arising out of the acts or omissions of the defending party, its officers, agents, or employees, in the performance of this MOU. When acts or omissions of one party are directed by another party, the party directing the acts or omission shall owe this defense and indemnity obligation to the party following the directions. The provisions of this paragraph shall survive termination of this MOU.

20. This MOU shall be governed by all applicable federal, state, and local laws. The signatories warrant that in the performance of this MOU, each shall comply with all applicable federal, state and local laws, statutes and ordinances and all lawful orders, rules and regulations promulgated there under.

21. This MOU may only be modified or amended upon written mutual consent of all signatories. All modifications, amendments, changes and revisions of this MOU in whole or part, and from time to time, shall be binding upon the parties, so long as the same shall be in writing and executed by the signatories.

22. This MOU, including all exhibits and documents incorporated herein and made applicable by reference, constitutes the complete and exclusive statement of the term(s) and condition(s) of the agreement between the parties with respect to the subject matter herein and supersedes all prior representations, understandings and communications. The invalidity in whole or part of any term or condition of this MOU shall not affect the validity of the other term(s) or condition(s).

23. Any party may withdraw from this MOU upon 30 days’ written notice to the other, until the due date set forth in Exhibit “B” for submittal to SCAG of the preliminary Gateway Cities SCS. After such due date, any party may withdraw from this MOU only upon mutual written agreement.

24. Each signatory shall be excused from performing its obligations under this MOU during the time and to the extent that it is prevented from performing by an unforeseeable cause beyond its control, including but not limited to: any incident of fire, flood; acts of God; commandeering of material, produces, plants or facilities by federal, state or local government; national fuel shortage; or a material act or omission by any other party; when satisfactory evidence
of such cause is presented to the other parties, and provided further such nonperformance is unforeseeable, beyond the control and is not due to the fault or negligence of the party not performing.

25. Any notice sent by first class mail, postage paid, to the address and addressee, shall be deemed to have been given when in the ordinary course it would be delivered. The representatives of the parties who are primarily responsible for the administration of this MOU, and to whom notices, demands and communications shall be given are as detailed below. If there are any changes in the names and/or addresses listed below, the party desiring to make such changes shall give a written notice to the other respective parties within five (5) days of such change.

Gateway Cities Council of Governments  
Attention: Richard Powers, Executive Director  
16401 Paramount Blvd  
Paramount, CA 90723

Southern California Association of Governments  
Attention: Hasan Ikhrata, Executive Director  
818 West Seventh Street, 12th Floor  
Los Angeles, CA 90017-3435

26. This MOU shall continue in full force and effect from the Effective Date up to and until the date that the Regional SCS is adopted by SCAG’s Regional Council, unless otherwise terminated earlier in accordance with section 23 of this MOU. The Effective Date of this MOU shall mean the date (last date indicated below) that all Parties have fully executed this MOU.

[Signature page to follow.]

IN WITNESS WHEREOF, the Parties hereto have caused this MOU to be executed by their duly authorized representatives.

GATEWAY CITIES COUNCIL OF GOVERNMENTS

By: ________________________________  
Richard Powers, Executive Director

Date: ________________________________
Exhibit A:
Southern California Association of Governments
(Approved by Regional Council - April 1, 2010)

FRAMEWORK AND GUIDELINES
for
SUBREGIONAL SUSTAINABLE COMMUNITIES STRATEGY

I. INTRODUCTION

SB 375 (Steinberg), also known as California’s Sustainable Communities Strategy and Climate Protection Act, is a new state law which became effective January 1, 2009. SB 375 calls for the integration of transportation, land use, and housing planning, and also establishes the reduction of greenhouse gas (GHG) emissions as one of the main goals for regional planning. SCAG, working with the individual County Transportation Commissions (CTCs) and the subregional organizations within the SCAG region, is responsible for implementing SB 375 in the Southern California region.

Success in this endeavor is dependent on collaboration with a range of public and private partners throughout the region. Briefly summarized here, SB 375 requires SCAG as the Metropolitan Planning Organization to:

- Prepare a Sustainable Communities Strategy (SCS) as part of the 2012 Regional Transportation Plan (RTP). The SCS will meet a State-determined regional GHG emission reduction target, if it is feasible to do so.
- Prepare an Alternative Planning Strategy (APS) that is not part of the RTP if the SCS is unable to meet the regional target.
- Integrate SCAG planning processes, in particular assuring that the Regional Housing Needs Assessment (RHNA) is consistent with the SCS, at the jurisdiction level.
- Specific to SCAG only, allow for subregional SCS/APS development.
- Develop a substantial public participation process involving all stakeholders.

Unique to the SCAG region, SB 375 provides that “a subregional council of governments and the county transportation commission may work together to propose the sustainable communities strategy and an alternative planning strategy . . . for that subregional area.” Govt. Code §65080(b)(2)(C). In addition, SB 375 authorizes that SCAG “may adopt a framework for a subregional SCS or a subregional APS to address the intraregional land use, transportation,
economic, air quality, and climate policy relationships.” *Id.* Finally, SB 375 requires SCAG to “develop overall guidelines, create public participation plans, ensure coordination, resolve conflicts, make sure that the overall plan complies with applicable legal requirements, and adopt the plan for the region.” *Id.*

The intent of this Framework and Guidelines for Subregional Sustainable Communities Strategy (also referred to herein as the “Framework and Guidelines” or the “Subregional Framework and Guidelines”) is to offer the SCAG region’s subregional agencies the highest degree of autonomy, flexibility and responsibility in developing a program and set of implementation strategies for their subregional areas. This will allow the subregional strategies to better reflect the issues, concerns, and future vision of the region’s collective jurisdictions with the input of the fullest range of stakeholders. In order to achieve these objectives, it is necessary for SCAG to develop measures that assure equity, consistency and coordination, such that SCAG can incorporate the subregional SCSs in its regional SCS which will be adopted as part of the 2012 RTP pursuant to SB 375. For that reason, this Framework and Guidelines establishes standards for the subregion’s work in preparing and submitting subregional strategies, while also laying out SCAG’s role in facilitating and supporting the subregional effort with data, tools, and other assistance.

While the Framework and Guidelines are intended to facilitate the specific subregional option to develop the SCS (and APS if necessary) as described in SB 375, SCAG encourages the fullest possible participation from all subregional organizations. As SCAG undertakes implementation of SB 375 for the first time, SCAG has also designed a “collaborative” process, in cooperation with the subregions, that allows for robust subregional participation for subregions that choose not to exercise their statutory option.

**II. ELIGIBILITY AND PARTICIPATION**

SB 375 allows for subregional councils of governments in the SCAG region to have the option to develop the SCS (and the APS if necessary) for their area. SCAG interprets this option as being available to any subregional organization recognized by SCAG, regardless of whether the organization is formally established as a “subregional council of governments.”

County Transportation Commissions (CTCs) play an important and necessary role in the development of a subregional SCS. Any subregion that chooses to develop a subregional strategy will need to work closely with the respective CTC in its subregional area in order to identify and integrate transportation projects and policies. Beyond working with CTCs, SCAG encourages partnership efforts in the development of subregional strategies, including partnerships between and among subregions.

Subregional agencies must formally indicate to SCAG, in writing, by December 31, 2009 if they intend to exercise this option to develop their own SCS. Subregions that choose to develop an SCS for their area must do so in a manner consistent with this Framework and Guidelines. The subregion’s intent to exercise its statutory option to prepare the strategy for their area must be
decided and communicated through formal action of the subregional agency’s governing board. Subsequent to receipt of any subregion’s intent to develop and adopt an SCS, SCAG will convene discussions regarding a formal written agreement between SCAG and the subregion, which may be revised if necessary, as the SCS process is implemented.

III. FRAMEWORK
The Framework portion of this document covers regional objectives and policy considerations, and provides general direction to the subregions in preparing their own SCS, and APS if necessary.

A. SCAG’s preliminary goals for implementing SB 375 are as follows:

- Achieve the regional GHG emission reduction target for cars and light trucks through an SCS.
- Fully integrate SCAG’s planning processes for transportation, growth, intergovernmental review, land use, housing, and the environment.
- Seek areas of cooperation that go beyond the procedural statutory requirements, but that also result in regional plans and strategies that are mutually supportive of a range of goals.
- Build trust by providing an interactive, participatory and collaborative process for all stakeholders. Provide, in particular, for the robust participation of local jurisdictions, subregions and CTCs in the development of the SCAG regional SCS and implementation of the subregional provisions of the law.
- Assure that the SCS adopted by SCAG and submitted to California Air Resources Board (ARB) is a reflection of the region’s collective growth strategy and vision for the future.
- Develop strategies that incorporate and are respectful of local and subregional priorities, plans, and projects.

B. Flexibility

Subregions may develop any appropriate strategy to address the region’s greenhouse gas reduction goals and the intent of SB 375. While subregions will be provided with SCAG data, and with a conceptual or preliminary scenario to use as a helpful starting point, they may employ any combination of land use policy change, transportation policy, and transportation investment, within the specific parameters described in the Guidelines.

C. Outreach Effort and Principles

Subregions are required to conduct an open and participatory process that includes the fullest possible range of stakeholders. As further discussed within the Guidelines, SCAG amended its existing Public Participation Plan (PPP) to describes SCAG’s responsibilities in complying with the outreach requirements of SB 375 and other applicable laws and regulations. SCAG will fulfill its outreach requirements for the regional SCS/APS which will include outreach activities regarding the subregional SCS/APS. Subregions are also encouraged to design their own outreach process that meets each subregion’s own needs and reinforces the spirit of openness and full participation. To the extent that subregions do establish their own outreach process, this process should be coordinated with SCAG’s outreach process.
D. Communication and Coordination

Subregions developing their own SCS are strongly encouraged to maintain regular communication with SCAG staff, the respective CTC, their jurisdictions and other stakeholders, and other subregions if necessary, to review issues as they arise and to assure close coordination. Mechanisms for ongoing communication should be established in the early phases of strategy development.

E. Planning Concepts

SCAG, its subregions, and member cities have established a successful track record on a range of land use and transportation planning approaches through the on-going SCAG Compass Blueprint Program, including approximately 60 local demonstration projects completed to date. Subregions are encouraged to capture, further develop and build off the concepts and approaches of the Compass Blueprint program. In brief, these include developing transit-oriented, mixed use, and walkable communities, and providing for a mix of housing and jobs.

IV. GUIDELINES

These Guidelines describe specific parameters for the subregional SCS/APS effort under SB 375, including process, deliverables, data, documentation, and timelines. As described above, the Guidelines are created to ensure that the region can successfully incorporate strategies developed by the subregions into the regional SCS, and that the region can comply with its own requirements under SB 375. Failure to proceed in a manner consistent with the Guidelines will result in SCAG not accepting a subregion’s submitted strategy.

A. Subregional Process

(1) Subregional Sustainable Communities Strategy

Subregions that choose to exercise their optional role under SB 375 will develop and adopt a subregional Sustainable Communities Strategy. That strategy must contain all of the required elements, and follow all procedures, as described in SB 375. Subregions may choose to further develop an Alternative Planning Strategy (APS), according to the procedures and requirements described in SB 375. If subregions prepare an APS, they must prepare a Sustainable Communities Strategy first, in accordance with SB 375. A subregional APS is not “in lieu of” a subregional SCS, but in addition to the subregional SCS. In part, an APS must identify the principal impediments to achieving the targets within the SCS. The APS must show how the GHG emission targets would be achieved through alternative development patterns, infrastructure, and additional transportation measures or policies. SCAG encourages subregions to focus on feasible strategies that can be included in the SCS.

The subregional SCS must include all components of a regional SCS as described in SB 375, and outlined below:
(i.) identify the general location of uses, residential densities, and building intensities within the
subregion;
(ii.) identify areas within the subregion sufficient to house all the population of the subregion,
including all economic segments of the population, over the course of the planning period of
the RTP taking into account net migration into the region, population growth, household
formation and employment growth;
(iii.) identify areas within the subregion sufficient to house an eight-year projection of the
regional housing need for the subregion pursuant to Section 65584;
(iv.) identify a transportation network to service the transportation needs of the subregion;
(v.) gather and consider the best practically available scientific information regarding resource
areas and farmland in the subregion as defined in subdivisions (a) and (b) of Section
65080.01;
(vi.) consider the state housing goals specified in Sections 65580 and 65581;
(vii.) set forth a forecasted development pattern for the subregion, which, when integrated with
the transportation network, and other transportation measures and policies, will reduce the
greenhouse gas emissions from automobiles and light trucks to achieve, if there is a feasible
way to do so, the greenhouse gas emission reduction targets approved by the ARB; and
(viii.) allow the RTP to comply with Section 176 of the federal Clean Air Act (42 U.S.C. Sec.

In preparing the subregional SCS, the subregion will consider feasible strategies, including local
land use policies, transportation infrastructure investment (e.g., transportation projects), and
other transportation policies such as Transportation Demand Management (TDM) strategies
(which includes pricing), and Transportation System Management (TSM) strategies.
Technological measures may be included if they exceed measures captured in other state and
federal requirements (e.g., AB32).

As discussed further below (under “Documentation”), subregions need not constrain land use
strategies considered for the SCS to current General Plans. In other words, the adopted strategy
need not be fully consistent with local General Plans currently in place. However, should the
adopted subregional strategy deviate from General Plans, subregions will need to demonstrate
the feasibility of the strategy by documenting any affected jurisdictions’ willingness to adopt the
necessary General Plan changes.

The regional SCS shall be part of the 2012 RTP. Therefore, for transportation investments
included in a subregional SCS to be valid, they must also be included in the 2012 RTP. Further,
such projects need to be scheduled in the RTIP for construction completion by the target years
(2020 and 2035) in order to demonstrate any benefits as part of the SCS. As such, subregions
will need to collaborate with the respective CTC in their area to coordinate the subregional SCS
with future transportation investments. It should also be noted that the California Transportation
Commission is updating their RTP Guidelines. This topic is likely to be part of further discussion
through the SCS process as well.

SCAG will accept and incorporate the subregional SCS, unless (a) it does not comply with SB
375, (b) it is does not comply with federal law, or (c) it is does not comply with SCAG’s
Subregional Framework and Guidelines. In the event that a compiled regional SCS, including subregional submissions, does not achieve the regional target, SCAG will initiate a process to develop and consider additional GHG emission reduction measures region-wide. SCAG will develop a written agreement with each subregional organization to define a process and timeline whereby subregions would submit a draft subregional SCS for review and comments to SCAG, so that any inconsistencies may be identified and resolved early in the process. Furthermore, SCAG will compile and disseminate performance information on the preliminary regional SCS and its components in order to facilitate regional dialogue. The development of a subregional SCS does not exempt any subregion from further GHG emission reduction measures being included in the regional SCS. Further, all regional measures needed to meet the regional target will be subject to adoption by the Regional Council, and any additional subregional measures beyond the SCS submittal from subregions accepting delegation needed to meet the regional target must also be adopted by the subregional governing body.

(2) Subregional Alternative Planning Strategy (APS)

Subregions are encouraged to focus their efforts on feasible measures that can be included in an SCS. In the event that a subregion chooses to prepare an APS, the content of a subregional APS should be consistent with what is required by SB 375 (see, Government Code §65080(b)(2)(H)), as follows:

(i.) Shall identify the principal impediments to achieving the subregional SCS.
(ii.) May include an alternative development pattern for the subregion pursuant to subparagraphs (B) to (F), inclusive.
(iii.) Shall describe how the alternative planning strategy would contribute to the regional greenhouse gas emission reduction target, and why the development pattern, measures, and policies in the alternative planning strategy are the most practicable choices for the subregion.
(iv.) An alternative development pattern set forth in the alternative planning strategy shall comply with Part 450 of Title 23 of, and Part 93 of Title 40 of, the Code of Federal Regulations, except to the extent that compliance will prevent achievement of the regional greenhouse gas emission reduction targets approved by the ARB.
(v.) For purposes of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code), an alternative planning strategy shall not constitute a land use plan, policy, or regulation, and the inconsistency of a project with an alternative planning strategy shall not be a consideration in determining whether a project may have an environmental effect.

Any precise timing or submission requirements for a subregional APS will be determined based on further discussions with subregional partners. As previously noted, a subregional APS is in addition to a subregional SCS.

(3) Outreach and Process
SCAG will fulfill all of its outreach requirements under SB 375 for the regional SCS/APS, which will include outreach regarding any subregional SCS/APS. SCAG staff has revised its Public Participation Plan to incorporate the outreach requirements of SB 375, and integrate the SB 375 process with the 2012 RTP development as part of SCAG’s Public Participation Plan Amendment No. 2, adopted by SCAG’s Regional Council on December 3, 2009. Subsequent to the adoption of the PPP Amendment No. 2, SCAG will continue to discuss with subregions and stakeholders the Subregional Framework & Guidelines, which further describe the Public Participation elements of SB 375.

Subregions that elect to prepare their own SCS or APS are encouraged to present their subregional SCS or APS, in coordination with SCAG, at all meetings, workshops and hearings held by SCAG in their respective counties. Additionally, the subregions would be asked to either provide SCAG with their mailing lists so that public notices and outreach materials may also be posted and sent out by SCAG, or SCAG will provide notices and outreach materials to the subregions for their distribution to stakeholders. The SCAG PPP Amendment No. 2 provides that additional outreach may be performed by subregions. Subregions are strongly encouraged to design and adopt their own outreach processes that mimic the specific requirements imposed on the region under SB 375.

Subregional outreach processes should reinforce the regional goal of full and open participation, and engagement of the broadest possible range of stakeholders.

(4) Subregional SCS Approval

It is recommended that the governing board of the subregional agency approve the subregional SCS prior to submission to SCAG. While the exact format is still subject to further discussion, SCAG recommends that there be a resolution from the governing board of the subregion with a finding that the land use strategies included in the subregional SCS are feasible and based upon consultation with the local jurisdictions in the respective subregion. Subregion should consult with their legal counsel as to compliance with the California Environmental Quality Act (CEQA). In SCAG’s view, the subregional SCS is not a “project” for the purposes of CEQA; rather, the 2012 RTP which will include the regional SCS is the actual “project” which will be reviewed for environmental impacts pursuant to CEQA. As such, the regional SCS, which will include the subregional SCSs, will undergo a thorough CEQA review. Nevertheless, subregions approving subregional SCSs should consider issuing a notice of exemption under CEQA to notify the public of their “no project” determination and/or to invoke the “common sense” exemption pursuant to CEQA Guidelines § 15061(b)(3).

Finally, in accordance with SB 375, subregions are strongly encouraged to work in partnership with the CTC in their area. SCAG can facilitate these arrangements if needed.
(5) Data Standards

SCAG is currently assessing the precise data standards anticipated for the regional and subregional SCS. In particular, SCAG is reviewing the potential use of parcel data and development types currently used for regional planning. At present, the following describes the anticipated data requirements for a subregional SCS.

1. Types of Variables
Variables are categorized into socio-economic variables and land use variables. The socioeconomic variables include population, households, housing units, and employment. The land use variables include land uses, residential densities, building intensities, etc, as described in SB375.

2. Geographical Levels
SCAG is considering the collection and adoption of the data at a small-area level as optional for local agencies in order to make accessible the CEQA streamlining provisions under SB 375. The housing unit, employment, and the land use variables can be collected at a small-area level for those areas which under SB 375 qualify as containing a “transit priority project” (i.e. within half-mile of a major transit stop or high-quality transit corridor) for purposes of allowing jurisdictions to take advantage of the CEQA streamlining incentives in SB 375.

For all other areas in the region, SCAG staff will collect the population, household, employment, and land use variables at the Census tract or Traffic Analysis Zone (TAZ) level.

3. Base Year and Forecast Years
The socio-economic and land use variables will be required for the base year of 2008, and the target years of 2020 and 2035.

(6) Documentation

Subregions are expected to maintain full and complete records related to the development of the subregional SCS, including utilizing the most recent planning assumptions considering local general plans and other factors. In particular, subregions must document the feasibility of the subregional strategy by demonstrating the willingness of local agencies to consider and adopt land use changes necessitated by the SCS. The format for this documentation may include adopted resolutions from local jurisdictions and/or the subregion’s governing board.

(7) Timing
An overview schedule of the major milestones of the subregional process and its relationship to the regional SCS/RTP is included below. Subregions must submit the subregional SCS to SCAG by the date prescribed. Further, SCAG will need a preliminary SCS from subregions for the purpose of preparing a project description for the 2012 RTP Program Environmental Impact Report. The precise content of this preliminary submission will be determined based on further discussions. The anticipated timing of this preliminary product is approximately February 2011.

(8) Relationship to Regional Housing Needs Assessment (RHNA) and Housing Element
Although SB 375 calls for an integrated process, subregions are not automatically required to take on RHNA delegation as described in State law if they prepare an SCS/APS. However, SCAG encourages subregions to undertake both processes due to their inherent connections. SB 375 requires that the RHNA allocated housing units be consistent with the development pattern included in the SCS. See, Government Code §65584.04(i). Population and housing demand must also be proportional to employment growth. At the same time, in addition to the requirement that the RHNA be consistent with the development pattern in the SCS, the SCS must also identify areas that are sufficient to house the regional population by income group through the RTP planning period, and must identify areas to accommodate the region’s housing need for the next local Housing Element eight year planning period update. The requirements of the statute are being further interpreted through the RTP guidelines process. Staff intends to monitor and participate in the guideline process, inform stakeholders regarding various material on these issues, and amend, if necessary, these Framework and Guidelines, pending its adoption.

SCAG will be adopting the RHNA and applying it to local jurisdictions at the jurisdiction boundary level. SCAG staff believes that consistency between the RHNA and the SCS may still be accomplished by aggregating the housing units contained in the smaller geographic levels noted in the SCS and including such as part of the total jurisdictional number for RHNA purpose. SCAG staff has concluded that there is no consistency requirement for RHNA purposes at sub-jurisdictional level, even though the SCS is adopted at the smaller geographic level for the opportunity areas.

The option to develop a subregional SCS is separate from the option for subregions to adopt a RHNA distribution, and subject to separate statutory requirements. Nevertheless, subregions that develop and adopt a subregional SCS should be aware that the SCS will form the basis for the allocation of housing need as part of the RHNA process. Further, SCS development requires integration of elements of the RHNA process, including assuring that areas are identified to accommodate the year need for housing, and that housing not be constrained by certain types of local growth controls as described in State law.

SCAG will provide further guidance for subregions and a separate process description for the RHNA.

B. COUNTY TRANSPORTATION COMMISSIONS’ ROLES AND RESPONSIBILITIES

Subregions that develop a subregional SCS will need to work closely with the CTCs in their area in order to coordinate and integrate transportation projects and policies as part of the subregional SCS. As discussed above (under “Subregional Sustainable Communities Strategy”), any transportation projects identified in the subregional SCS must also be included in the 2012 RTP in order to be considered as a feasible strategy. SCAG can help to facilitate communication between subregions and CTCs.

C. SCAG ROLES AND RESPONSIBILITIES

SCAG’s roles in supporting the subregional SCS development process are in the following areas:
(1) Preparing and adopting the Framework and Guidelines

SCAG will adopt these Framework and Guidelines in order to assure regional consistency and the region’s compliance with law.

(2) Public Participation Plan

SCAG will assist the subregions by developing, adopting and implementing a Public Participation Plan and outreach process with stakeholders. This process includes consultation with congestion management agencies, transportation agencies, and transportation commissions; and SCAG will hold public workshops and hearings. SCAG will also conduct informational meetings in each county within the region for local elected officials (members of the board of supervisors and city councils), to present the draft SCS, and APS if necessary, and solicit and consider input and recommendations.

(3) Methodology

As required by SB 375, SCAG will adopt a methodology for measuring greenhouse gas emission reductions associated with the strategy.

(4) Incorporation/Modification

SCAG will accept and incorporate the subregional SCS unless it does not comply with SB 375, federal law, or the Subregional Framework and Guidelines. As SCAG intends the entire SCS development process to be iterative, SCAG will not amend a locally-submitted SCS. SCAG may provide additional guidance to subregions so that subregions may make amendments to its subregional SCS as part of the iterative process, or request a subregion to prepare an APS if necessary. Further, SCAG can propose additional regional strategies if feasible and necessary to achieve the regional emission reduction target with the regional SCS. SCAG will develop a written agreement with each subregional organization to define a process and timeline whereby subregions would submit a draft subregional SCS for review and comments to SCAG, so that any inconsistencies may be identified and resolved early in the process.

(5) Modeling

SCAG currently uses a Trip-Based Regional Transportation Demand Model and ARB’s EMFAC model for emissions purposes. In addition to regional modeling, SCAG is developing tools to evaluate the effects of strategies that are not fully accounted for in the regional model. SCAG is also developing two additional tools – a Land Use Model and an Activity Based Model – to assist in strategy development and measurement of outcomes under SB 375. In addition to modeling tools which are used to measure results of completed scenarios, SCAG is developing a scenario planning tool for use in workshop settings as scenarios are being created with jurisdictions and stakeholders. The tool will be made available to subregions and local governments for their use in subregional strategy development.
(6) Adoption/Submission to State
After the incorporation of subregional strategies, SCAG will finalize and adopt the regional SCS as part of the 2012 RTP. SCAG will submit the SCS to ARB for review as required in SB 375.

(7) Conflict Resolution
While SB 375 requires SCAG to develop a process for resolving conflicts, it is unclear at this time the nature or purpose of a conflict resolution process as SCAG does not intend to amend a locally submitted SCS. As noted above, SCAG will accept the subregional SCS unless it is inconsistent with SB 375, federal law, or the Subregional Framework and Guidelines. SCAG will also request that a subregion prepare an APS if necessary. It is SCAG’s intent that the process be iterative and that there be coordination among SCAG, subregions and their respective jurisdictions and CTCs. SCAG is open to further discussion on issues which may generate a need to establish a conflict resolution process as part of the written agreement between SCAG and the subregional organization.

(8) Funding
Funding for subregional activities is not available at this time, and any specific parameters for future funding are speculative. Should funding become available, SCAG anticipates providing a share of available resources to subregions. While there are no requirements associated with potential future funding at this time, it is advisable for subregions to track and record their expenses and activities associated with these efforts.

(9) Preliminary Scenario Planning
SCAG will work with each subregion to collect information and prompt dialogue with each local jurisdiction prior to the start of formal SCS development. This phase of the process is identified as “preliminary scenario planning” in the schedule below. The purpose of this process is to create a base of information to inform SCAG’s recommendation of a regional target to ARB prior to June 2010. All subregions are encouraged to assist SCAG in facilitating this process.

(10) Data
SCAG is currently developing, and will provide each subregion with datasets for the following:
(1) 2008 Base year;
(2) General Plan/Growth projection & distribution;
(3) Trend Baseline; and
(4) Policy Forecast/SCS.
While the Trend Baseline is a technical projection that provides a best estimate of future growth based on past trends and assumes no general plan land use policy changes, the Policy Forecast/SCS is derived using local input through a bottom-up process, reflecting regional policies including transportation investments. Local input is collected from counties, subregions, and local jurisdictions.
Data/GIS maps will be provided to subregions and local jurisdiction for their review. This data and maps include the 2008 base year socioeconomic estimates and 2020 and 2035 socioeconomic forecast. Other GIS maps including the existing land use, the general plan land use, the resource areas, and other important areas identified in SB 375. It should be noted that none of the data/maps provided were endorsed or adopted by SCAG’s Community, Economic and Human Development Committee (CEHD). All data/maps provided are for the purpose of collecting input and comments from subregions and local jurisdictions. This is to initiate dialogue among stakeholders to address the requirements of SB 375 and its implementation.

The list of data/GIS maps include:
1. Existing land use
2. Zoning
3. General plan land use
4. Resource areas include:
   (a.) all publicly owned parks and open space;
   (b.) open space or habitat areas protected by natural community conservation plans, habitat conservation plans, and other adopted natural resource protection plans;
   (c.) habitat for species identified as candidate, fully protected, sensitive, or species of special status by local, state, or federal agencies or protected by the federal Endangered Species Act (1973), the California Endangered Species Act, or Native Plant Protection Act;
   (d.) lands subject to conservation or agricultural easements for conservation or agricultural purposes by local governments, special districts, or nonprofit 501(c)(3) organizations, areas of the state designated by the State Mining and Geology Board as areas of statewide or regional significance pursuant to Section 2790 of the Public Resources Code, and lands under Williamson Act contracts;
   (e.) areas designated for open-space or agricultural uses in adopted open-space elements or agricultural elements of the local general plan or by local ordinance;
   (f.) areas containing biological resources as described in Appendix G of the CEQA Guidelines that may be significantly affected by the sustainable communities strategy or the alternative planning strategy; and
   (g.) an area subject to flooding where a development project would not, at the time of development in the judgment of the agency, meet the requirements of the National Flood Insurance Program or where the area is subject to more protective provisions of state law or local ordinance.
5. Farmland
6. Sphere of influence
7. Transit priority areas
8. City/Census tract boundary with ID
9. City/TAZ boundary with ID

(11) Tools
SCAG is developing a Local Sustainability Planning Model (LSPM) for subregions/local jurisdictions to analyze land use impact. The use of this tool is not mandatory and is at the discretion of the Subregion. The LSPM is a web-based tool that can be used to analyze, visualize and calculate the impact of land use changes on auto ownership, mode use, vehicle miles of travel (VMT), and greenhouse gas emissions in real time. Users will be able to estimate transportation and emissions impacts by modifying land use designations within their community.

Other tools currently maintained by SCAG may be useful to the subregional SCS development effort, including the web-based CaLOTS application. SCAG will consider providing guidance and training on additional tools based on further discussions with subregional partners.

(12) Resources and technical assistance

SCAG will assist the subregions by making available technical tools for scenario development as described above. Further, SCAG will assign a staff liaison to each subregion, regardless of whether the subregion exercises its statutory option to prepare an SCS. SCAG staff can participate in subregional workshops, meetings, and other processes at the request of the subregion, and pending funding and availability. SCAG’s legal staff will be available to assist with questions related to SB 375 or SCAG’s implementation of SB 375. Further, SCAG will prepare materials for its own process in developing the regional SCS, and will make these materials available to subregions.

D. MILESTONES/SCHEDULE

- CARB issues Final Regional Targets – September 2010
- SCS development (preliminary scenario, draft, etc) – through early 2011
- Release Draft RTP/regional SCS for public review – November 2011
- Regional Council adopts RTP/SCS – April 2012

If other milestones are needed, they will be incorporated into the written agreement between SCAG and the Subregion.
Exhibit B: Milestones Schedule

The key milestones and related schedule required as part of the development of the Gateway Cities COG Subregional SCS are as follows:

2. Adopted GCCOG Dataset/Delivery to SCAG – Jan 2011
3. Preliminary SCS / for purposes of preparing PEIR project description (intended to be narrative only project description that describes intended strategies or strategy options that are likely to be incorporated into the final Subregional SCS.) – Feb 2011
5. Draft Subregional SCS (containing all components described above) to be incorporated into draft Regional SCS – April 2011
6. Status report on final Subregional SCS – April 2011
7. Final Subregional SCS for incorporation into Regional SCS – June 2011
8. Iterative process, if necessary to meet target – June to November 2011
9. Gateway Cities COG to participate in regional outreach conducted in Orange County – June 2011 to February 2012
10. Regional SCS adoption – April 2012
Exhibit C: Deliverables Template

The Gateway Cities COG Subregional SCS will consist of the following components:

1. Database (GCCOG Dataset) that allocates population, housing, household, and employment to areas of the county. Geographic area should be the smallest level practicable for the COG to produce, preferably at the parcel level. The database must reflect the base year 2008 and each variable in the two GHG target years (2020 and 2035), in accordance with the Data Standards set forth below.

2. A map or series of maps that illustrates the growth distribution described above, and that further delineates uses, intensities, and residential densities, in accordance with the Data Standards set forth below.

3. A listing of transportation projects that are incorporated in the subregional SCS.

4. A listing and description of transportation policies (e.g. TDM, TSM and others) to be employed.

5. Documentation that establishes the process, including the public participation and outreach process used to develop the SCS, and demonstrates the affected jurisdictions willingness to consider general plan changes.

6. A narrative description of the strategies employed to reduce greenhouse gas emissions. A further description of any other strategies that were considered and not ultimately included.

DATA STANDARDS

The following data standards will be used in the development of a subregional SCS:

1. Types of Variables

Variables are categorized into socio-economic variables and land use variables. The socio-economic variables include population, households, housing units, and employment. The land use variables may include land uses designations, building densities, building intensities, and applicable policies.

2. Geographical Levels

Socio-economic and land-use variables should be provided to SCAG at the smallest geographical level practicable for OCCOG to produce, preferably at the parcel level. At a minimum, such variables will be provided at the Census tract or Traffic Analysis Zone (TAZ) level.

3. Base Year and Forecast Years

The socio-economic data and land use variables will be required for the base year of 2008, and as feasible, for the target years of 2020 and 2035.

DOCUMENTATION

Subregions are expected to maintain full and complete records related to the development of the
Subregional SCS, including utilizing the most recent planning assumptions considering local general plans and other factors. In particular, subregions must document the feasibility of the subregional strategy by demonstrating the willingness of local agencies to consider and adopt land use changes necessitated by the SCS. The format for this documentation may include adopted resolutions from local jurisdictions and/or the subregion’s governing board. Subregions shall include information regarding the status of the documentation as part of the required status reports to SCAG, and copies of the actual documentation shall be submitted to SCAG as part the final Subregional SCS.
IX. REPORTS FROM COMMITTEES

ITEM A

Conservancy Committee
TO: Board of Directors

FROM: Richard Powers, Executive Director

SUBJECT: Councilmember Patrick O'Donnell
councilmember Edward Wilson

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 June 28, 2010, in Seal Beach. The Board approved two projects within the Gateway Cities: the Lynwood Pocket Park project, and the Huntington Park Trail & Open Space Development Project. These projects were funded because they scored well in both “urban” and “river” categories of funding by the RMC. The Lynwood project will evaluate eight possible sites for the creation of pocket parks. The Huntington Park project will add trails and site amenities to improve an existing park.

It was also reported that state bond sales continue to proceed successfully, so additional RMC project funding can be expected to be available at least through the end of 2010.

Before the meeting, the RMC hosted a field trip showing a project area along the San Gabriel River in Seal Beach, and a tour of portions of the Los Cerritos Wetlands in Seal Beach and Long Beach.

At the 10-year anniversary celebration of the RMC in May, the Gateway Cities presented the RMC with a Proclamation signed by the COG President to recognize the occasion.

Recommended Action

Receive and file this report.
IX. REPORTS FROM COMMITTEES
ITEM C -1
SR-91/I-605/I-405 Freeway Corridors - Feasibility Study and Project Study Reports (PSR’s) Scope of Work
TO:       Board of Directors

FROM:    Richard Powers, Executive Director

SUBJECT: SR-91/I-605/I-405 Freeway Corridors –
         Feasibility Study and Project Study Reports (PSR) Scope of Work

Background

Gateway Cities completed a Needs Assessment for the SR-91/I-605 Freeway Corridors in 2005 and an Initial Corridor Studies report for the SR-91/I-605/I-405 Freeway Corridors in 2008 with funding from the cities. These studies led to the identification of some initial “congestion hot spots” for these corridors and the funding of $590 M from Measure R. The next step is the preparation of more detailed studies for this corridor – the Feasibility Analysis. This scope of work was previously approved by the SR-91/I-605/I-405 Corridor Cities Committee and then by the Board of Directors last year. The funding for this is now in place by MTA for the next two fiscal years.

At MTA’s staff’s request the scope of work has been expanded to add three Project Study Reports for three freeway-to-freeway interchange projects identified as “congestion hot spots” from these previous studies and include:

- I-605/SR-91 Interchange
- I-605/I-5 Interchange
- I-605/SR-60 Interchange

The details for these three projects will be fully analyzed and developed in the feasibility study. These projects are recommended by staff as the initial projects subject to confirmation in the feasibility study but will allow the award of a contract so the work can continue from the feasibility study directly into these required initial engineering studies without any delay. The overall project schedule is approximately 2 years.

The Feasibility Study will be a comprehensive transportation analysis of the transportation systems in these freeway corridors and will include the following:

- Traffic modeling and projections
- Development of proposed freeway improvements and geometric plans
- Analysis of approximately 120 arterial highway intersections
- Analysis of other transportation modes in these corridors, including transit and park-n-ride lots
- Preparation of a comprehensive Gateway Cities Strategic Transportation Plan
The TAC and the Corridor Cities Committee reviewed the scope of work and are recommending it to the Board of Directors to be forwarded to the MTA for a Request for Proposal for them to procure consultant services starting in July or August.

**Recommended Action**

Concur with the TAC and Corridor Cities Committee recommendations that the updated Scope of Work be used for the Request for Proposal by MTA as one project and that up to 25% of the work be subcontracted to small businesses.