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

Wednesday, November 2, 2011
5:30 p.m. Buffet
6:00 p.m. Meeting

Gateway Cities Council of Governments
16401 Paramount Boulevard
Paramount, California

AGENDA

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

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

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

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

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

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

I. CALL TO ORDER

II. ROLL CALL – BY SELF INTRODUCTIONS

III. PLEDGE OF ALLEGIANCE

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

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

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

A. Approval of Minutes – Minutes of the Board of Directors Meeting of October 5, 2011, are presented for approval. Approval receives and files the minutes of October 5th, Board of Directors meeting.

B. Approval of Warrant Register - Request for Approval of Warrant Register Dated November 2, 2011

C. September 2011 Local Agency Investment Fund Statement

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

E. Second Amendment to the Funding Agreement for the I-710 EIR/EIS

F. Contract between the County of Los Angeles and the Gateway Cities Council of Governments for Implementation of the Gateway Cities Council of Governments’ Homeless Action Plan

G. Funding Agreement Between the Gateway Cities Council of Governments and the Los Angeles County Metropolitan Transportation Authority

CONSENT CALENDAR ACTION:

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

VIII. REPORTS

A. Southern California Association of Governments (SCAG) 2012 Regional Transportation Plan (RTP) – Presentation by Rich Macias, Director of Transportation Planning, SCAG

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

A. Report from the Conservancy Committee – Oral Report

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

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

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

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

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

D. Report from the Transportation Committee
   1. Nomination of a Community Member to the Metro Gateway Cities Service Council
   2. I-710 Construction Staging Emissions Final Results, Presentation by Andrew Papson, ICF
   3. I-710 HIA Final Draft Report, Presentation by Andrew Papson, ICF

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

E. Report from the Committee on Homelessness – Oral Report

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

F. California High Speed Rail – Oral Report

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

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

Page 3

November 2, 2011
C. Matters from Southern California Association of Governments (SCAG) – Oral Report

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

D. Matters from the Orangeline Development Authority – Oral Report

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

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

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

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

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


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

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

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

XI. MATTERS FROM THE BOARD OF DIRECTORS

XII. MATTERS FROM THE PRESIDENT

XIII. ADJOURNMENT

NOTICE: New items will not be considered after 9:00 p.m. unless the Board of Directors votes to extend the time limit. Any items on the agenda that are not completed will be forwarded to the next regular Board of Directors meeting scheduled for Wednesday, December 7, 2011, 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
October 5, 2011
President Dunton called the meeting to order at 6:03 p.m.

PRESENT: President Raymond Dunton, City of Bellflower
First Vice President Gene Daniels, City of Paramount
Second Vice President Sergio Infanzon, City of Bell Gardens
Member Tony Lima, City of Artesia
Member Michael Ponce, City of Avalon
Member Ana Maria Quintana, City of Bell
Member Bruce Barrows, City of Cerritos
Member Joe Aguilar, City of Commerce
Member Lillie Dobson, City of Compton
Member Josue Barrios, City of Cudahy
Member Luis Marquez, City of Downey
Member Reynaldo Rodriguez, City of Hawaiian Gardens
Member Elba Guerrero, City of Huntington Park
Member Stan Carroll, City of La Habra Heights
Member Larry Mowles, City of La Mirada
Member Diane DuBois, City of Lakewood
Member Felipe Aguirre, City of Maywood
Member Alberto Perez, City of Montebello
Member Cheri Kelley, City of Norwalk
Member David Armenta, City of Pico Rivera
Member Joseph Serrano, City of Santa Fe Springs
Member Edward H. J. Wilson, City of Signal Hill
Member William Davis, City of Vernon
Member Greg Nordbak, City of Whittier
Member Connie Sziebl, Office of Supervisor Don Knabe

ABSENT: Immediate Past President Gil Hurtado, City of South Gate
Member Robert Garcia, City of Long Beach
Member Patrick O’Donnell, City of Long Beach
Member Maria Teresa Santillan, City of Lynwood
Member Angie Castro, Office of Supervisor Gloria Molina
Member Vincent Harris, Office of Supervisor Mark Ridley-Thomas
Ex Officio Member Richard Steinke, Port of Long Beach
ALSO PRESENT: Signal Hill City Manager Ken Farfsing, Chair, City Managers
Roll was taken through self-introductions.

Member Aguilar led the Pledge of Allegiance.

There were no amendments to the agenda.

There were no public comments.

There were no matters from staff.

It was moved by Member DuBois, seconded by Member Armenta, to approve the consent calendar. The motion was approved unanimously.

LAEDC Regional Manager Barbara Levine presented a quarterly report on economic and business retention activity in the Gateway Cities region. She said that three cities (Commerce, La Mirada, and Whittier) had been named finalists as the most business friendly cities. She said the biggest gains in jobs in the Gateway Cities area since the beginning of the recession have been in the transportation, utilities, and health services sectors. She said there are signs that businesses are adding capital. Most importantly, she said, is that although the recovery is much slower than they had thought, the economy is still recovering.

Regarding business retention, Ms. Levine said that most businesses are still not aware of the services that are available to them. She said the Governor’s Office of Economic Development had put out a press release stating that California is in the top ten of states in which to do business.

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

Andrew Papson, Project Manager for ICF, gave a PowerPoint presentation regarding the Gateway Cities Air Quality Action Plan (AQAP). He reviewed the three final reports that have been completed for the AQAP: Near-Roadway Modeling Research; Ultrafine Particle Research; and a Community Medical Needs Assessment.
Following the presentation, it was moved by Member DuBois, seconded by Member Dobson, to concur with the Transportation Committee that these three reports be forwarded to the I-710 EIR/EIS Project Committee and Caltrans for inclusion in the I-710 EIR/EIS.

Member Dobson said there is real concern in Compton about the health impacts from all of the freeways and the Alameda Corridor. Mr. Papson responded that the AQAP can be utilized to design strategies to improve the situation.

Member Barrios asked what can be done to help the residents who live alongside the freeway. Gateway Cities COG Engineer Jerry Wood responded that the Community Medical Needs Assessment will be used to develop mitigation measures.

Member Nordbak said that he would like to know the quality of medical care that is available. Mr. Wood said that information would be posted on the website. He said tonight’s presentation only presented a snapshot.

There being no further discussion, the motion was approved unanimously.

Member Wilson presented a report from the Conservancy Committee. He said the Conservancy had recently approved a grant amendment for the Los Cerritos wetlands. He said that a reception had been held for Mark Stanley, the new Executive Director of the Conservancy.

Jerry Wood presented a report from the I-710 EIR/EIS Project Committee. He said the project is on schedule for the release of the draft EIR in February. He reported that the early action projects of the sound walls and utilities studies are proceeding.

Jerry Wood presented a report from the SR-91/I-605/I-405 Corridor Cities Committee. He said the traffic model for existing conditions has been completed. He said they are trying to get a better understanding of the relationship of the corridor with other transportation projects.

Member DuBois presented a report from the Transportation Committee. She said in August the MTA Board had adopted a “green” construction policy (greener equipment). She said the Board understands it is not practical to impose the policy on cities at this time. She said in September the MTA Board approved the America Fast Forward federal procurement program. She said she had requested a local hiring program for MTA projects along the line of the labor agreement that was approved for the Crenshaw line. She said she fought hard for a policy to offer employment to areas of high unemployment in the county rather than limiting it to within five miles of the project.

The Executive Director presented a report from the Committee on Homelessness. He said staff had been notified today that the contract with the County for the Homeless Implementation Project had been circulated for signature.
La Mirada Public Works Director Steve Forster presented a report on the California High Speed Rail project. He said the California High Speed Rail Authority is meeting with cities to understand their concerns. He said Tim Buress had been hired by the Authority to work with the southern California cities.

Yvette Kirrin presented a report from the I-5 JPA. She said the I-5 Carmenita Road project has officially started, the I-5/Alondra Blvd. segment’s bid opening is scheduled for next week, phase one construction mitigation projects are slowly winding down, and phase two projects should start up within the next fourteen days.

Member Kelley reported that the City of Norwalk had given space to Caltrans to host staff to be available to answer questions from residents regarding the I-5 project.

Kristine Guerrero presented a report from the League of California Cities. She reported on a second lawsuit against the State regarding the diversion of VLF revenues and distributed a list of the League’s high priority bills for signature or veto by the Governor.

Matt Horton presented a report from SCAG. He said last week SCAG had conducted a luncheon meeting for city managers to discuss the RTP/SCS/RHNA process. He said next week a public hearing would be conducted regarding the RHNA methodology.

The Transportation Deputy presented report from the Orangeline Development Authority. She said the Authority is moving ahead with alternatives analysis and station location analysis.

There was no report from the South Coast Air Quality Management District.

David Hershensen presented a report from the Metro Gateway Cities Service Sector. He said there is currently a vacancy on the Sector Council for a general public member and encouraged nominations.

Kedrin Hopkins presented a report from the Conservation Corps of Long Beach. He announced the Conservancy’s free recycling program and the opening of a new environmental education facility in Signal Hill.

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

It was the consensus of the Board to receive and file the committee reports.

There were no matters from the Board of Directors.

The President announced the appointments of Member Barrows and Member Kelley to the Transportation Committee.

It was moved by First Vice President Daniels to adjourn. The meeting was adjourned at 6:57 p.m.
VII. CONSENT CALENDAR
ITEM B
Approval of Warrant Register
VII. CONSENT CALENDAR
ITEM C
September 2011 Local Agency Investment Fund Statement
Local Agency Investment Fund  
P.O. Box 942809  
Sacramento, CA 94209-0001  
(916) 653-3001  

www.treasurer.ca.gov/pmia-laif  
October 25, 2011  

PMIA Average Monthly Yields  

Account Number: 40-19-045  

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September 2011 Statement  

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VII. CONSENT CALENDAR
ITEM D
Status Report from Lobbyist - Edington, Peel & Associates
Monthly Report by Jim Dykstra to Gateway Cities COG

October 25, 2011

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

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

I have 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. Both Rep. John Mica (R-FL), chairman of the House Transportation and Infrastructure Committee, and Sen. Barbara Boxer, chair of the Senate Environment and Public Works Committee, have indicated they hope to secure passage of the legislation in the first session of this Congress, and the Administration has said that is its goal as well. Movement on the legislation has increased, and I have provided updates on this. Funding of a bill remains the most difficult and contentious issue, but it increasingly appears that a bill may materialize. The Senate EPW Committee has announced that it plans to hold a markup on the measure on November 9.

I participate on Gateway Cities’ behalf in conference calls and email exchanges with the Coalition for America’s Gateways and Trade Corridors. I suggested Gateway Cities provide an article on its initiatives for the CAGTC newsletter, something that is expected to take place in coming months.

As I have reported, both the Senate and House have indicated they are not including any earmarks in the FY12 appropriations process. Despite that, Rep. Lucille Roybal-Allard accepted requests, and I am in regular touch with her office on behalf of Gateway Cities.

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

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
Second Amendment to the Funding Agreement for the I-710 EIR/EIS
TO: Board of Directors
FROM: Richard Powers, Executive Director
SUBJECT: Second Amendment to the Funding Agreement for the I-710 EIR/EIS

Background

In 2007, the COG entered into an agreement with the MTA, Caltrans, the I-5 JPA, and the Ports of Long Beach and Los Angeles which provided for the funding of the Environmental Impact Report/Environmental Impact Statement and the related engineering studies for the improvement of the I-710 freeway from the Port of Long Beach to SR-60. That original agreement, unless extended, expires this year.

In the course of the project additional work has been required that has resulted in changes to the scope of work for the consultant team engaged by the MTA, the lead agency for the project, as well as requiring additional time and expense. The attached second amendment to the funding agreement (the first amendment, adopted in 2009, made certain changes to the project’s governance structure) extends the term of the agreement to March 31, 2013, and provides an additional $5,026,547 in Measure R funding from the MTA for the required consultant work.

Recommended Action

Approve the Second Amendment to the Funding Agreement for the I-710 EIR/EIS.
SECOND AMENDMENT TO THE FUNDING AGREEMENT BY AND AMONG
THE GATEWAY CITIES COUNCIL OF GOVERNMENTS,
I-5 CONSORTIUM CITIES JOINT POWERS AUTHORITY,
LOS ANGELES COUNTY METROPOLITAN TRANSPORATION AUTHORITY,
PORT OF LONG BEACH, PORT OF LOS ANGELES, AND
THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
FOR THE I-710 ENGINEERING PROJECT REPORT AND ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL IMPACT STATEMENT FOR THE I-710 FROM OCEAN BOULEVARD TO SR-60

This Second Amendment ("2nd Amendment") to the Funding Agreement ("FA"), is dated June 27, 2011 by and among the Gateway Cities Council of Governments ("GCCOG"), I-5 Consortium Cities Joint Powers Authority ("I-5 JPA"), Los Angeles County Metropolitan Transportation Authority ("METRO"), the City of Long Beach, a municipal corporation, acting by and through its Board of Harbor Commissioners, commonly known as the Port of Long Beach ("POLB"), the City of Los Angeles, a municipal corporation, acting by and through its Board of Harbor Commissioners, commonly known as the Port of Los Angeles ("POLA"), and the State of California Department of Transportation ("STATE"), hereinafter referred to collectively either as the "Parties" or "Funding Parties".

RECITALS

Whereas, the Parties entered into that certain Funding Agreement as of December 6, 2007, which was amended on August 27, 2009 (the "Existing Agreement");

Whereas, the purpose of the Existing Agreement is to provide funding to METRO to procure consultant services to perform the Scope of Work as defined in Attachment B as modified from time to time;

Whereas, under the Existing Agreement, the Funding Parties collectively agreed to commit $27,000,000 to fund the Scope of Work;

Whereas, pursuant to the Existing Agreement, METRO entered into Contract No. PS4340-1939 with URS Corporation and Contract No. PS4340-1940 with Moore Iacafano Goltzmann to perform the Scope of Work;

Whereas, in the Spring/Summer of 2010 the I-710 Corridor Advisory Committee (CAC) and the I-710 Technical Advisory Committee (TAC) concurred with stakeholder and technical concerns that would require further modifications to the Alternatives being studied in the DEIR/DEIS;

Whereas, the Parties worked collaboratively in the Summer/Fall of 2010 to forward stakeholder and technical concerns concurred by the CAC and the TAC to the I-710 Project Committee (PC) and ultimately the METRO Board for consideration;
Second Amendment to the Funding Agreement for the I-710 Environmental Impact Report/Environmental Impact Statement and Engineering Project Report for the I-710 from Ocean Boulevard to SR-60

District Agreement No. 07-4794A2

Whereas, on December 12, 2010 the Metro Board approved Modification No. 7 to Contract No. PS4340-1939 and Modification No. 3 to Contract No. PS4340-1940, which modifications require extending the term of the contracts and will raise the combined value of the contracts above the $27,000,000 commitment of the Funding Parties;

Whereas, on December 12, 2010 the Metro Board increased METRO’s funding commitment by an amount not to exceed $5,026,547 in Measure R funds to fund the Scope of Work exceeding the original $27,000,000 commitment of the Funding Parties;

Whereas, the Funding Parties agree to continue reimbursing METRO pursuant to Section 3 of the Existing Agreement for invoices totaling up to $27,000,000 for the Scope of Work; and

Whereas, the Funding Parties agree that invoices for the Scope of Work which in their aggregate exceed $27,000,000 will be paid exclusively by METRO with Measure R funds described above.

NOW, THEREFORE, the Parties agree as follows:

1. The Term of the Existing Agreement, Section 2, shall be deleted in its entirety and replaced with the following:

   "2. Term
   This FA shall commence the date of full execution and terminate on March 31, 2013, unless extended by mutual agreement of the Parties as evidenced by an amendment to this FA or terminated earlier pursuant to Section 5."

2. Section 3 of the Existing Agreement, PAYMENT & QUARTERLY PROGRESS REPORTS, shall be amended by adding the following paragraphs at the end thereof:

   "h. Each Funding Party will reimburse METRO according to the terms of Paragraphs 3a, 3b, 3c, and 3d of the Existing Agreement for invoices totaling up to $27,000,000 for the Scope of Work."

   "i. Invoices for the Scope of Work, which in their aggregate exceed $27,000,000, will be paid exclusively by METRO with Measure R funds in an amount not to exceed $5,026,547."

3. Attachment B to the Existing Agreement shall be deleted in its entirety and replaced with Attachment B-1 attached hereto. All remaining reference to Attachment B in the Existing Agreement shall mean the revised Attachment B-1
Second Amendment to the Funding Agreement for the I-710 Environmental Impact Report/Environmental Impact Statement and Engineering Project Report for the I-710 from Ocean Boulevard to SR-60

District Agreement No. 07-4794A2

4. Attachment C to the Existing Agreement shall be deleted in its entirety and replaced with Attachment C-1 attached hereto. All remaining reference to Attachment C in the Existing Agreement shall mean the revised Attachment C-1

5. Except as expressly amended hereby, the Existing Agreement remains in full force and effect.

6. This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which taken together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties have caused this 2nd Amendment to be executed by their duly authorized representatives.
Second Amendment to the Funding Agreement for the I-710 Environmental Impact Report/Environmental Impact Statement and Engineering Project Report for the I-710 from Ocean Boulevard to SR-60

District Agreement No. 07-4794A2

GATEWAY CITIES COUNCIL OF GOVERMENTS ("GCCOG")

___________________________________________  ____________________________
Richard R. Powers, Executive Director                 Date

Approved as to form:

___________________________________________  ____________________________
Richard Jones, General Counsel for Gateway Cities COG  Date
Second Amendment to the Funding Agreement for the I-710 Environmental Impact Report/Environmental Impact Statement and Engineering Project Report for the I-710 from Ocean Boulevard to SR-60

District Agreement No. 07-4794A2

I-5 CONSORTIUM CITIES JOINT POWERS AUTHORITY ("I-5 JPA")

Michael Mendez, Chairman

Approved as to form:

Steve Dorsey, General Counsel for I-5 JPA
Second Amendment to the Funding Agreement for the I-710 Environmental Impact Report/Environmental Impact Statement and Engineering Project Report for the I-710 from Ocean Boulevard to SR-60

District Agreement No. 07-4794A2

I-5 CONSORTIUM CITIES JOINT POWERS AUTHORITY ("I-5 JPA")

Michael Mendez, Chairman                                Date

Approved as to form:

Steve Dorsey, General Counsel for I-5 JPA                  Date
Second Amendment to the Funding Agreement for the I-710 Environmental Impact Report/Environmental Impact Statement and Engineering Project Report for the I-710 from Ocean Boulevard to SR-60

District Agreement No. 07-4794A2

THE CITY OF LONG BEACH, by its
Board of Harbor Commissioners ("POLB")

Richard D. Steinke, Executive Director

Approved as to form
Robert E. Shannon, City Attorney

By: Dominic Holzhaus, Principal Deputy
Second Amendment to the Funding Agreement for the I-710 Environmental Impact Report/Environmental Impact Statement and Engineering Project Report for the I-710 from Ocean Boulevard to SR-60

District Agreement No. 07-4794A2

THE CITY OF LOS ANGELES, by its
Board of Harbor Commissioners ("POLA")

Dated: ________________

By ____________________________
GERALDINE KNATZ, Executive Director

Attest:
KORLA TONDREULT, Board Secretary

APPROVED AS TO FORM AND LEGALITY

__________________________, 2011
CARMEN TRUTANICH
City Attorney

By ____________________________
JOY CROSE, Assistant General Counsel

Account # | W.O. # | Ctr/Div # | Job Fac. # | Proj/Prog # |
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Budget FY: Amount:

For Acct Div Use Only:
Verified Funds Available

Date Approved
Second Amendment to the Funding Agreement for the I-710 Environmental Impact Report/Environmental Impact Statement and Engineering Project Report for the I-710 from Ocean Boulevard to SR-60
District Agreement No. 07-4794A2

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION ("STATE")

Malcolm Dougherty
Acting Director

By: ____________________________
    Michael Miles
    District Director

Date: ____________________________

Approved as to Form and Procedure:
By: ____________________________
    Attorney
    Department of Transportation

Certified as to Funds:
By: ____________________________
    District Budget Manager

Certified as to Financial Terms and Conditions:
By: ____________________________
    Accounting Administrator
Second Amendment to the Funding Agreement for the I-710 Environmental Impact Report/Environmental Impact Statement and Engineering Project Report for the I-710 from Ocean Boulevard to SR-60

District Agreement No. 07-4794A2

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY ("METRO")

Arthur T. Leahy
Chief Executive Officer

Date: __________________________

APPROVED AS TO FORM:
ANDREA SHERIDAN ORDIN
County Counsel

By: ____________________________
Second Amendment to the Funding Agreement for the I-710 Environmental Impact Report/Environmental Impact Statement and Engineering Project Report for the I-710 from Ocean Boulevard to SR-60

District Agreement No. 07-4794A2

ATTACHMENT B-1

Scope of Work

The Scope of Work shall mean the work described within the following: Contract No. PS4340-1939 as modified by contract modifications: 2, 3, 4, 5, 6, 7, and 8 and Contract No. PS4340-1940 as modified by contract modification No. 3 and any subsequent modifications (the “Scope of Work”).
ATTACHMENT C-1

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$5 Million represents METRO’s original Funding Commitment, and an additional $2 Million represents an exchange of Funds between METRO and SCAG.

The I-5 JPA is providing $2,000,000 in-kind contribution for services on the Environmental Document and Project Report on the I-710 from Washington Blvd to SR-60.

### Additional I-710 EIR/EIS Corridor Project Funding Commitments

<table>
<thead>
<tr>
<th>Agency</th>
<th>Funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>METRO</td>
<td>$5,023,547</td>
</tr>
</tbody>
</table>

### ADDITIONAL FUNDING COMMITMENTS

| POLA   | $1,000,000 |

These funds are earmarked for a pilot project, specifically, a prototype that uses green technology or other non-polluting alternative(s) to transport containers. The selected pilot project must be acceptable to Metro and approved by the Port of Los Angeles.

---

1 In December 2010, the Metro Board approved additional funding in an amount not to exceed $5,026,547. These funds will only be used once the existing project budget of $27 million is depleted.
VII. CONSENT CALENDAR
ITEM F

Contract between the County of Los Angeles and the Gateway Cities Council of Governments for Implementation of the Gateway Cities Council of Governments’ Homeless Action Plan

(contract is attached)
TO:        Board of Directors
FROM:  Richard Powers, Executive Director
SUBJECT: Contract between the County of Los Angeles and the Gateway Cities Council of Governments for Implementation of the Gateway Cities Council of Governments’ Homeless Action Plan

Summary

Attached for approval is a contract with the County of Los Angeles for implementation of the Gateway Cities Homeless Action Plan adopted by the Board. The contract provides for a total of $1,160,000 in funding from the County for four basic activities:

1. Enactment of an engagement and coordination team to identify homeless “hot spots” (including street outreach) and to coordinate with community groups and homeless service agencies to engage the individuals within these “hot spots”;
2. Implementation of a rapid re-housing/housing strategy for homeless individuals;
3. Development of a plan to increase the stock of permanent supportive housing units within the region;
4. Retention by the COG of an outside agency to administer the program on behalf of the COG.

Once the contract has been executed, the County staff will work with the COG staff to develop a request for proposals for prospective organizations to serve as the program implementation agency.

Recommendation

Approve the attached contract with the County of Los Angeles.
VII. CONSENT CALENDAR
ITEM G
Funding Agreement Between the Gateway Cities Council of Governments and the Los Angeles County Metropolitan Transportation Authority
TO: Board of Directors

FROM: Richard Powers, Executive Director

SUBJECT: Funding Agreement Between the Gateway Cities Council of Governments and the Los Angeles County Metropolitan Transportation Authority

Background

Attached is the second agreement between the COG and the MTA for reimbursement to the COG for engineering expenses related to several high priority transportation projects that the two agencies are pursuing. The MTA recognizes that the intense level of activity in the I-710 EIR/EIS project, the Air Quality Action Plan, the SR-91/I-605/I-405 Congestion "Hot Spots" projects, the Intelligent Transportation System (ITS) Implementation Plan, and other projects, has resulted in a demand for the COG’s consultant engineer’s time and work effort that exceeds the capacity of the city assessments to fund. In recognition of this, the MTA has once again agreed to contribute $200,000 to reimburse the COG for FY 2010-11 expenses on these engineering activities.

Recommended Action

Approve the Funding Agreement between the Gateway Cities Council of Governments and the Los Angeles County Metropolitan Transportation Authority for fiscal year 2010-11.
FUNDING AGREEMENT BETWEEN THE GATEWAY CITIES COUNCIL OF GOVERNMENTS AND THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

This Funding Agreement (the “Agreement”) is entered into for references purposes only on August 31, 2011 and is by and between the Gateway Cities Council of Governments (the "AGENCY") and the Los Angeles County Metropolitan Transportation Authority ("LACMTA"), hereinafter referred to collectively as the “Parties.”

RECITALS

WHEREAS, LACMTA is the transportation planning and programming agency for Los Angeles County, responsible for the County’s Long Range Transportation Plan, the Short Range Transportation Plan and Transportation Improvement Program, and the operation and construction of bus and rail services; and

WHEREAS, the AGENCY is a non-profit advocacy group that represents the 27 cities of Southeast Los Angeles County including the Ports of Long Beach (the “COG”). In this advocacy role, the AGENCY provides regional leadership and supports various initiatives for its member cities/agencies including: implementing clean air strategies; addressing housing needs, reducing traffic congestion, conducting short and long range transportation studies, preserving and enhancing open space, and strengthening the regional economy; and

WHEREAS, LACMTA is now conducting the I-710 Corridor Project EIR/EIS, the Air Quality Action Plan, the Intelligent Transportation System Integration Plan for Goods Movement, the I-605 "Hotspots, Commercial Vehicle Enforcement Network, and the I-710 Utility Relocation Studies; and

WHEREAS, the AGENCY has been representing the COG cities on the I-710 Corridor Project EIR/EIS over the last seven years, providing engineering expertise and participation/representation in public outreach efforts; and

WHEREAS, the AGENCY has requested financial assistance to support its work on the I-710 Corridor Project EIR/EIS and to fund support on the Air Quality Action Plan, the Intelligent Transportation System Implementation Plan for Goods Movement, the I-605 "Hotspots, Commercial Vehicle Enforcement Network, and the I-710 Soundwall and Utility Relocation Studies; and

WHEREAS, the LACMTA Board of Directors, at its June 24, 2011 meeting, agreed to provide up to $200,000 in FY 2011 to fund Agency’s support in the I-710 Corridor Project EIR/EIS, the Air Quality Action Plan, the Intelligent Transportation System Implementation Plan for Goods Movement, the I-605
“Hotspots, the Commercial Vehicle Enforcement Network, and the I-710 Utility Relocation Studies; and

NOW, THEREFORE, in consideration for the promises set forth herein, the receipt and adequacy of which is hereby acknowledged, the Parties hereto agree as follows:

AGREEMENT

I. TERM OF AGREEMENT

The term of the agreement shall be from July 1, 2010 through June 30, 2011. Should the AGENCY be unable to complete the tasks described in the Work Plan by June 30, 2011, the AGENCY may request in writing that the term of this agreement be extended for a period of time not to exceed six months, or December 30, 2011. LACMTA shall have the right to extend the term as requested.

II. PROJECT ADMINISTRATION

A. AGENCY shall perform the work per the tasks and deliverables detailed in Attachment A – Work Plan.

B. AGENCY shall submit Monthly Progress Invoice Reports, in the form attached to the agreement as Attachment B with detailed supporting documentation. All Monthly Progress Invoice Report shall be due no later than October 30, 2011 for reimbursement under this Agreement. If no activity has occurred during a particular month, AGENCY will still be required to submit the Monthly Progress Invoice Report indicating that no dollars were expended in that month.

C. In the event that any changes to the Work Plan are desired, LACMTA shall notify AGENCY in writing in a timely manner. AGENCY understands and agrees that LACMTA’s contribution to the Project is limited to the amount specified in Section III, A, and that the AGENCY shall be fully responsible for any eligible expenditures that exceed LACMTA’s contribution. Any unexpended Funds after June 30, 2011, unless an extension is requested in writing by AGENCY and approved by LACMTA, shall no longer be available to the AGENCY.

III. PAYMENT

A. LACMTA shall reimburse AGENCY an aggregate amount not to exceed $200,000 for amounts invoiced with proper documentation within 30 working days of receipt of an acceptable invoice.
B. LACMTA shall only reimburse eligible expenditures. Equipment including vehicles, computer hardware and software, is not an eligible expenditure and shall not be reimbursed with the Funds.

IV. INDEMNIFICATION

Neither LACMTA nor any officer or employee thereof shall be responsible for any damage or liability occurring by reason of anything done or committed to be done by AGENCY, its officers, agents, employees, contractors and subcontractors under this Agreement. AGENCY shall fully indemnify, defend and hold LACMTA, and its officers, agents and employees harmless from and against any liability and expenses, including without limitation, defense costs, any costs or liability on account of bodily injury, death or personal injury of any person or for damage to or loss of risk of property, any environmental obligation, any legal fees and claims for damages of any nature whatsoever arising out of the Work Plan, including without limitation; (i) use of the Funds by the AGENCY, or its officers, agents, employees, contractor or subcontractors; (ii) breach of the AGENCY’s obligations under this Agreement; or (iii) any act of omission of the AGENCY, or its officers, agents, employees, contractors or subcontractors in the performance of the work or the provision of the services, in connection with the Project including, without limitation, the Work Plan, described in this Agreement. The indemnity shall survive termination of this Agreement.

V. INSURANCE

AGENCY shall procure and maintain for the duration of the Agreement insurance against claims for injuries to persons, or damages in property which may arise from on in conjunction with the performance of the work hereunder by the AGENCY, their agents, representatives, employees or subcontractors. As respects Professional Liability, coverage must be maintained and evidenced provided, for two years following expiration of the agreement.

MINIMUM SCOPE OF INSURANCE
Coverage shall be at least as broad as:
1. Insurance Services Office Commercial General Liability coverage (concurrence form CG0001)
2. Insurances Services Office form number CA 0001 covering Automobile Liability, code 1 (any auto).
3. Worker’s Compensation insurance as required by the State of California and Employer’s Liability Insurance
4. Professional Liability Insurance.

MINIMUM LIMITS OF INSURANCE
Contractor shall maintain limits no less than:
1. General Liability: $1,000,000 per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or
other form with a general aggregate limit is used, the general aggregate limits shall be twice the required occurrence limit of $2,000,000. Products/Completed Operations aggregate shall apply separately to this contract/agreement or the aggregate limit shall be twice the required per occurrence limit.

2. Automobile Liability: $1,000,000 per accident for bodily injury and property damage.

3. Worker’s Compensation insurance as required by the State of California and Employer’s Liability Insurance.

4. Professional Liability: $1,000,000 per occurrence.

OTHER INSURANCE PROVISIONS
The insurance policies required per the terms of the agreement are to contain, or be endorsed to contain, the following provisions:

1. Los Angeles County Metropolitan Transportation Authority, its subsidiaries, officials and employees are to be covered as additional insureds as respects liability arising out of the activities performed by or on behalf of the AGENCY; products and completed operations of the AGENCY; premises owned, occupied or used by the AGENCY; or automobiles owned, leased, hired or borrowed or the AGENCY. The general liability coverage shall also include contractual, personal injury, independent contractors and broad form property damage liability. The coverage shall contain no special limitations on the scope of protection afforded to LACMTA, its subsidiaries, officials and employees.

2. For any claims related to this project, insurance provided by the AGENCY shall be primary as respects LACMTA, its subsidiaries, officials and employees. Any insurance or self-insurance maintained by LACMTA shall be in excess of any program of insurance afforded by the AGENCY and shall not contribute with it.

3. Any failure to comply with reporting or other provisions of the policies including breaches of warrants shall not affect coverage provided to LACMTA, its subsidiaries, officials and employees.

4. The program of insurance provided by the AGENCY shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer’s liability.

5. Each insurance policy is required by this clause shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after thirty (30) days prior written notice has been given to LACMTA.
other form with a general aggregate limit is used, the general aggregate limits shall be twice the required occurrence limit of $2,000,000. Products/Completed Operations aggregate shall apply separately to this contract/agreement or the aggregate limit shall be twice the required per occurrence limit.

2. Automobile Liability: $1,000,000 per accident for bodily injury and property damage.

3. Worker’s Compensation insurance as required by the State of California and Employer’s Liability Insurance.

4. Professional Liability: $1,000,000 per occurrence.

**OTHER INSURANCE PROVISIONS**
The insurance policies required per the terms of the agreement are to contain, or be endorsed to contain, the following provisions:

1. Los Angeles County Metropolitan Transportation Authority, its subsidiaries, officials and employees are to be covered as additional insureds as respects liability arising out of the activities performed by or on behalf of the AGENCY; products and completed operations of the AGENCY; premises owned, occupied or used by the AGENCY; or automobiles owned, leased, hired or borrowed or the AGENCY. The general liability coverage shall also include contractual, personal injury, independent contractors and broad form property damage liability. The coverage shall contain no special limitations on the scope of protection afforded to LACMTA, its subsidiaries, officials and employees.

2. For any claims related to this project, insurance provided by the AGENCY shall be primary as respects LACMTA, its subsidiaries, officials and employees. Any insurance or self-insurance maintained by LACMTA shall be in excess of any program of insurance afforded by the AGENCY and shall not contribute with it.

3. Any failure to comply with reporting or other provisions of the policies including breaches of warrants shall not affect coverage provided to LACMTA, its subsidiaries, officials and employees.

4. The program of insurance provided by the AGENCY shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer’s liability.

5. Each insurance policy is required by this clause shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after thirty (30) days prior written notice has been given to LACMTA.
shall reimburse LACMTA for any expenditure not in compliance with this Agreement.

VI. MISCELLANEOUS

A. California State law shall govern this Agreement. If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions shall nevertheless continue in full force without being impaired or invalidated in any way, unless any of the stated purposes of the Agreement would be defeated.

B. No amendment, modification, alteration or variation of the terms of this Agreement shall be valid unless made in writing and signed by authorized representatives for the Parties hereto and no oral understanding or agreement not incorporated herein shall be binding on any of the Parties.

C. This Agreement contains the entire understandings between the Parties and supersedes any prior written or oral understandings and agreements regarding the subject matter of the Agreement.

D. The covenants and agreements of this Agreement shall inure to the benefits of, and shall be binding upon, each of the Parties and their respective successors and assignees.

E. LACMTA reserves the right to terminate this Agreement by written notice within ten (10) calendar days in the event of AGENCY’s breach or default of any term or condition in this Agreement. LACMTA shall provide a reasonable opportunity for AGENCY to cure prior to termination.

F. Both Parties shall comply with all applicable laws, regulations and policies.

G. Neither AGENCY nor LACMTA shall assign this Agreement, or any part thereof, without the written consent of the other party. Any assignment without such written consent shall be void and unenforceable.

H. AGENCY and its officers, employees and agents shall be independent contractors in the performance of this Agreement and not officers, employees, contractors or agents of LACMTA.

I. AGENCY shall ensure that all Communication Materials contain recognition of LACMTA’s contribution to the Project. AGENCY shall ensure that, at a minimum, all Communication Materials shall include the phrase, “Funded in part by [LACMTA logo]” or see www.metro.net for alternative acceptable minimum language. Press releases do not require a LACMTA logo.
J. Any notice required or permitted under this Agreement shall be in writing and shall be deemed served if sent by registered mail addressed as follows, unless otherwise notified in writing of a change of address:

Jon Grace, Project Manager  
Highway Program  
Los Angeles County Metropolitan Transportation Authority  
One Gateway Plaza mail stop 99-22-9  
Los Angeles, CA 90012

Richard Powers, Executive Director  
Gateway City Council of Governments  
16401 Paramount Blvd.  
Paramount, CA 90723
IN WITNESS WHEREOF, the Parties have caused this Funding Agreement to be executed by their duly authorized representatives as of the dates indicated below:

LACMTA:

Los Angeles County Metropolitan Transportation Authority

By: ____________________________  ____________________________
    Arthur T. Leahy               Date
    Chief Executive Officer

APPROVED AS TO FORM:

ANDREA SHERIDAN ORDIN
County Counsel

By: ____________________________
    Deputy
    Date

AGENCY:

Gateway Cities Council of Governments

By: ____________________________  ____________________________
    Gil Hurtada                   Date
    President, Board of Directors

APPROVED AS TO FORM:

Richard D. Jones
General Counsel

By: ____________________________  ____________________________
    Date
IX. REPORTS FROM COMMITTEES

Item D.

Report from the Transportation Committee

1. Nomination of a Community Member to the Metro Gateway Cities Service Council
TO: Board of Directors

FROM: Transportation Committee

SUBJECT: Nomination of a Community Member to the 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 a member of the community, will be filled.

Issue

In accordance with the policy and procedures, applications for transit consumer positions were accepted from September 26th through October 21, 2011. The vacancy was announced on the COG website, the MTA website, by newspaper advertising and by personal contact. Three applications were received from:

1. Mr. Vincent Torres
2. Mr. Francisco Zelaya
3. Ms. Marisa Perez

In accordance with the COG procedure for filling this vacancy, a sub-committee of the Transportation has interviewed each candidate and will forward their recommendation verbally to the Board at the meeting.

Attachments

- Gateway Cities MTA Service Sector Council Nominating Policy and Procedure

Recommended Action

It is recommended that the Board of Directors approve the recommendation of the Transportation Committee and direct staff to submit the Board’s nomination to the MTA Board of Directors for final approval.
Gateway Cities MTA Service Sector 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 Sector 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.
IX. REPORTS FROM COMMITTEES

Item D.

Report from the Transportation Committee

2. I-710 Construction Staging Emissions Final Results, Presentation by Andrew Papson, ICF
TO: Board of Directors

FROM: Richard Powers, Executive Director

By: Karen Heit, COG Transportation Deputy

SUBJECT: I-710 Construction Staging Emissions Final Results, Presentation by Andrew Papson, ICF

Background

The AQAP is a fulfillment of a promise to the community to pursue air quality improvement for the Gateway Cities subregion. The AQAP is founded in an I-710 Oversight Policy Committee (I-710 OPC) action in 2005. The AQAP’s primary purpose is to assist the Gateway Cities’ communities in determining a path forward and advocacy for any additional air quality improvements, measures, projects and programs.

Although the genesis for the AQAP was the I-710 Corridor project, the COG Board determined that air quality improvement is a subregional concern and priority and directed staff to define the plan area as the entire Gateway Cities COG subregion.

The AQAP will lay out a comprehensive, actionable plan that addresses residents’ concerns in an informed and cost-effective manner.

The I-710 Corridor Project Committee which has been coordinating community involvement and input with the development of the I-710 Corridor environmental process (EIR/EIS) for the past three years directed staff to produce the following studies for potential inclusion into the I-710 environmental process and documents.

These I-710 Corridor specific products are:

1. Community Medical Needs Assessment
2. I-710 Near Roadway Modeling Assessment
3. I-710 Ultrafine Particulate Matter
4. I-710 Construction Staging and Phasing Emissions
5. I-710 Health Impact Assessment

The GCCOG Transportation Committee and GCCOG Board received and reviewed findings and results from the first three reports in September. These products have been forwarded to Caltrans, the lead agency for the I-710 Corridor Environmental process, who will determine if they will be incorporated into the I-710 environmental documents. The final
two I-710 products; I-710 Construction Staging and Phasing Emissions Report and I-710 Health Impact Assessment (HIA) are up for consideration with this agenda.

**Issue**

At the October 26th meeting, the Environmental Committee considered the Construction Staging Emissions Report. A summary of the I-710 Construction Staging and Phasing Emissions Report will be presented, the purpose of which is to estimate the emissions output during the construction of the I-710 improvements over the next 17 years. The construction period has been divided into seven time segments and emissions rates were calculated for three emission types: NOx, PM10 and PM2.5. The preliminary findings show when emissions will exceed the state and federal recommended threshold amount and by how much.

The Environmental Committee report is attached. The Committee concurred with the recommendations made by the Roundtables with the addition of the italicized language on #3:

1. Concur with the findings from the Construction Staging Emission Analysis.

2. Suggest to Caltrans that the MTA Construction Green Equipment policy be adopted for the construction of any major freeway work.

3. Suggest to Caltrans that a construction emission analysis be prepared for each segment (and for any segments that are being constructed concurrently) prior to actual construction proceeding. Those results are to be used to develop final recommendations so that construction of the segment does not exceed significance thresholds established at that time and that additional mitigation measures be developed to reduce any emissions to the greatest extent possible – taking into consideration impacts on surrounding communities.

4. Request Caltrans to develop construction methods and staging to keep NOx emissions below significance thresholds and to develop additional watering methods as suggested in the report to reduce fugitive dust PM2.5 from the construction of any segment.

5. Recommend that the Environmental Committee forward the I-710 Construction Staging Emissions Analysis Report to the I-710 Project Team and Caltrans for use in the I-710 EIR/EIS.
**Recommended Action**

It is recommended that the COG Board consider the actions taken by the COG Transportation Committee and forward this report to the I-710 Project Team and Caltrans.
TO: Environmental Committee

FROM: Richard, Powers, Executive Director, Gateway Cities COG

BY: Jerry R. Wood, Director of Transportation and Engineering, Gateway Cities COG

SUBJECT: I-710 Construction Staging Emissions Analysis Final Report

Background

At the October 29, 2009 meeting of the I-710 Project Committee (PC), the PC voted to unanimously “link” the Gateway Cities Air Quality Action Plan (AQAP) with the I-710 EIR/EIS by including a Construction Phasing Impacts Emission Analysis on Air Quality for the I-710 Corridor Project. However, the PC decided at this meeting to defer action on the construction impacts to its subsequent meeting on January 28, 2010. At its January 28, 2010 meeting the PC voted to concur with the Corridor Advisory Committee’s (CAC’s) recommendations that included the construction staging and phasing emissions analysis. Therefore, per the direction of the PC, a construction staging plan and an emission analysis of that plan was prepared.

Issue

The Gateway Cities staff prepared a construction staging and phasing plan for the entire project. That plan was presented to the I-710 Technical Advisory Committee in May, 2011. The Plan was approved and formed the basis for the emission analysis. ICF prepared the emission analysis and the results of their analysis have been presented to the AQAP Technical and Advisory Roundtables.

Findings

Emissions were calculated for the Construction Staging and Phasing Plan, and the results indicate the following:

- Emissions from Construction Diesel Exhaust, namely Particulate Matter (PM) 2.5 & PM 10 will not exceed the South Coast Air Quality Management District (SCAQMD) significance thresholds for any segment,
- Fugitive dust from Construction, namely PM 2.5 and PM 10 will exceed the SCAQMD significance thresholds at a few segments, and
- NOx will also exceed the AQMD significance thresholds at a few segments.

None of the other pollutants analyzed by this study have any impacts on other significance thresholds.

These results were reviewed with the Roundtables and the following recommendations were made to them:
1. Concur with the findings from the Construction Staging and Phasing Emission Analysis.

2. Suggest to Caltrans that the Metro’s recently adopted Green Construction policy be adopted for the construction of any major freeway work.

3. Suggest to Caltrans that a construction emission analysis be prepared for each segment (and for any segments that are being constructed concurrently) prior to actual construction proceeding. Those results are to be used to develop final recommendations so that construction of the segment does not exceed significance thresholds established at that time and that additional mitigation measures be developed to reduce any emissions to the greatest extent possible.

4. Request Caltrans to develop construction methods and staging to keep NOx emissions below significance thresholds and to develop additional watering methods as suggested in the report to reduce fugitive dust PM2.5 and PM10 from the construction of any segment.

5. Recommend that the Environmental Committee forward the I-710 Construction Staging and Phasing Emissions Analysis Report to the I-710 Project Team and Caltrans for use in the I-710 EIR/EIS.

The AQAP Technical and Advisory Roundtables reviewed these recommendations and concurred with them.

**Recommended Action**

It is recommended that the Environmental Committee concur with the recommendations of the AQAP Roundtables and recommend to the Transportation Committee and the COG Board to forward the report to the I-710 Project Team and Caltrans as recommended by the AQAP roundtables.
IX. REPORTS FROM COMMITTEES

Item D.

Report from the Transportation Committee

3. I-710 HIA Final Draft Report, Presentation by Andrew Papson, ICF

(report is attached)
TO: Board of Directors
FROM: Richard Powers, Executive Director
By: Karen Heit, COG Transportation Deputy

SUBJECT: I-710 HIA Final Draft Report - Presentation by Andrew Papson, ICF

Background

The previous report explained the relationship between the AQAP and the various I-710 related environmental studies and products. The Health Impact Assessment (HIA) is the final product associated with the I-710 Corridor environmental process. The attached report was sent to the Environmental Committee on October 26th.

The development of the HIA was assisted by the HIA Technical Working Group (TWG) of public agency health and environmental staffs who met three times to provide input on scoping for the HIA and the preparation of the HIA. They recommended the following 5 goals for the I-710 HIA:

1. Provide I-710 decision-makers and other stakeholders with positive and negative health effects, findings and recommendations for alternatives being considered.
2. Increase stakeholder participation and understanding of the I-710 project.
3. Identify community health concerns/issues within Gateway Cities and their relationship to the I-710 Corridor Project.
4. Provide a model for future transportation and infrastructure HIAs (including evidence and utility of doing an HIA).
5. Add value to the I-710 related analyses while utilizing the I-710 EIR/EIS technical data in the HIA to the greatest extent possible to reduce redundancy.

Issue

An extensive and intense amount of work has been done by the consultant, Human Impact Partners, the project team, the Roundtables and community groups to develop the HIA. They are all to be commended on this extensive effort. This HIA is the first of its kind for such a large infrastructure project. The input of the Environmental and Transportation committees and the subsequent discussions of the findings and recommendations have helped define the HIA. The Roundtables, Environmental Committee, COG staff and consultant team have agreed that a Peer Review process is necessary to validate this groundbreaking HIA process. The Peer Review process will also assist with providing answers to the fourth goal.

The attached COG staff report to the October Environmental Committee highlights some of the differing opinions about the results presented in the HIA. Some of these areas of
disagreement have been resolved since the writing of the Environmental Committee report. On October 26th, the Environmental Committee received the findings and recommendation from the HIA as well as the recommendations from the Roundtables. After much discussion, the Environmental Committee approved forwarding the following amended recommendation to the Transportation Committee and COG Board for concurrence:

A. Authorize an independent Peer Review process (as outlined in the COG staff report) of the work product, Health Impact Assessment (HIA) prepared by Human impact Partners, and;

B. The Peer Review shall include inputs and comments from the Technical Working Group and the Roundtables and committees, and:

C. At the conclusion of the Peer Review, a final draft HIA report shall be produced and submitted to the COG Board for consideration, and by decision of the COG Board be submitted to Caltrans.

D. The work product HIA report to be Peer Reviewed may be forwarded to the I-710 Project Team and Caltrans prior to finalization, for information purposed only.

**Recommended Action**

It is recommended that the COG Board consider the actions taken by the COG Transportation Committee and forward this report to the I-710 Project Team and Caltrans.
TO: Environmental Committee

FROM: Richard, Powers, Executive Director, Gateway Cities COG

BY: Jerry R. Wood, Director of Transportation and Engineering, Gateway Cities COG

SUBJECT: I-710 HIA Final Draft Report

Background

At its October 29, 2009 Meeting, the I-710 Project Committee (PC) voted unanimously to approve “linking” the Gateway Cities Air Quality Action Plan (AQAP) with the I-710 EIR/EIS to include the following analyses:

1. Health Impact Assessment
2. Construction Staging and Phasing Emission Analysis
4. Ultrafines Research
5. Community Medical Needs Assessment

At this same meeting, the I-710 Project Committee had a presentation from members of the I-710 Community Advisory Committees (CAC) on the first three items listed above. The CAC recommended those items to the PC. The PC concurred with the CAC recommendation with two exceptions: substitute “use” for “adopt” with regard to the SCAQMD’s air quality significance thresholds and defer action on the near-roadway modeling and construction impact to the January 28, 2010 PC meeting. The CAC recommendations for near-roadway modeling also included a request to research and report back on the status of Ultrafines.

At its January 28, 2010 meeting, the PC voted to concur with the CAC’s recommendations and to ask that the HIA be included in the I-710 EIR/EIS.

Issue

The Near-Roadway Modeling Results, the Ultrafines Research Report and the Community Medical Needs Assessment were forwarded to the I-710 Project Team and Caltrans as recommended by the September, 2011, Environmental Committee (EC) Meeting and subsequently concurred with by both the Transportation Committee and the COG Board of Directors.

The Construction Staging Emissions Analysis Report was addressed previously at this EC Meeting.

Therefore, the purpose of this staff report is to provide analysis and recommendations for the remaining item requested by the PC – the HIA Draft Final Report.

Previous Actions and Work

Previously, the HIA Technical Working Group (TWG) met three times to provide input on
scoping and preparation of the HIA. They recommended the following five goals for the I-710 HIA:

1. Provide I-710 decision-makers and other stakeholders with positive and negative health effects, findings and recommendations for alternatives being considered.
2. Increase stakeholder participation and understanding of the I-710 project.
3. Identify community health concerns/issues within Gateway Cities and their relationship to the I-710 Corridor Project.
4. Provide a model for future transportation and infrastructure HIAs (including evidence and utility of doing an HIA).
5. Add value to the I-710 related analyses while utilizing the I-710 EIR/EIS technical data in the HIA to the greatest extent possible to reduce redundancy.

These goals were then presented to the AQAP Advisory and Technical Roundtables, who discussed and considered the goals, without making any changes.

After establishing the goals, the HIA TWG provided input on the health determinants to be assessed in the I-710 HIA. Seventeen health determinants were proposed and evaluated resulting in a narrowing down to the following six health determinants:

- Air Quality
- Noise
- Mobility
- Traffic Safety
- Jobs and Economic Development
- Neighborhood resources (parks, food, healthcare, etc.)

Following this determination, pathways were developed to be used in assessing the health outcomes for these health determinants. These pathways and the health determinants were then reviewed and commented on by the HIA TWG, and the Advisory and Technical Roundtables. The pathways were finalized as a result of these meetings.

The Final Draft HIA Report has been completed and key findings have been presented to the HIA TWG and the two Roundtables, including the analyses and the recommendations presented by the author – Human Impact Partners (HIP). An extensive and intense amount of work has been done by HIP, the Project Team, and the stakeholder groups, to develop the HIA. They are all to be commended on this extensive effort. This HIA is the first of its kind for a large infrastructure project. Because of this fact, COG staff believes that it is deliberate and prudent to validate this process before reaching any conclusions, recommendations or outcomes for the HIA. As indicated from the input received from the various committees and the subsequent findings, discussions, and the attached COG staff report, there are differing opinions on the
results presented in the HIA by Human Impact Partners (HIP), as well as areas of concurrence and disagreements.

Recently the National Research Council authored a study entitled: “Improving Health in the United States: The Role of Health Impact Assessment”. The preliminary findings from their work is summarized below:

“Although HIA is different from primary scientific research, the committee concludes that several aspects of the HIA process could benefit from peer review. Peer review could highlight overlooked issues, identify opportunities to improve data or methods, and increase the legitimacy of conclusions and their acceptance and utility in the decision-making process. A formal peer-review process would need to overcome several obstacles, such as the possible difficulties in assembling a multidisciplinary team that would be needed to perform the review, the substantial delays that could occur in the process, and the current lack of agreed-on evaluation criteria. However, an HIA is often conducted on proposals that are contested among polarized and disparate interests and stakeholders and accusations of bias can arise. Independent peer review could help to ensure that the process by which HIA is conducted and the conclusions and recommendations produced are as impartial, credible, and scientifically valid as possible. The committee notes, however, that some flexibility in the peer-review process would be necessary particularly for cases in which an HIA must be completed rapidly to be relevant to the decision that it is intended to inform.”

The National Research Council study went further in detailing ideas for incorporating HIA into the EIR/EIS process.

Findings Summary

The Executive Summary of the findings of HIP for the HIA is attached (Attachment A). The basis for these recommendations were examined in detail by the HIA TWG who had many questions, concerns and disagreements with the basis of analysis and some of the recommendations. There were strong feelings that the proportionality of the I-710 with respect to many of the HIA findings, analysis and recommendations needs to be clarified. They suggested, for example, that a preamble (Attachment B) be placed in front of the mobility section of the HIA. As a result of the TWG input, many areas of disagreement, conclusions and recommendations in the HIA were reconciled.

However, there are still areas of concern as well as unresolved issues expressed from some members of the TWG, and others who have participated in this process, including the COG staff and the Project Team, on some of the analyses and recommendations in the HIA. There are also other members of the Roundtables who support these analyses and recommendations. It has been concluded that there is not sufficient time to be able to complete the HIA within the established Project milestones, and forward it to the I-710 Project Team and Caltrans in light of this current situation. See Attachment C for a compilation of various issues where COG staff disagrees with the analyses and recommendations presented by HIP in the HIA.

The recommendation at this time is to forward the final HIA to the I-710 Project Team and Caltrans for their information only without comment from the Gateway Cities COG and to proceed to establish a peer review process to be completed as soon as is possible. This
recommendation is based on the National Research Council’s study on their examinations of the role for HIA and the magnitude of the HIA for the I-710 Corridor Project. This peer review process would be designed to be transparent utilizing qualified firms and individuals. The intent would be to complete the HIA peer review prior to the end of the review period for the Draft I-710 EIR/EIS. The peer review would then result in a companion document to the HIA that could be processed through the AQAP participation process and then used as deemed appropriate as part of the comments on the Draft I-710 EIR/EIS by the Gateway Cities and other interested parties. This would be consistent with the request of the I-710 Project Committee to prepare the HIA for consideration in the I-710 EIR/EIS.

**Recommended Action**

It is recommended that the Environmental Committee ask the Transportation Committee and the COG Board to

a. Acknowledge that the final draft HIA report is completed in accordance with its current schedule and forwarded to the I-710 Project Team and Caltrans. And:

b. Authorize a peer review process (as outlined in the attached COG staff report) of the final draft HIA. And:

c. This Peer Review shall include input and comments from the TWG and Roundtables committees. And:

d. Through the Peer Review Process, produce a companion document to the final draft HIA report for distribution and consideration by Caltrans and others.
X. REPORTS – COMMITTEES/ AGENCIES
ITEM E
Matters from the South Coast Air Quality Management District (AQMD)
DATE: October 19, 2011
TO: Gateway Cities Council of Governments Board of Directors
FROM: Judith Mitchell, Governing Board Member, South Coast AQMD
RE: Update on South Coast AQMD Activities

Recap – October 7th Board Meeting, Clean Air Awards, Past Events

1. The Governing Board met on October 7, 2011. Items of interest include:


2. Clean Air Awards: SCAQMD hosted its 23rd Annual Clean Air Awards on Oct. 7, honoring individuals and businesses, public agencies and non-profit organizations for making significant contributions to cleaner air in the Southland. The 2011 winners are:

- Award for Advancement of Air Pollution Technology – Nissan, AC Propulsion, Staples, Inc.: for introduction of five-door hatchback all-electric Nissan LEAF
- Award for Advancement in Innovative Transportation Projects – Cascade Sierra Solutions and Cal Cartage
- Award for Model Community Achievement – Awarded jointly to City of Pasadena, Pasadena City College, and Caltech
- Award for Public Education of Air Quality Issues – Tree People and The Inland Empire Asthma Coalition
- Award for Promotion of Good Environmental Stewardship – Foothill Transit and Los Angeles County Metropolitan Transportation Authority (MTA)
- S. Roy Wilson Memorial Award for Leadership in Government – James D. Boyd, Commissioner and Vice Chair, California Energy Commission
- Robert M. Zweig, M.D., Memorial Award – Jonathan M. Samet, M.D., M.S. Professor, Keck School of Medicine of USC

3. SCAQMD Regional Policy Conference on Air Quality and Transportation: This conference was held on October 19, 2011 at the Millennium Biltmore Hotel at 506 S. Grand Avenue, Los Angeles from 8 am to 4 pm. The purpose of this conference is
to develop public private partnerships to address air pollution and health issues in the transportation and goods movement sectors. More details can be found at: http://www.aqmd-conference.com/conferencewebpage.html

4. **Green California Schools Summit**: The Green California Schools Summit is a unique, once-a-year chance to get up to date on the technologies, policies, teaching strategies and best practices that are contributing to progress in the Golden State’s green schools movement. The Summit will be held Oct. 17 – 18 at the Pasadena Convention Center from 7:30 am – 5:30 pm (Oct. 17) and 7:30 – 2:45 pm (Oct. 18). More details can be found at: http://www.green-technology.org/gcschools/

**November 4th Board Meeting**

The Governing Board will be meeting on November 4, 2011 at the SCAQMD headquarters in Diamond Bar. Items of interest include:

1. **Zero Emission Goods Movement Demonstration Projects**: AQMD staff is recommending three projects to demonstrate zero emissions goods movement technologies including the demonstration of Linear Synchronous Motor (LSM) technology to move cargo containers and the development of two discrete hybrid electric drive systems for Class 8 vehicles. More details can be found at: http://www.aqmd.gov/gb_comit/technology/tech.html

2. **Issue Program Announcement for SOON Program**: AQMD staff is releasing the Program Announcement to provide funding assistance for additional NOx emission reductions from off-road vehicles and equipment subject to the SOON provision of the CARB In-Use Off-Road Diesel Vehicle regulation. More details can be found at: http://www.aqmd.gov/gb_comit/technology/tech.html

3. **Ethnic Communities Public Outreach**: AQMD staff is proposing funding to continue outreach to the Latino and Asian communities on air quality issues. Funding of $450,000 is recommended for this next phase of enhanced ethnic outreach. More details can be found at: http://www.aqmd.gov/gb_comit/Admin/2010-2011/ac10-14-11.htm
Release of Southern California International Gateway (SCIG) Draft EIR

BNSF has proposed plans to build a near dock facility at the Port of Los Angeles. The proposed project will be located in a primarily industrial area, between PCH, Terminal Island Freeway and Sepulveda. It will have direct access to the Alameda Corridor. If constructed, BNSF plans to reduce emissions significantly (compared to traditional intermodal yards) through the use of wide-span electric cranes, low-emission switch engines, and LNG (or equivalent) low-emission yard tractors. It will also reduce millions of truck miles off the I-710 freeway and other local freeways as BNSF will not have to truck as many goods to the Hobart Yard area.

In September 2005, the Port of Los Angeles issued a Notice of Preparation (NOP) for the Environmental Impact Report (EIR) for the project. Public scoping meetings were held in October and November, 2005. The public review period for the NOP ended in December 2005.

The Environmental Management Division of the Los Angeles Harbor Department has prepared a Draft Environmental Impact Report (DEIR) for the project. Public meetings will be held on November 10, 2011 at 6 p.m. at Silverado Park Community Center, 1545 W. 31st St. in Long Beach, and on November 16, 2011 at 6 p.m. at Wilmington Senior Center, 1371 Eubank St. in Wilmington. The 90-day public comment/review period is from September 23 to December 22, 2011. More details can be found at: http://www.portoflosangeles.org/EIR/SCIG/DEIR/deir_scig.asp

Business Opportunities and Funding Opportunities

1. **School Diesel Back Up Generators Particulate Matter traps**: The AQMD continues to accept applications for retrofitting diesel backup generators with PM traps located at or near schools, in an amount not to exceed $250,000. This program, which supplements an earlier program, provides incentives to reduce children’s exposure to toxic diesel particulate matter from diesel generators as expeditiously as possible. All schools and school districts are encouraged to apply for funding.

2. **Off Road Diesel Vehicles Retrofit**: Funding is available for owners of off-road vehicle fleets to fund 100% of the cost of purchasing and installing a qualifying diesel emission control retrofit device. Participation is open to most fleets, including private companies and public agencies. The application deadline is Nov. 4, 2011 at 1 pm. More details can be found at: http://www.aqmd.gov/tao/implementation/soonprogram.htm
Upcoming Events

Air Quality Management Plan Advisory Group - 2012 AQMP: An advisory group has been created to review the overall aspects of a draft air quality management plan and to make recommendations concerning emission inventories, modeling, control measures, and socioeconomic impacts. AQMD updates this plan every five years, and the last plan was adopted in 2007. The next advisory group meeting, which is open to the public, is October 20, 2011 at 9 am at AQMD Headquarters. More details can be found at: http://www.aqmd.gov/gb_comit/aqmpadvgrp/aqmpadvgrp.html

Clean Air Fair for Seniors: The SCAQMD is hosting a series of Clean Air Fairs for Seniors throughout the South Coast Air Basin. The senior fairs, offered at no cost to attendees, will foster awareness and increase understanding of air quality and related health issues and clean technology applications. Transportation will be provided at no cost and coordinated through various participating organizations (senior centers, senior communities, activity centers). The Core Program is from 10:30 a.m. to 12:30 p.m. will include lunch.

The Orange County Senior Fair will be held Oct. 26, 2011 at Anaheim Hilton, California Ballroom, 777 Convention Way, Anaheim, CA 92802. The Inland Valleys Senior Fair will be held Nov. 16, 2011 at The National Orange Show Events Center, 689 South E Street, San Bernardino, CA 92408. The Coachella Valley Senior Fair will be held Dec. 7, 2011 at Riverside County Fairgrounds, 82-503 HWY 111, Indio, CA 92201.

More details can be found at: http://www.aqmd.gov/tao/SeniorConf/Conf_gateway2.htm

California Air Resources Board's Climate Generation competition: The California Air Resources Board’s second annual Climate Generation high school competition has begun. The competition challenges students to work together to design and implement programs that promote sustainability and reduce the carbon footprint of their school or community. Registration is open until Feb. 3, 2012 and project reports are due April 2, 2012.

California high school classrooms, environmental clubs, and other student groups are eligible to participate in the 2011-2012 Climate Generation Program. The classroom projects must benefit the school or community and relate to one or more of the following topic areas:

- Energy Conservation;
- Renewable Energy;
- Water Conservation;
- Transportation;
- School Operations; and/or,
- Awareness/Communication (Outreach).
More details can be found at: http://www.coolcalifornia.org/climate-generation