

**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
May 6, 2009**

President Bayer called the meeting to order at 6:04 p.m.

PRESENT: President Anne M. Bayer, City of Downey
First Vice President Gordon Stefenhagen, City of Norwalk
Second Vice President Diane DuBois, City of Lakewood
Member Larry R. Nelson, City of Artesia
Member George Mirabal, City of Bell
Member Raymond Dunton, City of Bellflower
Member Sergio Infanzon, City of Bell Gardens
Member Bruce Barrows, City of Cerritos
Member Joe Aguilar, City of Commerce
Member Lillie Dobson, City of Compton
Member Stan Carroll, City of La Habra Heights
Member Pete Dames, City of La Mirada
Member Gene Daniels, City of Paramount
Member Bob J. Archuleta, City of Pico Rivera
Member Betty Putnam, City of Santa Fe Springs
Member Gil Hurtado, City of South Gate
Member William Davis, City of Vernon
Member Connie Sziebl, Office of Supervisor Don Knabe
Member Gerry Hertzberg, Office of Supervisor Gloria Molina

ABSENT: Past President Elba Guerrero, City of Huntington Park
Member Bob Kennedy, City of Avalon
Member Frank Gurule, City of Cudahy
Member Victor Farfan, City of Hawaiian Gardens
Member Patrick O'Donnell, City of Long Beach
Member from the City of Long Beach
Member Maria Teresa Santillan, City of Lynwood
Member Felipe Aguirre, City of Maywood
Member Kathy Salazar, City of Montebello
Member Edward H. J. Wilson, City of Signal Hill
Member Greg Nordbak, City of Whittier
Member Dan Rosenfeld, Office of Supervisor Mark Ridley-Thomas
Member Richard Steinke, Ex Officio Member, Port of Long Beach
ALSO PRESENT: Downey Councilmember Luis Marquez, Deputy, Office of

Senator Alan Lowenthal; Michael Hollon, Office of Assemblyman Hector De La Torre; James Hankla, President, Board of Harbor Commissioners, Port of Long Beach; Signal Hill City Manager Ken Farfsing, Chair, City Managers Steering Committee; Commerce City Manager Jorge Rifa; La Mirada Director of Public Works Steve Forster; Lakewood Director of Community Development Jack Gonsalves; South Gate City Engineer Mohammad Mostahkami; Metro Deputy Executive Officer Ernest Morales; Metro Gateway Cities Service Sector General Manager Alex Clifford; Michael Sieckert, Planning Manager, Metro Gateway Cities Service Sector; Mark Pastrella, Assistant Deputy Director, Los Angeles County Flood Control District; Hector Bordas, Principal Engineer, Los Angeles County Flood Control District; Alex Kenefick, Watershed Coordinator, Los Angeles and San Gabriel Rivers Watershed Council; Derrick Alatorre, Senior Public Affairs Officer, SCAQMD; Kristine Guerrero, Public Affairs Manager, League of California Cities; Yvette Kirrin, Executive Director/Authority Engineer, I-5 JPA; Luis Cetina, Senior Government Representative, Metropolitan Water District; Lewis Kwiker, President, First Management Group; Paul Mikos, Partner, First Management Group; Frank Osgood, Author, Region Aroused; GCCCOG Executive Director Richard Powers; GCCCOG Deputy General Counsel Thomas Duarte; GCCCOG Deputy Executive Director Jack Joseph; GCCCOG Transportation Deputy Karen Heit; GCCCOG Director of Regional Planning Nancy Pfeffer; GCCCOG Consultant Engineer Jerry Wood.

Roll was taken through self-introductions.

President Bayer led the Pledge of Allegiance.

President Bayer announced that she had received a request from the Port of Long Beach to add an item to the agenda concerning the Port's proposed Middle Harbor Project. She said the environmental report for the project would be considered by the Long Beach City Council prior to the Board's next meeting so that it is requested to be added as an emergency item that cannot wait until the next meeting of the Board. It was moved by Member Hurtado, seconded by Second Vice President DuBois, to add the item concerning the Port of Long Beach Middle Harbor Project as an emergency item that came to the Board's attention after the posting of the agenda and which requires action prior to the Board's next meeting. The motion was approved unanimously.

There were no public comments made.

The Executive Director announced an invitation to attend the Fifteenth Annual California State University, Long Beach Economic Forecast Conference to be held on May 14, 2009.

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

President Bayer announced that the Board would now take up the request by the Port of Long Beach for support of the Middle Harbor Project.

Member Aguilar requested that the Board not take any action on the Middle Harbor Project at this time. Commerce City Manager Jorge Rifa addressed the Board and recommended that the Board take a neutral position. He said that the City of Commerce had appealed the determination of the Environmental Impact Report on the Middle Harbor Project before the Long Beach City Council. He said he was not recommending opposition because the COG has not had the opportunity to review the project. He said that Commerce feels that a second look needs to be taken at the impact of truck traffic on the cities.

President Bayer said that individual cities are free to send their own letters concerning the project.

James Hankla, President of the Long Beach Board of Harbor Commissioners, encouraged individual cities to send letters of support to the Long Beach City Council. He said that the Middle Harbor Project had been studied for five years and now was the time to finally begin to implement it, particularly given the state of the economy. He said the Middle Harbor Project will increase capacity at the Port by 100% and cut pollution by 50%. The project, he said, would add 10,000 construction jobs.

Member Hurtado asked if the cities' considerations had been addressed during the five years of study.

Mr. Hankla responded that there may be some inconveniencing to some cities, but the question is how far does a body have to go to mitigate the impacts of a project?

Second Vice President DuBois said that she is able to travel at a speed of 70 miles per hour on the Long Beach Freeway, which tells her that the Port has suffered an economic impact.

President Bayer encouraged cities to send individual letters to the City of Long Beach expressing their positions.

It was moved by Member Daniels, seconded by Member Dunton, to authorize the President to send a letter to the Long Beach City Council stating the support of the Gateway Cities Council of Governments for the Middle Harbor Project. The motion was approved, with Member Aguilar opposed and Members Nelson and Member Hertzberg abstaining.

Member Patrick O'Donnell arrived at the meeting at 6:25 p.m.

Lewis Kwiker, President, First Management Group, gave a PowerPoint presentation regarding AB 811, which enables cities and counties to finance a property owner's upfront solar installation costs with non-recourse bonds repayable through property tax

assessments. He described the program established by the legislation and the financial and environmental benefits.

Member Archuleta asked what hidden costs would be placed upon a city under the program. Mr. Kwiker responded that there are none; the homeowner is the sole party required to pay the property taxes to cover the cost of the installed system. He said that if the property owner defaults, the bondholder has a piece of property that has increased its value because of the installation of the system. He said the owner of the bond has a small risk, but the city has no risk.

It was moved by Member Carroll, seconded by Second Vice President DuBois, to receive and file the report. The motion was approved unanimously.

Signal Hill City Manager Ken Farfsing presented a report regarding AB 139, pending legislation which would authorize the Los Angeles Flood Control District to hold an election regarding the imposition of an assessment to fund storm water projects. Mr. Farfsing said that he was requesting the Board to take a position of "oppose unless amended" position on AB 139. He said the fundamental issues that the Board had asked the managers to negotiate have not been resolved. Mr. Farfsing said that there had been progress in that the County had agreed that there should be a local return, but that the cities and the County remain far apart in how much funding would be returned to cities for local storm water programs. He said the County has indicated that it needs 65% of the funds for regional projects, whereas the cities have proposed a 50/50 split. Furthermore, the cities feel that the split of funds should be written into the language of AB 139 to guarantee the local funding.

Mr. Farfsing said that the recommendation of the City Managers Steering Committee was that the Board adopt a position of "oppose unless amended" with regard to AB 139 and to send a letter to the author of the legislation stating the COG's position.

Mark Pastrella, Assistant Deputy Director, Los Angeles County Flood Control District, addressed the Board, stating that the County recognizes that the cities need a local return to deal with TMDL and NPDES requirements. He said the County also realizes that no entity speaks for the greater Los Angeles area. He endorsed the County's proposed 65/35 split and said that regional programs would be done at the sub-watershed level. Cities, he said, would benefit by the size of the regional facilities. He said AB 139 does not provide these services; what it does provide is the mechanism for the Flood Control District to do water quality services. He said without AB 139 the Flood Control District will not be able to provide these services.

Member Barrows asked if the bill requires the County to perform NPDES services. Mr. Pastrella responded that the County has specific activities to provide under NPDES through the legislation. Member Barrows asked how AB 139 addresses the problem of Orange County cities that feed into the watershed. Mr. Pastrella said that the funds under AB 139 would only be directed to Los Angeles County.

Member Nelson asked if there is a consensus among the cities for the 50/50 split. Mr. Farfaring responded that there is.

Member Mirabal asked if the County intends to bond against the AB 139 funds. Mr. Pastrella responded in the affirmative, saying it would help programs get off the ground quickly.

Second Vice President DuBois asked why, given the current economic environment, the County is considering adding to the cost of maintaining a home. Mr. Pastrella said that the County is sensitive to this, but that it has to deal with an unfunded federal mandate. He said the County general fund cannot withstand the budget pull to meet these mandates.

Member Hertzberg asked Mr. Pastrella who is supporting the County at this point. Mr. Pastrella said that the County is getting support from the Las Virgenes-Malibu COG and that the West Side Cities COG will be supporting. He said the San Gabriel Valley COG is supporting with conditions, and that some individual cities have expressed support. Member Hertzberg asked what would happen if AB 139 does not pass. Mr. Pastrella said that the federal obligations would still exist and would require general fund expenditures without a revenue source. He said each city would have to individually design projects. Member Hertzberg said that there is no determination as to where the regional funds will be spent. He said groundwater recharge is needed to deal with the other 91 TMDLs in addition to the one involving trash screens in catch basins, which is only one.

Member O'Donnell asked why situs is not defined in the bill. Mr. Pastrella responded that their projects need to be broken down by watershed. He conceded that they may need to better address the situs issue in the bill.

Member Daniels asked how an oversight committee would be set up. Mr. Pastrella said that the County does stakeholder outreach in the specific area it is working in.

Member Hurtado asked if there is anything that shows what individual cities' needs are. Mr. Pastrella said that you have to look at the TMDLs for each city. He said, however, that 35% of the assessment would be more than what any city receives now.

President Bayer said she is concerned that 35% is not sufficient for the cities. Mr. Pastrella said that the cities right now are probably using general funds to pay for their NPDES programs.

Member Nelson asked what is wrong for the County to meet again with the city managers. He said that a consensus is needed. Mr. Pastrella said that the County wants to leave the language in the bill broad enough to deal with the specifics at the ballot initiative stage.

Member Daniels said he was concerned that 35% is not an equitable share for the

cities.

Member Hertzberg said that some things make more sense if they regional and this is one of them. He said there will be other chances to deal with the specifics at the Board of Supervisors level and later when it goes to the voters.

Member Barrows said that attempts to fix a bill after the fact are generally unsuccessful.

It was moved by Second Vice President DuBois, seconded by Member Hurtado, to oppose AB 139 unless amended and to authorize the President to send a letter to the bill's author stating the COG's position. The motion was approved, with Member Hertzberg opposed and Member Mirabal and Member Sziebl abstaining.

Alex Kenefick, President of the Los Angeles County Bicycle Coalition, addressed the Board regarding the upcoming 9th Annual Los Angeles River Ride. He said last year's ride was the most successful ever in the Gateway Cities area. He said the current year's ride will be held on June 7th. He said there will be another kids' ride in Long Beach. He asked cities along the route to provide support. He distributed flyers regarding the ride to the Board.

There was no report from SCAG.

Kristine Guerrero presented a report from the League of California Cities. She said that a letter from the League opposing the proposal for the State to take funds from cities if Propositions 1A through 1E fail had gone out. She said AB 139 would be taken up at the next night's meeting of the Los Angeles Division.

There was no report from the California Contract Cities Association.

Yvette Kirrin presented a report from the I-5 JPA. She said the JPA is focusing on the federal transportation funding reauthorization bills. She said she is anticipating receiving reviews from Caltrans on four different segments of the I-5 project.

Member Barrows presented a report from the Orangeline Development Authority. He reported that the Authority had not had an executive director since October, but at the next meeting the Authority Board will be considering appointment of a new executive director.

Derrick Alatorre presented a report from the South Coast Air Quality Management District. He said that he would be reporting on SB 696 at next month's meeting.

Alex Clifford presented a report from the Metro Gateway Cities Service Sector. He said that MTA's new executive director, Art Leahy, was now on board.

COG Director of Regional Planning Nancy Pfeffer presented a report from the Coalition for America's Gateways and Trade Corridors. She said the Coalition had alerted its

members to submit federal highway bill reauthorization projects. She said the Coalition reported that there are differences in the House and Senate versions of the bill.

There was no report from the Conservancy Committee.

Jerry Wood presented a report from the I-710 EIR/EIS Project Committee. He said that Assemblywoman Bonnie Lowenthal's bill, AB1243, gives the COG a parallel voice with the Highway Patrol and Caltrans regarding the location of a truck inspection facility. He said the I-710 process was moving into the EIR stage after one year of the screening process. He said the Project Committee had selected four screened alternatives to go forward in the EIR process. He summarized the community participation efforts to date and reported that an Air Quality Action Plan is still developing.

Jerry Wood presented a report from the SR-91/I-605/I-405 Corridor Cities Committee. He said that there will be a meeting of the Corridor Cities Committee in June, and that the Technical Advisory Committee had approved scopes of work for projects to be funded under the Measure R early action projects. The Executive Director pointed out to the Board that the freeway corridors include the major arterials that parallel or intersect the freeways.

Second Vice President DuBois presented a report from the Transportation Committee. She discussed projects that were submitted for funding under the federal stimulus program. She said she would email highlights of the Committee meeting later this week.

There were no matters from the Board of Directors.

President Bayer announced that May 7 is the National Day of Prayer and that her city and others would be observing it. She announced that there were currently four openings for positions on SCAG policy committees and asked for interested members to apply. She reported on the recent tour of the Long Beach harbor, saying it had been very enjoyable.

Adjournment: It was the consensus of the Board to adjourn the meeting at 8:08 p.m.