

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

*Wednesday, October 5, 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 September 7, 2011, are presented for approval. Approval receives and files the minutes of September 7<sup>th</sup>, Board of Directors meeting.
- B. Approval of Warrant Register - Request for Approval of Warrant Register Dated October 5, 2011
- C. August 2011 Local Agency Investment Fund Statement
- D. Status Report from Lobbyist - Edington, Peel & Associates
- E. Amendment to Memorandum of Agreement Between Gateway Cities COG and Reach 1 Cities to Extend the Administration and Cost Sharing of the Coordinated Implementation Plan for the Los Angeles River and Tributaries Metals TMDL (Reach 1)

CONSENT CALENDAR ACTION:

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

**VIII. REPORTS**

- A. Los Angeles County Economic Development Corporation (LAEDC ) Business Assistance Report – Gateway Cities Update –Report by Barbara Levine, Senior Regional Manager – Oral Report

5 min

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

- B. Gateway Cities COG Air Quality Action Plan (AQAP) Update by Andrew Papson, Project Manager, ICF – Oral Report

10 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

3 Min

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

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

3 Min

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

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

3 Min

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

D. Report from the Transportation Committee – Oral Report

3 Min

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

E. Report from the Committee on Homelessness – Oral Report

3 Min

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

F. California High Speed Rail – Oral Report

3 Min

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

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

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

3 Min

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

B. Matters from the League of California Cities – Oral Report

3 Min

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

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

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) – Oral Report

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

- G. Conservation Corps Report – Oral Report

3 Min

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

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

3 Min

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

#### **XI. MATTERS FROM THE BOARD OF DIRECTORS**

#### **XII. MATTERS FROM THE PRESIDENT**

- A. Appointment of Board Members to the Transportation Committee

#### **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, November 5, 2011, 9:00 PM.

IN COMPLIANCE WITH THE AMERICAN WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE COG OFFICE AT (562) 663-6850. NOTIFICATION 48 HOURS PRIOR TO THE MEETING WILL ENABLE THE COUNCIL OF GOVERNMENTS TO MAKE REASONABLE ARRANGEMENT TO ENSURE ACCESSIBILITY TO THIS MEETING.

**VII. CONSENT CALENDAR**  
**Item A**  
**Approval of Minutes**

**MINUTES OF THE 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  
September 7, 2011**

President Dunton called the meeting to order at 6:00 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  
Immediate Past President Gil Hurtado, City of South Gate  
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 Lilia Leon, City of Commerce  
Member Lillie Dobson, City of Compton  
Member Luis Marquez, City of Downey  
Member Reynaldo Rodriguez, City of Hawaiian Gardens  
Member Stan Carroll, City of La Habra Heights  
Member Larry Mowles, City of La Mirada  
Member Diane DuBois, City of Lakewood  
Member Patrick O'Donnell, City of Long Beach  
Member Felipe Aguirre, City of Maywood  
Member 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  
Member Vincent Harris, Office of Supervisor Mark Ridley-Thomas

**ABSENT:** Member Josue Barrios, City of Cudahy  
Member Elba Guerrero, City of Huntington Park  
Member Robert Garcia, City of Long Beach  
Member Maria Teresa Santillan, City of Lynwood  
Member Alberto Perez, City of Montebello  
Member Angie Castro, Office of Supervisor Gloria Molina  
Ex Officio Member Richard Steinke, Port of Long Beach

ALSO PRESENT: Signal Hill City Manager Ken Farfsing, Chair, City Managers Steering Committee; Commerce City Administrator Jorge Rifa; Bell Gardens Director of Public Works John Oropeza; La Mirada Director of Public Works Steve Forster; Long Beach Director of Government/Strategic Affairs Tom Modica; Pico Rivera Acting Director of Public Works Arturo Cervantes; South Gate Director of Public Works Mohammad Mostahkami; Pico Rivera Assistant Planner Christina Gallagher; MTA Deputy Executive Officer Shahrzad Amiri; Metro Community Relations Manager David Hershensen; MTA Project Manager Tham Nguyen; SCAG Public Affairs Officer Matt Horton; Chester Britt, Project Manager, Arellano Associates; Jenny Larios, Business Development Manager, Mark Thomas & Company; Frank Osgood, Author, Region Aroused; GCCOG Executive Director Richard Powers; GCCOG General Counsel Richard D. Jones; Deputy Executive Director Jack Joseph; GCCOG Transportation Deputy Karen Heit; GCCOG Engineer Jerry Wood; GCCOG Director of Regional Planning Nancy Pfeffer.

Roll was taken through self-introductions.

Immediate Past President Hurtado 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 Lima, seconded by First Vice President Daniels, to approve the consent calendar. The motion was approved unanimously.

MTA Project Manager Tham Nguyen gave a PowerPoint presentation on the Eastside Transit Corridor Phase 2 project. She presented an overview of the project and discussed the two potential alignments, as well as the environmental issues. She said the project is currently undergoing the environmental review process and that a draft EIR is expected to be released in January, with MTA Board action tentatively scheduled for May 2012.

Member DuBois asked if the Superfund cleanup along the proposed northerly route would be completed before construction. Ms. Nguyen responded that the cleanup would be ongoing since it is expected that the total cleanup project will take 45 years.

Member Nordbak asked what the timeline is for final decision of which route would be chosen and what the deciding factor would be. Ms. Nguyen responded that it depends on the funding that would be available. She said currently it is not expected that Measure R funds will be available until 2028, with completion projected for 2035. If the 30/10 Plan (American Fast Forward) is approved, it could go forward in a decade.

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

Member Wilson presented a report from the Conservancy Committee. He announced the hiring of Mark Stanley as the new Executive Director of the Conservancy.

Jerry Wood presented a report from the I-710 EIR/EIS Project Committee. He said the project remains on schedule and that the draft EIR is scheduled to be released in February. He reported that the consultant contract had been awarded for the feasibility study for sound walls.

Jerry Wood presented a report from the SR-91/I-605/I-405 Corridor Cities Committee. He said the traffic modeling is basically done. He said the congestion “hot spots” feasibility study is well underway, with the next step being to complete the traffic model.

Member DuBois presented a report from the Transportation Committee. She encouraged everyone to travel I-710 to see the bridges that have undergone graffiti removal. She said MTA will be cleaning the railroad bridges every weekend. She thanked Caltrans, MTA, and railroad staffs for putting this project together.

The Executive Director presented a report from the Committee on Homelessness. He said County CEO staff is close to completing the contract for the implementation project.

There was no report on the California High Speed Rail project.

There was no report from the I-5 JPA.

There was no report from the League of California Cities.

Matt Horton presented a report from SCAG. He said referred the Board to a flyer promoting the “Beat the Panama Canal” kickoff to be held on September 9<sup>th</sup> in the City of Commerce.

There was no report from the Orangeline Development Authority.

The Executive Director presented a report from the South Coast Air Quality Management District. He said that AQMD Board Member Judy Mitchell would be writing a monthly report herself to be included in future agenda packets.

David Hershensen presented a report from the Metro Gateway Cities Service Sector. He said the Sector Council would be meeting tomorrow to hear reports from other transit agencies. He announced the passing of Sector Council Member George Bass. First Vice President Daniels said he was happy to report an increased police presence on the Blue Line and thanked Mr. Hershenson for listening and getting the job done.

There was no report from the Conservation Corps of Long Beach.

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.

There were no matters from the President.

**Adjournment:** It was the consensus of the Board to adjourn the meeting at 6:41 p.m.

Respectfully submitted,

Richard Powers, Secretary

**VII. CONSENT CALENDAR**  
**ITEM B**  
**Approval of Warrant Register**

**VII. CONSENT CALENDAR  
ITEM C**

**August 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](http://www.treasurer.ca.gov/pmia-laif)  
September 27, 2011

**PMIA Average Monthly Yields**

GATEWAY CITIES C

**Account Number:**

40-19-045

**Transactions**

[Tran Type Definitions](#)

August 2011 Statement

**Account Summary**

Total Deposit:

0.00

Beginning Balance:

1,159,519.38

Total Withdrawal:

0.00

Ending Balance:

1,159,519.38

**VII. CONSENT CALENDAR  
ITEM D**

**Status Report from Lobbyist - Edington,  
Peel & Associates**

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**Monthly Report by Jim Dykstra to Gateway Cities COG - September 28, 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 112<sup>th</sup> 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 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, and efforts are underway for that 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. Rep. Lucille Roybal-Allard still accepted requests and I am in regular touch with her office on behalf of Gateway Cities. I attended an event for Rep. Roybal-Allard on September 22 and had the opportunity to talk with her and her senior staff.

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. Rep. John Mica (R-FL), chairman of the House Transportation and Infrastructure Committee, indicated this week that he has gotten agreement from House Republican leadership to search for additional revenue to pay for a six-year bill that would continue current spending levels. Sen. Barbara Boxer, chair of the Senate Environment and Public Works Committee, has proposed a two year bill that would maintain current levels of spending plus inflation. Both 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. Funding of a bill remains the most difficult and contentious issue.

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**

**Amendment to Memorandum of  
Agreement Between Gateway Cities COG  
and Reach 1 Cities to Extend the  
Administration and Cost Sharing of the  
Coordinated Implementation Plan for the  
Los Angeles River and Tributaries Metals  
TMDL (Reach 1)**

**TO:** Board of Directors

**FROM:** Kenneth C. Farfing, Chair of the City Manager's Steering Committee

**SUBJECT:** Amendment to Memorandum of Agreement Between Gateway Cities COG and Reach 1 Cities to Extend the Administration and Cost Sharing of the Coordinated Implementation Plan for the Los Angeles River and Tributaries Metals TMDL (Reach 1)

### **Background**

The Los Angeles River and Tributaries Metals Total Maximum Daily Load (LAR Metals TMDL) adopted by the Los Angeles Regional Water Quality Control Board (Regional Board) on September 6, 2007, requires all Los Angeles River (LAR) watershed cities and agencies to implement best management practices (BMPs) to reduce the amount of metals pollutants in the Los Angeles River its tributaries.

The COG Board previously approved agreements with the agencies that are tributary to Reach 1, collectively referred to as Jurisdictional Group 1 (JG1), which consisted of the cities of: Carson, Compton, Huntington Park, Lakewood, Long Beach, Lynwood, Signal Hill and South Gate and Caltrans. The agencies of JG1 had requested the Gateway Cities Council of Governments to act as the fiduciary agent to enter into a contract with John L. Hunter & Associates, Inc. (JLHA) for the preparation of an Implementation Plan. The required Implementation Plan was submitted to the Regional Board on time (January 11, 2011).

The Regional Board has now accepted the Implementation Plan and the agencies of JG1 are requesting that the Gateway Cities extend the existing agreements with each JG1 agency through June 30, 2012. The purpose of the extension is for JLHA to further develop implementation milestones as detailed in the attached Exhibit B. The contract addendum is attached as Exhibit A. The total costs will be approximately \$210,000, of which \$10,000 will reimburse the COG's administrative costs. The approximate cost to each agency is detailed in the attached Exhibit C. The COG Board approved an extension of the agreement with John L. Hunter & Associates, Inc. at their September 7, 2011 meeting and the purpose of this agreement is to reimburse the GCCOG for costs incurred.

### **Issue**

The COG has supported our member cities within the Los Angeles River watershed with invoicing and auditing services for these types of contracts. The COG fully recovers these administrative costs.



**Attachments**

- A. Amendment No. 1 to the Memorandum of Agreement between the Gateway Cities Council of Governments and JG1 agencies (Carson, Compton, Huntington Park, Lakewood, Long Beach, Lynwood, Signal Hill and South Gate and Caltrans) reimbursement for continued assistance as fiduciary agent with the Implementation Plan for the Los Angeles River and Tributaries Metals Total Maximum Daily Load
- B. Scope of Work
- C. Estimated Cost to Individual Agencies

**Recommended Action**

Approve of the request from the cities within JG1 for the Amendment No. 1 to continue to act as fiduciary agent for the continued development of the Implementation Plan for the Jurisdictional Group # 1 of the Los Angeles River Metals TMDL.

**EXHIBIT A**  
AMENDMENT TO MEMORANDUM OF AGREEMENT  
BETWEEN  
THE GATEWAY CITIES COUNCIL OF GOVERNMENTS  
AND  
THE CITY OF CARSON

TO EXTEND THE ADMINISTRATION AND COST SHARING OF THE COORDINATED  
IMPLEMENTATION PLAN FOR THE LOS ANGELES RIVER AND TRIBUTARIES  
METALS TMDL (REACH 1)

This Amendment to the Memorandum of Agreement (“Agreement”) is made and entered into as of the date of the last signature set forth below by and between the Gateway Cities Council of Governments, a California joint powers authority (“GCCOG”), and the City of Carson, a California municipal corporation (“City”); (hereinafter "Party" or "Parties") with respect to the following:

RECITALS

WHEREAS, the Regional Water Quality Control Board, Los Angeles Region (“Regional Board”) adopted the Los Angeles River and Tributaries Metals Total Maximum Daily Load (“TMDL” or “Los Angeles River Metals TMDL”) in September of 2007, with the intent of improving water quality in the Los Angeles River and its tributaries; and

WHEREAS, this TMDL regulates the discharge of runoff from, eight cities tributary to Reach 1 of the Los Angeles River and CALTRANS, herein referred to as collectively the “Regulated Entities” or singularly a “Regulated Entity”, requiring a high degree of organization and cooperation from the local watershed agencies; and

WHEREAS, the GCCOG has previously entered into interagency agreements, with the Regulated Entities for the development of a Coordinated Reach 1 Metals TMDL Implementation Plan (CIP); and

WHEREAS, this CIP was submitted to the Regional Board on January 11, 2010, and

WHEREAS, a Los Angeles River Metals TMDL Reach 1 Technical Committee, consisting of representatives from the Regulated Entities, has been established with the purpose of assisting the Regulated Entities with the implementation of the CIP; and

WHEREAS, the Regulated Entities require the administrative services of the GCCOG to coordinate, including contracting for the continued implementation assistance of the CIP and other related activities; and

WHEREAS, the GCCOG has agreed to provide administrative services to the Regulated Entities to facilitate the implementation of the CIP; and

WHEREAS, the Regulated Entities have agreed to share in fully funding the costs continued implementation efforts of the CIP, including those costs incurred by the GCCOG in administering this Agreement, based on the cost allocation formula contained in Exhibit C and the scope of work in Exhibit B of this Agreement; and

WHEREAS, the GCCOG and the Regulated Entities agree to employ consultants and scientific experts as needed to assist the Technical Committee with the implementation of the CIP, and the Regulated Entities are willing to pay the consultants and scientific experts for their services through the GCCOG; and

WHEREAS, GCCOG will execute similar cost-sharing agreements with all other Regulated Entities before this agreement becomes enforceable, unless stated otherwise elsewhere in this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth herein, the Parties do hereby agree as follows:

Section 1. Recitals. The recitals set forth above are fully incorporated as part of this Agreement.

Section 2. Purpose. The purpose of this Agreement is to cooperatively fund the implementation of the CIP.

Section 3. Cooperation. The Parties shall fully cooperate with one another to attain the purposes of this Agreement.

Section 4. Voluntary Nature. This Agreement is voluntarily entered into for the implementation of the CIP.

Section 5. Term. The term of this Agreement shall remain and continue in effect until June 30, 2012.

Section 6. Coordinated Implementation Plan. The Los Angeles River Metals TMDL CIP consists of: characterization, source and structural control BMPs projected reductions in pollutant loads, monitoring schedule, reporting, and other regulatory requirements.

Section 7. Assessment for Proportional Costs. The City of Carson agrees to provide funds to the GCCOG in the amount shown in Exhibit C and the estimated implementation consulting and scientific expert costs in Exhibit B (*Consultants Scope of Work*), attached hereto and made a part of this Agreement by this reference. The GCCOG will invoice the City upon the execution of this

Agreement, based on allocated CIP costs, which includes all administrative costs incurred by the GCCOG in the performance of its duties under this Agreement. The GCCOG administrative costs include compensation for staff time, audit expenses, and costs incurred in administering agreements. Any overpayment or underpayment of the CIP costs shall be credited or billed to the City

Section 8. Role of the GCCOG. The GCCOG shall enter into substantially and materially similar agreement with each of the Regulated Entities to effectuate the CIP implementation, invoice and collect from the Regulated Entities the estimated amounts identified in Exhibit C.

Section 9. Invoice and Payment.

- a) The GCCOG shall invoice each Regulated Entity. Payment of 100 percent is due upon signing of this agreement with the understanding that all Regulated Entities will execute the agreement not later than November 30, 2011. The invoice shall be sent to the Regulated Entities by the GCCOG on or about December 1, 2011,
- b) Late Payment Penalty – As of February 1, 2012, any payment that is late shall be subject to interest on the original amount due from the date that the payment first became due. The interest rate shall be equal to the Prime Rate in effect when the payment first became due plus one percent for any payment that is made from 1 to 30 days after the due date. The Prime Rate in effect when the payment first became due plus five (5) percent shall apply for any payment that is made from 31 to 60 days after the due date. The Prime Rate in effect when the payment first became due plus ten (10) percent shall apply for any payment that is made more than 60 days after the due date. The rates shall, nevertheless, not exceed the maximum allowed by law.

Section 10.

Except as modified or changed herein, all other provisions and terms of the Agreement dated (will vary by agency), shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed on their behalf, respectively, as follows:

DATE: \_\_\_\_\_

CITY OF CARSON

\_\_\_\_\_  
City Official

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

DATE: \_\_\_\_\_

GATEWAY CITIES  
COUNCIL OF GOVERNMENTS

\_\_\_\_\_  
Raymond Dunton, President

ATTEST:

\_\_\_\_\_  
Richard Powers, Secretary

**EXHIBIT B**

**Scope of Work**

**Jurisdictional Group 1 (JG1)**

**For Reach 1 of the Los Angeles River and Compton Creek**

**Task 1 – Ongoing Revisions and Updates**

Ongoing revisions and updates to Implementation Plan, including: revisions to acreages, improvement to maps, Low Impact Development (LID) ordinances, and Effectiveness Assessments; communication with various agencies including, but not limited to: California Stormwater Quality Association (CASQA), California Product Stewardship Council (CPSC), and the Regional Water Board; and new memoranda of understanding (MOAs), agreements, etc., as necessary.

100 hrs @ \$155	\$ 15,500
80 hrs @ \$ 95	<u>\$ 7,600</u>
	<b>\$ 23,100</b>

**Task 2 – Compliance Demonstration Model**

Recent comments by Regional Water Board Staff indicate that the Regional Board will want a model demonstrating that implementation of the JG1 Implementation Plan will achieve compliance with the assumptions and requirements of the waste load allocations (WLAs) contained in the Los Angeles River Metals TMDLs before the TMDLs are incorporated into the new MS4 permit or permits. This information is necessary in order for the staff to incorporate sufficient information in the permit's administrative record to provide an adequate demonstration that expressing water quality-based effluent criteria as BMPs in the new MS4 permit or permits, and the BMPs required by the permit(s), will be sufficient to implement the applicable WLAs.

This task includes development of an acceptable spreadsheet or use of an equivalent County-wide model describing efforts of the JG1 Implementation Plan toward achieving compliance with the assumptions and requirements of the waste load allocations (WLAs), including: development of spread sheet model and description of model results, description and justification of assumptions included in the model, and incorporation of source controls.

115 hrs @ 155	\$17,825	
	90 hrs @ 95	<u>\$ 8,550</u>
		<b>\$26,375</b>

### **Task 3 – Analysis of Street Sweeping Effectiveness**

Completing an acceptable compliance demonstration model requires a detailed analysis of street sweeper effectiveness to provide the basis for street sweeping effectiveness assumptions. This task includes a literature survey and analysis of recent street sweeping effectiveness studies, including San Diego street sweeping studies and others relevant to operational source control of metals through enhanced street sweeping. This task also will include a detailed analysis of the municipal street sweeping programs within the 2,857-acre Bullis Drain Sub-watershed and preparation of documented street sweeping effectiveness assumptions for use in the compliance demonstration model. This will be necessary to demonstrate compliance with the January 2012 Metals TMDLs milestone.

95 hrs @ 155	\$14,725
40 hrs @ 95	<u>\$ 3,800</u>
	<b>\$18,525</b>

### **Task 4 – Improvement of Dominguez Gap Wetlands Operations**

Dominguez Gap Wetlands operations need to be brought into compliance with operations as described in the Dominguez Gap environmental impact report (EIR). This will allow JG1 to be in compliance with dry and wet weather waste load allocations (WLAs) for almost 15% of the jurisdictional area.

This task involves coordination with the County of Los Angeles Department of Public Works (DPW) to improve operations of the Dominguez Gap Wetlands project to reduce the discharge of runoff to the Los Angeles River during smaller rain events. Some of the major items include:

- Strategy Development to ensure runoff reduction
- Preparation of documentation required for County evaluation
- Preparation of graphs showing data reflecting Dominguez Gap Water Flow Management
- Coordination with County DPW staff to promote operations improvements
- Work with DPW management to facilitate decisions on operations improvements
- Work with County Board of Supervisor staff to facilitate management decisions

75 hrs @ 155	\$11,625
35 hrs @ 95	<u>\$ 3,325</u>
	<b>\$14,950</b>

**Task 5 – Outreach to Priority Industries**

The JG1 Implementation Plan specifies that during implementation Phase 1A, outreach will be conducted to priority industries identified as having a high probability of generating metals; trucking companies; facilities with large parking lots; and automotive repair facilities to encourage implementation of operational source control BMPs. This task includes assistance to municipalities in the targeted subwatersheds through assisting the Technical Committee with development of outreach materials to be delivered or mailed to metals handling businesses, large private parking lot owners industry groups, and automotive repair facilities.

40 hours @ \$95/hour    \$3,800  
Printing cost allowance    \$1,000  
  **\$4,800**

**Task 6 – Development of a “Credit Toward Compliance” Proposal**

The JG1 Implementation Plan sets forth an adaptive, performance-based management approach utilizing best management practices (BMPs) as the measure of complying with the assumptions and requirements of the WLAs contained in the TMDLs for the Los Angeles River. The Implementation Plan also includes a proposal that this approach be incorporated into the relevant MS4 permits. To accomplish these goals, a credit toward compliance system must be negotiated with the Regional Water Board to provide a mechanism to receive credit from true and operational source control programs in order for JG1 to be deemed in compliance for TMDL milestones.

The task includes:

- Negotiation with Regional Water Board staff (Sam Unger, Deb Smith and Renee Purdy)
- Proposal for Development of Credit Toward Compliance Approach for JG1
- Progress reports on negotiations with Regional Water Board staff
- JG1 Proposal for Deemed Compliant Determination for January 11, 2012 Milestone

90 hrs @ 155        \$ 13,950  
35 hrs @ 95         \$ 3,325  
                                  **\$ 17,275**



**Task 7 – Flow Monitoring**

Preliminary results of the Coordinated Monitoring Plan suggest that wet weather discharges are likely to be the most significant obstacle for achieving TMDL objectives. Without a Tier 2 site located near the mouth of Compton Creek, two consecutive exceedences of TMDL limits in the LA River at Wardlow during effectiveness monitoring will trigger Tier 3 monitoring.

Establishment of a monitoring site at the mouth of East Compton Creek is first intended to provide accurate wet-weather flow measurements that can be used to validate estimates of discharge volumes the model (Task 2). Implementation of a wet weather flow monitoring site near the mouth of the creek will also establish the major infrastructure improvements needed to quantify metal loads this important watershed if necessary in subsequent years.

- Obtain encroachment permits for access to site and installation of conduit and sensors in the channel.
- Run conduit under the access road to the trucking facility near the site.
- Establish concrete pad and steel enclosure for containment of equipment.
- Explore options for sources of power and communications to the site, availability of rain gauge data in the watershed, and potential for a rain gauge on site. Install a rain gauge, if necessary.
- Install an AVB flow meter for continuous measurement of all stormwater discharges for the 2010/2011 storm season.
- Conduct maintenance and collect manual flow data for verification of AVB flow measurements
- Develop draft and final reports with data files documenting rainfall and runoff.

75 hrs @ \$155	\$11,625
90 hrs @\$95	\$8,550
Equipment/expendables	<u>\$10,500</u>
	<b>\$30,675</b>

**Task 8 – Treatment Control Site Analysis**

The JG1 Implementation Plan specifies the installation of water capture infiltration and/or use of structural BMPs, if feasible and grant funding is available. South Park in the City of Compton has been tentatively selected as a site for such a structural BMP. This site would serve the Compton Creek East Branch watershed, which constitutes 42.6% of the Jurisdictional Group Area. The essential first element of constructing such a structural BMP is to determine if the site is suitable for the BMP. This task includes geotechnical and infiltration testing to assist in developing the basis of the design and sizing for a potential project at this site.

Field Investigation & Testing	\$21,632
44 hours @ \$95/hr	<u>\$4,180</u>
	<b>\$25,812</b>

**Task 9 – Compliance Reporting**

The Regional Board will likely request a report documenting compliance shortly after the Metals TMDL is incorporated into the next MS4 permit(s). At this point, the format and level of detail the Board will require for such a report is uncertain. This task will utilize materials and reports developed in previous Tasks to prepare a report documenting efforts towards compliance with the requirements of the January 2012 milestone date.

Budgetary Allotment	<b>\$9,000</b>
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(Each task 2-8 is to have its own report facilitating this task)

**Task 10 – JG1 Technical Committee Meetings**

Organize and attend meetings of the JG1 Technical Committee and provide meeting summaries to JG1 Technical Committee members.

120 hrs @ 155/hr	\$18,600
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Prepare for and participate in Technical Committee conference calls.

70 hrs @ 155/hr	<u>\$10,850</u>
	<b>\$29,450</b>

<b>Total Attachment A:</b>	<b>\$199,962</b>
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All tasks are estimates and resources may be shifted from one task to another at the discretion of the Technical Committee based upon the needs of demonstrating progress towards compliance.

Reach 1 Metals TMDL Payment Record  
 Payment Record through June 16, 2011

**Exhibit C**

	Cost %	Phase 1 costs (develop IP)	Total Paid	Overpaid or underpaid	Phase II cost	New Total Due
Caltrans	5.27%	11,910.20	13,827.88	1,917.68	11,067.00	<b>9,149.32</b>
Carson	2.84%	6,418.00	6,413.38	-4.62	5,964.00	<b>5,968.62</b>
Compton	32.04%	72,410.40	73,011.90	601.50	67,284.00	<b>66,682.50</b>
Huntington Park	2.28%	5,153.00	10,549.85	5,396.85	5,229.00	<b>-167.85</b>
Lakewood	2.49%	5,627.00	5,623.44	-3.56	4,788.00	<b>4,791.56</b>
Long Beach	25.10%	56,726.00	25,145.32	-31,580.68	52,710.00	<b>84,290.68</b>
Lynwood	12.58%	28,430.80	30,406.22	1,975.42	26,418.00	<b>24,442.58</b>
Signal Hill	2.48%	5,605.00	5,601.14	-3.86	5,208.00	<b>5,211.86</b>
South Gate	14.92%	33,719.00	33,712.18	-6.82	31,332.00	<b>31,338.82</b>
<b>Total</b>	<b>100.00%</b>	<b>\$225,999.40</b>	<b>\$204,291.31</b>		<b>210,000.00</b>	

Incl COG adm  
 cost of  
 \$10,000

Incl purchase  
 of City of LA  
 data @ \$16k

incl COG  
 Admin  
 of 2nd \$10,000

**IX. REPORTS FROM COMMITTEES**  
**ITEM A**  
**Conservancy Committee**

**TO:** Board of Directors

**FROM:** Councilmember Patrick O'Donnell  
Councilmember Edward Wilson

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

**Background**

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

**Issue**

The RMC Board met on Monday, September 26, 2011, in Rosemead. Among other actions, the Board approved a resolution authorizing a grant amendment to the Los Cerritos Wetlands Authority for the Los Cerritos Wetlands Conceptual Restoration Plan.

The Board meeting was followed by a reception for the new RMC Executive Officer, Mark Stanley.

**Recommended Action**

Receive and file this report.

**X. REPORTS – COMMITTEES/  
AGENCIES  
ITEM E**

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

DATE: September 23, 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

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### **Recap - September 9 Board Meeting**

The Governing Board adopted the AQMD Air Quality-Related Energy Policy to meet air quality goals in the basin at the September 9 meeting. A copy of the plan and other related reports can be found at: <http://www.aqmd.gov/prdas/climate-change/EnergyPolicy.html>

### **October 7 Board Meeting – 9:00 am**

The Governing Board will be meeting at 9 am at the Millennium Biltmore at 506 S. Grand Avenue in downtown Los Angeles. Items of interest include:

**New School Buses:** The Board will be considering the award of \$8.8 million in Prop 1 B and other funds to replace 56 pre-1987 school buses. This includes \$2.4 million for 18 propane buses for LAUSD and \$169,524 for one CNG bus for Montebello USD.

**Extension of South Bay Cities COG LUV Demonstration project:** The Board will be considering the extension of the LUV Neighborhood Vehicles program for \$119,815 from the Clean Fuels Fund.

### **Business Opportunities and Funding Opportunities**

**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.

**Off Road Vehicles Retrofit:** The Mobile Source Air Pollution Reduction Review Committee has announced a funding opportunity 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.



**Alternative Fuel Refueling Infrastructure:** The Mobile Source Air Pollution Reduction Review Committee has announced the availability of funding to assist in the construction of Alternative Fuel Refueling Infrastructure within district. All entities interested in pursuing alternative fuel infrastructure projects, including public and private site owners, fleet owners, infrastructure providers, fuel providers, and school districts are encouraged to apply.

More details can be found for all these funding opportunities at <http://www.aqmd.gov/rfp/index.html>.

### Upcoming Events

**Air Quality Technology Symposium:** On September 28 and 29, 2011, the AQMD will host an Air Quality Technology Symposium to solicit new and innovative concepts in an open forum at AQMD headquarters in Diamond Bar. These concepts will be further analyzed for potential inclusion in the 2012 Air Quality Management Plan (AQMP), which is currently being developed as an integrated plan to implement zero or near-zero emission measures to reach attainment of particulate matter and ozone standards.

Panels of experts will be invited to speak followed by questions, discussions and proposals for innovative concepts by panelists and audience members. There will also be an exhibit hall displaying new products and clean technology. The symposium is open to the public and does not require confirmation of attendance. Attendance and exhibit space are free of charge.

More details at: <http://www.aqmd.gov/aqmp/2012aqmp/symposium/techsymposium.htm>

**AltCar Expo:** The AltCar Expo will be held on September 30 - Oct. 1 from 10 am to 5 pm at the Santa Monica Civic Center. This is a free event and is one of the most extensive presentations of alternative technology vehicles and transportation, infrastructure, renewable energies, energy efficiency and urban planning found worldwide. Attendees are also given the opportunity to test drive several types of alt fuels vehicles.

More details can be found at: <http://altcarexpo.com/index.html>

**Clean Air Awards:** The 23rd Annual Clean Air Awards Luncheon will be held on October 7 at 11:30 am at the Millennium Biltmore Hotel -- Crystal Room. The purpose is to recognize individuals and organizations for their contributions to clean air. This will follow the October 7 AQMD board meeting.

More details can be found at: <http://www.aqmd.gov/tao/CleanAirAwards.htm>

**FuturePorts Conference:** FuturePorts, a regional forum for port, industry, and community concerns, will hold its 2011 conference: Looking Through the Crystal Ball: Technology, Competition, Infrastructure on Tuesday, October 11, 2011, 7:30am - 2:00pm at the Westin Long Beach Hotel, 333 East Ocean Blvd, Long Beach CA 90802.

More details can be found at: <http://www.futureports.org>

**SCAQMD Regional Policy Conference on Air Quality and Transportation:** This conference will be 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>

**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 at 9 am at AQMD Headquarters.

More details can be found at: [http://www.aqmd.gov/qb\\_comit/aqmpadvgrp/aqmpadvgrp.html](http://www.aqmd.gov/qb_comit/aqmpadvgrp/aqmpadvgrp.html)

### Other Initiatives

**Permit Amnesty Program:** This temporary program, which allows businesses to obtain air quality permits without incurring late fees or penalties, will end December 31, 2011.

More details can be found at [http://www.aqmd.gov/pubinfo/permit\\_amnesty.htm](http://www.aqmd.gov/pubinfo/permit_amnesty.htm)

**Release of Signature Documentary Film:** The AQMD has released a signature documentary film, The Right to Breathe. The 21-minute film presents a powerful emotional experience for viewers to make them aware of the serious health effects of air pollution while also inspiring them to take part in air quality solutions. To view the trailer clip for The Right to Breathe, visit [www.aqmd.gov](http://www.aqmd.gov).