

South Bay Cities Council of Governments

SBCCOG Board of Directors' Meeting Thursday, August 25, 2011 @ 6 pm

Light Dinner & Informal Discussion @ 5:30 pm

**Palos Verdes Golf Club – map attached
3301 Via Campesina
Palos Verdes Estates**

To assure a quorum, if you or your alternate representative *cannot* attend the meeting, please contact
SBCCOG Executive Director Jacki Bacharach @ 310-377-8987.

PLEASE NOTE: YOU CAN ALSO FIND SBCCOG AGENDAS ON OUR WEB SITE - www.southbaycities.org

The Board of Directors, with certain statutory exceptions, can only take action upon properly posted and listed agenda items. Written materials distributed to the Board within 72 hours of the Board meeting are available for public inspection immediately upon distribution in the SBCCOG/SBESC office at 15901 Hawthorne Blvd., Suite 400, Lawndale, CA 90260, during normal business hours.

Unless otherwise noted in the Agenda, the Public can only comment on SBCCOG related business that is within the jurisdiction of cities and/or items listed on the Agenda during the Public Comment portion of the meeting (Item #V). The time limit for comments is three (3) minutes per person. Before speaking to the Board, please come to the podium and state: Your name and residence and the organization you represent, if appropriate.

AGENDA

- I. **CALL TO ORDER - Introductions (6:00 PM)**
Ellen Perkins, Chair
- II. **SALUTE TO THE FLAG**
- III. **CONFIRM POSTING OF THE AGENDA BY PALOS VERDES ESTATES CITY CLERK**
- IV. **ANNOUNCEMENTS OF ANY CHANGES TO THE AGENDA**
- V. **COMMENTS FROM THE PUBLIC**
- VI. **CONSENT CALENDAR (6:05 PM)**
Matters listed under Consent Calendar are considered routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Calendar and considered separately.
 - A. **July Board Meeting Minutes (attachment) – Approve**
 - B. **JPA & Bylaws Changes (attachments) - Approve**
 - C. **Measure R Task Order to Iteris for Phase 2 Technical Assistance (attachment) – Approve**
 - D. **Measure R Fund Allocation Change (attachment) – Approve**
 - E. **Legislative status (attachment) – Approve**

VII. PRESENTATIONS

A. Hydrogen Fuel Cell Vehicle Deployments in California: The Path to Commercialization
– Jordan McRobie, California Fuel Cell Partnership (6:10 pm)

B. Update on Activities at the AQMD and Experiences after 1 Year on the Board – Judy Mitchell (6:35 pm)

VIII. ACTION ITEMS

A. Letter re: Zero Emission Trucks @ ICTF (attachment) (6:55 pm)
1. Requested by Judy Mitchell

B. County Re-Districting Update (7:05 pm)
1. Update by Jim Goodhart

IX. MONTHLY METRO REPORT

A. Board member report by Pam O'Connor (7:15 pm)
B. Service Council report by Ralph Franklin, Chair (7:20 pm)

X. SOUTH BAY ENVIRONMENTAL SERVICES CENTER UPDATES (7:25 pm)

A. Update on current programs and activities
B. Status of stimulus projects, Energy Leader program & Energy Upgrade Ca., LA County program

XI. BOARD MEMBER ANNOUNCEMENTS (7:35 pm)

XII. SBCCOG UPDATE AND COMMITTEE REPORTS – (7:40 pm)

XIII. AGENCY REPORTS (7:45 pm)

A. League of California Cities (Jeffrey Kiernan)
B. South Coast Air Quality Management District (Stan Myles)
1. Local Government and Business Advisory Group (Sergio Carrillo)
C. SCAG & Committees (Matt Horton)
1. Energy and Environment (Judy Mitchell, Dan Medina)
2. Transportation (Steve Diels, Judy Dunlap)
3. Community, Economic, & Human Development (James Gazeley & James Butts)
4. Regional Council (Judy Mitchell, Judy Dunlap, James Gazeley)
D. Los Angeles Regional Water Quality Control Board Report (Mary Ann Lutz)
E. South Bay Cities City Managers' Association (Carolyn Lehr)
F. South Bay Association of Chambers of Commerce (Susan Rhilinger)
G. South Bay Workforce Investment Board (John Parsons)

XIV. UPCOMING EVENTS & ANNOUNCEMENTS (7:55 pm)

August 30 Port Tour

XV. AUGUST SBCCOG COMMITTEE MEETINGS & WORKING GROUPS

Consult web site for specific times and places – www.southbaycities.org

XVI. ADJOURNMENT

Next meeting - Thursday, September 29, 2011

PALOS VERDES GOLF CLUB

“Lunada Bay Room”

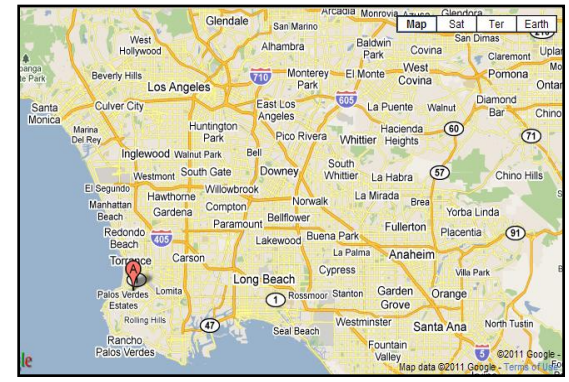
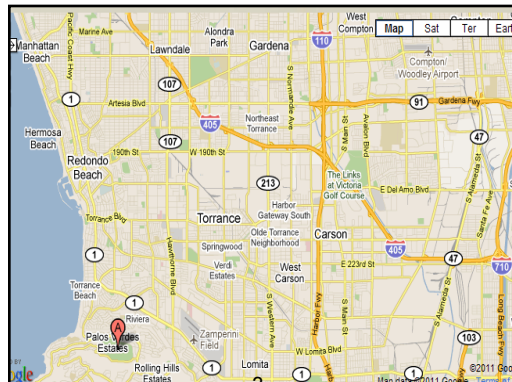
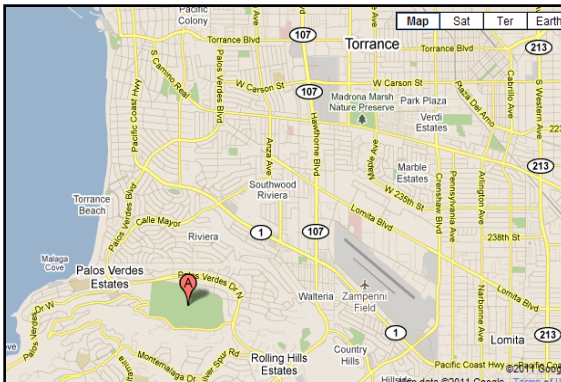
3301 Via Campesina
Palos Verdes Estates, CA 90274
(310) 375-2533



www.pvgc.com

Directions: From the beach cities take Pacific Coast Highway to Palos Verdes Blvd and turn right. At the 3-way intersection entering Palos Verdes Estates, turn left onto Palos Verdes Drive North going east. Turn right on Via Campesina. The golf club is a few blocks ahead on the right. From the I-405, take Hawthorne Blvd. south. From the I-110, take Pacific Coast Highway west to Hawthorne Blvd and turn left/south. At Palos Verdes Drive North turn right. Turn left at Via Campesina. The golf club is on the right.

Parking: Parking is available directly in the front of the building



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SBCCOG MEETINGS: ATTENDANCE 2010 – 2011

City	Apr-11	May-11	Jun-11	Jul-11	Aug-11	Sep-11	Oct-11
Carson	P	P					
El Segundo		X	P	P			
Gardena	P	P	P	P			
Hawthorne			P	P			
Hermosa Beach							
Inglewood				P			
Lawndale		P	P				
Lomita	P		P				
Los Angeles	X	X	X	X			
Manhattan Beach				P			
Palos Verdes Estates	P	P	P	P			
Rancho Palos Verdes	P		P	P			
Redondo Beach	P	P	P	P			
Rolling Hills		X	X	X			
Rolling Hills Estates	P	P	P	P			
Torrance	P	P	P	P			
County of Los Angeles	P	P	P	P			

P: present

X: inactive (missed last 3 in a row)

Inactive Membership is automatically re-instated by attending a meeting

Number of Active Agencies	16	14	15	15			
Quorum Required (50% +1)	9	8	8	8			
Number of Agencies Attending	9	8	11	11			

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SOUTH BAY CITIES COUNCIL OF GOVERNMENTS
THURSDAY, JULY 28, 2011
PALOS VERDES GOLF CLUB
3301 VIA CAMPESINA, PALOS VERDES ESTATES, CA 90274

CALL TO ORDER – INTRODUCTIONS

Chair Perkins called the SBCCOG Board of Directors meeting to order at 6:10pm. She gave a brief history of the Palos Verdes Golf Club, the Board's new meeting location for the duration of her term as Chair.

In attendance were the following voting members:

Amy Howorth, Manhattan Beach
Anthony Misetich, Rancho Palos Verdes
Dan Medina, Gardena
Dan Rosenfeld, LA County SD2
Daniel Juarez, Hawthorne
Ellen Perkins, Palos Verdes Estates

Matt Kilroy, Redondo Beach
Ralph Franklin, Inglewood
Susan Rhilinger, Torrance
Susan Seamans, Rolling Hills Estates
Suzanne Fuentes, El Segundo

Other Elected Officials:

Jim Goodhart, PVE
Tom Brewer, Torrance

Also in attendance were the following persons:

Alan Clelland, Iteris
Alan Patashnick, Metro
Alexa Davis, PVE
Darrel Mitchell, Energy Services & Technologies, Inc
Ed Caprielian, Resident of Manhattan Beach
Greg Stevens, Alternative Energy Systems Consulting
Jacki Bacharach, SBCCOG
Jeff Kiernan, League of CA Cities
Jerry Ramirez, LA County CEO
Judy Smith, PVE
Marcy Hiratzka, SBCCOG
Margaret Ramirez, Engage 360
Martin Zimmerman, LA County CEO

Matt Horton, SCAG
Mike Bohlke, Metro
Nicki Coronado, SBCCOG
Patricia Watts, FCI Management Consulting
Paul Martin, RBF Consulting
Rosemary Lackow, SBCCOG
Sameer Saddiqi, SBCCOG
Sheila Reed, FCI Management Consulting
Stephanie Wiggins, Metro
Steve Lantz, SBCCOG consultant
Suzanne Charles, SBCCOG
Viggen Davidian, Iteris

FLAG SALUTE - LED BY CHAIR ELLEN PERKINS

CONFIRM POSTING OF THE AGENDA BY THE CITY OF PALOS VERDES ESTATES

Jacki Bacharach confirmed that the agenda was properly posted in the City of Palos Verdes Estates.

ANNOUNCEMENT OF ANY CHANGES TO THE AGENDA

Two changes were made to the agenda:

- A. Jacki Bacharach announced that a ceremonial matter would follow the approval of the Consent Calendar.
- B. Jacki Bacharach announced that one of the bills listed under Item C of the Consent Calendar, SB 209, has been passed into law and may be removed from the agenda.

PUBLIC COMMENT

Manhattan Beach resident, Ed Caprielian, continued speaking about his concern of the high density of alcohol related harms in the South Bay (from last month's Board meeting.) He brought a report released by LA County's Public Health Department to validate this and said that the report was dismissed by the City of Manhattan Beach City Council. Mr. Caprielian brought hardcopies of the report for distribution to the Board.

CONSENT CALENDAR

- A. **June Board Meeting Minutes** (*attachment*) – **Approve**
- B. **Contract Extension with West Basin Municipal Water District** (*attachment*) – **Approve scope of work and contract subject to legal counsel approval**
- C. **Oppose SB 776 & HR 1002 and Legislative status** (*attachment*) – **Approve**
- D. **Measure R Fund Allocation Changes** (*attachment*) – **Approve**
- E. **Measure R Task Order to Iteris previous approved by Executive Director per delegated authority** (*attachment*) – **Ratify**

MOTION by Board Member Howorth, seconded by Board Member Franklin, to **approve** the Consent Calendar as submitted (including amendment change mentioned above). No objection. So ordered.

At this time, Chair Perkins recognized Ryan Hardy and Sameer Saddiqi for their contributions as summer interns at the South Bay Environmental Services Center. Both high school graduates were placed as interns through the South Bay Workforce Investment Board and have assisted in tasks such as: green realtor training promotion, writing newsletter articles, researching commercial recycling services, and Homeowners Association outreach for Energy Upgrade California. Mr. Saddiqi was present, announced that he will be attending the University of California at Riverside as a Civil Engineer Major in the fall, and thanked Jacki and Marilyn for this opportunity.

PRESENTATIONS**A. I-110 Congestion Reduction Project Update**

Stephanie Wiggins, Metro Executive Officer in charge of this initiative, gave a presentation on the ExpressLanes Demonstration Program and its subsequent impacts on the South Bay. This is a one-year long pilot program during which, existing carpool lanes on the I-10 (between Alameda St and I-605) and I-110 (between Adams Bl and Artesia Transit Center) will be converted to high occupancy toll lanes (Metro ExpressLanes.) These lanes are scheduled to open in 2012. This program is primarily funded with a \$210 million congestion reduction demo grant from the USDOT. The goal of this demonstration program is to provide ALL commuters with new and better travel options along two of LA County's most congested corridors. The program will test strategies to alleviate congestion, fund additional transit alternatives, maximize freeway capacity usage, increase travel time savings, improve trip reliability, and reduce air pollutants and GHG emissions. Ms. Wiggins distributed detailed packets which contained maps illustrating different improvements and toll entry/exit locations, as well as fact sheets to educate the public on program benefits, public outreach strategies, and key performance measures. Ms. Wiggins noted that this is part of a national demonstration program; Miami, Seattle, Atlanta, Minneapolis, and San Francisco are also doing this.

2 elements of fairness: **SOCIAL EQUITY:** LA Metro is the first agency in the state to require an assessment on how low-income commuters will be affected. Ms. Wiggins stated that it will be beneficial to examine equity before EIRs are released. Metro Board approved this study and now can offer a \$25 toll credit to qualifying low income commuters, as well as waive maintenance fees for qualified riders. **DOUBLE TAXATION:** People feel that they have already paid for the freeways. Ms. Wiggins said that education of how taxes are allocated for transit has been lacking for the public, and that Metro plans to improve their outreach strategies. Gas taxes do not begin to cover the cost of maintenance. She commended Jacki Bacharach and the SBCCOG for their efforts to maximize

underutilized investments in the South Bay, such as the Artesia Transit Center. Board Member Medina praised Metro for the efficiency of the Silver Line. Board Member Goodhart asked how Metro plans to deter drivers from violating HOV lane regulations. Ms. Wiggins said that the California Highway Patrol will have a detection system that will take pictures of license plates. Board Member Franklin added that the single-occupant vehicle option to move to carpool lanes is only available if the flow of traffic is 45 mph or greater. He also added that drivers traveling eastbound on the 105 can only enter the hot lanes at the last entrance before going northbound on the 110.

B. County Redistricting Update

Martin Zimmerman and Jerry Ramirez from the LA County CEO's Office gave a presentation on the County Redistricting process that occurs every ten years. Mr. Zimmerman reported that there are approximately 9.8 million people in LA County (most likely an undercount after the 2010 census), 88 incorporated cities, and 140 unincorporated communities. Requirements come from multiple levels of government: Constitution, federal statutes, state statutes, county charter, and court decisions. The 14th Amendment of the Constitution requires equal treatment in an effort to avoid gerrymandering and non-wholesome redistricting objectives. Mr. Zimmerman stated the following:

- The County Charter requires a super majority of the board to change the boundaries. 2 Public hearings are required to adopt a final plan. The Boundary Review Committee (BRC) must submit recommendations to the Board of Supervisors (BOS) by July 31, 2011, and the ordinance implementing the new boundaries must be effective by Oct 31, 2011. A 4/5 vote is required by BOS and if they cannot do that, a special commission will decide by December 31, 2011.
- The County contracted with a vendor for free redistricting software for the public (free online training is offered, as well as the recommended plans.) June 10 was the deadline for the public to submit suggestions. The BRC held 15 meetings where the public had the opportunity to provide input.
- 19 plans were submitted: 17 were received in depth analysis, 1 was not reviewed due to having 16 suggested districts, and 1 was rescinded by its author. Most plans showed substantial changes, and a few plans imposed only minor changes.
- The BRC recommended two plans to the BOS: A2 Benchmark plan (only Santa Fe Springs and West Covina are affected and 150,000 residents would change districts.) Revised S1 is the other plan brought to the BOS, but it has a dislocating impact (moving 3.5 million people, splitting communities of interest and long standing relationships, and compromising historical identification.)
- BRC vote: 6/4 vote to not approve Revised S1 Plan, but instead, to recommend the benchmark plan (A2) to the BOS. Supervisorial Districts 3, 4, and 5 voted for A2, while Districts 1 and 2 voted for S1. The BOS will be considering recommendation of A2 at public hearings on August 9, 2011 and September 6, 2011.

ADDITION TO THE AGENDA

Chair Perkins asked when the SBCCOG Board needed to act by, to take a position on the plans and recommend one to the BOS. Mr. Zimmerman of the LA County CEO's Office said that important actions will be considered in early August and that the SBCCOG should recommend their decision to the Board before the A2 Plan's first public hearing on August 9, 2011. Chair Perkins stated that since this was not on the July 28, 2011 agenda for action; it must be added as an emergency action item (as the date of the public hearing for this plan would not allow time for the Board to address this at the August Board meeting.) During discussion, Board Member Seamans urged the Board to support the A2 plan and discouraged supporting the S1 plan, as it would remove coastal South Bay cities from Supervisor Knabe's jurisdiction.

MOTION by Board Member Seamans, seconded by Board Member Juarez, to **add** this item to the the agenda. No objections. So ordered.

MOTION by Board Member Seamans, seconded by Board Member Kilroy, to **recommend** the A2 Redistricting Plan to the LA County Board of Supervisors. No objections. So ordered.

ACTION ITEMS**A. Measure R South Bay Highway Program Implementation Plan & Delegation of Authority to Measure R Oversight Sub-Committee (attachments) – Approve**

Steve Lantz presented a summary of the Implementation Plan. He emphasized that the plan is not about the jurisdictions, but about the highway network. The plan's goal is to improve operations on the freeways and the state highways in the South Bay. Metro wants the SBCCOG to manage this program on their behalf and Iteris is assisting the SBCCOG in doing this. Mr. Lantz went on to explain the annual-year process that will be started in August for the next five years: policies are recommended to the Board, new projects will be looked at and project costs will be updated. The status of city funding agreements with Metro is submitted to the SBCCOG's Oversight Committee every 2 weeks.

MOTION by Board Member Howorth, seconded by Board Member Franklin, to **adopt** the Measure R South Bay Highway Program Implementation Plan. No objections. So ordered.

B. Re-Naming Artesia Transit Center (attachment)

Jacki Bacharach explained that, in an effort to eliminate future confusion between the name of *Artesia Transit Center* with the city of Artesia, Metro is asking for suggestions of alternative names for the station. This transit center is not in Gardena but it has a Gardena zip code. It is in the Harbor Gateway area of LA City. Ms. Bacharach reviewed the suggested names on pages 35 and 36 of the meeting's agenda packet. Ms. Bacharach said that the Board should submit its name choice to Metro before improvements are made there (including signage.)

During discussion, Board Member Medina commented that the Gardena Police Department responds to that area quicker than the Los Angeles Police Department, and that *Gardena Valley Transit Center* was an appropriate suggestion. Board Member Rhilinger said that the new name should not include the word *Gardena*, to alleviate Gardena PD from being overrun with calls when the location is not even within their jurisdiction. She and Board Member Franklin favored the name of *Harbor Gateway Transit Center*. Board Member Franklin said that, although the station has a Gardena zip code, multiple agencies can respond to this area, and one city (Gardena) should not have a claim on the name of the station.

MOTION by Board Member Medina, seconded by Board Member Juarez, to **recommend** the name of *Gardena Valley Transit Center*.

Ayes: 3 Nays: 5, Abstain: 2

MOTION by Board Member Franklin, seconded by Board Member Rhilinger, to **recommend** the name of *Harbor Gateway Transit Center*.

Ayes: 7, Nays: 3, Abstain: 0

C. Amendments to the SBCCOG JPA Agreement & Bylaws (attachments)

Jacki Bacharach explained how several issues have recently arisen about membership, quorums, and who is eligible to be an officer for SBCCOG Board meetings. The SBCCOG Steering Committee reviewed the SBCCOG's existing JPA agreement and bylaws and recommends that both documents be changed to make them consistent with current practice and to resolve and/or clarify the issues that have recently arisen. Mike Jenkins, SBCCOG legal counsel, has reviewed and approved the proposed changes, which were outlined in the agenda memo. Pursuant to Article X – Amendments of the Bylaws these amendments are submitted to the Governing Board one month prior to the meeting at which the Amendment is voted upon. Therefore these recommended changes are presented for review and discussion and will be brought back to the August Board meeting for adoption.

MOTION by Board Member Franklin, seconded by Board Member Seamans, to **approve** this amendment to be placed on the August Board meeting agenda as an action item for adoption. No objections. So ordered.

TRANSPORTATION REPORT**A. Metro Board member report**

Mike Bohlke gave the update on behalf of Director O'Connor. He suggested that the Board send letters to Director O'Connor, Supervisor Ridley-Thomas, and Supervisor Knabe to rally support for renaming the Artesia Transit Center and initiate this issue on the Board level. Dan Rosenfeld added that there may be some renaming opportunities on the September Board agenda as well. Mr. Bohlke talked about the Green Construction Policy dealing with zero emission vehicles. He said that some city projects will not be applicable for this policy at this time. Mr. Bohlke also said that he would like to meet with the SBCCOG's Infrastructure Working Group in September. Ms. Bohlke also stated that Metro will adopt a Renewable Energy Policy, and that this issue will come to the Ad Hoc Sustainability Committee in September. This will involve retrofitting existing and new construction with energy saving projects. To conclude, Mr. Bohlke mentioned a motion introduced to Supervisor Yaroslavsky, involving a possible launch of a pilot bike share program on parts of the rail system.

B. MTA South Bay Service Council Report

Ralph Franklin pointed out that the Metro Board renamed the "governance councils" to "service councils." He reported that July 8, 2011 the South Bay Service Council had their first meeting in Inglewood @ City Hall (Metro can be accessed better than from Carson.) He said there was a large turnout and also thanked Ms. Wiggins from Metro (for giving the same presentation that she gave to the Board.) A safety presentation was given for riders by Lt. Obenberger, and Jack Gabig from the Gardena Transit announced that 3 of the 5 routes from Gardena will now go to the Artesia Transit Center, instead of currently only one. Metro CEO, Art Leahy, was also held a meet and greet with the Service Councils. Board Member Franklin commended Metro for outstanding outreach to the public regarding the 405 closure in July, and also said that the Expo line will now open in December of 2011 instead of in September, for various reasons.

SOUTH BAY ENVIRONMENTAL SERVICES CENTER UPDATES**A. Update on current programs and activities – Review of Water Outreach Activities**

Jacki Bacharach showed a presentation that will be given to the West Basin Municipal Water District Board at their meeting when extension of their contract with SBCCOG will be on the agenda. It outlined the goals of the partnership, and documented educational programs, appliance exchanges, incentivized commercial upgrades, and water facility tours.

B. Energy Leader Project Update

Greg Stevens, an engineer contracted with the SBESC, gave an Energy Leader Projects update. He works with the SBESC, Southern California Edison, The Southern California Gas Company, and the 15 South Bay cities to identify municipal projects that can qualify for incentives for therm and kWh savings. He showed chart of 2010 project, as well as projects in the pipeline. The 3-year goal of this contract is to save 6 million kWh. The forecasted savings for the end of 2011 is 3 million kWh. Mr. Stevens reported that the Energy Leader Team needs to ID projects for 2012 and that cities need to generate interest and encourage city staff and residents to monitor their energy use. 2012 goals are very aggressive so more municipal projects must be targeted soon. Ms. Bacharach also mentioned Title 24 training dates for building inspectors and Plans Examiners that the SBCCOG is co-hosting in September. (CORRECTION: the fliers distributed listed an incorrect date. The first class will be held on September 8th, NOT September 6th.)

C. Energy Upgrade California

Ms. Bacharach thanked the Cities of Hawthorne and Gardena for being especially proactive for EUC. The SBESC reserved the large marquee in Lawndale that can be seen off of the 405 for EUC advertising. There will be a Hermosa Beach block party for EUC and the City announced that they will deduct 50% of permit fees for homeowners who participate in EUC. Ms. Bacharach added that the SBESC is looking for speaking engagements in the South Bay. She also promoted the event, Flip the Switch, which will be held at Gardena City Hall on August 9.

BOARD MEMBER ANNOUNCEMENTS

- Board Member Seamans: The City of Rolling Hills Estates will host its 30th Annual Hills are Alive cross country race on August 13 at 8am in Ernie Howlett Park.
- Board Member Franklin: Southern California Edison will be hosting a lamp exchange at the Forum in Inglewood on August 27-28 from 8a-1pm. SCE customers only. Jacki Bacharach distributed fliers. Board member Franklin also announced Inglewood's new City Manager, Arnie Fields.
- Board Member Medina wanted to clarify that when he attended one of the County's Redistricting Hearings and spoke, he was speaking on behalf of the City of Gardena (and not on behalf of the SBCCOG.) He explained that he was advocating for the preservation of communities: Carson, Gardena, Hawthorne, Inglewood, and Lawndale, and how he is against the disruption of the many South Bay agencies and organizations that would be caused by the implementation of the Revised S1 Plan.

SBCCOG UPDATE AND COMMITTEE REPORTS

- A. SB 375 status** - Jacki Bacharach showed the award that the SBCCOG received from the American Planning Association for Planning Excellence in Implementation (of the Strategic Vision for a Sustainable South Bay.) Wally Siembab accepted on behalf of the SBCCOG.
- B. LUV update** - Ms. Bacharach stated that the LUV Preliminary Report is available for distribution. She will have a meeting with AQMD on July 29 to discuss extending the LUV program.

AGENCY REPORTS

- A. League of California Cities (Jeffrey Kiernan)** - Mr. Kiernan distributed a fact sheet containing information on 13 Anti-Local Control Bills that the League is opposing. Mr. Kiernan added that this year's session ends on Sept 9 and that cities are encouraged to take immediate action and oppose these bills. Mr. Kiernan reported that the lawsuit against government for abolishing Redevelopment Agencies is progressing. If the Supreme Court acts in a timely manner to have a ruling on the stay by August 15, there is a good chance of saving these agencies. He also reported that the League's Installation of Officers will occur on August 4th in Cerritos, and that the League's Economic Development Conference will be held on August 24 in Long Beach.
- B. SCAG & Committees (Matt Horton)** -Mr. Horton reported that Regional Council is dark in August. SCAG will be hosting a Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS) at the Carson Civic Center on August 23 from 1-4pm. This public outreach workshop will cover SCAG's vision of transportation investments (the RTP is developed every 4 years) and will also cover the SCS, which is a newly required element of the 2012 RTP, providing a plan for meeting emission reduction targets set forth by the CA Air Resources Board. Public input is encouraged, and transportation can be provided for persons who require it. Matt passed out brochures about this.

UPCOMING EVENTS & ANNOUNCEMENTS

- August 23 - SCAG Public Workshop on Regional Transportation Plan in Carson
- August 25 - Opportunity to Test Drive Hydrogen Fuel Cell Vehicle
- Developer Randall Lewis is going to be at Livable Communities meeting on Aug. 17 at the SBESC office
- Successful Legislation Breakfast on July 14: Representatives for Senator Feinstein, Senator Boxer, and Congresswoman Waters as well as our state legislators were in attendance and good conversations occurred. The SBCCOG plans to do this quarterly, instead of having an active Legislative Committee. The next will be in October.
- September 22 regular board meeting date was changed to September 29, due to League Annual Conference

Next meeting - Thursday, August 25, 2011

ADJOURNMENT

There being no further business, the meeting was ordered adjourned by Chair Perkins at 8:37pm.

Respectfully submitted,
Marcy Hiratzka

South Bay Cities Council of Governments

August 25, 2011

TO: SBCCOG Board of Directors

FROM: Steering Committee

RE: Recommended JPA & Bylaws Changes

At the July Board meeting, changes to the JPA agreement and the Bylaws were discussed pursuant to Article X of the Bylaws on amendments which requires that any amendment be submitted to the Governing Board at a meeting at least one month prior to the meeting at which the Amendment is voted upon.

Both agreements with changes highlighted are attached. The proposed changes are:

In the JPA agreement:

- Section 1 – Recitals updated
- Section 7
 - a. Voting and Participation - Clarifies that the county is one member but has two votes – 1 for District 2 & 1 for District 4 which is consistent with the SBCCOG agreement with LA County when they became members of the SBCCOG.
 - b. Quorum – Re-wording to clarify that inactive or suspended members are not included in the quorum count.
 - e. Actions – Clarifies the sentence and makes no change to the meaning.
- Section 10 – Allows changes to the Board meeting date and time by resolution instead of through a bylaws amendment
- Section 11 – Establishes that if an officer is from an agency that becomes inactive or is suspended, their position is declared vacant and an election must be called to replace them.

In the Bylaws:

- Changes throughout to change ‘member city’ to ‘member agency’ to reflect the county’s membership
- Article III. B.2. - Allows changes to the Board meeting date and time by resolution instead of through a bylaws amendment
- Article VII
 - A.3. – Allows the county’s designated alternates to serve on committees which were restricted to elected officials
 - B.1. – Allows county participation on Steering Committee and clarifies their two votes. Establishes that representatives from suspended or inactive agencies may attend but cannot officially serve or vote at the Steering Committee

RECOMMENDATION

Approve the changes to the JPA agreement and transmit to the member agencies for their concurrence. Approve the changes to the Bylaws effective immediately.

FOURTH AMENDED AND RESTATED JOINT POWERS AGREEMENT

**“SOUTH BAY CITIES COUNCIL OF GOVERNMENTS”
(A JOINT POWERS AUTHORITY)**

This Fourth Amended and Restated Joint Powers Agreement which is dated for identification purposes June 1, 2011, is made and entered into by and between the public entities (collectively, “Members”) whose names are set forth on Exhibit A, pursuant to Section 6500 *et seq.* of the Government Code and other applicable law:

WITNESSETH:

The parties hereto do agree as follows:

Section 1. **Recitals.** This Fourth Amended and Restated Agreement is made and entered into with respect to the following facts.

- a. The South Bay Cities Council of Governments was formed effective as of April 1, 1995. A Notice of Joint Powers Agreement was filed with the California Secretary of State as of June 22, 1995, and assigned file number 1450. The objective of the organization is to explore areas of inter-governmental cooperation and coordination of government programs and provide recommendations and solutions to problems of common and general concern to its Members.
- b. This joint powers agreement has been amended three times to make various changes to the rules governing the operation of the organization.
- c. The Members now desire to further amend the joint powers agreement to effectuate additional changes to the rules governing the operation of the organization.

Section 2. **Creation of Separate Legal Entity.** A separate legal entity is created within the meaning of Section 6503.5 of the California Government Code; this entity shall exercise its powers in accordance with the provisions of this Second Amended and Restated Agreement and applicable law.

Section 3. **Name.** The name of this separate legal entity shall be the South Bay Cities Council of Governments (“Council”).

Section 4. **Purpose and Powers of the Council.**

- a. Purpose of Council. The purpose of the Council is to provide a vehicle for the Members to engage voluntarily in regional and cooperative planning and coordination of government services and responsibilities, to assist the Members in the conduct of their affairs. It is the express intent of the members that the Council shall not possess the authority to compel any Member to conduct any activity or to implement any plan or strategy that the Member does not wish to undertake (except for the payment of dues). The goal and intent of the Council is one of voluntary cooperation among cities in the South Bay for the collective benefit of all.
- b. Common Powers. The Council shall have, and may exercise, the following powers:
- (1) Serve as an advocate in representing the Members of the South Bay Cities at the regional, state and federal levels on issues of importance to the South Bay Cities;
 - (2) Serve as a forum for the review, consideration, study, development and recommendation of public policies and plans with subregional or regional significance;
 - (3) Assemble information helpful in the consideration of problems peculiar to the Members;
 - (4) Employ Member resources or presently-existing, single-purpose public/private groups to carry out its programs and projects;
 - (5) Explore practical avenues for voluntary intergovernmental cooperation, coordination and action in the interest of local public welfare and improving the administration of governmental services;
 - (6) Assist in coordinating subregional planning efforts and in resolving conflicts among the cities in the South Bay as they work toward achieving planning goals;
 - (7) Build a consensus among the Members on the implementation of policies and programs for addressing subregional and regional issues;
 - (8) Serve as a mechanism for obtaining regional, state, and federal grants to assist in financing the expenditures of the Council;

- (9) Make and enter into contracts, including contracts for the services of engineers, consultants, planners, attorneys and single purpose public/private groups;
 - (10) Employ agents, officers and employees;
 - (11) Apply for, receive and administer a grant or grants under any regional, state, or federal program;
 - (12) Receive gifts, contributions and donations of property, funds, services and other forms of financial assistance from persons, firms, corporations and any governmental entity;
 - (13) Lease, manage, maintain, and operate any buildings, works, or improvements; and
 - (14) Delegate some or all of its powers to the Executive Director as provided below.
- c. Exercise of Powers. The Council shall, in addition, have all implied powers necessary to perform its functions. It shall exercise its powers only in a manner consistent with the provisions of applicable law, this Second Amended and Restated Agreement and the Bylaws. For the purposes of determining the restrictions to be imposed on the Council in its manner of exercising its powers pursuant to Government Code Section 6509, reference shall be made to, and the Council shall observe, the restrictions imposed upon the City of Lomita.

Section 5. Creation of Governing Board and General Assembly.

- a. Creation of Governing Board. A Governing Board for the Council (“Governing Board”) is created to conduct the affairs of the Council. The Governing Board shall be constituted as follows:
 - (1) Designation of Governing Board Representatives. The city council or the Mayor (if the Mayor is so authorized by the Member’s charter, ordinances or rules) of each of the city Members shall in writing designate one person as the Member’s representative on the Governing Board (“Governing Board Representative”). The Board of Supervisors of the County of Los Angeles shall designate the members of the Board from the 2nd and 4th Supervisorial Districts as its representatives on the Governing Board.

(2) Designation of Alternate Governing Board Representatives. The city council or the Mayor (if the Mayor is so authorized by the Member's charter, ordinances or rules) of each of the city Members shall designate one or more persons to serve as the Member's alternate representative on the Governing Board ("Alternate Governing Board Representative"). The Supervisors from the 2nd and 4th Supervisorial Districts shall each designate their chief of staff or a senior staff person from their office as the County's Alternate Governing Board Representatives.

(3) Eligibility. No person shall be eligible to serve as a Governing Board Representative or Alternate Governing Board Representative unless that person is, at all times during the tenure of that person as a Governing Board Representative or Alternate Governing Board Representative, a member of the legislative body of one of the appointing Members, except for the County of Los Angeles Alternate Governing Board Representatives. Should any person serving on the Governing Board fail to maintain the status required by this Section 5, that person's position on the Governing Board shall be deemed vacated as of the date such person ceases to qualify pursuant to the provisions of this Section 5, and the Member shall be entitled to appoint a qualified replacement.

b. Creation of General Assembly. A General Assembly for the Council ("General Assembly") is created to discuss issues and make recommendations to the Governing Board. All elected officials of the legislative bodies of all Members shall be members of the General Assembly. The Chair of the Governing Board shall be the Chair of the General Assembly. A General Assembly may be called by the Chair of the Governing Board or by a majority of the Governing Board representatives.

Section 6. Use of Public Funds and Property. The Council shall be empowered to utilize for its purposes, public and/or private funds, property and other resources received from the Members and/or from other sources. Where applicable, the governing Board of the Council may permit one or more of the Members to provide in-kind services, including the use of property, in lieu of devoting cash to the funding of the Council's activities.

Section 7. Functioning of Governing Board.

a. Voting and Participation. Through its Governing Board Representative, each Member may cast only one vote for each issue before the Governing Board except for the County of Los Angeles, which shall have two votes –

one for District 2 and one for District 4. An Alternate Governing Board Representative may vote in the proceedings of the Governing Board only in the absence of that Member's Governing Board Representative. A Governing Board Representative or Alternate Governing Board Representative seated on the Governing Board shall be entitled to participate and vote on matters pending before the Governing Board only if such person is physically present at the meeting of the Governing Board and if the Member which that Governing Board Representative or Alternate Governing Board Representative represents is not on inactive status (as defined in Section 21.b of this Fourth ~~Second~~ Amended and Restated Agreement).

Comment [JB1]: Makes JPA agreement consistent with the agreement with the county re: their membership

- b. Proxy Voting. No absentee ballot or proxy shall be permitted.
- c. Quorum. A quorum of the Governing Board shall consist of not less than fifty percent (50%) plus one (1) of its total membership excluding inactive and suspended members..
- d. Committees. As needed, the Governing Board may create permanent or ad hoc advisory committees to give advice to the Governing Board on such matters as may be referred to such committees by the Governing Board. All committees shall have a stated purpose before they are formed. Standing committees shall remain in existence until they are dissolved by the Governing Board. Ad hoc committees shall be dissolved upon completion of their designated functions. Committees, unless otherwise provided by law, this Fourth~~Third~~ Amended and Restated Agreement, the Bylaws or by direction of the Governing Board, may be composed of representatives to the Governing Board and nonrepresentatives to the Governing Board.
- e. Actions. Actions taken by the Governing Board shall be by not less than fifty percent (50%) plus one (1) of the voting representatives of the Governing Board who are present provided that a quorum has been established, unless by a provision of applicable law, this Fourth Amended and Restated Agreement, the Bylaws or by direction of the Governing Board, a higher number of votes is required to carry a particular motion.

Comment [JB2]: The county is considered 1 member. Therefore a quorum is based on 17 member agencies.

Comment [JB3]: There will be 17 members and 18 voting representatives.

Section 8. Duties of the Governing Board. The Governing Board shall be deemed, for all purposes, the policy making body of the Council. All of the powers of the Council, except as may be expressly delegated to others pursuant to the provisions of applicable law, this Fourth Amended and Restated Agreement, the Bylaws or by direction of the Governing Board, shall be exercised by and through the Governing Board.

Section 9. Roberts Rules of Order. The substance of Roberts Rules of Order shall apply to proceedings of the Governing Board, except as may otherwise be provided by provisions of applicable law, this Fourth Amended and Restated Agreement, the Bylaws or by direction of the Governing Board.

Section 10. Meetings of Governing Board. The Governing Board shall, ~~by means of the adoption of Bylaws, resolution~~ establish the dates and times of regular meetings of the Governing Board. The location of each such meeting shall be as directed by the Governing Board.

Comment [JB4]: Allows changes to meeting times that don't require bylaws amendment

Section 11. Election of Chair and Vice-Chairs. The Chair of the Governing Board shall conduct all meetings of the Governing Board and perform such other duties and functions as required of such person by provisions of applicable law, this Fourth Amended and Restated Agreement, the Bylaws or by direction of the Governing Board. The 1st Vice-Chair shall serve as Chair in the absence of the Chair and shall perform such duties as may be required by provisions of applicable law, this Fourth Amended and Restated Agreement, the Bylaws, or by the direction of the Governing Board or the Chair. The 2nd Vice-Chair shall serve as Chair in the absence of the Chair and the 1st Vice-Chair and shall perform such duties as may be required by provisions of applicable law, this Fourth Amended and Restated Agreement, the Bylaws, or by the direction of the Governing Board or the Chair. In addition, the 2nd Vice-Chair shall supervise the Treasurer in the performance of the duties assigned to him or her by Section 14 of the Fourth Amended and Restated Agreement.

A Governing Board Representative shall be elected annually to the position of Chair of the Governing Board, a second Governing Board Representative shall be elected to the position of 1st Vice-Chair of the Governing Board and a third Governing Board Representative shall be elected to the position of 2nd Vice-Chair of the Governing Board, at the first regular meeting of the Governing Board held in June of each calendar year. The terms of office of the Chair, 1st Vice-Chair and 2nd Vice-Chair shall commence on July 1 and expire of the succeeding June 30.

If there is a vacancy, for any reason, in the position of Chair, 1st Vice-Chair or 2nd Vice-Chair, the Governing Board shall forthwith conduct an election and fill such vacancy for the unexpired term of such prior incumbent. A vacancy shall be declared in the event the Member represented by Chair, 1st Vice-Chair or 2nd Vice-Chair is suspended or becomes inactive as provided in Section 21.

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Comment [JB5]: Does not allow inactive or suspended members to be officers.

- Section 12. Executive Director. The Governing Board may appoint by a vote of fifty percent (50%) plus one (1) of the total voting membership a qualified person to be Executive Director, on any basis it desires including, but not limited to, a contract or employee basis. The Executive Director shall be neither a Governing Board Representative, nor an Alternate Governing Board Representative, nor an elected official of any Eligible Public Entity (as defined in Section 21(c) of this Fourth Amended and Restated Agreement). The Executive Director shall be the chief administrative officer of the Council. The Executive Director shall receive such compensation as may be fixed by the Governing Board. The Executive Director shall serve at the pleasure of the Governing Board and may be relieved from such position at any time, without cause, by a vote of fifty percent (50%) plus one (1) of the total voting membership of the Governing Board taken at a regular, adjourned regular or special meeting of the Governing Board. The Executive Director shall perform such duties as may be imposed upon that person by the provisions of applicable law, this Fourth Amended and Restated Agreement, the Bylaws, or by the direction of the Governing Board.
- Section 13. Designation of Treasurer. The Governing Board shall, in accordance with applicable law, designate a qualified person to act as the Treasurer of the Council. The compensation, if any, of a person or persons holding the office of Treasurer shall be set by the Governing Board.
- Section 14. Duties of Treasurer. The person holding the position of Treasurer of the Council shall have charge of the depositing and custody of all funds held by the Council. The Treasurer shall perform such other duties as may be imposed by provisions of applicable law, including those duties described in Section 6505.5 of the Government Code, and such duties as may be required by the Governing Board. The Governing Board may engage a qualified person to assist the Treasurer in the performance of his or her duties..
- Section 15. Designation of Other Officers and Employees. The Governing Board may appoint or employ such other officers or employees as it deems appropriate and necessary to conduct the affairs of the Council.
- Section 16. Obligations of Council. The debts, liabilities and obligations of the Council shall be the debts, liabilities or obligations of the Council alone. No Member of the Council shall be responsible, directly or indirectly, for any obligation, debt or liability of the Council, whatsoever.

- Section 17. Control and Investment of Council Funds. The Governing Board shall adopt a policy for the control and investment of its funds and shall require strict compliance with such policy. The policy shall comply, in all respects, with all provisions of applicable law.
- Section 18. Implementation Agreements. When authorized by the Governing Board, affected Members may execute an Implementation Agreement for the purpose of authorizing the Council to implement, manage and administer area-wide and regional programs in the interest of the local public welfare. The costs incurred by the Council in implementing a program, including indirect costs, shall be assessed only to those Members who are parties to that Implementation Agreement.
- Section 19. Term. The Council created pursuant to this Fourth Amended and Restated Agreement shall continue in existence until such time as this Fourth Amended and Restated Agreement is terminated. This Fourth Amended and Restated Agreement may not be terminated except by an affirmative vote of not less than fifty percent (50%) plus one (1) of the then total voting membership of the Governing Board.
- Section 20. Application of Laws to Council Functions. The Council shall comply with all applicable laws in the conduct of its affairs, including, but not limited to, the Ralph M. Brown Act. (Section 54950 et seq., of the Government Code.)
- Section 21. Members.
- a. Withdrawal. A member may withdraw from the Council by filing its written notice of withdrawal with the Chair of the Governing Board 60 days before the actual withdrawal. Such a withdrawal shall be effective at 12:00 o'clock a.m. on the last day of that 60-day period. The withdrawal of a Member shall not in any way discharge, impair or modify the voluntarily-assumed obligations of the withdrawn Member in existence as of the effective date of its withdrawal. Withdrawal of a Member shall not affect the remaining Members. A withdrawn Member shall not be entitled to the return of any funds or other assets belonging to the Council, until the effective date of termination of this Fourth Amended and Restated Agreement, except that a withdrawn Member shall be entitled to the balance of the annual dues paid for the year by that Member which were intended for the remaining part of that year. Withdrawal from any Implementation Agreement shall not be deemed withdrawal from the Council.

- b. Suspension/Inactive Status. A Member will be placed on Suspension or Inactive Status if the following events occurs:
- (1) Non-Payment of Dues. If a Member fails to pay dues within three months of the annual dues assessment as required under Section 23 of this Fourth Amended and Restated Agreement and the Bylaws, and after a 30-day written notice is provided to that Member, the Member shall be deemed to be suspended from this Fourth Amended and Restated Agreement and the Council. When a Member is suspended, no representative of that Member shall participate or vote on the Governing Board. Such a Member shall be readmitted only upon the payment of all dues then owed by the Member, including dues incurred prior to the suspension and during the suspension.
 - (2) Failure to Attend Meetings. If a Member is not represented by its Governing Board Representative or Alternate Governing Board Representative for three consecutive regular meetings of the Governing Board, that Member will be placed on Inactive Status until such time as its Governing Board Representative or Alternate Governing Board Representative next attends a regular meeting of the Governing Board.
- c. Admitting Eligible Public Entities. Eligible public entities whose names are set forth on Exhibit C to this Fourth Amended and Restated Agreement (“Eligible Public Entities”) shall be admitted to the Council by 1) adopting this Fourth Amended and Restated Agreement by a majority vote of the legislative body of the Eligible Public Entity and 2) properly signing this Fourth Amended and Restated Agreement. An Eligible Public Entity may be admitted regardless of whether it adopted and signed this Fourth Amended and Restated Agreement before or after the Effective Date (as defined in Section 28 of this Fourth Amended and Restated Agreement). No vote of the Governing Board shall be required to admit an Eligible Public Entity.
- d. Admitting Additional Members. Additional Members who are not Eligible Public Entities may be admitted to the Council upon an affirmative vote of not less than fifty percent (50%) plus one (1) of the total voting membership of the Governing Board provided that such a proposed new Member is a city whose jurisdiction, or part thereof, lies immediately adjacent to one or more of the Eligible Public Entities. Admission shall be subject to such terms and conditions as the Governing Board may deem appropriate.

- Section 22. Non-Interference with Function of Members. The Governing Board shall not take any action that constitutes an interference with the exercise of lawful powers by a Member of the Council.
- Section 23. Limitation of Liability. All agreements entered into by the Council shall contain a limitation of liability provision, providing that, except as voluntarily assumed by a particular Member, Members shall not be liable to employees, contractors and other third parties.
- Section 24. Dues of members. The Members of the Council shall be responsible for the payment to the Council, annually, of dues in the amounts periodically budgeted by the Governing Board, as and for the operating costs of the Council (“Dues”), as provided in the Bylaws.
- Section 25. Disposition of Assets. Upon termination of this Fourth Amended and Restated Agreement, after the payment of all obligations of the Council, any assets remaining shall be distributed to the Members in proportion to the then obligation of those Members’ obligation to participate in the funding of the Council.
- Section 26. Amendment. This Fourth Amended and Restated Agreement may be amended at any time with the consent of two-thirds (2/3) of all of the legislative bodies of the Members.
- Section 27. Incorporation by Reference. Each Exhibit to this Fourth Amended and Restated Agreement is incorporated into the agreement by this reference, as though it were fully set forth in the body of the agreement.
- Section 28. Effective Date. The effective date (“Effective Date”) of this Fourth Amended and Restated Agreement shall be the first day of the first month following the date on which two-thirds (2/3) of the legislative bodies of the Members adopt and sign this Fourth Amended and Restated Agreement.

That the Members of this Fourth Amended and Restated Agreement have caused this agreement to be executed on their behalf, respectively, as follows:

EXHIBIT A

[List of Member Agencies]

Carson	Manhattan Beach
County of Los Angeles	
El Segundo	Palos Verdes Estates
Gardena	Rancho Palos Verdes
Hawthorne	Redondo Beach
Hermosa Beach	Rolling Hills
Inglewood	Rolling Hills Estates
Lawndale	Torrance
Lomita	
Los Angeles (15th Council District Representative)	

EXHIBIT B

[List of Member Agencies in South Bay Corridor JPA]

Carson	City of Los Angeles
El Segundo	Manhattan Beach
Gardena	Palos Verdes Estates
Hawthorne	Rancho Palos Verdes
Hermosa Beach	Redondo Beach
Inglewood	Rolling Hills
Lawndale	Rolling Hills Estates
Lomita	Torrance

EXHIBIT C

[List of Eligible Public Entities]

Carson	Manhattan Beach
El Segundo	Palos Verdes Estates
Gardena	Rancho Palos Verdes
Hawthorne	Redondo Beach
Hermosa Beach	Rolling Hills
Inglewood	Rolling Hills Estates
Lawndale	Torrance
Lomita	County of Los Angeles
Los Angeles (15th Council District Representative)	

South Bay Cities Council of Governments

August 25, 2011

TO: SBCCOG Board of Directors

FROM: Jacki Bacharach, Executive Director

SUBJECT: Recommendation for Limited Notice to Proceed Approval for Iteris Task Order #5 – Iteris Phase 2 Core Technical Management Services for SBCCOG SBHP

BACKGROUND

With the approval of the South Bay Highway Program (SBHP) Implementation Plan, the agreement between Iteris, Inc. and the SBCCOG shifts into a new phase under which Iteris will be contracted to undertake technical support activities through a series of task orders.

The scope of work for Task Order #5 (Attachment A) covers the following types of technical services that will be provided by Iteris, Inc, to the SBCCOG for the remaining two years of their contract:

- Assist Lead Agencies to prepare and execute funding agreements with Metro for projects included in the SBHP Implementation Plan
- Train lead agencies on various topics, including risk management best practices and funding agreement reporting
- Assist the SBCCOG to prepare the SBHP Annual Update and manage the update process
- Assist the SBCCOG to monitor the progress, budget adherence and risk management aspects of active SBHP projects by monitoring and reporting on information entered by lead agencies into the Metro's Project Management Information System (PMIS)
- Evaluate options and recommend corrective steps for projects that are not on schedule or are requesting funding allocation changes that would increase the total SBHP funding needed to complete SBHP projects
- Update the SBCCOG public and secure web site for SBHP information
- Develop funding strategies and identify funding sources for future SBHP projects that leverage Measure R funds with state and federal funds or other funding acceleration strategies (preparing applications and administering grants is not included in the scope of this task order).

Additional task orders are anticipated for development of a South Bay Measure R Implementation Plan for Intelligent Transportation Systems and for specific detailed technical assistance if requested by the SBCCOG Measure R Oversight Committee. There is approximately \$1,172,000 remaining contract authority in the SBCCOG contract with Iteris, Inc. The contract term ends on June 30, 2013. The Measure R Oversight Committee has reviewed the scope of work but did not review the cost estimate.

RECOMMENDATION

Since it is essential for work to begin on this phase of the project, the recommendation is to approve the scope of Task Order #5 between the SBCCOG and Iteris, Inc. as described in Attachment A, with a limited notice to proceed for \$60,000. The final cost for this phase can then be reviewed and a recommendation can be made to the Board from the Measure R Oversight Committee. The task order duration ends June 30, 2013.

Attachment A – Iteris, Inc. Task Order #5 - Scope of Work

SBCCOG Measure R Program Phase 2 – Iteris, Inc. Core Technical Management Services

Introduction

The completion and approval of the SBHP Implementation Plan marks the completion of Phase 1 of the SBCCOG/Iteris Development of the South Bay Measure R Highway Fund Implementation Plan & Program/Project Management Services contract. The core activities scope of work in Phase 2, the Program/Project Management Services which is outlined in the original RFP, now needs to be further defined, which is the subject of this document.

The contract allows for a wide range of technical and management services. Phase 2 activities include ongoing program management assistance and the oversight of project-specific activities. For these reasons the Phase 2 activities have been divided into two groups: Phase 2A, Program Management and Project Oversight and Phase 2B, Project Development. This document addresses activities in Phase 2A only. Phase 2B activities, such as SBCCOG-funded assistance to lead agencies in the preparation of their funding agreements with Metro, will be identified by project, and will be the subject of task orders issued by the SBCCOG separate from the core services described in this task order.

Phase 2A Program Management Task Definitions

Task 1: Iteris Contract Administration and Management

This comprises the oversight of these Program Management Project activities, management of the Iteris Team Project budget and schedule, invoicing, and reporting of Project progress on a monthly basis to the SBCCOG. Sub-consultant oversight activities include liaising and coordination with other Iteris Team members including a monthly project management team meeting which shall include representatives of the SBCCOG.

Task Order Process

The scope as proposed below presents a core set of activities for Phase 2. In the course of this next phase of work, other work items will be identified, such as technical assistance to support the execution of funding agreements (see Task 2), additional project oversight activities (see Task 5), and developing recommendations for risk mitigation measures (see Task 6). Where Iteris Team effort is required, this will be engaged through Task Orders specific to the additional work required.

In the normal course of business, Task Orders will be submitted to the Oversight Committee for review and recommendation to the Board of Directors which will consider the Oversight Committee recommendation at its next regular Board Meeting. When time is of the essence, the Task Order may be signed by the Executive Director if its value is \$50,000 or under. Such task orders will go to the SBCCOG Board for their information. When the Task Order value exceeds the signature authority of the Executive Director (\$50,000), the Oversight Committee would make a recommendation for action to the SBCCOG Board. The preparation, submission and management of these Task Orders will be carried out as part of this Task 1, Project Management.

Deliverables:

- Invoices
- Monthly Progress Reports (accompanying invoices)
- Updated schedule
- Task Orders (for approval)

Task 2: Program Management/Administration

There continues to be a range of activities that relate to the management of the SBHP Program and direct reporting back to the SBCCOG and its committees on a regular basis. These are grouped together under this task and will include the following activities:

- *Implementation Plan Update*

An annual update of the Implementation Plan will be undertaken by the Iteris Team to reflect such variables as changes in SBCCOG or Metro policies, estimated project costs and scope, deletion and introduction of projects, and the changes in funding as identified and tracked through the Funding Allocation Change Request Log. (See below).

The Iteris Team will develop a list of selection/assessment criteria reflecting the constraints of the Measure R governing legislation, and then administer a Call for Eligible Projects for inclusion in the following year's project list. SBCCOG staff will carry out e-mailing of the request and tracking responses. Following application of the selection/assessment criteria, the Iteris Team will present a list of recommended projects to the Oversight Committee for consideration.

- *Meeting Attendance*

An Iteris project staff representative will attend the following estimated meetings as requested by the SBCCOG:

- Infrastructure Working Group (As requested)
- SBCCOG Oversight Committee (Monthly)
- SBCCOG Board (8 meetings)
- SBCCOG Member Agency meetings (16 over 2 years)

There is also likely to be the need to attend various Metro meetings

- *Funding Agreement Status and Assistance Requests*

This will continue the task started as a Task Order at the end of Phase 1. The Team will respond to requests and confirm the need and scope for technical assistance through the process detailed in Task 1, above, under which a cost estimate for funding assistance will be developed. Iteris will prepare and update a bi-weekly status report on the status of the funding agreement execution process and of the technical support requested and provided. A tabular report will be maintained based on Table 1 and submitted to the Oversight Committee on a bi-weekly basis.

Lead Agency	Project	Project ID	Iteris Contact	Most Recent Contact Date	Last Action Date	FA Execution Date	Project Funding Agreement Status	Iteris Assistance Needed to Complete FA?

Table 1: Matrix of Lead Agencies’ Funding Agreements Status / Iteris Assistance Requests

Typical statuses would include:

- No action as yet
- No task order assistance required by Lead Agency
- Task Order in preparation
- Task order submitted to the Executive Director
- Task order submitted to the Oversight Subcommittee
- Rejected by the Executive Director
- Rejected by Oversight Subcommittee
- Work in progress
- Work completed
- Funding Agreement executed

Once the extent of technical support is established, a subsequent Iteris Task Order would be prepared under a separate activity detailing the work to be done and the estimated level of effort for any lead agency requesting assistance to complete its funding agreements. This Task Order would then be approved using the same process as defined in Task 1 above. The approved funding agreement technical support would then be carried out under Task 7 (Funding Strategy) of Phase 2.

- *Funding Allocation Change Requests Log*

This will adjust the planned use of funds by taking into account the actual expenditures incurred during the current fiscal year, and the change in status of any current year funding. Updating of the funding allocation will be carried out on a continuous basis by the Iteris Team that would also publish an amended funding plan for the following year as two scheduled annual updates during the course of Phase 2A. A tabular report will be maintained based on Table 2 and submitted to the Oversight Committee on a monthly basis. City concurrence of funding allocation updates would be secured by the SBCCOG staff.

Date	Project	Lead Agency	Requestor	Project Description	Request (Metro Fiscal Year)	Oversight Comm. Recommendation	Date	Board Action	Date

Table 2: Lead Agency Funding Allocation Change Requests Log

The Iteris Team will coordinate with METRO to ensure that, by December of the current Fiscal year, METRO is informed of all change requests that will impact the following fiscal year’s budget allocation.

Deliverables:

- Annual Metro Budget Request (December)
- Updated Funding Allocation Plan
- Updated Implementation Plan
- Bi-weekly Funding Agreement Status and Assistance Request Tracking Report
- Monthly Funding Allocation Change Requests Log

Task 3: Intergovernmental Coordination

The main thrust of this task will be twofold: coordination among Metro, Caltrans, and the SBCCOG member agencies and training for member agencies.

Program level coordination carried out in this task will be focused upon the administration of meetings between SBCCOG, Metro and Caltrans. The Iteris Team will provide support to SBCCOG staff and its Consultant, and coordinate with the Oversight Committee and the IWG as requested by SBCCOG staff. The team will assist SBCCOG member agencies with various issues related to coordination with Caltrans and Metro such as funding agreements, nexus determination, funding duplication, project priorities, and other periodic issues raised by either SBCCOG member agencies or Caltrans and Metro.

The Iteris Team will develop training programs for the project lead agencies in best practices, risk management and compliance with relevant Metro policies and procedures. Training will be given by Iteris through a series of SBCCOG workshops (10 are anticipated in the 2 year period of Phase 2A) including an annual Risk Management Workshops and an annual Funding Agreement Reporting workshop for new lead agency staff responsible for SBHP project administration. Others will be defined as requested. The developed training materials will be placed on the Project web-site, in addition to being used at the actual workshops.

Deliverables:

- Meeting Reports
- Training Program
- Training Materials

SBCCOG Staff Roles and Responsibilities:**Agency Coordination**

SBCCOG staff would arrange the agency coordination meetings, keep meetings schedules, prepare agenda and minutes of the meetings, schedule training programs, review curricula, provide venue and track RSVPs.

Task 4: Project Report Generation

Through the work carried out by the Iteris Team in Phase 1 and discussions with Metro, the architecture for the project reporting systems was defined in which all data will reside in one system, Metro's Project Database. In addition, the requirements for SBCCOG reports on project performance were identified; this data will be available to the SBCCOG in addition to the risk reports submitted by the project lead agencies.

This Phase 2 task will start with defining additional performance monitoring metrics and specific evaluation goals and limits which effectively result from the analysis of the project data being reported. For example, the base project reports may indicate that a particular task is over budget. The performance metrics would define what limit would need to be exceeded for a "red flag" to be raised.

The first step in implementing this approach and guaranteeing the provision of the required reports will be to agree with the Metro and its Project Database consultant on the format, production, schedule and delivery of the SBCCOG reports and the calculation and presentation of the project performance metrics.

It is the intention that these reports will be captured by the Iteris Team and made available to the SBCCOG and its member agencies through a secure web-site initially hosted by Iteris with transfer to a SBCCOG hosted website no later than July 2012. Iteris will create and then provide the necessary on-going support for the web site and will support the transfer of the website to the SBCCOG.

Iteris will compile the reports on a quarterly basis and submit them for review by the Measure R Oversight Committee.

Deliverables:

- Report on Project Performance Metrics
- Reports on and Maintenance of a dedicated page on SBCCOG Web Site
- Quarterly Reports to the Measure R Oversight Committee

Task 5: Project Oversight and Report Analysis

It is of critical importance for the Program Management Team to have an understanding of what lies behind the numbers and metrics that are presented in the project reports. This will be achieved through the ongoing oversight of technical and engineering project activities by the Iteris Team. Oversight will comprise the review of project progress reports generated by the lead agencies, a monthly review of project progress through contact with the lead agency, and a quarterly field review of selected projects at the Oversight Committee's request on a Task Order basis following recommendation for review by the Iteris Team. The goal will be to highlight projects that need special attention.

The Task Order process would be triggered by project funding change requests (see Task 2) that increase the total funding to the project. Under this Task 5, the Iteris Team will investigate such a request. Where further work is justified, the Iteris Team will prepare a Task Order in accordance with the process described

in Task 1, for any identified agency support activities. The Task Orders would be approved by the COG's Executive Director, or delegate, in order to give a timely response to agency requests and avoid unnecessary delays.

A monthly report will be produced which will be a compilation of a report for each project stating any exceptional circumstances on the project which could be or are affecting progress. This will be complemented by a report for selected projects documenting the findings of the Quarterly Field Review.

Deliverables:

- Monthly Exceptions Report (per month)
- Quarterly Field Review Report (as requested)

Task 6: Technical/Process Assistance for Program/Project Recovery

The monthly monitoring of the PMIS (containing the project data from Task 4, including the early warning performance metrics (red flags)) together with the anecdotal information on project progress from Task 5 will be used by the Iteris Team to identify and assess any risks on each project. When project risks are identified, the Team will first notify the SBCCOG staff and then lead agency and then discuss the identified problem with the lead agency. The Team will then make the SBCCOG staff aware of the resolution.

At the request of the SBCCOG, and working under Task Orders, the Iteris Team can then either:

1. Request an immediate, then quarterly field review of the project , or
2. Make recommendations to the SBCCOG as to what project modifications should be exercised to put the mitigation measures into effect. Such modifications could comprise project acceleration/deceleration, scope changes, cost containment measures, requests for additional funding and project termination, amongst others.

Deliverables:

- Project Risk Reports
- Mitigation Measures Reports

Task 7: Funding Strategy

Although the Measure R initiative is a major component in the funding of transportation improvements in the South Bay, the South Bay Highway Program Implementation Plan notes that the area's needs will not be totally met by these funds. A funding/revenue strategy will be therefore be developed by the Iteris Team to ensure the long-term sustainability of the South Bay Highways Program (SBHP) which was initiated by the Measure R funding.

Under this task, the Iteris Team will also monitor funding opportunities as they arise, and be in regular, on-going communication with SBCCOG staff to report on such opportunities.

Working under Task Orders, the Iteris Team will develop and /or assist with the development of funding applications consistent with the SBHP revenue strategy. This will include the development of technical data for both discretionary and competitive funding sources. While project lead agencies will be required to prepare funding applications, the Iteris team will support them through technical data and the overall funding strategy and program management.

An area that is likely to require specific support is that of completing the necessary Federal Transportation Improvement Program (FTIP) filing to ensure that the project appears in the FTIP. A specific issue here is identifying the need for modeling to ensure air quality conformity rather than the simpler administrative approval.

The progress of funding/grant applications will be tracked and reported back to the SBCCOG.

Successful applications will, of course, necessitate setting up the means to administer the grants/funds and provide the necessary reporting back to the funding source in addition to any reporting that the SBCCOG may desire.

Deliverables:

- SBHP Revenue Strategy
- Funding/grant application Progress Report (monthly)
- Grant Administration Reports
- FTIP Applications Support Forms

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South Bay Cities Council of Governments

July 28, 2011

TO: SBCCOG Board of Directors

FROM: Measure R Oversight Committee

SUBJECT: Approval of Funding Allocation Changes in the South Bay Measure R Highway Program Early Action Plan

BACKGROUND

In January 2011, the SBCCOG Board of Directors approved an Early Action Plan funding plan that identified the use of Measure R funding for project development and construction phases of South Bay Highway Program (SBHP) projects. The Metro Board approved the projects in February 2011.

Since the approval of the plan, lead agencies have been refining their project scopes and budgets in preparation for executing funding agreements with Metro. Metro requires that the SBCCOG Board of Directors approve such changes. When there is no additional funding required for these projects it is prudent to make these changes prior to executing or amending design and construction funding agreements between the lead agency and Metro. SBCCOG's process and Metro also require that these changes be documented in the subsequent annual update of the SBHP Implementation Plan.

At its August 8, 2011 meeting, the Measure R Oversight Committee reviewed the following request for changes:

2. Redondo Beach requested following changes in project F46 – PCH arterial improvements from Anita to Palos Verdes Boulevard: shift \$504,000 from construction to right of way acquisition; reduce the allocation for plans, specifications and engineering to \$140,000; reduce the allocation for construction to \$756,000. Approval of all three change requests will result in no net change in the total funding allocation to project F46.

RECOMMENDATION

The Measure R Oversight Committee recommends that the Board approve the Redondo Beach request to shift funds for the above described project.

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South Bay Cities Council of Governments

August 25, 2011

TO: SBCCOG Board of Directors

FROM: Measure R Oversight Committee

SUBJECT: Approval of Funding Allocation Changes in the South Bay Measure R Highway Program Early Action Plan

BACKGROUND

In January 2011, the SBCCOG Board of Directors approved an Early Action Plan funding plan that identified the use of Measure R funding for project development and construction phases of South Bay Highway Program (SBHP) projects. The Metro Board approved the projects in February 2011.

Since the approval of the plan, lead agencies have been refining their project scopes and budgets in preparation for executing funding agreements with Metro. Metro requires that the SBCCOG Board of Directors approve such changes. It is prudent to make these changes prior to executing design and construction funding agreements between the lead agency and Metro especially when there is no additional funding required. Those agreements should currently be in process so this is timely. SBCCOG and Metro also require that these changes be documented in the subsequent annual update of the SBHP Implementation Plan.

At its August 8, 2011 meeting, the Measure R Oversight Committee reviewed the following request for changes to project F46 in Redondo Beach:

F46 – PCH arterial improvements from Anita to Palos Verdes Boulevard, Redondo Beach:

- Shift \$504,000 from construction to right of way acquisition;
- Reduce the allocation for plans, specifications and engineering to \$140,000;
- Reduce the allocation for construction to \$756,000.

Approval of all three change requests will result in no net change in the total funding allocation to project F46.

RECOMMENDATION

The Measure R Oversight Committee recommends that the Board approve the Redondo Beach request to shift funds for the above described project.

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South Bay Cities Council of Governments

August 25, 2011

TO: Steering Committee

FROM: Jacki Bacharach, SBCCOG Executive Director

RE: Legislative Status as of August 15 (a status update will be provided at the Board meeting)

ENVIRONMENTAL

<p>AB 723 (Bradford)</p>	<p>Energy: public goods charge. Extends the sunset date on the public goods charge (PGC) for energy efficiency from 2012 to 2020. The electricity PGC is a nonbypassable surcharge imposed on all retail sales to fund public goods research, development and demonstration (RD&D), and energy efficiency activities. (NOTE: This charge funds most of the SBESC programs)</p>	<p>SUPPORT (4/28/11) (Letter sent Asm Nat. Res. Comm. 4/29/11 & to SB Senators 6/3/11)</p>	<p>6/29/11 passed Senate Government & Finance & re-referred to Senate Energy, Utilities & Communications Committee</p>
<p>AB 954 (Calderon)</p>	<p>Water replenishment districts. The Water Replenishment District Act provides for the formation of water replenishment districts. This bill would require the board of directors of a water replenishment district, upon determining to impose a water replenishment assessment on the production of groundwater from each groundwater basin, except as otherwise provided, to impose the assessment in an amount that is calculated to pay for costs that include the actual cost of replenishing the groundwater basin, removing contaminants from the groundwater basin, and the administrative costs of the district. The charge would be required to be fixed at a uniform rate.</p>	<p>OPPOSE (4/28/11) (Ltr sent 5/3/11 Asm Local Gov Comm) @ REQUEST OF IWG & WBMWD</p>	<p>3/31/2011 Assembly Local Government Committee First hearing canceled at the request of author.</p>
<p>SB 701 (Calderon)</p>	<p>Central Basin Municipal Water District: <i>directors: report.</i> Would require CBMWD to submit an annual report to the Legislature on the status of the Central Groundwater Basin and associated seawater barrier operations beginning in 2012 and continuing through 2016. The required report is to include a review of all actions by the Dept. of Water Resources & WRD of Southern California.</p>	<p>OPPOSE (4/28/11) (Ltr sent 5/3/11 Sen Nat R & W Comm) @ REQUEST OF IWG & WBMWD</p>	<p>4/14/11 Senate Natural Resources & Water Committee Hearing canceled at request of author</p>

LAND USE

SB 469 (Vargas)	Land use: development project review: superstores. Requires cities and counties to prepare an economic impact report before they approve or disapprove the construction or conversion of superstore retailers	OPPOSE (6/23/11) (Ltr to Asm. Approp Comm 6/29/11)	Assembly Appropriations Committee Hearing Date: 8/17/11
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OTHER

AB 1312 (Smyth)	Child care: exemption from licensure: public recreation programs. This bill would authorize any exempt public recreation program to operate for under 20 hours per week (up from existing 16 hours) and for a total of 14 weeks (up from existing 12 weeks) or less during a 12 month period.	SUPPORT (5/26/11) (Ltr sent 6/6/11) @ REQUEST OF P & R DIRECTORS	4/26/11 Assembly Human Services Committee Hearing canceled at request of author
SB 776 (DeSaulnier)	Local Workforce Investment Boards. funding. Would require local workforce investment boards to spend a certain percentage of available federal funds for adults & dislocated workers on direct client services, workforce training programs, supportive services, & other specified services in a manner consistent with federal law, as prescribed. This bill would require a local workforce investment board that does not meet the expenditure requirements described above to provide the Employment Development Department with a corrective action plan regarding those expenditures.	OPPOSE (7/28/11) (Ltr sent 8/11/11) South Bay WIB, Chamber and City of Redondo Beach have taken oppose positions	Assembly Appropriations Committee 8-15-11 Re-referred to Approp with author amendments.

FEDERAL

HR 1002 (Lofgren)	WIRELESS TAX FAIRNESS ACT - would impose a five year moratorium on all new state and local taxes on wireless service and the providers of such services, and in doing so jeopardize a critical source of future revenue for California cities. Specifically this bill would eliminate the ability of California cities to modify their existing or create new Utility User Tax (UUT) ordinances in response to changes in telecommunications technology utilizing public rights of way.	OPPOSE (7/28/11)	7/14/11 House Committee on the Judiciary: Ordered to be Reported (Amended) by Voice Vote to House
HR 1123	Transportation Infrastructure Finance and Innovation Act	SUPPORT	3/17/11

(Richardson)	(TIFIA) Expansion Act of 2011 amends Title 23, United States Code, to revise certain infrastructure finance provisions. Enhances the existing program and creates a new bond infrastructure program in keeping with the Metro America Fast Forward Initiative. Increases current authorization of funds made available for the TIFIA program from the current level of \$122 million annually to \$375 million for each of the fiscal years 2011 through 2015 and increases the maximum TIFIA share of project financing from the current rate of 33% to 49%. Mandates use of clean construction equipment. Would constitute an important element in Metro's drive to accelerate the construction of Measure R funded transit and highway projects.	(6/23/11)	Referred to House Subcommittee on Highways and Transit
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SOUTH BAY CITIES
COUNCIL OF GOVERNMENTS

ITEM VIII.A

5033 Rockvalley Road
Rancho Palos Verdes, CA 90275
(310) 377-8987
sbccog@southbaycities.org
www.southbaycities.org

August 25, 2011

ICTF Joint Powers Authority

Dear Members of the Authority,

The SBCCOG Board of Directors, at its meeting of August 25, 2011, voted to support the City of Long Beach in its call for the Intermodal Container Transfer Facility Joint Powers Authority to include a Zero-Emissions Goods Movement System option in its anticipated Environmental Impact Report analyzing the potential expansion of the facility.

For many years, the reality has been that the growth of goods movement has brought regional benefits, while the local communities proximate to the industry have borne the brunt of the costs. The increased rates of cancer, heart disease, and other illnesses close to goods movement facilities are well documented, as are the economic benefits to the region and nation that such goods movement provides. Much of the negative environmental effect, particularly in the greater Long Beach/San Pedro/Wilmington areas, stems from a simple fact: our containers are moved back and forth from the ports to the near-dock facility by diesel trucks. Thousands of trucks congest local roadways and emit particulate matter day after day to make this four-mile trip each way to and from the rail facilities.

The technology currently exists to move containers to near-dock facilities without polluting our communities. Such zero-emissions goods movement technology represents a true paradigm shift, as goods can be moved quickly and efficiently to market without sacrificing the health of neighborhoods.

The upcoming Environmental Impact Report for the expansion of the ICTF will analyze the project's environmental effects on communities for decades to come. A vital part of this report should be an analysis of the project combined with a zero-emissions goods movement system.

Thank you for your consideration of this matter.

Sincerely,

Ellen Perkins, SBCCOG Chair
Councilwoman, Palos Verdes Estates

LOCAL GOVERNMENTS IN ACTION

Carson El Segundo Gardena Hawthorne Hermosa Beach Inglewood Lawndale Lomita
Los Angeles Manhattan Beach Palos Verdes Estates Rancho Palos Verdes Redondo Beach Rolling Hills
Rolling Hills Estates Torrance Los Angeles District #15 Los Angeles County