



AGENDA AND NOTICE OF THE REGULAR MEETING OF THE
SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS GOVERNING BOARD
DECEMBER 14, 2017 - 5:00 P.M.
West Covina City Hall
1444 W Garvey Ave S, West Covina, CA 91790

SGVCOG Officers

President
Cynthia Sternquist

1st Vice President
Margaret Clark

2nd Vice President
Joe Lyons

3rd Vice President
Becky Shevlin

Members

Alhambra
Arcadia
Azusa
Baldwin Park
Bradbury
Claremont
Covina
Diamond Bar
Duarte
El Monte
Glendora
Industry
Irwindale
La Cañada Flintridge
La Puente
La Verne
Monrovia
Montebello
Monterey Park
Pasadena
Pomona
Rosemead
San Dimas
San Gabriel
San Marino
Sierra Madre
South El Monte
South Pasadena
Temple City
Walnut
West Covina
First District, LA County
Unincorporated Communities
Fourth District, LA County
Unincorporated Communities
Fifth District, LA County
Unincorporated Communities
SGV Water Districts

Thank you for participating in tonight's meeting. The Governing Board encourages public participation and invites you to share your views on agenda items.

MEETINGS: *Regular Meetings of the Governing Board are held on the third Thursday of each month at 6:00 PM at the Upper San Gabriel Valley Municipal Water District Office (602 E. Huntington Drive, Suite B, Monrovia, California 91016).* The Governing Board agenda packet is available at the San Gabriel Valley Council of Government's (SGVCOG) Office, 1000 South Fremont Avenue, Suite 10210, Alhambra, CA, and on the website, www.sgvkog.org. Copies are available via email upon request (sgv@sgvkog.org). Documents distributed to a majority of the Board after the posting will be available for review in the SGVCOG office and on the SGVCOG website. Your attendance at this public meeting may result in the recording of your voice.

CITIZEN PARTICIPATION: Your participation is welcomed and invited at all Governing Board meetings. Time is reserved at each regular meeting for those who wish to address the Board. SGVCOG requests that persons addressing the meeting refrain from making personal, slanderous, profane or disruptive remarks.

TO ADDRESS THE GOVERNING BOARD: At a regular meeting, the public may comment on any matter within the jurisdiction of the Board during the public comment period and may also comment on any agenda item at the time it is discussed. At a special meeting, the public may only comment on items that are on the agenda. Members of the public wishing to speak are asked to complete a comment card or simply rise to be recognized when the Chair asks for public comments to speak. We ask that members of the public state their name for the record and keep their remarks brief. There is a three minute limit on all public comments. Proxies are not permitted and individuals may not cede their comment time to other members of the public. **The Governing Board may not discuss or vote on items not on the agenda.**

AGENDA ITEMS: The Agenda contains the regular order of business of the Governing Board. Items on the Agenda have generally been reviewed and investigated by the staff in advance of the meeting so that the Governing Board can be fully informed about a matter before making its decision.

CONSENT CALENDAR: Items listed on the Consent Calendar are considered to be routine and will be acted upon by one motion. There will be no separate discussion on these items unless a Board member or citizen so requests. In this event, the item will be removed from the Consent Calendar and considered after the Consent Calendar. If you would like an item on the Consent Calendar discussed, simply tell Staff or a member of the Governing Board.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the SGVCOG office at (626) 457-1800. Notification 48 hours prior to the meeting will enable the SGVCOG to make reasonable arrangement to ensure accessibility to this meeting.



PRELIMINARY BUSINESS

5 MINUTES

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Public Comment (*If necessary, the President may place reasonable time limits on all comments*)
5. Changes to Agenda Order: Identify emergency items arising after agenda posting and requiring action prior to next regular meeting

LIAISON REPORTS

10 MINUTES

6. Gold Line Foothill Extension Construction Authority
7. San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy
8. Southern California Association of Governments
9. League of California Cities
10. San Gabriel Valley Economic Partnership
11. South Coast Air Quality Management District

CLOSED SESSION

10 MINUTES

12. PUBLIC EMPLOYMENT: Title: Executive Director pursuant to California Government Code section 54957
CONFERENCE WITH LABOR NEGOTIATORS: Agency designated representatives: Kim Barlow, Richard D. Jones, Dominic Lazzaretto, Tony Ramos, Brian Saeki, and Chris Jeffers; Unrepresented employee: Executive Director pursuant to California Government Code section 54957.6.

PRESENTATION

10 MINUTES

13. Los Angeles Community Choice Energy Update – Bill Carnahan, Los Angeles County Chief Sustainability Office
Recommended Action: For information only.

CONSENT CALENDAR

5 MINUTES

(It is anticipated that the SGVCOG Governing Board may take action on the following matters)

14. Governing Board Meeting Minutes – Page 1
Recommended Action: Adopt Governing Board minutes.
15. Monthly Cash Disbursements/Balances/Transfers – Page 5
Recommended Action: Approve Monthly Cash Disbursements/Balances/Transfers.
16. ACE Minutes – Page 7
Recommended Action: Receive and file.
17. ACE Monthly Report – Page 13
Recommended Action: Receive and file.
18. Committee Attendance – Page 15
Recommended Action: Receive and file.
19. 9th Amendment to the SGVCOG Bylaws – Page 25
Recommended Action: Adopt Resolution 17-36 to amend the SGVCOG bylaws.
20. Metro Measure M Subregional Program Funds – Page 43
Recommended Action: Adopt Resolution 17-37 to amend programming of the initial five-year Measure M Subregional funds and direct staff to initiate the project selection process to create a full five-year project specific plan.
21. County of Los Angeles’ Legislative Proposal to Expand Definition of Grave Disability -Page 49
Recommended Action: Adopt Resolution 17-38 to support the Los Angeles County Board of Supervisors’ legislative proposal to expand state law definition of “grave disability.”

ACTION ITEMS

20 MINUTES

(It is anticipated that the SGVCOG Governing Board may take action on the following matters)

- 22. Draft Memorandum of Understanding (MOU) with SGV Cities for Homelessness Planning – Page 53
Recommended Action: Authorize Executive Director to finalize and execute MOUs with participating cities related to County homelessness plan development.
- 23. Amendment to Salary Resolution – Page 63
Recommended Action: Adopt Resolution 17-39 updating the salary and classification system to add all existing ACE positions.

PRESIDENT’S REPORT

5 MINUTES

EXECUTIVE DIRECTOR’S REPORT

5 MINUTES

- 24. Update on SGVCOG/ ACE Integration – Page 69
Recommended Action: For information only.

GENERAL COUNSEL’S REPORT

5 MINUTES

COMMITTEE REPORTS

10 MINUTES

- 25. Transportation Committee
- 26. Homelessness Committee
- 27. Energy, Environment and Natural Resources Committee
- 28. Water Committee

PROJECT REPORTS

5 MINUTES

- 29. The ACE Project
- 30. Regional Homeless Planning Efforts
- 31. San Gabriel Valley Energy Wise Partnership

BOARD MEMBER ITEMS

ANNOUNCEMENTS

ADJOURN



SGVCOG Governing Board Unapproved Minutes

Date: November 16, 2017,

Time: 6:00 PM

Location: USGVMWD (602 E. Huntington Drive, Monrovia)

PRELIMINARY BUSINESS

1. Call to Order

President Cynthia Sternquist called the meeting to order at 6:03 p.m.

2. Pledge of Allegiance

J. Capoccia led the pledge.

3. Roll Call

A quorum was in attendance.

Governing Board Members Present

Alhambra	Barbara Messina
Arcadia	Sho Tay
Azusa	Angel Carrillo
Baldwin Park	Cruz Baca
Claremont	Joe Lyons/Sam Pedroza
Covina	Peggy Delach
Duarte	John Fasana
El Monte	Jerry Velsaco
Glendora	Judy Nelson
La Canada Flintridge	Terry Walker
La Puente	Dan Holloway
La Verne	Tim Hepburn
Monrovia	Becky Shevlin
Montebello	Jack Hadjinian
Monterey Park	Teresa Real Sebastian
Pomona	Tim Sandoval
Rosemead	Margaret Clark
San Dimas	Denis Bertone
San Gabriel	Juli Costanzo
Sierra Madre	John Capoccia
South El Monte	Joseph Gonzales
South Pasadena	Diana Mahmud
Temple City	Cynthia Sternquist
West Covina	James Toma
LA County District 5	Debra Mendelsohn
Water Districts	Thomas Wong

Absent

Bradbury
Diamond Bar
Industry
Irwindale
Pasadena
San Marino
Walnut
LA County District 1
LA County District 4

SGVCOG Staff

Marisa Creter, Interim Executive Director
Kim Barlow, General Counsel
Stefanie Hernandez, Staff
Christian Cruz, Staff
Katie Ward, Staff
Peter Duyshart, Staff
Jan Cicco, Staff

4. Public Comment

J. Torres provided an update on clean power electrification.

5. Changes to Agenda Order

T. Real Sebastian offered a motion to move the presentation to the end there was no second and motion failed. C. Baca offered a substitute motion to keep the presentation as listed on the agenda.

(M/S: C. Baca/J. Fasana).

[Motion Passed]

AYES:	Alhambra, Arcadia, Baldwin Park, Claremont, Covina, Duarte, El Monte, Glendora, La Canada Flintridge, La Puente, La Verne, Monrovia, Montebello Monterey Park, Rosemead, South El Monte, San Dimas, San Gabriel, Sierra Madre, South Pasadena, Temple City, , LA County District 5, LA County District 1
NOES:	
ABSTAIN:	
ABSENT:	Azusa, Bradbury, Diamond Bar, Industry, Irwindale, Pasadena, Pomona, San Marino, Walnut, West Covina, LA County District 1, LA County District 4, Water Districts

LIAISON REPORTS

6. Gold Line Foothill Extension Construction Authority
 No report given
 San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy
 D. Bertone reported on this item.
7. Southern California Association of Government
 A. San Miguel reported on this item.
8. League of California Cities
 No report given.
9. San Gabriel Valley Economic Partnership
 No report given.
10. South Coast Air Quality Management District
 M. Cacciotti reported on this item.

CLOSED SESSION

12. PUBLIC EMPLOYMENT: Title: Executive Director pursuant to California Government Code section 54957
 CONFERENCE WITH LABOR NEGOTIATORS: Agency designated representatives: Kim Barlow, Richard D. Jones, Dominic Lazzaretto, Tony Ramos, Brian Saeki, and Chris Jeffers; Unrepresented employee: Executive Director pursuant to California Government Code section 54957.6.
 No action to report.

PRESENTATION

13. Coyote Management
 Dominic Lazzaretto, City Manager, City of Arcadia and Michelle Ouellette, Best, Best, & Krieger presented on this item.

CONSENT CALENDAR

14. Governing Board Meeting Minutes
Recommended Action: Adopt Governing Board minutes.
15. Monthly Cash Disbursements/Balances/Transfers
Recommended Action: Approve Monthly Cash Disbursements/Balances/Transfers.
16. ACE Minutes
Recommended Action: Receive and file.
17. ACE Monthly Report
Recommended Action: Receive and file.
18. Committee Attendance
Recommended Action: Receive and file.
19. Updated Environmental Protection Agency (EPA) Waters of the United States (WOTUS) Rulemaking Comments
Recommendation Action: Receive and file.

- 20. December Meeting Date
Recommendation Action: Adopt Resolution 17-35 to move the December 2017 Governing Board meeting to December 14th.
- 21. LA County Flood Control District (FCD) Stormwater Funding Measure Stakeholder Advisory Committee (SAC)
Recommended Action: Appoint Judy Nelson (Representative) to serve on the LA FCD Stormwater Funding Measure SAC.
- 22. 9th Amendment to the SGVCOG Bylaws
Recommended Action: Approve for first reading.
- 23. FY 2017-18 1st Quarter Financial Report
Recommended Action: Receive and file.
- 24. Executive Director Job Description
Recommended Action: Approve Executive Director job description.
- 25. 2018 Extension of San Gabriel Valley Energy Wise Partnership (SGVEWP) Contract with Southern California Edison
Recommended Action: Authorize Executive Director to execute contract.

There was a motion to approve consent calendar items 14-25. (M/S: J. Velasco/T. Hepburn).

[Motion Passed]

AYES:	Alhambra, Arcadia, Azusa, Baldwin Park, Claremont, Covina, Duarte, El Monte, Glendora, La Canada Flintridge, La Puente, La Verne, Monrovia, Montebello Monterey Park, Rosemead, South El Monte, San Dimas, San Gabriel, Sierra Madre, South Pasadena, Temple City, West Covina, LA County District 5, LA County District 1, Water Districts
NOES:	
ABSTAIN:	
ABSENT:	Bradbury, Diamond Bar, Industry, Irwindale, Pasadena, Pomona, San Marino, Walnut, , LA County District 1, LA County District 4

ACTION ITEMS

- 26. Memorandum of Understanding (MOU) with ACE for Integration-related Costs

There was a motion to approve a MOU with ACE for an amount not to exceed \$45,000 for staff costs related to the COG/ACE integration. (M/S: J.Fasana/D.Mahmud).

[Motion Passed]

AYES:	Alhambra, Arcadia, Azusa, Baldwin Park, Claremont, Covina, Duarte, El Monte, Glendora, La Canada Flintridge, La Puente, La Verne, Monrovia, Montebello Monterey Park, Rosemead, South El Monte, San Dimas, San Gabriel, Sierra Madre, South Pasadena, Temple City, West Covina, LA County District 5, LA County District 1, Water Districts
NOES:	
ABSTAIN:	
ABSENT:	Bradbury, Diamond Bar, Industry, Irwindale, Pasadena, Pomona, San Marino, Walnut, , LA County District 1, LA County District 4

PRESIDENT’S REPORT

EXECUTIVE DIRECTOR’S REPORT

- 27. Update on SGVCOG/ ACE Integration
M. Creter reported on this item.
- 28. Regional Homeless Coordination Efforts
J. Cicco reported on this item.

GENERAL COUNSEL'S REPORT

No report given.

COMMITTEE REPORTS

29. Transportation Committee
J. Fasana reported on this item.
30. Homelessness Committee
J. Lyons reported on this item.
31. Energy, Environment and Natural Resources Committee
D. Bertone reported on this item.
32. Water Committee
D. Mahmud reported on this item.

PROJECT REPORTS

33. The ACE Project
M. Christoffels reported on this item.
34. San Gabriel Valley Energy Wise Partnership
No report given.

BOARD MEMBER ITEMS

ANNOUNCEMENTS

J. Fasana commented on litigation involving City of Gardena and City of Duarte.

ADJOURN

President Cynthia Sternquist adjourned the meeting at 7:10

SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS
Selected Asset Account Balances
As of November 30, 2017

Account Name	Balance 10/31/2017	Increase	Decrease	Net Change	Balance 11/30/17
CBB - Checking	\$ 851,137	\$ 44,957	\$ 143,944	\$ (98,987)	\$ 752,150
CBB- 242-034-325 CD	\$ 55,576	\$ -	\$ -	\$ -	\$ 55,576
CBB - 2766 Savings	\$ 1,588	\$ -	\$ -	\$ -	\$ 1,588
CBB -242-034-953 CD	\$ 54,810	\$ -	\$ -	\$ -	\$ 54,810
Petty Cash	\$ 400	\$ -	\$ -	\$ -	\$ 400
LAIF	\$ 230,986	\$ -	\$ -	\$ -	\$ 230,986
LAIF Maket Value	\$ 86	\$ -	\$ -	\$ -	\$ 86
Member Receivable	\$ 114,949	\$ -	\$ -	\$ -	\$ 114,949
Grants/Contracts Receivable	\$ 107,034	\$ 7,816	\$ 32,607	\$ (24,791)	\$ 82,243
Sponsorships Receivable	\$ 6,476	\$ -	\$ 6,600	\$ (6,600)	\$ (124)
Rental Deposits Receivable	\$ 215	\$ -	\$ -	\$ -	\$ 215
Receivables - Other	\$ -	\$ -	\$ -	\$ -	\$ -
	<u>\$ 1,423,257</u>	<u>\$ 52,774</u>	<u>\$ 183,152</u>	<u>\$ (130,378)</u>	<u>\$ 1,292,879</u>

SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS

Disbursements Report

November 2017

Transaction Date	Number/Reference	Vendor Name	Description	Amount
11/7/2017	9558	CliftonLarsonAllen	Treasurer Consulting Services-Third Quarter Ending 6/30/17	\$6,176.00
11/7/2017	9559	Intertwined Events	Event Coordinator	\$3,197.12
11/7/2017	9560	Vasquez & Co., LLP	Audit Services Fiscal Year 6/30/17	\$9,000.00
11/7/2017	9561	SGV Economic Partnership	LA County Commercial PACE	\$6,002.50
11/7/2017	9562	Jones & Mayer	Retainer Legal Services Oct'17 & ACE-COG Integration	\$4,987.83
11/7/2017	9563	Kaiser Permanente Health Pla	Dues for Dec'17	\$377.19
11/7/2017	9564	Michael Claproth	Mileages Reimbursement for Sep'17 & Oct'17	\$78.37
11/7/2017	9565	Peter Duyshart	Mileages Reimbursement for Oct'17	\$130.11
11/7/2017	9566	Alameda Corridor East Constr	Reimbursement for CALPERS PE 10/23/17	\$1,775.03
11/7/2017	9567	The 20/20 Network	Media Services for General Assembly 2017	\$4,000.00
11/10/2017	EFT	Paychex	Payroll Period Ending 11/10/17	\$24,244.51
11/10/2017	EFT	Paychex	Payroll Processing Fee for Nov'17	\$50.00
11/13/2017	EFT	Citi Card	Citi Card Payment	\$8,668.68
11/14/2017	9568	Alameda Corridor East Constr	Reimbursement for On-going Admin. Serv/CALPERS/	\$9,546.43
11/14/2017	9569	Alta Planning and Design	GHG Verification of Pomona CNRA	\$750.00
11/14/2017	9570	Image IV Systems	Copy Machine Rental - Nov'17	\$792.10
11/14/2017	9571	Mary Lou Echternach	Consulting Services - Sep'17 & Oct'17	\$21,000.00
11/14/2017	9572	Elite-TRC-Alhambra Community	Monthly Rent-Dec'17	\$6,198.45
11/14/2017	9573	Vantagepoint Transfer Agents	ICMA-457 Reimbursement (PE 11/10/17)	\$88.46
11/14/2017	9574	Irwindale Industrial Clinic	Physical Examination - J. Cicco	\$80.00
11/14/2017	9575	Kelsey Zurcher	Mileage Reimbursement - Oct'17	\$28.94
11/14/2017	9576	Pacific Palms Resort	General Assembly Event 10/25/17	\$11,349.74
11/14/2017	9577	State of California Department	Livescan for J.Cicco	32.00
11/14/2017	9578	Undarmaa Maamuujav	Tutoring Services	645.00
11/21/2017	9579	Chris Mathew Gomez	Photographer for General Assembly 2017 (Bal. Due)	300.00
11/21/2017	9580	Proforma Quality Printing	Name Badge/Business Cards-J. Cicco	105.74
11/22/2017	EFT	Spectrum Business	Internet Provider	125.00
11/24/2017	EFT	Paychex	Payroll Period Ending 11/24/17	19,884.54
11/28/2017	9581	Athena Parking (Alhambra)	Parking for Dec'17	420.00
11/28/2017	9582	Elite-TRC-Alhambra Community	Mail Key Replacement	41.25
11/28/2017	9583	PLIC-SBD GRAND ISLAND	Dues for Dec'17	208.72
11/28/2017	9584	Bob Murray & Associates	Executive Director Recruitment	3,660.63
			Total November 2017 Disbursements	\$ 143,944.34



Alameda Corridor-East Construction Authority

4900 Rivergrade Rd. Ste. A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 www.theaceproject.org

ACE Construction Authority Board of Directors Meeting October 23, 2017 Minutes

Chairperson Costanzo called the meeting of the Board of Directors of the Alameda Corridor-East Construction Authority to order at 12:10pm at the San Gabriel City Hall Council Chambers.

1. **Pledge of Allegiance** – Vice Chair Victoria Martinez led the pledge of allegiance.

2. **Roll Call:** Mr. Christoffels called the roll.

In attendance was:

Juli Costanzo, San Gabriel, Chair

Victoria Martinez, El Monte, Vice Chair

Barbara Messina, SGVCOG

Tim Sandoval, Pomona

Staff:

Mark Christoffels, CEO

Gregory Murphy, Burke, Williams & Sorensen, legal counsel

Amy Hanson

Charles Tsang

Phil Balmeo

Victoria Butler

Cecilia Cardenas

Ricky Choi

Guests:

Henry Stultz, Klein Felder

John Burton, LA County DPW

Pat Somerville, HNTB

Charlie Nakamoto, Jacobs

3. **Public Comments** – There were no public comments.

4. **Approval of September 25, 2017 Board meeting minutes** – A motion was made by Vice Chair Martinez and seconded by member Sandoval to approve the September 25, 2017 regular Board meeting minutes.

M/S/C/Martinez/Sandoval/Unanimous

5. **Chairman Remarks** – Chairperson Costanzo reminded the Board that a Finance Committee meeting will be held on October 26 at the ACE offices.

6. **Board Member Comments** – Member Messina expressed her gratitude for the recent work done on Mission Road. Vice Chair Martinez congratulated Chairperson Costanzo on her recognition by Business Life magazine highlighting Women Achievers.

7. **Chief Executive Officer's Report** – Mr. Christoffels indicated ACE has submitted an application for funding from the Transportation Investment Generating Economic Recovery (TIGER) discretionary grant program for the Durfee Avenue grade separation project.

8. **Construction Progress Reports** – Charles Tsang, Senior Project Manager reviewed construction photos for the Lemon Avenue onramp and the Fairway Drive Grade Separation project. He showed updated photos of the retaining walls and medians installation at the Lemon Avenue project in the City of Walnut. Victoria Butler, Senior Project Manager updated the Board on the pump station and storm drain work for the Fullerton Road grade separation project. She highlighted new sewer lines as well as traffic signals installed at the project. Senior Project Manager Phil Balmeo reviewed his project updates. He reported that the concrete pouring north of the railroad tracks at Puente Avenue is complete and a full opening of Valley Boulevard will take place the last week of October. Mr. Balmeo reported information regarding the San Gabriel Trench including the Alhambra Wash walls are poured which will help protect the Wash during rainy weather. He reported that the Mission Road overhead structure is nearly complete and that the San Gabriel Road overhead structure is being paved.

Member Hadjinian arrives.

9. **Hearing on Resolution of Necessity No. 17-02, 4820 Durfee Avenue, Pico Rivera** – Gregory Murphy explained the process for the Resolutions of Necessity. He reminded the Board that the hearing was to determine several factors related to the necessity of the property for the project. He indicated staff must present evidence for the Board to find that the property was necessary for the project and was planned in the manner most compatible with the greatest public good.

Mark Christoffels reviewed the design options and evaluation criteria considered. He indicated the preferred option is building an underpass that would permit Durfee Avenue to go under the Union Pacific railroad tracks. He showed the location and explained that the easement is needed to install an underground Southern California Edison power line. He indicated that the utility easement is 1,597 square feet.

The public comment period was opened and there were no comments. The public comment period was closed.

A motion was made by member Hadjinian and seconded by member Messina to adopt the Resolution of Necessity No. 17-02. Mr. Christoffels called the vote:
Ayes: Costanzo, Martinez, Hadjinian, Messina, Sandoval
Nays: None

10. **Approval of Local Hire Policy** – Chairperson Costanzo announced that at the request of member Solis this item has been pulled.

11. **Approval of Contract Amendment with HNTB Corporation for Grant Application Preparation Services for the Turnbull Canyon Road Grade Separation Project** – Mr. Christoffels reported on new funding opportunities through grant programs that ACE will be applying for. He indicated that the preparation for these grant applications require additional technical work by economists and other specialists provided by HNTB for the Turnbull Canyon project. Mr. Christoffels stated that the amendment increase is in the amount of \$90,000 to provide necessary support services in preparation of applications seeking funding from new and revised state and federal discretionary grant programs.

A motion was made by Member Hadjinian and seconded by Member Messina to approve the contract amendment with HNTB Corporation for grant application preparation services for the Turnbull Canyon Road Grade Separation Project in the amount of \$90,000.

M/S/C/Hadjinian/Messina/Unanimous

12. **Approval of Contract Amendment with Moffatt & Nichol for Grant Application Preparation Services for the Montebello Corridor Grade Separation Project** – Mr. Christoffels indicated that this amendment is in the amount of \$90,000 for Moffatt & Nichol to provide support services to assist staff in grant preparation, similar to the previous item but for the Montebello Corridor project. He stated that funds for this increase will be provided through Measure R.

A motion was made by Member Hadjinian and seconded by Member Sandoval to approve the contract amendment with Moffatt & Nichol for grant application preparation services for the Montebello Corridor Project in the amount of \$90,000.

M/S/C/Hadjinian/Sandoval/Unanimous

13. **Approval of Chief Executive Officer Compensation** – Legal Counsel, Greg Murphy announced that the Board discussed the Chief Executive Officer's performance in closed session at the previous Board meeting. He indicated that chief Executive Officer has requested a salary adjustment of 2.5%.

A motion was made by Member Hadjinian and seconded by Member Messina to approve a 2.5% salary adjustment for the Chief Executive Officer effective October 1, 2017.

M/S/C/Hadjinian/Messina/Unanimous

14. **Receive and File Quarterly Project Progress & Finance Reports** – Mr. Christoffels reported the following project updates: At-Grade safety improvements is at 35% design completion with a construction contract to be awarded December 2019; Durfee Avenue is at 95% design completion; Fairway Drive construction is 33% complete with an anticipated project completion date in January 2021; Fullerton Road construction is 17% complete; Montebello Corridor is at 25% design completion; Puente Avenue construction is at 70% with a completion date for October 2018; the San Gabriel Trench project construction is 88% complete and finally, Turnbull Canyon design is 10% complete.

Mr. Christoffels reported that the Fairway Drive project has increased by \$20 million but that the San Gabriel Trench project had a savings of about the same dollar amount so the overall dollar amount does not change much. He indicated that ACE's remaining unallocated funds are \$5.8 million that will go towards funding the Temple Avenue project.

A motion was made to receive and file the Quarterly Project Progress Reports.

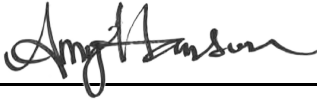
M/S/C/Hadjinian/Martinez/Unanimous

15. **Receive and File Environmental Mitigation Monitoring Reports** – Mr. Christoffels reviewed the quarterly mitigation monitoring reports assuring the Board that ACE remains in compliance with its reporting requirements.

A motion was made to receive and file the Quarterly Mitigated Monitoring Reports.

M/S/C/Hadjinian/Martinez/Unanimous

16. **Adjournment** – Board member Hadjinian congratulated Chairperson Costanzo on her recent appearance in Business Life magazine for Women Achievers. The Chair reminded the Board that the next meeting will be held November 27 at noon and that the Finance Committee meeting will be at the ACE Offices on Thursday, October 26. The meeting adjourned at 12:50PM.

X 

Amy Hanson
Assistant Clerk of the Board



Alameda Corridor-East Construction Authority

4900 Rivergrade Rd. Ste. A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 www.theaceproject.org

MEMO TO: SGVCOG Governing Board Members & Alternates

FROM: Juli Costanzo, Chair

DATE: December 6, 2017

SUBJECT: Monthly Report

The following are items of note since the last meeting:

TCEP Grant Application – ACE staff is preparing to submit grant applications next month seeking funds from the Senate Bill 1-funded Trade Corridor Enhancement Program for the Montebello Boulevard and Turnbull Canyon Road grade separations. Similar to the application submitted this month for federal funds, the ACE applications will be submitted as a package of freight rail improvements, including on- and near-dock rail projects at the San Pedro Bay ports. ACE is seeking a total of \$70 million for the construction phase of the ACE projects.

CTC Presentation – ACE CEO Mark Christoffels was invited to give an update presentation regarding the ACE program at the December 6 meeting of the California Transportation Commission in Riverside. The CTC is a major funder of the ACE projects with \$648 million in state funds programmed to ACE projects, constituting 38 percent of the overall ACE budget. Mark stressed the importance of the SB 1 funding programs to the completion of the ACE program, given the depletion of the Prop 1B funds which have been critical to the program.

Community Outreach Update – Staff conducted the following project outreach activities:

- Distributed construction alert notices regarding the temporary closure of Mission Drive and Ramona Street bridge for road rehabilitation for the San Gabriel Trench project;
- Distributed construction alert notices regarding property demolition for the Durfee Avenue project; and
- Conducted ongoing community outreach and support activities for the San Gabriel Trench, Puente Avenue, Fairway Drive and Fullerton Road grade separation projects.

Governing Board Attendance

	2017						2018					
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Alhambra	D	D	D	D	D							
Arcadia	D	D	D	D	D							
Azusa	D	D	D		D							
Baldwin Park		D		D	D							
Bradbury		D										
Claremont	D	D	D	D	D							
Covina	D	D	D	D	D							
Diamond Bar	D	A	D	D								
Duarte	D	D	D	D	D							
El Monte	D		D		A							
Glendora	D	D	D	D	D							
Industry												
Irwindale												
La Canada Flintridge		D		D	D							
La Puente		D	D		D							
La Verne	D	D	D		D							
Monrovia	D	D	D	D	D							
Montebello	D		D	D	D							
Monterey Park	D	D	D	D	D							
Pasadena	D	D										
Pomona	D		D		D							
Rosemead	D	D	D	D	D							
San Dimas	D	D	D	D	D							
San Gabriel	D	A		D	D							
San Marino												
Sierra Madre	D	A	D	D	D							
South El Monte	D			D	D							
South Pasadena	D	A	D	D	D							
Temple City	D	D	D	D	D							
Walnut		D										
West Covina	D	D	D	D	D							
LA County District 1	D			D	A							
LA County District 4		D										
LA County District 5	D	D	D	D	D							
SGV Water Agencies	D	D	D		D							

Major Action Items and Presentations

July

- AB 1645 (Rubio)
- LACCE JPA
- Metro Open Streets Grant Program

August

- Salary Resolution
- ACE/SGVCOG Integration

September

- Interim Executive Director Contract
- Amendmnt to Legal Services
- Financial Policies Modification
- Contract for Metor Board Support Services
- Measure H Homelessness Funding Contract
- 4th Quarter Financial Report
- SB 242
- JPA and Bylaws Update

October

- California Voting Rights Act
- 4th Amendment to the Joint Powers Authority
- 9th Amendment to the SGVCOG Bylaws
- FY 2017-18 Budget Amendment #1
- Ad Hoc Legislative Commttee
- Memorandums of Agreement with the City of Los Angeles related to the CIMP

November

- Executive Director Job Description
- MOU with ACE for Staff Related Costs Related to COG/ACE Integration
- 9th Amendment to the SGVCOG Bylaws

Transportation Committee Attendance

	2017						2018					
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Alhambra				✓	✓							
Claremont	✓			✓								
Diamond Bar	✓			✓	✓							
Duarte	✓			✓	✓							
El Monte	✓				✓							
Glendora												
La Canada Flintridge					✓							
LA County District 1	✓			✓	✓							
LA County District 5	✓											
San Gabriel	✓				✓							
South El Monte				✓	✓							
South Pasadena				✓	✓							
Temple City	✓											
Walnut												

Agenda Topics

July

- Transit Open Space Access
- Ramona Corridor Electric Bus Rapid Transit
- Metro Open Streets

October

- San Gabriel Valley Regional Bike Share Expansion
- Metro LRTP & Measure M Update
- Accel/Decel Policy Formulation for Measure M

November

- Metro Measure M Subregional Programming Funds
- Metro Measure M Subregional Administrative Funds

EENR Committee Attendance

	2017						2018					
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Claremont	✓		✓	✓								
Duarte	✓		✓	✓	✓							
Glendora												
Rosemead	✓		✓	✓								
San Dimas	✓		✓	✓	✓							
Sierra Madre	✓			✓								
South Pasadena	✓		✓	✓	✓							
West Covina			✓	✓	✓							

Agenda Topics

July

US DOT Improve Access to ANF

September

Jeff Seymour Family Center Tour

October

EENR Legislative Priorities

November

WCA San Gabriel Mountains Foothills Acquisition Master Plan

Solid Waster Legislative Review

Homelessness Committee Attendance

	2017						2018					
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Baldwin Park	✓			✓	✓							
Claremont	✓			✓								
Covina												
Monrovia	✓			✓	✓							
Pasadena				✓	✓							
Pomona	✓				✓							
Rosemead	✓			✓	✓							
West Covina				✓	✓							
LA County Dist 1					✓							
Water Districts				✓								

Agenda Topics

July

- SB 2 Best Practices Guide
- Sheriffs First Responder Homeless Training

October

- LAHSA Homeless Count Data Analysis
- Family Promise AUSD Pilot Project

November

- City of Azusa Neighborhood Connections
- SGVCOG Homelessness Coordinatro Report
- LA County Menta Health Legislative Proposal

Water Policy Committee

	2017						2018					
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Claremont	✓		✓	✓								
Diamond Bar	✓		✓		✓							
Glendora	✓		✓		✓							
Monrovia			✓	✓	✓							
Rosemead				✓								
Sierra Madre	✓		✓	✓	✓							
South Pasadena	✓		✓	✓	✓							
West Covina					✓							

Agenda Topics

July (Joint Meeting with Water TAC)

- AB 1180 (Holden)
- Drought Response legislation
- HR 465, HR 2510
- State Audit

Aug (dark)

Sept

- IIP presentation
- TAC election for Chair
- SGV Caucus update
- WOTUS update
- Water Resilience update
- ULAR CIMP overview

Oct

- Water Resilience presentation/update
- Whittier Narrow Dam Safety presentation
- WOTUS update
- Legislative update
- Water Supply update
- EWMP updates

Nov

- WOTUS update
- Legislative update
- Water Board appointments
- Safe, Clean Water update
- Litigation update
- Stormwater Outreach update

City Managers' Steering Committee Attendance

	2017						2018					
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Arcadia	✓	✓	✓	✓	✓	✓						
Alhambra		✓	✓	✓	✓							
Baldwin Park	✓		✓	✓	✓	✓						
Claremont	✓	✓	✓	✓	✓	✓						
Covina		✓	✓	✓								
Duarte	✓	✓	✓	✓	✓							
Glendora	✓	✓	✓		✓							
La Verne		✓	✓	✓	✓	✓						
Monrovia							✓					
Pomona	✓		✓	✓								
San Dimas		✓	✓			✓						
Temple City			✓	✓	✓		✓					
West Covina	✓	✓		✓								

Agenda Topics

August

- ULAR CIMP
- Salary Resolution
- ACE Ad Hoc Report
- Homelessness Planning Grants

September

- SGVCOG Financial Policies
- ULAR CIMP
- Metro Support Contract
- Homelessness Coordinator Contract
- Raupp Consulting Contract
- ACE/COG Integration
- Treasurer's Report
- LA County Blue Ribbon Commission

October

- 4th Amendments of the JPA
- 9th Amendment of Bylaws
- Budget Amendment
- ACE MOU

November

- Executive Director Job Description
- ACE MOU
- SCE Contract Amendment
- 17-18 1st Quarter Financial Report

December

- Homelessness MOU
- Salary Resolution

Planning TAC Attendance

	2017						2018					
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Alhambra				✓	✓							
Arcadia		✓			✓							
Azusa		✓										
Baldwin Park		✓	✓	✓								
Claremont												
Covina		✓										
Diamond Bar		✓	✓		✓							
Duarte		✓	✓	✓	✓							
El Monte		✓	✓	✓	✓							
Glendora			✓	✓	✓							
Irwindale				✓								
LaVerne			✓		✓							
Monrovia		✓	✓	✓								
Monterey Park			✓	✓	✓							
Pasadena												
Pomona												
Rosemead			✓		✓							
San Dimas		✓	✓	✓	✓							
San Gabriel		✓	✓									
Sierra Madre		✓	✓		✓							
South Pasadena					✓							
Temple City			✓	✓	✓							
Walnut												
West Covina				✓								

Agenda Topics

August

Measure H, Homelessness
ACE/COG Integration

September

LA County Cannabis Regulation, Mansionization
Caltrans Sustainable Transportation Planning Grant
ACE/COG Integration, General Assembly

October

El Monte Downtown Strategic Plan
California Housing Legislation Update
ACE/COG Integration, General Assembly

November

Regional Housing Needs Assessment (RHNA) Methodology & 2020 RTP/SCS
Metro Measure M Subregional Program Funds
Metro Measure M Subregional Administrative Funds
Housing Element Open Data Project
ACE/COG Integration

Public Works TAC Attendance

	2017						2018					
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Arcadia		✓		✓	✓							
Azusa		✓	✓	✓	✓							
Claremont		✓										
Diamond Bar		✓	✓	✓	✓							
El Monte		✓	✓	✓	✓							
Irwindale		✓		✓	✓							
Monrovia		✓	✓	✓	✓							
Pasadena			✓	✓	✓							
Pomona		✓	✓		✓							
San Dimas		✓	✓	✓	✓							
South El Monte			✓	✓	✓							
Temple City		✓	✓	✓	✓							
West Covina		✓	✓	✓	✓							
LA County		✓	✓	✓	✓							

Agenda Topics

August

- SB 1
- ITS Architecture Upgrade
- ACE/COG Integration
- General Assembly

September

- Tour of SCE EOC
- ACE/COG Integration
- General Assembly
- SB 1 Sustainable Communities Grant

October

- Metro's "Measure Up" Tool
- ACE/COG Integration
- General Assembly
- SB 1 Funding Announcement

November

- Whittier Narrows Dam Safety
- Metro Measure M Subregional Programming Funds
- Metro Measure M Subregional Administrative Funds
- ACE/COG Integration
- CTC 2018 Local Partnership Program
- Active Transportation Program Cycle 4 (2019)

Water TAC Attendance

	2017						2018					
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Alhambra			✓	✓	✓							
Arcadia	✓			✓								
Bradbury			✓	✓	✓							
Covina			✓	✓								
Monrovia	✓		✓	✓	✓							
Sierra Madre			✓	✓	✓							
South Pasadena												
LA County DPW	✓		✓	✓	✓							
San Gabriel Valley Municipal Water District					✓							
Upper San Gabriel Valley Municipal Water District	✓		✓		✓							
<i>Ex-Officio</i>												
LA County Sanitation Districts	✓		✓	✓	✓							
Main San Gabriel Basin Watermaster	✓		✓	✓	✓							

Agenda Topics

July

- AB 1180 (Holden)
- Drought Response legislation
- HR 465, HR 2510
- State Audit

Aug (dark)

Sept

- IIP presentation
- TAC election for Chair
- SGV Caucus update
- WOTUS update
- Water Resilience update
- ULAR CIMP overview

Oct

- Water Resilience presentation/update
- Whittier Narrow Dam Safety presentation
- WOTUS update
- Legislative update
- Water Supply update
- EWMP updates

Nov

- WOTUS update
- Legislative update
- Water Board appointments
- Safe, Clean Water update
- Litigation update
- Stormwater Outreach update

REPORT

DATE: December 14, 2017
TO: Governing Board
FROM: Marisa Creter, Interim Executive Director
RE: **9TH AMENDMENT TO THE SGVCOG BYLAWS**

RECOMMENDED ACTION

Adopt Resolution 17-36 to amend the SGVCOG bylaws.

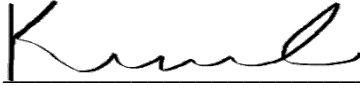
BACKGROUND


A draft of the proposed revised SGVCOG bylaws (Ninth Amended and Restated) was reviewed by the Governing Board at its October Meeting. The Governing Board provided direction to staff on the following:

- Provide for a delegate and alternate on the Capital Project and Construction Committee (Committee), with both being from the same district but from different cities.
- At this time, limit the membership of the Committee to not include additional members representing specific projects.
- Modify language to indicate that any member can be removed from a committee for cause by a two-thirds vote of the Governing Board.
- Include language that reflects the “partial review” option with respect to Governing Board review of actions taken by the Committee.

Additionally, these changes were reviewed and approved by the ACE Ad Hoc Integration Committee, the City Mangers’ Steering Committee and the Executive Committee.

At the November meeting, the Governing Board approved the first reading of the 9th amendment to the SGVCOG bylaws. The bylaws have been revised to reflect the Governing Board’s action to integrate SGVCOG and ACE. See Attachment A for the full proposed resolution and 9th amendment to the bylaws.

Prepared by: 
Katie Ward
Senior Management Analyst

Approved by: 
Marisa Creter
Interim Executive Director

ATTACHMENTS

Attachment A – Resolution 17-36

Attachment A

RESOLUTION 17-36

RESOLUTION OF THE GOVERNING BOARD OF THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS TO AMEND ITS JOINT POWERS AGREEMENT

WHEREAS, the San Gabriel Valley Council of Governments (the “Council”) is a Joint Powers Authority, which was established pursuant to Chapter 5 of Division 7, Title 1 of the Government Code of the State of California (Sections 6500, et seq.)

WHEREAS, the Council is also currently governed by its Eighth Amended and Restated By-Laws, effective April 20, 2017, which have been duly adopted by the Council as modified from time to time (the “By-Laws”);

WHEREAS, the Council desires to modify the Joint Powers Agreement and the By-Laws in order to revise the structure of the Council and extend the role of the Council in developing and constructing projects in the San Gabriel Valley, and to restructure and integrate the Alameda Corridor East Construction Authority (“ACE Construction Authority”), which was originally created specifically to address traffic congestion relating to freight rail expansion at the Los Angeles and Long Beach Ports; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Board approves the proposed Ninth Amended and Restated By-Laws Agreement, which is attached hereto and incorporated herein by reference (Exhibit A).

PASSED AND ADOPTED by the Governing Board of the San Gabriel Valley Council of Governments in the County of Los Angeles, State of California, on the 14th day of December 2017.

San Gabriel Valley Council of Governments

Cynthia Sternquist, President

Attest:

I, Marisa Creter, Interim Executive Director and Secretary of the Board of Directors of the San Gabriel Valley Council of Governments, do hereby certify that Resolution 17-36 was adopted at a regular meeting of the Governing Board held on the 14th day of December 2017, by the following roll call vote:

AYES:	
NOES:	
ABSTAIN:	
ABSENT:	

Marisa Creter, Secretary

SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS

A JOINT POWERS AUTHORITY

NINTH AMENDED AND RESTATED BYLAWS

EFFECTIVE, _____ 2017

TABLE OF CONTENTS

Preamble 1
Article I - Definitions 1
Article II - Membership and Representation 1
 A. Membership..... 1
 B. Representation/Member(s)..... 1
Article III - Governing Board..... 2
 A. Powers and Duties..... 2
 B. Meetings 2
 C. Voting..... 3
Article IV - Executive Director 3
Article V - Other Officers and Employees..... 4
 A. Second and Third Vice Presidents..... 4
 B. Secretary 4
 C. Treasurer and Auditor 4
 D. General Counsel 5
 E. Additional Officers, Employees, and Contractors..... 5
 F. Bonding Requirement..... 5
 G. Status of Members’ Officers and Employees. 5
 H. Vacancies 5
 I. Election of Officers. 5
Article VI - Committees..... 6
 A. Technical Advisory Committees 6
 B. Steering Committee 6
 C. Standing Policy Committees and Ad Hoc Committees. 7
 D. Capital Projects and Construction Committee..... 8
 E. Executive Committee..... 8
Article VII - Budgets, Dues and Disbursements 11
 A. Annual Budget..... 11
 B. Budget Amendments..... 11
 C. Fiscal Year. 11
 D. Accounts..... 11
 E. Expenditures Within Approved Annual Budget..... 11
 F. Audit..... 11
 G. Dues..... 12
 H. Uses of Funds..... 12
Article VIII - Amendments 12

BYLAWS

SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS

PREAMBLE

The San Gabriel Valley Council of Governments (the "Council") is an agency voluntarily established by its Members pursuant to a Joint Powers Agreement ("Agreement") for the purpose of providing a vehicle for the Members to engage in regional and cooperative planning and coordination of government services and responsibilities to assist the Members in the conduct of their affairs. In addition, the Council will provide a regional organization for the review of federal, state, and/or regional projects and studies which involve the use of federal, state and/or regional funds, in various forms.

Article I - Definitions

The terms "ACE Construction Authority," "Agreement," "Alternate Governing Board Representative," "Council," "Governing Board," and "Governing Board Representative," as used in these Bylaws are defined in the Agreement and said definitions are incorporated herein by reference.

Article II - Membership and Representation

A. Membership. Members shall withdraw from or be admitted to the Council in accordance with Section 21 of the Agreement.

B. Representation/Members.

1. The Governing Board Representative and Alternate Governing Board Representative for a Member shall be designated by a resolution or similar official action of that Member's legislative body.

2. Names of Governing Board Representatives and Alternate Governing Board Representatives shall be communicated in writing to the Governing Board by that Member's legislative body.

3. Governing Board Representatives and Alternate Governing Board Representatives shall serve until a successor is appointed or until such time that a Representative ceases to serve in public office for his or her Member.

Article III - Governing Board

A. Powers and Duties. The powers and duties of the Governing Board, subject to the limitations of applicable law, the Agreement and these Bylaws, shall include:

1. All of the powers of the Council provided in Section 4 of the Agreement, except as may be expressly delegated to others pursuant to the provisions of the Agreement, these Bylaws or by the direction of the Governing Board shall be exercised by and through the Governing Board.
2. Making policy decisions and determining policy matters for the Council.
3. Conducting the affairs of the Council.
4. Appointing, fixing the compensation of and removing an Executive Director, establishing positions and salary schedules for staff subordinate to the Executive Director, appointing and fixing the compensation of other officers of the Council and conducting an annual performance review of the Executive Director.
5. Annually reviewing the proposed Council budget and proposed work plan submitted by the Executive Director and adopting an annual budget and a work plan.
6. Appointing Standing Policy Committees and Ad Hoc Committees, as necessary, to study specific problems, programs, or other matters which it has approved for study.
7. Based on the guidance of the General Counsel, keeping informed about and working to keep the Council in compliance with all applicable federal, state and local laws, statutes, codes, ordinances, regulations and rules that could affect the Council or any of its activities and projects.
8. Acting upon policy recommendations including those from committees.

B. Meetings.

1. Regular meetings of the Governing Board shall be held monthly, at such time, place, and location as the Governing Board may set by resolution from time to time, unless dispensed with by the Governing Board. Special meetings of the Governing Board may be called by the President. All meetings of the Council shall be called by the President. All meetings of the Council shall be called and conducted, and an agenda posted, in accordance with the Ralph M. Brown Act, Government Code Section 54950, *et seq.*, as it now exists or may hereafter be amended. Members shall direct their respective city clerks or equivalent officers to comply with all notice and agenda posting requirements deemed necessary by the Governing Board.
2. Fifty (50) percent plus one of current active membership shall constitute a quorum. Suspended Members shall not be counted toward a quorum.

3. The Governing Board shall adopt by resolution a policy regarding the use of electronic devices at meetings, which shall comply with all applicable laws.

C. Voting. Voting on the Governing Board shall be conducted as prescribed in the Agreement. Further, voting may be by voice, roll call or ballot vote. A roll call or a ballot vote shall be conducted upon the demand of five participating representatives, or at the discretion of the presiding officer. No secret ballots shall be employed. If ballot voting occurs all ballots must: identify the individual voting; be counted in and have the results reported in open session; and be available for public review. Further, if ballot voting is used for appointments to a committee or entity external to the Council, then all candidates are to be listed on a single ballot; only one ballot is to be completed for each Governing Board Representative or Alternate present; the candidate(s) receiving the highest number of votes, which is at least a majority of those cast, is/are to be appointed consistent with the number of appointments to be made. Voting shall be reported as required by the Ralph M. Brown Act (Government Code Section 54950, *et seq.*). If the Governing Board is considering a vote in closed session, prior to such vote the General Counsel shall advise the Governing Board that such action must be reported out in open session, with identification of each Governing Board member's vote.

D. Conduct. All Governing Board Representatives and Alternate Governing Board Representatives shall conduct themselves in a civil, respectful, and professional manner in the performance of their duties.

Article IV - Executive Director

The powers and duties of the Executive Director of the Council, which may be modified by action of the Governing Board, are:

A. Subject to the authority of and as directed by the Governing Board, to serve as chief administrative officer of the Council and administer the affairs of the Council in compliance with all applicable federal, state and local laws, statutes, codes, regulations and rules.

B. Except as to what may be reserved to the Governing Board, to hire, direct, discharge and remove all employees of the Council and to retain and discharge consultants and to prescribe the duties and fix the compensation thereof.

C. Annually to prepare and present a proposed budget for the Council to the Steering Committee of the City Managers' Technical Advisory Committee ("Steering Committee") and, after the approval of the Steering Committee, to the Governing Board for its approval and, after approval by the Governing Board, to maintain the expenditures of the Council within the approved budget, as may be amended from time to time by the Council.

D. Annually to prepare a proposed work plan for the Council that is consistent with the proposed annual budget and the currently effective strategic plan; to submit the proposed work plan to the Governing Board for its review, discussion, evaluation and possible adoption; and to implement the work plan adopted by the Governing Board.

E. To ensure that consultants under contract to the Council procure insurance policies that provide adequate protection to the Council and that such policies are in accord with any policy limits and policy coverage requirements directed by the Governing Board.

F. To attend the meetings of the Governing Board.

G. To perform such additional duties as the Governing Board, these Bylaws, the Agreement or applicable law may require.

Article V - Other Officers and Employees

A. Second and Third Vice Presidents. Second and Third Vice Presidents of the Council shall be elected annually as officers of the Council at the same time and in the same manner as the President and First Vice President of the Council, whose election is described in Section 11 of the Agreement. Any Governing Board Representative who is not already an officer of the Council may be elected as Second or Third Vice President. The Second and Third Vice Presidents may individually serve as President in the absence of the President and First Vice President and shall perform such duties as may be required by the Agreement, these Bylaws, or by direction of the Governing Board or the President.

B. Secretary. The Executive Director, or his or her designee, shall be the Secretary of the Council but shall not be an officer of the Council. The Secretary shall perform and/or oversee the usual and customary ministerial duties of such position.

C. Treasurer and Auditor/Controller. As set forth in Government Code section 6505, *et seq.*, in particular, section 6505.6, and Section 13 of the Agreement, the Treasurer of the Council and the Auditor/Controller of the Council may be the same person and may be a contract employee or independent contractor of the Council. If the Treasurer and Auditor/Controller are not the same person, each shall have the duties and responsibilities set forth herein. The Treasurer and Auditor/Controller shall not be an officer of the Council. The duties and responsibilities of the Treasurer and Auditor/Controller are:

1. The Treasurer and Auditor/Controller shall possess the powers described in, and shall perform those functions required by: Government Code sections 6505, 6505.5 and 6505.6; all other applicable laws and regulations, including any subsequent amendments thereto, the Agreement, these Bylaws, and/or the direction of the Governing Board.

2. The Treasurer and Auditor/Controller shall have custody of all Council funds and shall provide for strict accountability thereof in accordance with Government Code section 6505.5 and other applicable laws, or grant or other funding requirements.

3. The Treasurer and Auditor/Controller shall annually cause an independent audit to be made of the Council by a certified public accountant, in accordance with Government Code sections 6505 and 6505.6, and shall present such audit to the Governing Board at one of its meetings and be available to answer any questions.

D. General Counsel. The Governing Board shall appoint a qualified person or firm to serve as the General Counsel to the Council on any basis it desires, including, but not limited to, a contract or an employment basis. The General Counsel shall perform duties as directed by the Council, including, but not limited to, the review of meeting agendas and agenda reports, insurance policies, and policies, and procedures for compliance with state, federal and local laws, including the Brown Act.

E. Additional Officers, Employees, and Contractors. The Governing Board shall have the power to appoint, engage or employ such additional officers, employees, and independent contractors as may be appropriate. Such officers, employees, and independent contractors may also be, but are not required to be, officers and employees of the individual Members. None of the officers, employees, or independent contractors appointed by the Governing Board shall be deemed, by reason of their employment by the Governing Board, to be employed by any of the Members or, by reason of their employment by the Governing Board, to be subject to any of the requirements of such Members.

F. Bonding Requirement. Pursuant to the requirements of Government Code section 6505.1, the Governing Board shall designate which officers or persons will have charge of, handle, or have access to any property of the Council. Each such designated officer or person shall be required to file an official bond with the Governing Board, at the expense of the Governing Board, in an amount which shall be established by the Governing Board. Should the existing bond or bonds of any such officers be extended to cover the obligations provided herein, said bond shall be the official public bond required herein. The premiums of any such bonds attributable to the coverage required herein shall be appropriate expenses of the Council. The Governing Board may also direct the purchase of appropriate insurance policies to supplement said bonds and the costs of such insurance policies shall be borne by the Council. The Council may procure an insurance policy in lieu of an official bond pursuant to Government Code section 1463.

G. Status of Members' Officers and Employees. As provided in Government Code section 6513, all of the privileges and immunities from liability and other benefits which apply to the activities of officers, agents, or employees when performing their respective functions within the territorial limits of their respective public agencies shall apply to them while engaged in the performance of any of their functions and duties extraterritorially under the Agreement.

H. Vacancies. In the event of a mid-term vacancy in an officer position, the officer in the next successive position shall fill that position for the remainder of the term, and every successive officer below shall accordingly move up one position. The Executive Committee shall recommend candidates to the Governing Board for the remaining vacant position, and the Governing Board shall hold an election for that position. The order of succession shall be as follows: President, First Vice President, Second Vice President, and Third Vice President.

I. Election of Officers. In the event an election of new officers is not held prior to the expiration of the terms of those current officers, the terms of those current officers shall extend automatically, and the current officers will continue to serve in their respective

positions until an election of new officers is held. Officers shall be elected by vote of a majority of those voting.

Article VI - Committees

A. Technical Advisory Committees. The Council shall establish three Technical Advisory Committees (“TAC”), one consisting of city managers, one of planning/community development directors and one of public works/transportation directors of the Members as approved by the Governing Board. The Governing Board may establish additional TACs as it deems necessary and/or beneficial to the Council. Each TAC shall be established for the purpose of providing input, as may be requested by the Governing Board, a Council committee or as determined by the TAC itself, to report to the requesting body on matters including but not limited to Council work programs, budgets, priorities, policies, programs and practices.

Each TAC member may designate an alternate to serve in the absence of, and vote on behalf of, the member. Each TAC shall elect a Chair and Vice Chair by a majority vote of the members of the TAC. The Chair of each TAC shall sit as an ex officio, non-voting Representative to the Governing Board and an ex officio non-voting member of the Executive Committee and may make recommendations directly to the Governing Board and/or the Executive Committee. The Chief Executive Officer of the County or his or her designee shall be a member of the City Managers’ TAC (“CMTAC”) and shall be the sole representative of the County to the CMTAC. Each Governing Board Representative for the County shall be entitled to appoint one member to the Planning/Community Development Directors’ TAC and to the Public Works/Transportation Directors’ TAC. The Governing Board Representative of each Member of the Council that is neither a city nor a county shall be entitled to appoint one member to each of the three TACs. A quorum of each TAC shall be forty percent (40%) of its membership and all actions will be by a majority of those members present with a quorum in attendance. Each TAC shall meet in accordance with a schedule determined by the TAC and all meetings will be held in accordance with the Ralph M. Brown Act (Government Code section 54950, *et seq.*).

B. City Managers’ Steering Committee. There shall be a Steering Committee of the CMTAC (“City Managers’ Steering Committee”), to provide assistance and support to the full CMTAC, the Governing Board and/or the Executive Committee and to oversee certain policy and financial matters for the Council.

The City Managers’ Steering Committee shall meet at least quarterly. A quorum of the City Managers’ Steering Committee shall be forty percent (40%) of its membership and all actions will be by a majority of those members present with a quorum in attendance. All meetings of the City Managers’ Steering Committee shall be held in accordance with the Ralph M. Brown Act (Government Code section 54950, *et seq.*).

The Steering Committee shall: together with the Treasurer/Auditor recommend the independent auditor for the annual audit of the Council and all of its special funds, develop the scope of work for the audit, and review and comment on the preliminary and final audit reports prior to their presentation to the Executive Committee and the Governing Board; oversee the

investment of Council funds in accordance with the Council's investment policy; review and modify the Council's investment policy when required; review, as necessary, those insurance policies purchased for the benefit of the Council including policies purchased by consultants working for the Council; monitor compliance of the Council with applicable federal, state and local laws, ordinances, statutes, codes and regulations; and undertake those additional assignments as directed by the Governing Board. The Steering Committee shall also review and monitor all matters related to the Council's financial affairs including reviewing quarterly financial reports, audits conducted by external auditors and agencies, grant compliance and bond issuance as well as any matters related to best management practices or state/federal requirements.

C. Standing Policy Committees and Ad Hoc Committees. The Governing Board may establish Standing Policy and Ad Hoc Committees. The Standing Policy Committees shall be established for the purpose of developing policy recommendations to the Governing Board or the Executive Director in specific functional areas consistent with the overall mission of the Council. Standing Policy Committees may be created to address transportation, solid waste and environmental matters and other matters considered important by the Governing Board. Ad Hoc Committees shall be formed to study and advise on specific matters of concern to the Governing Board. All Committees shall have a clearly defined purpose. The President of the Governing Board may, as he or she deems necessary, create President's Ad Hoc Committees and appoint their members, for limited terms and advisory purposes only. President's Ad Hoc Committees shall consist only of Governing Board Members, less than a majority of a Governing Board quorum, and shall not be subject to the Ralph M. Brown Act.

The Governing Board shall appoint the members ("Committee Members") of the Standing Policy and Ad Hoc Committees each June and, as appropriate throughout the year, with the intention of encouraging maximum participation in committee activities. Committee Members shall be Governing Board Representatives, Alternate Governing Board Representatives, city council members or County supervisors, city managers, or city or County staff, but no city, member agency, or County District may have more than one Committee Member on any Standing Policy or Ad Hoc Committee. The Committee Members of the Standing Policy Committees shall be appointed for terms which shall expire, regardless of the appointment date, at the end of the Fiscal Year of the Council as defined in Article VII. C. The Committee Members of Ad Hoc Committees shall be appointed for terms that coincide with the term of the respective Ad Hoc Committee or the end of the fiscal year of the Council, whichever may come first. The term of a Committee Member representing a Member of the Council or County District that has withdrawn or been suspended in accordance with Section 21 of the Agreement shall be concluded or suspended upon the effective date of the withdrawal or suspension of said Member of the Council or County District. In appointing Committee Members of the Standing Policy and Ad Hoc Committees, the Governing Board shall consider regional representation.

A quorum of each Standing Policy Committee shall be forty percent (40%) of its membership. A quorum of each Ad Hoc Committee shall be a majority of its membership. All actions taken by either type of Committee will be by a majority of those Committee Members present with a quorum in attendance. All Standing Policy and Ad Hoc Committees shall be chaired by a Governing Board Representative or an Alternate Governing Board Representative and the

Chair of each Committee shall be selected by a majority vote of the Committee Members. All meetings of the Standing Policy and Ad Hoc Committees shall be held in accordance with the Ralph M. Brown Act (Government Code section 54950, *et seq.*). All Committee Members of Standing Policy and Ad Hoc Committees shall be voting members unless limited voting is approved for a Committee by the Governing Board upon the recommendation of the Chair of that Committee. All Committee Members of Standing Policy and Ad Hoc Committees may designate an alternate to act on their behalf at any Committee meeting (“Alternate Member”). Each Alternate Member so designated may vote on behalf of the Committee Member the Alternate Member represents. If a Committee Member or his/her Alternate Member is absent from three consecutive meetings of any Standing Policy Committee, then the membership of the Committee Member will be terminated, however, subsequent re-appointment to the Standing Policy Committee can be made by the Governing Board. A Committee Member or his/her Alternate Member may be removed for cause, including but not limited to, committing misconduct, acting in violation of the Council’s conflict of interest code, or otherwise causing harm to the Council, by a two-thirds vote of Members attending a Governing Board meeting.

When the Governing Board or any Technical Advisory Committee deems it appropriate to have representation by district within the San Gabriel Valley, the following descriptions of each district shall be used:

- Northeast: Azusa, Claremont, Glendora, La Verne, San Dimas
- Southeast: Covina, Diamond Bar, Industry, La Puente, Pomona, Walnut
- Central: Baldwin Park, El Monte, Rosemead, South El Monte, Irwindale, West Covina
- Southwest: Alhambra, Montebello, Monterey Park, San Gabriel, South Pasadena, Temple City
- Northwest: Arcadia, Bradbury, Duarte, La Canada Flintridge, Monrovia, Pasadena, San Marino, Sierra Madre

D. Capital Projects and Construction Committee. There shall be a Capital Projects and Construction Committee, whose members will be appointed by the Governing Board. One Governing Board Member shall be appointed from the Members of each of the five districts in the Council. The cities in each district shall nominate their respective district representative for the Committee and an Alternate and the Governing Board shall ratify the appointments. The President of the Council shall be a Member of this Committee. A Los Angeles County Supervisor who represents a part of the San Gabriel Valley shall also serve as a Committee Member. Members may be re-appointed for up to three terms. The members of the Alameda Corridor East Construction Authority Board members holding office at the time of approval of these amended and restated By-Laws will each serve as a voting Member of the Committee until the ACE grade

separation project(s) within their respective cities have been completed and a Notice of Completion has been filed, and no replacement member shall be appointed.

The Committee shall be chaired by a Governing Board Representative or an Alternate Governing Board Representative selected by a majority vote of the Committee Members. All Committee Members shall be voting members unless limited voting is approved by the Governing Board upon the recommendation of the Chair of that Committee. The Committee's quorum shall be fifty percent of the Committee Members. All actions taken by the Committee will be by a majority of those Committee Members present with a quorum in attendance. If a Committee Member is absent from three consecutive meetings Committee, then the membership of the Committee Member will be terminated. A Committee Member or his/her Alternate Member may be removed for cause, including but not limited to, committing misconduct, acting in violation of the Council's conflict of interest code, or otherwise causing harm to the Council, by a two-thirds vote of Members attending a Governing Board meeting. The term of a Committee Member representing a Member of the Council or County District that has withdrawn or been suspended in accordance with Section 21 of the Agreement shall be concluded or suspended upon the effective date of the withdrawal or suspension of said Member of the Council or County District.

In the event of a vacancy on the Capital Projects and Construction Committee, the Alternate from that district shall become the Committee Member and the district will nominate a new Alternate for appointment by the Governing Board.

The Capital Projects and Construction Committee shall report to the Governing Board, communicating with the Governing Board through the Executive Committee. It shall advise and make recommendations for a plan of construction projects throughout the San Gabriel Valley for which Council staff will seek funding through available revenue and grants. The Governing Board shall have final approval authority with respect to any such project and related Implementation Agreements. However, to facilitate implementation of approved projects, the Committee, subject to such restrictions imposed by Federal, State and local governmental entities and by the Governing Board, shall have the following powers to act on behalf of the Council:

1. To approve contracts for execution by the Executive Director, including public works contracts and contracts for environmental review, design, materials and construction, and for the services of engineers, consultants, planners, and single purpose public or private groups, on behalf of and in the name of the Council;

2. To acquire, by purchase or eminent domain, construct, reconstruct, rehabilitate, maintain in whole or in part, dispose of in whole or part on behalf of and in the name of the Council, land, facilities and appurtenances necessary or convenient for the completion of the approved projects. Decisions of the Committee concerning the exercise of eminent domain shall be final and not subject to review;

3. To provide for or obtain insurance for the Council and its agents, officers, and employees;

4. To conduct studies to satisfy the requirements of the California Environmental Quality Act and National Environmental Policy Act approvals, and to certify such studies and reports;

5. To make grant applications, approve of designs and plans, obtain agency permits, and authorize all actions necessary for the funding, design and construction of projects within or outside of the San Gabriel Valley approved by the Governing Board;

6. To oversee the construction of projects approved by the Governing Board, including public bidding, contracting, building, change orders, final acceptance, filing of a Notice of Completion (which shall be required for all projects), and any related litigation.

The powers of the Capital Projects and Construction Committee shall be exercised only in furtherance of projects approved by the Governing Board. A quorum of the Capital Projects and Construction Committee shall be a majority of its voting members and all actions shall be by a majority of its members present with a quorum in attendance. All meetings of the Capital Projects and Construction Committee shall be held in accordance with the Ralph M. Brown Act (Government Code section 54950, *et seq.*). The Committee shall keep itself informed of and comply with all applicable federal, state and local laws, statutes, codes, ordinances, regulations and rules governing the implementation of projects. Decisions of the Capital Projects and Construction Committee may be called up for review by the Governing Board upon the written request of at least seven (7) Members of the Governing Board made within ten (10) days of the decision to be reviewed. Any such review must be agendized for the next regular Governing Board meeting which is not less than ten (10) days after the call for review is made and shall be acted upon at such meeting. No review may be sought of the following decisions of the Committee, which shall be final, except where the Committee's action does not follow staff's recommendation.

1. Any decision relating to the exercise of eminent domain.
2. Approval of professional services agreements necessary to implement projects such as design, architectural, engineering, construction management, right of way acquisition, and property management.
3. Approval of bid specifications for approved projects and the conduct of public works bidding.
4. Determinations of disqualification of bidders as non-responsive or non-responsible.
5. Bid award protests.
6. Obtaining any ministerial permits necessary to construct a Governing Board approved project.
7. Approval of permit applications to regional agencies such as SCAQMD, SCAG, Regional Water Boards, etc.
8. Approval of change orders which do not require obtaining additional funding.
9. Final acceptance of projects when completed.

D. Executive Committee. The elected officers of the Council, the most recent past President of the Council who is currently serving as a Governing Board Delegate, and the Chairpersons of all Council Standing Policy Committees, shall comprise an Executive Committee, whose Chairperson shall be the President of the Council. Each of these members shall have one vote. The Chairpersons of the TACs shall be ex officio, non-voting members of the Executive Committee. The Executive Committee will meet monthly with the Executive Director on a date and at a location selected by the Executive Committee to consider and provide guidance on matters being considered for inclusion on Governing Board agendas and on other matters as directed by the Governing Board. A quorum of the Executive Committee shall be a majority of its voting members and all actions shall be by a majority of its members present with a quorum in attendance. All meetings of the Executive Committee shall be held in accordance with the Ralph M. Brown Act (Government Code section 54950, *et seq.*).

Article VII - Budgets, Dues and Disbursements

A. Annual Budget. The Governing Board shall adopt a Budget annually prior to July 1 of each calendar year. The Budget shall: present projected revenues by source and by program on both a quarterly and annual basis; present projected expenses categorized by type of expense and by program both on a quarterly and annual basis; include separate schedules for special programs of the Council showing projected revenues and projected direct and allocated expenses; include a summary balance sheet for the current fiscal year and for the budget year; include projected capital expenditures; include comparisons between the budget, and the estimated actual current year results; and include the projected year-end cash position of the Council.

B. Budget Amendments. The Governing Board may, at any time, amend the budget to incorporate additional income and disbursements that might become available to or be required of the Council during a fiscal year.

C. Fiscal Year. The Council shall be operated on a fiscal year basis beginning on July 1 of each year and continuing until June 30 of the next year.

D. Accounts. All funds shall be placed in appropriate accounts and the receipt, transfer, or disbursement of such funds shall be accounted for in accordance with generally accepted accounting principles applicable to governmental entities and pursuant to Government Code section 6505 and any other applicable laws. There shall be strict accountability of all funds. All revenues and expenditures shall be reported to the Governing Board.

E. Expenditures within Approved Annual Budget. All expenditures shall be made within the approved annual budget as may be amended from time to time. No expenditures in excess of those budgeted shall be made without the approval of the Governing Board.

F. Audit. The records and accounts of the Council shall be audited annually by an independent certified public accountant, in compliance with Government Code

sections 6505.5 – 6505.6, and copies of such audit report shall be filed with each Member of the Council and any other entities required by Government Code section 6505 no later than fifteen (15) days after receipt of said audit by the Governing Board.

G. Dues. The Members of the Council shall be responsible for payment to the Council, annually, of dues in the amounts annually budgeted by the Governing Board for the operating costs of the Council (“Dues”). If there is any proposed change to the method by which dues are calculated, thirty (30) days’ notice shall be provided to Members prior to the meeting at which the proposed change will be considered. Thirty (30) days’ notice shall be provided to Members of the date by which Dues are to be submitted, which shall be July 1st each year.

The Governing Board may waive dues or approve payment arrangements of dues as it deems appropriate.

H. Uses of Funds. Grant funds received by the Council from any federal, state, or regional agency to pay for budgeted expenditures for which the Council has received all or a portion of said funds from the parties hereto shall be used as determined by the Governing Board and in accordance with the terms of any such grants and applicable laws.

Article VIII - Amendments

These Bylaws may, from time to time and at any time, be amended or repealed, and new or additional bylaws adopted, by approval of the Council, provided, however, that the Bylaws may not contain any provision in conflict with any applicable laws or with the Agreement. Amendments to these Bylaws may be proposed by a Governing Board Representative. Any Amendment shall be submitted to the Governing Board at a meeting at least one month prior to the meeting at which the Amendment is voted upon. A vote of fifty percent (50%) plus one (1) of the total voting membership of the Governing Board is required to adopt an Amendment.

REPORT

DATE: December 14, 2017

TO: SGVCOG Governing Board

FROM: Marisa Creter, Interim Executive Director

VIA: Mark Christoffels, CEO, ACE Construction Authority

RE: MEASURE M SUBREGIONAL FUNDS; INITIAL FIVE-YEAR PROGRAMMING PLAN

RECOMMENDED ACTION

Adopt Resolution 17-37 to amend programming of the initial five-year Measure M Subregional funds and direct staff to initiate the project selection process to create a full five-year project specific plan.

BACKGROUND

In June, the Metro Board of Directors adopted the Measure M guidelines establishing a process by which subregional funds under Measure M will be programmed by the subregional entities, including the SGVCOG, through the development of five-year subregional fund programming plans. In accordance with these guidelines, five-year project specific programming plans will have to be submitted to the Metro Board of Directors for adoption, which will subsequently guide the flow of funding to various specific projects that fall within each program. Last month staff received from Metro the projected initial five-year cash flow for each subregional fund in the San Gabriel Valley subregion. The funds that would be available for programming are referenced in Table 1¹.

Program	Sub-region	Funding Dates	FY 2017 FY 2018	FY 2018 FY 2019	FY 2019 FY 2020	FY 2020 FY 2021	FY 2021 FY 2022	5-Year Total	40-Year Fund Total	5-Year Percentage of Total
Active Transportation Prog. (Including Greenway Proj.)	sg	FY 2018-57	\$ 2.30	\$ 2.40	\$ 2.40	\$ 2.50	\$ 2.60	\$ 12.20	\$ 231.00	5.28%
Bus System Improvement Program	sg	FY 2018-57	\$ 0.60	\$ 0.60	\$ 0.60	\$ 0.60	\$ 0.60	\$ 3.00	\$ 55.00	5.45%
First/Last Mile and Complete Streets	sg	FY 2018-57	\$ 2.00	\$ 2.00	\$ 2.10	\$ 2.10	\$ 2.20	\$ 10.40	\$ 198.00	5.25%
Highway Demand Based Prog. (HOV Ext. & Connect.)	sg	FY 2018-57	\$ 2.30	\$ 2.40	\$ 2.40	\$ 2.50	\$ 2.60	\$ 12.20	\$ 231.00	5.28%
Goods Movement (Improvements & RR Xing Elim.)	sg	FY 2048-57							\$ 33.00	0.00%
Highway Efficiency Program	sg	FY 2048-57							\$ 534.00	0.00%
ITS-Technology Program (Advanced Signal Tech.)	sg	FY 2048-57							\$ 66.00	0.00%
San Gabriel Valley MY Subregion Total								\$ 37.8	\$ 1,348.00	2.80%
Gold Line Foothill Extension to Claremont	sg	FY 2019-25			?	?	?		\$ 1,019.00	
SR-71 Gap	sg	FY 2022-26							\$ 248.00	
SR-57/60	sg	FY 2025-31							\$ 205.00	
Gold Line Eastside Extension	sg	FY 2029-35							\$ 543.00	
I-605/10 Interchange	sg	FY 2043-47							\$ 126.00	
SR-60/605 Interchange	sg	FY 2043-47							\$ 130.00	
Major Projects San Gabriel Valley Total									\$ 2,271.00	
Overall Total									\$ 3,619.00	

Table 1.
Measure M Multi-Year Subregional Program 5-Year Cashflows (\$ in millions).

¹ Figures shown in Table 1 are rounded.

The cash flow table indicates that for the first five years, the amount of funding available for the subregional programs designated to receive funds in the early years is minimal (roughly 2.8% of the total designated for the 40-year programming period). Staff is assuming that funds are limited for the subregional programs because a significant amount of the early revenues will be allocated to the Foothill Gold Line Extension though the exact amounts are unknown and shown as “?” in the table.

Reviewing the subregional program project lists that were included in the base study for the regions (the adopted Mobility Matrix), it is apparent that the \$12 million to be allocated in the first five years under the Highway Demand Based Program, which is primarily HOV extensions and connections, is insufficient to initiate any projects. In addition, the \$3 million to be allocated under the Bus System Improvement Program, which is primarily for infrastructure improvements related to the express bus system, is also insufficient to initiate any projects.

Rather than have these funds remain in the these subregional programs as accumulated cash with no prospect for expenditures during that period, staff is recommending that these funds be “loaned” to the First/Last Mile and Complete Streets Program and the Active Transportation Program to accelerate projects within the programs. In addition, the SGVCOG earlier this year had issued a Letter of No Prejudice to advance \$5.2 million in Measure M funds to fully fund the Lemon Ave Ramps at the 60 freeway that are currently under construction, and staff is recommending that a portion of the funds available in the Highway Demand Based Program be “loaned” to the Highway Efficiency Program to cover these costs. These “loaned” funds would then be reimbursed when sufficient funding is available to initiate projects under the Highway Demand Based Program and the Bus System Improvement Program.

Based on the above, staff is recommending that approximately \$5.2 million from the Highway Demand Based Program be “loaned” to the Highway Efficiency Program to cover the current Lemon LONP, which is a project that will ultimately get funded under the Highway Efficiency Program. The remainder of the Highway Demand Based Program would be “loaned” to the First/Last Mile Program. Additionally, under staff’s recommendation, approximately \$500,000 would remain in the Bus System Improvement Program to fund specific project planning and conceptual design work, and the remainder of the funds from the Bus System Improvement Program would be “loaned” to the Active Transportation Program. Table 2 shows the funding by program based on the recommended loans between programs²:

² Figures shown in Table 2 are rounded.

REPORT


Program	Sub-region	Funding Dates	FY 2017 FY 2018	FY 2018 FY 2019	FY 2019 FY 2020	FY 2020 FY 2021	FY 2021 FY 2022	5-Year Total	40-Year Fund Total	5-Year Percentage of Total	
Active Transportation Prog. (Including Greenway Proj.)	sg	FY 2018-57	\$ 2.40	\$ 3.00	\$ 3.00	\$ 3.10	\$ 3.20	\$ 14.70	\$ 231.00	6.36%	
Bus System Improvement Program	sg	FY 2018-57	\$ 0.50	\$ -	\$ -	\$ -	\$ -	\$ 0.50	\$ 55.00	0.91%	
First/Last Mile and Complete Streets	sg	FY 2018-57	\$ 2.00	\$ 2.00	\$ 4.00	\$ 4.60	\$ 4.80	\$ 17.40	\$ 198.00	8.79%	
Highway Demand Based Prog. (HOV Ext. & Connect.)	sg	FY 2018-57	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 231.00	0.00%	
Goods Movement (Improvements & RR Xing Elim.)	sg	FY 2048-57						\$ -	\$ 33.00	0.00%	
Highway Efficiency Program	sg	FY 2048-57	\$ 2.30	\$ 2.40	\$ 0.50			\$ 5.20	\$ 534.00	0.97%	
ITS-Technology Program (Advanced Signal Tech.)	sg	FY 2048-57						\$ -	\$ 66.00	0.00%	
San Gabriel Valley MY Subregion Total									\$ 37.80	\$ 1,348.00	2.80%
Gold Line Foothill Extension to Claremont	sg	FY 2019-25			?	?	?		\$ 1,019.00		
SR-71 Gap	sg	FY 2022-26							\$ 248.00		
SR-57/60	sg	FY 2025-31							\$ 205.00		
Gold Line Eastside Extension	sg	FY 2029-35							\$ 543.00		
I-605/10 Interchange	sg	FY 2043-47							\$ 126.00		
SR-60/605 Interchange	sg	FY 2043-47							\$ 130.00		
Major Projects San Gabriel Valley Total									\$ 2,271.00		
Overall Total									\$ 3,619.00		


Table 2.

Proposed Measure M Multi-Year Subregional Program 5-Year (\$ in millions).

NEXT STEPS

On November 16, the Transportation Committee concurred with the proposed programming of the initial five-year Measure M subregional funds, and motioned to move this item to the Executive Committee, Public Works TAC, and Planning Directors' TAC. The Public Works TAC had a motion to concur with staff's recommendation, and for staff to move forward with the proposal, and the Planning Directors' TAC also concurred with staff's recommendation. If the Governing Board concurs with staff's recommendation, then interfund borrowing of Measure M Subregional programming funds can commence as presented and put forth in Resolution No. 17-37.

Prepared by: 
 Mark Christoffels
 Chief Executive Officer, ACE

Approved by: 
 Marisa Creter
 Interim Executive Director

ATTACHMENTS

Attachment A - Resolution 17-37

RESOLUTION NO. 17-37

**RESOLUTION OF THE SAN GABRIEL VALLEY
COUNCIL OF GOVERNMENTS (SGVCOG) APPROVING MEASURE M
SUBREGIONAL PROGRAM FUNDS INITIAL FIVE-YEAR PROGRAMMING PLAN**

WHEREAS, Measure M, a ½ cent sales tax for Countywide transportation improvements, was approved by voters in November 2016; and

WHEREAS, Measure M is projected to fund \$3.3 Billion in transportation improvements in the San Gabriel Valley over the next 40 years; and

WHEREAS, the Los Angeles County Metropolitan Transportation Authority (Metro) adopted the Measure M guidelines to establish a process by which subregional funds under Measure M will be programmed by the subregional entities through the development of five-year subregional fund programming plans; and

WHEREAS, the Governing Board of the San Gabriel Valley Council of Governments (SGVCOG) has adopted guiding principles for the development of Measure M Guidelines pertaining to planning, subregional call for projects, and 3% local contribution and local match; and

WHEREAS, San Gabriel Valley Council of Governments (SGVCOG) Staff has received from Metro the projected five-year cash flow for each subregional fund in the San Gabriel Valley subregion; and

WHEREAS, in order to maximize Measure M project and program delivery, expend the Measure M funds in an efficient and prudent manner, and align additional First/Last Mile funding with the construction of the Gold Line Phase 2B, funds shall need to be borrowed between the funding programs.

NOW THEREFORE, BE IT RESOLVED that the Governing Board does hereby approve the interfund borrowing of Measure M programming funds during the first five (5) years of Measure M funding, as follows:

- \$5.2 million from the Highway Demand Based Program loaned to the Highway Efficiency Program to cover the Lemon Ave. Ramps Letter of No Prejudice;
- The remainder of the funds from the Highway Demand Based Program are to be loaned to the First/Last Mile Program.
- \$500,000 is to remain in the Bus System Improvement Program to fund specific project planning and conceptual design work;
- The remainder of the funds from the Bus System Improvement Program are to be loaned to the Active Transportation Program.

PASSED AND ADOPTED by the Governing Board of San Gabriel Valley Council of Governments, County of Los Angeles, in the County of Los Angeles, State of California, on the 14th day of December 2017.

Cynthia Sternquist, President
San Gabriel Valley Council of Governments

Attest:

I, Marisa Creter, Interim Executive Director and Secretary of the Board of Directors of the San Gabriel Valley Council of Governments, do hereby certify that Resolution 17-37 was adopted at a regular meeting of the Governing Board held on the 14th day of December 2017, by the following roll call vote:

AYES:	
NOES:	
ABSTAIN:	
ABSENT:	

Marisa Creter, Secretary

REPORT

DATE: December 14, 2017

TO: Governing Board

FROM: Marisa Creter, Interim Executive Director

RE: **LOS ANGELES COUNTY MENTAL HEALTH LEGISLATIVE PROPOSAL**

RECOMMENDED ACTION

Adopt Resolution 17-38 to support the Los Angeles County Board of Supervisors' legislative proposal to expand the state law definition of "grave disability."

BACKGROUND

On October 31st, the Los Angeles County Board of Supervisors passed a motion (Attachment A) to work with attorneys, mental health advocacy groups, civil rights organizations and others to develop a legislative proposal that would expand the state law definition of a grave disability. The legislation is intended to allow first responders to provide assistance to individuals in dire need of health and/or mental health services, that refuse care due to their lack of self-awareness of their own condition.

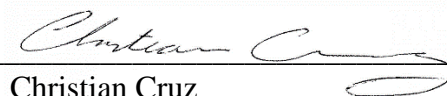
CURRENT STATE LAW

Currently, state law defines grave disability as a condition in which a person, as a result of a mental disorder, is unable to provide for their basic personal needs which includes food, clothing or shelter. Therefore, the legislative proposal would seek to change state law to allow for urgent medical needs of an individual to be considered when determining their need for treatment of a mental disorder.

NEXT STEPS

The Los Angeles County Department of Mental Health (DMH) will be working with County Counsel, mental health professionals, advocacy groups, and civil rights organizations to develop language that would consider an individual's inability to provide and/or access urgently needed medical care for him or herself due to a mental disorder as part of the criteria for Grave Disability under Lanterman Petris Short Act (LPS Law). Once a legislative proposal is complete via this process, DMH will come back to the Los Angeles County Board of Supervisors with the proposal for approval to pursue a county-sponsored bill.

Prepared by:



Christian Cruz
Management Analyst

Approved by: Marisa Creter
Marisa Creter
Interim Executive Director

ATTACHMENTS

Attachment A – Resolution 17-38

Attachment A

RESOLUTION 17-38
A RESOLUTION OF THE GOVERNING BOARD OF THE SAN GABRIEL
VALLEY COUNCIL OF GOVERNMENTS (“SGVCOG”)
SUPPORTING THE COUNTY OF LOS ANGELES’ LEGISLATIVE PROPOSAL

WHEREAS, currently, state law defines grave disability as a condition in which a person, as a result of a mental disorder, is unable to provide for their basic personal needs which includes food, clothing or shelter,

WHEREAS, nearly 30 percent of homeless individuals in LA County are battling mental health issues,

WHEREAS, the LA County Department of Mental Health (DMH) convened a full range of County and community stakeholders to thoroughly examine current methods of engagement, delivery of services, and related laws to empower the County to care for the gravely disabled,

WHEREAS, as a result, the DMH released a strategic plan with 13 recommendations aimed to improve the delivery of quality and humane treatment for those who are gravely disabled and incapable of seeking or accepting mental health treatment and care, and

WHEREAS, it was recommended that a legislative proposal be put forth that would include a person's inability to provide urgently needed medical care for him or herself due to a mental disorder as part of the definition of a grave disability.

NOW, THEREFORE BE IT RESOLVED THAT THE GOVERNING BOARD OF THE SGVCOG SUPPORTS A THE COUNTY OF LOS ANGELES’ LEGISLATIVE PROPOSALS THAT WOULD EXPAND THE STATE LAW DEFINITION OF “GRAVE DISABILITY” TO INCLUDE AN INDIVIDUAL’S INABILITY TO PROVIDE AND/OR ACCESS URGENTLY NEEDED MEDICAL CARE FOR HIM OR HERSELF DUE TO A MENTAL DISORDER.

PASSED, APPROVED, and ADOPTED this 14th day of December, 2017.

SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS

By: _____
Cynthia Sternquist, President

Attest:

I, Marisa Creter, Interim Executive Director and Secretary of the Board of Directors of the San Gabriel Valley Council of Governments, do hereby certify that Resolution 17-38 was adopted at a regular meeting of the Governing Board held on the 14th day of December, 2017, by the following roll call vote:

AYES:	
NOES:	
ABSTAIN:	
ABSENT:	

Marisa Creter, Secretary

REPORT

DATE: December 14, 2017

TO: Executive Committee
City Managers' Steering Committee
Governing Board

FROM: Marisa Creter, Interim Executive Director

RE: **HOMELESS PLAN MOU**

RECOMMENDED ACTION

Authorize Executive Director to finalize and execute MOUs with participating cities related to County homelessness plan development.

BACKGROUND

On July 28, 2017, the Home for Good Funder's Collaborative released a Request for Proposals (RFP) for municipal jurisdictions within the Greater Los Angeles Continuum of Care that were interested in creating a homeless plan to locally address homelessness. Eligible cities who submitted grant proposals were conditionally awarded¹ grant funding based on their homeless numbers. Twenty-three proposals from the SGV were submitted and conditionally awarded funding, for a combined total of \$890,000. These funds will allow cities to develop homeless plans that will do the following:

- Identify specific local needs,
- Support homeless prevention strategies within their communities, and
- Identify local problem areas or issues as it pertains to homelessness.

All plans must be finalized by June 30, 2018.

PROPOSED JOINT PROCUREMENT EFFORT

In support of this effort, the SGVCOG hosted a pre-orientation meeting on October 14th. At this meeting, there was interest in undertaking a joint procurement effort, managed by the SGVCOG, to secure consultant(s) to assist with the development of the cities' plans. The approach is completely optional, and cities may develop their plans and hire a consultant independently if desired.

For cities interested in participating in a joint procurement, SGVCOG staff has developed a draft memorandum of understanding (MOU) that identifies roles, responsibilities, scope of work, and fee structure.

ROLES AND RESPONSIBILITIES

The draft MOU (Attachment A) identifies the following roles and responsibilities for the SGVCOG and each participating city:

- **City:**

¹ Contracts for these awards will be finalized when the County approves a city provided scope of work.

- Participate in coordination calls and meetings;
- Provide a point-of-contact;
- Actively engage in the development of the Homeless Plan;
- Review, provide comments on and approve deliverables;
- Provide meeting space for events related to this project;
- Pay all invoices submitted by the SGVCOG; and
- Submit invoices and deliverables to the County.
- **SGVCOG:**
 - Undertake procurement and management of consultant(s);
 - Execute contract between the consultant for the development of the plan;
 - Receive, review and pay all consultant invoices.
 - Work with the consultant to ensure all grant deadlines are met and overall work schedule is adhered to;
 - Review draft deliverables prepared by the consultant for accuracy prior to submission to the city;
 - Work with the consultant to manage ongoing coordination of project calls and in person meetings; and
 - Submit invoices to city.

SCOPE OF WORK AND FEE STRUCTURE

To address the unique nature of each city’s needs, the SGVCOG developed two options related to the scope of work and fee structure, a base plan and supplemental plan. The base plan covers all county requirements, and specific regional interests. Key tasks in the base plan include the following:

- **Plan Development:** Develop a plan overview with city specific objectives, develop an implementation plan, and identify 3 or more specific goals such as, supporting actions to be taken and associated policy changes.
- **Funding Opportunities and Needs Assessment:** Conduct a gap analysis to inform local planning, and identify state, federal, local or private funds to support the plan.
- **Address “Fair Share” Metrics:** Facilitate communication between city staff and local groups/stakeholders to discuss “fair share” parameters and models to equitably connect a homeless individual to their city of origin.
- **Identify City Resources:** Identify city point person for all homeless inquiries, identify ways to strengthen a city’s connection to the Coordinated Entry System, and identify the potential for local development of shelters, affordable housing, or permanent supportive housing.
- **Provide Post Plan Support:** Develop a one-page summary for cities to utilize for subsequent grant applications, and provide educational materials, such as presentations, for cities councils and community groups/stakeholders.

The base plan fee structure will consist of \$25,000 consultant fee, plus a \$1,500 administration fee, for a total of \$26,500.


In addition to the base plan, the COG developed a list of supplemental tasks that can be added on to the basic scope of work to meet the unique needs of cities. A city may choose to add any number of add-on tasks, or none at all. Grant awards were based on the most recent homeless count data. The majority of cities in the San Gabriel Valley received \$30,000. Assuming a city did not need to use the grant funding to cover internal staffing costs, the proposed fee structure would allow a city to select supplemental tasks that total up to \$3,500. The description of each task and the fee associated to add it is outlined in Attachment B.


SCHEDULE

The draft project schedule showing key milestones is shown below in Table 1.

	Timeline	Date
Procurement and MOU Development	Due date for Proposals	December 6th, 2017
	City Letter Indicating Interest in MOU	December 6th, 2017
	Interviews with Qualified Vendors	December 12th, 2017
	SGVCOG Governing Board approval of MOU	December 14, 2017
	Governing Board Review for Approval/Contract Date	January 18th, 2018
Plan Development	Draft Plan completed and submitted to SGVCOG for Review	April 30, 2018
	Draft plan submitted to City with SGVCOG recommendations	May 15, 2018
	City submits to draft plan to County	May 30, 2018
	Final Plan submitted to SGVCOG and City	June 15, 2018
	City submits to final plan to County	June 30, 2018

**Table 1.
Schedule of Key Milestones.**

Prepared by: 
 Christian Cruz
 Management Analyst

Approved by: 
 Marisa Creter
 Interim Executive Director

ATTACHMENTS

- Attachment A – Homeless Plan MOU
- Attachment B – Task Add-on List

Attachment A

MEMORANDUM OF UNDERSTANDING

CITY HOMELESS PLAN MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY
OF XX AND THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS (SGVCOG)

This Memorandum of Understanding (“MOU” or "Agreement") is made as of (date) by and between the City of XX (City) and the San Gabriel Valley Council of Governments (SGVCOG).

RECITALS:

- A. The SGVCOG was established to have a unified voice to maximize resources and advocate for regional and member interests to improve the quality of life in the San Gabriel Valley by the member cities and other local governmental agencies;
- B. The City of XX seeks to develop a homeless plan;
- C. The City Homeless Plan will Support homeless prevention strategies within local communities, and Identify local problem areas or issues as it pertains to homelessness;
- D. The City of XX and the SGVCOG have a shared desire to successfully develop a Homeless Plan to combat the growing homelessness issues in the San Gabriel Valley; and
- E. The City of XX and the SGVCOG desire to set forth the terms of their ongoing collaboration with respect to this effort in this MOU.

NOW, THEREFORE, the Parties agree to the following:

I. GENERAL CONDITIONS:

- A. The Parties to this MOU are the City of XX and the SGVCOG.
- B. The term of this MOU shall commence upon execution of the MOU by all parties and shall continue through the date where all work under the Contract is complete or September 30, 2018, whichever comes first. The term of this MOU may be extended by mutual agreement of all Parties through written consent.
- C. The Parties agree to not seek any reimbursement from any of the other parties for communication related to this MOU performed by city or agency staff associated with this effort

II. RESPONSIBILITIES OF EACH OF THE PARTIES:

- A. SGVCOG
 - 1. Will undertake Procurement and management of consultant(s) to help the City of XX to develop a City Homeless Plan.
 - 2. Will execute a contract between the consultant and the City of XX

3. Will manage all invoicing and billing.
4. Manage schedules and meeting deadlines.
5. Review draft deliverables prepared by the consultant for accuracy prior to submission to the City of XX
6. Will coordinate with the consultant participate in calls including, but not limited to, participating in check-in calls and/or meetings.
7. Manage, ongoing coordination of project calls with all parties and the consultant throughout the life of the project.
8. Review and provide comments on draft communication related to MOU products.
9. Submit two invoices to the City of XX for any billable hours within the first 60 days of the execution of this MOU and final invoice by July 30th. Invoices must include the following information: subtask, title/position of staff, hourly rate by staff position, number of hours worked, date of hours worked, and description of work completed. All invoices are subject to review and verification by the City of XX.

B. City

1. Participate in coordination calls with all parties throughout the life of the project.
2. Provide a point-of-contact with name, title, and contact information.
3. Actively engage in the development of the City Homeless Plan including, being actively responsive to phone calls, emails and meetings.
4. Approve within (5) business days any items that can be approved by staff or (10) business days any items that need to be approved by general council or city manager.
5. Review and provide comments to consultant on deliverables as outlined in the attached RFP.
6. Participate in check-in calls and/or meetings with consultant and city staff. Participate in coordination calls with all parties.
7. Providing meeting space for communication related to this MOU and other events related to the development of the City Homeless Plan at no cost.
8. The City of XX will pay the SGVCOG 50% of the contracted fee upon receipt of the first invoice, within 60 days of the execution of this MOU; and the second and final payment on or before August 30, 2018.

III. PROJECT MANAGEMENT:

- A. For purposes of this MOU, the SGVCOG designates the following individual as its Project Manager:

Jan Cicco
 SGVCOG Regional Homelessness Coordinator
 1000 S. Fremont Ave, Unite 42
 Bldg A10-N, Suite 10210
 Alhambra, CA 91803
 626.457.1800
 jcicco@sgvcog.org

The SGVCOG reserves the right to change this designation upon written notice to the City of XX.

B. For purposes of this MOU, the City of XX designates the following individual as its Project Manager:

Name
Title
Address
Phone
email

C. Additional parties' contacts include the following individuals:

Marisa Creter
Interim Executive Director
San Gabriel Valley Council of Governments
mcreter@sgvcog.org

IV. DEFAULT:

- A. Default under this MOU is defined as any one or more of the following:
(i) The SGVCOG or the City of XX fail to comply with the terms and conditions contained in this MOU; (ii) The SGVCOG or the City of XX fails to perform satisfactorily or to make sufficient progress toward completion, or make a material change to the communication related to the MOU or budget without the SGVCOG's prior written consent or approval; or (iii) The SGVCOG or the City of XX is in default of any other applicable requirements.

V. REMEDIES:

- A. In the event of a Default by the SGVCOG or the City of XX a written notice of such Default will be provided and the SGVCOG or the City of XX shall provide a plan with a 30-day period to cure the Default. In the event that the SGVCOG or the City of XX fails to cure the Default, or commit to cure the Default and commence the same within such 30-day period and to the satisfaction of the affected party, the affected party may terminate this MOU.
- B. Effective upon receipt of written notice of termination the SGVCOG or the City XX of shall not undertake any new work or obligation with respect to this Agreement unless so approved in writing.

Subject to the SGVCOG agreement to provide prior written notice with a 30-day period to cure the default, the remedies described herein are non-exclusive. The SGVCOG shall have the right to enforce any and all rights and remedies herein or which may be now or hereafter available at law.

VI. TERMINATION:

- A. This MOU may be terminated by any party to the MOU at any time and for any reason. Termination will occur 30 days after written notice is issued by any party of intent to terminate the MOU. Such written notice shall be provided to all parties of this Agreement.
- B. This MOU may be terminated if exchange of services and levels of effort of parties does not meet parameters as outlined in this MOU.

VII. INSURANCE AND INDEMNITY:

- A. Neither the SGVCOG nor any of the Parties nor their respective officers or employees thereof shall be responsible for any damage or liability occurring by reason of anything done or committed to be done by the SGVCOG or the City of XX or their respective officers or employees under or in connection with the communication related to this MOU performed by, and/or service provided by SGVCOG or the Cities and their respective officers, agents, employees and subcontractors under this Agreement. The SGVCOG and the City of XX and their respective officers or employees shall each fully indemnify, defend and hold the SGVCOG, its subsidiaries and their respective officers, agents and employees harmless, individually and collectively, to the maximum extent allowed by law, from and against any liability, claims, losses, actions, and expenses, including without limitation, defense costs, any costs or liability on account of bodily injury, death or personal injury of any person or for damage to or loss of use of property, any legal fees and any claims for damages of any nature whatsoever arising out of or resulting from; (i) breach of the SGVCOG or the Cities, or their respective officers or employees' obligations under this MOU; or (ii) their own acts or omissions, of the SGVCOG or those of their officers, agents, employees, contractors or sub-contractors in the performance of the communication related to MOU or the provision of the services, unless caused solely by the negligence or willful misconduct of the SGVCOG.
- B. The City of XX shall indemnify, defend and hold the SGVCOG, and their respective subsidiaries, officers, agents and employees harmless, individually and collectively, to the maximum extent allowed by law, from and against any liability, claims, losses, actions, and expenses, including without limitation, defense costs, any costs or liability on account of bodily injury, death or personal injury of any person or for damage to or loss of use of property, any legal fees and any claims for damages of any nature whatsoever arising out of or resulting from; (i) breach of the SGVCOG's obligations under this MOU; or (ii) SGVCOG's own acts or omissions or those of its respective officers, agents, employees, contractors or sub-contractors in the performance of the communication related to MOU or the provision of the services, unless caused solely by the negligence or willful misconduct of SGVCOG or the City of XX .

VIII. OTHER TERMS AND CONDITIONS:

- A. The City of XX in the performance of the communication related to MOU are not contractors nor agents or employees of the SGVCOG and attests to no organizational or personal conflicts of interest and agree to notify the SGVCOG immediately in the event that a conflict, or the appearance thereof, arises. The City of XX shall not represent themselves as agents or employees of the SGVCOG and shall have no powers to bind the SGVCOG in contract or otherwise.
- B. This MOU, along with the applicable requirements of the SGVCOG, constitutes the entire understanding between the parties, with respect to the subject matter herein. The MOU shall not be amended, nor any provisions or breach hereof waived, except in writing signed by the parties who agreed to the original MOU or the same level of authority.
- C. In the event that there is any legal court (e.g., Superior Court of the State of California, County of Los Angeles, or the U.S. District Court for the Central District of California) proceeding between the parties to enforce or interpret this Agreement or the applicable requirements of the SGVCOG to protect or establish any rights or remedies hereunder, each party bear its own costs and expenses, including attorneys' fees.
- D. Neither party hereto shall be considered in default in the performance of its obligations hereunder to the extent that the performance of any such obligation is prevented or delayed by unforeseen causes including acts of God, floods, earthquake, fires, acts of a public enemy, and government acts beyond the control and without fault or negligence of the affected party. Each party hereto shall give notice promptly to the other of the nature and extent of any such circumstances claimed to delay, hinder, or prevent performance of any obligations under this MOU.
- E. Neither party shall assign this MOU, or any part thereof, without the prior written consent and prior approval of the other party, nor any assignment without consent shall be void and unenforceable.
- F. This Agreement shall be governed by California law and any applicable federal law.
- G. If any provision of this MOU is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions shall nevertheless continue in full force without being impaired or invalidated in any way.
- H. The terms of this MOU shall inure to the benefit of, and shall be binding upon, each of the parties and their respective successors and assigns.

This MOU constitutes the entire agreement between the parties with respect to the subject matter of this MOU and supersedes all prior and contemporaneous agreements and understandings.

For the City of XX

Signed: _____

Date: _____

For the San Gabriel Valley Council of Governments

Signed: _____

Date: _____

Attachment B

DESCRIPTION	AMOUNT
1. Create a plan logic model	\$100
2. Develop a process for responding to homeless inquiries and making appropriate referrals	\$150
3. Identify Homeless Prevention strategies	\$200
4. Conduct a SWOT analysis	\$250
5. Provide staff and community homelessness education as identified by the city	\$300
6. Assist city in identifying promising innovations and best practices that may apply to their plans	\$500
7. Develop a plan to expand rapid rehousing	\$500
8. Identify training opportunities. Provide one training session.	\$500
9. Employment strategies for homeless and those at-risk	\$750
10. Create measurement tools specific to population and plan	\$750
11. Evaluate and draft recommended policies addressing homelessness	\$750
12. Conduct a Community Engagement, Education and Support-Building Meeting	\$1,000
13. Develop Safe and Health Libraries strategies	\$1,000
14. Evaluate General Plan within homeless context	\$1,000
15. Evaluate zoning and Value Capture strategies	\$1,000
16. Develop homelessness toolkits for businesses and residents	\$1,000
17. Evaluate legislative activity and funding opportunities	\$1,000
18. Document and provide 1 training on how to increase supportive services including mental health and substance misuse; build trust and increase participation in services	\$1,250
19. Create a comprehensive funding plan specific to cities homeless strategies	\$1,500
20. Develop Safe and Health Parks, Trails, Riverbeds strategies	\$2,500
21. Develop Transit Corridors strategies	\$2,500
22. Conduct survey of city's homeless populations, create report, inform plan	\$2,500
23. Conduct a cost analysis of the impact of homelessness on core city services including police, public works, ambulance, jails and hospitals. Identify strategies to alleviate these costs	\$2,500

REPORT

DATE: December 14, 2017
TO: Governing Board
FROM: Marisa Creter, Interim Executive Director
RE: **SALARY RESOLUTION**

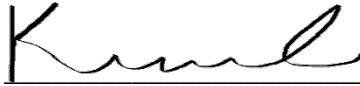
RECOMMENDED ACTION

Adopt Resolution 17-39 updating the salary and classification system to add all existing ACE positions.

SALARY RESOLUTION

On November 6, the Executive Committee approved the 4th Amendment to the SGVCOG's Joint Powers Agreement (JPA). When 19 member agencies adopt the amendment, the JPA is considered approved. This is anticipated to occur in early January. As soon as this occurs, ACE as an independent subsidiary of the SGVCOG will no longer exist and no longer have its own employees. Given this, Legal Counsel was directed to draft a resolution that updates the SGVCOG's existing personnel system to maintain existing pay and benefits of current ACE employees. See Attachment A for a full copy of this resolution.

Additionally, staff is currently in the process of hiring a firm to conduct a more detailed evaluation of the personnel system, including a classification and compensation study for all ACE/SGVCOG positions. However, this work is not anticipated to be completed until May, so this resolution was developed as an intermediary step for the integration of ACE and SGVCOG.

Prepared by: 
Katie Ward
Senior Management Analyst

Approved by: 
Marisa Creter
Interim Executive Director

ATTACHMENTS

Attachment A – Resolution 17-39

Attachment A

Resolution No. 17-39

Page 1 of 4

RESOLUTION NO. 17-39

A RESOLUTION OF THE GOVERNING BOARD OF THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS (SGVCOG) REGARDING EMPLOYMENT BENEFITS AND SALARY RATES FOR ALL CLASSES OF EMPLOYMENT

WHEREAS, in 2013, the Governing Board restructured the SGVCOG organization and added administrative employees who are assigned to the traditional Council of Governments functions including completion of the goals and objectives adopted in the SGVCOG's Strategic Plan and annual work plan, administration of grant programs, and coordination of the various policy and technical advisory committees;

WHEREAS, given the changes to the organization, the Governing Board is reviewing current practices and developing systems that reflect best industry practices and afford the greatest level of transparency and protection to the SGVCOG, its member agencies, the communities, and the employees including practices and policies related to the administrative and financial functions of the organization;

WHEREAS, on May 29, 2014, the Governing Board adopted Ordinance No. 100 which established an Administrative Code that created a personnel system;

WHEREAS, on July 17, 2014, the Governing Board adopted an Employee Policy and Procedures Manual that established a comprehensive set of rules, regulations and policies and a classification system designed to afford the greatest protection to the SGVCOG and its employees by clearly defining the expectations of employment, establishing a system for addressing and resolving areas of concern, and creating opportunities to mentor, train and develop personnel; and

WHEREAS, on September 18, 2014, the Governing Board adopted Resolution No. 14-23 establishing the employment benefits and salary rates for all classes of employment; and

WHEREAS, the Governing Board created the Alameda Corridor East Construction Authority (ACE) in 1998 as a section of the SGVCOG, separately administered by a Board made up of SGVCOG Board members, for the specific purpose of constructing railroad grade crossings and grade separations in a defined rail corridor generally paralleling the 60 freeway; and

WHEREAS, on August 17, 2017, the Governing Board voted to fully integrate ACE into the SGVCOG and thereafter adopted Resolution No. 17-34 to approve a proposed revision to the Joint Powers Authority Agreement governing the SGVCOG, to be considered by each Member Agency; and

WHEREAS, ACE has a group of employees who have a separate employee handbook and personnel rules, who are currently compensated based on a salary study taking into account the limited nature of the ACE Project and its anticipated dissolution upon completion of the Project; and

WHEREAS, a new salary study is being conducted to determine the appropriate pay and benefits for all SGVCOG employees in a fully integrated organization; and

WHEREAS, the Governing Board wishes to maintain existing pay and benefits of current ACE employees pending the outcome of the salary study and consideration of the proposed Joint Powers Authority Agreement by Member Agencies, which salaries and benefits are subject to change in the future.

NOW, THEREFORE, the Governing Board of the SGVCOG does hereby resolve, declare, determine and order as follows:

SECTION 1. The following bi-weekly salary schedules are assigned to the full-time classes of employment for ACE employees. Annual compensation is equal to 26 bi-weekly pay periods. Salary ranges shall be adjusted by CPI on January 1st of each year pursuant to the existing practice. These salary ranges and actual salaries are subject to change as determined by the Governing Board.

Position Title	Range Minimum		Range Maximum	
	Monthly Salary	Bi-Weekly Salary	Monthly Salary	Bi-Weekly Salary
Accounting Technician (2)	\$4,170.42	\$1,924.80	\$6,339	\$2,925.69
Administrative Assistant (2)	\$5,102.92	\$2,355.19	\$7,570.50	\$3,494.08
Administrative Services Manager	\$6,464.92	\$2,983.81	\$11,636.75	\$5,370.81
Labor Compliance/ Procurement Admin	\$5,426	\$2,504.31	\$8,314.75	\$3,837.58
Contracts Auditor	\$5,302.17	\$2,447.15	\$8,727.42	\$4,028.04
Contracts Manager	\$9,535.42	\$4,400.96	\$13,628.08	\$6,289.88
Director of Finance	\$11,636.75	\$5,370.81	\$16,768.83	\$7,739.46
Director of Government and Community Relations	\$12,674.42	\$5,849.73	\$19,307.25	\$8,911.04
Manager of Audits and Grants	\$6,814	\$3,144.92	\$12,265.25	\$5,660.88
Manager of Information Technologies	\$5,534.50	\$2,554.38	\$8,481.17	\$3,914.38
Program Manager	\$12,218.58	\$5,639.35	\$17,607.25	\$8,126.42
Secretary/Document Control	\$4,311.75	\$1,990.04	\$6,470.17	\$2,986.23
Senior Accountant	\$5,357.25	\$2,472.58	\$8,009.25	\$3,696.58
Senior Contracts Auditor	\$5,605.67	\$2,587.23	\$9,163.75	\$4,229.42
Senior Contracts Administrator	\$7,120.08	\$3,286.19	\$10,887.33	\$5,024.92
Senior Project Manager (4)	\$11,636.75	\$5,370.81	\$16,768.83	\$7,739.46
Utility Coordinator	\$7,487.08	\$3,455.58	\$11,228.58	\$5,182.42
Chief Executive Officer			\$21,211.75	\$9,790.03

SECTION 2. The ACE employees shall continue to receive their existing benefits pending completion of the salary study. These benefits are subject to change as determined by the Governing Board. All employees of the SGVCOG hired on or after the effective date of this Resolution shall pay the full amount of the employee member contribution to CalPERS.

SECTION 3. The SGVCOG reserves the right, in its sole discretion, at any time and from time to time, and upon a non-discriminatory basis, to amend or rescind any provision of this Resolution or any salary or benefit provisions, or to terminate any benefits or salary provisions. Such changes may apply to current and/or future employees. All salary and benefits in this Resolution are subject to meet and confer guidelines and shall be reviewed at least annually in their entirety.

SECTION 4. The Executive Director shall certify to the adoption of this Resolution and shall enter this Resolution into the official book of resolutions. This Resolution is effective upon its adoption.

PASSED AND ADOPTED by the Governing Board of San Gabriel Valley Council of Governments, County of Los Angeles, in the County of Los Angeles, State of California, on the 14th day of December 2017.

San Gabriel Valley Council of Governments

Cynthia Sternquist, President

Resolution No. 17-39

Page 4 of 4

Attest:

I, Marisa Creter, Interim Executive Director and Secretary of the Board of Directors of the San Gabriel Valley Council of Governments, do hereby certify that Resolution 17- __ was adopted at a regular meeting of the Governing Board held on the 14th day of December 2017 by the following roll call vote:

AYES:	
NOES:	
ABSTAIN:	
ABSENT:	

Marisa Creter, Secretary

SGVCOG / ACE Integration

	Activity	2017				2018						Status
		S	O	N	D	J	F	M	A	M	J	
JPA	Revise JPA to include changes to ACE and project and program processes											Completed.
	Submit revised JPA to GB for approval											Completed.
	Submit GB-approved JPA revisions to governing bodies for approval											Transmitted to cities for adoption week of November 6. 10 cities have adopted, 11 currently have it scheduled for adoption.
By-laws	Revise By-laws to include changes to ACE and project and program processes											Completed.
	Submit revised by-laws to GB for information											Completed
	Submit revised by-laws to GB for approval											Scheduled for the December 14 th Governing Board meeting.
	Based on JPA and Bylaws, hold elections for newly configured ACE Board											Draft election process submitted to Ad Hoc Committee in November for review and revision.
Project Identification	Develop process for project identification, development and approval											It is anticipated that this will begin in late December after meeting of ACE/SGVCOG staff working groups.
	Submit process for project identification, development and approval to GB											
	Develop and approve initial project list											
Personnel and Admin. Restructure	Conduct ACE/COG employee outreach											An initial combined meeting held was held in August. Staff has contracted with a change management consultant to assist with this process.
	Develop consolidated personnel system											RFP for salary study released on November 8th.
	Implement consolidated personnel system											Action pending start of new Executive Director.
	Develop consolidated admin and finance system											Action pending start of new Executive Director.
	Implement consolidated admin and finance system											Action pending start of new Executive Director.
Budget	Develop consolidated budget											Action pending start of new Executive Director.
	Present budget to GB for approval											
Office Space	Identify options for joint office space											
	Present office space options to GB for approval											