

MINUTES
SOUTH BAY CITIES COUNCIL OF GOVERNMENTS
THURSDAY, SEPTEMBER 24, 2009

Board Member McDowell called the South Bay Cities Council of Governments to order at 7:08 p.m. In attendance were the following voting members:

Kelly McDowell, El Segundo
Dan Medina, Gardena
Daniel Juarez, Hawthorne
Ralph Franklin, Inglewood
Robert Pullen-Miles, Lawndale
Ken Blackwood, Lomita
Wayne Powell, Manhattan Beach

Ellen Perkins, Palos Verdes Estates
Ken Dyda, Rancho Palos Verdes
Judy Mitchell, Rolling Hills Estates
Cliff Numark, Torrance
Dan Rosenfeld, County of Los Angeles
Steve Napolitano, County of Los Angeles

Other elected officials

Jim Goodhart, Palos Verdes Estates
Pam O'Connor, MTA Board Rep.

Also in attendance were the following persons:

Jacki Bacharach, SBCCOG
Azury Benouis, SBCCOG
Marilyn Lyon, SBESC
Alan Patashnick, MTA
Matt Horton, SCAG
Eleanor B. Jones, City of Torrance

Kim Turner, City of Torrance
John Parsons, SBWIB
Stan Myles, AQMD
Mike Bohlke, MTA Board Deputy

SELF-INTRODUCTIONS

FLAG SALUTE - LED BY BOARD MEMBER KEN DYDA, RANCHO PALOS VERDES

CONFIRM POSTING OF THE AGENDA BY EL SEGUNDO CITY CLERK

Executive Director Bacharach confirmed that the agenda was properly posted in the City of El Segundo.

ANNOUNCEMENT OF ANY CHANGES TO THE AGENDA

Jacki Bacharach announced that two items regarding the MTA would be discussed later in the meeting.

COMMENTS FROM THE PUBLIC. -- NONE

CONSENT CALENDAR

- A. August 2009 Board Meeting Minutes – **Approve.**
- B. Contract renewal with Heidi Aten (attachment) -- **Approve**
- C. LUV Project Implementation (*attachment*) – **Approve**
- D. Status of Legislation upon which SBCCOG has a position (*attachment*) – **Receive and File**

MOTION by Board Member Mitchell, seconded by Board Member Perkins, to approve the consent calendar, as presented. No objection. Board Member Blackwood abstained from approval of minutes. So *ordered*.

REPORTS FOR POSSIBLE ACTION

South Bay Environmental Services Center Updates

Jacki Bacharach noted that the full report was distributed prior to the meeting.

Marilyn Lyon reported on the Center's first volunteer training; noted that a decision was approved today by California Public Utilities Commission on the next cycle of funding and work scope that will be the basis of the SBCCOG contract with the utilities. This decision creates a new 3-year program, with the bridge funding being continued for the rest of next of this year.

She also distributed a list of upcoming events. She added that the AB 811 program for homeowners to put energy efficiency improvements on the property tax bill will be available in the spring.

Jacki Bacharach reported that the SBESC is participating in at least one new grant with the South Bay Workforce Investment Board (WIB) dealing with "Green Jobs" wherein they reach out to companies and help identify jobs that will be needed. The WIB will be identifying audit-type and construction jobs. The grant is for \$20,000.

Jacki Bacharach explained that most of the people who work at the SBESC no longer qualify as contractors. She reviewed the proposed policies and asked for direction and approval of the policy manual. Job descriptions will be presented for approval at the next Board meeting, after which time the job offers will be made and employees will begin January 1.

Jacki answered several questions related to the policy manual, including but not limited to administration of the policies, software piracy, insurance stipends, prohibited conduct, dismissal policies, and whether employees are 'at will.'

With regard to software piracy, Board Member Dyda expressed concern that the policy ignores the fact that there should be some controls. He said management should be aware of what's being downloaded and what the cost is, if any, as well as making sure the software isn't going to cause problems later on.

With regard to the insurance stipend (item 5.3), Board member Dyda expressed concern that it is rather open-ended, noting that while it may not be desirable to specify an amount, the amount should be limited or it may open up to some legal action if an employee thought they had something and they didn't get it.

Jacki suggested that this be changed to refer to a benefits policy rather than part of the policy manual, and then it could be modified each year with the adoption of the annual budget..

Regarding prohibited conduct and safety, Board Member Blackwood asked if there is anything regarding specific acts, noting that "unsafe work practices" is vague and perhaps it would be better to site the California vehicle code or something that is part of the law.

Board Member Mitchell explained that the policy includes a list of prohibited conduct within the scope of employment. She said that employment is at will means the employee can be fired for any reason so it is better to avoid any reference to "cause for termination".

Board Member Goodhart (PVE) said that most companies have employment at will and they have policies regarding dismissal, with progressive techniques for firing or training.

MOTION by Board Member Mitchell to approve the manual in concept subject to further review by legal counsel and incorporation of comments related to network capabilities, downloading of software, referring to benefits policy when talking about the insurance stipend, and where the memo conflicts with the policy (6 months vs. 90 days) using the 90 days. **MOTION** seconded by Board Member Blackwood. No objection. So ordered.

METRO REPORT

3% Local Match

Jacki Bacharach explained that the requirement for a 3% local match policy for transit was not adopted at the MTA. It says if an area is going to be part of the rail system, the city the rail will go through will pay 3% of the cost. She said this is based on some local match the City of Los Angeles has provided on other lines and Metro is considering making this consistent for every rail transit project.

Jacki said the second part of the proposed policy was that the COGs would be the arbiters of how that 3% would be raised. She said she has sent an email that the COG doesn't want to pay 3%, noting that paying for 20 years without receiving anything should count for the 3%. She further noted that Metro can't give the COG the power to charge the cities; she has heard that the policy may be shelved because of objections by other cities and COGs..

Pam O'Connor said Metro staff is starting to "float" some ideas and this one probably comes from a model. She said she will be chairing a Measure R Committee, which will be a venue where we can have this type of discussion, noting that the South Bay Cities are not the only ones that will be concerned. Discussion will include whether there will be a match and, if so, what it will be. She said this is a staff idea and will have to be discussed in public, with cities weighing in.

Jacki Bacharach suggested the COG send a letter documenting the COGs position in order to have it on file.

Board Member Dyda said before taking action, the COG should look carefully at Measure R and see if it provides that option. If it doesn't, then drop it.

Board Member Franklin said he chairs the South Bay Metro Governance Council and has put it on the agenda for October 9 at 9:30 a.m. He suggested staff attend and ask the questions at the meeting.

Crenshaw Transit Corridor

Jacki Bacharach said the decision on the Crenshaw technology is approaching. She recommended sending a letter supporting the light-rail alternative, noting that the bus alternative doesn't create a system with the Green Line and Harbor Subdivision corridors.

Dan Rosenfeld (LA County) said this goes far beyond the Crenshaw right-of-way, noting that the decision is whether to use light-rail or bus transit. If we want light-rail in the South Bay, then establishing a precedent at Crenshaw would allow it to come down Crenshaw over to Aviation, and eventually on to the Galleria. If it were to go north it could go up to Wilshire and over to La Brea, over to Hollywood-Highland, and this sets a precedent that affects the South Bay.

Chairman McDowell recommended sending a letter to support light-rail rather than bus. There was no objection. So ordered.

Board Member Mitchell said she recently attended **Mobility 21** and noted that the other counties came in the seminar with coalitions of private/public partners that push transportation projects. Their private sector partners builders, consultants and others who have a lot of power. The South Bay doesn't do this but she thinks we should perhaps join forces with the West Side COG to start gathering private business partners to give us more power and a bigger voice with these transportation issues.

Board Chair McDowell said the coalition building is not that difficult, and there is some of it already in place—but we need to "connect the dots."

Pam O'Connor said that LA Councilman Rosendahl represents the piece between the South Bay and Westside and we can work together as a coalition, noting he has been very open to working with the

COG in finding ways to build up a coalition. She said there are several days where they would like to pack the hall at the Metro building; October 14 & 22; Nov. 18 and December 10.

Steve Napolitano said that it is hard to get the South Bay motivated because they know what they're against. He said while people will protest against something, it takes a commitment to get people to fight for something.

Board member Mitchell agreed to spearhead the effort.

Crenshaw Corridor Name Change Proposal

Chair McDowell said that for study purposes this line is called the "Crenshaw/Prairie Corridor". Eventually when it is built it will get a color. Crenshaw sounds like a small area but it serves and is supported from a broader area than just the Crenshaw area. Adding LAX or South Bay to the name shows that it is a regional system. Supervisor Ridley-Thomas has proposed Crenshaw/South Bay as a working title. Chair McDowell suggested a better name choice might be "Crenshaw LAX Corridor."

Jacki Bacharach suggested everyone think about possible names and bring back suggestions at the next meeting.

Measure R Highway Funds: Jacki explained that there are \$906 million for highway projects in the South Bay that are adjacent to the freeway include the 105, 110, 405 and 91 freeway onramps, off-ramps, and interchanges. SBCCOG staff has asked city staff members from cities adjacent to freeways to submit their projects to the COG for possible funding from this source. MTA has said we can propose projects that are a half-mile from the onramps and off-ramps to help the traffic flow,

Metro has been asked for \$1 million in funding to do an implementation plan and they have said it can come out of the \$906 million. Also, there has been a spending plan that calls for access to the first \$237 million in the first 10 years. SBCCOG staff will be asking for help from Metro staff to write an implementation RFP to get a consultant on board to begin the implementation plan..

Metro Update and Discussion of Budget Deliberations re: Harbor Subdivision

Pam O'Connor reported on actions taken at the recent MTA Board meeting, including:

Metro Advocacy for Federal Funding of projects: The Board unanimously passed a resolution to submit to the FTA a package of projects that includes the western extension and regional connector packaged together. This essentially gives the MTA and its local and federal supporters another 12 months to vigorously advocate for a 50% to 40% federally matching funds for these projects before we face a situation of potentially having to "prioritize" one project over another.

Long Range Plan: In October the Board will take up the Long Range Transportation Plan (LRTP) and how to fund projects in Measure R such as Crenshaw and Foothill with Measure R funds and other local and state funding sources.

Congestion Relief Funds: An additional \$1 million dollars was identified for use on the Harbor Transitway Upgrades Project through a transfer of funds.

Call for Projects: The Board approved the Call for Projects; unused funds will be applied to projects currently unfunded and just "below the line" including a South Bay city projects.

Breda Car Option: The Board approved a motion to instruct the CEO to proceed with the Breda car if, and only if, it meets a variety of stringent conditions such as securing a \$75 million dollar irrevocable letter of credit in an American bank, the Finmeccanica, their parent company complies with US regulations as the guarantor of the Breda conditions and an assorted list of existing car and new car specification corrections. In her opinion, given their past performance and problems encountered over the past year in trying to arrive

at this juncture, it is difficult to picture Breda actually complying with the terms and conditions set down in the motion.

Board Member Announcements

Board Member Franklin thanked Jacki Bacharach and staff for working with Inglewood's team, noting they now have electric cars in their fleet. He added that as a result of the workshop held in the summer regarding team efforts between school boards and councils, Inglewood will be holding a meeting of council and school board members, as well as school superintendent and city manager—the dream has come a reality.

Board Member Mitchell said the Palos Verdes cities and school board CCS partnership meeting is working on one thing they can do collectively—alleviate traffic congestion on Palos Verdes Drive North, starting with working on a “walking school bus” with the kickoff date October 12. She noted that October 7 is National Walk To School Day.

Board member Powell commended Judy Mitchell on an outstanding League of California Cities conference and her presentation.

SBCCOG UPDATE AND COMMITTEE REPORTS – Jacki Bacharach

Jacki reviewed the written report provided in the packet, and added the following information:

1. Compass project from SCAG regarding mixed-use sustainable land use strategies starts in November
2. The Sustainable Strategies Report is available on the website;
3. The Board has approved exploring a relationship with Enterprise for the LUV vehicles; November 5th in El Segundo; AQMD grant allows us to get 5-6 vehicles; we could lease them with the option to buy at the end of the program; some are more valuable to cities than others so we want to get vehicles that will be useful at the end of the program.
4. WB Municipal Water District tours offered of their Water Recycling Facility; need advance reservation;
5. AB 811; county will ask the COG to send them a letter of support on behalf of all of the cities; can market it in January; money should be available in June.
6. Holiday lights at the Environmental Services Center; regular lights traded for LED lights;

Board Members Ken Dyda and Medina reported on their experience with the MINI E..

AGENCY REPORTS

League of California Cities (Cliff Numark)

Board member Numark reported that the big issue is the “100 for 100” campaign, wherein every council member is trying to gather a hundred signatures and donate \$100 for a ballot measure that says “no borrowing, never”. He encouraged all councilmembers to participate and to raise the funds as well as get signatures.

He reported that the Oct 1st LA County League meeting will be held at the MWD headquarters. On October 8 at the Redondo Beach historic library will be a discussion on “how to deal with emotional audiences”, and everyone is encouraged to invite commissioners and council members to this free event.

South Coast Air Quality Management District (Stan Myles)

Stan Myles encouraged cities to send support for SB 727. He talked about the tree planting program, noting that applications ended July 31st and he will notify cities when it opens up again, encouraging all cities to get involved.

Regional Council (Judy Mitchell, Judy Dunlap, Susan Rhilinger)

RC recently heard a presentation from Orange County regarding the paradigm project on water reclamation and ground water replenishment. The news from Regional Council is that they will combine the GA and Regional Council Retreat this year to encourage better attendance.

UPCOMING EVENTS & ANNOUNCEMENTS

Jacki Bacharach reported

- ◆ Sheriff Baca will hold a press event in Lomita to announce a pilot program on “No Drugs Down the Drain” project.
- ◆ October 24th is National Climate Action Day;
- ◆ The November 19th Board meeting will include a volunteer recognition reception;

ADJOURNMENT

There being no further business, Board Member Mitchell moved, seconded by Board Member Perkins to adjourn the meeting at 9:05 p.m.

Respectfully submitted,

Merna Marshall
Minutes Secretary