NO. 444

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

July 31, 2003

MINUTES

THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN BY THE REGIONAL COUNCIL. AUDIO CASSETTE TAPE OF THE ACTUAL MEETING IS AVAILABLE FOR LISTENING IN SCAG'S OFFICE.

The Regional Council of the Southern California Association of Governments held its meeting at the SCAG Offices downtown Los Angeles. The meeting was called to order by the President, Mayor Bev Perry, City of Brea. There was a quorum.

Members Present

Mayor Bev Perry, Brea, President	District 22
Mayor Ron Roberts, Temecula, 1st Vice President	District 5
Supervisor Yvonne Burke, Los Angeles County	
Supervisor Paul Biane, San Bernardino County	
Supervisor Hank Kuiper, Imperial County	
Supervisor Marion Ashley, Riverside County	
Supervisor Chirs Norby, Orange County	
Councilmember Jo Shields, Brawley	District 1
Councilmember Greg Pettis, Cathedral City	District 2
Councilmember Charles White, Moreno	District 3
Mayor Ron Loveridge, Riverside	District 4
Councilmember Lee Ann Garcia, Grand Terrace	District 6
Mayor Bill Alexander, Rancho Cucamonga	District 9
Councilmember Gary Ovitt, Ontario	District 10
Mayor Lawrence Dale, Barstow	District 11
Mayor Richard Dixon, Lake Forest	District 13
Councilmember Tod Ridgeway, Newport Beach	District 14
Councilmember Lou Bone, Tustin	District 17
Councilmember Alta Duke, La Palma	District 18
Councilmember Richard Chavez, Anaheim	District 19
Councilmember Art Brown, Buena Park	District 21
Councilmember Paul Bowlen, Cerritos	District 23
Councilmember Gene Daniels, Paramount	District 24
Councilmember Keith McCarthy, Downey	District 25
Councilmember Frank Gurule, Cudahy	District 27
Councilmember Bonnie Lowenthal, Long Beach	District 29
Councilmember Tonia Reyes-Uranga, Long Beach	District 30
Mayor Pro Tem Bea Proo, Pico Rivera	District 31

Members Present – Cont'd

Councilmember Margaret Clark, Rosemead	District 32
Councilmember Dick Stanford, Azusa	District 33
Councilmember Paul Talbot, Alhambra	District 34
Councilmember Harry Baldwin, San Gabriel	District 35
Councilmember Sid Tyler, Pasadena	District 36
Councilmember Tom Sykes, Walnut	District 37
Councilmember Llewellyn Miller, Claremont	District 38
Councilmember Paul Nowatka, Torrance	District 39
Mayor Pro Tem Sandra Jacobs, El Segundo	District 40
Councilmember Pam O'Connor, Santa Monica	District 41
Councilmember Bob Yousefian, Glendale	District 42
Councilmember Dennis Washburn, Calabasas	District 44
Vice Mayor Toni Young, Port Hueneme	District 45
Councilmember Carl Morehouse, San Buenaventura	District 47
Councilmember Tom LaBonge, Los Angeles	District 51
Councilmember Ted Burgnon, Town of Apple Valley	District 65

Members Not Present

Supervisor Zev Yaroslavsky	County of LA
Supervisor Judy Mikels	Ventura County
Councilmember Susan Longville, San Bernardino	District 7
Councilmember Deborah Robertson, Rialto	District 8
Councilmember Cathryn De Young, Laguna Niguel	District 12
Councilmember Ron Bates, Los Alamitos	District 20
Councilmember Melanie Andrews, Compton	District 26
Councilmember Judy Dunlap, Inglewood	District 28
Councilmember Mike Dispenza, Palmdale	District 43
Councilmember Glen Becerra, Simi Valley	District 46
Councilmember Ed Reyes, Los Angeles	District 48
Councilmember Wendy Greuel, Los Angeles	District 49
Councilmember Dennis Zine, Los Angeles	District 50
Councilmember Jack Weiss, Los Angeles	District 52
Councilmember Alex Padilla, Los Angeles	District 54
Councilmember Jan Perry, Los Angeles	District 56
Councilmember Nate Holden, Los Angeles	District 57
Councilmember Cindy Miscikowski, Los Angeles	District 58
Councilmember Eric Garcetti, Los Angeles	District 60
Councilmember Nick Pacheco, Los Angeles	District 61
Councilmember Janice Hahn, Los Angeles	District 62
Councilmember Jeff Miller, Corona	District 63
Mayor James Hahn, Los Angeles	At-Large
Mayor Bill Davis, Simi Valley	VCTC
Councilmember Robin Lowe, Hemet	RCTC

Staff Present

Mark Pisano, Executive Director
Jim Gosnell, Deputy Executive Director
Bert Becker, Chief Financial Officer
Karen Tachiki, Chief Counsel
John Cox, Director, Planning & Assessment
Hasan Ikrata, Acting Director, Planning & Policy
Jim Sims, Director, Information Services
Shelia Stewart, Executive Assistant

1.0 CALL TO ORDER & PLEDGE OF ALLEGIANCE

Led by Councilmember Lee Ann Garcia, City of Grand Terrace.

2.0 PUBLIC COMMENT PERIOD

There were no comments presented at this time.

3.0 ACTION ITEMS

3.1 Approval Items

The following consent calendar items were MOVED (Bone), SECONDED (Mikels) and UNANIMOUSLY APPROVED:

3.1.1 Approve Minutes of June 5, 2003

There was an administrative correction on page 10 item 4.4.1. It was noted for the record that the RC voted to oppose AB 1221 (Steinburg/Campbell).

3.1.2 Approval of Contracts

- Cambridge Systematics, Inc.
- KPMG, LLP
- Meyer, Mohaddes Associates, Inc.
- Sierra Commercial Real Estate Services, Inc.

3.1.3 Approval of Resolution re: Acceptance of Intelligent Transportation Systems (ITS) Grant Funds

3.1.4 Approval to submit a grant to the U.S. EPA requesting $200,000 to "Plan Organize & Conduct a National Air Quality & Smart Growth Workshop:

3.1.5 Approve Draft Disadvantaged Business Enterprise (DBE)Goals for FY 03-04

3.1.6 Authorize SCAG staff to execute a MOU with the San Diego County Regional Airport Authority to accept funds in order to include San Diego County into the So. Calif. Airport Demand Model

3.1.7 Authorization for SCAG staff to seek amendments To Senate Bill 458 (creation of the Southwest Regional Border Authority)

3.1.8 Approve Request to Perform Transportation Demand Model Analysis for RCTC

3.1.9 Approve sister agency relationship with Seoul Development Institute to promote joint Research & Exchange of Technical Information

3.10 Authorization to host a visiting planner program For high ranking members of Seoul Metropolitan Government

3.11 Oppose Sponsoring Subregional COG - Events

3.12 Approve Sponsorship of the So. California Leadership Class XIV and program

3.2 Receive & File

3.2.1 Conflict of Interest

3.2.2 Contracts & PO's between $5,000 - $25,000

3.2.3 Summary of Key Issues and Actions taken by the Policy Committees in June

3.3 PRESIDENT'S REPORT

President Perry acknowledged welcomed the following new RC members Supervisor Marion Ashley, Riverside County; Supervisor Chris Norby, Orange County; and Councilmember Ted Burgnon, Apple Valley, representing the newly created District # 65

3.3.1 Appointments

Regional Council Members to Administration and Policy Committees
Bev Perry, Brea, OCCOG, President
Ron Roberts, Temecula, WRCOG, 1st Vice President
Ron Bates, Los Alamitos, OCCOG, Past President
Richard Dixon, Lake Forest, OCCOG, Admin. Chair
Sid Tyler, Pasadena, SGVCOG, Administration V Chair

Bill Alexander, Rancho Cucamonga, SANBAG, CEHD Chair
Alta Duke, La Palma, OCCOG, CEHD Vice Chair
Toni Young, Port Hueneme, VCOG, EEC Chair
Hank Kuiper, Imperial County, IVAG, EEC Vice Chair
Lee Ann Garcia, Grand Terrace, SANBAG, TCC Chair
Harry Baldwin, San Gabriel, SGVCOG, TCC Vice Chair
Bob Yousefian, Glendale, Arroyo Verdugo Cities
Keith McCarthy, Downey, Gateway Cities
Dennis Washburn, Calabasas, LVMCOG
Mike Dispenza, Palmdale, North LA County
Sandy Jacobs, El Segundo, South Bay Cities
Pam O'Connor, Santa Monica, Westside Cities
Greg Pettis, Cathedral City, CVAG

To EEC: Marion Ashley, Riverside County

Nominating Committee
Paul Biane, San Bernardino County
Alta Duke, La Palma, Orange County
Judy Mikels, Ventura County, *Chair*
Greg Pettis, Cathedral City, Riverside County
Dick Stanford, Azusa, Los Angeles County
Jo Shields, Brawley, Imperial County

TDA Task Force
Marion Ashley, Riverside County, RCTC
Chris Norby, Orange County, OCTA

The following appointments were tabled until all forms are submitted:

Strategic Plan Implementation Task Force
Lou Bone, Tustin
Greg Pettis, Cathedral City
Tom Sykes, Walnut
Dennis Washburn, Calabasas
Toni Young, Port Hueneme

Water Policy Task Force
Marion Ashley, Riverside County

3.3.2 Report on the June 5th Retreat
Information Only

Mayor Perry gave a brief overview of the retreat. She reported that the retreat was held in the City of Brea and was a successful event. Several topics including Operation Jump Start as well as Committee & Task Force membership were discussed. As a result of the retreat discussions. RC members were asked to complete committee preference forms.

President Perry stated that the process will allow a better understanding of how many members currently serving on committees as well as help determine an equitable membership participation on each committee.

3.3.3 Operation Jump Start

Mark Pisano gave a power point presentation on the Operation Jump Start Program. At the conclusion of his presentation, three recommendations were presented for RC consideration. After discussion the RC approved the following the recommendation with the following changes: ~~Initiate~~ *Evaluate* Operation Jump-Start as a Regional 2003-2004; Direct staff to perform outreach and seek stakeholder involvement in Operation Jump-Start; and ~~Initiate~~ *Explore* a comprehensive legislative strategy

3.3.4 Call for a Special General Assembly be held on September 4, 2003 in conjunction with the regular meetings

It was MOVED, SECONDED and UNANIMOUSLY APPROVED to waive reading and approve the resolution calling for a special general assembly for purposes of considering a bylaws amendment regarding filling the vacancy of 2nd VP seat.

3.4 EXECUTIVE DIRECTOR'S REPORT

Mark Pisano stated that his report was emailed to the RC on Monday, July 28, 2003 close of business. Due to the time he stated that he would answer any questions regarding the report after the meeting. Additionally he announced that all consultants, subregional consultants as well as the subregions have been notified numerous times that their invoices for FY 03 work must be delivered to SCAG by July 31, 2003. Postmarks will not count. Mr. Pisano stated that the policy must be adhered to, in order to meet the deadline established for closing the fiscal year and submitting the required reports. He also stated that no exceptions will be made.

4.0 ACTION ITEMS

4.1 Administration Committee Report

4.1.1 Authorization for Executive Director to execute necessary documents for the transition of TranStar & Rideshare Related Programs

It was MOVED (Dixon), SECONDED (Sykes) and UNANIMOUSLY APPROVED to approve the authorization.

4.2 Transportation & Communications Committee (TCC) Report

4.2.1 Actions taken at the June 5, 2003 TCC Meeting on Maglev

Councilmember Garcia stated that the TCC voted to support the original Maglev initial operating segment (IOS) from West Los Angeles to Ontario. In addition staff was directed to continue to work with those cities that have shown a financial interest in further developing a Maglev system in their areas with Ontario as a primary IOS.

It was MOVED (Garcia), SECONDED (Stanford) and UNANIMOUSLY APPROVED.

4.3 Energy & Environment Committee (EEC) Report

4.3.1 SB 20 (Sher) Solid Waste: Electronic Waste Recovery, Reuse & Recycling

Senate Bill 20, introduced by Byron Sher (D-Palo Alto), creates the Hazardous Electronic Waste Recovery, Reuse, and Recycling Act of 2003. SB 20 defines "hazardous electronic devices" and prohibits their sale in California unless the manufacturer implements a take-back plan or pays a fee to cover the cost of a waste recovery program. The California Integrated Waste Management Board (CIWMB) is empowered to impose civil penalties for violations and to review, amend, approve or disapprove waste recovery plans.

By establishing a take-back program that removes electronic waste from landfills, SB 20 encourages solid waste diversion per AB 939's requirements and protects the public health by reducing the presence of hazardous materials in solid waste facilities and, ultimately, ground water.

It was MOVED (Young), SECONDED (Washburn) with one ABSTENTION (Norby) to support & amend SB 20 as recommended by the EEC.

4.3.2 Federal 8-Hour Ozone National Ambient Air Quality Standard

EPA is currently taking comments on its Proposed Rule to Implement the 8-hour ozone standard and intends to issue a final rule by the end of 2003. The 8-hour standard is more protective of public health and more stringent than the 1-hour standard.

The South Coast Air Basin (SCAB) will be classified as a severe non-attainment area for the 8-hour standard and must submit an attainment demonstration plan with three years of designation. The SCAG would have 17 years from that date of designation to demonstrate attainment

(April 2021). EPA is currently proposing two options for the transition of the 1-hour standard to the 8-hour standard.

The EEC recommended that the Regional Council support Option 1 to implement the 8 -hour standard with revocation of the 1–hour standard provided that anti-backsliding measures be implemented. Those anti-backsliding measures are safe guards to ensure that air quality is not worsen for the area nor relaxed.

Public Comment

Oscar Abarca, Deputy Executive Officer, and Pom Pom Gamguli, Public Advisor, SCAQMD, presented comment opposing SCAG staff's recommendation approve Option 1.

It was MOVED (Young), SECONDED (Kuiper) with one NOE (Pettis) and ABSTENTION (Loveridge) to APPROVE Option 1.

4.3.3 Letter to Senator Byron Sher

At the request of the Chair of the EEC, prepared a draft a letter to Senator Sher opposing an amendment to AB 939 which establishes the fifty percent solid waste diversion requirement for cities and counties by the year 2000. However the EEC decided to recommend not forwarding the letter rather replace it with a policy from SCAG noting that without consultation with counties and cities, there should be no legislation to increase diversion rates or tipping fees.

It was MOVED (Young), SECONDED (Loveridge) and UNANIMOUSLY APPROVED to approve a policy be implemented opposing any increase in diversion rates or tipping fees without discussion with cities and counties.

4.4 **Community, Economic & Human Development (CEHD) Report**

Added Agenda Item

Councilmember Duke, Vice Chair, stated that the CEHD discussed SB 18 and recommended opposing the bill unless amended. The CEHD request that the RC take an emergency action to add SB 18 on the agenda for action. The reason for the emergency is that SCAG became aware of the rapid progress of the bill after the posting of the agenda. It was MOVED, (Duke), SECONDED (White) and UNANIMOUSLY APPROVE to place SB 18 on the agenda.

Public Comment

Todd Priest, BIA, presented comments to the Regional Council opposing SB 18 (Burton).

It was MOVED (Duke), SECONDED (Bone), with one ABSTENTION (Roberts) and APPROVED to oppose SB 18 unless amended.

4.5 **Communications Task Force Report**

No report at this time.

5.0 INFORMATION ITEMS

5.1 Monthly Financial Report May & June

Bert Becker, CFO, stated that the report contains financial data related to SCAG's cash flow, as well as preliminary budget and expense data as of June 30, 2003. Mr. Becker noted that the report is preliminary due to June 30 being the end of the fiscal year. The accounting will remain open to record financial transactions until the end of July.

6.0 FUTURE AGENDA ITEMS

No requests presented at this time.

7.0 LEGAL COUNSEL REPORT

7.1 Closed Session

Colin Lennard, General Counsel, announced that Regional Council should convene into closed session pursuant to California Government Section §54956.9(a) SCAG v. HCD & BT&H.

It was MOVED (Young), SECONDED (Bone) and UNANIMOUSLY APPROVED to enter into closed session.

- HDR Appeal
  Conference with Legal Counsel – anticipated litigation
  Significant exposure to litigation pursuant to California Government Code Subdivision C §54956.9 (one potential case)

- SCAG v. HCD & BT&H
  Conference with Legal Counsel - existing litigation to be heard in closed session in pursuant to California Government Code Section §54956.9(a)

The Regional Council reconvened at 1:55 p.m. It was reported that there was no action taken under closed session.

8.0 ANNOUNCEMENTS

No announcements at this time.

9.0 ADJOURNMENT

There being no further business the meeting adjourned at 2:00 p.m. The next meeting is scheduled for Thursday, September 4, 2003 at SCAG Offices.

Mark Pisano, Executive Director