



# AGENDA

## **Orange County Council of Governments Board of Directors' Regular Meeting**

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Orange County Transportation Authority Headquarters  
First Floor – Conference Room 103/104  
600 South Main Street, Orange, California  
**Thursday, June 24, 2010 - 10:30 a.m. to 12:00 p.m.**

### **Board Members**

Mark Waldman, Chairman, OCSD  
Sharon Quirk-Silva, Vice Chair, District 21  
Paul Glaab, District 12  
Richard Dixon, District 13  
Sukhee Kang, District 14  
Leslie Daigle, District 15  
Michele Martinez, District 16  
John Nielsen, District 17  
Leroy Mills, District 18  
Bob Hernandez, District 19  
Andy Quach, District 20  
John Beauman, District 22  
Gil Coerper, District 64  
Bob Ring, Cities At-Large

John Moorlach, County At-Large  
Phil Anthony, ISDOC  
Art Brown, OCTA  
***Vacant***, SCAG – County Representative  
Bill Campbell, SCAQMD – County Representative  
Bert Hack, TCA  
Peter Herzog, OCD, LOCC  
Kristine Thalman, Building Industry  
Elizabeth Toomey, University Representative  
Kate Klimow, Business Community  
Julie Puentes, Health Care/Hospital Industry  
Karen Roper, Housing (Non-Profit) Community  
Joyce Crosthwaite, LAFCO

### **Agenda Descriptions**

The agenda descriptions are intended to give members of the public a general summary of items of business to be transacted or discussed. The posting of the recommended actions does not indicate what action will be taken. The Board of Directors may take any action which it deems to be appropriate on the agenda item and is not limited in any way by the notice of the recommended action.

### **Public Comments on Agenda Items**

Members of the public wishing to address the Board of Directors regarding any item appearing on the agenda may do so by completing a Speaker Card's and submitting it to the Clerk of the Board. Speakers will be recognized by the Chairman at the time the agenda item is to be considered. A speaker's comments shall be limited to three (3) minutes.

### **Public Availability of Agenda Materials**

All documents relative to the items referenced in this agenda are available for public inspection at [www.octa.net/occog.aspx](http://www.octa.net/occog.aspx) or through the Clerk of the Board's office at the OCTA Headquarters, 600 South Main Street, Orange, California.

### **Accessibility**

Any person with a disability who requires a modification or accommodation in order to participate in this meeting should contact the Clerk of the Board, telephone (714) 560-5676, no less than two (2) business days prior to this meeting to enable OCTA to make reasonable arrangements to assure accessibility to this meeting.



# AGENDA

## Orange County Council of Governments Board of Directors' Regular Meeting

### Call to Order

### Roll Call

### Pledge of Allegiance

Board Member Alternate Brothers

### Consent Calendar (Items 1 and 2)

All matters listed under the Consent Calendar are routine and will be enacted by one vote without separate discussion unless Members of the Board, the public, or staff request specific items be removed for separate action or discussion.

#### 1. **Approval of Minutes of the May 27, 2010, Board of Directors' Meeting**

Recommended Action: Approve the Minutes of the May 27, 2010, Board of Directors' meeting, as presented or amended.

#### 2. **Orange County Council of Governments' Financial Report**

Tom Wulf, Treasurer

Recommended Action: Receive and file as an information item

### Regular Items

#### 3. **Presentation on Los Angeles County Mobility Hubs**

Derek Fretheim, Acire Inc.

Kristine Murray, Executive Director

Recommended Action: Receive and file as an information item.

#### 4. **Presentation on the San Diego Regional Water Quality Control Board's National Pollutant Discharge Elimination System requirements for the South Coast Water District's Groundwater Recovery Facility**

Laer Pearce, Laer Pearce & Associates

Kristine Murray, Executive Director

Recommended Action: Direct staff to send support letter to the Chair, State Water Resources Control Board.



# AGENDA

## Orange County Council of Governments Board of Directors' Regular Meeting

5. **Approval of Payment for Orange County Council of Governments' Administrative Services per the Contract Terms of the Board-adopted Cooperative Agreement for Administrative Services with the Orange County Transportation Authority**

Dave Simpson, Deputy Executive Director

Recommended Action: Approve payment to Orange County Transportation Authority.

6. **State Legislative Matrix**

Kristin Essner, Government Relations Representative, Orange County Transportation Authority

Recommended Action: Receive and file as an information item

## **Reports**

7. **Chairman's Report (Verbal)**

Chairman Waldman

8. **Executive Director's Report**

Kristine Murray

9. **Technical Advisory Committee Report**

Marika Modugno, Technical Advisory Committee Chair

10. **Public Comments**

At this time, members of the public may address the Board of Directors regarding any items within the subject matter jurisdiction of the Board of Directors, but no action may be taken on off agenda items unless authorized by law. Comments shall be limited to three (3) minutes per speaker, unless different time limits are set by the Chairman subject to the approval of the Board of Directors.

11. **Board Members' Reports**

12. **Member Agencies' Reports**

13. **Staff Members' Reports**

14. **Adjournment**

The next regularly scheduled meeting of this Board will be held from **10:30 a.m. to 12:00 p.m. on Thursday, July 22, 2010**, at the Orange County Transportation Authority Headquarters.





# MINUTES

## *Orange County Council of Governments Board of Directors' Meeting*

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### **Call to Order**

The regular meeting of the Orange County Council of Governments was called to order by Chair Waldman at 10:30 a.m. on Thursday, May 27, 2010, at the Orange County Transportation Authority Headquarters, 600 South Main Street, Conference Room #103/104, Orange, California.

### **Roll Call**

#### **BOARD MEMBERS PRESENT**

Mark Waldman, Chairman, OCSD  
Sharon Quirk-Silva, Vice Chair, District 21  
Phil Tsunoda, District 12 Alternate  
Richard Dixon, District 13  
Sukhee Kang, District 14  
Cheryl Brothers, District 15, Alternate  
Michelle Martinez, District 16  
John Nielsen, District 17  
Leroy Mills, District 18  
Andy Quach, District 20  
John Beauman, District 22  
Milt Robbins, Cities At-Large, Alternate  
John Moorlach, County At-Large  
Phil Anthony, ISDOC  
Arthur Brown, OCTA  
Bert Hack, TCA  
Peter Herzog, OCD, LOCC (Ex-Officio)  
Bryan Starr, Private Sector, Alternate (Ex-Officio)  
Kate Klimow, Business Community (Ex-Officio)  
Julie Puentes, Health Care/Hospital (Ex-Officio)  
Julia Bidwell, Housing Community, Alternate (Ex-Officio)  
Ben Legbandt, LAFCO, Alternate (Ex-Officio)

#### **BOARD MEMBERS ABSENT**

Paul Glaab, District 12  
Leslie Daigle, District 15  
Bob Hernandez, District 19  
Gil Coerper, District 64  
Bob Ring, Cities At-Large  
Bill Campbell, SCAQMD – County Representative  
Kristine Thalman, Private Sector (Ex-Officio)  
Elizabeth Toomey, University Representative (Ex-Officio)  
Karen Roper, Housing Community (Ex-Officio)  
Joyce Crosthwaite, LAFCO (Ex-Officio)

#### **VACANT**

SCAG – County Representative

#### **STAFF PRESENT**

Kristine L. Murray, Executive Director  
David Simpson, Deputy Executive Director  
Laurena Weinert, OCTA Assistant Clerk of the Board  
Allison Cheshire, OCTA Deputy Clerk of the Board  
Fred Galante, General Counsel

### **Pledge of Allegiance**

The pledge of allegiance was led by Board Member Alternate Robbins.

### **Consent Calendar**

#### **1. Approval of Minutes for the April 22, 2010, Meeting of the OCCOG Board of Directors**

A motion was made by Board Member Martinez, seconded by Board Member Nielsen, and declared passed by those present, to approve minutes of the April 22, 2010, meeting.

### Regular Items

**2. Southern California Association of Governments' Memorandum of Understanding with Orange Council of Governments and Orange County Transportation Authority for Orange County Sustainable Communities Strategy**

Kristine Murray, Executive Director, provided an overview of the technical language changes made to the Southern California Association of Governments' (SCAG) Memorandum of Understanding (MOU) with Orange County Council of Governments (OCCOG) and the Orange County Transportation Authority (OCTA) for the Orange County Sustainable Communities Strategy (SCS) and the roles and responsibilities between SCAG and Orange County to conduct the SCS. Ms. Murray also reported that this item was presented to the OCCOG/OCTA SCS Joint Working Committee earlier in the day and that the Committee agreed to one change in the language of the MOU as follows on Page 2, line 3:

“Whereas, SCAG is required by SB 375 to include a subregional SCS in the regional SCS, to the extent consistent with state and federal law, including the subregional SCS conducted by OCCOG; and”

A motion was made by Committee Member Brothers, seconded by Committee Member Martinez, and declared passed by those present, to receive the overview and authorize the OCCOG Executive Director to approve the Memorandum of Understanding with the edits indicated by the Orange County Council of Governments/Orange County Transportation Authority Sustainable Communities Strategy Joint Working Committee.

**3. Southern California Association of Governments Regional Green House Gas Reduction Scenarios**

Hasan Ikhata, Executive Director, Southern California Association of Governments (SCAG), provided a presentation on the Regional Green House Gas Reduction Scenarios developed by SCAG. Mr. Ikhata explained that the goal scenario is one that is both ambitious and achievable.

No action was taken on this receive and file item.

**4. Memorandum of Understanding Agreement with California State University Fullerton for Fiscal Year 2010-11 Professional Services: Center for Demographic Research**

Deborah Diep, Director, Center for Demographic Research (CDR), provided an overview of the Memorandum of Understanding agreement and background information on the previous year payment schedule.



# MINUTES

## Orange County Council of Governments Board of Directors' Meeting

### 4. (Continued)

A motion was made by Committee Member Brown, seconded by Committee Member Dixon, and declared passed by those present, to authorize the Executive Director to execute Memorandum of Understanding Agreement No. C-5027 with the Center for Demographic Research that would provide for demographic research and deliverables for Fiscal Year 2010-11.

### 5. State Legislative Update

Kristin Essner, Government Relations Representative, Orange County Transportation Authority, provided up update on the following:

- Senate Bill 375 planning;
- California Environmental Quality Act streamlining;
- Exemptions for sales tax projects;
- Regional Housing Needs Assessment alignment; and
- Recent amendments to Senate Bill 1445 sponsored by the California Association of Councils of Governments.

No action was taken on this receive and file item.

### 6. Orange County Council of Governments Financial Report

David Simpson, Deputy Executive Director, provided an overview of the draft budget for fiscal year 2010-11 and commented that there are some outstanding dues that still need to be collected from member agencies.

Kristine Murray, Executive Director, commented that the Orange County Transportation Authority is the only recognized federal grant recipient for Federal Transit Administration

No action was taken on this receive and file item.

## Reports

### 7. Chairman's Report

Chairman Waldman reported that the upcoming Executive Committee will meet on June 4, 2010 at 10:00 a.m. and will discuss financial issues.

### **7. (Continued)**

David Simpson, Deputy Executive Director commented that the Executive Committee is comprised of representatives from Transportation Corridor Agencies, Independent Special Districts of Orange County, Orange County Sanitation District, Orange County Transportation Authority, and the Chairman and Vice Chair of the Orange County Council of Governments.

### **8. Executive Director's Report**

Kristine Murray, Executive Director reported on the following:

- Submittal of audit response report to Caltrans;
- Draft scope of work for consultant services;
- Orange County Transportation Authority's Bike to Work Week event;
- New call for projects regarding bicycles and pedestrians; and
- Recent skydiving trip involving she, Marion Bergeson, Will Kempton, OCTA Chief Executive Officer, and Wendy Villa, OCTA Manager of State Relations

### **9. Report from the Technical Advisory Committee Chair**

Marika Modugno, City of Irvine, referenced the staff report which was provided with the agenda, adding that there was nothing further to report.

### **10. Public Comments**

No public comments were offered.

### **11. Board Members' Reports**

Board Member Hack reported on the fish loss in relation to pumps and chemicals.

Board Members Mills reminded Members to remember Memorial Day and to give thanks for those who serve.

Board Member Brown commented that the newsletter sent out by Board Member Mills offers great patriotic information.

### **12. Member Agencies' Reports**

There were no reports offered from Member Agencies.

### **13. Staff Members' Reports**

There were no reports offered from staff members.





# MINUTES

## *Orange County Council of Governments Board of Directors' Meeting*

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### 14. Adjournment

The meeting was adjourned at 12:00 p.m.

The next regularly scheduled meeting of this Board will be held from **10:30 a.m. to 12:00 p.m. on Thursday, June 24, 2010**, at the Orange County Transportation Authority Headquarters.

ATTEST

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Allison Cheshire  
OCTA Deputy Clerk of the Board

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Mark Waldman  
OCCOG Chairman



## 2010 OCCOG Meeting Attendance

### Regular Voting Members

Member/Alternate Name	Board Seat	1/1/10	2/25/10	3/25/10	4/22/10	5/27/10	6/24/10	7/22/10	8/26/10	9/23/10	10/28/10
<b><u>SCAG District 12</u></b>											
Paul Glaab											
Phil Tsunoda, Alternate			X	X	X	X					
<b><u>SCAG District 13</u></b>											
Richard Dixon			X		X	X					
Trish Kelley, Alternate											
<b><u>SCAG District 14</u></b>											
Suhkee Kang		N/A	N/A	N/A		X					
Beth Krom											
Christina Shea, Alternate											
<b><u>SCAG District 15</u></b>											
Leslie Daigle											
Cheryl Brothers, Alternate		X	X	X	X	X					
<i>Note: Cheryl Brothers, Alternate, attends OCCOG on a regular basis for District 15</i>											
<b><u>SCAG District 16</u></b>											
Michele Martinez		X	X	X	X	X					
<b><u>SCAG District 17</u></b>											
John Nielsen		X	X	X	X	X					
<b><u>SCAG District 18</u></b>											
Leroy Mills		X	X	X	X	X					
Prakash Narain, Alternate											
<b><u>SCAG District 19</u></b>											
Bob Hernandez		X	X		X						
Lucielle Kring, Alternate											
<b><u>SCAG District 20</u></b>											
Andy Quach		X	X	X	X	X					
<b><u>SCAG District 21</u></b>											
Sharon Quirk-Silva		X		X	X	X					
Pam Keller, Alternate											
<b><u>SCAG District 22</u></b>											
John Beaman			X	X	X	X					
Ron Garcia, Alternate											

## 2010 OCCOG Meeting Attendance

Member/Alternate Name	Board Seat	1/1/10	2/25/10	3/25/10	4/22/10	5/27/10	6/24/10	7/22/10	8/26/10	9/23/10	10/28/10
<b><u>SCAG District 64</u></b>											
Gil Coerper		X	X	X	X						
Keith Bohr, Alternate											
<b><u>Cities-at-Large</u></b>											
Bob Ring		X	X	X	X						
Milt Robbins, Alternate						X					
<b><u>County-at-Large</u></b>											
John Moorlach		X			X	X					
Patricia Bates, Alternate											
<b><u>ISDOC</u></b>											
Phil Anthony		X	X			X					
Arlene Schafer, Alternate				X							
Jan Debay, Alternate					X						
<b><u>OCSD</u></b>											
Mark Waldman		X	X	X	X	X					
Jim Ferryman, Alternate											
<b><u>OCTA</u></b>											
Art Brown		X	X		X	X					
William Dalton, Alternate											
<b><u>SCAG - County</u></b>											
Vacant											
<b><u>SCAQMD - County</u></b>											
Bill Campbell		X		X							
<b><u>TCA</u></b>											
Bert Hack		X	X	X	X	X					
<b>Voting Members</b>											
		14	13	12	17	16					

## 2010 OCCOG Meeting Attendance

Member/Alternate Name	Board Seat	1/1/10	2/25/10	3/25/10	4/22/10	5/27/10	6/24/10	7/22/10	8/26/10	9/23/10	10/28/10
<b>Ex-Officio Non-Voting Members</b>											
<b><u>OCD, LOCC</u></b>											
Peter Herzog ( <i>Ex Officio</i> )		X		X	X	X					
<b><u>Private Sector</u></b>											
Kristine Thalman ( <i>Ex Officio</i> )		X	X	X	X						
Bryan Starr, Alternate					X	X					
<b><u>University Rep.</u></b>											
Elizabeth Toomey ( <i>Ex-Officio</i> )		N/A	N/A								
Fred Smoller, Alternate		N/A	N/A		X						
<b><u>Business Comm.</u></b>											
Kate Klimow ( <i>Ex-Officio</i> )		N/A	N/A	X	X	X					
<b><u>Health Care/Hospital</u></b>											
Julie Puentes ( <i>Ex-Officio</i> )		N/A	N/A		X	X					
<b><u>Housing Comm.</u></b>											
Karen Roper ( <i>Ex-Officio</i> )		N/A	N/A	X							
Julia Bidwell, Alternate		N/A	N/A		X	X					
<b><u>OCLAFCO</u></b>											
Joyce Crosthwaite ( <i>Ex-Officio</i> )		N/A	N/A	N/A	X						
Benjamin Legbandt		N/A	N/A	N/A		X					
<b>Non-Voting Members</b>		<b>2</b>	<b>1</b>	<b>4</b>	<b>8</b>	<b>6</b>					





**ORANGE COUNTY  
COUNCIL OF GOVERNMENTS**

**June 24, 2010**

**Subject:** Orange County Councils of Governments (OCCOG) Financial Report

**Summary:** OCCOG financial information is provided for Board review.

As of May 31, 2010, OCCOG had a bank balance of \$217,506.85 at Bank of the West. Outstanding checks totaled \$159,938.00, leaving a net balance of \$57,568.85.

As of June 7, 2010, OCCOG received outstanding dues payments from the City of Tustin and Independent Service Districts of Orange County (ISDOC) for fiscal year 2009-2010. Huntington Beach has processed their outstanding Center for Demographic Research (CDR) dues; however, as of the date this staff report was written, payment has not yet been received. For outstanding OCCOG dues from member agencies, the City of San Juan has an outstanding balance of \$3,237.00 and the City of Villa Park has an outstanding balance of \$962.30. All outstanding dues are expected to be cured within 30 days.

**Recommendation:** Receive and file

**Attachment:**

- A. Joint Powers Agreement/Dues Tracking Matrix
- B. OCCOG Cash Receipts and Cash Disbursements for Quarter ending June 30, 2010

**Staff Contact:** Tom Wulf  
OCCOG Treasurer  
714/560-5659  
[Twulf@octa.net](mailto:Twulf@octa.net)





## OCCOG JPA Approvals

### Orange County Council of Governments Joint Powers Agreement Approvals

Agency	Approval	Date	Notes	OCCOG Dues	CDR Dues
Aliso Viejo	X	8/5/2009	Simpson presented, 5-0	X	X
Anaheim	X	8/25/2009	5-0;	X	X
Brea	X	7/21/2009	5-0;	X	X
Buena Park	X	8/11/2009	5-0;	X	X
Costa Mesa	X	1/19/2010	5-0;	X	X
Cypress	X	8/10/2009	5-0;	X	X
Dana Point	X	7/27/2009	5-0;	X	X
Fountain Valley	X	7/21/2009	5-0;	X	X
Fullerton	X	8/4/2009	5-0;	X	X
Garden Grove	X	8/25/2009	5-0;	X	X
Huntington Beach	X	7/20/2009	7-0;	X	X
Irvine	X	7/28/2009	4-0; Christina Shea was absent	X	X
Laguna Beach	X	9/15/2009	5-0;	X	X
Laguna Hills	X	8/25/2009	5-0;	X	X
Laguna Niguel	X	2/2/2010	5-0;	X	X
Laguna Woods	X	8/19/2009	5-0; Doug Riley	X	X
La Habra	X	7/20/2009	5-0;	X	X
Lake Forest	X	7/21/2009	5-0;	X	X
La Palma	X	7/21/2009	4-1, Rodriguez objected	X	X
Los Alamitos	X	9/21/2009	5-0;	X	X
Mission Viejo	X	7/20/2009	5-0;	X	X
Newport Beach	X	7/28/2009	7-0;	X	X
Orange	X	8/11/2009	5-0;	X	X
Placentia	X	7/21/2009	5-0;	X	X
Rancho Santa Margarita	X	7/22/2009	5-0;	X	X
San Clemente	X	1/19/2010	5-0;	X	X
San Juan Capistrano	X	5/4/2010	5-0;		X
Santa Ana	X	2/16/2010	7-0;	X	X
Seal Beach	X	4/12/2010	36647.0	X	X
Stanton	X	7/14/2009	5-0;	X	X
Tustin	X	1/19/2010	5-0;	X	X
Villa Park	X	8/25/2009	4-1;	X	X
Westminster	X	1/11/2010	5-0;	X	X
Yorba Linda	X	3/2/2010	5-0;	X	X
OCTA	X	7/26/2009	Unanimous	X	X
County	X	8/25/2009	Unanimous	X	X
SCAQMD	X	2/5/2010	Unanimous	X	N/A
OC Special Districts/Water			All agencies expected by 7/10	X	N/A*
OC Sanitation District	X	9/2/2009	Unanimous	X	X
TCA	X	9/10/2009	Unanimous	X	X

TOTAL MEMBER APPROVALS

39

39

Only MWDOC and OCWD are part of CDR,



**Orange County Council of Governments**  
**Check Register**  
**FY 2009/10**

Date	Ck #	Description	Amount	Balance	Date Cleared	Membership Dues	CDR Fees	Bank	Month End Bank Balance
<b>July</b>									
7/1/2009		Balance Forward		41,142.20					\$49,735.26
7/21/2009		Deposit - Garden Grove, Buena Park, Villa Park, Dana Point, Aliso Viejo, Seal Beach, Fullerton	15,598.44	56,740.64			15,598.44		
7/22/2009		Deposit - Brea	1,605.95	58,346.59			1,605.95		
7/23/2009		Deposit - La Habra, La Palma, Los Alamitos, Westminster, Yorba Linda	9,018.13	67,364.72			9,018.13		
7/24/2009		Deposit - Lake Forest	2,330.69	69,695.41			2,330.69		
7/27/2009		Deposti - Rancho Santa Margarita	1,786.89	71,482.30			1,786.89		
7/28/2009		Deposti - Mission Viejo	2,746.48	74,228.78			2,746.48	Bank of the West	49,735.26
7/30/2009		Deposit - Santa Ana	7,596.28	81,825.06			7,596.28	SunWest	41,142.20
7/31/2009		Deposit - Anaheim, Stanton	9,052.40	90,877.46			9,052.40		<u>\$90,877.46</u>
<b>August</b>									
8/3/2009		Deposit - Newport Beach, Laguna Hills	3,958.80	94,836.26			3,958.80		
8/6/2009		Deposit - Laguna Niguel	2,119.11	96,955.37			2,119.11		
8/7/2009		Deposit - San Clemente	2,140.28	99,095.65			2,140.28		
8/17/2009		Deposit - Irvine, San Juan Capistrano	6,426.74	105,522.39			6,426.74		
8/20/2009		Deposit - Laguna Beach	1,321.77	106,844.16			1,321.77		
8/24/2009		Deposit - Placentia	1,829.19	108,673.35			1,829.19	Bank of the West	70,777.61
8/24/2009		Deposit - Dana Point	3,246.46	111,919.81		3,246.46		SunWest	41,142.20
									<u>\$111,919.81</u>
<b>September</b>									
9/8/2009		Deposit - Buena Park	5,000.00	116,919.81		5,000.00		Bank of the West	76,749.35
9/24/2009		Deposit - Villa Park - Partial - Bal Due = \$962.30	971.74	117,891.55		971.74		SunWest	41,142.20
									<u>\$117,891.55</u>
<b>October</b>									
								Bank of the West	76,749.35
								SunWest	41,142.20
									<u>\$117,891.55</u>
<b>November</b>									
11/4/2009		Deposit - Orange	3,532.41	121,423.96			3,532.41	Bank of the West	3,532.41
								SunWest	117,891.55
									<u>\$121,423.96</u>
<b>December</b>									
12/18/2009		Deposit - Orange County Sanitation District	5,000.00	126,423.96		5,000.00			
12/21/2009		Depost - Seal Beach	2,776.73	129,200.69		2,776.73			
12/21/2009		Deposit - La Habra	4,342.30	133,542.99		4,342.30			
12/22/2009		Deposit - Garden Grove	5,000.00	138,542.99		5,000.00			
12/22/2009		Deposit - Fullerton	5,000.00	143,542.99		5,000.00			
12/28/2009		Deposit - Laguna Beach	2,740.21	146,283.20		2,740.21			
12/28/2009		Deposit - Newport Beach	5,000.00	151,283.20		5,000.00			
12/28/2009		Deposit - Stanton	3,344.46	154,627.66		3,344.46			
12/28/2009		Deposit - Cypress	3,782.95	158,410.61		3,782.95			
12/29/2009		Deposit - Mission Viejo	5,000.00	163,410.61		5,000.00		Bank of the West	49,311.54
12/31/2009		Deposit - Rancho Santa Margarita	3,792.48	167,203.09		3,792.48		SunWest	117,891.55
									<u>\$167,203.09</u>
<b>January</b>									
1/7/2010		Deposit - La Palma	2,357.67	169,560.76		2,357.67			
1/7/2010		Deposit - Irvine	5,000.00	174,560.76		5,000.00			
1/8/2010		Deposit - Laguna Niguel	4,523.51	179,084.27		4,523.51			
1/11/2010		Deposit - Anaheim	5,000.00	184,084.27		5,000.00			
1/11/2010		Deposit - Lake Forest	5,000.00	189,084.27		5,000.00			
1/14/2010		Deposit - Brea	3,378.84	192,463.11		3,378.84			
1/26/2010		Deposit - Costa Mesa	5,000.00	197,463.11		5,000.00			
1/26/2010		Deposit - Laguna Hills	3,094.34	200,557.45		3,094.34			
1/27/2010		Deposit - Orange	5,000.00	205,557.45		5,000.00			
1/27/2010		Deposit - Aliso Viejo	3,599.61	209,157.06		3,599.61			

**Orange County Council of Governments**  
**Check Register**  
**FY 2009/10**

Date	Ck #	Description	Amount	Balance	Date Cleared	Membership Dues	CDR Fees	Bank	Month End Bank Balance
1/27/2010		Deposit - Huntington Beach	5,000.00	214,157.06		5,000.00			
1/28/2010		Deposit - Laguna Woods	2,454.47	216,611.53		2,454.47		In Transit	19,432.91
1/26/2010		Bank Deposit Error	0.20	216,611.73				Bank of the West	79,287.27
								SunWest	<u>117,891.55</u>
									<u>\$216,611.73</u>
<hr/>									
<b>February</b>									
2/8/2010		Deposit - Cypress	1,785.81	218,397.54			1,785.81		
2/19/2010		Deposit - Los Alamitos	2,187.44	220,584.98		2,187.44			
2/19/2010		Deposit - San Clemente	4,566.87	225,151.85		4,566.87		Bank of the West	110,315.08
2/22/2010		Deposit - Costa Mesa	3,054.78	228,206.63			3,054.78	SunWest	117,891.55
2/25/2010	1001	CSU Fullerton - 7/09, 9/09, 1/10 CDR Fees	(53,250.00)	174,956.63	3/5/2010			O/S Checks	<u>(53,250.00)</u>
									<u>\$174,956.63</u>
<hr/>									
<b>March</b>									
3/1/2010		Deposit - SCAQMD	5,000.00	179,956.63		5,000.00			
3/1/2010		Deposit - Santa Ana	5,000.00	184,956.63		5,000.00			
3/1/2010	1002	Mayer Hoffman McCann - FY08/09 Audit	(2,000.00)	182,956.63	4/8/2010				
3/4/2010		Deposit - Westminster	5,000.00	187,956.63		5,000.00			
3/8/2010		Deposit - TCA	5,000.00	192,956.63		5,000.00			
3/8/2010		Deposit - Placentia	3,876.34	196,832.97		3,876.34			
3/15/2010		Deposit - County of Orange	5,000.00	201,832.97		5,000.00			
3/20/2010	1003	OCTA - FY09/10Admin Services	(141,000.00)	60,832.97	O/S			Bank of the West	292,275.66
3/22/2010		Deposit - OCTA	5,000.00	65,832.97		5,000.00		SunWest	-
3/22/2010		Deposit - Fountain Valley	6,091.38	71,924.35		4,141.10	1,950.28		(76,157.34) Dep Error - S/B OCTA Deposit
3/29/2010		Deposit - Laguna Woods	1,193.97	73,118.32			1,193.97	O/S Checks	<u>(143,000.00)</u>
									<u>\$73,118.32</u>
<hr/>									
<b>April</b>									
4/13/2010		Deposit Error - City of Irvine Check to OCTA	76,157.34	149,275.66					
4/13/2010	1004	OCTA - Correction of Deposit Error	(76,157.34)	73,118.32	5/21/2010				
4/13/2010	1005	Void	-	73,118.32					
4/22/2010		Jan - Mar Bank Charges	(233.24)	72,885.08					
4/22/2010		Deposit - Yorba Linda	4,584.81	77,469.89		4,584.81		Bank of the West	294,627.23
								O/S Checks	<u>(217,157.34)</u>
									<u>\$77,469.89</u>
<hr/>									
<b>May</b>									
5/3/2010	1006	CSUF ASC	(17,750.00)	59,719.89	O/S				
5/3/2010	1007	Aleshire & Wynder, LLP	(1,063.04)	58,656.85	5/24/2010				
5/5/2010		Leroy and Mary Ann Mills	100.00	58,756.85				Bank of the West	217,506.85
5/25/2010	1008	Aleshire & Wynder, LLP	(1,188.00)	57,568.85	O/S			O/S Checks	<u>(159,938.00)</u>
									<u>\$57,568.85</u>
<hr/>									
<b>June</b>									
6/7/2010		OC Special Districts - ISDOC	5,000.00	62,568.85		5,000.00			
6/7/2010		City of Tustin	2,263.87	64,832.72			2,263.87		
6/7/2010		City of Tustin	4,837.10	69,669.82		4,837.10			
<b>Totals</b>						<b>163,599.43</b>	<b>81,312.27</b>		



## ORANGE COUNTY COUNCIL OF GOVERNMENTS

**Subject:** Addendum to Item 2 Treasurer's Report: Approval of Orange County Council of Governments (OCCOG) 2010-11 Budget

**Summary:** Per Orange County Council of Governments (OCCOG) bylaws, the OCCOG Board of Directors (Board) is required to approve a budget annually. As a 40-member joint powers authority, OCCOG serves as an official subregion of the Southern California Association of Governments (SCAG). OCCOG provides a coordinated mechanism for Orange County policy recommendations to be issued on SCAG plans and programs and on behalf of its member agencies. OCCOG is funded through membership dues, grants, and in-kind contributions from the Orange County Transportation Authority (OCTA).

Anticipated revenue for fiscal year (FY) 2010-11 is \$658,700 from member dues, Center for Demographic Research (CDR) Fees and federal grant funding. Expenditures of \$658,700 are budgeted for administrative fees and professional services related to projects, including the preparation of the Sustainable Communities Strategy (SCS) as required by SB 375. Please refer to the proposed FY 2010-11 budget (Attachment A) for specific details. As part of the Board's action to adopt the FY 2010-11 OCCOG Budget, the attached resolution (Attachment B) will be signed by the Chairman and certified by the Clerk of the Board.

The OCCOG Board's approval of the attached budget authorizes specified expenditures for FY 2010-11. Any changes to the budget will be brought to the Board for further action. The Executive Director will prepare an annual budget for Board consideration per the OCCOG bylaws that will include any carry forward, unexpended appropriations from the prior fiscal year.

**Background:** During FY 2010-11 there are a number of key deliverables for OCCOG. These include but are not limited to:

- Oversight and development of the Orange County Subregional Sustainable Communities Strategy (SCS), which will also support regional efforts to meet green house gas reduction targets set by the California Air Resources Board;
- Representing Orange County interests in the development of a Regional Housing Needs Assessment (RHNA) in the SCAG region;
- Working with CDR to develop a local, bottoms-up Orange County Projections (OCP), which represents Orange County's official growth forecast for local and regional planning;
- Advocating for Orange County interests in broad policy areas such as transportation, housing, air quality, water infrastructure and other regulatory areas in the SCAG region.

The proposed budget that follows is a best estimate on revenues and expenditures projected for FY 2010-11. Based on available records, the OCCOG board has not adopted a formal budget for the past couple of years. However, attached for Board review is the FY 2009 Financial Statements and Auditor Communications (Attachment B). A formal OCCOG budget will be developed annually for Board review and adoption going forward.

**Recommendation:** Approve Fiscal Year 2010-11 OCCOG Budget.

**Attachments:** A. Fiscal Year 2010-11 OCCOG Budget  
B. Resolution of the OCCOG Approving 2010-2011 Budget  
C. FY 2009 Financial Statements and Auditor Communications

**Staff Contact:** Kris Murray  
Executive Director  
714/560-5908  
kmurray@octa.net

**ORANGE COUNTY COUNCIL OF GOVERNMENTS PROPOSED FY 2010-11 BUDGET**

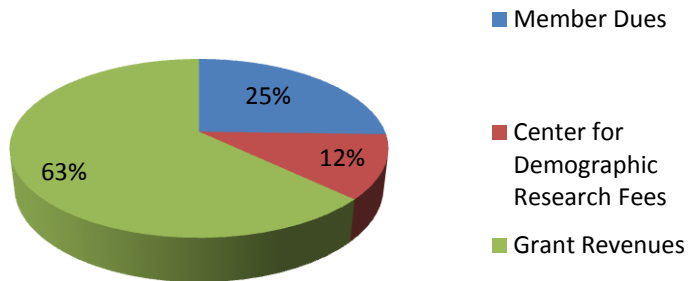
<b>Sources</b>			
<b>Description</b>	<b>FY 2008-09 Actuals</b>	<b>FY 2009-10 Budget</b>	<b>FY 2010-11 Budget</b>
Membership Dues	76,475	167,800	167,800
Center for Demographic Research Fees	-	71,000	76,000
Federal Grant Revenues*	-	-	414,900
<b>Total Source of Funds</b>	<b>\$ 76,475</b>	<b>\$ 238,800</b>	<b>\$ 658,700</b>

<b>Uses</b>			
<b>Description</b>	<b>FY 2008-09 Actuals</b>	<b>FY 2009-10 Budget</b>	<b>FY 2010-11 Budget</b>
Administrative Fees and Staff to OCTA	-	141,000	141,000
Center for Demographic Research Fees	61,472	71,000	76,000
Legal Fees	-	3,000	20,000
Bank Charges	-	500	500
Travel	-	-	4,000
CALCOG Dues	-	-	12,700
Professional Services - Project Costs**	-	-	250,000
<i>Unprogrammed federal grant balance</i>			<i>150,000</i>
Miscellaneous	4,027	2,000	4,500
<b>Total Use of Funds</b>	<b>\$ 65,499</b>	<b>\$ 217,500</b>	<b>\$ 658,700</b>

\* Anticipated draw down in FY 2010-11 from \$2M SAFETEA-LU Earmarks.

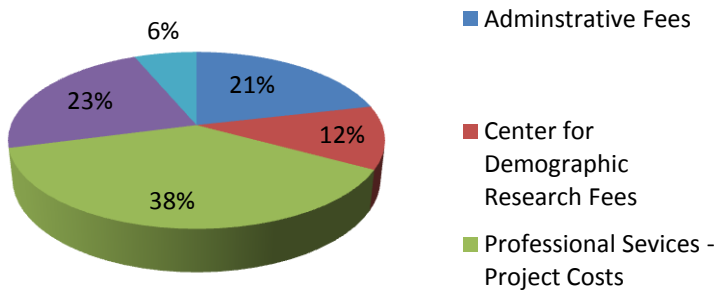
\*\*SCS consultant services for \$250,000 in FY 2010-11 (July 1, 2010 - June 30, 2011).

### Sources - FY 2010-11



Sources	Amount
Member Dues	167,800
Center for Demographic Research Fees	76,000
Grant Revenues	414,900
<b>Total Source of Funds</b>	<b>\$ 658,700</b>

### Uses - FY 2010-11



Uses	Amount
Administrative Fees	141,000
Center for Demographic Research Fees	76,000
Professional Services - Project Costs	250,000
Unprogrammed federal grant balance	150,000
Other	41,700
<b>Total Use of Funds</b>	<b>\$ 658,700</b>



**RESOLUTION 10-XX**

A RESOLUTION OF THE ORANGE COUNTY COUNCIL OF  
GOVERNMENTS BOARD OF DIRECTORS APPROVING THE  
2010-2011 BUDGET FO THE ORANGE COUNTY COUNCIL OF  
GOVERNMENTS

WHEREAS, the Orange County Council of Governments (OCCOG) serves as a Southern California Association of Governments (SCAG) subregional organization that represents the interests of Orange County in the consideration of SCAG plans, programs, policies and legislative platforms; and,

WHEREAS, pursuant to the approved OCCOG Bylaws, the OCCOG is required to annually approve a budget; and,

WHEREAS, on June 24, 2010, at its regularly scheduled meeting, the OCCOG Board adopted its budget for fiscal year 2010-2011, a true and correct copy of which is attached.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE ORANGE COUNTY COUNCIL OF GOVERNMENTS DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The proposed budget for fiscal year 2010-2011, a copy of which is attached, is hereby approved.

SECTION 2. The Clerk of the Board shall certify the adoption of the resolution.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Orange County Council of Governments this 24<sup>th</sup> day of June, 2010.

---

Mark Waldman, Chair

I, ALLISON CHESIRE, Clerk of the Board of the Orange County Council of Governments, do hereby certify that said Resolution was duly and regularly adopted by the Board of Directors of the Orange County Council of Governments at a regular meeting thereof held on the 24<sup>th</sup> day of June, 2010, by the following votes:

AYES:

NOES:

ABSENT:

---

Clerk of the Board





Mayer Hoffman McCann P.C.  
An Independent CPA Firm

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## **Item 2** **Attachment C**

Board of Directors  
Orange County Council of Governments  
Mission Viejo, California

We have audited the accompanying financial statements of the governmental activities and the major fund of the Orange County Council of Governments (OCCOG) as of and for the year ended June 30, 2009, and have issued our report thereon dated September 25, 2009. Professional standards require that we provide you with the following information related to our audit.

### ***Our Responsibilities under U.S. Generally Accepted Auditing Standards***

Our responsibility, as described by professional standards, is to express opinions about whether the financial statements prepared by management with your oversight are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles. Our audit of the financial statements does not relieve you or management of your responsibilities.

Our responsibility is to plan and perform the audit to obtain reasonable, but not absolute, assurance that the financial statements are free of material misstatement. In planning and performing our audit, we considered the OCCOG's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinions on the financial statements and not to provide assurance on the internal control over financial reporting.

We are responsible for communicating significant matters related to the audit that are, in our professional judgment, relevant to your responsibilities in overseeing the financial reporting process. However, we are not required to design procedures specifically to identify such matters.

### ***Audit Focus and Scope of the Audit***

An audit performed in accordance with auditing standards is designed to provide reasonable assurance of detecting errors or misstatements involving amounts significant to the financial statements of the OCCOG. Risks of significant error or misstatement addressed by the audit process include fraud risk for cash receipts and cash disbursements.

### ***Qualitative Aspects of Accounting Practices***

Management is responsible for the selection and use of appropriate accounting policies. In accordance with the terms of our engagement letter, we will advise management about the appropriateness of accounting policies and their application. The significant accounting policies used by the OCCOG are described in Note 1 to the financial statements. We noted no transactions entered into by the OCCOG during the audit period for which there is a lack of authoritative guidance or consensus. There are no significant transactions that have been recognized in the financial statements in a different period than when the transaction occurred.

### ***Difficulties Encountered in Performing the Audit***

We encountered no difficulties in dealing with management in performing and completing our audit.

*Corrected and Uncorrected Adjustments*

We identified no known or likely adjustments during the audit.

*Disagreements with Management*

For purposes of this letter, professional standards define a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

*Management Representations*

We have obtained certain representations from management that are included in a management representation letter dated September 25, 2009.

*Management Consultations with Other Independent Accountants*

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the OCCOG's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

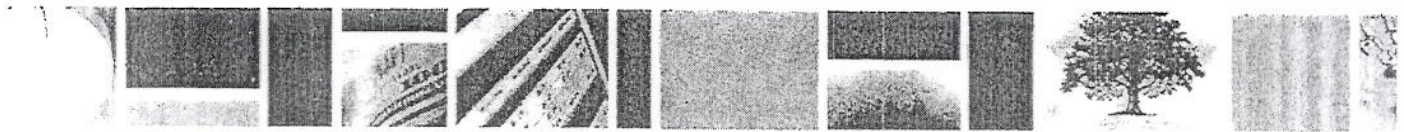
*Other Audit Findings or Issues*

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the OCCOG's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

This information is intended solely for the use of the Board of Directors and management of the OCCOG and is not intended to be and should not be used by anyone other than these specified parties.

*Meigs Hoffman McLean P.C.*

Irvine, California  
September 25, 2009



ORANGE COUNTY COUNCIL OF GOVERNMENTS

Basic Financial Statements

Year ended June 30, 2009

(with Independent Auditors' Report Thereon)



Mayer  
Hoffman  
McCann P.C.  
An Independent CPA Firm

ORANGE COUNTY COUNCIL OF GOVERNMENTS

Basic Financial Statements

Year ended June 30, 2009

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Board of Directors  
Orange County Council of Governments  
Mission Viejo, California

### INDEPENDENT AUDITORS' REPORT

We have audited the accompanying financial statements of the governmental activities and the major fund of the Orange County Council of Governments (OCCOG) as of and for the year ended June 30, 2009, which collectively comprise the OCCOG's basic financial statements as listed in the table of contents. These financial statements are the responsibility of the management of the OCCOG. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and the significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of the OCCOG as of June 30, 2009, and the respective changes in financial position for the year then ended, in conformity with accounting principles generally accepted in the United States of America.

The OCCOG has not presented *Management's Discussion and Analysis* that accounting principles generally accepted in the United States of America has determined is necessary to supplement, although not required to be part of, the basic financial statements.

In accordance with *Government Auditing Standards*, we have also issued our report dated September 25, 2009 on our consideration of the OCCOG's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts, grant agreements, and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.

*Mayer Hoffman McCann P.C.*

Irvine, California  
September 25, 2009

ORANGE COUNTY COUNCIL OF GOVERNMENTS

Statement of Net Assets

June 30, 2009

	Governmental <u>Activities</u>
ASSETS	
Cash (note 2)	<u>\$ 41,142</u>
Total assets	<u>41,142</u>
NET ASSETS	
Net assets:	
Unrestricted	<u>41,142</u>
Total net assets	<u>\$ 41,142</u>

See accompanying notes to the basic financial statements.



ORANGE COUNTY COUNCIL OF GOVERNMENTS  
Statement of Activities  
Year ended June 30, 2009

Governmental activities:		
Program revenues, operating grants and contributions:		
Membership dues	\$	76,475
Expenses:		
General government		<u>(65,499)</u>
Change in net assets		10,976
Net assets, beginning of the year		<u>30,166</u>
Net assets, end of the year	\$	<u><u>41,142</u></u>

See accompanying notes to the basic financial statements.

ORANGE COUNTY COUNCIL OF GOVERNMENTS  
Governmental Funds  
Balance Sheet  
June 30, 2009

	<u>General Fund</u>
Assets:	
Cash	<u>\$    41,142</u>
 Total assets	 <u>41,142</u>
 Fund balance:	
Unreserved, undesignated	<u>41,142</u>
 Total fund balances	 <u>\$    41,142</u>

See accompanying notes to the basic financial statements.

ORANGE COUNTY COUNCIL OF GOVERNMENTS  
Governmental Funds  
Statement of Revenues, Expenditures and Changes in Fund Balance  
Year ended June 30, 2009

	<u>General Fund</u>
Revenues:	
Membership dues	<u>\$ 76,475</u>
Total revenues	<u>76,475</u>
Expenditures:	
General government:	
Demographic research	61,472
Administrative	<u>4,027</u>
Total expenditures	<u>65,499</u>
Net change in fund balance	10,976
Fund balance, beginning of the year	<u>30,166</u>
Fund balance, end of the year	<u>\$ 41,142</u>

See accompanying notes to the basic financial statements.

# ORANGE COUNTY COUNCIL OF GOVERNMENTS

## Notes to the Basic Financial Statements

Year ended June 30, 2009

### (1) Summary of Significant Accounting Policies

#### (a) Organization

The Orange County Council of Governments (OCCOG) was created in August 1996 by a Joint Exercise of Powers Agreement (Agreement) between public agency parties located in Orange County, California (Members). This Agreement shall continue in existence until the Agreement is terminated. This Agreement may not be terminated except by an affirmative vote of a majority of total voting membership of the Governing Board.

The OCCOG was formed to enable the Members to voluntarily engage in regional and cooperative planning and coordination of government services and responsibilities to assist the Members in the conduct of their affairs. The goal and intent of the OCCOG is one of voluntary cooperation among cities for the collective benefit of cities in Orange County.

The books and records for the OCCOG for the year ended June 30, 2009 are maintained by the City of Mission Viejo, Finance Department at 200 Civic Center, Mission Viejo, California 92691.

#### (b) Measurement Focus, Basis of Accounting, and Financial Statement Presentation

The *basic financial statements* of the OCCOG are composed of the following:

- Government-wide financial statements
- Fund financial statements
- Notes to the basic financial statements

#### Government-wide Financial Statements

Government-wide financial statements are presented using the *economic resources measurement focus* and the *accrual basis of accounting*. Under the economic resources measurement focus, all (both current and long-term) economic resources and obligations of the reporting government are reported in the government-wide financial statements. *Basis of accounting* refers to when revenues and expenditures are recognized in the accounts and reported in the financial statements. Under the accrual basis of accounting, revenues, expenses, gains, losses, assets, and liabilities resulting from exchange and exchange-like transactions are recognized when the exchange takes place. Revenues, expenses, gains, losses, assets, and liabilities resulting from nonexchange transaction are recognized in accordance with the requirements of GASB Statement No. 33.

## ORANGE COUNTY COUNCIL OF GOVERNMENTS

### Notes to the Basic Financial Statements

(Continued)

#### (1) Summary of Significant Accounting Policies. (Continued)

##### (b) Measurement Focus, Basis of Accounting, and Financial Statement Presentation. (Continued)

###### Fund Financial Statements

Government fund financial statements are reported using the current financial resources measurement focus and the modified-accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period.

For this purpose, the government considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting.

The OCCOG reports the following as a major governmental fund:

The General Fund is used to account for all financial resources except those required to be accounted for in another fund.

##### (c) Use of Estimates

The financial statements have been prepared in accordance with generally accepted accounting principles and may include amounts based on estimates and assumptions by management. Actual results could differ from those amounts.

#### (2) Cash

Cash consists of bank demand deposit accounts.

The California Government Code requires California banks and savings and loan associations to secure a government's deposits by pledging government securities with a value of 110% of a government's deposits. California law also allows financial institutions to secure government deposits by pledging first trust deed mortgage notes having a value of 150% of a government's total deposits. The collateral for deposits in federal and state chartered banks is held in safekeeping by an authorized Agent of Depository recognized by the State of California Department of Banking. These securities are physically held in an undivided pool for all California public agency depositors. As of June 30, 2009, the OCCOG held \$43,762 in uncollateralized deposits and did not have any amounts in excess of Federal Deposit Insurance Corporation limits.





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Board of Directors  
Orange County Council of Governments  
Mission Viejo, California

REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND  
ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT  
OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH  
GOVERNMENT AUDITING STANDARDS

We have audited the financial statements of the governmental activities and each major fund of the Orange County Council of Governments (the "OCCOG") as of and for the year ended June 30, 2009, which collectively comprise the OCCOG's basic financial statements and have issued our report thereon dated September 25, 2009. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the OCCOG's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the OCCOG's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the OCCOG's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the OCCOG's internal control over financial reporting.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the OCCOG's ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of the OCCOG's financial statements that is more than inconsequential will not be prevented or detected by the OCCOG's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the OCCOG's internal control.

Our consideration of the internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily disclose all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

This report is intended solely for the information and use of the Board of Directors, and management of the OCCOG and is not intended to be and should not be used by anyone other than these specified parties.

*Mayer Hoffman McCann P.C.*

Irvine, California  
September 23, 2009







**ORANGE COUNTY  
COUNCIL OF GOVERNMENTS**

**June 24, 2010**

**Subject:**                   **Presentation on Los Angeles County Mobility Hubs  
Derek Fretheim, Acire Inc.**

**Summary:**               This presentation will provide information about the planned Mobility Hubs in Los Angeles. A Mobility Hub integrates and better connects multiple modes of transportation to improve mobility, promote economic development, reduce vehicle miles traveled and provide first/last mile solutions.

**Recommendation:**   Receive and file as an information item.

**Staff Contact:**       Kristine Murray  
Executive Director  
(714) 560-5908  
[KMurray@octa.net](mailto:KMurray@octa.net)





**ORANGE COUNTY  
COUNCIL OF GOVERNMENTS**

REVISED  
**Item 4**

**June 24, 2010**

**Subject:** **Presentation on the San Diego Regional Water Quality Control Board's National Pollutant Discharge Elimination System requirements for the South Coast Water District's Groundwater Recovery Facility  
Laer Pearce, Laer Pearce & Associates**

**Summary:** Laer Pearce of Laer Pearce & Associates requested to speak on the subject matter above and is asking the Orange County Council of Governments Board of Directors to support a request that the petition on the matter, which raises regional and statewide issues relative to local water supply reliability, be heard by the State Board.

**Recommendation:** Direct staff to send support letter to the Chair, State Water Resources Control Board

**Staff Contact:** Kristine Murray  
Executive Director  
(714) 560-5908  
[KMurray@octa.net](mailto:KMurray@octa.net)





**ORANGE COUNTY  
COUNCIL OF GOVERNMENTS**

**June 24, 2010**

**Subject:** **Approval of payment for Administrative Services per Cooperative Agreement with Orange County Transportation Authority**

**Summary:** As part of the Administrative Agreement (Attachment A) between the Orange County Council of Governments (OCCOG) and the Orange County Transportation Authority (OCTA), OCCOG agreed to pay the sum of \$141,000.00 to OCTA annually for administrative services.

While the agreement stipulates that payments can be made quarterly, member agency Joint Powers Agreements (JPA) and dues needed to be processed to provide sufficient funds. With nearly all member agencies paid, payment is now requested covering FY 2009-2010.

The amount of revenue generated by OCCOG member agency dues annually is 167,800. Subtracting the OCCOG payment of \$141,000, the remaining amount of \$26,800.00 in dues was anticipated to cover the cost of legal fees and to conduct an annual financial audit. When the administrative agreement was developed, OCTA staff worked closely with OCCOG staff to determine the time commitment involved in the various administrative functions of the OCCOG. OCTA staff provided an estimate of costs associated with the administrative services to be provided prior to approval of the administrative agreement (Attachment B). The estimated cost for the executive director, clerk of the board, treasurer, auditor/controller, and support staff were based on the salaries and benefits of existing OCTA staff that would perform the various administrative functions.

Since assuming administrative responsibility of OCCOG, OCTA has exceeded the original estimate of in-kind support. The in-kind contribution by OCTA can be traced directly to some very time-consuming tasks. These tasks include but are not limited to: Getting the Administrative and Sustainable Communities Strategy (SCS) cooperative agreements approved; developing and securing approvals for the memorandum of understanding (MOU) between Southern California Association of Governments (SCAG), OCCOG and OCTA to develop an Orange County Subregional SCS; developing the Request for Proposals (RFP) for consultant services for the Orange County SCS; and, completing the California Department of Transportation (Caltrans) audit to remove OCCOG from the high-risk grant recipient list so that the OCCOG may once again be eligible to receive local, state and federal funding.

**Recommendation:** Approve payment to Orange County Transportation Authority.

**Attachment:** A. Cooperative Agreement for Administrative Agreement C-9-0496  
B. Original Estimated Cost of Administrative Services for OCCOG

**Staff Contact:** David Simpson  
Deputy Executive Director  
(714) 560-5570  
[DSimpson@octa.net](mailto:DSimpson@octa.net)



## COOPERATIVE AGREEMENT NO. C-9-0496

BETWEEN

ORANGE COUNTY TRANSPORTATION AUTHORITY

AND

ORANGE COUNTY COUNCIL OF GOVERNMENTS

FOR

ADMINISTRATIVE SERVICES

THIS AGREEMENT (hereinafter referred to as "AGREEMENT"), is effective this 1<sup>st</sup> day of July, 2009, by and between the Orange County Transportation Authority ("AUTHORITY"), a public corporation of the State of California and the Orange County Council of Governments ("OCCOG"), a public joint powers entity of the State of California.

RECITALS:

WHEREAS, OCCOG has requested AUTHORITY to provide staff to administer the functions and activities of OCCOG; and

WHEREAS, AUTHORITY is willing to accept responsibility for the administration of OCCOG functions and activities as provided in this Agreement.

WHEREAS, AUTHORITY's Board of Directors approved this Agreement on July 13, 2009.

NOW THEREFORE, it is mutually understood and agreed by AUTHORITY and OCCOG as follows:

ARTICLE 1. RESPONSIBILITIES OF OCCOG

A. Make available to AUTHORITY all records in the possession of OCCOG and its consultants as may regard any matter within the jurisdiction of OCCOG and as may be required for AUTHORITY to perform its duties under this Agreement.

B. Provide legal counsel to advise and represent OCCOG.

C. Appoint an OCCOG representative to the Center for Demographic Research ("CDR").

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D. Pursue the adoption by OCCOG member agencies of annual membership dues in the amount approved by the OCCOG Board to pay for the administrative services provided by AUTHORITY as well as the activities and programs of OCCOG.

E. Upon OCCOG member agencies' approval of an amended Joint Powers Agreement requiring the member agencies to pay dues to the OCCOG in amounts as approved by the OCCOG Board, pay AUTHORITY the sum of \$141,000 per year for the services provided by AUTHORITY. Twenty-five percent (25%) of this sum shall be paid to AUTHORITY on the first day of each quarter (first day of July, October, January and April), commencing July 1, 2009.

**ARTICLE 2. RESPONSIBILITIES OF AUTHORITY**

A. Provide administrative services to OCCOG consistent with and subject to the OCCOG Joint Powers Agreement, Bylaws and other formally adopted policies, contracts and applicable regulations, with the understanding that the AUTHORITY'S policies and procedures for procurements and grant management shall govern all services provided by AUTHORITY pursuant to this Agreement.

B. Assume responsibility for the administration of OCCOG, including providing meeting sites; administration of the OCCOG Board of Directors and the OCCOG Technical Advisory Committee; conduct elections of the Southern California Association of Governments ("SCAG") Regional Council/OCCOG Board of Directors; preparation of agendas, staff reports and minutes; distribution and posting of meeting notices and meeting materials; conduct of OCCOG financial requirements pursuant to the OCCOG Bylaws and Caltrans pre-award audit determinations; invoicing and collection of payments from Orange County cities for OCCOG's sponsorship of the CDR; invoicing and collection of payments from member agencies for OCCOG dues; and maintenance and storage of records.

C. Provide staff and/or contract for consultant support for OCCOG to carry out its responsibilities, including the designation of:

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- (1) OCCOG Executive Director, subject to the approval of OCCOG Board of Directors;
- (2) Clerk of the OCCOG Board;
- (3) OCCOG Treasurer;
- (4) OCCOG Auditor/Controller.

D. Responsibilities of the OCCOG Executive Director (or his/her designee) shall be as specified in the OCCOG Bylaws, and shall also include the following:

- (1) OCCOG Subregional Coordinator to the SCAG; and
- (2) OCCOG representative to the SCAG Plans and Programs Technical Advisory Committee.

### **ARTICLE 3. JOINT RESPONSIBILITIES OF OCCOG AND AUTHORITY**

A. Develop and adopt a work plan for Fiscal Year 2009-10 and 2010-11 to comply with the responsibilities of each entity. The work plan shall identify the tasks, staffing, costs, schedules, necessary services and deliverables, and shall assign financial and policy responsibilities for each entity.

B. Each entity to maintain a sponsor membership with the CDR and use the CDR for demographic forecasts.

C. Develop and approve concurrent with this Administrative Services Agreement a separate Agreement between the entities specifying their respective roles and responsibilities in complying with the provisions of SB 375 (Chapter 728, 2008 laws).

D. AUTHORITY and/or OCCOG may elect to participate in additional regional monitoring and planning activities outside of those covered by this Agreement. In that case, each entity may independently support those activities with monetary and resources other than those specified in this Agreement.

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**ARTICLE 4. PRE-EXISTING CIRCUMSTANCES**

OCCOG hereby discloses, in general terms, that OCCOG is currently the subject of regular and/or special audits by one or more sources of funds. AUTHORITY will assist OCCOG in its efforts to complete the audits and develop a beneficial remedial program to respond to any required programmatic modifications. The OCCOG hereby represents and acknowledges that these pre-existing conditions are not directly or indirectly, related to any action or failure to act of AUTHORITY'S and that, if AUTHORITY cannot achieve a remedy suitable to all interested parties, AUTHORITY will not be deemed to have any fault or responsibility for such conclusion.

**ARTICLE 5. INDEMNIFICATION**

A. OCCOG shall defend, indemnify, and hold harmless the AUTHORITY, its officers, directors, agents, and employees, from all liability, claims, losses and demands, including defense costs and reasonable attorneys' fees, whether resulting from court action or otherwise, arising out of the acts or omissions of OCCOG, its officers, directors, agents, or employees, in the performance of this Agreement.

B. AUTHORITY shall defend, indemnify, and hold harmless the OCCOG, its officers, directors, agents, and employees, from all liability, claims, losses and demands, including defense costs and reasonable attorneys' fees, whether resulting from court action or otherwise, arising out of the acts or omissions of AUTHORITY, its officers, directors, agents, or employees, in the performance of this Agreement.

**ARTICLE 6. ASSIGNMENT**

AUTHORITY shall not assign the performance of this Agreement, nor any part thereof, nor any monies due hereunder, without prior written consent of OCCOG.

**ARTICLE 7. TERM OF AGREEMENT**

This Agreement shall commence upon execution by both parties and approval by both parties of a separate agreement regarding SB 375 planning requirements, and shall continue in full force and effect through June 30, 2013, unless terminated earlier by any party. The term may be

extended by mutual consent; for a period of time agreed upon in writing between the parties. AUTHORITY or OCCOG may terminate this Agreement, without cause, by delivering written notice of termination to the other party not less than one hundred twenty (120) calendar days before the date of termination. Upon the date of termination each party shall, at no cost to the other party, make available all equipment, materials, documents or records in their possession to the party that requests the same.

**ARTICLE 8. ENTIRE AGREEMENT**

This Agreement contains the entire understanding between the parties relating to the obligations of the parties described in this Agreement. All prior or contemporaneous agreements, understandings, representations and statements, oral or written, are merged into this Agreement and shall be of no further force or effect. Each party is entering into this Agreement based solely upon the representations set forth herein and upon each party's own independent investigation of any and all facts such party deems material.

**ARTICLE 9. AUTHORITY TO EXECUTE THIS AGREEMENT**

The person or persons executing this Agreement warrant and represent that he or she has the authority to execute this Agreement on behalf of their principal and has the authority to bind such party to the performance of its obligations hereunder.

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1       **IN WITNESS WHEREOF**, the parties hereto have caused this Agreement to be executed the  
2 day and year written below.

3       **ORANGE COUNTY COUNCIL OF**  
4       **GOVERNMENTS**

5 By: Cheryl Brothers

6  
7 Date: 12.3.09

8       **ORANGE COUNTY TRANSPORTATION**  
9       **AUTHORITY**

10 By: for James S. Kerlan  
11       Chief Executive Officer

12 Date: 7/14/09

13       **APPROVED AS TO FORM:**

14 By: Kennard R. Smart, Jr.  
15       General Counsel

16       **APPROVED AS TO FORM:**

17 By: [Signature]

18       **APPROVAL RECOMMENDED:**

19 By: P. Sue Zuhke  
20       Chief of Staff

21 Date: \_\_\_\_\_

1           **IN WITNESS WHEREOF**, the parties hereto have caused this Agreement to be executed the  
2 day and year written below.

3           **ORANGE COUNTY COUNCIL OF**  
4           **GOVERNMENTS**

5 By: *Cheryl Brothman*

6 Date: 12.3.09

7           **ORANGE COUNTY TRANSPORTATION**  
8           **AUTHORITY**

9 By: *James S. Kenan*  
10           James S. Kenan  
11           Chief Executive Officer

12 Date: 7/14/09

13           **APPROVED AS TO FORM:**

14 By: *Kennard R. Smart, Jr.*  
15           Kennard R. Smart, Jr.  
16           General Counsel

17           **APPROVED AS TO FORM:**

18 By: *[Signature]*

19           **APPROVAL RECOMMENDED:**

20 By: *P. Sue Zuhke*  
21           P. Sue Zuhke  
22           Chief of Staff

23 Date: \_\_\_\_\_

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the  
day and year written below.

ORANGE COUNTY COUNCIL OF  
GOVERNMENTS

By: Cheryl Brothers

Date: 12.3.09

ORANGE COUNTY TRANSPORTATION  
AUTHORITY

By: James S. Kehan  
Chief Executive Officer

Date: 7/14/09

APPROVED AS TO FORM:

By: Kennard R. Smart, Jr.  
General Counsel

APPROVED AS TO FORM:

By: [Signature]

APPROVAL RECOMMENDED:

By: P. Sue Zuhlke  
Chief of Staff

Date: \_\_\_\_\_

**Estimated Cost of Administration of the  
Orange County Council of Governments**

**REVENUES**

Member dues	\$	167,799.65
In-Kind Support by OCTA	\$	23,270.89
<b>TOTAL REVENUES</b>	<b>\$</b>	<b>191,070.54</b>

**EXPENDITURES****Staff**

Executive Director	\$	32,422.32
Clerk of the Board	\$	7,050.90
Treasurer	\$	1,048.80
Auditor/Controller	\$	8,453.52
Technical Support	\$	105,000.00
Support Staff	\$	10,295.00

**Professional Services**

Legal Counsel	\$	20,000.00
Financial Audit	\$	6,800.00

<b>TOTAL EXPENDITURES</b>	<b>\$</b>	<b>191,070.54</b>
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**Orange County Council of Governments**  
**Bills of Interest**  
**2010 State Legislation Session**  
**June 24, 2010**

BILL NO. / AUTHOR	COMMENTARY	STATUS	OTHER AGENCY POSITIONS
<b>AB 231 (Huffman – D)</b>  Global Warming Solutions Act of 2006: Trust Fund	Requires the State Air Resources Board (ARB) to adopt a schedule of fees to be paid by the sources of greenhouse emissions which would be deposited in the Climate Protection Trust Fund for purposes of carrying out AB 32 - Global Warming Solutions Act of 2006 (Chapter 488, Statutes of 2006). Requires federal climate change funds to be deposited into the fund.	<b>INTRODUCED:</b> 02/05/2009 <b>LAST AMENDED:</b> 06/26/2009 <b>LOCATION:</b> Senate Environmental Quality Committee  <b>STATUS:</b> 06/26/2009 From SENATE Committee on ENVIRONMENTAL QUALITY with author's amendments  06/26/2009 In SENATE. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL QUALITY	(partial list) Support: Environmental Defense Fund, The Trust for Public Land, American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), Natural Resources Defense Council (NRDC)  Oppose: California Chamber of Commerce (CalChamber), California Taxpayers Association (CalTax), California Retailers Association
<b>AB 266 (Carter – D)</b>  Transportation Needs Assessment	Requires the California Transportation Commission (CTC) to develop an assessment of the unfunded costs of programmed state projects and federally earmarked projects in the state, as well as an assessment of available funding for transportation purposes and unmet transportation needs on a statewide basis.	<b>INTRODUCED:</b> 02/11/2009 <b>LAST AMENDED:</b> 04/20/2009 <b>LOCATION:</b> Senate Rules Committee  <b>STATUS:</b> 06/11/2009 To SENATE Committee on RULES	Support: California Transit Association (CTA), AFL-CIO, American Federation of State, County and Municipal Employees (AFSCME), Santa Clara Valley Transportation Authority (VTA)

BILL NO. / AUTHOR	COMMENTARY	STATUS	OTHER AGENCY POSITIONS
<b>AB 726 (Nielson – R)</b>  Transportation Capital Improvement Projects	States that local road rehabilitation projects are eligible for transportation capital improvement funds pursuant to the State Transportation Improvement Program.	<b>INTRODUCED:</b> 02/26/2009 <b>LOCATION:</b> Senate Transportation and Housing Committee  <b>STATUS:</b> 06/16/2009 In SENATE Committee on TRANSPORTATION AND HOUSING: Not heard	Sponsor: California State Association of Counties (CSAC), Regional Council of Rural Counties  Support: League of California Cities
<b>► AB 987 (Ma – D)</b>  Transit Village Development Districts: Financing	<i>Amends the Transit Village Development Planning Act of 1994 that authorizes a city or county to create a transit village plan for a transit village development district. Recasts the area included in a transit village development district to include all land within not more than 1/2 mile of the main entrance of a transit station. Makes additional legislative findings. Makes technical, nonsubstantive changes.</i>	<b>INTRODUCED:</b> 02/27/2009 <b>LAST AMENDED:</b> 05/20/2010 <b>LOCATION:</b> Senate Local Government Committee  <b>STATUS:</b> 06/09/2010 In SENATE Committee on LOCAL GOVERNMENT: Not heard <b>HEARING:</b> 06/16/2010 9:30 am	Support: VTA, San Francisco Bay Area Rapid Transit District  Oppose: Howard Jarvis Taxpayers Association (HJTA)
<b>AB 1405 (De Leon – D)</b>  California Global Warming Solutions Act of 2006	Amends AB 32. Establishes the Community Benefits Fund. Requires a specified percentage of revenues generated from fees paid by the sources of greenhouse gas emissions under AB 32 to be deposited into the fund. Provides that fund moneys will mitigate health impacts and reduce greenhouse emissions in the most disadvantaged and impacted communities in the state. Requires a related report on how these provisions will be implemented. Requires a review panel.	<b>INTRODUCED:</b> 02/27/2009 <b>LAST AMENDED:</b> 09/01/2009 <b>LOCATION:</b> Senate Inactive File  <b>STATUS:</b> 09/10/2009 In SENATE. From third reading. To Inactive File.	Sponsor: Center on Race and the Environment, Coalition for Clean Air, Greenling, National Association for the Advancement of Colored People.  Support: Planning and Conservation League, Sierra Club. Environmental Defense Fund  Oppose: CalChamber, CalTax, Pacific Gas and Electric Company

BILL NO. / AUTHOR	COMMENTARY	STATUS	OTHER AGENCY POSITIONS
<b>AB 1638 (Assembly Budget Committee)</b>  Local Governments: Revenue	Authorizes, in conjunction with an approved constitutional amendment, local government entities to develop and implement a Countywide Strategic Action Plan to use existing and additional resources to ensure progress toward common community goals. Authorizes a governing board to place before the voters an increase in the sales and use tax to be distributed pursuant to an adopted plan. Prohibits the amount of a school district's revenue limit funding from taking into account any revenue from certain taxes.	<b>INTRODUCED:</b> 01/11/2010 <b>LAST AMENDED:</b> 03/17/2010 <b>LOCATION:</b> Assembly Budget Committee  <b>STATUS:</b> 03/17/2010 From ASSEMBLY Committee on BUDGET with author's amendments  03/17/2010 In ASSEMBLY. Read second time and amended. Re-referred to Committee on BUDGET.	None Listed
<b>► AB 1846 (Perez – D)</b>  Environment: Expedited Environmental Review	Requires environmental analysis be performed for a rule or regulation that requires the installation of pollution control equipment or a performance standard or treatment required pursuant to AB 32. Authorizes the use of the focused environmental impact report for a project that reduces greenhouse gas emissions in compliance with a rule or regulation adopted pursuant to AB 32.	<b>INTRODUCED:</b> 02/12/2010 <b>LAST AMENDED:</b> 04/14/2010 <b>LOCATION:</b> <i>Senate Environmental Quality Committee</i>  <b>STATUS:</b> <i>05/20/2010 To SENATE Committee on ENVIRONMENTAL QUALITY</i> <b>HEARING:</b> <i>06/14/2010 1:30 pm</i>	Sponsor: California Council for Environmental and Economic Balance  Support: California Apartment Association, California Business Properties Association, CalChamber, California Forestry Association, Southern California Edison

BILL NO. / AUTHOR	COMMENTARY	STATUS	OTHER AGENCY POSITIONS
<p>► <b>AB 1867 (Harkey – R)</b></p> <p>Land Use: Local Planning: Housing Element Program</p>	<p>Modifies the eligibility requirements for a unit to be considered as substantially rehabilitated by revising the requirement that the unit to be rehabilitated is initially found to be a substandard building due to the existence of various specified conditions. Revises the criterion of being located in a multifamily rental housing complex.</p>	<p><b>INTRODUCED:</b> 02/12/2010  <b>LAST AMENDED:</b> 04/26/2010  <b>LOCATION:</b> Senate  <i>Transportation and Housing Committee</i></p> <p><b>STATUS:</b> 05/20/2010 To  <i>SENATE Committee on  TRANSPORTATION AND  HOUSING</i></p>	<p><i>Support: City of San Juan  Capistrano (sponsor),  CSAC, City of Buena Park,  City of Mission Viejo, City  of San Clemente</i></p>
<p>► <b>AB 1957 (Silva – R)</b></p> <p>Administrative Procedure Act: Notice of Proposed Action</p>	<p><i>Bill did not pass fiscal committee. Failed to meet legislative deadlines, will not proceed forward.</i></p>		
<p>► <b>AB 2147 (Perez – D)</b></p> <p>Safe Routes to School</p>	<p>Relates to the Safe School Routes Construction Program. Amends existing law that requires Caltrans to make grants available to local agencies under the program through a competitive grant process that considers various factors in the rating the proposals. Requires, in rating a proposal, the consideration of the proposal's benefit to a disadvantaged community, the use of a public participation process, and the degree to which the public's concerns are incorporated into the proposal.</p>	<p><b>INTRODUCED:</b> 02/18/2010  <b>LAST AMENDED:</b> 05/03/2010  <b>LOCATION:</b> Senate  <i>Transportation and Housing Committee</i></p> <p><b>STATUS:</b> 05/20/2010 To  <i>SENATE Committee on  TRANSPORTATION AND  HOUSING</i>  <b>HEARING:</b> 06/22/2010 1:30 pm</p>	<p>(partial list)  Sponsor: California Rural  Legal Assistance  Foundation, PolicyLink</p> <p>Support: Planning and  Conservation League,  TransForm, California Food  Policy Advocates, Central  Valley Partnership for  Citizenship, Prevention  Institute</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OTHER AGENCY POSITIONS
<p>► <b>AB 2311</b> (Mendoza – D)</p> <p>California Global Warming Solutions Act of 2006</p>	<p><i>Bill did not pass fiscal committee. Failed to meet legislative deadlines, will not proceed forward.</i></p>		
<p>► <b>AB 2313</b> (Buchanan – D)</p> <p>Greenhouse Gas: Emissions: Significant Effects</p>	<p>Amends CEQA to require the Office of Planning and Research, at the time of the next review of guidelines to implement the act, to prepare, develop, and transmit to the Secretary of the Natural Resources Agency recommended proposed changes or amendments to the guidelines regarding standards for determining significant effects on the environment resulting for greenhouse gas emissions. Requires the adoption of those recommendations upon receipt and review.</p>	<p><b>INTRODUCED:</b> 02/19/2010  <b>LAST AMENDED:</b> 04/26/2010  <b>LOCATION:</b> Senate Environmental Quality Committee    <b>STATUS:</b> 06/10/2010 To SENATE Committee on ENVIRONMENTAL QUALITY</p>	<p>Sponsor: CBIA</p>
<p>► <b>AB 2329 (Ruskin – D)</b></p> <p>Greenhouse Gas Emissions; Climate Action Team</p>	<p>Creates the Climate Action Team, under the direction of the Secretary for Environmental Protection and consisting of representatives from specified state agencies, that would be responsible for coordinating the state's overall climate policy, identifying and reviewing activities and funding programs, recommending policies, investment strategies, and priorities, and providing information to local governments and regional agencies.</p>	<p><b>INTRODUCED:</b> 02/19/2010  <b>LAST AMENDED:</b> 04/26/2010  <b>LOCATION:</b> Senate Environmental Quality Committee    <b>STATUS:</b> 06/10/2010 To SENATE Committee on ENVIRONMENTAL QUALITY</p>	<p>None Listed</p>
<p>► <b>AB 2469</b> (Berryhill – R)</p> <p>State Air Resources Board: Dispute Resolutions</p>	<p><i>Bill did not pass fiscal committee. Failed to meet legislative deadlines, will not proceed forward.</i></p>		

BILL NO. / AUTHOR	COMMENTARY	STATUS	OTHER AGENCY POSITIONS
<p>► <b>AB 2508</b> <b>(Caballero – D)</b></p> <p>Infill Incentive Grant Program of 2007</p>	<p>Amends the Infill Incentive Grant Program of 2007 that provides grants to facilitate the development of qualifying infill residential projects. Allows a local agency to petition the Department of Housing and Community Development for an exception to the classification of its jurisdiction under the Planning and Zoning Law, if that agency believes it is unable to meet threshold density requirements for the program. Establishes procedures for the exception request.</p>	<p><b>INTRODUCED:</b> 02/19/2010  <b>LAST AMENDED:</b> 05/03/2010  <b>LOCATION:</b> <i>Senate Transportation and Housing Committee</i></p> <p><b>STATUS:</b> <i>06/03/2010 To SENATE Committee on TRANSPORTATION AND HOUSING</i></p>	<p>None Listed</p>
<p>► <b>AB 2509</b> <b>(Hayashi – D)</b></p> <p>Transit Village Plan</p>	<p>Amends existing law that authorizes a city or county to create a transit village plan for a transit village development district and authorizes the city or county to prepare a village transit plan for the district that addresses specified characteristics. Revises the list of characteristics that a transit village plan may address to add other land uses, including educational facilities, that provide direct linkages for people traveling to and from educational institutions.</p>	<p><b>INTRODUCED:</b> 02/19/2010  <b>LAST AMENDED:</b> 04/08/2010  <b>LOCATION:</b> <i>Senate Local Government Committee</i></p> <p><b>STATUS:</b> <i>05/27/2010 To SENATE Committee on LOCAL GOVERNMENT</i>  <b>HEARING:</b> <i>06/16/2010 9:30 am</i></p>	<p>Support: Santa Clara Valley Transportation Authority</p>
<p>► <b>AB 2516 (Hill – D)</b></p> <p><i>Housing Accessibility: Accessible Housing Task Force</i></p>	<p><i>Bill did not pass fiscal committee. Failed to meet legislative deadlines, will not proceed forward.</i></p>		

BILL NO. / AUTHOR	COMMENTARY	STATUS	OTHER AGENCY POSITIONS
<p>► <b>AB 2579 (Evans – D)</b></p> <p>Master Plan for Infrastructure Financing</p>	<p><i>Bill did not pass fiscal committee. Failed to meet legislative deadlines, will not proceed forward.</i></p>		
<p>► <b>AB 2640 (Arambula – I)</b></p> <p>Income Taxes: Subsidized Parking: Credits</p>	<p><i>Bill did not pass fiscal committee. Failed to meet legislative deadlines, will not proceed forward.</i></p>		
<p>► <b>AB 2655 (Eng – D)</b></p> <p>Advance Infrastructure Mitigation Program Act</p>	<p><i>Bill did not pass fiscal committee. Failed to meet legislative deadlines, will not proceed forward.</i></p>		
<p>► <b>AB 2703 (Perez – D)</b></p> <p>Federal Transportation Stimulus Funds: 2<sup>nd</sup> Round</p>	<p>Provides the authority to advance certain projects with loans of federal funds awarded to the state in 2010 under the 2nd round of federal transportation economic stimulus funds. Provides the requirements to be determined eligible for an advance. Provides that upon repayment of these loans, these funds would be available for appropriation for the State Highway Operation and Protection Program.</p>	<p><b>INTRODUCED:</b> 02/19/2010  <b>LAST AMENDED:</b> 05/17/2010  <b>LOCATION:</b> Senate Transportation and Housing Committee  <b>STATUS:</b> 06/03/2010 To SENATE Committee on TRANSPORTATION AND HOUSING</p>	<p>None Listed</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OTHER AGENCY POSITIONS
<p>► <b>AB 2754 (Perez – D)</b></p> <p><i>Land Use and Planning: Planning and Clearinghouse Unit</i></p>	<p><i>Establishes the Planning and State Clearinghouse Unit to evaluate plans and programs of state government, identify conflicts or omissions in those plans and programs, and to recommend to the Governor and Legislature new actions to resolve those conflicts, advance statewide environmental goals, and ensure state policies and programs conform to adopted land use planning goals and programs, and to assist in the sustainable communities strategy. Establishes the Strategic Growth Council.</i></p>	<p><b>INTRODUCED:</b> 02/19/2010  <b>LAST AMENDED:</b> 05/28/2010  <b>LOCATION:</b> Senate Local Government Committee</p> <p><b>STATUS:</b> 06/10/2010 To SENATE Committee on LOCAL GOVERNMENT</p>	<p>None Listed</p>
<p>► <b>AJR 26 (Chesbro – D)</b></p> <p>Climate Change</p>	<p>Requests the Congress to establish a comprehensive framework, including funding, for adapting our nation's wildlife, habitats, coasts, watersheds, rivers, and other natural resources and ecosystems to the impacts of climate change.</p>	<p><b>INTRODUCED:</b> 09/09/2009  <b>LAST AMENDED:</b> 01/25/2010  <b>LOCATION:</b> Senate Environmental Quality Committee</p> <p><b>STATUS:</b> 06/09/2010 From SENATE Committee on NATURAL RESOURCES AND WATER: Do pass to Committee on ENVIRONMENTAL QUALITY  <b>HEARING:</b> 06/14/2010 1:30 pm</p>	<p>Support: Audubon California, Defenders of Wildlife, Nature Conservancy</p>
<p>► <b>SB 194 (Florez – D)</b></p> <p>Community Equity Investment Act of 2010</p>	<p>Enacts the Community Equity Investment Act of 2010. Makes legislative findings and declarations relating to disadvantaged, unincorporated communities. Specifies how funds received pursuant to the federal State Community Development Block Grant Program are expended at the local government level.</p>	<p><b>INTRODUCED:</b> 02/23/2009  <b>LAST AMENDED:</b> 01/07/2010  <b>LOCATION:</b> Assembly Housing and Community Development Committee</p> <p><b>STATUS:</b> 06/10/2010 To ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT  <b>HEARING:</b> 06/30/2010 9:00 am</p>	<p>(partial list)  Support: California Rural Legal Assistance Foundation, Ella Baker Center for Human Rights, Environmental Justice Coalition</p> <p>Oppose: League of California Cities</p>



BILL NO. / AUTHOR	COMMENTARY	STATUS	OTHER AGENCY POSITIONS
<b>SB 326</b> <b>(Strickland – R)</b>  Land Use: Housing Element	Amends the Planning and Zone Law. Provides that if a city or county in the prior planning period failed to identify or make available adequate sites to accommodate that portion of the regional housing need allocated to it, the city or county, within the first year of the planning period of the new housing element, would be authorized to identify adequate sites to accommodate the un-accommodated portion of the regional housing need allocation from the prior planning period.	<b>INTRODUCED:</b> 02/25/2009 <b>LAST AMENDED:</b> 06/22/2009 <b>LOCATION:</b> Assembly Local Government Committee  <b>STATUS:</b> 06/22/2009 From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments.  06/22/2009 In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.	Sponsor: County of Santa Barbara
<b>► SB 454</b> <b>(Lowenthal – D)</b>  Land Use: Zoning Regulations	<i>Amends existing law which imposes, until a specified date, notice and procedural requirements on an owner of specified types of government-subsidized rental housing regarding the owner's decision not to extend or renew participation in government-subsidized housing programs, including a requirement that the owner give notice of the opportunity to purchase the property to specified entities. Deletes the repeal of these provisions. Modifies the purchase opportunity notice information.</i>	<b>INTRODUCED:</b> 02/26/2009 <b>LAST AMENDED:</b> 05/27/2010 <b>LOCATION:</b> Assembly Local Government Committee  <b>STATUS:</b> 05/27/2010 From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments  05/27/2010 In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.	Sponsors: California Coalition for Rural Housing and California Rural Legal Assistance Foundation  Support: California Housing Partnership Corporation, City of Los Angeles, Western Center on Law and Poverty

BILL NO. / AUTHOR	COMMENTARY	STATUS	OTHER AGENCY POSITIONS
<p>► <b>SB 518</b> (Lowenthal – D)</p> <p><i>Building Standards: Graywater</i></p>	<p><i>This bill was amended to address building standards and water quality.</i></p>		
<p>► <b>SB 812 (Ashburn – R)</b></p> <p>Development Services: Housing</p>	<p>Relates to development services and housing for persons with disabilities in cities, counties, or cities and counties. Requires the local government, as part of the next planning period commencing after a specified date, to obtain, assess, and analyze appropriate information on the housing needs of individuals with developmental disabilities within the community.</p>	<p><b>INTRODUCED:</b> 02/27/2009  <b>LAST AMENDED:</b> 06/10/2010  <b>LOCATION:</b> Assembly Local Government Committee</p> <p><b>STATUS:</b> 06/10/2010 From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments</p> <p><i>06/10/2010 In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT</i>  <b>HEARING:</b> 06/16/2010 1:30 pm</p>	<p>Support: Housing California</p>
<p>► <b>SB 942 (Dutton – R)</b></p> <p>State Auditor: Analysis of Regulations</p>	<p><i>Bill did not pass fiscal committee. Failed to meet legislative deadlines, will not proceed forward.</i></p>		

BILL NO. / AUTHOR	COMMENTARY	STATUS	OTHER AGENCY POSITIONS
<p>► <b>SB 1006 (Pavley – D)</b></p> <p>Natural Resources: Climate Change</p>	<p><i>Requires the Strategic Growth Council to take certain actions with regard to coordinating programs to address climate change impacts. Requires the council to additionally provide, fund, and distribute information to local governments and regional agencies regarding climate change strategies, projects, and activities. Requires the council to manage and award financial assistance to specified local entities for those activities.</i></p>	<p><b>INTRODUCED:</b> 02/10/2010  <b>LAST AMENDED:</b> 06/01/2010  <b>LOCATION:</b> Assembly Local Government Committee  <b>STATUS:</b> 06/10/2010 To ASSEMBLY Committees on LOCAL GOVERNMENT and NATURAL RESOURCES  <b>HEARING:</b> 06/16/2010 1:30 pm</p>	<p>(partial list)</p> <p>Sponsor: Audubon California, Defenders of Wildlife, The Nature Conservancy</p> <p>Support: California Coastkeeper Alliance, California ReLeaf, Watershed Conservation Authority</p> <p>Oppose: California Central Valley Flood Control Association (unless amended)</p>
<p>► <b>SB 1033 (Wright – D)</b></p> <p>Global Warming Solutions Act of 2006: Allowances</p>	<p>Requires the ARB, if market-based compliance mechanisms are adopted, to sell, trade or otherwise distribute an allowance, defined as an authorization to emit greenhouse gas emissions, only to a regulated entity subject to the greenhouse gas emissions limit to which that allowance applies. Authorizes a regulated entity to sell or trade an allowance only to another regulated entity.</p>	<p><b>INTRODUCED:</b> 02/12/2010  <b>LAST AMENDED:</b> 04/26/2010  <b>LOCATION:</b> Assembly Natural Resources Committee  <b>STATUS:</b> 06/03/2010 To ASSEMBLY Committee on NATURAL RESOURCES</p>	<p>None Listed</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OTHER AGENCY POSITIONS
<p>► <b>SB 1174 (Wolk – D)</b></p> <p>Land Use: General Plan</p>	<p>Requires a city or county to amend its general plan to the extent necessary to address the presence of island, fringe, or legacy unincorporated communities inside or near its boundaries. Requires the amended general plan to include specified information. Requires a city or county, after the initial amendment of its general plan, to review its general plan to update its information, goals and program of action relating to these communities.</p>	<p><b>INTRODUCED:</b> 02/18/2010  <b>LAST AMENDED:</b> 04/29/2010  <b>LOCATION:</b> <i>Assembly Local Government Committee</i></p> <p><b>STATUS:</b> <i>06/10/2010 To ASSEMBLY Committee on LOCAL GOVERNMENT</i>  <b>HEARING:</b> <i>06/30/2010 1:30 pm</i></p>	<p>None Listed</p>
<p>► <b>SB 1207 (Kehoe – D)</b></p> <p>Land Use: General Plan: Safety Element</p>	<p>Revises the safety element requirements for state responsibility areas and very high fire hazard severity zones. Requires the safety element upon each revision of the housing element, to be reviewed and updated as necessary to address the risk of fire in state responsibility areas and very high fire hazard severity zones, taking into account specified considerations.</p>	<p><b>INTRODUCED:</b> 02/18/2010  <b>LAST AMENDED:</b> 03/24/2010  <b>LOCATION:</b> <i>Assembly Local Government Committee</i></p> <p><b>STATUS:</b> <i>06/10/2010 To ASSEMBLY Committees on LOCAL GOVERNMENT and NATURAL RESOURCES</i>  <b>HEARING:</b> <i>06/16/2010 1:30 pm</i></p>	<p>Support: American Planning Association, California State Firefighters' Association, Orange County Professional Firefighters Association, Sierra Club</p> <p>Oppose: CSAC, Regional Council of Rural Counties</p>
<p>► <b>SB 1299 (Lowenthal – D)</b></p> <p>Vehicles: Vehicle Miles Traveled Fee</p>	<p>Requires the Department of Motor Vehicles to develop and implement a pilot program designed to assess various issues related to implementing a vehicle miles traveled (VMT) fee in the state.</p>	<p><b>INTRODUCED:</b> 02/19/2010  <b>LOCATION:</b> Senate Appropriations Committee</p> <p><b>STATUS:</b> <i>05/03/2010 In SENATE Committee on APPROPRIATIONS: To Suspense File</i></p>	<p>Support: Professional Engineers of California Government, Transportation California</p> <p>Oppose: CalTax</p>
<p>► <b>SB 1305 (Pavley – D)</b></p> <p>Global Warming Solutions Act of 2006</p>	<p><i>SB 1305 failed to pass out of the Senate and did not meet legislative deadlines. Measure failed.</i></p>		

BILL NO. / AUTHOR	COMMENTARY	STATUS	OTHER AGENCY POSITIONS
<p>► <b>SB 1348</b> <b>(Steinberg – D)</b></p> <p>California Transportation Commission</p>	<p>This bill would establish specified procedures that the CTC would be required to utilize when it adopts guidelines pursuant to a statutory authorization or mandate that exempts the CTC from the requirements of the Administrative Procedure Act.</p>	<p><b>INTRODUCED:</b> 02/19/2010  <b>LAST AMENDED:</b> 05/24/2010  <b>LOCATION:</b> <i>Assembly Transportation Committee</i></p> <p><b>STATUS:</b> 06/03/2010 To ASSEMBLY Committee on TRANSPORTATION  <b>HEARING:</b> 06/14/2010 1:30 pm</p>	<p>None Listed</p>
<p>► <b>SB 1371</b> <b>(Lowenthal – D)</b></p> <p>Federal Transportation Economic Stimulus Funds</p>	<p>Requires Caltrans to work with local transportation agencies to develop a list of potential projects that may be awarded within a 90-day period of the award to the state of second round federal transportation economic stimulus funds. Requires Caltrans to submit a monthly status report to the Legislature with respect to certain milestones for expenditure of these funds.</p>	<p><b>INTRODUCED:</b> 02/19/2010  <b>LOCATION:</b> <i>Assembly Transportation Committee</i></p> <p><b>STATUS:</b> 05/28/2010 To ASSEMBLY Committee on TRANSPORTATION  <b>HEARING:</b> 06/14/2010 1:30 pm</p>	<p>None Listed</p>
<p>► <b>SB 1445</b> <b>(DeSaulnier – D)</b></p> <p>Planning</p>	<p>Increases the vehicle registration fee by \$1, revenues to be used by regions to create or implement plans developed under SB 375 (Chapter 728, Statutes of 2008) or regional blueprints. Extends deadline for the Strategic Growth Council to report to the Legislature to July 1, 2012. Modifies membership of the Planning Advisory and Assistance Council.</p>	<p><b>INTRODUCED:</b> 02/19/2010  <b>LAST AMENDED:</b> 05/13/2010  <b>LOCATION:</b> <i>Assembly Local Government Committee</i></p> <p><b>STATUS:</b> 06/10/2010 To ASSEMBLY Committees on LOCAL GOVERNMENT and TRANSPORTATION</p>	<p>Sponsor: CALCOG</p> <p>Support: American Planning Association, Association of Bay Area Governments</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OTHER AGENCY POSITIONS
<p>► <b>SB 1446 (Correa – D)</b></p> <p>Endangered and Threatened Species: Incidental Take</p>	<p>Relates to the requirements for incidental take permits under the California Endangered Species Act that the applicant ensure there is adequate funding to implement minimization and mitigation measures. Would require an applicant that is a city, county or other lead agency be deemed to meet this requirement if they comply with specified financial and accounting requirements and certify that it will annually appropriate sufficient money to fund its minimization and mitigation obligations.</p>	<p><b>INTRODUCED:</b> 02/19/2010  <b>LAST AMENDED:</b> 04/20/2010  <b>LOCATION:</b> <i>Senate Inactive File</i></p> <p><b>STATUS:</b> <i>05/27/2010 In SENATE. From third reading. To Inactive File.</i></p>	<p>(partial list)  Sponsor: County of Orange</p> <p>Support: OCTA, CSAC, League of California Cities, Orange County Employees Association</p> <p>Oppose: Audubon California, Planning and Conservation League, Trust for Public Land</p>



**ORANGE COUNTY  
COUNCIL OF GOVERNMENTS**

**June 24, 2010**

**Subject: Executive Director's Report**

**Summary:** The Executive Director's report provides the Orange County Council of Governments (OCCOG) Board of Directors an update on staff activities pertaining to final approval of the memorandum of understanding (MOU) with the Southern California Association of Governments (SCAG) to conduct an Orange County Subregional Sustainable Communities Strategy (SCS), the release of a request for proposals (RFP) for a SCS consultant to develop and manage the planning requirements to conduct the Orange County Subregional SCS, and an update on SB 375 clean-up legislation and relevant California Transportation Commission (CTC) Regional Transportation Plan (RTP) guidelines pertaining to SB 375.

**Background: MOU with SCAG and OCCOG/Orange County Transportation Authority (OCTA) to Conduct Subregional SCS**

The enactment of SB 375 (Chapter 728, Statutes of 2008) provided for subregional councils of governments in the SCAG region to work with the respective county transportation commissions to develop transportation and land use strategies to meet greenhouse gas reduction targets set by the California Air Resources Board (ARB) in draft form by June 2010 and final by September 2010 for years 2020 and 2035.

SB 375 authorized a subregional council of governments and the county transportation commissions in the SCAG region to work together to propose the SCS and an alternative planning strategy (APS), if needed.

One of the major benefits to conducting a subregional SCS is that SCAG is required by statute to include the subregional SCS within its regional SCS to the extent that it is consistent with existing state and federal law. The Executive Director of the OCCOG, submitted a letter to the Executive Director of SCAG, Mr. Hasan Ikhata, prior to the December 31, 2009, deadline notifying SCAG of the OCCOG and OCTA Board of Directors' (Board) actions to develop and submit a subregional SCS, dependent upon negotiating a MOU with SCAG on the terms, roles, and responsibilities for conducting a subregional SCS in Orange County.

Following five months of negotiations with SCAG on the development of the MOU, and by reaching agreement on the specific legal and technical concerns raised by the OCCOG/OCTA SCS Joint Working Committee, OCCOG and OCTA Boards, technical staff, and legal counsel, staff recommended approval of the final draft enabling Orange County to move forward with conducting a subregional SCS as authorized by SB 375.

On May 27, 2010, the OCCOG/OCTA SCS Joint Working Committee reviewed and approved a final draft of the MOU with SCAG to conduct a

Subregional Orange County SCS as authorized by SB 375. The OCCOG Board subsequently voted unanimously to approve the document and the OCTA Board of Directors approved the MOU on June 14, 2010. The MOU has been signed and submitted to SCAG (Attachment A).

### **RFP for Orange County Subregional SCS Consultant**

On Wednesday, June 16, 2010, staff released a RFP 0-1609: Consultant Services for the Development of Orange County Subregional SCS. The RFP is posted for review on the OCCOG website. The Scope of Work for the RFP was provided for review by the OCCOG/OCTA Subregional SCS Joint Working Committee and the full OCCOG Board at the meetings held on May 27, 2010.

*The key RFP dates are as follows:*

Issue Date:	June 16, 2010
Pre-Proposal Conference:	June 22, 2010
Question Submittal Date:	June 24, 2010
Proposal Submittal Date:	July 14, 2010

Given the short statutory timeline to conduct the subregional and regional SCS, the intent is to have a SCS consultant selected and on board by August 1, 2010. SB 375 requires an aggressive timeline for compliance so the procurement process has been streamlined significantly to ensure that OCCOG has the consultant and resources in place in a timely manner to comply with the deliverables and milestones to comply fully with the statute.

### **SB 375 Clean-Up Legislation and CTC Guidelines**

At the last OCCOG Board meeting, during Kristin Essner's presentation on SB 375 clean-up legislation, Director Peter Herzog requested that staff provide the relevant CTC RTP guidelines section that refers to the exemptions under SB 375 (the "programmed for funding" section). Posted below is the specific section of the CTC guidelines.

#### **6.16 Transportation Projects Exempted from Senate Bill 375**

Government Code Section 65080 (b)(2)(L) provides that projects programmed for funding on or before December 31, 2011, are not required to be subject to the provisions required in Government Code Section 65080 (b)(2), a SCS and APS, if they are:

- Contained in the 2007 or 2009 Federal Statewide Transportation Improvement Program, or
- Funded pursuant to the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, Chapter 12.49 (commencing with Section 8879.20) of Division 1 of Title 2, or
- Were specifically listed in a ballot measure prior to December 31, 2008, approving a sales tax increase for transportation projects.



Nothing in Government Code Section 65080 (b)(2)(L) shall require a transportation sales tax authority to change the funding allocations approved by the voters for categories of transportation projects in a sales tax measure adopted prior to December 31, 2010. For purposes of this subparagraph of the Government Code, a transportation sales tax authority is a district, as defined in Section 7252 of the Revenue and Taxation Code that is authorized to impose a sales tax for transportation purposes.

Programmed for funding refers to the inclusion of funding in the 2007 or 2009 Federal Statewide Transportation Improvement Program (FSTIP); the approval of funding by the State Legislature or appropriate administrative agency; or the approval of funding by voters in a sales tax expenditure plan.

For the purposes of Government Code Section 65080 (b)(2)(H), prior to adopting a SCS, the Metropolitan Planning Organization (MPO) shall quantify the reduction in greenhouse gas emissions (GHG) projected to be achieved by the SCS and set forth the difference, if any, between the amount of that reduction and the target for the region established by the ARB. As a result, an MPO shall include exempted projects in their SCS for purposes of modeling the impacts of the RTP on regional greenhouse gas (GHG) emissions. These projects, however, are exempt from the internal consistency requirement. In other words, these projects may be included in the RTP even if they are inconsistent with the SCS or other policies to reduce regional GHG emissions.

A project's status as exempt does not preclude an MPO from evaluating it for inclusion in the RTP and ultimately excluding it from the RTP at its discretion based on financial constraint, policy, or other considerations.

**Recommendation:** Receive and file as an information item.

**Attachments:**

A. Final MOU with SCAG to Conduct Orange County Subregional SCS.

**Staff Contact:**

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**MEMORANDUM OF UNDERSTANDING**  
**BY AND BETWEEN**  
**ORANGE COUNTY TRANSPORTATION AUTHORITY**  
**AND**  
**ORANGE COUNTY COUNCIL OF GOVERNMENTS**  
**AND**  
**THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS**  
**FOR ORANGE COUNTY SUSTAINABLE COMMUNITIES STRATEGY**

**THIS MEMORANDUM OF UNDERSTANDING** (hereinafter referred to as “MOU”) is entered by and between the Orange County Transportation Authority, (hereinafter referred to as “AUTHORITY”), the Orange County Council of Governments, (hereinafter referred to as “OCCOG”), and the Southern California Association of Governments, (hereinafter referred to as “SCAG”), collectively referred to as the “Parties.”

**RECITALS:**

**WHEREAS**, Senate Bill 375 (Chapter 728, laws of 2008, “SB 375”) requires SCAG to prepare a regional Sustainable Communities Strategy (hereinafter referred to as “SCS” or “Regional SCS”) as part of SCAG’s Regional Transportation Plan (RTP) to achieve goals for the reduction of greenhouse gas emissions from automobiles and light trucks in the SCAG region which comprises the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura;

**WHEREAS**, SB 375 allows AUTHORITY, as the county transportation commission for Orange County, and OCCOG, as a subregional council of governments for Orange County, to develop and submit to SCAG a subregional SCS for Orange County (hereinafter referred to as “Orange County SCS”);

**WHEREAS**, as part of its implementation of SB 375, SCAG has developed and adopted a certain “Framework and Guidelines for the Subregional Sustainable Communities Strategy” (hereinafter

## MEMORANDUM OF UNDERSTANDING NO. C-0-XXXX

1 referred to as "Framework and Guidelines"), attached hereto as Exhibit "A" and incorporated herein by  
2 this reference.

3 **WHEREAS**, SCAG is required by SB 375 to include a subregional SCS in the regional SCS, to  
4 the extent consistent with state and federal law, including the SCS conducted by Orange County; and

5 **WHEREAS**, AUTHORITY, OCCOG and SCAG desire to enter into this MOU to demonstrate  
6 mutual commitments to prepare the Orange County SCS.

7 **NOW, THEREFORE**, the Parties enter into the following MOU with respect to the matters set  
8 forth herein:

9 1. This MOU establishes the roles, responsibilities, and requirements for AUTHORITY,  
10 OCCOG, and SCAG that are necessary to develop an Orange County SCS that shall be included in the  
11 regional SCS prepared by SCAG.

12 2. AUTHORITY and OCCOG shall prepare the Orange County SCS consistent with  
13 SCAG's adopted Framework and Guidelines, as attached hereto, to ensure that the region can  
14 successfully incorporate strategies within the Orange County SCS into the Regional SCS, and not  
15 inhibit the region from complying with SB 375.

16 3. AUTHORITY and OCCOG agree to comply with the Milestones Schedule, attached  
17 hereto as Exhibit "B" and incorporated by this reference, and work with SCAG and the other subregions  
18 to ensure the successful delivery of a regional SCS by using the Deliverables Template, attached  
19 hereto as Exhibit "C" and incorporated herein by this reference as the primary template for developing a  
20 subregional SCS workplan. The Deliverables Template may be subject to change, based on direction  
21 from the SCAG Regional Council or Community, Economic and Human Development Policy  
22 Committee, and approval by OCCOG.

23 4. AUTHORITY shall prepare the transportation element of the Orange County SCS  
24 through AUTHORITY'S Long-Range Transportation Plan (LRTP). Such transportation element shall, at  
25 a minimum, identify a transportation network (i.e., list of transportation projects) to service the  
26

1 transportation needs of Orange County, and describe transportation policies (e.g., Transportation  
2 Demand Management and Transportation System Management strategies).

3 5. OCCOG shall prepare the Orange County SCS, and use AUTHORITY'S LRTP as the  
4 transportation element of the Orange County SCS.

5 6. OCCOG and AUTHORITY are encouraged by SCAG to conduct a public participation  
6 process in developing the Orange County SCS, above and beyond the process required for the  
7 regional SCS required under Section 65080(b)(2)(D)-(E) of the California Government Code. Further,  
8 SCAG encourages OCCOG to develop a public participation plan, similar to SCAG's Public  
9 Participation Plan adopted in December 2009, for such purposes.

10 7. OCCOG and AUTHORITY agree to participate in all publicly noticed meetings,  
11 workshops, hearings, and other outreach activities organized in Orange County by SCAG at which the  
12 regional SCS or Orange County SCS is included on the agenda. All parties shall coordinate with one  
13 another during implementation of SCAG's public participation process in order to ensure broad public  
14 and stakeholder participation, and to avoid duplication of effort.

15 8. OCCOG and AUTHORITY shall retain and deliver to SCAG all documentation  
16 pertaining to the Orange County SCS from publicly noticed meetings, workshops, and hearings at  
17 which the Orange County SCS is included on the agenda. Such documentation shall include but is not  
18 limited to meeting notices, agendas, minutes, comments and responses to comments, sign-up sheets,  
19 handouts, and copies of power point presentations.

20 9. AUTHORITY, OCCOG, and SCAG acknowledge that population, housing, and employment  
21 estimates are being prepared by the Center for Demographic Research at California State University  
22 Fullerton through the Orange County Projection process and the 2012 RTP growth forecasting process  
23 (hereinafter referred to as the "OCP dataset"). SCAG agrees to use the OCP dataset as reviewed and  
24 approved by OCCOG, for the Regional SCS and the 2012 RTP; provided, that SCAG, in consultation  
25 with OCCOG, may make adjustments to the OCP dataset in order to ensure consistency with SCAG's  
26 2012 RTP growth forecast.

## MEMORANDUM OF UNDERSTANDING NO. C-0-XXXX

1           10. AUTHORITY and Orange County local agencies shall provide SCAG with population,  
2           employment, and housing estimates in transportation analysis zone (TAZ) format consistent with the  
3           Orange County Transportation Analysis Model (OCTAM).

4           11. AUTHORITY agrees to incorporate new land use-transportation interactions into OCTAM,  
5           and these shall include, at a minimum, net residential and employment densities, jobs/housing diversity,  
6           design characteristics, and destination accessibility.

7           12. The Parties agree and acknowledge that population, housing, and employment data  
8           submitted to SCAG by OCCOG and AUTHORITY shall be accurately reflected in all documentation  
9           produced by SCAG that relates to the Orange County SCS and Regional SCS.

10          13. The Parties agree and acknowledge that RHNA responsibilities shall remain with SCAG,  
11          and neither AUTHORITY nor OCCOG shall assume delegation responsibility for RHNA as part of the  
12          Orange County SCS development. However, neither AUTHORITY nor OCCOG is precluded by this  
13          MOU from assuming delegation responsibility for RHNA as part of a subsequent, separate agreement.

14          14. SCAG agrees to accept AUTHORITY's LRTP as Orange County's program of  
15          transportation projects as input for the 2012 Regional Transportation Plan.

16          15. SCAG agrees to acknowledge that the Renewed Measure M program is exempt from SB  
17          375 requirements, to the extent consistent with SB 375 and the final, adopted California Transportation  
18          Commission RTP guidelines.

19          16. SCAG agrees that in addition to preparation of the Orange County SCS developed under  
20          this MOU, development of an Alternative Planning Strategy (APS) by AUTHORITY and OCCOG is  
21          optional. This understanding shall not preclude SCAG from preparing a regional APS pursuant to SB  
22          375.

23          17. SCAG shall not develop SCS related targets that are attributable to the subregions.

24          18. SCAG agrees that it will not impose a penalty on the Orange County subregion if the  
25          greenhouse gas targets, as established by the California Air Resources Board, are not met by the  
26          Regional SCS.

## MEMORANDUM OF UNDERSTANDING NO. C-0-XXXX

1           19. SCAG shall accept the Orange County SCS prepared in accordance with this MOU, as the  
2 Orange County subregion's input into the Regional SCS prepared by SCAG.

3           20. AUTHORITY, OCCOG, and SCAG shall separately amend this MOU in writing or develop a  
4 separate, mutual funding agreement addressing Orange County SCS costs should state or federal  
5 funding become available that can be applied toward preparation of the Orange County SCS.

6           21. AUTHORITY, OCCOG, and SCAG agree to work closely together throughout the regional  
7 SCS process and Orange County SCS process to provide technical input, applicable planning data,  
8 and constructive feedback with respect to all documents, products and deliverables developed and  
9 associated with the Orange County SCS.

10          22. The AUTHORITY, OCCOG, and SCAG agree to work together in good faith, using  
11 reasonable efforts to resolve any unforeseen issues and disputes arising out of the performance of this  
12 MOU.

13          23. The Parties agree in good faith to provide the resources necessary to implement the  
14 provisions of the MOU.

15          24. AUTHORITY, OCCOG, and SCAG agree to defend, indemnify and hold harmless the other  
16 parties, their Officers, agents, elected officials, and employees, from all liability, claims, losses and  
17 demands, including defense costs and reasonable attorneys' fees, whether resulting from court action  
18 or otherwise, arising out of the acts or omissions of the defending party, its officers, agents, or  
19 employees, in the performance of the MOU. When acts or omissions of one party are directed by  
20 another party, the party directing the acts or omission shall owe this defense and indemnity obligation to  
21 the agencies following the directions. The provisions of this paragraph shall survive termination of this  
22 MOU.

23          25. This MOU shall be governed by all applicable federal, state, and local laws. The  
24 signatories warrant that in the performance of this MOU, each shall comply with all applicable federal,  
25 state and local laws, statutes and ordinances and all lawful orders, rules and regulations promulgated  
26 there under.

## MEMORANDUM OF UNDERSTANDING NO. C-0-XXXX

1           26. This MOU may only be modified or amended upon written mutual consent of all signatories.  
2 All modifications, amendments, changes and revisions of this MOU in whole or part, and from time to  
3 time, shall be binding upon the parties, so long as the same shall be in writing and executed by the  
4 signatories.

5           27. This MOU, including all exhibits and documents incorporated herein and made applicable  
6 by reference, constitutes the complete and exclusive statement of the term(s) and condition(s) of the  
7 agreement between the parties and it supersedes all prior representations, understandings and  
8 communications. The invalidity in whole or part of any term or condition of this MOU shall not affect the  
9 validity of the other term(s) or condition(s).

10           28. Any party may withdraw from this MOU upon 30 days written notice to the other, until the  
11 due date set forth in Exhibit "B" for submittal to SCAG of the preliminary Orange County SCS. After  
12 such due date, any party may withdraw from this MOU only upon mutual written agreement by all  
13 Parties.

14           29. Each signatory shall be excused from performing its obligations under this MOU during the  
15 time and to the extent that it is prevented from performing by an unforeseeable cause beyond its  
16 control, including but not limited to: any incident of fire, flood; acts of God; commandeering of material,  
17 produces, plants or facilities by federal, state or local government; national fuel shortage; or a material  
18 act or omission by any other party; when satisfactory evidence of such cause is presented to the other  
19 parties, and provided further such nonperformance is unforeseeable, beyond the control and is not due  
20 to the fault or negligence of the party not performing.

21           30. Any notice sent by first class mail, postage paid, to the address and addressee, shall be  
22 deemed to have been given when in the ordinary course it would be delivered. The representatives of  
23 the parties who are primarily responsible for the administration of this MOU, and to whom notices,  
24 demands and communications shall be given are as detailed in Exhibit "D". If there are any changes in  
25 the names and/or addresses listed in Exhibit "D", the party desiring to make such changes shall give a  
26 written notice to the other respective parties within five (5) days of such change.



**MEMORANDUM OF UNDERSTANDING NO. C-0-XXXX**

31. This MOU shall continue in full force and effect from the Effective Date up to and until the date that the Regional SCS is adopted by SCAG's Regional Council, unless otherwise terminated earlier in accordance with section 28 of this MOU. The Effective Date of this MOU shall mean the date (last date indicated below) that all parties have fully executed this MOU.

[Signature Page to follow.]

**MEMORANDUM OF UNDERSTANDING NO. C-0-XXXX**

**IN WITNESS WHEREOF**, the Parties hereto have caused this MOU No. 0-XXX to be executed by their duly authorized representatives.

**ORANGE COUNTY TRANSPORTATION AUTHORITY ("Authority")**

By \_\_\_\_\_  
Will Kempton, Chief Executive Officer

Date: \_\_\_\_\_

**ORANGE COUNTY COUNCIL OF GOVERNMENTS ("OCCOG")**

By \_\_\_\_\_  
Kristine Murray, Executive Director

Date: \_\_\_\_\_

**SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS ("SCAG")**

By \_\_\_\_\_  
Hasan Ikhata, Executive Director

Date: \_\_\_\_\_



## **ORANGE COUNTY**

### **COUNCIL OF GOVERNMENTS**

**June 24, 2010**

**Subject:** **Report from the Orange County Council of Governments Technical Advisory Committee Chair**

**Summary:** The Orange County Council of Governments (OCCOG) Technical Advisory Committee (TAC) Chair report provides the OCCOG Board of Directors (Board) an update on the activities of the OCCOG TAC.

**Background:** The OCCOG Technical Advisory Committee (TAC) met on June 1, 2010. A copy of the June 1, 2010 meeting agenda is included as Attachment A.

The OCCOG TAC meeting discussion on June 1, 2010, included an overview of the following items:

- ◆ Agenda review for the Southern California Association of Governments (SCAG) Regional Council and Policy Committee meetings of June 3, 2010;
- ◆ Agenda review of the May 11, 2010, Plans and Programs Technical Advisory Committee, including discussion of the recommended greenhouse gas emission reduction targets prepared by SCAG and presented to the California Air Resources Board Regional Targets Advisory Committee (RTAC) at their May 25, 2010 meeting;
- ◆ An update on Orange County Projections 2010;
- ◆ An update on the Orange County Sustainable Communities Strategy Development including:
  - MOU Approval by the OCCOG Board
  - OCTA/OCCOG SCS Joint Working Committee – May 27, 2010 Meeting
  - Orange County SCS Timeline
  - Orange County SCS Next Steps – development of a work plan, scope of work, Board meetings;
- ◆ An update on OCTA's Long Range Transportation Plan;
- ◆ An update on the Southern California Association of Governments and University of Southern California 22<sup>nd</sup> Annual Demographics Workshop;
- ◆ A review of the OCCOG Board Meeting of May 27, 2010, including a report on bills of interest for the 2010 State Legislation; and
- ◆ An update on Proposed Rule 2301.

The OCCOG TAC agenda was discussed for discussion at its July 6, 2010, meeting the following:

- ◆ Orange County Projections 2010;
- ◆ Orange County Sustainable Communities Strategy (SCS) Development;
- ◆ An update on OCTA's Long Range Transportation Plan;
- ◆ Agendas for the Southern California Association of Governments Regional Council and Policy Committee meetings.

OCCOG TAC Chair Marika Modugno, City of Irvine, will be available at the OCCOG Board meeting to overview and clarify items discussed at the May 4, 2010, OCCOG TAC meeting. As a note, at this time, the OCCOG TAC no longer has a secretary to record detailed meeting minutes, therefore any action taken by the OCCOG TAC will be reflected in action minutes.

**Attachments:**

- A. OCCOG TAC Meeting Agenda: Meeting of June 1, 2010
- B. Approved OCCOG TAC Meeting Minutes for May 4, 2010

**Staff Contact:**

Marika Modugno  
OCCOG TAC Chair, City of Irvine  
949/724-6456  
[mmodugno@cityofirvine.org](mailto:mmodugno@cityofirvine.org)



**ORANGE COUNTY  
COUNCIL OF GOVERNMENTS**  
*Technical Advisory Committee*

**Meeting Date / Location**

Tuesday, June 1, 2010  
9:00 a.m. – 12:00 p.m.  
City of Orange  
Conference Room C  
300 Chapman Avenue  
Orange, California

**Agenda Item**

**Staff**

**Page**

**INTRODUCTIONS**

(Chair Marika Modugno)

**PUBLIC COMMENTS**

(Chair Modugno)

At this time members of the public may address the TAC regarding any items within the subject matter jurisdiction, which are not separately listed on this agenda. Members of the public will have an opportunity to speak on agenda items at the time the item is called for discussion. NO action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person and an overall time limit of twenty minutes for the Public Comments portion of the agenda.

Any person wishing to address the TAC on any matter, whether or not it appears on this agenda, is requested to complete a "Request to Speak" form available at the door. The completed form is to be submitted to the TAC Chair prior to an individual being heard. Whenever possible, lengthy testimony should be presented to the TAC in writing and only pertinent points presented orally.

**ADMINISTRATION**

- |    |  |                              |   |
|----|--|------------------------------|---|
| 1. | <b>OCCOG TAC Meeting Minutes</b><br><b>♦ Draft OCCOG TAC minutes for May 4, 2010 meeting</b><br><br><u>Recommended Action:</u> Approve OCCOG TAC minutes of May 4, 2010, as presented or amended | (Secretary Adrienne Gladson) | 1 |
|----|--|------------------------------|---|

**PRESENTATIONS, DISCUSSION AND ACTION ITEMS, REPORTS**

- |    |   |  |    |
|----|---|--|----|
| 2. | <b>Orange County Projections (OCP 2010)</b><br><br><u>Recommended Action:</u> Discussion. Receive report.   | (Deborah Diep, Center for Demographic Research) – 10 minutes |    |
| 3. | <b>Orange County Sustainable Communities Strategy (SCS) Development</b><br><b>♦ MOU Development</b><br><b>♦ OCCOG/OCTA SCS Joint Working Committee – May 27, 2010 Meeting</b> | (David Simpson, OCCOG Staff) – 40 minutes                    | 11 |

- ◆ Orange County SCS Timeline
- ◆ Orange County SCS Next Steps – Development of a work plan, scope of work, Board meetings

Recommended Action: Discussion. Receive report.

**4. SCAG Meetings** (Simpson, OCCOG Staff) – 25 minutes **12**

- ◆ Regional Conference and General Assembly – May 5-7, 2010
  - Recommended Greenhouse Gas reduction target range
  - RTAC meeting – May 25, 2010
- ◆ Plans and Programs TAC Meeting of May 11, 2010
- ◆ Regional Council and Policy Committee Meetings of June 3, 2010
- ◆ Subregional Coordinators Group Meeting of June 1, 2010

Recommended Action: Discussion. Receive report.

**5. OCTA's Long Range Transportation Plan** (Greg Nord, OCTA Staff) - 10 minutes

Recommended Action: Discussion. Receive report.

**6. SCAG 2012 Regional Transportation Plan and Growth Forecast** (Chair Modugno) – 10 minutes **14**

- ◆ SCAG/USC Demographic Workshop

Recommended Action: Discussion. Receive report.

**7. OCCOG Board Meeting of May 27, 2010** (Simpson, OCCOG Staff) – 10 minutes **18**

- ◆ State Legislative Update

Recommended Action: Receive report.

**8. PR 2301 Update** (Tracy Sato, City of Anaheim) – 5 minutes

Recommended Action: Receive report.

**REPORTS FROM THE CHAIR** (Chair Modugno)

**MATTERS FROM OCCOG TAC MEMBERS**

**OTHER BUSINESS** (Chair Modugno)

**ITEMS FOR NEXT MEETING** (Chair Modugno)

**IMPORTANT DATES OR UPCOMING EVENTS**

- ♦ June 2, 2010: SCAG Sustainability Tool Training  
City of Anaheim  
Session 1: 10:00 AM – 12:00 PM  
Session 2: 1:30 PM – 3:30 PM
- ♦ June 3, 2010: SCAG Regional Council and Policy Committee  
Meetings  
SCAG Los Angeles Offices

**ADJOURNMENT**

**Adjourn to: July 6, 2010  
City of Orange Conference Room C  
300 Chapman Avenue  
Orange, California**







**ORANGE COUNTY  
COUNCIL OF GOVERNMENTS**  
*Technical Advisory Committee*

**Summary Discussion and Action Minutes**

Meeting of May 4, 2010

The OCCOG Technical Advisory Committee (TAC) meeting of May 4, 2010 was called to order by Chair Marika Modugno, City of Orange, City Hall, Conference Room C, 300 East Chapman, Orange, California, at 9:06 A.M. Attendees were invited by the Chair to introduce themselves. The list of meeting attendees is attached.

**PUBLIC COMMENT:**

There were no public comments.

**ADMINISTRATION**

**1. OCCOG TAC Meeting Minutes**

The minutes were moved for approval by Pat Dapkus, City of Huntington Beach, to approve and a second by Melanie McCann, City of Santa Ana, followed by the TAC unanimously approving the minutes of April 6, 2010.

**PRESENTATIONS, DISCUSSION AND ACTION ITEMS, REPORTS**

**2. Orange County Projections (OCP 2010)**

The TAC membership received the report on the status of this effort and the data due to CDR on April 30, 2010:

- OCP-2010 data feedback
- Residential development on vacant land map info (if applicable)
- BMP list

Ms. Diep reminded attendees that local input data for OCP-2010 was due on Friday, April 30, 2010. She provided a summary of the information provided to each jurisdiction and asked for all comments to be submitted as soon as possible. The information on residential development on vacant land is due as well. She shared that the Department of Finance (DOF) has released revised population numbers for all Counties and Cities for 2001-2010. The Orange County Projections 2010 population numbers will be adjusted down to reflect the lower numbers for the area. Ms. Diep went over the Best Management Project list stating that it gives Orange County a resource of planned or built projects which contribute to the goal of reducing Green House Gases. The list was compiled using examples from various sources, including SCAG. Contact Scott Martin at CDR if you have questions on the BMPs.

**3. Orange County Sustainable Communities Strategy (SCS) Development**

A report on the following items was given by David Simpson, OCCOG staff:

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**Meeting of May 4, 2010**  
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- ◆ MOU Development Status
- ◆ OCCOG/OCTA SCS Joint Working Committee – April 24, 2010 Meeting
- ◆ Orange County SCS Timeline
- ◆ Orange County SCS Next Steps – Development of a work plan, scope of work, Board meeting discussion

Mr. Simpson explained that Kristine Murray, OCCOG Executive Director, was on her way to attend our meeting. He gave us an update on the fiscal audit for OCCOG. He has researched back to 2006 to examine the financial issues of the COG. The goal is to clear up the financial issues from the Caltrans request so to use the funds the COG has on hold as the funding source for crafting the Orange County SCS. These funds have been frozen for some time. Once this issue is resolved, the OCCOG will be able to apply for additional transportation federal grants for related efforts for this project. Time is quickly passing so we need to move fast so to get the Orange County SCS underway. Given the accelerated time line required for development of the Memorandum of Understanding between OCCOG/OCTA and SCAG and the overall development of the Orange County SCS, OCCOG staff suggested the creation of an ad-hoc working group that is comprised of 6 to 7 TAC members. The purpose of the ad-hoc working group would be to review and provide feedback on issues related to the MOU and the SCS that are time sensitive and will not be available to be reviewed by the entire TAC. The ad-hoc OCCOG TAC SCS working group would only convene when it is infeasible to take the issue to the TAC and the ad-hoc working group would represent the interests of the TAC as a whole if called upon.

Mr. Simpson covered in greater detail the remaining issues connected with the MOU (between OCCOG and SCAG) on the implementation of Orange County strategy which will be folding into the SCAG SCS.

Ms. Murray joined the meeting at 9:20 am and added to the discussion her insights on the on the SCS process and the MOU.

Several key items were included in the language of the MOU which include:

- Methodologies related to the modeling of growth
- Inclusion of Measure M projects
- Framework for SCS guidelines

As of last Friday it looks to us that it is ready to go. We do need to clean up some items (Schedule C) in the MOU.

A TAC member asked Ms. Murray her thoughts on what local agencies may need to provide in terms of work product for the OC SCS. Ms. Murray answered that OCCOG staff is not sure yet what those details will be. OCCOG staff will have to work toward determining that task as the process moves forward. There is \$200,000 of federal dollars that OCCOG plans to tap into for the funding of this effort once the Caltrans issues related to COG financial practices are resolved. OCCOG staff expects that to be completed in the next month. Mr. Simpson is working with Caltrans staff in Sacramento to finish this work as soon as possible.

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**Meeting of May 4, 2010**  
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Chair Marika Modugno provided more details about the proposal to establish an OCCOG- TAC ad-hoc SCS Working group. The group discussed this suggestion and fleshed out its purpose. Doug Reilly, City of Laguna Woods; Marika Modugno, City of Irvine; Heather Allen, City of Fullerton; Tracy Sato, City of Anaheim; Art Bashmakian, City Westminster; Deborah Diep, Center for Demographic Research; and Greg Nord, OCTA all volunteered to serve on this group if the membership establishes it. Additional discussion occurred with Doug Reilly, City of Laguna Woods, moving and Tracy Sato, City of Anaheim, providing a second to establish such a group to look at the policy level decisions and technical issues related to this Orange County SCS effort which was approved by those in attendance.

Ms. Murray shared that Exhibit C of the OCCOG/SCAG MOU is also off the table at this time. There is the likelihood of a heavy work load on this effort and for the local jurisdictions, and those agencies should look ahead to plan for this program. Chair Modugno and Tracy Sato, City of Anaheim, commented on a number of technical challenges on how to update your land use categories.

Ms. Murray further explained that the Scope of Work for the SCS and awarding the contract is anticipated to be in about 30 days. The joint working committee of the OCCOG Board and OCTA board committee may need to review and approve the contract. The estimated cost of the SCS is 1.5 million with a 12 month effort anticipated. The initial award of \$250,000 is part of the plan to get a RFP out so to get things going. Ms. Sato asked about this funding source and the calculating of resources to complete this work. The implementation of this effort was covered in greater in depth. The role of CDR for the project and inclusion of OCTA's LRTP in the data for the project was also discussed.

Action: TAC created an Ad-Hoc Sustainable Communities Strategy (SCS) OCCOG TAC Working Group consisting of the following members:

Doug Reilly, City of Laguna Woods; Marika Modugno, City of Irvine; Heather Allen, City of Fullerton; Tracy Sato, City of Anaheim; Art Bashmakian, City of Westminster; Deborah Diep, Center for Demographic Research; and Greg Nord, OCTA.

#### **4. SCAG meetings**

- ◆ Regional Conference and General Assembly – May 5-7, 2010
- ◆ Plans and Programs TAC Meeting of April 14, 2010

Mr. Simpson gave the report on the upcoming SCAG meetings. Several TAC members conveyed they would be going to the General Assembly.

One of the topics at the meeting will be an amendment to the by-laws that would allow Transportation Agencies to become SCAG members.

Some of the other items slated for discussion include:

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**Meeting of May 4, 2010**  
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- ◆ Selecting alternates to policy level data for the SCS from the Plans and Programs Committee from SCAG.
- ◆ Election of new SCAG officers.
- ◆ SCAG will roll out its proposal to CARB for GHG targets for the SCAG region.
- ◆ The Plans and Programs TAC at SCAG will meet on this. The deadline to comment on the SCAG targets is May 24, 2010. (It was noted that ABAG or SCANDAG may not submit targets for their region to CARB).
- ◆ We will hear more about this topic from CARB as they will be holding another Target setting meeting next week (May 10). This is something to watch for and could provide direction as to what the % or per capita reduction expected for the SCAG region will be.

Mr. Simpson shared that we continue to watch Senate Bill 518 – there is no change or movement of this bill since last month, but we will keep watch on it. The bill has costs associated with it (parking is not free). This is a two year bill. The League of Cities has recently taken action to be not support this bill.

**5. OCTA's Long Range Transportation Plan (LRTP)**

- ◆ Transit Strategy
- ◆ LRTP Goals and Objective

Greg shared that the Board has approved the transit policy for the LRTP.

The LRTP is the vision document for transportation for Orange County. It forecasts transportation needs and projects to 2035. On April 26, OCTA staff took the goals of the program to the OCTA Board and received their approval.

The main priority is to re-establish the service levels of 2008 into the transit service. The demand for new transit connection is a county goal as we know our community is aging with the 65+ years segment being the fastest growing age group of the region. It is safe to assume that the goals of SB 375 (and the SCS) will put more emphasis on local transit efforts as it reduces vehicle trips and miles traveled. The transit strategy would include more focus on BRT stations and more bus service overall. The staff report given to the OCTA Board and the map of service areas was shared with the TAC membership. Some of the highlights of the plan are to link bus and transit service to each other and to focus on these high service areas which connect to Metro links stations. The plan is now out for public review and OCTA welcomes comments from local jurisdictions. The year 2008 is the highest year of service and the LRTP will focus on maintaining these services as the years ahead occur. A top goal of the plan is to approve the 15 minutes head way service levels for bus connections. This plan is not constrained by funding. Additional details on this effort will be sent via email to all OC City Managers in the next couple of days.

**6. SCAG 2012 Regional Transportation Plan and Growth Forecast**

SCAG's Sustainability Tool Training

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The Chair asked members about participation in last week's training sessions in Orange County for this SCAG tool. She asked for feedback on the tool and its benefits or challenges. A discussion followed.

The challenge with the two sessions was that the real data base/module was not working so it was difficult to really get the full benefits of the tool. There was a glitch in linking to the SCAG network to see the program live. The consensus of the members felt the training gave attendees a sense of how the program worked and found that you don't need a GIS background to work with the tool. Direct guidance to comprehend the program was required. It is a tool local agencies can use to update/correct the errors in SCAG's database (existing land uses could be wrong) as the program moves to a web-based format. The afternoon session had additional challenges.

Ms. Sato, City of Anaheim, will work with SCAG staff get the tool running at Anaheim City Hall before another training opportunity is scheduled at one of the training rooms in the City of Anaheim. If SCAG is unsuccessful in getting the Sustainability Tool to work, a session will not be scheduled. Converting the program to a web version is what SCAG is working on now.

**7. OCCOG Board Meeting of April 22, 2010**

Mr. Simpson reiterated a brief summary on the crating of the SCS and the MOU (see item X for more details). The Board reviewed the list of active State legislation and discussed the suspension of AB 32 due to recession. The legislation list was attached to the TAC agenda for reference. The MOU for 2011 to contract with CDR on demographic work is on the next Board agenda.

OCTA staff is looking to update and relocate the OCCOG website (yes we have one) to make it more accessible.

**8. Update on SCAQMD's Proposed Rule 2301**

Ms. Sato reported that no new action has occurred on this topic in April. The new rule is anticipated to be released this summer. She will continue to monitor it and report any changes or meetings at future TAC meetings.

**REPORT FROM THE CHAIR**

**None**

**MATTERS FROM OCCOG TAC MEMBERS**

Fern Nueno, City of Newport Beach, shared information on a transportation document related to sustainability. It covers the full range of strategies available to reduce transportation's greenhouse gas emissions, from more efficient vehicle technologies to better ways of operating our transportation system. The document called ***Transportation's Role in Reducing U.S. Greenhouse Gas Emissions*** was written by the US Department of Transportation. Ms. Nueno

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added that the study included useful land use discussion that TAC membership might wish to review.

She noted that she would provide the web link to the report as part of the meeting minutes:  
[http://ntl.bts.gov/lib/32000/32700/32779/DOT\\_Climate\\_Change\\_Report - April 2010 - Volume 1 and 2.pdf](http://ntl.bts.gov/lib/32000/32700/32779/DOT_Climate_Change_Report_-_April_2010_-_Volume_1_and_2.pdf)

**OTHER BUSINESS**

None

**ITEMS FOR NEXT MEETING**

Housing Element discussion on the issues associated with various reporting timeframes for housing units, specifically when the units are permitted for construction and granted approval for occupancy. The different time periods creates issues for the filing of housing reports and RHNA accomplishments.

**IMPORTANT DATES OR UPCOMING EVENTS**

- ◆ May 5 -7, 2010:  
SCAG General Assembly  
La Quinta Resort
- ◆ May 12, 2010 1:00 PM – 3:00 PM  
California Air Resources Board Public Workshop SB 375  
California EPA, Sacramento  
Webcast: <http://www.calepa.ca.gov/broadcast/?BDO=1>  
Agenda: <http://arb.ca.gov/cc/sb375/sb375.htm>
- ◆ May 24, 2010:  
SCAG/USC Demographic Workshop

**ADJOURNMENT**

The meeting was adjourned by Chair Modugno at 11:25 a.m. to Tuesday, June 1, 2010 at 9:00 a.m. at the City of Orange, Conference Room C.

Submitted by:

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Marika Modugno, City of Irvine  
OCCOG-TAC Chair

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**Attendees List for May 4, 2010 Meeting**

Marika Modugno, TAC Chair, City of Irvine  
Art Bashmakian, City of Westminster  
Minoo Ashabi, City of Costa Mesa  
Dave Simpson, OCCOG  
Adrienne Gladson, City of Brea  
Christopher Wright, City of San Clemente  
Julie Molloy, City of Laguna Hills  
Scott Reekstin, City of Tustin  
Erica Roess, City of Aliso Viejo  
Jay Saltzberg, City of Buena Park  
Melanie McCann, City of Santa Ana  
Patrick McGuire, City of Santa Ana  
Fern Nueno, City of Newport Beach  
Pat Dapkus, City of Huntington Beach  
Heather Allen, City of Fullerton  
Christine Hernandez, City of Fullerton  
Ron Santos, City of Lake Forest  
Doug Reilly, City of Laguna Woods  
Greg Nord, OCTA  
Deborah Diep, CDR/CSUF  
Amy Mullay, City of Irvine  
Elaine Lister, City of Mission Viejo  
Jason Jackson, City of Orange  
Kori Nevarez, City of Cypress  
Tracy Sato, City of Anaheim  
Aileen Kenney, Caltrans  
Carolyn Mamaradlo, OCTA  
Linda Smith, County of Orange  
Valarie McFall, TCA  
Roy Ramsland, City of La Habra  
Chris Schaefer, City of La Habra  
Kristine Murray, OCCOG Executive Director