



San Gabriel Valley Council of Governments

NOTICE OF THE **SPECIAL** MEETING OF THE CITY MANAGERS' STEERING COMMITTEE

Date: Wednesday, July 11, 2018 – 12 noon

**Location: Foothill Transit Office
(100 S. Vincent Ave., Suite 200, West Covina, CA)**

Chair
Dominic Lazzaretto
Arcadia

Vice-Chair
Bob Russi
La Verne

Immediate Past-Chair
Chris Jeffers
Glendora

**Northeast
Representatives**
Blaine Michaelis
San Dimas

**Southeast
Representatives**
Brian Saeki
Covina
Linda Lowry
Pomona

Central Representatives
Shannon Yauchzee
Baldwin Park
Chris Freeland
West Covina

**Southwest
Representatives**
Jessica Binnquist
Alhambra
Bryan Cook
Temple City

**Northwest
Representatives**
Darrell George
Duarte
Oliver Chi
Monrovia

At-Large
Mark Alexander
La Canada Flintridge

Thank you for participating in the City Managers' Steering Committee meeting. The City Managers' Steering Committee encourages public participation and invites you to share your views on agenda items.

MEETINGS: Regular Meetings of the City Managers' Steering Committee are held on the first Wednesday of each month at 12:00 noon at the Foothill Transit Office (100 S. Vincent Ave., Suite 200 West Covina, CA 91790. The City Managers' Steering Committee agenda packet is available at the San Gabriel Valley Council of Government's (SGVCOG) Office, 1000 South Fremont Avenue, Suite 10210, Alhambra, CA, and on the website, www.sgvcog.org. Copies are available via email upon request (sgv@sgvcog.org). Documents distributed to a majority of the Committee after the posting will be available for review in the SGVCOG office and on the SGVCOG website. Your attendance at this public meeting may result in the recording of your voice.

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

TO ADDRESS THE CITY MANAGERS' STEERING COMMITTEE: At a regular meeting, the public may comment on any matter within the jurisdiction of the Committee during the public comment period and may also comment on any agenda item at the time it is discussed. At a special meeting, the public may only comment on items that are on the agenda. Members of the public wishing to speak are asked to complete a comment card or simply rise to be recognized when the Chair asks for public comments to speak. We ask that members of the public state their name for the record and keep their remarks brief. If several persons wish to address the Committee on a single item, the Chair may impose a time limit on individual remarks at the beginning of discussion. **The City Managers' Steering Committee may not discuss or vote on items not on the agenda.**

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

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



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



PRELIMINARY BUSINESS

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

CONSENT CALENDAR

6. City Managers' Steering Committee Minutes – Page 1
Recommended Action: Approve City Managers' Steering Committee Minutes.
7. AB 2762 (Carrillo and Muratsuchi) – Page 3
Recommended Action: Recommend the Governing Board support AB 2762 (Carrillo and Muratsuchi).
8. The Fair Sentencing and Public Safety Act – Page 15
Recommended Action: Recommend the Governing Board oppose the Fair Sentencing and Public Safety Act.
9. CalPERS and Employee Contributions – Page 37
Recommended Action: Recommend the Governing Board adopt the following resolutions:
 - 1) *Adopt resolution that requires all employees (PEPRA or Classic) hired after January 1, 2013 pay the CalPERS contribution.*
 - 2) *Adopt resolution that allows all employee (PEPRA or Classic) hired after January 1, 2013 to have employee-paid CalPERS contributions to be made pre-tax.*

PRESENTATIONS

10. Independent Cities Finance Authority (ICFA) M Local Express: Wesley Wolf, Wolf & Company Inc.; Tammy Ofek, Wolf & Company Inc.; Debbie Smith, ICFA; Ralph Holmes, Piper Jaffray & Co.; Tony Rapista, Piper Jaffray & Co.; Russ Trice, Norton Rose Fulbright – Page 45
Recommended Action: For information only.

ACTION ITEMS.

11. Service Delivery and Cost Comparison Study Request for Proposals (RFP) – Page 63
Recommended Action: Recommend the Governing Board authorize the Executive Director to release a RFP to conduct a municipal service delivery and cost comparison study.
12. Measure M Subregional Administrative Funds Contract – Page 71
Recommended Action: Recommend the Governing authorize the Executive Director to execute a contract with Metro which would enable the SGVCOG to be reimbursed for an amount not to exceed \$188,136 for subregional administrative and development work pertaining to developing the first Measure M 5-Year Programming Plan.

UPDATE ITEMS

13. Safe, Clean Water Program Update
Recommended Action: For information only.
14. Executive Director's Monthly Report – Oral Report
Recommended Action: For information only.

COMMITTEE MEMBER ITEMS

ANNOUNCEMENTS

ADJOURN



SGVCOG City Managers' Steering Committee Unapproved Minutes
June 6, 2018
12:00 Noon
Foothill Transit Center

1. Call to order. The meeting was called to order at 12:05 PM.
2. Pledge of Allegiance.
3. Roll Call

Members Present:

Alhambra, B. McKinney
Arcadia, D. Lazzaretto
Baldwin Park, S. Yauchzee
Covina, B. Saeki
Duarte, D. George
Glendora, C. Jeffers
La Canada Flintridge, M. Alexander
La Verne, B. Russi
Monrovia, O. Chi
Temple City, B. Cook
Pomona, L. Lowry
West Covina, C. Freeland

Members Absent:

San Dimas

SGVCOG Staff/Guests:

M. Creter, Executive Director
M. Christoffels, SGVCOG Staff
K. Ward, SGVCOG Staff
P. Duyshart, SGVCOG Staff
V. Holmes, LA County

T. Schooley, LA County
P. Espinoza, LA County
K. Herrera, Duarte
T. Schultz, Claremont
R. Barbosa, South El Monte

4. Public Comment.
There were no public comments.
5. Changes to Agenda Order.
There were no changes to the agenda.

CONSENT CALENDAR

6. City Managers' Steering Committee Minutes
Recommended Action: Approve City Managers' Steering Committee Minutes.
7. FY 2018-19 Chair and Vice-Chair
Recommended Action: Nominate Dominic Lazzaretto (Arcadia) to serve as the Chair and Bob Russi (La Verne) to serve as Vice-Chair of the City Managers' Steering Committee and TAC for FY 2018-19.
8. Reducing Crime and Keeping California Safe Act of 2018
Recommended Action: Recommend Governing Board support the Reducing Crime and Keeping California Safe Act of 2018.
9. Tax Fairness, Transparency and Accountability Act of 2018
Recommended Action: Recommend Governing Board oppose the Tax Fairness, Transparency and Accountability Act of 2018.

There was a motion to approve the consent calendar (M/S: C. Jeffers/B. Russi)

[MOTION PASSED]

AYES:	Alhambra, Arcadia, Baldwin Park, Covina, Duarte, La Verne, Glendora, La Canada Flintridge, Temple City
NOES:	
ABSTAIN:	
ABSENT:	Pomona, West Covina, San Dimas

PRESENTATIONS

10. Roadmap for Advancing Youth Diversion in Los Angeles County
V. Holmes, T. Schooley, and P. Espinoza, County of Los Angeles presented on this item.

ACTION ITEMS

11. Draft 3rd Quarter Financial Report and #3 Budget Amendment
K. Ward presented on this item.

There was a motion to recommend the Governing Board amend the FY 17-18 budget and receive and file the 3rd Quarter Financial Report. (M/S: C. Freeland/B. Saeki)

[MOTION PASSED]

AYES:	Alhambra, Arcadia, Baldwin Park, Covina, Duarte, La Verne, Glendora, La Canada Flintridge, Temple City, Pomona, West Covina
NOES:	
ABSTAIN:	
ABSENT:	San Dimas

DISCUSSION ITEMS

12. Municipal Compliance Issues with the LA County Fire Department
P. Duyshart reported on this item. The report included issues that were brought forward by members of the Planning Directors' TAC sub-committee on universal issues of the LA County Fire Department. Committee members offered to follow-up by coordinating with the Contract Cities City Managers' Committee to engage LA County Fire.

UPDATE ITEMS

13. Joint Service Delivery Study Update
M. Creter reported on this item. Survey will be sent circulated again for cities that did not have a chance to respond.
14. Executive Director's Monthly Report
M. Creter reported on this item. The July City Managers' Steering Committee meeting will be July 11, 12 noon at the Foothill Transit Office due to the July 4 holiday.

CLOSED SESSION

15. CONFERENCE WITH LABOR NEGOTIATORS: Agency designated representatives: Marisa Creter, Kimberly Hall Barlow, Richard D. Jones, Dominic Lazzaretto, Bob Russi, Brian Saeki, and Chris Jeffers; Unrepresented employees: All unrepresented employees pursuant to California Government Code section 54957.6.

No report given.

COMMITTEE MEMBER ITEMS

ANNOUNCEMENTS

ADJOURN

The meeting adjourned at 2:35 p.m.

REPORT

DATE: July 11, 2018

TO: City Managers' Steering Committee

FROM: Marisa Creter, Executive Director

RE: **AB 2762 (CARRILLO AND MURATSUCHI)**

RECOMMENDED ACTION

Recommend the Governing Board support AB 2762 (Carrillo and Maratsuchi).

AB 2762 (CARRILLO AND MURATSUCHI) BACKGROUND

Existing law authorizes a local agency to facilitate public contract awards to small businesses by providing for a small business preference of 5% in construction, the procurement of goods, or the delivery of services.

AB 2762 would update state law to increase the small business procurement preference to up to 7% of the lowest responsible bid. The maximum value of the preference is capped no more than \$100,000 over the lowest responsive bid except for in 11 specified counties, including Los Angeles County, where a pilot program would allow multiple preferences to be combined for a maximum value of \$200,000 or no more than 15% of the low bid. The pilot program would add two additional categories of procurement preferences, a disabled veteran business preference and a social enterprise preference, and would expire in 2024.

LOCAL IMPACT

Local businesses will have increased contracting opportunities with local agencies, which will enhance their ability to build their workforce, while simultaneously stimulating local economic growth. Additionally, public procurement represents a significant source of business revenue, and AB 2762 would allow local businesses to reinvest in their communities.

SUPPORT AND OPPOSITION

Those who support AB 2762 believe this bill would increase public contracting with small businesses, disabled veteran businesses, and social enterprises that provide transitional or permanent employment to a transitional workforce. The following is a list of those who support this bill:


- Los Angeles County Board of Supervisors (sponsor)
- BizFed (Los Angeles County Business Federation)
- California Contract Cities Association
- Kitchens for Good
- Manhattan Beach Chamber of Commerce
- New Door Ventures
- Palos Verdes Peninsula Chamber of Commerce REDF

REPORT

- Redondo Beach Chambers of Commerce
- Regional Chamber of Commerce - San Gabriel Valley
- South Bay Association of Chambers of Commerce

There is currently no opposition to this bill.

Prepared by: 
Christian Cruz
Management Analyst

Approved by: 
Marisa Creter
Executive Director

ATTACHMENTS

Attachment A – AB 2762

AMENDED IN SENATE JUNE 25, 2018

AMENDED IN ASSEMBLY MAY 3, 2018

AMENDED IN ASSEMBLY MARCH 22, 2018

CALIFORNIA LEGISLATURE—2017–18 REGULAR SESSION

ASSEMBLY BILL

No. 2762

Introduced by Assembly Members Carrillo and Muratsuchi

February 16, 2018

An act to amend Section 2002 ~~of~~ *of*, and to add and repeal Section 2003 *of*, the Public Contract Code, relating to public contracts.

LEGISLATIVE COUNSEL'S DIGEST

AB 2762, as amended, Carrillo. Public contracts: disabled veteran business enterprises: local small business enterprises: social enterprises.

Existing law authorizes a local agency in facilitating contract awards to small businesses to provide for a small business preference of 5% in construction, the procurement of goods, or the delivery of services, and establishes a subcontracting participation goal for small businesses on contracts with a 5% preference for those bidders who meet the goal. Existing law authorizes each local agency to define a small business for the purposes of these preferences and goals.

This *bill would increase the above-described preference for small business to 7%. The bill, until January 1, 2024, would expand this preference to also establish preferences, in specified counties, for disabled veteran businesses and social enterprises, as defined, and would increase the preferences to provide for the preferences to be a maximum of 7% for an individual preference and up to 15% for a single bid having 2 or more preferences. The bill would limit the value of all combined preferences to a maximum of \$200,000 \$100,000. The bill would*

authorize a prime contractor, with the approval of the local agency, to substitute another subcontractor with the same preference category for the purpose of meeting specified goals. The bill would require a local agency that grants a preference under these provisions to establish a certification process for social enterprises using specified criteria. The bill would also authorize each local agency to define a disabled veteran business and social enterprise and to define their eligibility for the purposes of these preferences and goals.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Counties of Alameda, Contra Costa, Lake, Los Angeles, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2002 of the Public Contract Code is
2 amended to read:
3 2002. (a) Notwithstanding any other provision of law requiring
4 a local agency to award contracts to the lowest responsible bidder,
5 any local agency may do any of the following in facilitating
6 contract awards to small ~~businesses, disabled veteran businesses,~~
7 ~~or social enterprises:~~ *businesses:*
8 (1) Provide for a small ~~business, disabled veteran business, or~~
9 ~~social enterprise~~ *business* preference in construction, the
10 procurement of goods, or the delivery of services where
11 responsibility and quality are equal.
12 ~~(A) The~~
13 *The* local agency shall set the percent and financial value of a
14 preference. The maximum percentage of a preference shall be 7
15 percent of the lowest responsible bidder meeting specifications
16 and the maximum financial value shall be one hundred thousand
17 dollars (\$100,000) for any bid.
18 ~~(B) If the local agency authorizes the use of more than one~~
19 ~~preference in a single bid, the local agency shall set the percentage~~
20 ~~and maximum financial value of the combined preferences. The~~
21 ~~maximum percentage of combined preferences shall be 15 percent~~
22 ~~of the lowest responsible bidder and the maximum combined~~

1 financial value of all preferences shall be two hundred thousand
2 dollars (\$200,000).

3 (2) Establish a subcontracting participation goal for small
4 businesses, disabled veteran businesses, or social enterprises
5 businesses on contracts and grant a preference, pursuant to
6 paragraph (1), to those bidders who meet the goal.

7 (3) (A) Require bidders to make good faith efforts to meet a
8 subcontracting participation goal for small business, disabled
9 veteran business, or social enterprise business contracts. Bidders
10 that fail to meet the goal established by the local agency, shall
11 demonstrate that they made good faith efforts to meet the goal.

12 (B) A prime contractor may, subject to the approval of the local
13 agency, replace a subcontractor with another small business,
14 disabled veteran business, or social enterprise, business as
15 applicable.

16 (4) Set additional guidelines for local preference purposes.

17 (b) (1) The local agency shall define the eligibility for a
18 preference authorized pursuant to this section.

19 (2) In defining eligibility, for a “small business,” “disabled
20 veteran business,” and “social enterprise,” “small business” a local
21 agency shall, at a minimum, include businesses meeting the
22 requirements of paragraph (1) of subdivision (c) as a small
23 business, businesses meeting the requirements of paragraph (2) of
24 subdivision (e) as a disabled veteran business, and an entity
25 meeting the requirements of paragraph (3) of subdivision (e) as a
26 social enterprise. business.

27 (c) For the purposes of this section:

28 (1) “Small section, “small business” includes, but is not limited
29 to, a small business enterprise certified pursuant to Article 1
30 (commencing with Section 14835) of Chapter 6.5 of Part 5.5 of
31 Division 3 of Title 2 of the Government Code.

32 (2) “Disabled veteran business” includes a disabled veteran
33 business enterprise certified pursuant to Article 6 (commencing
34 with Section 999) of Chapter 6 of Division 4 of the Military and
35 Veterans Code.

36 (3) “Social enterprise” includes a nonprofit or for profit business
37 whose primary purpose is to benefit the economic, environmental,
38 or social health of the community and which uses the methods and
39 disciplines of business and the power of the marketplace to advance
40 its social, environmental, and human justice agendas, wherein the

1 organization ~~applies commercial strategies to maximize~~
2 ~~improvements in human and environmental well-being that may~~
3 ~~include maximizing social impact rather than profits for external~~
4 ~~shareholders. A “social enterprise” shall be a business that has~~
5 ~~been in operation for at least one year providing transitional or~~
6 ~~permanent employment to a transitional workforce or providing~~
7 ~~social, environmental, or human justice services. A “social~~
8 ~~enterprise” shall only include a social enterprise certified by the~~
9 ~~administering local agency or by an entity the local agency~~
10 ~~identifies in the procurement policy adopted pursuant to subdivision~~
11 ~~(d).~~

12 (4) ~~“Transitional employment” means short-term or long-term,~~
13 ~~wage-paying, subsidized or nonsubsidized employment that~~
14 ~~combines real work, skill development, and supportive services~~
15 ~~to help a traditional workforce overcome barriers to employment~~
16 ~~and transition to unsubsidized competitive employment.~~

17 (5) ~~“Transitional workforce” means underemployed or~~
18 ~~hard-to-employ persons who may be homeless, formerly~~
19 ~~incarcerated, or who either have not worked for an extended period~~
20 ~~of time or face significant barriers to employment, where~~
21 ~~applicable.~~

22 (d) Every local agency that offers a preference, pursuant to this
23 section, shall, prior to offering a preference, adopt a procurement
24 policy that includes, at a minimum, all of the following:

25 (1) A definition of an eligible entity for each preference category
26 being utilized by the local agency.

27 (2) The percentage and maximum financial value of a single
28 preference.

29 (3) ~~If the local agency allows multiple preferences in a bid~~
30 ~~package, the percentage and maximum financial value of multiple~~
31 ~~preferences in a bid package, if authorized by a local agency.~~

32 (4)

33 (3) A requirement that a preference only be awarded to a small
34 ~~business, disabled veteran business, or social enterprise business~~
35 ~~that performs a commercially useful function, as defined in~~
36 ~~subdivision (e).~~

37 (5)

38 (4) A policy regarding oversight and potential fraudulent
39 behavior on the part of a contractor, subcontractor, or individual
40 for the purpose of qualifying as a small ~~business, disabled veteran~~

1 ~~business, or social enterprise~~ *business* and being awarded a
2 preference.

3 ~~(6) If the local agency offers a preference for social enterprise~~
4 ~~participation, a certification process for social enterprises, as~~
5 ~~defined in paragraph (3) of subdivision (e).~~

6 ~~(7)~~

7 (5) A policy for determining whether a contractor has made a
8 good faith effort, pursuant to paragraph (3) of subdivision (a).

9 ~~(8) Policy~~

10 (6) A *policy* on how a prime contractor may replace a
11 subcontractor, pursuant to subparagraph (B) of paragraph (3) of
12 subdivision (a).

13 (e) Every entity used to qualify a bid for a preference pursuant
14 to this section shall perform a commercially useful function. A
15 “commercially useful function” means:

16 (1) A contractor is deemed to perform a commercially useful
17 function if the contractor, including a subcontractor, does all of
18 the following:

19 (A) Is responsible for the execution of a distinct element of the
20 work of the contract.

21 (B) Carries out its obligation by actually performing, managing,
22 or supervising the work involved.

23 (C) Performs work that is normal for its business services and
24 functions.

25 (D) Is responsible, with respect to products, inventories,
26 materials, and supplies required for the contract, for negotiating
27 price, determining quality and quantity, ordering, installing, if
28 applicable, and making payment.

29 (E) Is not further subcontracting a portion of the work that is
30 greater than that expected to be subcontracted by normal industry
31 practices.

32 (2) A contractor or subcontractor shall not be considered to
33 perform a commercially useful function if the contractor’s or
34 subcontractor’s role is limited to that of an extra participant in a
35 transaction, contract, or project through which funds are passed
36 in order to obtain the appearance of a small ~~business, a disabled~~
37 ~~veteran business, or a social enterprise.~~ *business*.

38 ~~(f) The authority in subdivision (a) to provide a preference to~~
39 ~~disabled veteran businesses and social enterprises shall expire on~~
40 ~~January 1, 2024, unless a later enacted statute extends the date.~~

1 SEC. 2. *Section 2003 is added to the Public Contract Code, to*
2 *read:*

3 2003. (a) *Notwithstanding Section 2002 or any other law*
4 *requiring a local agency to award contracts to the lowest*
5 *responsible bidder, any local agency located within the Counties*
6 *of Alameda, Contra Costa, Lake, Los Angeles, Marin, Napa, San*
7 *Francisco, San Mateo, Santa Clara, Solano, and Sonoma may do*
8 *any of the following in facilitating contract awards to small*
9 *businesses, disabled veteran businesses, or social enterprises:*

10 (1) *Provide for a small business, disabled veteran business, or*
11 *social enterprise preference in construction, the procurement of*
12 *goods, or the delivery of services where responsibility and quality*
13 *are equal.*

14 (A) *The local agency shall set the percent and financial value*
15 *of a preference. The maximum percentage of a preference shall*
16 *be 7 percent of the lowest responsible bidder meeting specifications*
17 *and the maximum financial value shall be one hundred thousand*
18 *dollars (\$100,000) for any bid.*

19 (B) *If the local agency authorizes the use of more than one*
20 *preference in a single bid, the local agency shall set the percentage*
21 *and maximum financial value of the combined preferences. The*
22 *maximum percentage of combined preferences shall be 15 percent*
23 *of the lowest responsible bidder and the maximum combined*
24 *financial value of all preferences shall be two hundred thousand*
25 *dollars (\$200,000).*

26 (2) *Establish a subcontracting participation goal for small*
27 *businesses, disabled veteran businesses, or social enterprises on*
28 *contracts and grant a preference, pursuant to paragraph (1), to*
29 *those bidders who meet the goal.*

30 (3) (A) *Require bidders to make good faith efforts to meet a*
31 *subcontracting participation goal for small business, disabled*
32 *veteran business, or social enterprise contracts. Bidders that fail*
33 *to meet the goal established by the local agency shall demonstrate*
34 *that they made good faith efforts to meet the goal.*

35 (B) *A prime contractor may, subject to the approval of the local*
36 *agency, replace a subcontractor with another small business,*
37 *disabled veteran business, or social enterprise, as applicable.*

38 (4) *Set additional guidelines for local preference purposes.*

39 (b) (1) *The local agency shall define the eligibility for a*
40 *preference authorized pursuant to this section.*

1 (2) *In defining eligibility for a “small business,” “disabled*
2 *veteran business,” and “social enterprise,” a local agency shall,*
3 *at a minimum, include businesses meeting the requirements of*
4 *paragraph (1) of subdivision (c) as a small business, businesses*
5 *meeting the requirements of paragraph (2) of subdivision (c) as a*
6 *disabled veteran business, and an entity meeting the requirements*
7 *of paragraph (3) of subdivision (c) as a social enterprise.*

8 (c) *For the purposes of this section:*

9 (1) *“Small business” includes, but is not limited to, a small*
10 *business enterprise certified pursuant to Article 1 (commencing*
11 *with Section 14835) of Chapter 6.5 of Part 5.5 of Division 3 of*
12 *Title 2 of the Government Code.*

13 (2) *“Disabled veteran business” includes a disabled veteran*
14 *business enterprise certified pursuant to Article 6 (commencing*
15 *with Section 999) of Chapter 6 of Division 4 of the Military and*
16 *Veterans Code.*

17 (3) *“Social enterprise” includes a nonprofit or for-profit*
18 *business whose primary purpose is to benefit the economic,*
19 *environmental, or social health of the community and which uses*
20 *the methods and disciplines of business and the power of the*
21 *marketplace to advance its social, environmental, and human*
22 *justice agendas, wherein the organization applies commercial*
23 *strategies to maximize improvements in human and environmental*
24 *well-being that may include maximizing social impact rather than*
25 *profits for external shareholders. A “social enterprise” shall be*
26 *a business that has been in operation for at least one year*
27 *providing transitional or permanent employment to a transitional*
28 *workforce or providing social, environmental, or human justice*
29 *services. A “social enterprise” shall only include a social*
30 *enterprise certified by the administering local agency or by an*
31 *entity the local agency identifies in the procurement policy adopted*
32 *pursuant to subdivision (d).*

33 (4) *“Transitional employment” means short-term or long-term,*
34 *wage-paying, subsidized, or nonsubsidized employment that*
35 *combines real work, skill development, and supportive services to*
36 *help a transitional workforce overcome barriers to employment*
37 *and transition to unsubsidized competitive employment.*

38 (5) *“Transitional workforce” means underemployed or*
39 *hard-to-employ persons who may be homeless, formerly*
40 *incarcerated, or who either have not worked for an extended period*

1 of time or face significant barriers to employment, where
2 applicable.

3 (d) Every local agency that offers a preference, pursuant to this
4 section, shall, prior to offering a preference, adopt a procurement
5 policy that includes, at a minimum, all of the following:

6 (1) A definition of an eligible entity for each preference category
7 being utilized by the local agency.

8 (2) The percentage and maximum financial value of a single
9 preference.

10 (3) If the local agency allows multiple preferences in a bid
11 package, the percentage and maximum financial value of multiple
12 preferences in a bid package, if authorized by a local agency.

13 (4) A requirement that a preference only be awarded to a small
14 business, disabled veteran business, or social enterprise that
15 performs a commercially useful function, as defined in subdivision
16 (e).

17 (5) A policy regarding oversight and potential fraudulent
18 behavior on the part of a contractor, subcontractor, or individual
19 for the purpose of qualifying as a small business, disabled veteran
20 business, or social enterprise and being awarded a preference.

21 (6) If the local agency offers a preference for social enterprise
22 participation, a certification process for social enterprises, as
23 defined in paragraph (3) of subdivision (c).

24 (7) A policy for determining whether a contractor has made a
25 good faith effort, pursuant to paragraph (3) of subdivision (a).

26 (8) Policy on how a prime contractor may replace a
27 subcontractor, pursuant to subparagraph (B) of paragraph (3) of
28 subdivision (a).

29 (e) Every entity used to qualify a bid for a preference pursuant
30 to this section shall perform a commercially useful function. A
31 “commercially useful function” means:

32 (1) A contractor is deemed to perform a commercially useful
33 function if the contractor, including a subcontractor, does all of
34 the following:

35 (A) Is responsible for the execution of a distinct element of the
36 work of the contract.

37 (B) Carries out its obligation by actually performing, managing,
38 or supervising the work involved.

39 (C) Performs work that is normal for its business services and
40 functions.

1 (D) Is responsible, with respect to products, inventories,
2 materials, and supplies required for the contract, for negotiating
3 price, determining quality and quantity, ordering, installing, if
4 applicable, and making payment.

5 (E) Is not further subcontracting a portion of the work that is
6 greater than that expected to be subcontracted by normal industry
7 practices.

8 (2) A contractor or subcontractor shall not be considered to
9 perform a commercially useful function if the contractor's or
10 subcontractor's role is limited to that of an extra participant in a
11 transaction, contract, or project through which funds are passed
12 in order to obtain the appearance of a small business, a disabled
13 veteran business, or a social enterprise.

14 (f) This section shall remain in effect only until January 1, 2024,
15 and as of that date is repealed.

16 SEC. 3. The Legislature finds and declares that a special statute
17 is necessary and that a general statute cannot be made applicable
18 within the meaning of Section 16 of Article IV of the California
19 Constitution because of the need to establish a pilot program for
20 disabled veteran businesses and social enterprises in several
21 counties that contain different demographic and socioeconomic
22 conditions.

O

REPORT

DATE: July 11, 2018

TO: City Managers' Steering Committee

FROM: Marisa Creter, Executive Director

RE: **FAIR SENTENCING AND PUBLIC SAFETY ACT OF 2018**

RECOMMENDED ACTION

Recommend the Governing Board oppose the Fair Sentencing and Public Safety Act.

BACKGROUND

There are three types of crimes: felonies, misdemeanors, and infractions. A felony is the most serious type of crime. Existing law classifies some felonies as "violent" or "serious," or both. Examples of felonies currently defined as violent include murder, robbery, and burglary of an occupied residence. While almost all violent felonies are also considered serious, other felonies-such as selling certain drugs to a minor or making criminal threats of violence-are defined only as serious. Felonies that are not classified as violent or serious include human trafficking and sale of drugs to adults.

In 1994, the California Legislature and voters (with the passage of Proposition 184) changed the state's criminal sentencing law to impose longer prison sentences for certain repeat offenders (commonly referred to as the "three strikes" law). Currently, a person who is convicted of a felony and who previously has been convicted of one or more violent or serious felonies is sentenced to state prison as follows:

- **Second Strike Offense** - If the offender has one previous serious or violent felony conviction, the sentence for any new felony conviction (not just a serious or violent felony) is twice the term otherwise required under law for the new conviction. Offenders that receive this sentencing enhancement are referred to as "second strikers."
- **Third Strike Offense** - If the offender has two or more previous serious or violent felony convictions, the sentence for any new serious or violent felony conviction is a minimum of a life term with the earliest possible parole after 25 years. In addition, offenders with two or more previous serious or violent offenses who commit a new nonserious, nonviolent felony can be similarly sentenced to a life term if (1) that felony is a certain offense (such as selling large quantities of drugs) or (2) if the offender's prior offenses included certain crimes (such as homicide or various sex crimes). Offenders that receive this sentencing enhancement are referred to as "third strikers."

The Fair Sentencing and Public Safety Act would amend state law, as follows:

- Reduce the number of felonies that are considered violent and serious,
- Limit eligibility for a third strike sentence,
- Require that any state savings resulting from its provisions be spent on education, prison inmate rehabilitation, and youth crime prevention,

- Remove the crimes of burglary and robbery that do not result in significant bodily harm from the list of violent felonies,
- Remove robberies and burglaries in which a firearm or other dangerous weapon is not actually used from being classified as a violent felony, and
- Allow any prison inmate serving an indeterminate life sentence for a third strike according to the three-strikes law to request a resentencing for their third-strike crime under the changes made to felony classifications.

Additionally, this initiative would also reduce the number of current offenses that result in a life term under the three strikes law by generally excluding serious felonies and certain other crimes such as selling large quantities of drugs.

LOCAL IMPACT

This item was brought up at the Annual City Managers' Conference because of the significant local impact. Local communities have already been impacted by AB 109, Prop. 47 and Prop. 57 which increased parole chances for felons convicted of nonviolent crimes and reduced the prison population by releasing inmates. Following the passage of these propositions, communities saw a 10% increase in violent crime and an 8% increase in property crimes.

Furthermore, in July 2017, the Governing Board adopted Resolution 17-23 (Attachment B), related to the negative impacts from State legislative changes. This Resolution also advocates to place into law various offenses that are currently not considered violent offenses, such as:

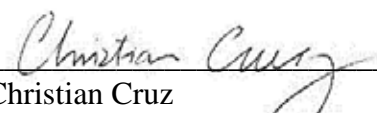
- Assault with intent to commit rape or robbery,
- Any felony in which the defendant personally used a dangerous or deadly weapon, and
- Oral copulation by force, violence, duress, menace, or threat of great bodily harm.

This proposed initiative would be in direct conflict with this resolution.

It is estimated that this Initiative would further reduce the inmate population by a few thousand initially, due to its resentencing provisions, and potentially by more in future years due to its ongoing impact on inmate sentences. In which case, those inmates would be released back to their communities of residence, which could possibly increase crime within those communities. Additionally, this Initiative would have state and local government fiscal effects. For example, agencies would incur additional costs to the extent that offenders released from prison would require government services (such as government-paid health care for persons without private insurance coverage).

The deadline to obtain the necessary signatures to qualify this Initiative for the November ballot is July 16th.

Prepared by:


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REPORT

Approved by: Mariša Creter
Mariša Creter
Executive Director

ATTACHMENTS

Attachment A – Fair Sentencing and Public Safety Act
Attachment A – Resolution 17-23

**THE PEOPLE'S FAIR SENTENCING AND
PUBLIC SAFETY ACT OF 2018.**

SECTION 1. Title.

This measure shall be known and may be cited as "The People's Fair Sentencing and Public Safety Act of 2018."

SECTION 2. FINDINGS and DECLARATIONS.

California's prison system has long been marred by fiscal waste, and other issues related to overcrowding. This is in large part due to questionable politics and irrational sentencing practices. The controversial Three Strikes Law remains at the forefront of this dilemma. With the passage of previous sentencing reform initiatives, California voters have made clear their desire to eliminate wasteful spending, and bring fairness to our justice system by voting in laws that take a "smart on crime" approach. The money saved by the passage of this initiative will be allocated towards the state's general education fund, crime prevention and prisoner rehabilitation programs. This act will promote public safety and ensure that dangerous criminals such as child molesters, rapists, and murderers remain behind bars.

THIS ACT WILL:

- (1) Promote public safety by furthering current crime prevention and protection efforts.
- (2) Save hundreds of millions in taxpayers' dollars every year by removing the burden of financing health care and housing for nonviolent, aging, and low risk offenders.
- (3) Re-invest annual savings into our education system, youth crime prevention and prisoner rehabilitation programs.
- (4) Amend the California Penal Code to ensure that (a) "nonviolent" property offenders will no longer be classified in the same category as dangerous criminals, and (b) certain violent offenses do not qualify for relief.
- (5) Require resentencing as second strikers for all third strikers whose current conviction is not a violent felony within the meaning of the amended provisions of Penal Code 667.5(c).
- (6) The resentencing shall take place within 180 days of the date the recall of sentence petition is filed with the appropriate court.
- (7) This Act shall have retroactive effect.

SECTION 3. FUNDING.

CHAPTER 33 commencing with Section 7599.7 is added to Division 7 of Title 1 of the Government Code, to read:

Chapter 33. Creation of the People's Fair Sentencing And Public Safety Act of 2018 Fund.

7599.7 (a) A fund to be known as "The People's Fair Sentencing And Public Safety Act of 2018" is hereby created within the State Treasury and, notwithstanding Section 13340 of the Government Code, is continuously appropriated without regard to fiscal year for carrying out the purposes of this chapter.

(b) For purposes of the calculations required by Section 8 of Article XVI of the California Constitution, funds transferred to The People's Fair Sentencing And Public Safety Act of 2018 Fund shall be considered General Fund revenues which may be appropriated pursuant to Article XIII B.

7599.8 Funding Appropriation.

(a) On or before July 31, 2020, and on or before July 31 of each fiscal year thereafter, the Director of Finance shall calculate the savings that accrued to the state from the implementation of the act adding this chapter ("this act") during the fiscal year ending June 30, as compared to the fiscal year preceding the enactment of this act. In making the calculation required by this subdivision, the Director of Finance shall use actual data or best available estimates where actual data is not available. The calculation shall be final and shall not be adjusted for any subsequent changes in the underlying data. The Director of Finance shall certify the results of the calculation to the Controller no later than August 1 of each fiscal year.

(b) Before August 15, 2020, and before August 15 of each fiscal year thereafter, the Controller shall transfer from the General Fund to the People's Fair Sentencing and Public Safety Act of 2018 Fund, the total amount calculated pursuant to subdivision (a).

(c) Monies in The People's Fair Sentencing and Public Safety Act of 2018 Fund shall be continuously appropriated for the purposes of this act. Funds transferred to The People's Fair Sentencing and Public Safety Act of 2018 Fund shall be used exclusively for the purposes of this act and shall not be subject to appropriation or transfer by the Legislature for any other purpose.

(d) The funds in The People's Fair Sentencing and Public Safety Act of 2018 Fund may be used without regard to fiscal year.

7599.9 Distribution of Monies from The People's Fair Sentencing and Public Safety Act of 2018 Fund.

(a) By August 15 of each fiscal year beginning in 2020, the Controller shall disburse monies deposited in The People's Fair Sentencing and Public Safety Act of 2018 Fund as follows:

- (1) Twenty-five percent to elementary, middle, and high schools.
- (2) Twenty-five percent to Community Colleges and Universities of California to offset tuition.
- (3) Twenty-five percent to prison rehabilitation programs.
- (4) Twenty-five percent to youth crime prevention programs.

(b) For each program set forth in paragraphs (1) to (4), inclusive, of subdivision (a), the agency responsible for administering the programs shall not spend more than 5 percent of the total funds it receives from The People's Fair Sentencing and Public Safety Act of 2018 Fund on an annual basis for administrative costs.

(c) Every two years the Controller shall conduct an audit of the grant programs operated by the agencies specified in paragraphs (1) to (4), inclusive of subdivision (a), to ensure the funds are disbursed and expended solely according to this chapter, and shall report his or her findings to the Legislature and the public.

(d) Any costs incurred by the Controller and the Director of Finance in connection with the administration of The People's Fair Sentencing and Public Safety Act of 2018 Fund, including the costs of the calculation required by Section 7599.9(a) and the audit required by subdivision (c), as determined by the Director of Finance, shall be

deducted from the The People's Fair Sentencing and Public Safety Act of 2018 Fund before the funds are disbursed pursuant to subdivision (a).

(e) The funding established pursuant to this act shall be used to fund 7599.8(a)(1) to (4). These funds shall not be used to supplant existing state or local funds utilized for these purposes.

(f) Local agencies shall not be obligated to provide programs or levels of service described in this chapter above the level for which funding has been provided.

SECTION 4. PENAL CODE 667

§667 of the Penal Code is amended as follows:

(This format presents struck wording in [STRIKEOUT] and new wording in [ITALICS]).

(a) (1) In compliance with subdivision (b) of Section 1385, any person convicted of a serious felony who previously has been convicted of a serious felony in this state or of any offense committed in another jurisdiction which includes all of the elements of any serious felony, shall receive, in addition to the sentence imposed by the court for the present offense, a five-year enhancement for each such prior conviction on charges brought and tried separately. The terms of the present offense and each enhancement shall run consecutively.

(2) This subdivision shall not be applied when the punishment imposed under other provisions of law would result in a longer term of imprisonment. There is no requirement of prior incarceration or commitment for this subdivision to apply.

(3) The Legislature may increase the length of the enhancement of sentence provided in this subdivision by a statute passed by majority vote of each house thereof.

(4) As used in this subdivision, serious felony means a serious felony listed in subdivision (c) of Section 1192.7.

(5) This subdivision shall not apply to a person convicted of selling, furnishing, administering, or giving, or offering to sell, furnish, administer, or give to a minor any methamphetamine-related drug or any precursors of methamphetamine unless the prior conviction was for a serious felony described in subparagraph (24) of subdivision (c) of Section 1192.7.

(b) It is the intent of the Legislature in enacting subdivisions (b) to (i), inclusive, to ensure longer prison sentences and greater punishment for those who commit a felony and have been previously convicted of one or more serious and/or violent felony offenses.

(c) Notwithstanding any other law, if a defendant has been convicted of a felony and it has been pled and proved that the defendant has one or more prior serious and/or violent felony convictions as defined in subdivision (d), the court shall adhere to each of the following:

(1) There shall not be an aggregate term limitation for purposes of consecutive sentencing for any subsequent felony conviction.

(2) Probation for the current offense shall not be granted, nor shall execution or imposition of the sentence be suspended for any prior offense.

(3) The length of time between the prior serious and/or violent felony conviction and the current felony conviction shall not affect the imposition of sentence.

(4) There shall not be a commitment to any other facility other than the state prison. Diversion shall not be granted nor shall the defendant be eligible for commitment to the California Rehabilitation Center as provided in Article 2 (commencing with Section 3050) of Chapter 1 of Division 3 of the Welfare and Institutions Code.

(5) The total amount of credits awarded pursuant to Article 2.5 (commencing with Section 2930) of Chapter 7 of Title 1 of Part 3 shall not exceed one-fifth of the total term of imprisonment imposed and shall not accrue until the defendant is physically placed in the state prison.

(6) If there is a current conviction for more than one felony count not committed on the same occasion, and not arising from the same set of operative facts, the court shall sentence the defendant consecutively on each count pursuant to subdivision (e).

(7) If there is a current conviction for more than one serious or violent felony as described in paragraph (6), the court shall impose the sentence for each conviction consecutive to the sentence for any other conviction for which the defendant may be consecutively sentenced in the manner prescribed by law.

(8) Any sentence imposed pursuant to subdivision (e) will be imposed consecutive to any other sentence which the defendant is already serving, unless otherwise provided by law.

(d) Notwithstanding any other law and for the purposes of subdivisions (b) to (i), inclusive, a prior conviction of a serious and/or violent felony shall be defined as:

(1) Any offense defined in subdivision (c) of Section 667.5 as a violent felony or any offense defined in subdivision (c) of Section 1192.7 as a serious felony in this state. The determination of whether a prior conviction is a prior felony conviction for purposes of subdivisions (b) to (i), inclusive, shall be made upon the date of that prior conviction and is not affected by the sentence imposed unless the sentence automatically, upon the initial sentencing, converts the felony to a misdemeanor. None of the following dispositions shall affect the determination that a prior conviction is a prior felony for purposes of subdivisions (b) to (i), inclusive:

(A) The suspension of imposition of judgment or sentence.

(B) The stay of execution of sentence.

(C) The commitment to the State Department of Health Services as a mentally disordered sex offender following a conviction of a felony.

(D) The commitment to the California Rehabilitation Center or any other facility whose function is rehabilitative diversion from the state prison.

(2) A prior conviction in another jurisdiction for an offense that, if committed in California, is punishable by imprisonment in the state prison shall constitute a prior conviction of a particular serious and/or violent felony if the prior conviction in the other jurisdiction is for an offense that includes all of the elements of a particular violent felony as defined in subdivision (c) of Section 667.5 or serious felony as defined in subdivision (c) of Section 1192.7.

(3) A prior juvenile adjudication shall constitute a prior serious and/or violent felony conviction for purposes of sentence enhancement if:

(A) The juvenile was 16 years of age or older at the time he or she committed the prior offense.

(B) The prior offense is listed in subdivision (b) of Section 707 of the Welfare and Institutions Code or described in paragraph (1) or (2) as a serious and/or violent felony.

(C) The juvenile was found to be a fit and proper subject to be dealt with under the juvenile court law.

(D) The juvenile was adjudged a ward of the juvenile court within the meaning of Section 602 of the Welfare and Institutions Code because the person committed an offense listed in subdivision (b) of Section 707 of the Welfare and Institutions Code.

(e) For purposes of subdivisions (b) to (i), inclusive, and in addition to any other enhancement or punishment provisions which may apply, the following shall apply where a defendant has one or more prior serious and/or violent felony convictions:

(1) If a defendant has one prior serious and/or violent felony conviction as defined in subdivision (d) that has been pled and proved, the determinate term or minimum term for an indeterminate term shall be twice the term otherwise provided as punishment for the current felony conviction.

(2) (A) Except as provided in subparagraph (C), if a defendant has two or more prior serious and/or violent felony convictions as defined in subdivision (d) that have been pled and proved, the term for the current felony conviction shall be an indeterminate term of life imprisonment with a minimum term of the indeterminate sentence calculated as the greatest of:

(i) Three times the term otherwise provided as punishment for each current felony conviction subsequent to the two or more prior serious and/or violent felony convictions.

(ii) Imprisonment in the state prison for 25 years.

(iii) The term determined by the court pursuant to Section 1170 for the underlying conviction, including any enhancement applicable under Chapter 4.5 (commencing with Section 1170) of Title 7 of Part 2, or any period prescribed by Section 190 or 3046.

(B) The indeterminate term described in subparagraph (A) shall be served consecutive to any other term of imprisonment for which a consecutive term may be imposed by law. Any other term imposed subsequent to any indeterminate term described in subparagraph (A) shall not be merged therein but shall commence at the time the person would otherwise have been released from prison.

(C) If a defendant has two or more prior serious and/or violent felony convictions as defined in subdivision (c) of Section 667.5 or subdivision (c) of Section 1192.7 that have been pled and proved, and the current offense is not a ~~serious or violent felony~~ as defined in subdivision (d) *(c) of Section 667.5 as amended by this Act*, the defendant shall be sentenced pursuant to paragraph (1) of subdivision (e) unless the prosecution pleads and proves any of the following:

~~(i) The current offense is a controlled substance charge, in which an allegation under Section 11370.4 or 11379.8 of the Health and Safety Code was admitted or found true.~~

(i) The current offense is a felony sex offense, defined in subdivision (d) of Section 261.5 or Section 262, or any felony offense that results in mandatory registration as a sex offender pursuant to subdivision (c) of Section 290 except for violations of Sections 266 and 285, paragraph (1) of subdivision (b) and subdivision (e) of Section 286, paragraph (1) of subdivision (b) and subdivision (e) of Section 288a, Section 311.11, and Section 314.

(ii) During the commission of the current offense, *it was charged and proved that* the defendant used a firearm, ~~was armed with a firearm or~~ deadly weapon, or ~~intended to cause~~ *caused* great bodily injury to another person.

(iii) The defendant suffered a prior serious and/or violent felony conviction, as defined in subdivision (d) of this section, for any of the following felonies:

(I) A sexually violent offense as defined in subdivision (b) of Section 6600 of the Welfare and Institutions Code.

(II) Oral copulation with a child who is under 14 years of age, and who is more than 10 years younger than he or she as defined by Section 288a, sodomy with another person who is under 14 years of age and more than 10 years younger than he or she as defined by Section 286, or sexual penetration with another person who is under 14 years of age, and who is more than 10 years younger than he or she, as defined by Section 289.

(III) A lewd or lascivious act involving a child under 14 years of age, in violation of Section 288.

(IV) Any homicide offense, including any attempted homicide offense, defined in Sections 187 to 191.5, inclusive.

(V) Solicitation to commit murder as defined in Section 653f.

(VI) Assault with a machine gun on a peace officer or firefighter, as defined in paragraph (3) of subdivision (d) of Section 245.

(VII) Possession of a weapon of mass destruction, as defined in paragraph (1) of subdivision (a) of Section 11418.

(VIII) Any serious and/or violent felony offense punishable in California by life imprisonment or death.

(f) (1) Notwithstanding any other law, subdivisions (b) to (i), inclusive, shall be applied in every case in which a defendant has one or more prior serious and/or violent felony convictions as defined in subdivision (d). The prosecuting attorney shall plead and prove each prior serious and/or violent felony conviction except as provided in paragraph (2).

(2) The prosecuting attorney may move to dismiss or strike a prior serious and/or violent felony conviction allegation in the furtherance of justice pursuant to Section 1385, or if there is insufficient evidence to prove the prior serious and/or violent felony conviction. If upon the satisfaction of the court that there is insufficient evidence to prove the prior serious and/or violent felony conviction, the court may dismiss or strike the allegation. Nothing in this section shall be read to alter a court's authority under Section 1385.

(g) Prior serious and/or violent felony convictions shall not be used in plea bargaining as defined in subdivision (b) of Section 1192.7. The prosecution shall plead and prove all known prior felony serious and/or violent convictions and shall not enter into any agreement to strike or seek the dismissal of any prior serious and/or violent felony conviction allegation except as provided in paragraph (2) of subdivision (f).

(h) All references to existing statutes in subdivisions (c) to (g), inclusive, are to statutes as they existed on November 7, 2012 6, 2018,

(i) If any provision of subdivisions (b) to (h), inclusive, or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of those subdivisions which can be given effect without the invalid provision or application, and to this end the provisions of those subdivisions are severable.

(j) The provisions of this section shall not be amended by the Legislature except by statute passed in each house by rollcall vote entered in the journal, two-thirds of the membership concurring, or by a statute that becomes effective only when approved by the electors.

SECTION 5. PENAL CODE 667.5

§667.5(c) of the Penal Code is amended as follows: (This format presents struck wording in ~~[STRIKEOUT]~~ and new wording in *[ITALICS]*).

§667.5. Prior prison terms; enhancement of prison terms; enhancement of prison terms for new offenses.

Enhancement of prison terms for new offenses because of prior prison terms shall be imposed as follows:

(a) Where one of the new offenses is one of the violent felonies specified in subdivision (c), in addition to and consecutive to any other prison terms therefor, the court shall impose a three-year term for each prior separate prison term served by the defendant where the prior offense was one of the violent felonies specified in subdivision (c). However, no additional term shall be imposed under this subdivision for any prison term served prior to a period of 10 years in which the defendant remained free of both prison custody and the commission of an offense which results in a felony conviction.

(b) Except where subdivision (a) applies, where the new offense is any felony for which a prison sentence or a sentence of imprisonment in a county jail under subdivision (h) of Section 1170 is imposed or is not suspended, in addition and consecutive to any other sentence therefor, the court shall impose a one-year term for each prior separate prison term or county jail term imposed under subdivision (h) of Section 1170 or when sentence is not suspended for any felony; provided that no additional term shall be imposed under this subdivision for any prison term or county jail term imposed under subdivision (h) of Section 1170 or when sentence is not suspended prior to a period of five years in which the defendant remained free of both the commission of an offense which results in a felony conviction, and prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended. A term imposed under the provisions of paragraph (5) of subdivision (h) of Section 1170, wherein a portion of the term is suspended by the court to allow mandatory supervision, shall qualify as a prior county jail term for the purposes of the one-year enhancement.

(c) For the purpose of this section, "violent felony" shall mean any of the following:

(1) Murder or voluntary manslaughter.

(2) Mayhem.

(3) Rape as defined in paragraph (2) or (6) of subdivision (a) of Section 261 or paragraph (1) or (4) of subdivision (a) of Section 262.

(4) Sodomy as defined in subdivision (c) or (d) of Section 286.

(5) Oral copulation as defined in subdivision (c) or (d) of Section 288a.

(6) Lewd or lascivious act as defined in subdivision (a) or (b) of Section 288.

(7) Any felony punishable by death or imprisonment in the state prison for life.

(8) Any felony in which the defendant inflicts great bodily injury on any person other than an accomplice which has been charged and proved as provided for in Section 12022.7, 12022.8, or 12022.9 on or after July 1, 1977, or as specified prior to July 1, 1977, in Sections 213, 264, and 461, or any felony in which the defendant uses a firearm which use has been charged and proved as provided in subdivision (a) of Section 12022.3, or Section 12022.5 or 12022.55.

(9) Any robbery *wherein it is charged and proved that the defendant inflicted great bodily injury on any person, or any robbery wherein it is charged and proved that the defendant used a firearm or other dangerous weapon.*

(10) Arson, in violation of subdivision (a) or (b) of Section 451.

(11) Sexual penetration as defined in subdivision (a) or (j) of Section 289.

(12) Attempted murder.

(13) A violation of Section 18745, 18750, or 18755.

(14) Kidnapping.

(15) Assault with the intent to commit a specified felony, in violation of Section 220.

(16) Continuous sexual abuse of a child, in violation of Section 288.5.

(17) Carjacking, as defined in subdivision (a) of Section 215.

(18) Rape, spousal rape, or sexual penetration, in concert, in violation of Section 264.1.

(19) Extortion, as defined in Section 518, which would constitute a felony violation of Section 186.22.

(20) Threats to victims or witnesses, as defined in Section 136.1, which would constitute a felony violation of Section 186.22.

(21) Any burglary of the first degree, as defined in subdivision (a) of Section 460, wherein it is charged and proved that ~~another person, other than an accomplice was present in the residence~~ *the defendant inflicted great bodily injury on any person, or any burglary of the first degree wherein it is charged and proved that the defendant used a firearm or other dangerous weapon.*

(22) Any violation of Section 12022.53.

(23) A violation of subdivision (b) or (c) of Section 11418. The Legislature finds and declares that these specified crimes merit special consideration when imposing a sentence to display society's condemnation for these extraordinary crimes of violence against the person.

(d) For the purposes of this section, the defendant shall be deemed to remain in prison custody for an offense until the official discharge from custody, including any period of mandatory supervision, or until release on parole or postrelease community supervision, whichever first occurs, including any time during which the defendant remains subject to reimprisonment or custody in county jail for escape from custody or is reimprisoned on revocation of parole or postrelease community supervision. The additional penalties provided for prior prison terms shall not be imposed unless they are charged and admitted or found true in the action for the new offense.

(e) The additional penalties provided for prior prison terms shall not be imposed for any felony for which the defendant did not serve a prior separate term in state prison or in county jail under subdivision (h) of Section 1170.

(f) A prior conviction of a felony shall include a conviction in another jurisdiction for an offense which, if committed in California, is punishable by imprisonment in the state prison or in county jail under subdivision (h) of Section 1170 if the defendant served one year or more in prison for the offense in the other jurisdiction. A prior conviction of a particular felony shall include a conviction in another jurisdiction for an offense which includes all of the elements of the particular felony as defined under California law if the defendant served one year or more in prison for the offense in the other jurisdiction.

(g) A prior separate prison term for the purposes of this section shall mean a continuous completed period of prison incarceration imposed for the particular offense alone or in combination with concurrent or consecutive sentences for other crimes, including any reimprisonment on revocation of parole which is not accompanied by a new commitment to prison, and including any reimprisonment after an escape from incarceration.

(h) Serving a prison term includes any confinement time in any state prison or federal penal institution as punishment for commission of an offense, including confinement in a hospital or other institution or facility credited as service of prison time in the jurisdiction of the confinement.

(i) For the purposes of this section, a commitment to the State Department of Mental Health, or its successor the State Department of State Hospitals, as a mentally disordered sex offender following a conviction of a felony, which commitment exceeds one year in duration, shall be deemed a prior prison term.

(j) For the purposes of this section, when a person subject to the custody, control, and discipline of the Secretary of the Department of Corrections and Rehabilitation is incarcerated at a facility operated by the Division of Juvenile Justice, that incarceration shall be deemed to be a term served in state prison.

(k) (1) Notwithstanding subdivisions (d) and (g) or any other provision of law, where one of the new offenses is committed while the defendant is temporarily removed from prison pursuant to Section 2690 or while the defendant is transferred to a community facility pursuant to Section 3416, 6253, or 6263, or while the defendant is on furlough pursuant to Section 6254, the defendant shall be subject to the full enhancements provided for in this section.

(2) This subdivision shall not apply when a full, separate, and consecutive term is imposed pursuant to any other provision of law.

SECTION 6. PENAL CODE 1170.12

§1170.12 of the Penal Code is amended as follows: (This format presents struck wording in ~~{STRIKEOUT}~~ and new wording in *[ITALICS]*).

§1170.12 Aggregate and consecutive terms for multiple convictions; Prior conviction as prior felony; Commitment and other enhancements or punishment.

(a) Notwithstanding any other provision of law, if a defendant has been convicted of a felony and it has been pled and proved that the defendant has one or more prior serious and/or violent felony convictions, as defined in subdivision (b), the court shall adhere to each of the following:

(1) There shall not be an aggregate term limitation for purposes of consecutive sentencing for any subsequent felony conviction.

(2) Probation for the current offense shall not be granted, nor shall execution or imposition of the sentence be suspended for any prior offense.

- (3) The length of time between the prior serious and/or violent felony conviction and the current felony conviction shall not affect the imposition of sentence.
- (4) There shall not be a commitment to any other facility other than the state prison. Diversion shall not be granted nor shall the defendant be eligible for commitment to the California Rehabilitation Center as provided in Article 2 (commencing with Section 3050) of Chapter 1 of Division 3 of the Welfare and Institutions Code.
- (5) The total amount of credits awarded pursuant to Article 2.5 (commencing with Section 2930) of Chapter 7 of Title 1 of Part 3 shall not exceed one-fifth of the total term of imprisonment imposed and shall not accrue until the defendant is physically placed in the state prison.
- (6) If there is a current conviction for more than one felony count not committed on the same occasion, and not arising from the same set of operative facts, the court shall sentence the defendant consecutively on each count pursuant to this section.
- (7) If there is a current conviction for more than one serious or violent felony as described in subdivision (b), the court shall impose the sentence for each conviction consecutive to the sentence for any other conviction for which the defendant may be consecutively sentenced in the manner prescribed by law.
- (b) Notwithstanding any other provision of law and for the purposes of this section, a prior serious and/or violent conviction of a felony shall be defined as:
- (1) Any offense defined in subdivision (c) of Section 667.5 as a violent felony or any offense defined in subdivision (c) of Section 1192.7 as a serious felony in this state. The determination of whether a prior conviction is a prior serious and/or violent felony conviction for purposes of this section shall be made upon the date of that prior conviction and is not affected by the sentence imposed unless the sentence automatically, upon the initial sentencing, converts the felony to a misdemeanor. None of the following dispositions shall affect the determination that a prior serious and/or violent conviction is a serious and/or violent felony for purposes of this section:
- (A) The suspension of imposition of judgment or sentence.
- (B) The stay of execution of sentence.
- (C) The commitment to the State Department of Health Services as a mentally disordered sex offender following a conviction of a felony.
- (D) The commitment to the California Rehabilitation Center or any other facility whose function is rehabilitative diversion from the state prison.
- (2) A prior conviction in another jurisdiction for an offense that, if committed in California, is punishable by imprisonment in the state prison shall constitute a prior conviction of a particular serious and/or violent felony if the prior conviction in the other jurisdiction is for an offense that includes all of the elements of the particular violent felony as defined in subdivision (c) of Section 667.5 or serious felony as defined in subdivision (c) of Section 1192.7.
- (3) A prior juvenile adjudication shall constitute a prior serious and/or violent felony conviction for the purposes of sentence enhancement if:
- (A) The juvenile was sixteen years of age or older at the time he or she committed the prior offense, and
- (B) The prior offense is
- (i) listed in subdivision (b) of Section 707 of the Welfare and Institutions Code, or

(ii) listed in this subdivision as a serious and/or violent felony, and

(C) The juvenile was found to be a fit and proper subject to be dealt with under the juvenile court law, and

(D) The juvenile was adjudged a ward of the juvenile court within the meaning of Section 602 of the Welfare and Institutions Code because the person committed an offense listed in subdivision (b) of Section 707 of the Welfare and Institutions Code.

(c) For purposes of this section, and in addition to any other enhancements or punishment provisions which may apply, the following shall apply where a defendant has one or more prior serious and/or violent felony convictions:

(1) If a defendant has one prior serious and/or violent felony conviction as defined in subdivision (b) that has been pled and proved, the determinate term or minimum term for an indeterminate term shall be twice the term otherwise provided as punishment for the current felony conviction.

(2)(A) Except as provided in subparagraph (C), if a defendant has two or more prior serious and/or violent felony convictions, as defined in subdivision (b), that have been pled and proved, the term for the current felony conviction shall be an indeterminate term of life imprisonment with a minimum term of the indeterminate sentence calculated as the greatest of:

(i) three times the term otherwise provided as punishment for each current felony conviction subsequent to the two or more prior serious and/or violent felony convictions, or

(ii) twenty-five years or

(iii) the term determined by the court pursuant to Section 1170 for the underlying conviction, including any enhancement applicable under Chapter 4.5 (commencing with Section 1170) of Title 7 of Part 2, or any period prescribed by Section 190 or 3046.

(B) The indeterminate term described in subparagraph (A) of paragraph (2) of this subdivision shall be served consecutive to any other term of imprisonment for which a consecutive term may be imposed by law. Any other term imposed subsequent to any indeterminate term described in subparagraph (A) of paragraph (2) of this subdivision shall not be merged therein but shall commence at the time the person would otherwise have been released from prison.

(C) If a defendant has two or more prior serious and/or violent felony convictions as defined in subdivision (c) of Section 667.5 or subdivision (c) of Section 1192.7 that has been pled and proved, and the current offense is not a violent felony described in ~~paragraph (1) of subdivision (b) (c) of this section of Section 667.5 as amended by this act~~, the defendant shall be sentenced pursuant to paragraph (1) of subdivision (c) of this section, unless the prosecution pleads any of the following:

~~(i) The current offense is a controlled substance charge, in which an allegation under Section 11370.4 or 11379.8 of the Health and Safety Code was admitted or found true.~~

(i) The current offense is a felony sex offense, defined in subdivision (d) of Section 261.5 or Section 262, or any felony offense that results in mandatory registration as a sex offender pursuant to subdivision (c) of Section 290 except for violations of Sections 266 and 285, paragraph (1) of subdivision (b) and subdivision (e) of Section 286, paragraph (1) of subdivision (b) and subdivision (e) of Section 288a, Section 314, and Section 311.11.

~~(ii) During the commission of the current offense, it was charged and proved that the defendant used a firearm, was armed with a firearm or deadly weapon, or intended to cause caused great bodily injury to another person.~~

(iii) The defendant suffered a prior conviction, as defined in subdivision (b) of this section, for any of the following serious and/or violent felonies:

- (I) A “sexually violent offense” as defined by subdivision (b) of Section 6600 of the Welfare and Institutions Code.
- (II) Oral copulation with a child who is under 14 years of age, and who is more than 10 years younger than he or she as defined by Section 288a, sodomy with another person who is under 14 years of age and more than 10 years younger than he or she as defined by Section 286 or sexual penetration with another person who is under 14 years of age, and who is more than 10 years younger than he or she, as defined by Section 289.
- (III) A lewd or lascivious act involving a child under 14 years of age, in violation of Section 288.
- (IV) Any homicide offense, including any attempted homicide offense, defined in Sections 187 to 191.5, inclusive.
- (V) Solicitation to commit murder as defined in Section 653f.
- (VI) Assault with a machine gun on a peace officer or firefighter, as defined in paragraph (3) of subdivision (d) of Section 245.
- (VII) Possession of a weapon of mass destruction, as defined in paragraph (1) of subdivision (a) of Section 11418.
- (VIII) Any serious and/or violent felony offense punishable in California by life imprisonment or death.
- (d)(1) Notwithstanding any other provision of law, this section shall be applied in every case in which a defendant has one or more prior serious and/or violent felony convictions as defined in this section. The prosecuting attorney shall plead and prove each prior serious and/or violent felony conviction except as provided in paragraph (2).
- (2) The prosecuting attorney may move to dismiss or strike a prior serious and/or violent felony conviction allegation in the furtherance of justice pursuant to Section 1385, or if there is insufficient evidence to prove the prior serious and/or violent conviction. If upon the satisfaction of the court that there is insufficient evidence to prove the prior serious and/or violent felony conviction, the court may dismiss or strike the allegation. Nothing in this section shall be read to alter a court's authority under Section 1385.
- (e) Prior serious and/or violent felony convictions shall not be used in plea bargaining, as defined in subdivision (b) of Section 1192.7. The prosecution shall plead and prove all known prior serious and/or violent felony convictions and shall not enter into any agreement to strike or seek the dismissal of any prior serious and/or violent felony conviction allegation except as provided in paragraph (2) of subdivision (d).
- (f) If any provision of subdivisions (a) to (e), inclusive, or of Section 1170.126, or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of those subdivisions which can be given effect without the invalid provision or application, and to this end the provisions of those subdivisions are severable.
- (g) The provisions of this section shall not be amended by the Legislature except by statute passed in each house by rollcall vote entered in the journal, two-thirds of the membership concurring, or by a statute that becomes effective only when approved by the electors.

SECTION 7. PENAL CODE 1170.24

§1170.24 added to the Penal Code to read:

- (a) The resentencing provisions under this section and related statutes are intended to apply exclusively to persons presently serving an indeterminate term of imprisonment pursuant to paragraph (2) of subdivision (e) of Section

667 or paragraph (2) of subdivision (c) of Section 1170., whose 'sentence under this act would not have been an indeterminate life sentence.

(b) Any person serving an indeterminate term of life imprisonment imposed pursuant to paragraph (2) of subdivision (e) of Section 667 or paragraph (2) of subdivision (c) of Section 1170.12 upon conviction, whether by trial or plea, of a felony or felonies that are not defined as violent pursuant to subdivision (c) of Section 667.5 as amended by this act, may file a petition for recall of sentence after the effective date of the act that added this section before the trial court that entered the judgment of conviction in his or her case, to request resentencing in accordance with the amendment made by this act.

(c) An inmate is eligible for resentencing if:

(1) The inmate is serving an indeterminate term of life imprisonment imposed pursuant to paragraph (2) of subdivision (e) of Section 667 or subdivision (c) of Section 1170.12 for conviction of a felony or felonies that are not defined as violent felonies by subdivision (c) of Section 667.5 as amended by this act.

(d) A person who meets the requirements of subdivision (a) to (c) shall be entitled to representation by counsel under this section, and for the purpose of resentencing, trial, or retrial. The person may request appointment of counsel by sending a written request to the court.

(e) Notwithstanding any other provision of law, the right to resentencing pursuant to this act is absolute and shall not be waived. This prohibition applies to, but is not limited to, a waiver that is given as part of an agreement resulting in a plea of guilty or nolo contendere.

(f) Those qualifying individuals shall be resentenced within 180 days of a filed petition.

(g) Under no circumstances may resentencing under this act result in the imposition of a term longer than the original sentence.

(h) Notwithstanding subdivision (b) of Section 977, a defendant petitioning for resentencing may waive his or her appearance in court for the resentencing, provided that the accusatory pleading is not amended at the resentencing, and that no new trial or retrial of the individual will occur. The waiver shall be in writing and signed by the defendant.

(i) The case shall be heard by the judge who conducted the trial, or accepted the convicted person's plea of guilty or nolo contendere, unless the presiding judge determines that judge is unavailable. Upon request of either party, the court may order, in the interest of justice, that the convicted person be present at the hearing of the motion.

(j) Nothing in this section is intended to diminish or abrogate any rights or remedies otherwise available to the defendant.

(k) Nothing in this and related sections is intended to diminish or abrogate the finality of judgments in any case not falling within the purview of this act.

(l) The resentencing judge shall have the discretion to impose any enhancements under §667(a)(1) as provided by law. Under no circumstances shall the court impose any enhancements that weren't imposed during the original sentencing hearing, nor may the court reimpose a Three Strike sentence.

SECTION 8. PENAL CODE 1192.7

§1192.7 of the Penal Code is amended as follows:

(This format presents struck wording in [STRIKEOUT] and new wording in *[ITALICS]*).

(a)(1) It is the intent of the Legislature that district attorneys prosecute violent sex crimes under statutes that provide sentencing under a "one strike," "three strikes" or habitual sex offender statute instead of engaging in plea bargaining over those offenses.

(2) Plea bargaining in any case in which the indictment or information charges any serious felony, any felony in which it is alleged that a firearm was personally used by the defendant, or any offense of driving while under the influence of alcohol, drugs, narcotics, or any other intoxicating substance, or any combination thereof, is prohibited, unless there is insufficient evidence to prove the people's case, or testimony of a material witness cannot be obtained, or a reduction or dismissal would not result in a substantial change in sentence.

(3) If the indictment or information charges the defendant with a violent sex crime, as listed in subdivision (c) of Section 667.61, that could be prosecuted under Sections 269, 288.7, subdivisions (b) through (i) of Section 667, Section 667.61, or 667.71, plea bargaining is prohibited unless there is insufficient evidence to prove the people's case, or testimony of a material witness cannot be obtained, or a reduction or dismissal would not result in a substantial change in sentence. At the time of presenting the agreement to the court, the district attorney shall state on the record why a sentence under one of those sections was not sought.

(b) As used in this section plea bargaining means any bargaining, negotiation, or discussion between a criminal defendant, or his or her counsel, and a prosecuting attorney or judge, whereby the defendant agrees to plead guilty or nolo contendere, in exchange for any promises, commitments, concessions, assurances, or consideration by the prosecuting attorney or judge relating to any charge against the defendant or to the sentencing of the defendant.

(c) As used in this section, serious felony means any of the following:

(1) Murder or voluntary manslaughter; (2) mayhem; (3) rape; (4) sodomy by force, violence, duress, menace, threat of great bodily injury, or fear of immediate and unlawful bodily injury on the victim or another person; (5) oral copulation by force, violence, duress, menace, threat of great bodily injury, or fear of immediate and unlawful bodily injury on the victim or another person; (6) lewd or lascivious act on a child under 14 years of age; (7) any felony punishable by death or imprisonment in the state prison for life; (8) any felony in which the defendant personally inflicts great bodily injury on any person, other than an accomplice, or any felony in which the defendant personally uses a firearm; (9) attempted murder; (10) assault with intent to commit rape or robbery; (11) assault with a deadly weapon or instrument on a peace officer; (12) assault by a life prisoner on a noninmate; (13) assault with a deadly weapon by an inmate; (14) arson; (15) exploding a destructive device or any explosive with intent to injure; (16) exploding a destructive device or any explosive causing bodily injury, great bodily injury, or mayhem; (17) exploding a destructive device or any explosive with intent to murder; (18) any burglary of the first degree; (19) robbery or bank robbery; (20) kidnapping; (21) holding of a hostage by a person confined in a state prison; (22) attempt to commit a felony punishable by death or imprisonment in the state prison for life; (23) any felony in which the defendant personally used a dangerous or deadly weapon; (24) selling, furnishing, administering, giving, or offering to sell, furnish, administer, or give to a minor any heroin, cocaine, phencyclidine (PCP), or any methamphetamine-related drug, as described in paragraph (2) of subdivision (d) of Section 11055 of the Health and Safety Code, or any of the precursors of methamphetamines, as described in subparagraph (A) of paragraph (1) of subdivision (f) of Section 11055 or subdivision (a) of Section 11100 of the Health and Safety Code; (25) any violation of subdivision (a) of Section 289 where the act is accomplished against the victim's will by force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person; (26) grand theft involving a firearm; (27) carjacking; (28) any felony offense, which would also constitute a felony violation of Section 186.22; (29) assault with the intent to commit mayhem, rape, sodomy, or oral copulation, in violation of Section 220; (30) throwing acid or flammable substances, in violation of Section 244; (31) assault with a deadly weapon, firearm, machinegun, assault weapon, or semiautomatic firearm or assault on a peace officer or firefighter, in violation of Section 245; (32)

assault with a deadly weapon against a public transit employee, custodial officer, or school employee, in violation of Section 245.2, 245.3, or 245.5; (33) discharge of a firearm at an inhabited dwelling, vehicle, or aircraft, in violation of Section 246; (34) commission of rape or sexual penetration in concert with another person, in violation of Section 264.1; (35) continuous sexual abuse of a child, in violation of Section 288.5; (36) shooting from a vehicle, in violation of subdivision (c) or (d) of Section 26100; (37) intimidation of victims or witnesses, in violation of 136.1; ~~(38) criminal threats, in violation of Section 422;~~ (39) (38) any attempt to commit a crime listed in this subdivision other than an assault; (40) (39) any violation of Section 12022.53; (41) (40) a violation of subdivision (b) or (c) of Section 11418; and (42) (41) any conspiracy to commit an offense described in this subdivision.

(d) As used in this section, bank robbery means to take or attempt to take, by force or violence, or by intimidation from the person or presence of another any property or money or any other thing of value belonging to, or in the care, custody, control, management, or possession of, any bank, credit union, or any savings and loan association.

As used in this subdivision, the following terms have the following meanings:

(1) Bank means any member of the Federal Reserve System, and any bank, banking association, trust company, savings bank, or other banking institution organized or operating under the laws of the United States, and any bank the deposits of which are insured by the Federal Deposit Insurance Corporation.

(2) Savings and loan association means any federal savings and loan association and any insured institution as defined in Section 401 of the National Housing Act, as amended, and any federal credit union as defined in Section 2 of the Federal Credit Union Act.

(3) Credit union means any federal credit union and any state-chartered credit union the accounts of which are insured by the Administrator of the National Credit Union administration.

(e) The provisions of this section shall not be amended by the Legislature except by statute passed in each house by rollcall vote entered in the journal, two-thirds of the membership concurring, or by a statute that becomes effective only when approved by the electors.

SECTION 9. LIBERAL CONSTRUCTION.

This act is an exercise of the public power of the People of this state of California, and shall be liberally construed to effectuate those purposes.

SECTION 10. SEVERABILITY.

If any provision of this act, or the application thereof to any person or circumstance, is held invalid, that invalidity shall not affect any other provision or application of this act, which can be given effect without the invalid provision or application in order to effectuate the purposes of this act. To this end, the provisions of this act are severable.

SECTION 11. CONFLICTING MEASURES.

If this measure is approved by the voters, but superseded by any other conflicting ballot measure approved by more voters at the same election, and the conflicting ballot measure is later held invalid, it is the intent of the voters that this act shall be given the full force of the law.

SECTION 12. EFFECTIVE DATE.

This act shall become effective on the first day after enactment by the voters.

SECTION 13. AMENDMENT.

The Legislature shall not amend or repeal this initiative statute by another statute without the approval of the electors pursuant to Article II, Section 10, subdivision (c) of the California Constitution.

RESOLUTION 17-23

A RESOLUTION OF THE GOVERNING BOARD OF THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS (“SGVCOG”) REGARDING THE UNINTENDED NEGATIVE IMPACTS OF EXISTING CRIMINAL LAW

WHEREAS, AB 109 transfers responsibility for supervising certain kinds of felony offenders and state prison parolees from state prisons and state parole agents to county jails and probation officers,

WHEREAS, during the past several years, State legislative changes have made fundamental alterations to the fabric of California’s criminal justice system. Many of those changes have been needed and necessary, as not all crimes should be punished with jail sentences,

WHEREAS, California cities, counties, and the State, however, are facing increased crime which endangers the health and safety of police officers, residents, business owners, and property due to some of these legislative changes which created a situation where violent and career criminals are serving little to no prison time,

WHEREAS, negative impacts from State legislative changes have been far reaching and crime rates and the number of victims are skyrocketing throughout California. The negative impacts of these laws were unintended when voters and legislators approved the laws, which were instead intended to help lower the prison population in California prisons and appropriately rehabilitate non-violent offenders,

WHEREAS, incentives for offenders to voluntarily enroll in substance abuse programs have diminished, which has had the effect of eroding the safety of our communities,

WHEREAS, AB 109 transferred nearly 45,000 felons from the State prison system to local jail facilities, which were not designed to house criminals on a long-term basis and were unprepared for such an increase in incarcerations, resulting in lower-level criminals being released early, directly impacting rising property crime rates throughout the State,

WHEREAS, many probationers who have severe mental illness are released into communities where they continue to commit crimes that adversely impact the safety of community members and drain the resources of probation departments and police departments throughout the state,

WHEREAS, Proposition 47, The Safe Neighborhoods and Schools Act, downgraded a number of serious crimes from felonies to misdemeanors—drug possession, repeated shoplifting, forging checks, gun theft, and possession of date-rape drugs,

WHEREAS, Proposition 57 categorizes rape by intoxication, rape of an unconscious person, human trafficking involving sex with minors, drive-by shooting, assault with a deadly weapon, domestic violence, hate crime causing physical injury, and corporal injury to a child as “non-violent” felonies and offenders convicted of violating such laws are able to avoid appropriate prison sentences,

WHEREAS, under Proposition 57, criminals who commit multiple crimes against multiple victims will be eligible for release at the same time as offenders who only committed a single

crime against a single victim and allows repeat criminals to be eligible for release after the same period of incarceration as first time offenders, and

WHEREAS, cities must join together to voice their concerns for these legislative changes that have created an assault on the safety of residents and businesses in local communities.

NOW, THE SGVCOG GOVERNING BOARD RESOLVES THE FOLLOWING:

1. Promotes an amendment of appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates to include their total criminal and mental health history instead of only their last criminal conviction.

2. Advocates to place into law that for the purposes of Section 32 of Article I of the California Constitution, a violent offense includes any of the following:

Murder or voluntary manslaughter.

Mayhem.

Rape.

Sodomy by force, violence, duress, menace, or threat of great bodily harm.

Oral copulation by force, violence, duress, menace, or threat of great bodily harm.

Lewd acts on a child under the age of 14 years.

Any felony punishable by death or imprisonment in the state prison for life.

Any other felony in which the defendant inflicts great or serious bodily injury on any person, other than an accomplice, that has been charged and proven, or any felony in which the defendant uses a firearm which use has been charged and proven.

Attempted murder.

Assault with intent to commit rape or robbery.

Assault with a deadly weapon or instrument on a peace officer.

Assault by a life prisoner on a non-inmate.

Assault with a deadly weapon by an inmate.

Arson.

Exploding a destructive device or any explosive with intent to injure.

Exploding a destructive device or any explosive causing great bodily injury.

Exploding a destructive device or any explosive with intent to murder.

Robbery.

Kidnapping.

Taking of a hostage by an inmate of a state prison.

Attempt to commit a felony punishable by death or imprisonment in the state prison for life.

Any felony in which the defendant personally used a dangerous or deadly weapon.

Escape from a state prison by use of force or violence.

Assault with a deadly weapon.

Extortion as defined in Penal Code section 518, or threats to victims or witnesses as defined in Penal Code section 136.1, which would constitute a felony violation of Penal Code section 186.22.

Carjacking.

3. Requests the State to improve the Smart Justice platform to provide an effective statewide data sharing to allow state and local law enforcement agencies to rapidly and efficiently share offender information to assist in tracking and monitoring the activities of AB 109 and other offenders.

4. Encourages the collection and organization of real world data from cities and counties on the universe of post-release community supervision (PRCS) offenders.

5. Encourages cities throughout California to join in these advocacy efforts to mitigate the unintended negative impacts of recent policy changes to the criminal justice system.

6. Calls for the Governor and the Legislature to work with the SGVCOG and others stakeholders to consider and implement such criminal justice system reforms.

PASSED, APPROVED, and ADOPTED this 20th day of July, 2017.

SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS

By: _____

Cynthia Sternquist, President

Attest:

I, Philip A. Hawkey, Executive Director and Secretary of the Board of Directors of the San Gabriel Valley Council of Governments, do hereby certify that Resolution 17-23 was adopted at a regular meeting of the Governing Board held on the 20th day of July, 2017, by the following roll call vote:

AYES:	
NOES:	
ABSTAIN:	
ABSENT:	

Philip A. Hawkey, Secretary

REPORT

DATE: July 19, 2018

TO: Governing Board Delegates and Alternates
Executive Committee
City Managers' Steering Committee

FROM: Marisa Creter, Executive Director

RE: **CALPERS AND EMPLOYEE CONTRIBUTIONS**

RECCOMENDED ACTION

Recommend the Governing Board adopt the following resolutions:

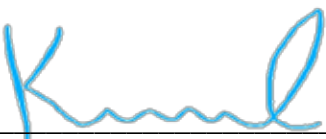
1. Adopt resolution that requires all employees (PEPRA or Classic) hired after January 1, 2013 pay the CalPERS contribution.
2. Adopt resolution that allows all employee (PEPRA or Classic) hired after January 1, 2013 to have employee-paid CalPERS contributions to be made pre-tax.

BACKGROUND

SGVCOG staff hired by the ACE Project beginning in 1999 were offered retirement benefits with CalPERS at a formula of 2% @ 55. The SGVCOG contract with CalPERS allowed the agency to cover its employee's share of CalPERS contributions. In 2013, public retirement legislation, known as the California Public Employees' Pension Reform Act (PEPRA), requires newly hired public employees to pay their share of retirement contributions. This legislation applies to members who are not vested and new members to CalPERS, commonly referred to as PEPRA members. Classic members (hired prior to January 2013) are not affected by the PEPRA legislation.

The Governing Board has in previous resolutions regarding employee benefits and salary acknowledged that all new employees (PEPRA or Classic) hired after January 1, 2013 would pay their CalPERS contribution. However, though this practice has been in place since the Board's adoption, a formal resolution is required by CalPERS (Attachment A). In addition, a separate resolution is required in order to allow the employee's contributions to be pre-tax (Attachment B).

Prepared by: _____



Katie Ward
Senior Management Analyst

Approved by: _____



Marisa Creter
Executive Director

ATTACHMENTS

Attachment A – Resolution for Employer Paid Member Contributions

Attachment B – Resolution to Tax Defer Member Paid Contributions

RESOLUTION 18-43
A RESOLUTION OF THE GOVERNING BOARD OF THE SAN
GABRIEL VALLEY COUNCIL OF GOVERNMENTS
(“SGVCOG”) FOR EMPLOYER PAID MEMBER
CONTRIBUTIONS

WHEREAS, the governing body of the San Gabriel Valley Council of Governments has the authority to implement Government Code Section 20691;

WHEREAS, the governing body of the San Gabriel Valley Council of Governments has a written labor policy or agreement which specifically provides for the normal member contributions to be paid by the employer;

WHEREAS, one of the steps in the procedures to implement Section 20691 is the adoption by the governing body of the San Gabriel Valley Council of Governments of a Resolution to commence said Employer Paid Member Contributions (EPMC);

WHEREAS, the governing body of the San Gabriel Valley Council of Governments has identified the following conditions for the purpose of its election to pay EPMC:

- This benefit shall apply to all employees hired after January 1, 2013.
- This benefit shall consist of paying 0% of the normal member contributions as EPMC.
- The effective date of this Resolution shall be January 1, 2013.

NOW, THEREFORE, BE IT RESOLVED THAT THE GOVERNING BODY OF THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS ELECTS TO PAY EPMC, AS SET FORTH ABOVE.

PASSED, APPROVED, and ADOPTED this 19th day of July, 2018.

SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS

Cynthia Sternquist, President

Attachment B

Attest:

I, Marisa Creter, Executive Director and Secretary of the Board of Directors of the San Gabriel Valley Council of Governments, do hereby certify that Resolution 18-43 was adopted at a regular meeting of the Governing Board held on the 19th day of July, 2018, by the following roll call vote:

AYES:	
NOES:	
ABSTAIN:	
ABSENT:	

Marisa Creter, Secretary

RESOLUTION 18-44
A RESOLUTION OF THE GOVERNING BOARD OF THE
SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS
(“SGVCOG”) TO TAX DEFER MEMBER PAID
CONTRIBUTIONS – IRC 414(H)(2) EMPLOYER PICK-UP

WHEREAS, the San Gabriel Valley Council of Governments has the authority to implement the provisions of section 414(h)(2) of the Internal Revenue Code (IRC); and

WHEREAS, the Board of Administration of the California Public Employees’ Retirement System (CalPERS) adopted its resolution re section 414(h)(2) IRC on September 18, 1985; and

WHEREAS, the Internal Revenue Service has stated in December 1985, that the implementation of the provisions of section 414(h)(2) IRC pursuant to the Resolution of the Board of Administration would satisfy the legal requirements of section 414(h)(2) IRC; and

WHEREAS, the San Gabriel Valley Council of Governments has determined that even though the implementation of the provisions of section 414(h)(2) IRC is not required by law, the tax benefit offered by section 414(h)(2) IRC should be provided to members hired after January 1, 2013 who are members of the CalPERS:

NOW, THEREFORE, BE IT RESOLVED:

- I. That the San Gabriel Valley Council of Governments will implement the provisions of section 414(h)(2) Internal Revenue Code by making employee contributions pursuant to California Government Code Section 20691 to the CalPERS on behalf of all its employees or all its employees in a recognized group or class of employment who are members of CalPERS. “Employee contributions” shall mean those contributions to CalPERS which are deducted from the salary of employees and are credited to individual employee’s accounts pursuant to California Government Code section 20691.
- II. That the contributions made by the San Gabriel Valley Council of Governments to CalPERS, although designated as employee contributions, are being paid by the San Gabriel Valley Council of Governments in lieu of contributions by the employees who are members of CalPERS.
- III. That employees shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by the San Gabriel Valley Council of Governments to CalPERS.
- IV. The San Gabriel Valley Council of Governments shall pay to CalPERS the contributions designated as employee contributions from the same source of funds as used in paying salary.

Attachment A

- V. That the amount of the contributions designated as employee contributions and paid by the San Gabriel Valley Council of Governments to CalPERS on behalf of an employee shall be the entire contribution required of the employee by CalPERS (California Government Code sections 20000, et seq.).
- VI. That the contributions designated as employee contributions made by San Gabriel Valley Council of Governments to CalPERS shall be treated for all purposes, other than taxation, in the same way that member contributions are treated by CalPERS.

PASSED, APPROVED, and ADOPTED this 19th day of July, 2018.

SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS

Cynthia Sternquist, President

Attachment A

Attest:

I, Marisa Creter, Executive Director and Secretary of the Board of Directors of the San Gabriel Valley Council of Governments, do hereby certify that Resolution 18-43 was adopted at a regular meeting of the Governing Board held on the 19th day of July, 2018, by the following roll call vote:

AYES:	
NOES:	
ABSTAIN:	
ABSENT:	

Marisa Creter, Secretary

REPORT

DATE: July 11, 2018

TO: City Managers' Steering Committee

FROM: Marisa Creter, Executive Director

RE: **INDEPENDENT CITIES FINANCE AUTHORITY (ICFA)**

RECOMMENDED ACTION

For information only.

BACKGROUND

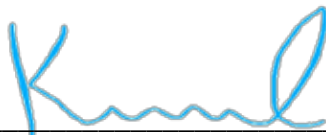
The Independent Cities Finance Authority (ICFA) is an unaffiliated Joint Powers Authority (JPA) created by the Independent Cities Association for the purpose of assisting its member cities in improving their communities through a variety of solution-oriented financing programs. ICFA has assisted in funding over \$500 million in critical community projects, from hospitals, to charter schools, municipal utilities to housing for low and moderate-income families and seniors.

ICFA MEASURE M LOCAL EXPRESS

The M Local Express program is a turnkey solution for financing street and community improvements backed by Measure M sales tax revenues. Through the M Local Express program, Measure M funds can be used upfront for desired capital improvements. Projects through the M Local Express program are required to be submitted to Metro for approval.

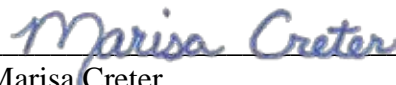
The M Local Express program provides the option for ICFA members to borrow on their own or joint venture with other cities in order to gain economies of scale. Additionally, cities have the option to take advantage of borrowing at today's interest rates rather than risking increased construction cost and financing rates by waiting to implement projects 5 or 10 years down the road.

Prepared by: _____



Katie Ward
Senior Management Analyst

Approved by: _____



Marisa Creter
Executive Director

ATTACHMENTS

Attachment A – Measure M Local Express Presentation

The ICFA M Local Express

Who We Are & What We Do

- Independent Cities Finance Authority (ICFA) is a Joint Powers Authority (JPA) created in Los Angeles County by the Independent Cities Association for the purpose of assisting its member cities in improving their communities through a variety of solution-oriented financing programs
 - ICFA is overseen by elected officials
 - ICFA has a 30-year track record of adding value to its member cities

We are All At Risk In L.A's Slow, Aging Infrastructure Death

ELIOT COHEN / 22 MARCH 2018



LA streets and sidewalks aren't in Olympic-ready condition

City leaders want more transit options and better sidewalks in time for the 2028 games

By **Elijah Chiland** | Feb 8, 2018, 2:16pm PST

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Measure M

- Los Angeles County voters approved a ½-cent sales tax increase, called Measure M, to secure funding for its LA County Traffic Improvement Plan
- This new “Measure M” revenue stream affords local returns to participating cities in LA County by pledging those tax revenues to approved local projects
- Cities can now finance a variety of long-needed repairs and improvements for their communities

The ICFA “M Local Express”

- ICFA offers a turnkey solution for financing street and community improvements backed by Measure M sales tax revenues



The ICFA “M Local Express”

- Measure M funds can be used now for capital improvements that ease traffic congestion and reduce accidents
 - Repave local streets, repair potholes, upgrade intersections, create bike and pedestrian connections, provide mobility options, earthquake retrofitting, and more

What You Can Expect from the M Local Express

- ICFA members have the option to borrow on their own or joint venture with other cities in order to gain economies of scale
- Take advantage of borrowing at today's interest rates rather than risking increased construction cost and financing rates by waiting to implement projects 5 or 10 years down the road
- No voter approval required
- No General Fund pledge required
- No court validation required

What You Can Expect from the M Local Express

- Save time and relieve administrative burden of City Staff by outsourcing bond issuance to ICFA and its professional financing team
- Alleviate the need for City Staff to administer the ongoing burden of filing continuing disclosures as it relates to the financing—ICFA handles that
- Financing terms are customized by the Borrower based on its needs, preferences and life of the project
- Bonds may be rated when available and cost effective
- Move fast—not long from “Go” to Funding

Your Opportunity

- Finance now with your future
Measure M sales tax local return
revenues rather than tapping into
precious General Fund money
- Improve your community while
borrowing in today's favorable
interest rate environment to
accomplish your projects while
shielding against future increases in
construction and labor costs



Why Join the M Local Express?

- Reduce staff time to complete a financing
- You determine the term of your financing
- Work with a responsive, local issuer (ICFA) that understands your city's priorities and timeline
- No court validation required for issuance—ICFA handles ongoing continuing disclosure reports and filings

METRO's Role

- Street and road improvement projects to be considered for ICFA's M Local Express program must be submitted to METRO for approval
- A copy of the Measure M guidelines is available at www.metro.net

Current ICFA Members

City	Local Return	City	Local Return
Alhambra	\$1,215,300	Lakewood	\$1,159,300
Azusa	\$702,200	Lancaster	\$2,284,200
Baldwin Park	\$1,094,600	Lawndale	\$474,500
Bell	\$513,400	Long Beach	\$6,716,600
Bellflower	\$1,109,600	Los Angeles	\$56,216,200
Carson	\$1,323,300	Lynwood	\$1,014,100
Claremont	\$515,400	Monrovia	\$531,400
Commerce	\$185,500	Montebello	\$910,700
Compton	\$1,399,000	Monterey Park	\$881,700
Covina	\$694,400	Norwalk	\$1,522,500
Downey	\$1,618,100	Palmdale	\$2,230,600
Duarte	\$310,300	Paramount	\$785,700
El Monte	\$1,644,800	Pico Rivera	\$911,800
Gardena	\$858,300	Pomona	\$2,165,400
Glendale	\$2,829,700	San Fernando	\$348,900
Glendora	\$731,100	Santa Clarita	\$3,029,300
Hawaiian Gardens	\$206,600	Signal Hill	\$164,600
Hawthorne	\$1,245,300	South Gate	\$1,371,600
Huntington Park	\$842,600	Vernon	\$1,700
Inglewood	\$1,595,900	West Covina	\$1,540,000
La Puente	\$578,100	Whittier	\$1,235,000

Potential ICFA Members

City	Local Return	City	Local Return
Agoura Hills	\$295,000	Manhattan Beach	\$508,100
Arcadia	\$820,600	Maywood	\$396,100
Artesia	\$239,400	Palos Verdes Estates	\$195,100
Avalon	\$54,600	Pasadena	\$2,010,400
Bell Gardens	\$609,100	Rancho Palos Verdes	\$604,700
Beverly Hills	\$494,900	Redondo Beach	\$967,400
Bradbury	\$15,400	Rolling Hills	\$27,000
Burbank	\$1,507,100	Rolling Hills Estates	\$116,800
Calabass	\$344,000	Rosemead	\$781,600
Cerritos	\$709,900	San Dimas	\$493,200
Cudahy	\$344,800	San Gabriel	\$575,600
Culver City	\$565,000	San Marino	\$190,600
Diamond Bar	\$805,100	Santa Fe Springs	\$250,400
El Segundo	\$241,500	Santa Monica	\$1,325,200
Hermosa Beach	\$280,900	Sierra Madre	\$158,200
Hidden Hills	\$27,000	South El Monte	\$296,100
Industry	\$6,300	South Pasadena	\$371,800
Irwindale	\$20,900	Temple City	\$515,300
La Canada Flintridge	\$292,500	Torrance	\$2,108,700
La Habra Heights	\$77,300	Unincorporated	\$14,943,600
La Mirada	\$703,500	Walnut	\$429,900
La Verne	\$469,400	West Hollywood	\$509,000
Lomita	\$294,500	Westlake Village	\$119,700
Malibu	\$183,800		

2018 M Local Express Street Improvement Finance Program

- Provided on the next slide are hypothetical scenarios assuming annual sales tax revenue of \$250,000, \$500,000 and \$750,000
- Each scenario has been sized such that the annual sales tax revenue produces 1.5x's coverage of debt service
- We have assumed an "A+" underlying rating and 100% insured transaction with a surety bond reserve policy in lieu of a cash funded reserve for each scenario
- Scenarios also assume 20-year term (term can be shortened or extended based upon issue preference)

2018 M Local Express Street Improvement Finance Program

Summary of Results* Market Conditions as of April 30, 2018 Closing of August 1, 2018

Annual Sales Tax Revenue Scenario	\$250,000	\$500,000	\$750,000
Par Amount	\$2,295,000	\$4,620,000	\$6,950,000
Project Fund	\$2,234,210	\$4,499,310	\$6,770,088
TIC	3.33%	3.32%	3.32%
Average Life	11.78 Years	11.77 Years	11.76 Years
Total Debt Service	\$3,286,456	\$6,615,463	\$9,950,725
MADS	\$166,606	\$333,313	\$499,700

*Preliminary : Subject to change.

Piper Jaffray

Your M Local Express Financing Team

- **Debbie Smith (Independent Cities Finance Authority) – Issuer**
 - (877) 906-0941, debbie@icfaauthority.org
- **Tammy Ofek (Wolf & Company Inc.) – Financial Advisor**
 - (917) 913-9297, tammyo@wolfco.net
- **Scott Campbell (Best, Best & Krieger) – Issuer’s Counsel**
 - (213) 617-7489, scott.campbell@bbklaw.com
- **Russ Trice (Norton Rose Fulbright) – Bond Counsel**
 - (213) 892-9317, russ.trice@nortonrosefulbright.com
- **Donald Hunt (Norton Rose Fulbright) – Bond Counsel**
 - (213) 892-9316, don.hunt@nortonrosefulbright.com
- **Kim Byrens (Best, Best & Krieger) – Disclosure Counsel**
 - (951) 826-8273, kim.byrens@bbklaw.com
- **Ralph Jason Holmes (Piper Jaffray & Co.) – Underwriter**
 - (415) 616-1720, ralph.j.holmes@pjc.com
- **Tony L. Rapista (Piper Jaffray & Co.) – Underwriter**
 - (310) 297-6031, anthony.l.rapista@pjc.com
- **Wes Wolf (Wolf & Company Inc.) – Oversight Agent/Program Administration**
 - (213) 744-0437, wesley@wolfco.net

ICFA is not advising or recommending any action be taken with respect to any prospective, new or existing municipal financial products or issuance of municipal securities (including with respect to the structure, timing, terms and other similar matters concerning such financial products or issues). The recipient of this document shall discuss any such information and material contained in this document with any and all internal and/or external advisors and experts that it deems appropriate before acting on the information and material.

DATE: July 11, 2018

TO: City Managers' Steering Committee

FROM: Marisa Creter, Executive Director

RE: **SERVICE DELIVERY COST COMPARISON STUDY RFP**

RECOMMENDED ACTION


Recommend the Governing Board authorize the Executive Director to release a Request for Proposal (RFP) to conduct a municipal service delivery and cost comparison study.

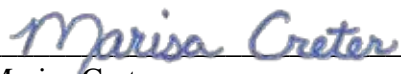
BACKGROUND

In May 2018, the City Managers' Steering Committee directed staff to circulate a letter of interest in undertaking a joint service delivery comparison study in the San Gabriel Valley. This study is modeled after a recently completed study with seven cities in the Gateway Council of Governments. Interested respondents were asked to complete an online survey, specifying interest in which service areas should be considered as a component of the study. The following 16 cities responded with interest: Alhambra, Arcadia, Baldwin Park, Claremont, Covina, Diamond Bar, Duarte, Glendora, La Canada Flintridge, La Puente, La Verne, Monrovia, Pomona, San Marino, Sierra Madre, and Temple City. After a conference call with the interested cities, the following services areas were identified to proceed with as a component of the study:

- Animal Control
- Sidewalk Repair
- HVAC Maintenance
- Janitorial Services
- Median Landscaping
- Park Landscaping
- Plan Checking and Inspections (Building Department)
- Tree Trimming & Maintenance
- Street Sweeping

The study will provide, in comparable terms, the cost to delivery each of the proposed services. Due to differences in the participating cities, the consultant will be tasked with finding a proper mechanism to complete each comparison. In some instances, group Cities provide the municipal service directly through city staff and others contract out the same service. The selected consultant will have experience in providing these types of intricate comparisons. Additionally, cities will have the option to opt-in and opt-out of each of the proposed services. Participation in the study is completely optional and voluntary, with the overall goal of equipping each city with reliable and accurate comparable data, best practices and benchmarking tools. The study will help identify opportunities for savings and enhancing service levels, while also celebrating areas where efficiencies already exist. Attachment A contains a complete copy of the RFP.

Prepared by: 
Katie Ward
Senior Management Analyst

Approved by: 
Marisa Creter
Executive Director

ATTACHMENTS

Attachment A – Draft Service Delivery and Cost Comparison Study RFP

REQUEST FOR PROPOSALS



SGVCOG

San Gabriel Valley Council of Governments

SERVICE DELIVERY COST COMPARISON STUDY FOR THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS AND THESE PARTNER CITIES:

**ALHAMBRA
ARCADIA
BALDWIN PARK
CLAREMONT
COVINA
DIAMOND BAR
DUARTE
GLEN DORA
LA CANADA FLINTRIDGE
LA PUENTE
LA VERNE
MONROVIA
POMONA
SAN MARINO
SIERRA MADRE,
TEMPLE CITY**

Proposal Issue Date: July 23, 2018,

Proposal Due: August 23, 2018, 5:00 PM

Via Email to:

San Gabriel Valley Council of Governments

Katie Ward, Senior Management Analyst

kward@sgvcog.org

RE: RFP Service Delivery Cost Study

INTENT OF SERVICE

The San Gabriel Valley Council of Governments (SGVCOG), in partnership with the Cities of Alhambra, Arcadia, Baldwin Park, Claremont, Covina, Diamond Bar, Duarte, Glendora, La Canada Flintridge, La Puente, La Verne, Monrovia, Pomona, San Marino, Sierra Madre, and Temple City are seeking a consultant to perform a service delivery cost comparison. The study will compare nine (9) municipal services provided in each of the group Cities. The study will analyze the total cost to deliver each service and perform an assessment of best practices. A final report with the consultant's findings will be delivered to the participating City Managers of the group Cities.

ABOUT THE SGVCOG

The SGVCOG is a joint powers authority made up of representatives from 30 cities, 3 Los Angeles County Supervisorial Districts, and the 3 Municipal Water Districts located in the San Gabriel Valley. The SGVCOG serves as a regional voice for its member agencies and works to improve the quality of life for the more than 2 million residents living in the San Gabriel Valley. The SGVCOG works on issues of importance to its member agencies, including transportation, homelessness, environment, and water, and seeks to address these regionally.

ABOUT THE CITIES

The group Cities are located in eastern Los Angeles County. For specific information on individual Cities, please see websites below:

- <http://www.cityofalhambra.org/>
- <http://www.arcadiaca.gov/>
- <http://www.baldwinpark.com/>
- <http://www.ci.claremont.ca.us/>
- <http://www.covina.ca.gov/>
- <http://www.diamondbarca.gov/>
- <http://www.accessduarte.com/>
- <http://www.ci.glendora.ca.us/>
- <http://www.lcf.ca.gov/>
- <http://www.lapuate.org/>
- <http://www.ci.la-verne.ca.us/>
- <http://www.cityofmonrovia.org/>
- <http://www.ci.pomona.ca.us/>
- <http://www.ci.san-marino.ca.us/>
- <http://www.cityofsierramadre.com/>
- <http://www.ci.temple-city.ca.us/>

PROJECT BACKGROUND

The SGVCOG has several committees, including the SGVCOG City Managers' Steering Committee. The City Managers from the group Cities meet on a monthly basis to discuss regional issues. The findings of this study will be used to better understand the financial impacts and

demands for providing a wide range of municipal services in the eastern Los Angeles County area.

The goal of the group Cities is to provide effective and cost-efficient services to each of the individual communities. The intent of this project is to equip City Managers from the respective group Cities with comparative data, best practices and benchmarking tools.

SCOPE OF WORK

The selected consultant will be tasked to complete a service delivery cost comparison of nine (9) municipal services offered by each of the group Cities, by providing an analysis of the total cost to deliver each service and perform an assessment of best practices. Cities will assign a staff member to be the main point of contact in assisting the consultant with the data collection process. Cities have pre-selected the programs and/or services that will be analyzed by the consultant. Topics will include:

- Animal Control
- Sidewalk Repair
- HVAC Maintenance
- Janitorial Services
- Median Landscaping
- Park Landscaping
- Plan Checking and Inspections (Building Department)
- Tree Trimming & Maintenance
- Street Sweeping

The study will provide, in comparable terms, the cost to delivery each service. Due to differences in the group Cities, the consultant will be tasked with finding a proper mechanism to complete each comparison. In some instances, group Cities provide the municipal service directly through City staff and others contract out the same service. The selected consultant must have experience in providing these types of intricate comparisons for reports of this magnitude. Additionally, cities will have the option to opt-in and opt-out of each of the proposed services.

Consultant will be responsible for creating a work program on how to collect, analyze and deliver a final report for this project. The consultant may be required to present the findings of this report to the SGVCOG, representatives from the group Cities and/or individual Cities included in this project.

All prospective consultants will be afforded full opportunity to submit statements of qualifications in response to this request and will not be discriminated against on the grounds of age, ancestry, color, race, gender, gender identity, gender expression, genetic information, marital status, medical condition, military and veteran status, religion, national origin, sex, sexual orientation, religious creed, transgender status or disability in consideration for an award of any contract entered into pursuant to this notice.

SPECIFICATIONS FOR RESPONSE

In order to be considered as a qualifying proposal, the following information is required. Each

submittal should include the items listed below. However, the organization may include additional materials as appropriate,

Proposal Format

- Please submit one (1) electronic copy of the proposal in PDF format via email to kward@sgvcog.org. The proposal shall be submitted with all associated attachments on or before 5:00 p.m. on the due date.
- An officer who is authorized to execute legal documents on behalf of the organization shall sign the proposal.
- Information within the proposal should be clearly marked and formatted with the following sections:
 1. **Cover Letter** - Provide an introduction letter signed by an officer who is authorized to execute legal documents on behalf of the organization.
 2. **Executive Summary** - Provide an overview of the proposed services, organization and ability to be able to provide the services proposed.
 3. **Examples/Past Projects** - Include a summary describing two (2) relevant past assignments related to this project. Summary should include an overview of the work that was performed and timeframe in which it was completed.
 4. **Resumes of Project Team** - Include a resume of the project manager and other team members who will be assigned to or will be responsible for any portion of this project. Resumes should include education and all relevant experience.
 5. **Proposed Work Plan** - Submit a detailed work plan indicating how the organization expects to meet the goals and expectations of this project in a specified timeframe. Additionally, Consultant should outline steps, analysis and overall scope of work that identifies how each service comparison will be approached. This includes indicating several metrics of comparison for each of the proposed services.
 6. **Cost Summary** - A detailed cost for services to complete all components of the Scope of Work. Additionally, provide a cost proposal indicating the cost per service, as well as the cost per city. The Consultant should indicate a minimum number of participating cities needed per service in order to yield useful data and be cost effective.
 7. **References** - Provide a minimum of three (3) references including the name of person(s) who may be contacted, title of the person, addresses and phone number.
 8. **Appendix** - Applicants are to provide copies of the two (2) final reports described in the Examples/Past Projects section of the RFP.

Contact with SGVCOG Personnel

At no time shall the consultant, its agents, representatives or contracted personnel contact or otherwise communicate with SGVCOG personnel without prior arrangement with the Executive Director or designee, for the purposes of negotiating, modifying, changing or interpreting the proposal or specifications. Any changes, modifications, or interpretations must be handled by one source uniformly for all consultants. All questions relating to the statements contained in the RFP are to be addressed in writing to Katie Ward, Senior Management Analyst, via e-mail at kward@sgvcog.org.

CRITERIA FOR SELECTION

The SGVCOG Executive Director, with input from representatives from the SGVCOG City Managers' Steering Committee, will evaluate each proposal and select a firm to recommend to the SGVCOG Governing Board to enter into a contract for service. The Governing Board will provide final approval of the selection.

All proposals submitted will be evaluated using the following criteria:

- Compliance with the RFP/understanding of the project (25%)
- Services to be provided (25%)
- Ability to complete the work within the time specified (10%)
- Qualifications of the firm, including but not limited to its experience and personnel assigned to the project and any subcontractors, if any. (20%)
- Cost (20%)

Timetable for Submission

For consideration to be given to any proposal submitted pursuant to this RFP, an electronic PDF copy of the submittal materials must be received on **August 23 at 5:00 PM** via email to kward@sgvcog.org.

Late proposals are not accepted. No oral, telephone, or fax proposals will be considered. The SGVCOG reserves the right to reject any or all proposals submitted.

PROCUREMENT TIMELINE

The following timetable is tentative and subject to change:

Proposed Timeline	DATE
Request for Proposal Issued	July 23, 2018
Questions Regarding RFP Due	August 7, 2018 at 5:00 PM
Answers to Questions Posted	August 9, 2018 at 5:00 PM
Due date for Proposal	August 23, 2018 at 5:00 PM
Interviews of Short-listed Firms (If needed)	Week of September 10, 2018
Selected Firm Notified	September 17, 2018
Governing Board Review for Approval/Contract Date	October 18, 2018

NOTICE TO CANDIDATES

This Request for Proposals does not constitute a contract or an offer of employment. The cost of preparation of proposals shall be the sole obligation of the consultant. All proposals, whether accepted or rejected, shall become the property of the SGVCOG.

The SGVCOG reserves the right to:

- Accept or reject any and all proposals received in response to this RFP, and to re-advertise for new submittals.
- Waive or modify any irregularities in proposals received after prior notification to the vendor.
- Request the submission of proposal modifications at any time before the award is made,

if such is in the best interest of the SGVCOG.

- Consider proposals or modifications received at any time before the award is made, if such is in the best interest of the SGVCOG.
- Request clarification and/or additional information from the vendor during the evaluation process.
- In the event of Contract termination, enter into Contract negotiations with other qualified firms that submitted acceptable proposals, rather than redoing the proposal process for the project.
- Negotiate with the selected consultant to include further services not identified in this RFP.

The organization shall certify that no official or employee of the SGVCOG, Cities or any business entity, in which an official of the SGVCOG and Cities has an interest, has been employed or retained to solicit or aid in the procuring of the Agreement. No such person shall be employed in the performance of the Agreement.

The organization selected will be required to negotiate and sign a professional services agreement with the SGVCOG and/or Cities and abide by all terms stated in the agreement.

REPORT

DATE: July 19, 2018

TO: Executive Committee
City Managers' Steering Committee
Governing Board

FROM: Marisa Creter, Executive Director

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

RECOMMENDED ACTION

Authorize the Executive Director to execute a contract with Metro which would enable the SGVCOG to be reimbursed for an amount not to exceed \$188,136 for subregional administrative and development work pertaining to developing the first Measure M 5-Year Programming Plan.

BACKGROUND ON ADMINISTRATIVE FUNDS AGREEMENT AND CONTRACT

LA Metro's adopted Measure M guidelines allow for up to 0.5% of the funding for each subregional program (i.e. Active Transportation, First-Last Mile, Highway Efficiency) to be used for the development and administrative implementation of these five-year programming plans. This includes conducting the necessary public outreach and coordination with jurisdictions and other stakeholders, as well as planning activities. As seen in Table 1 below, the 5-Year Project Development Funding, or Administrative Funding, for FY 2017-18 through FY 2021-22 will total \$188,136.

Program	Sub-region	Ground-breaking Start Date	FY 2017 FY 2018	FY 2018 FY 2019	FY 2019 FY 2020	FY 2020 FY 2021	FY 2021 FY 2022	5-Year Total	5-Year Project Development Funding [a]
Active Transportation Prog. (Including Greenway Proj.)	sg	FY 2018	\$ 2,761,363	\$ 2,833,158	\$ 2,906,821	\$ 2,979,491	\$ 3,050,999	\$ 14,531,832	\$ 72,659
Bus System Improvement Program	sg	FY 2018	\$ 231,132	\$ 268,868				\$ 500,000	\$ 2,500
First/ Last Mile and Complete Streets	sg	FY 2018	\$ 3,286,511	\$ 3,371,960	\$ 3,459,631	\$ 3,546,123	\$ 3,631,230	\$ 17,295,455	\$ 86,477
Highway Demand Based Prog. (HOV Ext. & Connect.)	sg	FY 2018							
Goods Movement (Improvements & RR/ing Elim.)	sg	FY 2048							
Highway Efficiency Program	sg	FY 2048	\$ 2,450,000	\$ 2,850,000				\$ 5,300,000	\$ 26,500
ITS-Technology Program (Advanced Signal Tech.)	sg	FY 2048							
San Gabriel Valley Subregion Total								\$ 37,627,287	\$ 188,136

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


In February 2018, the Governing Board directed SGVCOG Staff to work on a contract with Metro pertaining to the allocation and expenditures of Subregional Administrative Funds. An example of a template "Measure M Funding Agreement" can be found in Attachment A. As part of the contract drafting and approval process, Metro requires subregional entities such as the SGVCOG to submit, for each program: project funding allocations (Attachment B), expenditure plans pertaining to the cost and cash flows for each quarter of the first five fiscal years (Attachment C), and a scope of work/schedule (Attachment D).

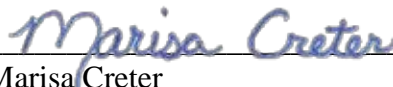
SGVCOG submitted these required attachments in early June 2018, and, as of the week of June 18, LA Metro's Grants Management and Oversight division has stated that they would have a contract and edits for the required proposed scope of work, funding structures, and expenditure plans by the end of the week of June 25.

NEXT STEPS

If the Governing Board approves the contract with Metro to administer the administrative funds for the initial MSP 5-year plan, then the funds shall be allocated and distributed to the SGVCOG, to be used for planning and program development activities pertaining to Measure M programs. Based on the previously approved Letter of No Prejudice (Attachment E), SGVCOG staff has already begun soliciting, prioritizing, and selecting eligible transportation projects to receive Measure M funding for either design or construction, and then programming and assigning funding for the selected projects. SGVCOG staff would then submit its Measure M Subregional Programmatic Funding Proposal to LA Metro for approval.

Prepared by: 
Peter Duyshart
Project Assistant

Prepared by: 
Mark Christoffels
Chief Engineer

Approved by: 
Marisa Creter
Executive Director

ATTACHMENTS

Attachment A – Template of the Measure M Funding Agreement and Contract
Attachment B – Project Funding Charts
Attachment C – Expenditure Plan: Cost and Cash Flow Budget
Attachment D – Proposed Scopes of Work
Attachment E – Administrative Funds Letter of No Prejudice

MEASURE M FUNDING AGREEMENT MULTI-YEAR SUBREGIONAL PROGRAMS

This Funding Agreement ("FA") is made and entered into effective as of [INSERT FA PROCESSING DATE] ("Effective Date"), and is by and between the Los Angeles County Metropolitan Transportation Authority ("LACMTA") and [REDACTED] ("GRANTEE") for [Insert planning activities (0.5%) for ___ Program], LACMTA Project ID# MM [Insert Project #] (the "Project"). This Project is eligible for funding under Line ___ of the Measure M Expenditure Plan.

WHEREAS, LACMTA adopted Ordinance #16-01, the Los Angeles County Traffic Improvement Plan, on June 23, 2016 (the "Ordinance"), which Ordinance was approved by the voters of Los Angeles County on November 8, 2016 as "Measure M" and became effective on July 1, 2017.

WHEREAS, the funding set forth herein is intended to fund [Planning Activities (0.5%) for ___] Program.

WHEREAS, the LACMTA Board, at its June 22, 2017 meeting, adopted the Measure M Master Guidelines which allows resources (not to exceed 0.5%) to support the Multi-Year Subregional Program Project Development Process.

WHEREAS, the Funds are currently programmed as follows: \$ [REDACTED] in Measure M Funds in Fiscal Years (change to singular if applicable) (FY) FY 20___-___; FY 20___-___; and FY 20___-___ [Delete FYs not applicable]. The total designated for [Insert Project Phases] of the [Program or Project] is \$ [REDACTED].

NOW, THEREFORE, the parties hereby agree as follows:

The terms and conditions of this FA consist of the following and each is incorporated by reference herein as if fully set forth herein:

1. Part I – Specific Terms of the FA
2. Part II – General Terms of the FA
3. Attachment A – Project Funding
4. Attachment B – Expenditure Plan- Cost & Cash Flow Budget
5. Attachment C – Scope of Work
6. Attachment D – Project Reporting and Expenditure Guidelines
7. Attachment D-1 – Quarterly Progress/Expenditure Report
8. Attachment E – Special Grant Conditions [remove if none]
9. Any other attachments or documents referenced in the above documents

In the event of a conflict, the Special Grant Conditions, if any, shall prevail over the Specific Terms of the FA and any attachments and the Specific Terms of the FA shall prevail over the General Terms of the FA.

FTIP #:
Subregion ID:

Project#: MMXXXX.XX
FA# 9200000000MXXXXXX

FTIP #:
Subregion ID:

Project#: MM XXX.XX
FA# 9200000000M XXXXXX

IN WITNESS WHEREOF, the parties have caused this FA to be executed by their duly authorized representatives as of the dates indicated below:

LACMTA:

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

By: _____ Date: _____

Phillip A. Washington
Chief Executive Officer

APPROVED AS TO FORM:

MARY C. WICKHAM
County Counsel

By: _____ Date: _____

Deputy

GRANTEE:

By: _____ Date: _____

[INSERT NAME]
[INSERT TITLE]

APPROVED AS TO FORM:

By: _____ Date: _____

[INSERT NAME]
[INSERT TITLE]

PART I
SPECIFIC TERMS OF THE FA

1. Title of the Project (the "Project"): [Insert planning activities (0.5%) for ____ Program].
LACMTA Project ID# MM[REDACTED].

2. Grant Funds:
 - 2.1 Programmed Funds for this Project consist of Measure M Funds.

 - 2.2 To the extent the Measure M Funds are available; LACMTA shall make to GRANTEE a grant of the Measure M funds in the amount of \$ [REDACTED] (the "Fund") for the Project. LACMTA Board of Directors' action of [Insert board meeting date, NOT P&P date] granted the Measure M Funds for the Project. The Funds are programmed over (Insert # of years) years for Fiscal Years (Change to singular if applicable) (FY) FY 20__-__, FY 20__-__, and FY 20__-__. [Delete "only" if multiple years; delete FYs not applicable].

3. This grant shall be paid on a reimbursement basis. GRANTEE must provide the appropriate supporting documentation with the Quarterly Progress/Expenditure Report. GRANTEE Funding Commitment, if applicable, must be spent in the appropriate proportion to the Funds with each quarter's expenditures.

4. **Attachment A** the "Project Funding" documents all sources of funds programmed for the Project as approved by LACMTA. The Project Funding includes the total programmed funds for the Project, including the Funds programmed by LACMTA and, if any, the GRANTEE Funding Commitment of other sources of funding. The Project Funding also includes the fiscal years in which all the funds for the Project are programmed. The Funds are subject to adjustment by subsequent LACMTA Board Action.

5. **Attachment B** is the Expenditure Plan- Cost & Cash Flow Budget (the "Expenditure Plan"). It is the entire proposed cash flow, the Budget and financial plan for the Project, which includes the total sources of all funds programmed to the Project, including GRANTEE and other entity funding commitments, if any, for this Project as well as the fiscal year and quarters the Project funds are anticipated to be expended. GRANTEE shall update the Expenditure Plan annually, no later than December 31, and such update shall be submitted to LACMTA's Senior Executive Officer managing the Measure M Multi-Year Subregional Program in writing. If the LACMTA's Senior Executive Officer managing the Measure M Multi-Year Subregional Program concurs with such updated Expenditure Plan in writing, Attachment B shall be replaced with the new Attachment B setting forth the latest approved Expenditure Plan. Payments under this FA shall be consistent with Attachment B as revised from time to time. In no event can the final milestone date be changed or amended by written concurrence by the LACMTA Senior Executive Officer managing the Measure M Multi-Year Subregional Program. Any change to the final milestone date must be made by a fully executed amendment to this FA.

6. **Attachment C** is the "Scope of Work". The GRANTEE shall complete the Project as described in the Scope of Work. This Scope of Work shall include a detailed description of the Project and the work to be completed, including anticipated Project milestones and a schedule consistent with the lapsing policy in Part II, Section 9. No later than December 31 of each year, GRANTEE shall notify LACMTA if there are any changes to the final milestone date set forth in the schedule or any changes to the Scope of Work. If LACMTA agrees to such changes, the parties shall memorialize such changes in an amendment to this FA. Work shall be delivered in accordance with the schedule and scope identified in this FA unless otherwise agreed to by the parties in writing in an amendment to this FA. If GRANTEE fails to meet milestones or in deliver of the Project, LACMTA will have the option to suspend or terminate the FA for default as described in Part II, Sections 2, 9, 10 and 11 herein below. To the extent interim milestone dates are not met but GRANTEE believes and can show documentation acceptable to LACMTA supporting GRANTEE's ability to make up the time so as to not impact the final milestone date, GRANTEE shall notify LACMTA of such changes in its Quarterly Progress/Expenditure Reports and such interim milestone dates will automatically be amended to the latest interim milestone dates provided in the Quarterly Progress/Expenditure Reports Attachment D-1. In no event can the final milestone date be amended by a Quarterly Progress/Expense Report.

7. No changes to this FA, including but not limited to the Funds, and any other source of funds from LACMTA in the Project Funding, Expenditure Plan or the Scope of Work shall be allowed without an amendment to the original FA, approved and signed by both parties.

8. **Attachment D** is the "Project Reporting & Expenditure Guidelines". GRANTEE shall complete the "Quarterly Progress/Expenditure Report". The Quarterly Progress/Expenditure Reports are attached to this FA as Attachments D-1 in accordance with Attachment D – Project Reporting and Expenditure Guidelines.

9. GRANTEE shall comply with the "Special Grant Conditions" attached as **Attachment E**, if any.

10. No changes to the (i) Grant amount, (ii) Project Funding, (iii) the Scope of Work (except as provided herein), (iv) Final milestone date or (v) Special Grant Conditions, shall be allowed without a written amendment to this FA, approved and signed by the LACMTA Chief Executive Officer or his/her designee and GRANTEE. Modifications that do not materially affect the terms of this FA, such as redistributing Funds among existing budget line items or non-material schedule changes must be formally requested by GRANTEE and approved by LACMTA in writing. Non-material changes are those changes which do not affect the grant amount or its schedule, Project Funding, Financial Plan, or the Scope of Work, including the Work schedule.

13. LACMTA's Address:

Los Angeles County Metropolitan Transportation Authority

FTIP #:
Subregion ID:

Project#: MM
FA# 9200000000M

One Gateway Plaza
Los Angeles, CA 90012
Attention:
LACMTA Project Manager
Mail Stop:
Phone: (213) -
Email: @metro.net

14. GRANTEE's Address:

Grantee Name (Agency)
Address
Grantee's Responsible Staff Person
Phone:
Email:

PART II

GENERAL TERMS OF THE FA

1. TERM

The term of this FA shall commence on the Effective Date of this FA, and shall terminate upon the occurrence of all of the following, unless terminated earlier as provided herein: (i) the agreed upon Scope of Work has been completed; (ii) all LACMTA audit and reporting requirements have been satisfied; and (iii) the final disbursement of the Funds has been made to GRANTEE. All eligible Project expenses as defined in the Reporting and Expenditure Guidelines (Attachment D), incurred after the FA Effective Date shall be reimbursed in accordance with the terms and conditions of this FA unless otherwise agreed to by the parties in writing.

2. SUSPENSION OR TERMINATION

Should LACMTA determine there are insufficient Measure M Funds available for the Project, LACMTA may suspend or terminate this FA by giving written notice to GRANTEE at least thirty (30) days in advance of the effective date of such suspension or termination. If a Project is suspended or terminated pursuant to this section, LACMTA will not reimburse GRANTEE any costs incurred after that suspension or termination date, except those costs necessary to: (i) return any facilities modified by the Project construction to a safe and operable state; and (ii) suspend or terminate the construction contractor's control over the Project. LACMTA's share of these costs will be consistent with the established funding percentages outlined in this FA.

3. INVOICE BY GRANTEE

Unless otherwise stated in this FA, the Quarterly Progress/Expenditure Report, with supporting documentation of expenses, Project progress and other documents as required, which has been pre-approved by LACMTA, all as described in Part II, Section 6.1 of this FA, shall satisfy LACMTA invoicing requirements. Grantee shall only submit for payment the LACMTA pre-approved Quarterly Progress/Expenditure Report Packets to the LACMTA Project Manager at the email address shown in Part I and to LACMTA Accounts Payable Department as shown below.

Submit invoice with supporting documentation to:

ACCOUNTSPAYABLE@METRO.NET (preferable)

or

mail to:

Los Angeles County Metropolitan Transportation Authority

Accounts Payable

P. O. Box 512296

Los Angeles, CA 90051-0296

All invoice material must contain the following information:

Re: LACMTA Project ID# [Insert #] and FA# FA9200000000M[Insert #]

[Insert LACMTA Project Manager Name; Mail Stop 99-__-__]

4. USE OF FUNDS

4.1 GRANTEE shall utilize the Funds to complete the Project as described in the Scope of Work and in accordance with the Reporting and Expenditure Guidelines, the specifications for use for the transportation purposes described in the Ordinance, the Guidelines and the Multi-Year Subregional Programs Administrative Procedures.

4.2 Attachment C shall constitute the agreed upon Scope of Work between LACMTA and GRANTEE for the Project. The Funds, as granted under this FA, can only be used towards the completion of the Scope of Work detailed in Attachment C.

4.3 GRANTEE shall not use the Funds to substitute for any other funds or projects not specified in this FA. Further, GRANTEE shall not use the Funds for any expenses or activities above and beyond the approved Scope of Work (Attachment C) without an amendment to the FA approved and signed by the LACMTA Chief Executive Officer or his Designee. To the extent LACMTA provides GRANTEE with bond or commercial paper proceeds, such Funds may not be used to reimburse for any costs that jeopardize the tax exempt nature of such financings as reasonably determined by LACMTA and its bond counsel.

4.4 GRANTEE must use the Funds in the most cost-effective manner. If GRANTEE intends to use a consultant or contractor to implement all or part of the Project, LACMTA requires that such activities be procured in accordance with GRANTEE's contracting procedures and consistent with State law as appropriate. GRANTEE will also use the Funds in the most cost-effective manner when the Funds are used to pay "in-house" staff time. This effective use of funds provision will be verified by LACMTA through on-going Project monitoring and through any LACMTA interim and final audits.

4.5 GRANTEE'S employee, officers, councilmembers, board member, agents, or consultants (a "GRANTEE Party") are prohibited from participating in the selection, award, or administration of a third-party contract or sub-agreement supported by the Funds if a real or apparent conflict of interest would be involved. A conflict of interest would include, without limitation, an organizational conflict of interest or when any of the following parties has a financial or other interest in any entity selected for award: (a) a GRANTEE Party (b) any member of a GRANTEE Party's immediate family, (c) a partner of a GRANTEE Party; (d) any organization that employs or intends to employ any of the above. This conflict of interest provision will be verified by LACMTA through on-going Project monitoring and through any LACMTA interim and final audits.

4.6 If a facility, equipment (such as computer hardware or software), vehicle or property, purchased or leased using the Funds, ceases to be used for the proper use as originally stated in the Scope of Work, or the Project is discontinued, any Funds expended for that purpose

must be returned to LACMTA as follows: GRANTEE shall be required to repay the Funds in proportion to the useful life remaining and in an equal proportion of the grant to GRANTEE Funding Commitment ratio.

5. REIMBURSEMENT OF FUNDS

Funds will be released on a reimbursement basis in accordance with invoices submitted in support of the Quarterly Progress/Expenditure Reports. LACMTA will make all disbursements electronically unless an exception is requested in writing. Reimbursements via Automated Clearing House (ACH) will be made at no cost to GRANTEE. GRANTEE must complete the ACH form and submit such form to LACMTA before grant payments can be made. ACH Request Forms can be found at www.metro.net/projects/call_projects/call_projects-reference-documents/. GRANTEE must provide detailed supporting documentation with its Quarterly Progress/Expenditure Reports. GRANTEE Funding Commitment, if any, must be spent in direct proportion to the Funds with each quarter's payment.

6. REPORTING AND AUDIT REQUIREMENTS/PAYMENT ADJUSTMENTS

6.1 GRANTEE shall submit the draft of Quarterly Progress/Expenditure Report (Attachment D-1) within sixty (60) days after the close of each quarter on the last day of the months November, February, May and August to the LACMTA Project Manager for review and pre-approval of the applicable report. LACMTA Project Manager shall review and respond in writing to the draft Quarterly Progress/Expenditure Report within thirty (30) calendar days from receipt. GRANTEE shall submit the LACMTA pre-approved Quarterly Progress/Expenditure Report no later than five (5) days after receipt of LACMTA's written approval. Should GRANTEE fail to submit either the draft or pre-approved reports within five (5) days of the due date and/or submit incomplete reports, LACMTA will not reimburse GRANTEE until the completed required reports are received, reviewed, and approved. The Quarterly Progress/Expenditure Reports shall include all appropriate documentation (such as contractor invoices, timesheets, receipts, etc.), and any changes to interim milestone dates that do not impact the final milestone date. All supporting documents must include a clear justification and explanation of their relevance to the Project. If no activity has occurred during a particular quarter, GRANTEE will still be required to submit the Quarterly Progress/Expenditure Reports indicating no dollars were expended that quarter. Expenses that are not invoiced to LACMTA Accounts Payable within ninety (90) days after the lapsing date specified in Part II, Section 9.1 below are not eligible for reimbursement.

6.2 GRANTEE shall submit the Project expenditure estimates for the subsequent fiscal year by February of each year. LACMTA will use the estimates to determine the Project budget for the upcoming fiscal year.

6.3 LACMTA, and/or its designee, shall have the right to conduct audits of the Project as deemed appropriate, such as financial and compliance audits, interim audits, pre-award audits, performance audits and final audits. LACMTA will commence a final audit within six

months of receipt of acceptable final invoice, provided the Project is ready for final audit (meaning all costs and charges have been paid by GRANTEE and invoiced to LACMTA, and such costs, charges and invoices are properly documented and summarized in the accounting records to enable an audit without further explanation or summarization including actual indirect rates for the period covered by the FA period under review). GRANTEE agrees to establish and maintain proper accounting procedures and cash management records and documents in accordance with Generally Accepted Accounting Principles (GAAP). GRANTEE shall reimburse LACMTA for any expenditure not in compliance with the Scope of Work and/or not in compliance with other terms and conditions of this FA. The allowability of costs for GRANTEE's own expenditures submitted to LACMTA for this Project shall be in compliance with Office of Management and Budget (OMB) Circular A-87. The allowability of costs for GRANTEE's contractors, consultants and suppliers expenditures submitted to LACMTA through GRANTEE's Quarterly Progress/Expenditures shall be in compliance with OMB Circular A-87 or Federal Acquisition Regulation (FAR) Subpart 31 and 2 CFR Subtitle A, Chapter II, Part 225 (whichever is applicable). Findings of the LACMTA audit are final. When LACMTA audit findings require GRANTEE to return monies to LACMTA, GRANTEE agrees to return the monies within thirty (30) days after the final audit is sent to GRANTEE.

6.4 GRANTEE's records shall include, without limitation, accounting records, written policies and procedures, contract files, original estimates, correspondence, change order files (including documentation covering negotiated settlements), invoices, and any other supporting evidence deemed necessary by LACMTA to substantiate charges related to the Project (all collectively referred to as "records"). Such records shall be open to inspection and subject to audit and reproduction by LACMTA auditors or authorized representatives to the extent deemed necessary by LACMTA to adequately permit evaluation of expended costs. Such records subject to audit shall also include, without limitation, those records deemed necessary by LACMTA to evaluate and verify, direct and indirect costs, (including overhead allocations) as they may apply to costs associated with the Project. These records must be retained by GRANTEE for three years following final payment under this Agreement.

6.5 GRANTEE shall cause all contractors to comply with the requirements of Part II, Section 5, paragraphs 6.3 and 6.4 above. GRANTEE shall cause all contractors to cooperate fully in furnishing or in making available to LACMTA all records deemed necessary by LACMTA auditors or authorized representatives related to the Project.

6.6 LACMTA or any of its duly authorized representatives, upon reasonable written notice, shall be afforded access to all GRANTEE's records and its contractors related to the Project, and shall be allowed to interview any employee of GRANTEE and its contractors through final payment to the extent reasonably practicable.

6.7 LACMTA or any of its duly authorized representatives, upon reasonable written notice, shall have access to the offices of GRANTEE and its contractors, shall have access to all necessary records, including reproduction, at no charge to LACMTA, and shall be provided

adequate and appropriate work space in order to conduct audits in compliance with the terms and conditions of this FA.

6.8 When business travel associated with the Project requires use of a vehicle, the mileage incurred shall be reimbursed at the mileage rates set by the Internal Revenue Service, as indicated in the United States General Services Administration Federal Travel Regulation, Privately Owned Vehicle Reimbursement Rates.

6.9 GRANTEE shall be responsible for ensuring all contractors/ subcontractors for the Project comply with the terms of the Ordinance, the Guidelines and the Multi-Year Subregional Programs Administrative Procedures. GRANTEE shall cooperate with LACMTA Management Audit Services Department such that LACMTA can meet its obligations under the Ordinance, the Guidelines and the Multi-Year Subregional Programs Administrative Procedures.

6.10 GRANTEE shall certify each invoice by reviewing all subcontractor costs and maintaining internal control to ensure that all expenditures are allocable, allowable and reasonable and in accordance with OMB A-87 or FAR subpart 31 and 2 CFR Subtitle A, Chapter II, part 225, (whichever is applicable) and the terms and conditions of this FA.

6.11 GRANTEE shall also certify final costs of the Project to ensure all costs are in compliance with OMB A-87 or FAR subpart 31 and 2 CFR Subtitle A, Chapter II, part 225, (whichever is applicable) and the terms and conditions of this FA.

6.12 In addition to LACMTA's other remedies as provided in this FA, LACMTA may withhold the Funds if the LACMTA audit has determined that GRANTEE failed to comply with the Scope of Work (such as misusing Funds or failure to return Funds owed to LACMTA in accordance with LACMTA audit findings) and /or is severely out of compliance with other terms and conditions as defined by this FA, including the access to records provisions of Part II, Section 6.

7. GRANT

This is a one-time only grant of the Measure M Funds subject to the terms and conditions agreed to herein. This grant does not imply nor obligate any future funding commitment on the part of LACMTA.

8. SOURCES AND DISPOSITION OF FUNDS

8.1 The obligation for LACMTA to grant the Funds for the Project is subject to sufficient Funds being made available for the Project by the LACMTA Board of Directors. If such Funds are not made available as anticipated from Measure M Program revenues, LACMTA will have the right to adjust the cash flow accordingly until such funds become available. LACMTA

shall have no obligation to provide any other funds for the Project, unless otherwise agreed to in writing by LACMTA.

8.2 GRANTEE shall fully fund and contribute the GRANTEE Funding Commitment, if any is identified in the Project Funding (Attachment A), towards the cost of the Project. If the Funds identified in Attachment A are insufficient to complete the Project, GRANTEE agrees to secure and provide such additional non-LACMTA programmed funds necessary to complete the Project.

8.3 GRANTEE shall be responsible for any and all cost overruns for the Project pursuant to Section 8.2.

8.4 GRANTEE shall be eligible for the Funds up to the grant amount specified in Part I, Section 2 of this FA subject to the terms and conditions contained herein. Any Funds expended by GRANTEE prior to the Effective Date of this FA shall not be reimbursed nor shall they be credited toward the GRANTEE Funding Commitment requirement, without the prior written consent of LACMTA. GRANTEE Funding Commitment dollars expended prior to the year the Funds are awarded shall be spent at GRANTEE's own risk, or as delineated in a Letter of No Prejudice executed by the prospective GRANTEE and LACMTA.

8.5 If GRANTEE receives outside funding for the Project in addition to the Funds identified in the Project Funding and the Expenditure Plan at the time this grant was awarded, this FA shall be amended to reflect such additional funding. If, at the time of final invoice or voucher, funding for the Project (including the Funds, GRANTEE Funding Commitment, and any additional funding) exceeds the actual Project costs, then the cost savings shall be applied in the same proportion as the sources of funds from each party to this FA as specified in the Project Funding and both the Funds and GRANTEE Funding Commitment required for the Project shall be reduced accordingly. LACMTA shall have the right to use any cost savings associated with the Funds at its sole discretion, including, without limitation, programming the unused Funds to another project or to another grantee within the subregion in accordance with the Ordinance, the Guidelines and the Multi-Year Subregional Programs Administrative Procedures. If, at the time of final voucher, it is determined that GRANTEE has received Funds in excess of what GRANTEE should have received for the Project, GRANTEE shall return such overage to LACMTA within 30 days from final voucher.

9. TIMELY USE OF FUNDS / REPROGRAMMING OF FUNDS

9.1 GRANTEE must demonstrate timely use of the Funds by:

- (i) Executing this FA within **ninety (90) days** of receiving formal transmittal of the FA from LACMTA, or by December 31 of the first Fiscal Year in which the Funds are programmed, whichever date is later; and

- (ii) Delivering Work in accordance with schedule; changes to the schedule will require an Amendment to Attachment C to reflect updated milestone dates. Meeting the Project milestone due dates as agreed upon by the LACMTA and GRANTEE in Attachment C of this FA; and
- (iii) Submitting the Quarterly Progress/Expenditure Reports as described in Part II, Section 6.1 of this FA; and
- (iv) Expending the Funds granted under this FA for allowable costs within **three years or 36 months** from July 1 of the Fiscal Year in which the Funds are programmed, unless otherwise stated in this FA. All Funds programmed for FY 20__-__ are subject to lapse by June 30, 20__. All Funds programmed for FY 20__-__ are subject to lapse by June 30, 20__. All Funds programmed for FY 20__-__ are subject to lapse by June 30, 20__. [delete FYs not applicable]

9.2 In the event that the timely use of the Funds is not demonstrated as described in Part II, Section 9.1 of this FA, the Project will be reevaluated by LACMTA as part of its Annual Update process and the Funds may be reprogrammed to another project by the LACMTA Board of Directors in accordance with the Ordinance, the Guidelines and the Multi-Year Subregional Programs Administrative Procedures. In the event that all the Funds are reprogrammed, this FA shall automatically terminate.

10. DEFAULT

A Default under this FA is defined as any one or more of the following: (i) GRANTEE fails to comply with the terms and conditions contained herein; and/or (ii) GRANTEE fails to perform satisfactorily or make material changes, as determined by LACMTA at its sole discretion, to the Expenditure Plan, the Scope of Work, or the Project Funding without LACMTA's prior written consent or approval as provided herein.

11. REMEDIES

11.1 In the event of a Default by GRANTEE, LACMTA shall provide written notice of such Default to GRANTEE with a 30-day period to cure the Default. In the event GRANTEE fails to cure the Default, or commit to cure the Default and commence the same within such 30-day period to the satisfaction of LACMTA, LACMTA shall have the following remedies: (i) LACMTA may terminate this FA; (ii) LACMTA may make no further disbursements of Funds to GRANTEE; and/or (iii) LACMTA may recover from GRANTEE any Funds disbursed to GRANTEE as allowed by law or in equity.

11.2 Effective upon receipt of written notice of termination from LACMTA, GRANTEE shall not undertake any new work or obligation with respect to this FA unless so directed

by LACMTA in writing. Any Funds expended after termination shall be the sole responsibility of GRANTEE.

11.3 The remedies described herein are non-exclusive. LACMTA shall have the right to enforce any and all rights and remedies herein or which may be now or hereafter available at law or in equity.

12. COMMUNICATIONS

12.1 GRANTEE shall ensure that all Communication Materials contain recognition of LACMTA's contribution to the Project as more particularly set forth in "Funding Agreement Communications Materials Guidelines" available online or from the LACMTA Project Manager. Please check with the LACMTA Project Manager for the web address. The Funding Agreement Communications Materials Guidelines may be changed from time to time during the course of this Agreement. GRANTEE shall be responsible for complying with the latest Funding Agreement Communications Materials Guidelines during the term of this Agreement, unless otherwise specifically authorized in writing by the LACMTA Chief Communications Officer.

12.2 For purposes of this Agreement, "Communications Materials" include, but are not limited to, press events, public and external newsletters, printed materials, advertising, websites radio and public service announcements, electronic media, and construction site signage. A more detailed definition of "Communications Materials" is found in the Funding Agreement Communications Materials Guidelines.

12.3 The Metro logo is a trademarked item that shall be reproduced and displayed in accordance with specific graphic guidelines. These guidelines and logo files including scalable vector files will be available through the LACMTA Project Manager.

12.4 GRANTEE shall ensure that any subcontractor, including, but not limited to, public relations, public affairs, and/or marketing firms hired to produce Project Communications Materials for public and external purposes will comply with the requirements contained in this Section.

12.5 The LACMTA Project Manager shall be responsible for monitoring GRANTEE's compliance with the terms and conditions of this Section. GRANTEE's failure to comply with the terms of this Section shall be deemed a default hereunder and LACMTA shall have all rights and remedies set forth herein.

13. OTHER TERMS AND CONDITIONS

13.1 This FA, along with its Attachments, constitutes the entire understanding between the parties, with respect to the subject matter herein. The FA shall not be amended, nor any provisions or breach hereof waived, except in writing signed by the parties who agreed to the

original FA or the same level of authority. Adoption of revisions or supplements to the Guidelines shall cause such revisions or supplements to become incorporated automatically into this Agreement as though fully set forth herein.

13.2 GRANTEE is obligated to continue using the Project dedicated to the public transportation purposes for which the Project was initially approved. The Project right-of-way, the Project facilities constructed or reconstructed on the Project site, and/or Project property purchased, excluding construction easements and excess property (whose proportionate proceeds shall be distributed in an equal proportion of the grant to GRANTEE Funding Commitment ratio), shall remain dedicated to public transportation use in the same proportion and scope and to the same extent as described in this FA. Equipment acquired as part of the Project, including office equipment, vehicles, shall be dedicated to that use for their full economic life cycle, including any extensions of that life cycle achieved by reconstruction, rehabilitation, or enhancements.

13.3 In the event that there is any legal court (e.g., Superior Court of the State of California, County of Los Angeles, or the U.S. District Court for the Central District of California) proceeding between the parties to enforce or interpret this FA, to protect or establish any rights or remedies hereunder, the prevailing party shall be entitled to its costs and expenses, including reasonable attorney's fees.

13.4 Neither LACMTA nor any officer or employee thereof shall be responsible for any damage or liability occurring by reason of anything done or committed to be done by GRANTEE under or in connection with any work performed by and or service provided by GRANTEE, its officers, agents, employees, contractors and subcontractors under this FA. GRANTEE shall fully indemnify, defend and hold LACMTA and its subsidiaries, and its officers, agents and employees harmless from and against any liability and expenses, including without limitation, defense costs, any costs or liability on account of bodily injury, death or personal injury of any person or for damage to or loss of risk of property, any environmental obligation, any legal fees and any claims for damages of any nature whatsoever arising out of the Project, including without limitation: (i) use of the Funds by GRANTEE, or its officers, agents, employees, contractors or subcontractors; (ii) breach of GRANTEE's obligations under this FA; or (iii) any act or omission of GRANTEE, or its officers, agents, employees, contractors or subcontractors in the performance of the work or the provision of the services, in connection with the Project including, without limitation, the Scope of Work, described in this FA.

13.5 Neither party hereto shall be considered in default in the performance of its obligation hereunder to the extent that the performance of any such obligation is prevented or delayed by unforeseen causes including acts of God, acts of a public enemy, and government acts beyond the control and without fault or negligence of the affected party. Each party hereto shall give notice promptly to the other of the nature and extent of any such circumstances claimed to delay, hinder, or prevent performance of any obligations under this FA.

13.6 GRANTEE shall comply with and ensure that work performed under this FA is done in compliance with Generally Accepted Accounting Principles (GAAP), all applicable provisions of federal, state, and local laws, statutes, ordinances, rules, regulations, and procedural requirements including Federal Acquisition Regulations (FAR), and the applicable requirements and regulations of LACMTA. GRANTEE acknowledges responsibility for obtaining copies of and complying with the terms of the most recent federal, state, or local laws and regulations, and LACMTA requirements including any amendments thereto.

13.7 GRANTEE agrees that the applicable requirements of this FA shall be included in every contract entered into by GRANTEE or its contractors relating to work performed under this FA and LACMTA shall have the right to review and audit such contracts.

13.8 GRANTEE shall not assign this FA, or any part thereof, without prior approval of the LACMTA Chief Executive Officer or his designee. Any assignment by GRANTEE without said prior consent by LACMTA shall be void and unenforceable.

13.9 This FA shall be governed by California law. If any provision of this FA is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions shall nevertheless continue in full force without being impaired or invalidated in any way.

13.10 The covenants and agreements of this FA shall inure to the benefit of, and shall be binding upon, each of the parties and their respective successors and assigns.

13.11 GRANTEE will advise LACMTA prior to any key Project staffing changes. Notice will be given to the parties at the address specified in Part I, unless otherwise notified in writing of change of address or contact person.

13.12 GRANTEE, in the performance of the work described in this FA, is not a contractor nor an agent or employee of LACMTA. GRANTEE attests to no organizational or personal conflicts of interest and agrees to notify LACMTA immediately in the event that a conflict, or the appearance thereof, arises. GRANTEE shall not represent itself as an agent or employee of LACMTA and shall have no powers to bind LACMTA in contract or otherwise.

ATTACHMENT A -PROJECT FUNDING

Measure M **Active Transportation Program** Programs - Funding Agreement Projects - FA.920000000MMXXX

Program/Project Title: **ACTIVE TRANSPORTATION ADMIN.** Project#: MMXXXX

PROGRAMMED BUDGET - SOURCES OF FUNDS

SOURCES OF FUNDS	Prior Years	FY2017-18	FY2018-19	FY2019-20	FY 2020-21	FY2021-22	Total Budget	% of Budget
LACMTA PROGRAMMED FUNDING								
MEASURE M FUNDS		\$ 26,750	\$ 25,750	\$ 7,000	\$ 7,000	\$ 6,159	\$ 72,659	
SUM PROG LACMTA FUNDS	\$ -	\$ 26,750	\$ 25,750	\$ 7,000	\$ 7,000	\$ 6,159	\$ 72,659	100%
OTHER NON LACMTA FUNDING:								
LOCAL:							\$ -	0%
STATE:							\$ -	0%
FEDERAL:							\$ -	0%
PRIVATE OR OTHER:							\$ -	0%
SUM NON-LACMTA FUNDS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0
TOTAL PROJECT FUNDS	\$ -	\$ 26,750	\$ 25,750	\$ 7,000	\$ 7,000	\$ 6,159	\$ 72,659	100%

Use Actual \$\$\$

ATTACHMENT A -PROJECT FUNDING

Measure M **Bus System Improvement Program** Programs - Funding Agreement Projects - FA.920000000MMXXX

Program/Project Title: **BUS SYSTEM IMPROVEMENT ADMIN.** Project#: MMXXXX

PROGRAMMED BUDGET - SOURCES OF FUNDS

SOURCES OF FUNDS	Prior Years	FY2017-18	FY2018-19	FY2019-20	FY 2020-21	FY2021-22	Total Budget	% of Budget
LACMTA PROGRAMMED FUNDING								
MEASURE M FUNDS		\$ 1,150	\$ 1,350	\$ -	\$ -	\$ -	\$ 2,500	
SUM PROG LACMTA FUNDS	\$ -	\$ 1,150	\$ 1,350	\$ -	\$ -	\$ -	\$ 2,500	100%
OTHER NON LACMTA FUNDING:								
LOCAL:							\$ -	0%
STATE:							\$ -	0%
FEDERAL:							\$ -	0%
PRIVATE OR OTHER:							\$ -	0%
SUM NON-LACMTA FUNDS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0
TOTAL PROJECT FUNDS	\$ -	\$ 1,150	\$ 1,350	\$ -	\$ -	\$ -	\$ 2,500	100%

Use Actual \$\$\$

ATTACHMENT A -PROJECT FUNDING

Measure M **First/Last Mile & Complete Streets** Programs - Funding Agreement Projects - FA.920000000MMXXX

Program/Project Title: **FIRST/LAST MILE ADMIN.** Project#: **MMXXXX**

PROGRAMMED BUDGET - SOURCES OF FUNDS

SOURCES OF FUNDS	Prior Years	FY2017-18	FY2018-19	FY2019-20	FY 2020-21	FY2021-22	Total Budget	% of Budget
LACMTA PROGRAMMED FUNDING								
MEASURE M FUNDS		\$ 32,000	\$ 30,000	\$ 8,333	\$ 8,333	\$ 7,811	\$ 86,477	
SUM PROG LACMTA FUNDS	\$ -	\$ 32,000	\$ 30,000	\$ 8,333	\$ 8,333	\$ 7,811	\$ 86,477	100%
OTHER NON LACMTA FUNDING:								
LOCAL:							\$ -	0%
STATE:							\$ -	0%
FEDERAL:							\$ -	0%
PRIVATE OR OTHER:							\$ -	0%
SUM NON-LACMTA FUNDS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0
TOTAL PROJECT FUNDS	\$ -	\$ 32,000	\$ 30,000	\$ 8,333	\$ 8,333	\$ 7,811	\$ 86,477	100%

Use Actual \$\$\$

ATTACHMENT A -PROJECT FUNDING

Measure M **Highway Efficiency Program** Programs - Funding Agreement Projects - FA.920000000MM**XXX**

Program/Project Title: **HIGHWAY EFFICIENCY -- LEMON AVE. ADMIN.** Project#: **MMXXXX**

PROGRAMMED BUDGET - SOURCES OF FUNDS

SOURCES OF FUNDS	Prior Years	FY2017-18	FY2018-19	FY2019-20	FY 2020-21	FY2021-22	Total Budget	% of Budget
LACMTA PROGRAMMED FUNDING								
MEASURE M FUNDS		\$ 12,250	\$ 14,250		\$ -	\$ -	\$ 26,500	
SUM PROG LACMTA FUNDS	\$ -	\$ 12,250	\$ 14,250	\$ -	\$ -	\$ -	\$ 26,500	100%
OTHER NON LACMTA FUNDING:								
LOCAL:							\$ -	0%
STATE:							\$ -	0%
FEDERAL:							\$ -	0%
PRIVATE OR OTHER:							\$ -	0%
SUM NON-LACMTA FUNDS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0
TOTAL PROJECT FUNDS	\$ -	\$ 12,250	\$ 14,250	\$ -	\$ -	\$ -	\$ 26,500	100%

Use Actual \$\$\$

ATTACHMENT B - EXPENDITURE PLAN COST & CASH FLOW BUDGET

Measure M - **Active Transportation Program** Program - Funding Agreement Projects - FA.920000000MMXXXX

Project Title: **ACTIVE TRANSPORTATION ADMIN.**

Project#:MMXXX.XX

PROGRAMMED SOURCES OF FUNDS

SOURCES OF FUNDS	FY 2017-18 Qtr 1	FY 2017-18 Qtr 2	FY 2017-18 Qtr 3	FY 2017-18 Qtr 4	FY 2018-19 Qtr 1	FY 2018-19 Qtr 2	FY 2018-19 Qtr 3	FY 2018-19 Qtr 4	TOTAL BUDGET
LACMTA PROGRAMMED FUNDS:									
MEASURE M FUNDS:									
Planning Activities/Prog Dev			\$1,000	\$25,750	\$25,750				\$52,500
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total Measure M	\$0	\$0	\$1,000	\$25,750	\$25,750	\$0	\$0	\$0	\$52,500
SUM PROG LACMTA FUNDS:	\$0	\$0	\$1,000	\$25,750	\$25,750	\$0	\$0	\$0	\$52,500
OTHER NON LACMTA FUNDING:									
LOCAL: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total LOCAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
STATE: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total STATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FEDERAL: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total FEDERAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PRIVATE: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total PRIVATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SUM NON-LACMTA FUNDS :	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PROJECT FUNDING FY2017-18 and FY2018-19	\$0	\$0	\$1,000	\$25,750	\$25,750	\$0	\$0	\$0	\$52,500

ATTACHMENT B - EXPENDITURE PLAN COST & CASH FLOW BUDGET

Measure M - **Active Transportation Program** Program - Funding Agreement Projects - FA.920000000MMXXXX

Project Title: **ACTIVE TRANSPORTATION ADMIN.**

Project#:MMXXX.XX

PROGRAMMED SOURCES OF FUNDS

SOURCES OF FUNDS	FY 2019-20 Qtr 1	FY 2019-20 Qtr 2	FY 2019-20 Qtr 3	FY 2019-20 Qtr 4	FY 2020-21 Qtr 1	FY 2020-21 Qtr 2	FY 2020-21 Qtr 3	FY 2020-21 Qtr 4	TOTAL BUDGET
LACMTA PROGRAMMED FUNDS:									
MEASURE M FUNDS:									
Planning Activities/Prog Dev				\$7,000				\$7,000	\$14,000
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total Measure M	\$0	\$0	\$0	\$7,000	\$0	\$0	\$0	\$7,000	\$14,000
SUM PROG LACMTA FUNDS:	\$0	\$0	\$0	\$7,000	\$0	\$0	\$0	\$7,000	\$14,000
OTHER NON LACMTA FUNDING:									
LOCAL: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total LOCAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
STATE: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total STATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FEDERAL: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total FEDERAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PRIVATE: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total PRIVATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SUM NON-LACMTA FUNDS :	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PROJECT FUNDING FY2019-20 and FY2020-21	\$0	\$0	\$0	\$7,000	\$0	\$0	\$0	\$7,000	\$14,000

ATTACHMENT B - EXPENDITURE PLAN COST & CASH FLOW BUDGET

Measure M - **Active Transportation Program** Program - Funding Agreement Projects - FA.920000000MMXXXX

Project Title: **ACTIVE TRANSPORTATION ADMIN.**

Project#:MMXXX.XX

PROGRAMMED SOURCES OF FUNDS

SOURCES OF FUNDS	FY 2021-22 Qtr 1	FY 2021-22 Qtr 2	FY 2021-22 Qtr 3	FY 2021-22 Qtr 4	FY 2022-23 Qtr 1	FY 2022-23 Qtr 2	FY 2022-23 Qtr 3	FY 2022-23 Qtr 4	TOTAL BUDGET
LACMTA PROGRAMMED FUNDS:									
MEASURE M FUNDS:									
Planning Activities/Prog Dev				\$6,159					\$6,159
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total MEASURE M	\$0	\$0	\$0	\$6,159	\$0	\$0	\$0	\$0	\$6,159
SUM PROG LACMTA FUNDS:	\$0	\$0	\$0	\$6,159	\$0	\$0	\$0	\$0	\$6,159
OTHER NON LACMTA FUNDING:									
LOCAL: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total LOCAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
STATE: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total STATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FEDERAL: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total FEDERAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PRIVATE: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total PRIVATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SUM NON-LACMTA FUNDS :	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PROJECT FUNDING FY2021-22 and FY2022-23	\$0	\$0	\$0	\$6,159	\$0	\$0	\$0	\$0	\$6,159

ATTACHMENT B - EXPENDITURE PLAN COST & CASH FLOW BUDGET

Measure M - **Active Transportation Program** Program - Funding Agreement Projects - FA.920000000MMXXXX

Project Title: **ACTIVE TRANSPORTATION ADMIN.**

Project#:MMXXX.XX

PROGRAMMED SOURCES OF FUNDS

SOURCES OF FUNDS	FY Qtr 1	FY Qtr 2	FY Qtr 3	FY Qtr 4	FY Qtr 1	FY Qtr 2	FY Qtr 3	FY Qtr 4	TOTAL BUDGET
LACMTA PROGRAMMED FUNDS:									
MEASURE M FUNDS:									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total MEASURE M	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SUM PROG LACMTA FUNDS:	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
OTHER NON LACMTA FUNDING:									
LOCAL: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total LOCAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
STATE: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total STATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FEDERAL: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total FEDERAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PRIVATE: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total PRIVATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SUM NON-LACMTA FUNDS :	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PROJECT FUNDING FY2021-22 and FY2022-23	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL LACMTA FUNDS	\$0	\$0	\$1,000	\$38,909	\$25,750	\$0	\$0	\$7,000	\$72,659
TOTAL NON-LACMTA FUNDS	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL PROJECT FUNDING	\$0	\$0	\$1,000	\$38,909	\$25,750	\$0	\$0	\$7,000	\$72,659

ATTACHMENT B - EXPENDITURE PLAN COST & CASH FLOW BUDGET

Measure M - **Bus System Improvement Program** Program - Funding Agreement Projects - FA.920000000MMXXXX
 Project Title: **BUS SYSTEM IMPROVEMENT ADMIN.** Project#:MMXXX.XX
 PROGRAMMED SOURCES OF FUNDS

SOURCES OF FUNDS	FY 2017-18 Qtr 1	FY 2017-18 Qtr 2	FY 2017-18 Qtr 3	FY 2017-18 Qtr 4	FY 2018-19 Qtr 1	FY 2018-19 Qtr 2	FY 2018-19 Qtr 3	FY 2018-19 Qtr 4	TOTAL BUDGET
LACMTA PROGRAMMED FUNDS:									
MEASURE M FUNDS:									
Planning Activities/Prog Dev			\$100	\$1,000	\$1,100			\$300	\$2,500
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total Measure M	\$0	\$0	\$100	\$1,000	\$1,100	\$0	\$0	\$300	\$2,500
SUM PROG LACMTA FUNDS:	\$0	\$0	\$100	\$1,000	\$1,100	\$0	\$0	\$300	\$2,500
OTHER NON LACMTA FUNDING:									
LOCAL: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total LOCAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
STATE: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total STATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FEDERAL: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total FEDERAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PRIVATE: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total PRIVATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SUM NON-LACMTA FUNDS :	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PROJECT FUNDING FY2017-18 and FY2018-19	\$0	\$0	\$100	\$1,000	\$1,100	\$0	\$0	\$300	\$2,500
SOURCES OF FUNDS	FY 2019-20 Qtr 1	FY 2019-20 Qtr 2	FY 2019-20 Qtr 3	FY 2019-20 Qtr 4	FY 2020-21 Qtr 1	FY 2020-21 Qtr 2	FY 2020-21 Qtr 3	FY 2020-21 Qtr 4	TOTAL BUDGET
LACMTA PROGRAMMED FUNDS:									
MEASURE M FUNDS:									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total Measure M	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SUM PROG LACMTA FUNDS:	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
OTHER NON LACMTA FUNDING:									
LOCAL: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0

Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total LOCAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
STATE: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total STATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FEDERAL: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total FEDERAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PRIVATE: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total PRIVATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SUM NON-LACMTA FUNDS :	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PROJECT FUNDING FY2019-20 and FY2020-21	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SOURCES OF FUNDS	FY 2021-22 Qtr 1	FY 2021-22 Qtr 2	FY 2021-22 Qtr 3	FY 2021-22 Qtr 4	FY 2022-23 Qtr 1	FY 2022-23 Qtr 2	FY 2022-23 Qtr 3	FY 2022-23 Qtr 4	TOTAL BUDGET
LACMTA PROGRAMMED FUNDS:									
MEASURE M FUNDS:									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total MEASURE M	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SUM PROG LACMTA FUNDS:	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
OTHER NON LACMTA FUNDING:									
LOCAL: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total LOCAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
STATE: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total STATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FEDERAL: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total FEDERAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PRIVATE: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total PRIVATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SUM NON-LACMTA FUNDS :	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

Total PRIVATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SUM NON-LACMTA FUNDS :	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PROJECT FUNDING FY2021-22 and FY2022-23	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SOURCES OF FUNDS	FY Qtr 1	FY Qtr 2	FY Qtr 3	FY Qtr 4	FY Qtr 1	FY Qtr 2	FY Qtr 3	FY Qtr 4	TOTAL BUDGET
LACMTA PROGRAMMED FUNDS:									
MEASURE M FUNDS:									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total MEASURE M	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SUM PROG LACMTA FUNDS:	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
OTHER NON LACMTA FUNDING:									
LOCAL: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total LOCAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
STATE: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total STATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FEDERAL: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total FEDERAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PRIVATE: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total PRIVATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SUM NON-LACMTA FUNDS :	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PROJECT FUNDING FY2021-22 and FY2022-23	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL LACMTA FUNDS	\$0	\$0	\$100	\$1,000	\$1,100	\$0	\$0	\$300	\$2,500
TOTAL NON-LACMTA FUNDS	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL PROJECT FUNDING	\$0	\$0	\$100	\$1,000	\$1,100	\$0	\$0	\$300	\$2,500

ATTACHMENT B - EXPENDITURE PLAN COST & CASH FLOW BUDGET

Measure M - **First/Last Mile & Complete Streets** Program - Funding Agreement Projects - FA.92000000MMXXXX
 Project Title: **FIRST/LAST MILE ADMIN.** Project#:MMXXX.XX
 PROGRAMMED SOURCES OF FUNDS

SOURCES OF FUNDS	FY 2017-18 Qtr 1	FY 2017-18 Qtr 2	FY 2017-18 Qtr 3	FY 2017-18 Qtr 4	FY 2018-19 Qtr 1	FY 2018-19 Qtr 2	FY 2018-19 Qtr 3	FY 2018-19 Qtr 4	TOTAL BUDGET
LACMTA PROGRAMMED FUNDS:									
MEASURE M FUNDS:									
Planning Activities/Prog Dev			\$2,000	\$30,000	\$30,000				\$62,000
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total Measure M	\$0	\$0	\$2,000	\$30,000	\$30,000	\$0	\$0	\$0	\$62,000
SUM PROG LACMTA FUNDS:	\$0	\$0	\$2,000	\$30,000	\$30,000	\$0	\$0	\$0	\$62,000
OTHER NON LACMTA FUNDING:									
LOCAL: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total LOCAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
STATE: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total STATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FEDERAL: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total FEDERAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PRIVATE: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total PRIVATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SUM NON-LACMTA FUNDS :	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PROJECT FUNDING FY2017-18 and FY2018-19	\$0	\$0	\$2,000	\$30,000	\$30,000	\$0	\$0	\$0	\$62,000
SOURCES OF FUNDS	FY 2019-20 Qtr 1	FY 2019-20 Qtr 2	FY 2019-20 Qtr 3	FY 2019-20 Qtr 4	FY 2020-21 Qtr 1	FY 2020-21 Qtr 2	FY 2020-21 Qtr 3	FY 2020-21 Qtr 4	TOTAL BUDGET
LACMTA PROGRAMMED FUNDS:									
MEASURE M FUNDS:									
Planning Activities/Prog Dev				\$8,333				\$8,333	\$16,666
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total Measure M	\$0	\$0	\$0	\$8,333	\$0	\$0	\$0	\$8,333	\$16,666
SUM PROG LACMTA FUNDS:	\$0	\$0	\$0	\$8,333	\$0	\$0	\$0	\$8,333	\$16,666
OTHER NON LACMTA FUNDING:									
LOCAL: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0

Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total LOCAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
STATE: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total STATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FEDERAL: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total FEDERAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PRIVATE: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total PRIVATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SUM NON-LACMTA FUNDS :	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PROJECT FUNDING	\$0	\$0	\$0	\$8,333	\$0	\$0	\$0	\$8,333	\$16,666
FY2019-20 and FY2020-21									
SOURCES OF FUNDS	FY 2021-22 Qtr 1	FY 2021-22 Qtr 2	FY 2021-22 Qtr 3	FY 2021-22 Qtr 4	FY 2022-23 Qtr 1	FY 2022-23 Qtr 2	FY 2022-23 Qtr 3	FY 2022-23 Qtr 4	TOTAL BUDGET
LACMTA PROGRAMMED FUNDS:									
MEASURE M FUNDS:									
Planning Activities/Prog Dev				\$7,811					\$7,811
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total MEASURE M	\$0	\$0	\$0	\$7,811	\$0	\$0	\$0	\$0	\$7,811
SUM PROG LACMTA FUNDS:	\$0	\$0	\$0	\$7,811	\$0	\$0	\$0	\$0	\$7,811
OTHER NON LACMTA FUNDING:									
LOCAL: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total LOCAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
STATE: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total STATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FEDERAL: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total FEDERAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PRIVATE: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total PRIVATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Others									\$0

Total PRIVATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SUM NON-LACMTA FUNDS :	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PROJECT FUNDING FY2021-22 and FY2022-23	\$0	\$0	\$0	\$7,811	\$0	\$0	\$0	\$0	\$7,811
SOURCES OF FUNDS	FY Qtr 1	FY Qtr 2	FY Qtr 3	FY Qtr 4	FY Qtr 1	FY Qtr 2	FY Qtr 3	FY Qtr 4	TOTAL BUDGET
LACMTA PROGRAMMED FUNDS:									
MEASURE M FUNDS:									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total MEASURE M	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SUM PROG LACMTA FUNDS:	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
OTHER NON LACMTA FUNDING:									
LOCAL: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total LOCAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
STATE: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total STATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FEDERAL: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total FEDERAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PRIVATE: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total PRIVATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SUM NON-LACMTA FUNDS :	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PROJECT FUNDING FY2021-22 and FY2022-23	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL LACMTA FUNDS	\$0	\$0	\$2,000	\$46,144	\$30,000	\$0	\$0	\$8,333	\$86,477
TOTAL NON-LACMTA FUNDS	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL PROJECT FUNDING	\$0	\$0	\$2,000	\$46,144	\$30,000	\$0	\$0	\$8,333	\$86,477

ATTACHMENT B - EXPENDITURE PLAN COST & CASH FLOW BUDGET

Measure M - **Highway Efficiency Program** Program - Funding Agreement Projects - FA.920000000MMXXXX
 Project Title: **HIGHWAY EFFICIENCY -- LEMON AVE. ADMIN.** Project#:MMXXX.XX
 PROGRAMMED SOURCES OF FUNDS

SOURCES OF FUNDS	FY 2017-18 Qtr 1	FY 2017-18 Qtr 2	FY 2017-18 Qtr 3	FY 2017-18 Qtr 4	FY 2018-19 Qtr 1	FY 2018-19 Qtr 2	FY 2018-19 Qtr 3	FY 2018-19 Qtr 4	TOTAL BUDGET
LACMTA PROGRAMMED FUNDS:									
MEASURE M FUNDS:									
Planning Activities/Prog Dev			\$1,000	\$11,000	\$12,750			\$1,750	\$26,500
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total Measure M	\$0	\$0	\$1,000	\$11,000	\$12,750	\$0	\$0	\$1,750	\$26,500
SUM PROG LACMTA FUNDS:	\$0	\$0	\$1,000	\$11,000	\$12,750	\$0	\$0	\$1,750	\$26,500
OTHER NON LACMTA FUNDING:									
LOCAL: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total LOCAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
STATE: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total STATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FEDERAL: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total FEDERAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PRIVATE: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total PRIVATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SUM NON-LACMTA FUNDS :	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PROJECT FUNDING FY2017-18 and FY2018-19	\$0	\$0	\$1,000	\$11,000	\$12,750	\$0	\$0	\$1,750	\$26,500
SOURCES OF FUNDS	FY 2019-20 Qtr 1	FY 2019-20 Qtr 2	FY 2019-20 Qtr 3	FY 2019-20 Qtr 4	FY 2020-21 Qtr 1	FY 2020-21 Qtr 2	FY 2020-21 Qtr 3	FY 2020-21 Qtr 4	TOTAL BUDGET
LACMTA PROGRAMMED FUNDS:									
MEASURE M FUNDS:									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total Measure M	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SUM PROG LACMTA FUNDS:	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
OTHER NON LACMTA FUNDING:									
LOCAL: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0

Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total LOCAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
STATE: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total STATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FEDERAL: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total FEDERAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PRIVATE: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total PRIVATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SUM NON-LACMTA FUNDS :	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PROJECT FUNDING FY2019-20 and FY2020-21	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SOURCES OF FUNDS	FY 2021-22 Qtr 1	FY 2021-22 Qtr 2	FY 2021-22 Qtr 3	FY 2021-22 Qtr 4	FY 2022-23 Qtr 1	FY 2022-23 Qtr 2	FY 2022-23 Qtr 3	FY 2022-23 Qtr 4	TOTAL BUDGET
LACMTA PROGRAMMED FUNDS:									
MEASURE M FUNDS:									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total MEASURE M	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SUM PROG LACMTA FUNDS:	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
OTHER NON LACMTA FUNDING:									
LOCAL: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total LOCAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
STATE: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total STATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FEDERAL: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total FEDERAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PRIVATE: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total PRIVATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SUM NON-LACMTA FUNDS :	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

Total PRIVATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SUM NON-LACMTA FUNDS :	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PROJECT FUNDING FY2021-22 and FY2022-23	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SOURCES OF FUNDS	FY Qtr 1	FY Qtr 2	FY Qtr 3	FY Qtr 4	FY Qtr 1	FY Qtr 2	FY Qtr 3	FY Qtr 4	TOTAL BUDGET
LACMTA PROGRAMMED FUNDS:									
MEASURE M FUNDS:									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total MEASURE M	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SUM PROG LACMTA FUNDS:	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
OTHER NON LACMTA FUNDING:									
LOCAL: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total LOCAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
STATE: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total STATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FEDERAL: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total FEDERAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PRIVATE: [INSERT SOURCE]									
Planning Activities/Prog Dev									\$0
Environmental									\$0
Design and PS&E									\$0
Right-of-Way Acquisition									\$0
Construction									\$0
Vehicle Purchase									\$0
Others									\$0
Total PRIVATE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SUM NON-LACMTA FUNDS :	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PROJECT FUNDING FY2021-22 and FY2022-23	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL LACMTA FUNDS	\$0	\$0	\$1,000	\$11,000	\$12,750	\$0	\$0	\$1,750	\$26,500
TOTAL NON-LACMTA FUNDS	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL PROJECT FUNDING	\$0	\$0	\$1,000	\$11,000	\$12,750	\$0	\$0	\$1,750	\$26,500

ATTACHMENT C
SCOPE OF WORK
PROGRAM DEVELOPMENT/PLANNING ACTIVITIES - 0.5% FUNDING

MEASURE M MULTI-YEAR SUBREGIONAL PROGRAM(S):

(Please list the Programs included in the Funding Agreement, if applicable)

1. Active Transportation
2. Bus System Improvement
3. First/Last Mile & Complete Streets
4. Highway Demand

PROGRAM # 1 – Active Transportation

DESCRIPTION

(Proposed scope of work, type of subregional capital projects subject of the planning activities, if known)

The primary focus of the SGVCOG's active transportation subregional funding is the development of a multi-use greenway network along the rivers, streams and storm channels that cross the San Gabriel Valley. The SGVCOG is working with the cities, County, and community stakeholders to develop a comprehensive inventory of potential projects and then to evaluate and prioritize those projects. That information, which will be reviewed by both technical advisory committees (TACs) and the SGVCOG's Transportation Committee will be used to guide the Measure M funding recommendations. Additionally, the SGVCOG will work with entities to identify additional on-street active transportation facilities for Measure M funding.

The SGVCOG will involve all entities within the Subregion eligible for the Measure M Multi-Year Subregional Program funding and consult regarding the composition of projects in the Plan, either directly, or through their participation in the Council of Governments or comparable subregional entity that represents the Subregion.

ESTIMATED COSTS:

Item Description	Estimated Cost
Public Participation Plan	\$1,000
Five-Year Programming Plan	\$51,500
Annual Update (Update or Amend)	\$21,000
Total	\$73,500

SCHEDULE:

Milestones	Begin	End	Duration (months)
Public Participation Plan Development	2/18	4/18	3
Performance Benefit Statement Development	4/18	8/18	5
Outreach	4/18	8/18	5
Five-Year Programming Plan Development	4/18	8/18	5
Subregion Entity Plan Submittal to LACMTA	-	9/18	-

DELIVERABLES: (Select appropriate deliverables, sample template included in the Administrative Procedure Appendix)

- Measure M – MSP Public Participation Element
- Five-Year Plan Programming Forecast
- Scope of Work per Project
- Project Readiness per Project
- Project Financial Plan per Project

PROGRAM # 2 –Bus System Improvement

DESCRIPTION

During the initial 5 years of funding, this program will have only limited funding (\$500,000). Based on that, the SGVCOG plans to work with the region's primary transit provider (Foothill Transit) to identify and scope an appropriate planning project to improve service in the region.

The SGVCOG will involve all entities within the Subregion eligible for the Measure M Multi-Year Subregional Program funding and consult regarding the composition of projects in the Plan, either directly, or through their participation in the Council of Governments or comparable subregional entity that represents the Subregion.

ESTIMATED COSTS:

Item Description	Estimated Cost
Public Participation Plan	\$100
Five-Year Programming Plan	\$2100
Annual Update (Update or Amend)	\$300
Total	\$2,500

SCHEDULE:

Milestones	Begin	End	Duration (months)
Public Participation Plan Development	2/18	4/18	3
Performance Benefit Statement Development	4/18	8/18	5
Outreach	4/18	8/18	5
Five-Year Programming Plan Development	4/18	8/18	5
Subregion Entity Plan Submittal to LACMTA	-	9/18	-

PROGRAM # 3 –First / Last Mile and Complete Streets

DESCRIPTION

The SGVCOG will engage all cities with eligible transit stations to identify first/last mile projects. Additionally, the SGVCOG will coordinate with Metro and the Gold Line Phase 2B cities during the creation of their FLM plans to identify projects around these planned stations. Once those projects are scoped and prioritized, the SGVCOG will work with cities to identify complete streets projects.

The SGVCOG will involve all entities within the Subregion eligible for the Measure M Multi-Year Subregional Program funding and consult regarding the composition of projects in the Plan, either directly, or through their participation in the Council of Governments or comparable subregional entity that represents the Subregion.

ESTIMATED COSTS:

Item Description	Estimated Cost
Public Participation Plan	\$2,000
Five-Year Programming Plan	\$60,000
Annual Update (Update or Amend)	\$25,000
Total	\$87,000

SCHEDULE:

Milestones	Begin	End	Duration (months)
Public Participation Plan Development	2/18	4/18	3
Performance Benefit Statement Development	4/18	8/18	5
Outreach	4/18	8/18	5
Five-Year Programming Plan Development	4/18	8/18	5
Subregion Entity Plan Submittal to LACMTA	-	9/18	-

PROGRAM # 4 –Highway Demand

DESCRIPTION

Funding from this subregional program has already been committed to the Lemon Avenue project via a Letter of No Prejudice. SGVCOG will work to complete all necessary documentation to support receipt of Measure M funding for this project.

The SGVCOG will involve all entities within the Subregion eligible for the Measure M Multi-Year Subregional Program funding and consult regarding the composition of projects in the Plan, either directly, or through their participation in the Council of Governments or comparable subregional entity that represents the Subregion.

ESTIMATED COSTS:

Item Description	Estimated Cost
Public Participation Plan	\$1,000
Five-Year Programming Plan	\$22,000
Annual Update (Update or Amend)	\$3,000
Total	\$26,000

SCHEDULE:

Milestones	Begin	End	Duration (months)
Public Participation Plan Development	2/18	4/18	3
Performance Benefit Statement Development	4/18	8/18	5
Outreach	4/18	8/18	5
Five-Year Programming Plan Development	4/18	8/18	5
Subregion Entity Plan Submittal to LACMTA	-	9/18	-



Metro

February 15, 2018

Marisa Creter
Interim Executive Director
San Gabriel Valley Council of Governments
1000 S. Fremont Avenue, Unit #42
Alhambra, CA 91803

RE: Measure M Multi-Year Subregional Program Process – Letter of No Prejudice for
Expenditure of Local Funds

Dear Ms. Creter:

This is in response to your February 1, 2018 letter requesting a Letter of No Prejudice from the Los Angeles County Metropolitan Transportation Authority ("LACMTA"). This Letter of No Prejudice will allow the San Gabriel Council of Governments (the "Agency") to spend its local funds for the Measure M Multi-Year Subregional Program five-year development process (the "Project") prior to execution of a Measure M Funding Agreement (FA) with the understanding and agreement to the following:

- Resources to support the five-year development process will be drawn down from the Agency's Measure M Multi-Year Subregional Programs.
- Any work and related local expenditures the Agency makes under this Letter of No Prejudice is undertaken solely at the risk of the Agency, as LACMTA cannot guarantee the availability of funds to be programmed. LACMTA shall have no responsibility or obligation to fund the Project based on anything contained in this letter.
- The Agency understands and agrees that should the Agency choose to initiate any work under this Letter of No Prejudice, it in no way implies or assures that the Project will be given a higher priority by LACMTA in the assignment of available funds over other projects within the Measure M Multi-Year Subregional Programs.

With this understanding, if the Agency still desires to go forward with the Project at this time, LACMTA agrees that if the Agency chooses to spend local funds in an amount up to \$188,000 for the Project, then such funds shall be considered local expenditures contingent upon meeting the following conditions:

- LACMTA shall consider expenditures in an amount up to \$188,000 as local expenditures for the Project effective as of the date of this letter;
- In order to secure reimbursement of local funds spent in advance of the FA, all expenses made prior to the execution of the FA and as of the date of this letter must be fully documented and consistent with any applicable provisions in the final Measure M Administrative Procedures;
- The Agency will comply with the final Measure M Administrative Procedures, including, but not limited to subregional qualitative performance measures, public participation, and project readiness assessment requirements;

- Any local expenditures incurred under this Letter of No Prejudice will be audited and any expenses found not to be in compliance with the terms and conditions of the FA will be disallowed; and
- The indemnity requirements as provided in the FA shall apply to any local match funds expended as described in this letter.

If the Agency fails to meet the above conditions, this letter shall be void and not binding upon the LACMTA. Nothing in the letter is intended to or shall be construed to allow the Agency to spend Measure M funds.

If you should have any questions regarding the terms and conditions of this Letter of No Prejudice, please contact Fanny Pan at (213) 922-3070 or email at panf@metro.net.

Sincerely,

A handwritten signature in black ink, appearing to read 'Therese W. McMillan', followed by a long horizontal flourish line.

Therese W. McMillan
Chief Planning Officer

cc: Mark Christoffels