



Connecting its cities via environmentally effective rapid transit

Eco-Rapid Transit, formally known as the Orangeline Development Authority, is a joint powers authority (JPA). Its Board of Directors consists of the following public entities and primary representatives:

City of Artesia
Hon. Ali Sajjad Taj
Chair of the Board

City of Bell
Mr. Jesus Casas

City of Bell Gardens
Hon. Alejandra Cortez
Secretary of the Board

City of Cerritos
Hon. Bruce Borrows

City of Cudahy
Hon. Jose R. Gonzalez
Vice Chair of the Board

City of Downey
Hon. Hector Sosa

City of Glendale
(Vacant)

City of Huntington Park
Hon. Karina Marcia

City of Maywood
Ms. Angelina Martinez

City of Paramount
Hon. Isabel Aguayo
Treasurer of the Board

City of South Gate
Hon. Maria Davila

**Burbank-Glendale-Pasadena
Airport Authority**
Hon. Frank Quintero

Executive Director
Eric C. Shen, P.E., PTP, CPE

General Counsel
Matthew T. Summers

Ex-Officio
Ricardo Reyes
City Manager Representative

Internal Auditor
(Vacant)

ECO-RAPID TRANSIT

BOARD OF DIRECTORS MEETING

SPECIAL MEETING NOTICE

[CORRECTED VERSION]

January 23, 2023, MONDAY
6:30 PM Pacific Standard Time

TELECONFERENCE MEETING VIA [ZOOM](#)

Meeting ID: 818 0372 7340

Passcode: 893857

A G E N D A

Agenda reports and other written documents are available on the eco-rapid transit website at www.eco-rapid.org.

On March 4, 2020, Governor Newsom proclaimed a state of emergency to exist in California as a result of the threat of COVID-19. The Governor has issued Executive Orders that temporarily suspend requirements of the brown act, including allowing public agencies to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public.

Public comments on items on the agenda will be taken at the time the item is called and are limited to 3 minutes per speaker.

PRELIMINARY BUSINESS

1. Call to Order
2. Pledge of Allegiance
3. Roll Call and Welcome New Voting Members
 - A. Hon. Hector Sosa, City of Downey
 - B. Mr. Jesus Casas, City of Bell (alternate)
4. Public Comments

CONSENT CALENDAR

5. The items listed under the Consent Calendar are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Board member or the General Public so requests, in which event the item will be removed from the Consent Calendar and considered separately:
 - A. Approval of Minutes of December 13, 2022
 - B. Approval of Warrant Register dated January 23-18, 2023
 - C. Approval of Treasurer's Report for the Periods of January 23-18, 2023

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ACTION ITEMS

6. Teleconferencing Legislation: AB 361 and Resolution 2023-01 of the Eco-Rapid Transit Authority Board of Directors Authorizing Remote Teleconferencing Meetings of the Eco-Rapid Transit Board of Directors Pursuant to Government Code Section 54953(e) for the Continuance of Virtual Meetings and Teleconference as the County of Los Angeles is Under Certain Emergency Orders and Still Promotes Social Distancing and the Use of Face Mask
Recommended Action: Adopt Resolution 2023-01 to conduct Board meeting remotely for the next 30 days and give direction on the format of future meetings in calendar year 2023
7. Resolution 2023-02 of the Eco-Rapid Transit Authority Board of Directors in support of Metro's West Santa Branch (WSAB) Project
Recommended Action: Adopt Resolution 2023-02 In support of Metro's West Santa Ana Branch (WSAB) Project
8. Memorandum of Understanding between Eco-Rapid Transit Authority and the City of South Gate regarding Financial Services
Authorize Executive Director complete negotiating and finalizing a Memorandum of Understanding with the City of South Gate on the transfer of financial services. Direct Executive Director to present the final MOU for approval at the February 8, 2023 Board of Directors meeting
9. Budget: FY2022/23 Mid-Year Update and FY2023/24 Preparation
Recommended Action: Approve the FY2022/23 mid-year budget update and give direction to staff on the FY2023/24 budget preparation
10. Authorization of Signatory on the Bank Account
Recommended Action: Approve the four officers to be legal signatory and authorize Executive Staff to have access of the Bank Account with the Bank of the West

INFORMATION ITEMS

11. Executive Director Verbal Report
12. Chair's Comments
13. Announcements/Board of Directors Comments

ADJOURNMENT



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INFORMATION ITEMS

11. Executive Director Verbal Report
12. Chair's Comments
13. Announcements/Board of Directors Comments

ADJOURNMENT

**DRAFT MINUTES OF THE REGULAR MEETING OF
ECO-RAPID TRANSIT/ORANGELINE DEVELOPMENT AUTHORITY
December 14, 2022
Teleconference Meeting via Zoom or by Phone**

CALL TO ORDER

Chair Taj called the meeting to order at 6:31 PM Pacific Standard Time. A quorum (6 voting members out of 11 filled seats) was reached; thus, action items were taken by the Board.

PLEDGE OF ALLEGIANCE

Director Frank Quintero led the assembly in the flag salute.

ROLL CALL AND INTRODUCTION OF ATTENDEES

Voting Board of Directors were present (listed by agency and position on the Board):

1. City of Artesia – Hon. Ali Sajjad Taj, Chair
2. City of Cerritos – Hon. Bruce Barrows, Director
3. City of Cudahy – Hon. Jose R. Gonzalez, Vice Chair (joined during Item 4)
4. City of Huntington Park – Hon. Karina Macias, Director
5. City of Maywood - Ms. Angelina Martinez, Director
6. City of Paramount – Hon. Isabel Aguayo, Treasurer (joined during Item 7)
7. City of South Gate – Hon. Maria Davila, Director
8. Airport Authority – Hon. Frank Quintero, Director

Eco-Rapid Transit Staff:

9. Eric Shen, Executive Director
10. Bruno Naulls, Community Planner
11. Cristina Quintero, Administrator
12. Allyn Rifkin, Transportation Consultant
13. Kathryn Morrison (to be confirmed as the new Administrative Services Manager)

Agency Partners/Presenters:

14. Nancy Pfeffer, Executive Director, Gateway Cities Council of Governments (GCCOG)
15. Sharon Gookin, Deputy Chief Executive Officer, Metro
16. Allison Yoh, Executive Officer, Countywide Planning and Development, Metro
17. Meghna Khanna, Senior Director, Countywide Planning and Development Mobility Corridors, Metro
18. June Susilo, Deputy Executive Officer, Program Management, Metro
19. Nick Saponara, Executive Officer, Transit Oriented Communities, Metro
20. Jacob Lieb, Senior Director, First/Last Mile Planning, Metro
21. Adam Stephenson, Senior Director, Grant Management and Oversight, Metro
22. Nancy Michali, GCCOG Consultant to the City Managers Technical Advisory Committee (City Managers TAC)

ITEM 4 - CONSENT CALENDAR

- a) **Approval of Minutes of October 12 and November 9, 2022**
- b) **Approval of Warrant Register dated November 9 and December 14, 2022**
- c) **Approval of Treasurer's Report for the Periods of October 12 and November 9, 2022**
- d) **Teleconferencing Legislation: AB 361 and Approval of Resolution 2022-12 of the Eco-Rapid Transit Board of Directors Authorizing Remote Teleconferencing Meetings of the Eco-Rapid Transit Board of Directors Pursuant to Government Code Section 54953(e) for the Continuance of Virtual Meetings and Teleconference as the County of Los Angeles is Under Certain Emergency Orders and Still Promotes Social Distancing and the Use of Face Mask**

Executive Director Shen advised Chair Taj to pause and open to public comments. No public comments were made.

MOTION: Board Director Davila (South Gate) moved to approve the Consent Calendar. Board Director Quintero (Airport Authority) seconded the motion. The item was approved unanimously by roll call vote.

ITEM 5 - PUBLIC COMMENTS

A written public comment letter regarding Item 8 was received (see attached) prior to the meeting. No additional public comments were received during the meeting.

ITEM 6 – GATEWAY CITIES COG UPDATE, VERBAL REPORT BY NANCY PFEFFER, EXECUTIVE DIRECTOR

Executive Director Shen acknowledged a typo on the posted agenda (Ms. Pfeffer's last name) and noted the correction will be made in the record.

GCCOG Executive Director Pfeffer expressed COG's full support of the West Santa Ana Branch Project (WSAB) as their highest priority project. The project has also been linked to COG's housing and broadband initiatives. She also highlighted the collaboration among Eco-Rapid Transit and GCCOG consultants.

Chair Taj opened the meeting for questions. Direct Davila (South Gate) expressed her gratitude towards Executive Director Pfeffer for her support and working relationship between GCCOG and Eco-Rapid Transit.

Director Martinez (Maywood) inquired on the project's benefits to the City of Maywood considering there will not be a station in Maywood. Executive Director Pfeffer emphasized the transit line's opportunities for accessibility for the residents of the city.

No additional questions were raised by the Board and the public. The item is received and filed.

ITEM 7 – APPROVE CONTRACT FOR KATHRYN MORRISON TO PROVIDE ADMINISTRATIVE SERVICES, EFFECTIVE DECEMBER 15, 2022

Executive Director Shen advised Chair Taj to pause and open to public comments. No public comments were made.

Executive Director Shen introduced Ms. Kathryn Morrison, who's resume and contract were attached in the Board Report. He also offered gratitude towards Cristina Quintero's work at the agency.

Ms. Morrison introduced herself to the Board. She has worked at the Orange County Council of Governments and the Association of California Cities where she offered her administrative and clerk services. She also served in the Military for 10 years.

Chair Taj and Director Davila (South Gate) thanked Cristina Quintero for her support and welcomed Ms. Morrison to the Eco-Rapid Transit team.

Director Isabel Aguayo (Paramount) joined the call.

MOTION: Director Davila (South Gate) made motion to approve the professional service contract with Ms. Kathryn Morrison and Director Macias (Huntington Park) seconded the motion. The item was approved unanimously by roll call vote.

ITEM 8 – WEST SANTA ANA BRANCH (WSAB) PROJECT UPDATE

Executive Director Shen reported that a written public comment was received and will be entered into the records. He acknowledged Sharon Gookin, Deputy Chief Executive Officer of Metro, and Allison Yoh, Executive officer of Countywide Planning and Development at Metro for their collaboration.

Ms. Gookin expressed her thanks towards the collaboration on the Project.

Ms. Meghna Khanna, Senior Director of Metro Citywide Planning and Development, provided a project update focusing on the project's milestones. Mrs. Khanna displayed the project timeline of the 14.8-mile Initial Segment, highlighting the important of the Final Environmental Clearance and Record of Decision. Key upcoming milestone dates include: January 2023 – confirmation of Project Definition; March 2023 – 15% Design completion; March 2024 – Metro Board certification of Final EIR; May 2024 – FTA issuance of Record of Decision; March-May 2024 – Board approval of FLM Plan; Q4 2024 – 30% Advanced Preliminary Engineering Elements; Q4 2025 – 30% Light Rail Train Design.

Ms. June Susilo, Deputy Executive Officer of Program Management at Metro, discussed the Advanced Preliminary Engineering (PE) and LRT Evaluation & Procurement milestones. The Final Design, Project Management, and Construction Management RFPs to be released Q2 2023, and the CMGC of Utility Relocation and CMGC for Freight Relocation RFP's to be released Q4 2023. The delivery model for the LRT scope is under evaluation. Procurement for the contract planned to start Q3 2024.

Ms. Khanna introduced the resolved design comments and in-discussion items for the Project Definition that must be completely resolved by the final Environmental Analysis. She noted that Metro received a summon of the City of Cerritos in regard to the public records request.

Chair Taj inquired the Board for questions. No comments were made.

Ms. Susilo thanked the cities that have signed the Master Cooperative Agreements (MCAs).

Mr. Nick Saponara, Executive Officer of Transit Oriented Communities, provided an overview of the work program. He defined TOCs as providing access to transportation systems that allow people to drive less and access transit more. The program provides grant writing aid for land use planning grants and technical assistance grants, value capture advisory services, and TOC convenings. He highlighted Metro's partnerships with local jurisdictions through the Joint Development Program through strategic acquisitions to increase the housing portfolio and TODs and land banking.

Chair Taj inquired Mr. Saponara on how cities are made aware of the available services of Transit Oriented Communities. Mr. Saponara replied that they have been reaching out to relevant city departments and staff.

Director Davila (South Gate) inquired on the \$780k TOC Implementation Grant that Transit Oriented Communities aided on. The \$780k value was an aggregate value amongst the five recipient cities. She also highlighted the importance of the housing projects TOC is working on.

Director Macias (Huntington Park) expressed the importance that the cities are aware of the available grants, given the lack of space that many of the cities have.

Vice Chair Jose Gonzalez (Cudahy) encouraged cities' involvement in land banking decisions.

Mr. Jacob Lieb, Senior Director of First/Last Mile Planning at Metro, provided an overview of upcoming plans. The plans will be prepared in accordance with the First/Last Mile Guidelines procedures and will identify key network streets for users and project lists for each station. Projects identified as eligible for 3% contribution projects will be prioritized. Preliminary steps are underway and the full scope to start in Spring 2023 and plan adoption to be in March 2024. No questions or comments were made.

Mr. Adam Stephenson, Senior Director of Grant Management and Oversight at LA Metro, discussed the 3% Local Contribution. He emphasized the importance of the 3% Contribution for financing Measure M projects and the flexibility of contribution sources to be considered by Metro. The 3% process includes Metro outreach with jurisdictions, a calculation and notification of 3% contributions by jurisdiction based on 30% design cost estimate, and negotiation of the 3% local contribution agreements. The 3% Local Contribution will not include the costs of future stations, separate projects, and first/last mile costs.

Director Macias (Huntington Park) inquired on if the new calculations have been shared with city managers or city staff. Mr. Stephenson replied that they have been shared with city managers and have been meeting with city staff as requested. They plan to hold a workshop for corridor cities early 2023.

Director Macias and Director Davila emphasized the importance that individual cities meet with Metro to discuss 3% Contributions.

Ms. Khanna stated that Metro is working with GCCOG construction advisor liaison and communications liaisons. Ms. Susilo expressed the importance of these positions being filled timely.

Ms. Nancy Michali, consultant to GCCOG City Managers TAC, further discussed 3% Local Contribution issues and actions. Unique project conditions include it following Measure M requirements only, the large number of financially limited cities, and the significance of the I-105/B Line Station. The April 2022 revisions of Metro M by Metro Board changes 3% local contribution obligations to be the responsibility of only cities with a station within their jurisdictional boundaries. In the WSAB Project segment however, six jurisdictions will be responsible for the 3% obligation of \$215.4 million dollars. This value will be shaped by controlling construction costs and providing cities greater flexibility and funding support. A former letter will be written to Metro requesting revisions of guidelines to allow greater flexibility, revise specific areas, and clarify WSAB Project-specific issues.

Director Macias (Huntington Park) supported the request of revisions for Metro Board. She also inquired on if Los Angeles is to be considered a part of the 3%. Ms. Michali responded that the City of Los Angeles will only be responsible for the Phase 2 portion of the project that continues to Union Station. Ms. Khanna emphasized that individual cities are only financially burdened to the portion of the project that they are segmented to.

Director Quintero (Airport Authority) asked for clarification on the public records request issue from the City of Cerritos. Ms. Khanna stated that the Metro is working to resolve the summon request from the City of Cerritos.

Chair Taj inquired Ms. Khanna on the impact of only 9 of 10 cities signing the Master Cooperative Agreement (MCA). Ms. Khanna stated that work on geotechnical boring and utilities will continue. Those cities who have fully MCA with Metro will be reimbursed for their staff time and eligible expenses on the project. Cerritos is the only city who has not executed the MCA.

Chair Taj inquired the status of City of Cerritos. Director Barrows (Cerritos) responded that the city is awaiting legal resolution from Metro before proceeding.

Executive Director Shen stated that the presentations in Item 8 were in the agenda package. No additional questions were raised by the Board and the public. The item is received and filed.

ITEM 9 – PROJECT UPDATE (1) TRANSIT ORIENTED DEVELOPMENT GOVERNANCE PLAN (2) COMMUNITY CORRIDOR TRANSPORTATION PLATFORM PROJECT

Bruno Naulls, Eco-Rapid Transit Community Planner provided project updates on the Governance Plan. In October of 2021, Eco-Rapid Transit Board approved an agreement to work with the city of Artesia and other neighboring cities of Huntington Park, Bell, Bell Gardens, Cudahy, Cerritos, Downey, Maywood, and South Gate to develop the West Santa Ana Governance Plan with Mrs. Karen Lee of the City of Artesia as project manager. In the last update, HR&A Advisors facilitated the second advisory group meeting and led a discussion on possible governance plan models. The third advisory meeting was held on November 17th and the Steer Group lead the discussion on parking plans to be potentially incorporated in the Governance Plan. All comments to be sent to HR&A Advisors. Meeting recording and

information was sent to all participating cities. The next meeting will be to review the draft governance plan, and is scheduled for Thursday, January 19th at 2pm. Staff assisted the City of Artesia Project Manager to prepare the TOD Governance Plan Grant Quarterly Report to Metro.

Updates were provided on the Community Corridor Transportation Platform Project. In October 2021, Staff submitted grant applications to Caltrans for \$504,000 dollars, including a local match amount of \$65,298, amounting to a total fund of \$569,298 dollars. Community Corridor Transportation Platform builds on previous TOD and Governance Plan work. It will build and increase equitable transit ridership through collaboration with stakeholders. Eco-Rapid Transit received a notice of conditions to receive the grant award. In November 2022, Caltrans issued the notice to proceed stating conditions were met. Staff is awaiting response regarding issues that were raised during the kick-off meeting in November. The project will expire February 28th, 2025.

No additional questions were raised by the Board and the public. The item is received and filed.

ITEM 10 – EXECUTIVE DIRECTOR’S REPORT

Executive Director Shen informed the Board of the transition of financial oversight and fiduciary responsibility to the City of South Gate. The Board will review and approve Memorandum of Understanding between Eco-Rapid Transit and the City of South Gate during the January 11, 2023 meeting. The transition is to be completed by the end of January.

He also shared the on-going San Gabriel Valley Transit Study with the Board. The study identified a potential Bus Rapid Transit option along Rosemead Blvd/Lakewood Blvd that travers two subregions – the San Gabriel Valley Council of Governments and the Gateway Cities Council of Governments, 10 cities and unincorporated communities of the Los Angeles County. Among these affected jurisdictions, they are exploring the formation of a joint powers authority to pursue grants and manage grants. Opportunities of partnerships will be monitored.

Chair Taj asked for clarification on the San Gabriel valley Transit Study. Mr. Shen expressed that the conversations with affected agencies are preliminary, but he welcomes more direction from the Board regarding Eco-Rapid Transit’s potential role of the project.

Director Davila (South Gate) asked the item to be further discussed in January 2023.

ITEM 11 – COMMUNICATION ITEMS FROM THE BOARD

No additional items were discussed among the Board. The next meeting will be held on Wednesday January 11, 2023 at 6:30pm Pacific Stand Time via Zoom.

ITEM 12 – ADJOURNMENT

The Board Meeting was adjourned at 8:33 pm Pacific Standard Time.

Attest:

Secretary

Approved:

Chair

**ORANGELINE DEVELOPMENT AUTHORITY
ECO-RAPID TRANSIT
WARRANT REGISTER
(JANUARY 23, 2023)**

NAME	AMOUNT
MOHAMMED ALI SAJJAD TAJ	\$100.00
BRUCE BARROWS	\$100.00
JOSE R. GONZALEZ	\$100.00
KARINA MACIAS	\$100.00
ANGELINA MARTINEZ	\$100.00
ISABEL AGUAYO	\$100.00
MARIA DAVILA	\$100.00
FRANK QUINTERO	\$100.00
SHEN AND ASSOCIATES, LLC (Admin General)	\$5,000.00
SHEN AND ASSOCIATES, LLC (Grant Funds)	\$125.00
SHEN AND ASSOCIATES, LLC (Grant Funds)	\$125.00
SHEN AND ASSOCIATES, LLC (Grant Funds)	\$250.00
SHEN AND ASSOCIATES, LLC (Admin General)	\$29.00
MICHAEL R. KODAMA (Grant Funds)	\$31.25
MICHAEL R. KODAMA (Grant Funds)	\$1,375.00
MICHAEL R. KODAMA (Reimbursement)	\$54.99
CRISTINA QUINTERO (Admin General)	\$5,100.64
CRISTINA QUINTERO (Admin Grants)	\$162.50
CRISTINA QUINTERO (Admin Grants)	\$212.50
38ALPHA, LLC	\$2,450.00
ALLYN D. RIFKIN (General Fund)	\$250.00
DENNIS BROOKS (General Fund)	\$292.50
BRUNO NAULLS (General Fund)	\$796.25
BRUNO NAULLS (Grant Funds)	\$308.75
BRUNO NAULLS (Grant Funds)	\$958.75
PRO-TECH PROPERTY INSPECTIONS, INC.	\$4,044.20
VICTORIA VICTORIA (General Fund)	\$70.00
MARIA BARQUERA (General Fund)	\$80.00
CLASSIC PLAN (GENERAL POLICY)	\$125.65
KONICA MINOLTA	\$409.23
LA FORET ADVERTISING	\$450.00
COLANTUONO, HIGHSMITH & WHATLEY	\$1,710.00
COLANTUONO, HIGHSMITH & WHATLEY	\$2,635.33
CITY OF CUDAHY (General Fund)	\$9,281.66
VOIDED CHECKS	
SHEN AND ASSOCIATES, LLC	-\$5,023.40
SHEN AND ASSOCIATES, LLC	-\$500.00
HR&A ADVISORS, INC.	-\$9,150.00
REPLACEMENT CHECKS	
SHEN AND ASSOCIATES, LLC	\$5,023.40
SHEN AND ASSOCIATES, LLC	\$500.00
HR&A ADVISORS, INC.	\$9,150.00
TOTAL DISBURSEMENTS	\$37,128.20



Check #	Invoice #	Dated	Name	Distribution	Net Amount
13224	2022-12	12/14/2022	MOHAMMED ALI SAJJAD TAJ	12/14/22 Board Meeting Stipend	\$100.00
13225	2022-12	12/14/2022	BRUCE BARROWS	12/14/22 Board Meeting Stipend	\$100.00
13226	2022-12	12/14/2022	JOSE R. GONZALEZ	12/14/22 Board Meeting Stipend	\$100.00
13227	2022-12	12/14/2022	KARINA MACIAS	12/14/22 Board Meeting Stipend	\$100.00
13228	2022-12	12/14/2022	ANGELINA MARTINEZ	12/14/22 Board Meeting Stipend	\$100.00
13229	2022-12	12/14/2022	ISABEL AGUAYO	12/14/22 Board Meeting Stipend	\$100.00
13230	2022-12	12/14/2022	MARIA DAVILA	12/14/22 Board Meeting Stipend	\$100.00
13231	2022-12	12/14/2022	FRANK QUINTERO	12/14/22 Board Meeting Stipend	\$100.00
13232	2022-12	12/31/2022	SHEN AND ASSOCIATES, LLC (Admin General)	Professional Services/General Fund	\$5,000.00
13233	2022-12	12/31/2022	SHEN AND ASSOCIATES, LLC (Grant Funds)	Professional Services/Artesia TOD Governance	\$125.00
13234	2022-12	12/31/2022	SHEN AND ASSOCIATES, LLC (Grant Funds)	Professional Services/Cerritos TOD Governance	\$125.00
13235	2022-12	12/31/2022	SHEN AND ASSOCIATES, LLC (Grant Funds)	Professional Services/Caltrans Community Corridor	\$250.00
13236	2022-12	12/31/2022	SHEN AND ASSOCIATES, LLC (Admin General)	Reimbursement Board Exp/office supplies	\$29.00
13237	2022-12	12/31/2022	MICHAEL R. KODAMA (Grant Funds)	Professional Services/Cerritos TOD Governance	\$31.25
13238	2022-12	12/31/2022	MICHAEL R. KODAMA (Grant Funds)	Professional Services/Caltrans Community Corridor	\$1,375.00
13239	2022-12	12/31/2022	MICHAEL R. KODAMA (Reimbursement)	Reimbursement Board Exp/office supplies	\$54.99
13240	2022-12	12/31/2022	CRISTINA QUINTERO (Admin General)	Professional Services/General Fund	\$5,100.64
13241	2022-12	12/31/2022	CRISTINA QUINTERO (Admin Grants)	Professional Services/Cerritos TOD Governance	\$162.50
13242	2022-12	12/31/2022	CRISTINA QUINTERO (Admin Grants)	Professional Services/Caltrans Community Corridor	\$212.50
13243	2022-12	12/31/2022	38ALPHA, LLC	Professional Services/General Fund	\$2,450.00
13244	2022-12	12/31/2022	ALLYN D. RIFKIN (General Fund)	Professional Services/General Fund	\$250.00
13245	2022-12	12/31/2022	DENNIS BROOKS (General Fund)	Professional Services/General Fund	\$292.50
13246	2022-12	12/31/2022	BRUNO NAULLS (General Fund)	Professional Services/General Fund	\$796.25
13247	2022-12	12/31/2022	BRUNO NAULLS (Grant Funds)	Professional Services/Cerritos TOD Governance	\$308.75
13248	2022-12	12/31/2022	BRUNO NAULLS (Grant Funds)	Professional Services/Caltrans Community Corridor	\$958.75
13249	2022-12	12/31/2022	PRO-TECH PROPERTY INSPECTIONS, INC.	Professional Services/General Fund	\$4,044.20
13250	2022-12	12/31/2022	VICTORIA VICTORIA (General Fund)	Professional Services/General Fund	\$70.00
13251	2022-12	12/31/2022	MARIA BARQUERA (General Fund)	Professional Services/General Fund	\$80.00
13252	1/9/2023	346748	CLASSIC PLAN (GENERAL POLICY)	Insurance Fees/General Fund #346748	\$125.65
13253	12/29/2022	41463858	KONICA MINOLTA	Copy Charges/General Fund	\$409.23
13254	12/31/2022	971	LA FORET ADVERTISING	Web Maintenance/Eco-Rapid Transit	\$450.00
13255	12/13/2022	54256	COLANTUONO, HIGHSMITH & WHATLEY	Legal Services/General Fund	\$1,710.00
13256	1/17/2023	54587	COLANTUONO, HIGHSMITH & WHATLEY	Legal Services/General Fund	\$2,635.33
13257	12/31/2022	Mem23-06	CITY OF CUDAHY (General Fund)	Refund of Duplicate Payment	\$9,281.66
Sub Total Disbursements					\$37,128.20

Voided Checks

13177	12/14/22	SHEN AND ASSOCIATES, LLC	-\$5,023.40
13178	12/14/22	SHEN AND ASSOCIATES, LLC	-\$500.00
13208	12/14/22	HR&A ADVISORS, INC.	-\$9,150.00

Replacement Checks

13258	13177	12/14/22	SHEN AND ASSOCIATES, LLC	\$5,023.40
13259	13178	12/14/22	SHEN AND ASSOCIATES, LLC	\$500.00
13260	02/28/36	12/14/22	HR&A ADVISORS, INC.	\$9,150.00

Total Disbursements

\$37,128.20

Approved for payment by Eco-Rapid Transit Board of Directors: _____

\$37,128.20

**ORANGELINE DEVELOPMENT AUTHORITY
ECO-RAPID TRANSIT**

**TREASURER'S REPORT
FOR THE MONTH DECEMBER 2022
(PREPARED ON JANUARY 23, 2023)**

	<u>Bank of the West</u>
*Cash, beginning balance (deficit)	-\$8,326.82
	-\$8,326.82
<u>Receipts:</u>	
City of Artesia (Artesia TOD Governance Invoice No. 12)	\$15,178.20
City of Paramount (Membership)	\$20,220.81
City of Artesia (Artesia TOD Governance Invoice No. 13)	\$17,924.00
City of Cudahy (Membership - duplicate payment)	\$9,281.66
Total cash receipts	<u>\$62,604.67</u>
<u>Expenditures:</u>	
Bank fee/Positive Pay Service/Other Charges	-\$10.00
Warrants, approved on 12/14/22	-\$45,314.53
Total expenditures	<u>-\$45,324.53</u>
Cash, ending balance	<u><u>\$8,953.32</u></u>



Isabel Aguayo, Treasurer



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Mr. Jesus Casas

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Hon. Alejandra Cortez
Secretary of the Board

City of Cerritos
Hon. Bruce Borrows

City of Cudahy
Hon. Jose R. Gonzalez
Vice Chair of the Board

City of Downey
Hon. Hector Sosa

City of Glendale
(Vacant)

City of Huntington Park
Hon. Karina Marcia

City of Maywood
Ms. Angelina Martinez

City of Paramount
Hon. Isabel Aguayo
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City of South Gate
Hon. Maria Davila

**Burbank-Glendale-Pasadena
Airport Authority**
Hon. Frank Quintero

Executive Director
Eric C. Shen, P.E., PTP, CPE


General Counsel
Matthew T. Summers

Ex-Officio
Ricardo Reyes
City Manager Representative

Internal Auditor
(Vacant)

AGENDA REPORT

TO: Members of Eco-Rapid Transit Board of Directors

FROM: Eric C. Shen, Executive Director 

DATE: January 23, 2023

SUBJECT: **ITEM 6: Teleconferencing Legislation: AB 361 and Resolution 2023-01 of the Eco-Rapid Transit Board of Directors Authorizing Remote Teleconferencing Meetings of the Eco-Rapid Transit Board of Directors Pursuant to Government Code Section 54953(e) for the Continuance of Virtual Meetings and Teleconference as the County of Los Angeles is Under Certain Emergency Orders and Still Promotes Social Distancing and the Use of Face Mask**

Public comments on items on the agenda will be taken at the time the item is called and are limited to 3 minutes per speaker

RECOMMENDATION

1. Adopt Resolution 2023-01 to conduct Board meeting remotely for the next 30 days, and
2. Give direction on the format of future meetings in calendar year 2023

ISSUES

Pursuant to Assembly Bill (AB) No. 361, to continue to hold virtual meetings and teleconference, Eco-Rapid Transit (“Authority”) must adopt a resolution making findings within 30 days of its first teleconference meeting under AB 361. Then, Eco-Rapid Transit must re-adopt those findings every 30 days if it wants to continue holding meetings by teleconference. Further, the COVID State of Emergency is expected to be lifted on February 28, 2023 and AB 361 will expire on December 31, 2023. The Board may either continue to hold or conclude the holding of teleconferenced meetings after the COVID State of Emergency ends—General Counsel will discuss these options in greater detail. Board will give direction(s) to staff to plan and conduct future Board meetings in calendar year 2023 accordingly.

BACKGROUND

Assembly Bill No. 361 (Rivas), signed by Governor Gavin Newsom on September 16, 2021, which establishes exceptions to teleconference requirements in the Brown Act during states of emergency is in effect and requires certain actions monthly by the Board to ensure its ability to continue to hold virtual and teleconference meetings.

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According to the Bill, if the Governor has declared a state of emergency, public agencies are not subject to the typical Brown Act teleconferencing requirements described above if one of the three standards is met:

1. Social distancing is imposed or recommended by state or local officials.
2. The legislative body is holding a meeting to determine, by majority vote, whether in-person meetings present an imminent risk to those attending the public meeting; or
3. The legislative body has already decided, by majority vote, that in-person meetings pose an imminent risk to those attending the public meeting, and meetings must continue.

AB 361 requires the Authority to regularly review and find an ongoing need to hold public meetings by teleconference. Specifically, the Authority must make the following findings by majority vote within 30 days of teleconferencing for the first time under AB 361, then every 30 days thereafter:

1. The legislative body has reconsidered the circumstances of the state of emergency.
2. One of the following circumstances exists:
 - The state of emergency continues to directly impact the ability of members to meet safely in person; or
 - State or local officials continue to impose or recommend measures to promote social distancing.

On October 13, 2021, the Eco-Rapid Transit Board of Directors, at a regularly scheduled meeting, approved resolution 2021-02, which made the requisite findings to continue to hold virtual and teleconference meetings.

Staff has prepared the attached resolution for consideration of the Board with required findings for the continuance of virtual meetings and teleconference as the County of Los Angeles is under certain emergency orders and continues to impose or recommend measures to promote social distancing and the use of face mask.

Expirations of COVID State of Emergency and AB-361

There are two important dates involved when considering whether to continue hold Board of Directors meetings on Zoom: 1) the COVID State of Emergency is expected to be lifted on February 28, 2023; and 2) AB 361 will expire on December 31, 2023.



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The expiration of AB 361 on December 31, 2023 will certainly end legislative body Zoom meetings under the State of Emergency exemption to the Brown Act. The end of the COVID State of Emergency in February 2023 may create some risk to the Board's continued use of Zoom meetings. General Counsel Matt will discuss risks and options during the Board meeting. Board will give direction(s) to staff to plan and conduct the future Board meetings in calendar year 2023 accordingly.

Attachment: Resolution 2023-01

ERT BOD 20230123 ITEM 06 VF2.DOCX

RESOLUTION NO. 2023-01

A RESOLUTION OF THE ECO-RAPID TRANSIT BOARD OF DIRECTORS OF THE ECO-RAPID TRANSIT AUTHORIZING CONTINUED REMOTE TELECONFERENCE MEETINGS OF THE ECO-RAPID TRANSIT BOARD OF DIRECTORS PURSUANT TO GOVERNMENT CODE SECTION 54953(e)

WHEREAS, Government Code section 54953(e), as amended by Assembly Bill No. 361, allows legislative bodies to hold open meetings by teleconference without reference to otherwise applicable requirements in Government Code section 54953(b)(3), so long as the legislative body complies with certain requirements, there exists a declared state of emergency, and one of the following circumstances is met:

1. State or local officials have imposed or recommended measures to promote social distancing.
2. The legislative body is holding the meeting for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
3. The legislative body has determined, by majority vote, pursuant to option 2 that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

WHEREAS, the BOARD OF DIRECTORS OF THE ECO-RAPID TRANSIT (“ECO-RAPID TRANSIT BOARD”) previously adopted Resolution No. 2022-09 finding that the requisite conditions exist for the ECO-RAPID TRANSIT to conduct teleconferencing meetings under California Government Code section 54953(e); and

WHEREAS, Government Code section 54953(e) requires the legislative body adopt certain findings by majority vote within 30 days of holding a meeting by teleconference under Government Code section 54953(e), and then adopt such findings every 30 days thereafter; and

WHEREAS, ECO-RAPID TRANSIT BOARD desires to continue holding its public meetings by teleconference consistent with Government Code section 54953(e).

NOW, THEREFORE, THE ECO-RAPID TRANSIT BOARD OF THE ECO-RAPID TRANSIT DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Conditions are Met. The ECO-RAPID TRANSIT BOARD hereby finds and declares the following, as required by Government Code section 54953(e)(3):

1. The ECO-RAPID TRANSIT BOARD has reconsidered the circumstances of the state of emergency declared by the Governor pursuant to his or her authority under Government Code section 8625; and
2. The state of emergency continues to directly impact the ability of members of the ECO-RAPID TRANSIT BOARD to meet safely in person; and
3. State or local officials have imposed or recommended measures to promote social distancing.
4. The Eco-Rapid Transit Board hereby determines that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees and will conduct open and public meetings by teleconference in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.
5. All meetings held pursuant to Government Code section 54053(e) shall comply with the requirements of that section and all other applicable provisions of the Ralph M. Brown Act (Government Code section 54950 et seq.).
6. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the BOARD OF DIRECTORS of the ECO-RAPID TRANSIT, this 23rd day of January 2023.

ATTEST:

Ali Sajjad Taj
Chair

Alejandra Cortez
Secretary

ERT BOD 20230123 ITEM 06 ATT VF.DOCX



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AGENDA REPORT

TO: Members of Eco-Rapid Transit Board of Directors

FROM: Eric C. Shen, Executive Director *ES*

DATE: January 23, 2023

SUBJECT: **ITEM 7: Memorandum of Understanding between Eco-Rapid Transit Authority and the City of South Gate regarding Financial Services**

Public comments on items on the agenda will be taken at the time the item is called and are limited to 3 minutes per speaker

RECOMMENDATION

Authorize Executive Director complete negotiating and finalizing a Memorandum of Understanding with the City of South Gate on the transfer of financial services. Direct Executive Director to present the final MOU for approval at the February 8, 2023 Board of Directors meeting.

ISSUE

Since January 2019, the City of Artesia succeeded the City of Bellflower's role in providing Eco-Rapid Transit with contract financial services which were previously performed by Bellflower. Discussions with the City of South Gate (South Gate) have been ongoing to take on the role. With the execution of the MOU by both Eco-Rapid Transit and South Gate in mid-February 2023, South Gate will begin providing financial services and oversight beginning in February 2023.

BACKGROUND

Eco-Rapid Transit's financial and accounting functions have been managed by several member jurisdictions over the years. Prior to mid-2014, the City of Vernon provided services pursuant to Government Code Section 6505.5, including holding funds owned, disbursing funds, and issuing annual tax forms. From mid-2014 until January 2019, the City of Bellflower succeeded the City of Vernon to continue the financial services and additionally, contracted with independent certified public accountants for audit books and records, including grant-funded projects. From January 2019 until December 2022, the City of Artesia succeeded the City of Bellflower in providing contract financial services.

South Gate agrees to take on the role of providing contract financial services as of February 2023 and passes the direct costs to Eco-Rapid Transit through regular invoicing. An independent audit of the Eco-Rapid Transit's books and records including grant-funded



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projects for 2019-2022 is being conducted. Due to the backlog of records, the audit is expected to complete by June 2023.

After the transition, the City of South Gate, through contracted accounting staff, will provide the following key services and oversight:

- Receive and hold all funds owned by Eco-Rapid Transit in its existing bank account (aka, Bank of the West) or a new account in the future
- Monitor and disburse funds upon request by Eco-Rapid Transit Board of Directors and its lawful designee
- Prepare monthly Treasurer Report and generate Warrant Register for the Board’s review and approval
- Prepare annual financial statement audit and/or single audits, and potential grant audits
- Monitor, test and suggest internal control improvements
- In close collaboration with Executive Director, prepare annual budget for the Board’s consideration
- Additional tasks are outlined in the MOU

Eco-Rapid Transit has proposed to South Gate to contract with Ms. Toni Penn, the current Eco-Rapid Transit Accounting Manager, to perform the above-mentioned responsibilities under the supervision of South Gate.

FISCAL IMPACT

The cost to manage Eco-Rapid Transit financial/accounting services under South Gate is estimated between \$3,000 and \$5,000 per month. The actual Scope of Work and associated cost will be developed and negotiated between Ms. Penn, South Gate, and Eco-Rapid Transit. The cost will then be incorporated into the annual budget for approval.

Attachment: Draft MOU between Eco-Rapid Transit and the City of South Gate on the Financial Services

ERT BOD 20230123 ITEM 7 VF2.DOCX

**MEMORANDUM OF UNDERSTANDING
BETWEEN
ECO-RAPID TRANSIT ~~AUTHORITY~~
AND
CITY OF SOUTH GATE
REGARDING
PROVISION OF FINANCIAL SERVICES FOR THE ECO-RAPID TRANSIT
AUTHORITY**

This Memorandum of Understanding (the "Agreement") is made by and between the Orangeline Development Authority, dba Eco-Rapid Transit (the "Authority"), a Joint Powers Authority, and the City of South Gate ("City" or "South Gate"), a municipal corporation, individually as a "party" and collectively as "the parties."

Recitals

A. The purpose of the Authority is to plan for, finance, acquire, design, construct, reconstruct, improve, and/or operate the facilities and improvements to the Eco-Rapid Transit system, as may be approved by action of the Authority.

B. Section 3.1 of the Fifth Amended Joint Exercise of Powers Agreement authorizes the Authority to, in part, "invest any money in the treasury pursuant to California Government Code Section 6505.5 that is not required for the immediate necessities of the Authority, as the Authority determines is advisable, in the same manner and upon the same conditions as local agencies, pursuant to Section 53601 of the California Government Code as it now exists or may hereafter be amended."

C. Under Government Code Section 6505.5, the Authority may designate one of its member public agencies to serve as its Treasurer and otherwise direct the deposit and custody of all the money of the Authority.

D. Prior to mid-2014, the City of Vernon ("Vernon") provided services to the Authority pursuant to Government Code Section 6505.5, including holding funds owned by the Authority, disbursing funds as directed by the Authority and its authorized agents, and issuing annual tax forms, including Internal Revenue Service Form 1099 ("financial services").

E. From mid-2014 until January 2019, the City of Bellflower ("Bellflower") succeeded the City of Vernon to continue the financial services previously performed by Vernon, and additionally contracted with independent certified public accountants for the audit of the Authority's books and records including grant-funded projects.

E. From January 2019 until December 2022, the City of Artesia ("Artesia") succeeded the City of Bellflower's role in providing contract financial services previously performed by Bellflower.

F. In January 2023, South Gate intends to take on the role of providing contract financial services previously performed by the Artesia. The Authority contracted with independent certified public accountants for the audit of the Authority's books and records including grant-funded projects for 2019-2022. The Authority is now conducting an audit and intends to complete the remaining financial services as described in this Agreement.

NOW, THEREFORE, in consideration of the foregoing recitals which are incorporated into the operative provisions of this Agreement by reference and for other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the parties agree as follows:

1. Effective Date. This Agreement shall be effective upon the date said Agreement is fully executed by all parties (the "Effective Date"). City agrees it shall take responsibility for financial services back to February 1, 2023. The term of this Agreement shall be for a period of ~~two~~three (23) years from the Effective Date.

2. The Authority will provide the following financial services:

- ~~a) Receive and hold all funds owned by the Authority in a separate account, to the credit of the Authority;~~
- ~~b) Be responsible for the safekeeping of the Authority's funds and disburse the Authority's funds upon request by the Board of Directors or its lawful designee;~~
- ~~c) Pay, when due, out of money of the Authority, all sums payable as authorized by the Authority Board of Directors or its lawful designee;~~
- ~~d) Prepare a report in or around the first week of each month stating the amount of funds available to the Authority as of the last day of the preceding month, the amount of funds received since the last report, and the amounts of funds paid out;~~
- ~~e) Prepare ongoing financial and accounting services including issuing vendor checks and Treasurer's Report for the Board's approval;~~

f

- ~~a) Prepare the Authority's accounts receivable grant invoices;~~
- ~~g) Work with the City to prepare the annual financial statement audit and/or single audits; and potential grant audits;~~
- ~~h) Monitor, test and suggest internal control improvements;~~
- ~~i) Prepare monthly bank reconciliation reports;~~
- ~~k~~
- ~~c) Meet periodically with City staff and/or Members of the Authority Board of Directors to report on financial status;~~
- ~~l) Provide financial statements to Authority staff and/or Members of the Authority Board of Directors quarterly;~~
- ~~m~~
- ~~d) Prepare the annual budget for the Authority; and~~
- ~~n) Prepare and file the required federal IRS Form 1099s and any related state tax forms for the Authority.~~

(e) Generate and track invoices for membership dues, special assessments and other member payments, and other grant receivables, and forward the information timely to the City for monitoring, recording, and following up; and

(f) Upon receiving checks and disbursements from the City, the Authority will secure final approval and distribute checks and disbursements timely.

3. City to Provide Financial Services to Authority. The City of South Gate agrees to provide the financial services described below for the Authority, in accord with the provisions of Section 3.1(m) of the Fifth Amended Joint Exercise of Powers Agreement (copy of which is attached hereto as Exhibit “A”), and subject to Government Code section 6505.5:

a) Receive and hold all funds owned by the Authority in a separate account, to the credit of the Authority;

b) Be responsible for the safekeeping of the Authority’s funds and disburse the Authority’s funds upon request by the Board of Directors or its lawful designee;

c) Pay, when due, out of money of the Authority, all sums payable as authorized by the Authority Board of Directors or its lawful designee;

d) Prepare a report in or around the first week of each month stating the amount of funds available to the Authority as of the last day of the preceding month, the amount of funds received since the last report, and the amounts of funds paid out;

e) Prepare ongoing financial and accounting services including issuing vendor checks and Treasurer’s Report for the Board’s approval;

f) Prepare monthly bank reconciliation reports;

g) ~~Review~~ Monitor payments and status of the Authority’s accounts receivable grant invoices;

h) Work with the Authority to prepare the annual financial statement audit and/or single audits; and potential grant audits;

i) Monitor, test and suggest internal control improvements;

j) Oversee and monitor financial transactions (similar to an internal audit function);

k) Meet periodically with Authority staff and/or Members of the Board of Directors to report on financial status;

l) Review financial statements with Authority staff and/or Members of the Board of Directors quarterly;

m) Assist with the annual budget for the Authority; and

n) ~~Work with the Authority to prepare~~ Prepare and file the required federal IRS Form-1099s and any related state tax forms for the Authority.

3.1 City and Authority agree that City may contract with an independent contractor to provide some or all of the financial services to be provided by City under this Agreement. Authority agrees to reimburse City for such costs, in an amount to be agreed upon between the City Manager and Authority’s Executive Director for each fiscal year.

4. Authority to Contract for Authority’s Audit. The Authority has and will continue to contract with an independent certified public accountant, approved by the Board of Directors, (the “CPA”) to audit the Authority’s books and records including grant-funded projects. [The City agrees it will provide audit support information starting February 1, 2023 for the Fiscal Year 2020-2021 audit and future audits.](#) The Authority will maintain invoices, both as received and paid, for all Authority expenditures including grant-funded projects to document a grant is in place for each project, and, to the extent feasible and reasonable, the expenditure for which the invoice was presented complies with the grant’s requirements. South Gate agrees to coordinate with the CPA for any information needed to complete the audits, including the audits of specific grant-funded projects, as requested by the Authority, or required by any granting agency.

5. Document Requests. The Authority agrees to provide all information and documents necessary for South Gate to perform its functions under this Agreement as requested by the City’s City Manager, Director of Administrative Services, or designee.

6. Compliance With Applicable Law. The Authority and South Gate shall comply with all applicable laws, ordinances, and codes of the federal, state, county and city governments.

7. Independent Contractor. This Agreement is by and between South Gate and the Authority and is not intended, nor shall it be construed, to create the relationship of agency, servant, employee, partnership, joint venture or association, as between Artesia and the Authority.

8. Notices. Any notice required to be given hereunder shall be deemed to have been given by depositing said notice in the United States mail, postage prepaid, via certified mail, return receive requested, and addressed as follows:

TO CITY: Kristopher Ryan
Director of Administrative Services
City of South Gate
8650 California Ave
South Gate, CA 90280
kryan@sogate.org

TO AUTHORITY: Eric C. Shen, P.E., PTP, CPE
Executive Director
16401 Paramount Boulevard
Paramount, CA 90723
[insert email address]

A courtesy email shall also be transmitted to the partying receiving the notice by mail. Notice shall be deemed effective five (5) days’ after mailing and the email transmission is sent, as described above.

8. Amendments. This Agreement may be amended only by a writing signed by an authorized representative of each party.

9. Severability. The invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of the other provisions of this Agreement. The remainder of this Agreement shall remain in effect as if this Agreement had been executed without the invalid part and, to that end, the paragraphs, subparagraphs, sentences, clauses and phrases of this Agreement are hereby declared to be severable.

10. Entire Agreement. This Agreement represents the entire agreement between the Parties and supersedes all prior agreements and understandings, whether oral or written, between the Parties with respect to its subject matter. No other representations, covenants, undertakings or other prior or contemporaneous agreements, oral or written, respecting those matters, which are not specifically incorporated herein, may be deemed in any way to exist or to bind either Party with respect to that subject matter. Each Party acknowledges for the benefit of the other that it has not executed this Agreement in reliance on any promise, representation or warranty not reflected in this Agreement.

11. No Presumption Regarding Drafter. The parties acknowledge and agree that the terms and provisions of this Agreement have been negotiated and discussed among them, and that this Agreement reflects their mutual agreement. Because of the nature of the negotiations and discussions, it would be inappropriate to deem any party to be the drafter of this Agreement, and therefore no presumption for or against validity or as to any interpretation hereof based on the identity of the drafter, shall be applicable in interpreting or enforcing the Agreement.

12. Section Headings. Section headings in this Agreement are for convenience and identification only and shall not be deemed to limit or define the contents to which they relate.

13. Governing Law; Venue. This Agreement shall be governed by California law and venue for any action under this Agreement shall lie in Los Angeles County, California.

14. Waiver. No waiver of any provision of this Agreement shall be effective unless in writing and signed by a duly authorized representative of the Party against which enforcement is sought.

15. Indemnification. In lieu of and notwithstanding the pro rata risk allocation which might otherwise be imposed between the parties pursuant to California Government Code Section 895.6, the parties agree all losses or liabilities incurred by a party shall not be shared pro rata but instead each party agrees that under California Government Code Section 895.4, each of the parties hereto shall fully indemnify and hold harmless the other party, its officers, employees and agents, from any claim, expense or cost, damage or liability imposed for injury (as defined by California Government Code Section 810.8) occurring by reason of the negligent acts or omissions or willful misconduct of the indemnifying party, or any of its officers, board members, employees or agents, under or in connection with or arising out of any work, authority or jurisdiction delegated to such party under this Agreement. No party, nor any officer, employee or agent, thereof, shall be responsible for any damage or liability occurring by reason of the negligent acts or omissions or willful misconduct of the other party or any of its officers, employees or agents, under or in connection with or arising out of any work, authority or jurisdiction delegated to such other parties under this Agreement.

16. Assistance of Counsel. Each Party warrants to the other as follows:
- (a) It had the assistance of counsel in the negotiation and execution of this Agreement; and
 - (b) It authorized the execution of this Agreement in the manner required by law. To effectuate this Agreement, the Parties have caused their duly authorized representatives to execute this Agreement on the dates set forth below.

IN WITNESS WHEREOF, the parties have each executed this Agreement as of the dates indicated below.

CITY OF SOUTH GATE

Approved as to Form:

By: _____
Name: _____
Its: _____
Date: _____

By: _____
Raul F. Salinas, City Attorney

**ORANGELINE DEVELOPMENT
AUTHORITY DBA ECO-RAPID TRANSIT**

Approved as to Form:

By: _____
Name: _____
Its: _____
Date: _____

By: _____
General Counsel

Document comparison by Workshare 10.0 on Thursday, January 19, 2023
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Document 1 ID	file://D:\Users\mobaminassian\Desktop\Original.docx
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Deletions	24
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Moved to	7
Style change	0
Format changed	0
Total changes	65



Connecting its cities via environmentally effective rapid transit

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Hon. Bruce Borrows

City of Cudahy
Hon. Jose R. Gonzalez
Vice Chair of the Board

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Hon. Hector Sosa

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General Counsel
Matthew T. Summers

Ex-Officio
Ricardo Reyes
City Manager Representative

Internal Auditor
(Vacant)

AGENDA REPORT

TO: Members of Eco-Rapid Transit Board of Directors

FROM: Eric C. Shen, Executive Director 

DATE: January 23, 2023

SUBJECT: **ITEM 8: Resolution 2023-02 of the Eco-Rapid Transit Authority Board of Directors in support of Metro’s West Santa Branch (WSAB) Project**

Public comments on items on the agenda will be taken at the time the item is called and are limited to 3 minutes per speaker

RECOMMENDATION

Adopt Resolution 2023-02 in support of West Santa Ana Branch Project led by Metro with strong collaboration with local and regional partners.

ISSUE

The mission of Eco-Rapid Transit is to advocate an environmentally effective rapid transit service between the Burbank/Hollywood Airport, downtown Los Angeles, and the southeastern region of Los Angeles County. The proposed West Santa Ana Branch (WSAB) Project, when complete, will directly benefit ten member-cities and surrounding communities. By adopting Resolution 2023-02, the Board of Directors expresses its strong support and unified desire to collaborate with Metro and partnering agencies to move this important project forward.

BACKGROUND

Eco-Rapid Transit Board of Directors received comprehensive updates by Metro staff on the WSAB Project at its December 2022 meeting. As the project team moves forward to complete the environmental clearance by mid-2024 and begins the advanced preliminary engineering works by partnering with local jurisdictions, Eco-Rapid Transit is uniquely positioned to coordinate, collaborate, and cooperate with Metro on behalf of its members. Eco-Rapid Transit firmly supports Metro throughout the current and future project development and will work with community organizations, stakeholders, schools/colleges, and other key organizations to build strong support for the project, while pursuing grants to examine and implement economic strategies for its member cities.

Attachments

6A1: Resolution 2023-02

6A2: Current WSAB Schedule

ERT BOD 20230123 ITEM 08 VF1.DOCX

RESOLUTION NO. 2023-02

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ECO-RAPID
TRANSIT, FORMALLY KNOWN AS THE ORANGELINE DEVELOPMENT
AUTHORITY, IN SUPPORT OF METRO'S WEST SANTA ANA BRANCH
(WSAB) PROJECT**

WHEREAS Metro is evaluating a project called the West Santa Ana Branch Transit Corridor (“WSAB Project”) — a 19-mile corridor for a new light rail transit line that would connect southeast Los Angeles County to downtown Los Angeles; and

WHEREAS Metro has released the Draft Environmental Impact Statement/Environmental Impact Report (EIR/EIS) for the WSAB Project in July 2021; and

WHEREAS In January 2022 Metro’s Board of Directors Selected an initial segment (14.8 miles Slauson/A Line to Pioneer) as the Locally Preferred Alternative (LPA) and focus of Final EIS/EIR and approved LA Union Station as the ultimate northern terminus for the Project; and

WHEREAS The WSAB Project is to provide high-quality reliable transit service to meet the future mobility needs of residents, employees, and visitors who travel within and through the corridor; and

WHEREAS The WSAB Project is expected to install new stations in the County of Los Angeles, cities of Huntington Park, South Gate, Downey, Paramount, Bellflower, and Artesia; and

WHEREAS The population and employment within the WSAB Project Study Area are predicted to grow substantially over the next 20 years, the congestion of the roadway network is expected to worsen, resulting in the further decreased reliability of transit service; and

WHEREAS The WSAB Project is the only priority project that will bring rail transit to communities that have not had this in their region. It will be the State’s most important transit project to be constructed in the next decade, providing equity and transit accessibility in some of the State’s lowest-income and most transit-dependent communities, consistent with President Biden’s Justice40 Initiative and Executive Order 14008 as well as Metro’s Equity Platform Framework; and

WHEREAS The WSAB Project will connect over a million residents in a dozen Southeast Los Angeles communities with Downtown Los Angeles and access to hundreds of thousands of jobs. Nearly the entire alignment for this light-rail line is located within the CalEnviroScreen’s SB 535-defined “Disadvantaged Communities,” with some of the worst air pollution in the State; and

WHEREAS, Eco-Rapid Transit, formally known as the Orangeline Development Authority, a joint powers authority of twelve public entities in which ten member-cities will be the direct beneficiaries, strongly supports Metro on the development of the WSAB Project; and

WHEREAS For generations, the people along the WSAB Project corridor have been under-served by transit and heavily impacted by industrial pollution and traffic congestion, and they deserve this project.

NOW, THEREFORE, THE ECO-RAPID TRANSIT BOARD OF THE ECO-RAPID TRANSIT AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:

1. Eco-Rapid Transit is committed to collaboration, coordination, and cooperation with Metro, Los Angeles County, and the Gateway Cities Council of Governments, in support of the WSAB Project.
2. Eco-Rapid Transit will work with member-jurisdiction community organizations, stakeholders, schools/colleges and other key organizations to build strong support for the WSAB Project.
3. Eco-Rapid Transit will advocate on behalf of its member cities and assist Metro to seek additional funding to help implement the project to provide the Environmental Justice (EJ) communities with an alternative mode of transportation.
4. Eco-Rapid Transit will pursue grants in partnership with regional, state, and federal agencies to examine and implement economic strategies for its member cities.

PASSED AND ADOPTED by the BOARD OF DIRECTORS of the ECO-RAPID TRANSIT, this _____ day of _____, 2023, by the following vote:

AYES:

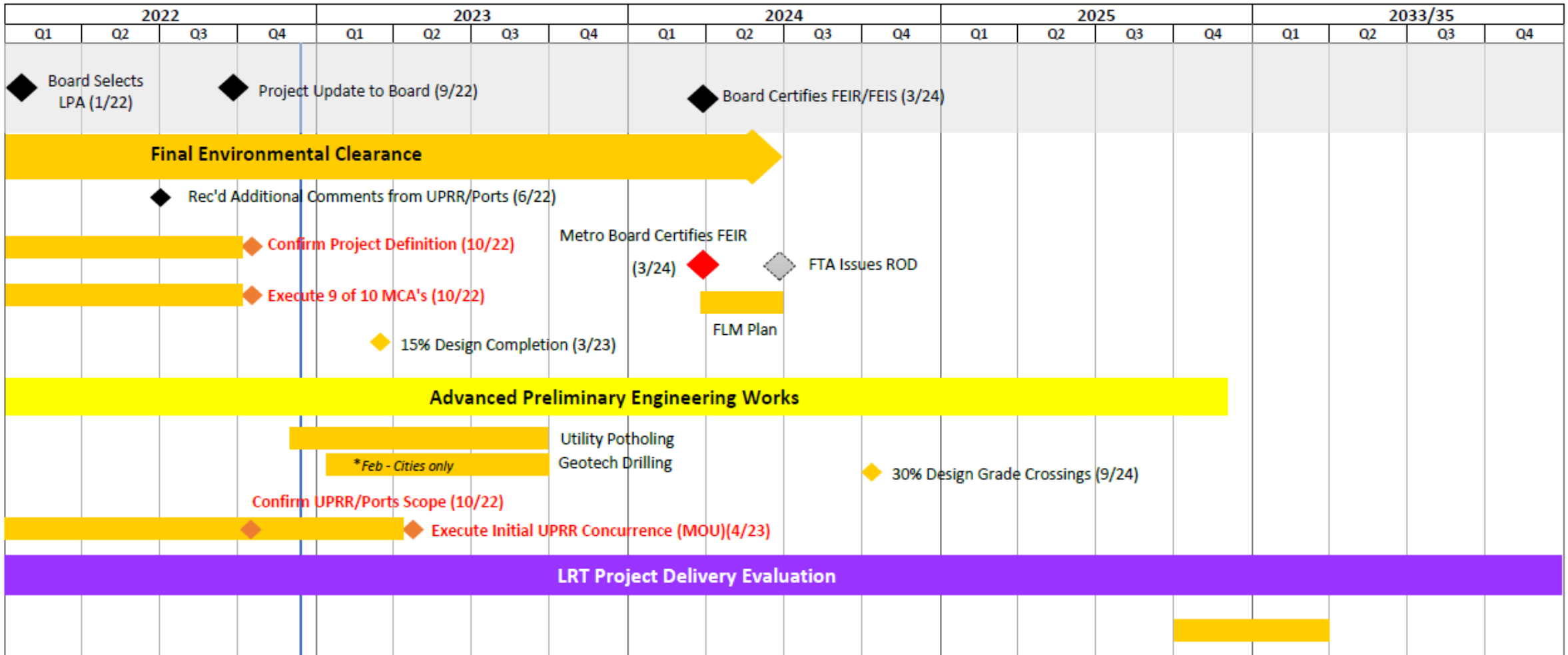
NOES:

ABSENT:

ABSTAIN:

Slauson/A Line to Artesia (14.8-mile Initial Segment) by 2033/35 Upcoming Key Milestones

Draft for discussion purposes only



30% Design LRT Stations (Depending on LRT Delivery Model)

Key upcoming milestones

1. Confirm Project Definition by October 2022 (~90% confirmation; more details on Slides 6 to 7)
2. Execute Master Cooperative Agreements (MCAs) with Corridor Cities by October 2022 (9 out of 10; more details on slide 8)
3. Initial “proof of Concept” MOU with UPRR/Ports by April 2023



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Matthew T. Summers

Ex-Officio
Ricardo Reyes
City Manager Representative

Internal Auditor
(Vacant)

AGENDA REPORT

TO: Members of Eco-Rapid Transit Board of Directors

FROM: Eric C. Shen, Executive Director *ES*

DATE: January 23, 2023

SUBJECT: **ITEM 9: Budget: FY2022/23 Mid-Year Update and FY2023/24 Preparation**

Public comments on items on the agenda will be taken at the time the item is called and are limited to 3 minutes per speaker.

RECOMMENDATION

Receive and file the FY2022/23 mid-year budget update and give policy direction to staff on the FY2023/24 budget preparation.

ISSUES

In December 2022, staff alerted the Board of Directors Executive Officers regarding the expected shortfall to pay on-going expenses with the approved FY2022/23 budget of \$206,766. The new management is re-examining every expense item; eliminating ambiguous, inactive and ineffective contracts; and seeking new cost proposals for basic services. Nevertheless, additional funding options are still needed to pay basic operational expenses through the end of FY2022/23. Concurrently, staff is seeking policy directions from the Board on the FY2023/24 annual budget planning process to minimize the occurrence of negative cash flow.

BACKGROUND

On April 13, 2022, the Board adopted the FY2022/23 budget that included a 7% increase from the prior year (see Attachment 1). **Table 1 and Table 2** summarize the itemized amounts within the approved budget and the proportional shares among member jurisdictions. During the transition of management in November and December 2022, staff discovered that the chronic cash flow problems could no longer be deferred or overlooked. As most membership dues had been collected in July/August 2022 and exhausted by November/December 2022, staff expects no new revenues between February and June 2023 to cover the basic operating costs.

As shown in **Table 3**, Income versus Expenditure since July 2019, the first negative cash flow occurred in January 2021. Subsequently, eight (8) more instances of negative monthly cash flow occurred between February 2021 and June 2022. The collected FY2022/23

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membership dues in July 2022 provided an immediate infusion to backfill chronic negative cash flow. However, the collected dues from 11 members were exhausted by December 2022.

In early December, the new management team instituted emergency steps, including new Executive Director’s voluntary deferment of November paycheck, to ensure there is sufficient funds to pay all issued checks through mid-December 2022.

On January 19, 2023, the last membership dues (\$20,233.11) from the City of Huntington Park were received and deposited. As the Board approves the Treasurer Report and Warrant Register on January 23, 2023 for the invoices of December 2022 under Consent Items 5B and 5C, the projected bank balance of \$1139.89 when all checks are cashed.

Since the FY2022/23 membership dues have been collected and exhausted, additional financial resources or options should be considered to sustain the basic operating costs for January thru June 2023.

Summary of FY22-23 Approved Budget

Normalized Monthly Burn-rate: \$17,230

ECO-RAPID GENERAL	FY 22-23 Approved Budget
REVENUE	
Membership Dues	\$206,766
TOTAL REVENUE	\$206,766
EXPENSES	
Executive Director	\$60,000
Office Administration	\$38,000
Staff/Consultants	\$36,500
Office Expenses/Supplies	\$12,500
Insurance	\$6,600
Professional Services	\$31,000
Meetings	\$14,000
Travel/Miles	\$7,000
TOTAL EXPENSES	\$205,600
FUND BALANCE	\$1,166

Table 1

FY 22-23 Membership Dues		
Bur-Gle-Pas Airport	\$ 30,371.20	14.69%
Artesia	\$ 8,627.73	4.17%
Bell	\$ 5,356.37	2.59%
Bell Gardens	\$ 3,623.82	1.75%
Cerritos	\$ 17,427.09	8.43%
Cudahy	\$ 9,281.66	4.49%
Downey	\$ 15,162.22	7.33%
Glendale	\$ 38,125.81	18.44%
H Park	\$ 20,233.11	9.79%
Maywood	\$ 3,329.73	1.61%
Paramount	\$ 20,220.81	9.78%
South Gate	\$ 35,006.28	16.93%
	\$ 206,765.83	

Table 2

Preliminary Review of Causes and Corrective Measures

- 1. Reimbursement for Working on Grant-Funded Projects:** The significant lag-time for receiving reimbursements from granting agencies is a common problem for grant recipients. Since Eco-Rapid Transit relies solely on membership dues as its “General Fund” to pay all expenses, an occasional negative cash flow during a month is expected. With proactive management and financial monitoring, consecutive negative cash flow may have been reduced or avoided (See **Table 3**, January–March 2021; September–December 2021; and April–June 2022).

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-
- General Counsel**
Matthew T. Summers
-
- Ex-Officio**
Ricardo Reyes
City Manager Representative
-
- Internal Auditor**
(Vacant)

However, the more grant-funded activities we perform, the more cash reserve will be needed to pay consultants and staff in advance.

2. **Use of Next Year’s Dues to Pay Prior Year’s Debt:** As stated earlier, newly collected membership dues for FY2022/23 were quickly used to backfill the negative cash flow in the prior fiscal year.
3. **Underestimate of Added Costs in FY2022/23:** The cash flow issue is worsened due to an apparent underestimate of actual operating costs. Specifically, the omission of overlapping staffing costs during the management transition in October-December 2022, audits, transfer of financial services to the City of South Gate, and the necessary legal support, all added up to significant and necessary costs to run the agency.

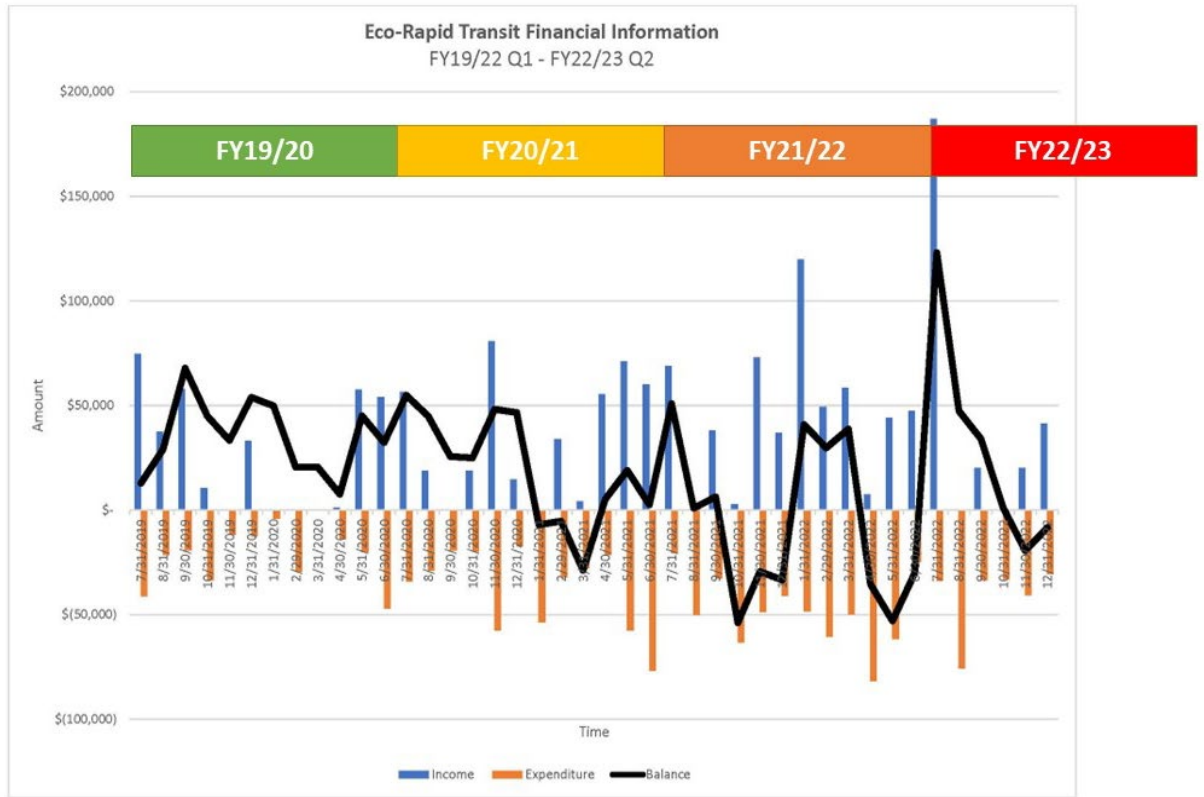


Table 3

4. **Underestimate of Fully Burdened Rates for Grant-funded Projects:** For every billable hour on grant funded projects, Eco-Rapid Transit only bills granting agency a fraction of the added percentage. Staff will review the current practice and work towards a certifiable and accurate fully burdened rates for professional staff. In turns, the eligible administrative overhead costs could be relieved from our general funds (membership dues).

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5. Accountability, Transparency and Active Management: Staff is committed to manage cash flow proactively and to clearly communicate with the Board with an utmost transparency and accountability.

Projected Expenditure Through the End of FY2022/23

Without additional infusion of cash or loan option immediately, Eco-Rapid Transit will not have sufficient funds to pay all invoices for services incurred in January through June 2023. **Table 4** summarizes the basic operating costs and magnitude of funding needs in the next six months.

PROJECTED MONTHLY EXPENDITURE JANUARY 1-JUNE 30, 2023							
Item	JAN	FEB	MAR	APR	MAY	JUN	TOTAL
Board Stipend	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$7,200
Executive Director	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$30,000
Admin Services	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$30,000
Project Manager*	\$3,500	\$3,500	\$3,500	\$3,500	\$3,500	\$3,500	\$21,000
Accounting Services	\$4,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$19,000
Admin Intern	\$100	\$100	\$100	\$100	\$100	\$100	\$600
General Counsel	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$30,000
IT Support**	\$450	\$450	\$450	\$450	\$450	\$450	\$2,700
Web Hosting**	\$29	\$29	\$29	\$29	\$29	\$29	\$174
Insurance**	\$600	\$600	\$600	\$600	\$600	\$600	\$3,600
FY20/21 Audit	\$2,250	\$2,250	\$2,250	\$2,250	\$2,250	\$2,250	\$13,500
FY20/21 Audit Support	\$1,665	\$1,665	\$1,665	\$1,665	\$1,665	\$1,665	\$9,990
FY21/22 Audit	\$2,250	\$2,250	\$2,250	\$2,250	\$2,250	\$2,250	\$13,500
FY21/22 Audit Support	\$1,665	\$1,665	\$1,665	\$1,665	\$1,665	\$1,665	\$9,990
Totals:	\$32,709	\$31,709	\$31,709	\$31,709	\$31,709	\$31,709	\$191,254

* To be reimbursed by grant-funded projects

** Will seek alt. pricing options to reduce cost

TABLE 4

Policy Direction for Preparing FY2023/24

While the new management is committed to explore every cost-cutting measure, many basic operating costs associated with professional services will need to reflect the fair-market rates. Options for the Board to explore include:

- **Population Cost:** The FY2022/23 budget used \$0.070 per person based on the 2010 census data. The FY2023/24 budget will be using the 2020 census data. As

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most member cities experienced negative population growth in the last 10 years, it is prudent to adjust the per-person population cost upwards, or the annual budget would be reduced further.

- **Track Miles:** Direct staff to review the basis for \$3,941.15/mile used in FY2022/23 and report back on different rates and effects.
- **Stations:** Direct staff to review the basis for \$5,000 per station used in FY2022/23 and report back on different rates or methodologies.

In addition to examining these unit cost used in the past, staff recommends a parallel exercise for the Board's consideration:

- Examine and report back the actual yet minimum operating costs to keep the agency effective, relevant, and high-quality.
- Separate the board stipend from the regular membership dues. Each member jurisdiction could prepay an additional \$1,200 along with the membership dues. Identical to the currently practice, each Director will receive \$100 stipend after attending each monthly meeting. The new stipend tracking could be deducted from his/her agency's prepayment. Any unused stipend could be rolled into the following year. The net effect would be an immediate increase of \$14,400 in the general funds to pay for operating costs.
- Review all Review all current Professional Service Contracts and Purchase Orders. Terminate unused, under-used, or uncleared contracts. Streamline internal processes and contain unnecessary/hidden admin costs.
- Re-negotiate contract terms for General Counsel and Accounting Services from time-and-material to monthly retainer basis.

Attachments:

Attachment 1: April 13, 2022 Board Memo and Minutes

Attachment 2: Detail calculation of FY2022/23 membership dues



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Item 09 Attachment 1: April 13, 2022 Board Memo and Minutes

Eco-Rapid Transit, formerly known as the Orangeline Development Authority, is a joint powers authority (JPA) created to pursue development of a transit system that moves as rapidly as possible, uses grade separation as appropriate, and is environmentally friendly and energy efficient. The system is designed to enhance and increase transportation options for riders of this region utilizing safe, advanced transit technology to expand economic growth that maximizes ridership in Southern California. The Authority is composed of the following public agencies:

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- City of Bell Gardens
- City of Cerritos
- City of Cudahy
- City of Downey
- City of Glendale
- City of Huntington Park
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Council Member
City of Artesia
- Vice-Chair
- Sean Ashton
Councilmember
City of Downey
- Secretary
- Vrej Agajanian
Councilmember
City of Glendale
- Treasurer
- Jose R. Gonzalez
Mayor
City of Cudahy
- Internal Auditor
- Alejandra Cortez
Councilmember
City of Bell Gardens
- Executive Director
Michael R. Kodama
- General Counsel
Matthew T. Summers
- Ex-Officio
Ricardo Reyes
City Manager Representative

AGENDA REPORT

TO: Members of Eco-Rapid Transit Board of Directors

FROM: Michael Kodama, Executive Director
Allyn Rifkin, Transportation Planner/Engineer

DATE: April 13, 2022

SUBJECT: APPROVAL OF ECO-RAPID TRANSIT MEMBERSHIP DUES FOR FY 2022-2023

Public comments on items on the agenda will be taken at the time the item is called and are limited to 3 minutes per speaker

ISSUE

As Eco-Rapid Transit prepares for the new fiscal year, staff seeks guidance and input from the Board of Directors regarding current membership dues.

While membership dues have remained constant since 2016-2017, members are now being asked to consider:

- 1) keep the same membership dues or
- 2) increase membership dues for 2022-23 by an amount of either 5%, 7% or 10%.

BACKGROUND

Eco-Rapid Transit membership dues are calculated based upon population, track miles and the location of stations along the proposed route.

Population: \$0.070
Track Miles: \$3,941.15/mile
Stations: \$5,000

The total membership dues also included a one-time 15% fee established in FY2016-2017. Since then, membership dues have remained unchanged.

Station fees are calculated on a formula based on location of the station and jurisdictions within walking distance of a station. For example, the Firestone/Atlantic Station is located in South Gate (0.6) and adjacent to Cudahy (0.4).

Attached for your consideration are proposed membership dues for FY 2022-2023. The Board of Directors is given the following choices:

1. No changes in Membership Dues - \$193,239.10
2. Increase membership dues by 5% - \$202,901.06
3. Increase membership dues by 7% - \$206,765.84
4. Increase membership dues by 10% - \$212,563.01



Eco-Rapid Transit, formerly known as the Orangeline Development Authority, is a joint powers authority (JPA) created to pursue development of a transit system that moves as rapidly as possible, uses grade separation as appropriate, and is environmentally friendly and energy efficient. The system is designed to enhance and increase transportation options for riders of this region utilizing safe, advanced transit technology to expand economic growth that maximizes ridership in Southern California. The Authority is composed of the following public agencies:

- City of Artesia
- City of Bell
- City of Bell Gardens
- City of Cerritos
- City of Cudahy
- City of Downey
- City of Glendale
- City of Huntington Park
- City of Maywood
- City of Paramount
- City of South Gate
- Burbank-Glendale-Pasadena Airport Authority

Chair

Ali Sajjad Taj
Council Member
City of Artesia

Vice-Chair

Sean Ashton
Councilmember
City of Downey

Secretary

Vrej Agajanian
Councilmember
City of Glendale

Treasurer

Jose R. Gonzalez
Mayor
City of Cudahy

Internal Auditor

Alejandra Cortez
Councilmember
City of Bell Gardens

Executive Director

Michael R. Kodama

General Counsel

Matthew T. Summers

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Staff recognizes that there is an immediate need to secure additional funds to build the WSAB project. There is also an opportunity to potentially secure regional rail funds for the line from Burbank Airport to Union Station. This increase in membership dues would be used to cover anticipated expenses associated with these additional efforts to secure both regional rail funds and West Santa Ana Branch state and federal funds. It is expected that this additional effort will require not only more staff time, but also trips to both Sacramento and Washington DC.

The increase in membership dues will also help to defray the additional costs of doing business in Los Angeles. During the past year, the United States Bureau of Labor Statistics has indicated that the Consumer Price Index in the Los Angeles area has increased 7.4%.

See Attached Table for Membership Dues FY 2022-2023

RECOMMENDATION

It is recommended that the Board:

1. Discuss information presented and offer action on item; and/or
2. Approve no change in membership dues or approve a 5%, 7% or 10% increase in membership dues.

Membership Dues FY 2022-2023				
Member	Annual Dues	Plus 5%	Plus 7%	Plus 10%
Airport Authority	\$28,384.30	\$29,803.52	\$30,371.20	\$31,222.73
City of Artesia	\$8,063.30	\$8,466.47	\$8,627.73	\$8,869.63
City of Bell	\$5,005.95	\$5,256.25	\$5,356.37	\$5,506.55
City of Bell Gardens	\$3,386.75	\$3,556.09	\$3,623.82	\$3,725.43
City of Cerritos	\$16,287.00	\$17,101.35	\$17,427.09	\$17,915.70
City of Cudahy	\$8,674.45	\$9,108.17	\$9,281.66	\$9,541.90
City of Downey	\$14,170.30	\$14,878.82	\$15,162.22	\$15,587.33
City of Glendale	\$35,631.60	\$37,413.18	\$38,125.81	\$39,194.76
City of Huntington Park	\$18,909.45	\$19,854.92	\$20,233.11	\$20,800.40
City of Maywood	\$3,111.90	\$3,267.50	\$3,329.73	\$3,423.09
City of Paramount	\$18,897.95	\$19,842.85	\$20,220.81	\$20,787.75
City of South Gate	\$32,716.15	\$34,351.96	\$35,006.28	\$35,987.77
TOTAL	\$193,239.10	\$202,901.06	\$206,765.84	\$212,563.01

DRAFT
MINUTES OF THE REGULAR MEETING OF
ECO-RAPID TRANSIT/ORANGELINE DEVELOPMENT AUTHORITY
April 13, 2022
Teleconference Meeting via Zoom or by Phone

CALL TO ORDER

Eco-Rapid Transit Board Chair Ali Sajjad Taj called the meeting to order at 6:31PM.

PLEDGE OF ALLEGIANCE

Board Secretary, Vrej Agajanian led the assembly in the flag salute.

ROLL CALL AND INTRODUCTION OF ATTENDEES

Authority Board Members Present:

Ali Sajjad Taj, Chair, Councilmember, City of Artesia
Vrej Agajanian, Secretary, Councilmember, City of Glendale
Sylvia Martinez, Board Member, Councilmember, City of Bell
Frank Quintero, Alternate Board Member, Burbank Airport Authority
Bruce Barrows, Board Member, Councilmember, City of Cerritos
Claudia Frometa, Board Member, Councilmember, City of Downey
Karina Macias, Board Member, Councilmember, City of Huntington Park
Reyna Mendez, Alternate Board Member, City of Maywood
Isabel Aguayo, Board Member, Vice Mayor, City of Paramount
Maria Davila, Board Member, Councilmember, City of South Gate
Chris Jeffers, Alternate City Manager Representative, City Manager, City of South Gate

Others:

Michael R. Kodama, Executive Director, Eco-Rapid Transit
Viviana Gomez, Transportation Deputy, Office of Supervisor Janice Hahn
Daniel Cervantes, Field Representative, Office of Senator Lena Gonzalez
Lilly O'Brien, Senior Deputy of Transportation and Infrastructure, Office of Supervisor Holly Mitchell
Viviana Gomez, Transportation Deputy, Office of Supervisor Janice Hahn
Torrey Contreras, Assistant City Manager, City of Cerritos
Karen Lee, Management Analyst, City of Artesia
Steve Forster, Community Development Director, City of Huntington Park
Kevin Acebo, President, Acebo and Associates
Kaaren-Lynn Graves, Executive Director, Arizona Hispanic Chamber of Commerce
Norm Emerson, Emerson & Associates
Anita Gardyne, Oneva Care
Brianna Melgoza, Cal Poly Pomona
John Gutierrez, MBDA Pasadena Business Center
Jason
Lillian Burkenheim, Eco-Rapid Transit Community Planning and Development Director
Allyn Rifkin, Transportation Planner/Engineer, Eco-Rapid Transit

Bruno Naulls, Community Planner, Eco-Rapid Transit
Cristina Quintero, Administration, Michael Kodama Planning Consultants

ITEM 4 - CONSENT CALENDAR

- a) Approval of Minutes of March 9, 2022**
- b) Approval of Warrant Register dated April 13, 2022**
- c) Approval of Treasurer's Report for the period of March 2022**
- d) Teleconferencing Legislation: AB361 and Approval of Resolution 2022-03 of the Eco-Rapid Transit Board of Directors Authorizing Remote Teleconferencing Meetings of Eco-Rapid Transit Board of Directors Pursuant to Government Code Section 54953(e) for the continuance of virtual Meetings and Teleconference as the County of Los Angeles is Under Certain Emergency Orders and Still Promotes Social Distancing and the Use of Face Mask.**

MOTION: Board Member Frank Quintero, Burbank Airport Authority, moved to approve the Consent Calendar. Board Member Maria Davila, City of South Gate, seconded the motion which was approved unanimously by roll call vote.

ITEM 5 - PUBLIC COMMENTS

No Public Comments were received.

Note: Item 6 was taken out of order by request of Chair Ali Sajjad Taj, City of Artesia, and item 7 was heard first without objection.

ITEM 6 – PRESENTATION BY MS. LILLY O'BRIEN, SENIOR DEPUTY, INFRASTRUCTURE AND TRANSPORTATION, OFFICE OF LOS ANGELES COUNTY SUPERVISOR HOLLY MITCHELL

Lilly O'Brien, Senior Deputy of Transportation and Infrastructure for the Office of Holly Mitchell, Los Angeles County Supervisor 2nd District, came to introduce herself and to share information regarding Supervisor Mitchell's intent to support and advocate for Eco-Rapid Transit and the accelerated development of the WSAB Corridor light rail system. Ms. O'Brien noted that although only a small part of the second Supervisorial district is located in the WSAB Corridor, the Supervisor looks at the value of the project and sees a regional benefit and obligation to advocate for, and support the use of a portion of the County's \$10 Billion dollar budget to assist in the acceleration of the Project. She stated that she was impressed with the level of support and advocacy for the WSAB corridor. Ms. O'Brien also mentioned another point of advocacy that Supervisor Mitchell will support called the Vermont Transit Corridor and feels it is in alignment with the needs of the WSAB corridor cities. It has been identified as one the High Need Mobility Communities in the County, as is many of the WASB corridor cities, and it will potentially need support going forward to obtain similar funds for improvements in the future.

Chair Ali Sajjad Taj, City of Artesia thanked Ms. O'Brien for coming and sharing on behalf of Supervisor Holly Mitchell, and noted there is a 20 year history to the Eco-Rapid Transit's organization and a lot of hard work and effort has been put forth to bring it to the level of support and advocacy it has today.

Board Member Frank Quintero asked Ms. O'Brien could she elaborate on what the Supervisor Mitchell had in mind regarding the Vermont Transit Corridor. Ms. O'Brien responded by stating the Supervisor's office is putting pressure on Metro to engage the

community authentically about what their needs are with regards to transit services and is pushing Metro to conduct an equity analysis when prioritizing projects, funding, staff time and resources into their planning process.

MOTION: no motion was recorded. Received and filed.

ITEM 7 - APPOINTMENT TO THE OFFICE OF VICE-CHAIR

MOTION: Board Member Frank Quintero made the motion to nominate Vrej Agajanian for Vice Chair, Jose Gonzalez for Secretary, and Alejandra Cortez for Treasurer. Board Member Bruce Barrows seconded the motion, which was approved unanimously by roll call vote.

The election for the vacated position of Internal Auditor was postponed until next month's meeting.

Board member Karina Macias, City of Huntington Park, arrived at 6:41

ITEM 8 – APPROVE ECO-RAPID TRANSIT MEMBERSHIP DUES FOR FY 2022-2023

Executive Director Michael Kodama brought this item back from last month seeking guidance on the membership dues increase amount. Executive Director Kodama requested the Board to consider an increase in membership dues based on current and ongoing/anticipated activity of staff and the Board, noting dues have not been increased since fiscal year 2016-2017. The option was a 5%, 7% or 10% increase.

MOTION: Board Member Maria Davila, City of South Gate made a motion for a 10% increase which was seconded by Bruce Barrows, City of Cerritos. The motion did not pass with a 4 yes 4 no and one abstention vote.

Board Member Maria Davila, City of South Gate made a subsequent motion for a 7% increase which was seconded by Bruce Barrows, City of Cerritos. The motion passed with a 6 yes 2 no and one abstention vote.

Board member Claudia Frometa, City of Downey, arrived at 7:10pm

ITEM 9 - UPDATE AND/OR ACTION REGARDING DRAFT BUDGET FOR FY 2022-2023

Executive Director Michael Kodama introduced the item and discussed the proposed budget for fiscal year 2022-2023. Three scenarios were prepared according to the possible membership dues adjustment. The 7% scenario was discussed as it was the amount approved in Item #8. Executive Director Kodama noted the funds available for the upcoming year are based on secured funds from grant awards and membership dues. The notable change to the budget was the allocation for foreseeable increases in travel expenses by staff and or Board members to Washington D.C. and or Sacramento for advocacy, education, information and meetings regarding the WSAB Corridor.

MOTION: Board Member Frank Quintero, Burbank Airport Authority made a motion to approve the budget, and was seconded by Bruce Barrows, City of Cerritos which was approved unanimously by roll call vote.



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Mr. Jesus Casas

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Hon. Alejandra Cortez
Secretary of the Board

City of Cerritos
Hon. Bruce Borrows

City of Cudahy
Hon. Jose R. Gonzalez
Vice Chair of the Board

City of Downey
Hon. Claudia M. Frometa

City of Glendale
(Vacant)

City of Huntington Park
Hon. Karina Marcia

City of Maywood
Ms. Angelina Martinez

City of Paramount
Hon. Isabel Aguayo
Treasurer of the Board

City of South Gate
Hon. Maria Davila

**Burbank-Glendale-Pasadena
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Internal Auditor
(Vacant)

**Item 09 Attachment 2:
Detail calculation of FY2022/23 membership dues**

Membership Dues 2023

	Population Fee: \$0.070		Miles Fee: \$3,941.15		Station: \$5,000.00		2015/16	2020/21	2022/23	
City	Population 2010	Population Fee	Miles	Miles Fee	Station ²	Station Fee ³	Membership	Membership 15% ⁴	Membership 7% ⁴	
Artesia	16,522	\$1,156.54	0.60	\$2,364.69	0.80	\$4,000.00	\$7,521	\$8,649	\$9,254.87	
Cerritos	49,041	\$3,432.87	1.20	\$4,729.38	1.20	\$6,000.00	\$14,162	\$16,287	\$17,426.65	
Paramount ²	54,098	\$3,786.86	1.94	\$7,645.83	1.00	\$5,000.00	\$16,433	\$18,898	\$20,220.43	
Downey	111,772	\$7,824.04	0.38	\$1,497.64	0.60	\$3,000.00	\$12,322	\$14,170	\$15,161.82	
South Gate	94,396	\$6,607.72	3.17	\$12,493.45	1.60	\$8,000.00	\$27,101	\$31,166	\$33,347.98	
Cudahy	23,805	\$1,666.35	0.73	\$2,877.04	0.60	\$3,000.00	\$7,543	\$8,675	\$9,282.14	
Bell Gardens ³	42,072	\$2,945.04	0.00	\$0.00	0.00	\$0.00	\$2,945	\$3,387	\$3,623.87	
Bell ³	36,644	\$2,565.08	0.30	\$1,182.35	0.20	\$1,000.00	\$4,747	\$5,460	\$5,841.71	
Maywood ³	27,395	\$1,917.65	0.20	\$788.23	0.00	\$0.00	\$2,706	\$3,112	\$3,329.59	
Huntington Park	58,114	\$4,067.98	1.11	\$4,374.68	1.60	\$8,000.00	\$16,443	\$18,909	\$20,232.69	
Glendale	194,973	\$13,648.11	3.13	\$12,335.80	1.00	\$5,000.00	\$30,984	\$35,631	\$38,125.70	
Burbank Airport ^{1,2}	240,000	\$16,800.00	2.00	\$7,882.30	0.00	\$0.00	\$24,682	\$28,385	\$30,371.57	
Total	948,832	\$66,418	14.76	\$58,171	8.60	\$43,000	\$167,590	\$192,728	\$206,219	
Los Angeles (City)	250,000	\$17,500.00	2.00	\$7,882.30	2.00	\$10,000.00	\$35,382	\$40,690	\$43,537.92	
Los Angeles (County)	275,000	\$19,250.00	2.50	\$9,852.88	1.00	\$5,000.00	\$34,103	\$39,218	\$41,963.59	
Bellflower	76,616	\$5,363.12	2.39	\$9,419.35	1.00	\$5,000.00	\$19,782	\$22,750	\$24,342.33	
Vernon	112	\$7.84	1.35	\$5,320.55	1.00	\$5,000.00	\$10,328	\$11,878	\$12,709.09	
Burbank ²	103,340	\$7,233.80	2.92	\$11,508.16	0.00	\$0.00	\$18,742	\$21,553	\$23,061.98	
	1,653,900		2.92				\$285,928	\$328,817	\$351,834	

¹ - 6 MAP @4.0% transit share

² - Paramount Green Line, Rio Hondo, LA Union Station & Burbank Airport are considered regional stations

³ - Station fee calculated based on ownership of station (20%) and approximate share of adjacent land

⁴ - 2017-18 Board increased membership fees by 15%; in 2021, membership fees adjusted by track miles & stations; 2022 Membership fee increased by 7%



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Internal Auditor
(Vacant)

AGENDA REPORT

TO: Members of Eco-Rapid Transit Board of Directors

FROM: Eric C. Shen, Executive Director *ES*

DATE: January 23, 2023

SUBJECT: **ITEM 10: Authorization of Signatory on the Bank Account**

Public comments on items on the agenda will be taken at the time the item is called and are limited to 3 minutes per speaker

RECOMMENDATION

Approve the four officers to be legal signatory and authorize Executive Staff to have access of the Bank Account with the Bank of the West

ISSUES

Five Board appointees were given access to act as representatives of Eco-Rapid Transit's bank account. Three of them are no longer servicing on the Board while none of the currently officers have been added to the bank record. For the Bank of West to update its signatory records, an action to formally designate representatives by the Board is needed.

Currently no staff has been designated as representatives on the Bank's record. Thus, staff must contact one of the designated Board members to access basic bank account information. Such administrative burden could be minimized by having the Board to designate executive staff to the bank account.

BACKGROUND

In April 2018, the Board approved, and designated Director Karina Macias, Director Maria Davila, former Director Sean Keith Ashton, former Director Zareh Sinanyan, and former Director Vrej Agajanian be given the access to bank account.

Staff is recommending the following Board Executive Officers and staff be designated as representatives and given the access to the bank account:

- Chair of the Board
- Vice Chair of the Board
- Treasurer of the Board
- Secretary of the Board
- Executive Director



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Ex-Officio
Ricardo Reyes
City Manager Representative

Internal Auditor
(Vacant)

- Administrative Services Manager
- Accounting Manager

Until the new Board Executive Officers are installed for FY2023/24, the following names and official titles will be designated as representatives and given the access to bank account:

- Chair of the Board: Ali Sajjad Taj
- Vice Chair of the Board: Jose R. Gonzalez
- Treasurer of the Board: Isabel Aguayo
- Secretary of the Board: Alejandra Cortez
- Executive Director: Eric C. Shen
- Administrative Services Manager: Kathryn Morrison
- Accounting Manager: Toni Penn

Prepared by:

Kathryn Morrison
Administrative Services Manager

Reviewed and Approved by:

Eric C. Shen, P.E., PTP, CPE
Executive Director

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