



**San Gabriel Valley Council of Governments**  
**REVISED AGENDA AND NOTICE OF THE REGULAR MEETING**  
**OF THE SGVCOG EXECUTIVE COMMITTEE**

**Monday, April 7, 2025 – 10:00 AM**

**SGVCOG Monrovia Office**

**1333 S. Mayflower Ave, Suite 360, Monrovia, CA 91016**

President

**Tim Hepburn**

1<sup>st</sup> Vice President

**Ed Reece**

2<sup>nd</sup> Vice President

**Cory Moss**

3<sup>rd</sup> Vice President

**Michael Allawos**

Past President

**Becky Shevlin**

Transportation Chair

**Ed Reece**

Homelessness Chair

**Becky Shevlin**

EENR Chair

**Jennifer Stark**

CPCC Chair

**Tim Hepburn**

Ex-Officio

**Tim Sandoval, Metro**

*SGVCOG Representative*

Ex-Officio

**Jessica Binnquist, City**

*Managers' Steering*

*Committee Chair*

Thank you for participating in tonight's meeting. The SGVCOG encourages public participation and invites you to share your views on agenda items.

**MEETINGS: *Regular Meetings of the Executive Committee are held on the first Monday of each month at 10:00 AM at the SGVCOG Monrovia Office (1333 South Mayflower Avenue, Suite 360, Monrovia, CA 91016).*** The agenda packet is available at the SGVCOG's Office, 1333 S. Mayflower Avenue, Suite 360, Monrovia, CA, and on the website, [www.sgvkog.org](http://www.sgvkog.org). Copies are available via email upon request ([sgv@sgvcog.org](mailto:sgv@sgvcog.org)). A copy of the agenda is also posted for public viewing at the entrance of the SGVCOG Monrovia Office Building. Any additional agenda documents that are distributed to a majority of the Committee after the posting of the agenda will be available for review in the SGVCOG office during normal business hours and on the SGVCOG website noted above.

**PUBLIC PARTICIPATION:** Your participation is welcomed and invited at all Executive Committee meetings. Time is reserved at each regular meeting for those who wish to address the Committee. SGVCOG requests that persons addressing the meeting refrain from making personal, slanderous, profane, or disruptive remarks. A person who continues to disrupt the orderly conduct of the meeting, after being warned by the Board President or designee to cease the disruption, may be precluded from further participation in the meeting.

**TO ADDRESS THE EXECUTIVE COMMITTEE:** At a regular meeting, the public may comment: (i) on any matter within the subject matter jurisdiction of the SGVCOG that is not on the agenda during the public comment period at the beginning of the agenda; (ii) on any item(s) that is on the Consent Calendar prior to action taken on the Consent Calendar; and (iii) on any other agenda item prior to the time it is considered by the Committee. At a special meeting, the public may only comment on items that are on the agenda. Members of the public are requested to state their name prior to speaking. Comments are limited to a maximum of three minutes per person. The Board President may impose additional time limits if comments become repetitious, an individual member of the public seeks to speak on numerous items, or a large number of members of the public seek to speak on an item. Except in limited situations, the Committee may not take action on items not appearing on the agenda and/or discuss them at length.

If you would like to provide a public comment during a Committee meeting, please see "Instructions for Public Comments" below.

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



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.



**CONSENT CALENDAR:** Items listed on the Consent Calendar are considered to be routine and may be acted upon by one motion. There will be no separate discussion on these items unless a Committee member so requests. In this event, the item will be removed from the Consent Calendar and considered after the Committee takes action on the balance of the Consent Calendar.

**TELECONFERENCE LOCATIONS:** State law allows Committee members to teleconference from remote locations as long as certain conditions are met, including listing the teleconference locations in the agenda. The following locations are hereby noticed as teleconference locations, which are accessible to the public for the purposes of observing this meeting and/or addressing the Committee.

<p><b>Claremont City Hall</b> 207 Harvard Avenue Claremont, CA 91711</p>
--

Instructions for Public Comments: For those wishing to make public comments on agenda and non-agenda items, but within the SGVCOG’s subject matter jurisdiction, you may submit written comments via email or provide a verbal comment.

- Written Comments (Email): If you wish to submit written public comments to be distributed to the Executive Committee at the meeting, please submit these materials via email to Steph Wong at [swong@sgvcog.org](mailto:swong@sgvcog.org) at least 1 hour prior to the scheduled meeting time. Please indicate in the “Subject” line of the email “FOR PUBLIC COMMENT” and the agenda item number to which the public comment is addressed. Written public comments may include, but are not limited to letters, reports, and presentations.
- Verbal Comments (In Person): If you would like to make a public comment at the Executive Committee meeting location, please fill out a public comment card. Comment cards will be made available to you by staff at the entrance to the meeting room. If you are attending the meeting at a noticed teleconference location and would like to make a public comment, please raise your hand when the item upon which you wish to speak comes up on the agenda.
- Verbal Comments (Zoom): If you would like to participate by teleconference from a private location, please email Steph Wong ([swong@sgvcog.org](mailto:swong@sgvcog.org)) to request an attendee Zoom link at least 24 hours before the meeting. Through Zoom, you may provide a verbal comment by using the web interface “Raise Hand” feature when the agenda item upon which you wish to speak is to be considered. You will then be called upon to provide your verbal comments.

For questions related to accessing the available teleconference locations, please contact Steph Wong ([swong@sgvcog.org](mailto:swong@sgvcog.org)) or (626) 457-1800.

### **PRELIMINARY BUSINESS**

1. Call to Order
2. Roll Call
3. Public Comment (*If necessary, the President may place reasonable time limits on all comments*)
4. Changes to the Agenda Order

### **CONSENT CALENDAR**

5. Executive Committee Meeting Minutes – **Page 1**  
*Recommended Action: Review and approve.*
6. 2<sup>nd</sup> Quarter Financial Report / Treasurer’s Report – **Page 3**  
*Recommended Action: Receive and file.*
7. Management Audit Services Progress Update – **Page 13**  
*Recommended Action: Receive and file.*
8. State Legislative Positions – Brown Act – **Page 15**  
*Recommended Actions: Recommend the Governing Board adopt the following resolutions:*
  - AB 259 (Rubio) – Support
  - SB 239 (Arreguín) – Support

### **ACTION ITEMS**

9. Governing Board Agenda – **Page 19**
  - June Governing Board Change of Date & Location  
*Recommended Action: Review and approve the draft Governing Board agenda.*
10. 15<sup>th</sup> Amended and Restated Bylaws Preview – **Page 24**  
*Recommended Action: Review and recommend the Governing Board approve.*
11. Waiver to Represent Los Angeles County Metropolitan Transportation Authority – **Page 38**  
*Recommended Action: Authorize the Executive Director to execute a waiver approving the SGVCOG’s general counsel law firm, Woodruff & Smart, to represent the Los Angeles County Metropolitan Transportation Authority (“Metro”) in eminent domain matters.*

### **UPDATE ITEMS**

12. Draft FY 2025-2026 Budget – **Page 42**
13. Legislative Report
14. President’s Report
15. Executive Director’s Report
16. General Counsel’s Report

### **ANNOUNCEMENTS**

17. Next Executive Committee Meeting – May 5, 2025  
*Recommended Action: For information only.*

### **CLOSED SESSION**

18. Pursuant to California Government Code Section 54957(b)(1) - Performance Evaluation.  
Position: Executive Director  
*Recommended Action: Discuss and provide direction.*
19. Pursuant to California Government Code Section 54957.6 to meet with the designated representatives, President Tim Hepburn, First Vice President Ed Reece, and Past President Becky Shevlin, regarding the compensation of the Executive Director.  
*Recommended Action: Discuss and provide direction.*

**ADJOURN**



**Unapproved SGVCOG Executive Committee Meeting Minutes**  
**March 3, 2025**  
10:00 AM  
1333 S. Mayflower Ave., Monrovia, CA 91016

**PRELIMINARY BUSINESS**

1. Call to Order  
The meeting was called to order at 10:02 AM.

2. Roll Call

**Members Present**

- T. Hepburn, President/CPCC Chair
- E. Reece, 1<sup>st</sup> Vice President
- C. Moss, 2<sup>nd</sup> Vice President
- M. Allawos, 3<sup>rd</sup> Vice President
- B. Shevlin, Past President/Homelessness Chair
- J. Stark, EENR Chair
- J. Binnquist, CMS Committee Chair

**Absent**

T. Sandoval, Metro SGVCOG Representative

**Staff/Guests:**

- M. Creter, SGVCOG Executive Director
- S. Wong; R. Choi; C. Sims; R. Alimoren; C. Sims;
- J. Talla; Y. Rivera; K. Ward; Z. Mapes;
- V. Urenia; J. Burkart; R. Lansing;
- S. Pederson; S. Mandizvidza; L. Hwang; N. Ryu; SGVCOG Staff
- C. Trapesonian, Woodruff & Smart
- A. Badawi, Badawi & Associates

3. Public Comment  
There were no public comments at this meeting.

4. Changes to the Agenda Order  
There were no changes to the agenda order.

**CONSENT CALENDAR**

- 5. Review Executive Committee Meeting Minutes  
*Action: Review and approve.*
- 6. State Housing Bond & Local Housing Trust Fund (LHTF) Program Letter  
*Action: Receive and file*  
**There was a motion to approve the consent calendar.**

(M/S: M. Allawos, C. Moss)

**[Motion Passed]**

<b>AYES:</b>	T. Hepburn, E. Reece, C. Moss, M. Allawos, B. Shevlin, J. Stark
<b>NOES:</b>	
<b>ABSTAIN:</b>	
<b>ABSENT:</b>	

**ACTION ITEM**

- 7. Governing Board Agenda
  - General Counsel Appointment

**There was a motion to approve the draft Governing Board agenda.**

**(M/S: B. Shevlin, C. Moss)**

**[Motion Passed]**

<b>AYES:</b>	T. Hepburn, E. Reece, C. Moss, M. Allawos, B. Shevlin, J. Stark
<b>NOES:</b>	
<b>ABSTAIN:</b>	
<b>ABSENT:</b>	

**PRESENTATION ITEM**

- 8. FY 2023-2024 Financial Audit
  - R. Alimoren, SGVCOG Director of Finance, and A. Badawi, Badawi & Associates, presented on this item.

**UPDATE ITEM**

- 9. Legislative Report
  - R. Choi reported on this item.
- 10. President’s Report
  - T. Hepburn reported on this item.
- 11. Executive Director’s Report
  - M. Creter reported on this item.
- 12. General Counsel’s Report
  - C. Trapesonian reported on this item.

**ANNOUNCEMENTS**

- 13. Next Executive Committee Meeting – April 7, 2025

**ADJOURN**

The meeting was adjourned at 10:46 AM

# REPORT

---

DATE: April 7, 2025  
TO: Executive Committee  
FROM: Marisa Creter, Executive Director  
RE: **2nd QUARTER FINANCIAL REPORT / TREASURER'S REPORT**

## **RECOMMENDED ACTION**

Receive and file.

## **BACKGROUND**

The full FY 24-25 2nd Quarter Financial Reports for Capital and Non-Capital Projects are included as attachments to this report. These reports include the following:

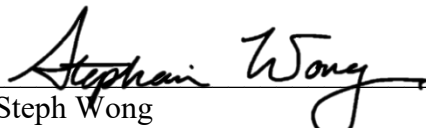
### Capital Projects

- Condensed Balance Sheet as of December 31, 2024
- Asset Allocation
- Reimbursement Status Report
- Project Cost Report

### Non-Capital Projects

- Comparative Summary Balance Sheet as of December 31, 2024
- Consolidated Budget to Actual
- Grants Receivable Aging Detail

Questions on these reports may be directed at SGVCOG Director of Finance, Rey Alimoren ([ralimoren@sgvcog.org](mailto:ralimoren@sgvcog.org)).

Prepared by:   
Steph Wong  
Principal Management Analyst

Approved by:   
Marisa Creter  
Executive Director

## **ATTACHMENTS**

Attachment A – Capital Projects 2nd Quarter Financial Report  
Attachment B – Non-Capital Projects 2nd Quarter Financial Report

## Attachment A

SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS  
Condensed Balance Sheet - Capital Projects  
For Fiscal Year Ending December 31, 2024

	<b>12.31.24</b>	Change	<b>09.30.24</b>	<b>Comments</b>
<b><u>Cash on hand</u></b>				
Operating Account	3,018,925	592,074	2,426,851	
Money Market Account (2)	13,078,757	6,318,466	6,760,291	
Money Market (UPRR Contributions)	45,380	6	45,374	
<b>Total cash on hand</b>	<b>16,143,061</b>	<b>6,910,545</b>	<b>9,232,516</b>	
<b><u>Investments</u></b>				
LAIF	1,818,175	(4,725)	1,822,900	
CALPERS - Section 115 Trust	1,280,012	(42,760)	1,322,772	
CBT - Fixed Income at cost	78,738	900	77,838	
<b>Total investments</b>	<b>3,176,925</b>	<b>(46,585)</b>	<b>3,223,510</b>	
<b><u>Current - 30 days or less</u></b>	<b>9,815,627</b>	<b>9,760,971</b>	<b>54,656</b>	
<b><u>Aged Receivable</u></b>				
<b><u>To Be Billed</u></b>	<b>26,767,898</b>	<b>(2,120,425)</b>	<b>28,888,323</b>	
<b><u>MTA/CALTRANS Retention</u></b>	<b>10,494,180</b>	<b>555,913</b>	<b>9,938,267</b>	
<b>Total Exhibit V</b>	<b>47,077,706</b>	<b>8,196,460</b>	<b>38,881,246</b>	
Other receivables, unsold surplus properties, and deferred costs	12,602,457	(144,958)	12,747,415	
<b>Total Cash, Cash Equivalents &amp; Receivables</b>	<b>79,000,148</b>	<b>14,915,461</b>	<b>64,084,687</b>	
<b><u>Liabilities</u></b>				
Payables & Other Accruals	48,170,861	21,367,136	26,803,725	
Unearned revenues	18,974,202	(a.) (6,418,318)	25,392,520	
<b>Total liabilities</b>	<b>67,145,063</b>	<b>14,948,818</b>	<b>52,196,245</b>	
<b>Fund balance</b>				
Resources net of actual liabilities	11,855,086	(33,357)	11,888,443	
Less estimated:				
CalPERS - Hypothetical termination liability	5,442,447	(b.)	5,442,447	
<b>Resources net of estimated liabilities</b>	<b>6,412,639</b>	<b>(c.) (33,357)</b>	<b>6,445,996</b>	

a.) Represents surplus property appraised value, net proceeds from sale of ROW surplus properties, advanced UPRR funding, disallowed retention, and Betterment funds billed in advance to City of Industry for Fairway Drive and Fullerton projects as well as Rio Hondo payments from Cities.

b.) Updated based on CalPERS's annual valuation report as of June 30, 2022 (pg 28).

c.) Increase represents decrease in 06/30/2022 hypothetical termination liability and effect of prior year's deficiency of expenses



Attachment A

Deposit/ Investment Amount 12.31.2024	% of Invest- ments		Maximum Maturity	Maximum Percent of Portfolio	Maximum Investment in One Issuer
		<b>Bank Deposits</b>			
		<b>Ace deposits are held by Citizens Business Bank (CBB) under a deposit agreement in amounts not to exceed \$50 million. Under the agreement, CBB maintains collateral deposits of at least 110% of the value of all ACE deposits at Bank of New York Mellon in eligible securities. The CBB deposits accounts are:</b>			
\$ 3,018,925		Checking Account			
13,124,136		Money Market Accounts (3) *			
16,143,061		Total Deposits			
		<b>Permitted Investments **</b>			
-	0.00%	Government Securities (1.15 - 5.00 years)	5 years	50%	15%<=
-	0.00%	Corporate Bonds (1.47 - 4.93 years)	5 years	30%	10%<=
-	0.00%	Gov't Mortgages (4.13 - 4.80 years)	5 years	15%	None stated
-	0.00%	Municipals (2.65 - 4.84 years)	None stated	None stated	None stated
-	0.00%	CDs (4.00 - 5.00 years)	5 years	30%	10%<=
78,738	4.09%	Cash and Cash Equivalents	None stated	None stated	None stated
78,738	4.09%	Subtotal Investments - Book value *			
1,818,175	95.85%	State's Local Agency Investment Fund	None stated	None stated	None stated
1,896,912	100.00%	Total Investments			
\$ 18,039,974		<b>Total</b>			

\* Note: Includes \$31,549,462 of available unearned revenues

Attachment A

Reimbursement Status (\$ 000)						
	ITD Expenditure s	Received	Current / 30 Days or less	Aged Receivable	To Be Billed	MTA Retention
Unbilled Retention	\$2,064	\$0	\$0	\$0	\$2,064	\$0
At Grade Crossing San Antonio	5,043	\$4,995	\$0	\$0	\$41	\$7
At Grade Crossing Hamilton	118	\$59	\$0	\$0	\$59	\$0
Durfee Avenue	98,601	\$93,756	\$135	\$0	\$3,880	\$831
Fairway Drive	228,180	\$227,472	\$0	\$0	\$77	\$630
Fairway-Lemon Betterment	21,937	\$21,673	\$0	\$0	\$0	\$264
Fullerton	219,859	\$209,088	\$0	\$0	\$8,587	\$2,184
Montebello Corridor Grade	83,554	\$72,587	\$4,681	\$0	\$5,837	\$450
Maple Ave.	662	\$656	\$0	\$0	\$0	\$6
Montebello At Grade	1,668	\$1,091	\$82	\$0	\$493	\$2
Nogales (LA)	120,782	\$119,142	\$0	\$0	\$1,180	\$460
Puente Ave.	88,570	\$88,511	\$0	\$0	-\$46	\$104
SG Trench	299,009	\$298,967	\$0	\$0	\$0	\$42
Turnbull Cyn.	35,305	\$29,741	\$269	\$0	\$4,671	\$623
Temple	94,722	\$94,503	\$0	\$0	\$0	\$219
Baldwin	70,365	\$70,363	\$0	\$0	\$0	\$2
Brea Canyon	73,459	\$73,459	\$0	\$0	\$0	\$0
Crossing Safety / IRRIS	34,343	\$34,343	\$0	\$0	\$0	\$0
EE/Reservoir	78,960	\$78,960	\$0	\$0	\$0	\$0
Hamilton	1,789	\$1,789	\$0	\$0	\$0	\$0
Nogales (AH)	49,797	\$49,797	\$0	\$0	\$0	\$0
Ramona	53,091	\$53,091	\$0	\$0	\$0	\$0
Sunset	93,794	\$93,794	\$0	\$0	\$0	\$0
Sub-total Projects	1,755,672	\$1,717,838	\$5,166	\$0	\$26,844	\$5,824
Project Administration	9,583	\$9,583	\$0	\$0	\$0	\$0
Total ACE	1,765,256	\$1,727,421	\$5,166	\$0	\$26,844	\$5,824
<b>Non-Grade Separation</b>						
Rio Hondo	1,395	\$1,394	\$0		\$0	\$0
57/60 Project	174,748	\$165,690	\$4,649		-\$172	\$4,581
Gold Line Pedestrian	1,412	\$1,227	\$0		\$95	\$90
San Gabriel Transit Study	3,646	\$3,646	\$0		\$0	\$0
	1,946,457	\$1,899,378	\$9,816	\$0	\$26,768	\$10,494

## Attachment A

SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS  
Allocated Funds, ITD, & Estimate at Completion Project Costs  
For Fiscal Year Ending Decembre 31, 2024

(\$ 000's)									
	Project	Cost Estimate (1997)	Cost Estimate (2006)	(Exhibit II) Total Allocated to Projects	ITD Expenditures (Exhibit V)	Estimate at ** Completion Exhibit IV	Variance (Allocated vs. Estimate at Completion)	Status	
	Start-up/Misc			\$ 10,000	9,583				
<b>ACE Projects</b>									
	1 Pomona At-Grade Crossing San Antonio	N/A	N/A	\$ 3,162	5,043	\$ 31,477	\$ (28,315)	Active	(1)(2)
	At Grade Crossing Hamilton	N/A	N/A		118				
	2 Durfee Road	N/A	N/A	108,435	98,601	108,435	-	Active	
	3 Fairway Drive (LA)	N/A	N/A	240,812	250,116	240,812	-	Active	
	4 Fullerton Road	N/A	N/A	213,805	219,859	241,036	(27,231)	Active	(2)
	5 Montebello Blvd	N/A	N/A	65,145	83,554	189,892	(124,747)	Active	(2)
	6 Maple Ave.	N/A	N/A	662	662	-	662	Closed	
	7 Montebello At-Grade Crossing Safety Improvements	N/A	N/A	1,518	1,668	10,000	(8,482)	Active	(2)(3)
	8 Nogales South (LA)	24,307	N/A	120,782	120,782	120,699	83	Closed	
	9 Puente Avenue	N/A	N/A	88,615	88,570	97,377	(8,762)	Closed	
	10 San Gabriel Trench	198,205	N/A	299,009	299,009	293,671	5,339	Closed	
	12 Turnbull Canyon Road	N/A	N/A	27,315	35,305	89,593	(62,278)	Active	(2)
	11 Temple Avenue	35,985	80,272	94,825	94,722	94,825	-	Closed	
	13 Baldwin Avenue	23,994	64,765	70,365	70,365	70,365	-	Closed	
	14 Brea Canyon	26,571	64,401	73,903	73,459	73,903	-	Closed	
	15 Crossing Safety/IRRIS	61,000	35,200	34,141	34,343	34,141	-	Closed	
	16 East End/Reservoir	56,571	69,180	79,000	78,960	79,000	-	Closed	
	17 Hamilton Blvd.	N/A	N/A	1,789	1,789	1,789	-	Closed	
	18 Nogales North (Alh)	39,636	54,599	49,798	49,797	49,798	-	Closed	
	19 Ramona Blvd.	14,489	47,102	53,091	53,091	53,091	-	Closed	
	20 Sunset Avenue	22,259	70,502	93,862	93,794	93,862	-	Closed	
	<b>Subtotal</b>	<b>\$ 503,017</b>	<b>\$ 486,021</b>	<b>1,730,035</b>	<b>\$ 1,763,190</b>	<b>\$ 1,973,766</b>	<b>\$ (253,731)</b>		

<b>Estimated Total Project Cost</b>	<b>\$ 950,000</b>	<b>\$ 1,400,000</b>
-------------------------------------	-------------------	---------------------

<b>Net Authorized</b>	<b>\$ 1,697,059,268</b>
-----------------------	-------------------------

<b>Allocated</b>	<b>1,685,549,532</b>
------------------	----------------------

<b>Available</b>	<b>\$ 11,509,736</b>
------------------	----------------------

\*\* Excludes Start-up/Misc of \$21.436M to agree with Exhibit-IV EAC.

(1) Will fully fund the project using our future funding of Measure R and Measure M. The project is potentially subject to almost \$6M Cycle 6 funds.

(2) Utilizing the funds from our surplus properties proceeds and also utilizing our future MSP funds to fully fund the project.

(3) A new grant was secured in the amount of \$30M from Calsta (Port & Freight Infrastructure Program).

Attachment B

**SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS**

Comparative Summary Balance Sheet

As of December 31, 2024

	<u>12.31.24</u>	<u>Change</u>	<u>9.30.24</u>
CBB - Checking	\$ 4,499,222	(248,397)	4,747,619
CBB - 242-300-597 Money Market	5,138	3	5,135
CBB - 103-501-0361- Investment	3,002,011	75,886	2,926,125
CalPERS Section 115 Contribution	154,889	(5,150)	160,039
CBB - Payroll - 242-122-747 (Combined)	338		0
Petty Cash	400	-	400
LAIF	265,081	6,051	259,030
FSA Advance Payment	(652)	114	(766)
Cash and equivalents	<u>7,926,426</u>	<u>(171,494)</u>	<u>8,097,582</u>
Grants/Contracts Receivable	2,801,084	548,627	2,252,457
Rental Deposit Receivable	30,490	-	30,490
Unbilled Grant Receivable	1,288,273	(167,998)	1,456,271
Receivables - other	1,684,469	116,718	1,567,752
Receivables	<u>5,804,316</u>	<u>497,346</u>	<u>5,306,970</u>
Fixed Assets, net of depreciation	1,567,375	(122,008)	1,689,383
Prepays and deferrals	723,224	(174,109)	897,333
Total assets	<u>16,021,342</u>	<u>151,744</u>	<u>15,991,268</u>
Accounts Payable	1,083,770	(108,722)	1,192,492
Citi Bank Card	11,907	4,911	6,996
Payroll Payable	(711)	328	(1,039)
Accrued Vacation	94,213	(51,275)	145,488
Unearned Revenues - Member Cities Dues	448,203	(224,101)	672,304
Unearned Revenues - Housing/Homelessness	1,048,784	-	1,048,784
Accruals, deferrals and other payables	10,247,026	608,771	9,638,255
Total liabilities	<u>12,933,192</u>	<u>229,912</u>	<u>12,703,280</u>
Net Position, beginning of period **	2,846,657	(413,987)	3,260,643
Change in net position	241,493	214,148	27,345
Net Position, end of period	<u>\$ 3,088,149</u>	<u>(199,839)</u>	<u>3,287,988</u>

# Attachment B

**SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS**  
**Consolidated Budget to Actual**  
 FY 2025 1st Quarter Report  
 July 1, 2023 through December 31, 2024

	Operating			RHT - Local			Non Capital		
	Actual	FY 2024 Budget	% of FY24 Budget	Actual	FY 2024 Budget	% of FY24 Budget	Actual	FY 2024 Budget	% of FY24 Budget
<b>Operating revenues</b>									
<b>Dues</b>									
Member Dues	448,203	896,405	50.0%	-	-		-	-	
Transportation Administration (Local)									
Subtotal Dues	448,203	896,405	50.0%	-	-		-	-	
<b>Non-capital projects</b>									
Grants and matches from other governments	-	-		230,500	640,000	36.0%	6,078,615	16,609,543	36.6%
<b>Total operating revenues</b>	448,203	896,405	50.0%	230,500	640,000	36.0%	6,078,615	16,609,543	36.6%
<b>Operating expenses</b>									
<b>Indirect expenses</b>									
Personnel	259,273	130,000	199.4%	-	-		-	-	
Committee & Employee Expenses (Meetings/Travel, Dues & Subscription)	24,268	120,500	20.1%	-	-		-	-	
Professional Services (Audit, Legal, Consult, MTA Supp)	143,116	253,439	56.5%	-	230,000	0.0%	-	-	
Other Expenses	(133,597)	352,288	-37.9%	37,349	55,800	66.9%	305,183	-	
Subtotal indirect expenses	293,060	856,227	34.2%	37,349	285,800	13.1%	305,183	-	
<b>Direct expenses</b>									
Personnel/Construction Direct Labor	-	-		193,151	354,200	54.5%	875,061	2,531,710	34.6%
Program Management	-	-		-	-		4,898,370	14,077,833	34.8%
Subtotal direct expenses	-	-		193,151	354,200	54.5%	5,773,431	16,609,543	34.8%
<b>Total operating expenditures</b>	293,060	856,227	34.2%	230,500	640,000	36.0%	6,078,615	16,609,543	36.6%
<b>Operating income (loss)</b>	155,143	40,178	386.1%	-	-		0	-	
<b>Non-operating income (expenses)</b>									
Net Investment/interest income (loss)	86,350	-		-	-		-	-	
<b>Change in net position</b>	241,493	40,178	601.1%	-	-		0	-	

## Attachment B

### San Gabriel Valley Council of Governments Grants Receivable Aging Detail (000-000-000-1220) December-24

Project	Invoice No.	Date	Current	Over 30	Over 60 +	Balance
000 Admin - Overhead	2505	06/04/24			0.47	0.47
000 Admin - Overhead	2515	06/04/24			20,734.02	20,734.02
010 SGV Wildfire Adaption & Prevention Q4 Invoice		12/31/22			106.94	106.94
010 SGV Wildfire Adaption & Prevention Q1 Invoice		04/25/23	(0.03)			(0.03)
010 SGV Wildfire Adaption & Prevention Q1 Invoice		03/31/24			28,372.41	28,372.41
010 Wildfire CAL Fireprep	Invoice #1	09/30/24			1,134.23	1,134.23
010 Wildfire CAL Fireprep	Invoice #2	09/30/24	(0.08)			(0.08)
010 Wildfire CAL Fireprep	Invoice #3	12/31/24	21,429.53			21,429.53
070 SMIP	FY25 Q1 Invoice #2 SMIP (Inv#SMIP ATP/FLM 063024)	09/30/24			18,883.26	18,883.26
070 SMIP	Invoice#1	04/30/24			17,530.95	17,530.95
070 SMIP	Invoice#2	10/01/24			597,238.04	597,238.04
120 MTA	Inv#2504	12/31/24	13,283.81			13,283.81
120 MTA	Inv#2505	12/31/24	13,283.81			13,283.81
120 MTA	Inv#2506	12/31/24	13,283.81			13,283.81
145_159 Regional HI Coordination	Grants rec HI-23-003 -4	09/30/24			369,824.18	369,824.18
145_159 Regional HI Coordination	Inv#5 Oct - Dec 2024	12/31/24	545,512.70			545,512.70
150 Measure M	Invoice No. MSPFY25-02	12/31/24	18,326.84			18,326.84
154 Stormwater		08/26/24			33,989.32	33,989.32
154 Stormwater		08/26/24			104,191.49	104,191.49
154 Stormwater		08/26/24	(55,750.28)			(55,750.28)
154 Stormwater		08/26/24	(17,649.97)			(17,649.97)
154 Stormwater		08/26/24			65,865.18	65,865.18
154 Stormwater		08/26/24	(1,302.73)			(1,302.73)
154 Stormwater		08/26/24	(6,041.76)			(6,041.76)
154 Stormwater		08/26/24			9,648.98	9,648.98
161 SoCalREN Public	RENWIDE_1024	11/30/24		6,562.43		6,562.43
161 SoCalREN Public	RENWIDE_1124	11/30/24		8,598.01		8,598.01
161 SoCalREN Public	RENWIDE_1224	12/31/24	13,664.51			13,664.51
161 SoCalREN Public	SGVCOG-0522 PDP TEC035	07/10/22			0.22	0.22
161 SoCalREN Ressidential	SoCalREN Res_0223	02/28/23			765.86	765.86
161 SoCalREN Ressidential	SoCalREN Res_0323	03/15/23			1,127.70	1,127.70
161 SoCalREN Ressidential	SoCalREN Res_0423	04/30/23			1,076.45	1,076.45
167 SoCalREN Ressidential	RENWIDE_1024	10/31/24			4,227.79	4,227.79
167 SoCalREN Ressidential	RENWIDE_1124	11/30/24		3,760.17		3,760.17

## Attachment B

### San Gabriel Valley Council of Governments Grants Receivable Aging Detail (000-000-000-1220) December-24

Project	Invoice No.	Date	Current	Over 30	Over 60 +	Balance
167 SoCalREN Residential	RENWIDE_1224	12/31/24	4,169.80			4,169.80
174 Food Recovery	RFR-24-03	01/01/24			1.00	1.00
174 Food Recovery	RFR-24-28		(15,000.00)			(15,000.00)
180 Community Wildfire	Invoice# 5	07/15/24			68,474.89	68,474.89
180 Community Wildfire	Invoice# 6	10/01/24			50,017.75	50,017.75
180 Community Wildfire	Invoice# 7	12/31/24	68,191.74			68,191.74
200 SGV Care	Draw # 2	09/30/24			11,131.17	11,131.17
200 SGV Care	Draw # 4	12/31/24	299,098.31			299,098.31
210 LAC-SoCalREN Initiatives-FEI	FEI_1024	10/31/24			2,987.44	2,987.44
210 LAC-SoCalREN Initiatives-FEI	FEI_1124	11/30/24		1,801.04		1,801.04
210 LAC-SoCalREN Initiatives-FEI	FEI_1224	12/31/24	2,401.88			2,401.88
210 LAC-SoCalREN Initiatives-eSGV	eSGV_1024	10/31/24			2,987.44	2,987.44
210 LAC-SoCalREN Initiatives-eSGV	eSGV_1124	11/30/24		1,801.04		1,801.04
210 LAC-SoCalREN Initiatives-eSGV	eSGV_1224	12/31/24	2,401.88			2,401.88
220 ULAR CIMP Stormwater	SGV-ULAR-25-10	08/26/24			16,588.00	16,588.00
220 ULAR CIMP Stormwater	SGV-ULAR-25-11	08/26/24			7,604.00	7,604.00
220 ULAR CIMP Stormwater	SGV-ULAR-25-15	08/26/24			10,954.00	10,954.00
280 Mission to Mission Electric	Inv#SGV-MME-2024	09/30/24			393,058.41	393,058.41
280 Mission to Mission Electric	Adjustment	09/30/24	(364.84)			(364.84)
290 Homeless Services	FY24 unbilled rev billed FY25	09/30/24			11,727.92	11,727.92
290 Homeless Services	Inv#7 (Jul 2024)		(66,118.48)			(66,118.48)
290 Homeless Services	Inv#8 (Aug 2024)		(64,084.71)			(64,084.71)
290 Homeless Services	Inv#9 (Sep 2024)		(67,839.18)			(67,839.18)
300 Clean Water Alliance	Inv#CPA-0724	09/30/24			30.94	30.94
300 Clean Water Alliance	Inv#CPA-0924	09/30/24	(4.00)			(4.00)
300 Clean Water Alliance	Inv#CPA-1124	11/30/24		4,022.90		4,022.90
320 Operation Stay Safe	OSS 24-09	12/31/24	99,187.82			99,187.82
320 Operation Stay Safe	OSS 24-10	12/31/24	96,988.19			96,988.19
320 Operation Stay Safe	OSS 24-11	12/31/24	93,427.11			93,427.11
330 SoCalGas	INV_1024	11/30/24		2,998.55		2,998.55
330 SoCalGas	INV_1124	11/30/24		3,328.12		3,328.12
330 SoCalGas	INV_1224	12/31/24	8,100.16			8,100.16
560 Food Recovery	Inv#23-0798-000-SG ADV 1		(166,807.03)			(166,807.03)
PLHA (city of la verne payments)	PLHA 1	12/31/24	51,443.93			51,443.93

## Attachment B

### San Gabriel Valley Council of Governments Grants Receivable Aging Detail (000-000-000-1220) December-24

Project	Invoice No.	Date	Current	Over 30	Over 60 +	Balance
PLHA (city of la verne payments)	Inv#PLHA-8	12/31/24	7,349.13			7,349.13
PLHA (city of la verne payments)	Inv#PLHA-9	12/31/24	7,349.13			7,349.13
			<b>917,931.00</b>	<b>32,872.26</b>	<b>1,850,280.46</b>	<b>2,801,083.72</b>
					GL @ 12.31.24	2,801,083.72
					variance	-



# REPORT

DATE: April 7, 2025  
 TO: Executive Committee  
 FROM: Marisa Creter, Executive Director  
 RE: **MANAGEMENT AUDIT SERVICES PROGRESS UPDATE**

## RECOMMENDED ACTION

Receive and file.

## BACKGROUND

On October 10, 2024, the Management Audit Services (MAS) unit presented the FY2024/2025 Risk based Annual Audit Work Plan to the Executive Committee.

On February 20, 2025, the Governing Board authorized the Executive Director to execute contract amendments for Deloitte & Touche and Moss Adams to perform six (6) process audits/assessments and three (3) contract audits respectively. These engagements are now underway, as shown in the table below and planned for completion within four to five months.

Deloitte & Touche LLP.					
Audit Ref #	Audit Area		Planning	Fieldwork	Reporting
25 MAS 016	Accounts Payable Audit			✓	
25 MAS 017	Grant Management Audit			✓	
25 MAS 024	MAS Evaluation			✓	
25 MAS 026	Budgeting & Financial Planning Audit			✓	
Moss Adams LLP.					
Audit Ref #	Consultant/Project	\$	Planning	Fieldwork	Reporting
25 MAS 019	PreScience contract # 17-02 - SEC Consulting; Durfee CM Services	12,287		✓	
25 MAS 022	Contract # 20-08 Anser Advisory, Durfee CM services	5,352		✓	
25 MAS 023	Skanska Construction audit 22-13; 57/60 Interchange improvements	266,900		✓	

Additionally, staff projects at various stages of completion include process and contract audits as well as advisory engagements as depicted below.

In-House projects					
Audit Ref #	Consultant/Project	\$	Planning	Fieldwork	Reporting
24 COG 262	21-13 SCS Engineers, Food Recovery program	1,053		✓	
24 COG 263	UPPR-Design, Construction, Operation & Maintenance of Highway Railroad underpasses	19,332	✓		
23 MAS 009	Vendor risk & performance review				✓
25 MAS 020	Contract # 22-02 Affordable Housing Incubator	1,300	✓		
25 MAS 025A	MAS Audit Policy review		✓		
25 MAS 025B	MAS Peer Review Readiness		✓		
25 MAS 027-1	Invoice review checklist				✓

Please direct any questions to the SGVCOG Audit Manager, Simba Mandizvidza at [smandizvidza@sgvcog.org](mailto:smandizvidza@sgvcog.org)

Prepared by: Rey Alimoren  
 Rey Alimoren  
 Director of Finance

Prepared by: Marisa Creter  
 Marisa Creter  
 Executive Director

DATE: April 7, 2025  
TO: Executive Committee  
FROM: Marisa Creter, Executive Director  
RE: **STATE LEGISLATIVE POSITIONS – BROWN ACT**

## **RECOMMENDED ACTION**

Recommend the Governing Board adopt the following resolutions:

- AB 259 (Rubio) – Support
- SB 239 (Arreguín) – Support

## **BACKGROUND (AB 259)**

Assembly Bill 259 (Rubio) eliminates the sunset on provisions added to the Brown Act by Assembly Bill 2449 (Rubio, 2022), a bill that provided additional flexibility with alternative Brown Act meeting procedures able to be observed in the event of a board member’s absence in connection with a “just cause” or “emergency circumstances,” allowing for those members so-affected to participate in the meeting remotely consistent with the process detailed in the bill. The provisions of AB 2449 include restrictions on how often its provisions may be invoked and require that a majority of the board be present in-person in order to constitute a quorum.

By removing the sunset, AB 259 preserves the additional flexibility for individual board members of local agencies looking to meet remotely to continue providing the public with essential services.

### Status

AB 259 has been referred to the Assembly Local Government Committee with a hearing scheduled for April 9.

### Author’s Statement

In support of the original legislation, AB 2449, author Assembly Member Blanca Rubio remarked that remote meetings held over the last few years “*demonstrated the value of remote participation options when individuals are unable to attend a physical gathering. The Brown Act ensures that officials and their constituents can have open and transparent meetings, which we now know can occur using modern technology. [...] AB 2449 would provide an avenue for constituents to interact with their representatives in situations where they might have not previously been able to.*”

### Support and Opposition

AB 259 is sponsored by the California Special Districts Association, Three Valleys Municipal Water District, and various local government associations and local public agencies. A full list of

supporters and opponents will be revealed prior to the measure’s first committee, scheduled for April 9.

## Recommended Position

Staff are recommending the Executive Committee recommend the Governing Board adopt a support position for this bill. This position would align with the Governing Board’s previous support of AB 2449 and the SGVCOG 2025-2026 Legislative Platform, which states: “SGVCOG supports efforts to expand and improve regulatory engagement, particularly to provide local jurisdictions with the necessary time, technical support, and resources to meet state or federal requirements.” The bill will provide SGVCOG and other local and regional agencies with the flexibility they need to comply with the requirements of the Brown Act while still allowing members to utilize teleconferencing.

## **BACKGROUND (SB 239)**

### Summary

SB 239 amends the Ralph M. Brown Act to authorize subsidiary bodies of a local agency—such as advisory committees, boards, or commissions—to conduct teleconferenced meetings without the requirement to notice and make publicly accessible each teleconference location and without needing an in-person quorum within the agency’s jurisdiction, provided specific criteria and safeguards are met.

### Key Provisions:

- Defines a *subsidiary body* as an advisory-only body that meets the Brown Act’s definition of a legislative body, is not authorized to take final action on any policy or contractual matter, and does not have subject matter jurisdiction over police oversight, elections, or budgets.
- Allows such bodies to teleconference meetings without noticing remote locations or opening them to the public, if:
- The legislative body that created the subsidiary body:
  - Authorizes the use of this flexibility by a 2/3 vote, and
  - Adopts annual findings by a majority vote stating that remote meetings will enhance public access, improve diversity and retention of members, and reflect the subsidiary body’s circumstances.
- Requires at least one designated physical meeting location where the public can attend, observe, and participate, with a local agency staff member present at that location.
- Maintains public access and transparency standards by requiring:
  - Real-time public comment through call-in or online participation options,
  - Public disclosure by members participating remotely about who is present in the room with them, and
  - Visible video presence of members on camera during meetings, with exceptions for technical impracticality.

- Limits eligibility to non-elected members and requires any final recommendations adopted by the subsidiary body to be presented at a regular meeting of the legislative body that established it.

## Status

SB 239 has been referred to the Senate Local Government Committee with a hearing scheduled for April 2.

## Author's Statement

According to the author, *“The COVID-19 pandemic showed us all that meeting remotely can improve efficiency and accessibility for everything from routine work meetings to public meetings subject to the Brown Act. However, the end of pandemic-era remote meeting flexibility has caused many community members to resign from local advisory bodies due to conflicts with work, caregiving, disabilities, or long driving distances needed to attend meetings in person. SB 239 would allow members of public bodies that are simply advisory in nature, with no decision-making powers, to meet remotely without needing to post their home address or open their home to the public, while also removing barriers to public participation on local advisory bodies, ensuring that those bodies can represent the true diversity of our communities.”*

## Support and Opposition

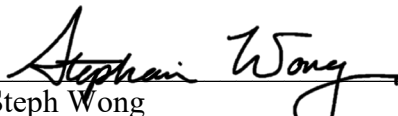
SB 239 is sponsored by the League of California Cities and the California State Association of Counties and is supported by a number of local public agencies and local government associations. The measure is opposed by ACLU California Action, the California News Publishers Association, and a number of media groups.

## Recommended Position

Staff are recommending the Executive Committee recommend the Governing Board adopt a support position for this bill. This position would align with the Governing Board's previous support of AB 817 (Pacheco), which would have enacted similar provisions, and the SGVCOG 2025-2026 Legislative Platform, which states: “SGVCOG supports efforts to expand and improve regulatory engagement, particularly to provide local jurisdictions with the necessary time, technical support, and resources to meet state or federal requirements.” The bill will provide SGVCOG's policy committees with more flexibility to comply with the requirements of the Brown Act while still allowing members to utilize teleconferencing.

*This staff report was prepared by Townsend Public Affairs (TPA). TPA staff are available to answer any questions.*

Prepared by:

  
Steph Wong  
Principal Management Analyst

# REPORT

---

Approved by: Marisa Creter  
Marisa Creter  
Executive Director

## **ATTACHMENTS**

[Attachment A – Bill Text AB 259](#)

[Attachment B – Draft Letter of Support AB 259](#)

[Attachment C – Bill Text SB 239](#)

[Attachment D – Draft Letter of Support SB 239](#)



# AGENDA/NOTICE OF THE REGULAR MEETING OF THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS (SGVCOG) GOVERNING BOARD

Thursday, April 17, 2025 - 4:00 P.M.  
SGVCOG Office

1333 S. Mayflower Avenue, Suite 360, Monrovia, CA 91016

President  
**Tim Hepburn**

1<sup>st</sup> Vice President  
**Ed Reece**

2<sup>nd</sup> Vice President  
**Cory Moss**

3<sup>rd</sup> Vice President  
**Michael Allawos**

#### Members

*Alhambra*

*Arcadia*

*Azusa*

*Baldwin Park*

*Bradbury*

*Claremont*

*Covina*

*Diamond Bar*

*Duarte*

*El Monte*

*Glendora*

*Industry*

*Irwindale*

*La Cañada Flintridge*

*La Puente*

*La Verne*

*Monrovia*

*Montebello*

*Monterey Park*

*Pasadena*

*Pomona*

*Rosemead*

*San Dimas*

*San Gabriel*

*San Marino*

*Sierra Madre*

*South El Monte*

*South Pasadena*

*Temple City*

*Walnut*

*West Covina*

*First District, LA County*

*Unincorporated Communities*

*Fifth District, LA County*

*Unincorporated Communities*

*SGV Water Districts*

Thank you for participating in tonight's meeting. The SGVCOG encourages public participation and invites you to share your views on agenda items.

**MEETINGS:** *Regular Meetings of the Governing Board are held on the third Thursday of each month at 4:00 PM at the SGVCOG Monrovia Office (1333 South Mayflower Avenue, Suite 360, Monrovia, CA 91016).* The agenda packet is available at the SGVCOG's Office, 1333 S. Mayflower Avenue, Suite 360, Monrovia, CA, and on the website, [www.sgvkog.org](http://www.sgvkog.org). Copies are available via email upon request ([sgv@sgvcog.org](mailto:sgv@sgvcog.org)). A copy of the agenda is also posted for public viewing at the entrance of the SGVCOG Monrovia Office Building. Any additional agenda documents that are distributed to a majority of the Board after the posting of the agenda will be available for review in the SGVCOG office during normal business hours and on the SGVCOG website noted above.

**PUBLIC PARTICIPATION:** Your participation is welcomed and invited at all Governing Board meetings. Time is reserved at each regular meeting for those who wish to address the Board. SGVCOG requests that persons addressing the meeting refrain from making personal, slanderous, profane, or disruptive remarks. A person who continues to disrupt the orderly conduct of the meeting, after being warned by the Board President or designee to cease the disruption, may be precluded from further participation in the meeting.

**TO ADDRESS THE GOVERNING BOARD:** At a regular meeting, the public may comment: (i) on any matter within the subject matter jurisdiction of the SGVCOG that is not on the agenda during the public comment period at the beginning of the agenda; (ii) on any item(s) that is on the Consent Calendar prior to action taken on the Consent Calendar; and (iii) on any other agenda item prior to the time it is considered by the Board or Committee. At a special meeting, the public may only comment on items that are on the agenda. Members of the public are requested to state their name prior to speaking. Comments are limited to a maximum of three minutes per person. The Board President may impose additional time limits if comments become repetitious, an individual member of the public seeks to speak on numerous items, or a large number of members of the public seek to speak on an item. Except in limited situations, the Board may not take action on items not appearing on the agenda and/or discuss them at length.

If you would like to provide a public comment during a Board meeting, please see "Instructions for Public Comments" below.

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



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.



**CONSENT CALENDAR:** Items listed on the Consent Calendar are considered to be routine and may be acted upon by one motion. There will be no separate discussion on these items unless a Board Representative so requests. In this event, the item will be removed from the Consent Calendar and considered after the Board takes action on the balance of the Consent Calendar.

**TELECONFERENCE LOCATIONS:** State law allows Board Representatives to teleconference from remote locations as long as certain conditions are met, including listing the teleconference locations in the agenda. The following locations are hereby noticed as teleconference locations, which are accessible to the public for the purposes of observing this meeting and/or addressing the Governing Board.

<b>Industry City Hall</b> 15625 Mayor Dave Way Industry, CA 91744	<b>Pasadena City Hall</b> Council Conference Room 100 N. Garfield Ave. Pasadena, CA 91101	<b>Chuck Bader Conference Rm.</b> 505 S. Garey Ave. Pomona, CA 91767
6131 Camellia Ave. Temple City, CA 91780	<b>Three Valleys Municipal Water District</b> 1021 E. Miramar Ave. Claremont, CA 91711	

**Instructions for Public Comments:** For those wishing to make public comments on agenda and non-agenda items, but within the SGVCOG’s subject matter jurisdiction, you may submit written comments via email or provide a verbal comment.

- **Written Comments (Email):** If you wish to submit written public comments to be distributed to the Board Representatives at the meeting, please submit these materials via email to Steph Wong at [swong@sgvcog.org](mailto:swong@sgvcog.org) at least 1 hour prior to the scheduled meeting time. Please indicate in the “Subject” line of the email “FOR PUBLIC COMMENT” and the agenda item number to which the public comment is addressed. Written public comments may include, but are not limited to letters, reports, and presentations.
- **Verbal Comments (In Person):** If you would like to make a public comment at the Governing Board meeting location, please fill out a public comment card. Comment cards will be made available to you by staff at the entrance to the meeting room. If you are attending the meeting at a noticed teleconference location and would like to make a public comment, please raise your hand when the item upon which you wish to speak comes up on the agenda.
- **Verbal Comments (Zoom):** If you would like to participate by teleconference from a private location, please email Steph Wong ([swong@sgvcog.org](mailto:swong@sgvcog.org)) to request an attendee Zoom link at least 24 hours before the meeting. Through Zoom, you may provide a verbal comment by using the web interface “Raise Hand” feature when the agenda item upon which you wish to speak is to be considered. You will then be called upon to provide your verbal comments.

For questions related to accessing the available teleconference locations, please contact Steph Wong ([swong@sgvcog.org](mailto:swong@sgvcog.org)) or (626) 457-1800.



**PRELIMINARY BUSINESS**

**5 MINUTES**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Public Comment (*If necessary, the President 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**

**5 MINUTES**

*(It is anticipated that the SGVCOG Governing Board may take action on the following matters)*

Administrative Items:

6. Governing Board Meeting Minutes  
*Recommended Action: Adopt Governing Board minutes.*
7. Monthly Cash Disbursements/Balances/Transfers  
*Recommended Action: Approve Monthly Cash Disbursements/Balances/Transfers.*
8. Committee/TAC/Governing Board Attendance  
*Recommended Action: Receive and file.*
9. SGVCOG Governing Board Future & Recurring Agenda Items: 2025  
*Recommended Action: Receive and file.*
10. Legislative Monthly Report (March)  
*Recommended Action: Receive and file.*
11. 2<sup>nd</sup> Quarter Financial Report / Treasurer's Report  
*Recommended Action: Receive and file.*
12. Draft FY 2025-26 Budget  
*Recommended Action: Receive and file.*
13. Governing Board June Meeting Date & Location  
*Recommended Action: Adopt Resolution 25-XX to update the June Governing Board meeting date and location.*
14. Management Audit Services Progress Update  
*Recommended Action: Receive and file.*
15. SGVCOG Committee Appointments & External Appointments  
*Recommended Action: Appoint X to the Metro San Gabriel Valley Service Council.*
16. Measure A Local Solutions Fund (LSF) Allocation Agreements  
*Recommended Action: Authorize the Executive Director to negotiate and execute all necessary agreements with the County of Los Angeles, Subrecipient Agencies, and service providers to receive Measure A LSF funding and implement a scope of work, including authority to negotiate and execute any future amendments related to budget and scope.*

Committee Items:

17. SCAQMD Proposed Amended Rules (PARs) 1111 and 1121 Comment Letter  
*Recommended Action: Authorize the Executive Director to submit a comment letter to SCAQMD on the Proposed Amended Rules 1111 and 1121.*  
*Previous Action: EENR Committee – Support/Oppose (7-0).*
18. State Legislative Positions  
*Recommended Actions:*
  - *Adopt Resolution 25-XX supporting AB 259 (Rubio)*
  - *Adopt Resolution 25-XX supporting SB 239 (Arreguín)*
  - *Adopt Resolution 25-XX supporting AB 888 (Calderon)*
  - *Adopt Resolution 25-XX supporting AB 226 (Calderon)*
  - *Adopt Resolution 25-XX supporting AB 239 (Harabedian)*

- *Adopt Resolution 25-XX supporting SB 616 (Rubio)*
- *Adopt Resolution 25-XX supporting AB 337 (Bennett)*

*Committee Action(s): Executive Committee – Support/Oppose (X-X); EENR Committee – Support/Oppose (8-0).*

**Program Continuation Items:**

19. Approval of Task Order 1 to the Professional Services Agreement with FCG Consultant Inc. for the San Antonio At-Grade Safety Improvements Project  
*Recommended Action: Authorize the Executive Director to negotiate and execute Task Order No.1 in a not-to-exceed amount of \$X for construction management services for the San Antonio Avenue At-Grade Safety Improvements Project, including authority to negotiate and execute any future amendments related to budget and scope.*  
*Previous Actions: The Executive Director was authorized to execute master agreements and task orders for construction management services with the approved bench of consultants by the SGVCOG Capital Projects Committee on August 12, 2024 – Support/Oppose (6-0).*
20. Approval of Agreement 14-07 Amendment No. 3 for the Pomona At-Grade Crossing and Safe Paths Pomona Pedestrian and Bike Safety Improvement Project at Main Street and Palomares Street  
*Recommended Action: Authorize the Executive Director to negotiate and execute Amendment No. 3, and future amendments, to Agreement 14-07 with RailPros Inc. to provide the final design services for the Pomona At-Grade Crossing and Safe Paths Pomona Pedestrian and Bike Safety Improvement Project at Main Street and Palomares Street.*  
*Previous Actions: The Executive Director was authorized to execute Amendment No. 2 to Agreement 14-07 with RailPros Inc. to provide final design services for the At-Grade Pomona Crossing Safety Improvements Project at Hamilton Blvd and Park Ave by the SGVCOG Capital Projects Committee on August 12, 2024 – Support/Oppose (6-0).*

**ACTION ITEM**

**30 MINUTES**

21. 15<sup>th</sup> Amended and Restated Bylaws Preview  
*Recommended Action: Authorize staff to place the proposed Fifteenth Amended and Restated Bylaws (“Proposed Bylaws”) on the agenda for the Governing Board’s consideration at its next regular meeting.*  
*Previous Actions: The Executive Director was authorized to take the following actions to create new affiliate positions: 1) Finalize a list of eligible agencies who wish to become affiliates to SGVCOG and seek letters of commitment from those agencies; 2) Prepare an amendment to the SGVCOG Bylaws that establishes the privileges, limitations, and dues structure set for affiliates, but limiting the committee representation of affiliates to members of their legislative body; and 4) Take any additional actions deemed necessary by SGVCOG General Counsel to enact the Affiliate Partnership Program by the Governing Board on February 20, 2025 – Support/Oppose (29-1).*

**UPDATE ITEMS**

**10 MINUTES**

22. President’s Report
23. Executive Director’s Report
24. General Counsel’s Report

**COMMITTEE/BOARD REPORTS**

**10 MINUTES**

- 25. Capital Projects and Construction Committee
- 26. Energy, Environment and Natural Resources Committee
- 27. Homelessness Committee
- 28. San Gabriel Valley Regional Housing Trust Board
- 29. Transportation Committee

**LIAISON REPORTS**

**10 MINUTES**

- 30. Executive Committee for Regional Homeless Alignment
- 31. Foothill Transit
- 32. Gold Line Foothill Extension Construction Authority
- 33. League of California Cities
- 34. Los Angeles County Metropolitan Transportation Authority
- 35. San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy
- 36. San Gabriel Valley Mosquito & Vector Control District
- 37. South Coast Air Quality Management District
- 38. Southern California Association of Governments

**ANNOUNCEMENTS**

- 39. Upcoming Governing Board Meetings
  - Regular Meeting – May 22, 2025 at 4pm

**GOVERNING BOARD MEMBER COMMENTS**

**ADJOURN**

DRAFT

# REPORT

---

DATE: April 7, 2025

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

FROM: Marisa Creter, Executive Director

RE: **15<sup>TH</sup> AMENDED AND RESTATED BYLAWS PREVIEW**

## **RECOMMENDED ACTION**

Review and recommend the Governing Board approve.

## **BACKGROUND**

The Proposed Bylaws would amend the current Fourteenth Amended and Restated Bylaws ("Bylaws") as follows:

- **Affiliate Partnership Program:** The Proposed Bylaws would establish an Affiliate Partnership Program to promote collaboration and COG participation among more public agencies in the San Gabriel Valley. The Program will allow public agencies, who share a partial or full jurisdiction with SGVCOG's boundaries and whose mission includes issue areas relevant to SGVCOG, to join certain COG activities and events. The Proposed Bylaws permit agencies participating in the Program to join committees and working groups, requiring that each agency be represented by a member of their legislative body. The Proposed Bylaws also establish that dues will be set for Program participants and that the Governing Board will have the power to appoint or remove agencies to the Program and subsequently to committees. Lastly, they specify that agencies participating in the Program will not be parties to the Joint Powers Authority and will not have the full rights of members.
- **Capital Projects & Construction Committee:** The Proposed Bylaws would clarify the membership of the Capital Projects & Construction Committee (CPCC). The current Bylaws reserve a seat on the CPCC for Member cities with a capital project or program under the project management of the SGVCOG. For capital projects that include multiple jurisdictions, each project may appoint one representative and the CPCC representative will rotate among the jurisdictions. The Proposed Bylaws revise this section to clarify that multi-jurisdictional projects may be represented by any Member from one of the jurisdictions by mutual agreement.

## **NEXT STEPS**

Article VIII of the Bylaws provides for a two-step process for amending the Bylaws. The proposed Amendment must be first presented to the Governing Board at a meeting prior to adoption. Once presented, the Governing Board may adopt the Amendment by resolution at next month's meeting.

# REPORT

---

A vote of fifty percent (50%) plus one (1) of the total voting membership of the Governing Board is required to adopt an Amendment.

Prepared by: *Stephan Wong*  
Steph Wong  
Principal Management Analyst

Approved by: *Marisa Creter*  
Marisa Creter  
Executive Director

## **ATTACHMENT**

[Attachment A – Track Change of Proposed Revisions to the Bylaws](#)

**SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS**

**A JOINT POWERS AUTHORITY**

**~~FOURTEENTH~~ FIFTEENTH AMENDED AND RESTATED BYLAWS**

**EFFECTIVE May ~~2218~~, 20232025**

TABLE OF CONTENTS

Preamble ..... 1

Article I - Definitions ..... 1

Article II - Membership and Representation ..... 1

    A. Membership..... 1

    B. Representation/Member(s)..... 1

**C. Affiliate Partnership Program** ..... **1**

---

Article III - Governing Board ..... **12**

    A. Powers and Duties..... **12**

    B. Meetings..... 2

    C. Voting..... 2

**D. Conduct** ..... **3**

---

Article IV - Executive Director ..... **23**

Article V - Other Officers and Employees..... 3

    A. Second and Third Vice Presidents. .... 3

    B. Secretary ..... 3

**C. Treasurer and Auditor** ..... **34**

    D. General Counsel..... 4

    E. Additional Officers, Employees, and Contractors..... 4

    F. Bonding Requirement..... 4

    G. Status of Members' Officers and Employees. .... **45**

    H. Vacancies ..... 5

    I. Election of Officers. .... 5

Article VI - Committees..... 5

    A. Committees..... 5

    B. Steering Committee ..... 5

    C. Standing Policy Committees and Ad Hoc Committees. .... **56**

    D. Capital Projects and Construction Committee..... 7

    E. Executive Committee..... **89**

Article VII - Budgets, Dues and Disbursements ..... 9

    A. Annual Budget..... 9

    B. Budget Amendments..... **910**

    C. Fiscal Year..... **910**

    D. Accounts..... **910**

    E. Expenditures Within Approved Annual Budget..... **1040**

    F. Audit..... **1040**

    G. Dues ..... **1040**

    H. Uses of Funds..... **1040**

Article VIII - Amendments ..... **1040**

**BYLAWS  
SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS  
PREAMBLE**

The San Gabriel Valley Council of Governments (the “Council”) is an agency voluntarily established by its Members pursuant to a Joint Powers Agreement (“Agreement”) for the purpose of providing a vehicle for the Members to engage in regional and cooperative planning and coordination of government services and responsibilities to assist the Members in the conduct of their affairs. In addition, the Council will provide a regional organization for the review of federal, state, and/or regional projects and studies which involve the use of federal, state and/or regional funds, in various forms.

**Article I - Definitions**

The terms “ACE Construction Authority,” “Alternate Governing Board Representative,” “Council,” “Governing Board,” and “Governing Board Representative,” as used in these Bylaws are defined in the Agreement and said definitions are incorporated herein by reference.

**Article II - Membership and Representation**

**A. Membership.** Members shall withdraw from or be admitted to the Council in accordance with Section 21 of the Agreement.

**B. Representation/Members.**

1. The Governing Board Representative and Alternate Governing Board Representative for a Member shall be designated by a resolution or similar official action of that Member’s legislative body.

2. Names of Governing Board Representatives and Alternate Governing Board Representatives shall be communicated in writing to the Governing Board by that Member’s legislative body.

3. Governing Board Representatives and Alternate Governing Board Representatives shall serve until a successor is appointed or until such time that a Representative ceases to serve in public office for his or her Member.

**C. Affiliate Partnership Program.**

1. Public agencies (a) whose geographical jurisdiction overlaps, in whole or in part, with the Council and (b) whose mission furthers the purpose for which the Council was formed shall be eligible to join as an Affiliate.

2. Affiliates shall not be Members of the Council or parties to the Agreement and shall have only those rights specifically set forth in these Bylaws.

3. A member of the legislative body of an Affiliate shall be eligible to participate on the Council’s committees and working groups as voting participants and to collaborate with the Council on matters of shared purpose; provided that Affiliates are not eligible to serve on the Capital Projects and Construction Committee or the Executive Committee. Membership on any committee shall be subject to approval as set forth in Article VI of these Bylaws.

4. The Council shall set dues for the Affiliate Partnership Program (“Program”) and appoint or remove agencies to the Program. If an Affiliate does not pay dues within three month of its dues assessment, and after a 30-day written notice is provided to that Affiliate, the



Affiliate shall be deemed to be suspended from the Program. When an Affiliate is suspended, no representative of that Affiliate shall participate or vote on any committee. Such Affiliate shall be readmitted to the Program only upon payment of all dues owed by that Affiliate.

### **Article III - Governing Board**

**A. Powers and Duties.** The powers and duties of the Governing Board, subject to the limitations of applicable law, the Agreement and these Bylaws, shall include:

1. All of the powers of the Council provided in Section 4 of the Agreement, except as may be expressly delegated to others pursuant to the provisions of the Agreement, these Bylaws or by the direction of the Governing Board, shall be exercised by and through the Governing Board.

2. Making policy decisions and determining policy matters for the Council.

3. Conducting the affairs of the Council.

4. Appointing, fixing the compensation of and removing an Executive Director, establishing positions and salary schedules for staff subordinate to the Executive Director, appointing and fixing the compensation of other officers of the Council, and conducting an annual performance review of the Executive Director.

5. Annually reviewing the proposed Council budget and proposed work plan submitted by the Executive Director and adopting an annual budget and a work plan.

6. Appointing Standing Policy Committees and Ad Hoc Committees, as necessary, to study specific problems, programs, or other matters which it has approved for study.

7. Based on the guidance of the General Counsel, keeping informed about and working to keep the Council in compliance with all applicable federal, state and local laws, statutes, codes, ordinances, regulations and rules that could affect the Council or any of its activities and projects.

8. Acting upon policy recommendations including those from committees.

**B. Meetings.**

1. Regular meetings of the Governing Board shall be held monthly, at such time, place, and location as the Governing Board may set by resolution from time to time, unless dispensed with by the Governing Board. Special meetings of the Governing Board may be called by the President. All meetings of the Council shall be called to order by the President. All meetings of the Council shall be called and conducted, and an agenda posted, in accordance with the Ralph M. Brown Act, Government Code Section 54950, *et seq.* (hereafter, "Brown Act"), as it now exists or may hereafter be amended.

2. Attendance at a Governing Board meeting by more than fifty percent (50%) of the Governing Board Representatives shall constitute a quorum. Suspended Members' Governing Board Representative shall not be counted toward a quorum.

**C. Voting.** Voting on the Governing Board shall be conducted as prescribed in the Agreement. Further, voting may be by voice, roll call or ballot vote. A roll call or a ballot vote shall be conducted upon the demand of five Governing Board Representatives, or at the discretion of the presiding officer, or when required by law. No secret ballots shall be employed. If ballot voting occurs all ballots must: identify the individual voting; be counted in and have the results reported in open session; and be available for public review. Further, if ballot voting is used for appointments to a committee or entity external to the Council, then: (1) all candidates are to be listed on a single ballot; (2) only one ballot is to be completed for each Governing Board Representative or Alternate present; (3) the candidate(s) receiving the highest number of votes,

which is at least a majority of those cast, is/are to be appointed consistent with the number of appointments to be made. Voting shall be reported as required by the Brown Act. If the Governing Board is considering a vote in closed session, prior to such vote the General Counsel shall advise the Governing Board that such action must be reported out in open session when required by the Brown Act, with identification of each Governing Board Representative's vote.

**D. Conduct.** All Governing Board Representatives and Alternate Governing Board Representatives shall conduct themselves in a civil, respectful, and professional manner in the performance of their duties.

#### **Article IV - Executive Director**

The powers and duties of the Executive Director of the Council, which may be modified by action of the Governing Board, are:

**A.** Subject to the authority of and as directed by the Governing Board, to serve as chief administrative officer of the Council and administer the affairs of the Council in compliance with all applicable federal, state, and local laws, statutes, codes, regulations and rules.

**B.** Except as to what may be reserved to the Governing Board, to hire, direct, discharge, and remove all employees of the Council and to retain and discharge consultants and to prescribe the duties and fix the compensation thereof.

**C.** Annually to prepare and present a proposed budget for the Council to the Governing Board for its approval and, after approval by the Governing Board, to maintain the expenditures of the Council within the approved budget, as may be amended from time to time by the Council.

**D.** Annually to prepare a proposed work plan for the Council that is consistent with the proposed annual budget and the currently effective strategic plan; to submit the proposed work plan to the Governing Board for its review, discussion, evaluation, and possible adoption; and to implement the work plan adopted by the Governing Board.

**E.** To ensure that consultants under contract to the Council procure insurance policies that provide adequate protection to the Council and that such policies are in accord with any policy limits and policy coverage requirements directed by the Governing Board.

**F.** To attend the meetings of the Governing Board.

**G.** To perform such additional duties as the Governing Board, these Bylaws, the Agreement, or applicable law may require.

#### **Article V - Other Officers and Employees**

**A. Second and Third Vice Presidents.** Second and Third Vice Presidents of the Council shall be elected annually as officers of the Council at the same time and in the same manner as the President and First Vice President of the Council, whose election is described in Section 11 of the Agreement. Any Governing Board Representative who is not already an officer of the Council may be elected as Second or Third Vice President. The Second Vice President shall serve as President in the absence of the President and First Vice President and shall perform such duties as may be required by the Agreement, these Bylaws, or by direction of the Governing Board or the President. The Third Vice President shall so serve in the absence of the President, First Vice President, and Second Vice President.

**B. Secretary.** The Executive Director, or his or her designee, shall be the Secretary of the Council but shall not be an officer of the Council. The Secretary shall perform and/or oversee the usual and customary ministerial duties of such position.

**C. Treasurer and Auditor/Controller.** As set forth in Government Code section 6505, *et seq.*, and in particular, section 6505.6, and Section 13 of the Agreement, the Treasurer of the Council and the Auditor/Controller of the Council may be the same person and may be a contract employee or independent contractor of the Council. If the Treasurer and Auditor/Controller are not the same person, each shall have the duties and responsibilities set forth herein. The Treasurer and Auditor/Controller shall not be an officer of the Council. The duties and responsibilities of the Treasurer and Auditor/Controller are:

1. The Treasurer and Auditor/Controller shall possess those powers perform those functions described in Government Code sections 6505, 6505.5 and 6505.6, all other applicable laws and regulations, including any subsequent amendments thereto, the Agreement, these Bylaws, and as directed by the Governing Board.

2. The Treasurer and Auditor/Controller shall have custody of all Council funds and shall provide for strict accountability thereof in accordance with Government Code section 6505.5 and other applicable laws or grant or other funding requirements.

3. The Treasurer and Auditor/Controller shall annually cause an independent audit to be made of the Council by a certified public accountant, in accordance with Government Code sections 6505 and 6505.6, and shall present such audit to the Governing Board at one of its meetings and be available to answer any questions. Together with the Executive Committee, the Treasurer and Auditor/Controller shall recommend the independent auditor for the annual audit of the Council and all of its special funds, develop the scope of work for the audit, and review and comment on the preliminary and final audit reports prior to their presentation to the Governing Board.

4. Pursuant to Section 13 of the Agreement the SGVCOG Finance Director shall perform the duties of Treasurer and Auditor/Controller unless the Governing Board designates a different person by way of resolution.

**D. General Counsel.** The Governing Board shall appoint a qualified person or firm to serve as the General Counsel to the Council on any basis it desires, including, but not limited to, a contract or an employment basis. The General Counsel shall perform duties as directed by the Council, including, but not limited to, the review of meeting agendas and agenda reports, administrative policies, contracts and agreements, and procedures for compliance with state, federal and local laws, including the Brown Act.

**E. Additional Officers, Employees, and Contractors.** The Governing Board shall have the power to appoint, engage or employ such additional officers, employees, and independent contractors as may be appropriate. Such officers, employees, and independent contractors may also be, but are not required to be, officers and employees of the individual Members. None of the officers, employees, or independent contractors appointed by the Governing Board shall be deemed, by reason of their employment by the Governing Board, to be employed by any of the Members or, by reason of their employment by the Governing Board, to be subject to any of the requirements of such Members.

**F. Bonding Requirement.** Pursuant to the requirements of Government Code section 6505.1, the Governing Board shall designate which officers or persons will have charge of, handle, or have access to any property of the Council. Each such designated officer or person shall be required to file an official bond with the Governing Board, at the expense of the Governing

Board, in an amount which shall be established by the Governing Board. Should the existing bond or bonds of any such officers be extended to cover the obligations provided herein, said bond shall be the official public bond required herein. The premiums of any such bonds attributable to the coverage required herein shall be appropriate expenses of the Council. The Governing Board may also direct the purchase of appropriate insurance policies to supplement said bonds and the costs of such insurance policies shall be borne by the Council. The Council may procure an insurance policy in lieu of an official bond pursuant to Government Code section 1463.

**G. Status of Members' Officers and Employees.** As provided in Government Code section 6513, all of the privileges and immunities from liability and other benefits which apply to the activities of officers, agents, or employees when performing their respective functions within the territorial limits of their respective public agencies shall apply to them while engaged in the performance of any of their functions and duties extraterritorially under the Agreement.

**H. Vacancies.** In the event of a mid-term vacancy in an officer position, the officer in the next successive position shall fill that position for the remainder of the term, and every successive officer below shall accordingly move up one position. The Executive Committee shall recommend candidates to the Governing Board for the remaining vacant position, and the Governing Board shall hold an election for that position. The order of succession shall be as follows: President, First Vice President, Second Vice President, and Third Vice President.

**I. Election of Officers.** In the event an election of new officers is not held prior to the expiration of the terms of those current officers, the terms of those current officers shall extend automatically, and the current officers will continue to serve in their respective positions until an election of new officers is held and a successor elected. Officers shall be elected by vote of a majority of those voting.

## **Article VI - Committees**

**A. Committees.** The Governing Board may establish Committees as it deems necessary and/or beneficial to the Council. Each Committee shall be established for the purpose of providing input, as may be requested by the Governing Board, a Council committee or as determined by the Committee itself, to report to the requesting body on matters including, but not limited to, Council work programs, budgets, priorities, policies, programs and practices. The delegation of any of the Governing Board's powers and duties to a committee shall not preclude the Board from exercising such powers and duties itself.

Each Committee member may designate an alternate to serve in the absence of, and vote on behalf of, the member. Each Committee shall elect a Chair and Vice Chair by a majority vote of the members of the Committee. Each Committee appointed by the Governing Board shall meet in accordance with a schedule determined by the Governing Board and, when applicable, all meetings will be held in accordance with the Brown Act.

**B. City Managers' Steering Committee.** There shall be a Steering Committee composed of City Managers ("City Managers' Steering Committee"), to provide assistance, input, guidance, and support as requested by the Governing Board and/or the Executive Committee. The City Managers' Steering Committee may also serve as a conduit between SGVCOG staff and Member city staff in furthering regional goals and programs as directed by the SGVCOG Governing Board. The Chair of the City Managers' Steering Committee shall sit as an ex officio, non-voting member of the Executive Committee.

The City Managers' Steering Committee shall meet at least quarterly. All meetings of the City Managers' Steering Committee shall be held in accordance with the Brown Act.

**C. Standing Policy Committees and Ad Hoc Committees.** The Governing Board or the President, as set forth below, may establish Standing Policy and Ad Hoc Committees and appoint their members ("Committee Members"). The Standing Policy Committees shall be established for the purpose of developing policy recommendations to the Governing Board or the Executive Director in specific functional areas consistent with the overall mission of the Council. Standing Policy Committees may be created to address transportation, emergency management, housing, homelessness, solid waste, environmental matters, and other matters considered important by the Governing Board.

Ad Hoc Committees shall be formed to study and advise on specific matters of concern to the Governing Board. All Committees shall have a clearly defined purpose. The President of the Governing Board ~~may~~, as he or she deems necessary, or the Governing Board, by a majority vote of a quorum, may create Ad Hoc Committees and appoint their members for limited terms and advisory purposes only. President's Ad Hoc Committees may consist of Governing Board Representatives and Alternate Governing Board Representatives, members of ~~the a Member's~~ legislative body ~~or a Member~~, Affiliates, city managers, or city or County staff. Ad Hoc Committees are subject to the Brown Act unless they solely consist of less than a quorum of Governing Board Representatives.

The Governing Board shall appoint "Committee Members" of the Standing Policy Committees each June and, as appropriate throughout the year, with the intention of encouraging maximum participation in committee activities. Committee Members shall be Governing Board Representatives, Alternate Governing Board Representatives, members of a Member's legislative body, Affiliates, city managers, or city or County staff. No Member may have more than one Committee Member on any Standing Policy or Ad Hoc Committee. The Committee Members of the Standing Policy Committees shall be appointed for terms which shall expire, regardless of the appointment date, at the end of the Fiscal Year of the Council as defined in Article VII. C.

The term of a Committee Member representing a Member that has withdrawn or been suspended in accordance with Section 21 of the Agreement shall terminate upon the effective date of the withdrawal or suspension of said Member. In appointing Committee Members, the President and Governing Board shall consider regional representation.

Unless otherwise provided in these Bylaws, a quorum of each Standing Policy Committee shall be forty percent (40%) of its membership. A quorum of each Ad Hoc Committee shall be a majority of its membership. All actions taken by either type of Committee will be by a majority of those Committee Members present with a quorum in attendance. If a Committee's membership includes a Governing Board Representative or an Alternate Governing Board Representative, it shall be chaired by such a person who shall be selected by a majority vote of the Committee Members. All meetings of the Standing Policy Committees and when required, of the Ad Hoc Committees, shall be held in accordance with the Brown Act. All Committee Members shall be voting members unless limited voting is approved for a Committee by the Governing Board upon the recommendation of the Chair of that Committee. All Committee Members may designate an alternate to act on their behalf at any Committee meeting ("Alternate Member"). Each Alternate Member so designated may vote on behalf of the Committee Member the Alternate Member represents. If a Committee Member is absent from three consecutive meetings of any Standing Policy Committee, then the membership of the Committee Member will be terminated, however, subsequent re-appointment of the terminated Committee Member can be made by the Governing

Board. A Committee Member or his/her Alternate Member may be removed with or without cause by a majority vote of Governing Board Representatives attending a Governing Board meeting or if appointed by the President at his or her discretion.

When the Governing Board or any Committee deems it appropriate to have Committee representation by district within the San Gabriel Valley, the following descriptions of each district shall be used:

- Northeast: Azusa, Claremont, Glendora, La Verne, San Dimas
- Southeast: Covina, Diamond Bar, Industry, La Puente, Pomona, Walnut
- Central: Baldwin Park, El Monte, Rosemead, South El Monte, Irwindale, West Covina
- Southwest: Alhambra, Montebello, Monterey Park, San Gabriel, South Pasadena, Temple City
- Northwest: Arcadia, Bradbury, Duarte, La Canada Flintridge, Monrovia, Pasadena, San Marino, Sierra Madre

#### **D. Capital Projects and Construction Committee.**

There shall be a Capital Projects and Construction Committee (“CPCC”), whose members will be appointed by the Governing Board and shall be a member of a Member’s legislative body. The President of the Governing Board shall be a CPCC member. A Los Angeles County Supervisor whose district is a Member may also be nominated to serve as a CPCC member. A Member whose jurisdiction encompasses a capital improvement project for which SGVCOG serves as the primary project manager may appoint one representative to the CPCC. Such Members may maintain an appointed representative on the CPCC until a Notice of Completion of all projects within their jurisdiction has been filed at which time the membership shall automatically terminate, and no replacement CPCC member shall be appointed. If an ongoing capital improvement project or program includes multiple jurisdictions, the Members in such jurisdictions shall nominate one representative and one alternate to represent them. If the Members cannot agree on a nomination, then the Governing Board shall determine the representative and alternate without the nomination.

A Member may only have one CPCC member. Additional CPCC members shall be nominated at large by a majority of a quorum of the CPCC at its meeting in April of each year and the Governing Board shall consider such nominees for appointment at the same time it considers appointments to other Standing Policy Committees. In no event shall at large CPCC members be appointed if it would cause the CPCC membership to exceed 13 CPCC members.

The CPCC shall be chaired by a Governing Board Representative or an Alternate Governing Board Representative selected by a vote of the CPCC members. All CPCC members shall be voting members unless limited voting is approved by the Governing Board upon the recommendation of the Chair of the CPCC. The CPCC’s quorum shall be fifty percent of the CPCC members. All actions taken by the CPCC will be by a majority of a quorum in attendance. All CPCC members may designate an alternate to act on their behalf at any Committee meeting (“Alternate”), who shall be a member of a Member’s legislative body. Each Alternate member so designated may vote on behalf of the CPCC member the Alternate represents. If a CPCC member is absent from three consecutive CPCC meetings, then the membership of the CPCC member will automatically terminate. The term of a CPCC member representing a Member that has withdrawn or been suspended in accordance with Section 21 of the Agreement shall be terminated or suspended upon the effective date of the withdrawal or suspension of the Member and in the event of suspension, re-instated upon termination of the suspension.

The CPCC shall report to the Governing Board. It shall advise and make recommendations for a plan of construction projects throughout the San Gabriel Valley for which Council staff will seek funding through available revenue, agreements, loans, and grants. The Governing Board shall have approval authority with respect to whether any such project is to be undertaken and any related cooperative agreements between the SGVCOG and a city and/or county. However, to facilitate implementation of approved projects, the CPCC, subject to such restrictions imposed by Federal, State and local governmental entities and by the Governing Board, shall have the following powers to act on behalf of the Council:

1. To approve contracts for execution by the Executive Director, including contracts for environmental review, design, materials and construction, and for the services of engineers, consultants, planners, single purpose public or private groups, and betterment agreements, on behalf of and in the name of the Council;

2. On behalf of and in the name of the Council, to acquire by purchase, construct, reconstruct, rehabilitate, maintain or dispose of in whole or in part, land, facilities and appurtenances necessary or convenient for the completion of the approved projects. The CPCC shall review resolutions of necessity prior to consideration by the Governing Board and determine whether the resolutions of necessity should be forwarded to the Governing Board for consideration. Upon receiving the CPCC's recommendation to consider the resolutions of necessity and compliance with the notice and hearing requirements in the Eminent Domain Law, Code of Civil Procedure sections 1230.010-1273.050, the Governing Board shall determine whether the resolution of necessity is to be adopted. Any person who has appeared before and/or submitted written comments to the CPCC shall be deemed to have appeared before and/or submitted such comments directly to the Governing Board and to the extent of such appearance and/or comments, exhausted their administrative remedies. Any recommendation of the CPCC to consider adoption of a resolution of necessity and any public comments received at the CPCC hearing thereon shall then be transmitted to the Governing Board for a final decision on the resolution of necessity;

3. To provide for or obtain insurance for the Council and its agents, officers, and employees with respect to projects under its purview;

4. To conduct studies to satisfy the requirements of the California Environmental Quality Act and National Environmental Policy Act approvals, and to certify such studies and reports;

5. To make grant applications, approve of designs and plans, obtain agency permits, and authorize all actions necessary for the funding, design and construction of projects approved by the Governing Board;

6. To oversee the construction of projects approved by the Governing Board, including public bidding, contracting, building, change orders, final acceptance, filing of a Notice of Completion (which shall be required for all projects), and any related litigation.

The powers of the CPCC shall be exercised only in furtherance of projects approved by the Governing Board. The CPCC shall keep itself informed of and comply with all applicable federal,

state and local laws, statutes, codes, ordinances, regulations and rules governing the implementation of projects. Decisions of the CPCC may be called up for review by the Governing Board upon the written request of at least seven (7) Governing Board Representatives made within ten (10) days of the decision to be reviewed and only if the decision does not follow the staff's recommendation.

**E. Executive Committee.** The elected officers of the Council, the most recent past President of the Council if currently serving as a Governing Board Representative or Alternate, and the Chairpersons of all Council Standing Policy Committees who are members of a Member's legislative body, shall comprise an Executive Committee, whose Chairperson shall be the President of the Council. Each of these members shall have one vote. The Metropolitan Transportation Authority San Gabriel Valley Sector Board of Directors Appointee shall be an ex officio, non-voting member of the Executive Committee. The Executive Committee will meet monthly on a date and at a location selected by the Executive Committee to consider and provide guidance on matters being considered for inclusion on Governing Board agendas and on other matters as directed by the Governing Board. A quorum of the Executive Committee shall be a majority of its voting members and all actions shall be by a majority of a quorum. All meetings of the Executive Committee shall be held in accordance with the Brown Act.

The Executive Committee shall, together with the Treasurer and Auditor/Controller, recommend the independent auditor for the annual audit of the Council and all of its special funds, develop the scope of work for the audit, and review and comment on the preliminary and final audit reports prior to their presentation and approval by the Governing Board; oversee the investment of Council funds in accordance with the Council's investment policy; review and modify the Council's investment policy when required; review the adequacy of the insurance policies purchased for the benefit of the Council; monitor compliance of the Council with applicable federal, state and local laws, ordinances, statutes, codes and regulations; and undertake those additional assignments as directed by the Governing Board. The Executive Committee shall also review and monitor all matters related to the Council's financial affairs including reviewing quarterly financial reports, audits conducted by external auditors and agencies, grant compliance and bond issuance as well as any matters related to best management practices or state/federal requirements.

## **Article VII. Budgets, Dues and Disbursements**

**A. Annual Budget.** The Governing Board shall adopt a Budget annually prior to July 1 of each calendar year. The Budget shall: present projected revenues by source and by program on both a quarterly and annual basis; present projected expenses categorized by type of expense and by program both on a quarterly and annual basis; include separate schedules for special programs of the Council showing projected revenues and projected direct and allocated expenses; include a summary balance sheet for the current fiscal year and for the budget year; include projected capital expenditures; include comparisons between the budget, and the estimated actual current year results; and include the projected year-end cash position of the Council.

**B. Budget Amendments.** The Governing Board may, at any time, amend the budget to incorporate additional income and disbursements that might become available to or be required of the Council during a fiscal year.



**C. Fiscal Year.** The Council shall be operated on a fiscal year basis beginning on July 1 of each year and continuing until June 30 of the next year.

**D. Accounts.** All funds shall be placed in appropriate accounts and the receipt, transfer, or disbursement of such funds shall be accounted for in accordance with generally accepted accounting principles applicable to governmental entities and pursuant to Government Code section 6505 and any other applicable laws. There shall be strict accountability of all funds. All revenues and expenditures shall be reported to the Governing Board.

**E. Expenditures within Approved Annual Budget.** All expenditures shall be made within the approved annual budget as may be amended from time to time. No expenditures in excess of those budgeted shall be made without the approval of the Governing Board.

**F. Audit.** The records and accounts of the Council shall be audited annually by an independent certified public accountant, in compliance with Government Code sections 6505.5 – 6505.6, and copies of such audit report shall be filed with each Member of the Council and any other entities required by Government Code section 6505 no later than fifteen (15) days after receipt of said audit by the Governing Board.

**G. Dues.** The Members of the Council shall be responsible for payment to the Council, annually, of dues in the amounts annually budgeted by the Governing Board for the operating costs of the Council (“Dues”). If there is any proposed change to the method by which dues are calculated, thirty (30) days’ notice shall be provided to Members prior to the meeting at which the proposed change will be considered. Thirty (30) days’ notice shall be provided to Members of the date by which Dues are to be submitted, which shall be July 1 each year.

The Governing Board may waive dues or approve payment arrangements of dues as it deems appropriate.

**H. Uses of Funds.** Grant funds received by the Council from any federal, state, or regional agency to pay for budgeted expenditures for which the Council has received all or a portion of said funds from the parties hereto shall be used as determined by the Governing Board and in accordance with the terms of any such grants and applicable laws.

### **Article VIII. Amendments**

These Bylaws may, from time to time and at any time, be amended or repealed, and new or additional bylaws adopted, by approval of the Council; provided, however, that the Bylaws may not contain any provision in conflict with any applicable laws or with the Agreement. Amendments to these Bylaws may be proposed by a Governing Board Representative or by the Executive Director. Any Amendment shall be submitted for informational purposes to the Governing Board at a meeting at least one month prior to the meeting at which the Amendment is voted upon. A vote of fifty percent (50%) plus one (1) of the total voting membership of the Governing Board is required to adopt an Amendment.

# REPORT

DATE: April 7, 2025

TO: Executive Committee

FROM: Marisa Creter, Executive Director

RE: **WAIVER TO REPRESENT LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY**

## **RECOMMENDED ACTION**

Authorize the Executive Director to execute a waiver approving the SGVCOG's general counsel law firm, Woodruff & Smart, to represent the Los Angeles County Metropolitan Transportation Authority ("Metro") in eminent domain matters.

## **BACKGROUND**

On February 13, 2025, Metro reached out to two of my partners in our firm's eminent domain practice regarding the possible engagement of Woodruff & Smart to assist Metro with eminent domain matters for its projects. Pursuant to the professional rules of conduct governing attorneys in California, a lawyer may not, without the informed written consent of each client represent a client if the representation is directly adverse to another client in the same or separate matter. Specifically, and in relevant part, California Rules of Professional Conduct, Rule 1.7 provides:

*(a) A lawyer shall not, without informed written consent from each client and compliance with paragraph (d), represent a client if the representation is directly adverse to another client in the same or separate matter.*

*(b) A lawyer shall not, without informed written consent from each affected client and compliance with paragraph (d), represent a client if there is a significant risk the lawyer's representation of the client will be materially limited by the lawyer's responsibilities to or relationships with another client, a former client or a third person, or by the lawyer's own interests.*

*(d) Representation is permitted under this rule only if the lawyer complies with paragraphs (a), (b), and (c)<sup>1</sup>, and:*

*(1) the lawyer reasonably believes that the lawyer will be able to provide competent and diligent representation to each affected client;*

*(2) the representation is not prohibited by law; and*

*(3) the representation does not involve the assertion of a claim by one client against another client represented by the lawyer in the same litigation or other proceeding before a tribunal.*

Although Woodruff & Smart is not aware of any matters in which the SGVCOG's interest and Metro's interest have been or are directly adverse either in the same or separate matter, there is the potential that such an adverse interest could arise in the future. Metro is a primary funding source

---

<sup>1</sup> Paragraph (c) relates to situations when paragraph (b) does not apply.

# REPORT

---

for the SGVCOG capital projects and we represent the SGVCOG in negotiations with Metro with respect to funding and other agreements, although the SGVCOG's and Metro's interests in such agreements have not been adverse to date.

Pursuant to the waiver, a draft of which is attached, we would continue to represent the SGVCOG in all matters involving Metro just as we currently are doing; provided that if the SGVCOG and Metro were involved in an arbitration or litigation in which their interests were adverse, we could not represent either Metro or the SGVCOG without a specific written waiver from both for that matter. In addition, SGVCOG's General Counsel and Assistant General Counsel would not perform any work for Metro and our legal services to Metro would be limited to property acquisitions. Metro has informed Woodruff & Smart that it would provide a similar waiver and a copy of that waiver to the Executive Director.

Prepared by: David DeBerry  
David DeBerry  
General Counsel

Approved by: Marisa Creter  
Marisa Creter  
Executive Director

## **ATTACHMENT**

[Attachment A - Draft Waiver Letter](#)

# WOODRUFF

Woodruff & Smart  
A Professional Corporation

TO: President Hepburn and Members of the Executive Committee  
Marisa Creter, Executive Director

FROM: David DeBerry, General Counsel

DATE: April 7, 2025

RE: Conflict Waiver

---

Pursuant to a staff report to the Executive Committee on April 7, 2025, this memorandum is to confirm that the Executive Committee authorized Executive Director Marisa Creter to waive any objection, to the extent provided herein, of a potential conflict of interest with respect to Woodruff & Smart's representation of the SGVCOG as its General Counsel and the Los Angeles County Metropolitan Transportation Authority (Metro) in property acquisition matters. Limits on the waiver are that the SGVCOG's General Counsel and Assistant General Counsel will not perform any work for Metro, Woodruff & Smart will not provide legal services to Metro outside of property acquisition services, Woodruff & Smart attorneys who work on Metro property acquisition matters will not advise the SGVCOG on the negotiation and interpretation of agreements to which Metro is a party, and should litigation, arbitration, or ADR be instituted in which the SGVCOG's and Metro's interests are adverse to each other during the time that Woodruff & Smart is performing legal services for both the SGVCOG and Metro, Woodruff & Smart will be unable to represent the SGVCOG or Metro in that matter in the absence of a specific waiver from both clients. Otherwise, we will continue to fully represent the SGVCOG as General Counsel in its dealings with Metro.

Rule 1.7 of the California Rules of Professional Conduct provides in pertinent part:

*(a) A lawyer shall not, without informed written consent from each client and compliance with paragraph (d), represent a client if the representation is directly adverse to another client in the same or separate matter.*

*(b) A lawyer shall not, without informed written consent from each affected client and compliance with paragraph (d), represent a client if there is a significant risk the lawyer's representation of the client will be materially limited by the lawyer's responsibilities to or relationships with another client, a former client or a third person, or by the lawyer's own interests.*

*(c) Even when a significant risk requiring a lawyer to comply with paragraph (b) is not present, a lawyer shall not represent a client without written disclosure of the relationship to the client and compliance with paragraph (d) where: (1) the lawyer has, or knows that another lawyer in the lawyer's firm has, a legal, business, financial, professional, or personal relationship with or*

## Attachment A

Marisa Creter, Executive Director

April 7, 2025

Page 2

*responsibility to a party or witness in the same matter; or (2) the lawyer knows or reasonably should know that another party's lawyer is a spouse, parent, child, or sibling of the lawyer, lives with the lawyer, is a client of the lawyer or another lawyer in the lawyer's firm, or has an intimate personal relationship with the lawyer.*

*(d) Representation is permitted under this rule only if the lawyer complies with paragraphs (a), (b), and (c), and:*

*(1) the lawyer reasonably believes that the lawyer will be able to provide competent and diligent representation to each affected client;*

*(2) the representation is not prohibited by law; and*

*(3) the representation does not involve the assertion of a claim by one client against another client represented by the lawyer in the same litigation or other proceeding before a tribunal.*

As noted in the above-referenced staff report and herein, although Woodruff & Smart is not aware of any matters in which the SGVCOG's interest and Metro's interest have been or are directly adverse either in the same or separate matter, there is the potential that such an adverse interest could arise in the future. The SGVCOG has entered into a number of funding agreements with Metro, as well as cooperative agreements in which the SGVCOG implements the construction of Metro initiated projects and Metro has oversight, including auditing of such contracts. Similar such agreements with Metro are anticipated in the future and, excepted as limited above, Woodruff & Smart has and will continue to represent the SGVCOG in negotiations with Metro on these matters, as well as in situations in which questions regarding existing agreements arise.

In executing this conflict waiver below on behalf of the Executive Committee, the SGVCOG agrees to waive potential conflicts to the extent provided herein.

Thank you for your consideration in this matter and we look forward to continuing to serve the SGVCOG.

Sincerely,

---

David DeBerry, General Counsel

On behalf of the Executive Committee, the SGVCOG provides its informed consent to and waives its objections, to the extent provided herein, of any potential conflict of interest arising out of Woodruff & Smart's concurrent representation of the SGVCOG and Metro.

---

Marisa Creter, Executive Director

Dated: April 7, 2025

# REPORT

---

DATE: April 7, 2025

TO: Executive Committee  
City Managers' Steering Committee  
Governing Board

FROM: Marisa Creter, Executive Director

RE: **DRAFT FY 2025-2026 BUDGET**

## **RECOMMENDED ACTION**

For information only.

## **BACKGROUND**

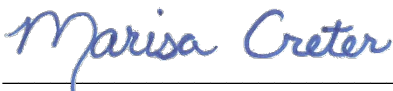
In accordance with the SGVCOG's bylaws, the Governing Board shall adopt the annual agency budget prior to July 1 of each calendar year. The draft budget is presented to the Executive Committee, City Managers' Steering Committee and the Governing Board for review and feedback. After this initial review and feedback, the budget is modified as needed and then presented to the Governing Board for adoption in May. The budget is organized by sections to highlight the work of all SGVCOG departments as follows:

- Executive
- Administrative Services
- Capital Projects
- Finance
- Government & Community Relations
- Planning & Programs

Each department section outlines key accomplishments from the previous year and upcoming fiscal year objectives.

Attachment A provides a copy of the complete draft SGVCOG FY 2025-2026 budget.

Prepared by:   
Katie Ward  
Administrative Services Manager

Approved by:   
Marisa Creter  
Executive Director

## **ATTACHMENT**

[Attachment A – Draft SGVCOG FY 2025-2026 Budget](#)