

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To: Matthew Fertal
Dept.: City Manager
Subject: AMENDED ORANGE COUNTY COUNCIL
OF GOVERNMENTS JOINT POWERS
AGREEMENT

From: Maria Stipe
Dept.: City Manager
Date: August 25, 2009

OBJECTIVE

To request City Council approval of an amended and restated Orange County Council of Governments (OCCOG) Joint Powers Agreement.

BACKGROUND

As a 40-member joint powers authority, OCCOG serves as an official subregion of the Southern California Association of Governments (SCAG).

OCCOG – through its Board of Directors of elected Orange County representatives, its representatives on SCAG’s Governing Board and policy committees, and its Technical Advisory Committee – provides a coordinated mechanism for Orange County technical and policy recommendations to be issued on SCAG plans and programs and on behalf of its member agencies. Key areas include:

- protecting Orange County interests in SCAG’s adoption of a Regional Housing Needs Assessment (RHNA) allocation to local jurisdictions in the six-county SCAG region;
- protecting a local, bottoms-up development of the Orange County Projections, which represents Orange County’s official growth forecast for local, countywide and regional planning;
- adopting the Orange County official growth forecast, which is now required by statute to be used for RHNA allocations and for regional transportation planning; and,
- providing input and recommendations on new requirements relating to SB 375 and its Sustainable Communities Strategy, which seeks to reduce greenhouse gas emissions by shifting future and higher-intensity growth near transit stations and facilities.

An Information Sheet that summarizes background information on OCCOG is provided in Attachment 1.

Forty agencies are currently members of OCCOG. Member Agencies include all Orange County cities, the County of Orange, Orange County Transportation Authority, the Transportation Corridor Agencies, and Orange County special districts, including the Orange County Sanitation District and the Independent Special Districts of Orange County.

DISCUSSION

In 2009, the OCCOG Board of Directors completed a comprehensive revision to the original 1996 OCCOG joint powers agreement provisions. The OCCOG Board recognized the need to amend and restate the original joint powers agreement to: update its references to OCCOG's administration and establish an OCCOG Executive Director; streamline and make consistent provisions relating to the joint powers agreement and OCCOG bylaws; and update the references to the member agencies and their voting on the OCCOG board.

Key provisions of the amended and restated OCCOG joint powers agreement are detailed in the Information Sheet: Attachment 1. In particular, the amended and restated OCCOG joint powers agreement provides the authority for OCCOG to:

1. Establish annual membership dues to assist in financing its operation – which had been previously absorbed by certain volunteer cities – and which was a key recommendation of the Orange County City Managers Association; and,
2. broadens the powers of OCCOG to be able to retain staff and consultants to conduct its responsibilities as a SCAG subregion.

The OCCOG Board of Directors, at its meeting of June 25, 2009, unanimously adopted the amended and restated joint powers agreement, and requests that said agreement be transmitted to each OCCOG member agency for review, approval and execution.

Further, a 2009 comprehensive amendment to the OCCOG bylaws was also adopted by the OCCOG Board on June 25, 2009. The revised bylaws require that any elected official that represents OCCOG – including any OCCOG Board Member and Alternate, and any elected official serving as an OCCOG Subregional Representative on SCAG's policy committees – be from a dues-paying OCCOG Member Agency in good standing.

Membership in the OCCOG will effectively serve and protect the interests of the community. Presently, a new cycle of RHNA, updated growth forecasts, and a 2012 regional transportation plan are under technical development at SCAG. Overlaid over these traditional requirements will be the new requirements imposed by SB375, which mandate that land use, RHNA, and transportation planning be

integrated and accomplished within a framework of air quality and greenhouse gas emissions reductions.

By executing the amended and restated joint powers agreement, the City will be able to achieve economies of scale and cost effectiveness in monitoring and addressing these state and regional issues and maintaining a coordinated Orange County voice through OCCOG's representatives.

FINANCIAL IMPACT

The annual membership dues are \$5,000 for FY 2009-10 (based on population) and will be absorbed within the current budget.

COMMUNITY VISION IMPLEMENTATION

OCCOG membership will help protect the City's interests related to housing, regional transportation planning, and environmental compliance and regulation.

RECOMMENDATION

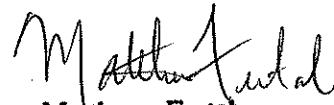
It is recommended that the City Council:

- Adopt the attached resolution approving and authorizing the execution of an amended and restated Orange County Council of Governments (OCCOG) Joint Powers Agreement; and,
- Authorize the Mayor to execute the amended and restated Joint Powers Agreement, and transmit the signed OCCOG Joint Powers Agreement to the OCCOG Interim Executive Director.

Recommended for Approval



MARIA STIPE
Assistant to the City Manager



Matthew Fertal
City Manager

Attachment 1: OCCOG Information Sheet
Attachment 2: Resolution and OCCOG Joint Powers Agreement
Attachment 3: OCCOG Bylaws