

**METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS  
777 North Capitol Street, N.E.  
Washington, D.C. 20002-4290**

**MINUTES  
Board of Directors' Meeting  
COG Board Room**

**November 12, 2009**

**BOARD MEMBERS, ALTERNATES AND PARTICIPANTS PRESENT AND NOT PRESENT**

**\*SEE ATTACHED CHART FOR ATTENDANCE**

**STAFF**

**David J. Robertson, Executive Director  
Lee Ruck, General Counsel  
Nicole Hange, Clerk to the Board**

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**1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Chairman Gross called the meeting to order at 12:05 p.m.

**2. APPROVAL OF MINUTES OF OCTOBER 14 MINUTES**

The minutes of the October 14 meeting were unanimously approved and adopted.

**3. AMENDMENTS TO THE AGENDA**

There were no amendments to the agenda.

#### **4. CHAIRMAN'S ANNOUNCEMENTS**

Chairman Gross reminded the Board of COG's upcoming Annual Meeting and Awards Luncheon and the need for award nominations. The meeting will be held on December 9 at the Renaissance Hotel and will focus on strengthening COG's relationship with the federal government. The keynote address will be given by Mr. Ron Sims, the Deputy Secretary for the Department of Housing and Urban Development. In addition to discussing new opportunities for cooperation with the Obama administration, Deputy Secretary Sims, the former County Executive for King County in the state of Washington, will offer the perspective of a local elected official.

In the wake of last week's elections, Chairman Gross congratulated all that were elected or re-elected. Newly elected officials were already sworn in at the City of Greenbelt and the City of Takoma Park. Over the next few weeks, COG staff will reach out to new members to get them engaged in our regional work. She welcomed Emmett Jordan, the new Mayor pro-tem of Greenbelt, who served as the alternate for Mayor J Davis.

Chairman Gross recognized City of Frederick Alderman Alan Imhoff who was unsuccessful in his is re-election campaign and who has been a real champion of COG's work. She presented to him, on behalf of the entire Board, a plaque thanking him for his dedication and service.

Subsequent to the last Board meeting's presentation on the Chairman's trip to China and a security issue surrounding the planned Martin Luther King Memorial and its Chinese sculptor; COG transmitted a letter to the National Capital Planning Commission requesting that the issue be quickly resolved. It has been, and the memorial planning is underway.

#### **5. EXECUTIVE DIRECTOR'S REPORT**

Mr. Robertson stated that he co-hosted and spoke at the American Planning Association's Mid-Atlantic Planning Roundtable. He also attended and spoke at the Leadership Greater Washington housing foreclosure conference on October 28, co-hosted by COG; the Urban Institute released a new study on housing foreclosure at the conference.

Mr. Robertson also met with Steward Beckham, the new director of the U.S. Department of Homeland Security, Office of National Capital Region Coordination; an office COG had advocated for the creation of after September 11, 2001.

COG received several media hits in the last month including Senator Cardin's presentation to the Board on his Chesapeake Bay restoration bill and the Transportation Planning Board's approval of the submission of a grant application, with the Brookings Institution, to study potential public support for road pricing to fund transportation.

Mr. Robertson announced two state outreach events planned during the upcoming sessions of the Maryland and Virginia General Assemblies; January 21 COG will host a breakfast in Richmond and a lunch February 4 in Annapolis. Save-the-dates will be mailed in the coming weeks.

In addition to the mailed material, the Board was given a revised version of the Rules of Procedure as amended during the October meeting and an H1N1 information flyer for each of the states and the District of Columbia.

## **6. CONSENT AGENDA**

Supplemental Documents: Livable Communities Letter  
Resolutions R61-09 and R62-09

### **A. Support for Livable Communities Act**

In August, Senator Chris Dodd (D-CT) introduced the Livable Communities Act (S. 1619). This legislation would provide a multi-year authorization for sustainability planning grants and a new sustainable communities office at the Department of Housing and Urban Development. The bill authorizes funds for regional planning to make communities more livable and creates an interagency council to promote sustainable development. A House companion bill is expected to follow soon. The Livable Communities Act would provide significant funding opportunities for COG, specifically in the implementation of Greater Washington 2050. The Board approved the transmittal of a letter in support of S. 1619 and applauding the effort to reaffirm the federal role in regionalism.

### **B. Resolution Authorizing the Executive Director to Receive a Grant from the District of Columbia State Administrative Agent to Provide Support for the National Capital Region Critical Infrastructure Protection Regional Programmatic Working Group Strategy**

The Board adopted Resolution R61-09, authorizing the Executive Director or his designee, to receive a grant in an amount not to exceed \$175,000 to support implementation of the UASI funded elements of the National Capital Region Critical Infrastructure Protection Regional Programmatic Working Group Strategy project. The Executive Director is further authorized to execute one or more contracts as may be required to obtain consultant assistance to conduct the approved project work program. No COG matching funds are required. The project duration will not exceed 2 years.

### **C. Resolution Authorizing the Executive Director to Receive a Grant from the District of Columbia Department of the Environment to Update the District's Water Pollution Control Contingency Plan**

The Board adopted Resolution R62-09, authorizing the Executive Director or his designee, to receive a grant in an amount not to exceed \$50,000 from the District Department of the Environment (DDOE) for the purpose of updating the District's Water Pollution Control Contingency Plan. The Executive Director is further authorized to execute one or more contracts as may be required to obtain consultant assistance to conduct the approved project work program. No COG matching funds are required. The project duration will not exceed 2 years.

## **7. COG 2010 STATE LEGISLATIVE PRIORITIES**

Supplemental Documents: Draft 2010 Legislative Priorities

During this year's annual retreat the Board discussed the need for greater coordination of policy and legislative priorities with state and federal elected officials. COG staff has worked with its Legislative Director's Committee, comprised of each jurisdiction's legislative liaisons, and with the Ad Hoc Legislative Committee of the Board to draft a set of 2010 state legislative priorities.

Mr. Robertson provided an overview of the priorities and asked for the Board's adoption. The 2010 Legislative Priorities will be used in outreach efforts in Richmond, Annapolis and the District of Columbia.

The proposed legislative priorities are grounded in the work of each of COG's policy and technical committees and are consistent with COG's effort to promote the integration of transportation, land use, and environmental planning and policies. The document recognizes the difficult budgetary constraints facing the states but urges legislators to hold harmless core services and to include local governments in budget negotiations.

Of the ten proposed priorities, four were highlighted as “top priorities:” transportation, climate and energy, workforce development and stormwater management. Chairman Gross stated that the Ad Hoc Legislative Committee asked staff to make the transportation and climate priorities more robust. Transportation funding is a significant issue in this region and the narrative urges states to establish enhanced or new funding strategies to address regional transportation needs and that funding must be made available to maintain the existing transportation network. The climate priority urges the General Assembly to implement policies that encourage increased energy efficiency and conservation and greater use of alternative fuels and renewables both in the public and private sectors.

**ACTION: Upon motion made, and seconded, COG’s 2010 Legislative Priorities were unanimously approved and adopted.**

## **8. SUSTAINMENT FUNDING FOR NATIONAL CAPITAL REGION EQUIPMENT PURCHASED WITH URBAN AREA SECURITY INITIATIVE (UASI) FUNDS**

In late September, the Federal Emergency Management Agency (FEMA) made a major change in its policy that will limit the ability of all metropolitan regions to use federal homeland security grant funds to maintain and upgrade critical equipment purchased with those funds. Mr. Robertson provided an overview of the action and what it means for the region. The Board was asked to approve the transmittal of a letter to the National Capital Region Congressional Delegation urging that the new policy be rescinded.

On September 22, 2009 the FEMA announced a policy that limits the use of Homeland Security Grant Program (HSGP) grant funds to pay for “maintenance agreements, user fees, and other sustainment costs as long as the equipment was purchased with FEMA preparedness grant funding and the sustainment costs fall within the performance period of the grant that was used to purchase the equipment.” The implications for the National Capital Region are significant. This policy will make it more difficult for the NCR to build the capabilities needed to prepare for and respond to acts of terrorism and natural disasters.

The Governors of Maryland and Virginia, and the Mayor of the District of Columbia sent a letter in opposition to this policy change, as have many national organizations including the National Governors Association and the National Emergency Management Agency. It is the recommendation of the Emergency Preparedness Council (EPC) and Mr. Robertson that COG transmit a similar letter.

Arlington County Board Member Jay Fissette stated that while he recognizes the significance of FEMA’s new policy and its implications for the region, the motivation behind this decision warrants some analysis; he added that a lot of foundations provide money for various activities but are not ongoing funders.

Prince William County Board Supervisor, and Vice Chair of the EPC, Frank Principi suggested that members of his committee should meet with FEMA officials to better understand their thought process.

**ACTION: Upon motion made, and seconded, the Board approved the transmittal of an opposition letter to FEMA.**

## **9. ANACOSTIA RESTORATION MOVES TO THE NEXT PHASE: AN UPDATE**

Supplemental Documents: Anacostia Restoration Plan Presentation

The Anacostia Restoration Partnership and the U.S. Army Corps of Engineers will soon issue a draft of their “Anacostia Watershed Restoration Plan and Report.” This important step has been in progress since the Partnership was created by the COG Board in June of 2006. Dana Minerva, Executive Director

of the Partnership previewed the plan and discussed next steps on public review and the adoption of the Plan.

The objective of the Partnership has been to develop, in conjunction with the District of Columbia, the State of Maryland, including Montgomery and Prince George's County, a 10-year comprehensive plan to provide for the restoration and protection of the ecological integrity of the Anacostia River and its tributaries. One of the biggest challenges is to better manage stormwater run-off; the goal of the ARP is to provide an effective framework to do so.

Ms. Minerva stated that while many positive actions have been taken over the years, and others have been planned, most have been earnest independent efforts undertaken in separate jurisdictions rather than in the framework of a holistic plan that considers the needs of the entire basin. The watershed-wide ARP will contribute to the watershed's more comprehensive, meaningful, cost-effective and rapid restoration.

The plan has identified that the Anacostia's water quality problems are primarily the result of uncontrolled stormwater, combined sewage overflows (CSOs), and legacy toxic contamination. Only about 36% of the watershed has stormwater controls. Sediments and trash are especially bad - 10 times the sediments of any other Bay watershed it has studied.

To address these issues, the ARP is recommending almost 2,700 projects which include 1,781 stormwater retrofit projects controlling 8,587 impervious acres—upon completion, 65% of the watershed will have stormwater controls. The cost of this project is estimated to be \$1 billion dollars over 10 years; federal funding will be sought for implementation.

Ms. Minerva stated that in the coming months the Partnership will continue to reach out to public and private stakeholders and plans to hold a public hearing on the ARP, have briefings for local elected officials and the Congressional delegation on its benefits.

City of Rockville Council Member John Britton stated that Rockville has implemented stormwater management fees and suggested that other jurisdictions looking to doing the same.

## **10. PREVIEW OF 2015 POLICE-FIRE OLYMPICS**

Last summer, Fairfax County was selected to host the 2015 World Police and Fire Games, an Olympic-style event held every two years. Because several of the competitions will be held outside of the County, for example in Prince William County and the City of Manassas, this will be an economic opportunity for much of the region. Lieutenant Bruce Blechl of the Fairfax County Police and the executive director of Team Fairfax, and Captain Jerome Williams, with the Fairfax County Fire and Rescue Department provided a preview of the games and their impact on the region.

The World Police and Fire Games is the second largest sporting event in the world, behind the summer Olympics. It is a 10-day international sporting event providing more than 10,000 active and retired police officers, firefighters, and other public safety servants and provides them with the opportunity to showcase their athletic excellence in more than 60 sporting events. All 50 states and 65 countries across 6 continents are represented.

There will be 30 sporting venues in this region, including George Mason University, regional and county parks and recreation centers, and other public or private facilities. The kick-off will be at the National's baseball stadium with closing ceremonies at Wolf Trap. The economic impact on the region is conservatively estimated to be around \$40 million.

Team Fairfax will be implementing an awareness and outreach campaign utilizing media outlets.

Loudoun County Supervisor Andrea McGimsey stated that 2015 will mark the 150<sup>th</sup> anniversary of the Civil War; there may be some partnership opportunities.

## **11. PRESENTATION ON POTOMAC RIVER COMMUTER FERRY STUDY**

Supplemental Document: Potomac River Commuter Ferry Study  
Potomac River Commuter Ferry Study Presentation  
Resolution R64-07

Prince William County has completed a study on a proposed commuter ferry service on the Potomac, Anacostia and Occoquan Rivers, and it was presented to the Northern Virginia Regional Commission in October. Supervisor Frank Principi, along with Cody Smith of Greenhorne and O'Mara Consulting, briefed the Board on the study's findings, discussed next steps, and requested COG's participation in a regional group that will oversee additional work on the proposal.

The Prince William County Department of Transportation conducted a route proving exercise (RPE) and feasibility study of a proposed commuter ferry service on the Potomac River between April 1, 2009 and July 31, 2009. The primary goal of this project was to determine likely ferry service travel times between potential docking locations, assess potential environmental impacts resulting from a ferry service, prepare preliminary capital and operational costs of a ferry service and define the operational parameters necessary to provide optimal ferry service between points in Virginia, Maryland and Washington DC. Another project goal was to determine a preliminary estimate of ferry service travel demand and operational revenue as well as assess the need to further analyze travel demands through market studies and updated trip generation models.

Mr. Smith stated that going forward, more rigorous market analysis should be undertaken to analyze prospective demand in order to account for the significant variables bearing on usage and estimated ridership diversions by mode.

Arlington County Board Member Jay Fissette asked if a comprehensive environmental impact analysis had been completed. Mr. Smith stated that the impact on water quality and noise had been studied.

The Northern Virginia Regional Commission has proposed to lead a regional stakeholder group to examine additional data and information needed to more fully evaluate the feasibility and cost-effectiveness of river commuter ferry service, including a market analysis, study of mode shift, and a service plan and budget.

COG has been invited to participate in the stakeholder group. The proposed resolution, R64-09, would authorize such participation.

**ACTION: Upon motion made, and seconded, Resolution R64-09 was unanimously approved and adopted.**

## **12. ACCEPTANCE OF FY 2009 AUDIT**

Supplemental Document: FY 2009 Audit

Graylin Smith, an external auditor with SB and Co., stated that COG has received an unqualified opinion based on an evaluation of its financial statements. The auditor also made recommendations to improve several administrative procedures.

**THE NEXT BOARD MEETING WILL BE ON WEDNESDAY, JANUARY 13, 2010**

**ATTENDANCE: NOVEMBER 12, 2009  
BOARD OF DIRECTORS/ALTERNATES 2009**

<u>Jurisdiction</u>	<u>Member</u>	<u>Y/N</u>	<u>Alternate</u>	<u>Y/N</u>
<b>District of Columbia</b>				
<b>Executive</b>	Hon. Adrian Fenty	N		
	Mr. Neil Albert	N		
<b>Council</b>	Hon. Vincent Gray	Y	Hon. Michael Brown	N
	Hon. Kwame Brown	N	Hon. Phil Mendelson	Y
<b>Maryland</b>				
Bowie	Hon. G. Frederick Robinson	N	Geraldine Valentino-Smith	N
College Park	Hon. Robert Catlin	Y		
City of Frederick	Hon. William Holtzinger	N	Hon. Alan Imhoff	Y
Frederick County	Hon. David Gray	Y	Hon. Jan Gardner	N
Gaithersburg	Hon. Sidney Katz	N	Hon. Henry Marraffa	N
Greenbelt	Hon. Judith "J" F. Davis	Y	Hon. Rodney Roberts	N
Montgomery County				
<b>Executive</b>	Hon. Isiah Leggett	N	Mr. Tim Firestine	N
<b>Council</b>	Hon. Roger Berliner	N		
	Hon. Michael Knapp	N		
Prince George's County				
<b>Executive</b>	Hon. Jack B. Johnson	N		
<b>Council</b>	Hon. Marilyn Bland	Y	Hon. Tom Dernoga	N
	Hon. Andrea Harrison	Y		
Rockville	Hon. Susan Hoffmann	N	Hon. John Britton	Y
Takoma Park	Hon. Bruce Williams	Y	Hon. Terry Seamens	N
Maryland General Assembly	Hon. Benjamin Barnes	N		
<b>Virginia</b>				
Alexandria	Hon. William Eulle	Y	Hon. Redella Pepper	N
Arlington County	Hon. Jay Fisette	Y	Hon. Walter Tejada	N
City of Fairfax	Hon. Dan Drummond	Y	Hon. Jeffrey Greenfield	N
Fairfax County	Hon. Sharon Bulova	N	Hon. Catherine Hudgins	Y
	Hon. Penelope A. Gross	Y	Hon. Michael Frey	N
	Hon. John Foust	Y	Hon. Patrick Herrity	N
Falls Church	Hon. Hal Lippman	Y	Hon. Dan Maller	N
Loudoun County	Hon. Andrea McGimsey	Y		
Manassas	Hon. Harry J. Parrish II	N	Hon. Jonathan Way	N
Manassas Park	Hon. Frank Jones	N		
Prince William County	Hon. Wally Covington III	N		
	Hon. Frank Principi	Y		
Virginia General Assembly	Hon. James M. Scott	Y		

<b>Other Participants</b>
Cody Smith, Greenhorne & O'Mara
Dana Minerva, Anacostia Restoration Partnership