

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

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

**July 14, 2010**

**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**

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

Chairman Brown called the meeting to order at 12:10 p.m.

**2. CHAIRMAN'S ANNOUNCEMENTS**

Chairman Brown stated that we are now less than two weeks away from the annual COG leadership retreat, which is being held on July 23-24. The agenda will cover a wide-range of topics like: building a 21<sup>st</sup> century workforce, using Region Forward to create more sustainable communities, green jobs.

COG has recently launched an innovative new Community Engagement Blog Campaign through its department of Environmental Programs. The campaign will share "wise water use" messages with area residents using blogs to educate readers on preventing water pollution, addressing concerns about tap water safety, and encouraging household water conservation. The project features three new blogs: Metro DC Mom Blog, Metro DC Lawn and Garden Blog and a Utilities Blog.

Chairman Brown reminded the Board that the performance evaluation for the Executive Director is due today. The results will be discussed with Mr. Robertson during the leadership retreat on July 24.

In recognition of outgoing Board member Hal Lippman, who was unsuccessful in his bid for reelection in the City of Falls Church, Chairman Brown presented Mr. Lippman with a token of appreciation.

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

Mr. Robertson provided the Board with a health update of Stuart Freudberg COG's Director of Environmental Programs who recently had surgery and is on the slow road to recovery. Mr. Robertson will keep the Board apprised of Stuart's recuperation in the coming weeks.

Mr. Robertson stated that he met with representatives of Washington area boards of education on June 10 to discuss possible regional collaboration on regional matters.

The annual Commercial Construction Indicators and Economic Trends reports have been released and were included in the Board's handout material. A summary of the "Growing Local Challenge" Working Lands Forum was also included in the packet.

Mr. Robertson stated that changes to the slot and perimeter rules at Reagan National Airport continue to be debated in Congress. COG has taken a firm stance against increases in the slot rule and expansion of the perimeter rule in the past and Mr. Robertson requested the Board to approve, by amending the consent agenda, the transmittal of a letter to Congress that reconfirms our position.

Mr. Robertson introduced the newest member on the COG Board, Nader Baroukh who represents the City of Falls Church.

### **4. AMENDMENTS TO THE AGENDA**

The Board amended to the consent agenda to include the transmittal to Congress of a letter recommitting COG's position to changes in the slot and perimeter rules at Reagan National Airport.

### **5. APPROVAL OF MAY 12 MINUTES**

The minutes of the June 9 meeting were unanimously approved and adopted.

### **6. CONSENT AGENDA**

Supplemental Documents: R35-10 through R40-10.

#### **A. Resolution Authorizing COG to Engage Consultant Support for Development of the Emergency Preparedness Council's 2010 Senior Leaders Seminar**

The Board adopted Resolution R35-10, authorizing the Executive Director, or his designee, to enter into a contract with CNA Analysis & Solutions for the development of a 2010 Emergency Preparedness Council Senior Leaders Seminar in an amount not to exceed \$204,996. The purpose of the seminar is to test the Regional Emergency Coordination Plan, address previous issues and develop consistent emergency messaging. Funding for the seminar will be provided through a Subgrant from the SAA. No COG matching funds are required.

#### **B. Resolution Authorizing COG to Fund Requested Support to Document Standing Operating Procedures Used by the Joint All-Hazards Operations Center**

The Board adopted Resolution R36-10, authorizing the Executive Director, or his designee, to provide requested support for the District to evaluate and document Standing Operating Procedures used by Joint All-Hazards Operations Center (Alerts and Notifications). The goal is to guide and govern notification and situational awareness reports delivered to the District of Columbia and regional stakeholders. COG is being provided \$161,543.63 through a Subgrant from the State Administrative

Agent (SAA) to fund the services of a consulting firm to evaluate and formally document Standing Operating Procedures. No COG matching funds are required.

**C. Resolution Authorizing the Execution of a Memorandum of Understanding with the Maryland Department of the Environment for Anacostia River Watershed Restoration Partnership-Related Services**

The Board adopted Resolution R37-10, authorizing the Executive Director, or his designee, to execute a memorandum of understanding with the Maryland Department of the Environment (MDE) in an amount not to exceed \$41,500 for Anacostia Partnership-related technical and administrative support services. The project duration is one year. No COG matching funds are required.

**D. Resolution Supporting a Pilot Regional Energy Outreach Program**

The Board adopted Resolution R38-10, authorizing the Executive Director, or his designee, to solicit and enter into a contract with a competitively bid consultant to develop a website and web-based platform for the energy conservation outreach program in an amount not to exceed \$30,000. Funding for this initiative is provided in COG's FY 2011 Regional Environmental Fund's Work Program and Budget.

**E. Approve Contract with the Law Firm of Greehan, Taves, Pandak & Stoner PLLC**

The Board authorized the COG Executive Director to execute a contract with the law firm of Greehan, Taves, Pandak & Stoner, PLLC to provide legal support and serve as COG's general counsel effective July 1, 2010. The contract shall not exceed \$150,000 (including \$96,000 for retainer services) in FY 2011. This amount is included in COG's FY 2011 budget. The contract period of performance includes FY 2012 and FY 2013. The Executive Director advised the COG Board earlier in 2010 that COG would seek legal support on a contract/retainer basis following the retirement of Lee Ruck. COG issued a request for qualifications on March 31 and held a pre-bid conference on April 22. Fifteen firms submitted proposals. Proposals were reviewed by a selection committee that included the Chair of the COG Regional Attorneys Committee.

**F. Adoption of Title VI Policy Statement and Plan**

Metropolitan Washington Council of Governments (COG) receives federal transportation funding as the administrative agent for the National Capital Region Transportation Planning Board (TPB). The U.S. Department of Transportation requires that TPB and other metropolitan planning organizations be periodically certified. As part of the TPB's 2010 certification, COG is required to adopt a Title VI Plan. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. COG also receives other types of Federal funding that have Title VI requirements. The Board adopted Resolution R40-10, approving the Title VI Plan.

## 7. INTRODUCTION OF NEW COG GENERAL COUNSEL

Mr. Robertson introduced Sharon Pandak from the law firm of Greehan, Taves, Pandak and Stoner, PLLS as COG's new general counsel. Ms. Pandak will attend meetings of the Board and other committees as needed and has office space here at COG which, initially, will be used one day week. Ms. Pandak worked for Prince William County for 25 years, including 15 years as the County attorney; she also served as Chair of COG's regional attorneys committee during the creation of the NCR mutual aid agreement.

## 8. APPROVE COG SUSTAINABLE COMMUNITIES REGIONAL PLANNING GRANT APPLICATION TO HUD

Supplemental Documents: Resolution R41-10 and R41-10.A.  
HUD grant proposal summary

In April, the Board gave preliminary approval for COG to begin developing a regional grant application in response to the new HUD Sustainable Communities Regional Planning Grant program. A total of \$100 million is available to region's across the countries; large metropolitan areas like the National Capital Region are eligible for up to \$5 million in funding. There are two important requirements for the grant program. First, the application requires the formation of a multi-jurisdictional consortium including the COG, MPO, local jurisdictions representing at least 50 percent of the metropolitan area population, and at least one non-profit or educational institution to administer the *Regional Plan for Sustainable Development*. Second, the consortium must provide a minimum of a 20 percent funding match in the form of cash or in-kind contributions.

COG intends to go above and beyond the federal requirements by including a broad cross-section of public- and private-sector stakeholders representing a sizeable majority of the region's population. COG, along with the TPB, CEEPC, and MWAQC will be members of the consortium. In addition, COG will reach out to a wide spectrum of potential consortium members to seek written agreement for participation. Potential members will include all of COG's member jurisdictions and any appropriate agencies of those jurisdictions including Public Housing Authorities; other key agencies such as NCPC or WMATA; and representatives from non-profit, university and business organizations. Efforts will be made to ensure consortium participants include a representative cross-section of the region, including balanced representation from Virginia, Maryland and the District of Columbia, balanced representation from the region's core, inner jurisdictions and outer jurisdictions, and significant representation from traditionally disadvantaged communities.

Letters of intent are required of all Consortium members. In addition to taking action on Resolution R40-10 in which the Board would grant COG the authority to be the lead applicant on behalf of the consortium and commit \$100,000 in contingency reserve funding meet the required leverage match; the Board was asked to approve Resolution R41-10.A. stating the COG Board's intent, representing COG's 21 member jurisdictions, to participate in the Consortium.

Mr. Robertson stated that he is confident in COG's ability to meet and exceed the 20 percent minimum match requirement and that COG's commitment of hard dollars, in addition to its in-kind support, will increase the competitiveness of the application.

John Mataya, COG planner and grant manager provided an overview of COG's proposal. COG, with the support of a new regional sustainability consortium, will produce a regional plan for sustainability that will prioritize needed regional infrastructure investment or actions in transportation, water, environment, housing and other critical elements. The regional plan will complement and help guide local, state, regional and federal investment, as well as investment and actions by business and civic interests. It will better integrate what have often been in the past stove-piped or disconnected regional goals and build on COG's successful Region Forward report, which outlined broad goals in

accessibility, livability, prosperity and sustainability. The regional plan for sustainability and its clearer, regional priorities will make the region and local and state governments more competitive for new federal grants from HUD, DOT and EPA.

The regional plan for sustainability will define, embrace and promote the concept of Complete Communities. This is an evolution of COG's regional activity centers approach, which largely examined a limited number of land use and transportation characteristics. Complete Communities will be described using a more varied mix of attributes key to successful and sustainable communities, including environmental protection and quality of life. Complete Community attributes will include a mix of housing and transportation choices, retail and job opportunities, and educational and recreational resources. Again, this work will build on the targets and performance measures described in Region Forward. Complete Communities will enable COG and the regional sustainability consortium to provide a more vivid and aspirational description of the centers and other places that local governments have chosen for scarce public and private sector investment. The sustainability plan will seek ways to leverage and maximize investments by positioning these centers and priority places for competitive funding opportunities.

**ACTION: Upon motion made, and seconded, Resolutions R41-10 and R41-10.A. were unanimously approved and adopted.**

## **9. APPROVAL OF TPB RECOMMENDATION FOR THE SUBMITTAL OF A DOT TIGER II GRANT APPLICATION**

Supplemental Documents: Resolution R42-10  
TIGER II Memo

Earlier this year, COG was awarded a \$58 million grant from the U.S. Department of Transportation to implement a Regional Priority Bus Project under the TIGER discretionary grant program. On June 1, DOT released a Notice of Funding Availability (NOFA) for an additional \$600 million under the "TIGER II" program in discretionary surface transportation grant funding. At its June meeting, the Transportation Planning Board approved a recommendation to submit a regional bike-sharing and bicycle access improvements package. The pre-application deadline is July 26; full applications are due August 23. COG will seek funding in an amount not to exceed \$25 million. Monica Bansal, COG Transportation Planner provided an overview of the grant proposal.

A regional bike-sharing proposal was included in the region's original application for funding under the TIGER I grant program, but was not funded. General feedback from U.S. DOT indicated that the project was viewed favorably by reviewers and would be competitive if resubmitted under the new and substantively similar TIGER II program. Like TIGER I, DOT has placed importance on "projects that will have a significant impact on the Nation, a metropolitan area or a region." The bike-sharing proposal demonstrates widespread regional coordination and provides the federal government with an opportunity to fund an innovative project that is regional in scope, meets long-term sustainability and livability criteria, and expands affordable transportation options across the region. TPB staff has been working with points of contact in interested local jurisdictions and WMATA to further develop the TIGER II proposal.

The TIGER II proposal consists of a regional bike-sharing system, as well as access and safety improvements specifically related to bike access to transit and major points of activity. A bike-sharing system works similar to a car-sharing system, such as ZipCar, where a user becomes a member by paying a fee and has access to any available bike throughout the region by paying a small, additional per-hour fee. A user is able to take a bike from any bike-sharing station in the region and return it to any other location in the regional system. Not only does bike-sharing allow users to access more destinations via a healthy, non-polluting, and affordable mode, but it also

allows a user to ride between a transit station and his/her destination, effectively extending the reach of the current transit system and solving the “last mile problem”.

The proposed regional system would expand the current and planned systems in DC and Arlington County and would connect to the extensive transit and bicycle networks throughout the region. The planned DC and Arlington bike-sharing systems have already gone forward with a joint decision to use Montreal's Bixi system and have contracts that include opportunities for regional expansion. This joint planning effort strengthens our ability to formulate and implement a regional bike-sharing system. The proposal also includes access and safety improvements, such as bike lanes, paths, and signage to facilitate connections from bike-sharing stations to transit, commuter rail, and activity centers. These improvements would greatly enhance the attractiveness of bike-sharing and biking in general to potential users by making biking safer and more convenient.

**ACTION: Upon motion made, and seconded, Resolution R42-10 was unanimously approved and adopted.**

## **10. 2009 REGIONAL CRIME REPORT**

Supplemental Documents: 2009 Crime Report

The Police Chiefs Committee, in conjunction with its Police Planners Subcommittee, annually collects and analyzes selected crime statistics for the Washington metropolitan area; this information has aided in the development of local/regional crime-fighting strategies. The report also details the crime statistics of each local jurisdiction as well as crimes reported by state and federal officers. Local police departments, sheriff's offices, and state and federal police services supply COG with the data for this report.

Metropolitan Washington Airports Authority Police Chief Stephen Holl and Chair, COG Police Chiefs Committee highlighted the results of the 2009 Report on Crime and Crime Control.

The report found an 8 percent reduction in Part 1 crimes which include homicide, rape, robbery, aggravated assault, larceny, burglary and motor vehicle thefts. Crime rates have been falling nationally, though the drop was sharper in the metropolitan Washington region. There was a significant decrease in homicides, 22 percent, and a 15 percent decrease in motor vehicle thefts. Chief Holl stated that these decreases can be attributed additional focus and crime prevention initiatives by local law enforcement units.

Chief Holl stated that continued cooperation and communication among agencies throughout the NCR will further enable jurisdictions to work toward continued reductions in major crimes. The use of innovative technologies, including License Plate Readers, and computers and GPS in police cars, as well as other enhanced data sharing technologies available to officers, such as LInX, has enabled the NCR to improve its crime reduction efforts during this period of economic downturn.

COG Police Chiefs Committee recommends that we continue to educate the public and reduce opportunities for crimes; encourage cooperation between communities, business leaders and law enforcement; and expand the use of innovative technologies like LInX, crime analysis and automated license plate readers.

## **11. FOSTER CARE ANNUAL REPORT AND HIGHLIGHTS OF REGIONAL FOSTER PARENT RECRUITMENT CAMPAIGN**

Supplemental Documents: 2009 Annual Foster Care Report

Gloria Brown, Director of the Prince George's County Department of Social Services, presented findings from the 2009 Annual Foster Care Report for the National Capital Region.

The report shows that the number of children entering foster care in the region fell by more than 16 percent from 2008 to 2009. All but two of the jurisdictions covered in the report saw a drop in the number of children entering foster care from the previous year. Adoptions increased by 4.6 percent and fewer children were placed in congregate care or group settings.

Ms. Brown noted that the number of children entering foster care nationally has declined over the past ten years and the metropolitan Washington region is on pace with the national trend. She also stated that the trend can be attributed to better upfront services for struggling or at-risk families.

In May, COG and the Freddie Mac Foundation teamed up to launch "Kids Need Families Like Yours," a campaign aimed at recruiting more foster care families in the region. The campaign was successful in raising awareness and increasing calls of interest from prospective foster care parents and was focused on hard to place children, like those with special needs and older teens. She said states should consider increasing the emancipation age to allow older teens, who would otherwise age out of the system, greater stability.

## **12. NARC CONFERENCE OUTCOMES**

Fairfax County Board Vice Chairman and NARC Region III representative Penny Gross presented highlights from the 44<sup>th</sup> Annual NARC Conference held in Cleveland, OH June 15-17th. Ms. Gross stated that NARC is focusing on many of the same issues we are at COG, including improving workforce development in high growth industries, strengthening regional economies and advocating for increased funding for transportation networks. The HUD Sustainable Communities Regional Planning Grant which is clearly on the minds of regions across the country and was a topic of much discussion.

Ms. Gross stated that her tenure as the Region III representative will be ending in 2011 and asked that members consider who among them might fill her place.

**THE NEXT BOARD MEETING WILL BE ON WEDNESDAY, SEPTEMBER 8, 2010.**

**ATTENDANCE: JUNE 14, 2010  
BOARD OF DIRECTORS/ALTERNATES 2010**

<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	N	Hon. Michael Brown	Y
	Hon. Kwame Brown	Y	Hon. Phil Mendelson	Y
<b>Maryland</b>				
Bowie	Hon. G. Frederick Robinson	N	Geraldine Valentino-Smith	N
College Park	Hon. Andrew Fellows	Y	Hon. Robert Catlin	N
City of Frederick	Hon. Randall McClement	N	Karen Young	Y
Frederick County	Hon. David Gray	Y	Hon. Jan Gardner	N
Gaithersburg	Hon. Sidney Katz	N	Hon. Cathy Drzyzgula	Y
Greenbelt	Hon. Judith "J" F. Davis	Y	Hon. Emmett Jordan	N
Montgomery County				
<b>Executive</b>	Hon. Isiah Leggett	N	Mr. Tim Firestine	N
<b>Council</b>	Hon. Roger Berliner	N		
	Hon. Michael Knapp	Y		
Prince George's County				
<b>Executive</b>	Hon. Jack B. Johnson	N	Ralph Moultrie	N
<b>Council</b>	Hon. Camille Exum	N	Hon. Tom Dernoga	N
	Hon. Andrea Harrison	Y		
Rockville	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	Y
Arlington County	Hon. Walter Tejada	Y	Hon. Jay Fisette	N
City of Fairfax	Hon. Dan Drummond	N	Hon. Jeffrey Greenfield	N
Fairfax County	Hon. Sharon Bulova	Y	Hon. Catherine Hudgins	N
	Hon. Penelope A. Gross	Y	Hon. Michael Frey	N
	Hon. John Foust	Y	Hon. Patrick Herrity	N
Falls Church	Hon. Nader Baroukh	Y	Hon. Robin Gardner	N
Loudoun County	Hon. Andrea McGimsey	N		
Manassas	Hon. Sheryl Bass	Y		
Manassas Park	Hon. Frank Jones	N	Hon. Suhas Naddoni	Y
Prince William County	Hon. Wally Covington III	Y		
	Hon. Frank Principi	Y		
Virginia General Assembly	Hon. James M. Scott	N		