



Local governments working together for a better metropolitan region

*District of Columbia
Bowie
College Park
Frederick County
Gaithersburg
Greenbelt
Montgomery County
Prince George's County
Rockville
Takoma Park
Alexandria
Arlington County
Fairfax
Fairfax County
Falls Church
Loudoun County
Manassas
Manassas Park
Prince William County*

COG BOARD OF DIRECTORS MEETING

DATE: Wednesday, November 9, 2005
TIME: 12:00 Noon
PLACE: COG Board Room

PLEASE NOTE: Chair Davis will begin the meeting promptly at Noon.
Lunch for members and alternates will be available at 11:30 a.m.

AGENDA

1. **CALL TO ORDER AND PLEDGE OF ALLEGIANCE**
(12:00 Noon)

Chair Judith Davis
Mayor, City of Greenbelt
2. **APPROVAL OF MINUTES OF October 12, 2005**
(12:00 – 12:05 p.m.)
3. **ANNOUNCEMENTS**
(12:05 – 12:15 p.m.)

Chair Davis

 - a) Annual Meeting/Holiday Dinner
 - b) Prince George's County Municipal Outreach
 - c) CAO Briefing to Congressional Delegation
 - d) Executive Director's Report
 - Outreach
 - Letters Sent/Received
 - Legislative Report Update
4. **AMENDMENTS TO AGENDA**
(12:15 – 12:20 p.m.)
5. **ADOPTION OF CONSENT AGENDA ITEMS**
(12:20-12:25 p.m.)

RECOMMENDED ACTION: Adopt Consent Agenda Item 11.A. & 11.B. & 11.C. & 11.D.

**6. BRIEFING ON ENERGY ISSUES AND ENERGY PLAN PROJECT
(12:25-12:40 p.m.)**

**Chuck Clinton, Director
District of Columbia Energy Office
Vice Chair, Energy Policy Advisory
Committee**

**Dr. Jerome Paige, Ph.D., Paige and
Associates**

Hurricane Katrina and Hurricane Rita have brought increasing concern and attention to energy issues at the national and regional level. Among the concerns and issues are high prices and availability of gasoline, the cost of home heating fuels such as oil and natural gas, and the region's state of readiness for disruptions in energy supply. Pre-dating the hurricanes, COG had embarked on development of a regional energy planning analysis and energy policy project that is examining our current and projected energy utilization and potential regional energy management best practices and policies. Mr. Clinton will provide an overview of the energy planning project as well as a preview of the winter heating season, and Dr. Paige, COG's energy consultant, will provide a briefing on study findings and potential best management practices that could form the basis for COG policy development in the coming months, including summarizing recent discussions at COG's Rising Gasoline Price seminar.

RECOMMENDED ACTION: Receive briefing and endorse proposed energy policies/best management practices for further study.

**7. UPDATE REGARDING THE REGIONAL "TRASH TREATY" TO ACHIEVE A TRASH
FREE POTOMAC RIVER
(12:40-12:55 p.m.)**

**Penelope Gross, Supervisor
Fairfax County Board of
Supervisors
Member, Trash-Free Potomac
Initiative Advisory Council**

**Tracy Bowen, Executive Director
Alice Ferguson Foundation**

In March 2005, under the leadership of the Alice Ferguson Foundation (AFF), six jurisdictions in the Potomac Watershed (including four in the COG region) signed a "Trash Treaty" pledging to work toward a trash-free Potomac River by 2013. In May, 2005, Tracy Bowen, AFF Executive Director, briefed the COG Board on the project vision and the Board adopted Resolution R16-05 directing COG staff to work closely with AFF in this effort. Since then, Arlington County has signed the treaty, and several other COG members have also expressed a strong interest in becoming a signatory. COG is now partnering with the AFF, including participation on the project's Advisory Council and supporting Action Committees to develop a "trash free" strategy and implementation plan that will be considered at a regional Trash Summit scheduled for March 2006. Supervisor Gross and Ms. Bowen will provide an update on progress to date and next steps. The Board will be requested to adopt Resolution R43-05 endorsing the Trash Summit and encouraging COG jurisdictions to actively participate in its planning and implementation.

RECOMMENDED ACTION: Adopt Resolution R43-05.

**8. MUTUAL AID AGREEMENT
(12:55-1:10 p.m.)**

**Lee Ruck
General Counsel, COG**

The COG Attorneys Committee, with assistance from attorneys representing the Maryland and Virginia Attorneys General and the Department of Homeland Security, have completed a proposed Mutual Aid Agreement for the National Capital Region which implements and utilizes the authority and protections conferred on the region by Congress as Section 7302 of the Intelligence Reform and Terrorism Protection Act of 2004. We believe we will have similar approval from the Attorney General of Virginia before the COG Board meeting.

The Office of the Attorney General of Maryland has reviewed the final draft and interposes no legal objection to Maryland local governments providing and receiving mutual aid under this Agreement. The Maryland Emergency Management Agency is reviewing the document with the Governor's office to determine whether Maryland, or Maryland agencies, should be party(ies) to the Agreement. While desirable, formal Maryland execution is not required for the Agreement to be circulated, considered, and agreed to by the Maryland local governments within the National Capital Region.

RECOMMENDED ACTION: Receive Briefing and Endorse Execution of Resolution R44-05 and Forward to Each Jurisdiction for Appropriate Consideration and Action.

**9. UPDATE ON COMMUTER CONNECTIONS
(1:10-1:20 p.m.)**

**Nick Ramfos
Commuter Connections, COG**

**David Robertson
Executive Director, COG**

The Board will be briefed on recent activities in the Commuter Connections Program, including significant growth in requests for ridesharing assistance related to higher gasoline prices, extensive private sector telecommuting marketing efforts, and information on Broadband technology and its potential impact on telecommuting in the Washington region. Mr. Robertson will ask the COG Board to appoint a Broadband Task Force, in January 2006, to advise the Board on regional and local broadband policy initiatives and best practices.

RECOMMENDED ACTION: Receive Briefing and Direct Staff to Develop a Recommendation to Establish a Broadband Task Force.

**10. REVIEW AND ACTION ON BUDGET AND FISCAL MATTERS
(1:20– 1:50 p.m.)**

The COG Board of Directors will be asked to review and act on several pending budget and fiscal matters:

(A) FY 2005 Fourth Quarter Financial Report

**Robert Bobb, City Administrator
District of Columbia
COG Secretary-Treasurer**

The COG Board will be briefed on COG's FY 2005 fourth quarter.

RECOMMENDED ACTION: Receive report.

(B) Acceptance of FY 2005 Audit

**Abdool Akhran, Partner
Bert Smith and Company**

Bert Smith and Company performed COG's FY 2005 audit. A draft of the audit was presented to the Budget and Finance Committee at its October 12 meeting. Bert Smith and Company provided a "clean" audit for COG.

RECOMMENDED ACTION: Receive FY 2005 Audit.

(C) Approval of FY 2007 Work Program and Budget

**David Robertson
Executive Director, COG**

The Budget and Finance Committee met on September 14 and October 12 to review the proposed General Local Contribution fee schedule and the proposed work program and budget for FY 2007, which begins July 1, 2006 and concludes June 30, 2007. The Committee recommended COG Board approval of the FY 2007 Work Program and Budget. Mr. Robertson will brief the COG Board on the proposed FY 2007 Work Program and Budget and significant changes from the current fiscal year. The COG Board will be asked to recommend adoption of the proposed FY 2007 Work Program and Budget by the general membership at its annual meeting on December 14 and to adopt Resolution R45-05, transmitting the proposed FY 2007 Work Program and Budget to member governments and officials.

RECOMMENDED ACTION: Adopt Resolution R45-05.

(D) Approval of Contract to Purchase Membership and Communications Software

**David Robertson
Executive Director, COG**

The COG Board will be asked to adopt Resolution R46-05, authorizing the executive director to contract with Protech Associates Inc. to purchase software and technical support to upgrade COG's membership records and communications software, in an award amount not to exceed \$200,000. Software will be used to develop and manage more than 10,000 member and committee records and enhance communication. COG conducted a competitive solicitation for this capital purchase. The budget for this purchase is included in the approved FY 2006 budget under the capital expenditures and contingency line item. As a capital expenditure, this purchase will be amortized for three years and the annual cost will be recovered through COG' indirect cost

allocation plan.

RECOMMENDED ACTION: Adopt Resolution R46-05.

11. CONSENT AGENDA ITEMS

(A) Resolution Authorizing COG to Receive and Expend Funding From the District of Columbia for the Development of a Mathematical Modeling Framework Relating pH to Other Water Quality Factors in the Potomac River and Chesapeake Bay

The Board will be asked to approve Resolution R47-05 authorizing the Executive Director to receive and expend \$150,000 from the District of Columbia Department of Health for the development of a mathematical modeling framework that would relate pH to nutrient loading, primary production, and other factors in the Potomac River, and amend an existing contract with LimnoTech, Inc. for an amount not to exceed \$150,000 to carry out the model development work. This project is included in the ongoing Chesapeake Bay model upgrade scope of work for the Potomac River in which COG is a non-federal sponsor (see Resolution R23-04). The total estimated cost of the project is \$150,000. No COG local matching funds are required.

RECOMMENDED ACTION: Adopt Resolution R47-05.

(B) Resolution Authorizing the Executive Director to Expend Urban Area Security Initiative Grant Funds for Upgrades and Application of the Potomac River Spill Model to a Water Supply Assessment for the National Capital Region

The Board will be asked to approve Resolution R48-05 authorizing the Executive Director to expend Urban Area Security Initiative (UASI) grant funding (subgrant number 04-TU-09) in an amount not to exceed \$347,000 for the purpose of providing funding to the Interstate Commission on the Potomac River Basin (ICPRB) and the United States Geological Survey (USGS) for upgrades to the Potomac River Spill Model and application of the model to assess the risk to water systems in the National Capital Region from different types of spills, contaminants, and locations on the Potomac River. The total estimated cost of the project is \$400,000. The USGS will contribute \$53,000 from their Cooperative Water Program. No COG local matching funds are required.

RECOMMENDED ACTION: Adopt Resolution R48-05.

(C) Resolution Authorizing a Temporary Contract Extension for the Executive Director

The Executive Director's three-year employment contract expires on April 9, 2006. The terms and conditions automatically renew, but with a 90-day notice requirement for renegotiation or termination. To bring this period consistent with the annual Executive Director's evaluation process, it is recommended that the Chair execute an amendment extending the current contract to December 31, 2006, which will allow the COG Board to have the benefit of the next evaluation prior to acting on the contract. The Board is requested to approve Resolution R49-05 which authorizes such an extension.

RECOMMENDED ACTION: Adopt Resolution R49-05.

(D) Resolution Authorizing the Execution of a Partnership Agreement with the Prince George's Community College on the CyberWATCH Regional Center for Cybersecurity and Information Assurance

The board will be requested to approve Resolution R50-05, authorizing the Executive Director to enter into a four-year partnership agreement with Prince George's Community College in which it will pay COG \$160,000 (\$40,000 renewable annually), in return for which, COG will provide internship opportunities for students from the CyberWATCH communities and externships for the CyberWATCH consortium member community college faculty in the field of cybersecurity/information assurance and computer forensics.

RECOMMENDED ACTION: Adopt Resolution R50-05.

THE NEXT BOARD MEETING WILL BE ON WEDNESDAY, JANUARY 11, 2006.
