



U.S. MAYOR

Bipartisan Brownfields Bill Moves in Senate 16

2,000 New Border Protection Officers Being Deployed . . 17

Johnson, FCC Commissioner Promote E-Rate Modernization . . 19

Mayors Water Council: Cities Increasingly Turning to Integrated Planning, New Affordability Criteria to Make Smart Water Investments

See WATER on page 4



Attending mayors at the March 27 USCM Mayors Water Council meeting in Washington (DC). Full caption on page 5.

Photo by Judy Sheehan / USCM

Conference of Mayors Launches New CDBG Website See Story on Page 3

President Clinton, Mayor Garcetti Host Infrastructure, Innovation Summit in Los Angeles

By Lina Garcia

President Bill Clinton, Los Angeles Mayor Eric Garcetti, and the West Coast Infrastructure Exchange hosted a Clinton Global Initiative infrastructure meeting in Los Angeles on April 3. At the meeting, public officials, private investors, labor leaders and experts came together to advance strategies for accessing capital, as well as create public-private partnerships that will be efficient and successful, in order to generate investment in

See INNOVATION on page 6



At left, President Bill Clinton with Los Angeles Mayor Eric Garcetti, Chair of USCM Trade in the Americas Task Force, participate in a one-on-one conversation about improving the infrastructure in cities during a Clinton Global Initiative meeting in Los Angeles City Hall.

Photo by Barbara Kinney / Clinton Global Initiative



**April 11, 2014
Washington (DC)**

In Austin Texas this week at the Lyndon Baines Johnson Presidential Library, President Obama and Past Presidents Jimmy Carter, Bill Clinton and George W. Bush are all there commemorating President Johnson's signing of the Civil Rights Act of 1964. President Johnson's legacy of historic, milestone legislation through the years has been somewhat marred by his handling of the Vietnam War.

For me, and many others, we are pleased to see this recognition of a President who worked it night and day pushing and pulling Republicans and obstinate Democrats to rise above their regional and personal political ambition to vote for civil rights legislation.

It's significant to note at the bill signing in 1964, President Johnson gave the first pen to Illinois Senator Everett Dirksen and not to Dr. Martin Luther King or National Urban League President Whitney Young. When asked why he gave the first pen to Dirksen, LBJ said we couldn't have had the bill if it had not been for Senator Dirksen's leadership and bringing his Republican colleagues on that side of the aisle over to support a law that finally provided basic human and civil rights to American citizens.

Some say that things are more partisan today than ever before. The Tea Party didn't exist back then but we had some hard-headed Democratic segregationists in the House and the Senate who were as obstinate and tough on the race issue as the Tea Party members are on taxes.

Johnson was given to us to lead the civil rights effort after President Kennedy was assassinated. And it was President Kennedy who came to The United States Conference of Mayors in June 1963, openly asking mayors for their help with this five-point civil rights speech before

our 1963 Annual Meeting in Honolulu. And after we lost him, we continued the next year, 1964, to work with President Johnson to pass the Civil Rights Bill. It was a white mayor from the South, Atlanta Mayor Ivan Allen who testified for us in support of the Public Accommodations Act.

Seems like a long time ago; and it seems like yesterday when today we still find the vestiges of racism and bigotry amongst us.

Our standing up against bigotry continues today when we find present in our nation gender discrimination and rights denied and abuse given to our citizens in our LGBT communities. Maria Shriver, the daughter of my old boss, Sargent Shriver, was on TV this week in Austin saying that back then, the civil rights issues were black and white. Today, she said the abuse and discrimination we have toward women, immigrants, the LGBT community and others is more like fifty shades of gray. The issues come forth in our cities and our mayors continue to bring these discrimination issues and challenges before our organization to resolve, to pass laws, and work together to rid our nation of all forms of bigotry and discrimination.

Fifty years ago, this organization, our mayors of The United States Conference of Mayors stood with Presidents Kennedy and Johnson in a defining moment in the history of The United States Conference of Mayors. Today, basic human and civil rights continue to be up front and center, a top priority, as we continue in the struggle began by our mayors, JFK and LBJ half a century ago.



U.S. MAYOR

**Publisher,
Editor-in-Chief
Tom Cochran**

ISSN 1049-2119

Managing Editor:
Ed Somers

Contributing Editors

David W. Burns
Debra DeHaney-Howard
David Gatton
Evangelina Garcia
Larry Jones
Kathryn Kretschmer-Weyland
Eugene Lowe
Kevin McCarty
Tom McClimon
Geri Powell
Judy Sheahan
Crystal Swann
Elena Temple-Webb
Laura DeKoven Waxman
Jim Welfley
Kathy Wiggins

Produced by Cicuye Studios
Proofreader: Crystal Swann

Advertising information:

<http://usmayors.org/usmayornewspaper>
advertise@usmayors.org

U.S. MAYOR (ISSN 1049-2119) is published semi-monthly except for August, September and December by The United States Conference of Mayors, 1620 I Street, NW, Washington, DC 20006-4005.

Tom Cochran, Executive Director.

E-mail address changes to:
usmayor@usmayors.org.

Subscription: <http://usmayors.org/usmayornewspaper/>

usmayors.org

CHANGE OF ADDRESS: Please e-mail address corrections to usmayor@usmayors.org. No telephone calls please.

Conference of Mayors Launches New CDBG Website



Community Development Block Grant

By Eugene T. Lowe

Conference of Mayors CEO and Executive Director Tom Cochran announced on April 2 in a memo to mayors the launch of a new CDBG website developed by the Conference of Mayors that will allow cities across the nation to have their own individual CDBG city profiles. Newton Mayor Setti Warren, Chair of The U.S. Conference of Mayors Community Development and Housing Committee, is leading the CDBG website project.

The CDBG city pages will be used to build support for the program in Congress. Cities will provide best practices and other vital information that will showcase the impact of the Community Development Block Grant (CDBG) program. It

is expected that cities will also use their pages to highlight the activities of National Community Development Week that will be held this year April 21- 26. As this year is also the 40th Anniversary of the CDBG, cities will include those local celebrations as well. During both National Community Development Week and 40th Anniversary CDBG celebrations, cities will sponsor events highlighting the accomplishments of the program. The website is available at <http://cdbg.mayors.org>.

Congressional "Dear Colleague" Letters Support CDBG

One hundred and thirty-two House members signed a "Dear Colleague" letter to Representatives Tom Latham (IA)

and Ed Pastor (AZ), Chairman and Ranking Member, respectively, of the House Subcommittee on Transportation, Housing and Urban Development, and Related Agencies requesting that the subcommittee provide at least \$3.3 billion in formula funding for CDBG in FY2015. Similarly, thirty-nine Senators signed a letter to Senator Patty Murray (WA), Chairwoman, and Senator Susan Collins (ME), Ranking Member, of the Senate Subcommittee on Transportation, Housing and Urban Development, and Related Agencies calling for CDBG to be supported at least at \$3.3 billion in formula funds for FY 2015.

CDBG is currently funded at \$3.030 billion. The Administration in its FY2015 budget requested \$2.8 billion for CDBG formula funding.

U.S. Manufacturing Innovation Fund Draws Nationwide Interest

April 22 Deadline

By Paul Leroux

Conference of Mayors CEO and Executive Director Tom Cochran convened more than 150 government and research leaders from around the country for a national call about the Walmart U.S. Manufacturing Innovation Fund on April 3. The call featured Walmart Senior Vice President for U.S. Sourcing and Manufacturing Cindi Marsiglio, as well as experts from both organizations that are working on this new partnership.

Unveiled at the Conference of Mayors Winter Meeting in Washington (DC), the U.S. Manufacturing Innovation Fund is a \$10 million, five-year commitment by

Walmart to fund applied research projects that reduce the barriers to domestic manufacturing. Eligible non-profit organizations, including private and public universities, can apply for grants of over \$100,000 to help address specific manufacturing challenges.

"America's cities are seeking new manufacturing investments and the good-paying jobs that come from them," said Cochran during the call. "Through mayoral leadership, business commitment, and public sector innovation, our cities can and will build a stronger industrial base." He encouraged mayors to reach out to their research communities to foster local innovation, citing the fund as an incentive for new collaborations.

The first round of the grant seeks



research collaborations that develop new technological innovations specifically focusing on weaving, fabric dyeing, and cut and sew operations, as well as projects addressing common manufacturing processes with broad applications, such as tooling for injection molding and small motor manufacturing.

Single-page letters of intent are due by 11:59 p.m. EDT on April 22. Universities and other nonprofit organizations may find more information and submit their letters by visiting www.usmanufacturingfund.com. In early summer, grant finalists will seek endorsement from their local mayors and submit more in-depth proposals.

With any questions, contact Conference of Mayors Chief of Staff Ed Somers at esomers@usmayors.org or Paul Leroux at pleroux@usmayors.org.

Cities Increasingly Turning to Integrated Planning, New Affordability Criteria to Make Smart Water Investments

WATER from page 1

By Rich Anderson

Monrovia (CA) Mayor Mary Ann Lutz welcomed mayors to the Mayors Water Council (MWC) meeting on March 27 in Washington (DC). Conference of Mayors Second Vice President Baltimore (MD) Mayor Stephanie Rawlings-Blake, and Indianapolis (IN) Mayor Greg Ballard, Co-Chairs of the Mayors Water Council (MWC) then led discussions involving water resources policy, Public-Private Partnerships, updates on city green infrastructure programs, and the state-of-the-art utility automation and integration. Mayors also discussed progress in the Integrated Planning and Affordability Dialogue with EPA.

Integrated Planning and Affordability Dialogue

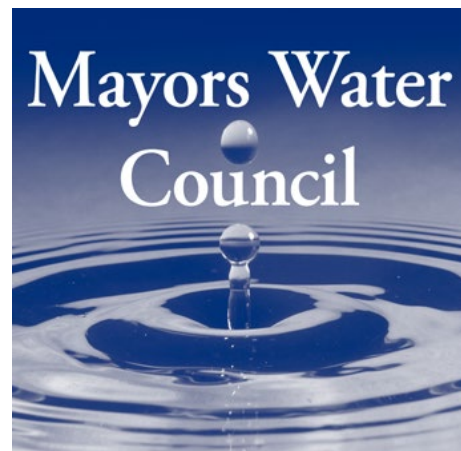
EPA established an Integrated Planning Framework (IPF) in 2011 to provide an opportunity for communities "... to utilize comprehensive integrated planning to prioritize its waste- and storm-water investments." Cities are beginning to take advantage of this new approach by developing integrated plans to submit to EPA. Ideally, the process encourages cities (permittees) to array their water investment priorities and identify those with the greatest benefits, then work with regulators and stakeholders to generate a consensus on compliance timeframes. A team of experts presented information on integrated plans they developed for several Conference of Mayors member cities that are starting to define the elements of integrated plans, a methodology to apply it to a community, and it has been demonstrated to result in better environmental outcomes at a great discounts from consent decree-driven long term control plans.

David Sherman, Michael Musgrave and Greg Baird, consultants with Montgomery Watson & Harza, and Adrienne Nemura, a scientist with Geosyntec, presented information on one, if not the first, Integrated

Planning submission to EPA Region 3 from Baltimore. Sherman emphasized that the technical reviews of plant and collection system should be viewed through water quality review and the affordability assessment. Musgrave and Baird each stated that finding the limits of residential and utility affordability at the outset will help to identify which investments should take priority. Musgrave suggested that the communications element in an integrated plan is critical to its success. Working with local stakeholders to generate a consensus on an affordable plan that responds to local priorities is important.

Nemura emphasized that cities pay special attention to the water quality review portion of the integrated plan. She stated that watershed information is useful to fill data gaps and as an alternative to modeled data inputs. Nemura said that rainfall data during seasonal conditions provides greater certainty in data review. Sourcing the pollutants is also important, agricultural, septic, sewers, etc. Sampling of streams and lakes can make an enormous difference in design costs as compared to template approaches based on crude models. She stated that cities will be required to spend money on non-water priorities as well as new water mandates, so it is important for cities to develop good science to prioritize and support investments.

Conference of Mayors Assistant Executive Director Judy Sheahan reported on progress on the Affordability Dialogue between the Conference of Mayors, National Association of Counties (NACo) and National League of Cities (NLC). She said that the continued engagement with EPA has resulted in a new policy on Green Infrastructure, a new policy on Integrated Planning, and now we are on the verge of an accord on affordability. The last meeting with EPA (December 13, 2013) ended with agreement to revise the Affordability framework document. EPA has done so and has "...vastly improved the document." She said that there are some minor issues to address, but that the big remaining issues are use of two percent Median



Household Income (MHI), and how do we create certainty that EPA Regional offices will implement the new affordability framework in a cooperative spirit with local government. She stated that the NACo and NLC, as well as the Conference of Mayors membership are generating responses to the revised framework in order to communicate local feedback to EPA.

Lima (OH) Mayor David Berger led a discussion on a legislative proposal to address the need to make Integrated Planning voluntary for cities but required for EPA if a city requests it. He compared the Water Quality Improvement Act of 2013, a bill fashioned after a policy on water mandates adopted by the Conference of Mayors. He stated that the proposed legislation would "...allow a rebalancing of the relationship [between EPA and cities]. It would allow us to deal with other requirements and re-establish our priorities...under a framework of affordability." There may be a hearing in the House on this topic in the next few months.

Lutz said that her city and surrounding cities are beginning to coordinate establishing baseline costs for water resource management against which to compare compliance based rate increments caused by unfunded mandates, such as limits on total maximum daily loads (TMDLs). The cities are planning to use this information in discussions on implementing Clean Water Act (CWA) in conjunction with

See WATER on page 5



\$275,000 in Grant Awards for DuPont/USCM Lead Safe for Kids Sake Grants

Only 3 weeks left to apply
DEADLINE is MAY 3

Application:
<http://usmayors.org/cusp/LeadSafe2014>

Questions:
scienceintheschoolday@verizon.net

WATER from page 4

enforcement actions and permit renewals, as well as water related legislation.

Securing Water Supply for Our Cities

Irving (TX) Mayor Beth Van Duyne presented information on how Irving has a history of drought episodes, and the projected population explosion in the Metroplex area is driving communities to take action on securing future water supplies. Van Duyne stated that cities should have a vision about their water resources and a plan to realize that vision. In the last several years she has been working to coordinate regional water supply needs.

The mayor called attention to a proposed resolution sponsored by Denton (TX) Mayor Mark Burroughs and other mayors that is planned to be submitted for consideration at the Conference of Mayors Annual Meeting in Dallas. The resolution would help the regional needs in the Texas Metroplex area, but would have direct benefits for all local government. The resolution has five major components that are "Environmentally safe, efficient, practical methods" to help cities create certainty over water supply. The five components include:

1. Recharging of freshwater aquifers;
2. Silt removal from freshwater reservoirs;
3. High-volume inter-basin freshwater transfer;

4. Streamlined process for developing new surface water reservoirs; and
5. Desalinization and other purification of saltwater, brackish water or other currently non-potable ground and surface water sources.

Front Page Photo: left to right, Allentown Mayor Ed Pawlowski, Lima Mayor David Berger, USCM Second Vice President Baltimore Mayor Stephanie Rawlings-Blake, Indianapolis Mayor Gregory A. Ballard, Rockville Mayor Bridget Donnell Newton, Irving Mayor Beth Van Duyne, Racine Mayor John Dickert, Monrovia Mayor Mary Ann Lutz, and Hallandale Beach Mayor Joy Cooper.

INNOVATION

from page 1

creating resilient infrastructures across all U.S. cities. Garcetti opened the meeting, which included a one-on-one conversation between Garcetti and President Clinton followed by a panel discussion.

In the conversation with Garcetti, President Clinton said, "The one thing I think that has the best chance of destroying political polarization in America is grassroots public-private partnerships." Garcetti added, "Public private-partnerships in cities are the best and only option available today, to obtain funding for local infrastructure and transportation projects."

President Clinton added that we should also look to examples from other countries to learn about projects and systems that have worked, and that we don't always need to be the first to create something to "see if it works." For example, despite their weather conditions, Germany has invested more in solar power than California.

Atlanta Mayor Kasim Reed spoke on a panel alongside President Clinton, AFT President Randi Weingarten, California State Treasurer Bill Lockyer and Governor of Oregon John Kitzhaber, where he shared a success story about the benefits of revitalizing the downtown area in Atlanta by transforming an old, abandoned Sears building. According to Reed, the private sector invested \$200

"Addressing energy, water, and climate change are the greatest opportunities since World War II to create jobs, but we need the support from public financing."

- President Bill Clinton

President Clinton said that improving public projects also supports economic growth and that a substantive investment in an infrastructure bank needs to take place to support local projects. He said, "Investing in improving infrastructure in cities attracts and creates real jobs for real people." President Clinton said that in moving forward with improving our country's infrastructure, "We will need every worker including new immigrants" and will need to "embrace our diversity and take advantage of all our workers."

They also discussed the importance of finding investment and inspiration from others. Garcetti said, "We need to look for more investments from foreign companies and outside of our own borders."

million in a city-owned, abandoned building located in the heart of the city. In return, the revitalized building attracted high tech companies and has generated the creation of at least 1300 new jobs. Reed emphasized that due to private investments in his city, his downtown area that was once an eyesore is thriving and attracting jobs, residents and tourists. He added, "When you shine a light, people pay attention to it."

In closing, President Clinton emphasized that, "Addressing energy, water, and climate change are the greatest opportunities since World War II to create jobs, but we need the support from public financing."

MAYORS BUSINESS COUNCIL

Member Profile

ENTERPRISE HOLDINGS INC.

Enterprise Holdings and its affiliate Enterprise Fleet Management together offer a total transportation solution. Combined, these businesses – which include extensive car rental and car-sharing services, commercial truck rental, corporate fleet management and retail car sales - accounted for \$16.4 billion in revenue, employed 78,000 and operated 1.4 million vehicles throughout the world in fiscal year 2013. Enterprise Holdings, through its regional subsidiaries, operates the largest fleet of vehicles in the world through a global network of neighborhood and airport locations under the Enterprise Rent-A-Car, National Car Rental and Alamo Rent A Car brands. Enterprise Fleet Management provides full-service fleet management to companies and organizations with medium-sized fleets. Other transportation services marketed under the Enterprise brand name include Enterprise CarShare, Enterprise Rideshare, Enterprise Car Sales and Enterprise Commercial Trucks. Operating through its regional subsidiaries, Enterprise Holdings is the largest car rental company in the world as measured by revenue, fleet and employees.

Special Interests: Privatization, Tax Legislation, Traffic Management, Transportation, Travel Issues

For more Business Council profiles visit the Conference of Mayors website at usmayors.org/buscouncil



Conference of Mayors President Smith Creates New Botanical Walkway as Part of National GRO1000 Garden and Green Spaces Program

Conference President Mesa Mayor Scott Smith dedicated a new Botanical Walkway at the McKellips and Ellsworth Park April 1, made possible by a grant from The Scotts Miracle-Gro Company in partnership with The U.S. Conference of Mayors. The new walkway will be home to a model desert environment intended to increase the knowledge, understanding and appreciation of native horticulture among residents. The walkway was initially supported in 2012 as part of Mesa's Park and Recreation Bond program.

With the help of GRO1000, the city is constructing a botanical walkway at the newly developed McKellips and Ellsworth Park that will serve as a model for native desert environmental education. The 600-foot Botanical Walkway will be an educational pathway. The Walkway will be designed to maximize educational opportunities and encourage the preservation and propagation of native plantings. It will include demonstration areas, plant identification and interpretive signage. Through educational programming, the Botanical Walkway will increase the knowledge and understanding of the value of native desert environments and how this impacts the health and sustainability of the Mesa community. The Botanical Walkway will, also, serve as an educational garden and a recreational space where residents and visitors can take advantage of the outdoor teaching environment.

GRO1000 is a national program launched by ScottsMiracle-Gro in 2011 to create more than 1,000 community gardens and green spaces in the U.S., Canada and Europe by 2018. The U.S. Conference of Mayors partnered with ScottsMiracle-Gro on the GRO1000 ini-



Left to right, ScottsMiracle-Gro U.S. West Region and Latin America President Jim Tate, USCM Assistant Executive Director Crystal Swann, USCM President Mesa Mayor Scott Smith, ScottsMiracle-Gro Executive Vice President and CFO Larry Hilsheimer, and The Scotts Miracle-Gro Company Corporate and Community Partnerships Director Su Lok present the 2014 GRO1000 Garden and Green Spaces check to Mesa.

tiative to recognize mayors for the installation of innovative, public green spaces designed to improve our nation's cities. The Botanical Walkway at McKellips and Ellsworth Park will support Smith's honoring of the legacy of Mesa pioneers in an effort to enhance, protect and foster greater appreciation for the local desert environment.

GRO1000 Mesa project was made possible through the combined efforts of local partners, including Mesa and Zahr's Elementary School, along with national partners including, The U.S. Conference of Mayors, ScottsMiracle-Gro, Plant

GRO1000

A Row for the Hungry, the National Gardening Association, the Garden Writers Association, and Franklin Park Conservatory and Botanical Gardens. The Mesa GRO1000 event is one of several public installation events being held in the U.S., Canada and Europe in 2014.

For more information on the program, visit the website usmayors.org/gro1000.

Congressional Arts Awards Presented by Conference of Mayors, Americans for the Arts



Left to right, Americans for the Arts President and CEO Robert Lynch, Ohio Senator Sherrod Brown, and USCM CEO and Executive Director Tom Cochran. Brown was honored with the 2014 Congressional Leadership in the Arts Award given annually by USCM and Americans for the Arts. The award is given in recognition of Congressional leadership in advancing the arts.



Left to right, USCM CEO and Executive Director Tom Cochran, Virginia U.S. Representative James Moran, and Americans for the Arts President and CEO Robert Lynch. Moran was honored with the 2014 Congressional Leadership in the Arts Award. The award was presented on Arts Advocacy Day, March 25.

SHARE YOUR GOOD NEWS!

***We know you have
good news to share
about your mayor
or a unique local
program. Tell us
about it so other cit-
ies can learn from
your success!***

***Send your press
releases and pho-
tos for U.S. Mayor
newspaper to
USCM Public Affairs
Office:***

etemple@usmayors.org

202-861-6719

Mayor Annise Parker, Houston Break Ground on Garden, Playground as Part of USCM/Scotts Miracle-Gro GRO1000 Garden and Green Spaces Award

The Gulfton community in southwest Houston dedicated a new community greenscape on March 22 as part of The Scotts Miracle-Gro Company and The U.S. Conference of Mayors nationwide GRO1000 gardens and green spaces program. The GRO1000 event at the Gabriela Mistral Center for Early Childhood was kicked off by more than 150 area children, local volunteers, including area residents and ScottsMiracle-Gro associates, city officials and GRO1000 national and local partners to install container gardens, fruit trees, compost bins, rain barrels and a playhouse, among other features. Educational gardening and environmental activities will be available for area residents and youth. Also a group of deserving students received the ScottsMiracle-Gro Give Back To Gro Youth Gardener Award.



Houston Mayor Annise Parker and students from Gabriela Mistral Center for Early Childhood release butterflies in the new butterfly garden installation during the GRO1000 Garden and Green Space dedication ceremony.



Left to right, Texas State Rep. Gene Wu, Texas State Rep. Sarah Davis, Council Member Mike Laster, ScottsMiracle-Gro U.S. West Region and Latin America President Jim Bates, ScottsMiracle-Gro Senior Vice President and Chief Communications Officer Jim King, USCM Staff Member Crystal Swann, Houston Mayor Annise Parker and School Principal Laura Alaniz present check for three-year garden grant.

GRO1000 is a national program launched by ScottsMiracle-Gro in 2011 to create more than 1,000 community gardens and green spaces in the U.S., Canada and Europe by 2018. The U.S. Conference of Mayors partnered with ScottsMiracle-Gro on the GRO1000 initiative to recognize mayors for the installation of innovative, public green spaces designed to improve our nation's cities. The garden and nature playground at the Gabriela Mistral Center for Early Childhood will support Parker's "Go Healthy Houston Initiative and Task Force," which is focused on reducing obesity, increasing healthy eating and exercise and promoting urban agriculture since its launch in 2012.

"It's exciting to see the transformational green space projects we are creating all over the city," said Parker. "From the expansive Buffalo Bayou Park, to the nature playground and garden at Gabriela Mistral Center, every development

See HOUSTON on page 10

DuPont, Baltimore Mayor Rawlings-Blake Together for Science in the School Day Event

Conference of Mayors Second Vice President Baltimore Maryland Mayor Stephanie Rawlings-Blake welcomed Cities United for Science Progress (CUSP) at Francis Scott Key Elementary/ Middle School on February 21 for a Science in the School Day with 75 fourth and fifth grade students. The students joined the mayor in the school cafeteria eager to build their "puff mobiles." DuPont Field Engineer Andrew Reyna jumpstarted the afternoon activities with a fun, hands-on project exploring basic engineering principles.

Rawlings-Blake oversaw the construction of the "puff mobiles" using everyday materials like drinking straws, lifesavers, scotch-tape, paper and paperclips. At the conclusion of the event children rushed to race their vehicles in hopes of becoming finalists. Students scrambled across the cafeteria floor blowing away as their "puff mobiles" came closer and closer to crossing the finish line.

As the heats concluded, the first-place winners prepared to race head to head as Rawlings-Blake preside over the final race. The students were excited to race and blew their puff mobiles across the finish line and the mayor was able to determine the winner. The winning puff mobile was designed by a fourth grade girl who had a simple yet effective design. The lesson she, and the rest of the stu-

dents learned about the scientific method was evident on the racecourse as the trial and error was most apparent in the winning mobile.

Rawlings-Blake presented the winner with her prize as all the students cheered with enthusiasm.

DuPont was grateful to work with Rawlings-Blake and provide these students the opportunity to be "Engineers for a Day." DuPont believes that enabling children to become more interested in science is imperative for their future as technology continues to advance every day. This program shows them the possibilities of careers in engineering and teaches them to explore new ideas.

CUSP is a partnership between The United States Conference of Mayors and DuPont. Through the \$4 million Lead-Safe...for Kids' Sake grant program more than 30 cities have received grants and the acclaimed Science in the School Day initiative has visited more than 250 cities with close to 40,000 elementary school children participating.



Left to right, USCM Second Vice President Baltimore Maryland Mayor Stephanie Rawlings-Blake, Francis Scott Key Elementary/ Middle School 4th Grade student winner, and DuPont Field Engineer Andrew Reyna.

For more information on how to bring Science in the School Day to your city, contact scienceintheschoolday@verizon.net or call 703-980-8099.

HOUSTON from page 9

enhances our city and encourages our citizens to become healthier. What's really cool about this project is that children can learn and have an adventure right in their own community."

Parker was joined at the dedication ceremony by ScottsMiracle-Gro Senior Vice President and Chief Communications Officer Jim King, ScottsMiracle-Gro U.S.

West Region and Latin America President Jim Tate, Keep Houston Beautiful Executive Director Robin Blut, and students from Gabriela Mistral Center for Early Childhood.

For more information on the program visit the website usmayors.org/gro1000.

GRO1000



By J.B. Wogan

A Little Help From the Feds

Cities want another stimulus-like round of funding for green projects.

When you think of the American Recovery and Reinvestment Act of 2009, chances are you conjure images of shovel-ready highway construction. But that one-time infusion of federal funds also enabled cities across the country to go green in a big way. Localities invested in everything from charging stations for electric vehicles to wind turbines and solar panels to LED streetlights and more energy-efficient infrastructure. Now cities are calling for more money.

A recent survey from the U.S. Conference of Mayors looked at how cities used the federal Energy Efficiency and Conservation Block Grant Program (EECBG), which distributed \$2.7 billion under the economic stimulus package. About half of the money went directly to cities, with an average grant per city of about \$1 million. The report shows that “cities made very good use of these funds,” says Shane Bemis, mayor of Gresham, Ore. About 62 percent of respondents, the report found, used the federal funds to invest in new programs that weren’t in their existing climate or energy plans. The report’s authors highlighted the statistic to demonstrate that mayors leveraged federal aid to make new progress on energy efficiency and conservation: “The prevailing view at the time [the stimulus bill passed] was that many cities would simply substitute EECBG dollars for allocated local funding to existing city energy initiatives.”

The vast majority of mayors (87 percent) said federal funds went to city projects and operations, such as making city-owned buildings more energy efficient and upgrading streetlights. Retrofits of government buildings were the most common use of the funds, though write-in responses detailed a variety of other projects, such as putting a wind turbine on top of a building and buying a solar-powered garbage and recycling container.

Bridgeport, Conn., used about \$70,000 from the grant program to pay for a feasibility study on constructing an anaerobic digester, which recovers methane from food waste and other types of biodegradable material and converts the gas into heat and electricity. Currently, Bridgeport pays more than \$2 million a year to haul its sewage to New Haven, where it is burned. Eventually the digester could save the city about \$1 million in trucking fees and energy fees, says Bridgeport Mayor Bill Finch.

The mayors say the survey results underscore the effectiveness of the grant program and should persuade Congress to allocate

more money in the future. Under a proposal in President Obama’s March budget plan, the U.S. Department of Energy would provide \$200 million in one-time performance grants to support state governments that want to cut energy waste and modernize their power grids. The White House outlined the same idea last year,



This anaerobic digester in Massachusetts converts gas and heat into electricity. A similar project is being built in Bridgeport, Conn.

though no competitive grant program for energy projects ever materialized. The push to reward energy efficiency, however, does appear in a current bipartisan bill that would focus on updating state and local building codes to encourage energy savings.

So what happens to all these efforts if the federal government doesn’t pony up again? Bridgeport’s Finch says some cities may be forced to abandon bigger projects unless they can strike a deal with a private partner. “At the local level, so much of your budget is predetermined,” he says. “Discretionary money is almost nonexistent unless you want to raise regressive property taxes. If you want to make these kinds of investments, it’s almost got to come from the federal government.”

For Bridgeport’s part, Finch says the city is looking at the private market to partner. But, he adds, there are lots of ways cities can still go green for less. He cites recycling as one example, and says that smaller projects, like installing LED streetlights, will go forward no matter what—just at a slower pace. **G**

Email jwogan@governing.com

April 2014 | GOVERNING 21

Curbside Recycling Takes Off in Columbus (OH)

Two years ago, Columbus (OH) was without a comprehensive recycling program. Despite a multifaceted effort to get green through an expanded bikeways program, alternative fuels and LEED-certified buildings, Columbus did not offer free curbside recycling to its residents.

Today, Columbus has one of the best recycling programs in the nation. Columbus received the 2013 Waste & Recycling News Green City Award for excellence in recycling accomplishments.

Prior to 2012, Columbus lagged behind the rest of the nation with voluntary paid subscription recycling service that resulted in an abysmal 8 percent participation. At the time, the city was diverting only ten percent of its waste from the landfill.

In his 2010 State of the City Address, Mayor Michael B. Coleman declared the city's recycling rate an embarrassment. "A city cannot be truly green unless it has a comprehensive curbside recycling program," Coleman said in the speech, delivered February 24 2010. "Recycling is not a luxury. It is a necessity. As a necessity, it should be a basic neighborhood service."

Afterward, Coleman's office reached out to other cities to determine the most effective and efficient modes of operations. To make the program affordable,

the city decided to alternate weeks of yard waste and recycling collections, rather than having separate collection schedules each week. To allow residents to fit all their recyclables in one container, Columbus decided to distribute larger carts instead of smaller bins. For an easier and more effective process, residents were asked to put all their recyclables together, rather than separate them.

In June of 2012, the implementation of Columbus' first no-fee citywide curbside recycling program began.

Understanding the importance of educating residents about the benefits and logistics of recycling, the city launched a comprehensive public information campaign, engaging all 190,000 eligible households through robo calls, door hangers, and a recycling ambassador team of over 100 trained volunteers that presented to more than 500 neighborhood meetings and events. The effectiveness of the RecyColumbus campaign earned it the 2013 Merit Award from the Public Relations Society of America. More importantly, the campaign got results. As of December, the program enjoyed a 74-percent participation rate while resulting in a 25-percent diversion rate.

In 2014, the program is expanding



Columbus (OH) Mayor Michael B. Coleman

to serve condos, townhouses and lower density apartment complexes. In addition, the city is working with the Solid Waste Authority of Central Ohio to piloting a program to place recycling dumpsters within higher density apartment complexes to make it more convenient for multi-family residents.

"It's hard to believe that only two years ago, we didn't have curbside residential recycling," Coleman said in his 2014 State of the City Address February 19. "Today we are one of the greenest cities in America."

New White House Mayors' Liaison Rohan Patel

USCM CEO and Executive Director Tom Cochran, left, discusses shared policy priorities with new White House Deputy Director of Intergovernmental Affairs Rohan Patel and Associate Director Kellyn Blossom at USCM headquarters. Patel previously served as Associate Director for Public Engagement for the White House Council on Environmental Quality and Senior Advisor to U.S. Department of Agriculture Secretary Tom Vilsack.



THE UNITED STATES CONFERENCE OF MAYORS

RETIREMENT PROGRAM



Great-West Financial® Acquires J.P. Morgan Retirement Plan Services to Create One of Largest Retirement Recordkeeping Firms in U.S. Marketplace

Great-West Financial to Serve Retirement Needs of 6.8 Million Participants Nationwide

Conference of Mayors Platinum Partner, Great-West Financial®, has reached an agreement to acquire the J.P. Morgan Retirement Plan Services large-market recordkeeping business, making it the second-largest retirement services provider by participants in the U.S. defined contribution market. The J.P. Morgan Retirement Plan Services business comprises 200 clients with approximately 1.9 million participants and \$167 billion in assets. It also includes the more than 1,000 personnel affiliated with J.P. Morgan Retirement Plan Services, including sales staff, consultant relations, relationship manag-

ers and client service specialists.

The transaction, which is expected to close during the third quarter pending regulatory approval, will increase Great-West Financial's participant base to 6.8 million and its retirement services recordkeeping assets to \$387 billion. In March, it was announced that the retirement business of Putnam Investments, which specializes in the large-plan corporate segment, will combine within Great-West Financial to serve the full breadth of the retirement marketplace. "We're pleased to unite J.P. Morgan Retirement Plan Services under Great-West Financial to provide customers with an industry-leading service and product offering," said Great-West Financial President and Chief Executive Officer Mitchell Graye.

In discussing the added capabilities and resources of the expanding retirement organization at Great-West Financial, Robert L. Reynolds, who was recently named President and Chief Executive Officer of Great-West Lifeco U.S., the holding company that owns Great-West Financial and Putnam Investments, said, "The growing U.S. retirement market

serves an increasingly vital role in helping to determine the current and future quality of life of working Americans. With today's announcement, we are taking a powerful step toward addressing the complex and evolving needs of millions – through the combination of expertise, talent and business scale being created at Great-West Financial."

For more information, call 1-888-303-USCM (8726) or visit the website www.USCMRetire.org/transition

Great-West Financial® is a registered mark of Great-West Life & Annuity Insurance Company. Headquartered in metro Denver, Great-West Financial administers \$243.5 billion in assets for its 5.4 million retirement, insurance and annuity customers.

In October of 2012, the Conference of Mayors announced its new USCM Retirement Program with Great-West Financial. The program brings, for the first time, widespread fee savings and transparency to cities and municipal entities of all sizes in the 457(b) deferred compensation market, coupled with a best-in-class plan design.

Top 5 Misconceptions About Procurement of Energy Commodities

Why Overcoming Them Is Critical to Reducing Costs

Every day, energy decision-makers are bombarded with phone calls and e-mails from energy firms proclaiming they have the best ideas about how to procure energy. However, energy procurement may be just one of many “hats” the decision-maker wears. The resulting confusion can lead to faulty opinions about energy procurement best practices. These misconceptions are typically held by those “responsible” for energy procurement – purchasing agents, facility managers, assistant superintendents, city managers, county judges, auditors, and others. While most energy managers have a great deal of expertise managing facility operations, they are not experts in the energy commodity markets. Here, we outline the five most common misconceptions held by energy decision-makers or anyone who is part of a team making energy procurement recommendations for their organization.

Misconception 1: “I already understand the energy markets and how to procure energy.”

Especially if the decision-maker is someone who has procured energy before or has some background in the energy markets, the tendency is to believe he or she knows enough to handle things successfully. While many energy managers are certified to handle demand side issues, which relate to how an organization uses energy once it’s delivered to them, managing the physical energy commodity itself requires a completely different knowledge base. Just as you wouldn’t want to trust cardiac surgery to someone who “used to be in the medical field” but never performed surgery, you wouldn’t want to leave energy procurement in your own hands or anyone else’s

who is not fully involved every day in the energy wholesale markets. Your job is not to be an energy expert, but rather to shepherd the process for your organization – you must rely on seeking expertise to make the process successful.

Misconception 2: “I manage procurement of all commodities according to the bid calendar.”

Every purchasing professional maintains one, and it is the lifeblood of the procurement organization: the master bid calendar. This is how almost all procurement is managed, by working with contract expirations and end user needs to determine when each contract should be bid. The reason this doesn’t work with energy commodities is the same reason energy is so unique – volatility. Energy commodities in general, and specifically electricity, are the most volatile commodities you will ever procure. The impact on your budget of locking in a fixed price for electricity on Tuesday afternoon as opposed to Friday morning, for example, can easily be a difference of hundreds of thousands of dollars annually. While you can’t do anything about the volatility itself, you can manage your procurement process by having the tools and resources in place to follow the market and lock in prices during favorable market dips, thereby saving your organization tremendously in the long run.

Misconception 3: “My supplier is very good and always helps me secure the best price.”

It has been a growing trend to foster “partnerships” with suppliers, and in the energy world this sometimes means sticking with one supplier and trusting that they will always help you secure the best pricing. We mentioned before how essential it is to follow the market in order to find the best windows to secure pricing, and relying on one supplier to provide this guidance can lead to problems.

This one supplier is only able to give you “their view” of the market. In addition, they are only able to deliver one solution – theirs. To ensure you are achieving the best possible procurement (product strategy, price, term, contract, etc.), you must use a competitive process that incorporates supplier responses from all suppliers in the market, not just the incumbent. Don’t worry – your current supplier will understand.

Misconception 4: “My contract doesn’t expire for another year, I’m fine.”

So many opportunities for savings in energy commodities are lost by not being ready to execute a contract. Unless they are within six to twelve months of contract expiration, many make the mistake of believing there is no point to even discuss energy procurement. It has been shown time and time again, though, that this strategy is the equivalent of rolling the dice and hoping for a seven. The best approach is to continually monitor the markets, because history shows that the best contracting window may be even three years prior to the expiration of the current contract. For example, in today’s market, known as a “declining market,” energy market prices are lower the more years you go out. This characteristic can mean that a 12-month contract purchased and starting today may be priced at 7 cents per kilowatt hour whereas a 12-month contract purchased to start in 24 months may be priced at 5.5 cents per kWh. The bottom line? It’s never too early to start looking at energy prices!

Misconception 5: “We can’t control energy prices, so there is no need to monitor the market.”

This is a summation of much that has already been discussed. The misconception is that since no one has a crystal ball, there is no point in even trying to manage

See PROCUREMENT on page 15

Pope Francis: City Mayors Called to be Mediators

2014-04-05 Vatican Radio

(Vatican) According to Vatican News.com, when Pope Francis received in audience the municipal leaders of Italy April 5, the Pope told the representatives of the National Association of Italian Municipalities to look to the men and women of the Church – pastors, religious sisters, and laypeople – as examples of knowing how to walk with and among the people.

He warned against the danger of becoming a mayor who exploits the needs of the people, and who always takes something for himself.

Instead, a mayor should be a mediator, "...one who pays with his own life for the unity of his people, for the good of his people, putting forward different solutions [according to] the needs of his people."



Photo by AP Images

At left, President of The National Association of Italian Municipalities (ANCI) Turin, Italy Mayor Piero Fassino at the Vatican with Pope Francis.

The Holy Father went on to commend those present, saying, "You are mediators. Among the people, to create unity, to make peace, to resolve problems and resolve the needs of the people."

Pope Francis reflected on when Jesus was in the crowd and was pushed, says the Gospel, so that he could barely

breathe. "So too must the mayor be, with his people... Exhausted, in the midst of your people, and sought after by the people because they know you always respond well."

PROCUREMENT from page 14

the process. In this scenario, the decision-maker just throws up his or her hands and says "We'll bid this out next September." The procurement is executed regardless of what other factors are happening in the market, and frequently attempts made by consultants and others to help are rebuffed because the belief is that no one knows the future, so why even try. Just because you have "put the energy contract to bed" for the next three years doesn't mean you shouldn't be monitoring the market and your contract's performance. This monitoring will help determine how well your previous strategy performed, as well as show you market windows to make future decisions. A con-

tinuous feedback loop regarding contract strategy and performance is essential to increase an organization's opportunities for future savings and cost control.

So all in all, don't be a reactionary victim of doing things the same old way. Many analytical studies show that energy is one of the top three areas of spend for organizations. Take charge, and establish a proactive, managed strategy that pulls in expertise and professional resources to truly transform your organization, save thousands of additional dollars and make energy the hero of the annual budget.

Written by Bob Wooten for Government Procurement magazine http://issuu.com/nigp/docs/govpro_february-march2014

Bob Wooten, C.P.M., CEP, is Director of Government Accounts for Tradition Energy, where he manages energy pro-

curement for a wide variety of governmental entities including cities, schools, colleges, universities, housing authorities and municipal districts. Contact Wooten by e-mail at Bob.Wooten@TraditionEnergy.com

The Conference of Mayors is a sponsor and founder of U.S. Communities. Tradition Energy is a supplier with U.S. Communities Government Purchasing Alliance. U.S. Communities is the leading national government purchasing cooperative that reduces the cost of goods and services by aggregating the purchasing power of public agencies nationwide. To learn more about Tradition Energy and U.S. Communities' other contracts, visit the website www.uscommunities.org or contact Conference of Mayors Staff by phone at 301-460-5251.



Bill Contains Conference of Mayors Recommendations to Improve Law

By Judy Sheahan

The Senate Environment and Public Works Committee on April 3 passed a

Bipartisan Brownfields Bill Passes Senate Committee

bipartisan Brownfields bill out of Committee, which reauthorizes the brownfields programs and makes some needed improvements that the Conference of Mayors and the Brownfields Coalition recommended.

Brownfields are abandoned or underutilized properties, whose redevelopment is hindered, by either real or perceived environmental contamination. The original bill, which passed in 2002, was a top Conference of Mayors priority for many years, clarified liability issues for new prospective purchasers of brownfields.



PAID ADVERTISEMENT

Legal Notice

If You Purchased Municipal Derivative Transactions from January 1, 1992 to August 18, 2011 You Could Get a Payment for a Class Action Settlement.

A proposed Settlement has been reached with GE Funding Capital Market Services, Inc., Trinity Funding Co., LLC and Trinity Plus Funding Co., LLC (collectively, "GE"), in a class action lawsuit that alleges price-fixing in the sale of municipal derivatives transactions by GE and other companies. The case, *In re Municipal Derivatives Antitrust Litigation*, MDL No. 1950, No. 08-02516, is pending in the United States District Court for the Southern District of New York.

Who Is Included in the Settlement?

This Settlement includes all state, local and municipal government entities, independent government agencies, quasi-government, non-profit and private entities that purchased:

- (1) Municipal derivative transactions through negotiation, competitive bidding or auction, from any Alleged Provider Defendant or brokered by any Alleged Broker Defendant,
- (2) Any time from January 1, 1992 through August 18, 2011 in the United States and its territories or for delivery in the United States and its territories.

The Defendants and Co-Conspirators are listed in the detailed notice available on the Settlement website.

What Does the Settlement Provide?

GE agreed to a settlement amount of \$18.25 million. This Settlement is only a partial settlement of the lawsuit because it only affects the claims against GE. The lawsuit is continuing against other Defendants. Morgan Stanley, Wachovia/Wells Fargo, and JPMorgan have already settled. GE will provide reasonable cooperation, including discovery cooperation, to Class Plaintiffs' Counsel in the litigation that will continue against the other Defendants.

What Do I Do Now?

• **Remain in the Settlement.** To remain in the Settlement Class and participate in the Settlement, you do not have to do anything now. If the Court approves the Settlement, you give up the right to sue GE for the claims and issues in this case. The Settlement Agreement, specifically Paragraph 1(bb), which is available at www.MunicipalDerivativesSettlement.com, describes in more detail the legal claims that you give up if you stay in the Class. If you remain in the Settlement Class, you still have the right to exclude yourself from any other settlements with other defendants reached in this lawsuit. Claim forms are not available now. Register on the Settlement website to receive a claim form when it becomes available.

• **Exclude yourself from the Settlement.** If you do not want to remain in the Settlement Class, you must exclude yourself. You must send a written request for exclusion by first-class mail, **postmarked no later than May 6, 2014** to the Settlement Administrator. The detailed notice available on the Settlement website describes the information you are required to include in your request for exclusion. If you exclude yourself, you cannot participate in the Settlement, but you retain your right to sue GE on your own for the claims in this lawsuit.

NOTE: You may receive similar notices regarding proposed settlements with other Defendants (i.e., Bank of America). However, if you wish to exclude yourself from the GE settlement, you **must send a separate and specific notice with regard to the GE settlement.**

• **Object or Comment on the Settlement.** If you remain in the Settlement Class and want to object to or comment on the GE Settlement or any part of it, you must file an objection with the Court and deliver a copy to Class Counsel and GE **no later than May 6, 2014.**

When Will the Court Decide Whether to Approve the Settlement?

The Court has scheduled a hearing on June 6, 2014, at 10 a.m. at the United States District

Court for the Southern District of New York, United States Courthouse, 500 Pearl Street, New York, NY 10007, to consider whether to finally approve the GE Settlement as fair, reasonable and adequate, whether to approve Class Counsel's request for reimbursement of litigation expenses, and to consider any objections.

The Court has appointed the law firms of Hausfeld LLP; Boies, Schiller & Flexner LLP; and Susman Godfrey L.L.P. to serve as Class Counsel and represent all Class Members. If you want to be represented by your own lawyer, you may hire one at your own expense. You or your lawyer may ask to appear and speak at the hearing but are not required to. If you want to be heard by the Court, you must file a written notice of your intention to appear with the Court and deliver a copy to the Class Counsel and GE **no later than May 6, 2014.** The Court may change the time and date of the hearing. Any change will be posted on the Settlement website.

Get More Information

For more information on this lawsuit, your rights, or to obtain a list of defendants, call or visit the Settlement website listed below or write to Municipal Derivatives Settlement, c/o Rust Consulting, Inc., P.O. Box 2500, Faribault, MN 55021-9500.

For more information: 1-877-310-0512 www.MunicipalDerivativesSettlement.com

The appearance of paid advertising in U.S. Mayor does not imply support or endorsement by The United States Conference of Mayors for any of the products, services or messages advertised.



U.S. Customs and Border Protection Allocates 2,000 Additional Officers

By Laura DeKoven Waxman

U.S. Customs and Border Protection (CBP) announced March 31 the allocation of 2,000 additional CBP officers to further increase security and improve service levels at ports of entry across the U.S. The additional officers are also expected to facilitate trade and travel across borders. In announcing the allocation, Customs and Border Protection Commissioner R. Gil Kerlikowske cited research that shows that the U.S. can potentially gain over 1,000 jobs for every 33 additional CBP officers.

Kerlikowske was sworn in as CBP Commissioner March 7. He previously served in the Obama Administration as Director of Office of National Drug Control Policy. He has a long career in law enforcement, having served as police chief in Seattle and Buffalo, and has worked closely with the Conference of Mayors over the years.

"These measures are a significant down payment and a wise investment in our airports, seaports and land border crossings that will pay dividends for the nation's economy," Kerlikowske said. "We look forward to continuing to work with Congress and our stakeholders to implement additional investments that will allow us to support growing volumes of

trade and travel that are vital to our economic prosperity."

According to CBP documents, each CBP Officer added to ports of entry increases the Gross Domestic Product by \$2 million, saves \$640,000 in opportunity costs, and adds 33 jobs to the economy. On the enforcement side, adding 1,000 officers results in 23,000 more enforcement actions, a \$40 million increase in drug seizure values, \$7.85 million increase in trade penalty assessments, a \$2.5 million increase in intellectual property rights seizures, and \$42 million increase in liquidated damage assessment.

The funding for the 2,000 additional CBP officers was included in the agency's FY 2014 appropriation. They have been allocated to 44 ports in 18 states. Among the cities that will see an increase in personnel at their local ports are New York, Los Angeles, Detroit, Buffalo, Houston, Dallas, Chicago, Las Vegas, Laredo, Nogales, and New Orleans.

The additional staffing is intended to reduce wait times, and help speed the lawful flow of goods and people into the nation. The President's FY 2015 budget request would add another 2,000 officers next year to be funded by fees, bringing the number of CBP officers to an historic level.



Reimbursable Services Program

In addition CBP announced a new Reimbursable Services and Donations Acceptance program which allows the agency to enter into partnerships with private sector and government entities and to accept certain donations that will help enable CBP to support additional requests for services for a five-year period. Last year, CBP signed five agreements with ports in Houston, Dallas, El Paso, South Texas and Miami. Applications for partnerships are being accepted until 5p.m. EDT April 30.

Reimbursable services under Section 559 include customs, immigration, and agricultural processing; salaries for additional staff; and overtime expenses at airports. Through this program, the local public or private entity would reimburse CBP for the provision of these services.

The new donation acceptance authority would allow CBP and the General Services Administration, to accept donations of real or personal property or non-personal services to be used for construction, alterations, operation, or maintenance of a new or existing port of entry.

Additional information on both programs is available online at <http://www.cbp.gov/border-security/ports-entry/resource-opt-strategy/public-private-partnerships>.



If You Purchased Municipal Derivative Transactions from January 1, 1992 to August 18, 2011 You Could Get a Payment for a Class Action Settlement.

A proposed Settlement has been reached with Bank of America, N.A. ("Bank of America"), in a class action lawsuit that alleges price-fixing in the sale of municipal derivatives transactions by Bank of America and other companies. The case, *In re Municipal Derivatives Antitrust Litigation*, MDL No. 1950, No. 08-02516, is pending in the United States District Court for the Southern District of New York.

Who Is Included in the Settlement?

This Settlement includes all state, local and municipal government entities, independent government agencies, quasi-government, non-profit and private entities that purchased:

- (1) Municipal derivative transactions through negotiation, competitive bidding or auction, from any Alleged Provider Defendant or Co-Conspirator or brokered by any Alleged Broker Defendant or Co-Conspirator,
- (2) Any time from January 1, 1992 through August 18, 2011 in the United States and its territories or for delivery in the United States and its territories.

The Defendants and Co-Conspirators are listed in the detailed notice available on the Settlement website.

What Does the Settlement Provide?

Bank of America agreed to a settlement amount of \$20 million (plus any funds remaining in the State AG Escrow Fund that, as of the date this Notice is issued, Bank of America has access to pursuant

to the terms of the State AG Settlement – this potential additional amount could be between \$0 and \$1 million) to be paid as follows: \$10 million has already been paid into an escrow account and the balance will be paid later. This Settlement is only a partial settlement of the lawsuit because it only affects the claims against Bank of America. The lawsuit is continuing against other Defendants. Morgan Stanley, Wachovia/Wells Fargo, and JPMorgan have already settled. Bank of America will provide reasonable cooperation, including discovery cooperation, to Class Plaintiffs' Counsel in the litigation that will continue against the other Defendants.

What Do I Do Now?

• **Remain in the Settlement.** To remain in the Settlement Class and participate in the Settlement, you do not have to do anything now. If the Court approves the Settlement, you give up the right to sue Bank of America for the claims and issues in this case. The Settlement Agreement, specifically Paragraph 1(cc), which is available at www.MunicipalDerivativesSettlement.com, describes in more detail the legal claims that you give up if you stay in the Class. If you remain in the Settlement Class, you still have the right to exclude yourself from any other settlements with other defendants reached in this lawsuit. Claim forms are not available now. Register on the Settlement website to receive a claim form when it becomes available.

• **Exclude yourself from the Settlement.** If you do not want to remain in the Settlement Class, you must exclude yourself. You must send a written request for exclusion by first-class mail, **postmarked no later than May 6, 2014** to the Settlement Administrator. The detailed notice available on the Settlement website describes the information you are required to include in your request for exclusion. If you exclude yourself, you cannot participate in the Settlement, but you retain your right to sue Bank of America on your own for the claims in this lawsuit.

NOTE: You may receive similar notices regarding proposed settlements with other Defendants (i.e., GE Funding Capital Market Services, Inc., Trinity Funding Co., LLC and Trinity Plus Funding Co., LLC). However, if you wish to exclude yourself from the Bank of America settlement, you **must send a separate and specific notice with regard to the Bank of America settlement.**

• **Object or Comment on the Settlement.** If you remain in the Settlement Class and want to object to or comment on the Bank of America Settlement or any part of it, you must file an objection with the Court and deliver a copy to Class Counsel and Bank of America **no later than May 6, 2014.**

When Will the Court Decide Whether to Approve the Settlement?

The Court has scheduled a hearing on June 6, 2014, at 10 a.m. at the United States District

Court for the Southern District of New York, United States Courthouse, 500 Pearl Street, New York, NY 10007, to consider whether to finally approve the Bank of America Settlement as fair, reasonable and adequate, whether to approve Class Counsel's request for reimbursement of litigation expenses, and to consider any objections.

The Court has appointed the law firms of Hausfeld LLP; Boies, Schiller & Flexner LLP; and Susman Godfrey L.L.P. to serve as Class Counsel and represent all Class Members. If you want to be represented by your own lawyer, you may hire one at your own expense. You or your lawyer may ask to appear and speak at the hearing but are not required to. If you want to be heard by the Court, you must file a written notice of your intention to appear with the Court and deliver a copy to the Class Counsel and Bank of America **no later than May 6, 2014.** The Court may change the time and date of the hearing. Any change will be posted on the Settlement website.

Get More Information

For more information on this lawsuit, your rights, or to obtain a list of defendants, call or visit the Settlement website listed below or write to Municipal Derivatives Settlement, c/o Rust Consulting, Inc., P.O. Box 2500, Faribault, MN 55021-9500.

For more information: 1-877-310-0512 www.MunicipalDerivativesSettlement.com

The appearance of paid advertising in U.S. Mayor does not imply support or endorsement by The United States Conference of Mayors for any of the products, services or messages advertised.

Calendar of Events

(Updated 04/10/14)



April 21-26

National Community Development Week. Contact: Gene Lowe glowe@usmayors.org / 202-861-6710

April 25-26

Tourism, Arts, Parks, Entertainment and Sports (TAPES) Committee Meeting, New Orleans. Contact: Jocelyn Bogen jbo-gen@usmayors.org / 202-861-6727. Registration Open

June 20-23

82nd Annual Conference of Mayors, Dallas. Contact: Carol Edwards cedwards@usmayors.org / 202-293-7330. Sponsorship: Geri Powell gpowell@usmayors.org / 202-861-6774. Registration Open at usmayors.org

USCM Community Policing Meeting at Clinton Presidential Center, and USCM Ports/Exports and Imports Meeting, Little Rock

- Community Policing: October 8-9
- Ports/Exports and Imports: October 10

Contact: Carol Edwards cedwards@usmayors.org / 202-293-7330. Sponsorship: Geri Powell gpowell@usmayors.org / 202-861-6774. Registration Available Soon

October 15-17

Municipal Waste Management Association (MWMA) Fall Summit, San Diego. Contact: Jubi Headley jheadley@usmayors.org / 202-861-6798. Registration Available June

For updates or changes, check our web site at

usmayors.org



In Memorium:

Carolyn Chaney: 1947-2014

Lifelong Advocate for America's Cities

Carolyn Chaney, a long-time member of the Conference of Mayors family and a strong advocate for America's cities, died at the age of 66 March 27 following a brief illness. Chaney dedicated her entire career in Washington (DC) to representing the interests of 16 U.S. cities in seven states, some of whom she represented for over 30 years.

Conference of Mayors CEO and Executive Director Tom Cochran described her when he notified staff of her death as "a strong advocate, fighting for what is right and fair for the cities of America."

Chaney was a City Representative at the National Center for Municipal Development, the first, and for many years,

the only organization providing federal advocacy and information services to local governments from throughout the United States. She also served as a lobbyist for both the Conference and the National League of Cities, specializing in the areas of community development and housing assistance.

More recently, she co-founded CapitalEdge where she served, until her retirement at the end of 2013, as a trusted liaison between her clients and Congress and the Executive Branch, providing advocacy assistance and strategic advice on issues ranging from transportation, public safety, human services and the environment.

Known to many as "Beanie," Chaney grew up in the Washington (DC) area and lived in Riva (MD). She is survived by her husband of 40 years, Stanley Lee Chaney, and her son, David Ricardo Lee Chaney.



Carolyn Chaney

Johnson Conveys Mayors' Support for "E-Rate" Modernization

USCM Vice President Sacramento Mayor Kevin Johnson conveys support of nation's mayors for the Federal Communications Commission's "E-Rate" program supporting higher speed broadband connections to the nation's libraries and schools. Participating in the April 10 event in front of the Sacramento Public Library were, Johnson (at podium), FCC Commissioner Jessica Rosenworcel, California State Public Instruction Superintendent Tom Torlakson and youth from City Year. USCM top leaders recently wrote to the FCC Chairman and the other four Commissioners, including Rosenworcel, urging modernization of the program's rules.



Photo by Daniel Lopez, City of Sacramento

Sponsored by

The United States Conference of Mayors and Walmart



2014 Mayors' Climate Protection Awards

We invite you to apply for the 8th Annual Mayors' Climate Protection Awards to be announced in Dallas, Texas during The United States Conference of Mayors 82nd Annual Meeting, June 20-23, 2014.

APPLICATION DEADLINE:

Wednesday, April 23, 2014

Applications will be accepted online at:

<http://usmayors.org/climateprotection/2014mayorsclimateawards>

This year's top winners will receive funding for local charities working on sustainability, with \$25,000 for first place in the large city category (more than 100,000 people) and \$15,000 for first place in the small city category (fewer than 100,000).



THE UNITED STATES CONFERENCE OF MAYORS

Walmart 



82nd Annual Conference of Mayors IN DALLAS June 20-23

HIGHLIGHTS:

Friday Night:

- AT&T (Cowboys) Stadium – Performances by The Dallas Cowboy Cheerleaders, Asleep at The Wheel, and Leann Rimes

Saturday Night:

- Perot Museum of Nature and Science, and Klyde Warren Park – Barbeque Feast and Performance by Grammy Award Winning Lyle Lovett and His Full Band

Sunday Night:

- Arts District and Once-in-a-Lifetime Concert by Grammy Award-Winning Bonnie Raitt

Monday Night:

- Dallas Arboretum and Botanical Gardens – Backyard Bash



Dallas Mayor Mike Rawlings, Host

Registration Now Open at usmayors.org

Contact Carol Edwards 202-293-7330

Sponsorship Information: Geri Powell 202-861-6774

