

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

*Atherton • Belmont • Brisbane • Burlingame • Colma • Daly City • East Palo Alto • Foster City • Half Moon Bay • Hillsborough • Menlo Park
Millbrae • Pacifica • Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County • South San Francisco • Woodside*

BOARD MEETING NOTICE

Meeting No. 221

- DATE:** Thursday, February 11, 2010
- TIME:** **6:30 P.M. Board Meeting**
- PLACE:** San Mateo County Transit District Office
1250 San Carlos Avenue, Second Floor Auditorium
San Carlos, CA
- PARKING:** Available adjacent to and behind building.
Please note the underground parking garage is no longer open.
- PUBLIC TRANSIT:** SamTrans Bus: Lines 261, 295, 297, 390, 391, 397, PX, KX.
CalTrain: San Carlos Station.
Trip Planner: <http://transit.511.org>

- 1.0 CALL TO ORDER/ ROLL CALL
- 2.0 PLEDGE OF ALLEGIANCE
- 3.0 PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA
Note: Public comment is limited to two minutes per speaker.
- 4.0 RESOLUTIONS OF APPRECIATION / PRESENTATIONS/ ANNOUNCEMENTS
- 4.1 PRESENTATIONS
- 5.0 CONSENT AGENDA

Consent Agenda items are considered to be routine and will be enacted by one motion. There will be no separate discussion on these items unless members of the Board, staff or public request specific items to be removed for separate action.

- 5.1 Approval of the Minutes of Regular Business Meeting No. 220 dated January 14, 2010.

ACTION p. 1

- 5.2 Approval of revised date for the November Board meeting. ACTION p. 7
- 5.3 Review and approval of the C/CAG Basic Financial Statements (Audit) for the Year Ended June 30, 2009. ACTION p. 13
- 5.4 Review and approval of AB 1546 Fund Financial Statements (Audit) for the Year Ended June 30, 2009 ACTION p. 29
- 5.5 Review and approval of Abandoned Vehicle Abatement Fund Financial Statements (Audit) for the Year Ended June 30, 2009. ACTION p. 35
- 5.6 Review and approval of Resolution 10-03 authorizing the C/CAG Chair to execute the Interagency Agreement between the Metropolitan Transportation Commission (MTC) and C/CAG for Transportation Planning, Programming, and Transportation/Land Use Coordination for FY 2009/10, FY 2010/11, and FY 2011/12, in the amount of \$1,786,000. ACTION p. 41
- 5.7 Review and approval of Resolution 10-05 authorizing the C/CAG Chair to execute a funding agreement between C/CAG and the City of East Palo Alto for Traffic Improvement Projects on University Avenue and East Bayshore Road in the amount of \$347,500. ACTION p. 45
- 5.8 Review and approval of Resolution 10-04 of the Board of Directors of the City/County Association of Governments of San Mateo County authorizing the C/CAG Chair to execute a contract between the City/County Association of Governments (C/CAG) and AECOM Technical Services, Inc. for computer traffic simulation and forecast modeling services for a maximum amount of \$48,280. ACTION p. 53
- 5.9 Review and approval of Resolution 10-06 authorizing the C/CAG Chair to execute an amendment to the technical consultant contract with Eisenberg, Olivieri, and Associates, Inc., in an amount not to exceed \$109,500 for addressing new requirements under the Municipal Regional Permit in support of the Countywide Water Pollution Prevention Program. ACTION p. 69
- 5.10 Review and approval of the C/CAG Administrative Assistant salary structure and review process. ACTION p. 91

NOTE: All items on the Consent Agenda are approved/accepted by a majority vote. A request must be made at the beginning of the meeting to move any item from the Consent Agenda to the Regular Agenda.

6.0 REGULAR AGENDA

- 6.1 Approval of C/CAG Legislative priorities, positions and Legislative update.
(A position may be taken on any legislation, including legislation not previously identified.) INFORMATION p. 105
- 6.1.1 Approval of C/CAG Legislative Priorities for 2010. ACTION p. 111
- 6.2 Nominations for C/CAG Chair and Vice Chair (2) for the March Election of Officers. ACTION p. 117

- 6.3 Approval of funding allocation for Local Streets & Roads (LS&R) by combining Federal Cycle 1 and Stimulus II funds (if Stimulus II is available); and approval of funding allocation for LS&R by combining Federal Cycles 1 & 2 funds (if Stimulus II is not available). ACTION p. 123
- 6.4 Review and approval of a Call for Projects process for Cycle 1 Federal Transportation funding for the Transportation for Livable Communities (TLC) Program. ACTION p. 137
- 6.5 Review and approval of a Call for Projects process for Cycle 1 Federal Transportation funding for the Regional Bicycle Program (RBP). ACTION p. 147
- 6.6 Approval of the proposed approach for implementing the Safe Routes to School (SR2S) Program for San Mateo County. ACTION p. 163
- 6.7 Review and approval of the currently approved C/CAG Procurement Policy. ACTION p. 171
- 6.8 Review and approval of the C/CAG Executive Director Performance Objectives for FY09-10. ACTION p. 177
- 7.0 COMMITTEE REPORTS
- 7.1 Committee Reports (oral reports).
- 7.2 Chairperson's Report.
- 8.0 EXECUTIVE DIRECTOR'S REPORT
- 9.0 COMMUNICATIONS - Information Only
- Copies of communications are included for C/CAG Board Members and Alternates only. To request a copy of the communications, contact Nancy Blair at 650 5991406 or nblair@co.sanmateo.ca.us or download a copy from C/CAG's website – www.ccag.ca.gov.
- 9.1 Letter from Richard Napier, Executive Director C/CAG, to James Porter, Director, Department of Public Works, County of San Mateo, dated 1/26/10. Re: Request for Funding Assistance for C/CAG Airport Land Use Compatibility Activities in the Environs of San Mateo County Airports (San Carlos and Half Moon Bay Airports). p. 183
- 9.2 Letter from Richard Napier, Executive Director C/CAG, to Honorable Dianne Feinstein, United States Senate, dated 2/4/10. C/CAG supports the San Mateo County Transportation Authority FY 2011 Appropriations Request, San Bruno Grade Separation - \$1 million p. 185
- 9.3 Letter from Richard Napier, Executive Director C/CAG, to Ms. Terry Bowen, Gray Bowen and Company, Inc., dated 2/3/10. RE: Thank you – City of Belmont Bicycle Pedestrian Bridge Project. p. 187

10.0 ADJOURN

Next scheduled meeting: March 11, 2010 Regular Board Meeting.

PUBLIC NOTICING: All notices of C/CAG Board and Committee meetings will be posted at San Mateo County Transit District Office, 1250 San Carlos Ave., San Carlos, CA.

PUBLIC RECORDS: Public records that relate to any item on the open session agenda for a regular board meeting are available for public inspection. Those records that are distributed less than 72 hours prior to the meeting are available for public inspection at the same time they are distributed to all members, or a majority of the members of the Board. The Board has designated the City/ County Association of Governments of San Mateo County (C/CAG), located at 555 County Center, 5th Floor, Redwood City, CA 94063, for the purpose of making those public records available for inspection. The documents are also available on the C/CAG Internet Website, at the link for agendas for upcoming meetings. The website is located at: <http://www.ccag.ca.gov>.

NOTE: Persons with disabilities who require auxiliary aids or services in attending and participating in this meeting should contact Nancy Blair at 650 599-1406, five working days prior to the meeting date.

If you have any questions about the C/CAG Board Agenda, please contact C/CAG Staff:

Executive Director: Richard Napier 650 599-1420 Administrative Assistant: Nancy Blair 650 599-1406

FUTURE MEETINGS

February 11, 2010	Legislative Committee - SamTrans 2 nd Floor Auditorium - 5:30 p.m.
February 11, 2010	C/CAG Board - SamTrans 2 nd Floor Auditorium - 6:30 p.m.
February 16, 2010	NPDES Technical Advisory Committee - to be determined - 10:00 a.m.
February 18, 2010	CMP Technical Advisory Committee - SamTrans 2 nd Floor Auditorium - 1:15 p.m.
February 18, 2010	Resource Management and Climate Protection Committee (RMCP)
February 22, 2010	CMEQ Committee - San Mateo City Hall - Conference Room C - 3:00 p.m.
February 25, 2010	Bicycle and Pedestrian Advisory Committee (BPAC) - San Mateo City Hall - Conference Room C - 7:00 p.m.
March 1, 2010	Administrators' Advisory Committee - 555 County Center, 5 th Fl, Redwood City – Noon`

C/CAG

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Meeting No. 220
January 14, 2010

1.0 CALL TO ORDER/ROLL CALL

Chair Kasten called the meeting to order at 6:30 p.m. Roll Call was taken.

Jerry Carlson - Atherton
Christine Wozniak - Belmont
Sepi Richardson - Brisbane
Terry Nagel - Burlingame
Joseph Silva - Colma
David Canepa - Daly City
Carlos Romero - East Palo Alto
Linda Koelling - Foster City
Naomi Patridge - Half Moon Bay
Tom Kasten - Hillsborough
Andrew Cohen - Menlo Park
Paul Seto - Millbrae
Julie Lancelle - Pacifica (6:35)
Rosanne Foust - Redwood City (left 7:42)
Irene O'Connell - San Bruno
Bob Grassilli - San Carlos
Brandt Grotte - San Mateo
Carole Groom - San Mateo County
Karyl Matsumoto - South San Francisco, San Mateo County Transit District
Deborah Gordon - Woodside

Absent:
Portola Valley

Others:
Richard Napier, Executive Director - C/CAG
Nancy Blair, C/CAG Staff
Sandy Wong, Deputy Director - C/CAG
Lee Thompson, C/CAG - Legal Counsel
Tom Madalena, C/CAG Staff
John Hoang, C/CAG Staff
Jean Higaki, C/CAG Staff
Joe Kott, C/CAG Staff
Pat Dixon, SMCTA - CAC

ITEM 5.1

Duane Bay, County of San Mateo, Department of Housing
Jim Bigelow, Redwood City/San Mateo County Chamber, CMEQ Member
Barbara Pierce, HOPE, Councilmember Redwood City

2.0 PLEDGE OF ALLEGIANCE

Chair Kasten, on behalf of the Board, welcomed the new C/CAG Board Members.

3.0 PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

None.

4.0 RESOLUTIONS OF APPRECIATION / PRESENTATIONS/ ANNOUNCEMENTS

4.1 PRESENTATIONS

4.1.1 Presentation on Housing Our People Effectively (HOPE) by Carole Groom.

HOPE is a ten-year action plan that brings together the business, nonprofit, and public sector communities to address the challenging issue of homelessness in San Mateo County.

Board Member Groom, and members of the HOPE Task Force, provided an update on the status of the organization that was initiated in 2005.

5.0 CONSENT AGENDA

Board Member Richardson MOVED approval of Consent Items 5.1, 5.4, and 5.5. Board Member O'Connell SECONDED. **MOTION CARRIED** 20-0.

5.1 Approval of the Minutes of Regular Business Meeting No. 219 dated December 10, 2009.
APPROVED

5.4 Approval of Resolution 10-01 recommending the list of projects to be funded by the Metropolitan Transportation Commission (MTC) under the Fourth Call for Projects, Lifeline Transportation Program (Tier 2), for a total of \$603,087.
APPROVED

5.5 Review and approval of Resolution 10-02 authorizing the C/CAG Chair to execute an agreement with Environmental Transportation Solutions (Clark Aganon) for services to support the C/CAG Alternative Fuel Shuttle Program in an amount not to exceed \$15,000.
APPROVED

Items 5.2 and 5.3 were removed from the Consent Calendar.

5.2 Approval to combine the Transportation Development Act (TDA) Article 3 Fiscal Year 2010/11 and Fiscal Year 2011/12 Program Cycles.
APPROVED

Board Member Grotte MOVED approval of Item 5.2. Board Member O'Connell SECONDED.
MOTION CARRIED 20-0.

5.3 Attendance Report for C/CAG Board and Committees. APPROVED

The CMEQ attendance calendar will be corrected to show Board Member Matsumoto had resigned from the committee.

Board Member Lancelle wanted to note the Board Representative from Pacifica will be Sue Digre. Board Member Lancelle will be Pacifica's Alternate to the C/CAG Board.

Board Member O'Connell MOVED approval of Item 5.3. Board Member Seto SECONDED.
MOTION CARRIED 20-0.

6.0 REGULAR AGENDA

6.1 Approval of C/CAG Legislative priorities, positions and Legislative update.
(A position may be taken on any legislation, including legislation not previously identified.)
APPROVED

Staff provided the Legislative Priorities for 2010, highlighting the changes, made by the Legislative Committee, to the original document mailed in the C/CAG January 14, 2010 Board packet.

Board Member Koelling MOVED approval of the Legislative Priorities as they were amended by the Legislative Committee. Board Member Lancelle SECONDED. **MOTION CARRIED** 20-0.

6.2 Review and approval of current C/CAG committees' membership policies, procedures, and practices. APPROVED

Board directed staff to:

- Bundle all the policies for the C/CAG Committees
 - Clarify what the policies are for each committee.
- Clarify how each committee's appointee is determined (Elected, Public, Technical).
 - What are the qualifications to be appointed?
 - What are the requirements to be appointed?
 - How are the chairs elected?
 - How do people from various agencies (agency staff) get appointed to the committees?
- What are the length of terms?
- Is there geographical consistency across all the committees?
- Are there inconsistencies in the policies?
 - If there are inconsistencies, what are they?

Board Member O'Connell MOVED to remove the term limits from the BPAC committee.
Board Member Gordon SECONDED. **MOTION CARRIED** 19-0.

- 6.3 Review and approval of appointments to the C/CAG Bicycle and Pedestrian Advisory Committee (BPAC) for two-year terms. APPROVED

The BPAC had three vacant seats for a public member. Staff distributed a recruitment letter, and received eight responses. The following individuals responded:

Paul Grantham, Burlingame
Nataline Chew, San Mateo
Dani Weber, San Mateo
Frank Markowitz, San Mateo

Andrew Buhrmann, Millbrae
Maureen Brooks, San Mateo
Steve Schmidt, Menlo Park
Robert Cronin, Menlo Park

The Board voted by ballot. Paul Grantham, Steve Schmidt, and Frank Markowitz were elected to fill the three vacant seats for a public member.

- 6.4 Review and approval the initial framework for programming of Cycle 1 Federal Transportation funds for fiscal years 2010/2011 and 2011/2012, and receive an overview of other funding opportunities. APPROVED

Board Member Gordon MOVED to approve Item 6.4 with staff recommendation, with:

- Clarification of the term 80/20 to mean a minimum of 80 percent
- List all of the currently defined PDA's
- Language is clear that up to 20% could be other than PDA, but they do not have to be.
- C/CAG needs to look a little more broadly at the definition of equity.

Board Member Grotte SECONDED. **MOTION CARRIED** 19-0.

Board Member Richardson MOVED to continue Items 6.5 and 6.6 to the February 11, 2010 Board meeting. Board Member Grotte SECONDED. **MOTION CARRIED** 19-0.

- 6.5 Review and approval of the currently approved C/CAG Procurement Policy. CONTINUED
- 6.6 Review and approval of C/CAG Executive Director Goals for FY09-10. CONTINUED

7.0 COMMITTEE REPORTS

- 7.1 Committee Reports (oral reports).

None

- 7.2 Chairperson's Report.

None

8.0 EXECUTIVE DIRECTOR'S REPORT

None

9.0 COMMUNICATIONS - Information only

9.1 Letter from Richard Napier, Executive Director C/CAG, to Tracey Sims, Grants Management Specialist, U.S Department of Health and Human Services, Centers for Disease Control and Prevention, Procurement and Grants Office, dated 11/20/09. Re: Support of San Mateo County Health System's application for funding through the Center for Disease Control and Prevention's (CDC) "Communities Putting Prevention to Work" program.

10.0 ADJOURN

The meeting adjourned at 9:00 p.m.

C/CAG AGENDA REPORT

Date: February 11, 2010
To: City/County Association of Governments Board of Directors
From: Richard Napier, Executive Director
Subject: Approval of revised date for the November Board meeting.
(For further information or questions contact Richard Napier at 599-1420)

RECOMMENDATION

Approval of revised date for the November Board meeting in accordance with staff recommendations.

FISCAL IMPACT

None.

SOURCE OF FUNDS

Not applicable.

BACKGROUND/DISCUSSION

The date of the regularly scheduled C/CAG Board meeting is Thursday, November 11, 2010. This date is also Veterans Day, a legal holiday.

The SamTrans auditorium is not available on Thursday, November 4, one week prior to the regular meeting date.

The SamTrans auditorium is available on Thursday, November 18, one week past the regular meeting date.

C/CAG staff recommends that the November meeting be set for November 18, 2010.

ATTACHMENTS

- Schedule of C/CAG Board meeting dates for 2010.
- History of Veterans Day

ITEM 5.2

2010 Calendar
City / County Association of Governments
of San Mateo County (C/CAG)

Time: 6:30 p. m. to 9:00 p.m.

Location: 2nd Floor Auditorium
San Mateo County Transit District
1250 San Carlos Avenue
San Carlos

January 14

February 11

March 11

April 8

May 13

June 10

July No meeting

August 12

September 16*

October 14

November 11

December 9

*Date has been changed from 9/9/10 to 9/16/09 due to a religious holiday.

NOTE: This schedule is subject to change should significant issues arise or develop over the course of the year.



History of Veterans Day

World War I – known at the time as “The Great War” – officially ended when the Treaty of Versailles was signed on June 28, 1919, in the Palace of Versailles outside the town of Versailles, France. However, fighting ceased seven months earlier when an armistice, or temporary cessation of hostilities, between the Allied nations and Germany went into effect on the eleventh hour of the eleventh day of the eleventh month. For that reason, November 11, 1918, is generally regarded as the end of “the war to end all wars.”



Soldiers of the 353rd Infantry near a church at Stenay, Meuse in France, wait for the end of hostilities. This photo was taken at 10:58 a.m., on November 11, 1918, two minutes before the armistice ending World War I went into effect

In November 1919, President Wilson proclaimed November 11 as the first commemoration of Armistice Day with the following words: "To us in America, the reflections of Armistice Day will be filled with solemn pride in the heroism of those who died in the country's service and with gratitude for the victory, both because of the thing from which it has freed us and because of the opportunity it has given America to show her sympathy with peace and justice in the councils of the nations..."

The original concept for the celebration was for a day observed with parades and public meetings and a brief suspension of business beginning at 11:00 a.m.

The United States Congress officially recognized the end of World War I when it passed a concurrent resolution on June 4, 1926, with these words:

Whereas the 11th of November 1918, marked the cessation of the most destructive, sanguinary, and far reaching war in human annals and the resumption by the people of the United States of peaceful relations with other nations, which we hope may never again be severed, and

Whereas it is fitting that the recurring anniversary of this date should be commemorated with thanksgiving and prayer and exercises designed to perpetuate peace through good will and mutual understanding between nations; and

Whereas the legislatures of twenty-seven of our States have already declared November 11 to be a legal holiday: Therefore be it Resolved by the Senate (the House of Representatives concurring), that the President of the United States is requested to issue a proclamation calling upon the officials to display the flag of the United States on all Government buildings on November 11 and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies of friendly relations with all other peoples.

An Act (52 Stat. 351; 5 U. S. Code, Sec. 87a) approved May 13, 1938, made the 11th of November in each year a legal holiday—a day to be dedicated to the cause of world peace and to be thereafter celebrated and known as "Armistice Day." Armistice Day was primarily a day set aside to honor veterans of World War I, but in 1954, after World War II had required the greatest mobilization of soldiers, sailors, Marines and airmen in the Nation's history; after American forces had fought aggression in Korea, the 83rd Congress, at the urging of the veterans service organizations, amended the Act of 1938 by striking out the word "Armistice" and inserting in its place the word "Veterans." With the approval of this legislation (Public Law 380) on June 1, 1954, November 11th became a day to honor American veterans of all wars.

Later that same year, on October 8th, President Dwight D. Eisenhower issued the first "Veterans Day Proclamation" which stated: "In order to insure proper and widespread observance of this anniversary, all veterans, all veterans' organizations, and the entire citizenry will wish to join hands in the common purpose. Toward this end, I am designating the Administrator of Veterans' Affairs as Chairman of a Veterans Day National Committee, which shall include such other persons as the Chairman may select, and which will coordinate at the national level necessary planning for the

observance. I am also requesting the heads of all departments and agencies of the Executive branch of the Government to assist the National Committee in every way possible."



President Eisenhower signing HR7786, changing Armistice Day to Veterans Day. From left: Alvin J. King, Wayne Richards, Arthur J. Connell, John T. Nation, Edward Rees, Richard L. Trombla, Howard W. Watts

On that same day, President Eisenhower sent a letter to the Honorable Harvey V. Higley, Administrator of Veterans' Affairs (VA), designating him as Chairman of the Veterans Day National Committee.

In 1958, the White House advised VA's General Counsel that the 1954 designation of the VA Administrator as Chairman of the Veterans Day National Committee applied to all subsequent VA Administrators. Since March 1989 when VA was elevated to a cabinet level department, the Secretary of Veterans Affairs has served as the committee's chairman.

The Uniform Holiday Bill (Public Law 90-363 (82 Stat. 250)) was signed on June 28, 1968, and was intended to ensure three-day weekends for Federal employees by celebrating four national holidays on Mondays: Washington's Birthday, Memorial Day, Veterans Day, and Columbus Day. It was thought that these extended weekends would encourage travel, recreational and cultural activities and stimulate greater industrial and commercial production. Many states did not agree with this decision and continued to celebrate the holidays on their original dates.

The first Veterans Day under the new law was observed with much confusion on October 25, 1971. It was quite apparent that the commemoration of this day was a matter of historic and patriotic significance to a great number of our citizens, and so

on September 20th, 1975, President Gerald R. Ford signed Public Law 94-97 (89 Stat. 479), which returned the annual observance of Veterans Day to its original date of November 11, beginning in 1978. This action supported the desires of the overwhelming majority of state legislatures, all major veterans service organizations and the American people.

Veterans Day continues to be observed on November 11, regardless of what day of the week on which it falls. The restoration of the observance of Veterans Day to November 11 not only preserves the historical significance of the date, but helps focus attention on the important purpose of Veterans Day: A celebration to honor America's veterans for their patriotism, love of country, and willingness to serve and sacrifice for the common good.

C/CAG AGENDA REPORT

Date: February 11, 2010
TO: C/CAG Board of Directors
From: Richard Napier - C/CAG
Subject: Review and approval of the C/CAG Basic Financial Statements (Audit) for the Year Ended June 30, 2009

(For further information or response to question's, contact Richard Napier at 650 599-1420)

Recommendation:

Review and accept the C/CAG Basic Financial Statements (Audit) for the Year Ended June 30, 2009 in accordance with the staff recommendation.

Fiscal Impact:

None.

Revenue Source:

Member assessments, parcel fee, motor vehicle fee (AVA/ TFCA/ AB1546) and State/ Federal Transportation Funds.

Background/ Discussion:

An independent audit was performed on C/CAG for the year ended June 30, 2009. No issues were identified that required correction. Management's Discussion and Analysis is attached and included in the audit. The complete audit is provided in the packet separately.

Attachment:

Management's Discussion and Analysis for the Basic Financial Statements (Audit) for the Year Ended June 30, 2009

C/CAG Basic Financial Statements (Audit) for the Year Ended June 30, 2009 - Provided separately

Alternatives:

- 1- Review and approval of the C/CAG Basic Financial Statements (Audit) for the Year Ended June 30, 2009 in accordance with the staff recommendation.

ITEM 5.3

- 2- Review and approval of the C/CAG Basic Financial Statements (Audit) for the Year Ended June 30, 2009 in accordance with the staff recommendation with modifications.
- 3- No Action.

Management's Discussion and Analysis for the Basic Financial Statements (Audit) for the
Year Ended June 30, 2009

MANAGEMENT'S DISCUSSION AND ANALYSIS

The information presented in the "Management's Discussion and Analysis" is intended to be a narrative overview of the City/County Association of Governments of San Mateo County (C/CAG) financial activities for the fiscal year ended June 30, 2009. We encourage readers to consider this information in conjunction with the accompanying financial statements, notes, supplementary and statistical information located herein.

In June 1999, the Governmental Accounting Standards Board (GASB), which sets the financial reporting rules, "Generally Accepted Accounting Principles" (GAAP) for all State and Local Governments, established a new framework for financial reporting. This new framework represents the biggest single change in the history of governmental accounting. These changes, which are collectively known as *GASB Statement #34: Basic Financial Statement – and Management's Discussion and Analysis – for State and Local Governments*, were required to be implemented by June 30, 2003.

The changes to the financial statements in the Government-wide section now provide reporting that is similar to private sector companies by showing financial statements with a "Net Assets" bottom line approach. However, government agencies are mandated to account for certain resources and activities separately, thereby necessitating a fund-by-fund financial format as shown in the Fund Financial Statements section. The presentation of these two different types of statements together in one report requires the inclusion of two reconciliations to better assist the reader.

FINANCIAL STATEMENT OVERVIEW

This discussion and analysis is intended to serve as an introduction to the C/CAG Annual Financial Report. The C/CAG basic financial statements are comprised of three components: 1) Government-wide Financial Statements, 2) Fund Financial Statements, and 3) Notes to the Financial Statements.

Government-wide Financial Statements: The *Government-wide Financial Statements* are designed to provide readers with a broad overview of the C/CAG finances. These statements include *all* assets and liabilities, using the full *accrual basis of accounting*, which is similar to the accounting used by most private-sector companies. All revenues and expenses related to the current fiscal year are included regardless of when the funds are received or paid.

- The *Statement of Net Assets* presents all of the C/CAG assets and liabilities, with the difference reported as *net assets*. Over time, increases or decreases in net assets may serve as a useful indicator to determine whether the financial position of the Agency is improving or deteriorating.
- The *Statement of Activities* presents information showing how the C/CAG net assets changed during the fiscal year. All changes in net assets (revenues and expenses) are reported when the underlying event giving rise to the change occurs, regardless of the timing of the related cash flows. Accordingly, revenues and expenses are reported in this statement for items that will result in cash flows in future fiscal periods (e.g., uncollected tax revenues, and accrued but unpaid interest expenses).

The services of the Agency are considered to be governmental activities including General and special purpose Government. All Agency activities are financed with investment income, City/County fees, State/Federal/Regional grants, Motor Vehicle Fees, and County discretionary State/Federal Transportation funds. The Government-wide Financial Statements can be found on page 14-15 of this report.

Fund Financial Statements: A fund is a grouping of related accounts that are used to maintain control over resources that have been segregated for specific activities or objectives. The Agency used fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All of the C/CAG activities are reported in governmental funds. These funds are reported using modified accrual accounting, which measures cash and all other financial assets that can readily be converted to cash. The governmental Fund Financial Statements provide a detailed view of the C/CAG operations. Governmental fund information helps to determine the amount of financial resources used to finance the C/CAG programs.

Notes to the Financial Statements: The notes provide additional information that is essential for a full understanding of the data provided in the Government-wide and Fund Financial Statements.

FINANCIAL HIGHLIGHTS

- CCAG total assets increased by \$255,118
- CCAG total liabilities increased by \$1,115,053.
- The combined C/CAG revenues were \$10,560,136
- The combined C/CAG expenditures were \$11,420,071
- C/CAG total net assets decreased by \$859,935.
- The Transportation/Environmental Program (AB 1546) uses a \$4 motor vehicle fee to fund programs to address the congestion and environmental impacts (water quality) caused by motor vehicles. The \$4 motor vehicle fee is only for vehicles in San Mateo County and is dedicated and controlled by C/CAG. This program provided \$2,474,882 for the fiscal year and will expire 1/01/13 unless renewed.

PROGRAM HIGHLIGHTS

- A Local Government Partnership (LGP) between C/CAG and PG&E was established. The objective of the LGP is to provide incentive funding to encourage projects that will result in ongoing energy savings. Over the three year period funding of \$3.5M will be provided to San Mateo County agencies with \$500K to C/CAG for marketing and administration.
- Congestion Relief Plan studies were completed with initial implementation underway. These studies include the 2020 Gateway Study (implementation), Highway 280 Ramp Metering Study (implementation), and Intelligent Transportation System Study (implementation).
- C/CAG programmed and provided technical support for \$17.7M in projects as part of the American Recovery and Reinvestment Act (ARRA).
- The design of the Smart Corridor Project is underway. This project will provide signal coordinated corridors on El Camino Real between I- 380 and Whipple Ave and on major arterials between El Camino Real and US 101. A communications and monitoring system is included that will allow monitoring and operation from the Caltrans Traffic Management Center. State transportation funding of \$20M has been committed to the project. In FY 08-09 \$709,187 was spent on the initial design.

MANAGEMENT'S DISCUSSION AND ANALYSIS

- Annual implementation of the Congestion Management Program (Congestion Management and Congestion Relief), NPDES Water Pollution Prevention Program (WPPP), Abandoned Vehicle Abatement Program (AVA), Transportation Fund for Clear Air County (TFCA) Program, Transportation/ Environmental Program (AB 1546), TDA Article 3 Program, Airport Land Use Commission, and State Legislative Program.
- The C/CAG dedicated \$4 motor vehicle fee for the Transportation/ Environmental Program (AB 1546) was extended to 1/01/13.

GOVERNMENT-WIDE FINANCIAL ANALYSIS

The government-wide analysis focuses on the net assets (Table 1) and changes in net assets (Table 2) for the C/CAG governmental activities.

Statement of Net Assets Year Ended June 30, 2009

Table 1

	Governmental Activities			
	2008	2009	\$ Change	% Change
Assets				
Cash and investments (note 2)	9,337,506	9,815,715	478,209	5.1%
Accounts receivable	1,435,237	1,212,146	(223,091)	-15.5%
Total Assets	10,772,743	11,027,861	255,118	2.4%
Liabilities				
Accounts payable	1,676,858	2,728,667	1,051,809	62.7%
Accrued payable	-	63,244	63,244	-
Total Liabilities	1,676,858	2,791,911	1,115,053	66.5%
Net Assets				
Restricted for:				
Congestion management	1,716,564	1,866,632	150,068	8.7%
NPDES	1,371,281	1,398,119	26,838	2.0%
AB 1546	5,221,673	4,320,778	(900,895)	-17.3%
Air quality (BAAQMD)	156,874	(2,898)	(159,772)	-101.8%
Abandoned vehicle	604,787	607,503	2,716	0.4%
Unrestricted	24,706	45,816	21,110	85.4%
Total Net Assets	9,095,885	8,235,950	(859,935)	-9.5%

Statement of Net Assets (Table 1) Change Analysis:

Assets

- Cash and investments - Increased \$478,209 or 5% primarily due to increases in revenues from the congestion management programs. An increase in beginning balance also contributed to the increase in cash and investments.
- Accounts receivable - Decreased \$223,091 or 15% due to the timing of payments for accrued revenue.

MANAGEMENT'S DISCUSSION AND ANALYSIS

Liabilities

- Total liabilities increased \$1,115,053 or 66% due to the timing of invoice submission from vendors and design of the Smart Corridor Program which spent \$709,187 that wasn't necessary in the prior year.

Net Assets

- AB 1546 - Decreased \$900,895 or 17% due to a delay in implementation and invoicing of the AB 1546 Countywide Projects.
- Congestion Management - Increased \$150,068 or 8.7 % due to program expenditures lagging the revenue such that it resulted in an increase in net assets.
- Air Quality (BAAQMD) – Decreased \$159,772 or 102% due to revenue and the corresponding expenditures both occurring within the same fiscal year such that there was no (-\$2,898) restricted asset for FY 08-09.

Remaining categories were within the normal variations.

**Statement of Activities with
Changes in Net Assets
Year Ended June 30, 2009**

Table 2

	Governmental Activities			
	2008	2009	\$ Change	% change
Revenues				
Program Revenues:				
Charges for services	1,206,651	2,517,350	1,310,699	108.6%
Operating grants and contributions	3,975,853	3,855,857	(119,996)	-3.0%
General Revenues:				
Abandoned vehicle program	698,887	681,557	(17,330)	-2.5%
AB 434 DMV fees	1,087,002	1,015,701	(71,301)	-6.6%
AB 1546 fees	2,794,485	2,474,882	(319,603)	-11.4%
Other general revenues	553,540	14,789	(538,751)	-97.3%
Total Revenues	10,316,418	10,560,136	243,718	2.4%
Expenses				
General government	539,948	461,512	(78,436)	-14.5%
Congestion management	2,669,107	4,396,156	1,727,049	64.7%
Air quality	1,062,945	1,172,444	109,499	10.3%
NPDES stormwater	1,226,590	1,352,657	126,067	10.3%
Abandoned vehicle abatement	698,168	678,378	(19,790)	-2.8%
AB 1546	1,535,778	3,358,924	1,823,146	118.7%
Total Expenses	7,732,536	11,420,071	3,687,535	47.7%
Transfers	-	-		
Incr (Decr) in Net Assets	2,583,882	(859,935)	(3,443,817)	-133.3%
Beginning Net Assets	6,512,003	9,095,885	2,583,882	39.7%
Ending Net Assets	9,095,885	8,235,950	(859,935)	-9.5%

MANAGEMENT'S DISCUSSION AND ANALYSIS

Statement of Activities with Changes in Net Assets (Table 2) Change Analysis:

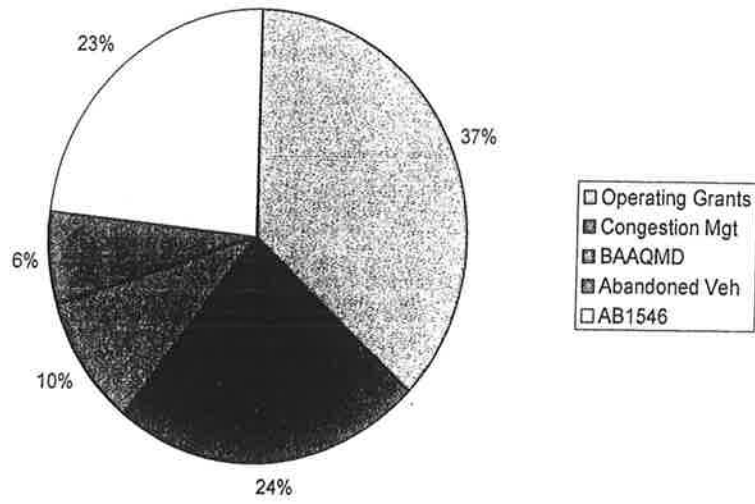
Revenues

- Program Revenues:
 - Charges for Service increased \$1,310,699 or 108% mainly due to increased revenues from the Congestion Relief Program (\$500,000) and due to an increase in cost reimbursement from funding partners of joint projects for this year.
 - Operating grants & contribution decreased \$119,996 or 3% due to less funding from the Metropolitan Transportation Commission (MTC) for transportation planning and lower cost reimbursement from funding partners of joint projects for this year.
- General Revenues:
 - AB 1546 Fees decreased \$319,603 due to timing of receipt of motor vehicle fees from the State of California.
 - Other general revenues decreased \$538,751 primarily due to revenues being categorized differently between FY 2008 and 2009.
- Total revenues increased \$243,718 or 2.4% compared to FY 2008 due to the increase in Program Revenues as discussed above.

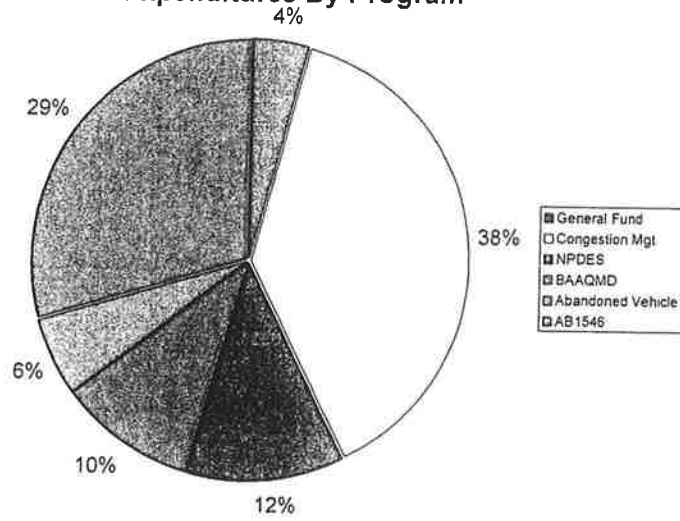
Expenses

- General expenses decreased \$78,436 or 14.5% due to reduction in professional services.
- Congestion Management increased \$1,727,049 or 64.7% due to increase in consulting costs and professional services related to the Smart Corridor Project implementation.
- Changes in Air Quality, NPDES Storm water, and Abandoned Vehicle Abatement are within the normal variances from year to year.
- AB 1546 increased \$1,823,146 or 118% due to the ramping up of the implementation of the countywide program.
- The total expenses increased 47.7% or \$3,687,535 compared to FY 2008. This is primarily due to the General, Congestion Management, and AB 1546 increases as discussed above.

Revenues By Source



Expenditures By Program



MANAGEMENT'S DISCUSSION AND ANALYSIS

C/CAG FUND FINANCIAL STATEMENTS

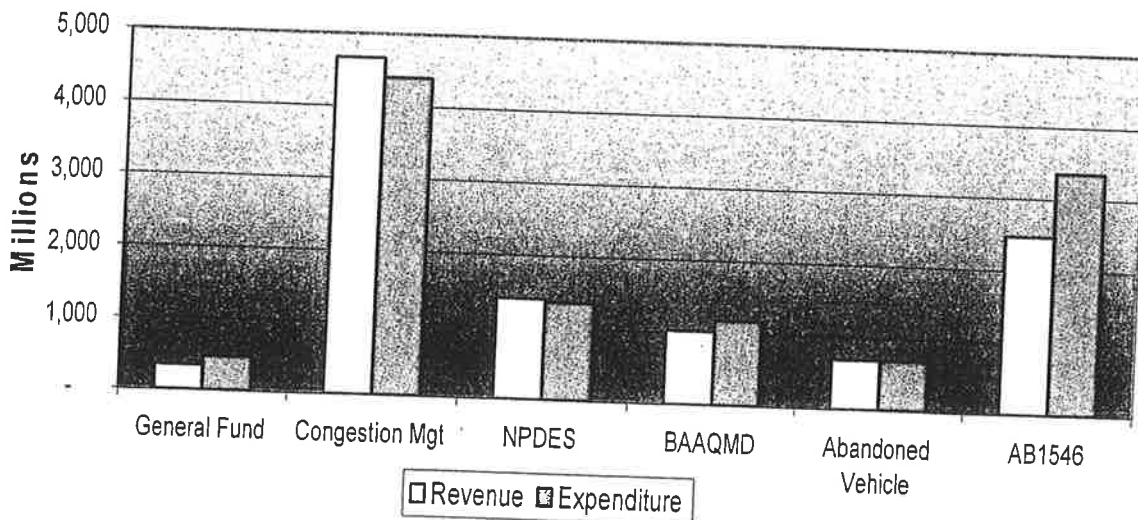
At year-end the C/CAG governmental funds reported combined fund balances of \$8,235,950.

C/CAG Combined Highlights

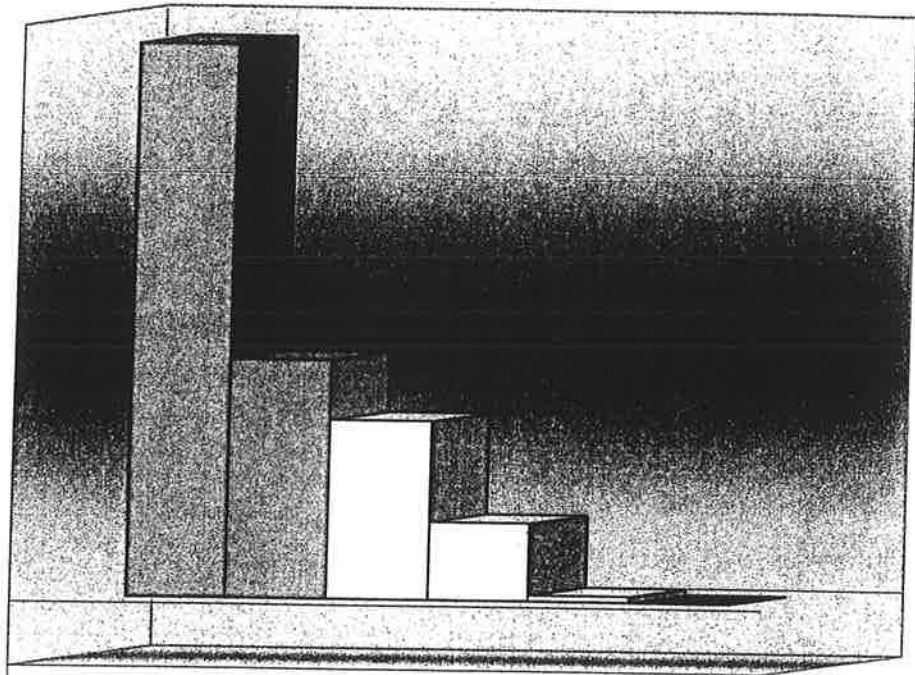
- The combined C/CAG revenues were \$10,560,136 (actual) versus \$10,946,377 (budget) or \$386,241 under the budget. The decrease was primarily related to the investment loss of \$222,171 recognized due to the Lehman Brothers bankruptcy and general declines in interest rates which resulted in low investment income of \$22,291.
- The combined C/CAG expenditures were \$11,420,070 (actual) versus \$16,147,304 (budget) or \$4,727,234 under the budget. The decrease was due to delays in implementation of the Congestion Management (Congestion Management and Congestion Relief Programs) and Smart Corridor Project Implementation.
- The combined C/CAG Fund ending balance was \$8,235,950 (actual). This is \$859,935 lower than the prior year, primarily due to the investment loss related to Lehman Brothers (\$221,171) and the AB 1546 program's expenditures exceeding revenues (\$887,905), offset by an increase in Congestion Management (\$269,320).

Financial Analysis of the CCAG's Programs

Actual Revenues and Expenses for CCAG's Programs



Total Net Assets



Net Assets By Program (\$)	
AB1546	4,320,778
Congestion Mgt	1,866,632
NPDES	1,398,119
Abandoned Vehicle	607,503
General Fund	45,816
BAAQMD	(2,898)

General Fund

- At the year end expenditures exceeded revenues due to the Lehman Brothers investment loss recognized and the general decline in interest rates.
- Revenues decreased \$38,191 or 10.25% mainly due to declines in interest rates. A reduction in the intergovernmental reimbursement also contributed to the decline.
- Expenditures decreased \$78,436 or 15% mainly due to reduction in professional services.
- Fund Balance increased \$21,110 or 85.4% due to transfer in from other funds to cover the administrative expenditures and reduction in professional services.
- Interest and investment loss are received into the General Fund and then proportionately allocated to each fund quarterly.
- A policy was adopted by the C/CAG Board to share certain General Fund costs with the other funds. This is shown by the Transfer in to the General Fund.
- Revenue includes member contributions of \$250,025.

MANAGEMENT'S DISCUSSION AND ANALYSIS

Congestion Management

- Consists of Congestion Management, and Congestion Relief Program.
- Revenues increased by \$940,765 or 25.3% due to \$943,112 in intergovernmental revenues.
- Expenditures increased by \$1,727,049 or 65% due to spending related to the Smart Corridor Project implementation, other congestion management projects, and the cost of one additional staff for the Countywide Transportation Plan.
- Fund Balance increased \$150,068 or 8.7% due to Congestion Relief Program revenue increase (\$100,000) and revenues exceeding expenditures for the year.
- Revenue includes member contributions of \$2,340,906 and intergovernmental revenues of \$2,149,763. Remaining revenues are interest and cost reimbursement.
- Implementation is underway for the Smart Corridor Project that provides an Intelligent Transportation System for incident and event management.
- Implemented shuttle service between East Palo Alto and the Palo Alto Caltrain Station using a hydrogen shuttle. Shuttle carried 5,621 passengers for FY 08-09.
- Congestion Relief Plan studies were completed including initial implementation in some cases. These studies include the 2020 Gateway Study (implementation), Highway 280 Ramp Metering Study (implementation), Intelligent Transportation System Study (implementation), and the Incident Management Plan (implementation).

NPDES

- Revenues decreased \$44,085 or 3.1% due to declines in interest rates and the proportional share of the investment loss in Lehman Brothers.
- Expenditures increased \$126,067 or 10% mainly due to increase of professional services which were due to timing of consulting services invoices and delay in some project implementation.
- Revenue includes NPDES fees of \$1,393,959.
- Fund balance increased \$26,838 from \$1,371,281 (beginning) to \$1,398,119 (ending) primarily due to revenues exceeding expenditures.

Bay Area Air Quality Management District

- Revenues decreased \$89,662 or 8.1% due to decreases in program funding.
- Expenditures increased \$109,499 or 10% due to increases totaling \$98,000 in fund distribution to members. This was caused by increased expenditures for FY 08-09.
- Fund Balance decreased \$159,772 or 101% due to a decrease in program funding of \$71,000 and increased fund distribution of \$98,000.
- Revenues received are completely disbursed to participating agencies and the administrator.

Abandoned Vehicle Abatement Program

- Revenues received are completely disbursed to participating agencies and the administrator.
- Decrease in revenue of \$35,964 or 5% is due to decrease in program revenue \$17,000 and declines in interest rates which resulted in lower investment income \$18,000.
- Expenditures decreased \$19,791 or 2.8% due to decrease in program revenues which resulted in decrease fund distribution.
- Fund balance increased \$2,716 or 0.4% from \$604,787 to \$607,503 which was within the normal variations.

AB 1546

- Revenues decreased \$489,145 or 16.5% due to declines in interest rates, the proportional share of the investment loss in Lehman Brothers, and the delay of receipt of the revenue from State of Controller's Office.
- Expenditures increased \$1,823,146 or 118.7% mainly due to increase of \$1,826,312 fund distribution to members compared to prior year. This is due to implementation of the Smart Corridor Project and the AB 1546 Countywide Projects.
- Fund Balance decreased \$900,895 or 17.3%. This is due to the increase of fund distribution to members and decline of investment income.
- This was the fourth year of the AB 1546 Program which provides a \$4 motor vehicle fee for C/CAG for congestion and environmental impacts caused by motor vehicles. This program provided \$2,474,882 for the fiscal year and will expire 1/01/13 unless renewed.

CONTACTING THE C/CAG FINANCIAL MANAGEMENT

This financial report is designed to provide our citizens, taxpayers, and creditors with a general overview of the C/CAG finances. If you have any questions about this report or need additional information, please contact the Executive Director of the City/County Association of Governments of San Mateo County at 555 County Center Fifth Floor, Redwood City, CA 94063 or the C/CAG Financial Agent which is the Finance Department at the City of San Carlos, 600 Elm Street, San Carlos, CA 94070.

**C/CAG Basic Financial Statements (Audit) for the
Year Ended June 30, 2009 - Provided separately**

C/CAG AGENDA REPORT

Date: February 11, 2010
TO: C/CAG Board of Directors
From: Richard Napier - C/CAG
Subject: Review and approval of AB 1546 Fund Financial Statements (Audit) for the Year Ended June 30, 2009

(For further information or response to question's, contact Richard Napier at 650 599-1420)

Recommendation:

Review and approval of AB 1546 Fund Financial Statements (Audit) for the Year Ended June 30, 2009 in accordance with the staff recommendation.

Fiscal Impact:

None.

Revenue Source:

Dedicated Motor Vehicle Fee.

Background/ Discussion:

A separate independent audit was performed on the AB 1546 Fund for the year ended June 30, 2009. No issues were identified that required correction. The complete audit is provided in the packet separately.

Attachment:

AB 1546 Fund Balance Sheet

AB 1546 Fund Statement of Revenues, Expenditures, and Changes in Fund Balance

AB 1546 Fund Financial Statements (Audit) for the Year Ended June 30, 2008 - Provided separately

Alternatives:

- 1- Review and approval of AB 1546 Fund Financial Statements (Audit) for the Year Ended June 30, 2009 in accordance with the staff recommendation.

ITEM 5.4

- 2- Review and approval of AB 1546 Fund Financial Statements (Audit) for the Year Ended June 30, 2009 in accordance with the staff recommendation with modifications.
- 3- No Action.

CITY/COUNTY ASSOCIATION OF GOVERNMENTS
OF SAN MATEO COUNTY
AB 1546 FUND
BALANCE SHEET
JUNE 30, 2009

ASSETS

Cash (Note 2)	\$5,020,591
Accounts receivable	<u>288,463</u>
Total Assets	<u><u>\$5,309,054</u></u>

LIABILITIES

Accounts payable	<u>\$988,276</u>
Total Liabilities	<u>988,276</u>

FUND BALANCE

Unreserved, undesignated	<u>4,320,778</u>
Total Liabilities and Fund Balance	<u><u>\$5,309,054</u></u>

See accompanying notes to financial statements.

CITY/COUNTY ASSOCIATION OF GOVERNMENTS
OF SAN MATEO COUNTY
AB 1546 FUND
STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE
FOR THE FISCAL YEAR ENDED JUNE 30, 2009

REVENUES

From other agencies	\$2,474,882
Investment income	<u>(3,863)</u>
Total Revenues	<u>2,471,019</u>

EXPENDITURES

Professional services	320,414
Conferences and meetings	16,265
Distributions	3,022,245
Transfer out	<u>12,990</u>
Total Expenditures	<u>3,371,914</u>

NET CHANGE IN FUND BALANCE	(900,895)
FUND BALANCE AT BEGINNING OF YEAR	<u>5,221,673</u>
FUND BALANCE AT END OF YEAR	<u><u>\$4,320,778</u></u>

See accompanying notes to financial statements.

AB 1546 Fund Financial Statements (Audit) for the
Year Ended June 30, 2009 - Provided separately

C/CAG AGENDA REPORT

Date: February 11, 2010
TO: C/CAG Board of Directors
From: Richard Napier - C/CAG
Subject: Review and approval of Abandoned Vehicle Abatement Fund Financial Statements (Audit) for the Year Ended June 30, 2009

(For further information or response to question's, contact Richard Napier at 650 599-1420)

Recommendation:

Review and approval of Abandoned Vehicle Abatement Fund Financial Statements (Audit) for the Year Ended June 30, 2009 in accordance with the staff recommendation.

Fiscal Impact:

None.

Revenue Source:

\$4 Motor Vehicle Fee(Statewide) for the Abandoned Vehicle Abatement Program.

Background/ Discussion:

A separate independent audit was performed on the Abandoned Vehicle Abatement Fund for the year ended June 30, 2009. No issues were identified that required correction. The complete audit is provided in the packet separately.

Attachment:

Abandoned Vehicle Abatement Fund Balance Sheet

Abandoned Vehicle Abatement Fund Statement of Revenues, Expenditures, and Changes in Fund Balance

Abandoned Vehicle Abatement Fund Financial Statements (Audit) for the Year Ended June 30, 2009 - Provided separately

Alternatives:

- 1- Review and approval of Abandoned Vehicle Abatement Fund Financial Statements (Audit) for the Year Ended June 30, 2009 in accordance with the staff recommendation.

ITEM 5.5

- 2- Review and approval of Abandoned Vehicle Abatement Fund Financial Statements (Audit) for the Year Ended June 30, 2009 in accordance with the staff recommendation with modifications.
- 3- No Action.

CITY/COUNTY ASSOCIATION
OF GOVERNMENTS OF SAN MATEO COUNTY

ABANDONED VEHICLE ABATEMENT FUND
BALANCE SHEET
JUNE 30, 2009

ASSETS:

Cash and investments	\$600,172
Accounts receivable	<u>180,000</u>
Total Assets	<u><u>\$780,172</u></u>

LIABILITIES:

Accounts payable	<u>\$172,669</u>
Total Liabilities	<u>172,669</u>

FUND BALANCE:

Unreserved, undesignated:	<u>607,503</u>
Total Fund Balance	<u>607,503</u>
Total Liabilities and Fund Balances	<u><u>\$780,172</u></u>

See accompanying notes to financial statements.

CITY/COUNTY ASSOCIATION
OF GOVERNMENTS OF SAN MATEO COUNTY

ABANDONED VEHICLE ABATEMENT FUND
STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE
FOR THE FISCAL YEAR ENDED JUNE 30, 2009

REVENUES

Abandoned vehicle program	\$681,557
Investment income	<u>(463)</u>
Total Revenues	<u>681,094</u>

EXPENDITURES

Distributions	<u>678,378</u>
Total Expenditures	<u>678,378</u>

NET CHANGE IN FUND BALANCES	<u>2,716</u>
Fund balances at beginning of year	<u>604,787</u>
Fund balances at end of year	<u><u>\$607,503</u></u>

See accompanying notes to financial statements

Abandoned Vehicle Abatement Fund Financial Statements (Audit) for the
Year Ended June 30, 2009 - Provided separately

C/CAG AGENDA REPORT

Date: February 11, 2010
To: C/CAG Board of Directors
From: Richard Napier
Subject: Review and approval of Resolution 10-03 authorizing the C/CAG Chair to execute the Interagency Agreement between Metropolitan Transportation Commission (MTC) and C/CAG for Transportation Planning, Programming, And Transportation/Land Use Coordination for FY 2009/10, FY 2010/11, and FY 2011/12, in the Amount of \$1,786,000

(For further information or questions contact Sandy Wong at 599-1409)

RECOMMENDATION

That C/CAG Board review and approve Resolution 10-03 authorizing the C/CAG Chair to execute the Interagency Agreement between Metropolitan Transportation Commission (MTC) and C/CAG for Transportation Planning, Programming, And Transportation/Land Use Coordination for FY 2009/10, FY 2010/11, and FY 2011/12, in the Amount of \$1,786,000.

FISCAL IMPACT

Execution of the interagency agreement between MTC and C/CAG will allow C/CAG to receive up to \$1,786,000 for congestion management planning and programming and transportation-land use coordination for Fiscal Years the three fiscal years, 2009/10 through 2011/12.

FUND SOURCE

Funding source for Transportation Planning, Programming, and Transportation/Land Use Coordination comes from Federal Surface Transportation Program (STP).

BACKGROUND/DISCUSSION

The Transportation Planning and Programming fund is allocated to C/CAG to provide MTC with assistance in implementing federal and state transportation planning and programming by representing the local transportation interests within the county and coordinating with regional, state and federal interests. The Transportation-Land Use Coordination fund is for support of the regional and county transportation for Livable Communities/Housing Incentive Program (TLC/HIP) programs.

The final Interagency Agreement is being developed by MTC. Final terms in the agreement will be reviewed and approved by C/CAG Executive Director and Legal Counsel prior to execution by the Chair.

ATTACHMENT

- Resolution 10-03

ITEM 5.6

RESOLUTION 10-03

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG CHAIR TO EXECUTE THE INTERAGENCY AGREEMENT BETWEEN METROPOLITAN TRANSPORTATION COMMISSION AND CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY for TRANSPORTATION PLANNING, PROGRAMMING, AND TRANSPORTATION/LAND USE COORDINATION FOR FICAL YEARS 2009/10, 2010/11, and 2011/12 IN THE AMOUNT of \$1,786,000.

WHEREAS, the City/County Association of Governments (C/CAG) of San Mateo County is the designated Congestion Management Agency (CMA) for San Mateo County; and,

WHEREAS, the Metropolitan Transportation Commission (MTC) has been designated as the Metropolitan Planning Organization (MPO) and the Regional Transportation Planning Agency (RTPA) for the San Francisco Bay Region; and,

WHEREAS, the Surface Transportation Program (STP) funds may be allocated for planning and programming activities; and,

WHEREAS, MTC may allocate federal planning funds to C/CAG to assist local transportation planning projects which are necessary components of the urban transportation planning process; and

WHEREAS, C/CAG and MTC wish to set forth the terms and conditions, funding, and scope of work for implementing the joint transportation planning program for the period of fiscal years 2009/10, 2010/11, and 2011/12.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County authorizing the Chair to execute the Interagency Agreement between MTC and C/CAG for transportation planning, programming, and transportation/land use coordination in an amount not to exceed \$1,786,000. Be it further resolved that the final Interagency Agreement be approved by C/CAG Executive Director and Legal Counsel prior to its execution by the Chair

PASSED, APPROVED, AND ADOPTED THIS 11TH DAY OF FEBRUARY 2010.

Thomas M. Kasten, Chair

C/CAG AGENDA REPORT

Date: February 11, 2010

To: City/County Association of Governments Board of Directors

From: Richard Napier, Executive Director

Subject: Review and approval of Resolution 10-05 authorizing the C/CAG Chair to execute a funding agreement between C/CAG and the City of East Palo Alto for traffic improvement projects on University Avenue and East Bayshore Road in the amount of \$347,500

(For further information or questions contact John Hoang at 363-4105)

RECOMMENDATION

Review and approval of Resolution 10-05 authorizing the C/CAG Chair to execute a funding agreement between C/CAG and the City of East Palo Alto for traffic improvement projects on University Avenue and East Bayshore Road in the amount of \$347,500

FISCAL IMPACT

\$347,000 is included in the C/CAG adopted Budget. The total project cost is \$430,000. The City of East Palo Alto will provide \$82,500 local matching funds.

SOURCE OF FUNDS

Funding sources and amounts totaling \$347,500 are as follows: Metropolitan Transportation Commission (MTC) - \$80,000; Repair/Maintenance Program - \$80,000; Congestion Relief Plan (CRP) for ITS - \$65,000; Vehicle License Fee – East Palo Alto (FY10 – FY12) - \$82,500; Vehicle License Fee – Countywide - \$40,000

BACKGROUND/DISCUSSION

The 2020 Peninsula Gateway Study, completed in July 2008, evaluated potential traffic improvements and identified near, medium and long-term options for addressing traffic congestion issues relating to the approaches and connections to the Dumbarton Bridge and Highway 101 between Routes 84 and 85. The subsequent 2020 Peninsula Gateway – Phase 2 Action Plan, provided a framework for advancing both near-term improvements (implementation/design/construction) projects and long-term improvement projects that require additional planning and engineering analysis.

The Action Plan (presented to the Board on March 2009) included a list of “near-term” projects

ITEM 5.7

from the Cities of East Palo Alto and Menlo Park. One project currently underway is a traffic study to evaluate traffic operations on segments Willow Road and University Avenue between US 101 and Bayfront Expressway located in Menlo Park and East Palo Alto. The City of East Palo Alto also identified two projects for design and construction, the University Avenue/Bell Street traffic signal upgrade and the East Bayshore Road/Pulgas Avenue geometric improvement projects. These projects, located within the 2020 Peninsula Gateway area, will enhance the traffic operations and safety at the intersections as well mitigate traffic congestion and improve traffic flow. The City of East Palo Alto will be responsible for the design and construction of the projects.

ATTACHMENTS

- Resolution 10-05
- Funding Agreement between C/CAG and City of East Palo Alto for Traffic Improvement Projects on University Avenue and East Bayshore Road in the amount of \$347,500

RESOLUTION 10-05

* * * * *

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
CITY/COUNTY ASSOCIATION OF GOVERNMENTS
OF SAN MATEO COUNTY (C/CAG) AUTHORIZING THE CHAIR TO
EXECUTE A FUNDING AGREEMENT BETWEEN C/CAG AND THE
CITY OF EAST PALO ALTO FOR TRAFFIC IMPROVEMENT
PROJECTS ON UNIVERSITY AVENUE AND EAST BAYSHORE ROAD
IN THE AMOUNT OF \$347,500**

* * * * *

RESOLVED, by the Board of Directors of the City/County Association of Governments of San Mateo County (C/CAG), that

WHEREAS, C/CAG is the designated Congestion Management Agency responsible for the development and implementation of the Congestion Management Program for San Mateo County; and

WHEREAS, the 2020 Peninsula Gateway Corridor Study, completed in July 2008, identified near, medium, and long-term options for addressing traffic congestion issues relating to the approaches and connections to the Dumbarton Bridge and US 101 vicinity; and

WHEREAS, the 2020 Peninsula Gateway Corridor – Phase 2 Action Plan identified “Near-term improvement” projects for development and implementation in the City of East Palo Alto and includes the following two projects:

- University Avenue/Bell Street - Traffic signal modifications,
- East Bayshore Road/Pulgas Avenue - Intersection improvement; and

WHEREAS, the total cost of the two projects is estimated to be \$430,000 with the City of East Palo Alto contributing \$82,500 and C/CAG contributing \$347,500.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the Chair is authorized to execute a Funding Agreement between C/CAG and City of East Palo Alto for traffic improvement projects on University Avenue and East Bayshore Road in the amount of \$347,500.

PASSED, APPROVED, AND ADOPTED THIS 11TH DAY OF FEBRUARY 2010.

Thomas M. Kasten, Chair

**FUNDING AGREEMENT
BETWEEN
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
AND CITY OF EAST PALO ALTO
FOR
TRAFFIC IMPROVEMENT PROJECTS ON UNIVERSITY AVENUE AND EAST
BAYSHORE ROAD**

THIS AGREEMENT, entered into this _____ day of _____ 2010, by and between the CITY/COUNTY ASSOCIATION OF GOVERNMENTS, a Joint Powers Agency within the County of San Mateo, hereinafter called "C/CAG" and the CITY OF EAST PALO ALTO, a public agency, hereinafter called "East Palo Alto".

WITNESSETH

WHEREAS, the 2020 Peninsula Gateway Corridor Study, completed in July 2008, identified near, medium, and long-term options for addressing congestion issues relating to the approaches to the Dumbarton Bridge and US 101 vicinity; and

WHEREAS, the subsequent Action Plan identified the Phase 2 "Near-term improvement" projects for development and implementation in East Palo Alto; and

WHEREAS, East Palo Alto has proposed two projects, hereinafter called "Projects":

- University Avenue/Bell Street - Traffic signal modifications to provide exclusive left-turn phase,
- East Bayshore Road/Pulgas Avenue - Intersection improvement; and

WHEREAS, C/CAG and East Palo Alto have agreed that C/CAG will provide matching funds for the design and construction phases of the Projects; and

WHEREAS, the total cost of the Projects is estimated to be \$430,000. East Palo Alto will pay \$82,500 of the cost and C/CAG will pay \$347,500; and

WHEREAS, C/CAG and East Palo Alto desire to enter into a formal cooperative agreement to specify each party's obligations for implementing and funding the project.

NOW, THEREFORE, IT IS HEREBY AGREED by the parties hereto, as follows:

1. SCOPE OF SERVICES

East Palo Alto shall serve as the lead agency for the Projects, contracting for consultant to provide professional services required by the Projects, including design and construction phases. The Projects are further described in Exhibit A attached hereto.

2. TIME OF PERFORMANCE

The services funded by this agreement shall commence on or after full execution of this agreement and shall be terminated by Project close out. Either party may terminate the Agreement without cause by providing thirty (30) days advance written notice to the other party.

3. FUNDING AND METHOD OF PAYMENT

- a) C/CAG agrees to pay East Palo Alto up to \$347,500 as a match to East Palo Alto funds for the design and construction phases of the Projects.
- b) East Palo Alto shall submit billings, on a monthly basis, accompanied by the activity reports and paid invoices issued by contractor or progress payments as proof that services were rendered and paid for by the City. Upon receipt of the invoice and its accompanying documentation, C/CAG shall pay the amount claimed under each invoice, up to the maximum amount described by this agreement, within thirty (30) days of receipt of the invoice, delivered or mailed to C/CAG as follows:

City/County Association of Governments
555 County Center, 5th Floor
Redwood City, CA 94063
Attention: John Hoang

- c) Subject to duly executed amendments, it is expressly understood and agreed that in no event will the total funding commitment under this agreement exceed \$347,500, unless revised in writing and approved by C/CAG and East Palo Alto.

4. AMENDMENTS

Any changes in the services to be performed under this Agreement shall be incorporated in written amendments, which shall specify the changes in work performed and any adjustments in compensation and schedule. All amendments shall be executed by C/CAG and East Palo Alto. No claim for additional compensation or extension of time shall be recognized unless contained in a duly executed amendment.

5. NOTICES

All notices or other communications to either party by the other shall be deemed given when made in writing and delivered or mailed to such party at their respective addresses as follows:

To C/CAG: Attention: John Hoang, Program Manager
 City/County Association of Governments
 555 County Center, 5th Floor
 Redwood City, CA 94063

To East Palo Alto: Attention: Kamal Fallaha, City Engineer
 City of East Palo Alto
 1960 Tate Street
 East Palo Alto, CA 94303

6. INDEPENDENT CONTRACTOR

East Palo Alto and its employees, agents and consultants shall be deemed independent contractors of C/CAG. Nothing herein shall be deemed to create any joint venture or partnership arrangement between the C/CAG and East Palo Alto.

7. HOLD HARMLESS

East Palo Alto agrees to indemnify and defend C/CAG from any and all claims, damages and liability in any way occasioned by or arising out of the negligence of East Palo Alto, or its employees, contractors, consultants or agents in the performance of this Agreement.

IN WITNESS WHEREOF, the Agreement has been executed by the parties hereto as of the day and year first written above.

CITY OF EAST PALO ALTO

CITY/COUNTY ASSOCIATION OF
GOVERNMENTS

Alvin James, City Manager

Thomas M. Kasten, C/CAG Chair

Attest:

City Clerk

Approved as to form:

City Attorney

Counsel for C/CAG

EXHIBIT A

- **University Avenue/Bell Street - Traffic Signal Modification Project**

Includes improvements to the existing traffic signal by adding exclusive left turn phase on University Avenue. There are existing left-turn lanes on University Avenue, however the left-turn traffic has to yield to through traffic to make a left or U-turn. Geometric improvements are not needed to complete the signal modification, however, the access ramps have to be updated to meet the new ADA standards. A new signal poles with longer mast arms equipped with countdown pedestrian heads will also be installed as part of this project. The controller and signal interconnect system will be also upgraded to meet the new Caltrans Standards.

- **East Bayshore Road/Pulgas Avenue - Intersection Improvement**

Includes geometric improvements to the intersections, installation of new traffic signal and new controller (hardware and software), removal of the existing outdated traffic signal, and improving signage and striping. The existing traffic signal is outdated and need to be replaced to enhance traffic operation and safety at the subject intersection. In addition, geometric improvements will be needed prior to installing the new traffic signal.

C/CAG AGENDA REPORT

Date: February 11, 2010
To: City/County Association of Governments Board of Directors
From: Richard Napier, C/CAG Executive Director
Subject: Review and approval of resolution 10-04 of the Board of Directors of the City/County Association of Governments of San Mateo County authorizing the C/CAG Chair to execute a contract between the City/County Association of Governments (C/CAG) and AECOM Technical Services, Inc. for computer traffic simulation and forecast modeling services for a maximum amount of \$48,280

(For further information contact Joseph Kott at 599-1453)

RECOMMENDATION

That the C/CAG Board review and approve Resolution 10-04 authorizing the C/CAG Chair to execute a contract between the City/County Association of Governments (C/CAG) and for AECOM Technical Services, Inc. computer traffic simulation and forecast modeling services, including production of a year 2035 traffic forecast for San Mateo County, for a maximum amount of \$48,280 in accordance with the staff recommendation.

FISCAL IMPACT

Funding source will come from Federal Surface Transportation Program (STP) Planning Grant and C/CAG member agencies funds. The San Mateo County Transportation Authority will reimburse one half of the total cost of up to \$48,280, or up to \$24,140, to C/CAG.

SOURCE OF FUNDS

Funding for transportation modeling services has been budgeted in the C/CAG 2009/10 budget.

BACKGROUND/DISCUSSION

C/CAG entered into an agreement with AECOM Technical Services, Inc. on February 12, 2009 for \$75,000 to provide technical assistance in updating the C/CAG transportation model (Travel Demand Model) planning for roadway and transit projects including the Countywide Transportation Plan 2035 (CTP 2035). The C/CAG Travel Demand Model is used for countywide transportation planning for roadway and transit projects. C/CAG employs consultant services to provide technical assistance related to the operation and maintenance of the Travel Demand Model. In performing the work, the

ITEM 5.8

consultant coordinates, cooperates with, and provides modeling support for C/CAG and other agencies including the Metropolitan Transportation Commission (MTC), San Mateo County Transit District (SamTrans), the Peninsula Corridor Joint Powers Board (Caltrain), San Mateo County Transportation Authority.

The additional assistance required under this new contract is to develop 2035 baseline travel forecasts for use in the CTP 2035 and other travel forecast applications. The tasks required include Demographic Data Update and Trip Table Development; Network Updates, and Model Run and Checks as well as a Technical Memorandum. This contract in the amount of \$48,280 includes the additional task of producing the 2035 baseline travel forecasts for San Mateo County. This work was not foreseen as needed when the scope of services was developed under the initial contract. Assessment and diagnostics by AECOM of the current San Mateo County traffic model has resulted in the need to completely redo the future years forecasts and extend the forecast period from 2030 to 2035. The work scope identified under the new contract will be on a task order basis. Detailed task descriptions can be found in “Exhibit A” of the contract (attached). The San Mateo County Transportation Authority will reimburse one half of the total cost of up to \$48,280, or up to \$24,140, to C/CAG.

Directed Procurement Justification:

C/CAG staff is requesting that a contract be directed to AECOM Technical Services, Inc. The basis is that there is an established relationship and knowledge base. It is likely that any cost savings would be minimized or eliminated by the learning curve of a new contractor. In addition it would take additional staff time to do a Request for Proposal (RFP) that would also minimize or eliminate any potential savings.

This is consistent with the adopted C/CAG Procurement Policy. Specifically it relates to:

Professional Services Procurements – 9. Waiver of RFP Process a. - which states “...Another appropriate situation for waiving the RFP process is where a particular firm and/ or individual has unique qualifications and/ or experience, and it is determined by the C/CAG Board that the added time required for another firm and/or individual to acquire this knowledge base would create an unacceptable delay in the delivery of the service and not result in significant cost savings.”

See attached C/CAG Procurement Policy.

Therefore, C/CAG staff recommends approval of Resolution 10-04 authorizing the C/CAG Chair to execute an agreement with AECOM Technical Services, Inc. for computer traffic simulation and forecast modeling services, including production of a year 2035 traffic forecast for San Mateo County, in an amount not to exceed \$48,280.

ATTACHMENT

- Resolution 10-04
- Agreement between C/CAG and AECOM Technical Services, Inc.
- C/CAG Procurement Policy

RESOLUTION 10-04

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) AUTHORIZING THE C/CAG CHAIR TO EXECUTE A CONTRACT WITH AECOM TECHNICAL SERVICES, INC. FOR COMPUTER TRAFFIC SIMULATION AND FORECAST MODELING SERVICES FOR A MAXIMUM AMOUNT OF \$48,280

RESOLVED, by the Board of Directors of the City/County Association of Governments of San Mateo County (C/CAG), that

WHEREAS, C/CAG is the designated Congestion Management Agency responsible for the development and implementation of the Congestion Management Program (CMP) for San Mateo County; and

WHEREAS, the California Government Code requires Congestion Management Agencies to develop and maintain a computerized Travel Demand Forecasting Model; and

WHEREAS, C/CAG has determined that outside consulting services are needed for the maintenance and operations of the model, including projecting future travel volumes and patterns; and

WHEREAS, C/CAG has selected AECOM Technical Services, Inc. to provide these services; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the Chair is authorized to execute an agreement with AECOM Technical Services, Inc. in the amount not to exceed \$48,280 for computer traffic simulation and forecast modeling services to produce San Mateo County traffic forecasts to the year 2035 for an amount not to exceed \$48,280 and further authorize the Executive Director to negotiate the Agreement prior to execution of said Agreement by the Chair. In accordance with C/CAG established policy, the Chair may administratively authorize up to an additional 5% of the total contract amount in the event that there are unforeseen costs associated with the project.

PASSED, APPROVED, AND ADOPTED THIS 11H DAY OF FEBRUARY 2010.

Tom Kasten, Chair

**AGREEMENT BETWEEN
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF
SAN MATEO COUNTY
AND AECOM TECHNICAL SERVICES, INC.**

This Agreement entered this 11th day of _____, 2010, by and between the CITY/COUNTY ASSOCIATION OF GOVERNMENTS, a joint powers agency formed for the purpose of preparation, adoption and monitoring of a variety of county-wide plans, hereinafter called "C/CAG" and AECOM Technical Services, Inc. hereinafter called "Consultant."

W I T N E S S E T H

WHEREAS, C/CAG is responsible for countywide, multimodal transportation planning within San Mateo County; and

WHEREAS, C/CAG has developed, maintains, and employs a countywide traffic simulation and forecasting computer model for transportation plans and studies in San Mateo County; and

WHEREAS, C/CAG has determined that computer simulation and forecast traffic model services as needed to oversee the development and use of the San Mateo County computer traffic simulation and forecast model; and

WHEREAS, AECOM has unique capabilities in computer traffic simulation and forecast modeling, including the incorporation of public transportation modes as well as private motor vehicle traffic into an integrated countywide system; and

WHEREAS, year 2035 traffic forecasts are a necessary component of the San Mateo Countywide Transportation Plan 2035; and

WHEREAS, by adoption of Resolution 10-04, the C/CAG Board of Directors has authorized the C/CAG Chair to execute an agreement with Consultant for computer traffic simulation and forecast modeling services to produce San Mateo County traffic forecasts to the year 2035 for an amount not to exceed \$48,280.

NOW, THEREFORE, IT IS HEREBY AGREED by the parties as follows:

1. Services to be provided by Consultant. In consideration of the payments hereinafter set forth, Consultant agrees to perform the services described in Exhibit A, attached hereto (the "Services").
2. Payments. In consideration of Consultant providing the Services, C/CAG shall reimburse Consultant on a time and materials basis based on the hourly rate shown in Exhibit A up to a maximum of forty eight thousand two hundred and eighty dollars (\$48,280) per year. Consultant shall submit to C/CAG for its approval monthly invoices for payment to be made within sixty (60) days of the date of the invoice. If payment is not received by Consultant within such sixty (60) days, then Consultant shall have the option to suspend Services.
3. Relationship of the Parties. It is understood that Consultant is an Independent Contractor, and that this Agreement is not intended to, and shall not be construed to, create the relationship of agent, servant, employee, partnership, joint venture or association, or any other relationship whatsoever other than that of Independent Contractor.
4. Non-Assignability. Neither party to this Agreement may assign this Agreement or any portion thereof to a third party.
5. Contract Term. This Agreement shall be in effect as of _____ 11, 2010, and shall terminate on June 30th, 2011 unless otherwise extended or terminated as set forth herein. Either party may terminate this Agreement at any time for any reason by providing 30 days' notice to the other party. Termination to be effective on the date specified in the notice. In the event of termination under this paragraph, Consultant shall be paid for all services provided to the date of termination. C/CAG may extend the term of this Agreement until such time as the maximum, not-to exceed payment amount specified in section 2 above has been earned by Consultant.
6. Hold Harmless/ Indemnity: Consultant shall indemnify and hold harmless C/CAG from all claims, suits or actions to the extent caused by the negligent acts, errors, or omissions of the Consultant, its agents, officers or employees related to or resulting from the performance or non-performance under this Agreement. C/CAG shall indemnify and save harmless Consultant from all claims, suits or actions to the extent caused by the negligence, errors, acts or omissions of C/CAG, its agents, officers or employees related to or resulting from C/CAG's performance or non-performance under this Agreement.

The duty of the parties to indemnify and save harmless as set forth herein, shall include the duty to defend as set forth in Section 2778 of the California Civil Code.

7. Insurance: Consultant or any sub-consultants performing the services on behalf of Consultant shall not commence work under this Agreement until all Insurance required under this section has been obtained, and such insurance has been

approved by the C/CAG Staff. Consultant shall furnish the C/CAG Staff with Certificates of Insurance evidencing the required coverage and there shall be a specific contractual liability endorsement extending the Consultant's coverage to include the contractual liability assumed by the Consultant pursuant to this Agreement (subject to all terms and conditions of said policies). These Certificates shall specify or be endorsed to provide that thirty (30) days notice be given, in writing, to C/CAG of any pending change in the limits of liability or of non-renewal, cancellation, or modification of the policy. Such Insurance shall include at a minimum the following:

Workers' Compensation and Employer Liability Insurance: Consultant shall have in effect, during the entire life of this Agreement, Workers' Compensation and Employer Liability Insurance providing full statutory coverage.

Liability Insurance: Consultant shall take out and maintain during the life of this Agreement Bodily Injury Liability and Property Damage Liability Insurance from claims for damages for bodily injury, including accidental death, as well as operations under this Agreement, whether such operations be by the Consultant or by anyone directly or indirectly employed by the Consultant (subject to all terms and conditions of said policy). Such insurance shall be combined single limit bodily injury and property damage for each occurrence and shall be not less than \$1,000,000 unless another amount is specified below and shows approval by C/CAG Staff.

Required insurance shall include:

	Required Amount	Approval by C/CAG Staff if under 1,000,000
a. Comprehensive General Liability	\$ 1,000,000	
<hr/>		
b. Workers' Compensation	\$ Statutory	
<hr/>		

C/CAG and its officers, agents Sandy Wong, Tom Madalena, John Hoang, Jean Higaki, and Joe Kott (hereinafter "identified agents"), and employees while acting within the scope of their employment, shall be named as additional insured as their respective interests may appear but only with respects to derivative or imputed liability caused by or arising out of the Consultant's actions or failure to act during the performance of this Contract on any such policies of insurance, excluding Workers' Compensation, which shall also contain a provision that the insurance afforded thereby to C/CAG, its officers, identified agents and employees, while acting within the scope of their employment, shall be primary insurance, and that if C/CAG, or its officers, identified agents and employees have

other insurance against a loss covered by such a policy, such other insurance shall be excess insurance only.

In the event of the breach of any provision of this section, or in the event any notice is received which indicates any required insurance coverage will be diminished or canceled, the C/CAG may, notwithstanding any other provision of this Agreement to the contrary, immediately declare a material breach of this Agreement and suspend all further work pursuant to this Agreement.

8. Non-discrimination. The Consultant and any sub-consultants performing the services on behalf of the Consultant shall not discriminate or permit discrimination against any person or group of persons on the basis of race, color, religion, national origin or ancestry, age, sex, sexual orientation, marital status, pregnancy, childbirth or related conditions, medical condition, mental or physical disability or veteran's status, or in any manner prohibited by federal, state or local laws.
9. Compliance with All Laws. Consultant shall at all times comply with all applicable laws and regulations, including without limitation those regarding services to disabled persons, including any requirements of Section 504 of the Rehabilitation Act of 1973.
10. Substitutions: If particular people are identified in this Agreement are providing services under this Agreement, the Consultant will not assign others to work in their place without written permission from C/CAG. Any substitution shall be with a person of commensurate experience and knowledge.
11. Sole Property of C/CAG: Any system or documents developed, produced or provided under this Agreement shall become the sole property of C/CAG. Consultant's system or documents developed, produced, or provided ("Documents"), however, are not intended or represented to be suitable for reuse by C/CAG or others for any purpose other than the travel demand forecasting model (the "Model") that is the subject of this Agreement. Any modification of the Model without written verification or adaptation by Consultant will be at the user's sole risk and without liability or legal exposure to Consultant. In the event C/CAG, its employees, permitted assigns, successors, consultants and contractors (hereafter collectively "C/CAG"), subsequently modifies and then reproduces or otherwise uses Consultant's Documents or creates a derivative work based upon Consultant's Documents, C/CAG shall, where permitted or required by law, remove or completely obliterate the original professional seals, trademarks, logos, and other indications on said Documents of the identity of Consultant, its employees and consultants.

In the event of any future use of Consultant's modified Documents without written verification or adaptation by Consultant, whether such use is made by C/CAG, its members, permitted assigns, successors, agents or consultants or contractors, to the fullest extent permitted by law, C/CAG hereby waives, releases and forever discharges Consultant, its officers, directors, shareholders, employees,

successors, assigns, affiliates, subsidiaries, consultants, agents and insurance carriers (collectively the "Releasees") from, and covenants not to sue on account of, any and all claims for damages, liabilities, losses, demands, costs and expenses of whatsoever kind or whatsoever nature (including, but not limited to, any claims of attorneys' fees) for bodily injury, sickness, disease or death, or for injury to or destruction of tangible property which C/CAG may have or which may hereafter accrue to C/CAG as a result of any future use of Consultant's modified Documents by C/CAG, its employees, permitted assigns, successors, agents or consultants or contractors. This release is intended to the fullest extent permitted by law to discharge the Releasees from and against any and all liability arising out of or connected in any way with any such future use of Consultant's modified Documents even though that liability may arise out of any negligence or carelessness on the part of any such Releasee named above. It is further understood and agreed that this release is to be binding on C/CAG, its employees, permitted assigns, successors, consultants, contractors, or any other person or entity claiming by, through or under C/CAG.

12. Access to Records. C/CAG, or any of its duly authorized representatives, shall have access to any books, documents, papers, and records of the Consultant which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcriptions.

The Consultant shall maintain all required records for three years after C/CAG makes final payments and all other pending matters are closed.

13. Merger Clause. This Agreement, including Exhibit A attached hereto and incorporated herein by reference, constitutes the sole agreement of the parties hereto with regard to the matters covered in this Agreement, and correctly states the rights, duties and obligations of each party as of the document's date. Any prior agreement, promises, negotiations or representations between the parties not expressly stated in this document are not binding. Any subsequent modifications must be in writing and executed by the parties. In the event of a conflict between the terms, conditions or specifications set forth herein and those in Exhibit A attached hereto, the terms, conditions or specifications set forth herein shall prevail.

14. Governing Law. This Agreement shall be governed by the laws of the State of California and any suit or action initiated by either party shall be brought in the County of San Mateo, California.

15. Notices. All notices hereby required under this agreement shall be in writing and delivered in person or sent by certified mail, postage prepaid and addressed as follows:

City/County Association of Governments of San Mateo County of San Mateo
555 County Center, 5th Floor
Redwood City, CA 94063
Attention: Joseph Kott

Notices required to be given to Consultant shall be addressed as follows:

William A. Woodford
AECOM Technical Services, Inc.
3101 Wilson Boulevard, 4th Floor
Arlington, VA 22201
Attention: Patrick Coleman

IN WITNESS WHEREOF, the parties hereto have affixed their hands on the day and year first above written.

AECOM Technical Services, Inc. (Consultant)

By _____ **Date**

City/County Association of Governments (C/CAG)

By _____ **Date**

C/CAG Chairman

C/CAG Legal Counsel

By _____ **Date**

EXHIBIT A
SCOPE OF WORK

San Mateo County Travel Demand Model 2035 Projections – Scope of Work and Budget

AECOM is pleased to present our proposed scope of work, schedule and budget for additional travel demand forecasting services to be provided to the City/County Association of Governments of San Mateo County (C/CAG). This is provided in response to the request made by C/CAG on January 22, 2010 for AECOM to provide a scope and budget to develop a 2035 forecast based on the latest C/CAG “1403 TAZ” 2005 base year travel demand model. To accomplish this, AECOM proposes the following tasks:

Task 1 – Demographic Data Update and Trip Table Development

AECOM would collaborate with the C/CAG’s economic forecasting consultants, Economic & Planning Systems, Inc. (EPS), to prepare new input files for the trip generation stage of the model. It is our understanding that EPS is currently engaged by C/CAG to develop land use forecasts for the year 2035 at TAZ level of detail for San Mateo County, and AECOM will use this data as the basis for the trip generation process. It is anticipated that the data will be provided in a relatively “ready for use” format. For the rest of the modeling area C/CAG will provide AECOM with the current Association of Bay Area Governments (ABAG) demographic projection data series.

One element of the existing trip generation process is the input of annual enrollments at major universities in the model area. If new data for this input is not available, the same values as used in the “2005” or “1101 TAZ” 2030 forecast model will be used.

The trip generation and distribution processes would be run to output 2035 trip tables.

Task 2 – Network Updates

To develop 2035 highway and transit networks from the existing 2005 network we will incorporate the following:

1. Most of these assumptions reflect proposed transit and highway developments between the 2005 base year and the 2035 forecast year would be taken from the “2005” or “1101 TAZ” C/CAG forecasting model for 2030.
2. Due to differences in the model zone system between the current “2007” or “1403 TAZ” model and the “2005” or “1101 TAZ” model, the 2030 networks would be require modifications to ensure consistency with the 1403 zone system.
3. C/CAG will provide AECOM with the current year 2035 (or closest available year) Metropolitan Transportation Commission (MTC) highway and transit networks. AECOM will review the MTC networks and update the new 2035 C/CAG highway and transit networks to reflect the MTC assumptions. C/CAG can also provide additional assumptions for San Mateo County projects, if desired.

Task 3 – Model Run and Checks

An initial model run of the baseline 2035 scenario would be performed and key results would be output and analyzed. Comparisons with the results from the 2005 base year and the “1101 TAZ” 2030 forecast year model would be made to demonstrate that the new forecast model is performing as expected.

A technical memorandum summarizing the trip table and network development and detailing the forecast results would be prepared.

Proposed Work Schedule and Budget

The proposed schedule is as follows:

- Interim update on progress by email 24 working days from written Notice to Proceed and receipt of data from CCAG and EPS.
- Draft technical memorandum for CCAG review detailing the work and results 72 working days from Notice to Proceed and receipt of above items.

The proposed budget for the above scope is presented below as three sub-tasks:

Employee/Title	Woodford	Coleman	Analyst	TOTAL COST
Fully loaded rate w. 10% fee	\$368.43	\$223.96	\$110.87	
Task 1: Demographic Data Update and Trip Table Development	0	8	90	\$11,770
Task 2: Network Updates	4	16	130	\$19,470
Task 3: Model Run and Checks; Tech Memo	4	20	100	\$17,040
TOTAL	8	44	320	\$48,280

C/CAG PROCUREMENT POLICY

Established June 9, 2005

Professional Services Procurements

1. The method for procurement of professional services (consultants) shall generally be the Request for Proposal (RFP) procedure. The primary purpose of using a RFP is to ensure that C/CAG receives the best value in obtaining services. The determination of "best value" is not based solely on the lowest price or the highest quality. It involves a subjective weighing of efficiency, quality, and economy, and a recommendation as to how the services might best be provided. The RFP is not a bid, in which the contract is awarded to the lowest bidder and the bid dictates the terms of the contract. Rather, it is a mechanism for exploring the expense and potential methodologies that could be used for dealing with the project for which the proposal is solicited. The RFP is an opportunity to ensure that all qualified contractors are given an opportunity to be considered for providing services to C/CAG. Each RFP shall be sent to all qualified firms and/or individuals that have been previously identified by C/CAG staff. Some of the ways that C/CAG staff may identify qualified firms and/or individuals could be through the issuance of a Request for Qualifications (RFQ), a letter of interest, and/or a review of informational materials provided by firms and/or individuals. Any firm and/or individual can request to be included on this list at any time by communicating such request to C/CAG staff and providing a summary of qualifications.
2. All RFPs must include a well-defined statement of work and must require that the responding party include quantifiable objectives, performance standards, and deliverables in its response to the RFP in order to be considered for funding.
3. The C/CAG Chair may administratively authorize up to an additional 5% of the original total contract amount in the event that there are unforeseen costs associated with the project.
4. If the contract is for work that will continue for a specified period of time, the term of the contract should be the period of time for which the services are needed, but no longer than three (3) years.
5. Once a contractor has been selected through either the formal RFP procedure or another procedure as per 6., 7., 8., or 9., the contractor may be used to provide additional services, if the work is substantially similar to that which was included in the original contract, for a period of up to three (3) years beyond the initial contract ending date. This may be done through either the execution of an amendment to the existing contract or through the execution of a new contract. The approval of the amendment or new contract shall be subject to the approval requirements in 6, 7, or 8, depending on the amount of funding to be included in the amendment or new contract.
6. Contracts \$5,000 and below:
 - a. A formal RFP procedure is not required.

- b. The selection process must be fair (see #1), and there must be documentation that the contractor selected is qualified and that the cost is competitive.
 - c. The results of another public agency's selection process may be used to satisfy the requirements of b.
 - d. A telephone survey of three (3) or more potential service providers may be used to satisfy the requirements of b.
 - e. The C/CAG Executive Director shall be authorized to execute contracts \$5,000 and below without the prior approval of the Board. The Board shall be notified of such contracts executed at the next scheduled Board meeting following such execution.
7. Contracts \$5,001 to \$25,000:
- a. A formal RFP procedure is not required.
 - b. The selection process must be fair (see #1), and there must be documentation that the contractor selected is qualified and that the cost is competitive.
 - c. The results of another public agency's selection process may be used to satisfy the requirements of b.
 - d. A telephone survey of three (3) or more potential service providers may be used to satisfy the requirements of b.
 - e. The Chair of the C/CAG Board shall be authorized to execute contracts \$25,000 and below without the prior approval of the Board. The Board shall be notified of such contracts executed at the next scheduled Board meeting following such execution.
8. Contracts greater than \$25,000:
- a. A formal RFP procedure should be utilized unless authorization from the C/CAG Board is given for another procedure or for a waiver of the RFP process.
 - b. The selection process shall not utilize cost as the sole criteria in selecting the successful contractor. The proposals shall be evaluated based on a combination of factors that result in the best value to C/CAG, including but not limited to:
 - i. Understanding of the work required by C/CAG.
 - ii. Quality and responsiveness of the proposal.
 - iii. Demonstrated competence and professional qualifications necessary for satisfactory performance of the work required by C/CAG.
 - iv. Recent experience in successfully performing similar services.
 - v. Proposed methodology for completing the work.
 - vi. References.
 - vii. Background and related experience of the specific individuals to be assigned to the project.
 - viii. Proposed cost.
 - ix. Previous experience in providing similar services for C/CAG and satisfactory delivery of those services.

- c. The Chair of the C/CAG Board shall be authorized to execute contracts greater than \$25,000 with the prior approval of 51% of the voting members of the Board present at a Board meeting where a vote on the contract was taken in accordance with C/CAG procedures. In accordance with the C/CAG Bylaws, Article VIII., Section 3., the special voting procedures may be utilized upon the request of any voting member. Under the special voting procedures, for a motion to be successful it must receive the votes of a majority of the voting members representing a majority of the population of the County.
9. Waiver of RFP Process:
 - a. The C/CAG Board may waive the solicitation of RFPs when it determines that it is in the best interest of C/CAG to do so. Situations in which a RFP may be waived include, but are not limited to, emergency situations or those in which an independent contractor is the only available source of a particular service. Another appropriate situation for waiving the RFP process is where a particular firm and/or individual has unique qualifications and/or experience, and it is determined by the C/CAG Board that the added time required for another firm and/or individual to acquire this knowledge base would create an unacceptable delay in the delivery of the service and not result in significant cost savings.
 - b. Requests to waive the RFP process that are presented to the C/CAG Board for consideration must include the specific findings by staff which substantiate the request for a waiver.
 10. Contractors shall not discriminate or permit discrimination against any person or group of persons on the basis of race, color, religion, national origin or ancestry, age, sex, sexual orientation, marital status, pregnancy, childbirth or related conditions, medical condition, mental or physical disability or veteran's status, or in any manner prohibited by federal, state or local laws.

Additional policies related to procurements funded entirely or in part with Federal TEA 21, Surface Transportation Program (STP) funds.

1. All contracts must have the prior written consent of MTC.
2. Copies of all contracts or amendments to contracts exceeding \$25,000 must be provided to MTC after their execution.
3. MTC reserves the right to review contracts or amendments to contracts, prior to their execution.
4. All contracts must be in accordance with 49 Code of Federal Regulations (CFR) Part 18, MTC's funding agreement with DOT and any regulations, guidelines and circulars of Department of Transportation (DOT), applicable as a result of such funding agreement.
5. The provisions of the MTC/San Mateo County Interagency Agreement will be included, as applicable, in any contract exceeding \$25,000, including procurement of materials and leases of equipment.

6. All books, records, accounts, and any and all work products, materials, and other data relevant to the performance under any contract shall be maintained for a minimum of three (3) years following final payment by MTC.
7. All contractors shall not discriminate or permit discrimination against any persons or group of persons on the grounds of race, religious creed, color, national origin, age, ancestry, physical disability, medical condition, marital status, or sex, in any manner prohibited by federal, state, or local laws. Contractors shall comply with all applicable provisions of Executive Order 11246 as amended by Executive Order 11375 and as supplemented by Department of Labor (DOL) regulations.
8. C/CAG shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT assisted contracts.
9. C/CAG shall cooperate with MTC in meeting its commitments and objectives to ensure nondiscrimination in the award and administration of DOT assisted contracts and to create a level playing field on which disadvantaged business enterprises, as defined in 49 CFR Part 26, can compete fairly for contracts.
10. Contractors shall comply with all the requirements imposed by Title VI of the Civil Rights Act of 1964 (42 USC § 2000(d)) and the regulations of the DOT issued thereunder (49 CFR Part 21).
11. Title 49 CFR Part 18, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments" shall govern contracts.
12. No contract shall be executed with any organization or individual who is included on the List of Parties Excluded from Federal Procurement and Nonprocurement Programs, as published by the U.S. General Services Administration.

Policies related to procurements of capital items, consumable items and services.

1. C/CAG shall, to greatest extent possible, utilize the procurement systems of its member agencies for capital purchases. The member agencies have in place the appropriate infrastructure to manage these procurement processes and this will enable C/CAG to take advantage of their greater purchasing power; thereby ensuring a more favorable price and the meeting of all appropriate federal, state and local procurement requirements.
2. The C/CAG Executive Director shall have the authority to purchase consumable items and services through any appropriate means up to a maximum of \$5,000. Purchases of more than \$5,000 require approval of the C/CAG Board.

C/CAG AGENDA REPORT

Date: February 11, 2010

To: City/County Association of Governments Board of Directors

From: Richard Napier, C/CAG Executive Director

Subject: Review and approval of Resolution 10-06 authorizing the C/CAG Chair to execute an amendment to the technical consultant contract with Eisenberg, Olivieri, and Associates, Inc., in an amount not to exceed \$109,500 for addressing new requirements under the Municipal Regional Permit in support of the Countywide Water Pollution Prevention Program.

(For further information or questions, contact Matt Fabry at 415-508-2134)

RECOMMENDATION

The C/CAG Board review and approve Resolution 10-06 authorizing the C/CAG Chair to execute and amendment to the existing technical consultant contract with Eisenberg, Olivieri, and Associates (EOA), Inc., in an amount not to exceed \$109,500 for addressing new requirements under the Municipal Regional Permit in support of the Countywide Water Pollution Prevention Program (Countywide Program). In accordance with its procurement policy, staff recommends C/CAG waive the requirement for a Request for Proposals for these services.

FISCAL IMPACT

The existing cost for EOA's services in 2009-10 is \$632,000. The proposed amendment of \$109,500 would bring the total cost for EOA's services for 2009-10 to \$741,500.

SOURCE OF FUNDS

The Program is funded through annual property assessments and city general funds. The proposed contract amendment will be funded by the existing fund balance for the Countywide Program, and where appropriate, the countywide stormwater portion of vehicle license revenue authorized under SB 348. The fund balance is currently about \$1.2 million, so there are sufficient reserve funds to pay for the proposed contract amendment. Reserve funds, however, will also be essential in addressing increased Countywide Program costs over the five-year term of the Municipal Regional Permit, so minimizing use of the fund balance and maximizing use of ongoing vehicle license revenue is preferred, when appropriate. Any activities funded using the vehicle license revenue will require demonstration of a clear nexus to addressing negative impacts on stormwater pollution from vehicles or transportation infrastructure, as required under the authorizing legislation.

BACKGROUND/DISCUSSION

C/CAG previously approved Resolution 07-19 awarding a three year technical consultant contract to EOA. Due to the ongoing uncertainty associated with future adoption by the State

ITEM 5.9

Regional Water Quality Control Board of a Bay Area-wide Municipal Regional Permit (MRP), C/CAG staff recommended annual negotiation and approval of contract costs. As such, C/CAG approved Resolution 09-25, which authorized EOA's scope of work to 2009-10 for a cost of \$632,000. The MRP was finally adopted in October 2009, after which C/CAG staff, in coordination with the Countywide Program's Technical Advisory Committee, identified high priority tasks that require additional assistance from EOA during the current fiscal year to ensure municipalities remain in compliance with the new requirements. The Technical Advisory Committee reviewed EOA's proposed scope of work and budget and recommends C/CAG authorize an amendment to the existing contract to provide for these additional services.

C/CAG staff recommends the C/CAG Board waive the normal requirement for a Request for Proposals for these technical consulting services for the following reasons: 1) EOA has unique experience working with the both the Countywide Program, other Bay Area countywide programs, and the Bay Area Stormwater Management Agencies Association, including active involvement in the five-year process of negotiating the requirements of the MRP, 2) it would take time for another firm to acquire the knowledge to provide the necessary services to the Countywide Program for the high-priority tasks, and 3) the time it would take to complete a Request for Proposals process and for another firm to acquire the necessary knowledge would create an unacceptable delay for the Countywide Program to assist municipalities with meeting the high-priority MRP tasks for the remainder of the fiscal year.

This is consistent with the adopted C/CAG Procurement Policy. Specifically it relates to:

Professional Services Procurements – 9. Waiver of RFP Process a. - which states “ ... Another appropriate situation for waiving the RFP process is where a particular firm and/ or individual has unique qualifications and/ or experience, and it is determined by the C/CAG Board that the added time required for another firm and/or individual to acquire this knowledge base would create an unacceptable delay in the delivery of the service and not result in significant cost savings.”

C/CAG staff will be working with the Technical Advisory Committee to determine future technical consulting costs for the remainder of the five-year MRP term. These cost estimates will be brought back to C/CAG in the coming months through the annual budget process, as well as through technical consulting contract recommendations.

ATTACHMENTS

- Resolution 10-06
- Proposed Contract Amendment
- EOA's Scope of Work and Budget for Additional High-Priority Tasks

ALTERNATIVES

- 1- C/CAG Board approve Resolution 10-06 authorizing the C/CAG Chair to execute an amendment to the technical consultant contract with Eisenberg, Olivieri, and Associates, Inc., in an amount not to exceed \$109,500 for addressing new requirements under the

Municipal Regional Permit in support of the Countywide Water Pollution Prevention Program in accordance with the staff recommendation.

- 2- C/CAG Board approve Resolution 10-06 authorizing the C/CAG Chair to execute an amendment to the technical consultant contract with Eisenberg, Olivieri, and Associates, Inc., in an amount not to exceed \$109,500 for addressing new requirements under the Municipal Regional Permit in support of the Countywide Water Pollution Prevention Program in accordance with the staff recommendation with modifications.
- 3- No action.

RESOLUTION NO. 10-06

AUTHORIZING THE C/CAG CHAIR TO EXECUTE AN AMENDMENT TO THE TECHNICAL CONSULTANT CONTRACT BETWEEN THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) AND EISENBERG, OLIVIERI, & ASSOCIATES, INC. (EOA, INC.) IN AN AMOUNT NOT TO EXCEED \$109,500 FOR ADDRESSING NEW REQUIREMENTS UNDER THE MUNICIPAL REGIONAL PERMIT IN SUPPORT OF THE COUNTYWIDE WATER POLLUTION PREVENTION PROGRAM

RESOLVED, by the Board of Directors of the City/County Association of Governments of San Mateo County (C/CAG), that

WHEREAS, C/CAG is the agency responsible for the development and implementation of the Countywide Water Pollution Prevention Program for San Mateo County; and

WHEREAS, C/CAG determined outside consulting services are needed to assist during Years 2007/08 and beyond; and

WHEREAS, C/CAG previously approved Resolution 07-19 authorizing a three-year contract with EOA, Inc., for technical consulting services to the Countywide Water Pollution Prevention Program; and

WHEREAS, the San Francisco Bay Regional Water Quality Control Board adopted a new Municipal Regional Permit regulating stormwater discharges throughout the Bay Area in October 2009; and

WHEREAS, C/CAG determined there are high-priority tasks mandated by the Municipal Regional Permit that require additional consulting services during the 2009-10 fiscal year; and

WHEREAS, EOA, Inc., has submitted a scope of work and budget to assist C/CAG with complying with these high-priority tasks,

NOW, THEREFORE, BE IT RESOLVED that, pending review and approval by C/CAG legal counsel, C/CAG hereby authorizes the C/CAG Chair to execute an amendment to the existing technical consultant contract with Eisenberg, Olivieri, and Associates, Inc., to approve additional 2009-10 costs not to exceed \$109,500 to support the C/CAG and the Countywide Water Pollution Prevention Program in accordance with the attached contract amendment (Contract Amendment #4).

PASSED, APPROVED, AND ADOPTED THIS 11TH DAY OF FEBRUARY, 2010.

Thomas M. Kasten, Chair

**AMENDMENT (No. 4) TO THE AGREEMENT BETWEEN THE
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO
COUNTY
AND
EISENBERG, OLIVIERI, ASSOCIATES, INC.**

WHEREAS, the Board of Directors of the City/County Association of Governments for San Mateo County (hereinafter referred to as C/CAG), at its June 14, 2007 meeting, approved Resolution 07-19 authorizing an agreement with Eisenberg, Olivieri, and Associates, Inc. (hereinafter referred to as Consultant) to provide technical services to the Countywide Water Pollution Prevention Program for fiscal years 2007-08, 2008-09, and 2009-10; and

WHEREAS, Resolution 07-19 required the C/CAG Board to annually approve the contract dollar amount; and

WHEREAS, Consultant submitted a scope of work and budget of \$632,000 for services it will provide during Fiscal Year 2009-10; and

WHEREAS, C/CAG approved Resolution 09-25 authorizing the Consultant's scope of work and budget for 2009-10; and

WHEREAS, C/CAG desires additional consulting services to meet high-priority requirements in the Municipal Regional Permit; and

WHEREAS, Consultant submitted a scope of work and budget to provide additional services to assist with these high-priority requirements; and

WHEREAS, Consultant has reviewed and accepted this amendment;

IT IS HEREBY AGREED by the C/CAG Chair and Consultant that:

1. Consultant will provide the consulting services described in the attached Scope of Work (Exhibit A); and
2. The additional funding provided to Consultant by C/CAG under this amendment will be no more than one-hundred nine thousand, five hundred dollars (\$109,500.00) for Fiscal Year 2009-10; and
3. All other provisions of the original agreement between C/CAG and Consultant dated June 14, 2007 and subsequent amendments (Amendment #1 dated August 9, 2007, Amendment #2 dated June 12, 2008, and Amendment #3 dated May 14, 2009) shall remain in full force and effect; and
4. Payment for services under this amendment shall be on a time and materials basis, based upon the receipt of invoices for the actual costs, and with services to be

performed only upon the request of C/CAG staff after review of specific work plans for individual tasks; and

5. This amendment to the agreement shall take effect upon signature by both parties.

For C/CAG:

For Consultant:

Thomas M. Kasten, Chair

Signature

Date: February 11, 2010

By: _____

Approved as to form:

Date: _____

C/CAG Legal Counsel

EXHIBIT A

**EOA Inc.'s Scope of Work to Assist the
San Mateo Countywide Clean Water Program
Comply with High-Priority Municipal Regional Permit Tasks
During FY 2009/10**

EXHIBIT A

**EOA Inc.'s Scope of Work for a Contract Amendment
to Assist the San Mateo Countywide Clean Water Program
Comply with High-Priority Municipal Regional Permit Tasks
During FY 2009/10**

New Development and Construction

Provision C.3 of the MRP introduces substantial new requirements related to the planning, design, and implementation of stormwater controls in new development and redevelopment projects. The Countywide Program's New Development Subcommittee had anticipated most Provision C.3 requirements in its 2009/2010 budget, however, the work associated with several requirements of the adopted MRP exceeds the level of implementation initially anticipated for FY 2009/2010. In particular, Provision C.3 of the adopted MRP introduced new requirements to develop reports that are intended to facilitate resolution of complex issues that eluded resolution during the Bay Area Stormwater Management Agencies Association's (BASMAA) negotiations last summer with the Regional Water Board staff. The required, additional tasks are described in Tasks 7.1 through 7.4 below.

Task 7.1: Collaborate regionally to develop LID feasibility report

Provision C.3.c.i.(2)(b)(iv) requires the permittees, working collaboratively or independently, to submit by May 1, 2011, a report to the Regional Water Board on the criteria and procedures the permittees shall employ to determine when stormwater harvesting and reuse, infiltration, or evapotranspiration is feasible and infeasible at Regulated Project sites. The need for this report was prompted by the introduction last summer of a new MRP requirement for stormwater treatment to be accomplished entirely through infiltration, harvesting and reuse, and/or evapotranspiration, and that biotreatment would be allowed only where the first three methods of "low impact development" (LID) were infeasible. This new LID requirement, which was included in the adopted MRP, was prompted, in large part, by far-reaching LID requirements in the Ventura County municipal stormwater permit, which was adopted in the spring 2009. Because the requirement represents a significant departure from previous requirements and raises substantial concerns for municipalities and the development community, the criteria and procedures for determining infeasibility are expected to have considerable ramifications for development throughout the Bay Area.

This task will include the following deliverables:

- During FY 2009/2010, EOA will attend and represent the Countywide Program at up to four meetings of BASMAA's Development Committee and any work group meetings that may focus on LID infeasibility.
- Complete a survey of representatives of the Countywide Program's municipalities to identify LID-specific concerns relative to development in San Mateo County.
- Review draft infeasibility criteria developed by other Development Committee members and provide written feedback on the criteria being developed considering input from the Countywide Program's member agencies.
- Develop a scope of work with assistance from BASMAA members for the identification of regional infeasibility criteria and procedures. If needed this task will include assisting the Development Committee in developing a request for proposals for BASMAA to hire a

consultant or identifying a process for using in-kind services to help with regional infeasibility criteria and procedures.

Task 7.2: Collaborate regionally to develop special projects proposal

Provision C.3.e.ii requires the municipalities, working collaboratively or independently, to submit by December 1, 2010, a report identifying types of projects proposed for consideration of LID treatment reduction credits, with specific types of data to support the proposal. Similar to the LID feasibility report described above, this requirement resulted from the new LID requirements that were introduced last summer. The special projects report is intended to identify projects with inherent water quality benefits (such as high density, transit-oriented development) in which the use of biotreatment (as well as harvesting/reuse, evapotranspiration and infiltration) is constrained. For these special projects, LID requirements will be reduced. It may, for example, become possible to use vault-based systems to treat at least some of the stormwater runoff from projects meeting that “special projects” criterion.

This task will include the following deliverables:

- During FY 2009/2010, EOA will attend and represent the Countywide Program at up to four meetings of BASMAA’s Special Projects work group that was created in January 2010.
- Complete a survey of representatives of the Countywide Program’s municipalities to identify special project concerns for development projects in San Mateo County. Information gathered as part of this survey will be used to guide the review and preparation of comments on special projects criteria developed by other Development Committee members.
- Help to plan and attend up to two meetings with BASMAA representatives, Regional Water Board staff, and potentially other stakeholders to obtain input during the development of proposed criteria.

Task 7.3 Collaborate regionally to develop soil specifications

MRP Provision C.3.c.i.(2)(vi) requires the permittees, working together or independently, to submit for Regional Water Board approval, a proposed set of model biotreatment soil media specifications and soil infiltration testing methods to verify a long-term infiltration rate of 5 to 10 inches per hour. The submittal to the Regional Water Board is required to include literature, field and analytical data to show feasibility and pollutant removal, and include guidance for permittees to use the specifications. The Alameda Countywide Clean Water Program (ACCWP) and Contra Costa Clean Water Program (CCCWP) have each previously prepared separate bioretention soil specifications. Prior to the adoption of the MRP with this requirement, ACCWP had requested that EOA conduct research on potential needs to update its soil specifications, and was coordinating with CCCWP to potentially hold a regional soil specifications round table to review differences between the two specifications. When the MRP was adopted with the new soil specifications requirement, the round table concept was proposed to BASMAA and will be considered at an upcoming BASMAA Development Committee meetings.

This task will include the following deliverables:

- Represent the Countywide Program in developing a scope of work for the preparation of a BASMAA soil specification submittal by participating in up to two regional soil specifications round table meetings.
- Work with BASMAA's Development Committee members to develop a request for proposals for BASMAA to hire a consultant or identify a process for using in-kind services to help prepare the submittal to the Regional Water Board. This assistance will include coordination with municipal representatives regarding potential projects where the specifications may potentially be field-tested.

Task 7.4 Collaborate regionally to develop green roof specifications

MRP Provision C.3.c.i.(2)(vii) states that green roofs "may be considered biotreatment systems that treat roof runoff only if they meet certain minimum specifications." The provision subsequently requires the permittees, working collaboratively or independently, to prepare and submit, by May 1, 2011, minimum green roof specifications for Regional Water Board approval, along with data regarding the specifications' feasibility and pollutant removal, strategies for overcoming barriers to green roof implementation, and guidance for permittees to use the green roof specifications.

This task will include the following deliverables:

- Develop a scope of work with assistance from BASMAA's representatives for the task to identify regional green roof specifications.
- Assist the Development Committee in developing a request for proposals for BASMAA to hire a consultant to help with this task. This will include participation in consultant selection; communication with Countywide Program municipal representatives to obtain information about barriers to local green roof implementation, and identification of strategies for overcoming these barriers.

Trash Load Reduction

The municipal regional stormwater permit's (MRP) Provision C.10, which became effective on December 1, 2009, has a number of upcoming deadlines for completing trash assessment and control requirements. This contract amendment provides continued assistance to the San Mateo Countywide Clean Water Program's municipalities in meeting these requirements.

The Water Board determined in February 2009 that Colma, San Mateo, and San Francisquito Creeks and all of the shoreline of San Mateo County north of the San Mateo Bridge are impaired by trash. One of the MRP's high priorities is to require municipalities to improve trash control that is affecting waterways. These requirements include a demonstration of the level of improvement over this five-year permit term and the development of trash control plans for the period beyond five years.

A new aspect of improving trash control is the availability of federal stimulus funding by the State Water Resources Control Board through ABAG and the San Francisco Estuary Partnership. This funding is available for municipalities to work with ABAG's vendors to install trash control devices. Participation in this grant-funded trash control demonstration project will help municipalities to

comply with the MRP's trash control requirements and gain practical experience in how to meet the MRP's progressively more stringent trash control requirements for the protection of local waterways.

Task 7.5 Trash Hot Spot Selection and Cleanup (MRP Provision C.10.b)

EOA will assist the Countywide Program's member agencies to meet the MRP requirements for selecting and documenting the presence of trash hotspots. This work will be coordinated and vetted by working with the Municipal Maintenance Subcommittee's new Trash Control Work Group. Each municipality in San Mateo County has a requirement to report to the Regional Water Board by July 1, 2010 the location of trash hotspots along local waterways. The identification of trash hotspots must also include the submittal of supporting documentation. The number of hotspots that municipalities are required to identify, provide documentation about, and clean annually varies from between one and three depending on the municipality's population (MRP's Attachment J).

This task will include the following deliverables:

- Prepare written guidance for the Countywide Program's municipalities to use in identifying and selecting trash hotspots and compiling the documentation required by the MRP for submittal to the Regional Water Board. The development of this guidance will consider the experience being gained in Santa Clara County and conditions that are unique to San Mateo County. The guidance will also consider how to incorporate the municipalities' existing community trash control clean up events that take place along shorelines and creeks.
- Complete training of municipal staff during one of the trash control work group meetings on the use of the guidance.
- As possible within the existing budget, answer municipal staff questions and provide additional follow up assistance on the use of the guidance to support municipal staff in identifying, selecting, and documenting the presence of trash hotspots.

Task 7.6 Participation in the "Bay Area-wide Trash Capture Demonstration Project"

EOA will assist the municipalities to make full use of the trash control device installation grant funding offered as part of ABAG/San Francisco Estuary Partnership's "Bay Area-wide Trash Capture Demonstration Project." <http://www.sfestuary.org/projects/detail2.php?projectID=42> The estimated amount of trash control installation that each municipality may receive will be based on its population and the amount of retail/wholesale commercial land use area. The amount of grant funds that will be available countywide to all of San Mateo municipalities is estimated to total about \$580,000. The smallest towns may receive up to about \$7500 and the largest cities may receive over \$60,000.

This task will include the following deliverables:

- Prepare comments on the materials being planned for implementing the demonstration project by continuing to participate in the project's Technical Advisory Group. This evaluation and feedback will include responding to emails and other correspondence from San Francisco Estuary Partnership's (SFEP) project manager about proposed language being considered for inclusion in a statement of

interest for the municipalities to sign. It is also anticipated that comments will be provided on ABAG's draft contract that participating municipalities will need to sign to participate in the demonstration project.

- Develop and distribute an information sheet to encourage the use of these grant funds by the Countywide Program's municipalities. The information sheet will be provided to and discussed at Municipal Maintenance Subcommittee, Trash Control Work Group, and Technical Advisory Committee meetings.
- Contact each of the Countywide Program's member agencies to discuss any concerns their municipality may have with participating in this grant-funded project, and provide the member agencies with factual information about the pros and cons of participating. This will include responding to questions from the municipalities about their possible participation in the Trash Capture Demonstration Project.

Task 7.7 Selection of Trash Load Baseline and Trash Load Reduction Tracking Methodology

The MRP requires that each permittee, working collaboratively or individually, determine the baseline trash load from its municipal separate sewer system. It is important to select a methodology for measuring trash loads now because it will be used to estimate the current load as a baseline for tracking future load reductions. The MRP requires a 40% reduction in trash loads from the municipal separate storm sewer system by 2014, 70% by 2017, and 100% by 2022.

The selection of a trash load baseline methodology will include the following deliverables:

- Recommend in a technical memorandum one or more trash baseline load and load reduction tracking methods. The process of evaluating and identifying one or more trash load assessment methods will be coordinated with BASMAA's Trash Committee and/or one or more other countywide programs, such as the SCVURPPP.
- A presentation on the recommended trash load assessment method will be made to the Trash Control Work Group, and modifications to the recommended method will be made based on any comments and suggestions.

Inspector Training Materials for POC Identification

MRP provisions that specifically address pollutants of concern (POC) include: C.11 Mercury Controls; C.12 PCBs Controls and C.13 Copper Controls. Two of these provisions (PCBs and Copper), explicitly have requirements (sub-provisions) related to identifying POCs during commercial/industrial facility inspections, which is required under provision C.4 (Commercial and Industrial Site Controls). The third provision (Mercury Controls) does not explicitly require the identification of mercury and mercury-containing devices during inspections, but requires the promotion, facilitation and/or participation in the collection and recycling of mercury containing devices that may be present in commercial/industrial facilities.

Task 7.8 Develop Inspector Training Materials

EOA will assist the Countywide Program to collaborate with one or more other Bay Area countywide stormwater agencies to develop regional training and reporting materials to assist commercial/industrial facility stormwater inspectors in identifying PCBs, copper and mercury during existing inspections. The scope of work for this task is contingent upon obtaining in-kind support from the SCVURPPP, which is anticipated to occur. The completion of this task will assist permittees in complying with MRP provisions C.11a, C.12a, and C13.d.

The work will focus on developing training and recordkeeping materials that can be used by each permittee to train their individual industrial/commercial facility stormwater inspectors. As much as possible, existing work products, reports and materials will be utilized to develop the training materials. For example, this project will build upon the results of the Ettie Street pump station watershed project in the City of Oakland, which was conducted by the City of Oakland through a Proposition 13 grant awarded by the California State Water Resources Control Board. The project focused on identifying sources of PCB-containing sediments to the storm drain system. A key component of the Ettie Street project was inspections of public and private properties in the watershed to help identify potential PCB source areas and determine whether runoff from such locations was likely to convey PCBs and/or mercury to municipal stormwater conveyances. A site inspection checklist and associated criteria were developed for Ettie Street project regarding priority uses and activities potentially associated with PCBs (e.g., onsite PCB applications, potential for soils/sediments to erode and migrate off-site including unpaved areas, sites with outdoor storage yards and storage tanks, sites with poor housekeeping). These materials will be refined and adapted as appropriate for this project.

The final products will balance creating consistent materials for PCBs, copper and mercury with meeting the specific MRP requirements for each of these POCs. Implementation of the below tasks will include coordination as appropriate with BASMAA's Municipal Maintenance Subcommittee. Subtasks and deliverables are described in the following sections.

The development of inspector training materials will include the following deliverables:

- Complete a literature review that summarizes existing information regarding the applications (e.g., devices, equipment) that may contain PCBs, copper and mercury, and the types of commercial and industrial facilities likely to have these POCs onsite. The literature review will begin with reviewing existing materials developed by stormwater programs, BACWA, RMP, BAPPG and ABAG. Regulatory guidance available from EPA will be researched in both the stormwater and wastewater pretreatment inspection areas. A limited web-search will also be completed to acquire readily available materials from other agencies in California or other states that could be utilized to meet project goals. Information compiled through the review will be documented in the inspector reference manual as described below.
- Develop inspector reference materials that can be used by commercial and industrial facility inspectors to help identify PCBs, copper and mercury during inspections. As a first step, the types of facilities identified in Task 1 as being important with regard to these POCs will be

compared to the types of industries listed in MRP Provision C.4 (Commercial and Industrial Site Controls). Based on this evaluation, the facility-types identified in Provision C.4 that have a reasonable likelihood to have PCBs, copper and mercury onsite and potentially be sources of these POCs to stormwater will be identified and ranked. The inspector reference materials will then be developed to assist industrial inspectors identify POCs and POC-containing applications within the identified types of industries.

- Prepare a model reporting form to meet MRP inspection-related requirements for PCBs, copper and mercury will be developed with instructions on the data collection required. The instructions may include how to modify the C.4 recordkeeping requirements to meet the POC requirements or a model inspection form that could be used independently or in conjunction with C.4 inspection forms.
- Develop a PowerPoint presentation summarizing the results of the above tasks for use during a formal training session or as handouts at the more informal tailgate safety meetings. The presentation will include slides and notes so that the Countywide Program's municipalities could give the presentation to their own business inspectors.

**Municipal Stormwater NPDES Permit Compliance Assistance
 Additional Budget for High Priority Tasks for SMCWPPP to Comply with the Municipal Regional Permit during Fiscal Year 2009/10 - EOA Contract Amendment
 Level of Effort and Cost Estimate¹**

	Principal or Managing Engineer III (\$196/hour)	Managing Engineer I (\$174/hour)	Senior Engineer III (\$160/hour)	Senior Engineer II (\$147/hour)	Senior Engineer I (\$133/hour)	Assoc. Eng/Sci I (\$101/hour)	Admin (\$59/hour)	Labor Subtotal	Expenses	Sub- contracts	Task Total
	Hours	Hours	Hours	Hours	Hours	Hours	Hours	\$	\$	\$	
Additional High Priority Tasks to Comply with MRP											
7.1	C.3.c.(LID) - Collaborate regionally to develop LID feasibility report.	8		54	16			\$11,634	\$866	\$16,500	\$29,000
7.2	C.3.e. - Collaborate regionally to develop special projects proposal.	1		31				\$4,753	\$247	\$0	\$5,000
7.3	C.3.c.(LID) - Collaborate regionally to develop soil specifications.	1		28	24			\$7,504	\$496	\$0	\$8,000
7.4	C.3.c.(LID) - Collaborate regionally to develop green roof specifications.	2		24	20			\$6,580	\$420	\$0	\$7,000
7.5	C.10.b. - Trash hot spot selection and clean up	8	16	32	40		32	\$19,528	\$472	\$0	\$20,000
7.6	C.10.a - Participation in the "Bay Area-wide Trash Capture Demonstration Project"	15		6	32		20	\$9,784	\$216	\$0	\$10,000
7.7	C.10.a. - Collaboratively develop baseline trash loading estimates.	16	24	32	24		24	\$19,564	\$436	\$0	\$20,000
7.8	C.12.a - Collaborate regionally to develop training materials for inspectors to ID PCBs.	4	24		16		16	\$9,400	\$1,100	\$0	\$10,500
	Subtotal:	55	64	70	248	60	72	\$88,747	\$4,253	\$16,500	\$109,500

¹ Labor hours are approximate level of effort for each task.
 Actual distribution of hours within and among tasks may vary.
 Subcontractor costs are planning-level estimates.
 Estimated total cost will not be exceeded without C/CAG's
 written authorization.

FY 2009/10 HOURLY RATES

**for Services to the
San Mateo Countywide Water Pollution Prevention Program**

EOA, Inc. hourly rates are listed below for fiscal year 2009/10.

FEE SCHEDULE

PERSONNEL

Personnel charges are for any technical, clerical or administrative work necessary to perform the project. Work tasks include geologic and environmental consulting, engineering and computer services, regulatory liaison, and report preparation. Personnel rates are as follows:

(Fee Schedule Continued)

Personnel Category	Hourly Rate
Principal	\$196
Managing Engineer Scientist III	\$196
Managing Engineer Scientist II	\$185
Managing Engineer Scientist I	\$174
Senior Engineer/Scientist III – Project Leader	\$160
Senior Engineer/Scientist II	\$147
Senior Engineer/Scientist I	\$133
Associate Engineer/Scientist II	\$123
Associate Engineer/Scientist I	\$101
Technician	\$ 82
Clerical/Computer Data Entry	\$ 59

Charges for professional services are in increments of one quarter-hour.

Depositions/legal testimony are charged portal-to-portal, at 200% of standard rates, with a four-hour minimum charge. In accordance with California Civil Procedure 2037.7, where applicable, the minimum fee must be paid prior to commencement of testimony.

Preparation for court cases is charged on a time-and-materials basis as outlined in this fee schedule.

C/CAG AGENDA REPORT

Date: February 11, 2010
TO: C/CAG Board of Directors
From: Richard Napier, Executive Director - C/CAG
Subject: Review and approval of the C/CAG Administrative Assistant salary structure and review process.

(For further information or response to questions, contact Richard Napier at 650 599-1420)

Recommendation:

Review and approval of the C/CAG Administrative Assistant salary structure and review process in accordance with the staff recommendations.

Fiscal Impact:

\$3,467 to \$6,065 a month. Current salary cost are within this range and included in the adopted C/CAG budget. Therefore, this is not an increase in cost.

Revenue Source:

All C/CAG revenue sources.

Background:

C/CAG has no employees on its books so it contracts with the City of Redwood City for personnel services. Therefore, the C/CAG Executive Director and Administrative Assistant, for payroll purposes only, are shown as employees of Redwood City, but the compensation for these positions are determined by C/CAG. The C/CAG Board previously established a process for performance review and setting the salary of the Executive Director. Therefore, a policy should also be developed for the Administrative Assistant.

C/CAG Agreements with Redwood City:

C/CAG has executed agreements with the City of Redwood City to act as payroll agent for the Executive Director and Administrative Assistant. Although both positions show on the payroll for Redwood City neither has employee rights since they are classified as contract employees. The City of Redwood City has established the RWC -X111 Job Category with a salary range of \$3,467 to 6,065 per month for contract employees including C/CAG with no steps identified. No steps means that it is a continuous salary range with the salary determined by the contract agency with no predetermined or pre-negotiated salary steps. The RWC-X111 category is included as part of the Redwood City Management Employees Association (RCMEA) bargaining unit. Therefore, any agreements for adjustments made with RCMEA will also be reflected in the RWC-

ITEM 5.10

X111 salary range. C/CAG can establish a salary range for the Administrative Assistant at any level providing the upper limit does not exceed the current RWC-X111 limit of \$6,065 monthly.

The agreements between Redwood City and C/CAG specify that C/CAG establish the salaries for the two employees Executive Director (Board recommendation and approval) and Administrative Assistant (Executive Director approval). Therefore, the Redwood City salary structure or evaluation process is not applicable to either employee (except for the upper limit of the RWC X111). The C/CAG Board has established the compensation structure with which to review the Executive Director, which has been approved by the Board. It is the role of the C/CAG Executive Director to establish a salary review process for the C/CAG Administrative Assistant.

Administrative Assistant Salary Structure and Setting:

The C/CAG Administrative Assistant salary structure shall consist of two levels with a specified salary range for each level. The two levels recommended are Administrative Assistant and Senior Administrative Assistant. The differences between the two levels are experience, job description, and ability to perform independently with minimal supervision. See the attached job descriptions for the two positions. C/CAG can establish any salary range for the Administrative Assistant providing the upper limit does not exceed the Redwood City (RWC-X111) limit. The limit is currently \$6,065 monthly. The salary range for each level shall be determined as follows:

- 1- The salary range is determined by comparing the salary range for C/CAG Administrative Assistant to comparable jobs in other agencies. This shall be updated annually. Typical survey agencies include but are not limited to: City of Redwood City, County of San Mateo, City of San Carlos, City of San Mateo, Foster City, and Daly City.
- 2- C/CAG Board approves the salary range for C/CAG Administrative Assistant positions.

C/CAG Administrative Assistant Recommended Salary Range

- 1- Administrative Assistant - \$3,467 to \$5,144
- 2- Senior Administrative Assistant - \$5,145 to \$6,065

Merit Based Salary - Based on the performance evaluation the Executive Director will determine a salary adjustment. It will be merit based. A continuous range from 0-7% will be used. However, C/CAG reserves the right to adjust the salary recommendation based on economic conditions. This means that the typical percentage for satisfactory will be adjusted to reflect these circumstances. In order to excel the employee must show initiative to initiate and define tasks and perform consistently above and beyond the established goals.

C/CAG Administrative Assistant Salary Limit - The salary must fit within one of the ranges of the approved position descriptions of C/CAG Administrative Assistant. If the current salary is at the top of C/CAG Senior Administrative Assistant salary range then there is no capacity for a salary increase. A performance review will still be performed even if there is no capacity for a salary increase.

As discussed previously the C/CAG Administrative Assistant salary ranges may be adjusted periodically. The adjustment is determined by surveying the salary range for C/CAG Administrative Assistant equivalents at other agencies.

Administrative Assistant Performance Review:

A performance evaluation will be completed annually within 30 days of the anniversary date. This performance evaluation should include the following:

- 1- A written review of the performance by the Executive Director.
- 2- Discussion and presentation of the performance review to the employee by the Executive Director.
- 3- With the employee establish the goals and objectives for the next review period.
- 4- Provide the employee a copy of the written performance review and the goals and objectives for the next review period.

A performance review will still be performed even if there is no capacity for a salary increase.

Attachments:

Administrative Assistant Job Description
Senior Administrative Assistant Job Description

Alternatives:

- 1- Review and approval of the C/CAG Administrative Assistant Salary structure and review process in accordance with the staff recommendations.
- 2- Review and approval of the C/CAG Administrative Assistant Salary structure and review process in accordance with the staff recommendations with modifications.
- 3- No action.

C/CAG ADMINISTRATIVE ASSISTANT

The Organization

The City/ County Association of Governments (C/CAG) is a joint power's authority consisting of San Mateo County and twenty cities within the county. A governing Board of Directors made up of one elected representative of each agency sets policy for the organization. The Executive Director and Administrative Secretary/ Administrative Assistant are the only full-time staff employed by C/CAG. All other staff functions are performed through contracts with local agencies and independent consultants. C/CAG is the Congestion Management Agency for San Mateo County, the Airport Land Use Commission, the Stormwater Pollution Prevention Program Manager, and manages a variety of other countywide programs and activities by the Board of Directors.

The Position

The Administrative Assistant performs a variety of responsible, confidential and administrative (including some secretarial) duties for the Executive Director. The employee supports the Executive Director, providing routine administrative support relating to an organization-wide activity or function, and serving as Secretary to the Board of Directors, under the supervision of the Executive Director.

Supervision received and exercised

Receives general supervision from the Executive Director.

Examples of Duties

Duties may include, but are not limited to the following:

Perform a wide variety of administrative duties for the Executive Director and Board of Directors.

Maintain computerized project tracking databases such that they are current and accurate.

Work directly with local and regional governmental agencies as necessary to implement tasks.

Screen calls, visitors, and mail. Respond to requests for information and assistance, and, where possible, resolve member and public concerns and complaints.

Interpret C/CAG policies, procedures and regulations in response to inquiries and complaints. Refer inquiries, as appropriate.

Independently respond to letters and general correspondence of a routine nature.

Make travel arrangements, maintain appointment schedules and calendars, and arrange meetings, conferences and C/CAG functions, maintain master calendar of meeting schedules.

Transcribe dictation, type in word processing and assemble letters, reports, agendas, mailing lists, manuals, and other materials.

Participate and assist in the administration of the office.

Research, compile and analyze data for special projects and various comprehensive reports.

Perform necessary purchasing of office supplies and administrative activities.

Evaluate operations and activities of assigned responsibilities. Recommend organizational or procedural improvements and modifications affecting support activities. Prepare various reports on operations and activities.

Assemble communications and agenda packets and related materials. Maintain log of communications sent.

Initiate and maintain a variety of files and records for information such as, meeting minutes, agendas, resolutions, committee lists, budget records. Maintain manuals and resource materials.

Serve as the Secretary to the Board of Directors under the direction of the Executive Director. Assist in the preparation of the agenda and assemble background materials, attend meetings and transcribe minutes and perform related support and follow-up services.

Order and maintain office supplies, stationary, business cards and supplies for administrative staff as required.

Prepare purchase orders and payment vouchers.

Maintain all official C/CAG records.

Qualifications

Knowledge of:

Excellent oral and written skills, including proper use of the English language, spelling, grammar and punctuation.

Modern office methods, practices, procedures and computer equipment.

Knowledge of and experience with Office software technologies, including the Microsoft Office Suite, to include Word, Excel, PowerPoint and Access.

Written skills to include appropriate business letter writing and basic report preparation.

Must be organized and familiar with basic office procedures and operating detail of public agencies.

Familiarity with and use of basic principles and procedures of record keeping.

Ability to do the following:

Perform reasonable, complex secretarial work involving the use of independent judgement.

Understand the organization and operation of C/CAG and outside agencies, as necessary, to assume assigned responsibilities.

Communicate clearly, courteously, and concisely, both orally and in writing.

Work cooperatively with other staff, city and county officials and outside agencies.

Learn, interpret and apply C/CAG policies and regulations.

Apply project management principles to meet programmatic objectives, budget, and schedules.

Maintain computerized project tracking databases such that they are current and accurate.

Maintain confidential data and information for executive staff. Independently prepares correspondence and memorandums.

Use a computer word processor at a speed necessary for successful job performance.

Transcribe dictation at a speed necessary for successful job performance.

Have a working knowledge of computer spreadsheet and database programs.

Work independently with minimal supervision.

Establish and maintain cooperative working relationships with those contacted in the course of work.

Analyze situations carefully and adopt effective courses of action.

Compile and maintain complex and extensive records and prepare reports.

Physical Requirements

Applicants must be free from conditions which would preclude satisfactory performance of the essential functions of the job.

Experience and Education

High School Diploma

Any combination of education and experience and training that would likely provide the required

knowledge and ability is qualifying. A typical way to obtain the knowledge and ability would be:
Three years of increasingly responsible administrative experience.

Compensation and Benefits

Salary Range: \$3,467- 5,144 per month

Hours: The normal work week is 40 hours. Attendance at one evening Board of Directors meeting each month is required. Flexible scheduling will be considered.

Benefits will be in accordance with the plan of the agency providing the personnel support function to C/CAG.

Holidays: 14

Vacation: 10 days after one year, 15 days after five years. Probationary employees accrue vacation but may not take or be paid for it until they have completed 6 months of employment.

Sick Leave: 1 day per month.

Bereavement Leave: 3 working days per occurrence

Health Insurance: Various Plans are available with C/CAG contributing the major portion of the monthly premium.

Dental Insurance: Coverage including orthodontia for employees and their dependents through Dental Plan with C/CAG contributing major portion of coverage.

Retirement: PERS

Probation: Employees must successfully complete a six month probationary period.

C/CAG SENIOR ADMINISTRATIVE ASSISTANT

The Organization

The City/ County Association of Governments (C/CAG) is a joint power's authority consisting of San Mateo County and twenty cities within the county. A governing Board of Directors made up of one elected representative of each agency sets policy for the organization. The Executive Director and Administrative Secretary/ Administrative Assistant are the only full-time staff employed by C/CAG. All other staff functions are performed through contracts with local agencies and independent consultants. C/CAG is the Congestion Management Agency for San Mateo County, the Airport Land Use Commission, the Stormwater Pollution Prevention Program Manager, and manages a variety of other countywide programs and activities by the Board of Directors.

The Position

The Senior Administrative Assistant performs a variety of highly responsible, confidential and complex administrative (including some secretarial) duties for the Executive Director. A key characteristic of the Senior Administrative Assistant position is the ongoing programmatic responsibility. Should have the ability to work without direct supervision.

This is an advanced level position. Positions at this level are distinguished by the degree of responsibility assumed and complexity, sensitivity and variety of duties that are assigned. The employee performs the most difficult and responsible types of duties, including support to the Executive Director, providing routine administrative support relating to an organization-wide activity or function, and serving as Secretary to the Board of Directors, under the supervision of the Executive Director.

Supervision received and exercised

Receives general supervision from the Executive Director.

May exercise some degree of supervision over temporary clerical staff.

As project manager exercise degree of supervision necessary to achieve project objectives.

Examples of Duties

Duties may include, but are not limited to the following:

Perform a wide variety of complex, responsible, and confidential administrative duties for the Executive Director and Board of Directors.

Ability to draft staff reports independently to the C/CAG Board and Committees.

Ability to be direct staff to a C/CAG Committee with minimal oversight by Executive Director.

Operate as a Project Manager for one or more of C/CAG functions with minimal oversight by the Executive Director. Provides oversight to one or multiple programmatic areas; ensures that work is completed in an appropriate manner and that program goals are met; recommends and implements policy or procedural changes related to the programmatic area(s); may develop the budget and time schedules for the programmatic area(s).

Maintain computerized project tracking databases such that they are current and accurate.

Work directly with local and regional governmental agencies as necessary to implement tasks.

Screen calls, visitors, and mail. Respond to requests for information and assistance, and, where possible, resolve member and public concerns and complaints.

Interpret C/CAG policies, procedures and regulations in response to inquiries and complaints. Refer inquiries, as appropriate.

Participate in budget preparation and administration. Prepare cost estimates for budget recommendations. Submit justification for budget items, monitor and control expenditures.

Independently respond to letters and general correspondence of a routine nature.

Make travel arrangements, maintain appointment schedules and calendars, and arrange meetings, conferences and C/CAG functions, maintain master calendar of meeting schedules.

Transcribe dictation, type in word processing and assemble letters, reports, agendas, mailing lists, manuals, and other materials.

Participate and assist in the administration of the office.

Research, compile and analyze data for special projects and various comprehensive reports.

Perform necessary purchasing of office supplies and administrative activities.

Evaluate operations and activities of assigned responsibilities. Recommend organizational or procedural improvements and modifications affecting support activities. Prepare various reports on operations and activities.

Assemble communications and agenda packets and related materials. Maintain log of communications sent.

Initiate and maintain a variety of files and records for information such as, meeting minutes, agendas, resolutions, committee lists, budget records. Maintain manuals and resource materials.

Serve as the Secretary to the Board of Directors under the direction of the Executive Director. Assist in the preparation of the agenda and assemble background materials, attend meetings and transcribe minutes and perform related support and follow-up services.

Order and maintain office supplies, stationary, business cards and supplies for administrative staff as required.

Maintain petty cash fund. Prepare purchase orders and payment vouchers.

Maintain all official C/CAG records.

Qualifications

Knowledge of:

Excellent oral and written skills, including proper use of the English language, spelling, grammar and punctuation.

Modern office methods, practices, procedures and computer equipment.

Knowledge of and experience with Office software technologies, including the Microsoft Office Suite, to include Word, Excel, PowerPoint and Access.

Written skills to include appropriate business letter writing and basic report preparation.

Must be organized and familiar with basic office procedures and operating detail of public agencies.

Familiarity with and use of basic principles and procedures of record keeping.

Principles of supervision, training and performance evaluation.

Principles of project management.

Knowledge of project management principles; familiarity with project management software a plus.

Ability to do the following:

Perform reasonable, complex secretarial work involving the use of independent judgement.

Understand the organization and operation of C/CAG and outside agencies, as necessary, to assume assigned responsibilities.

Communicate clearly, courteously, and concisely, both orally and in writing.

Work cooperatively with other staff, city and county officials and outside agencies.

Learn, interpret and apply C/CAG policies and regulations.

Apply project management principles to meet programmatic objectives, budget, and schedules.

Maintain computerized project tracking databases such that they are current and accurate.

Maintain confidential data and information for executive staff. Independently prepares correspondence and memorandums.

Use a computer word processor at a speed necessary for successful job performance.

Transcribe dictation at a speed necessary for successful job performance.

Have a working knowledge of computer spreadsheet and database programs.

Work independently with minimal supervision.

Establish and maintain cooperative working relationships with those contacted in the course of work.

Analyze situations carefully and adopt effective courses of action.

Compile and maintain complex and extensive records and prepare reports.

Physical Requirements

Applicants must be free from conditions which would preclude satisfactory performance of the essential functions of the job.

Experience and Education

High School Diploma

Any combination of education and experience and training that would likely provide the required knowledge and ability is qualifying. A typical way to obtain the knowledge and ability would be:

Six years of increasingly responsible administrative experience, particularly project management experience with a public agency.

A minimum of four years experience with C/CAG is desired.

Education or training equivalent to the completion of Bachelor of Arts in Political Science or Public Administration.

Compensation and Benefits

Salary Range: \$5,145- 6,065 per month

Hours: The normal work week is 40 hours. Attendance at one evening Board of Directors

meeting each month is required. Flexible scheduling will be considered.

Benefits will be in accordance with the plan of the agency providing the personnel support function to C/CAG.

Holidays: 14

Vacation: 10 days after one year, 15 days after five years. Probationary employees accrue vacation but may not take or be paid for it until they have completed 6 months of employment.

Sick Leave: 1 day per month.

Bereavement Leave: 3 working days per occurrence

Health Insurance: Various Plans are available with C/CAG contributing the major portion of the monthly premium.

Dental Insurance: Coverage including orthodontia for employees and their dependents through Dental Plan with C/CAG contributing major portion of coverage.

Retirement: PERS

Probation: Employees must successfully complete a six month probationary period.

C/CAG AGENDA REPORT

Date: February 11, 2010

To: City/County Association of Governments Board of Directors

From: Richard Napier, Executive Director

Subject: Legislative update. Information Only.

(For further information or questions contact Joseph Kott at 599-1453)

Please find attached a legislative Report from our Sacramento lobbyist. Please also note that staff may have updated information to provide at the Board meeting.

ATTACHMENT

C/CAG Proposed Legislative Policies and Priorities For 2010

ITEM 6.1

ATTACHMENT



ADVOCATION



SHAW/YODER/ANTWIH, *inc.*
LEGISLATIVE ADVOCACY • ASSOCIATION MANAGEMENT

February 1, 2010

TO: Board Members, City/County Association of Governments, San Mateo County

FROM: Advocation, Inc. – Shaw / Yoder / Antwih, Inc.

RE: STATE LEGISLATIVE UPDATE- JANUARY

Governor's "Gas Tax Swap" Proposal

Currently, the state imposes an 18-cent per gallon tax on gasoline and diesel fuel (known as the gas tax). These monies are used for state highways and local streets and roads. The state also charges a sales tax on these fuels (Prop 42 for example), and the revenues are used for public transit and rail, as well as state highway expansion (STIP) and local street and road improvements.

The Governor's 2010-11 State Budget proposes a transportation funding "gas tax swap" which eliminates the sales tax on gasoline and diesel and increases the excise tax in order to provide General Fund relief and greater capacity to pay down bond debt service. According to the Legislative Analyst's Office, the state's current bond debt service is at 9 percent and climbing, well over the recommended threshold of 6 percent.

Furthermore, this proposal, eliminates funding for the Public Transportation Account (PTA), and is clearly designed to respond to the California Transit Association's litigation against the 2007-08 State Budget, *Shaw v. Chiang*, and as upheld by the California Supreme Court --requiring the spillover revenues to be deposited in the PTA, and for those revenues to be spent on mass transportation purposes. As much as the law requires those revenues to be spent on transit if those revenues materialize, state law cannot force those tax revenues to be collected; the Governor proposes eliminating the tax source so he doesn't have to spend them on transit.

Impact of the Swap

The Governor's "gas tax swap" proposes to:

- Eliminate the state sales tax on fuel and make up most of the lost revenues with an increase in the per gallon gas tax. The gas tax increase would be capped so that in total motorists would not pay more than they do now in gas and sales tax combined. Motorists would be paying 5 cents less per gallon (the additional cent that was charged per the February 2009 budget will expire on June 30, 2011).
- Use the revenues from the gas tax increase to (1) pay debt service on transportation bonds (Prop 1B, Prop 116, Prop 1A?) and (2) fund state highways and local streets and roads at amounts equivalent to what each would receive under current law. The funding

for state highways would be available for maintenance and rehabilitation (major repairs), in addition to expansion purposes.

- Completely eliminates funding for public transit and rail, accelerate bond debt-service expenditures and provide a tax cut. Using FY 2010-11 numbers, the proposal eliminates a total of \$1.586 billion from the four core sources of funding for the Public Transportation Account (PTA): sales tax on gasoline (\$315 million), spillover (\$897 million), sales tax on diesel (\$313 million), sales tax on 9 cents of the excise tax (\$61 million). If this proposal were to be approved, operators would need to rely on local sales tax and/or Transportation Development Act funding to support public transit service.
- For 2010-11, the proposal would reduce fuel sales tax revenues by \$2.8 billion. The budget proposes to partially offset the revenue loss with a 10.8 cents per gallon gas tax increase, increasing the gas tax to 28.8 cents, which would generate about \$1.9 billion for the following:
 - \$629 million for state highways.
 - \$629 million for local roads.
 - \$675 million for debt service on transportation bonds. (The Governor would use an additional \$400 million in transportation funds to pay other General Fund debt-service costs.)
- As a result, there would be a net reduction in transportation revenues of about \$1 billion (\$976 million) in 2010-11 which would effectively provide California motorists a tax cut equivalent to about 5 cents per gallon at the pump.
- By eliminating the sales tax on gasoline and diesel, the Governor is creating a fixed, stagnant revenue stream that will rely solely on consumption. The state would no longer benefit from the fluctuation of gas prices which generate additional revenue for transportation purposes. In fact, the California State association of Counties estimates that while revenues from the sales tax on gasoline appreciate at 4%, the gas tax generates only 1%. While the proposal indexes the 10.8 on annual basis, it is not enough to keep pace with the revenue generated by the sales tax.
- Consequently, this proposal will have a negative impact on maintaining resources for transportation purposes given the ever increasing fuel efficiency of vehicles. This will undoubtedly have a severe impact on the SHOPP, STIP, and local streets and roads funding in the future.
- Funding for the STIP will shrink overall due to the elimination of transit funding. The California Transportation Commission (CTC) factors all revenues sources including the excise tax, sales tax on gasoline and diesel, spillover, and sales tax on 9 cents of the excise tax, into the development of the Fund Estimate. The Fund Estimate guides the CTC in developing the STIP. Without transit dollars, regional transportation planning or congestion management agencies will be left with the difficult task of potentially choosing to deprogram a highway project to fill the void for a transit project. For FY 2010-11, the PTA should receive nearly \$1.6 billion. The annual amount has traditionally been split 50/50 between the State Transit Assistance (STA) program (flexible funding for transit capital and operations) and state and regional programming side of the PTA, which includes the transit's STIP contribution. After deducting, costs for the intercity rail program (\$131 million) and other sundry expenses (Caltrans and CTC operations among other things), roughly \$600 million should be made available for the STIP from the PTA (this amount could only be spent on transit). Growth in the STIP will also be subdued

because the annual growth rate of the excise tax is much less dynamic than the sales tax (1% vs. 4% respectively).

Senate Budget Committee and Next Steps

On January 21st, the Senate Budget Committee held an informational hearing on the Governor's gas tax swap proposal. Comments made by the panel suggested that the state must maintain a role in funding public transportation. Many of the panel's comments were critical of the proposal for the reasons reiterated in the bullet points above.

The legislature is expected to take action on addressing at least the current year (FY 09-10) deficit of \$6.6 billion by the end of February/beginning of March because the state does not have the sufficient cash flow to manage past the month of April. As a result, a modified version of the gas tax swap which provides some General Fund relief while providing funding for public transportation may materialize within the next few weeks as part of the legislature's solution to addressing the budget shortfall. Some of the suggestions for providing funding for public transportation include maintaining the sales tax on diesel, which generates roughly \$330 million annually, and applying the amount towards operations. In addition, there is discussion of allowing local jurisdictions greater flexibility to acquire additional transit funding via the ballot.

We strongly encourage members of the Board to meet with their legislative delegation (Senators Simitian and Yee, and Assembly Members Hill, Ma, and Ruskin), to discuss the impacts of the Governor's gas tax swap proposal prior to the enactment of a current year (FY 09-10) budget package. Your legislative advocacy team is more than happy to arrange a visit with members of the C/CAG delegation in Sacramento and recommends a visit before the end of February.

C/CAG AGENDA REPORT

Date: February 11, 2010
To: City/County Association of Governments Board of Directors
From: Richard Napier, Executive Director
Subject: Approval of C/CAG Legislative priorities for 2010
(For further information or questions contact Joseph Kott at 599-1453)

RECOMMENDATION

That the C/CAG Board approve the proposed, revised set of 2010 State Legislative Priorities.

FISCAL IMPACT

Many of the priorities listed in the attached document have the potential to greatly increase or decrease the fiscal resources available to C/CAG member agencies.

SOURCE OF FUNDS

New legislation.

BACKGROUND/DISCUSSION

Each year, the C/CAG Board adopts a set of legislative priorities to provide direction to its Legislative Committee, staff, and its Lobbyist. In the past, the C/CAG Board established the policies and priorities that:

- Clearly defined a policy at the beginning of the Legislative Session.
- Identified specific priorities to be accomplished during this session by the Lobbyist
- Limited the activities of C/CAG to areas where we can have the greatest impact.

The adoption of a list of priorities will hopefully maximize the impact of having a Lobbyist represent C/CAG in Sacramento and will also significantly reduce the amount of C/CAG staff time needed to support the program.

The C/CAG Legislative Committee reviewed and revised an initial set of proposed 2010 State legislative Priorities on December 10, 2009 and January 14, 2010. The attached document reflects revisions requested by the Committee.

ALTERNATIVES

1. Accept proposed C/CAG Legislative Policies and Priorities for 2010 with changes
2. Postpone decision until next meeting.

ATTACHMENT

C/CAG Proposed Legislative Policies and Priorities For 2010

ITEM 6.1.1

ATTACHMENT

PROPOSED C/CAG LEGISLATIVE PRIORITIES FOR 2010

Priority #1 -

Protect against the diversion of local revenues including the protection of redevelopment funds and programs.

- 1.1 Support League of California Cities and California State Association of Counties Initiatives to protect local revenues, including the Local Taxpayer, Public Safety and Transportation Protection Act.
- 1.2 Protect and preserve the 20% redevelopment housing set aside.

Priority #2 -

Protect against increased local costs resulting from State action without 100% State reimbursement for the added costs.

- 2.1 Ensure that there is real local representation on State Boards and Commissions that are establishing policies and requirements for local programs.
- 2.2 Advocate for the appointment of Administration Officials who are sensitive to the fiscal predicament faced by local jurisdictions.
- 2.3 Oppose State action to dictate wages and benefits for local employees.
- 2.4 Oppose State action to restrict the ability of local jurisdictions to contract for services.
- 2.5 Advocate for State actions that are required to take into consideration the fiscal impact to local jurisdictions.

Priority #3 -

Secure stable funding to pay for increased National Pollutant Discharge Elimination System¹ (NPDES) mandates.

- 3.1 Primary focus on maximizing funds from the adopted infrastructure bonds.
- 3.2 Support efforts to exempt municipal stormwater funding from the super majority voting requirements imposed by Proposition 218.

¹ See http://cfpub.epa.gov/npdes/home.cfm?program_id=6

- 3.3 Support inclusion of funding for municipal stormwater management efforts in federal and state legislation, bond measures, grant and loan programs, and stimulus packages.
- 3.4 Support and pursue legislation that provides source control benefits for municipal storm water management efforts, such as addressing plastic bags, polystyrene containers, litter control, metals in brake pads and tire weights, and extended producer responsibility.
- 3.5 Pursue/Support the State Water Resources Control Board obtaining additional funding sources in order to pay the anticipated unfunded mandate claims from municipalities for aspects of their municipal stormwater permits that exceed federal Clean Water Act requirements and that municipalities are unable to fund using regulatory fees.
- 3.6 Support the development of funding mechanisms to implement trash control statewide and among local agencies.
- 3.7 Support efforts to improve the operational governance and accountability of the State Water Resources Control Board and Regional Water Boards by implementing recommendations from the Little Hoover Commission's January 2009 report entitled Clearer Structure, Cleaner Water: Improving Performance and Outcomes at the State Water Board. One sample recommendation includes incorporating cost effective tests into Boards' analysis of programs to help prioritize and find the most cost-effective solutions to water quality problems.
- 3.8 Support legislation that will ensure enforcement actions taken by any State regulatory agencies against municipalities in San Mateo County are commensurate with the significance of any violations and allow all financial penalties associated with such enforcement actions to be directed to compliance projects within the offending municipality's jurisdiction to address the cause of the violation.

Priority #4 -

Support lowering the 2/3rd super majority vote for local special purpose taxes.

- 4.1 Oppose bills that lower the 2/3rd super majority threshold for the special tax category, but impose restrictions on the expenditures.
- 4.2 Support bills that reduce the vote requirement for special taxes but increase the vote requirement for general taxes.

Priority #5-

Encourage the State to protect transportation funding and develop an equitable cost-sharing arrangement to pay for any cost overruns on the construction of the Bay Bridge.

- 5.1 Urge the State to eliminate transfer of State transportation funds to the State General Fund.

- 5.2 Oppose efforts to divert any of the Regional Measure 2 funds to pay for any Bay Bridge cost overruns.

Priority #6 -

Advocate for revenue solutions to address State budget issues that are also beneficial to Cities/ Counties

- 6.1 Support measures to realign the property tax with property related services.
- 6.2 Support measures to ensure that local governments receive appropriate revenues to service local communities.

Priority #7 -

Support reasonable climate action/Greenhouse Gas legislation

- 7.1 Support incentive approaches toward implementing AB32.
- 7.2 Support county-based planning for sustainable communities in SB 375.
- 7.3 Oppose climate legislation that would conflict with or override projects approved by the voters.

Priority #8 -

Support energy conservation

- 8.1 Support local government partnerships with Pacific Gas & Electric (PG&E).

Priority #9 -

Other

- 9.1 Support/sponsor legislation to allow transportation planning funds to be used to fund comprehensive land use plans for airports.
- 9.2 Support efforts that will engage the business community in transportation demand management.

C/CAG AGENDA REPORT

DATE: February 11, 2010
TO: C/CAG Board of Directors
FROM: Richard Napier, Executive Director
SUBJECT: Nominations for C/CAG Chair and Vice Chair (2) for the March Election of Officers
(For further information or response to questions, please contact Richard Napier at 650 599-1420)

RECOMMENDATION:

That the C/CAG Board of Directors make nominations for Chair and Vice Chair (2) for the March Election of Officers in accordance with the C/CAG By-Laws.

FISCAL IMPACT:

None.

REVENUE SOURCE:

None.

BACKGROUND/DISCUSSION:

At the June 2004 C/CAG Board meeting the By-Laws were changed to create a second Vice Chairperson and change the date of the election to March of each year.

The revised By-Laws established a process to have nominations at a prior meeting (February) and then have voting at the following meeting (March). The objective was to provide the Board Members with background information to assist them in casting their vote. Nominations shall only be made by voting members of the Board of Directors. The Chairperson and Vice Chairpersons shall be voting members of the Board, as well. Nominations do not require a second or vote to be a candidate. Nominations should be taken for the Chair and both Vice Chair positions. Nominations for officers of the Board of Directors shall be made from the floor only at the regular February Board meeting. Nominations and election of the Chairperson shall precede nominations and election of the Vice Chairpersons.

All candidates should provide background information in advance of the March Board meeting such that the material can be included in the packet for the Board's consideration. For those candidates nominated, please provide the background information to Nancy Blair (nblair@co.sanmateo.ca.us) by February 26, 2010.

ITEM 6.2

CURRENT OFFICERS:

Tom Kasten has served one term as Chair and is eligible to serve another term. Tom Kasten has served two terms as Vice Chair and is not eligible to serve as Vice Chair.

Bob Grassilli has served one term as Vice Chair and is eligible to serve another term.

Carole Groom has served one term as Vice Chair and is eligible to serve another term.

ATTACHMENTS:

1. Article IV of the Bylaws related to Officers.
2. Cover sheet for nominees to submit background information

ALTERNATIVES:

- 1 - That the C/CAG Board of Directors make nominations for Chair and Vice Chair (2) for the March Election of Officers in accordance with the C/CAG By-Laws.
- 2 - No action.

EXCERPT FROM THE
BYLAWS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS
OF SAN MATEO COUNTY

As Amended 6/10/04

ARTICLE IV. OFFICERS

Section 1. The officers of the Board of Directors shall consist of a Chairperson, and two Vice Chairpersons.

Section 2. The Chairperson and Vice Chairpersons shall be elected from among the nominees by the Board of Directors at the March meeting to serve for a term of twelve (12) months commencing on April 1. There shall be a two-term limit for each office. That is, a member may not serve more than two terms as the Chairperson, and not more than two terms as a Vice Chairperson. An officer shall hold his or her office until he or she resigns, is removed from office, is otherwise disqualified to serve, or until his or her successor qualifies and takes office.

Section 3. Nomination for officers of the Board of Directors shall be made from the floor only at the regular February Board meeting. Nominations shall be made only by voting members of the Board of Directors.

Section 4. The Chairperson and each Vice Chairperson must be a regularly designated, voting member (eg., not an alternate, or an ex-officio member) of the Board of Directors.

Section 5. Nominations and election of the Chairperson shall precede nominations and election of the Vice Chairpersons. Voting shall be public for all offices.

Section 6. The Chairperson shall preside at all meetings of the Board, may call special meetings when necessary, and shall serve as the principal executive officer. The Chairperson shall have such other powers, and shall perform such other duties which may be incidental to the office of the Chairperson, subject to the control of the Board.

Section 7. In the absence or inability of the Chairperson to act, the Vice Chairperson(s), in the order of their seniority, shall exercise all of the powers and perform all of the duties of the Chairperson. The seniority of the Vice Chairpersons shall alternate monthly such that one Vice Chairperson shall have seniority over the other during April, June, August, October, December and February; and the other Vice Chairperson shall have such seniority during May, July, September, November, January and March. Each Vice Chairperson shall also have such other powers and shall perform such other duties as may be assigned by the Board of Directors.

Section 8. A special election to fill the vacant office shall be called by the Board of Directors if the Chairperson or any Vice Chairperson is unable to serve a full term of office.

Section 9. All officers shall serve without compensation.

Section 10. The Chairperson or any Vice Chairperson may be removed from office at any time by a majority vote of those members present at a duly constituted meeting of the Board.

Section 11. All Vice Chairpersons shall be members of the Administrators' Advisory Committee.

If nominated, please attach candidate background material and return a copy to:

C/CAG
Attn: Nancy Blair
555 County Center, 5th Floor
Redwood City, CA 94063

By: February 26, 2010

C/CAG AGENDA REPORT

Date: February 11, 2010
To: City/County Association of Governments Board of Directors
From: Richard Napier, Executive Director
Subject: Approval of funding allocation for Local Streets & Roads (LS&R) by combining Federal Cycle 1 and Stimulus II funds (if Stimulus II is available); and approval of funding allocation for LS&R by combining Federal Cycles 1 & 2 funds (if Stimulus II is not available)

(For further information contact Sandy Wong at 599-1409 and Jean Higaki at 599-1462)

RECOMMENDATION

That the C/CAG Board approve the funding allocation for Local Streets & Roads (LS&R) by combining Federal Cycle 1 and Stimulus II funds (if Stimulus II is available) as described in Scenario A below; and approve the funding allocation for LS&R by combining Federal Cycles 1 & 2 funds (if Stimulus II is not available) as described in Scenario B below. [*Note: Scenarios A & B are mutually exclusive.*]

Further, it is recommended that the C/CAG Board authorize the Executive Director to work with all involved agencies to implement these programs within the framework approved by the C/CAG Board.

If Stimulus II Fund is available (Scenario A):

This scenario will apply if new Stimulus II funding for LS&R becomes available in an amount close to \$11M and in the timeframe of the programming decision for Federal Cycle 1.

It is recommended to combine Stimulus II and Federal Cycle 1 funds and allocate to all jurisdictions using the following steps and as shown in Table 1 (Attachment 1):

1. Using the latest Measure A Local Transportation Distribution percentage (which is based on population and lane miles), each jurisdiction will be allocated an amount equal to its proportionate share of both fund sources combined.
2. The largest jurisdictions will receive all the Stimulus II funds and comply with all rules, requirements, and deadlines for this fund source. It is currently anticipated construction contracts must be executed by May 28, 2010.
3. Remaining jurisdictions will receive Federal Cycle 1 funds and comply with all rules, requirements, and timelines for that fund source. Projects funded by Cycle 1 fund must be delivered in either fiscal year 2010/11 or 2011/12, subject to approval by C/CAG. Project size shall be as large as possible, but not smaller than \$250K.
4. Jurisdictions whose shares are smaller than \$250K will be provided with \$250K minimum by reducing other jurisdictions shares proportionately.

[*Note: Both the CMP TAC and CMEQ committees recommended approval of Scenario A.*]

ITEM 6.3

If Stimulus II Fund is not available (Scenario B):

This scenario will apply if new Stimulus II funding for LS&R does **not** become available.

It is recommended to combine Cycles 1 & 2 funds and allocate to all jurisdictions using the following steps and as shown in Table 2 (Attachment 2):

1. Using the latest Measure A Local Transportation Distribution percentage, each jurisdiction will be allocated an amount equal to its proportionate share of the total fund.
2. The 10 largest jurisdictions will receive their shares in Cycles 1 & 2.
3. Remaining jurisdictions will receive their shares in Cycle 2.
4. All projects must comply with all Federal-Aid rules and requirements.
5. C/CAG will request for an exception from MTC for jurisdictions whose shares are smaller than \$250K (a MTC requirement of minimum project size), unless other arrangements can be made. For example, inter-jurisdiction cooperation to combine resources to deliver larger projects is encouraged.
6. Since the \$6 million in Cycle 2 is only an estimate, any difference in the final county allocation will be adjusted by adding or subtracting from each jurisdiction's Cycle 2 allocation, pro rata. Such final decision will be made by C/CAG Board during Cycle 2 programming.
7. During cycle 2 programming, C/CAG Board may also consider providing the smaller jurisdictions with a minimum of \$250,000. Such final decision will be made by C/CAG Board during Cycle 2 programming.

NOTE: Although Scenario B was developed based upon concepts and general principles discussed by the CMP TAC and CMEQ, it was finalized after the committee meetings. Hence, neither committee had the opportunity to formally approve it.

FISCAL IMPACT

The dollar amount for Stimulus II funding for LS&R is unknown at this time. There is discussion at the regional level that the amount for San Mateo County may be approximately \$11 million, if it becomes available.

Federal Cycle 1 funding for LS&R has been approved by MTC for San Mateo County at \$6,564,480. Cycle 2 funding for LS&R is estimated by MTC for San Mateo County at \$6,000,000. Although Cycle 2 funding has not been approved by the MTC Commission, MTC concurs with San Mateo County's proposal of allocating both Cycle 1 & 2 LS&R funding to jurisdictions.

SOURCE OF FUNDS

Fund source for Cycles 1 & 2 comes from Federal Surface Transportation Program (STP). Local match of 11.47% is required.

Federal Stimulus II would be from Federal funds with no local match required.

BACKGROUND/DISCUSSION

At its January 14, 2010 meeting, the C/CAG Board approved an initial framework for Federal Cycle 1 funding, including the concept of a competitive project selection process for LS&R.

On January 11, 2010, in anticipation of the passage of a second Federal Economic Stimulus Bill (Stimulus II), MTC requested C/CAG staff to submit a proposed list of LS&R projects to be funded by Stimulus II. MTC required such list be submitted by January 21, 2010. Further, MTC and Caltrans required all project sponsors on that list to begin working immediately on those projects so that NEPA clearance will be done by February 26, 2010. In light of such quick turnaround, C/CAG staff emailed a “call for projects” to all Public Works departments on January 11th soliciting for Stimulus II candidate project submittals by January 15, 2010. All but three jurisdictions submitted projects totaling approximately \$36 million. The Stimulus II funding target for San Mateo County is approximately \$11 million (although exact amount is unknown).

TAC Recommendation:

On January 21, 2010, the CMP TAC met and formulated their recommendation as follows. The TAC recommendation was based on how best to meet the conflicting demands from the Federal, State, and Region on the use of these funds. The TAC considered factors such as minimum project size, project delivery timeline requirements, equity across jurisdictions, as well as the various pros and cons for Stimulus fund versus Cycle 1 funds.

The TAC recommended Scenario A as described above if Stimulus II fund is available. In addition, the TAC also recommended the use of MTC distribution percentage in future distribution of LS&R funding instead of the Measure A distribution percentage.

The TAC further recommended a competitive project selection process for Cycle 1 funding if Stimulus II funding is **not** available. That is, C/CAG will issue a “call for projects” in February for the \$6,654,000 Cycle 1 fund as described in Attachment 4. Projects will be scored based on pre-defined criteria. High scored projects will be recommended for funding. Similar competitive process has been used by C/CAG in past funding cycles.

CMEQ Recommendation:

Subsequent to the TAC meeting, staff recognized the schedule for the competitive call for projects selection process may not work well with the timing for Stimulus II approval. Consequently, staff provided an additional option for the CMEQ committee’s consideration if Stimulus II is not available. Under the new option, Federal Cycles 1 & 2 funds will be combined and then allocated to jurisdictions based on the Measure A Local Transportation Distribution percentage, as shown in Table 3 (Attachment 3). At the January 25, 2010 meeting, the CMEQ committee approved this new option, along with Scenario A. However, in this new option, only the top 5 largest jurisdictions will receive funding in Cycle 1. The remaining jurisdictions will receive their shares in Cycle 2.

Final Recommendation:

After the CMEQ meeting, staff attempted to modify the option selected by CMEQ with the intention to provide more jurisdictions with funding in Cycle 1, and still keep the CMEQ principle intact. The final recommendation is as described in Scenarios A and B above.

ATTACHMENTS

1. Table 1 (Part of Scenario A)
2. Table 2: (Part of Scenario B)
3. Table 3: (An Option Selected by CMEQ on January 25, 2010 - Not recommended)
4. Process for Competitive Project Selection “call for projects” – Not recommended

**Table 1
Part of Scenario A**

Combine Stimulus II and Cycle 1 funds for LS&R			
Important Note: Countywide total for Stimulus II is ONLY an estimate. All jurisdiction shares will be adjusted based on final countywide allocation.			
(Assume \$11M Countywide for Stimulus II + \$6.5M for Cycle 1)			
CITY / COUNTY	Measure %	Stimulus II (To be delivered in 3 months)	Cycle 1 (To be delivered over two years)
SM County	13.02%	\$2,278,500	
San Mateo	11.80%	\$2,065,000	
Daly City	10.30%	\$1,802,500	
Redwood City	9.45%	\$1,653,750	
South SF	7.68%	\$1,344,000	
Pacifica	5.18%	\$906,500	
San Bruno	5.10%	\$892,500	
Menlo Park	4.82%		\$807,650
San Carlos	4.32%		\$723,870
Burlingame	4.23%		\$708,790
Belmont	3.52%		\$589,820
Foster City	3.34%		\$559,660
East Palo Alto	3.28%		\$549,600
Hillsborough	3.01%		\$504,360
Millbrae	2.93%		\$490,960
Atherton	1.89%		\$316,690
Woodside	1.76%		\$294,910
Half Moon Bay	1.61%		\$269,770
Portola Valley	1.48%		\$250,000
Brisbane	0.96%		\$250,000
Colma	0.32%		\$250,000
	100.00%	\$10,942,750	\$6,566,080
Sources:			
- Road Miles Information:			
http://www.dot.ca.gov/hq/tsip/hpms/datalibrary.php			
- Population Information:			
http://www.dof.ca.gov/research/demographic/reports/estimates/e-1/2008-09/			

**Table 2
Part of Scenario B**

Combine Cycles 1 & 2 funds for LS&R				
Cycle 1: Total Available: \$6,564,000				
Cycle 2: Total Estimated: \$6,000,000. Exact final allocation for each jurisdiction in Cycle 2 will be adjusted pro rata based on final countywide allocation.				
CITY / COUNTY	Measure A	Jurisdiction's Total Share	Cycle 1 Federal Grant	Cycle 2 Federal Grant
			FY 2010/11 FY 2011/12	FY 2012/13 FY 2013/14 FY 2014/15
SM County	13.02%	\$1,635,833	\$1,335,833	\$300,000
San Mateo	11.80%	\$1,482,552	\$1,182,552	\$300,000
Daly City	10.30%	\$1,294,092	\$994,092	\$300,000
Redwood City	9.45%	\$1,187,298	\$887,298	\$300,000
South SF	7.68%	\$964,915	\$664,915	\$300,000
Pacifica	5.18%	\$650,815	\$350,815	\$300,000
San Bruno	5.10%	\$640,764	\$340,764	\$300,000
Menlo Park	4.82%	\$605,585	\$305,585	\$300,000
San Carlos	4.32%	\$542,765	\$242,765	\$300,000
Burlingame	4.23%	\$531,457	\$231,457	\$300,000
Belmont	3.52%	\$442,253		\$442,253
Foster City	3.34%	\$419,638		\$419,638
East Palo Alto	3.28%	\$412,099		\$412,099
Hillsborough	3.01%	\$378,176		\$378,176
Millbrae	2.93%	\$368,125		\$368,125
Atherton	1.89%	\$237,460		\$237,460
Woodside	1.76%	\$221,126		\$221,126
Half Moon Bay	1.61%	\$202,280		\$202,280
Portola Valley	1.48%	\$185,947		\$185,947
Brisbane	0.96%	\$120,614		\$120,614
Colma	0.32%	\$40,205		\$40,205
Total:	100.00%	\$12,564,000	\$6,536,076	\$6,027,924

Agencies above the dash line are working w/ Caltrans on projects that would have been funded by Stimulus II.

Table 3
CMEQ Option on Jan. 25, 2010 - Not Recommended

Attachment 3
 (Information Only)

Total Amount Per Jurisdiction Combining Cycle 1 & 2 for LS&R			
(Assume Total of \$12.5 million combining cycles 1 & 2)			
CITY / COUNTY	Measure A	Cycle 1 (\$6.564M)	Cycle 2 (\$6M Estimated)
SM County	13.02%	\$1,635,833	
San Mateo	11.80%	\$1,482,552	
Daly City	10.30%	\$1,294,092	
Redwood City	9.45%	\$1,187,298	
South SF	7.68%	\$964,915	
Pacifica	5.18%	\$0	\$650,815
San Bruno	5.10%	\$0	\$640,764
Menlo Park	4.82%	\$6,564,690	\$605,585
San Carlos	4.32%		\$542,765
Burlingame	4.23%		\$531,457
Belmont	3.52%		\$442,253
Foster City	3.34%		\$419,638
East Palo Alto	3.28%		\$412,099
Hillsborough	3.01%		\$378,176
Millbrae	2.93%		\$368,125
Atherton	1.89%		\$237,460
Woodside	1.76%		\$221,126
Half Moon Bay	1.61%		\$202,280
Portola Valley	1.48%		\$185,947
Brisbane	0.96%		\$120,614
Colma	0.32%		\$40,205
	100.00%		\$5,999,310

**DRAFT PROJECT EVALUATION & SELECTION PROCESS
FOR CYCLE 1 STP/CMAQ
LOCAL STREETS AND ROADS SHORTFALL FUNDING
TAC 1/21/10**

Background

In May 2006, a subcommittee to the CMP Technical Advisory Committee (TAC) was formed to evaluate the current project scoring process and develop an updated scoring and prioritization process for project applications that are submitted for Federal Surface Transportation Program (STP) Local Streets and Roads Shortfall (LSRS) funding opportunities. The Subcommittee members consisted of Brian Lee (San Mateo County), Duncan Jones (Atherton), Mo Sharma (Daly City), Van Ocampo (Pacifica), Parviz Mokhtari (San Carlos), Ray Razavi (South San Francisco), Randy Breault (Brisbane), Larry Patterson (San Mateo), Sandy Wong (C/CAG), and John Hoang (C/CAG).

On February 8, 2007, the scoring process was presented to the C/CAG Board and approved. The subcommittee conducted a follow up review, at the Board's request on March 30, 2007.

2009 - The Metropolitan Transportation Commission's (MTC) Emphasis on Priority Development Areas (PDA) and minimum project size requirement.

In December 2009, funding for the next STP cycle will be available to the CMAs for programming by means of a "PDA block grant"; however, MTC wants to ensure an emphasize to use the funds in the support of PDAs. To address MTC intent and policy, another PDA Scoring Criteria is added for this cycle of funding. MTC also imposed a \$250,000 minimum project size in an effort to reduce the number of projects from each County.

The following process was developed in 2007 and updated in 2009 (shown as **Update**) to determine project eligibility and prioritize projects for funding:

Project Eligibility / Screening Factors

First, project applications will be screened to ensure that they meet minimum program requirements for funding:

- Project must meet all Federal, State, and Regional requirements (e.g., Pavement Management System certified agency, STP/CMAQ eligible work, RTP consistency, etc.)
- Project is ready to be programmed (i.e., Project readiness, DBE approved, ROW existing, No significant Environmental issues, etc)
- Project is located on the Federal-Aid System¹

¹ All public roads functionally classified as rural minor collectors or higher are considered on the Federal Aid system.

- Project must have a minimum project size of \$250,000. **(Update – new requirement)**
- Funding is available for both design and construction phase. Design must be tied to construction. No stand-alone design projects are allowed. **(Updated)**
- Requested funding is for roadway pavement rehabilitation and preventative maintenance only. Improvements that are incidental to the paving project such as ADA mandated improvements and traffic signal detection system (loop) replacement may be eligible for grant funds. Other improvements and enhancements may be included in the project as non-participating items.
- Project should extend the service life of the pavement for a minimum of 5 years.
- Street segment receiving rehabilitation funds will be prohibited from receiving new funding for a period of a minimum of 5 years.

Jurisdiction and Project Requirements

Selected projects will be subject to Federal, State, and Regional, delivery requirements as noted in MTC Resolution No.3606.

- Jurisdiction must be in compliance with the Regional Project Funding Delivery Policy requirements at the time of project application (e.g. Pavement Management Certified agency.)
- Jurisdiction must comply with all FHWA and Caltrans Local Assistance and MTC project delivery and reporting requirements. **(Update)**
- Jurisdiction must provide a minimum FHWA required local match of 11.47%.
- Jurisdiction must obligate the funds by February 1st of the year programmed ² **(Update – MTC obligation deadline moved up by one month)**
- Jurisdiction to submit a completed Routine Accommodation Checklist (for Bicycle and Pedestrians)³ upon project selection and prior to programming. **(Update – required with project “selection” vs. “application”)**
- Jurisdiction is to submit a “resolution of local support” and an FMS project application, prior to programming. **(Update – MTC requirement)**

Project Funding Criteria

C/CAG will strive to achieve some form of geographic “equity” across all five programs (Stimulus II, LS&R, TLC, RBP, Safe Routes to School). For example, if a jurisdiction receives funding in any one of the programs, priority for project selection could drop in other programs. C/CAG would also have the discretion to partially fund project applicants when considering “equity.”

² If jurisdiction determines that project will not meet the obligate deadline, then C/CAG must be formally notified by Nov. 1st. Failure to provide proper notification will result in an imposed penalty that will prevent jurisdictions from receiving any additional funding for a period of one (1) year.

³ New requirements by MTC

Project Scoring Criteria

The Scoring Criteria will be used to rank projects in the four categories that address “usage”, “needs”, “PDA Status” and “Complete Streets”.

“Usage” considers the Average Annual Daily Trips (AADT) of a street. “Need” establishes ranking criteria using the Pavement Condition Index (PCI)⁴ for specific streets.

Priority Development Area (PDA) has two categories. “Planned”/“Proposed” PDA and “Not in a PDA”. PDAs are determined by the classification according to MTC or the Joint Policy Committee (JPC). A “Planned” PDA has both an adopted land use plan and a resolution of support from the city council or county board. A link to the JPC PDA data is found at: <http://www.bayareavision.org/initiatives/prioritydevelopmentareas.html>

The “Complete Streets” criteria emphasize the accommodation of bicyclist, pedestrians, and persons with disabilities when designing transportation facilities. State policy stipulates that the above items must be considered in all programming, planning, maintenance, construction, operations, and project development activities. A project will either contain “complete street” elements or not, therefore the criteria has two possible score categories.

⁴ A PCI score is generated by the MTC StreetSaver pavement management software. Jurisdictions are required to update their program every 2 years.

**Attachment 4
Information Only**

The table below shows the criteria with the associated points. Usage and Need category has a maximum 50 points each. PDA Status has a total of 5 points and "Complete Streets" has a total of 5 points for a maximum total of 110 points.

Category	Description	Points	Maximum Points
Usage	Average Annual Daily Traffic (AADT)		50
	< 1000	15	
	1001 - 3000	20	
	3001 - 6000	25	
	6001 – 10,000	30	
	10,001 - 15,000	35	
	15,001 - 20,000	40	
	20,001 - 25,000	45	
	> 25,000	50	
Need	Pavement Condition Index (PCI)		50
	< 40	10	
	> 70	20	
	Between 55 and 70	40	
	Between 40 and < 55	50	
PDA Status	Priority Development Area (PDA) Status		5
	"Planned" or "Proposed" PDA	5	
	Not in a PDA	0	
Complete Streets	"Complete Streets" Considered		5
	Contains "Complete Streets" elements	5	
	No "Complete Streets" elements	0	
Possible Total			110

Project Selection

It is proposed that a project selection subcommittee composed of Public Works Directors/ City Engineers, similar to the scoring committee, be convened to screen and score the project applications.

Projects will be ranked in order (highest to lowest) by total points. Projects will be selected by rank with consideration given to jurisdictional funding from other programs. C/CAG would also have the discretion to partially fund project applicants when considering "equity."

Programming Requirements

In order to preserve funds within the County the following requirements will apply to programmed projects.

**Attachment 4
Information Only**

During the fiscal year in which a project is programmed, if the project sponsor determines that it will not be able to deliver the project on time (i.e., meet the February 1st obligation deadline), the jurisdiction will need to inform C/CAG in writing by November 1st. With proper notification, no penalty will be incurred by the sponsoring jurisdiction.

After November 1st of the programmed year, if project sponsors will not delivery project within the Regional deadline of February 1st of the programmed fiscal year, and if the sponsor did not inform C/CAG in writing by November 1st, a penalty will be imposed on that jurisdiction and the jurisdiction will be ineligible to apply for any funds in the next funding cycle(s) of the allocation.

C/CAG AGENDA REPORT

Date: February 11, 2010
To: C/CAG Board of Directors
From: Richard Napier, Executive Director
Subject: Review and approval of a Call for Projects process for Cycle 1 Federal Transportation funding for the Transportation for Livable Communities (TLC) Program

(For further information or questions contact Tom Madalena at 599-1460)

RECOMMENDATION

That the Board review and approve a Call for Projects process for Cycle 1 Federal Transportation funding for the Transportation for Livable Communities (TLC) Program.

FISCAL IMPACT

There is approximately \$1.1 million available for the TLC Program Call for Projects for Cycle 1.

SOURCE OF FUNDS

Fund sources are composed of Federal Surface Transportation Program (STP) and Federal Congestion Mitigation and Air Quality (CMAQ) funds.

BACKGROUND/DISCUSSION

Transportation for Livable Communities (TLC) Program

MTC administers the Transportation for Livable Communities (TLC) Program at the regional level. C/CAG utilizes the County share of the local TLC Program funds for the C/CAG Transit Oriented Development (TOD) Housing Incentive Program. The San Mateo County TLC Program is for “streetscape” projects. These are projects that enhance the livability of an area such as improved sidewalks, street furniture and fixtures, pedestrian scaled lighting, and bicycle/pedestrian treatments. Streetscape improvements should strengthen the connections to new development in need of improvements. They should also ensure maximum multi-modal access. The TLC Program is designed to provide an opportunity for significant improvements in neighborhoods well-served by transit. Please see the attached San Mateo County TLC Scoring Criteria and application.

The total amount available is \$2.878 million. It is proposed to set aside approximately \$1.4 million to meet C/CAG prior commitments made in the C/CAG 4th Cycle TOD program. The remaining approximately \$1.4 million is proposed for “call for projects” in February in the manner described below.

ITEM 6.4

MTC requires the TLC funds be invested in Priority Development Areas (PDA). In order to meet that requirement, staff recommends \$1.1 million (80% of the \$1.4 million) be invested in PDA's. The remaining 20% of the \$1.4 million will be combined with the Regional Bicycle Program "call for projects" which is opened to the entire county. Bicycle and pedestrian improvement projects meet the intent of TLC program. On January 14, 2010, the C/CAG Board of Directors approved the initial framework for the development for the County TLC Program.

The minimum grant amount will be set at \$250,000 for eligible projects through the TLC Program. Please see the attachment for the listing of approved PDA's in San Mateo County. To be eligible for the TLC Program an area has to be an approved Joint Policy Committee (JPC) PDA.

Priority Development Areas (PDAs) are locally-identified, infill development opportunity areas within existing communities. They are generally areas of at least 100 acres where there is local commitment to developing more housing along with amenities and services to meet the day-to-day needs of residents in a pedestrian-friendly environment served by transit. To be eligible to become a PDA, an area had to be within an existing community, near existing or planned fixed transit or served by comparable bus service, and planned for more housing.

All selected project are subject to Federal, State, and Regional, requirements. Once a project is programmed regional delivery deadlines will apply. In order to preserve funding within the County action may be taken and penalties may be imposed on jurisdictions unable to make delivery deadlines. At least 50% of the funds must be programmed for delivery in the 2010/2011 Fiscal Year (FY). The remaining funds must be delivered in the 2011/2012 FY.

Project Eligibility / Screening Factors

First, project applications will be screened to ensure that they meet minimum program requirements for funding:

- Project must be located in a Priority Development Area (PDA).
- Project must meet all Federal, State, and Regional requirements (e.g., STP/CMAQ eligible work)
- Project must have a minimum project size of \$250,000.
- Funding is available for construction phase only.

Jurisdiction and Project Requirements

Selected projects will be subject to Federal, State, and Regional, delivery requirements as noted in MTC Resolution No.3606.

- Jurisdiction must be in compliance with the Regional Project Funding Delivery Policy requirements at the time of project application.
- Jurisdiction must comply with all FHWA and Caltrans Local Assistance and MTC project delivery and reporting requirements.
- Jurisdiction must provide a minimum FHWA required local match of 11.47%.
- Jurisdiction must obligate the funds by February 1st of the year programmed.

- Jurisdiction to submit a completed Routine Accommodation Checklist (for Bicycle and Pedestrians) upon project selection and prior to programming.
- Jurisdiction is to submit a “resolution of local support” and an FMS project application, prior to programming.

ATTACHMENTS

- TLC Program Call for Projects
- TLC Scoring Criteria
- List of approved PDA’s in San Mateo County

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS
OF SAN MATEO COUNTY

*Atherton • Belmont • Brisbane • Burlingame • Colma • Daly City • East Palo Alto • Foster City • Half Moon Bay • Hillsborough • Menlo Park
Millbrae • Pacifica • Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County • South San Francisco • Woodside*

Transportation for Livable Communities (TLC) Program Call for Projects

For projects in Priority Development Areas

Fiscal Years 2010/2011 & 2011/2012

The City/County Association Governments (C/CAG) is pleased to announce the call for projects for the San Mateo County Transportation for Livable Communities Program (TLC) Program. The San Mateo County TLC Program is for “streetscape” projects. These are projects that enhance the livability of an area such as improved sidewalks, street furniture and fixtures, pedestrian scaled lighting, and bicycle/pedestrian treatments. Streetscape improvements should strengthen the connections to new development in need of improvements. They should also ensure maximum multi-modal access. The TLC program is designed to provide an opportunity for significant improvements in neighborhoods well-served by transit.

For the Fiscal Year 2010/2011 & 2011/2012 cycle, there is approximately \$1,100,000 available on a competitive basis. Project grant minimum and maximum amounts are set at \$250,000 and \$500,000 respectively.

Eligible applicants must be a City/County or transit operator. Eligible projects must be within a Priority Development Area (PDA) in San Mateo County. Attached is a list of approved PDA's in San Mateo County.

For more information on the Priority Development Areas please see:

<http://www.bayareavision.org/initiatives/prioritydevelopmentareas.html>

Eligible Projects

Streetscape Improvements associated with high-density housing/mixed use and transit:

- bulb outs, sidewalk widening , cross walk enhancements, audible signal modification
- mid block crossing and signal
- new striping for bicycle lanes and traffic lanes
- pedestrian street lighting
- medians, pedestrian refugees
- way finding signage, pedestrian scaled
- street furniture including bus shelters, tree grates, benches, bollards, magazine racks, garbage and recycling bins
- permanent bicycle racks, signal modification for bicycle detection

- street trees, raised planters, planters
- costs associated with on-site storm water management, permeable paving

Connectivity Projects - connecting high density housing/jobs/mixed use to transit:

- class one bicycle/pedestrian paths
- pedestrian/bicycle bridges

Project Eligibility / Screening Factors

First, project applications will be screened to ensure that they meet minimum program requirements for funding:

- Project must be located in a Priority Development Area (PDA).
- Project must meet all Federal, State, and Regional requirements (e.g., STP/CMAQ eligible work).
- Project must have a minimum project size of \$250,000.
- Funding is available for construction phase only.

Jurisdiction and Project Requirements

Selected projects will be subject to Federal, State, and Regional, delivery requirements as noted in MTC Resolution No.3606.

- Jurisdiction must be in compliance with the Regional Project Funding Delivery Policy requirements at the time of project application.
- Jurisdiction must comply with all FHWA and Caltrans Local Assistance and MTC project delivery and reporting requirements.
- Jurisdiction must provide a minimum FHWA required local match of 11.47%.
- Jurisdiction must obligate the funds by February 1st of the year programmed
- Jurisdiction to submit a completed Routine Accommodation Checklist (for Bicycle and Pedestrians) upon project selection and prior to programming.
- Jurisdiction is to submit a “resolution of local support” and an FMS project application, prior to programming.

Please see the attached San Mateo County TLC Scoring Criteria. Please adhere to the information stated in the scoring criteria in your application. Applications should be no more than 20 pages. Provide 6 hard copies (one reproducible) and 1 electronic copy.

Applications are due April 16, 2010 by 5:00 p.m., attention Tom Madalena.

Tom Madalena
C/CAG
555 County Center, 5th Floor
Redwood City, CA 94063

For any questions regarding the program or application process please contact Tom Madalena, at 650-599-1460 or tmadalena@co.sanmateo.ca.us.

Transportation for Livable Communities (TLC) Program Cycle 1

Scoring Criteria

Location	Planned Priority Development Area	20 points maximum
	Potential Priority Development Area	10 points
Proximity to housing/employment	Improvement that serves high density housing or employment areas	10 points maximum
Proximity to transit	Improves access to transit	10 points maximum
Community Involvement	Community engagement process completed	15 points maximum
	Council approval	
	Community support letters	
Match	11.47% Required	35%-49% 15 points maximum
		23%-35% 10 points
		11.5%-22% 5 points
Project readiness	35% Design stage	5 points
	90% Design stage	20 points maximum
Safety	Will project improve safety to the project area?	10 points maximum 3 points
	High Safety Impact	
	Low Safety Impact	
Total		100 points

Alameda County

Alameda County: *Urban Unincorporated Area*
City of Alameda: Naval Air Station
 City of Berkeley: *Adeline Street*
City of Berkeley: Downtown
City of Berkeley: San Pablo Avenue
City of Berkeley: South Shattuck
 City of Berkeley: *Telegraph Avenue*
City of Berkeley: University Avenue
City of Dublin: Town Center
City of Dublin: Transit Center
City of Dublin: West Dublin BART Station
City of Emeryville: Mixed Use Core
City of Fremont: Centerville
City of Fremont: Central Business District
City of Fremont: Irvington District
City of Hayward: Downtown
City of Hayward: South Hayward BART Station
City of Hayward: The Cannery
City of Livermore: Downtown
 City of Newark: *Dumbarton Transit Area*
 City of Newark: *Old Town*
 City of Oakland: *Corridors & Station Areas*
 City of Pleasanton: *Hacienda*
 City of San Leandro: *Bay Fair BART Transit Village*
City of San Leandro: Downtown
City of San Leandro: East 14th Street
City of Union City: Intermodal Station District

Contra Costa County

City of Antioch: *Hillcrest eBART Station*
 City of Antioch: *Rivertown Waterfront*
 City of Concord: *Community Reuse Area*
City of El Cerrito: San Pablo Avenue
City of Hercules: Central Hercules
City of Hercules: Waterfront District
City of Lafayette: Downtown
City of Martinez: Downtown
 City of Oakley: *Downtown*
 City of Oakley: *Employment Area*
 City of Oakley: *Southeast Oakley*
 City of Orinda: *Downtown*
 City of Pinole: *Old Town Pinole*
 City of Pinole: *Appian Way Corridor*
City of Pittsburg: Downtown
 City of Pittsburg: *Railroad Avenue eBART Station*
 City of Pleasant Hill: *Buskirk Avenue Corridor*

*Planned PDAs listed in Bold

City of Pleasant Hill: *Diablo Valley College Area*
 City of Richmond (with Contra Costa County):
North Richmond
 City of Richmond: *Central Richmond*
 City of Richmond: *South Richmond*
City of San Ramon: City Center
 City of San Ramon: *North Camino Ramon Plan Area*
City of Walnut Creek: West Downtown
Contra Costa County: Contra Costa Centre
 Contra Costa County: *Downtown El Sobrante*
 Contra Costa County: *Pittsburg/Bay Point BART Station*
 Town of Moraga: *Moraga Center*
 West Contra Costa Transportation Advisory Committee:
San Pablo Avenue Corridor

Marin County

City of San Rafael: Downtown
City of San Rafael: Civic Center/North San Rafael Town Center
 Marin County: *Urbanized 101 Corridor*

San Francisco City and County

19th Avenue Corridor: County Line to Eucalyptus Drive
Bayview/Hunters Point/Candlestick Point
Better Neighborhoods: Balboa Park/Market & Octavia
Downtown Neighborhoods & Transit Rich Corridors
Eastern Neighborhoods
Mission Bay
Port of San Francisco
San Francisco/San Mateo Bi-County Area (with City of Brisbane)
Transbay Terminal
Treasure Island

San Mateo County

City/County Association of Governments: El Camino Real
 City of Brisbane (with City & County of San Francisco):
San Francisco/San Mateo Bi-County Area
 City of Daly City: *Bayshore Neighborhood*
 City of Daly City: *Mission BART Corridor*
 City of East Palo Alto: *Ravenswood Business District and 4 Corners*
 City of Menlo Park: *El Camino Real Corridor & Downtown*
City of Millbrae: Transit Station Area
City of Redwood City: Downtown
 City of San Bruno: *Transit Corridors*
City of San Carlos: Railroad Corridor
City of San Mateo: Downtown
City of San Mateo: El Camino Real
City of San Mateo: Rail Corridor
 City of South San Francisco: *Downtown*

C/CAG AGENDA REPORT

Date: February 11, 2010
To: C/CAG Board of Directors
From: Richard Napier, Executive Director
Subject: Review and approval of a Call for Projects process for Cycle 1 Federal Transportation funding for the Regional Bicycle Program (RBP)

(For further information or questions contact Tom Madalena at 599-1460)

RECOMMENDATION

That the Board review and approve the Regional Bicycle Program (RBP) Call for Projects process.

FISCAL IMPACT

There is \$1,669,440 available for the Regional Bicycle Program. Additionally, there will be approximately \$300,000 of Transportation for Livable Communities (TLC) funds added to the RBP for a total amount of approximately \$1,969,440 available for the "Call for Projects". These funds are available for FY 2010/2011 and FY 2011/2012.

SOURCE OF FUNDS

Fund sources are composed of Federal Congestion Mitigation and Air Quality (CMAQ) funds.

BACKGROUND/DISCUSSION

Regional Bicycle Program

For the FY 2010/2011 & 2011/2012 cycle, there is a total of approximately \$1,969,440 available. Approximately \$300,000 of this total comes from the Transportation for Livable Communities (TLC) Program. Up to a maximum of \$300,000 can be dedicated to pedestrian projects, the remaining \$1,669,440 in funds are subject to the rules established by the Regional Bicycle Program (RBP). The eligibility for the \$1,669,440 of the RBP funds is described below.

C/CAG has administered the Regional Bicycle and Pedestrian Program (RBPP) funds for the Metropolitan Transportation Commission (MTC) during the last funding cycle in 2006. MTC has decided that the new Regional Bicycle Program (RBP) is primarily for bicycle funding. Pedestrian projects are eligible if the improvements will benefit both bicyclists and pedestrians. The reason for the emphasis on bike projects is that MTC has a goal of completing the Regional Bicycle Network. Staff recommends that C/CAG utilize a similar process that was used during the last RBPP cycle in 2006. This entails using a competitive process to award the funds. As with the RBPP program before, staff recommends utilizing the C/CAG Bicycle and Pedestrian

ITEM 6.5

Advisory Committee (BPAC) to evaluate, score, and rank the proposals to create a funding recommendation for the C/CAG Board of Directors.

Staff intends on issuing the Call for Projects for the San Mateo County Regional Bicycle Program around February 17th, 2010. The applications will be due on April 16th, 2010. Project applicants would be invited to make project presentations at the April 22nd, 2010 BPAC meeting. Staff will coordinate with project sponsors and will take the BPAC on the project site visit tour on Saturday May 15th, 2010. The BPAC will then review and score the applications at the May 27th meeting to create the project list for the Board's review and approval for submittal to the Metropolitan Transportation Commission.

The \$1,669,440 in RBP funding is for the implementation of bicycle projects that are Unbuilt Regional Bikeway Network Links on the Regional Bicycle Network (RBN) as defined by MTC in the Regional Bicycle Plan for the San Francisco Bay Area adopted in March of 2009. There is some flexibility at the County level being that additional projects could be considered for funding if they meet certain criteria to establish a nexus to the RBN. The RBN criteria are organized in three categories which define the types of connections made by bicycle that have impacts on the accessibility of cycling on a regional level.

Regional Bicycle Network Criteria

(To be used if not already listed on the Unbuilt Regional Bikeway Network.)

Projects must meet one of the following criteria:

1. Regional Destinations

- Create connections to the regional transit system – including transit centers and ferry terminals (including BART stations, light rail stations, significant bus stops, airports and commuter rail) – from the four directions surrounding each station.
- Provide access to and through the major central business districts of the region or sub region.
- Establish connections to regionally significant activity centers, including selected commercial districts, universities and community colleges, hospitals, regional parks, and recreational venues.

2. Regional Connections

- Selected connections across county lines.
- Selected connections across barriers created by the regional transportation system (e.g., freeways, interchanges, railroads) and natural barriers (e.g., rivers, creeks and bays.)
- Within current or planned Priority Development Areas (PDAs)

3. Regional Routes

- San Francisco Bay Trail.

It will be at the discretion of the C/CAG BPAC to make the determination that the projects that are not on the MTC Regional Bicycle Network are eligible according to the above criteria.

Minimum grant amounts for the RBP will be set at \$250,000 and the maximum will be set at \$500,000.

All selected project are subject to Federal, State, and Regional, requirements. Once a project is programmed regional delivery deadlines will apply. In order to preserve funding within the County action may be taken and penalties may be imposed on jurisdictions unable to make delivery deadlines. At least 50% of the funds must be programmed for delivery in the 2010/2011 Fiscal Year (FY). The remaining funds must be delivered in the 2011/2012 FY.

ATTACHMENTS

- RBP Call for Projects
- Appendix A Unbuilt Regional Bikeway Network Links
- RBP Scoring Criteria
- RBP Application

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS
OF SAN MATEO COUNTY

*Atherton • Belmont • Brisbane • Burlingame • Colma • Daly City • East Palo Alto • Foster City • Half Moon Bay • Hillsborough • Menlo Park
Millbrae • Pacifica • Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County • South San Francisco • Woodside*

Regional Bicycle Program (RBP) Call for Projects

**For projects on the Metropolitan Transportation Commission (MTC)
Regional Bicycle Network**

Fiscal Years 2010/2011 & 2011/2012

The City/County Association Governments (C/CAG) is pleased to announce the call for projects for the San Mateo County Regional Bicycle (RBP) Program. The San Mateo County RBP Program is for bicycle infrastructure projects that are on the Regional Bicycle Network (RBN) as defined in the Metropolitan Transportation Commission (MTC) Regional Bicycle Plan. Projects that can be determined to meet the criteria for the Regional Bicycle Network may also be considered.

For the Fiscal Year 2010/2011 & 2011/2012 cycle, there is approximately \$1,969,440 available on a competitive basis. Project grant minimum and maximum amounts are set at \$250,000 and \$500,000 respectively. Up to \$300,000 is available for bicycle and pedestrian infrastructure projects that do not necessarily have to be RBN projects. Fund sources are composed of Federal Congestion Mitigation and Air Quality (CMAQ) funds. There is an 11.47% minimum match requirement. Note that Federal guidelines prohibit the use of CMAQ funds for projects purely intended for safety, recreational bicycle trails, as well as for basic repair and rehabilitation of bicycle or pedestrian facilities. In addition projects funded with CMAQ may not limit public access to the facility. The facility is to allow bicycle and pedestrian access 24 hours per day 7 days a week to maximize air quality improvements and the reduction of emissions. As a general guideline, auxiliary elements (e.g. ADA access improvements, utility trenching, drainage work, fire hydrants, landscaping, cosmetic resurfacing, surface improvements, etc.) that are incidental to the overall project should not exceed 20% of the total project cost. Signage designating a bicycle or pedestrian facility is not considered auxiliary elements for this program. Exceptions may be allowed at the discretion of the CMA.

Eligible applicants must be a City/County or transit operator. Of the \$1,969,440, \$1,669,440 must be awarded to projects that are either part of the Unbuilt Regional Bikeway Network Links or meet the RBN criteria as established by MTC listed below.

Project Eligibility Criteria

Projects selection to be funded with Regional Bicycle Program funds must meet the following eligibility criteria.

A) Of the \$1,969,440, \$1,669,440 must be awarded to projects that fall within one of the two categories below:

1. Projects eligible for funding must be part of the Regional Bikeway Network as outlined in the Regional Bicycle Plan (2009 Update) or as incorporated into the network through the update process described below. Eligible projects are capital in nature, resulting in additional bicycle route mileage.
2. Projects not included on the Regional Bikeway Network must meet one of the following three Regional Bikeways Criteria.

Regional Bikeways Criteria

(To be used if not already listed on the Unbuilt Regional Bikeway Network.)

Projects must meet one of the following criteria:

1. Regional Destinations

- Create connections to the regional transit system – including transit centers and ferry terminals (including BART stations, light rail stations, significant bus stops, airports and commuter rail) – from the four directions surrounding each station.
- Provide access to and through the major central business districts of the region or sub region.
- Establish connections to regionally significant activity centers, including selected commercial districts, universities and community colleges, hospitals, regional parks, and recreational venues.

2. Regional Connections

- Selected connections across county lines.
- Selected connections across barriers created by the regional transportation system (e.g., freeways, interchanges, railroads) and natural barriers (e.g., rivers, creeks and bays.)
- Within current or planned Priority Development Areas (PDAs)

3. Regional Routes

- San Francisco Bay Trail.
- Other regional bicycle routes that serve multiple jurisdictions or connect to adjoining regions (e.g., Iron Horse Trail, Pacific Coast Bikeway, SMART corridor).

Final determination of meeting the above Regional Bikeways Criteria rests with the C/CAG Bicycle and Pedestrian Advisory Committee (BPAC). Additionally, if a project is determined to have met the Regional Bikeways Criteria by the BPAC and is recommended for CMAQ funding by the BPAC, that project must be submitted to MTC for consideration for inclusion in the Regional Bicycle Network.

B) Of the \$1,969,440, approximately \$300,000 can be awarded to any bicycle or pedestrian infrastructure improvement project.

For more information on the Metropolitan Transportation Commission Regional Bicycle Plan please see:

http://www.mtc.ca.gov/planning/bicyclespedestrians/MTC_Regional_Bicycle_Plan_Update_FINAL.pdf

All selected project are subject to Federal, State, and Regional, requirements. Once a project is programmed regional delivery deadlines will apply. In order to preserve funding within the County action may be taken and penalties may be imposed on jurisdictions unable to make delivery deadlines. At least 50% of the funds must be programmed for delivery in the 2010/2011 Fiscal Year (FY). The remaining funds must be delivered in the 2011/2012 FY.

Project Eligibility / Screening Factors

First, project applications will be screened to ensure that they meet minimum program requirements for funding:

- Project must meet all Federal, State, and Regional requirements (e.g., STP/CMAQ eligible work, Regional Transportation Plan (RTP) consistency, etc.)
- Project must have a minimum project size of \$250,000.
- Funding is available for construction phase only.

Jurisdiction and Project Requirements

Selected projects will be subject to Federal, State, and Regional, delivery requirements as noted in MTC Resolution No.3606.

- Jurisdiction must be in compliance with the Regional Project Funding Delivery Policy requirements at the time of project application.
- Jurisdiction must comply with all FHWA and Caltrans Local Assistance and MTC project delivery and reporting requirements.
- Jurisdiction must provide a minimum FHWA required local match of 11.47%.
- Jurisdiction must obligate the funds by February 1st of the year programmed.
- Jurisdiction is to submit a “resolution of local support” and an FMS project application, prior to programming.

Please see the attached San Mateo County RBP Scoring Criteria. Please adhere to the information stated in the scoring criteria in your application and limit your application and supporting materials to no more than 20 pages. Provide 16 hard copies (one reproducible) and 1 electronic copy.

Applications are due April 16, 2010 by 5:00 p.m., attention Tom Madalena. Please see the attached schedule for the RBP.

Tom Madalena
C/CAG
555 County Center, 5th Floor
Redwood City, CA 94063

For any questions regarding the program or application process please contact Tom Madalena, at 650-599-1460 or tmadalena@co.sanmateo.ca.us.

Appendix A

Project Identifier	Project Name	Built Miles	Unbuilt Miles	Total Miles	Endpoint A	Endpoint B	Project Cost
SF-38	Alemany/San Jose, Daly City BART to Valencia St	3.6	0.1	3.7	San Jose Ave/Goethe St/San Mateo County Line	Tiffany Ave/Duncan St/Valencia St	\$8,698
SF-40	14th/15th Street Bike Couplet	1.0	1.0	1.9	Harrison St	Sanchez St	\$92,379
SF-41	7th Street/McAllister Street	1.7	1.6	3.3	McAllister St/Masonic Ave	7th St/Mississippi St/16th St	\$146,699
SF-43	Masonic/Presidio Ave	0.0	1.6	1.6	Presidio Ave/Broadway St	Masonic Ave/Page St	\$152,347
SF-50	Bay Trail -- San Francisco County remainder	5.4	11.3	16.7	San Mateo County	Marin County	\$6,369,201
San Francisco TOTAL		27.6	47.2	74.8			\$24,335,356

San Mateo County

SM-2	BART/SFO Bikeway Project	3.1	6.9	10.0	Goethe St/Hwy 82/San Francisco county line	E Millbrae Ave/S Magnolia Ave	\$588,735
SM-3	Ralston Avenue Bikeway Interchange Improvements (Project #3)	4.6	0.2	4.8	Canada Rd/Hwy 92	Marine Pkwy/Shoreway Rd	\$293,344
SM-6	Recreational Route Bikeway Improvements	9.4	4.6	14.0	Hwy 92	I-280	\$1,483,125
SM-7	North Coast Bikeway (Project #7)	9.7	5.5	15.1	John Muir Dr/Lake Merced Blvd	Hwy 1/16th St/Vallemar	\$203,438
SM-8	North-South Bikeway (Old County Road Section)	4.3	1.6	5.9	Bay Meadows Race Track Entrance	Middlefield Rd/Jefferson Ave	\$231,788
SM-9	Coastside Bikeway Projects (Project #9)	5.2	47.9	53.1	I-280/Hwy 92	Hwy 1	\$2,100,000
SM-11	North-South Bikeway (Bayshore Selection) (Project #11)	4.8	3.5	8.4	Bayshore Blvd/Paul Ave	Herman St/Huntington Ave	\$2,224,688
SM-12	U.S. 101/Broadway Bikeway Project	0.0	0.3	0.3	Carolan Ave/Broadway	Airport Blvd/Broadway	\$68,931

Unbuilt Regional Bikeway Network Links

Project Identifier	Project Name	Built Miles	Unbuilt Miles	Total Miles	Endpoint A	Endpoint B	Project Cost
SM-13	North-South Bikeway (Delaware-California) (Project #13)	3.1	4.8	7.9	E Millbrae Ave/S Magnolia Ave	S Delaware St/E 25th Ave	\$3,297,000
SM-14	Crystal Springs-3rd/4th Avenue Bikeway (Project #14)	1.2	3.8	5.0	Skyline Blvd/Crystal Springs Rd	Bayview Ave/Bay Trail	\$149,625
SM-15	SFIA East Side/Bay Trail Project	2.6	2.9	5.5	Gateway Blvd/S Airport Blvd/Mitchell Ave	Bayshore Hwy/Broadway/Airport Blvd	\$1,615,845
SM-20	Hillsborough to Menlo Park	11.1	1.7	12.9	Crystal Springs Rd/Alameda de Las Pulgas	Santa Cruz Ave/Sand Hill Rd	\$164,403
SM-23	Pacifica to Hillsborough	7.8	2.4	10.2	Sharp Park Rd/Skyline Blvd/Westborough Blvd	San Andreas Valley Rd/Crystal Springs Rd	\$230,627
SM-24	Pacifica to South San Francisco	6.2	0.1	6.3	Sharp Park Rd/Francisco Blvd	Gateway Blvd/E Grand Ave	\$14,098
SM-25	Redwood City to Menlo Park East/West	6.7	0.3	6.9	Whiskey Hill Rd/Sand Hill Rd	Willow Rd/Van Buren Rd	\$59,950
SM-26	Skyline Blvd	0.2	0.5	0.7	San Francisco County Line	Skyline Blvd/John Daly Blvd	\$118,538
SM-27	Bay Trail -- San Mateo County remainder	34.8	17.2	52.0	Santa Clara County	San Francisco County	\$21,412,447
San Mateo County TOTAL		114.9	104.1	219.0			\$34,256,580
Santa Clara County							
SCL-1	North 101/CalTrain Corridor	18.0	8.4	26.4	Willow Rd/Willow Pl/Bryant St	N Park Victoria Dr/San Benito Dr	\$4,045,650
SCL-2	I-280 Corridor to San Jose Airport Corridor	12.6	5.9	18.5	Sand Hill Rd/Santa Cruz Ave/Alpine Rd	Airport Blvd/I-880	\$8,599,500

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Regional Bicycle Program

FY 2010/2011 & 2011/2012

Scoring Criteria

Project	Projects on RBN or meet RBN criteria (total of \$1,669,440 available)	On Unbuilt Regional Bikeway Network?	20 points (maximum)
		Meets criteria for RBN as defined by MTC?	5 points
	Projects not on RBN or that do not meet criteria (total of \$300,000 available)	Included in an adopted local plan?	5 points
		Pedestrian project?	15 points
Gap closure		Does project close a gap in a network of countywide or local significance?	10 points (maximum)
Proximity to transit/major activity centers		Does project improve access to transit or major activity centers?	10 points (maximum)
Community involvement		Community engagement process completed Council approval Community support letters	15 points (maximum)
Match		11.47% Required	35%-49% 15 points (maximum) 23%-35% 10 points 11.5%-22% 5 points
Project readiness			20 points (maximum)
		a. Clear and complete proposal	0 or 5 (A zero score disqualifies project)
		b. Right-of-Way Certification	0 – No 5 – Yes (Completed or not needed)
		c. Permits/Agreements obtained	0 – No 5 – Yes (Completed or not needed)
		d. Project design completed	0 – No 5 - Yes

<p>Safety</p>	<p>High: Project will address a demonstrated safety issue (e.g. collision statistics are high). Project will address safety concern with a proven or demonstrated counter measure.</p> <p>Medium: Project will improve a situation with some safety issues (e.g. some reported collisions, conflicts, near-misses, or evidence of high vehicle traffic volume or speed).</p> <p>Low: Project will generally improve safety, even though there are no known problems.</p>	<p>10 points (maximum)</p> <p>6 points</p> <p>3 points</p>
<p>Total</p>		<p>100 points</p>

**REGIONAL BICYCLE PROGRAM APPLICATION
FOR FISCAL YEAR 2010/2011 and 2011/2012**

Agency _____ Funds requested _____
(Minimum \$250,000/ Maximum \$500,000)

A) Is the project on the Regional Bicycle Network as an Unbuilt Regional Bikeway Network Link?

Yes _____ No _____

B) If not on the Regional Bicycle Network, does the project meet the Regional Bicycle Network Criteria as defined by MTC?

Yes _____ No _____

Describe in detail as to why it meets the RBN Criteria. Provide supporting materials if desired.

C) Does the project have the minimum required match of 11.47%?

Yes _____ No _____

D) Is the project a pedestrian project?

Yes _____ No _____

Project Description:

How does the project improve air quality? Explain:

Total Project Cost: _____

% of Amenities/ Total Project Cost: _____

(Amenities defined as ADA access improvements, utility trenching, drainage work, fire hydrants, landscaping, cosmetic resurfacing, surface improvements, etc.)

Can the project be divided into phases or could it be partially funded. Please explain:

Earliest year in which the project can obtain E-76 approval from Caltrans?

Circle one: FY 2010/2011 FY 2011/2012

Projects sponsor's preference as to which year the project sponsor would obtain E-76 approval from Caltrans?

Circle one: FY 2010/2011 FY 2011/2012

SAFETY

How is safety improved because of the project? Explain:

COMMUNITY SUPPORT

- a. Listed as "priority project" in the C/CAG Comprehensive Bicycle Route Plan or a recognized pedestrian plan. Yes No

Plan _____ Page _____

- b. Local approval from community or neighborhood. Yes No
Comment on level of support. Provide letters of support and minutes of meetings indicating actions taken in support of the project.

- c. Project is consistent with or included in any local plans or actions which indicate community or neighborhood support. Yes No

Plan _____ Page _____

LOCAL MATCH

Funds requested _____ Local match _____

Local match percentage = $\frac{\text{Local match provided}}{\text{Funds requested}}$

= _____ = _____ %

REGIONAL SIGNIFICANCE/ MULTI-JURISDICTIONAL

How does the project demonstrate regional significance?

ADDITIONAL INFORMATION

Please provide any additional information which may be used in developing understanding of the project.

CONTACT PERSON

Name: _____

Phone: _____

Email: _____

C/CAG AGENDA REPORT

Date: February 11, 2010
To: City/County Association of Governments Board of Directors
From: Richard Napier, Executive Director
Subject: Approval of the proposed approach for implementing the Safe Routes to Schools (SR2S) Program for San Mateo County

(For further information contact John Hoang 363-4105)

RECOMMENDATION

That the C/CAG Board approves the proposed approach for implementing the Safe Routes to Schools (SR2S) Program for San Mateo County

FISCAL IMPACT

\$1,429,000 is available to San Mateo County jurisdictions for the FY 09/10, FY 10/11 and FY 11/12. (Requires 11.47% match)

SOURCE OF FUNDS

New Federal Transportation Act funding for Cycle 1 is from the Federal STP/CMAQ (Surface Transportation Program/Congestion Mitigation and Air Quality) funds

BACKGROUND/DISSION

The Safe Routes to Schools (SR2S) program for San Mateo County is an element of the Metropolitan Transportation Commissions' (MTC) Climate Initiatives Program for the New Federal Transportation Act Cycle 1 STP/CMAQ funding program. The purpose of the new SR2S program is to apply the program region-wide with the overall goal of enabling and encouraging children to walk and bicycle to school, implementing projects and activities to improve safety, and reducing traffic and emissions related to school-related travel. It is also the intent that this region-wide SR2S program will increase the ability of individual jurisdictions to compete for state and federal SR2S infrastructure grants.

SR2S grants fund both infrastructure and non-infrastructure projects. Types of infrastructure projects may include installation or improvement of pedestrian facilities, traffic calming, traffic control devices, and bike facilities that improve the safety of walking and biking routes to K-12 schools. Non-infrastructure projects may include public education and outreach activities relating to safe bicycle usage, health benefits of walking to school, promotion of new or existing alternative transportation services and implementation of other efforts to reduce overall

ITEM 6.6

congestion. MTC encourages using the region-wide SR2S program funds for non-infrastructure projects.

San Mateo County will receive \$1,429,000 in CMAQ funds in the first cycle for the region-wide SR2S program. The fund amount was determined based on grades K to 12 enrolments. C/CAG, as the Congestion Management Agency (CMA), is the designated agency that will administer the SR2S funds for San Mateo County. San Mateo County as a whole does not currently have a countywide SR2S program in place, although many cities have implemented citywide safe routes to school programs and/or have received grants through the Federal and State SR2S Programs in the past. MTC has indicated that part of San Mateo County's allocation can be applied towards cost associated with developing a County SR2S Program.

C/CAG will assume the lead to facilitate the development of the SR2S program for San Mateo County. C/CAG staff will work in partnership with the County Public Health Department and school districts (superintendent, board) to initiate the effort in establishing a SR2S Task Force to advise on the development and implementation of the program for San Mateo County. In addition to the county health department and schools, the proposed SR2S Task Force will also include members from the CMP TAC (representing public works), C/CAG BPAC, bicycle coalition, city police/public safety, and other agencies as necessary. The SR2S Task Force will report directly to the C/CAG Board.

The SR2S program, once established, will continue for an indefinite period and management of the program, including project development and implementation, may be assigned to another agency or county department. C/CAG will continue to administer SR2S funds allocated to San Mateo County.

Attached are three handouts from MTC that provides more information about how the SR2S Program is managed in other Bay Area counties compared with San Mateo County and comparisons between the MTC region-wide SR2S Program, the State SR2S, and the Federal SRTS programs.

ATTACHMENT

- County Overview (from MTC's Attachment A)
- Program Comparison (MTC's Attachment C)
- Project Eligibility Matrix (from MTC's Attachment D)

SAFE ROUTES TO SCHOOLS-- COUNTY OVERVIEW

County	Lead Agency	Other Major Partners	# of Schools Implemented	Total Schools		% Schools
Alameda	TransForm	Alameda County Transportation Improvement Authority, Alameda county Public Health Department, Caltrans	61	225	elementary	27%
			6	56	middle	11%
			0	63	high	0%
			0	5	other	0%
			67	349		
Contra Costa	Contra Costa Health Services	West CC Unified School District, Caltrans, Contra Costa Public Works	4	152	elementary	3%
			6	44	middle	14%
			0	31	high	0%
			10	227		
Marin	Transportation Authority of Marin	Marin County Bicycle Coalition, police departments, Alata Planning and Design, Marin County Department of Health and Human Services	37	45	elementary	82%
			11	?	K-8	?
			7	11	middle	64%
			4	9	high	44%
			59	65		
Napa	Napa County Safe Routes to School (coalition)	police departments, fire departments, Napa County Bicycle Coalition, County Board of Education	5	28	elementary	18%
			0	6	middle	0%
			0	4	high	0%
			5	38		
San Francisco	SF Dept. of Health & SF Municipal Transportation Agency	SF, Bicycle Coalition, SF Unified School District, SF Police Department, Dept. of Children, Youth and Families	5	57	elementary	9%
			0	14	middle	0%
			0	23	high	0%
			0	8	K-8	0%
			5	102		
San Mateo	No County Lead-- Various Programs: City of Menlo Park; San Mateo County Health Dept, City of E. Palo Alto & Ravenswood School District.	Menlo Park School district, Caltrans, San Mateo County, School PTAs, City of San Carlos/ Peninsula Interfaith Action	n/a	148	elementary	
			n/a	28	middle	
			n/a	25	high	
			n/a	13	K-12	
			5	214		
Santa Clara	Traffic Safe Communities Network, SC County Public Health Dept.	Silicon Valley Bicycle Coalition, California Office of Traffic Safety/National Highway Traffic Safety Administration, Caltrans, police depts. SC Dept. of Public Health	18	241	elementary	7%
			2	59	middle	3%
			0	50	high	0%
			20	350		
Solano	Solano Transportation Authority	Solano County Department of Public Health, Solano Napa Community Information, school districts, police departments	17	60	elementary	28%
			1	15	middle	7%
			3	12	high	25%
			21	87		
Sonoma	Sonoma Bicycle Coaliton	Dept. Human Services, Sonoma County Transportation Authority	9	99	elementary	9%
			2	24	middle	8%
			0	21	high	0%
			1	35	other	3%
			12	179		
Total			199	1,611		5%

Notes:

Information for San Mateo was not available except for total schools.

Minimum local match required at 11.75% of the project cost.

Climate Action funding would ultimately leverage additional funding to the SR2S program administered by other agencies.

Attachment C: Safe Routes to School Programs Comparison

	State SR2S Program	Federal SRTS Program	MTC SR2S Program
Eligible Applicants	Cities and counties	State, local, and regional agencies experienced in meeting federal transportation requirements. Non profit organizations, school districts, public health departments, and Native American Tribes must partner with a city, county, MPO, or RTPA to serve as the responsible agency for their project.	State, local, and regional agencies experienced in meeting federal transportation requirements. Non profit organizations, school districts, public health departments, and Native American Tribes must partner with a federally eligible recipient for their project.
Program Purpose	Reduce injuries and fatalities to school children and to encourage increased walking and bicycling among students.	<ul style="list-style-type: none"> • Enable and encourage children, including those with disabilities, to walk and bicycle to school; • Make bicycling and walking to school a safer and more appealing transportation alternative, thereby encouraging a healthy and active lifestyle from an early age; and • Facilitate the planning, development, and implementation of projects and activities that will improve safety and reduce traffic, fuel consumption, and air pollution in the vicinity of schools. 	<ul style="list-style-type: none"> • Build upon SR2S efforts funded by federal, state, and locally funded programs • CMAQ Program objectives also need to be met: reduce criteria pollutants while reducing congestion • Each county will collaboratively tailor the objective of this program led by the congestion management agencies.
Eligible Projects (See Table 2 for details)	Infrastructure projects Must be located in the vicinity of a school. Incidental “soft” costs (i.e. education, outreach) are permitted up to 10%	Stand-alone infrastructure or non-infrastructure projects (10-30% of program). Infrastructure projects must be within 2 miles of a grade school or middle school	Infrastructure or non-infrastructure projects (Focus on non-infrastructure- For discussion)
Local Match	10%	None	11.47%
Targeted Beneficiaries	Children in grades K-12	Children in grades K-8	Children in grades K-12
Funding	\$24 million per year in CA	\$20 million per year in CA (future levels subject to federal reauthorization)	\$5 million per year available for Region in Cycle 1, or \$15 million total; \$2 million available for innovative approaches
Distribution formula	Competitive	Competitive	Distribution to counties based on total school enrollment in counties, except for the innovative approaches component which is regionally competitive.

Attachment D: Safe Routes to Schools Project Eligibility Matrix

(¹Language from CMAQ Guidance. Note that CMAQ can fund all specific improvements that are eligible in the State and Federal SR2S Programs.)

State SR2S Program	Federal SRTS Program	MTC SR2S Program (CMAQ) ¹
<p>Non-Infrastructure Improvements</p> <p>Public Outreach and Education/Encouragement/Enforcement:</p> <ul style="list-style-type: none"> Includes preparing and distributing safety awareness materials to school personnel, students, drivers, and neighboring home and/or business owners. Includes outreach efforts that promote walking and bicycling, to and from school, along the designated school routes. Includes coordinating bicycle rodeos with law enforcement agencies or forming “walking school buses” within neighborhoods. These activities are considered ‘incidental’ and limited to 10% of the construction costs. 	<p>Non-Infrastructure Improvements</p> <ul style="list-style-type: none"> Public awareness campaigns and outreach to press and community leaders, Traffic education and enforcement in the vicinity of schools, Student sessions on bicycle and pedestrian safety, health, and environment, and Funding for training, volunteers, and managers of safe routes to school programs. 	<p>Non-Infrastructure Improvements</p> <p>Public Education and Outreach Activities</p> <ul style="list-style-type: none"> Public education and outreach can help communities reduce emissions and congestion by inducing drivers to change their transportation choices. Activities that promote new or existing transportation services, developing messages and advertising materials (including market research, focus groups, and creative), placing messages and materials, evaluating message and material dissemination and public awareness, technical assistance, programs that promote the Tax Code provision related to commute benefits, and any other activities that help forward less-polluting transportation options. Air quality public education messages: Long-term public education and outreach can be effective in raising awareness that can lead to changes in travel behavior and ongoing emissions reductions; therefore, these activities may be funded indefinitely. Non-construction outreach related to safe bicycle use Travel Demand Management Activities including traveler information services, shuttle services, carpools, vanpools, parking pricing, etc.
<p>Infrastructure Improvements</p> <p>Pedestrian facilities:</p> <ul style="list-style-type: none"> Includes new sidewalks, sidewalk widening, sidewalk gap closures, curbs, gutters, and curb ramps. Also includes new pedestrian trails, paths and pedestrian over- and under-crossings. Note: Sidewalk repairs are ineligible. Applicants that propose sidewalk repairs will need to explain why the procedures contained in Streets and Highways Code Section 5611 cannot be exercised to repair the sidewalk. This section allows municipalities to instruct property owners to repair sidewalks on, or fronting, their property. <p>Bicycle facilities:</p>	<p>Infrastructure Improvements</p> <ul style="list-style-type: none"> Sidewalk improvements: new sidewalks, sidewalk widening, sidewalk gap closures, sidewalk repairs, curbs, gutters, and curb ramps. Pedestrian and bicycle crossing improvements: crossings, median refuges, raised crossings, raised intersections, traffic control devices (including new or upgraded traffic signals, pavement markings, traffic stripes, in-roadway crossing lights, flashing beacons, bicycle-sensitive signal actuation devices, pedestrian countdown signals, vehicle speed feedback signs, and pedestrian activated signal upgrades), and sight distance improvements. 	<p>Infrastructure Improvements</p> <p>Bicycle/Pedestrian Use:</p> <ul style="list-style-type: none"> Constructing bicycle and pedestrian facilities (paths, bike racks, support facilities, etc.) that are not exclusively recreational and reduce vehicle trips Programs for secure bicycle storage facilities and other facilities, including bicycle lanes, for the convenience and protection of bicyclists, in both public and private areas new construction and major reconstructions of paths, tracks, or areas solely for the use by pedestrian or other non-motorized means of transportation when economically feasible and in the public interest

State SR2S Program	Federal SRTS Program	MTC SR2S Program (CMAQ) ¹
<ul style="list-style-type: none"> Includes new or upgraded bikeways, trails, paths, geometric improvements, shoulder widening, and bicycle parking facilities, racks and lockers. 	<ul style="list-style-type: none"> On-street bicycle facilities: new or upgraded bicycle lanes, widened outside lanes or roadway shoulders, geometric improvements, turning lanes, channelization and roadway realignment, traffic signs, and pavement markings. Off-street bicycle and pedestrian facilities: exclusive multi-use bicycle and pedestrian trails and pathways that are separated from a roadway. Secure bicycle parking facilities: bicycle parking racks, bicycle lockers, designated areas with safety lighting, and covered bicycle shelters. 	
<p>Traffic calming:</p> <ul style="list-style-type: none"> Includes roundabouts, bulb-outs, speed humps, raised crosswalks, raised intersections, median refuges, narrowed traffic lanes, lane reductions, full- or half-street closures, and other speed reduction techniques. Note: Improvements to pick-up and drop-off areas are ineligible. The goal of this program is to encourage students to walk and bicycle to school. Exceptions may be granted if the project increases walking and bicycling by students and reduces 	<ul style="list-style-type: none"> Traffic diversion improvements: separation of pedestrians and bicycles from vehicular traffic adjacent to school facilities, and traffic diversion away from school zones or designated routes to a school. Traffic calming and speed reduction improvements: roundabouts, bulb-outs, speed humps, raised crossings, raised intersections, median refuges, narrowed traffic lanes, lane reductions, full- or half-street closures, automated speed enforcement, and variable speed limits. 	<p>Other:</p> <ul style="list-style-type: none"> Traffic calming measures
<p>Traffic control devices:</p> <ul style="list-style-type: none"> Includes new or upgraded traffic signals, crosswalks, pavement markings, traffic signs, traffic stripes, in-roadway crosswalk lights, flashing beacons, bicycle-sensitive signal actuation devices, pedestrian countdown signals, vehicle speed feedback signs, pedestrian activated signal upgrades, and all other pedestrian- and bicycle related traffic control devices. 		

J:\PROJECT\Funding\T4 - New Act\T4 - STP-CMAQ\T4 New Act - Cycle Programming\T4 First Cycle\T4 Reauthorization Policy Development\CCI - Climate Change Initiatives\SRTS\January 2010 Workshop\Attach-D_SR2S Eligibility Matrix.doc

C/CAG AGENDA REPORT

Date: February 11, 2010
To: City/County Association of Governments Board of Directors
From: Richard Napier, Executive Director
Subject: Review and approval of the currently approved C/CAG Procurement Policy

(For further information or questions contact Richard Napier at 599-1420 or John Hoang at 363-4105)

RECOMMENDATION

That the C/CAG Board review and approve the currently approved C/CAG Procurement Policy for professional services, and capital items, consumable items and services and direct staff to reference said policy in future contract recommendation reports.

FISCAL IMPACT

None

SOURCE OF FUNDS

The Procurement Policy applies to all C/CAG administered contracts funded by local, state, and federal funds.

BACKGROUND/DISCUSSION

At the December 10, 2009 meeting, it was requested that staff provide Board members with a copy of the current C/CAG Procurement Policy.

The C/CAG Procurement Policy, established June 9, 2005, implements procedures for selecting consultants (contractors) to provide professional services to C/CAG. The Policy includes guidelines for utilizing a formal Request for Proposal (RFP) process when procuring for consultant services as well as identifies situations where the RFP process could be waived, as appropriate, taking into consideration the proposed contract amount thresholds, timeframe constraints, potential delays, emergency situation, a firm's unique qualifications or experiences, and/or other factors. Additional requirements were also included to address federally funded contracts. The Policy also addresses procurement of capital items and consumable items and services. The Policy was developed under the guidance of the C/CAG Finance Committee.

ATTACHMENTS

C/CAG Procurement Policy

ITEM 6.7

C/CAG PROCUREMENT POLICY

Established June 9, 2005

Professional Services Procurements

1. The method for procurement of professional services (consultants) shall generally be the Request for Proposal (RFP) procedure. The primary purpose of using a RFP is to ensure that C/CAG receives the best value in obtaining services. The determination of “best value” is not based solely on the lowest price or the highest quality. It involves a subjective weighing of efficiency, quality, and economy, and a recommendation as to how the services might best be provided. The RFP is not a bid, in which the contract is awarded to the lowest bidder and the bid dictates the terms of the contract. Rather, it is a mechanism for exploring the expense and potential methodologies that could be used for dealing with the project for which the proposal is solicited. The RFP is an opportunity to ensure that all qualified contractors are given an opportunity to be considered for providing services to C/CAG. Each RFP shall be sent to all qualified firms and/or individuals that have been previously identified by C/CAG staff. Some of the ways that C/CAG staff may identify qualified firms and/or individuals could be through the issuance of a Request for Qualifications (RFQ), a letter of interest, and/or a review of informational materials provided by firms and/or individuals. Any firm and/or individual can request to be included on this list at any time by communicating such request to C/CAG staff and providing a summary of qualifications.
2. All RFPs must include a well-defined statement of work and must require that the responding party include quantifiable objectives, performance standards, and deliverables in its response to the RFP in order to be considered for funding.
3. The C/CAG Chair may administratively authorize up to an additional 5% of the original total contract amount in the event that there are unforeseen costs associated with the project.
4. If the contract is for work that will continue for a specified period of time, the term of the contract should be the period of time for which the services are needed, but no longer than three (3) years.
5. Once a contractor has been selected through either the formal RFP procedure or another procedure as per 6., 7., 8., or 9., the contractor may be used to provide additional services, if the work is substantially similar to that which was included in the original contract, for a period of up to three (3) years beyond the initial contract ending date. This may be done through either the execution of an amendment to the existing contract or through the execution of a new contract. The approval of the amendment or new contract shall be subject to the approval requirements in 6, 7, or 8. depending on the amount of funding to be included in the amendment or new contract.
6. Contracts \$5,000 and below:
 - a. A formal RFP procedure is not required.

- b. The selection process must be fair (see #1), and there must be documentation that the contractor selected is qualified and that the cost is competitive.
 - c. The results of another public agency's selection process may be used to satisfy the requirements of b.
 - d. A telephone survey of three (3) or more potential service providers may be used to satisfy the requirements of b.
 - e. The C/CAG Executive Director shall be authorized to execute contracts \$5,000 and below without the prior approval of the Board. The Board shall be notified of such contracts executed at the next scheduled Board meeting following such execution.
7. Contracts \$5,001 to \$25,000:
- a. A formal RFP procedure is not required.
 - b. The selection process must be fair (see #1), and there must be documentation that the contractor selected is qualified and that the cost is competitive.
 - c. The results of another public agency's selection process may be used to satisfy the requirements of b.
 - d. A telephone survey of three (3) or more potential service providers may be used to satisfy the requirements of b.
 - e. The Chair of the C/CAG Board shall be authorized to execute contracts \$25,000 and below without the prior approval of the Board. The Board shall be notified of such contracts executed at the next scheduled Board meeting following such execution.
8. Contracts greater than \$25,000:
- a. A formal RFP procedure should be utilized unless authorization from the C/CAG Board is given for another procedure or for a waiver of the RFP process.
 - b. The selection process shall not utilize cost as the sole criteria in selecting the successful contractor. The proposals shall be evaluated based on a combination of factors that result in the best value to C/CAG, including but not limited to:
 - i. Understanding of the work required by C/CAG.
 - ii. Quality and responsiveness of the proposal.
 - iii. Demonstrated competence and professional qualifications necessary for satisfactory performance of the work required by C/CAG.
 - iv. Recent experience in successfully performing similar services.
 - v. Proposed methodology for completing the work.
 - vi. References.
 - vii. Background and related experience of the specific individuals to be assigned to the project.
 - viii. Proposed cost.
 - ix. Previous experience in providing similar services for C/CAG and satisfactory delivery of those services.

- c. The Chair of the C/CAG Board shall be authorized to execute contracts greater than \$25,000 with the prior approval of 51% of the voting members of the Board present at a Board meeting where a vote on the contract was taken in accordance with C/CAG procedures. In accordance with the C/CAG Bylaws, Article VIII., Section 3., the special voting procedures may be utilized upon the request of any voting member. Under the special voting procedures, for a motion to be successful it must receive the votes of a majority of the voting members representing a majority of the population of the County.
9. Waiver of RFP Process:
 - a. The C/CAG Board may waive the solicitation of RFPs when it determines that it is in the best interest of C/CAG to do so. Situations in which a RFP may be waived include, but are not limited to, emergency situations or those in which an independent contractor is the only available source of a particular service. Another appropriate situation for waiving the RFP process is where a particular firm and/or individual has unique qualifications and/or experience, and it is determined by the C/CAG Board that the added time required for another firm and/or individual to acquire this knowledge base would create an unacceptable delay in the delivery of the service and not result in significant cost savings.
 - b. Requests to waive the RFP process that are presented to the C/CAG Board for consideration must include the specific findings by staff which substantiate the request for a waiver.
10. Contractors shall not discriminate or permit discrimination against any person or group of persons on the basis or race, color, religion, national origin or ancestry, age, sex, sexual orientation, marital status, pregnancy, childbirth or related conditions, medical condition, mental or physical disability or veteran's status, or in any manner prohibited by federal, state or local laws.

Additional policies related to procurements funded entirely or in part with Federal TEA 21, Surface Transportation Program (STP) funds.

1. All contracts must have the prior written consent of MTC.
2. Copies of all contracts or amendments to contracts exceeding \$25,000 must be provided to MTC after their execution.
3. MTC reserves the right to review contracts or amendments to contracts, prior to their execution.
4. All contracts must be in accordance with 49 Code of Federal Regulations (CFR) Part 18, MTC's funding agreement with DOT and any regulations, guidelines and circulars of Department of Transportation (DOT), applicable as a result of such funding agreement.
5. The provisions of the MTC/San Mateo County Interagency Agreement will be included, as applicable, in any contract exceeding \$25,000, including procurement of materials and leases of equipment.

6. All books, records, accounts, and any and all work products, materials, and other data relevant to the performance under any contract shall be maintained for a minimum of three (3) years following final payment by MTC.
7. All contractors shall not discriminate or permit discrimination against any persons or group of persons on the grounds of race, religious creed, color, national origin, age, ancestry, physical disability, medical condition, marital status, or sex, in any manner prohibited by federal, state, or local laws. Contractors shall comply with all applicable provisions of Executive Order 11246 as amended by Executive Order 11375 and as supplemented by Department of Labor (DOL) regulations.
8. C/CAG shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT assisted contracts.
9. C/CAG shall cooperate with MTC in meeting its commitments and objectives to ensure nondiscrimination in the award and administration of DOT assisted contracts and to create a level playing field on which disadvantaged business enterprises, as defined in 49 CFR Part 26, can compete fairly for contracts.
10. Contractors shall comply with all the requirements imposed by Title VI of the Civil Rights Act of 1964 (42 USC § 2000(d)) and the regulations of the DOT issued thereunder (49 CFR Part 21).
11. Title 49 CFR Part 18, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments" shall govern contracts.
12. No contract shall be executed with any organization or individual who is included on the List of Parties Excluded from Federal Procurement and Nonprocurement Programs, as published by the U.S. General Services Administration.

Policies related to procurements of capital items, consumable items and services.

1. C/CAG shall, to greatest extent possible, utilize the procurement systems of its member agencies for capital purchases. The member agencies have in place the appropriate infrastructure to manage these procurement processes and this will enable C/CAG to take advantage of their greater purchasing power; thereby ensuring a more favorable price and the meeting of all appropriate federal, state and local procurement requirements.
2. The C/CAG Executive Director shall have the authority to purchase consumable items and services through any appropriate means up to a maximum of \$5,000. Purchases of more than \$5,000 require approval of the C/CAG Board.

C/CAG AGENDA REPORT

Date: February 11, 2010
TO: C/CAG Board of Directors
From: Richard Napier, Executive Director
Subject: Review and approval of the C/CAG Executive Director Performance Objectives for FY 09-10.

(For further information or response to question's, contact Richard Napier at 650 599-1420)

Recommendation:

Review and approval of the C/CAG Executive Director Performance Objectives for FY 09-10.

Fiscal Impact:

None

Revenue Source:

None

Background/ Discussion:

The C/CAG Board completed the Performance Evaluation of the C/CAG Executive Director at the December 10, 2009 Board Meeting. The only task remaining was establishing the C/CAG Executive Director Performance Objectives for FY 09-10. Attached are the performance objectives for the C/CAG Executive Director for FY 09-10. It is requested that the Board approve the C/CAG Executive Director Performance Objectives for FY 09-10.

Attachments:

Executive Director Performance Objectives 2009-10

Alternatives:

- 1- Review and approval of the C/CAG Executive Director Performance Objectives for FY 09-10.
- 2- Review and approval of the C/CAG Executive Director Performance Objectives for FY 09-10 with modifications.
- 3- No Action.

ITEM 6.8

**EXECUTIVE DIRECTOR
PERFORMANCE OBJECTIVES
2009-10**

C/CAG FINANCIAL OPERATIONS

- 1- Objective - Manage all individual funds such that the actual ending balance (total, including reserves) for each fund as of the June 30, 2010 closing for FY 09-10 is either balanced or in a positive position.

Measure - Actual ending balance (total including reserves) for each fund as of the June 30, 2010 closing for FY 09-10 is either balanced or in a positive position.

Exceeds Objectives **Meets Objectives** **Doesn't Meet Objectives**

Please explain ratings at either end of spectrum:

- 2- Objective - Pursue and bring in commitments for additional revenue (from new or expansion of current State/ Federal/ Local sources) to C/CAG of \$300,000.

Measure - Total amount of additional revenue (from new or expansion of current State/ Federal/ Local sources) to C/CAG. Revenues must have required a special request to be considered.

Exceeds Objectives **Meets Objectives** **Doesn't Meet Objectives**

Please explain ratings at either end of spectrum:

- 3- Objective - Pursue and bring in commitments for additional revenue (from new or expansion of current State/ Federal/ Local sources) to San Mateo County Agencies of \$1M.

Measure - Total amount of additional revenue (from new or expansion of current State/ Federal/ Local sources) to San Mateo County Agencies. Revenues must have required a special request to be considered.

Exceeds Objectives **Meets Objectives** **Doesn't Meet Objectives**

Please explain ratings at either end of spectrum:

- 4- Objective - Work with the Board to develop an Investment Policy that is compatible with the C/CAG Financial Agent (City of San Carlos) capability.

Measure - Board approval of a C/CAG Investment Policy in FY 09-10.

Exceeds Objectives **Meets Objectives** **Doesn't Meet Objectives**

Please explain ratings at either end of spectrum:

C/CAG CRITICAL PROGRAMS

- 1- Objective - Implementation of the San Mateo County Smart Corridor Project.

Measure - Arterial street design 90% complete. El Camino Real Design 60% complete. Pilot project under construction.

Exceeds Objectives **Meets Objectives** **Doesn't Meet Objectives**

Please explain ratings at either end of spectrum:

- 2- Objective - Work with the affected stakeholders to update the Comprehensive Land Use Plan for the environs of San Francisco International Airport and to negotiate an acceptable Avigation Easement.

Measure - Adoption of the Comprehensive Land Use Plan for the environs of San Francisco International Airport.

Exceeds Objectives **Meets Objectives** **Doesn't Meet Objectives**

Please explain ratings at either end of spectrum:

- 3- Objective - In cooperation with the County, negotiate and execute a Local Government Partnership Agreement with PG&E by 1/1/10. Implement Local Government Partnership (San Mateo Energy Watch).

Measure - Execution of a Local Government Partnership Agreement with PG&E by 1/1/10. Meet or exceed the goals set out in the Performance to Date/ Forecast Report.

Exceeds Objectives Meets Objectives Doesn't Meet Objectives

Please explain ratings at either end of spectrum:

- 4- Objective: Ensure Administrative Accountability.

Measure: Written quarterly status reports regarding the status of C/CAG programs and projects. Report to include specific timelines and/or benchmarks.

Exceeds Objectives Meets Objectives Doesn't Meet Objectives

Please explain ratings at either end of spectrum:

C/CAG MANAGEMENT

- 1- Objective - Provide overall management, coordination, training, coaching, and direction for C/CAG staff to result in a high quality work product and a positive impression of C/CAG to the Board and the public.

Measure - The general impression and quality of staff reports, staff presentations, and other forms of staff interaction with the Board and the public.

Exceeds Objectives **Meets Objectives** **Doesn't Meet Objectives**

Please explain ratings at either end of spectrum:

C/CAG
CITY/COUNTY ASSOCIATION OF GOVERNMENTS
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January 26, 2010

James Porter, Director
Department of Public Works
County of San Mateo
555 County Center, Fifth Floor
Redwood City, CA 94063

RE: Request for Funding Assistance for C/CAG Airport Land Use Compatibility Activities in the Environs of San Mateo County Airports (San Carlos and Half Moon Bay Airports)

Dear Mr. Porter:

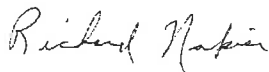
This letter is a follow-up to our recent conversation and our meeting earlier this year with Mark Larson and Dave Carbone, regarding potential funding assistance from the County for C/CAG airport/land use compatibility planning activities in the environs of San Carlos (SQL) and Half Moon Bay (HAF) Airports. Via this letter, I am requesting that the County provide \$20,000 (\$10,000 for SQL and \$10,000 for HAF) to C/CAG, in FY 2010/2011, to help offset costs related to this state – mandated activity.

As I mentioned in our meeting and conversation, there is insufficient funding available from the State to support airport land use compatibility planning activities and to prepare comprehensive airport land use compatibility plans (CLUPs). In our county, most of that activity occurs in the environs of SQL and SFO. However, the pending County General Plan update will require significant coordination with the CLUP for the environs of HAF, which is woefully out of date. Both plans need to be consistent with each other.

C/CAG has recently secured funding from the San Francisco Airport Commission to assist in the preparation of a CLUP update for the environs of SFO. The requested funding from the County of San Mateo will help protect both County airports from incompatible development and therefore, preserve those important public assets for future aviation use.

Thank you for your cooperation regarding this matter. If you have any questions, please contact me at 650/599-1420.

Sincerely,



Richard Napier
Executive Director, C/CAG

ITEM 9.1

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

*Atherton • Belmont • Brisbane • Burlingame • Colma • Daly City • East Palo Alto • Foster City • Half Moon Bay • Hillsborough • Menlo Park • Millbrae •
Pacifica • Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County • South San Francisco • Woodside*

February 4, 2010

Honorable Dianne Feinstein
United States Senate
331 Hart Senate Office Building
Washington, D.C. 20510

**RE: C/CAG supports the San Mateo County Transportation Authority FY 2011 Appropriations
Request, San Bruno Grade Separation - \$1 million**

Dear Senator Feinstein:

The City/ County Association of Governments (C/CAG) of San Mateo County enthusiastically supports the San Mateo County Transportation Authority FY 2011 Appropriations request for \$1 million to complete a critical grade separation project in San Bruno.

This project will provide essential safety improvements by eliminating three street-level grade crossings at San Bruno, San Mateo, and Angus Avenues. Pedestrian underpasses will be built at Euclid, San Bruno, and Sylvan Avenues. A new elevated Caltrain station between San Bruno and San Mateo Avenues will replace the existing station at Sylvan Avenue.

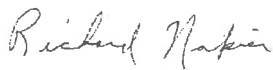
The grade separation project will bring a unique opportunity for new transit-oriented improvements to pedestrian and bicycle safety in the area. The City of San Bruno's comprehensive planning process for downtown and transit corridor areas emphasizes the new Caltrain station area. This specific plan is building on the San Bruno General Plan, which established a framework for transit-oriented development in the new station area.

In 2000, the San Bruno City Council and concerned citizens began looking for ways to improve safety at the San Bruno Avenue crossing. In 2002, the San Bruno City Council adopted a resolution to support the grade separation and formed a Citizens Advisory Committee to work with the Peninsula Corridor Joint Powers Board.

This project will help improve safety and service along the entire Caltrain corridor. It is consistent with the Caltrain grade crossing improvement plan and is critical to the future delivery of high-speed rail service between San Francisco and Anaheim. This project will also bring close to 5,000 new jobs to the area many in engineering and construction.

Thank you for your continued support and leadership in the area of rail safety. Please feel free to contact me if you have any questions.

Sincerely,



Richard Napier
Executive Director, C/CAG

cc: Seamus Murphy, Manager Government Affairs, San Mateo County Transportation Authority

ITEM 9.2

C/CAG
CITY/COUNTY ASSOCIATION OF GOVERNMENTS
OF SAN MATEO COUNTY

*Atherton • Belmont • Brisbane • Burlingame • Colma • Daly City • East Palo Alto • Foster City • Half Moon Bay • Hillsborough • Menlo Park
Millbrae • Pacifica • Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County • South San Francisco •
Woodside*

February 3, 2010

Gray Bowen and Company, Inc.
1820 Bonanza Street, Suite 204
Walnut Creek, California 94596

Re: Thank You – City of Belmont Bicycle Pedestrian Bridge Project

Dear Terry,

On behalf of the City/County Association of Governments of San Mateo County (C/CAG), I would like to thank you and your staff for assisting the City of Belmont with their project obligation on a very aggressive schedule. We sincerely believe that your knowledge of the Caltrans process and your ability to interface directly with both Caltrans and other regulatory agency staff was instrumental in the successful delivery of this project.

The bicycle and pedestrian bridge over US Highway 101 will improve bicycle and pedestrian conditions along Ralston Avenue providing a safer route for bicyclists and pedestrians over Highway 101. This project is part of a pedestrian/bike network that connects multiple trails within the county. The project will increase the potential for bicycling and walking, both to and from transit, businesses, residences, and shopping areas.

Again, thank you. On behalf of the C/CAG staff, I want you to know that we were very pleased with your project management performance and would be happy to recommend your services.

Sincerely,



Richard Napier, C/CAG Executive Director

Cc: File

ITEM 9.3