

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
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BOARD MEETING NOTICE

Meeting No. 253

- DATE:** Thursday, February 14, 2013
- 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 PRESENTATIONS/ ANNOUNCEMENTS
 - 4.1 Certificate of Appreciation to Tom Kasten, C/CAG Board Member, for his years of dedicated service and contributions to C/CAG. INFORMATION p. 1
 - 4.2 Certificate of Appreciation to Carlos Romero, C/CAG Board Member, for his years of dedicated service and contributions to C/CAG. INFORMATION p. 3
 - 4.3 Presentation of Ceremonial Check for PG&E Rebates to Customers Served in the 2010 through 2012 San Mateo County Energy Watch Program Cycle. INFORMATION p. 5

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. 252 dated December 13, 2012.
ACTION p. 7
- 5.2 Review and Approval of Appointments to the C/CAG Stormwater Committee ACTION p. 13
- 5.3 Review the attendance reports for the 2012 C/CAG Board and Committees.
INFORMATION p. 15
- 5.4 Review and approval of Measure M Fund Financial Statements (Audit) for the Year Ended June 30, 2012
ACTION p. 27
- 5.5 Review and accept the C/CAG Single Audit Report for the Year Ended June 30, 2012.
ACTION p. 31
- 5.6 Review and approval of Resolution 13-06 establishing a background check policy for staff working on the San Mateo County Energy Watch, Local Government Partnership with PG&E and for future contracts with similar requirements.
ACTION p. 35
- 5.7 Receive information on the Caltrain Go Pass program.
INFORMATION p. 41
- 5.8 Review and approval of Resolution 13-04 authorizing the C/CAG Chair to execute an agreement with Jacobs Engineering Group to provide traffic monitoring service for the 2013 Congestion Management Program (CMP) update in an amount not to exceed \$61,202.88.
ACTION p. 43
- 5.9 Review and approval of the appointments of Councilmember Clifford Lentz of Brisbane and Mayor Elizabeth Lewis of Atherton to the Congestion Management & Environmental Quality (CMEQ) Committee and also approve the appointment of Vice Mayor Laurence May of the Town of Hillsborough to the Legislative Committee.
ACTION p. 59
- 5.10 Review and approval of Resolution 13-07 authorizing the C/CAG Chairperson to execute a funding agreement with the San Francisco Airport Commission for C/CAG to receive \$60,000 in calendar year 2013 for work related to the San Francisco International Airport Land Use Compatibility Plan (SFO ALUCP).
ACTION p. 67
- 5.11 Review and approval of Resolution 13-03 authorizing the filing of an application for funding assigned to the Metropolitan Transportation Commission and committing any necessary matching funds and stating the assurance to complete the San Mateo County Safe Routes to School project.
ACTION p. 71

- 5.12 Review and approval of Resolution 13-09 authorizing the adoption of the Fiscal Year 2013/2014 Expenditure Plan for the Transportation Fund for Clean Air (TFCA) County Program Manager Fund for San Mateo County. ACTION p. 85

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 Review and approval of C/CAG Legislative policies, priorities, positions, and legislative update.
(A position may be taken on any legislation, including legislation not previously identified.) ACTION p. 91
- 6.2 Review and approval of Resolution 13-1 waiving the Request for Qualifications/Proposals (RFP/ RFQ) and authorizing the C/CAG Chair to execute an agreement with Advocation Inc. in alliance with Shaw/Yoder/Antwith, Inc. to provide State legislative advocacy service in an amount not to exceed \$144,000 for 2013 and 2014. ACTION p. 101
- 6.3 Review and approval of Resolution 13-08 authorizing the C/CAG Chair to execute an agreement with KEMA Services, Inc. for an amount not to exceed \$265,000 for calendar year 2013 and 2014. ACTION p. 105
- 6.4 Review and approval of Resolution 13-2 authorizing the funding allocation for 1) the OneBayArea Grant (OBAG) - Cycle 2 Local Streets & Roads and 2) OBAG supplemental planning funds for fiscal year 2012/13 through 2015/16. ACTION p. 109
- 6.5 Amendment to C/CAG Bylaws. ACTION p. 117
- 6.6 Nominations for C/CAG Chair and Vice Chair(s) for the March Election of Officers. ACTION p. 135
- 6.7 Receive information regarding the California Stormwater Quality Association's amicus brief, filed in relation to the County of Los Angeles' appeal of its stormwater permit-related unfunded mandate test claim, and to which C/CAG signed on as an interested party. ACTION p. 141

7.0 COMMITTEE REPORTS

- 7.1 Committee Reports (oral reports).
- 7.2 Chairperson's Report
- 7.3 Boardmembers 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 650 599-1406 or nblair@co.sanmateo.ca.us or download a copy from C/CAG's website – www.ccag.ca.gov.

10.0 ADJOURN

Next scheduled meeting: March 14, 2013 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: Sandy Wong 650 599-1409

Administrative Assistant: Nancy Blair 650 599-1406

FUTURE MEETINGS

February 14, 2013	Legislative Committee - SamTrans 2 nd Floor Auditorium - 5:30 p.m.
February 14, 2013	C/CAG Board - SamTrans 2 nd Floor Auditorium - 6:30 p.m.
February 19, 2013	NPDES Technical Advisory Committee - to be determined - 10:00 a.m.
February 21, 2013	CMP Technical Advisory Committee - SamTrans 2 nd Floor Auditorium – 1:15 p.m.
February 25, 2013	Administrators' Advisory Committee - 555 County Center, 5 th Fl, Redwood City – Noon
February 25, 2013	CMEQ Committee - San Mateo City Hall - Conference Room C - 3:00 p.m.
February 28, 2013	Airport Land Use Committee (ALUC) - Burlingame City Hall - Council Chambers - 4:00 p.m.
February 28, 2013	BPAC - San Mateo City Hall - Conference Room C - 7:00 p.m.
March 8, 2013	Resource Management and Climate Protection Committee (RMCP)

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A PRESENTATION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) EXPRESSING APPRECIATION TO

THOMAS M. KASTEN

FOR His DEDICATED SERVICE TO THE C/CAG BOARD OF DIRECTORS 2003 THROUGH 2012

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

Whereas, Thomas M. Kasten has served on the C/CAG Board of Directors, representing the Town of Hillsborough, as Member, between 2003 and 2012; and

Whereas, Thomas M. Kasten has dedicated his services to the people of San Mateo County as Vice Chair to the C/CAG Board of Directors April 2007 to March 2009.

Whereas, Thomas M. Kasten has dedicated his services to the people of San Mateo County as Chair to the C/CAG Board of Directors April 2009 to March 2011.

Now, therefore, the Board of Directors of C/CAG hereby resolves that C/CAG expresses its appreciation to Thomas M. Kasten for his years of dedicated public service, and wishes him happiness and success in the future.

PASSED, APPROVED, AND ADOPTED THIS 14th DAY OF February 2013.

ITEM 4.1

Bob Grassilli, Chair

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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A PRESENTATION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) EXPRESSING APPRECIATION TO

CARLOS ROMERO

**FOR His DEDICATED SERVICE TO THE C/CAG BOARD OF DIRECTORS
2009 THROUGH 2012**

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

Whereas, Carlos Romero has served on the C/CAG Board of Directors, representing the City of East Palo Alto, as Member, between 2009 and 2012; and

Whereas, Carlos Romero has dedicated his services to the people of San Mateo County as Vice Chair to the C/CAG Board of Directors April 2011 to November 2012.

Now, therefore, the Board of Directors of C/CAG hereby resolves that C/CAG expresses its appreciation to Carlos Romero for his years of dedicated public service, and wishes him happiness and success in the future.

PASSED, APPROVED, AND ADOPTED THIS 14th DAY OF February 2013.

Bob Grassilli, Chair

ITEM 4.2

C/CAG AGENDA REPORT

Date: February 14, 2013
To: City/County Association of Government Board of Directors
From: Kim Springer
Subject: Presentation of Ceremonial Check for PG&E Rebates to Customers Served in the 2010 through 2012 San Mateo County Energy Watch Program Cycle.
(For further information, contact Kim Springer at 650-599-1412)

RECOMMENDATION

Receive a presentation of a ceremonial check for PG&E rebates to customers served in the 2010 through 2012 San Mateo County Energy Watch program cycle.

FISCAL IMPACT

None.

BACKGROUND/DISCUSSION

The San Mateo County Energy Watch (SMCEW) is a Local Government Partnership program between C/CAG and PG&E that began in December 2008, was contracted for 2009 and was re-contracted for a three-year program cycle for 2010 through 2012.

This recently completed program cycle exceeded its electricity energy saving goals, saving approximately 10 million kilowatt hours for the customers it served, and reducing peak energy use by over 1500 kilowatts.

The SMCEW program did not achieve its goal for Therms saved in the 2010 through 2012 program. However, all of the PG&E contracted partnerships combined in their portfolio exceeded PG&E's contracted Therm-savings goal back in June of 2012.

PG&E and SMCEW, contractors and staff will present a ceremonial check to the C/CAG Board. The check represents the rebates paid to customers who participated in the program in 2010 through 2012. The program mainly serves municipalities, special districts, and also the nonprofit and middle (just above low-) income sectors.

On December 7, 2012, the C/CAG Board adopted a resolution authorizing the C/CAG Chair to execute a new LGP contract with PG&E for 2013-2014 and staff has been completing planning documents and new sub-contracts to meet the energy saving goals and other deliverables in the new contract.

Attachments

None

ITEM 4.3

C/CAG

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Meeting No. 243
December 13, 2012

1.0 CALL TO ORDER/ROLL CALL

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

Jerry Carlson - Atherton
Christine Wozniak - Belmont
Clark Conway – Brisbane (left 7:00)
Sepi Richardson – Brisbane (7:00)
Terry Nagel – Burlingame, San Mateo County Transportation Authority
Joseph Silva - Colma
David Canepa - Daly City
Marina Fraser - Half Moon Bay (6:35)
Kirsten Keith - Menlo Park (6:39)
Marge Colapietro - Millbrae
Mary Ann Nihart - Pacifica
Alicia Aguirre - Redwood City
Irene O'Connell - San Bruno
Bob Grassilli - San Carlos
Brandt Grotte - San Mateo
Karyl Matsumoto - South San Francisco, San Mateo County Transit District

Absent,

East Palo Alto
Foster City
Hillsborough
Portola Valley
San Mateo County
Woodside

Others:

Sandy Wong, Deputy Director, C/CAG
Nancy Blair, C/CAG
John Nibbelin C/CAG Legal Counsel
John Hoang, C/CAG Staff
Jean Higaki, C/CAG Staff
Matt Fabry, C/CAG Staff
Kim Springer, San Mateo County
Joe LaMariana, San Mateo County
Scott Hart, PG&E
Jim Cogan, PG&E

ITEM 5.1

Duane Bay, Department of Housing
Norm Picker, East Palo Alto
Jeffrey Tong, San Bruno
Aaron Faupell, Belmont
Andrew Boone, East Palo Alto

3.0 PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Scott Hart, PG&E Representative, will be replacing Jim Cogan as C/CAG's contact person for PG&E. Scott provided an update on the PG&E projects in San Mateo County.

4.0 PRESENTATIONS/ ANNOUNCEMENTS

4.1 Presentation on the San Mateo County Safe Routes to School Program - Daina Lujan, County Office of Education.

5.0 CONSENT AGENDA

Board Member Richardson MOVED approval of Items 5.1, 5.2, 5.3, 5.4, 5.5, and 5.6.
Board Member Grotte SECONDED. **MOTION CARRIED** 15-0.

- 5.1 Approval of the Minutes of Regular Business Meeting No. 251 dated November 8, 2012. APPROVED
- 5.2 Review and approval of Resolution 12-70 authorizing the C/CAG Chair to executive an agreement between C/CAG and the County of San Mateo, Department of Public Works and Parks to provide staff services for Countywide Climate Action Planning for an amount not to exceed \$50,000 for calendar year 2013. APPROVED
- 5.3 Review and approve Resolution 12-72 authorizing the C/CAG Chair to execute an agreement with SCI Consulting Group in an amount not to exceed \$980,381 for technical services in support of a countywide funding initiative for stormwater compliance activities, and further authorizing the Executive Director to negotiate the final scope of work prior to execution. APPROVED
- 5.4 Review and approval of AB 1546 Fund Financial Statements (Audit) for the Year Ended June 30, 2012. APPROVED
- 5.5 Review and approval of Abandoned Vehicle Abatement Fund Financial Statements (Audit) for the Year Ended June 30, 2012. APPROVED
- 5.6 Review and approval of the C/CAG Basic Financial Statements (Audit) for the Year Ended June 30, 2012 APPROVED

Item 5.7 was removed from the Consent Calendar.

- 5.7 Review and approval of Resolution 12-74 adopting the FY 12-13 C/CAG Investment Policy. APPROVED

Staff was directed to:

Correct a word in the present policy.

Begin the process of forming the Investment Policy Committee.

Bring back to the Board, the process in which C/CAG's Finance Department (the City of San Carlos) defines the financial safe guard process.

Board Member Canepa MOVED approval of Item 5.7. Board Member Aguirre SECONDED. **MOTION CARRIED 15-0.**

6.0 REGULAR AGENDA

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

Five applicants applied for the four positions. One applicant withdrew his name before the C/CAG Board meeting. Four applicants attended the C/CAG Board meeting, their names are as follows:

Norm Picker, East Palo Alto
Aaron Faupell, Belmont

Jeffrey Ton, San Bruno
Andrew Boone, East Palo Alto

Board Member Grotte MOVED to approve the appointment of the four applicants. Board Member Wozniak SECONDED. **MOTION CARRIED 15-0.**

- 6.2 Receive a presentation from BAWSCA and consider approval of Resolution 12-75 in support of BAWSCA's pursuit of legislation or an administrative agreement with San Francisco to protect water users. APPROVED

Board Member Richardson MOVED approval of Item 6.2. Board Member Carlson SECONDED. **MOTION CARRIED 15-0.**

- 6.3 Review and approval of C/CAG Legislative policies, priorities, positions, and legislative update.
(A position may be taken on any legislation, including legislation not previously identified.)

The C/CAG Legislative Committee met and discussed the first draft of the 2013 C/CAG Legislative Policy. The Committee will continue this discussion at the next Legislative meeting, and will bring this information to the Board at the next meeting.

No action was taken.

- 6.4 Review and approval of Resolution 12-68 authorizing the C/CAG Chair to executive a Local Government Partnership grant funding agreement with Pacific Gas & Electric (PG&E) for the San Mateo County Energy Watch in 2013-14 for an amount of \$840,000. APPROVED

Board Member Grotte MOVED approval of Item 6.4. Board Member Keith SECONDED.
MOTION CARRIED 15-0.

- 6.5 Review and approval of Resolution 12-69 authorizing the C/CAG Chair to execute an agreement between C/CAG and the County of San Mateo for management and staffing of the San Mateo County Energy Watch for an amount not to exceed \$600,000 for 2013 and 2014 APPROVED

Board Member Richardson MOVED approval of Item 6.5. Board Member O'Connell SECONDED. **MOTION CARRIED 15-0.**

- 6.6 Review and approval of Resolution 12-73 authorizing the Chair of the C/CAG Board to approve payment of up to \$40,000 to the California Public Employee Retirement System (CALPERS) to pay in full the CALPERS Unfunded Liability. APPROVED

The amount of the payment was corrected from \$40,000 to \$17,047.

Board Member Colapietro MOVED approval of Item 6.6. Board Member Keith SECONDED.
MOTION CARRIED 15-0.

- 6.7 Review and approval of Resolution 12-71 Authorizing the AB 1546 (\$4 Vehicle Registration Fee) Countywide Traffic Congestion Management Fund Expenditure Plan (Special voting procedures apply) APPROVED

Board Member Canepa MOVED approval of Item 6.7. Board Member Aguirre SECONDED.
MOTION CARRIED 15-0.

A Super Majority Vote was taken by roll call. **MOTION CARRIED 15-0.** Results: 15 Agencies approving. This represents 71% of the Agencies representing 80% of the population.

7.0 COMMITTEE REPORTS

7.1 Committee Report

None.

7.2 Chairperson's Report

None.

7.3 Board Member Report

Board Member Richardson emphasized to audit the Safe Routes to School fund carefully.

Board Member O'Connell highlighted the handout *10 Techniques for Making Cities More Walkable*.

Board Member Keith noted the City of Palo Alto is asking Caltrain about getting GO Passes for their employees, and asked if this was something C/CAG would look into. Chair Grassilli directed staff to look into this, and bring information back to the Board.

8.0 EXECUTIVE DIRECTOR'S REPORT

C/CAG's Interim Executive Director provided a report.

A handout was provided to the Board listing the on-going contracts C/CAG presently has.

C/CAG is moving their office, during the Christmas week, from the fifth floor to the fourth floor. At this time, contact information will remain the same.

9.0 COMMUNICATIONS - Information Only

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10.0 CLOSED SESSION

Public Employee Appointment

Title: Executive Director

11.0 Announcement of the successor to the position of C/CAG Executive Director

The C/CAG Board of Directors announced the appointment of Sandy Wong as C/CAG's Executive Director.

12.0 ADJOURN

The Board adjourned at 8:58 p.m.

C/CAG AGENDA REPORT

Date: February 14, 2013
To: City/County Association of Governments Board of Directors
From: Sandy Wong, Executive Director
Subject: Review and Approval of Appointments to the C/CAG Stormwater Committee
(For further information or questions contact Matthew Fabry at 599-1419)

RECOMMENDATION

Review and approve the recommended appointments to the C/CAG Stormwater Committee.

FISCAL IMPACT

None.

BACKGROUND/DISCUSSION

The C/CAG Board authorized convening a Stormwater Committee at its November 2012 meeting. Per Resolution 12-65, the Stormwater Committee will provide professional direction to the Stormwater NPDES Technical Advisory Committee, make recommendations to the Board on water pollution prevention issues, and have the following membership characteristics:

- One representative from each of C/CAG's member agencies and one non-voting seat for executive management from the Regional Water Quality Control Board (Regional Board);
- Members shall be director-level (typically either the Public Works or Planning Director), have responsibility for implementing water pollution prevention programs within their agency, be recommended by executive management of their member agency, and be appointed by the C/CAG Board;

On December 5, 2012, staff sent a memo to all of the City/County/Town Managers and the Regional Board's Executive Officer (and copied the Public Works and Planning Directors) requesting recommended appointees. The following table shows the recommended appointee for each jurisdiction and the Regional Board, as provided to staff by each agency. Staff recommends the Board appoint each of the proposed representatives. The first meeting of the Stormwater Committee is planned for February 21, pending appointment of the committee members by the C/CAG Board.

Recommended Appointees to the Stormwater Committee

	Jurisdiction	Recommended Appointee	Position/Title
1	Atherton	Gordon Siebert	Consulting Engineer
2	Belmont	Afshin Oskoui	Public Works Director
3	Brisbane	Randy Breault	Public Works Director/City Engineer
4	Burlingame	Syed Murtuza	Public Works Director
5	Colma	Brad Donohue	Director of Public Works and Planning
6	Daly City	Patrick Sweetland	Director of Water & Wastewater
7	East Palo Alto	Kamal Fallaha	City Engineer
8	Foster City	Brad Underwood	Director of Public Works
9	Half Moon Bay	Mo Sharma	City Engineer
10	Hillsborough	Paul Willis	Public Works Director
11	Menlo Park	Charles Taylor	Public Works Director
12	Millbrae	Khee Lim	City Engineer
13	Pacifica	Van Ocampo	Public Works Director/City Engineer
14	Portola Valley	Howard Young	Public Works Director
15	Redwood City	Shobuz Ikbal	City Engineer/Engineering Manager
16	San Bruno	Klara A. Fabry	Public Services Director
17	San Carlos	Jay Walter	Public Works Director
18	San Mateo	Larry Patterson	Public Works Director
19	South San Francisco	Terry White	Public Works Director
20	Woodside	Paul Nagengast	Deputy Town Manager/Town Engineer
21	San Mateo County/Flood Control Dist.	Jim Porter	Public Works Director
22	Regional Water Quality Control Board	Thomas Mumley	Assistant Executive Officer

ATTACHMENTS

None

C/CAG AGENDA REPORT

Date: February 14, 2013
To: City/County Association of Governments Board of Directors
From: Sandy Wong, Executive Director
Subject: Review the attendance reports for the 2012 C/CAG Board and Committees.
(For further information or questions contact Sandy Wong at 599-1409)

RECOMMENDATION

That the C/CAG Board review and accept the attendance reports for the 2012 C/CAG Board and committees.

FISCAL IMPACT

None.

SOURCE OF FUNDS

Not applicable.

BACKGROUND/DISCUSSION

Periodically throughout the year the C/CAG Board receives reports of the attendance for the Board and its standing committees. There is no attendance requirement for the C/CAG Board because there is one seat designated for every member jurisdiction. However, the C/CAG adopted attendance policy for its standing committees is as follows:

“During any consecutive twelve month period, members will be expected to attend at least 75% of the scheduled meetings and not have more than three consecutive absences. If the number of absences exceed these limits, the seat may be declared vacant by the C/CAG Chair.”

ATTACHMENTS

Calendar year 2012 attendance reports for the following:

- C/CAG Board
- Congestion Management & Environmental Quality (CMEQ)
- The Airport Land Use Committee (ALUC).
- Bicycle and Pedestrian Advisory Committee (BPAC)
- Congestion Management Program Technical Advisory Committee (TAC)
- National Pollutant Discharge Elimination System Technical Advisory Committee (NPDES TAC)
- Legislative Committee Attendance Report
- Resource Management & Climate Protection Committee (RMCP) Attendance Report

ITEM 5.3

C/CAG Attendance Report 2012

Agency	Representative / Alternate	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sep	Oct	Nov	Dec
Atherton	Jerry Carlson	X	X	X	R	X	X	N		X	X	X	X
	Kathy McKeithen				E			O					
Belmont	Christine Wozniak	X		X	T	X			X	X			X
	Coralin Feierbach				R			M					
Brisbane	Clarke Conway			X	E	X	X	E		X	X	X	X
	Sepi Richardson	X	X		A			E	X				X
Burlingame	Terry Nagel	X	X	X	T	X	X	T	X	X	X		X
	Michael Brownrigg							I					
Colma	Joseph Silva	X	X	X		X	X	N			X	X	X
	Diana Colvin							G					
Daly City	David Canepa	X	X	X		X			X	X			X
	Carol Klatt							S					
East Palo Alto	Carlos Romero	X	X	X		X	X	C		X	X	X	
	Ruben Abrica							H					
Foster City	Art Kiesel	X	X	X		X	X	E	X	X	X	X	
	Pam Frisella							D					
Half Moon Bay	Naomi Patridge	X	X	X		X	X	U	X	X	X	X	X ¹
	Alan Alifano							L					
Hillsborough	Tom Kasten		X	X		X		E				X	
	Jay Benton							D			X		
Menlo Park	Kirsten Keith	X	X	X			X			X	X		X
	Peter Ohtaki					X						X	

¹Marina Fraser

C/CAG Attendance Report 2012

Agency	Representative / Alternate	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sep	Oct	Nov	Dec
Millbrae	Marge Colapietro	X	X	X	R	X	X	N	X	X		X	X
	Gina Papan				E			O					
Pacifica	Mary Ann Nihart	X	X	X	T				X		X		X
	Len Stone				R		X	M					
Portola Valley	Maryann Moise Derwi	X		X	E	X	X	E	X	X	X	X	
	Ted Driscoll				A			E					
Redwood City	Alicia Aguirre		X ²		T	X	X	T		X	X	X ³	X
	Rosanne Foust	X						N	X				
San Bruno	Irene O'Connell	X	X				X	G		X	X		X
	Jim Ruane												
San Carlos	Bob Grassilli	X	X	X		X	X	S	X	X	X	X	X
	Mark Olbert							H					
San Mateo	Brandt Grotte	X	X	X		X	X	E	X	X	X	X	X
	Jack Matthews							D					
San Mateo County	Don Horsley	X	X				X	U	X		X	X	
	Dave Pine							L					
South San Francisco	Karyl Matsumoto	X	X	X		X	X	E	X	X	X	X	X
	Kevin Mullin							D					
Woodside	Deborah Gordon	X	X	X					X	X	X		
SMCTA	Rosanne Foust								X				
	Terry Nagel	X	X	X		X	X			X	X		X
SamTrans	Karyl Matsumoto	X	X	X		X	X		X	X	X	X	X

²Jeff Ira.

³Jeffrey Gee.

	CMEQ 2012 Attendance										
Name	Jan 30	Feb 27	Apr 30	May 21	Aug 27	Sept 24	Nov 26				
Arthur Lloyd	Yes	Yes	Yes	Yes	Yes	Yes	Yes				
Barbara Pierce	Yes	Yes	Yes	4:05 PM	Yes		Yes				
Gina Papan	Yes			Yes		Yes	Yes				
Irene O'Connell	Yes	Yes	Yes	Yes	Yes	Yes	Yes				
Jim Bigelow	Yes	Yes	Yes	Yes	Yes	Yes	Yes				
Kevin Mullin		Yes	Yes	Yes	Yes						
Lennie Roberts	Yes	Yes	Yes	Yes		Yes	Yes				
Nadia Holober	Yes	Yes	Yes	Yes		Yes	Yes				
Naomi Patridge	Yes	Yes	Yes	Yes	Yes	Yes	Yes				
Onnolee Trapp	Yes	Yes	Yes	Yes	Yes	Yes	Yes				
Richard Garbarino	Yes	Yes	Yes	Yes	Yes		Yes				
Sepi Richardson		Yes	Yes	Yes	Yes	Yes	Yes				
Steve Dworetzky		Yes	Yes	Yes		Yes					
Zoe Kersteen- Tucker			Yes	Yes	Yes	Yes	Yes				
Mark Olbert	NA	NA		Yes	Yes	Yes	Yes				
Andy Cohen	NA	NA		Yes							

ALUC 2012 Attendance Record							
	Name	Feb 16	Mar 22	June 21	Aug 23	Sept 27	
Aviation Representative	Newman, Rich / Ford, Carol	Yes	Yes	Yes	Yes	Yes	
Pilot Association	Auld, George / Eddie Andreini, Jr.	Yes	Yes	Yes	Yes	Yes	
Brisbane	O'Connell, Terry / Miller, Raymond	Yes	Yes	Yes	Yes	Yes	
Burlingame	Keighran, Anne / Deal, Jerry		Yes		Yes	Yes	
Daly City	Buenaventura, Raymond	Yes	Yes		Yes	Yes	
Foster City	Perez, Herb / Okamoto, Steve						
Half Moon Bay	Alifano, Allan / Patridge, Naomi	Yes	Yes	Yes			
Millbrae	Gottschalk, Robert			Yes	Yes	Yes	
Redwood City	Gee, Jeffrey	Yes	Yes	Yes	Yes		
San Bruno	Ibarra, Ken / Medina, Rico		Yes	Yes	Yes		
San Carlos	Grocott, Matt / Grassilli, Bob			Yes		Yes	
South San Francisco	Mullin, Kevin / Garbarino, Rich		Yes	Yes	Yes	Yes	
County of San Mateo	Pine, Dave / Groom, Carole	Yes	Yes	Yes	Yes		

BPAC 2012 ATTENDANCE REPORT

Name	April 26	August 23	September 27
Matt Grocott	Yes	Yes	Yes
Cathy Baylock	Yes	Yes	No
Karyl Matsumoto	Yes	Yes	Yes
Ian Bain	No	No	No
Ken Ibarra	No	Yes	No
Judi Mosqueda	Yes	Yes	Yes
David Alfano	Yes	Yes	Yes
Naomi Patridge	Yes	Yes	Yes
Cory Roay	Yes	No	No
Joel Slavit	Yes	Yes	Yes
Frank Markowitz	Yes	Yes	Yes
Steve Schmidt	Yes	Yes	Yes
Marge Colapietro	Yes	Yes	Yes
Cathleen Baker	Yes	Yes	Yes
Len Stone	Yes	No	Yes

Quorum = 8 + 4 elected officials

Yes = Present at meeting

No = Did not attend

Congestion Management Program Technical Advisory Committee (CMP TAC)

2012 TAC Roster and Attendance										
Member	Agency	Feb	Mar	Apr	May	Jul	Aug 16	Aug 30	Sep	Nov
Jim Porter (Co-Chair)	San Mateo County Engineering	x	x	x	x	x	x	x		
Joseph Hurley (Co-Chair)	SMCTA / PCJPB / Caltrain	x	x	x	x	x		x	x	x
Afshin Oskoui	Belmont Engineering	x	x	x	x	x	x		x	x
Randy Breault	Brisbane Engineering	x	x	x	x	x	x	x		x
Syed Murtuza	Burlingame Engineering	x		x	x	x	x	x	x	x
Bill Meeker	Burlingame Planning		x							
Lee Taubeneck	Caltrans			x	x		x	x	x	
Sandy Wong	C/CAG	x	x	x	x	x	x	x	x	x
Robert Ovadia	Daly City Engineering	x	x	x	x	x	x	x	x	x
Tatum Mothershead	Daly City Planning	x	x	x		x	x	x	x	x
Ray Towne	Foster City Engineering	x	x	x	x	x		x	x	x
Mo Sharma	Half Moon Bay Engineering	x	x	x	x	x	x	x	x	
Chip Taylor	Menlo Park Engineering	x	x	x	x	x	x	x		x
Ron Popp	Millbrae Engineering	x		x	x	x	x	x	x	x
Van Ocampo	Pacifica Engineering	x	x	x	x	x	x		x	x
Peter Vorametsanti	Redwood City Engineering	x	x	x	x		x		x	x
Klara Fabry	San Bruno Engineering	x	x		x	x			x	x
Jay Walter	San Carlos Engineering	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	x
Larry Patterson	San Mateo Engineering		x	x	x	x	x	x	x	
Steve Monowitz	San Mateo County Planning	x			x			x		
Brian McMinn	South San Francisco Engineering	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	x
Gerry Beaudin	South San Francisco Planning	n/a	n/a	n/a	x	x	x	x		x
Paul Nagengast	Woodside Engineering	x	x	x	x	x			x	
Kenneth Folan	MTC									

2012 NPDES TAC Attendance Record			Month											
AGENCY AND NAME	Telephone #	Email Address	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
SMCWPPP/ CCA														
Matt Fabry	599-1419	mfabry@co.sanmateo.ca.us	X	X	X	X	X	X		X	X		X	
Richard Napier	599-1420	rnapiere@co.sanmateo.ca.us		X		X	X				X			
Sandy Wong	599-1409	slwong@co.sanmateo.ca.us								X				
EOA, Inc.														
Jon Konnan	510 832-2852 x111	jkonnan@eoainc.com	X	X	X	X	X	X		X	X		X	
Adam Olivieri	510-832-2852x115	awo@eoainc.com												
Regional Board														
Sue Ma	510-622-2386	sma@waterboards.ca.gov												
Selina Louie	510-622-2383	slouie@waterboards.ca.gov												
Atherton														
Steve Tyler	752-0570	styler@ci.atherton.ca.us					X	X		X				
Belmont														
Gilbert Yau	595-7425	gyau@belmont.gov											X	
Leticia Alvarez	595-7469	lalvarez@belmont.gov	X		X		X			X	X			
Dalia Corpus	595-7468	dcorpus@belmont.gov												
Brisbane														
Randy Breault	415-508-2130	rbreault@ci.brisbane.ca.us	X				X				X		X	
Karen Kinser	415-508-2133	kkinser@ci.brisbane.ca.us												
Shelley Romriell	415-508-2128	sromriell@ci.brisbane.ca.us		X		X		X						
Burlingame														
Victor Voong	558-7230	vvoong@burlingame.org	X	X	X	X	X	X		X	X		X	
Eva Justimbaste		eva.justimbaste@veoliawaterna.com					X	X						
Steve Daldrup		stephen.daldrup@veoliawaterna.com			X	X	X	X		X			X	
Colma														
Muneer Ahmed	757-8888	muneer.ahmed@colma.ca.gov	X		X		X			X			X	
Brad Donohue				X		X		X			X		X	
Saied Mostafavi							X							
Daly City														
Cynthia Royer	991-8203	crover@dalcycity.org	X				X	X		X	X			
Jesse Myott	991-8054	jmyott@dalcycity.org		X	X						X		X	
East Palo Alto														
Michelle Daher	853-3165	mdaher@cityofepa.org	X	X	X	X	X	X					X	
Foster City														
Norm Dorais	286-3279	ndorais@fostercity.org		X	X		X	X		X	X		X	
Mike McElligott	286-8140	mmcelligott@fostercity.org												
Half Moon Bay														
Muneer Ahmed		muneer@csgengr.com	X		X		X			X			X	
Brad Donohue				X		X								
Laura Snideman								X			X			
Hillsborough														
Dave Bishop	375-7588	dbishop@hillsborough.net	X											
Jen Chen	375-7488	jchen@hillsborough.net									X			
Catherine Chan		cchan@hillsborough.net	X		X		X	X		X	X		X	
Menlo Park														
Rebecca Fotu	330-6765	rfotu@menlopark.org	X	X	X	X	X	X		X	X		X	
Fernando Bravo	330-6742	fgbravo@menlopark.org											X	

* January meeting held via conference call

2012 NPDES TAC Attendance Record			Month											
AGENCY AND NAME	Telephone #	Email Address	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Millbrae														
Khee Lim	259-2347	klim@ci.millbrae.ca.us	X					X		X	X			
Anthony Riddell	259-2337	ariddell@ci.millbrae.ca.us												
Kelly O'Dea	259-2448	kodea@ci.millbrae.ca.us			X	X								
Pacifica														
Raymund Donguines	738-3768	donguinesr@ci.pacifica.ca.us	X	X	X	X	X	X		X	X		X	
Elizabeth Claycomb	738-7361	claycombe@ci.pacifica.ca.us												
Portola Valley														
Howard Young	851-1700x214	hyoung@portolavalley.net		X						X				
Redwood City														
Marilyn Harang	780-7477	mharang@redwoodcity.org	X	X		X								
Peter Vorametsanti				X		X								
Harry Kwong	650-780-7473					X								
Terence Kyaw	780-7466	tkyaw@redwoodcity.org								X	X		X	
Charlie Drechsler		cdrechsler@redwoodcity.org											X	
San Bruno														
Gino Quinn	616-7169	gquinn@sanbruno.ca.gov						X		X	X			
Joseph Cervantes	616-7068	jcervantes@sanbruno.ca.gov								X	X			
Klara Fabry										X			X	
San Carlos														
Ray Chan		rchan@cityofsancarlos.org												
Jay Walter		jwalter@cityofsancarlos.org												
San Mateo, City														
Shelli St. Clair	522-7342	ssclair@cityofsanmateo.org	X	X	X		X	X		X				
Debra Bickel	522-7343	dbickel@cityofsanmateo.org								X	X			
Sandy Mathew	510-625-1580	sandym@lwa.com											X	
San Mateo, County														
Dermot Casey	372-6257	djcasey@co.sanmateo.ca.us		X	X	X	X	X		X			X	
Julie Casagrande	599-1457	jcasagrande@co.sanmateo.ca.us	X	X		X	X	X		X	X		X	
Mary Bell Austin	372-6259	maustin@co.sanmateo.ca.us												
Tim Swillinger	372-6245	tswillinger@co.sanmateo.ca.us												
Carole Foster		cfoster@smc.gov.org			X									
So. San Francisco														
Cassie Prudhel	829-3840	cassie.prudhel@ssf.net	X	X				X		X	X		X	
Rob Lecel	829-3882	rob.lecel@ssf.net			X	X	X							
Woodside														
Gratien Etchebehere	851-6790	getchebehere@woodsidetown.org					X							
Dong Nguyen	851-6790	dnguyen@woodsidetown.org			X	X		X			X		X	
Caltrans														
John Michels	510-622-5996	jmichels@caltrans.ca.gov					X							
Karen Mai		kmai@caltrans.ca.gov					X							
Guests/Public														
Geoff Brosseau, CASQA		geoff@brosseau.us									X			
Elise Sbarbori, TEC Accutite	650-616-1214	esbarbori@tecaccutite.com									X		X	
Attendance			18	19	19	19	25	22	0	25	25	0	25	0

* January meeting held via conference call

Legislative Committee 2012 Attendance Record						
Name	Jan 12	Feb 9	May 10	June 14	Aug 9	Dec 13
Irene O'Connell	Yes			Yes		Yes
Art Kiesel	Yes	Yes	Yes	Yes	Yes	Yes
Andrew Cohen	Yes	Yes				
Bob Grassilli	Yes	Yes	Yes	Yes	Yes	Yes
Deborah Gordon	Yes	Yes			Yes	
David Lim	Yes					
Don Horsley	Yes					
Gina Papan	Yes	Yes	Yes			Yes
Jerry Carlson	Yes	Yes	Yes	Yes		Yes
Kevin Mullin	Yes	Yes			Yes	
Mary Ann Nihart	Yes	Yes			Yes	
Sepi Richardson	Yes	Yes	Yes	Yes	Yes	Yes
Tom Kasten		Yes	Yes			

RMCP 2012 ATTENDANCE REPORT

* = Voting member

Quorum = 4 voting members

Blank space = Did not attend.

NA = Not a member during that time.

X = Meeting cancelled.

ALT = Alternate sent to meeting.

Vacant = Committee position is/was vacant.

Meeting Date		Jan 13	Feb 10	Mar 9	Apr 13	May 11	Jun 7	Jul 13	Aug 9	Sept 14	Oct 14	Nov 9	Dec 14
Elected Officials *	Name												
	Deborah Gordon * Chair		X	YES	X	YES	YES	X	X	YES	X		X
	Maryann Moise Derwin * Vice - Chair		X	YES	X	YES	YES	X	X	YES	X	YES	X
	Dave Pine *		X	YES	X	YES	YES	X	X	YES	X	ALT	X
	Barbara Pierce *	YES	X	YES	X	YES		X	X	YES	X	YES	X
	Sepi Richardson *	YES	X	YES	X	YES	YES	X	X	YES	X	YES	X
	Pedro Gonzalez *	YES	X	YES	X	YES	YES	X	X	YES	X	YES	X
Stakeholder Representatives	Noelle Bell-Copley Energy	YES	X	YES	X	YES	YES	X	X	YES	X	YES	X
	Nicole Sandkulla Water		X		X		ALT	X	X		X		X
	Kathy Lavezzo Utility	YES	X	YES	X	YES	YES	X	X	YES	X	YES	X
	Robert Cormia Nonprofit		X	YES	X	YES	YES	X	X	YES	X		X
	Lauren Swezey Large Business	YES	X	YES	X	YES		X	X		X		X
	Eric Sevim Small Business		X		X			X	X		X		X
	Jorge Jaramillo Chamber of Commerce	YES	X	YES	X	YES		X	X		X	ALT	X

C/CAG AGENDA REPORT

Date: February 14, 2013
TO: C/CAG Board of Directors
From: Sandy Wong, Executive Director
Subject: Review and approval of Measure M Fund Financial Statements (Audit) for the Year Ended June 30, 2012

(For further information or response to questions, contact Sandy Wong at 650 599-1409)

Recommendation:

Review and approval of Measure M Fund Financial Statements (Audit) for the Year Ended June 30, 2012 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 Measure M Fund for the year ended June 30, 2012. No issues were identified that required correction.

Attachments:

Measure M Statement of Net Assets and Governmental Fund Balance Sheet.

Measure M Fund Statement of Activities and Governmental Fund Revenues, Expenditures, and Changes in Fund Balance.

Measure M Fund Financial Statements (Audit) for the Year Ended June 30, 2012 - Provided to board members and alternate members separately, also available: www.ccag.ca.gov/ccag.html

ITEM 5.4

Measure Fund Financial Statements (Audit) for the
Year Ended June 30, 2012 - Provided separately

CITY/COUNTY ASSOCIATION OF GOVERNMENTS
OF SAN MATEO COUNTY

MEASURE M FUND
STATEMENT OF NET ASSETS AND GOVERNMENTAL FUND BALANCE SHEET
JUNE 30, 2012

	Measure M Fund	Adjustments	Statement of Net Assets
Assets:			
Cash and investments	\$ 4,798,643	\$ -	\$ 4,798,643
Accounts receivable	1,350,233	-	1,350,233
Total Assets	\$ 6,148,876	\$ -	\$ 6,148,876
Liabilities and Fund Balance:			
Liabilities:			
Accrued Expenses	\$ 1,595,233	\$ -	\$ 1,595,233
Accounts Payable	253,966	-	253,966
Total Liabilities	1,849,199	-	1,849,199
Fund Balance:			
Restricted for Measure M	4,299,677	(4,299,677)	-
Total Fund Balance	4,299,677	(4,299,677)	-
Total Liabilities and Fund Balance	\$ 6,148,876		
Net Assets:			
Restricted for Measure M		4,299,677	4,299,677
Total Net Assets		\$ -	\$ 4,299,677

CITY/COUNTY ASSOCIATION OF GOVERNMENTS
OF SAN MATEO COUNTY

MEASURE M FUND
STATEMENT OF ACTIVITIES AND GOVERNMENTAL FUND
REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
YEAR ENDED JUNE 30, 2012

	Measure M Fund	Adjustments	Statement of Activities
Revenues:			
From other agencies	\$ 6,889,991	\$ -	\$ 6,889,991
Cost reimbursement	150,389	-	150,389
Investment income	23,959	-	23,959
Total Revenues	7,064,339	-	7,064,339
Expenditures:			
Professional services	413,482	-	413,482
Distributions	2,824,534	-	2,824,534
Total Expenditures	3,238,016	-	3,238,016
Excess (Deficiency) of Revenues Over (under) Expenditures	3,826,323	-	3,826,323
Other Financing Sources (Uses):			
Transfers out	(550,000)	-	(550,000)
Total Other Financing Sources (Uses)	(550,000)	-	(550,000)
Net Change in Fund Balance/Net Assets	3,276,323	-	3,276,323
Fund Balance/Net Assets at Beginning of Year	286,241	-	286,241
Restatements	737,113	-	737,113
Fund Balances, Beginning of Year, as restated	1,023,354	-	1,023,354
Fund Balance/Net Assets at End of Year	\$ 4,299,677	\$ -	\$ 4,299,677

See Independent Auditors' Report and Notes to Financial Statements

C/CAG AGENDA REPORT

Date: February 14, 2013
TO: C/CAG Board of Directors
From: Sandy Wong - C/CAG Executive Director
Subject: Review and accept the C/CAG Single Audit Report for the Year Ended June 30, 2012

(For further information or response to questions, contact Sandy Wong at 650 599-1409)

Recommendation:

Review and accept the C/CAG Single Audit Report for the Year Ended June 30, 2012 in accordance with the staff recommendation.

Fiscal Impact:

None.

Revenue Source:

Federal Transportation Funds.

Background/ Discussion:

An independent Single Audit Report was performed on C/CAG for the year ended June 30, 2012. This audits the federal funds C/CAG received for programs. No issues were identified that required correction.

Attachment:

- Excerpts from Single Audit Report - for the Year Ended June 30, 2012
- Single Audit Report for Year Ended June 30, 2012 – Provided to Board members and alternate members separately, also available: www.ccag.ca.gov/ccag.html

ITEM 5.5

C/CAG Single Audit Report for the
Year Ended June 30, 2012 - Provided separately
Also available on-line at www.ccag.ca.gov

CITY/ COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
FOR THE FISCAL YEAR ENDED JUNE 30, 2012

<u>Federal Grantor/Pass-Through Grantor/Program Title</u>	<u>Federal CFDA Number</u>	<u>Pass-Through Grantor's Number</u>	<u>Expenditures</u>
<u>U.S. Department of Transportation</u>			
Passed through the State of California, Department of Transportation: Highway Planning and Construction*	20.205	STPCML-6084(152)	\$ 1,003,989
		STPCML-6419(013)	150,389
		STPCML-6084(137)	70,000
Total U.S. Department of Transportation			<u>1,224,378</u>
Total Federal Expenditures			<u>\$ 1,224,378</u>

* Major Program

Note a: Refer to Note 1 to the schedule of expenditures of federal awards for a description of significant accounting policies used in preparing this schedule.

Note b: There was no federal awards expended in the form of noncash assistance and insurance in effect during the year.

Note c: Total amount provided to subrecipients during the year was \$0.

CITY/ COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2012

SECTION I - SUMMARY OF AUDITORS' RESULTS

Financial Statements

Type of auditors' report issued: Unqualified Opinion

Internal control over financial reporting:

- Significant deficiencies identified? yes no
- Significant deficiencies identified that are considered to be material weaknesses? yes none reported

Noncompliance material to financial statements noted? yes no

Federal Awards

Internal control over major programs:

- Significant deficiencies identified? yes no
- Significant deficiencies identified that are considered to be material weaknesses? yes none reported

Type of auditors' report issued on compliance for major programs: Unqualified Opinion

Any audit findings disclosed that are required to be reported in accordance with Section 510(a) of Circular A-133? yes no

Identification of major programs:

<u>CFDA Number(s)</u>	<u>Name of Federal Program or Cluster</u>
20.205	Highway Planning and Construction

Dollar threshold used to distinguish between type A and type B program \$300,000

Auditee qualified as low-risk auditee? yes no

C/CAG AGENDA REPORT

Date: February 14, 2013
To: City/County Association of Government Board of Directors
From: Kim Springer
Subject: Review and Approval of Resolution 13-06 Establishing a Background Check Policy for Staff Working on the San Mateo County Energy Watch, Local Government Partnership with PG&E and for Future Contracts with Similar Requirements.

(For further information, contact Kim Springer at 650-599-1412 or Sandy Wong at 650-599-1409)

RECOMMENDATION

Adopt Resolution 13-06 Establishing a Background Check Policy for Staff Working on the San Mateo County Energy Watch, Local Government Partnership with PG&E and for Future Contracts with Similar Requirements.

FISCAL IMPACT

Approximately \$75 per background check required.

SOURCE OF FUNDS

Costs will be paid by C/CAG from a fund consistent with the scope of the project or contract.

BACKGROUND/DISCUSSION

On December 7, 2012, the C/CAG Board adopted a resolution authorizing the C/CAG Chair to execute an agreement between C/CAG and PG&E for the 2013 through 2014 program cycle of the San Mateo County Energy Watch (SMCEW).

The General Conditions of the previous contract were amended, adding in a new exhibit (Exhibit 8, attached for your review), that requires C/CAG to have a background check policy for “all new staff that may perform any work on the property of a PG&E customer”. Any current employees having worked on the program for more than twelve months are not required to undergo a background check.

Resolution 13-06 (attached for your review) establishes a background check policy consistent with the new requirements of the amended General Conditions and for potential future contracts with similar requirements.

Attachments

- Resolution No. 13-06
- Exhibit 8 – PG&E Background Check Requirements

ITEM 5.6

RESOLUTION NO. 13-06

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) ESTABLISHING A BACKGROUND CHECK POLICY FOR STAFF WORKING ON THE SAN MATEO COUNTY ENERGY WATCH, LOCAL GOVERNMENT PARTNERSHIP WITH PG&E AND FOR FUTURE CONTRACTS WITH SIMILAR REQUIREMENTS.

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

WHEREAS, C/CAG has entered into a Local Government Partnership (LGP) Agreement between C/CAG and PG&E for the 2013 through 2014 program cycle; and

WHEREAS, the said LGP Agreement requires that C/CAG have a Background Check Policy for prospective employees working on the property of PG&E customers; and

WHEREAS, C/CAG, through other scopes of work and agreements, may be required to have a background check policy;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that a Background Check Policy is established for staff working on the San Mateo County Energy Watch, Local Government Partnership with PG&E and for future contracts with similar requirements (Contracts), and that the Background Check Policy is the following:

Background Check:

- 1- Includes, at a minimum, a search using a federal, state and municipal database to determine if an individual has been convicted of a felony or misdemeanor for any of the following crimes: arson, assault, battery, burglary, driving under the influence (DUI), domestic violence, larceny, manslaughter, murder, theft (including but not limited to identity theft), sexual crimes, felony drug conviction, and any crimes against children; and
- 2- the requirement that employees be drug and alcohol-free at work.

Failure to Pass the Background Check:

- 1- A current or prospective employee will be deemed to have "failed to pass the background check" if he/she has been convicted of more than one DUI within the past 3 years, or of any of the other felonies and misdemeanors listed in #1 within the past seven (7) years, or
- 2- is shown by testing to be under the influence of drugs or alcohol at work.
- 3- Failure to pass the background check shall prohibit a current or prospective employee from working on said Contracts and shall result in a decision to not hire a prospective employee.

Applicability to Current and Contracted Staff:

1- The requirements under Background Check - 1 do not apply to employees that have been employed by C/CAG and who have been working on said Contract since prior to January 1, 2012; and

2- C/CAG subcontractors to said Contracts may be required to meet the same conditions as required above.

PASSED, APPROVED, AND ADOPTED THIS 14TH DAY OF FEBRUARY, 2013.

Bob Grassilli, Chair

**EXHIBIT 8
BACKGROUND CHECK**

Contractor's Actions & Responsibilities:

1. Contractor shall represent and warrant all new employees that may perform any work on the property of a PG&E customer, has undergone the Contractor's background investigation check and is listed in the BACKGROUND INVESTIGATION POLICY Compliance Certificate. Contractor shall submit a BACKGROUND INVESTIGATION POLICY Compliance Certificate for each employee who performs any work on the property of a PG&E customer.
 - a. Contractor represents and warrants that it has a security background check policy which includes, at a minimum, a search using federal, state and municipal databases (e.g., Global Watch Search, National Federal Crime Search, National Crime Database, etc.) to determine if an individual has been convicted of a felony or misdemeanor for any of the following crimes: arson, assault, battery, burglary, driving under the influence, domestic violence, larceny, manslaughter, murder, theft (including but not limited to identity theft) sexual crimes, felony drug conviction, and any crimes against children (the "Background Check"). The background check may be satisfied by using the County of San Mateo's fingerprinting system.
 - b. Contractor represents and warrants that each new Contractor employee that will perform any work on the property of a PG&E customer has successfully passed the Background Check and has not been convicted of any of the felonies or misdemeanors listed in the Background Check within the past seven (7) years OR has been working for the past (most recent) 12 consecutive months in a PG&E Energy Efficiency Program without incident.
 - c. Contractor shall ensure that said new Contractor employees shall be in compliance with the Background Check throughout the Contractor's participation during the Term of the PG&E Program and shall submit a BACKGROUND INVESTIGATION POLICY Compliance Certificate, located in the Contractor Handbook/Manual, at the start of each calendar year.
 - d. Notwithstanding anything to the contrary herein, if an individual has been convicted for driving under the influence or a similar offense ("DUI Conviction") during the past three (3) years, the individual may be eligible to perform work on the property of a PG&E customer provided the individual has no more than one (1) DUI Conviction within the last three (3) years.
 - e. Contractor further represents and warrants that it will not assign or permit any new employee to perform work on the property of a PG&E customer that has not undergone and passed Contractor's security background check.
 - f. If requested by PG&E or the implementer of the Program, any new personnel to be assigned by Contractor to perform work on customer property will, prior to commencing such work, execute the necessary consents and releases to allow a third party agency acting on its own behalf to, without liability to Contractor's personnel, collect and check the criminal background and qualifications of such personnel as permitted by applicable law.
 - g. Warrant that Contractor's leadership (Executive Director) have no prior conviction of crimes identified in Section 1.a above as well as any lawsuits or liens filed against the Contractor within the previous seven years.

2. If Contractor uses any subcontractors to perform services under the Program, then the Contractor shall require subcontractors to enter into a subcontract by which they agree to ~~comply with all obligations and requirements imposed on Contractor under this Contract,~~ including but not limited to those with respect to safety, confidentiality, insurance, and indemnification. Contractor agrees that Contractor is solely responsible for any acts or omissions of its subcontractors and any breach of this Contract by Contractor's subcontractors constitutes breach by Contractor. Contractor agrees to notify PG&E of subcontractors that will be performing services under the Program.
- a. Drug and Alcohol Policy. Contractor employee and its subcontractors that perform any work on the property of a PG&E customer is and shall be drug and alcohol-free while performing any work on PG&E customer property.
 - b. Social Security Number Trace. Contractor has verified the identity and work authority of its employees who will perform work under the PG&E Program and all employees are in compliance with the U.S. immigration laws.
 - c. Contractor will provide the following information on their Technicians who will be participating in the program: Name, years of experience, and credentials held.

C/CAG AGENDA REPORT

Date: February 14, 2013
To: C/CAG Board of Directors
From: Sandy Wong, Executive Director
Subject: Receive information on the Caltrain Go Pass program

(For further information please contact Tom Madalena at 650-599-1460)

RECOMMENDATION

That the C/CAG Board of Directors receive this informational report on the Caltrain Go Pass program.

FISCAL IMPACT

There will be no fiscal impact.

SOURCE OF FUNDS

Not applicable

BACKGROUND/DISCUSSION

At the December 13, 2012 C/CAG Board of Directors meeting, the Board requested for staff to provide information on the Caltrain Go Pass program.

The Go Pass is an annual pass purchased by employers for all of their full-time regular employees. A Go Pass sticker is affixed to an employee identification badge, and the employee presents it on Caltrain as proof of payment. The Go Pass is good for travel on Caltrain between all zones, seven days a week, for one low annual cost per employee. The Go Pass is valid for a calendar year and expires on Dec. 31st each year. The Go Pass is not available for purchase by individuals and it cannot be used on other transit systems. Parking must be purchased separately as it is not included with the Go Pass.

The Go Pass program is open to employers of any size. Participating employers pay an annual fee to provide the Go Pass to every regular, full-time employee working more than 20 hours per week, excluding contractors, temporary employees and consultants, regardless of how many employees utilize the program and transit pass. The current total cost of participating in the Go

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Pass program is the greater of \$165 per employee or \$13,750. The cost is pro-rated when the employer joins the program for less than a full year.

The Caltrain Go Pass program offers employers a way to encourage and help employees commute via Caltrain. There is a sweet spot with the pricing that can make it a very affordable benefit for employers to provide for their employees. Essentially it costs the greater of \$165 per eligible employee or \$13,750 for annual Caltrain passes for all eligible employees. If an employer has more than 83 employees ($\$13,750$ divided by $\$165$ equals approximately 83) it becomes less and less affordable as you increase the amount of employees that an employer would have to pay for in order to participate. On a case by case basis employers would have to crunch the numbers to determine how many employees are utilizing Caltrain along with the monthly cost for the Caltrain tickets as compared to the yearly cost for the Go Pass program in order to determine whether it would be a cost-effective program for them.

To participate in the Go Pass program, employers sign a written agreement with Caltrain, have an acceptable photo identification badge where the company can affix the Go Pass sticker and track the employee distribution of Go Passes. Employees receiving a Go Pass sticker are required to fill out an online survey.

Information on the Go Pass program can be found on the Caltrain website through this link http://www.caltrain.com/Fares/tickettypes/Go_Pass.html.

C/CAG AGENDA REPORT

Date: February 14, 2013

To: City/County Association of Governments Board of Directors

From: Sandy Wong, Executive Director

Subject: Review and approval of Resolution 13-04 authorizing the C/CAG Chair to execute an agreement with Jacobs Engineering Group to provide traffic monitoring service for the 2013 Congestion Management Program (CMP) update in an amount not to exceed \$61,202.88

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

RECOMMENDATION

That the C/CAG Board review and approve Resolution 13-04 authorizing the C/CAG Chair to execute of an agreement with Jacobs to provide traffic monitoring service for the 2013 Congestion Management Program (CMP) update in an amount not to exceed \$61,202.88.

FISCAL IMPACT

\$61,202.88

SOURCE OF FUNDS

Funding source will come from Federal Surface Transportation Program (STP) Planning Grant and C/CAG member agencies funds.

BACKGROUND/DISCUSSION

Every two years C/CAG, as the Congestion Management Agency for San Mateo County, is required to measure the roadway Level of Service (LOS) and conduct other activities to determine compliance with the Congestion Management Program (CMP). The CMP roadway system that are monitored includes 16 intersections and 53 roadway segments. The last monitoring update was performed in 2011.

In 2010, following the C/CAG adopted Procurement Policy, Jacobs Engineering Group was selected to provide the monitoring services for the 2011 CMP. The scope of work included conducting traffic counts and performing level of service calculations on the CMP intersections and roadway segments using approved methodologies, monitoring travel time performances for the US 101 corridor for automobiles and transit, and providing C/CAG expanded capabilities for

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enhancing congestion management programs in San Mateo County. The cost for performing the 2011 CMP monitoring was \$55,822.02.

Since this work is performed on a biennial basis, a provision was included in the original agreement with Jacobs Engineering Group providing C/CAG the option to renew the agreement based on satisfactory performance, for an additional four years (2 additional two-year cycles) that includes services for the 2013 and 2015 CMPs. Staff was satisfied with the consultant's work, work products, and timeliness of deliverables from the 2011 CMP LOS monitoring project and therefore recommends exercising the option to retain Jacobs Engineering Group for the 2013 CMP LOS monitoring.

The scope of work proposed for the 2013 CMP LOS monitoring is essential the same as the previous effort with the additional analysis and research to compare trends between 2011 and 2013 data sets and prepare for the eventual changes to the Highway Capacity Manual 2010 in the 2015 CMP update. C/CAG currently references the 1994 and 2000 manuals when calculating LOS. In addition, at the request of staff, consultant will develop a database for the purpose of enabling C/CAG additional data analysis capabilities. The cost for the 2013 CMP, taking into account the additional analyses, is \$61,202.88, which is about a 10% increase from the 2011 contract.

Staff requests that the C/CAG Board waive the RFP/RFQ process and enter into a new contract with Jacobs Engineering Group for the 2013 CMP LOS monitoring.

ATTACHMENTS

- Resolution 13-04
- Agreement between C/CAG and Jacobs Engineering Group

RESOLUTION 13-04

**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 AN
AGREEMENT WITH JACOBS ENGINEERING GROUP TO PROVIDE
TRAFFIC MONITORING SERVICES FOR THE 2013 CONGESTION
MANAGEMENT PROGRAM (CMP) IN AN AMOUNT NOT TO EXCEED
\$61,202.88**

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 California Government Code requires Congestion Management Agencies to develop and monitor Congestion Management Programs; and

WHEREAS, C/CAG has determined that outside consulting services are needed for the conducting the monitoring of the 2013 Congestion Management Program; and

WHEREAS, C/CAG selected Jacobs Engineering Group through a competitive process to provide these services for the 2011 CMP monitoring; and

WHEREAS, C/CAG exercises the option to retain Jacobs Engineering Group for the 2013 CMP monitoring.

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 Jacobs Engineering Group in the amount not to exceed \$61,202.88. 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. This agreement is attached hereto and is in a form that has been approved by C/CAG Legal Counsel.

PASSED, APPROVED, AND ADOPTED THIS 14TH DAY OF FEBRUARY 2013.

Bob Grassilli, Chair

AGREEMENT BETWEEN
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
AND
JACOBS ENGINEERING GROUP

This Agreement entered this ____ day of _____, 2013, by and between the City/County Association of Governments of San Mateo County, a joint powers agency, hereinafter called "C/CAG" and Jacobs Engineering Group, hereinafter called "Contractor."

W I T N E S S E T H

WHEREAS, C/CAG is a joint powers agency formed for the purpose of preparation, adoption and monitoring of a variety of county-wide state-mandated plans; and,

WHEREAS, C/CAG is prepared to award funding for conducting the San Mateo County 2013 Congestion Management Program monitoring; and

WHEREAS, C/CAG has determined that Contractor has the requisite qualifications to perform this work.

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

1. Services to be provided by Contractor. In consideration of the payments hereinafter set forth, Contractor agrees to perform the services described in Exhibit A, attached hereto (the "Services").
2. Payments. In consideration of Contractor providing the Services, C/CAG shall reimburse Consultant based on the fee schedule set forth in Exhibit B up to a maximum amount of sixty one thousand two hundred two dollars and eighty eight cents (\$61,202.88) for Services provided during the Contract Term as set forth below. The hours stated in Exhibit B are intended to be an estimate of the amount of time Contractor expects to spend on each task. Payments shall be made to contractor monthly based on an invoice submitted by contractor that identifies expenditures and describes services performed in accordance with the agreement. C/CAG shall have the right to receive, upon request, documentation substantiating charges billed to C/CAG.
3. Relationship of the Parties. It is understood that Contractor is an Independent Contractor and 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. Contractor shall not assign this Agreement or any portion thereof to a third party.

5. Contract Term. This Agreement shall be in effect as of _____ and shall terminate on September 30, 2013; provided, however, C/CAG may terminate this Agreement at any time for any reason by providing 30 days' notice to Contractor. Termination to be effective on the date specified in the notice. In the event of termination under this paragraph, Contractor shall be paid for all Services provided to the date of termination.
6. Hold Harmless/ Indemnity: Contractor shall indemnify and save harmless C/CAG, its agents, officers and employees from all claims, suits or actions to the extent caused by the negligence, errors, acts or omissions of the Consultant, its agents, officers or employees related to or resulting from 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: Contractor or any subcontractors performing the services on behalf of Contractor 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. Contractor 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 Contractor's coverage to include the contractual liability assumed by the Contractor pursuant to this Agreement. These Certificates shall specify or be endorsed to provide that thirty (30) days notice must 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: Contractor shall have in effect, during the entire life of this Agreement, Workers' Compensation and Employer Liability Insurance providing full statutory coverage.

Liability Insurance: Contractor shall take out and maintain during the life of this Agreement such Bodily Injury Liability and Property Damage Liability Insurance as shall protect C/CAG, its employees, officers and agents while performing work covered by this Agreement from any and all claims for damages for bodily injury, including accidental death, as well as any and all operations under this Agreement, whether such operations be by the Contractor or by any sub-contractor or by anyone directly or indirectly employed by either of them. 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	_____
b. Workers' Compensation	\$ Statutory	_____

C/CAG and its officers, agents, employees and servants shall be named as additional insured on any such policies of insurance, which shall also contain a provision that the insurance afforded thereby to C/CAG, its officers, agents, employees and servants shall be primary insurance to the full limits of liability of the policy, and that if C/CAG, or its officers 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 Chairperson, at his/her option, 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 Contractor and any subcontractors performing the services on behalf of the Contractor 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.
9. Compliance with MTC Contract. The Contractor HAS BEEN PROVIDED A COPY OF THE Interagency Agreement Between C/CAG and the Metropolitan Transportation Commission (the "MTC Agreement") and acknowledges that Contractor is a contractor to C/CAG or a subcontractor under the MTC Agreement. Accordingly, Contractor agrees: that provisions of the MTC Agreement relating to contractors and subcontractors of C/CAG apply to Contractor; that said provisions are agreed to by Contractor and incorporated herein; and that Contractor will comply with all contract requirements contained in the MTC Agreement with regard to contractors and subcontractors, specifically including provisions and attachments relate to Fair Employment Practices and Nondiscrimination Assurances."
10. Compliance with All Laws. Contractor 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.
11. Substitutions: If particular people are identified in this Agreement are providing services under this Agreement, the Contractor 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.

12. Sole Property of C/CAG. Work products of Contractor which are delivered under this Agreement or which are developed, produced and paid for under this Agreement, shall be and become the property of C/CAG. Contractor shall not be liable for C/CAG's use, modification or re-use of products without Contractor's participation or for purpose other than those specifically intended pursuant to this Agreement.
13. Agreement Renewal. This Agreement may be renewed for an additional two years (one 2-year cycle that includes services for the 2015 CMP) upon the mutual agreements and approval by the C/CAG Board and Contractor.
14. Access to Records. C/CAG, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the Contractor which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcriptions.

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

15. 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 signed 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.
16. 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.
17. 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
555 County Center, 5th Floor
Redwood City, CA 94063
Attention: John Hoang

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

Jacobs Engineering Group
707 17th Street, #2400

Denver, Colorado 80202
Attention: Chris Primus

18. Force Majeure. Any delays in or failure of performance by the C/CAG or the Contractor, other than the payment of money, shall not constitute default hereunder if and to the extent such delays or failures of performance are caused by occurrences beyond the reasonable control of the C/CAG or the Contractor, as the case may be, including but not limited to, acts of God or the public enemy; compliance with any order or request of any governmental authority; fires, floods, explosion, accidents; riots, strikes or other concerted acts of workmen, whether direct or indirect; or any causes, whether or not of the same class or kind as those specifically named above, which are not within the reasonable control of the C/CAG or the Contractor respectively. In the event that any event of force majeure as herein defined occurs, Contractor shall be entitled to a reasonable extension of time for performance of its services under this Agreement.

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

Jacobs Engineering Group (Contractor)

By _____

Date

City/County Association of Governments (C/CAG)

By _____
Bob Grassilli, C/CAG Chair

Date

C/CAG Legal Counsel

By _____

EXHIBIT A

SCOPE OF SERVICES

1. Collect Available Data

CONSULTANT, with assistance as needed from C/CAG, shall request performance data currently available for the CMP roadway system and intersections from the California Department of Transportation (Caltrans) and from the Public Works and Planning Departments of C/CAG member agencies to help reduce the data collection effort. This data request will include PeMS 15-minute volumes (mainlane and ramps) during study periods for the loop detectors within San Mateo County.

2. Conduct Counts/Surveys

CONSULTANT shall conduct 2013 intersection turning movement counts, including bicycle and pedestrian movements, at the 16 CMP intersections including:

1. Bayshore & Geneva
2. SR 35 & John Daly Blvd.
3. SR 82 & Hillside/John Daly
4. SR 82 & San Bruno Ave.
5. SR 82 & Milbrae Ave.
6. SR 82 & Broadway
7. SR 82 & Park-Peninsula
8. SR 82 & Ralston
9. SR 82 & Holly
10. SR 82 & Whipple Ave.
11. SR 84 & University
12. SR 84 & Willow
13. SR 84 & Marsh Rd.
14. SR 84 & Middlefield
15. SR 92 & SR 1
16. SR 92 & Main St.

2013 three-day (72-hour) machine counts will be conducted at 23 CMP arterial and rural highway segments including:

1. SR 1 - Linda Mar Blvd. to Frenchmans Creek Rd. (south of Etheldore St.)
2. SR 1 - Frenchmans Creek Rd. to Miramontes (between Terrance and Grandview)
3. SR 1 - Miramontes Rd. to Santa Cruz County line (north of SR 84)
4. SR 35 - San Francisco County line to Sneath (north of John Daly)

5. SR 35 – Sneath to I-280 (between San Bruno & I-280)
6. SR 35 – I-280 to SR 92 (between Bunker Hill & SR 92)
7. SR 35 – SR 92 to SR 84 (approx. 2 miles south of SR 92)
8. SR 35 – SR 84 to Santa Clara County line (south of SR 84)
9. SR 82 – SR 84 to Glenwood Ave. (south of SR 84)
10. SR 82 – Glenwood Ave. to Santa Cruz Ave. (between Glenwood & Oak Grove)
11. SR 82 – Santa Cruz Ave. to Santa Clara County line (between Santa Cruz & Ravenswood)
12. SR 84 – SR 1 to Portola Rd. (east of Skyline/SR 35)
13. SR 84 – Portola Rd. to I-280 (west of Kings Mountain Rd.)
14. SR 84 – I-280 to Alameda de Las Pulgas (east of I-280)
15. SR 84 - Alameda de Las Pulgas to US 101 (east of Middlefield)
16. SR 84 – US 101 to Willow (east of Marsh)
17. SR 84 – Willow to University (east of Willow)
18. SR 84 – University to Alameda County line (east of University)
19. SR 92 – SR 1 to I-280 (east of Main)
20. SR 92 – I-280 to US 101 (west of Ralston Ave.)
21. SR 92 – US 101 to Alameda County line (east of Foster City Blvd.)
22. SR 109 – Kavanaugh to SR 84 (south of SR 84)
23. SR 114 – US 101 to SR 84 (south of SR 84)

Travel time surveys will be conducted during the AM and PM weekday peak periods for the 83.2 centerline miles of freeways to measure average speeds. A minimum of five (5) complete runs will be conducted for each freeway segment in each direction including:

- SR 92 (I-280 to Alameda County line) – 11.5 miles
- US 101 (San Francisco County line to San Clara County line) – 32.9 miles
- I-280 (San Francisco County line to San Clara County line) – 27.8 miles
- I-380 (I-280 to Airport Access Rd.) – 2.0 miles
- SR 1 (San Francisco County line to Linda Mar Blvd.) – 9.0 miles

Five (5) weekday travel time runs along US 82 will be included 2013 similar to 2011 for comparison purposes:

- US 82 (San Francisco County line to SR 84) – 22.0 miles

3. Conduct Level of Service (LOS) Calculations

In order to be consistent with previous studies through 2011, the CONSULTANT shall once again calculate the levels of service for the CMP roadway system and intersections utilizing the methods according to the Highway Capacity Manual (2000 HCM).

4. Incorporate Exemptions

CONSULTANT shall re-evaluate locations that are found to exceed their LOS Standard and account for the required exemptions (interregional traffic - trips originating from outside the County, traffic from low and very low income households, traffic from development within ¼ mile of transit stations, etc.) A link analysis will be conducted using the San Mateo County model to estimate traffic reductions caused by the exemptions. Locations with LOS Standard violations will be forwarded on to C/CAG for deficiency plan notification.

5. Conduct Travel Time Surveys for Single-Occupant Automobiles, Carpools, and Transit on Route 101 Corridor

CONSULTANT shall use the travel times surveys conducted during the Task 2 to represent travel times for single-occupant automobiles. Five (5) travel time surveys for carpools will be conducted in both directions for the HOV lanes on U.S. 101 during both AM and PM peak periods. The length of the runs along US 101 will be from the San Francisco County line to the Santa Clara County line. The HOV lane does not currently extend the full length of US 101 between the counties, so the drivers will utilize the general purpose lanes for the duration of the runs for the full limits.

Transit schedules will be used to estimate travel times via bus and rail. Transit agencies will be contacted to confirm that the schedules are reflective of actual travel times.

6. Evaluate Bicycle and Pedestrian Measure

CONSULTANT shall review the CMP CIP projects to ascertain whether pedestrian and bicycle travel is accommodated in new transportation projects.

7. Collect and Analyze Transit Ridership Data

CONSULTANT shall collect available ridership data from SamTrans, BART, and CalTrain. The data will be used to compare ridership among the different transit modes.

8. Analyze Data

CONSULTANT shall coordinate with C/CAG and analyze study data in order to evaluate various potential scenarios including: implemented projects since 2011 study, comparison and trends between 2011 and 2013 data sets, specific bottleneck analysis, corridor analysis, etc.), not to exceed 16 hours. A task budget will be included within the budget and only upon

written communication and authorization by C/CAG will the analysis task(s) be performed and these funds be expended.

9. Prepare Documentation

CONSULTANT shall prepare and submit a draft report of the monitoring process including tables and maps. All of the level of service calculations and collected data will be submitted in a Technical Appendix.

Deliverable: electronic draft report for C/CAG review and final report (electronic and five (5) hard copies) reflecting any written comments made by staff; technical appendix including summary tables and intersection analysis.

10. Prepare Access Base Deliverable

In order to maximize the accessibility of the project data, in addition to the hardcopy report and appendix as included in Task 9, the CONSULTANT shall prepare a deliverable that may include GIS shapefiles and/or Microsoft Access Databases. The final deliverable will be coordinated with C/CAG in order to match the deliverable with the staff and planned users. The C/CAG staff will be provided instruction on the use of the deliverable.

Deliverables: GIS databases and all support reference layers used to produce analysis and figures; Microsoft Access database suitable for staff use in addition to GIS files

11. Attend Meetings

CONSULTANT will hold monthly webex coordination meetings with C/CAG staff to highlight progress and preliminary results. CONSULTANT shall attend one committee meeting during the study to present the final results.

EXHIBIT B

FEE SCHEDULE

Fee proposal for Required Scope of Work City/County Association of Governments (C/CAG) of San Mateo 2013 Congestion Management Program Personnel		2013 LOS Monitoring Team								Totals (Overhead and profit charged only for Jacobs)				
		Daily Project Manager Steve Taylor	Jacobs Engineering PM	Jacobs Engineering Programming	Jacobs Engineering GIS/Traffic Engineering	72-hour Tube Counts	Intersection Turning Movement Counts (2-people)	Intersection Turning Movement Counts (1-person)	All Traffic Data Travel Time Data Collectors					
No.	Task Description	\$200.00	\$65.00	\$55.00	\$40.00	\$147.25	\$356.25	\$237.50	\$99.75	Hours	Base Fee	Overhead	Profit	Total by Task
												1.2301	10%	
1	Collect Available Data	4	0	0	0					4	\$800.00	\$0.00	\$0.00	\$800.00
	Collection Available Data from Caltrans & C/CAG	4								4	\$800.00	\$0.00	\$0.00	\$800.00
2	Conduct Counts / Surveys	22	2	32	42	23	10	6	30	128	\$19,336.75	\$4,391.46	\$796.15	\$24,524.35
	Complete travel time runs for 2011 corridors	10							30	40	\$4,992.50	\$0.00	\$0.00	\$4,992.50
	Process & QC weekly travel time runs	10	2	32	40					84	\$5,490.00	\$4,293.05	\$778.30	\$10,561.35
	Perform & Code Intersection TMC and 72-hour counts	2			2	23	10	6		4	\$8,854.25	\$98.41	\$17.84	\$8,970.50
3	Conduct Level of Service (LOS) Calculations	8	0	0	24					32	\$2,560.00	\$1,180.90	\$214.09	\$3,954.99
	Calculate LOS consistent with previous studies appr for trending analysis	8			24					32	\$2,560.00	\$1,180.90	\$214.09	\$3,954.99
4	Incorporate Exemptions	10	0	0	0					10	\$2,000.00	\$0.00	\$0.00	\$2,000.00
	Coordinate with C/CAG to determine inter-regional trips from model	4								4	\$800.00	\$0.00	\$0.00	\$800.00
	Reflect reduction in trips in LOS tables for applicable roadway segments	4								4	\$800.00	\$0.00	\$0.00	\$800.00
	Collect and Document transit travel times from providers thru C/CAG	2								2	\$400.00	\$0.00	\$0.00	\$400.00
5	Conduct Carpool Travel Time Surveys	4	0	0	0				15	19	\$2,296.25	\$0.00	\$0.00	\$2,296.25
	Perform HOV travel time runs								15	15	\$1,496.25	\$0.00	\$0.00	\$1,496.25
	Process HOV travel time runs	2								2	\$400.00	\$0.00	\$0.00	\$400.00
	Produce HOV tabular travel times	2								2	\$400.00	\$0.00	\$0.00	\$400.00
6	Evaluate Bicycle and Pedestrian Measures	2	0	0	0					2	\$400.00	\$0.00	\$0.00	\$400.00
	Coordinate with C/CAG to document Bike/Ped programs	2								2	\$400.00	\$0.00	\$0.00	\$400.00
7	Collect and Analyze Transit Ridership Data	4	0	0	0					4	\$800.00	\$0.00	\$0.00	\$800.00
	Coordinate with C/CAG to collect & document ridership values from providers	4								4	\$800.00	\$0.00	\$0.00	\$800.00
8	Analyze Data	16	0	0	0					16	\$3,200.00	\$0.00	\$0.00	\$3,200.00
	Detailed analysis as identified by C/CAG	16								16	\$3,200.00	\$0.00	\$0.00	\$3,200.00
9	Prepare Documentation	32	2	4	24					62	\$7,710.00	\$1,611.43	\$292.14	\$9,613.57
	Prepare Draft & Final Report	32	2	4	24					62	\$7,710.00	\$1,611.43	\$292.14	\$9,613.57
10	Prepare Access Database Deliverable	2	0	16	0					18	\$1,280.00	\$1,082.49	\$196.25	\$2,558.74
	Prepare Access Database for added flexibility	2		16						18	\$1,280.00	\$1,082.49	\$196.25	\$2,558.74
11	Attend Meetings	30	8	8	16					62	\$7,600.00	\$1,968.16	\$356.82	\$9,924.98
	Monthly Webex progress meetings	10	8	8	16					42	\$3,600.00	\$1,968.16	\$356.82	\$5,924.98
	One meeting/presentation in San Mateo	20								20	\$4,000.00	\$0.00	\$0.00	\$4,000.00
Exp	Expenses	\$930	\$200								\$1,130.00			\$1,130.00
	Base Scope Hrs	134	12	60	106	23	10	6	45	357	\$49,113.00	\$10,234.43	\$1,855.44	\$61,202.88

C/CAG AGENDA REPORT

Date: February 14, 2013
To: City/County Association of Governments Board of Directors
From: Sandy Wong, Executive Director
Subject: Review and approval of the appointments of Councilmember Clifford Lentz of Brisbane and Mayor Elizabeth Lewis of Atherton to the Congestion Management & Environmental Quality (CMEQ) Committee and also approve the appointment of Vice Mayor Laurence May of the Town of Hillsborough to the Legislative Committee.

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

RECOMMENDATION

That the Board review and approve the appointments of Councilmember Clifford Lentz of Brisbane and Mayor Elizabeth Lewis of Atherton to the Congestion Management & Environmental Quality (CMEQ) Committee and also approve the appointment of Vice Mayor Laurence May of the Town of Hillsborough to the Legislative Committee.

FISCAL IMPACT

None.

BACKGROUND/DISCUSSION

Currently, there are two vacant elected seats on the Congestion Management and Environmental Quality Committee (CMEQ) Committee, vacated by former Councilmembers Andy Cohen of Menlo Park and Sepi Richardson of Brisbane. There are also four vacant elected seats on the Legislative Committee, vacated by former Councilmembers Andy Cohen of Menlo Park, Sepi Richardson of Brisbane, Kevin Mullin of South San Francisco, and former Mayor Tom Kasten of Hillsborough.

Recruitment letters were sent in December 2012 to all elected officials in San Mateo County. Letters of interest were received from Councilmember Clifford Lentz of Brisbane and Mayor Elizabeth Lewis of Atherton for the CMEQ Committee. A letter of interest was received from Vice Mayor Laurence May of the Town of Hillsborough for the Legislative Committee.

The CMEQ committee provides advice and recommendations to the full C/CAG Board on all matters relating to transportation planning, congestion management, and selection of projects for

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state and federal funding. The Committee also has the specific responsibility for the development and updating of the Congestion Management Program and the Countywide Transportation Plan.

The Legislative Committee provides advice and recommendations to the full C/CAG Board on all matters dealing with State and Federal legislation, ballot measures, and positions to take on specific bills. The Legislative Committee is also the liaison with C/CAG's advocating firm.

ATTACHMENTS

- Roster for the CMEQ Committee
- Roster for the Legislative Committee
- Letter from Mayor Elizabeth Lewis
- Email from Councilmember Clifford Lentz
- Letter from Vice Mayor Laurence May

CMEQ April 2012 ROSTER

Chair - Barbara Pierce
 Vice Chair - Richard Garbarino
 Staff Support: Sandy Wong (slwong@smcgov.org)
 (650) 599-1409

Name	Representing
Jim Bigelow	Business Community
Zoe Kersteen-Tucker	San Mateo County Transit District (SamTrans)
Arthur Lloyd	Peninsula Corridor Joint Powers Board (CalTrain)
Lennie Roberts	Environmental Community
Onnolee Trapp	Agencies with Transportation Interests
Steve Dworetzky	Public Member
Sepi Richardson	City of Brisbane
Naomi Patridge	City of Half Moon Bay
Gina Papan	City of Millbrae
Barbara Pierce	City of Redwood City
Irene O'Connell	City of San Bruno
Rich Garbarino	City of South San Francisco
Kevin Mullin	MTC
Nadia Holober	City of Millbrae
Mark Olbert	City of San Carlos
Andy Cohen	City of Menlo Park

Legislative Committee 2012 Roster

Chair - Deborah Gordon
Vice Chair -
Staff Support: Jean Higaki (jhigaki@smcgov.org)
(650) 599-1462

Name	Representing
Irene O'Connell	City of San Bruno
Art Kiesel	City of Foster City
Andrew Cohen	City of Menlo Park
Bob Grassilli	City of San Carlos
Deborah Gordon	Town of Woodside
David Lim	City of San Mateo
Don Horsley	County of San Mateo
Gina Papan	City of Millbrae
Jerry Carlson	Town of Atherton
Kevin Mullin	City of South San Francisco
Mary Ann Nihart	City of Pacifica
Sepi Richardson	City of Brisbane
Tom Kasten	Town of Hillsborough
Brandt Grotte	City of San Mateo



Office of the Mayor
Town of Atherton

91 Ashfield Road
Atherton, California 94027
Phone: (650) 752-0500
Fax: (650) 614-1212

Sandy Wong
Executive Director
City/County Association of Governments
555 County Center, 5th Floor
Redwood City, CA 94063

RE: Letter of Interest C/CAG Vacancies-
Congestion Management and Environmental Quality Committee (CMEQ)
and Legislative Committee

Dear Ms. Wong,

I am writing to respectfully submit my qualifications to be appointed to either of the above C/CAG Committees.

My preference and passion is to serve on the CMEQ Committee; however, I would be honored to serve on the Legislative Committee if that is the only possibility.

Over the past four years I have been involved in Atherton's Environmental Programs Committee and served as Chair during the last two years. I believe it is critical to reduce our carbon footprint in not only our Town but in our Region, State, Nation and World-wide and am dedicated to implementing reasonable and measurable policies to achieve that goal.

Atherton's commitment in supporting a viable regional Transportation system -- including linking public transportation to the last mile destination -- is a valuable contribution I can bring to the Authority. My service and experience with the the following committees is in line with that goal.

During my first four years on the Atherton Council I have served on the following Regional boards finding solutions to our growing transportation and traffic issues:

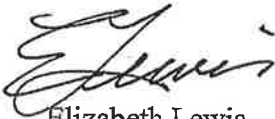
- 1) Atherton's Transportation Committee
- 2) Atherton's Rail Committee
- 3) San Mateo County's Peninsula Traffic Congestion Relief Alliance (the Alliance)
- 4) San Francisco Airport Noise Abatement Roundtable
- 5) Grand Boulevard Task Force
- 6) Atherton's Environmental Programs Committee

My focus has been and is on working to solve our Region's growing transportation, traffic, and associated environmental problems.

I have just been re-elected to a second term on Council this past November and elected as Mayor for 2013. I am able to devote my full-time attention to serving as a public official and would consider it a privilege to serve as a member of the C/CAG team on the CMEQ or Legislative Committee.

Thank you for your consideration, and I welcome the opportunity to speak with any of the selection committee members about my appointment. My cell phone is 650-533-8830.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Elizabeth Lewis", written in a cursive style.

Elizabeth Lewis
Mayor
Town of Atherton

To: Sandy Wong
C/CAG Executive Director

From: Cliff Lentz
City of Brisbane, City Council

Dear Sandy,

I hope this letter finds you well. I am interested in applying for the Congestion Management and Environmental Quality Committee position.

I'm currently on the board at HEART, where I've contributed to helping the Board put forth a strategy of creating better lines of communication between them and the City Councils, as well as the business community and non-profits in San Mateo County. By getting a better understanding of where everyone is coming from, we can thus establish a reason of why it is beneficial for all of us to work together. A well-defined vision also enhances opportunities to increase revenue generation to support the vision.

Though CMEQ focuses on matters related to transportation, energy, and the environment, my experience on the HEART Board has given me a great opportunity to better understand how all major land uses are tied together from a County perspective.

The City of Brisbane will soon receive the Draft EIR for the Baylands Development – a 660 acre piece of land that borders SF to the north, Hwy 101 to the east, and San Bruno Mt. to the west. The success if this development will depend greatly on creating an efficient, well planned transportation system, the ability to create a significant amount of alternative energy, and striking a balance between the economy, social equity and the environment.

C/CAG plays an important role in helping cities better define their sustainability goals, and thus provide a roadmap that lays out the expectations of the citizens, as well as creating clearer guidelines for cities and developers. When the environment, social equity, and the economy are in harmony with each other, we make San Mateo County a better place to live because we're creating prosperity for the long run.

I would be honored to be selected to this important Committee.

Best regards,

Cliff



TOWN OF HILLSBOROUGH

1600 FLORIBUNDA AVENUE
HILLSBOROUGH
CALIFORNIA
94010-6418

January 22, 2013

Dear Mayors, Vice Mayors and Councilmembers,

I am writing to express my interest in serving on the Legislative Committee of C/CAG.

I have been on the Hillsborough City Council since 2010 and am currently the Vice Mayor. I am an attorney and review and draft legislation for clients on a regular basis. I would appreciate the opportunity to serve on the Legislative Committee of C/CAG and I ask for your support.

Please feel free to contact me at lmay@hillsborough.net or 650-375-0535.

Sincerely,

Laurence May
Vice Mayor
Town of Hillsborough

C/CAG AGENDA REPORT

Date: February 14, 2013
To: City/County Association of Governments of San Mateo County (C/CAG) Board of Directors
From: Sandy Wong, Executive Director
Subject: Review and approval of Resolution 13-07 authorizing the C/CAG Chair to execute an agreement with the San Francisco Airport Commission for C/CAG to receive \$60,000 in calendar year 2013 for work related to the San Francisco International Airport Land Use Compatibility Plan (SFO ALUCP)

RECOMMENDATION

That the C/CAG Board review and approve Resolution 13-07 authorizing the C/CAG Chairperson to execute a funding agreement with the San Francisco Airport Commission for C/CAG to receive \$60,000 in calendar year 2013 for work related to the San Francisco International Airport Land Use Compatibility Plan (SFO ALUCP).

FISCAL IMPACT

\$60,000.

SOURCE OF FUNDS

The San Francisco Airport Commission.

BACKGROUND/DICSUSSION

The C/CAG Board of Directors, in its designated role as the Airport Land Use Commission, adopted the state-mandated San Francisco International Airport Land Use Compatibility Plan (SFO ALUCP) in November 2012. As a follow-up to that action, the San Francisco Airport Commission has agreed in concept to provide \$60,000 to C/CAG, in calendar year 2013, to cover costs for (1) SFO ALUCP implementation training for local city and county planning staff and other key stakeholders and (2) SFO ALUCP document printing, distribution, and website posting.

The San Francisco Airport Commission requires C/CAG to execute a funding agreement for the specified funds prior to the Commission's approval of the agreement. The Commission is scheduled to consider/approve the funding agreement at its March 4, 2013 meeting. Approval of this resolution will allow the C/CAG Chairperson to execute the funding agreement prior to the Airport Commission's approval of the agreement.

ATTACHMENT

Resolution 13-07

CCAGAgendaReportSFO60K0113.docx

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RESOLUTION NO. 13-07

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) AUTHORIZING THE C/CAG CHAIRPERSON TO EXECUTE A FUNDING AGREEMENT WITH THE SAN FRANCISCO AIRPORT COMMISSION FOR C/CAG TO RECEIVE \$60,000 IN CALENDAR YEAR 2013 FOR WORK RELATED TO THE SAN FRANCISCO INTERNATIONAL AIRPORT LAND USE COMPATIBILITY PLAN (SFO ALUCP)

WHEREAS, the C/CAG Board of Directors, in its designated role as the Airport Land Use Commission, adopted the San Francisco International Airport Land Use Compatibility Plan (SFO ALUCP) at its Regular Meeting on November 8, 2012, and

WHEREAS, the San Francisco Airport Commission has agreed in concept to provide \$60,000 to C/CAG in calendar year 2013, to cover costs for (1) SFO ALUCP implementation training for local city and county planning staff and other key stakeholders and (2) SFO ALUCP document printing, distribution, and website posting, and

WHEREAS, the San Francisco Airport Commission requires C/CAG to execute a funding agreement for the specified funds prior to the Commission's approval and execution of the agreement, and

WHEREAS, the San Francisco Airport Commission will consider/approve the funding agreement with C/CAG at its March 4, 2013 meeting;

NOW THEREFORE, BE IT RESOLVED, by the Board of Directors of the City/County Association of Governments of San Mateo County (C/CAG) that the C/CAG Chairperson is hereby authorized to execute an agreement with the San Francisco Airport Commission that will provide C/CAG with \$60,000 in calendar year 2013 to cover costs for (1) SFO ALUCP implementation training for local city and county planning staff and other key stakeholders and (2) SFO ALUCP printing, distribution, and website posting.

PASSED, APPROVED, AND ADOPTED THIS 14TH DAY OF FEBRUARY 2013.

Bob Grassili, C/CAG Chair

CCAGresoSFO60K0113.docx

C/CAG AGENDA REPORT

Date: February 14, 2013
To: City/County Association of Governments Board of Directors
From: Sandy Wong, C/CAG Executive Director
Subject: Review and approval of Resolution 13-03 authorizing the filing of an application for funding assigned to the Metropolitan Transportation Commission and committing any necessary matching funds and stating the assurance to complete the San Mateo County Safe Routes to School project

(For further information contact John Hoang 363-4105)

RECOMMENDATION

That the C/CAG Board review and approve Resolution 13-03 authorizing the filing of an application for funding assigned to the Metropolitan Transportation Commission and committing any necessary matching funds and stating the assurance to complete the San Mateo County Safe Routes to School project.

FISCAL IMPACT

\$1,905,000 STP/CMAQ for the federal FY 2012-13 through FY 2015-16
\$1,087,000 Local Match (Measure M) FY 2013-14 through 2015-16
\$2,992,000 TOTAL

SOURCE OF FUNDS

MAP-21 (Moving Ahead for Progress in the 21st Century Act) Surface Transportation Program (STP) and Congestion Mitigation and Air Quality Improvement Program (CMAQ); Measure M

BACKGROUND/DISSION

In 2010, the Metropolitan Transportation Commission (MTC) implemented the Climate Initiatives Program for the New Federal Transportation Act Cycle 1 STP/CMAQ funding program including a Regional Safe Routes to School (RSR2S) element which funded countywide safe routes to school programs in the region. The adoption of the Cycle 2 OneBayArea Grant (OBAG) Program by MTC approved the continuation of the RSR2S for fiscal years 2012-13 through 2015-16. The RSR2S program supports implementation and expansion of the safe routes to school non-infrastructure projects and programs with the overall goal of significantly reducing emissions related to school-related travels.

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Funding

C/CAG, as the Congestion Management Agency (CMA), is the designated agency that receives the SR2S funds for San Mateo County. In Cycle 1, C/CAG received \$1,429,000 in STP/CMAQ and added \$567,457 matching funds (Measure M) totaling \$1,996,467 for a two-year program (FY2011-12 through 2012-13). For this Cycle 2 (FY2012-13 through FY 2015-16), MTC has distributed \$1,905,000 in OBAG funds to C/CAG to continue the SR2S program in San Mateo County. Staff proposes a local match in the amount of \$1,087,000 for a total Cycle 2 budget of \$2,992,000 covering a three-year programming period FY 2012-13 through FY 2014-15 to serve the school years 2013-14 through 2015-16.

San Mateo County SR2S Program

C/CAG established the San Mateo County SR2S Program as a result of receiving the Cycle 1 funds. C/CAG contracted with the San Mateo County Office of Education to serve as the lead agency managing the day-to-day operations and project implementation activities covering the 2011-12 and 2012-13 school years. The current agreement with the Office of Education will expire on July 1, 2013. It is anticipated that C/CAG will continue to contract with the Office of Education for the new Cycle 2 Program. The new agreement with the Office of Education will be brought the Board separately within the next months for approval.

At the December 2012 C/CAG Board meeting, Office of Education staff provided an overview of the current SR2S program, highlighting the participation of 105 schools and various non-infrastructure projects that were implemented during the 2011-12 and 2012-13 school years. The projects included walk and bike audits, student education activities, walking school buses, bike trains, carpools, parking lot management, encouragement activities and safety education in addition to other encouragement, outreach, and evaluation activities. At the conclusion of the 2012-13 school year, a report will be generated to summarize activities during the first two years of the program along with a final program evaluation.

Over the past several months, C/CAG and the Office of Education have developed the SR2S program for the upcoming 2013-14 school year. The draft San Mateo County SR2S Workslope (attached) provides detailed information on the Cycle 2 program, including the scope of work, schedule, and funding summary.

MTC Requirements

As part of programming the funds in the Transportation Improvement Program (TIP), MTC requires that C/CAG adopt a local resolution of local support indicating the understanding of the regional discretionary funding for regional safe routes to school, commitments to the required matching funds, and compliance with the procedures, delivery milestones and funding deadline specified in the Regional Project Funding Delivery Policy. MTC also requires C/CAG to submit a workslope outlining the San Mateo County SR2S Program for Cycle 2.

ATTACHMENT

- Resolution 13-03
- San Mateo County SR2S Program Workslope for Cycle 2 (Draft)

RESOLUTION 13-03

AUTHORIZING THE FILING OF AN APPLICATION FOR FUNDING ASSIGNED TO THE METROPOLITAN TRANSPORTATION COMMISSION AND COMMITTING ANY NECESSARY MATCHING FUNDS AND STATING THE ASSURANCE TO COMPLETE THE SAN MATEO COUNTY SAFE ROUTES TO SCHOOL PROJECT

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, C/CAG (herein referred to as APPLICANT) is submitting an application to the Metropolitan Transportation Commission (MTC) for \$1,905,000 in funding assigned to MTC for programming discretion, including but not limited to federal funding administered by the Federal Highway Administration (FHWA) such as Surface Transportation Program (STP) funding, Congestion Mitigation and Air Quality Improvement (CMAQ) funding and/or Transportation Alternatives (TA) funding (herein collectively referred to as REGIONAL DISCRETIONARY FUNDING) for the San Mateo County Safe Routes to School Project (herein referred to as PROJECT) for the MTC Regional Safe Routes to School Program – Cycle 2 (herein referred to as PROGRAM); and

WHEREAS, the Moving Ahead for Progress in the 21st Century Act (Public Law 112-141, July 6, 2012) and any extensions or successor legislation for continued funding (collectively, MAP 21) authorize various federal funding programs including, but not limited to the Surface Transportation Program (STP) (23 U.S.C. § 133), the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149) and the Transportation Alternatives Program (TA) (23 U.S.C. § 213); and

WHEREAS, state statutes, including California Streets and Highways Code 182.6 and 182.7 provide various funding programs for the programming discretion of the Metropolitan Planning Organization (MPO) and the Regional Transportation Planning Agency (RTPA); and

WHEREAS, pursuant to MAP-21, and any regulations promulgated thereunder, eligible project sponsors wishing to receive federal funds for a project shall submit an application first with the appropriate MPO for review and inclusion in the MPO's Transportation Improvement Program (TIP); and

WHEREAS, MTC is the MPO and RTPA for the nine counties of the San Francisco Bay region; and

WHEREAS, MTC has adopted a Regional Project Funding Delivery Policy (MTC

Resolution No. 3606, revised) that sets out procedures governing the application and use of federal funds; and

WHEREAS, APPLICANT is an eligible sponsor for REGIONAL DISCRETIONARY FUNDING; and

WHEREAS, as part of the application for REGIONAL DISCRETIONARY FUNDING, MTC requires a resolution adopted by the responsible implementing agency stating the following:

1. the commitment of any required matching funds; and
2. that the sponsor understands that the REGIONAL DISCRETIONARY FUNDING is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional REGIONAL DISCRETIONARY FUNDING; and
3. that the project will comply with the procedures, delivery milestones and funding deadlines specified in the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and
4. the assurance of the sponsor to complete the project as described in the application, and if approved, as included in MTC's federal Transportation Improvement Program (TIP); and
5. that the project will comply with all project-specific requirements as set forth in the PROGRAM; and
6. that the project (transit only) will comply with MTC Resolution No. 3866, revised, which sets forth the requirements of MTC's Transit Coordination Implementation Plan to more efficiently deliver transit projects in the region.

NOW, THEREFORE, BE IT RESOLVED that the APPLICANT is authorized to execute and file an application for funding for the PROJECT for REGIONAL DISCRETIONARY FUNDING under MAP-21 for continued funding; and be it further

RESOLVED that the APPLICANT by adopting this resolution does hereby state that:

1. APPLICANT will provide any required matching funds; and
2. APPLICANT understands that the REGIONAL DISCRETIONARY FUNDING for the project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the APPLICANT from other funds, and that APPLICANT does not expect any cost increases to be funded with additional REGIONAL DISCRETIONARY FUNDING; and
3. APPLICANT understands the funding deadlines associated with these funds and will comply with the provisions and requirements of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) and APPLICANT has, and will retain the expertise, knowledge and resources necessary to deliver federally-funded transportation projects, and has assigned, and will maintain a single point of contact for all FHWA-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans and FHWA on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA-funded transportation projects implemented by APPLICANT; and

4. PROJECT will be implemented as described in the complete application and in this resolution and, if approved, for the amount approved by MTC and programmed in the federal TIP; and
5. APPLICANT and the PROJECT will comply with the requirements as set forth in MTC programming guidelines and project selection procedures for the PROGRAM; and
6. APPLICANT (for a transit project only) agrees to comply with the requirements of MTC's Transit Coordination Implementation Plan as set forth in MTC Resolution 3866, revised; and therefore be it further

RESOLVED that APPLICANT is an eligible sponsor of REGIONAL DISCRETIONARY FUNDING funded projects; and be it further

RESOLVED that APPLICANT is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT; and be it further

RESOLVED that there is no legal impediment to APPLICANT making applications for the funds; and be it further

RESOLVED that there is no pending or threatened litigation that might in any way adversely affect the proposed PROJECT, or the ability of APPLICANT to deliver such PROJECT; and be it further

RESOLVED that APPLICANT authorizes its Executive Director, General Manager, or designee to execute and file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the PROJECT as referenced in this resolution; and be it further

RESOLVED that a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application; and be it further

RESOLVED that the MTC is requested to support the application for the PROJECT described in the resolution and to include the PROJECT, if approved, in MTC's federal TIP.

PASSED, APPROVED, AND ADOPTED THIS 14TH DAY OF FEBRUARY 2013.

Bob Grassilli, Chair

San Mateo County Safe Routes to School (SR2S) Program Workslope (Draft)

MTC Regional County Safe Routes to School Program (RSR2S) Cycle 2

January 2013

PROJECT TITLE

San Mateo County Safe Routes to School (SR2S) Program

PROJECT SPONSOR

Agency: City/County Association of Governments of San Mateo County (C/CAG)

Project Manager: John Hoang
555 County Center, 5th Floor
Redwood City, CA 94063
650-363-4105
jhoang@smcgov.org

PROJECT DESCRIPTION

The San Mateo County Safe Routes to School (SR2S) Program is a countywide program with the overall goal of encouraging and enabling school children to walk and bicycle to school by implementing projects and activities to improve health and well-being, safety, which results in less traffic congestion and emissions caused by school related travels.

Goals: To increase the % of children in San Mateo County who walk and bike to school as their primary mode of to/from school transportation.

Objectives: Continue to support walking and bicycling to school activities implemented during the first program cycle and implement new activities.

There are a total of 23 school districts in San Mateo County, 20 are grades K-8, which is the main focus of the San Mateo County SR2S Program. Through the first full year of implementation (2011-2012 school year), 18 school districts with 105 schools participated in the San Mateo County SR2S grant program, totaling over 40,000 students. The program seeks to expand to the remaining two school districts for the current 2012-2013 school year.

Through the Cycle 1 SR2S process, schools learned that parents provide a number of reasons for choosing to drive their children to school, often citing distance, convenience, the ages of the children, and safety. Breaking down the results from the Student Hand Tally and Parent Survey from the Fall 2012 school year by individual schools and school districts will also help identify areas for improvement enabling more strategically use of funds.

For the RSR2S Cycle 2, the goal is to continue funding non-infrastructure projects such as education, encouragement, evaluation, and outreach activities along with walk audits. Priority for this round of funding will be to provide funds to schools that did not receive grants in the previous

years. A new project category for this cycle will be the addition of small capital projects, which will be fully funded by local funds, Measure M.

The expected outcomes of the program, which is similar to the Federal Safe Routes to School Program, include the following:

- Increased bicycle and pedestrian traffic safety around schools
- More children walking and bicycling to and from schools
- Decreased vehicular traffic congestion around schools
- Reduced childhood obesity
- Improved air quality, community safety and security, and community involvement
- Improved partnerships among schools, local agencies, parents, and other stakeholders

Key Partners

San Mateo County Office of Education:

C/CAG contracts with the County Office of Education, which engages in outreach to the schools, structure the program, manage the budget, provide professional development to Safe Routes to School implementers, contract for services to be provided at schools, and take the lead on organizing county-wide events.

The County Office of Education also offers free workshops and hosts several meetings over the course of the year to provide information on procedures, tips for the development of successful programs, and to encourage information sharing. Two Committees have been established to guide the SR2S Program.

Policy Committee: While the County Office of Education oversees the program, informed decisions are made with the support of C/CAG and a policy committee. The policy committee is composed of people who work in City Planning Departments, Healthcare Systems and Districts, the County Office of Education, C/CAG, public transit-essentially people who have a vested interest in seeing Safe Routes to School be successful and who have a broader perspective than a school or district level perspective.

Operations Committee: The Operations Committee is composed of one representative from each school district. The representatives oversee the programs at the school district level and report back to District task forces which are composed of local law enforcement, parents, school safe routes to school leads, wellness coordinators, and district staff. The Safe Routes to School leads oversee the programs at the school sites.

C/CAG intends to continue contracting with the County Office of Education to implement the County SR2S Program through the RSR2S Cycle 2 funding program.

San Mateo County Health System:

The San Mateo County Health System convenes the School Wellness Policy Committee (SWPC), which is a group that strengthens and supports the implementation of school wellness policies. The SWPC is made-up of school wellness representatives. The SCWPC will review the Call for Proposals, champion applications from local schools/collaboratives and advise on the SR2S development. This committee serve as “eyes and ears” with the schools and ensure that guidelines and support is realistic and maximizes opportunities for local success.

Other Resources

For the 2012-2013 school year, C/CAG and the Office of Education solicited service providers to be considered for a SR2S Technical Assistance Program providing education, encouragement, outreach, and engineering services to the schools. A total of six (6) consultants were selected to be on the SR2S Technical Assistance Program recommended vendor pool to provide the various services. In addition, other service providers were also selected to provide printing services, promotional items, and safety supplies for the SR2S Program. Consultants are assigned to a particular school based on project and needs of the school and grant recipients.

The intent of the SR2S Program is to retain this Technical Assistance Program consultant structure for the 2013-14 school year projects. Per federal program guidelines for the new funding cycle, a new solicitation for technical assistance will be issued as applicable.

SR2S GRANT PROGRAM OVERVIEW

The SR2S Program is focused on the school districts and individual schools, the students, staff, and caregivers of students who attend K-12 schools in San Mateo County. The SR2S supports non-profit agencies that provide school based services at San Mateo County schools serving students, including alternative, court, community and private schools. The priority outcome areas for the SR2S Program are:

- Safety
- Health
- Traffic Mitigation
- Air Quality
- School-Community Partnerships

A portion of the SR2S funds will be used to fund the Office of Education personnel with the majority of the funds directed towards the school projects and activities to fund education, encouragement, evaluation, and outreach activities along with walk audits and small capital projects. A program budget of up to \$700,000 has been established for the 2013-2014 school year grant program with up to \$10,000 per school and maximum amount of \$100,000 per school district. The program budget will be similar for the 2014-15 and 2015-16 school years.

The program will focus on funding non-infrastructure projects addressing education, encouragement and outreach in addition to providing limited funds for small capital infrastructure projects. All infrastructure projects, which will be fully funded by the non-participating local funds, are required to be located within the public right of way, preferably on lands owned by the public (or private) school or school districts. Projects that are located within a city/town, County or State right-of-way are not encouraged. Projects cannot be a “maintenance related project.

Projects are evaluated based on the following criteria:

- Need What issues does the project address
- Type of Project Priority will be given to non-infrastructure over small capital infrastructure projects
- Proposed Solution How effective is the project, what is the project status and frequency, and how the project will be evaluated (are there measurable outcomes?)
- Sustainability Does the project increase walking and biking over time
- Funding Priority will be given to schools that have not received prior funding

Projects are scored, ranked, prioritized and compete against other projects submitted through the grant proposal request process. Final grant recipients will enter into a funding agreement with the Office of Education and required to meet reporting conditions including submission of three activity progress reports, fiscal reports, and a Year End summary report.

Grant recipients also agree to ensure that SR2S funds are used only to support SR2S specific programs and activities in addition to participating in at least one (1) of the following countywide events: International Walk to School day, Earth Day, and National Bike to School day. School representatives are required to attend the annual Program Orientation meeting and four Operation Committee Meetings.

Scope of Work:

The following is a summary of projects, services, and activities available to schools through the SR2S Technical Assistance Program.

Workshops/Activities	Action/Tasks
Student Workshops	Interactive in-class presentations teach valuable walking and bicycling skills
Bike and Pedestrian Rodeos	In a simulated city street with props, this walking and cycling activity center covers crossing streets with parked cars and crossing intersections with and without traffic signals and signs
Parent/Teacher/Volunteer Workshops	Aimed at educating parents about traffic and pedestrian safety, provide resources and training necessary for leading walking school buses, bike trains, and other activities
Special Events	Organizing events such as: Anything But a Car Day, Walk/Bike to School Days, Encouragement Events (e.g., Golden Sneaker Contests)
Assemblies	Interactive, educational presentations that helps generate awareness of

	safe pedestrian and bicycling behaviors, build enthusiasm for upcoming school-wide events such as Walk to School Week and Bike to School Day
Family Bike Events	Three hour event featuring: Rock Climbing Wall, Traffic Safety Obstacle Course, Bicycle Helmet and Bicycle Inspection Training
Safe Routes to School Workshops	Two-hour full-day SR2S workshop at school or school districts

Project	Action/Task	Work Product
Walking and Bicycling Audit	Conduct audit during school drop-off or pick-up period and lead stakeholders on an assessment of the school area to observe operations and walking and biking activities, note infrastructure deficiencies, and assess opportunities for safety and operational improvements.	Summary Report outlining key issues identified and recommended infrastructure and programmatic improvements
School Route Map	Develop map showing preferred walking and bicycling routes (within 1-mile radius or school boundary areas), crossing guard locations, traffic controls, and school access points.	Electronic copy of map for printing/distribution by the school
Safe Routes to School Concept Plan Development	Prepare detailed engineering concept plan for potential SRS-related infrastructure improvements.	Plan with scaled concept drawings, planning-level cost estimate, background map, and improvement description
Traffic, Bicycle, and Pedestrian counts, Travel Speed Surveys	Provision of school area vehicle traffic, bicycle and pedestrian counts, mode arrival and departure surveys, speed surveys	Report documenting findings
Safe Routes to School Education Materials Development	Preparation of various SR2S-related education and promotional materials for use by schools and school districts	Education Materials for printing/distribution
Street Smart Safety Education	Education and outreach materials development	Education Materials for printing/distribution
SchoolPool Program Development and Outreach	Walking, cycling, carpooling, transit program development customized for school and school districts	Outreach activities
School Area Traffic Control Plan Development	Development of school area traffic control plan, consistent with MUTCD.	Traffic control plan

Schedule:

For the upcoming 2013-2014 school year, the first year utilizing the new RSR2S Cycle 2 funding (FY 12-13), C/CAG and the COE issued a Call for Project on January 3, 2013. Based on the

previous cycle, we found that more lead time was needed for the project solicitation process to enable the projects and activities to commence at the beginning of the school year, which starts in the August/September timeframe. Preparation for the 2013-2014 school year began in the fall of 2012. Activities included developing the program as described in the preceding section.

A call for proposals was issued on January 3, 2013 to the 23 participating school districts in San Mateo County. The Program schedule for the first year of the new RSR2S Cycle 2 is as follows:

Activity	Date
Release Call for Proposals to School Districts	January 3, 2013
Proposal Due	March 15, 2013
Review Proposals	March 29 – April 5, 2013
Notification of Award Letters Sent	April 17, 2013
Second Call for Additional Projects (as needed)	
Final Notification to all Applicants	Jun 13, 2013
Funds available	August 1, 2013
Project Implementation	August 1, 2013 – June 30, 2014
Project Completion Deadline	June 30, 2014

The subsequent School Year 2014-15 and 2015-16 will follow a similar schedule indicated above.

APPROACH TO PROJECT EVALUATION

C/CAG included contingency funds as part of the Office of Education contractual services category to perform a year end evaluation including student hand tally and parent surveys, similar to activities initiated by MTC in the previous cycle. In addition, C/CAG and Office of Education will require each school and school districts that receive the grants gather student travel and parent survey data during the October 2013 countywide evaluation period and also complete a SR2S Year End Performance Evaluation along with a Year End budget and activity report.

PROJECT BUDGET AND FUNDING

The SR2S Program will be a 3-Year program covering 2013-2014, 2014-2015, and 2015-2016 school years. For the \$1,905,000 STP/CMAQ funds, C/CAG requests to receive \$372,000 in STP funds for “walk audit” projects with the remaining \$1,533,000 in CMAQ funds. In addition to the minimum local match of \$246,813 (11.47%), C/CAG will be adding another \$840,187 in local match. Local match comes from the C/CAG Measure M (\$10 Vehicle Registration Fee) fund for Countywide Transportation, which sets aside six percent (6%) of the net revenue specifically for the Countywide Safe Routes to School Program. The additional local funds enable the program to fund small capital projects and other projects not eligible for STP or CMAQ funds.

The proposed budget for the RSR2S FY 12-13 to FY 15-16 is as follows:

	TOTAL	FY 12/13	FY13/14	FY 14/15	FY 15/16
Total Budget	\$ 2,992,000	\$ 997,333	\$ 997,333	\$ 997,333	\$ -
Funding Breakdown					
CMAQ	\$ 1,533,000	\$ 511,000	\$ 511,000	\$ 511,000	
STP	\$ 372,000	\$ 124,000	\$ 124,000	\$ 124,000	
Local Match (11.47%)	\$ 246,813	\$ 82,271	\$ 82,271	\$ 82,271	
Local (Nonparticipate)	\$ 840,187	\$ 280,062	\$ 280,062	\$ 280,062	
TOTAL	\$ 2,992,000	\$ 997,333	\$ 997,333	\$ 997,333	\$ -

The cost breakdown by proposed activities and grant types for the program is summarized below:

Budget Breakdown		3-Year Total	CMAQ/STP	Local
Admin - Personnel	22%	\$ 660,000	\$ 584,298	\$ 75,702
Grant Program	66%			
Site Grants		\$ 454,900	\$ 402,723	\$ 52,177
Site Grants "M"		\$ 420,187	\$ -	\$ 420,187
Walk Audit		\$ 420,197	\$ 372,000	\$ 48,197
Small Cap		\$ 420,000	\$ -	\$ 420,000
Contractual Services		\$ 249,000	\$ 220,440	\$ 28,560
Other costs	12%			
Indirect Costs		\$ 367,717	\$ 325,540	\$ 42,177
TOTAL		\$ 2,992,000	\$ 1,905,000	\$ 1,087,000

Notes:

Site Grants "M" and Small Cap categories are fully funded by local Measure M funds

If Site Grants "M" undersubscribed then funds can be used for Walk Audit or Small Cap projects

If Small Cap is undersubscribed then funds can be used for Walk Audit or Site Grant "M"

PROJECT MILESTONE UNDER FEDERAL-AID PROCESS

Milestone	Month / Year
Request to Caltrans for E-76	February 20, 2013
Obligation Date	July 2013
Begin Environmental Studies	n/a
End Environmental Studies	n/a
Begin Design Engineering	n/a
End Plans, Specs, and Estimates	n/a
Begin R/W Certification	n/a
Advertise Construction (Ready to list)	n/a
Request for Approval of Cost-effectiveness/Public Interest Finding*	February 20, 2013

Begin Construction Phase	August 1, 2013
End Construction Phase	June 30, 2016
Closeout	August 2016

*C/CAG intends to contract with a public agency therefore will be submitting a Request for Approval of Cost-Effectiveness/Public Interest Finding to enable C/CAG to sole source the Construction Contract with the San Mateo County Office of Education to implement the SR2S Program.

C/CAG AGENDA REPORT

Date: February 14, 2013

To: Board of Directors

From: Sandy Wong, Executive Director

Subject: Review and approval of Resolution 13-09 authorizing the adoption of the Fiscal Year 2013/2014 Expenditure Plan for the Transportation Fund for Clean Air (TFCA) County Program Manager Fund for San Mateo County.

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

RECOMMENDATION

That the Board of Directors approve Resolution 13-09 authorizing the adoption of the Fiscal Year 2013/2014 Expenditure Plan for the Transportation Fund for Clean Air (TFCA) County Program Manager Fund for San Mateo County.

FISCAL IMPACT

The allocation of TFCA funds for Fiscal Year 2013/2014 is expected to be approximately \$1,063,526 of which \$52,526 (approx. 5%) will be allocated to administration. It is recommended that the remaining funds (\$1,011,000) be distributed based on the policies adopted in past years by C/CAG. The following table shows how the funds would be distributed based on these policies. The funding provided in these categories for the past three years is also shown.

<i>CATEGORY</i>		<i>2010/2011</i>	<i>2011/2012</i>	<i>2012/2013</i>	<i>2013/2014</i>
Employer Based Shuttle Projects	SamTrans	\$536,000	\$527,000	\$554,400	\$566,000
Countywide Voluntary Trip Reduction Program (Peninsula Traffic Congestion Relief Alliance)		\$421,000	\$414,000	\$435,600	\$445,000
Administration		\$47,153	\$46,566	\$47,781	\$52,526
Totals		\$1,004,153	\$987,566	\$1,037,781	\$1,063,526

SOURCE OF FUNDS

The Bay Area Air Quality Management District (BAAQMD) is authorized under Health and Safety code Section 44223 and 44225 to levy a fee on motor vehicles. Funds generated by the fee are referred to as the Transportation Fund for Clean Air (TFCA) funds and are used to implement projects to reduce air pollution from motor vehicles. Health and Safety Code Section 44241(d) stipulates that forty percent (40%) of funds generated within a county where the fee is in effect shall be allocated by the BAAQMD to one or more public agencies designated to receive the funds, and for San Mateo County, C/CAG has been designated as the overall Program Manager to receive the funds.

BACKGROUND/DISCUSSION

As the Program Manager for the TFCA funds, C/CAG has allocated these funds to fund projects in San Mateo County operated by SamTrans and the Peninsula Traffic Congestion Relief Alliance (Alliance) for the last six fiscal years. The methodology used is that SamTrans receives an allocation equal to 56% of the funds available to projects and the Alliance receives 44% of the funds available to projects. It is being recommended that the same methodology be used for the FY 2013/2014 TFCA Program allocation.

C/CAG has supported the SamTrans Shuttle Program by providing TFCA funds for the BART shuttles which provide peak commute period shuttle service from BART stations to employment sites in San Mateo County.

C/CAG has supported the Peninsula Traffic Congestion Relief Alliance (Alliance) with their Countywide Voluntary Trip Reduction Program. This program provides incentives to reduce single occupant vehicle trips as well as shuttle program management. The Alliance offers carpool incentives, vanpool incentives, school pool incentives and a "Try Transit Program". The Alliance also manages shuttles on behalf of member cities.

Both of these projects will be evaluated using the cost-effective worksheet provided by the Bay Area Air Quality Management District and will be required to be below the threshold of \$90,000 per ton for the reduction of particulate matter in order to receive the FY 13/14 funding agreement from C/CAG.

- It is recommended that the SamTrans Shuttle Program receive an allocation of \$566,000 for its current shuttle program. This funding recommendation shall be contingent upon SamTrans submitting an acceptable work plan for use of the funds.
- It is recommended that Peninsula Traffic Congestion Relief Alliance receive an allocation of \$445,000 in TFCA funds and receive \$510,000 from the Congestion Relief Plan for a total allocation of \$955,000 for the Countywide Voluntary Trip Reduction Program. The funds allocated for the Alliance are subject to the submission of an acceptable work plan for use of the funds.

The following are the C/CAG Board policies that will continue to be in effect for the Fiscal Year 2013/2014 Program.

Overall Policies:

- Cost Effectiveness, as defined by the Bay Area Air Quality Management District (BAAQMD), will be used as screening criteria for all projects. Projects must show a cost effectiveness of less than \$90,000 per ton of reduced emissions based upon the TFCA funds allocated in order to be considered.

Shuttle Projects:

- Shuttle projects are defined as the provision of local feeder bus or shuttle service to rail and ferry stations and airports.
- All shuttles must be timed to meet the rail or ferry lines being served.
- C/CAG encourages the use of electric and other clean fuel vehicles for shuttles.
- Beginning with the 2003-04 TFCA funding cycle, all vehicles used in any shuttle/feeder bus service must meet the applicable California Air Resources Board (CARB) particulate matter standards for public transit fleets. This requirement has been made by the BAAQMD and is applicable to the projects funded by the Congestion Management Agencies.

If the recommendations are accepted, the following is a summary of the C/CAG TFCA Program for Fiscal Year 2013/2014:

Project	Recommendations
Administration	\$52,526
SamTrans	\$566,000
Peninsula Traffic Congestion Relief Alliance	\$445,000
Total funds obligated	\$1,063,526
Total funds anticipated	\$1,063,526
Balance	\$0

ATTACHMENTS

- Resolution 13-09

RESOLUTION 13-09

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE ADOPTION OF THE FISCAL YEAR 2013/2014 EXPENDITURE PLAN FOR THE TRANSPORTATION FUND FOR CLEAN AIR (TFCA) COUNTY PROGRAM MANAGER FUND FOR SAN MATEO COUNTY

WHEREAS, the City/County Association of Governments has been designated the Transportation Fund for Clean Air (TFCA) Program Manager for San Mateo County; and,

WHEREAS, the Board of Directors of the City/County Association of Governments has approved certain projects and programs for funding through San Mateo County's 40 percent local share of Transportation Fund for Clean Air (TFCA) revenues; and,

WHEREAS, the Bay Area Air Quality Management District has estimated the Fiscal Year 2013/2014 TFCA funding for San Mateo County to be \$1,015,633; and,

WHEREAS, C/CAG will allocate \$566,000 of TFCA County Program Manager funds to the San Mateo County Transit District (SamTrans) for the SamTrans Shuttle Program; and,

WHEREAS, C/CAG will allocate \$445,000 of TFCA County Program Manager funds to the Peninsula Traffic Congestion Relief Alliance (Alliance) for the Countywide Voluntary Trip Reduction Program; and,

WHEREAS, the projects included in this expenditure plan will be evaluated using the cost-effectiveness worksheet provided by the Bay Area Air Quality Management District to determine that they meet the required cost-effectiveness threshold. All proposed expenditures will be consistent with the *Clean Air Plan* and Section 44241(b) of the California Health and Safety Code; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the C/CAG Staff is authorized to submit the Fiscal Year 2013/2014 Expenditure Plan for the TFCA County Program Manager Fund for San Mateo County to the Bay Area Air Quality Management District.

PASSED, APPROVED, AND ADOPTED THIS 14th DAY OF FEBRUARY 2013.

Bob Grassilli, C/CAG Chair

C/CAG AGENDA REPORT

Date: February 14, 2013

To: City/County Association of Governments Board of Directors

From: Sandy Wong, Executive Director

Subject: Review and approval of the C/CAG Legislative Policies for 2013

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

RECOMMENDATION

That the C/CAG Board review and approve of the C/CAG Legislative Policies for 2013.

FISCAL IMPACT

Many of the policies 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 policies to provide direction to its Legislative Committee, staff, and Lobbyist. In the past, the C/CAG Board established the policies that:

- Clearly defined a policy framework at the beginning of the Legislative Session.
- Identified specific policies 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 policies 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.

On December 13, 2012, the C/CAG Legislative Committee reviewed and commented on a draft set of Legislative Policies. Recommended changes were incorporated and presented to the Legislative Committee on February 14, 2013 for another review. Any additional recommendations from the Legislative Committee received at this meeting will be presented verbally to the Board at the February 14, 2013 meeting.

ITEM 6.1

ATTACHMENTS

Attachment A - C/CAG Legislative Policies for 2013

Attachment B - State Legislative Update from Advocacion and Shaw/Yoder/Antwih (January 31, 2013)

Attachment A

C/CAG LEGISLATIVE POLICIES FOR 2013

Policy #1 -

Protect against the diversion of local revenues.

- 1.1 Support League and CSAC Initiatives to protect local revenues.
- 1.2 Provide incentives to local government to promote economic vitality and to alleviate blighted conditions.

Policy #2 -

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

- 2.1 Oppose any State action that restricts local human resource (HR) decisions.
- 2.2 Oppose State action to restrict the ability of local jurisdictions to contract for services.
- 2.3 Advocate for State actions that are required to take into consideration the fiscal impact to local jurisdictions.
- 2.4 Require all State mandates to be 100% State reimbursed for added costs.
- 2.5 Ensure that adequate funding is made available by the State to address re-alignment responsibilities given to local jurisdictions.

Policy #3 -

Support actions that help to meet municipal stormwater permit requirements and secure stable funding to pay for current and future regulatory mandates.

- 3.1 Primary focus on securing additional revenue sources for both C/CAG and its member agencies for funding state and federally mandated stormwater compliance efforts.
 - a. Support efforts to exempt storm sewers from the voting requirements imposed by Proposition 218, similar to water, sewer, and refuse services.
 - b. Support legislation that provides C/CAG, as a Joint Powers Authority, the flexibility to levy taxes, assessments, or fees upon voters or property owners approval consistent with Proposition 218 requirements
 - c. Include water quality and stormwater management as a priority for funding in new sources of revenues (e.g. water bonds) and protect against a geographically

unbalanced North-South allocation of resources.

- d. Track and advocate for resources for stormwater quality in State and Federal grant and loan programs.
 - e. Support renewal of the \$4 vehicle license fee for funding stormwater regulatory requirements in the Municipal Regional Permit. (need to check against Prop 26)
 - f. Support stormwater fee reform to 1) direct regulatory permit fees back to Regional Water Quality Control Board, 2) eliminate fee setting under emergency regulations and coordinate process with local budgeting procedures, and 3) ensure fees are consistent with level of service provided by state agencies.
 - g. Support efforts to identify regulatory requirements that are unfunded state mandates and ensure provision of state funding for such requirements.
 - h. Pursue and support efforts that provide additional funding from Federal, State, or local governments outside the Bay Area to regional or statewide associations of stormwater quality agencies (i.e., BASMAA – regional and CASQA – statewide) for programs and projects that reduce or eliminate the need for C/CAG and its member agencies to fund and implement similar programs and projects locally.
- 3.2 Pursue and support efforts that promote true source control and extended producer responsibility, such as the California Product Stewardship Council and the Green Chemistry Initiative.
- 3.3 Support efforts to place the burden/ accountability of reporting, managing, and meeting municipal stormwater requirements on the responsible source rather than the cities or county, such as properties that are known pollutant hot spots and third party utility purveyors.
- 3.4 Advocate for the development of statewide stormwater policies that establish consistent, practical, and progressive approaches for stormwater regulatory and management programs that help protect water quality and beneficial uses.
- 3.5 Pursue and support pesticide regulations that protect water quality and reduce pesticide toxicity.
- 3.6 Track stormwater-related regulatory initiatives that may impact member agencies, such as the proposed statewide trash policy, Caltrans stormwater permits, special exceptions for Areas of Special Biological Significance, and the Phase II General Permit.

Policy #4 -

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

- 4.1 Support bills that reduce the vote requirements for special taxes and fees.
- 4.2 Oppose bills that impose restrictions on the expenditures, thereby reducing flexibility, for special tax category.
- 4.3 Support modification or elimination of the Proposition 26 two-thirds requirements.

Policy #5-

Encourage the State to maintain its commitment to provide and protect transportation funding.

- 5.1 Urge the State to eliminate transfer of State transportation funds to the State General Fund.
- 5.2 Support additional revenues for transportation funding.
- 5.3 Protect existing funding and support additional funding for maintenance of streets and roads.
- 5.4 Protect existing funding and support additional funding for the State of California SHOPP program, which provides resources for maintenance of State highways.
- 5.5 Support revisions in the Peninsula Joint Powers Agreement that provide equitable funding among the Caltrain partners.
- 5.6 Support a dedicated funding source for the operation of Caltrain.

Policy #6 -

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

- 6.1 Support measures to ensure that local governments receive appropriate revenues to service local communities.

Policy #7 -

Support reasonable climate action/Greenhouse Gas legislation

- 7.1 Support incentive approaches toward implementing AB32.

7.2 Oppose climate legislation that would conflict with or override projects approved by the voters.

7.3 Alert the Board on legislation that would require recording of vehicle miles of travel (VMT) as part of vehicle registration.

***Policy #8 -
Support energy conservation***

8.1 Support local government partnerships to foster energy conservation, as well as the generation and use of renewable energy sources (wind, solar, etc.)

***Policy #9 -
Protection of water user rights***

9.1 Support the Bay Area Water Supply and Conservation Association (BAWSCA) efforts in the protection of water user rights for San Mateo County users.

***Policy #10 –
Other***

9.1 Support/sponsor legislation to allow transportation planning funds to be used to fund airport/land use compatibility plans.

9.2 Support efforts that will engage the business community in transportation demand management.



ADVOCATION



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

January 31, 2013

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

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

RE: February Government Relations Update

Governor Brown released his FY 2013-14 State Budget on January 10, 2013. He emphasizes that significant progress in trimming down the state's chronic budget deficit (\$26.6 billion shortfall in FY 2011-12, \$20 billion in FY 12-13) has been made by making spending cuts, primarily in corrections, health and human services, and education. As a result, the FY 13-14 budget does not project a deficit. Overall, General Fund spending is down from its peak of \$103 billion in 2007-08 to \$93 billion in 2012-13, a decrease of \$10 billion, or 10 percent. As a share of the economy, General Fund spending in 2011-12 and 2012-13 remains at its lowest level since 1972-73.

The Governor emphasized that the State must live within its means. He identified four major variables for the budget going forward: actions on the federal deficit, the uncertain economic recovery, the federal government and/or the courts blocking actions, and potential increases in health care costs.

Regarding the "wall of debt," the Governor noted that in 2011 it was pegged at \$35 billion and that it remains a significant challenge. The Governor is proposing to spend \$4.2 billion in his budget to pay down existing state debt. Furthermore, the budget document notes the State's unfunded retirement obligations.

The passage of Proposition 30 on last November's ballot helped avert severe cuts to education, health and human service and public safety programs.

Impact on Transportation

The Transportation Agency is responsible for addressing mobility, safety, and air quality issues as they relate to transportation. Key priorities include developing and integrating the high-speed rail project into California's existing transportation system and supporting regional agencies in achieving the greenhouse gas emission reductions and environmental sustainability objectives required by state law.

The Agency consists of the following six state entities responsible for administering programs that support the state's transportation system:

- Department of Transportation
- California Transportation Commission
- High-Speed Rail Authority
- Department of Motor Vehicles
- California Highway Patrol
- Board of Pilot Commissioners

The Office of Traffic Safety operates within the Office of the Secretary for Transportation. The Budget includes total funding of \$21.1 billion (\$0.2 billion General Fund and \$20.9 billion other funds) for all programs administered within the Agency.

The Agency, established as part of the Governor's 2012 Reorganization Plan, becomes operational on July 1, 2013.

The Governor makes a reference to California Transportation Commission's "2011 Statewide Transportation Needs Assessment" which identifies \$538.1 billion in total infrastructure needs, including substantial local streets & roads and local mass transit needs, in addition to highway and intercity rail needs over the next decade.

Over the past decade, the voters have approved almost \$30 billion of general obligation bonds for transportation purposes, including \$19.9 billion for Proposition 1B, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, and \$9.9 billion for Proposition 1A, the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century. As a result, approximately 13 percent of annual state transportation revenues will continue to be dedicated to offsetting debt service costs. These debt service costs are expected to total over \$1 billion in 2013-14 and are projected to grow in future years, significantly exceeding the amount of existing transportation funds legally available to offset these costs and therefore creating General Fund expenses.

Beginning in the spring of 2013, the Agency will convene a workgroup consisting of state and local transportation stakeholders to refine the transportation infrastructure needs assessment, explore long-term, pay-as-you-go funding options, and evaluate the most appropriate level of government to deliver high-priority investments to meet the state's infrastructure needs.

The Budget also reflects changes to the Local Assistance and Planning Programs within Caltrans, including the consolidation of five programs into a single Active Transportation Program which will simplify and enhance funding for pedestrian and bicycle projects.

The Governor projects that the State Transit Assistance program will be at approximately \$391 million for FY 13-14, and \$415 million for FY 12-13. If accurate, this would represent a 12% reduction from last Fall's number of \$468 million for FY 12-13 and 17% drop in comparison to the budget year number. This number is subject to change however as the program no longer relies on a budget-line item but rather on sales tax receipts associated with the consumption of diesel fuel.

The budget also proposes \$479,717,000 in funding for the Public Transportation Modernization Improvement and Service Enhancement Account (PTMISEA), which serves as the sole source of funding for transit capital projects and rolling stock purchases. It uncertain however whether this is a carryover balance of the existing appropriation authority from subsequent fiscal years. To date, approximately \$1.8 billion of the \$2.8 billion that has been appropriated by the legislature has been allocated to program recipients.

The intercity rail program is projected to receive \$130 million.

Proposition 1A Funding

SB 1029 (Leno) [Chapter 152, Statutes of 2012], appropriated The 2012 Budget Act appropriated approximately \$8 billion for the high-speed rail project for the following purposes:

- \$5.8 billion for the first phase of the Initial Operating Section from Madera to Bakersfield.
- \$1.1 billion for early improvement projects to upgrade existing rail lines in Northern and Southern California, which will lay the foundation for future high-speed rail service as it

expands into these areas.

- \$819.3 million for connectivity projects to enhance local transit and intercity rail systems that will ultimately link to the future high speed rail system. The CTC allocated funding during the Fall to those agencies that made a request.

Since the enactment of the Budget Act, significant progress on the project has been made:

In September, the Federal Railroad Administration approved the necessary environmental impact assessments for the Merced to Fresno alignment.

- The public comment period for the draft environmental assessments for the Fresno to Bakersfield alignment concluded in October.
- The Authority has started to solicit bids from private contractors to begin the right-of-way land acquisition phase of the project.

The Authority is continuing to identify early “bookend” investments that will generate immediate benefits and, through blended service, enhance future high-speed rail ridership. Projects currently being evaluated include the electrification of the Caltrain corridor in Northern California and regional rail improvement projects, such as grade separations, in Southern California. Final selection of specific projects and lead agencies will be completed by the end of the current fiscal year. Initial construction work is scheduled to begin in the Central Valley during the summer of 2013.

As noted in the Authority’s revised 2012 Business Plan, additional funding will be necessary to complete the Initial Operating Section from Merced to the San Fernando Valley. Cap and Trade funds will be available as a fiscal backstop.

Cap and Trade

The Budget acknowledges that transportation is the single largest contributor to GHGs in California (38 percent), and reducing transportation emissions should be a top priority (including mass transit, high speed rail, electrification of heavy duty and light duty vehicles, sustainable communities, and electrification and energy projects that complement high speed rail). The Budget recognizes that the first Cap and Trade auction resulted in \$55.8 million in proceeds to the state (two more auctions will occur on February 19, 2013 and May 16, 2013); therefore the Budget only addresses the expenditure of auction proceeds of \$200 million in 2012-13 and \$400 million in 2013-14. Total revenues from the auctions may exceed these amounts.

Governor’s State of the State

The Governor also mentioned in his State of the State that California’s that highways are asked to accommodate more vehicle traffic than any other state in the nation. Most were constructed before we knew about climate change and the lethal effects of dirty air. We now expect more. He has directed the Transportation Agency to review thoroughly current priorities and explore long-term funding options.

The Governor stated last year California voters authorized another big project: High Speed Rail. Electrified trains are part of the future. China already has 5000 miles of high speed rail and intends to double that. Spain has 1600 miles and is building more. More than a dozen other countries have their own successful high speed rail systems. California’s first phase will get us from Madera to Bakersfield. Then we will take it through the Tehachapi Mountains to Palmdale, constructing 30 miles of tunnels and bridges. It has taken great perseverance to get this far. Governor Brown signed the original high speed rail Authority in 1982—over 30 years ago. In 2013, they will finally break ground and start construction.

C/CAG AGENDA REPORT

Date: February 14, 2013
To: City/ County Association of Governments Board of Directors
From: Sandy Wong, C/CAG Executive Director
Subject: Review and approval of Resolution 13-1 waiving the Request for Qualifications/Proposals (RFP/ RFQ) and authorizing the C/CAG Chair to execute an agreement with Advocation Inc. in alliance with Shaw/Yoder/Antwith, Inc. to provide State legislative advocacy service in an amount not to exceed \$144,000 for 2013 and 2014.

(For further information contact Jean Higaki at 599-1462)

RECOMMENDATION

That the C/CAG Board review and approve Resolution 13-1 waiving the Request for Qualifications/Proposals (RFP/ RFQ) and authorizing the C/CAG Chair to execute an agreement with Advocation Inc. in alliance with Shaw/Yoder/Antwith, Inc. to provide State legislative advocacy service in an amount not to exceed \$144,000 for 2013 and 2014.

FISCAL IMPACT

The cost of the state legislative advocacy services will not exceed \$72,000 per year for two years, for a total of \$144,000.

SOURCE OF FUNDS

Funds for state legislative advocacy are programmed into the C/CAG Fiscal Year 2012-2013 budget and proposed for the Fiscal Year 2013-2014 budget.

BACKGROUND/DISCUSSION

In December 2010, C/CAG staff issued a Request for Qualifications/Proposals for state legislative advocacy to eight legislative advocacy firms. One response was received from Advocation Inc. in conjunction with Shaw/Yoder/Antwith, Inc. This respondent proposed to provide professional state legislative advocacy services for the amount of \$72,000, per year for two years, for a total of \$144,000.

On February 10, 2011, the C/CAG Board passed resolution 11-5, authorizing a contract with Advocation Inc. for two years for a total of \$144,000. Advocation Inc., in alliance with Shaw/Yoder/Antwith, Inc., has performed well over the last two years.

ITEM 6.2

Staff requests a waiver to the RFP/RFQ process to retain Advocation Inc. in alliance with Shaw/Yoder/Antwith, Inc. Staff has found their work to be well informed, timely, thorough, and effective. In addition, Advocation Inc. and Shaw/Yoder/Antwith, Inc. have proposed to provide State legislative advocacy services at no increase of \$72,000 per year for two years.

Proceeding with an RFP/ RFQ at this time would result in a delay of advocacy services for approximately three to four months, which would leave C/CAG without such services while the state legislature is in session. Also, issuance of a new RFP/RFQ may not necessarily yield a firm with better qualifications. Therefore, at this time, it is recommended that C/CAG enter into a contract with Advocation Inc. to continue their work with C/CAG staff, the C/CAG Legislative Committee, and the C/CAG Board.

ATTACHMENTS

1. Resolution 13-1
2. Contract with Advocation Inc. and Shaw/Yoder/Antwith, Inc. available online at <http://www.ccag.ca.gov/ccag.html>

RESOLUTION 13-1

*** * * * ***

**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 AN AGREEMENT WITH ADVOCATION INC. IN ALLIANCE WITH
SHAW/YODER/ANTWITH, INC. TO PROVIDE STATE LEGISLATIVE ADVOCACY
SERVICE IN AN AMOUNT NOT TO EXCEED \$144,000 FOR 2013 AND 2014.**

*** * * * ***

WHEREAS, C/CAG is a joint powers agency representing all twenty-one local jurisdictions in San Mateo County; and

WHEREAS, the C/CAG Board has determined that it is vital and necessary that its interests be actively advocated for with the California Legislature and Administration; and

WHEREAS, C/CAG has determined that outside lobbying services would be the most appropriate method to ensure that C/CAG is adequately represented in the legislative and administrative processes in the capitol of the State of California; and

WHEREAS, in December 2010, C/CAG issued an Request for Proposals/Qualifications for Providing Legislative Advocacy (Lobbying) Services; and

WHEREAS, through this competitive process, Advocation Inc. had the requisite qualifications by teaming with Shaw/Yoder/Antwith, Inc. to perform this work; and

WHEREAS, C/CAG passed resolution 11-5, in February 2011, authorizing a contract with Advocation for two years for a total of \$144,000; and

WHEREAS, Advocation Inc. in alliance with Shaw/Yoder/Antwith, Inc. has provided satisfactory services for the last two years; and

WHEREAS, Advocation Inc. in alliance with Shaw/Yoder/Antwith, Inc. has verified that it is still qualified and properly licensed to continue to provide these services.

NOW, THEREFORE, BE IT RESOLVED that the RFP/RFQ process is waived and that the Chair of the Board of Directors of C/CAG is hereby authorized and directed to execute said agreement not to exceed \$144,000 for two years (2013 and 2014) and on behalf of C/CAG, subject to approval as to form by C/CAG Legal Counsel.

PASSED, APPROVED, AND ADOPTED THIS 14TH DAY OF FEBRUARY 2013.

Bob Grassilli, C/CAG Chair

C/CAG AGENDA REPORT

Date: February 14, 2013
To: City/County Association of Government Board of Directors
From: Kim Springer
Subject: Review and Approval of Resolution 13-08 Authorizing the C/CAG Chair to Execute an Agreement with KEMA Services, Inc. for Climate Action Planning Services for an Amount not to Exceed \$265,000 for Calendar Year 2013 and 2014.

(For further information, contact Kim Springer at (650)599-1412 or Sandy Wong at (650)599-1409)

RECOMMENDATION

Adopt Resolution 13-08 authorizing the C/CAG Chair to execute an agreement with KEMA Services, Inc. for climate action planning services for an amount not to exceed \$265,000 for calendar year 2013 and 2014.

FISCAL IMPACT

Up to \$70,000 matching funds for climate action planning under the SMCEW contract.

SOURCE OF FUNDS

Matching fund will come from San Mateo Congestion Relief Plan funds.

BACKGROUND/DISCUSSION

On September 16, 2010, the C/CAG Board adopted Resolution No. 10-53 giving the Chair authority to sign Grant Agreement 2010-083 between C/CAG and the BAAQMD for \$50,000 to complete a Climate Action Plan (CAP) template project for the cities in San Mateo County and Cupertino. These funds were used to develop a CAP Template document. The work was contracted to KEMA Services, Inc. (KEMA), through a procurement process. Eventually, this project became known statewide as the Regionally Integrated Climate Action Planning Suite (RICAPS).

On March 10, 2011, the C/CAG Board adopted Resolution No. 11-11 for a PG&E Contract Work Authorization (Grant) No. 2500458103 between C/CAG and PG&E for \$125,000 for the same project. A portion of these funds were contracted to KEMA to support development of a “menu” of climate action plan measures, a forecasting tool and a user’s manual for RICAPS

On August 11, 2011, the C/CAG Board adopted Resolution No.11-39, authorizing the C/CAG Chair to execute an agreement with Hara Software, Inc. (Hara) for climate action planning (CAP) software for an amount not to exceed \$200,000. KEMA teamed with Hara (as a subcontractor) to support that contract with technical assistance.

ITEM 6.3

On August 11, 2011, the C/CAG Board adopted Resolution No. 11-51, authorizing the C/CAG Chair to execute and agreement with KEMA for up to \$60,000 to provide technical support to cities in San Mateo County and Cupertino, to help complete five city CAPs and technical support to C/CAG to develop a countywide transportation CAP. An amendment was passed to add an addition \$30,000 to that agreement.

New funding to complete additional climate action plans and to updated (2010) greenhouse gas emission inventories for the cities in San Mateo County has been provided in the recently executed Local Government Partnership (LGP) contract between C/CAG and PG&E under a section called Strategic Energy Resources.

Resolution 13-08 and the proposed Agreement with Scope of Work are provided as attachments to this staff report.

Specific Findings to Waive RFP Process:

Kema, Incorporated (Kema), with its depth of involvement in this project, is a unique contractor with regard to the required scope of work for this contract.

Kema, through a procurement process, won the contract to develop a CAP Template Document for the RICAPS project. Further, Kema teamed with Hara Software, Inc.(Hara) in the customization of their software tool and (as a subcontract to Hara) won that contract, largely due to the strength of Hara's public sector experience and Kema's existing knowledge base of the project.

Staff believes that it is in the best interest of C/CAG and the project to waive the RFP process, given Kema's existing qualifications and experience and the unlikely circumstance that an RFP process would yield any significant cost savings. Further, an RFP process, selecting a new contractor, could yield delays as a result of a new contractor needing time to acquire an understanding of the project and existing deliverables.

Attachments

- Resolution No. 13-08
- Agreement with KEMA Services, Inc. is available at: www.ccag.ca.gov/ccag.html

RESOLUTION NO. 13-08

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 AN AGREEMENT WITH KEMA SERVICES, INC. FOR CLIMATE ACTION PLANNING SERVICES FOR AN AMOUNT NOT TO EXCEED \$265,000 FOR CALENDAR YEAR 2013 AND 2014.

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

WHEREAS, C/CAG has entered into two grant agreements by action of the C/CAG Board and matched funds to those grant agreements for the development of the Regionally Integrated Climate Action Planning Suite (RICAPS), tools to support cities in the development of climate action plans; and

WHEREAS, staff from seven cities in San Mateo County have now used the RICAPS tools and have successfully completed draft climate action plans; and

WHEREAS, C/CAG desires to obtain additional services from KEMA Services, Inc. (KEMA) for technical assistance to fulfill new Strategic Energy Resource deliverables for the 2013 through 2014 Local Government Partnership Agreement between C/CAG and PG&E; and

WHEREAS, C/CAG staff desire to waive the RFP process and contract with Kema because it is in the best interest of C/CAG and the project given Kema's existing qualifications, experience and knowledge of this project, and because an RFP process will yield no significant cost savings and could cause time delays;

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 KEMA Services, Inc. for climate action planning services for an amount not to exceed \$265,000 for calendar year 2013 and 2014.

The C/CAG Board also authorizes the following:

- 1- Authorize the C/CAG Executive Director and Legal Counsel to negotiate the final agreement.

PASSED, APPROVED, AND ADOPTED THIS 14TH DAY OF FEBRUARY, 2013.

Bob Grassilli, Chair

C/CAG AGENDA REPORT

Date: February 14, 2013
To: City/County Association of Governments Board of Directors
From: Sandy Wong, Executive Director
Subject: Review and approval of Resolution 13-2 authorizing the funding allocation for 1) the OneBayArea Grant (OBAG) - Cycle 2 Local Streets & Roads and 2) OBAG supplemental planning funds for fiscal year 2012/13 through 2015/16.

(For further information or questions contact Jean Higaki at 650-599-1462)

RECOMMENDATION

That the C/CAG Board review approve of the funding allocation for 1) the OneBayArea Grant (OBAG) - Cycle 2 Local Streets & Roads and 2) OBAG supplemental planning funds for fiscal year 2012/13 through 2015/16.

FISCAL IMPACT

Not applicable.

SOURCE OF FUNDS

OBAG Surface Transportation Program (STP).

BACKGROUND/DISCUSSION

On May 17, 2012 the joint Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG) adopted Resolution No. 4035 outlining the "OneBayArea Grant" Cycle 2 policies.

Local Streets and Roads

In February 2010, the C/CAG Board adopted a funding commitment for Local Streets and Roads Preservation that included both Cycle 1 and Cycle 2 Surface Transportation Program (STP) funds. Approximately \$6 million was committed under the MTC Cycle 2 framework. The new Cycle 2 STP fund for San Mateo County has been increased from \$6 million to approximately \$8 million, due to an additional program year. In keeping with the board adopted framework, STP funds are reserved for the Local Streets and Roads program.

In June 2012, the San Mateo County Transportation Authority (SMCTA), the recipient of \$8,615,500

ITEM 6.4

in State Local Partnership Program (SLPP) funds, expressed a desire to exchange their SLPP funds with C/CAG's OBAG funds. On July 19, 2012, a proposal was presented to the CMP TAC and was recommended for approval by the C/CAG board.

On August 9, 2012 the C/CAG Board adopted a funding exchange framework which allows agencies the option to exchange their share OBAG STP for SLPP funds. Agencies that opted to exchange STP funds for SLPP funds would be subject to a March 2013 delivery deadline but would follow state fund delivery processes instead of the federal-aid process. Agencies that opted to keep their share in STP funds would be subject to the federal aid delivery process and deadlines.

In both cases above, the MTC eligibility requirements, related to housing certification and complete streets, still apply. Nomination of the SLPP funds with the California Transportation Commission (CTC) or programming of the STP funds in the Federal Transportation Improvement Program (FTIP) would fulfill the C/CAG LS&R commitment made in 2010.

SLPP and STP Status

Twelve (12) jurisdictions opted exchange their LS&R OBAG funds for SLPP funds from the SMCTA, totaling approximately \$4.8 million. Projects opting for SLPP funds were nominated with the CTC in December 2012 and are in the process of delivering their projects. These jurisdictions understand that funds may be lost if the March 2013 delivery deadline is not met. C/CAG will program the equivalent amount of OBAG funds to SMCTA designated projects. SMCTA is directing the OBAG funds to the bicycle and pedestrian components of the Broadway interchange project and the San Pedro Creek bridge replacement project. Because the funds are for bicycle and pedestrian components, the funds may be programmed as Congestion Mitigation and Air Quality (CMAQ).

Nine (9) jurisdictions opted to receive their LS&R funds in OBAG STP totaling approximately \$3.9 million. C/CAG will program OBAG STP funds to the respective jurisdictions. C/CAG staff is proposing to program LS&R funds early which will allow jurisdictions to start work on projects earlier.

Supplemental Planning Revenue

Under Cycle 1 Block Grant, MTC recognized the additional work being placed on congestion management agencies (CMA) and hence, provided CMAs the ability to use up to 4% of their block grant funding to supplement planning revenues for planning activities. Under OBAG, CMAs are required to obtain board approval for supplemental planning revenues. Under OBAG, staff is requesting a planning revenue supplement of \$672,000 for four fiscal years which is 2.5% of the OBAG funding.

The funding allocation plan for OBAG Cycle 2 LS&R and supplemental planning revenue was presented to the Congestion Management & Environment Quality Program Committee (CMEQ) on January 28, 2013 and was recommended for approval.

ATTACHMENTS

Resolution 13-2

1. OBAG projects proposed for programming (Attachment 1)
2. SLPP Local Streets and Roads Nominations (for information only)

RESOLUTION 13-2

RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/ COUNTY
ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY TO ADOPT THE
FUNDING ALLOCATION FOR 1) THE ONEBAYAREA GRANT (OBAG) - CYCLE 2
LOCAL STREETS & ROADS AND 2) OBAG SUPPLEMENTAL PLANNING FUNDS
FOR FISCAL YEAR 2012/13 THROUGH 2015/16.

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

WHEREAS, the joint Metropolitan Transportation Commission (MTC) and
Association of Bay Area Governments (ABAG) adopted Resolution No. 4035 outlining the
“OneBayArea Grant policies and procedures to be used in the selection of projects to be
funded with Surface Transportation Planning (STP) and Congestion Mitigation and Air
Quality Improvement Program (CMAQ) funds for the Cycle 2 STP/CMAQ Program (23
U.S.C. Section 133); and

WHEREAS, local responsibility for project selection for the OBAG funding program
(i.e. County Transportation for Livable Communities (TLC) Program, Local Streets and
Roads Rehabilitation Shortfall Program (LS&R) , Regional Bicycle Program(RBP)) has been
assigned to Congestion Management Agencies (CMAs); and

WHEREAS, C/CAG is the Congestion Management Agency for San Mateo County;
and

WHEREAS, C/CAG has developed a list of projects to submit for the Local Streets
and Roads Rehabilitation portion of OBAG, which fulfills C/CAGs LS&R funding
commitment, adopted in February 2010; and

WHEREAS, C/CAG is also directing funds towards the bicycle and pedestrian
components of two highway projects as result of a State Local Partnership Program (SLPP)
fund exchange with the San Mateo County Transportation Authority; and

WHEREAS, C/CAG is submitting the San Mateo County Local Streets & Roads
(LS&R) projects as well as two highway projects mentioned above to the Metropolitan
Transportation Commission (MTC) for funding from the OBAG program, as shown in
Attachment 1; and

WHEREAS, C/CAG is also authorizing supplemental planning revenue to support the OBAG program for fiscal year 2012/13 through 2015/16, as shown in Attachment 1.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County to adopt the San Mateo County Local Streets & Roads (LS&R) program, including an additional two projects, and supplemental planning revenue to be submitted to the Metropolitan Transportation Commission (MTC) and authorize the C/CAG Executive Director to negotiate with the Metropolitan Transportation Commission (MTC) to make minor modifications as necessary.

PASSED, APPROVED, AND ADOPTED THIS 14TH DAY OF FEBRUARY 2013.

Bob Grassilli, C/CAG Chair

**Surface Transportation Program (STP) Fed Aid Program for Local Streets and Roads
OBAG projects proposed for programming**

Jurisdiction	STP to Program
ATHERTON "2014 Atherton-FairOaks-Middlefield Maintenance Project "	\$285,000
BELMONT "Ralston Avenue Pedestrian Improvements" "Old County Road Bike and Pedestrian Improvement Project"	\$534,000
DALY CITY "Westmoor Avenue to Guadalupe Canyon Parkway Bicycle and Pedestrian Improvements " "Junipero Serra Boulevard, Hoffman Street, and San Pedro Road Rehabilitation " "John Daly Boulevard Streetscape Improvements"	\$562,000
MENLO PARK "2013-2014 Resurfacing of Federal Aid Route"	\$427,000
MILLBRAE "To Be Determined"	\$445,000
PACIFICA "To Be Determined"	\$431,000
PORTOLA VALLEY "To Be Determined"	\$224,000
REDWOOD CITY "Middlefield Streetscape"	\$548,000
SAN CARLOS "Crestview Drive Pavement Rehab Phase 2"	\$412,000
Subtotal	\$3,868,000
Broadway Interchange* (bicycle and pedestrian components)	\$3,613,000
Pacifica San Pedro Creek Bridge Replacement* (bicycle and pedestrian components)	\$1,141,000
Subtotal	\$4,754,000
Total Programmed to Local Streets and Roads	\$8,622,000
* OBAG funds exchanged for SLPP funds. Could potentially be CMAQ. See Attachment 2	
Supplemental Planning Revenue for FY 2012/13 through FY 2015/16	\$672,000
Subtotal	\$672,000

State Local Partnership Program (SLPP) Nominated for Local Streets and Roads (for information only)

Jurisdiction	Nominated SLPP Funding
BRISBANE	\$147,000
BURLINGAME	\$411,000
COLMA	\$49,000
EAST PALO ALTO	\$495,000
FOSTER CITY	\$508,000
HALF MOON BAY	\$242,000
HILLSBOROUGH	\$457,000
SAN BRUNO	\$431,000
SAN MATEO	\$613,000
SOUTH SAN FRANCISCO	\$502,000
WOODSIDE	\$267,000
COUNTY OF SAN MATEO	\$632,000

Subtotal \$4,754,000

*An equivalent amount of OBAG funds to be directed to SMCTA projects.

C/CAG AGENDA REPORT

Date: February 14, 2013
To: C/CAG Board of Directors
From: Sandy Wong, Executive Director and Lee Thompson, Legal Counsel
Subject: Amendment to C/CAG Bylaws

(For further information contact Sandy Wong at 650-599-1409)

RECOMMENDATION

That the C/CAG Board of Directors undertake amending the C/CAG Bylaws by: 1) considering immediate amendments to the Bylaw provisions regarding C/CAG Officers and 2) forming an ad hoc Task Force to develop further revisions to the C/CAG Bylaws.

FISCAL IMPACT

None.

SOURCE OF FUNDS

NA.

BACKGROUND/DISCUSSION

There has been a request to review the C/CAG Bylaws with regard to the officer provisions. The current C/CAG Bylaws provisions relating to officers state that “The officers of the Board of Directors shall consist of a Chairperson, and two Vice Chairpersons”. As noted in the attached memo, Staff has developed for your consideration three alternative revisions to the provisions relating to the office of the Vice Chairperson. If any of the offered changes in the Bylaws are to be implemented in time to effect the next election of officers, those changes must be adopted at this February meeting, as the current Bylaws require officer nominations at this February meeting, and officer elections at the March meeting.

Further, there has been request for a general review of the Bylaws, including the provisions relating to the composition of, and representation on, C/CAG Committees. To that end, staff recommends the formation of an ad hoc task force to develop Bylaw revision recommendations. The ad hoc task force may include Board members, staff, and committee representatives.

ATTACHMENTS

A – Current C/CAG Bylaws
B – Feb 1, 2013 Memo regarding Alternative Bylaw Amendments to Officer provisions

ITEM 6.5

ATTACHMENT A

**BYLAWS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS
OF SAN MATEO COUNTY**

The County of San Mateo and the cities within the County of San Mateo have entered into a Joint Powers Agreement establishing the City/County Association of Governments of San Mateo County (hereinafter referred to as “C/CAG”). Section 3 (f) of the Joint Powers Agreement authorizes C/CAG to adopt bylaws. C/CAG hereby adopts the following bylaws for the purpose of providing for the orderly conducts of its affairs.

ARTICLE I. NAME

The name of the separate entity established by the Joint Powers Agreement is the “City/County Association of Governments of San Mateo County,” and may be referred to as “C/CAG.”

ARTICLE II. PURPOSES

Section 1. C/CAG shall have the following purposes operating through the Board of Directors for control, direction and administration:

- (a) Plan, organize, and maintain the work of C/CAG and be responsible for its overall operation.
- (b) Advise City Councils and the Board of Supervisors of all significant activities of C/CAG.
- (c) Prepare, review, adopt, monitor and enforce the following state mandated Countywide plans:
 - (1) Congestion Management Program;
 - (2) Integrated Solid Waste Management Plan;
 - (3) Airport Land Use Plan;
 - (4) Hazardous Waste Management Plan;

- (5) NPDES - Stormwater Management Plan.
- (d) Perform such additional countywide planning activities as approved by or directed by two-thirds (2/3) of the members representing two-thirds (2/3) of the population of the County.
- (e) Assume all the activities previously assigned to the Regional Planning Committee.

Section 2. C/CAG shall not participate in or endorse any political activity involving any individual candidate for public office. The selection of officers within Article IV herein shall not be considered a political activity subject to this section.

ARTICLE III. MEMBERSHIP

Section 1. The County of San Mateo and each city which has signed the Joint Powers Agreement shall be members of C/CAG.

Section 2. The Board of Directors of C/CAG shall consist of a member of the City Council of each participating city to be selected by that city and one member of the Board of Supervisors to be selected by the Board of Supervisors.

Section 3. Each member City Council and the Board of Supervisors may select one alternate member from its body who shall participate when the regular member is absent.

Section 4. If both the member and the alternate will be absent the City Council or Board of Supervisors may designate a substitute for that meeting and notify C/CAG, in writing, of the designation.

Section 5. There shall be four (4) nonvoting ex-officio members: the County Superintendent of Schools; a member of the San Francisco Airport Commission selected by the Commission; a member of the San Mateo County Transit District Board of Directors selected by the Board of Directors; a member of the San Mateo County Transportation Authority selected by the Authority.

Section 6. Any member may withdraw from C/CAG by filing written notice of intention to do so with the Chairperson of C/CAG by September 30 of each year. The rights and obligations of any such member shall terminate at the end of the first full fiscal year for which such member has made its contribution following such notice having been given.

Section 7. If any member fails to make its contribution in accordance with Section 6 of the Joint Powers Agreement, that member shall forfeit its voting rights during the period of such nonpayment.

Section 8. If any member, or designated representative, fails to attend three consecutive meetings, without notification of the Chairperson or the Executive Director, the Chairperson will notify the City Council or Board of Supervisors to encourage future participation.

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.

ARTICLE V. EXECUTIVE DIRECTOR

Section 1. The Executive Director shall report to the full Board of Directors through the Chairperson.

Section 2. The Board of Directors shall have dealings with staff and contractors through the

Executive Director.

Section 3. The Board of Directors shall develop a process for the review of the performance of the Executive Director on an annual basis.

ARTICLE VI. COMMITTEES

Section 1. The Board of Directors may establish and appoint members to committees and advisory boards wherever necessary. The following standing committees have been established to assist in accomplishing C/CAG's goals:

Administrators' Advisory

Airport Land Use

Bicycle & Pedestrian Advisory

Congestion Management & Environmental Quality

Congestion Management Program Technical Advisory Committee

Finance

Hazardous Waste Management Plan Advisory

Solid Waste Advisory

NPDES

NPDES Technical Advisory Committee

Review & Compensation

Section 2. Persons who are not members of the Board of Directors, including other elected officials and public members, may be appointed to serve on any committee or advisory board established by the Board of Directors.

Section 3. During any consecutive twelve month period, members will be expected to attend at least 75% of the scheduled meetings and not have more than three consecutive absences. If the number of absences exceed these limits, the seat may be declared vacant by the C/CAG Chair.

Attendance by designated alternates, where included in the composition of the committee, will not count toward meeting the attendance requirement of the member. Appointments to fill the vacant seats will be made at the next regularly scheduled C/CAG meeting from existing waiting lists if available. If not, a recruitment process will be initiated and the appointment will be made as soon as practical.

(Note from discussion at C/CAG meeting where this attendance item was discussed: Appointments to fill vacancies on committees should also make every attempt to balance the representation to include the different regions of the County. Although this is not always possible, it should become a prime consideration of the Board when conducting recruitments and making appointments. The C/CAG Executive Director will notify the C/CAG Chair if and when there is the need to apply this new policy, and will also periodically report on the attendance of member jurisdictions at meetings of the full Board.)

ARTICLE VII. MEETINGS

Section 1. The Board of Directors shall establish by resolution the date, time, and place for regular C/CAG meetings.

Section 2. All meetings of the Board of Directors shall be held in accordance with the Brown Act, Government Code Section 54950 et seq.

Section 3. The Board of Directors shall have such other meetings as are deemed necessary.

ARTICLE VIII. CONDUCT OF BUSINESS

Section 1. A quorum shall consist of at least a majority of the voting members and shall be required for all meetings of C/CAG.

Section 2. All decisions shall be by majority vote of those present unless the decisions involve the adoption of a countywide plan or any voting member requests the use of the special

voting procedures set forth in Section 3.

Section 3. The special voting procedures shall be utilized upon the request of any voting member and for the final adoption of countywide plans. Special voting procedures shall be as follows: 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. In determining the population of local governments, the population as of 2000 shall be utilized as set forth in Exhibit "A" to the Joint Powers Agreement or the most recent population figures adopted by Resolution.

Section 4. C/CAG shall not finally adopt any state-mandated countywide plan unless the plan has been introduced at a prior meeting held at least twenty-five (25) days earlier.

Section 5. Except as provided in these bylaws, or by a majority vote of those present, Roberts Rules of Order, Revised, shall constitute the parliamentary authority for C/CAG.

ARTICLE IX. OTHER MATTERS

Section 1. No member shall receive compensation or reimbursement from C/CAG for expenses incurred in attending any meeting or other function.

Amended 8/10/06



ATTACHMENT B

County of San Mateo

InterDepartmental Correspondence

To: Honorable Board of Directors, CCAG
From: Lee A. Thompson, Deputy County Counsel
Subject: Proposed Bylaw Revisions
For Consideration at February 14, 2013 Meeting
Date: February 1, 2013

One or more members of the CCAG Board have requested the presentation of proposed revisions to the Officer provisions of the Bylaws. In response to those requests, attached hereto are proposed revisions to Bylaws, Article IV.

Absent a request to use the special voting procedures, the Bylaws may be amended by a majority vote of the Board.

Discussion of Particular Revisions

The Bylaw amendment establishing two equal Vice Chairpersons (instead of just one) was adopted in 2004 with the goal of providing an opportunity for more Board members to gain Board administrative experience and thus help create a larger pool of experienced candidates for the office of Chairperson. An unintended result of the term limit provisions however is that once a person has served two one-year terms as a Vice Chairperson, unless he or she is elected Chairperson, he or she may no longer be eligible to serve as a C/CAG officer. With these concerns in mind, we have prepared the three alternative Bylaw amendments attached hereto (in redlined form).

The First alternative changes two equal Vice Chair offices to a “seniority system” with a First Vice Chairperson and a Second Vice Chairperson. This alternative would allow an

Honorable Board of Directors, CCAG
February 1, 2013
Page 2

individual to be elected and serve as a Second Vice Chair for two one-year terms; a First Vice Chair for two one-year terms; and Chairperson for two one year terms.

The Second alternative extends the Vice Chair term limits to 4 one year terms. This alternative, keeps the two equal Vice Chair offices, but allows a person to serve as a Vice Chair for four years (covering two one- year terms of the Chairperson, plus two one-year terms of the other Vice Chair serving as the elected Chairperson).

The third alternative reverts back to having just one Vice Chairperson (as was the case before the changes made in 2004)

With each of the three alternatives, it is suggested that the word “consecutive” be added to the description of the term limits to allow for a former officer to serve as an officer for additional terms after being out of office for a period.

As always, there is also an option of making no change in the Bylaw provision.

Attachments

- Bylaw Amendment Alternative 1
- Bylaw Amendment Alternative 2
- Bylaw Amendment Alternative 3

cc: Sandy Wong, Executive Director, CCAG

JCB:LAT:lt

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 **the Chairperson and a four term limit for each Vice Chairperson**~~each office~~. That is, a member may not serve more than two **consecutive** terms as the Chairperson, and not more than ~~two~~ **four consecutive** 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 (e. g., 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),

BYLAW AMENDMENT ALTERNATIVE 2

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.

ARTICLE IV. OFFICERS

Section 1. The officers of the Board of Directors shall consist of a Chairperson, and ~~two~~ one 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 consecutive terms as the Chairperson, and not more than two consecutive 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.

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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~~ the Vice Chairperson is unable to serve a full term of office.

Section 9. All officers shall serve without compensation.

Section 10. The Chairperson or the ~~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~~ The Vice Chairpersons shall be a members of the Administrators' Advisory Committee.

ARTICLE IV. OFFICERS

Section 1. The officers of the Board of Directors shall consist of a Chairperson, a First Vice Chairperson and a Second~~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 consecutive terms as the Chairperson, ~~and~~ not more than two consecutive terms as ~~the~~ First Vice Chairperson, and not more than two consecutive terms as the Second 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 (e.g., 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. Nominations and election of the First Vice Chairperson shall precede nominations and election of the Second Vice Chairperson. An individual may be nominated for all of the offices, but may elected to only one office. 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

BYLAW AMENDMENT ALTERNATIVE 1

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 (i.e., First, then Second), 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.

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

C/CAG AGENDA REPORT

DATE: February 14, 2013

TO: C/CAG Board of Directors

FROM: Sandy Wong, Executive Director

SUBJECT: Nominations for C/CAG Chair and Vice Chair(s) for the March Election of Officers

(For further information or response to questions, please contact Sandy Wong at 650 599-1409)

RECOMMENDATION:

That the C/CAG Board of Directors make nominations for Chair and Vice Chair(s) 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. *(This staff report is based on the current C/CAG By-Laws at the time the report is written. Any adopted By-Laws revisions preceding actions on this item will be applicable to this item.)*

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@smcgov.org) by March 1, 2013.

ITEM 6.6

CURRENT OFFICERS:

Bob Grassilli has served two terms as Chair and is not eligible to serve another term.

Brandt Grotte has served two terms as Vice Chair and is not eligible to serve another term as Vice Chair.

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

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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: March 1, 2013

C/CAG AGENDA REPORT

Date: February 14, 2013

To: City/County Association of Governments Board of Directors

From: Sandy Wong, Executive Director

Subject: Receive information regarding the California Stormwater Quality Association's amicus brief, filed in relation to the County of Los Angeles' appeal of its stormwater permit-related unfunded mandate test claim, and to which C/CAG signed on as an interested party

(For further information or questions contact C/CAG Legal Counsel at 363-4697)

RECOMMENDATION

Receive information via C/CAG's legal counsel regarding the California Stormwater Quality Association's amicus brief, filed in relation to the County of Los Angeles' appeal of its stormwater permit-related unfunded mandate test claim, and to which C/CAG signed on as an interested party.

ATTACHMENTS

February 1, 2013 memo from Lee Thompson, C/CAG Legal Counsel



COUNTY OF SAN MATEO

INTERDEPARTMENTAL CORRESPONDENCE

To: Honorable Board of Directors, CCAG
From: Lee A. Thompson, Deputy County Counsel
Subject: Information regarding the California Stormwater Quality Association's amicus brief
Date: February 1, 2013

C/CAG's member agencies previously filed test claims with the Commission on State Mandates (Commission), claiming certain provisions of the Municipal Regional Permit constitute state mandates subject to reimbursement from the State of California. These claims are currently on hold at the Commission awaiting final court decisions with regard to similar claims from the Counties of Los Angeles and San Diego. Those claims were originally found valid by the Commission, but the Commission decision was subsequently overturned by Superior Court decisions. Both of the Superior Court Decisions are now on appeal – the Los Angeles decision is before the Second Appellate District, and the San Diego decision is before the Third Appellate District.

A key issue in both of these cases, and in the C/CAG members' claims, is whether the permit requirements in question exceed the federal "maximum extent practicable," or MEP, standard for implementation by permittees. If the permit requirements in question are eventually found to not exceed MEP, then they will not be considered an unfunded mandate and would not be eligible for reimbursement of the cost to implement.

Given the nature of these cases and similarities to C/CAG member agency claims, the C/CAG Board accepted the staff recommendation and in August adopted Resolution 12-49, authorizing C/CAG legal counsel to submit or join amicus curiae ("friend of the court") briefs in the Los Angeles and San Diego appeals

The parties' briefing wrapped up at the beginning of the year, opening a brief window during which interested parties could file amicus curiae briefs to present additional arguments or perspectives for consideration by the courts. The California Stormwater Quality Association

Honorable Board of Directors, CCAG
February 1, 2013
Page 2

(CASQA), a nonprofit corporation representing local public agencies (C/CAG and its member agencies are members) and other non-governmental entities regulated by stormwater permits throughout the state, took the lead in preparing amicus curiae briefs for both the Los Angeles and San Diego appeals and provided an opportunity for CASQA members with pending test claims to review and join the briefs.

C/CAG's outside legal counsel in these matters, the Meyers Nave law firm, was instructed not to join the San Diego amicus brief because the deadline for the brief to be filed did not provide us with an opportunity to review the brief that was to be finally filed. We were able to timely review the Los Angeles amicus brief and did join on that brief.

Other entities that signed on to both of CASQA's briefs include the Alameda Countywide Clean Water Program, the Santa Clara Valley Urban Runoff Pollution Prevention Program, and the Riverside County Flood Control and Water Conservation District, all of which represent municipalities that have pending test claims before the Commission.

CASQA's amicus brief for the Los Angeles case, to which C/CAG joined as an interested party, is available for review on C/CAG's website at <http://www.ccag.ca.gov/ccag.html>

cc: Sandy Wong, Executive Director, CCAG
Matthew Fabry, Water Pollution Prevention Program Coordinator, CCAG

JCB:LAT:lt