

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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

BOARD MEETING NOTICE

Meeting No. 233

DATE: Thursday, March 10, 2011

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 PRESENTATION

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. 232 dated February 10, 2011.
ACTION p. 1
- 5.2 Review and approval of Resolution 11-23 authorizing the adoption of the Fiscal Year 2011/2012 Expenditure Plan for the Transportation Fund for Clean Air (TFCA) Program for San Mateo County.
ACTION p. 7
- 5.3 Review and approval of the 5th Cycle of the Transit Oriented Development Housing Incentive Program.
ACTION p. 11
- 5.4 Review and approval of Resolution 11-10 authorizing the C/CAG Chair to execute Ownership, Operations, and Maintenance Agreements between Caltrans District 4, the County of San Mateo, City of Belmont, City of Burlingame, City of Millbrae, City of Redwood City, City of San Bruno, City of San Carlos, City of San Mateo, and C/CAG to outline and define the roles, responsibilities, terms and conditions for the ownership, operation, and maintenance of equipment and components of the San Mateo Smart Corridors and further authorizing the C/CAG Chair to execute, on behalf of C/CAG, minor changes and amendments thereto as may be agreed upon by the signatory agencies.
ACTION p. 37
- 5.5 Review and approval of the process for "Call for Projects" of the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS).
ACTION p. 49
- 5.6 Review and approval of Resolution 11-11 authorizing the C/CAG Chair to Execute a Contract Work Authorization, Adding \$125,000 of PG&E Green Communities Funding for Countywide Climate Action Planning, to the Master Service Agreement between C/CAG and PG&E.
ACTION p. 65
- 5.7 Review and approval of Resolution 11-12 authorizing the Executive Director to execute Right-of-Way Certifications for State and Federal-Aid Transportation Projects.
ACTION p. 71
- 5.8 Consideration/Approval of a Recommendation from the C/CAG Airport Land Use Committee (ALUC), Re: Comprehensive Airport Land Use Compatibility Plan (CLUP) Consistency Review of a Referral from the City of South San Francisco, Re: Oyster Point Specific Plan and Phase 1 Project
ACTION p. 73

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 priorities, positions, Legislative update, and State legislative advocate.
(A position may be taken on any legislation, including legislation not previously identified.)
ACTION p. 107

- 6.2 Review and approval of Resolution 11-08 authorizing the C/CAG Chair to execute an agreement with the San Mateo County Superintendent of Schools to administer and manage the Countywide Safe Routes to School Program in an amount not to exceed \$2,000,000. ACTION p. 137
- 6.3 Review and recommend approval of the Measure M (\$10 Vehicle Registration Fee) 5-Year Implementation Plan. (Special voting procedures apply.) ACTION p. 155
- 6.4 Review and approval of Resolution 11-24 requesting the reauthorization of the City/ County Association of Governments of San Mateo County (C/CAG) including approval of the Joint Powers Agreement and transmittal to the Cities and County. ACTION p. 163
- 6.5 Election of a C/CAG Chairperson and Two C/CAG Vice Chairpersons ACTION p. 185
- 6.6 Receive the Draft Comprehensive Bicycle and Pedestrian Plan (CBPP) and authorize staff to receive and incorporate additional comments through a public review process. ACTION p. 193

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: April 14, 2011 Regular Board Meeting.

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

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

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

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

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

FUTURE MEETINGS

March 2, 2011	SCS/ RHNA Planning Directors Meeting - SamTrans 2 nd Floor Auditorium - 9:00 a.m.
March 10, 2011	Legislative Committee - SamTrans 2 nd Floor Auditorium - 5:30 p.m.
March 10, 2011	C/CAG Board - SamTrans 2 nd Floor Auditorium - 6:30 p.m.
March 15, 2011	NPDES Technical Advisory Committee - to be determined - 10:00 a.m.
March 17, 2011	Resource Management and Climate Protection Committee (RMCP)
March 17, 2011	CMP Technical Advisory Committee - SamTrans 2 nd Floor Auditorium - 3:00 p.m. Conference Room C - 7:00 p.m.
March 24, 2011	Bicycle and Pedestrian Advisory Committee (BPAC) - San Mateo City Hall -
March 28, 2011	Administrators' Advisory Committee - 555 County Center, 5 th Fl, Redwood City - Noon
March 28, 2011	CMEQ Committee - San Mateo City Hall - Conference Room C - 3:00 p.m.

C/CAG

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Meeting No. 232
February 10, 2011

1.0 CALL TO ORDER/ROLL CALL

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

Atherton - Jerry Carlson
Terry Nagel - Burlingame
Michael Guingona - Daly City (6:39)
Carlos Romero - East Palo Alto
Linda Koelling - Foster City
Naomi Patridge - Half Moon Bay
Tom Kasten - Hillsborough
Kirsten Keith - Menlo Park
Marge Colapietro - Millbrae
Mary Ann Nihart - Pacifica
Maryann Moise Derwin - Portola Valley
Rosanne Foust - Redwood City, San Mateo County Transportation Authority
Bob Grassilli - San Carlos
Brandt Grotte - San Mateo
Carole Groom - San Mateo County
Kevin Mullen - South San Francisco, San Mateo County Transit District
Deborah Gordon - Woodside

Absent:

Belmont
Brisbane
Colma
San Bruno

Others:

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

ITEM 5.1

Matt Fabry, C/CAG Staff
Kim Springer, County of San Mateo
Kelly Fergusson, Menlo Park
Paul Seto, Millbrae

4.0 PRESENTATIONS/ ANNOUNCEMENTS

4.1 PRESENTATION

Presentations commending their years of service on C/CAG were made to Kelly Fergusson, Council Member Menlo Park, and Paul Seto, Council Member Millbrae.

5.0 CONSENT AGENDA

Board Member Koelling MOVED to approve the Consent Items 5.3, 5.4, 5.6, 5.6.1, 5.6.2, 5.6.3, 5.6.4, 5.9, and 5.11. Board Member Grotte SECONDED. **MOTION CARRIED** 16-0.

- 5.3 Review and approval of Resolution 11-09 authorizing the C/CAG Chair to execute an agreement with Jacobs Engineering Group to provide traffic monitoring service for the 2011 Congestion Management Program (CMP) update in an amount not to exceed \$55,822.02.
APPROVED
- 5.4 Review and approval of Resolution 11-04 authorizing the C/CAG chair to execute an Agreement with Mokhtari Engineering Inc. for project management services on the Smart Corridors Project for one year in an amount not to exceed \$100,000.
APPROVED
- 5.6 Review and accept C/CAG Audits.
- 5.6.1 Review and accept the Abandoned Vehicle Abatement Fund Financial Statements (Audit) for the Year Ended June 30, 2010.
APPROVED
- 5.6.2 Review and accept the C/CAG Basic Financial Statements (Audit) for the Year Ended June 30, 2010.
APPROVED
- 5.6.3 Review and accept the AB 1546 Fund Financial Statements (Audit) for the Year Ended June 30, 2010.
APPROVED
- 5.6.4 Review and accept the Memorandum on Internal Control and Required Communications for the Year Ended June 30, 2010.
APPROVED
- 5.9 Review and approval of Resolution 11-07 authorizing the Chair to execute an agreement with Joint Venture Silicon Valley Network for \$75,000 for ongoing direct support and assistance services to local governments.
APPROVED
- 5.11 Review and approval of co-sponsoring the Silicon Valley Leadership Group efforts to Save Caltrain and provide \$3,000 for outreach meetings and polling.
APPROVED

Items 5.1, 5.2, 5.5, 5.7, 5.8, 5.10 were removed from the Consent Calendar.

- 5.1 Approval of the Minutes of Regular Business Meeting No. 230 dated December 9, 2010.

APPROVED

Board Member Grotte MOVED to approve Item 5.1. Board Member Faust SECONDED.
MOTION CARRIED 12-0-5. Board Members Carlson, Guingona, Colapietro, Keith, and Nihart abstaining.

- 5.2 Review and Approval of Resolution 11-02 Authorizing the Executive Director to enter into an agreement with the Alameda County Clean Water Program regarding the coordination of efforts and joint legal representation for unfunded mandate test claims filed by San Mateo and Alameda County member agencies.

APPROVED

Board Member Grotte MOVED to approve Item 5.2. Board Member Groom SECONDED.
MOTION CARRIED 16-1. Board Member Patridge Opposed.

- 5.5 Review and Approval of C/CAG Resolution 11-01 Authorizing the C/CAG Chair to Execute an Agreement (Memorandum of Understanding) Between C/CAG and the San Francisco Airport Commission for Partial Funding for the Preparation of an Update of the Comprehensive Airport Land Use Compatibility Plan (CLUP) for the Environs of San Francisco International Airport and Related C/CAG Staff Costs in the Amount of \$100,000 to be Paid to the C/CAG Board in FY 2010/2011.

APPROVED

Board Member Grotte MOVED to approve Item 5.5. Board Member Nihart SECONDED.
MOTION CARRIED 17-0.

- 5.7 Request the Finance Committee to evaluate the performance of the City/ County Association of Governments of San Mateo County (C/CAG) and to make a recommendation to the Board on reauthorization.

APPROVED

Board Member Carlson MOVED to approve Item 5.7. Board Member Grotte SECONDED.
MOTION CARRIED 17-0.

- 5.8 Review and approval of the Joint Call for Projects for the San Mateo County Bicycle and Pedestrian Program for FY 2012 and FY 2013.

APPROVED

Board Member Patridge MOVED to approve Item 5.8. Board Member Colapietro SECONDED. **MOTION CARRIED** 17-0.

- 5.10 Approval of appointments to fill two vacant stakeholder seats on the Resource Management and Climate Protection Committee.

APPROVED

Board Member Kasten MOVED to approve Item 5.10. Board Member Grotte SECONDED.
MOTION CARRIED 17-0.

6.0 REGULAR AGENDA

- 6.1 Review and approval of C/CAG Legislative priorities, positions, Legislative update, and State legislative advocate.

(A position may be taken on any legislation, including legislation not previously identified.)

APPROVED

The Legislative Committee recommended that the C/CAG Board adopt a position supporting Redevelopment Agencies or equivalent Economic Development capabilities and direct Advocation to represent this position.

The Legislative Committee recommended that the C/CAG Board adopt a position opposing the proposed membership change to the Metropolitan Transportation Commission.

Board Member Gordon MOVED to approve the Legislative Committee recommendations.
Board Member Carlson SECONDED. **MOTION CARRIED** 17-0.

6.1.1 Presentation from State Legislative Advocate. INFORMATION

Gus Khouri representing Advocation provided an update on the State Budget and other Legislative issues.

6.1.2 Review and approval of Resolution 11-05 authorizing the C/CAG Chair to execute an agreement with Advocation to provide State legislative advocacy services for an amount not exceed \$72,000 annually for two years or a total of \$144,000. APPROVED

Board Member Carlson MOVED to approve Item 6.1. Board Member Gordon SECONDED.
MOTION CARRIED 17-0.

6.2 Review and approval of Resolution 11-08 authorizing the C/CAG Chair to execute an agreement with the San Mateo County Superintendent of Schools to administer and manage the Countywide Safe Routes to School Program in an amount not to exceed \$2,000,000. TABLED

The Board had numerous questions and requested that Superintendent Ann Campbell of the County Office of Education be requested to attend the March C/CAG Board meeting.

6.3 Review and approval of Resolution 11-06 accepting the North Central San Mateo (City) Community-Based Transportation Plan and recommending implementation of the identified strategies. APPROVED

Emily Betts of SamTrans presented the plan to the Board and responded to questions.

Board Member Grotte MOVED to approve Item 6.3. Board Member Groom SECONDED.
MOTION CARRIED 17-0.

6.4 Review and Approval of Resolution 11-03 Authorizing Submittal of an Application for \$1.5 Million in Grant Funds Under the U.S. Environmental Protection Agency's San Francisco Bay Water Quality Improvement Fund and Authorizing the Executive Director to Commit \$500,000 in Matching Funds and \$1 Million in Leveraged Funds for Focused Green Street Project Implementation to Address Polychlorinated Biphenyl (PCB) Pollution in San Carlos and Development of a Countywide Green Streets Implementation Plan APPROVED

Board Member Nagel MOVED to approve Item 6.4. Board Member Groom SECONDED.
MOTION CARRIED 17-0.

6.5 Review and provide input on the draft San Mateo County Countywide Transportation Plan 2035 (CTP 2035) visions, goals and objectives. TABLED

6.6 Nominations for C/CAG Chair and Vice Chair (three) for the March election of officers. ACTION

Board Member Groom nominated Board Member Grassilli for Chair. Board Member Grotte **SECONDED**.

There were no other nominations for Chair.

Board Member Koelling nominated Board Member Grotte for Vice Chair. Board Member Faust **SECONDED**.

Board Member Patridge nominated Board Member Romero for Vice Chair. Board Member Nihart **SECONDED**.

Board Member Keith nominated Board Member Nagel for Vice Chair. Board Member Carlson **SECONDED**.

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

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9.1 Letter from Chair Kasten to Honorable Jeff Ira, Mayor, City of Redwood City, dated 1/4/11. Re: C/CAG Board Review/Action on the City of Redwood City *Downtown Precise Plan Public Review Draft 8/31/10*.

9.2 Letter from Chair Kasten to Honorable Carole Groom, Supervisor/Vice-President, County of San Mateo Board of Supervisors, dated 1/4/2011. Re: CCAG Board Review/Action on the *San Mateo County 2007-2014 Draft Housing Element*.

9.3 Letter from Chair Kasten to City Managers/ County Manager dated 1/4/11. Re: Test Claim for Unfunded Mandates Relating to California Water Quality Control Board, San Francisco Bay Region, Permit No. CAS612008, issued as Order No. R2-2009-0074 (October 14, 2009).

- 9.4 Letter from Bijan Sartipi, District Director, Department of Transportation, to Mr. Richard Napier, Executive Director C/CAG, dated 1/26/11. Re: Route 101/Candlestick Point Interchange Modification Project Study Report (PSR) and the 101/Holly Street Interchange PSR in the Project Initiation Document Reimbursement Pilot Program.

10.0 ADJOURN

Adjourned at 8:50 p.m.

C/CAG AGENDA REPORT

Date: March 10, 2011

To: C/CAG Board of Directors

From: Richard Napier, Executive Director

Subject: Review and approval of Resolution 11-23 authorizing the adoption of the Fiscal Year 2011/2012 Expenditure Plan for the Transportation Fund for Clean Air (TFCA) Program for San Mateo County

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

RECOMMENDATION

That the C/CAG Board of Directors approve Resolution 11-23 authorizing the adoption of the Fiscal Year 2011/2012 Expenditure Plan for the Transportation Fund for Clean Air (TFCA) Program for San Mateo County.

FISCAL IMPACT

The allocation of TFCA funds for Fiscal Year 2011/2012 is expected to be approximately \$987,566 of which \$46,566 (approx. 5%) will be allocated to administration. It is recommended that the remaining funds (\$941,000) be distributed based on the policies adopted in past years by C/CAG with modifications detailed in the discussion section. 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>2008/2009</i>	<i>2009/2010</i>	<i>2010/2011</i>	<i>2011/2012</i>
Employer Based Shuttle Projects	SamTrans	\$636,000	\$570,000	\$536,000	\$527,000
County-wide Voluntary Trip Reduction Program (Peninsula Traffic Congestion Relief Alliance)		\$500,000	\$449,000	\$421,000	\$414,000
Administration		\$57,400	\$51,722	\$47,153	\$46,566
Totals		\$1,193,400	\$1,070,722	\$1,004,153	\$987,566

ITEM 5.2

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 four fiscal years. For ten of the last thirteen years the C/CAG Board has allocated the funds for the SamTrans and City of Menlo Park Shuttle Bus Programs and the Alliance County-wide Voluntary Trip Reduction Program. It is recommended that the same methodology be used for the FY 2011/2012 TFCA Program allocation with the exception of the Menlo Park Shuttle Program. The 4% in TFCA funds that had been allocated to Menlo Park in the past has been directed to the Alliance for the FY 2011/2012 Expenditure Plan recommendation. Menlo Park now receives their shuttle funding from C/CAG through the Local Transportation Services Program (Shuttle Program). As a result, \$38,000 would be subtracted from the \$550,000 that was budgeted for the Alliance from the Congestion Relief Program for Fiscal Year 2011/2012.

- It is recommended that the SamTrans Shuttle Program receive an allocation of \$527,000 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 \$414,000 in TFCA funds and receive \$512,000 from the Congestion Relief Plan for a total allocation of \$926,000 for its County-wide 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 2011/2012 Program.

Overall Policies:

- Cost Effectiveness, as defined by the Bay Area Air Quality Management District (BAAQMD), will be used as initial 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 2011/2012:

Project	Recommendations
Administration	\$46,566
SamTrans	\$527,000
Peninsula Traffic Congestion Relief Alliance	\$414,000
Total funds obligated	\$987,566
Total funds anticipated	\$987,566
Balance	\$0

ATTACHMENTS

- Resolution 11-23

RESOLUTION 11-23

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 2011/2012 EXPENDITURE PLAN FOR THE TRANSPORTATION FUND FOR CLEAN AIR (TFCA) PROGRAM 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 2011/2012 TFCA funding for San Mateo County to be \$976,283; and,

WHEREAS, the City/County Association of Governments will act as the Program Manager for \$941,000 of TFCA funded projects; and,

WHEREAS, the projects included in this expenditure plan are the most appropriate and cost-effective strategies currently available within the County for reducing motor vehicle emissions. 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 2011/2012 Expenditure Plan for the San Mateo County TFCA Program to the Bay Area Air Quality Management District.

PASSED, APPROVED, AND ADOPTED THIS 10th DAY OF MARCH 2011.

Thomas M. Kasten, C/CAG Chair

C/CAG AGENDA REPORT

Date: March 10, 2011
To: C/CAG Board of Directors
From: Richard Napier, Executive Director
Subject: Review and approval of the 5th Cycle of the Transit Oriented Development Housing Incentive Program

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

RECOMMENDATION

That the Board of Directors review and approve the following projects (presented in attached summary) for the 5th Cycle of the Transit Oriented Development Housing Incentive Program.

FISCAL IMPACT

This initiative will help cities that are approving Transit Oriented Development (TOD) projects receive money earmarked for transportation projects. The cities with qualified projects that begin construction on TOD housing within 2 years will receive the financial incentive once the project is built.

SOURCE OF FUNDS

There is \$3,000,000 available for the 5th Cycle of the program. The funding sources include the State Transportation Improvement Program, Transportation Enhancement (TE) funds and the Transportation for Livable Communities (TLC) Program, which consists of Congestion Mitigation & Air Quality (CMAQ) Improvement Program and Surface Transportation Program (STP) funds.

BACKGROUND/DISCUSSION

The objective of this program is to encourage high-density housing (greater than 40 units per acre) within 1/3 of a mile of a BART or Caltrain station or on El Camino Real/Mission Street in San Mateo County. For eligible housing projects, C/CAG will make a commitment to program the incentive funds to a transportation project identified by the sponsor if the housing is under construction within two years.

Staff issued a call for projects for the 5th Cycle TOD Housing Incentive Program on December 5, 2010 and applications were due on January 28, 2011. Ten applications were received and all were determined to be eligible by staff.

There are 10 projects that are being recommended for approval for the 5th Cycle of the Transit Oriented Development Housing Incentive Program. The projects that qualified collectively include 2,156 bedrooms of which 646 will be affordable to low and moderate-income households. Based on the number of bedrooms approved there will be \$1,336 available for each bedroom built and an additional \$185 available for each affordable bedroom built.

In order to determine the dollar amount for each bedroom we multiplied the number of bedrooms and affordable bedrooms times \$2000 and \$250, respectively. From this we determined the percentage share that each category (regular bedrooms and affordable bedrooms) would have with an unlimited amount of money. It was calculated that of the \$3,000,000, 96% of it would be available for regular bedrooms and 4% would be available for affordable bedrooms. Given this breakdown we have \$1,336 available for each regular bedroom and \$185 available for each affordable bedroom.

For the 5th Cycle there are three projects that are on the El Camino Real.

ATTACHMENTS

- Summary of Recommended Projects - 5th Cycle
- Resolution 11-13
- Resolution 11-14
- Resolution 11-15
- Resolution 11-16
- Resolution 11-17
- Resolution 11-18
- Resolution 11-19
- Resolution 11-20
- Resolution 11-21
- Resolution 11-22

**Transit Oriented Development Housing Incentive Program
Summary of Recommended Projects – 5th Cycle**

Applicant:	City of San Mateo
Project Name:	Mid-Peninsula Housing & Palo Alto Partners
Address:	2000 South Delaware Street San Mateo, CA 94403
Description:	This project consists of a 3-5 story apartment complex with two structures containing 120 residential units built over a single at-grade parking garage podium with large secure courtyard.
Number of Units:	120 units
Number of Bedrooms:	242
Density:	57 units/acre
Distance from Transit Station or ECR/Mission Street:	1,000 feet from Hayward Park Caltrain Station
Non-Residential Uses:	NA
Affordable housing incentive:	100% (242 bedrooms)
Eligible for \$	\$368,000

Applicant:	City of San Mateo
Project Name:	Bay Meadows Phase II
Address:	2600 South Delaware Street San Mateo, CA 94403
Description:	This is a 2.16 acre site with 108 units at a density of 50 dwelling units/net acre consisting of 88 condominium flats and 20 townhomes.
Number of Units:	108 units
Number of Bedrooms:	199
Density:	50 units/acre
Distance from Transit Station or ECR/Mission Street:	923 feet from proposed Hillsdale Caltrain Station
Non-Residential Uses:	NA
Affordable housing incentive:	10% (20 bedrooms)
Eligible for \$	\$270,000

Applicant:	City of San Carlos
Project Name:	San Carlos Transit Village
Address:	East Side of El Camino Real, San Carlos, CA
Description:	Redevelopment of an 8.7 acre site into a “Transit Village”, which is a development involving mainly residential uses and some retail uses, and a multi-modal transit center situated south of the historic depot.
Number of Units:	281 units
Number of Bedrooms:	532
Density:	56 units/acre
Distance from Transit Station or ECR/Mission Street:	El Camino Real
Non-Residential Uses:	34,600 square feet of retail/commercial space
Affordable housing incentive:	15% Affordable (80 bedrooms)
Eligible for \$	\$726,000

Applicant:	City of San Carlos
Project Name:	Wheeler Plaza
Address:	1200 block of San Carlos Ave.& 600 block of Walnut Street, San Carlos, CA
Description:	This is a five story structure that includes approximately 112 residential condominium units.
Number of Units:	112
Number of Bedrooms:	211
Density:	51 units/acre
Distance from Transit Station or ECR/Mission Street:	1/10 of a mile from Caltrain
Non-Residential Uses:	9,800 square feet of retail space
Affordable housing incentive:	21% (44 bedrooms)
Eligible for \$	\$290,000

Applicant:	City of San Bruno
Project Name:	Peninsular Plaza
Address:	400-418 San Mateo Avenue, San Bruno, CA
Description:	This project will be a three story mixed-use building with two floors of condominiums over ground floor commercial use and underground parking.
Number of Units:	48 units
Number of Bedrooms:	93
Density:	48 units/acre
Distance from Transit Station or ECR/Mission Street:	1/5 mile to Caltrain
Non-Residential Uses:	14,650 square feet of commercial space
Affordable housing incentive:	17.5% affordable (16 bedrooms)
Eligible for \$	\$127,000

Applicant:	City of South San Francisco
Project Name:	Mid Peninsula Housing Coalition
Address:	636 El Camino Real, South San Francisco, CA
Description:	Mixed-use affordable housing project on an approximately two-acre lot which will consist of four two to five story buildings with up to 109 residential rental units and approximately 5,000 square feet of commercial/retail space.
Number of Units:	109 residential units
Number of Bedrooms:	235
Density:	54 units/acre
Distance from Transit Station or ECR/Mission Street:	El Camino Real
Non-Residential Uses:	5000 square feet of commercial/retail space
Affordable housing incentive:	100% affordable (235 bedrooms)
Eligible for \$	\$357,000

Applicant:	City of South San Francisco
Project Name:	City of South San Francisco
Address:	418 Linden Avenue, South San Francisco, CA
Description:	Mixed-use housing project which will consist of a four-story building with approximately 7,000 square feet of ground floor commercial space with residential above. The residential portion will consist of 25 units: thirteen 1-bedroom units, twelve 2-bedroom units.
Number of Units:	25 residential units
Number of Bedrooms:	37
Density:	77 units/acre
Distance from Transit Station or ECR/Mission Street:	¼ mile to South San Francisco Caltrain
Non-Residential Uses:	7,000 square feet of commercial space
Affordable housing incentive:	NA
Eligible for \$	\$49,000

Applicant:	City of South San Francisco
Project Name:	Metron, PTP
Address:	1309 Mission Road, South San Francisco, CA
Description:	Mixed use affordable housing project which will consist of a four story building with approximately 5,200 square feet of ground floor commercial with residential above. The residential portion will consist of 20 units: two 1-bedroom units, fourteen 2-bedroom units, two 3-bedroom units and two 4-bedroom units.
Number of Units:	20
Number of Bedrooms:	44
Density:	49 units/acre
Distance from Transit Station or ECR/Mission Street:	.02 miles from South San Francisco BART
Non-Residential Uses:	5,200 square feet of commercial
Affordable housing incentive:	20% affordable (9 bedrooms)
Eligible for \$	\$61,000

Applicant:	City of Redwood City
Project Name:	Mel's Bowl Site / Urban Housing Group
Address:	2580 El Camino Real, Redwood City, CA
Description:	This will be a 149-unit multi-family residential project with wrapped parking containing 246 parking stalls and bicycle storage. The applicant proposes 105 one-bedroom units and 44 two-bedroom units.
Number of Units:	149
Number of Bedrooms:	193 bedrooms
Density:	60 units/acre
Distance from Transit Station or ECR/Mission Street:	El Camino Real
Non-Residential Uses:	NA
Affordable housing incentive:	NA
Eligible for \$	\$258,000

Applicant:	City of Redwood City
Project Name:	Dodge Dealership Development Site / BRE Properties
Address:	640 Veterans Blvd., Redwood City, CA
Description:	This project will be a 260 unit multi-family residential development that includes a density bonus to allow 72 units per acre.
Number of Units:	260
Number of Bedrooms:	370
Density:	72 units/acre
Distance from Transit Station or ECR/Mission Street:	.27 miles from Redwood City Caltrain Station
Non-Residential Uses:	NA
Affordable housing incentive:	NA
Eligible for \$	\$494,000

Note – Grant amounts are rounded to the nearest \$1,000 per State and Federal requirements.

RESOLUTION 11-13

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY COMMITTING TO PROGRAM A \$368,000 INCENTIVE TO THE CITY OF SAN MATEO FOR THE MID-PENINSULA HOUSING & PALO ALTO PARTNERS PROJECT AS PART OF THE 2011 TRANSIT ORIENTED DEVELOPMENT HOUSING INCENTIVE PROGRAM

WHEREAS, the City/ County Association of Governments (C/CAG) has established a Transit Oriented Development (TOD) Housing Incentive Program and set aside \$3,000,000 to fund the program; and,

WHEREAS, the Board of Directors of the City/County Association of Governments at its March 10, 2011 meeting determined certain projects were eligible for the Transit Oriented Development Housing Incentive Program; and,

WHEREAS, the City of San Mateo submitted the Mid-Peninsula Housing & Palo Alto Partners Project consisting of 120 +/- units for consideration; and,

WHEREAS, it was determined that the project or portions thereof met the minimum density requirement of 40 units per acre and is within one third of a mile of a rail station or is on a frontage parcel on the El Camino Real/Mission Street; and,

WHEREAS, it was determined that 242 +/- Bedrooms were eligible for the Transit Oriented Development Housing Incentive Program; and,

WHEREAS, it was determined that 242 +/- Affordable Bedrooms were eligible for the Transit Oriented Development Housing Incentive Program; and,

WHEREAS, it has been determined that the City of San Mateo is eligible for an incentive of \$368,000.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that C/CAG will program \$368,000 from the TOD Incentive Funds under the following conditions:

1. The Mid-Peninsula Housing & Palo Alto Partners Project that qualified for the incentive must be built.
2. After the housing project is completed or under construction, but no later than two years from the date of C/CAG Board's approval of the financial commitment, the City of San Mateo must identify the transportation project(s), in writing to C/CAG. The transportation project(s) must meet the requirements of the relevant Federal and/or State transportation programs. In addition, the final number of bedrooms and

affordable bedrooms completed or under construction must be provided in writing to C/CAG.

3. C/CAG will attempt to program the transportation project as soon as practical depending on funding limitations. However, the transportation project will be programmed for the fiscal year that the housing project is expected to be completed.
4. The City of San Mateo must follow all appropriate steps in programming and delivery of the transportation project(s) as required by the relevant Federal and/or State transportation programs.
5. This commitment expires if the Mid-Peninsula Housing & Palo Alto Partners Project is not “under construction” and the request for programming a valid San Mateo transportation project has not been made by 03/10/13. “Under construction” shall be defined as described in item #5.3 of the December 9th, 2004 C/CAG Board of Directors Meeting.
6. This commitment is not renewable.

PASSED, APPROVED, AND ADOPTED THIS 10TH DAY OF MARCH, 2011.

Thomas M. Kasten, Chair

RESOLUTION 11-14

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY COMMITTING TO PROGRAM A \$270,000 INCENTIVE TO THE CITY OF SAN MATEO FOR THE BAY MEADOWS PHASE II PROJECT AS PART OF THE 2011 TRANSIT ORIENTED DEVELOPMENT HOUSING INCENTIVE PROGRAM

WHEREAS, the City/ County Association of Governments (C/CAG) has established a Transit Oriented Development (TOD) Housing Incentive Program and set aside \$3,000,000 to fund the program; and,

WHEREAS, the Board of Directors of the City/County Association of Governments at its March 10, 2011 meeting determined certain projects were eligible for the Transit Oriented Development Incentive Program; and,

WHEREAS, the City of San Mateo submitted the Bay Meadows Phase II Project consisting of 108 +/- units for consideration; and,

WHEREAS, it was determined that the project or portions thereof met the minimum density requirement of 40 units per acre and is within one third of a mile of a rail station or is on a frontage parcel on the El Camino Real/Mission Street; and,

WHEREAS, it was determined that 199 +/- Bedrooms were eligible for the Transit Oriented Development Incentive Program; and,

WHEREAS, it was determined that 20 +/- Affordable Bedrooms were eligible for the Transit Oriented Development Housing Incentive Program; and,

WHEREAS, it has been determined that the City of San Mateo is eligible for an incentive of \$270,000.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that C/CAG will program \$270,000 from the TOD Incentive Funds under the following conditions:

1. The Bay Meadows Phase II Project that qualified for the incentive must be built.
2. After the housing project is completed or under construction, but no later than two years from the date of C/CAG Board's approval of the financial commitment, the City of San Mateo must identify the transportation project(s), in writing to C/CAG. The transportation project(s) must meet the requirements of the relevant Federal and/or State transportation programs. In addition, the final number of bedrooms and affordable bedrooms completed or under construction must be provided in writing to C/CAG.

3. C/CAG will attempt to program the transportation project as soon as practical depending on funding limitations. However, the transportation project will be programmed for the fiscal year that the housing project is expected to be completed.
4. The City of San Mateo must follow all appropriate steps in programming and delivery of the transportation project(s) as required by the relevant Federal and/or State transportation programs.
5. This commitment expires if the Bay Meadows Phase II Project is not “under construction” and the request for programming a valid San Mateo transportation project has not been made by 03/10/13. “Under construction” shall be defined as described in item #5.3 of the December 9th, 2004 C/CAG Board of Directors Meeting.
6. This commitment is not renewable.

PASSED, APPROVED, AND ADOPTED THIS 10TH DAY OF MARCH, 2011.

Thomas M. Kasten, Chair

RESOLUTION 11-15

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY COMMITTING TO PROGRAM A \$726,000 INCENTIVE TO THE CITY OF SAN CARLOS FOR THE SAN CARLOS TRANSIT VILLAGE PROJECT AS PART OF THE 2011 TRANSIT ORIENTED DEVELOPMENT HOUSING INCENTIVE PROGRAM

WHEREAS, the City/ County Association of Governments (C/CAG) has established a Transit Oriented Development (TOD) Housing Incentive Program and set aside \$3,000,000 to fund the program; and,

WHEREAS, the Board of Directors of the City/County Association of Governments at its March 10, 2011 meeting determined certain projects were eligible for the Transit Oriented Development Housing Incentive Program; and,

WHEREAS, the City of San Carlos submitted the San Carlos Transit Village Project consisting of 281 +/- units for consideration; and,

WHEREAS, it was determined that the project or portions thereof met the minimum density requirement of 40 units per acre and is within one third of a mile of a rail station or is on a frontage parcel on the El Camino Real/Mission Street; and,

WHEREAS, it was determined that 532 +/- Bedrooms were eligible for the Transit Oriented Development Housing Incentive Program; and,

WHEREAS, it was determined that 80 +/- Affordable Bedrooms were eligible for the Transit Oriented Development Housing Incentive Program; and,

WHEREAS, it has been determined that the City of San Carlos is eligible for an incentive of \$726,000.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that C/CAG will program \$726,000 from the TOD Incentive Funds under the following conditions:

1. The San Carlos Transit Village Project that qualified for the incentive must be built.
2. After the housing project is completed or under construction, but no later than two years from the date of C/CAG Board's approval of the financial commitment, the City of San Carlos must identify the transportation project(s), in writing to C/CAG. The transportation project(s) must meet the requirements of the relevant Federal and/or State transportation programs. In addition, the final number of bedrooms and affordable bedrooms completed or under construction must be provided in writing to C/CAG.

3. C/CAG will attempt to program the transportation project as soon as practical depending on funding limitations. However, the transportation project will be programmed for the fiscal year that the housing project is expected to be completed.
4. The City of San Carlos must follow all appropriate steps in programming and delivery of the transportation project(s) as required by the relevant Federal and/or State transportation programs.
5. This commitment expires if the San Carlos Transit Village Project is not “under construction” and the request for programming a valid San Carlos transportation project has not been made by 03/10/13. “Under construction” shall be defined as described in item #5.3 of the December 9th, 2004 C/CAG Board of Directors Meeting.
6. This commitment is not renewable.

PASSED, APPROVED, AND ADOPTED THIS 10TH DAY OF MARCH, 2011.

Thomas M. Kasten, Chair

RESOLUTION 11-16

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY COMMITTING TO PROGRAM A \$290,000 INCENTIVE TO THE CITY OF SAN CARLOS FOR THE WHEELER PLAZA PROJECT AS PART OF THE 2011 TRANSIT ORIENTED DEVELOPMENT HOUSING INCENTIVE PROGRAM

WHEREAS, the City/ County Association of Governments (C/CAG) has established a Transit Oriented Development (TOD) Housing Incentive Program and set aside \$3,000,000 to fund the program; and,

WHEREAS, the Board of Directors of the City/County Association of Governments at its March 10, 2011 meeting determined certain projects were eligible for the Transit Oriented Development Housing Incentive Program; and,

WHEREAS, the City of San Carlos submitted the Wheeler Plaza Project consisting of 112 +/- units for consideration; and,

WHEREAS, it was determined that the project or portions thereof met the minimum density requirement of 40 units per acre and is within one third of a mile of a rail station or is on a frontage parcel on the El Camino Real/Mission Street; and,

WHEREAS, it was determined that 211 +/- Bedrooms were eligible for the Transit Oriented Development Housing Incentive Program; and,

WHEREAS, it was determined that 44 +/- Affordable Bedrooms were eligible for the Transit Oriented Development Housing Incentive Program; and,

WHEREAS, it has been determined that the City of San Carlos is eligible for an incentive of \$290,000.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that C/CAG will program \$290,000 from the TOD Incentive Funds under the following conditions:

1. The Wheeler Plaza Project that qualified for the incentive must be built.
2. After the housing project is completed or under construction, but no later than two years from the date of C/CAG Board's approval of the financial commitment, the City of San Carlos must identify the transportation project(s), in writing to C/CAG. The transportation project(s) must meet the requirements of the relevant Federal and/or State transportation programs. In addition, the final number of bedrooms and affordable bedrooms completed or under construction must be provided in writing to C/CAG.

3. C/CAG will attempt to program the transportation project as soon as practical depending on funding limitations. However, the transportation project will be programmed for the fiscal year that the housing project is expected to be completed.
4. The City of San Carlos must follow all appropriate steps in programming and delivery of the transportation project(s) as required by the relevant Federal and/or State transportation programs.
5. This commitment expires if the Wheeler Plaza Project is not “under construction” and the request for programming a valid San Carlos transportation project has not been made by 03/10/13. “Under construction” shall be defined as described in item #5.3 of the December 9th, 2004 C/CAG Board of Directors Meeting.
6. This commitment is not renewable.

PASSED, APPROVED, AND ADOPTED THIS 10TH DAY OF MARCH, 2011.

Thomas M. Kasten, Chair

RESOLUTION 11-17

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY COMMITTING TO PROGRAM A \$127,000 INCENTIVE TO THE CITY OF SAN BRUNO FOR THE PENINSULAR PLAZA PROJECT AS PART OF THE 2011 TRANSIT ORIENTED DEVELOPMENT HOUSING INCENTIVE PROGRAM

WHEREAS, the City/ County Association of Governments (C/CAG) has established a Transit Oriented Development (TOD) Housing Incentive Program and set aside \$3,000,000 to fund the program; and,

WHEREAS, the Board of Directors of the City/County Association of Governments at its March 10, 2011 meeting determined certain projects were eligible for the Transit Oriented Development Housing Incentive Program; and,

WHEREAS, the City of San Bruno submitted the Peninsular Plaza Project consisting of 48 +/- units for consideration; and,

WHEREAS, it was determined that the project or portions thereof met the minimum density requirement of 40 units per acre and is within one third of a mile of a rail station or is on a frontage parcel on the El Camino Real/Mission Street; and,

WHEREAS, it was determined that 93 +/- Bedrooms were eligible for the Transit Oriented Development Housing Incentive Program; and,

WHEREAS, it was determined that 16 +/- Affordable Bedrooms were eligible for the Transit Oriented Development Housing Incentive Program; and,

WHEREAS, it has been determined that the City of San Bruno is eligible for an incentive of \$127,000.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that C/CAG will program \$127,000 from the TOD Incentive Funds under the following conditions:

1. The Peninsular Plaza Project that qualified for the incentive must be built.
2. After the housing project is completed or under construction, but no later than two years from the date of C/CAG Board's approval of the financial commitment, the City of San Bruno must identify the transportation project(s), in writing to C/CAG. The transportation project(s) must meet the requirements of the relevant Federal and/or State transportation programs. In addition, the final number of bedrooms and affordable bedrooms completed or under construction must be provided in writing to C/CAG.

3. C/CAG will attempt to program the transportation project as soon as practical depending on funding limitations. However, the transportation project will be programmed for the fiscal year that the housing project is expected to be completed.
4. The City of San Bruno must follow all appropriate steps in programming and delivery of the transportation project(s) as required by the relevant Federal and/or State transportation programs.
5. This commitment expires if the Peninsular Plaza Project is not “under construction” and the request for programming a valid San Bruno transportation project has not been made by 03/10/13. “Under construction” shall be defined as described in item #5.3 of the December 9th, 2004 C/CAG Board of Directors Meeting.
6. This commitment is not renewable.

PASSED, APPROVED, AND ADOPTED THIS 10TH DAY OF MARCH, 2011.

Thomas M. Kasten, Chair

RESOLUTION 11-18

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY COMMITTING TO PROGRAM A \$357,000 INCENTIVE TO THE CITY OF SOUTH SAN FRANCISCO FOR THE MID PENINSULA HOUSING COALITION PROJECT AS PART OF THE 2011 TRANSIT ORIENTED DEVELOPMENT HOUSING INCENTIVE PROGRAM

WHEREAS, the City/ County Association of Governments (C/CAG) has established a Transit Oriented Development (TOD) Housing Incentive Program and set aside \$3,000,000 to fund the program; and,

WHEREAS, the Board of Directors of the City/County Association of Governments at its March 10, 2011 meeting determined certain projects were eligible for the Transit Oriented Development Housing Incentive Program; and,

WHEREAS, the City of South San Francisco submitted the Mid Peninsula Housing Coalition Project consisting of 109 +/- units for consideration; and,

WHEREAS, it was determined that the project or portions thereof met the minimum density requirement of 40 units per acre and is within one third of a mile of a rail station or is on a frontage parcel on the El Camino Real/Mission Street; and,

WHEREAS, it was determined that 235 +/- Bedrooms were eligible for the Transit Oriented Development Housing Incentive Program; and,

WHEREAS, it was determined that 235 +/- Affordable Bedrooms were eligible for the Transit Oriented Development Housing Incentive Program; and,

WHEREAS, it has been determined that the City of South San Francisco is eligible for an incentive of \$357,000.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that C/CAG will program \$357,000 from the TOD Incentive Funds under the following conditions:

1. The Mid Peninsula Housing Coalition Project that qualified for the incentive must be built.
2. After the housing project is completed or under construction, but no later than two years from the date of C/CAG Board's approval of the financial commitment, the City of South San Francisco must identify the transportation project(s), in writing to C/CAG. The transportation project(s) must meet the requirements of the relevant Federal and/or State transportation programs. In addition, the final number of bedrooms and affordable bedrooms completed or under construction must be

provided in writing to C/CAG.

3. C/CAG will attempt to program the transportation project as soon as practical depending on funding limitations. However, the transportation project will be programmed for the fiscal year that the housing project is expected to be completed.
4. The City of South San Francisco must follow all appropriate steps in programming and delivery of the transportation project(s) as required by the relevant Federal and/or State transportation programs.
5. This commitment expires if the Mid Peninsula Housing Coalition Project is not “under construction” and the request for programming a valid South San Francisco transportation project has not been made by 03/10/13. “Under construction” shall be defined as described in item #5.3 of the December 9th, 2004 C/CAG Board of Directors Meeting.
6. This commitment is not renewable.

PASSED, APPROVED, AND ADOPTED THIS 10TH DAY OF MARCH, 2011.

Thomas M. Kasten, Chair

RESOLUTION 11-19

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY COMMITTING TO PROGRAM A \$49,000 INCENTIVE TO THE CITY OF SOUTH SAN FRANCISCO FOR THE CITY OF SOUTH SAN FRANCISCO PROJECT AS PART OF THE 2011 TRANSIT ORIENTED DEVELOPMENT HOUSING INCENTIVE PROGRAM

WHEREAS, the City/ County Association of Governments (C/CAG) has established a Transit Oriented Development (TOD) Housing Incentive Program and set aside \$3,000,000 to fund the program; and,

WHEREAS, the Board of Directors of the City/County Association of Governments at its March 10, 2011 meeting determined certain projects were eligible for the Transit Oriented Development Housing Incentive Program; and,

WHEREAS, the City of South San Francisco submitted the City of South San Francisco Project consisting of 25 +/- units for consideration; and,

WHEREAS, it was determined that the project or portions thereof met the minimum density requirement of 40 units per acre and is within one third of a mile of a rail station or is on a frontage parcel on the El Camino Real/Mission Street; and,

WHEREAS, it was determined that 37 +/- Bedrooms were eligible for the Transit Oriented Development Housing Incentive Program; and,

WHEREAS, it has been determined that the City of South San Francisco is eligible for an incentive of \$49,000.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that C/CAG will program \$49,000 from the TOD Incentive Funds under the following conditions:

1. The City of South San Francisco Project that qualified for the incentive must be built.
2. After the housing project is completed or under construction, but no later than two years from the date of C/CAG Board's approval of the financial commitment, the City of South San Francisco must identify the transportation project(s), in writing to C/CAG. The transportation project(s) must meet the requirements of the relevant Federal and/or State transportation programs. In addition, the final number of bedrooms and affordable bedrooms completed or under construction must be provided in writing to C/CAG.
3. C/CAG will attempt to program the transportation project as soon as practical depending on funding limitations. However, the transportation project will be programmed for the fiscal year that the housing project is expected to be completed.

4. The City of South San Francisco must follow all appropriate steps in programming and delivery of the transportation project(s) as required by the relevant Federal and/or State transportation programs.
5. This commitment expires if the City of South San Francisco Project is not “under construction” and the request for programming a valid South San Francisco transportation project has not been made by 03/10/13. “Under construction” shall be defined as described in item #5.3 of the December 9th, 2004 C/CAG Board of Directors Meeting.
6. This commitment is not renewable.

PASSED, APPROVED, AND ADOPTED THIS 10TH DAY OF MARCH, 2011.

Thomas M. Kasten, Chair

RESOLUTION 11-20

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY COMMITTING TO PROGRAM A \$61,000 INCENTIVE TO THE CITY OF SOUTH SAN FRANCISCO FOR THE METRON PROJECT AS PART OF THE 2011 TRANSIT ORIENTED DEVELOPMENT HOUSING INCENTIVE PROGRAM

WHEREAS, the City/ County Association of Governments (C/CAG) has established a Transit Oriented Development (TOD) Housing Incentive Program and set aside \$3,000,000 to fund the program; and,

WHEREAS, the Board of Directors of the City/County Association of Governments at its March 10, 2011 meeting determined certain projects were eligible for the Transit Oriented Development Housing Incentive Program; and,

WHEREAS, the City of South San Francisco submitted the Metron Project consisting of 20 +/- units for consideration; and,

WHEREAS, it was determined that the project or portions thereof met the minimum density requirement of 40 units per acre and is within one third of a mile of a rail station or is on a frontage parcel on the El Camino Real/Mission Street; and,

WHEREAS, it was determined that 44 +/- Bedrooms were eligible for the Transit Oriented Development Housing Incentive Program; and,

WHEREAS, it was determined that 9 +/- Affordable Bedrooms were eligible for the Transit Oriented Development Housing Incentive Program; and,

WHEREAS, it has been determined that the City of South San Francisco is eligible for an incentive of \$61,000.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that C/CAG will program \$61,000 from the TOD Incentive Funds under the following conditions:

1. The Metron Project that qualified for the incentive must be built.
2. After the housing project is completed or under construction, but no later than two years from the date of C/CAG Board's approval of the financial commitment, the City of South San Francisco must identify the transportation project(s), in writing to C/CAG. The transportation project(s) must meet the requirements of the relevant Federal and/or State transportation programs. In addition, the final number of bedrooms and affordable bedrooms completed or under construction must be provided in writing to C/CAG.

3. C/CAG will attempt to program the transportation project as soon as practical depending on funding limitations. However, the transportation project will be programmed for the fiscal year that the housing project is expected to be completed.
4. The City of South San Francisco must follow all appropriate steps in programming and delivery of the transportation project(s) as required by the relevant Federal and/or State transportation programs.
5. This commitment expires if the City of South San Francisco Project is not “under construction” and the request for programming a valid South San Francisco transportation project has not been made by 03/10/13. “Under construction” shall be defined as described in item #5.3 of the December 9th, 2004 C/CAG Board of Directors Meeting.
6. This commitment is not renewable.

PASSED, APPROVED, AND ADOPTED THIS 10TH DAY OF MARCH, 2011.

Thomas M. Kasten, Chair

RESOLUTION 11-21

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY COMMITTING TO PROGRAM A \$258,000 INCENTIVE TO THE CITY OF REDWOOD CITY FOR THE MEL'S BOWL SITE / URBAN HOUSING GROUP PROJECT AS PART OF THE 2011 TRANSIT ORIENTED DEVELOPMENT HOUSING INCENTIVE PROGRAM

WHEREAS, the City/ County Association of Governments (C/CAG) has established a Transit Oriented Development (TOD) Housing Incentive Program and set aside \$3,000,000 to fund the program; and,

WHEREAS, the Board of Directors of the City/County Association of Governments at its March 10, 2011 meeting determined certain projects were eligible for the Transit Oriented Development Housing Incentive Program; and,

WHEREAS, the City of Redwood City submitted the Mel's Bowl Site / Urban Housing Group Project consisting of 149 +/- units for consideration; and,

WHEREAS, it was determined that the project or portions thereof met the minimum density requirement of 40 units per acre and is within one third of a mile of a rail station or is on a frontage parcel on the El Camino Real/Mission Street; and,

WHEREAS, it was determined that 193 +/- Bedrooms were eligible for the Transit Oriented Development Housing Incentive Program; and,

WHEREAS, it has been determined that the City of Redwood City is eligible for an incentive of \$258,000.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that C/CAG will program \$258,000 from the TOD Incentive Funds under the following conditions:

1. The Mel's Bowl Site / Urban Housing Group Project that qualified for the incentive must be built.
2. After the housing project is completed or under construction, but no later than two years from the date of C/CAG Board's approval of the financial commitment, the City of Redwood City must identify the transportation project(s), in writing to C/CAG. The transportation project(s) must meet the requirements of the relevant Federal and/or State transportation programs. In addition, the final number of bedrooms and affordable bedrooms completed or under construction must be provided in writing to C/CAG.
3. C/CAG will attempt to program the transportation project as soon as practical depending on funding limitations. However, the transportation project will be

- programmed for the fiscal year that the housing project is expected to be completed.
4. The City of Redwood City must follow all appropriate steps in programming and delivery of the transportation project(s) as required by the relevant Federal and/or State transportation programs.
 5. This commitment expires if the Mel's Bowl Site / Urban Housing Group Project is not "under construction" and the request for programming a valid Redwood City transportation project has not been made by 03/10/13. "Under construction" shall be defined as described in item #5.3 of the December 9th, 2004 C/CAG Board of Directors Meeting.
 6. This commitment is not renewable.

PASSED, APPROVED, AND ADOPTED THIS 10TH DAY OF MARCH, 2011.

Thomas M. Kasten, Chair

RESOLUTION 11-22

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY COMMITTING TO PROGRAM A \$494,000 INCENTIVE TO THE CITY OF REDWOOD CITY FOR THE DODGE DEALERSHIP DEVELOPMENT SITE / BRE PROPERTIES PROJECT AS PART OF THE 2011 TRANSIT ORIENTED DEVELOPMENT HOUSING INCENTIVE PROGRAM

WHEREAS, the City/ County Association of Governments (C/CAG) has established a Transit Oriented Development (TOD) Housing Incentive Program and set aside \$3,000,000 to fund the program; and,

WHEREAS, the Board of Directors of the City/County Association of Governments at its March 10, 2011 meeting determined certain projects were eligible for the Transit Oriented Development Housing Incentive Program; and,

WHEREAS, the City of Redwood City submitted the Dodge Dealership Development Site / BRE Properties Project consisting of 260 +/- units for consideration; and,

WHEREAS, it was determined that the project or portions thereof met the minimum density requirement of 40 units per acre and is within one third of a mile of a rail station or is on a frontage parcel on the El Camino Real/Mission Street; and,

WHEREAS, it was determined that 370 +/- Bedrooms were eligible for the Transit Oriented Development Housing Incentive Program; and,

WHEREAS, it has been determined that the City of Redwood City is eligible for an incentive of \$494,000.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that C/CAG will program \$494,000 from the TOD Incentive Funds under the following conditions:

1. The Dodge Dealership Development Site / BRE Properties Project that qualified for the incentive must be built.
2. After the housing project is completed or under construction, but no later than two years from the date of C/CAG Board's approval of the financial commitment, the City of Redwood City must identify the transportation project(s), in writing to C/CAG. The transportation project(s) must meet the requirements of the relevant Federal and/or State transportation programs. In addition, the final number of bedrooms and affordable bedrooms completed or under construction must be provided in writing to C/CAG.
3. C/CAG will attempt to program the transportation project as soon as practical

depending on funding limitations. However, the transportation project will be programmed for the fiscal year that the housing project is expected to be completed.

4. The City of Redwood City must follow all appropriate steps in programming and delivery of the transportation project(s) as required by the relevant Federal and/or State transportation programs.
5. This commitment expires if the Dodge Dealership Development Site / BRE Properties Project is not “under construction” and the request for programming a valid Redwood City transportation project has not been made by 03/10/13. “Under construction” shall be defined as described in item #5.3 of the December 9th, 2004 C/CAG Board of Directors Meeting.
6. This commitment is not renewable.

PASSED, APPROVED, AND ADOPTED THIS 10TH DAY OF MARCH, 2011.

Thomas M. Kasten, Chair

C/CAG AGENDA REPORT

Date: March 10, 2011
To: City/County Association of Governments Board of Directors
From: Richard Napier, C/CAG Executive Director
Subject: Review and approval of Resolution 11-10 authorizing the C/CAG Chair to execute Ownership, Operations, and Maintenance Agreements between Caltrans District 4, the County of San Mateo, City of Belmont, City of Burlingame, City of Millbrae, City of Redwood City, City of San Bruno, City of San Carlos, City of San Mateo, and C/CAG to outline and define the roles, responsibilities, terms and conditions for the ownership, operation, and maintenance of equipment and components of the San Mateo Smart Corridors and further authorizing the C/CAG Chair to execute, on behalf of C/CAG, minor changes and amendments thereto as may be agreed upon by the signatory agencies.

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

RECOMMENDATION

That the C/CAG Board review and approve Resolution 11-10 authorizing the C/CAG Chair to execute Ownership, Operations, and Maintenance Agreements between Caltrans District 4, the County of San Mateo, City of Belmont, City of Burlingame, City of Millbrae, City of Redwood City, City of San Bruno, City of San Carlos, City of San Mateo, and C/CAG to outline and define the roles, responsibilities, terms and conditions for the ownership, operation, and maintenance of equipment and components of the San Mateo Smart Corridors and further authorizing the C/CAG Chair to execute, on behalf of C/CAG, minor changes and amendments thereto as may be agreed upon by the signatory agencies.

FISCAL IMPACT

Expected annual maintenance cost to C/CAG is estimated at ~\$200,000 per year.

SOURCE OF FUNDS

Funding for maintenance will come from C/CAG County share of Measure M funds for Intelligent Transportation Systems (ITS). Staff anticipates that Caltrans and the Metropolitan Transportation Commission (MTC) will contribute funds.

BACKGROUND/DISCUSSION

The San Mateo County Smart Corridors Project is a cooperative effort by C/CAG, San Mateo County Transportation Authority (SMCTA), Cities of Belmont, Burlingame, Millbrae, San Bruno, San Carlos, San Mateo, Redwood City, County of San Mateo, Caltrans, and regional transportation agencies to implement a traffic management system that can address spill over traffic due to major incidents on US 101.

ITEM 5.4

The San Mateo County Smart Corridors Project builds upon the Incident Management - Alternative Route Plan concepts, developed in 2006, that identified arterial streets that could serve as alternative routes for moving large amounts of traffic during incidents, minimizing the impacts of the diverted traffic onto the local street network.

The San Mateo County Smart Corridors Project implements traffic management strategies by deploying Intelligent Transportation System (ITS) elements along conventional state highway routes and major local arterials, providing the tools to manage traffic congestion and improve mobility. C/CAG is funding the design and initial capital installation of the Smart Corridors Project.

A Stakeholder Committee, made up of technical staff from the member agencies, provides technical review of the design and provided recommendations to the project consultant. The Stakeholder committee also communicates local issues to ensure that the project reflects the needs of their jurisdiction.

In 2008/2009, Stakeholder Cities executed a Memorandum of Understanding (MOU) with the City/ County Association of Governments (C/CAG) to acknowledge the Smart Corridors project, to work cooperatively, and to provide input during the development of the Smart Corridors project. That MOU defined the vision and goals, general roles, and responsibilities associated with the development of the Smart Corridor project. There was an understanding that future agreements would be executed which addressed details related to the maintenance and operations of the Smart Corridors Project.

This Ownership, Operations, and Maintenance Agreement builds upon the previous MOU by further outlining and defining the roles, responsibilities, terms and conditions for the ownership, operation, and maintenance of equipment and components of the San Mateo Smart Corridors, within an agency's right of way.

A draft of the agreement is attached. Minor modifications to individual agreements may be required to accommodate agencies therefore it is requested that the C/CAG Chair be further authorized to execute minor changes as may be agreed upon by signatory agencies. All agreements and modifications will be approved as to form by C/CAG legal counsel prior to execution.

Agreements that address details between the City and Caltrans and possibly other Cities, may be developed for operating Smart Corridors equipment during major traffic incidents.

Financial Impact

It is expected that Caltrans will maintain or provide the funds to maintain Smart Corridor equipment located on state right of way. C/CAG will fund the cost of maintaining the new equipment installed on local right of way. It is also anticipated that regional funds may contribute to the maintenance of the Smart Corridors.

It is anticipated that the cost to maintain the Smart Corridors equipment will be minimal for a few years following construction and that the cost will increase with the age of the equipment. It

is also expected that the cost will fluctuate in any given year but will average out to approximately \$200,000 per year for elements installed on local arterials.

ATTACHMENT

- Resolution 11-10
- Sample Ownership, Operations, and Maintenance Agreement Between the City/ County Association of Governments of San Mateo County (C/CAG), and the County of San Mateo, and the Cities for the San Mateo County Smart Corridors.

RESOLUTION 11-10

* * * * *

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY AND/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) AUTHORIZING THE C/CAG CHAIR TO EXECUTE OWNERSHIP, OPERATIONS, AND MAINTENANCE AGREEMENTS BETWEEN CALTRANS DISTRICT 4, THE COUNTY OF SAN MATEO, CITY OF BELMONT, CITY OF BURLINGAME, CITY OF MILLBRAE, CITY OF REDWOOD CITY, CITY OF SAN BRUNO, CITY OF SAN CARLOS, CITY OF SAN MATEO, AND C/CAG TO OUTLINE AND DEFINE THE ROLES, RESPONSIBILITIES, TERMS AND CONDITIONS FOR THE OWNERSHIP, OPERATION, AND MAINTENANCE OF EQUIPMENT AND COMPONENTS OF THE SAN MATEO SMART CORRIDORS AND FURTHER AUTHORIZING THE C/CAG CHAIR TO EXECUTE, ON BEHALF OF C/CAG, MINOR CHANGES AND AMENDMENTS THERETO AS MAY BE AGREED UPON BY THE SIGNATORY AGENCIES.

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 sponsor agency for the development and implementation of the Smart Corridors Project in San Mateo County; and

WHEREAS, C/CAG seeks to execute agreements with stakeholder Cities that outlines and defines the roles, responsibilities, terms, and conditions for the ownership, operation, and maintenance of equipment and components that are incorporated and integrated into the San Mateo County Smart Corridors Project; and

WHEREAS, each City will enter into an agreement with C/CAG and the County of San Mateo for the ownership, maintenance, and operation of Smart Corridors specific equipment located within their respective jurisdictional boundaries; and

WHEREAS, the City of Belmont, City of San Mateo, City of Burlingame, City of San Carlos, City of Redwood City, City of Millbrae, and City of San Bruno, County of San Mateo and C/CAG are currently working to finalize or execute the Ownership, Operations, and Maintenance Agreement; and

WHEREAS, each final draft of the Ownership, Operations, and Maintenance Agreement will be reviewed and approved by C/CAG Legal Counsel as to form before being submitted to the Chair of the Board for execution.

WHEREAS, additional agreements between Cities, and Caltrans, and possibly other Cities, may be developed as needed for specific operation of the Smart Corridors equipment located in the City's limits during major traffic incidents; and

NOW, THEREFORE, BE IT RESOLVED that the Chair of the Board of Directors of C/CAG is hereby authorized to execute the Ownership, Operations, and Maintenance Agreements.

BE IT FURTHER RESOLVED, that the Chair of the Board of Directors of C/CAG is hereby authorized to execute, on behalf of C/CAG, minor changes and amendments to the Ownership, Operations, and Maintenance Agreement thereto as may be agreed upon by the signatory agencies. Final agreements will be approved as to form by C/CAG Legal Counsel, prior to execution by C/CAG Chair.

PASSED, APPROVED, AND ADOPTED THIS 10TH DAY OF MARCH 2011.

Thomas M. Kasten, Chair

OWNERSHIP, OPERATION and MAINTENANCE AGREEMENT

Between

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

And

THE COUNTY OF SAN MATEO

And

THE CITY OF XXXXX

For the

SAN MATEO COUNTY SMART CORRIDORS

This Agreement by and between the City/ County Association of Governments of San Mateo County, hereinafter referred to as “C/CAG”, the County of San Mateo, acting by and through its Department of Public Works, hereinafter referred to as “County”, and the City of XXXXXX, hereinafter referred to as “CITY,” is for the purpose of outlining and defining the roles, responsibilities, terms, and conditions for the ownership, operation, and maintenance of equipment and components that are incorporated and integrated into the San Mateo County Smart Corridors Project, hereinafter referred to as “Smart Corridors”, “Smart Corridors Project” or “the Project”.

RECITALS

- A. C/CAG and CITY entered into a prior Memorandum of Understanding (MOU), on XXXX XX, 2008, acknowledging an agreement to work cooperatively to develop and implement the Smart Corridors Project.
- B. This Agreement is intended to identify the overall commitment and responsibilities regarding ownership, operations, and maintenance of the Smart Corridors unique equipment located within the CITY right-of-way during day-to-day operations and during major traffic incidents, as applicable.
- C. The Smart Corridors Project is located along predefined designated arterial routes, parallel and perpendicular to the US 101, including and not limited to SR 82 (El Camino Real) between I-380 and Whipple Avenue in Redwood City
- D. The Smart Corridors Project enables the Project stakeholders to implement traffic management strategies through the deployment of Intelligent Transportation System (ITS) elements along state routes and major local streets.
- E. In addition to CITY, other project stakeholders with access to selective Smart Corridors specific equipments currently include the City of Belmont, City of Burlingame, City of Millbrae, City of Redwood City, City of San Bruno, City of San Carlos, and City of San Mateo. These stakeholders, who are not signatories to this Agreement, will enter into separate agreements with C/CAG for the maintenance and operation of Smart Corridors

specific equipment located within their respective jurisdictional boundaries. (Modify to remove the specific City for which this agreement is between)

- F. Caltrans District 4, who will have full access to Smart Corridors equipment throughout the Project limits, who is not a signatory to this Agreement, will enter into a separate agreement with C/CAG for the maintenance and operations of the Smart Corridors.
- G. Caltrans will enter into a separate agreement with CITY regarding the detailed operations of the Smart Corridors.
- H. The County will enter into a separate agreement with C/CAG with regard to the construction of portions of the Smart Corridors Project on local arterials (the “C/CAG-County Agreement”).

AGREEMENT

The parties hereto agree as follows:

The new Intelligent Transportation System (ITS) elements to be installed for the Smart Corridors Project, referred to as “New” equipment, include the following equipment and components:

- Directional signs (trailblazers and other)
- Fixed or pan-tilt-zoom (PTZ) closed-circuit television cameras (CCTV)
- Communications (conduit, fiber, copper, wireless, software, and associated equipment)
- Arterial changeable message signs (Arterial Dynamic Message Signs – ADMS)
- Vehicle detection systems
- Center-to-center communications between San Mateo County Hub (SMCHub) and District 4 Traffic Management Center (D4TMC)
- Power supply line and equipment

The following elements, located within CITY right-of-way, are considered existing CITY owned equipment that is being upgraded to meet the operational needs of the Smart Corridors, referred to as “Upgraded” equipment:

- Traffic signal controllers, cabinets, signal interconnect equipment, and signal operating software systems

C/CAG agrees to seek and secure the necessary funding required for maintaining the Smart Corridors “New” equipment located within CITY’s right-of-way.

When a major incident occurs on the US 101 such that capacity is severely reduced, Caltrans will take over operations and control of the Smart Corridor traffic signals and ITS equipment. This duration will be referred to as “during major traffic incidents” in this Agreement. Normal operations, without incidents, will be referred to as “during daily operations” in this Agreement.

“Exhibit A” includes a summary of the Smart Corridors equipment and devices and general agreement as to ownership, maintenance and operations responsibilities.

Caltrans will advertise, award, and administer the construction contract for portions of the Smart Corridor Project located on State right of way. Pursuant to the C/CAG-County Agreement, the County will advertise, award, and administer the construction contract for portions of the Smart Corridors Project located on local arterials. During the term of the C/CAG-County Agreement

The County will own the Smart Corridor equipment added or constructed pursuant to that agreement (the “Newly Constructed Equipment”). As stated below, the County will relinquish all interest it might have in any and of all Newly Constructed Equipment and Smart Corridors equipment to CITY, and other cities, respectively, upon completion of construction. Upon completion of construction and said transfer of interest, County shall have no further obligations, rights or interests in the Newly Constructed Equipment.

Ownership

1. CITY shall continue to own the traffic signal system located within CITY right-of-way, which were “Upgraded” by the Smart Corridor Project.
2. Upon termination of the C/CAG-County Agreement, CITY shall own and accept from the County and/or C/CAG, ownership and all of C/CAG’s and County’s interest in the “New” Smart Corridors equipment, including all Newly Constructed Equipment and which includes directional signs, CCTV cameras, communications (conduit, fiber, equipment), and vehicle detection system, and the electrical costs located within CITY right-of-way.

Operations

1. CITY shall continue to operate the Smart Corridor “upgraded” City-owned traffic signal controllers, traffic signals, and operational software system located within City right-of-way at CITY’s expense, during daily operations.
2. CITY shall have the rights to view full system CCTV camera images, during both daily operations and during incidents. During daily operations cities and Caltrans may control PTZ(s) with priority given to the owning jurisdiction. A framework to establish priority, rules, and defaults will be developed in a separate agreement with Caltrans.
3. CITY shall have access to view full system vehicle detection data, during both daily operations and during incidents. Control of the vehicle detection system will remain with Caltrans.
4. CITY shall have the opportunity of shared control of the directional signs during daily operations under a separate agreement with Caltrans.

5. CITY shall relinquish all control of signals, control of all PTZ cameras, and control of directional signs to Caltrans during incidents. If Caltrans is unable to assume control of these systems due to technical reasons control will remain with the CITY.
6. Additional agreements between CITY and Caltrans and possibly other Cities, may be developed as needed for operating Smart Corridors equipment located in the CITY limits during major traffic incidents.

Maintenance

1. CITY shall maintain the Smart Corridor upgraded CITY-owned traffic signal controllers, traffic signals, signal interconnect equipment, and operational software system located within CITY's right-of-way at CITY's expense.
2. CITY shall assume the associated electrical costs of the Smart Corridor devices located within CITY's right-of-way.
3. Except for communication lines, C/CAG shall maintain the "New" Smart Corridor equipment, including directional signs, CCTV cameras, and vehicle detection system and the ADMS signs located within CITY's right-of-way to the extent that funding is available. Except for communication lines, CITY will not be held responsible for maintenance of this "New" equipment.
4. C/CAG will not pay for graffiti removal on smart corridor equipment. CITY shall be responsible for graffiti removal on devices located within CITY's right-of-way.
5. C/CAG agrees to obtain a maintenance contractor that specializes in ITS equipment. C/CAG or its maintenance contractor will obtain an encroachment permit from the CITY for work within the CITY's right-of-way.
6. C/CAG or its assignee, shall serve as lead agency to administer the maintenance service contract or to oversee administration of the maintenance service contract for its Smart Corridor maintenance responsibility.
7. If CITY is aware of smart corridor equipment damage caused by a third party, CITY will notify and assist C/CAG in pursuing a claim against the offending party.
8. Maintenance activities of the Smart Corridor equipment shall include but are not limited to the following tasks: adopt a performance-based approach, establish a proactive annual maintenance program, perform regular maintenance, repairs, and replacements; assure equipment is functioning properly.

Maintenance programs established for the Smart Corridor equipment shall in no way be a standard of maintenance higher than that required by law.

9. Maintenance service shall be scheduled on an annual basis.

10. For fiber conduits that do not interconnect signals, the City is responsible to protect the communication lines by marking the location of these lines on construction plans and by marking the locations in the field during construction. The City will be responsible to repair any damage to the communication lines caused by City Staff and contractors working for the City. The City is also required to include the following language in any encroachment permits granted to any third party working in the City's right of way.

"Fiber optic communication lines are present in the City right of way. It is the responsibility of the contractor to protect the integrity of those communication lines during construction. The contractor will be liable for all damages to the communication lines. Through the application and granting of the encroachment permit, the City/ County Association of Governments (C/CAG) is specifically authorized to pursue any claims against the contractor for the cost to repair any damage caused to the fiber optic communication lines."

11. For all fiber conduits not covered by Paragraph 10 above, the City is responsible to protect the communications lines by marking the location of these lines on construction plans and by marking the locations in the field during construction. The City will be responsible to repair any damage to the communication lines caused by City staff, contractors working for the City, or any third party working under an encroachment permit issued by the City.
12. For communication line damage caused by construction activities not under permit, as owner, the City will maintain this facility in a similar manner to that of other City owned utilities. C/CAG will be responsible for repair and maintenance of any malfunction of the communication lines not related to construction and maintenance activities.

Funding for Maintenance Activities

1. C/CAG shall seek to secure the necessary funding required for maintaining the Smart Corridors "New" equipment located within CITY's right-of-way.

This agreement shall be effective as of January 1, 2011 and continue until 2060, unless sooner terminated, or otherwise extended, by the agreement of the parties.

This agreement may be modified only in writing and by mutual consent of both Agencies.

Hold Harmless/ Indemnity

CITY shall indemnify and save harmless C/CAG and County, their agents, officers, and employees from all claims, suits or actions to the extent caused by the negligence, error, acts or omissions of CITY, its agents officers or employees related to or resulting from performance, or non-performance under this Agreement.

IN WITNESS WHEREOF, the Parties have executed this Agreement on the date set forth above

AGREED AND EXECUTED BY:

CITY OF XXXXXXXXXXXX

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

By: _____
Name, Title

By: _____
Thomas M. Kasten, C/CAG Chair

Date: _____

Date: _____

By: _____
Counsel for City XXX

By: _____
Counsel for C/CAG

Date: _____

Date: _____

**COUNTY OF SAN MATEO
DEPARTMENT OF PUBLIC WORKS**

By: _____
James C. Porter,
County of San Mateo Director of Public Works

Date: _____

By: _____
Counsel County of San Mateo

EXHIBIT A

SMART CORRIDOR EQUIPMENT / DEVICES

SMART CORRIDORS EQUIPMENT					OPERATIONS ¹		MAINTENANCE ⁹	
Description	Location	Ownership ³	Qty	Unit	Daily	Incident	Financial Responsibility	% Split ⁸
Signals ⁷	State ROW	Caltrans	60	EA	Caltrans	Caltrans	Caltrans	100%
	City	Cities	30	EA	City	Caltrans	City	100%
Fixed/PTZ CCTV Cameras	State ROW	Caltrans	125	EA	Caltrans	Caltrans	Caltrans	100%
	City	Cities	EA	EA	Caltrans/City	Caltrans ⁴	C/CAG	100%
Directional Signs	State ROW	Caltrans	EA	EA	Caltrans	Caltrans	Caltrans	100%
	City	Cities	45	EA	Caltrans/City ⁵	Caltrans	C/CAG	100%
ADMS	State ROW	Caltrans	4	EA	Caltrans	Caltrans	Caltrans	100%
Vehicle Detection System	State ROW	Caltrans	<30	EA	Caltrans	Caltrans	Caltrans	100%
	City	Cities	<3	EA	Caltrans ⁶	Caltrans ⁶	C/CAG	100%
Communication (conduit & wiring) ²	State ROW	Caltrans	80,000	LF	n/a	n/a	Caltrans	100%
	City	Cities	55,000	LF	n/a	n/a	City	100%
Communication (software and hardware)	State ROW	Caltrans	1	EA	n/a	n/a	Caltrans	100%
	City	Cities	1	EA	n/a	n/a	C/CAG	100%
SMC Hub	San Mateo	Caltrans	1	LS	Caltrans	Caltrans	C/CAG / Caltrans	50/50

Revised 11/02/09

Notes:

- 1) Assume operational cost is the responsibility of agency operating equipment during day-to-day and incidents
- 2) Communications include: conduit, fiber, twisted wire, equipment, etc. (may require separating equipment)
- 3) Each city owns equipment located within each respective city limits
- 4) Allow City access to view camera images, but not control PTZ.
- 5) Caltrans and City share operation. City may operate signs under certain restrictions to be outlined in future agreements.
- 6) The Smart Corridor System 'operates' VDS at all times. Shared access at all times. Need to identify how the equipment will be used by cities for day-to-day operations
- 7) Includes signals, controllers, conduits, software, power, etc
- 8) Option: To be split proportionately based on % of equipment (applies to equipment within State ROW)
- 9) Preference for combining funds from all agencies and funding one maintenance contract
- 10) City may negotiate w/ Caltrans for special events or messages
- 11) Shared operation with priority/rules to be determined in future agreements. City to provide guidelines for default views.

C/CAG AGENDA REPORT

Date: March 10, 2011
To: City/County Association of Governments Board of Directors
From: Richard Napier, C/CAG Executive Director
Subject: Review and approval of the process for "Call for Projects" of the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)
(For further information contact Sandy Wong at 599-1409 or Jean Higaki at 599-1462)

RECOMMENDATION

That the C/CAG Board review and approve the process for "Call for Projects" of the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS).

FISCAL IMPACT

None.

SOURCE OF FUNDS

NA

BACKGROUND/DISCUSSION

The Metropolitan Transportation Commission (MTC) issued a "call for projects" on February 14, 2011 for development of its long-range Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). MTC has requested that project sponsors submit projects through their respective Congestion Management Agency (CMA) for each county. The county level "call for projects" process was reviewed by the Congestion Management Program Technical Advisory Committee (TAC) on February 15, 2011 and Congestion Management Program and Environmental Quality Committee (CMEQ) on February 28, 2011.

Unlike the previous updates of the RTP, the RTP/SCS must align transportation and land use planning to reduce greenhouse gas emissions. Specifically the SCS part adds three new elements to the RTP: (1) a land use component that identifies how the region could house the entire population of the region over the next eight and 25 years; (2) a discussion of resource and farmland areas to be protected; and (3) a demonstration of how the development pattern and the transportation network can work together to reduce GHG emissions.

C/CAG staff is working with the San Mateo County Transit District (SamTrans) and the San Mateo County Transportation Authority (SMCTA) on the "call for projects". A county level "call for projects" was issued to all jurisdictions and potential project sponsors on February 18, 2011. (See attached call for projects.) Staff encourages project sponsors to submit projects that can support the specific RTP/SCS goals and performance targets adopted by MTC on January 26, 2011. (Attached to the call for projects.)

ITEM 5.5

MTC has assigned each CMA a target budget, for each county, as an upper financial limit for projects. This budget is based on population and is only used to set a “reasonable” limit on project submittals. Project estimates will be required as part of a project submittal.

Programmatic category projects are groups of similar projects, programs, and strategies that are included under a single group for ease of listing in the RTP/SCS. Projects within programmatic categories must be exempt from regional air quality conformity. Projects that add capacity or expand the network are not included in a programmatic category. A list of eligible programmatic categories is attached.

MTC will make a web-based project application form available on March 1, 2011. C/CAG anticipates using this application form to develop the draft list. All projects should be submitted to us through this online application process.

The following “call for projects” schedule was developed by MTC and augmented with C/CAG processes (shaded tasks).

Schedule Task	Date
Review and Solicit Input on Draft Call for Projects Guidance	MTC PTAC: January 31, 2011 Regional RAWG: February 1, 2011 MTC Policy Advisory Council: February 9, 2011
MTC Planning Committee for Information	February 9, 2011
MTC Issues Call for Projects Guidance Letter to CMAs	February 10, 2011
C/CAG staff coordination meeting with SMCTA/SamTrans/JBP	February 10, 2011
CMP TAC – Process Review	February 17, 2011
C/CAG issues a call for projects to all identified project sponsors	February 18, 2011
CMEQ – Process Review	February 28, 2011
Open Web-Based Project Application Form for Use by CMAs/ Project Sponsors	March 1, 2011
Project Sponsor submits initial project list to C/CAG	March 15, 2011
C/CAG staff develops preliminary draft list of projects based on sponsor submittals	March 16, 2011
CMP TAC – Review of draft list	March 17, 2011
CMEQ – Review of the draft list	March 28, 2011
Project Sponsors to complete web based application	April 8, 2011
C/CAG Board – Review of the draft list	April 14, 2011
CMP TAC –Review of the Final List	April 21, 2011
CMEQ –Review of the Final List	April 25, 2011
Project Submittals Due to MTC	April 29, 2011
C/CAG Board –Approval of the Final List (C/CAG will submit a draft list and request an extension from MTC for Board approved final list.)	May 12, 2011
MTC Conducts Project-Level Performance Assessment	May – July 2011

After the close of the project submittal process MTC will conduct “project-level performance assessments” from May-July 2011. MTC will also conduct a selection process for projects to include in “detailed scenarios assessment”. The “project-level performance assessment” is designed to identify projects and programs that advance the SCS/RTP goals, support the SCS land use strategy, and are cost-effective. The assessment will be similar to that performed as part of Transportation 2035. Methodologies for quantitatively and qualitatively comparing the merits of various transportation projects are in development. The “detailed scenario assessment”, performed after the “project-level performance assessment,” will capture the interactions among transportation projects and land use.

A schedule for the overall RTP/SCS development is attached and scheduled for adoption during November 2012 – April 2013. See attached memo. It is anticipated that the RTP/SCS will continue to be updated every four (4) years with no mid term amendment.

ATTACHMENTS

1. C/CAG RTP/SCS Call for Projects with attachments.
2. Programmatic Categories list
3. General SCS Schedule

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

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

February 18, 2011

To: **DISTRIBUTION LIST** (See Below)

Subject: Call for Projects – Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)

The Metropolitan Transportation Commission (MTC) has issued a “call for projects” to Bay Area Congestion Management Agencies (CMA) on February 14, 2011 for development of its long-range Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS 2040). MTC has requested that CMAs to coordinate project submittals for their respective counties. C/CAG is the CMA for San Mateo County.

The Regional Transportation Plan (RTP) is a long range planning document blueprint of the region’s transportation system. Projects included in the RTP are for planning purposes only. Projects not listed in the RTP/ SCS cannot compete for Federal, State of California, or regional discretionary funding. In addition, projects that are 100% locally funded and have regional significance must be included in the RTP for air quality conformity purposes.

Changes from last RTP update

In 2008, the California State Legislature passed Senate Bill (SB) 375 (Steinberg). SB 375 requires that the existing framework of regional planning to tie together the regional housing needs allocation (RHNA) and regional transportation planning in an effort to reduce greenhouse gas (GHG) emissions from motor vehicle trips. It requires that Regional Transportation Plan (RTP) now contain a Sustainable Communities Strategy (SCS) element resulting in an RTP/SCS.

Unlike the previous updates of the RTP, the RTP/SCS must align transportation and land use planning to reduce greenhouse gas emissions. Specifically the SCS part adds three new elements to the RTP: (1) a land use component that identifies how the region could house the entire population of the region over the next eight and 25 years; (2) a discussion of resource and farmland areas to be protected; and (3) a demonstration of how the development pattern and the transportation network can work together to reduce GHG emissions.

Project Submittal to C/CAG

In order to meet the MTC deadlines, project sponsors must submit the initial list of projects to C/CAG, attention Jean Higaki at jhigaki@co.sanmateo.ca.us, by **March 15, 2011** using the “2040 RTP Preliminary Project List” as shown in Attachment 1. In addition, project sponsors must complete the MTC detail “on-line” application by **April 8, 2011**. The MTC web-based application will be available on March 1, 2011. For further detail regarding schedule, please refer to Attachment 2.

To assist project sponsors in their selection of projects for submittal, the current RTP 2035 would be a good starting point. Project sponsors should review and update information for projects in the existing RTP 2035 and submit new projects as applicable. **Projects included in the current RTP 2035 will be removed if not re-submitted during this process.** Projects included in the current RTP 2035 can be found at:

http://www.mtc.ca.gov/planning/2035_plan/FINAL/6_Appendix_1-Projects_Final.pdf (San Mateo County projects are listed on pages 116-118).

General Project Criteria

Project sponsors are encouraged to submit projects which meet one or more of the general criteria listed below, keeping in consideration that projects should support SCS principals promulgated by SB 375:

- Supports the goals and performance targets of the RTP/SCS (see Attachment 3).
- Serves as a regionally significant component of the regional transportation network. A regionally significant transportation project serves regional transportation needs (such as access to and from the area outside of the region, major activity centers in the region, major planned developments such as new retail malls, sports complexes, etc., or transportation terminals as well as most terminals themselves).
- Supports focused growth by serving existing housing and employment centers FOCUS Priority Development Areas
- Derives from an adopted plan, corridor study, or project study report (e.g., community-based transportation plans, countywide transportation plan, regional bicycle plan, climate action plans, etc.).

By April 8, 2011 on-line project application information should be completed. Project sponsors should be prepared to include the following information in their submittal:

- How the project meets the RTP/SCS Goals and Performance Targets. (See Attachment 3)
- Estimated Project cost – Sponsors are to use established guidelines for estimating project cost such as:
 - Federal: National Cooperative Highway Research Program's Guidance for Cost Estimation and Management for Highway Projects During Planning, Programming, and Preconstruction (http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp_w98.pdf)

- State: Caltrans' Project Development Procedures Manual Chapter 20, Project Development Cost Estimates
(http://www.dot.ca.gov/hq/oppd/pdpm/chap_pdf/chapt20.pdf)
- Project schedule; including start and completion dates for planning, design and/or construction phases

Further details and guideline from MTC will be posted as information becomes available at:
<http://www.onebayarea.org/cfp.htm>

Eligible Project Sponsors:

Eligible project sponsors must be a public agency such as a city, the county, transit operator, a transportation agency in San Mateo County, or Caltrans. Members of the public are eligible to submit projects, but must secure a public agency sponsor.

Programmatic Categories

Projects that are exempt from regional air quality conformity and do not add capacity or expand the transportation network, may be grouped into broader programmatic categories rather than submitting them as individual projects for consideration in the RTP/SCS. C/CAG will submit the following programmatic categories of projects for the entire County of San Mateo:

- Bicycle and pedestrian facilities and enhancement
- Lifeline transportation
- Local road safety
- Highway safety
- Local streets and roads O&M
- Non-capacity increasing local road intersection modifications and channelization
- Intelligent transportation system (ITS)
- Shuttles
- TLC/Streetscape
- Transportation Oriented Development (TOD)
- Transportation environmental enhancements
- Non-capacity increasing traffic operation improvements

Anticipated Future Steps:

Starting in May 2011, MTC will select projects to undergo project-level performance evaluations (see Attachment 4). The results of the project performance assessment will inform the upcoming detailed alternatives analysis and investment trade-off discussions, ultimately leading to a preferred RTP/SCS early next year with adoption occurring a year later.

Deadlines

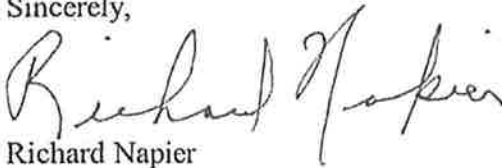
It is extremely important to meet the submittal deadlines.

- Deadline for preliminary project information to be included in the RTP/SCS is due on **March 15, 2011**.
- Deadline for completing input of the on-line application is **April 8, 2011**.

Please notify C/CAG staff Jean Higaki at jhigaki@co.sanmateo.ca.us or Sandy Wong at Slwong@co.sanmateo.ca.us when your on-line project application information is complete and submitted to MTC. Failure to submit an application will be viewed as the sponsor having no further interest in the project during the upcoming RTP/ SCS period.

If you have any questions about this process please contact Jean Higaki at (650) 599-1462 jhigaki@co.sanmateo.ca.us or Sandy Wong at (650) 599-1409 Slwong@co.sanmateo.ca.us.

Sincerely,



Richard Napier
Executive Director of C/CAG

DISTRIBUTION LIST:

County of San Mateo — Jim Porter, Director of Public Works
Atherton — Duncan Jones, Director of Public Works
Belmont — Leticia Alvarez,, Acting Director of Public Works
Brisbane — Randy Breault, Director of Public Works
Burlingame — Syed Murturza, Director of Public Works
Colma — Rick Mao, Director of Public Works
Daly City — John Fuller, Director of Public Works
East Palo Alto — Anthony Docto, Director of Public Works
Foster City — Ramon Towne, Director of Public Works
Half Moon Bay — Mo Sharma, Director of Public Works
Hillsborough — Martha DeBry, Director of Public Works
Menlo Park — Kent Steffens, Director of Public Works
Millbrae — Ron Popp, Director of Public Works
Pacifica — Van Ocampo, Director of Public Works
Portola Valley — Howard Young, Director of Public Works
Redwood City — Chu Chang, Director of Public Works
San Bruno — Klara Fabry, Director of Public Works
San Carlos — Robert Weil, Director of Public Works

San Mateo — Larry Patterson, Director of Public Works
South San Francisco — Ray Razavi, City Engineer
Woodside — Paul Nagengast, Director of Public Works
SamTrans — April Chan, Director of Budgets and Grants
CalTrain — Marian Lee, Executive Officer of Planning and Development
SMCTA — Joe Hurley, Director of the Transportation Authority Program
Caltrans — Lee Taubeneck, Deputy Director of Planning
Cathleen Baker — MTC Policy Advisory Council, Member
Richard Hedges — MTC Policy Advisory Council, Member
Other Interested Parties

cc:

C/CAG, CMEQ, BPAC, and CMP TAC Members
County of San Mateo — David Bosch, County Manager
Atherton — John Danielson, City Manager
Belmont — Greg Scoles, , City Manager
Brisbane — Clayton Holstein, City Manager
Burlingame — James Nantell, City Manager
Colma — Laura Allen, City Manager
Daly City — Pat Martel, City Manager
East Palo Alto — ML Gordon, City Manager
Foster City — Jim Hardy, City Manager
Half Moon Bay — Laura Snideman, City Manager
Hillsborough — Tony Constantouros, City Manager
Menlo Park — Glen Rojas, City Manager
Millbrae — Marcia Raines, City Manager
Pacifica — Steve Rhodes, City Manager
Portola Valley — Angela Howard, City Manager
Redwood City — Peter Ingram, City Manager
San Bruno — Connie Jackson, City Manager
San Carlos — Jeff Maltbie, City Manager
San Mateo — Susan Loftus, City Manager
South San Francisco — Barry Nagel, City Manager
Woodside — Susan George, City Manager

Attachments:

1. Spreadsheet for Required Preliminary Project List Information
2. C/CAG RTP Call For Projects Schedule
3. MTC Goals and Performance Targets
4. MTC Draft Transportation Project Performance Assessment Methodology

Attachment 1

Attachment 1 RTP Preliminary Project List
2/18/2011

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C/CAG RTP Call For Projects Schedule

The following “call for projects” schedule was developed by MTC and augmented with C/CAG processes (shaded tasks).

Schedule Task	Date
Review and Solicit Input on Draft Call for Projects Guidance	MTC PTAC: January 31, 2011 Regional RAWG: February 1, 2011 MTC Policy Advisory Council: February 9, 2011
MTC Planning Committee for Information	February 9, 2011
MTC Issues Call for Projects Guidance Letter to CMAs	February 10, 2011
C/CAG staff coordination meeting with SMCTA/SamTrans/JBP	February 10, 2011
CMP TAC – Process Review	February 17, 2011
C/CAG issues a call for projects to all identified project sponsors	February 18, 2011
CMEQ – Process Review	February 28, 2011
Open Web-Based Project Application Form for Use by CMAs/ Project Sponsors	March 1, 2011
Project Sponsor submits initial project list to C/CAG	March 15, 2011
C/CAG staff develops preliminary draft list of projects based on sponsor submittals	March 16, 2011
CMP TAC – Review of draft list	March 17, 2011
CMEQ – Review of the draft list	March 28, 2011
Project Sponsors to complete web based application	April 8, 2011
C/CAG Board – Review of the draft list	April 14, 2011
CMP TAC –Review of the Final List	April 21, 2011
CMEQ –Review of the Final List	April 25, 2011
Project Submittals Due to MTC	April 29, 2011
C/CAG Board –Approval of the Final List (C/CAG will submit a draft list and request an extension from MTC for Board approved final list.)	May 12, 2011
MTC Conducts Project-Level Performance Assessment	May – July 2011

~~Attachment A.1~~
RTP/SCS Goals and Performance Targets

Goal	Performance Target (from 2005 levels unless noted)
<p><u>Climate Protection</u> Dealing effectively with the challenge of climate change involves communities far beyond the shores of San Francisco Bay. Indeed, Senate Bill 375 requires metropolitan areas throughout California to reduce greenhouse gas emissions from cars and trucks. Furthermore, our region must safeguard the shoreline due to sea-level rise through adaption strategies. By combining aggressive policies with innovative technologies, the Bay Area can act as a model for other regions around the state and nationwide.</p>	<p>Reduce per-capita CO₂ emissions from cars and light-duty trucks by 15%</p>
<p><u>Adequate Housing</u> A diverse and sufficient housing supply is essential to maximize livability for all Bay Area residents. The region aspires not only to ensure affordability and supply of housing for peoples of all income levels and in all nine counties, but also to reduce the concentration of poverty in low-income communities of concern.</p>	<p>House 100% of the region's projected 25-year growth by income level (very-low, low, moderate, above-moderate) without displacing current low-income resident</p>
<p><u>Healthy & Safe Communities</u> Promoting healthy and safe communities includes improving air quality, reducing collisions and encouraging more bicycle and pedestrian travel. While policy choices by regional agencies can help influence land-use decisions and the operation and design of transportation infrastructure, local governments have the biggest role to play. Cities' and counties' land-use authority directly shapes the development patterns that guide individuals' travel choices.</p>	<ul style="list-style-type: none"> ○ Reduce premature deaths from exposure to particular emissions: <ul style="list-style-type: none"> • Reduce premature deaths from exposure to fine particulates (PM_{2.5}) by 10% • Reduce coarse particulate emissions (PM₁₀) by 30% • Achieve greater reductions in highly impacted areas Associated Indicators <ul style="list-style-type: none"> • Incidence of asthma attributable to particulate emissions • Diesel particulate emissions ○ Reduce by 50% the number of injuries and fatalities from all collisions (including bike and pedestrian) ○ Increase the average time walking or biking per person per day for transportation by 60% (for an average of 15 minutes per person per day)
<p><u>Open Space & Agricultural Preservation</u> Limiting urban sprawl will help preserve productive agricultural lands and prime natural habitat, in addition to maintaining public access to shorelines, mountains, lakes and rivers. As open space and farmlands are essential to the Bay Area's quality of life, the region</p>	<p>Direct all non-agricultural development within the urban footprint (existing urban development and urban growth boundaries)</p> <ul style="list-style-type: none"> • Scenarios will be compared to 2010 urban footprint

Goal	Performance Target (from 2005 levels unless noted)
should focus growth in existing urban areas rather than pursue additional development in outlying areas.	for analytical purposes only
<p><u>Equitable Access</u> A high quality of life is not a privilege reserved only for the wealthy. Regional agencies must work to ensure that high-quality housing is available for people of all incomes; that essential destinations may be reached at a minimal cost of time or money; that mobility options are available not only to those who can transport themselves but also to our growing populations of senior and disabled residents; that the benefits and burdens alike of transportation investment are evenly distributed; and that air pollution, water pollution or noise pollution are not disproportionately concentrated in low-income neighborhoods.</p>	Decrease by 10% the share of low-income and lower-middle income residents' household income consumed by transportation and housing
<p><u>Economic Vitality</u> A strong economy is imperative to ensure continued quality of life for all Bay Area residents. This includes a healthy climate for business and growth, and plentiful employment opportunities for individuals of all skill levels and industries. Savvy transportation and land-use policies in pursuit of this goal will not only reduce travel times but also expand choices, cut total costs, improve accessibility, and boost reliability.</p>	Increase gross regional product (GRP) by 87% – an average of 2.1% per year (in current dollars)
<p><u>Transportation System Effectiveness</u> Maximizing the efficiency of the transportation system requires preserving existing assets in a state of good repair as well as leveraging assets that are not fully utilized and making targeted, cost-effective improvements. Continued maintenance is necessary to protect safety, minimize vehicle damage, support infill development in existing urban areas and promote economic growth regionwide.</p>	<ul style="list-style-type: none"> ○ Decrease average per-trip travel time by 10% for non-auto modes ○ Decrease automobile vehicle miles traveled per capita by 10% ○ Maintain the transportation system in a state of good repair: <ul style="list-style-type: none"> • Increase local road pavement condition index (PCI) to 75 or better • Decrease distressed lane-miles of state highways to less than 10% of total lane-miles • Reduce average transit asset age to 50% of useful life
<p><u>Infrastructure Security</u> The potential for damage from natural or manmade disasters is a threat to the security of Bay Area infrastructure. To preserve the region's economic vitality and quality of life, Bay Area government officials — in cooperation with federal and state agencies — must work to prevent damage to infrastructure systems and to minimize the potential impacts of any future disasters. Funding priorities must reflect the need to ensure infrastructure security and to avoid any preventable loss of life.</p>	

~~Attachment A.3~~ – MTC’s Draft Transportation Project Performance Assessment Methodology

	Transportation 2035	SCS/RTP Approach – Initial Thoughts
Goals Assessment (largely qualitative)	<ul style="list-style-type: none"> All projects (700+) assessed, grouped into 13 project type How well projects address each goal/number of goals addressed Conducted by panel of MTC staff and stakeholders 	<ul style="list-style-type: none"> Same as for Transportation 2035 – but reflecting new goals/targets and with added emphasis on: <ul style="list-style-type: none"> support for focused growth statutory goals to reduce carbon dioxide and accommodate future housing demand For larger projects, use quantitative information where available, such as projected CO2 and particulate emissions reduction
Benefit-Cost Assessment (quantitative)	<ul style="list-style-type: none"> 60 large-scale uncommitted projects as well as uncommitted regional programs MTC model analysis <ol style="list-style-type: none"> B/C ratio in 2035 including <ul style="list-style-type: none"> Delay CO2 PM10 and PM2.5 Injuries & fatalities Direct user costs (vehicle operating/ownership) Cost savings for on-time maintenance Cost per reduction on CO2 Cost per reduction in VMT Cost per low-income household served by new transit <p>Goals not reflected in B/C are captured through the qualitative assessment</p>	<ul style="list-style-type: none"> Same types of projects but potentially more (perhaps 100) - subject to final policy on committed projects MTC model analysis <ol style="list-style-type: none"> B/C ratio - over 25 yrs instead of horizon year (if time allows) <ul style="list-style-type: none"> Travel time (see notes below) CO2 PM10 and PM2.5 Health costs associated with changes in active transportation levels Injuries & fatalities Direct user costs (vehicle operating/ownership) Cost savings for on-time maintenance <p>Goals not reflected in B/C are captured through the goals assessment in a qualitative fashion</p>
Synthesis & Use of Information	<ul style="list-style-type: none"> Bubble chart mapping B/C and number of goals addressed Sponsors “justify” projects with low-B/C before inclusion in the draft plan 	<ul style="list-style-type: none"> Bubble chart mapping B/C and number of goals addressed Sponsors must “justify” projects with <ol style="list-style-type: none"> low B/C or meeting few goals increase in CO2 emissions that do not support draft land use
Considerations	<ul style="list-style-type: none"> Four quantitative measures was information overload for the decision makers; prefer to have a single quantitative result 	<ul style="list-style-type: none"> Consider approaches to address to concern that current B/C model is dominated by travel time <ul style="list-style-type: none"> Sensitivity tests of impact of travel time on relative ratings of projects Review emerging practices for travel time valuation (e.g., discounting small time savings, different values of time based on trip purpose, value of reliability) Assess significance of B/C results for each project

~~Attachment A.2~~
Programmatic Categories

Programmatic categories are groups of similar projects, programs, and strategies that are included under a single group for ease of listing in the RTP/SCS. Projects within programmatic categories must be exempt from regional air quality conformity. Projects that add capacity or expand the network are not included in a programmatic category. Projects that do not fit within the identified programmatic categories are listed separately in the RTP/SCS. Programmatic categories are listed below.

1. **Bicycle/Pedestrian Expansion** (new facilities, expansion of existing bike/pedestrian network)
2. **Lifeline Transportation** (Community Based Transportation Plans projects such as information/outreach projects, dial-a-ride, guaranteed ride home, paratransit, non-operational transit capital enhancements (i.e. bus shelters). Does not include fixed route transit projects.)
3. **Transit Enhancements** (ADA compliance, mobility and access improvements, passenger shelters, informational kiosks)
4. **Bicycle/Pedestrian Enhancements** (enhancements, streetscapes, TODs, ADA compliance, mobility and access improvements)
5. **Transit Management Systems** (TransLink®, Transit GPS tracking systems (i.e. Next Bus))
6. **Local Road Safety** (shoulder widening, realignment, non-coordinated signals)
7. **Highway Safety** (implementation of Highway Safety Improvement Program, shoulder improvements, guardrails, medians, barriers, crash cushions, lighting improvements, fencing, increasing sight distance, emergency truck pullovers)
8. **Transit Safety and Security Improvements** (Installation of security cameras)
9. **Regional Air Quality and Climate Protection Strategies** (outreach programs and non-capacity projects specifically targeting regional air quality and climate protection strategies)
10. **Local Air Quality and Climate Protection Strategies** (outreach programs and non-capacity projects specifically targeting local air quality and climate protection strategies)
11. **Regional Planning and Outreach** (regionwide planning, marketing, and outreach)
12. **Transportation Demand Management** (continuation of ridesharing, shuttle, or vanpooling at current levels)
13. **Non-Capacity Increasing Local Road Intersection Modifications and Channelization**
14. **Non-Capacity Increasing State Highway Enhancements** (noise attenuation, landscaping, roadside rest areas, sign removal, directional and informational signs)
15. **Freeway/Expressway Incident Management** (freeway service patrol, call boxes)
16. **Non-Capacity Increasing Freeway/Expressway Interchange Modifications** (signal coordination, signal retiming, synchronization)
17. **Freeway/Expressway Performance Management** (Non-ITS Elements, performance monitoring, corridor studies)
18. **Bicycle/Pedestrian Facilities Rehabilitation**
19. **Non-Capacity Increasing Local Road Rehabilitation** (Pavement resurfacing, skid treatments)
20. **Non-Capacity Increasing Local Bridge Rehabilitation/Replacement/Retrofit**
21. **Transit Guideway Rehabilitation**
22. **Transit Station Rehabilitation**
23. **Transit Vehicle Rehabilitation/Replacement/Retrofit**
24. **State Highway Preservation** (Caltrans SHOPP, excluding system management)
25. **Toll Bridge Rehabilitation/Replacement/Retrofit**
26. **Local Streets and Roads O&M** (Ongoing non-capital costs, routine maintenance)
27. **Transit O&M** (Ongoing non-capital costs, preventive maintenance)
28. **Transit Operations Support** (purchase of operating equipment such as fareboxes, lifts, radios, office and shop equipment, support vehicles)
29. **State Highway O&M** (Caltrans non-SHOPP maintenance, minor 'A' and 'B' programs)

Sustainable Communities Strategy Planning Process: Phase 2 Detail for 2011*

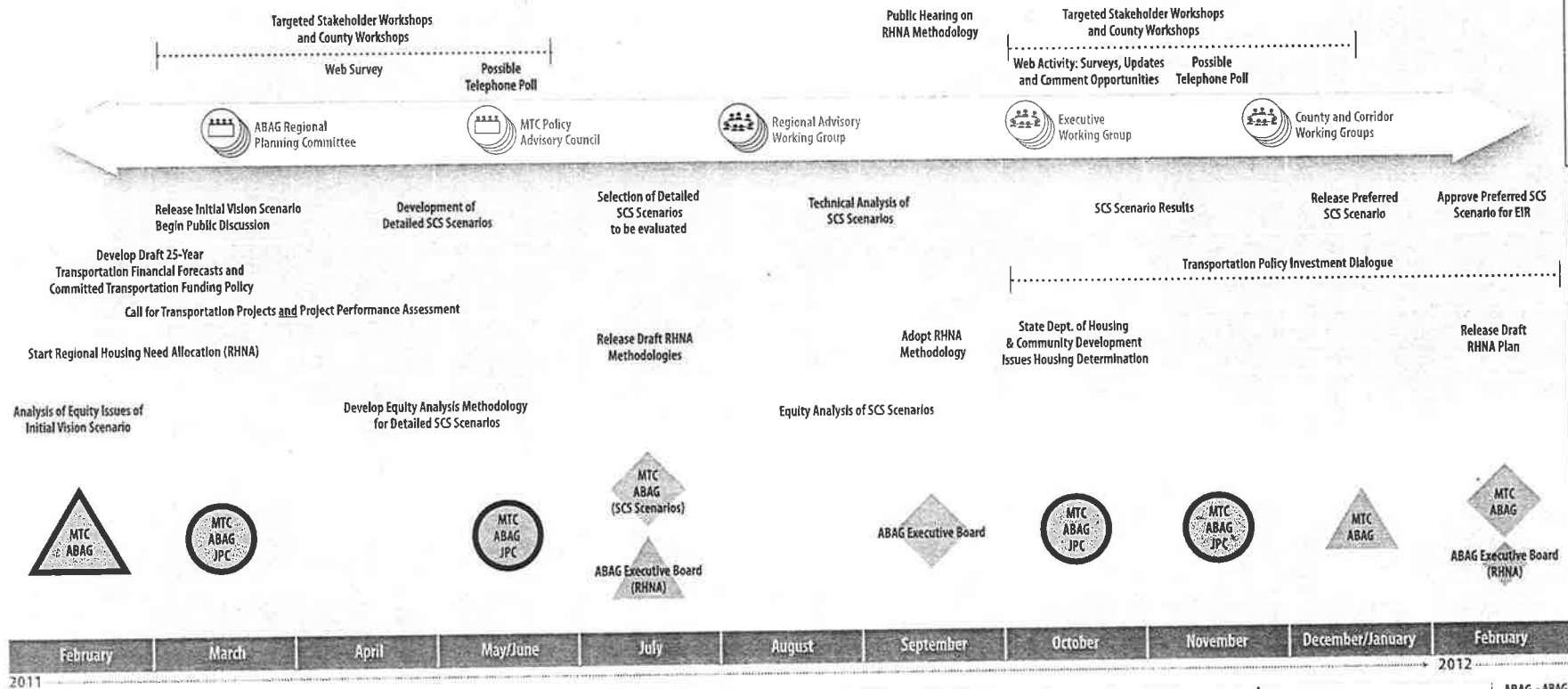
Phase 2: Scenario Planning, Transportation Policy & Investment Dialogue, and Regional Housing Need Allocation

OneBayArea

Local Government and
Public Engagement

Milestones

Policy Board
Action



- Phase Two
Actions/Decisions:
- Initial Vision Scenario
 - Financial Forecasts
 - Detailed SCS Scenarios
 - RHNA Methodology
 - Preferred SCS Scenario
 - Draft RHNA Plan

Scenario Planning
Transportation Policy
and Investment Dialogue
Regional Housing
Need Allocation
Equity Analysis

*Subject to change

**Policy Board
Actions**



Meeting for Discussion/
Public Comment



JOINT meeting of the ABAG Administrative Committee, the Joint Policy Committee
and the MTC Planning Committee for Discussion/Public Comment



Decision



Document Release



JOINT document release by
ABAG and MTC

ABAG - ABAG Administrative Committee
JPC - Joint Policy Committee
MTC - MTC Planning Committee

For more information on key actions and decisions and how to get involved, visit OneBayArea.org

C/CAG AGENDA REPORT

Date: March 10, 2011

To: C/CAG Board of Directors

From: Richard Napier, Executive Director

Subject: Review and approval of Resolution 11-11 Authorizing the C/CAG Chair to Execute a Contract Work Authorization, Adding \$125,000 of PG&E Green Communities Funding for Countywide Climate Action Planning, to the Master Service Agreement between C/CAG and PG&E.

(For further information please contact Kim Springer at 650-599-1412 or Richard Napier at 650-599-1420)

Recommendation:

Review and approve Resolution 11-11 authorizing the C/CAG chair to execute a Contract Work Authorization, adding \$125,000 of PG&E Green Communities Funding for countywide climate action planning, to the Master Service Agreement between C/CAG and PG&E, per staff recommendation.

Fiscal Impact:

All funding for development of this project is funded by Public Goods Charges under the auspices of the California Public Utilities Commission (CPUC) through Pacific Gas and Electric Company (PG&E). C/CAG adopted an Agreement, December 9, 2008, with the County of San Mateo to manage and staff the San Mateo County Energy Watch (SMCEW). The County invoices C/CAG for work performed by its staff and contractors, C/CAG invoices PG&E for these costs, PG&E pays C/CAG for work performed, and C/CAG pays the County. SMCEW program funding essentially “passes through” C/CAG to pay for the staff and contractor cost.

With this contract, C/CAG is agreeing to match up to \$125,000 of funding designated for climate action activities between fiscal years 2010-2011 and 2011-2012 C/CAG, from Congestion Relief funds.

Background/ Discussion:

The C/CAG Board adopted resolution 08-46 at its October 2008 meeting authorizing the C/CAG Chair to execute an Agreement between C/CAG and PG&E, establishing a new PG&E Local Government Partnership (LGP) in San Mateo County; the SMCEW. This Agreement was for “bridge period” funding while the CPUC and PG&E negotiated filings in anticipation of adoption of a Proposed Decision on the part on the CPUC for a 2009 through 2010 program cycle.

Once PG&E and the CPUC completed negotiations, deciding that a new program cycle would be for 2010-2012, the C/CAG Board adopted Resolution 09-55 authorizing the C/CAG Chair to **ITEM 5.6**

execute an Agreement between C/CAG and PG&E for the 2010 through 2012 program cycle of the SMCEW for up to \$5 Million dollars.

This new Resolution, 11-11, authorizes the C/CAG Chair to execute, what PG&E calls a Contract Work Authorization (CWA) addition to the existing Master Service Agreement between C/CAG and PG&E for an additional \$125,000 of funding. This resolution further authorizes the C/CAG Executive Director and C/CAG Counsel to implement minor changes to the contract during the completion of negotiations, and to match up to \$125,000 for this project from the Congestion Relief fund.

This CWA scope of work is related to climate action planning activities and is funded by, what PG&E and the CPUC call Green Communities Funding, and is complementary to a scope of work already committed to, under an existing \$50,000 grant funded by the Bay Area Air Quality Management District (BAAQMD).

The existing BAAQMD grant scope of work is for the creation of a climate action planning (CAP) template document, and greenhouse gas (GHG) emissions forecasting and calculation tools. The following are deliverables for that grant and their status:

- Establishment of a working group (completed)
- Procurement of a contractor to write the template document, to support the establishment of a list of GHG reduction measures and corresponding calculation methodologies (completed)
- Draft and final CAP template document, list of GHG reduction measures, calculation methodologies (in process)
- Draft and final forecasting and calculation tools (not yet started)
- Completion of two (2) CAPs by cities in San Mateo County

This PG&E CWA compliments the above BAAQMD scope of work by funding the completion of the following additional deliverables:

- Creation of not only forecasting and calculation tools, but also a GHG emission tracking tool for use by all the cities in San Mateo County
- Development of a user's manual for the template and the tools
- Delivery of two workshops on how to use the template and tools
- Technical assistance to aid in the completion of five (5) city CAPs and one countywide (C/CAG) CAP.

Resolution 11-11 and the PG&E CWA, which includes the scope of work, are attached for your review.

Attachments:

Resolution 11-11

PG&E Contract Work Authorization (CWA) for \$125,000 of funding for climate action planning

RESOLUTION NO. 11-11

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY
ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG)
AUTHORIZING THE C/CAG CHAIR TO EXECUTE A CONTRACT WORK
AUTHORIZATION, ADDING \$125,000 OF PG&E GREEN COMMUNITIES FUNDING
FOR COUNTYWIDE CLIMATE ACTION PLANNING, TO THE MASTER SERVICE
AGREEMENT BETWEEN C/CAG AND PG&E**

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

WHEREAS, the C/CAG Board adopted resolution 08-46 at its October 2008 meeting, authorizing the C/CAG Chair to execute an Agreement between C/CAG and Pacific Gas & Electric (PG&E) for a 2009-2010 program cycle of the San Mateo County Energy Watch (SMCEW); and

WHEREAS, the CPUC adopted a proposed decision to establish a new 2010-2012 program cycle of funding for the SMCEW, leaving the 2009 program year as a stand alone, bridge funded year; and

WHEREAS, the C/CAG Board adopted Resolution 09-55 at its November 2009 meeting authorizing the C/CAG Chair to execute a Master Service Agreement between C/CAG and PG&E for the 2010 through 2012 program cycle of the SMCEW for up to \$5 Million dollars; and

WHEREAS, County and C/CAG staff wish to provide all the cities in San Mateo County with the tools and technical support to forecast, calculate and track greenhouse gas emissions and complete climate action plans; and

WHEREAS, County and C/CAG staff have negotiated with PG&E for a Contract Work Authorization, adding additional funding for an expanded set of deliverables, complimentary to an existing grant project with the Bay Area Air Quality Management District for climate action planning;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the Chair is authorized to execute a Contract Work Authorization, adding \$125,000 of PG&E Green Communities Funding for countywide climate action planning, to the Master Service Agreement between C/CAG and PG&E and that the Executive Director and Counsel are authorized to make minor changes to said Agreement during completion of negotiations.

PASSED, APPROVED, AND ADOPTED THIS 10TH DAY OF MARCH 2011.

Thomas M. Kasten, Chair



Contract Work Authorization (CWA)

This Contract Work Authorization ("CWA") No. 2500458103 is issued under and pursuant to the Blanket Agreement or Master Service Agreement No. 4400004093 dated 11/30/2009 (the "MSA") between the below-named Contractor ("Contractor"), City/County Association of Governments (CCAG), and Pacific Gas and Electric Company ("PG&E"), a California corporation with its headquarters located at 77 Beale Street, San Francisco, California 94105. Contractor shall perform all Work under this CWA pursuant to and in accordance with the terms and conditions of the MSA.

Contractor's
Legal Name: City/County Association of Governments (CCAG)

Total Number of Pages: 41

Contractor's
Address: 555 County Center, 5th Floor

Redwood City, CA 94063

Project Name: San Mateo County Energy Watch

Job Location: San Mateo County

WORK: Contractor shall, at its own risk and expense, perform the Work described in this Contract Work Authorization and furnish all labor, equipment, and materials necessary to complete the Work as summarized below and as more fully described in Attachment 1, Scope of Work.

The City and County Association of Governments of San Mateo County (C/CAG) has set a goal to have every city in San Mateo County and the County of San Mateo complete a climate action plan (CAP) or greenhouse gas reduction strategy. C/CAG intends to provide the cities in San Mateo County, the County and Cupertino with a template, forecasting and calculation tools, and technical support to help achieve that goal. This Contract Work Authorization (CWA) is focused on the technical support aspect of the project goal. This will include materials for and delivery of a workshop on the new template and tool "package", a greenhouse gas (GHG) emissions data management system, technical assistance for individual cities, and a goal of six (6) completed CAPs.

ATTACHMENTS: Each of the following documents are attached to this CWA and are incorporated herein by this reference:
Attachment 1: Scope of Work, 3-41

CWA TERM: This CWA is effective upon signature by both parties and expires on 1/31/2013. Time is of the essence.

CWA COMPLETION: Contractor shall commence performance hereof when directed to do so by PG&E and Work shall be completed by the completion date of 1/31/2013.

CONSIDERATION: As full consideration for satisfactory performance of the Work under this CWA by Contractor, PG&E's total obligation to Contractor shall not exceed the following amount. This amount is inclusive of all taxes incurred in the performance of the Work. Any change to this amount shall only be authorized in writing by a PG&E CWA Change Order, fully executed by both PG&E and Contractor.

TOTAL: \$125,000

THE PARTIES, BY SIGNATURE OF THEIR AUTHORIZED REPRESENTATIVES, HEREBY AGREE TO THE TERMS OF THIS CONTRACT WORK AUTHORIZATION.

PACIFIC GAS AND ELECTRIC COMPANY		CONTRACTOR: City/County Association of Governments (CCAG)	
Signature		Signature	
Name	Kerynn Gianotti	Name	
Title	Sr. Program Manager	Title	
Date		Date	



ADMINISTRATION			
PG&E Negotiator	Maria LoConte	Contractor Represent	
Phone	415.973.5673	Phone	
Email	mlu@pge.com	Email	
Accounting Reference			
PG&E Work Supervisor:	Kerynn Gianotti	Phone:	415.973.4473
INVOICE INSTRUCTIONS: Contractor shall send invoices for each payment when due, showing the CWA number, to: PACIFIC GAS AND ELECTRIC COMPANY	Send ORIGINAL Invoice to:	PG&E Accounts Payable* PO Box 7760 San Francisco, CA 94120-7760	
	Send COPY of Invoice to:	Kerynn Gianotti 245 Market Street, N6G San Francisco, CA 94105	
	For information regarding invoice status, call PG&E's Paid Help Line at (800) 756-PAID (7243) or go to AP Web Reporting site at www.pge.com/actpay *Note: Contractors using the XIGN System do not need to mail a copy of the invoice to PG&E.		

INTERNAL PG&E USE ONLY			
Distribution Date			
Distribution of Copies:	<input type="checkbox"/> Document Services (Signed Original Copy) Mail Code N5D 245 MARKET ST., SAN FRANCISCO	<input type="checkbox"/> Contractor (Signed Original Copy)	
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	<input type="checkbox"/> Invoice Approver	<input type="checkbox"/> Supervisor	
	<input type="checkbox"/> V.P.	<input type="checkbox"/> Sourcing/ Purchasing	
	<input type="checkbox"/> Director	<input type="checkbox"/> Law	

C/CAG AGENDA REPORT

Date: March 10, 2011
To: City/County Association of Governments Board of Directors
From: Richard Napier, Executive Director
Subject: Review and approval of Resolution 11-12 authorizing the Executive Director to execute Right-of-Way Certifications for State and Federal-Aid Transportation Projects

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

RECOMMENDATION

That the C/CAG Board review and approve Resolution 11-12 authorizing the Executive Director to execute Right-of-Way Certifications for State and Federal-Aid Transportation Projects.

SOURCE OF FUNDS

Not applicable.

FISCAL IMPACT

None.

BACKGROUND/DISCUSSION

For C/CAG sponsored projects that receives state and federal funding, C/CAG is required to submit to Caltrans requests for authorization to receive funds. Along with the request for authorization are various supporting forms that are required to be submitted, one of which is the Right-of-Way Certification. The sponsoring agency, C/CAG, is responsible for ensuring that all right-of-way activities are in compliance with the federal requirements. The Right-of-Way Certification for each C/CAG sponsored projects would require a separate resolution by the Board.

As an alternative to generating a separate Board resolution for each project, Caltrans allows agencies to adopt a single resolution giving a responsible agency official blanket authority to execute all Right-of-Way Certifications. The intent of such blanket authority is to streamline the process and avoid the necessity of having to execute each individual certification with a separate resolution. Typically, for city-sponsored projects, the blanket authority to execute the certification would be given to the Public Works Director.

This resolution would provide the C/CAG Executive Director a blanket authority to execute Right-of-Way certifications for C/CAG sponsored projects that receive state or federal funding.

ATTACHMENTS

- Resolution 11-12

ITEM 5.7

RESOLUTION 11-12

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE RIGHT-OF-WAY CERTIFICATIONS FOR STATE AND FEDERAL-AID TRANSPORTATION PROJECTS

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 is the recipient of State and Federal-aid grants for the design and construction of local transportation projects; and

WHEREAS, the State of California Department of Transportation (Caltrans) requires as part of the project approval process the execution of a Right-of-Way Certification prior to releasing funds; and

WHEREAS, authorizing the Executive Director to execute these certifications each time will streamline project delivery.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the Executive Director is authorized to execute Right-of-Way Certifications for state and federal-aid transportation projects.

PASSED, APPROVED, AND ADOPTED THIS 10TH DAY OF MARCH 2011.

Thomas M. Kasten, Chair

C/CAG AGENDA REPORT

DATE: March 10, 2011

TO: City/County Association of Governments of San Mateo County (C/CAG)
Board of Directors

FROM: David F. Carbone, C/CAG Airport Land Use Committee (ALUC) Staff
TEL: 650/36304417; email: dcarbone@co.sanmateo.ca.us

SUBJECT: Consideration/Approval of a Recommendation from the C/CAG Airport Land Use Committee (ALUC), Re: Comprehensive Airport Land Use Compatibility Plan (CLUP) Consistency Review of a Referral from the City of South San Francisco, Re: *Oyster Point Specific Plan and Phase 1 Project*

RECOMMENDATION FROM THE C/CAG AIRPORT LAND USE COMMITTEE (ALUC)

That the C/CAG Board of Directors, acting as the Airport Land Use Commission, take action to determine that the relevant content of the *Oyster Point Specific Plan and Phase 1 Project* documents is consistent with (1) the recommended guidance from the *California Airport Land Use Planning Handbook January 2002*, (2) the text in the relevant Sections of California Public Utilities Code Division 9, Part 1, Chapter 4, Article 3.5, and (3) the applicable airport/land use compatibility criteria contained in the *San Mateo County Comprehensive Airport Land Use Plan*, as amended, for the environs of San Francisco International Airport, based on the following conditions:

1. Add appropriate text in the *Oyster Point Specific Plan and Phase 1 Project* related documents to: (1) identify all of the FAR Part 77 height/airspace protection parameters (imaginary surfaces) for San Francisco International Airport that affect the *Specific Plan* area and include a graphic that illustrates the configuration of the FAR Part 77 surfaces over the planning area; (2) indicate all future development in the *Specific Plan* area is subject to (a) the limitations of the applicable FAR Part 77 airspace parameters and (b) the formal federal notification process, via FAA Form 7460-1, "Notice of Proposed Construction or Alteration" and (3) indicate that the findings of all aeronautical studies conducted by the FAA, per the federal notification process, will be incorporated into the City Council approval of all new development in the planning area.
2. Add appropriate text in the *Oyster Point Specific Plan and Phase 1 Project* related documents to indicate the proposed hotel use shall be designed to achieve an interior noise level of 45 dB CNEL or less in all habitable rooms based on aircraft noise events related to aircraft operations at San Francisco International Airport.
3. Add appropriate text in the *Oyster Point Specific Plan and Phase 1 Project* related documents to indicate all future development in the *Specific Plan* area (all phases) shall comply with all relevant FAA standards and criteria for safety, regarding flashing lights, reflective material, land uses which may attract large concentrations of birds, HVAC exhaust vents, and uses which may generate electrical/electronic interference with aircraft communications and/or instrumentation (see list on p. 5 of attached ALUC Staff Report, dated February 17, 2011).

ITEM 5.8

RECOMMENDATION FROM THE C/CAG AIRPORT LAND USE COMMITTEE (ALUC) - continued

4. Add appropriate text in the *Oyster Point Specific Plan and Phase 1 Project* related documents to indicate all of the planning area is located within the proposed airport influence area (AIA) boundary (Area B) for San Francisco International Airport and that all property for sale or lease in the planning area will be subject to the real estate disclosure requirements of Chapter 496, Statutes 2002.
5. Include the following text in the *Oyster Point Specific Plan and Phase 1 Project* related documents or in the South San Francisco City Council resolution to adopt the *Oyster Point Specific Plan and Phase 1 Project* documents to address compliance with the relevant airport/land use compatibility criteria for the environs of San Francisco International Airport, per California Government Code 65302.3 General Plan Consistency With Comprehensive Airport Land Use Compatibility Plan (CLUP):

“The goals, policies, and other relevant content contained herein do not conflict with the guidance from the *California Airport Land Use Planning Handbook January 2002*, (2) the text in the relevant Sections of California Public Utilities Code Division 9, Part 1, Chapter 4, Article 3.5 Airport Land Use Commission, and (3) the applicable airport/land use compatibility criteria for the environs of San Francisco International Airport, as contained in the *Draft Comprehensive Airport Land Use Compatibility Plan (CLUP) for the environs of San Francisco International Airport August 2010*, as amended and in the adopted *San Mateo County Comprehensive Airport Land Use Plan 1996*, as amended for the environs of San Francisco International Airport.”

FISCAL IMPACT

None.

BACKGROUND

The City of South San Francisco has referred its *Oyster Point Specific Plan and Phase 1 Project* document, related General Plan amendment text, and other relevant documents to the C/CAG Board of Directors, acting as the Airport Land Use Commission, for a determination of the consistency of the content of those documents with the relevant airport/land use compatibility criteria contained in the *San Mateo County Comprehensive Airport Land Use Plan December 1996*, as amended for the environs of San Francisco International Airport (SFO) (see Attachment No. 1 in the attached ALUC Staff Report). The City of South San Francisco and a private developer are proposing a public-private redevelopment of approximately 80 acres at the east end of Oyster Point Boulevard along the edge of San Francisco Bay (see Attachment No. 2 in the attached ALUC Staff Report). The site is located approximately two miles north of San Francisco International Airport.

C/CAG Board Agenda Report, Re: Comprehensive Airport Land Use Compatibility Plan (CLUP) Consistency Review of a Referral from the City of South San Francisco, Re: *Oyster Point Specific Plan and Phase 1 Project*

March 10, 2011.

Page 3 of 4

BACKGROUND - continued

These proposed land use policy actions are subject to ALUC/C/CAG review, pursuant to PUC Section 21676 (b). The 60-day state-mandated review period will expire on April 1, 2011. A draft document prepared for C/CAG by a consultant team entitled, *Draft Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport* was used by ALUC staff as a reference in this consistency review. An amended version of that new document will replace the San Francisco International Airport Land Use Compatibility Plan chapter in the 1996 CLUP document.

The *California Airport Land Use Planning Handbook January 2002* provides guidance to the C/CAG Board and C/CAG Staff, regarding the concept of “consistency” between a proposed local agency land use policy action (i.e. general plan amendment; specific plan) and the relevant content of a comprehensive airport/land use compatibility plan (CLUP). The *Handbook* guidance states the following:

“As widely applied in airport land use planning, consistency does not require being identical. It means only that the concepts, standards, physical characteristics, and resulting consequences of a proposed action must not conflict with the intent of the law or the compatibility plan to which the comparison is being made.”

The C/CAG Board has expanded its consistency determination finding (action) to also include consistency with (a) the relevant guidance from the *California Airport Land Use Planning Handbook January 2002* and (b) the text in the relevant sections of Public Utilities Code Division 9, Part 1, Chapter 4, Article 3.5 Airport Land Use Commission.

DISCUSSION

I. Airport/Land Use Compatibility Issues

Guidance from the *California Airport Land Use Planning Handbook January 2002* and the relevant sections of the California Public Utilities Code Division 9, Part 1, Chapter 4, Article 3.5 identify the scope and content of an airport/land use compatibility plan (CLUP) and the relevant compatibility issues to be addressed (height of structures, use of airspace, and airspace compatibility; aircraft noise impacts; and safety criteria). Each of those issues, as it relates to the content of the City of South San Francisco, Re: *Oyster Point Specific Plan and Phase 1 Project* referral is addressed in the attached ALUC Staff report, dated February 17, 2011, with eight attachments.

C/CAG Board Agenda Report, Re: Comprehensive Airport Land Use Compatibility Plan (CLUP) Consistency Review of a Referral from the City of South San Francisco, Re: *Oyster Point Specific Plan and Phase 1 Project*

March 10, 2011

Page 4 of 4

DISCUSSION - continued

II. C/CAG Airport Land Use Committee (ALUC) Review/Action

The C/CAG Airport Land Use Committee (ALUC) reviewed the City of South San Francisco *Oyster Point Specific Plan and Phase 1 Project* referral at its Regular Meeting on February 24, 2011. Based on a clarification from South San Francisco Planning staff to ALUC staff just before the ALUC meeting started, ALUC staff requested the Committee consider a minor wording change to all five proposed consistency conditions to read as follows:

In the first line of each proposed condition, as shown in the ALUC staff report, add the word “related” after “Phase 1 Project” and replace the word “document” with the word “documents.”

ALUC staff explained the proposed minor word change would provide the City of South San Francisco staff with the flexibility it needs to comply with the ALUC conditions by incorporating the relevant text in the appropriate *Specific Plan* related documents. There was no Committee discussion on the proposed wording change. The Committee unanimously approved a motion to recommend the action shown on p. 1 of this Agenda Report. The recommended action includes the minor wording change proposed by ALUC Staff.

ATTACHMENT

C/CAG Airport Land Use Committee (ALUC) Staff Report, dated February 17, 2011, with eight (8) attachments.

C/CAG

City/County Association of Governments of San Mateo County

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C/CAG AIRPORT LAND USE COMMITTEE (ALUC)

STAFF REPORT

Please Contact: Dave Carbone, ALUC Staff, 455 Co. Center, 2nd Floor., Redwood, City, CA 94063
TEL: 650-363-4417; FAX: 650-363-4849; email: dcarbone@co.sanmateo.ca.us

TO: C/CAG Airport Land Use Committee (ALUC) Representatives and Alternates
FROM: David F. Carbone, ALUC Staff *D.F.C.*
DATE: February 17, 2011
RE: Agenda Item No. 5 for February 24, 2011: Comprehensive Airport Land Use Plan (CLUP) Consistency Review of a Referral From the City of South San Francisco, Re: *Oyster Point Specific Plan and Phase 1 Project*

STAFF RECOMMENDATION

That the C/CAG Airport Land Use Committee (ALUC) recommend that the C/CAG Board of Directors, that the C/CAG Board, acting as the Airport Land Use Commission, determine that the relevant content of the City of City of South San Francisco *Oyster Point Specific Plan and Phase 1 Project* and related General Plan amendment text are consistent with (1) the recommended guidance from the *California Airport Land Use Planning Handbook January 2002*, (2) the text in the relevant Sections of California Public Utilities Code Division 9, Part 1, Chapter 4, Article 3.5, Airport Land Use Commission and (3) the relevant content in the *San Mateo County Comprehensive Airport Land Use Plan December 1996*, as amended, for the environs of San Francisco International Airport, and (4) the relevant content contained in the *Draft Comprehensive Airport Land Use Compatibility Plan (CLUP) for the environs of San Francisco International Airport August 2010*¹, based on the following conditions:

¹ Note: This document is a pending update of content of the *San Mateo County Comprehensive Airport Land Use Plan December 1996*, as amended, for the environs of San Francisco International Airport (SFO). It contains the most up to date airport/land use compatibility criteria available for the environs of SFO.

ALUC Chairperson:
Richard Newman
Aviation Representative

ALUC Vice Chairperson:
Ann Keighran, Council Member
City of Burlingame, California

11

C/CAG Airport Land Use Committee (ALUC) Staff:
David F. Carbone, Transportation Systems Coordinator/Airport Environs
Planning, County of San Mateo Planning and Building Department.

STAFF RECOMMENDATION - continued

1. Add appropriate text in the *Oyster Point Specific Plan and Phase 1 Project* document to:
(1) identify all of the FAR Part 77 height/airspace protection parameters (imaginary surfaces) that affect the *Specific Plan* area and include a graphic that illustrates the configuration of the FAR Part 77 surfaces over the planning area; (2) indicate all future development in the *Specific Plan* area is subject to (a) the limitations of the applicable FAR Part 77 airspace parameters and (b) the formal federal notification process, via FAA Form 7460-1, "Notice of Proposed Construction or Alteration" and (3) indicate that the findings of all aeronautical studies conducted by the FAA, per the federal notification process, will be incorporated into the City Council approval of all new development in the planning area.
2. Add appropriate text in the *Oyster Point Specific Plan and Phase 1* document to indicate the proposed hotel use shall be designed to achieve an interior noise level of 45 dB CNEL or less in all habitable rooms based on aircraft noise events.
3. Add appropriate text in the *Oyster Point Specific Plan and Phase 1* document to indicate all future development in the *Specific Plan* area (all phases) shall comply with all relevant FAA standards and criteria for safety, regarding flashing lights, reflective material, land uses which may attract large concentrations of birds, HVAC exhaust vents, and uses which may generate electrical/electronic interference with aircraft communications and/or instrumentation (see list herein on p. 5).
4. Add appropriate text in the *Oyster Point Specific Plan and Phase 1* document to indicate all of the planning area is located within the proposed airport influence area (AIA) boundary (Area B) for San Francisco International Airport and that all property for sale or lease in the planning area will be subject to the real estate disclosure requirements of Chapter 496, Statutes 2002
5. Include the following text in the *Oyster Point Specific Plan and Phase 1 Project* document or in the South San Francisco City Council resolution to adopt the *Oyster Point Specific Plan and Phase 1 Project* documents to address compliance with the relevant airport/land use compatibility criteria for the environs of San Francisco International Airport, per California Government Code 65302.3 General Plan Consistency With Comprehensive Airport Land Use Compatibility Plan (CLUP):

"The goals, policies, and other relevant content contained herein do not conflict with the guidance from the *California Airport Land Use Planning Handbook January 2002*, (2) the text in the relevant Sections of California Public Utilities Code Division 9, Part 1, Chapter 4, Article 3.5 Airport Land Use Commission, and (3) the applicable airport/land use compatibility criteria for the environs of San Francisco International Airport, as contained in the *Draft Comprehensive Airport Land Use Compatibility Plan (CLUP) for the environs of San Francisco International Airport August 2010*, as amended and in the adopted *San Mateo County Comprehensive Airport Land Use Plan 1996*, as amended for the environs of San Francisco International Airport."

BACKGROUND

The City of South San Francisco has referred its *Oyster Point Specific Plan and Phase 1 Project* and related General Plan amendment text to the C/CAG Board of Directors, acting as the Airport Land Use Commission, for a determination of the consistency of the content of those documents with the relevant airport/land use compatibility criteria contained in the *San Mateo County Comprehensive Airport Land Use Plan December 1996*, as amended for the environs of San Francisco International Airport (SFO) (see Attachment No. 1). The City of South San Francisco and a private developer are proposing a public-private redevelopment of approximately 80 acres in the proposed new *Oyster Point Specific Plan* area at the east end of Oyster Point Boulevard along the edge of San Francisco Bay (see Attachment No. 2). The site is located approximately two miles north of San Francisco International Airport.

These proposed land use policy actions are subject to ALUC/C/CAG review, pursuant to PUC Section 21676 (b). The 60-day state-mandated review period will expire on April 1, 2011. A draft document prepared for C/CAG by a consultant team entitled, *Draft Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport* was used by ALUC staff as a reference in this consistency review. An amended version of that new document will replace the San Francisco International Airport Land Use Compatibility Plan chapter in the 1996 CLUP document.

The *California Airport Land Use Planning Handbook January 2002* provides guidance to the C/CAG Board and C/CAG Staff, regarding the concept of "consistency" between a proposed local agency land use policy action (i.e. general plan amendment; specific plan) and the relevant content of a comprehensive airport/land use compatibility plan (CLUP). The *Handbook* guidance states the following:

"As widely applied in airport land use planning, consistency does not require being identical. It means only that the concepts, standards, physical characteristics, and resulting consequences of a proposed action must not conflict with the intent of the law or the compatibility plan to which the comparison is being made."

The C/CAG Board has expanded its consistency determination finding (action) to also include consistency with (a) the relevant guidance from the *California Airport Land Use Planning Handbook January 2002* and (b) the text in the relevant sections of Public Utilities Code Division 9, Part 1, Chapter 4, Article 3.5, Airport Land Use Commission.

DISCUSSION

I. Airport/Land Use Compatibility Issues

There are three airport/land use compatibility issues addressed in the *San Mateo County Comprehensive Airport Land Use Plan December 1996*, as amended, for the environs of San Francisco International Airport that relate to the relevant content of the *Oyster Point Specific Plan and Phase 1 Project* document: (a.) Height of Structures/Airspace Protection, (b.) Aircraft Noise Impacts, and (c.) Safety Criteria. The following sections address each issue.

DISCUSSION - continued

A. Height of Structures/Airspace Protection.

The C/CAG Board has adopted the provisions in Federal Aviation Regulations FAR Part 77, "Objects Affecting Navigable Airspace," as amended, to establish restrictions for height of structures/airspace protection and federal notification requirements, related to proposed development within the federal airspace boundaries for San Francisco International Airport. The regulations include: (1.) standards for determining obstructions in the navigable airspace and designation of imaginary "surfaces" for airspace protection; (2.) requirements for project sponsors to provide notice to the FAA of certain proposed construction or alteration of structures in the airport environs; and (3.) preparation of aeronautical studies, by FAA staff, to determine the potential effect(s), if any, of proposed construction or alteration of structures on the safe and efficient use of the subject airspace.

The *Oyster Point Specific Plan and Phase 1 Project* area is located within the FAR Part 77 airspace protection surfaces for San Francisco International Airport (see Attachment No.3). Given this location, the text in the *Oyster Point Specific Plan and Phase 1 Project* documents should be amended to include the following:

- add appropriate text to identify all of the FAR Part 77 height/airspace protection parameters (imaginary surfaces) that affect the *Specific Plan* area and include a graphic that illustrates the configuration of the FAR Part 77 surfaces over the planning area
- add appropriate text to indicate all future development in the *Specific Plan* area (all phases) is subject to (1) the limitations of the applicable FAR Part 77 airspace parameters, (2) the formal federal notification process, via FAA Form 7460-1, "Notice of Proposed Construction or Alteration" and further indicate that the findings of all FAA aeronautical studies conducted by the FAA, per the federal notification process, will be incorporated into the final approval for all new development in the planning area.

B. Aircraft Noise Impacts.

The 65 dB CNEL (Community Noise Equivalent Level) aircraft noise contour defines the federal threshold for aircraft noise impacts and the boundary on which noise mitigation actions and related federal funding are based. This contour boundary is also used by the State of California as the threshold for airport/land use compatibility for noise-sensitive land uses.

A map of the location of the *Oyster Point Specific Plan and Phase 1 Project* area in related to the most recent aircraft noise contours for San Francisco International Airport is shown in Attachment No.4. The location of the *Specific Plan* area in relation to the generalized arrival and departure flight tracks for the Airport are shown in Attachments Nos.5 and 6. Note the *Specific Plan* area receives substantial aircraft overflight from aircraft operations at San Francisco International Airport (SFO) but is located outside of the state and federal aircraft noise threshold boundary (65 dB CNEL aircraft noise contour) for SFO aircraft operations.

DISCUSSION - continued

The boundary of the *Phase 1 Project* includes an office/R&D complex and a future recreation area/hotel site. The office/R&D complex is not a noise-sensitive land use. However, since a future hotel (350 rooms) is a noise-sensitive land use and is included in the *Phase 1 Project* area, ALUC suggests that the text in the *Specific Plan* document address aircraft noise mitigation for the future hotel use. This would include adding appropriate text in the *Oyster Point Specific Plan and Phase 1* documents to indicate the proposed hotel use shall be designed to achieve an interior noise level of 45 dB CNEL or less in all habitable rooms based on aircraft noise events.

C. Safety Criteria.

Runway Safety Zones. The *California Airport/Land Use Planning Handbook January 2002* published by the Caltrans Division of Aeronautics requires comprehensive airport/land use compatibility plans (CLUPs) to include safety zones for each runway end and related safety policies and criteria. The current CLUP for the environs of San Francisco International Airport (1996), however, does not include such policies and criteria. The *Draft Comprehensive Airport Land Use Compatibility Plan (CLUP) for the environs of San Francisco International Airport August 2010* document contains proposed safety zones for each runway end, as shown in Attachment No.7 and related draft policies for safety compatibility. The graphic in Attachment No. 7 also shows that the *Specific Plan* area is located far outside of any proposed runway safety zone and therefore compatibility with proposed safety zones is not relevant to this proposed land use policy action.

Hazards to Air Navigation Related to Land Uses Characteristics. Certain types of land use characteristics are recognized by the Airport Land Use Commission (C/CAG Board) as hazards to air navigation and are to be prohibited within the C/CAG land use policy review area. These characteristics include the following:

- Sources of glare, such as highly reflective buildings, building features, or blight lights including search lights, or laser displays, which would interfere with the vision of pilots in command of an aircraft in flight
- Distracting lights that could be mistaken for airport identification lightings, runway edge lighting, runway end identification lighting, or runway approach lighting
- Sources of dust, smoke, water vapor, or steam that may impair the visibility of a pilot in command of and aircraft in flight
- Sources of electrical/electronic interference with aircraft communications/navigation equipment
- Any use that would create an increased attraction for wildlife, particularly large flocks of birds, that is inconsistent with FAA rules and regulations, including but not limited to *FAA Order 5200.5A, Waste Disposal Site On or Near Airports* and *FAA Advisory Circular 150/5200-33B, Hazardous Wildlife Attractants On or Near Airports* and any successor or replacement orders or advisory circulars.

DISCUSSION - continued

ALUC staff suggests that the *Oyster Point Specific Plan and Phase 1* documents address the issue of land use characteristics that may create hazards to aircraft in flight as building design elements that are prohibited in the *Specific Plan* area. This would include adding appropriate text in the *Specific Plan* to include the above list of land use characteristics to be prohibited.

II. Disclosure of Potential Airport/Aircraft Impacts

The *Oyster Point Specific Plan and Phase 1 Project* area is located within the proposed Airport Influence Area (AIA) B boundary for San Francisco International Airport (see Attachment No. 8). Chapter 496, Statutes of 2002 affects all real estate transactions that occur within an identified airport influence area (AIA) boundary, either for sale or for lease. It requires a statement to be included in the property transfer documents that (1) indicates the subject property is located within an airport influence area (AIA) boundary and (2) that the property may be subject to certain impacts from airport/aircraft operations. The statement reads as follows:

"Notice of Airport in Vicinity

This property is presently located in the vicinity of an airport, within what is know as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any area associated with the property before you complete your purchase and determine if they are acceptable to you."

ALUC staff suggests that the *Oyster Point Specific Plan and Phase 1 Project* documents address real estate disclosure of potential airport/aircraft annoyances that may affect real property within the *Specific Plan* area. This would include adding appropriate text to the *Specific Plan and Phase 1 Project* documents to refer to the real estate disclosure requirements of Chapter 496, Statutes of 2002.

III. Compliance with California Government Code 65302.3

California Government Code Section 65302.3 states that a local agency general plan and/or any affected specific plan must be consistent with the applicable airport/land use compatibility criteria contained in the relevant adopted airport land use compatibility plan (CLUP). ALUC staff suggests that the *Oyster Point Specific Plan and Phase 1 Project* document or the South San Francisco City Council resolution to adopt the *Oyster Point Specific Plan and Phase 1 Project* documents address compliance with the relevant airport/land use compatibility criteria for the environs of San Francisco International Airport, per California Government Code 65302.3 General Plan Consistency With Comprehensive Airport Land Use Compatibility Plan (CLUP). This would include adding the text shown in Condition No.5 on p. 2 of this Staff Report to the *Specific Plan* document or to the City Council resolution to adopt the *Oyster Point Specific Plan and Phase 1 Project*.

DISCUSSION - continued

IV. Guidance From the *California Airport Land Use Planning Handbook January 2002*

ALUC Staff reviewed the relevant content of the *California Airport Land Use Planning Handbook January 2002* to prepare this Report. The staff analysis and recommendation contained herein are consistent with and guided by the relevant recommendations and guidelines contained in the *Handbook*.

ATTACHMENTS

- Attachment No. 1:** Letter to Dave Carbone, C/CAG - Airport Land Use Committee, from Gerry Beaudin, Senior Planner, City of South San Francisco, dated February 1, 2011; re: Airport Land Use Commission review of Oyster Point Redevelopment, w/o attachments.
- Attachment No. 2:** *Oyster Point Specific Plan and Phase 1 Project Draft Environmental Impact Report (DEIR) January 2011*, Chapter 3 Project Description, pp. 3-1 to 3-5, Figure 3.3 Oyster Point Specific Plan (DEIR p. 3-19), Figure 3.4 Phase 1 Project Site Plan (DEIR p. 3-21), Figure 3.6 Elevations Phase 1 Office/R&D (DEIR, p. 3-25), and Figure 3.7, Elevations Phase 1 Building 1A (DEIR p. 3-27).
- Attachment No. 3:** Location of Oyster Point Specific Plan and Phase 1 Project in Relation to the FAR Part 77 Civil Imaginary Surfaces for San Francisco International Airport.
- Attachment No. 4:** Location of Oyster Point Specific Plan and Phase 1 Project in Relation to Aircraft Noise Contours for San Francisco International Airport.
- Attachment No. 5:** Location of Oyster Point Specific Plan and Phase 1 Project in Relation to Generalized Arrival Flight Tracks for San Francisco International Airport.
- Attachment No. 6:** Location of Oyster Point Specific Plan and Phase 1 Project in Relation to Generalized Departure Flight Tracks for San Francisco International Airport.
- Attachment No. 7:** Location of Oyster Point Specific Plan and Phase 1 Project in Relation to Proposed Runway Safety Zones for San Francisco International Airport.
- Attachment No. 8:** Location of Oyster Point Specific Plan and Phase 1 Project in Relation to Proposed Airport Influence Area B – Project Referral Boundary for San Francisco International Airport.

NOTE: Graphic source Attachments Nos. 3-8: *Draft Comprehensive Airport Land Use Compatibility Plan (CLUP) for the Environs of San Francisco International Airport August 2010* prepared by Jacobs Consultancy in cooperation with Ricondo and Associates, Inc. and Clarion Associates.

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DEPARTMENT OF ECONOMIC
AND COMMUNITY DEVELOPMENT

PLANNING DIVISION

(650) 877-8535
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CITY COUNCIL 2011

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BARRY M. NAGEL, CITY MANAGER

February 1, 2011

Dave Carbone
C/CAG – Airport Land Use Committee
555 County Center, 5th Floor
Redwood City, CA 94063

Subject: Airport Land Use Committee – Oyster Point Redevelopment Project

Dear Mr. Carbone,

Thank you for your time and insight regarding the Airport Land Use Committee's (ALUC) review of the Oyster Point Redevelopment Project, proposed in the East of 101 area in South San Francisco. As we discussed, to facilitate the Oyster Point Redevelopment Project, the applicant has requested changes to the City's policies and regulations, necessitating a determination by the ALUC as to consistency with the Airport Land Use Plan.

Staff believes the changes of interest to the ALUC are minor in nature. The changes to the General Plan include: an increase in the allowable floor area ratio (FAR) from 1.0 to 1.25 across the office/research and development (R&D) portions of the proposed Specific Plan District, and a modification to include R&D in the list of uses permitted in the Coastal Commercial land use designation. The City's Zoning regulations will also be updated – the existing Oyster Point Marina Specific Plan District regulations will be repealed, and be replaced by the proposed "Oyster Point Specific Plan District" (OPSP). The proposed OPSP district will be larger and contain a wider mix of land uses. Draft text changes to the General Plan and Specific Plan (overstrike/underscore format to highlight the changes) are attached for reference.

The City has prepared a Draft Environmental Impact Report (DEIR) for the Project, which analyzes the Oyster Point Specific Plan (OPSP) and Phase I Project. The DEIR public comment period opened on January 25th and runs until March 10th, 2011. The DEIR, which has been included as an attachment to this letter, is also available for review on the City's website and at the Planning Division counter. A comprehensive Project Description is included in the DEIR, and a summary

description is attached to this letter. A vicinity map, current aerial photo, and proposed project site plan are also attached to this email for context and reference.

I appreciate your willingness to schedule this matter for consideration at the March ALUC meeting. Please contact me at 650-877-8535 if you have additional questions regarding this matter.

Sincerely,



Gerry Beaudin, AICP, LEED AP
Senior Planner

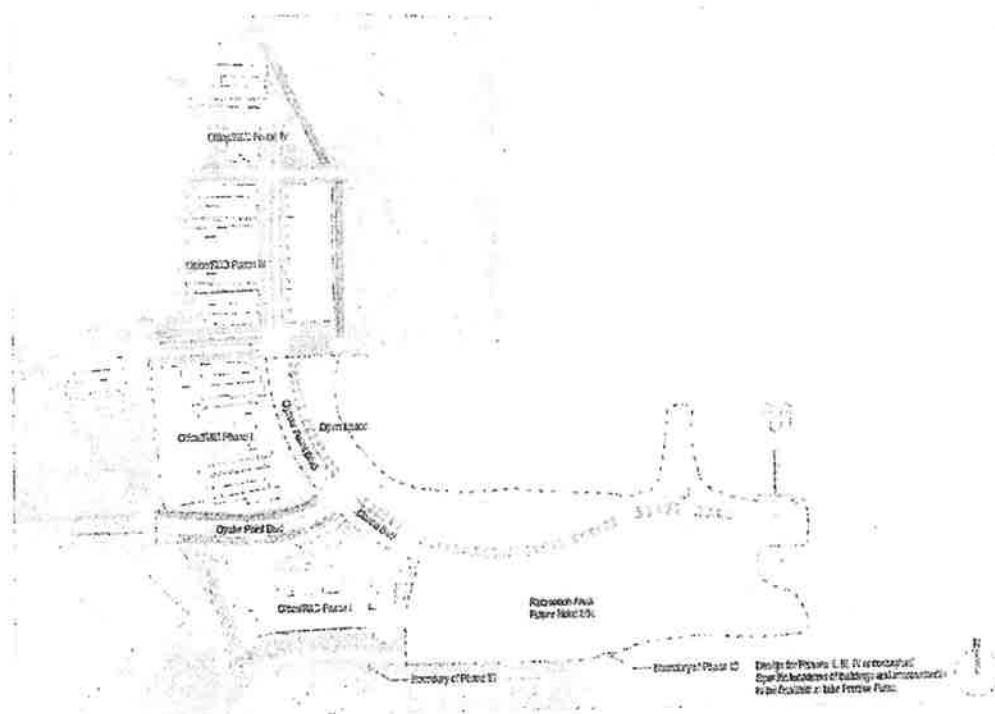
Attachments:

1. Draft General Plan Amendment – Text, January, 28, 2011
2. Draft Specific Plan – Text, January, 28, 2011
3. Draft Environmental Impact Report (DEIR), January, 2011
4. Summary Project Description
5. Vicinity map
6. Aerial photo
7. Draft site plan

cc: Marty Van Duyn, Assistant City Manager
Susy Kalkin, Chief Planner
Steve Mattas, City Attorney
Brian Crossman, Assistant City Attorney
Steve Shanks, SKS Investments
file

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5CH No. 2010022070



City of South San Francisco
Department of Economic and Community Development
315 Maple Avenue
South San Francisco, CA 94083

January 2011



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PROJECT DESCRIPTION

INTRODUCTION

The City of South San Francisco and a private developer are proposing a public-private redevelopment of approximately 80 acres in the proposed new Oyster Point Specific Plan area for research and development, office, commercial, hotel, recreational, and public open space uses ("OPSP"). The OPSP consists of (1) certain private and public improvements to be constructed in an initial phase of development, described in more detail below, which are analyzed on a project level in this EIR ("Phase I Project"), (2) additional private and public improvements to be constructed in later phases of development, which are analyzed on a programmatic level (including the Phase I Project), and (3) amendments to the Redevelopment Plan for the Downtown/Central Redevelopment Project.

This chapter describes the OPSP location, site conditions and existing uses, specific elements of the OPSP and the Phase I Project, OPSP objectives, and intended uses of the EIR.

OYSTER POINT SPECIFIC PLAN LOCATION

The site of the Oyster Point Specific Plan, including the Phase I Project and all subsequent phases of development (collectively, the "OPSP") is part of the City of South San Francisco's "East of 101" planning area, the traditional and continued core of South San Francisco's industrial and technological businesses, including bioscience offices. The East of 101 area consists of roughly 1,700 acres of land bound by San Francisco Bay on the east side, Highway 101 and railway lines on the west, the City of Brisbane and San Francisco Bay on the north, and San Francisco International Airport on the south. The area has a mix of land uses, including industry, warehousing, retail, offices, hotels, marinas, and bioscience research and development facilities. The area is also separated from most of South San Francisco's residential uses by U.S. 101 though some live-aboard boats are permitted at the two marinas located on Oyster Point and Oyster Cove marinas.

The approximately 80-acre Plan site is located about 3/4 of a mile east of Highway 101, at the eastern end (Bay side) of Oyster Point and Marina Boulevards. Its location is shown in **Figure 3.1**.

As more fully described in the following pages, the first phase of the OPSP ("Phase I Project") will be analyzed on a project level, while subsequent phases of the OPSP will be analyzed on a programmatic level. Amendments to the Redevelopment Agency's fiscally merged Redevelopment Plans, including the Downtown/Central Redevelopment Plan are also proposed.

SITE CONDITIONS AND EXISTING USES

The OPSP site includes areas commonly known as the Oyster Point Business Park and the Oyster Point Marina. The Oyster Point Business Park encompasses 25 acres of the OPSP area. It is a privately owned series of five single-story light-industrial buildings at 375/377, 379, 384, 385 and 389 Oyster

Point Boulevard that were developed in the early 1980s totaling 403,212 square feet of space with surrounding parking (see Figure 3.2). Currently, these buildings are occupied by a variety of light industrial, office, and Research and Development (R&D) tenants.

The 48-acre area known as the Oyster Point Marina area fills the remainder of the OPSP area other than roadway elements, which complete the 80-acre area. This land served as a municipal landfill for the City of South San Francisco from 1956 until it stopped accepting waste in 1970. The Marina is owned by the City of South San Francisco and managed through a Joint Powers Agreement with the San Mateo County Harbor District. Currently, this area hosts a variety of uses including a dry boat storage area, a marine support services building, two small office buildings, a 30-room inn and banquet hall, a bait and tackle shop, a boat and motor mart and a yacht club, all totaling 74,360 square feet. The remaining area is vacant or serves as parking for the docks, boat ramp, and the Bay Trail at the Oyster Point Marina area (see Figure 3.2).

The Oyster Cove Marina is privately owned and located to the west of the Oyster Point Business Park; it contains 235 berths. The Oyster Point Marina is located on the north side of the Oyster Point Marina area and contains 600 berths, a boat ramp, fuel dock and fishing pier.

The South San Francisco Ferry Terminal with service to/from San Francisco and the East Bay is currently under construction and scheduled to be completed at the Oyster Point Marina in early 2011. (The Ferry Terminal is shown on the Specific Plan Development Program, Figure 3.3). This Ferry Terminal is a separate project with its own environmental review. As the Ferry Terminal project is currently underway, it has been assumed for this analysis that the Ferry Terminal will be operational.

OYSTER POINT SPECIFIC PLAN DESCRIPTION

PROGRAMMATIC SPECIFIC PLAN

As it is proposed, the OPSP will be a public and private redevelopment, consisting of the following, as shown on Figure 3.3. When specific reasonable development assumptions were needed for analysis, those shown in Table 3.1 were used.

Private development including new office/research and development (R&D) buildings in the western portion of the site:

- demolition of the existing inn located at 425 Marina Drive, the office buildings at 360 Oyster Point Boulevard and 401 Marina Boulevard, the boat and motor mart at 671 Marina Boulevard, the Yacht Club at 911 Marina Boulevard, and the light-industrial buildings at 375-389 Oyster Point Boulevard,
- new public roadway alignment (and utility infrastructure) of Oyster Point Boulevard and Marina Drive, including relocation of sewer pump station #1 adjacent to 377 Oyster Point Boulevard,
- office/R&D buildings with a Floor Area Ratio (FAR) of up to 1.25 across the 41 acres of private land area, totaling up to 2,300,000 square feet of building space, including 10,000 square feet of accessory commercial uses,
- four phases of office/R&D uses of approximately 500,000 to 700,000 square feet each,
- each phase will include or have access to courtyards, plazas, shuttle bus stops, and/or structured parking,

Table 3.1: Development Assumptions

Building	Size (square feet if not otherwise specified)
Uses to Remain	
Oyster Point Bait and Tackle	1,440
Oyster Cove Marina	235 berths
Oyster Point Marina	600 berths
Phase I	
Office/R&D Building	508,000 to 600,000
Auxiliary Commercial	10,000
Oyster Pt Marina Beach	approximately 3.1 acres
Recreation Area	approximately 3 acres
Additional Phases	
New Hotel(s)	350 rooms
Commercial/Retail/Restaurant in Hotel	40,000
Office/R&D Building (Phase II)	700,000
Office/R&D Building (Phase III)	525,000
Office/R&D Building (Phase IV)	517,000
Uses to Remain until Hotel Construction, then be Rebuilt on Site	
Oyster Point Yacht Club	4,000
Oyster Point Maintenance	2,500

Note that a split of 40% Office and 60% Research & Development uses was assumed for all Office/R&D buildings. No office/research & development has been assumed on the proposed City-owned portion, however, such development would be allowed under the proposed changes to the General Plan and zoning. Any potential office/research & development on City-owned portion would be subject to subsequent environmental review.

- dedication and construction of an approximately 3.1 acre parcel for use as waterfront public open space.
- Site preparation and/or construction on the former landfill site will involve disturbance and relocation of landfill refuse on-site (or off-site if the material is hazardous) and modifications to the landfill cap, as more fully described under the Phase I Project description below.

Public redevelopment including public open space, recreation fields, marina improvements, and a hotel:

- one or two hotels with a total of 350 rooms and 40,000 square feet of retail/restaurant, as well as replacement of the Yacht Club (4,000 square feet) and maintenance building (2,500 Square feet),
- new road and utility infrastructure to serve the future hotel site and Oyster Point Marina area,
- a flexible-use recreation area,
- reconfiguration of parking adjacent to the new ferry terminal and shuttle bus turnaround proposed with the ferry terminal,
- improvements to the Bay Trail and surrounding open space throughout Oyster Point Marina and the proposed office/R&D Project (subject to BCDC Guidelines and approval),

- possible changes to two of the docks in the Oyster Point Marina, which could include removal and replacement,
- enhancement (landscape and other cosmetic improvements) of existing uses at the eastern end of Oyster Point in conjunction with required landfill cap repairs, and
- roadway connections to the South San Francisco Ferry Terminal, which is currently under construction.
- site preparation and/or construction on the former landfill site will involve disturbance and relocation of landfill refuse on-site (or off-site if the material is hazardous), as more fully described under the Phase I Project description below.

PHASE I PROJECT

The first phase ("Phase I Project") of the OPSP will include the development of a minimum of 508,000 square feet up to a maximum of 600,000 square feet of office/R&D space attached to a parking garage structure on approximately 10 acres, creation of waterfront open space, construction of the flexible recreation area, grading of most of the future hotel site, and construction of new roads serving Oyster Point Marina. The specific details of the Phase I Project work are outlined below and in the attached Phase I Site Plan, **Figure 3.4**.

Office/R&D buildings on Developer's Land (Private Development)

Demolition

- Phase I will include demolition of the four existing buildings totaling 66,420 square feet, including the Oyster Point Inn at 425 Marina Drive, two Office buildings at 360 Oyster Point Boulevard and 401 Marina Boulevard, and the boat and motor mart at 671 Marina Boulevard.

Landfill Consolidation and Grading

- Site preparation and building construction in Phase I will involve excavation and relocation of up to approximately 100,000 to 120,000 cubic yards of uncompacted landfill materials. Almost all of this material is anticipated to be non-hazardous and will be relocated on-site in accordance with an approved grading plan. Approximately 10,000 cubic yards of potentially hazardous material is anticipated. Any excavated hazardous material will be relocated off-site for appropriate disposal. The Phase I Grading and Drainage Plan is included as **Figure 3.5**.

*Site and Massing (see **Figure 3.4: Phase I Site Plan** and **Figures 3.6 and 3.7: Elevations**):*

- The Office/R&D buildings will occupy a site of approximately 10 acres to the south of Oyster Point Boulevard directly east of Gull Drive.
- Phase I will include the construction of between 508,000 to 600,000 square feet of office/R&D space.
- Office/R&D complex will include three office/lab buildings, the western-most of which could reach up to 10 stories, the other two of which could reach up to 6 stories.
- Buildings will be located on a plaza, which will be attached to a parking garage structure.

Access:

- The building entrances and lobbies will be located at plaza level.
- A shuttle stop and passenger drop off will be located at plaza level off Oyster Point Boulevard.
- Access to the parking garage will be through an entrance/exit at the northeastern corner of the garage off of Marina Boulevard.
- Service entries and loading docks for each building will be accessed at the southwest corner of the site off of Gull Drive.

Open Space and Infrastructure Improvements on City's Land (Public Redevelopment)*Roads:*

- Phase I will include the reconfiguration of Marina Boulevard and a portion of Oyster Point Boulevard.
- The new roadway construction will also include bicycle lanes, sidewalks and street trees.
- Utilities will be provided in the new roads and will be sized for the full build-out of all phases including sewer, water, fire water, and a joint trench for PG&E and telecom, as shown on **Figure 3.9: Utilities Plan**.
- The parking lot adjacent to the west basin of Oyster Point Marina will be reconstructed after landfill cover improvements have been completed to access the new Marina Boulevard configuration (see **Figure 3.4: Phase 1 Site Plan**).

Landfill Cover:

- Improvements will be constructed to update the landfill cover to current regulatory requirements (Title 27), as shown on **Figure 3.10: Landfill Improvement Plan**.

Open Space/Recreation:

- An approximately 3-acre site to the east of the Office/R&D buildings will be graded and constructed as a flexible-use recreation area, which are to be programmed by the City of South San Francisco. (See **Figure 3.4**)
- An approximately 3.1-acre waterfront site to the north and east of the Oyster Point Boulevard and Marina Boulevard intersection will be graded and landscaped as a public park per City Specifications (See **Figure 3.4**) and BCDC design guidelines.
- Off-street pedestrian paths (including new portions of the Bay Trail) will connect the ferry terminal to the existing Bay Trail

Future Hotel Site:

- The approximately 4.7-acre site to the east of the recreation area will be graded to allow for a future hotel and retail complex. To the east of this area, the Yacht Club structure and the Harbor District garage, yard and access would remain intact throughout Phase I. (See **Figure 3.4**)

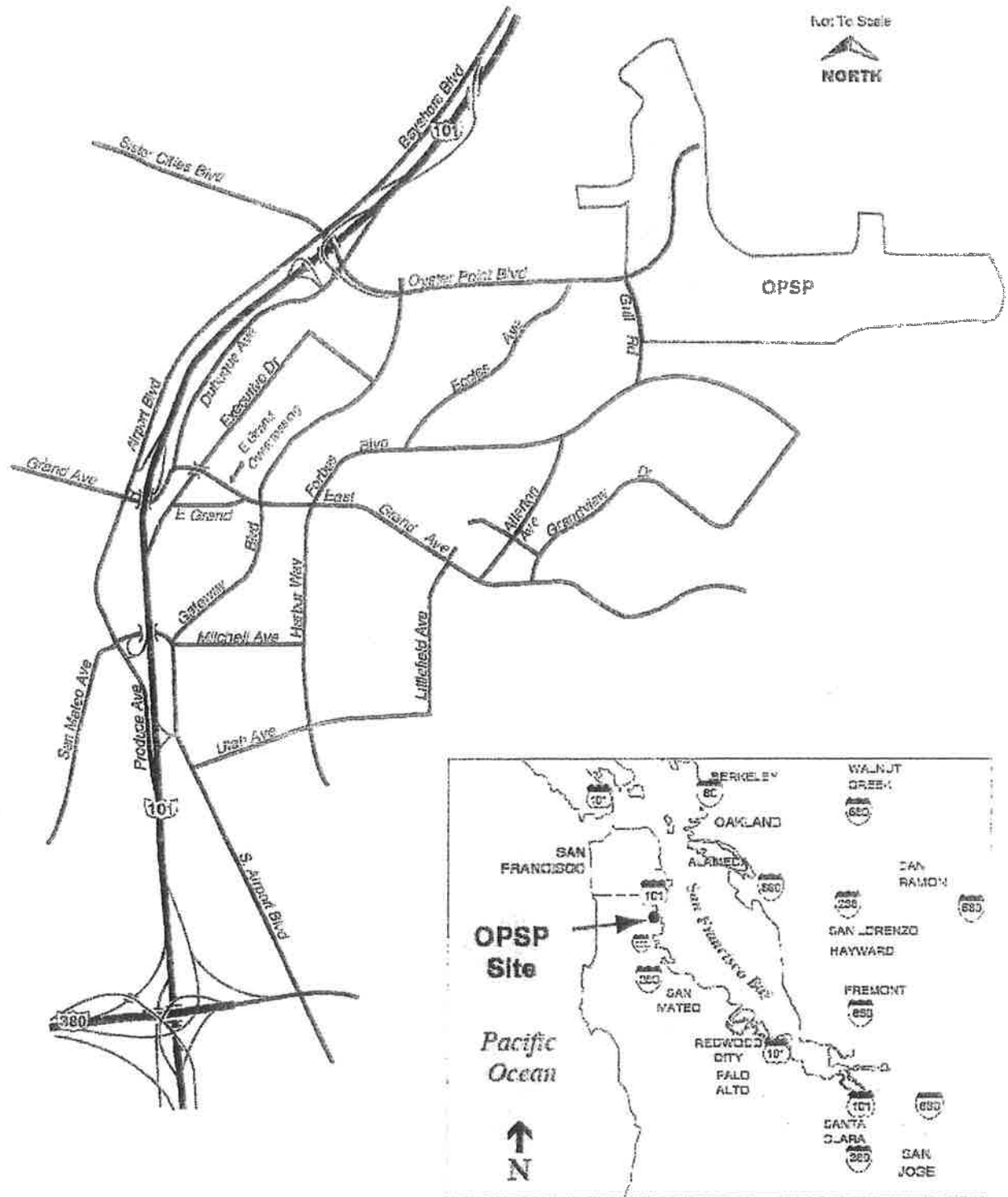


Figure 3.1: Site Location and Vicinity

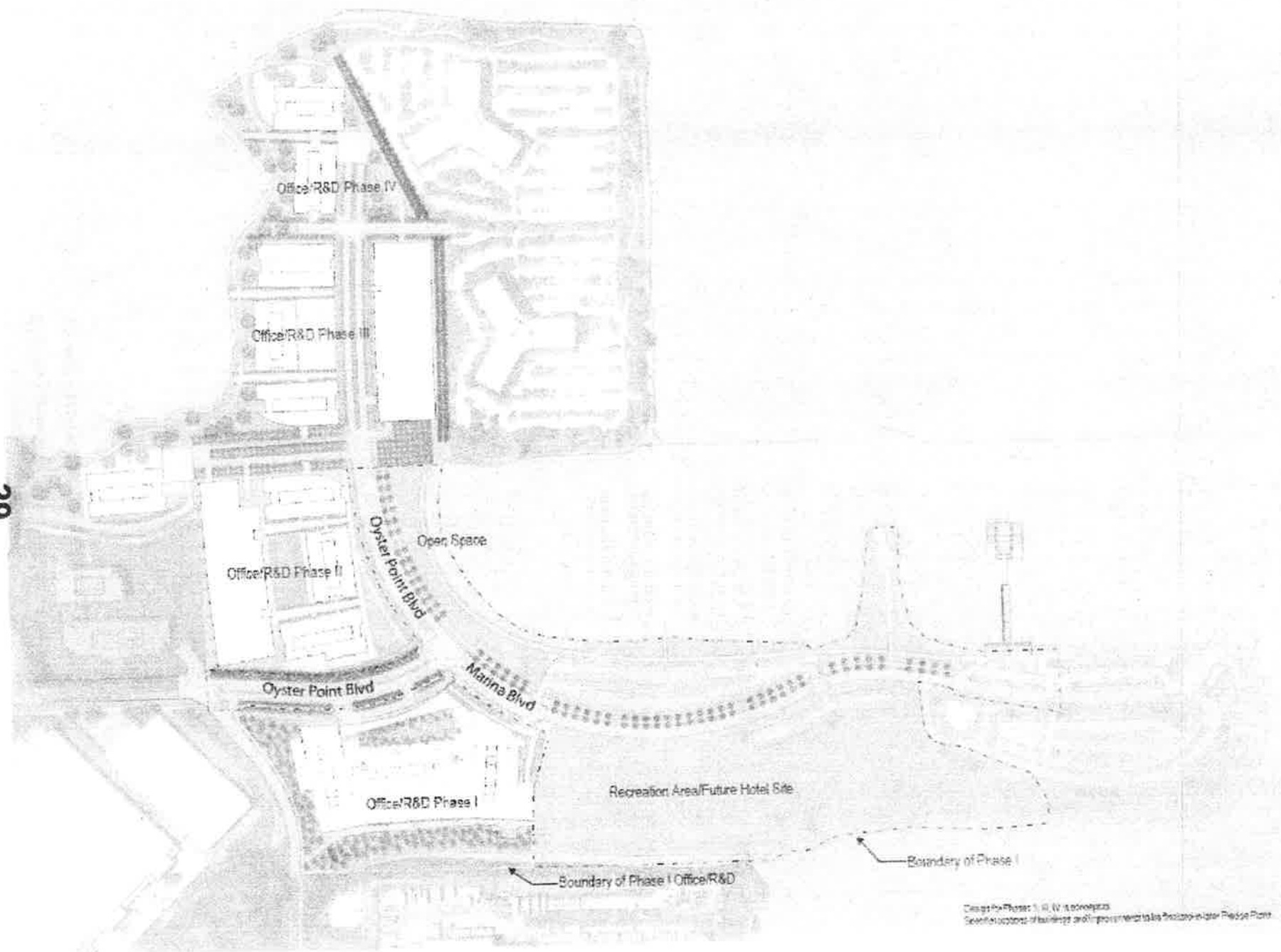
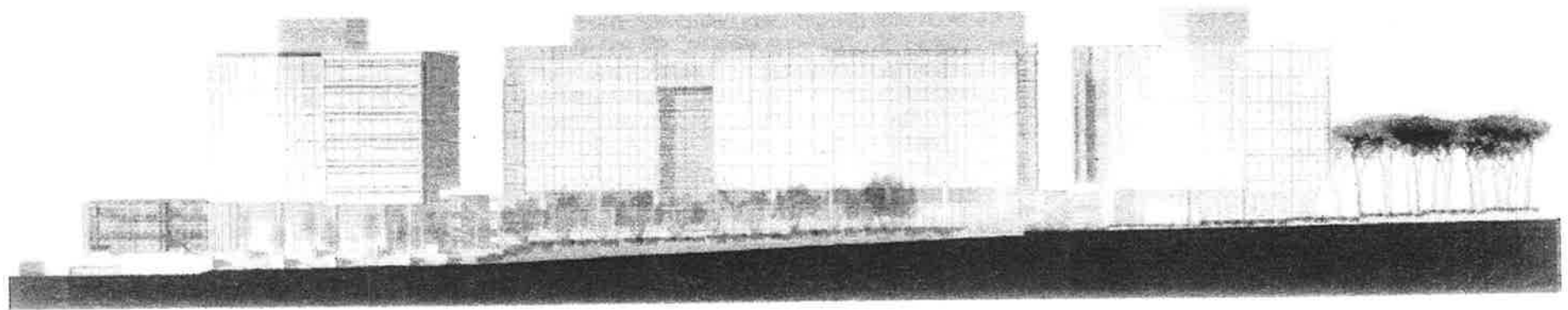
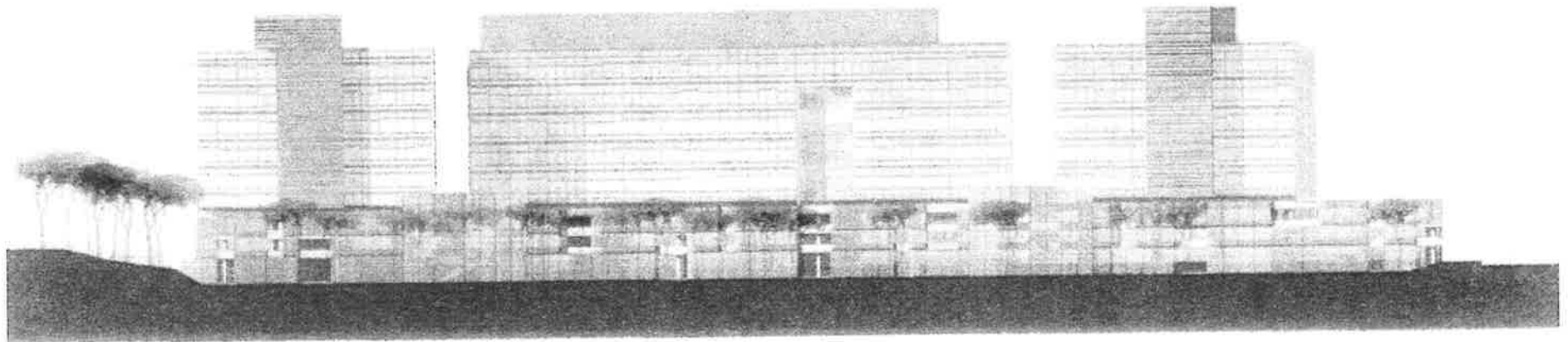


Figure 3.3: Oyster Point Specific Plan and Phase I Project



1 Overall Elevation of North Facade



2 Overall Elevation of South Facade

Figure 3.6: Elevations, Phase I Office/R&D

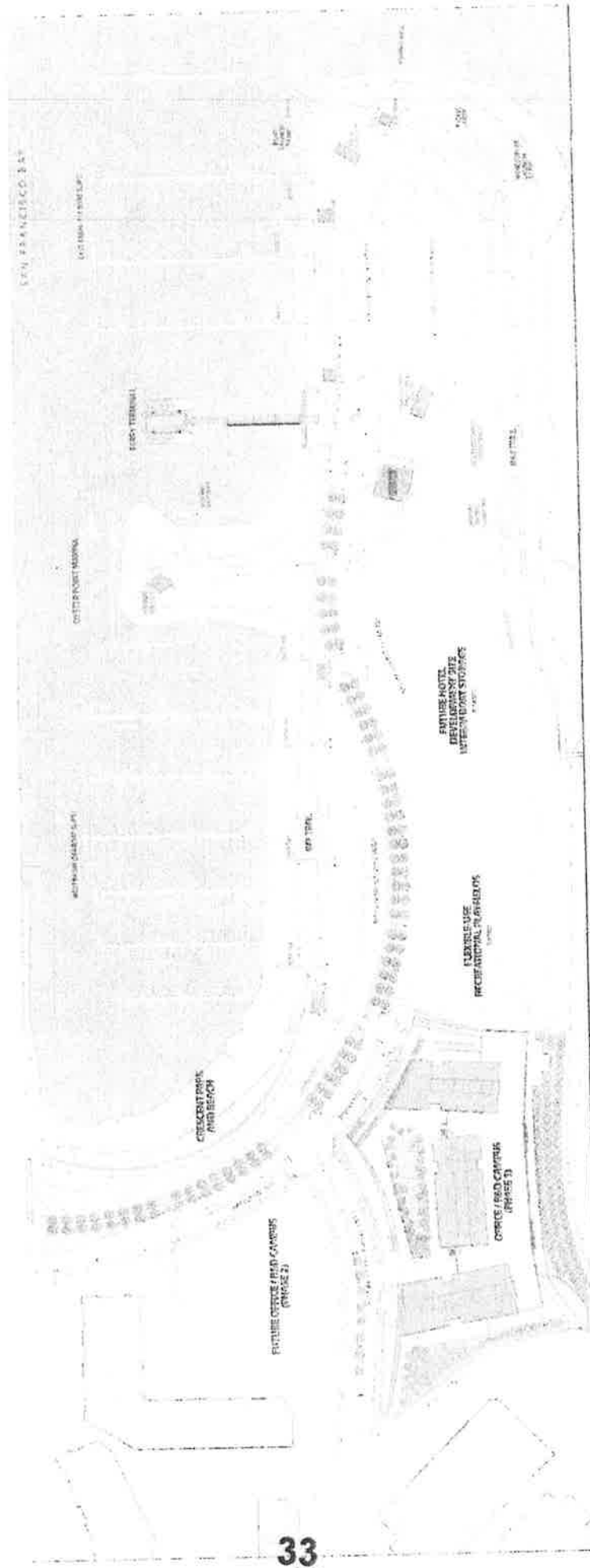
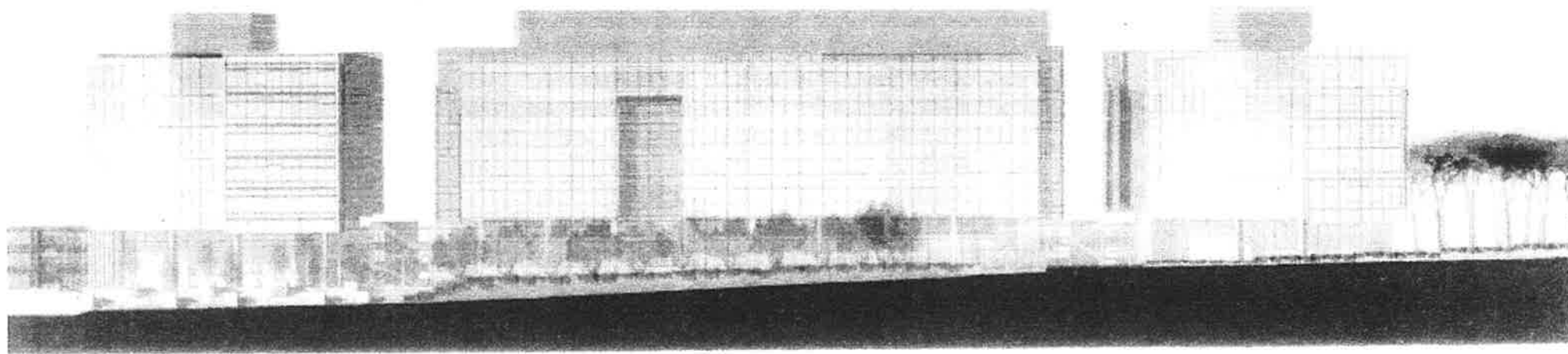
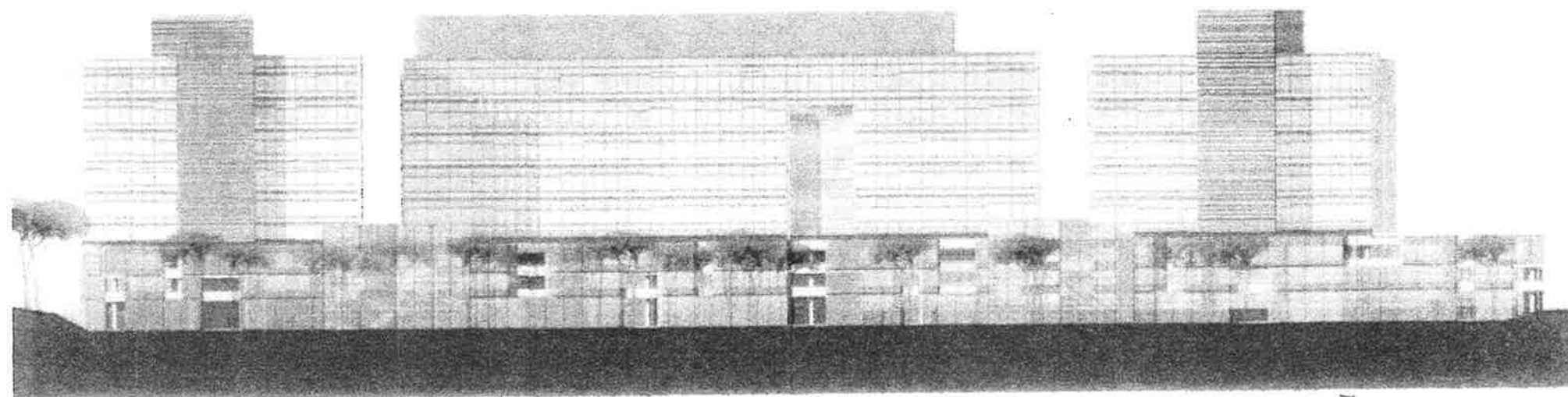


Figure 3.4: Phase I Project Site Plan



1 Overall Elevation of North Facade

35-



2 Overall Elevation of South Facade

47 A
67 B
70

Lower Screen
adding Paving
to Column

TOP OF MECHANICAL PENTH

PARAPET TOP OF SC

PLAZA

-99-
37

1 East Elevation of Building 1A

Architectural Materials
Sheet 48

TOP OF MECHANICAL PENTH

PARAPET TOP OF SC

PLAZA

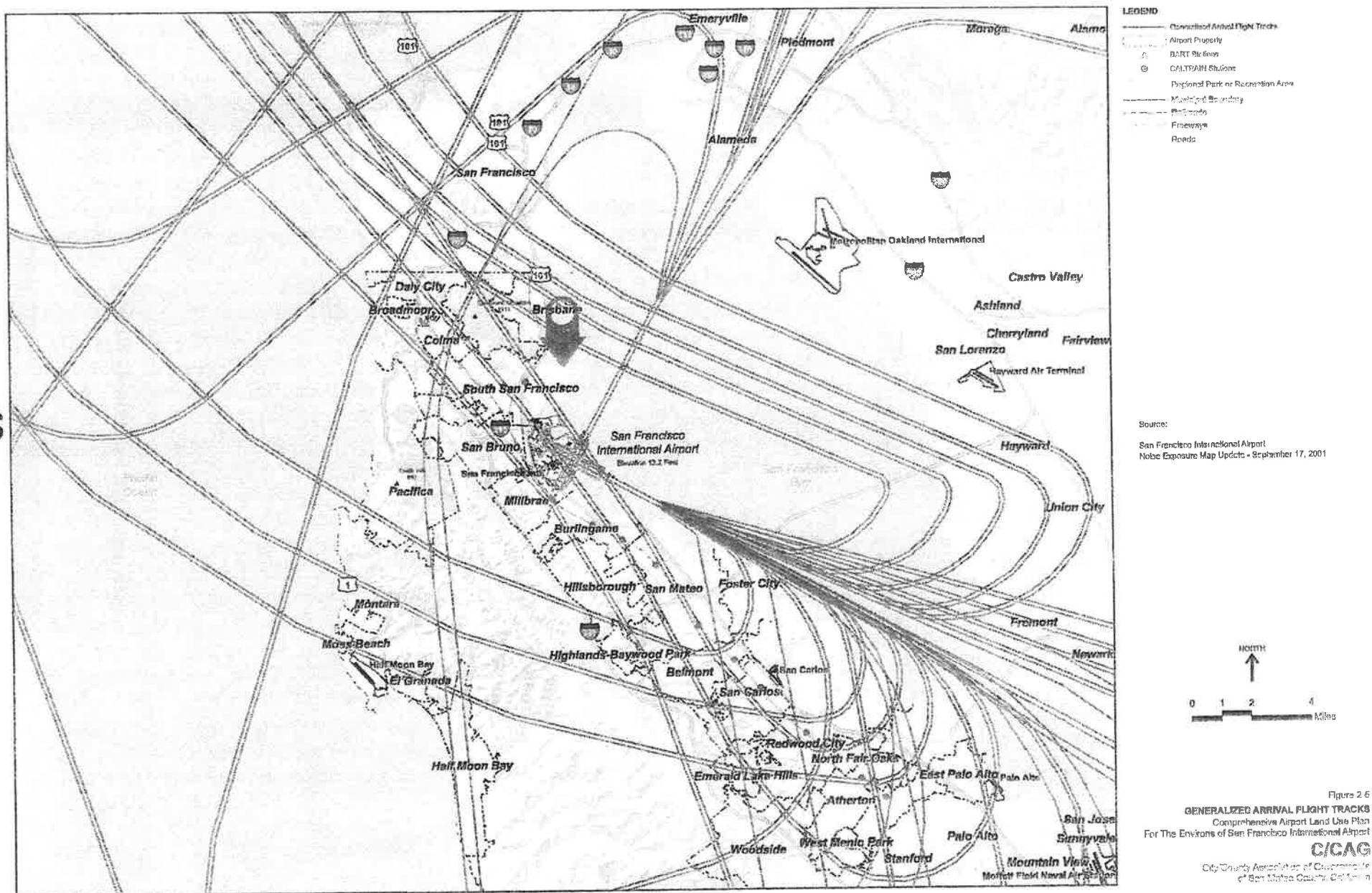


San Francisco Bay Area

San Francisco International Airport

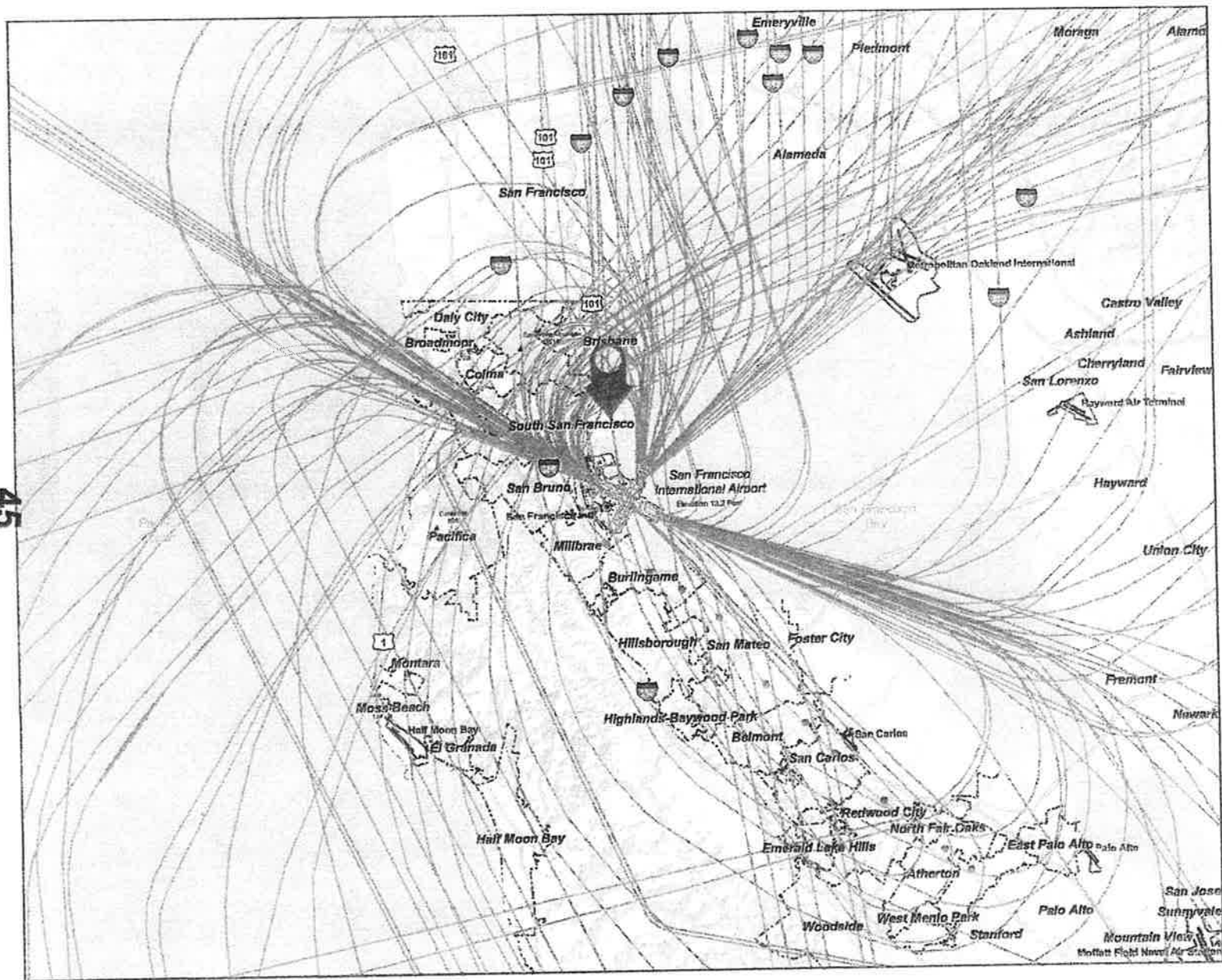
Study Area

Attachment: 3



Location of Oyster Point Specific Plan and Phase 1 Project in Relation to the Generalized Arrival Flight Tracks for San Francisco International Airport

Attachment: 5



- LEGEND
- Generalized Departure Flight Tracks
 - Airport Property
 - MART Stations
 - Caltrans Stations
 - Regional Park or Recreation Area
 - Municipal Boundary
 - Highways
 - Freeways
 - Roads

Source:
San Francisco International Airport
Noise Exposure Map Update - September 17, 2001

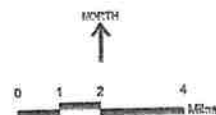
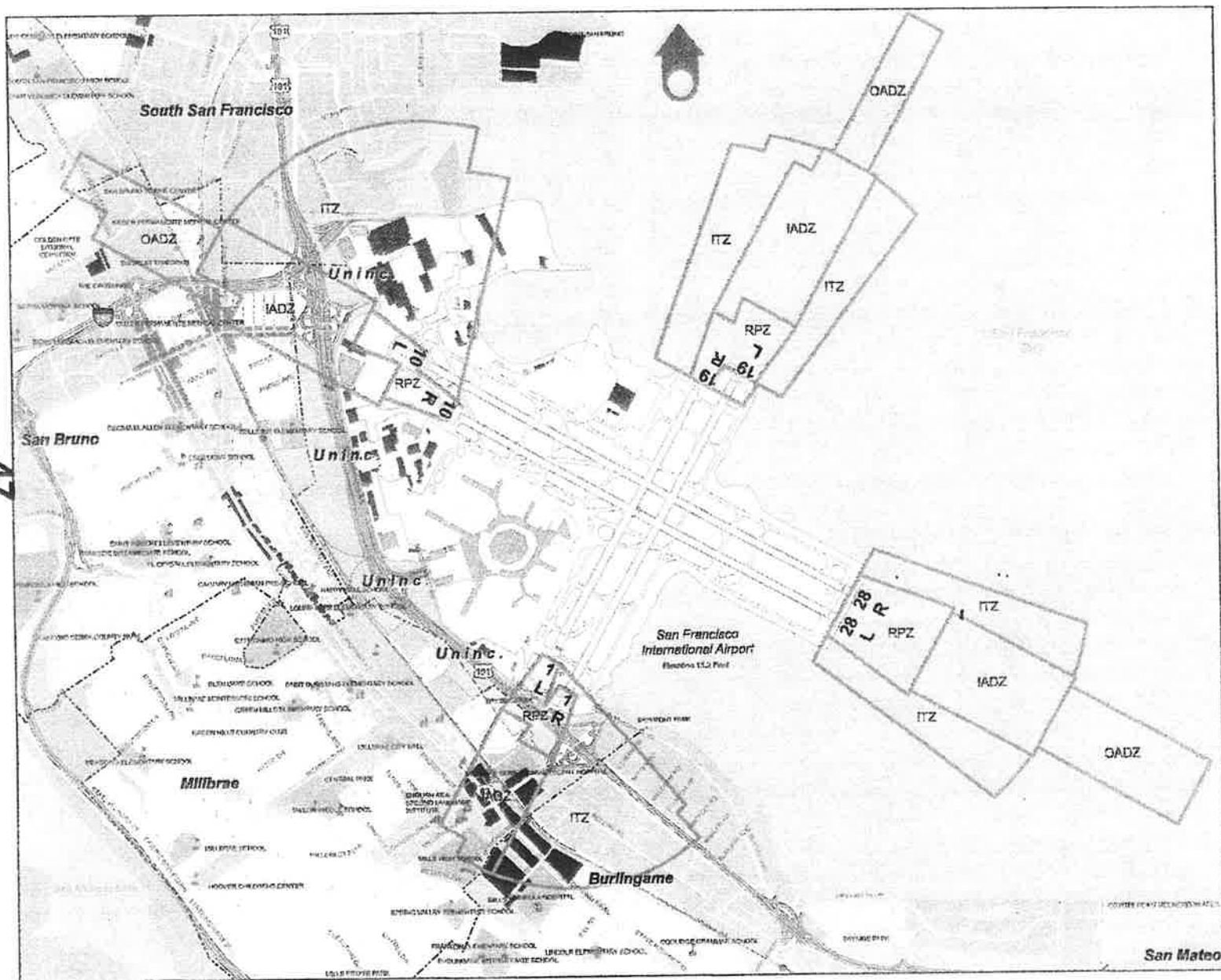


Figure 2-5
GENERALIZED DEPARTURE FLIGHT TRACKS
Comprehensive Airport Land Use Plan
For The Environs of San Francisco International Airport
CICAG
City/County Association of Governments
of San Mateo County, California



Location of Oyster Point Specific Plan and Phase 1 Project in Relation to the Generalized Departure Flight Tracks
for San Francisco International Airport

Attachment: 6



LEGEND

Safety Compatibility Zones

- RPZ - Runway Protection Zone
- IADZ - Inner Approach/Departure Zone
- ITZ - Inner Turning Zone
- OADZ - Outer Approach/Departure Zone

Airport Property

- BART Station
- CALTRAIN Station
- School
- Place of Worship
- Hospital

Municipal Boundary

- Railroad
- Freeway
- Road

Planned Land Use (Per General Plans)

- Public
- Multi-Family Residential
- Single-Family Residential
- Transit Oriented Development
- Commercial
- Industrial, Transportation, and Utilities
- Local Park, Golf Course, Cemetery
- Regional Park or Recreation Area
- Open Space
- Planned use not mapped

Sources:

- Safety Compatibility Zones:**
 - Jacobs Consultancy Team, 2008
- County Base Maps:**
 - San Mateo County Planning & Building Department, 2007
- Local Plans:**
 - Burlingame Brymont Specific Area Plan, August 2007
 - Burlingame Downtown Specific Plan, January 2006
 - Burlingame General Map, September 1994
 - North Burlingame Palms Road Specific Plan, February 2007
 - Colma Municipal Code Zoning Maps, December 2003
 - Daly City General Plan Land Use Map, 1987
 - Hillsborough General Plan, March 2005
 - Millbrae Land Use Plan, November 1998
 - Pacific General Plan, August 1989
 - San Bruno General Plan, December 2008
 - San Mateo City Land Use Plan, March 2007
 - San Mateo County Zoning Map, 1982
 - South San Francisco General Plan, 1995

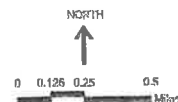


Figure 4-5
SAFETY COMPATIBILITY ZONES
Comprehensive Airport Land Use Plan
For The Environs of San Francisco International Airport
CICAG
City/County Association of Governments
of San Mateo County, California



Location of Oyster Point Specific Plan and Phase 1 Project in Relation to Proposed Runway Safety Zones for San Francisco International Airport

Attachment: 7



Figure 4-2
AIRPORT INFLUENCE AREA B
- PROJECT REFERRAL AREA
 Comprehensive Airport Land Use Plan
 For The Environs of San Francisco International Airport
CICAG
 City/County Association of Governments
 of San Mateo County, California

Attachment: 8



Location of Oyster Point Specific Plan and Phase 1 Project in Relation to Proposed Airport Influence Area B - Project Referral Boundary for San Francisco International Airport

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C/CAG AGENDA REPORT

Date: March 10, 2011

To: City/County Association of Governments Board of Directors

From: Richard Napier, C/CAG Executive Director

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

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

RECOMMENDATIONS

Receive, review, and discuss reports on State budget and legislation received from C/CAG's Sacramento legislative advocates.

LEGISLATIVE PRIORITY

The C/CAG staff and State legislative lobbyist is guided by Legislative Priorities as established by the C/CAG Board.

BACKGROUND/DISCUSSION

The C/CAG Board receives monthly written reports and oral briefings from the C/CAG State legislative advocates. For this month, our State legislative advocates have also provided a report from the Legislature's Budget Conference Committee on Major State budget issues (Attachment A), and material on the Mayors' Redevelopment Proposals (Attachment B).

ATTACHMENTS

- A. Budget Conference Committee: Major Conference Issues
- B. Mayor' Redevelopment Proposal

ATTACHMENT A

555 County Center, 5th Floor, Redwood City, CA 94063 PHONE: 650.599.1406 FAX: 650.361.8227



ADVOCATION



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

March 1, 2011

TO: Board Members, City/County Association of Governments, San Mateo County
FROM: Advocation, Inc. – Shaw / Yoder / Antwih, Inc.

RE: STATE LEGISLATIVE UPDATE- FEBRUARY

The legislature has been making steady progress in addressing a state budget deficit of \$25.4 billion. Ongoing efforts to reenact the gas tax swap seem to be progressing well, as the Budget Committees in both houses took conforming actions to approve the retention of \$2.5 billion gas tax revenue stream that essentially is a replacement source for Proposition 42. As a result, the item does not need to be considered during the Budget Conference Committee hearings which commenced on February 23rd. Therefore, the next step is to have the gas tax swap considered in the context of a deal on the entirety of the state budget on the Floor of each house. The Governor is pushing for the legislature to send him the budget by March 10th in order to comply with the Proposition 58 Session (60-day emergency Session that the Governor called on January 10th to address the budget), and to provide the Secretary of State with time to prepare materials for consideration of the tax extension on the June ballot. The Governor proposes extending existing tax rates for the next five years upon voter approval on the June ballot for the following items:

- **Personal Income Tax (PIT) Rate Surcharge:** Effective for tax years on or after January 1, 2011 but before January 1, 2016, maintains the .25% surcharge for PIT tax rate and the Alternative Minimum Tax Rate. If extended, this proposal is expected to generate revenues of \$1.187 billion in FY 10-11 and \$2.077 billion in FY 11-12.
- **PIT Dependent Exemption Credit:** Maintain the dependent exemption credit in effect in 2009 until 2015. If extended, this proposal is expected to generate revenues of \$725 million in FY 10-11 and \$1.248 billion in FY 11-12.
- **Sales & Use Tax:** Effective July 1, 2011, the 6-cent sales and use tax would continue for 5 years. The rate would sunset on June 30th to 5-cents without voter approval. If extended, the proposal is expected to generate \$4.549 billion in FY 11-12 and \$5.5 billion in FY 14-15.
- **Vehicle License Fee (VLF):** Effective July 1, the 1.15% VLF rate would continue for five years. Of the 1.15% rate, 0.5% would be used to fund local programs including public safety. If extended, this proposal is expected to generate \$1.382 billion in FY 11-12 and nearly \$1.7 billion in FY 14-15.

These tax extensions are the linchpin to funding the Governor's realignment proposal and staving off additional cuts in June. If the ballot measures fail, the legislature will need to make \$12.5 billion worth of cuts and pass a budget by June 15th as required by Proposition 25. Tax receipts for the month of January were up \$1.6 billion more than anticipated, which could be a good sign of things to come, yet the state accumulated \$3.4 billion in additional receipts last year before that total fizzled by the time the May Revision was released.

Redevelopment

In an attempt to close a \$25.4 billion deficit, the Governor has proposed to eliminate redevelopment agencies to save \$1.7 billion and help fund schools and public safety programs. The League of Cities, which is adamantly opposed, suggests that the \$1.7 billion is ambitious and is threatening litigation to retain the funds. A coalition referred to as the "Big 8 Cities" states that only \$861 million could be made available for General Fund relief due to current debt obligations. The Legislative Analyst's Office (LAO) however has challenged the Big 8's assertion that only \$861 million can be scored because the methodology ignores all other sources of revenues that redevelopment agencies (or their successor agencies) could use to pay redevelopment debt, such as revenues from land sales, rent payments, assessments, reserves, and interest earnings. Furthermore, the LAO states that the Big 8's approach implicitly assumes that property tax increment revenues would be the only source of revenues to pay redevelopment debt. The same concern is expressed with the Governor's approach. The Budget Conference Committee is in the process of deliberating what to do on the issue.

ATTACHMENT B

555 County Center, 5th Floor, Redwood City, CA 94063 PHONE: 650.599.1406 FAX: 650.361.8227



BUDGET CONFERENCE COMMITTEE

MAJOR CONFERENCE ISSUES 2011-12 BUDGET

FEBRUARY 23, 2011

Bob Blumenfield

CHAIR, ASSEMBLY BUDGET COMMITTEE

Mark Leno

CHAIR, SENATE BUDGET COMMITTEE

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PUBLIC SAFETY REALIGNMENT

Senate and Assembly Action: Both houses took conceptual action to adopt the framework of the Governor's Public Safety Realignment proposal and sent the issue to conference. The Governor's proposal envisioned that the ballot measure adopted as part of the March budget package would include certain provisions to begin the process of realignment, but recognizes that many of the details would be worked out in an implementation process that would commence after the measure was placed on the ballot.

Comment: There are six key elements of the ballot initiative:

1. List of Public Safety Programs to be Realigned to Locals

The Administration has stated that the ballot measure should reference the state programs to be realigned to local governments. Below is the list of programs proposed in the January budget:

Program	2011-12	2012-13	2013-14	2014-15
Fire and Emergency Response	\$250.0	\$250.0	\$250.0	\$250.0
Court Security	530.0	530.0	530.0	530.0
Vehicle License Fee Public Safety	506.4	506.4	506.4	506.4
Lower-level Offenders/Parole Violators	1,802.0	656.2	898.1	908.1
Realign Adult Parole	741.1	264.3	379.2	409.9
Realign Remaining Juvenile Justice	257.6	156.0	234.0	242.0
Mental Health Services				
EPSDT	0.0	579.0	579.0	579.0
Mental Health Managed Care	0.0	183.6	183.6	183.6
AB 3632 Services	0.0	104.0	104.0	104.0
Existing Community Mental Health	0.0	1,077.0	1,077.0	1,077.0
Substance Abuse Treatment	184.0	184.0	184.0	184.0
Foster Care and Child Welfare Services	1,604.9	1,604.9	1,604.9	1,604.9
Adult Protective Services	55.0	55.0	55.0	55.0
Growth*		352.6	307.8	621.1
Total	\$5,931.0	\$6,503.0	\$6,893.0	\$7,255.0

The Administration proposes a realignment of 100 percent of state costs for these programs or costs to counties.

2. Realignment of Revenues to Locals

The Governor's proposal realigns \$5.9 billion in state revenues achieved by maintaining existing Sales and Use Tax and Vehicle License Fee tax rates for five years. The detail of these taxes is below:

Revenue Source	2011-12	2012-13	2013-14	2014-15
1% Sales Tax	4,549.0	4,913.0	5,254.0	5,567.0
0.5% VLF	1,382.0	1,590.0	1,639.0	1,688.0
Total Revenues	\$5,931.0	\$6,503.0	\$6,893.0	\$7,255.0

3. Guarantee of Ongoing Revenues

The Administration has committed to include language to guarantee the state will provide ongoing revenue beyond the five-year extension of tax rates provided for in the ballot measure.

4. Implementation/Next Steps

The ballot measure could include provisions that would structure the implementation timeline and process.

5. Other Issues

Below are some questions that have been raised that could be included in the ballot measure or left for a future implementation process:

- How will this realignment interact with our current mandate process?
- What happens if the State enacts legislation to increase costs in these areas?
- Who pays for costs generated by court or federal mandates/actions/sanctions?
- Will counties have any Maintenance of Effort for their current expenditures on these programs?
- What happens if revenue dramatically under-performs or costs unexpectedly increase?
- How much flexibility will counties have to move funding between programs and will funding be placed in separate accounts or funds?

REVENUES

Senate and Assembly Action: The Senate and the Assembly both adopted the Governor's revenue proposal.

Comment: The Governor's revenue proposal has four main revenue proposals that generate \$13.8 billion in additional General Fund revenues, \$11.8 billion after accounting for the additional Proposition 98 spending driven by the increase in revenues. The Governor has suggested that two of the proposals be put before the voters in a constitutional amendment at a special election in June. The four revenue proposals are as follows:

1. Maintain Current Tax Rates for Local Public Safety Realignment for Five Years

The Governor has proposed a constitutional amendment for the vote of the people that maintains the current Sales and Use Tax and Vehicle License Fee (VLF) tax rates for five additional years. The current tax rates were increased in April 2009 and the maintenance of this increase would be dedicated to local governments to fund \$5.9 billion in public safety programs that would be realigned from the State to local governments. These revenues are outlined in the chart below:

Proposal (In Millions)	2010-11	2011-12	2-Year Total
Sales and Use Tax—1.0%	0	\$4,549	\$4,549
Vehicle License Fee—0.5%	0	1,382	1,382
Subtotal	0	\$5,931	\$5,931

The state Sales and Use Tax is currently approximately 8.25% and can be up to 2 percent higher depending on the local jurisdiction. Currently the Sales and Use Tax is made up of the following components:

- 6.0% to the General Fund;
- 0.5% to local governments;
- 0.5% to local public safety services;
- 1.0% is Bradley-Burns Local Sales and Use Tax (0.25% dedicated to county transportation and 0.75% dedicated to city and county operations); and,
- 0.25% to pay costs associated with the Economic Recovery Bond Act.

Under the Governor's proposal 1.0% of the 6.0% state Sales and Use Tax currently dedicated to the General fund would be dedicated to local governments to support the realigned public safety programs.

The VLF has historically been at 2.0 percent of the market price of a vehicle. It was 2.0 percent from 1948 until 2004. In 2005 it was reduced to 0.65% and in 2009 it was temporarily increased to 1.15%. The increase in 2009 was dedicated both to the General Fund (0.35%) and local law enforcement programs (0.15%).

The VLF has historically been a local revenue source and when the state lowered the rate in 2004 the State also backfilled local governments by shifting over \$4 billion in property tax from schools. This backfill has grown to over \$6 billion.

2. Maintain 2010 Tax Rates for Education for Five Years

The Governor has proposed a constitutional amendment for the vote of the people that maintains 2010 Personal Income Tax rates for five additional years. The income tax rates were increased in the 2009 tax year and the maintenance of this tax increase would be dedicated to education for the next five years. These revenues are outlined in the chart below:

Proposal (In Millions)	2010-11	2011-12	2-Year Total
Personal Income Tax—0.25% Surcharge	\$1,187	\$2,077	\$3,264
Personal Income Tax—Dependent Credit at \$99	725	1,248	1,973
Subtotal	\$1,912	\$3,325	\$5,237

The Personal Income Tax rates for 2010 range from 1.25% to 9.55% for income below \$1 million. There is an additional 1.0% rate for income over \$1 million that is dedicated to mental health programs.

The dependent exemption credit is currently \$99, which is consistent with the personal exemption credit. The dependent exemption credit was reduced from \$309 in 2009. This credit was increased significantly from its historic level of under \$100 in 1998 and 1999 and was annually indexed by the consumer price index starting in 2000.

3. Tax Policy Changes

The Governor has proposed statutory changes that would amend current law to make the single-sales factor multistate corporate income apportionment method mandatory instead of elective, require market sourcing of intangibles, and eliminate all state tax benefits in all four kinds of geographically targeted economic development areas (commonly referred to as enterprise zones). These revenues are outlined in the chart below:

Proposal (In Millions)	2010-11	2011-12	2-Year Total
Corporation Tax—Single Sales Factor and Market Sourcing of Intangibles	\$468	\$942	\$1,410
Enterprise Zones—Repeal of Tax Preferences	343	581	924
Subtotal	\$811	\$1,523	\$2,334

In 1993, California adopted a “double-weighted” apportionment formula. Under the double weighted formula income is apportioned 50% on sales in the state, 25% on payroll in the state, and 25% on property tax in the state. In 2009 the Legislature

enacted a new policy that allowed firms, starting in 2011, to choose or “elect” to apportion income either by the “double-weighted” formula or by sales only.

The “cost of performance” rule allows firms to apportion no revenue from the sales of intangibles in California if a firm incurs a plurality of costs associated with developing intangibles in another state. Under the Governor’s proposal “cost of performance” would no longer be allowed and a market-based rule for sourcing intangibles would be mandated.

Enterprise Zones were originally formed to help draw economic investment into depressed rural and urban areas. The state’s current fiscal crisis has required the state to reevaluate whether it is a core responsibility of State government to move business investment from one part of the state to another. The LAO and others have found that enterprise zone tax benefits have little, if any, impact on the creation of economic activity or employment in California overall.

4. Tax Enforcement

The Governor has proposed two tax enforcement measures, including a targeted tax amnesty referred to as a Voluntary Compliance Initiative and the implementation of a Financial Institutions Records Match system. These revenues are outlined in the chart below:

Proposal (In Millions)	2010-11	2011-12	2-Year Total
Targeted Amnesty—Voluntary Compliance Initiative	\$270	-\$50	\$220
Financial Institutions Records Match	10	30	40
Subtotal	\$280	-\$20	\$260

The Voluntary Compliance Initiative would begin on August 1, 2011 and end on October 31, 2011. It would apply to taxable years before January 1, 2011. Specifically the proposal would create a narrow amnesty for certain taxpayers that have abusive tax avoidance transactions that are currently under audit, in protest, or are currently unknown to the Franchise Tax Board (FTB). This proposal would also apply to taxpayers with other unreported income from the use of an offshore financial arrangement.

The Financial Institutions Records Match (FIRM) system is an information technology project that would require financial institutions doing business in California to match FTB information on delinquent tax and non-tax debtors against their customer records on a quarterly basis. The FIRM is patterned after the FTB’s Financial Institutions Data Match system, which is a project implemented as a result of federal legislation to identify the assets of delinquent child support debtors.

In addition to the Governor’s tax enforcement proposals, the Senate and Assembly also adopted a “look-up” table to assist taxpayers in complying with current law related to the Use Tax. This is expected to generate \$6.5 million General Fund in 2011-12.

REDEVELOPMENT

Senate and Assembly Action: The Senate and the Assembly took similar actions – both accepting the \$1.7 billion savings number, but acknowledging that the detail would need to be worked out and that other alternatives would be considered.

Comment: The Governor proposes to eliminate redevelopment agencies (RDAs). This elimination would provide a State General Fund solution of \$1.7 billion in 2011-12 by shifting a portion of RDA tax increment to offset General Fund costs for trial courts (\$860 million) and Medi-Cal (\$840 million).

In 2012-13 and thereafter, the non-obligated portion of RDA tax increment – that revenue not needed for outstanding debt and contractual obligations – would flow instead to K-14 schools (\$1.0 billion), cities (\$490 million), counties (\$290 million), and non-enterprise special districts (\$100 million). To facilitate replacement revenue for local economic development, the Governor proposes to lower the vote threshold to 55 percent for certain local taxes if the revenue is directed to infrastructure.

Proposition 22, approved by voters in November 2010, prohibits the Legislature from enacting statute that would redirect RDA funds to benefit the State. The Governor's plan would eliminate RDAs, and in doing so, the Administration believes the proposal is not in conflict with Proposition 22 or other constitutional provisions.

A counterproposal from large cities has been floated that could result in \$1.7 billion for the State without eliminating RDAs. A constitutional amendment, which would go to voters, may be needed for this proposal. To obtain the revenue, the state would sell bonds to generate \$1.7 billion. The bonds would be repaid over 25-years with about \$200 million per year of RDA increment. Existing RDAs would receive 10-year "life" extensions. The proposal would provide additional pass-through revenue to schools and counties beginning in 2018-19.

Issue	Governor's Proposal	City Counter Proposal
Status of existing RDAs	Eliminated	Retained
General Fund relief	\$1.7 billion	\$1.7 billion*
New 2012-13 and ongoing funding for schools	About \$1 billion	None**
New 2012-13 and ongoing funding for cities, counties and special districts	About \$900 million	None**
New budgetary borrowing through bonds	No	Yes
Ongoing state subsidy for local redevelopment	No	Yes
10-year extension of some RDAs	Not applicable	Yes

* Proposal may or may not include a constitutional amendment that would go to voters.

** Some new revenue for schools and counties beginning in 2018-19.

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION

Senate and Assembly Action: The Assembly and Senate took conforming actions on the majority of Natural Resources and Environmental Protection issues. There were, however, the following 6 issues where the two houses had differences, as detailed below:

1. Gas Consumption Surcharge Fund Transfer (California Public Utilities Commission)

The Senate approved a transfer of roughly \$162 million from the Gas Consumption Surcharge Fund. This reduction equals a transfer of all 2011-12 funds from the Gas Consumption Surcharge Fund, less any funding for the Energy Low Income Program (CARE) and low income energy efficiency programs (about \$338 million of a \$500 million annual budget). The cuts related to energy efficiency programs supported by the fund are modest in comparison to the energy efficiency programs (both gas and electricity) that will continue to be supported through the CPUC's ratemaking process (over \$1 billion annually). Senate also approved Trailer Bill Language (TBL) to ensure that programs suspended in the budget year due to funding are not mandated to continue during that time period.

The Assembly did not hear this issue.

2. Fire Protection Permanent Funding (Department of Forestry and Fire Protection)

The Governor proposes \$42.7 million for permanent General Fund and position authority following a legislative direction to shift Emergency-Fund (E-Fund) expenditures to the base budget, and to submit a zero-based budget. The CalFIRE E-Fund was originally intended to pay for large incident firefighting costs. Over time, the department expanded the use of the E-Fund to include the practice of charging day-to-day operating costs not related to large fire incidents.

The Senate denied the entire proposal without prejudice so that it could be heard in the spring.

The Assembly approved all proposed baseline fire protection funding for CalFIRE except funding for the Very Large Air Tanker Program which was denied without prejudice.

3. Off Highway Vehicle Trust Fund (Department of Parks and Recreation)

The Senate did not hear the issue.

The Assembly approved a reduction of \$27 million from the Off Highway Vehicle Trust Fund for the Off Highway Vehicle support program. When approved, the agenda cited that this reduction was a 20 percent reduction to the program. However, because the reduction was calculated for the wrong fund amount, this cut represents a 40 percent reduction for the support program. This amount will be transferred to the General Fund (ongoing).

4. Water Rights Program – Shift GF Supported Program to Fees (State Water Resources Control Board)

Governor requested a \$3.6 million shift from GF to the Water Rights Fund in the Water Rights Program. This proposal would result in an increase in Water Rights fees.

The Senate denied the proposal.

The Assembly approved this proposal.

5. Renewable Electricity Standards Activities (Air Resources Board)

The Senate reduced \$2 million (Air Pollution Control Account) specifically for activities related to the 33-percent Renewable Electric Standard/ Renewable Portfolio Standard rulemakings and proceedings at the Air Resources Board

Assembly did not hear the issue.

6. FloodSAFE Program (Department of Water Resources)

The Governor proposed, as part of a larger proposal to fund California's FloodSAFE program, \$2 million for Delta Knowledge Improvement Program (DKIP) and \$575,000 and 3 positions for FloodSAFE Conservation Strategy (Proposition 1E).

Senate rejected funding for DKIP and the Conservation Strategy and additionally, reverted \$2,000 approved in 2010 for DKIP.

Assembly approved all FloodSAFE proposals as budgeted.

Comment: The chart below summarizes the six issues discussed above:

	Proposal	Senate	Assembly	Difference
1	Gas Consumption Surcharge: Transfer \$162 million Gas Consumption Surcharge to the GF.	-\$162,000 (transfer to GF)	No proposal	\$162,000
2	Fire Protection Permanent Funding: Permanent General Fund and position authority (\$42,760) baseline appropriation.	-\$42,760 (deny without prejudice)	-\$3,500	\$39,260
3	Off Highway Vehicle Park Program Reduction and Fund Shift – Transfer \$27 million Off Highway Vehicle Fund to General Fund (ongoing).	No proposal	-\$27,000 (transfer to GF)	\$27,000
4	Water Rights Program: \$3.6 million shift from Water Rights Fund to GF.	\$3,570	0	\$3,570
5	Renewable Electricity Program: Reduction to Air Resources Board Program.	\$-2,000	No Proposal	\$-2,000
6	FloodSAFE: Reduce funding for DKIP and Conservation Strategy.	\$-2,575	No Proposal	\$-2,575

CHILD CARE & DEVELOPMENT PROGRAMS

Senate and Assembly Action. Both houses achieved the Governor's level of savings in child care through different approaches.

Senate Action. The Senate action included \$425 million in total reductions to the child care program and used other one-time and the ongoing reduction of the refundable child and dependent care credit to backfill the remaining program.

Assembly Action. The Assembly action included \$272 million in total reductions to the child care program and used other one-time and ongoing solutions to backfill the remaining program.

The chart below details the differences between the houses:

Proposal	Assembly	Senate
34.6 Percent Subsidy Reduction. Governor proposed \$577 million in savings from reducing child care subsidies by 35 percent across-the-board. Rejected the Governor's subsidy reduction.	✓	✓
Across-the-Board Reductions. Approved the reduction to all contractors by 13 percent (excluding CalWORKs Stage 1 and Stage 2, and Pre-School), for a savings of \$165 million.		✓
Across-the-Board Reductions. Approved the reduction to all contractors by 10 percent (excluding CalWORKs Stage 1 and Stage 2), for a savings of \$178 million.	✓	
Eliminate Eligibility for 11-12 Year-Olds. Approved Governor's proposal to eliminate state subsidized child care services for 11-12 year old children, but exempt children in non-traditional hours of care, for a savings of \$41 million.		✓
Income Eligibility Ceiling Reduction. Adopted the Governor's Proposal to reduce the income eligibility ceiling for child care programs from 75 percent of SMI to 60 percent of SMI (Governor's proposal provided savings of \$79 million). Senate extended the proposal to cover preschool, for a total savings of \$150 million.		✓
Income Eligibility Ceiling Reduction. Adopted a reduction of the income eligibility ceiling for child care programs from 75 percent of SMI to 70 percent of SMI, for a savings of \$40 million.	✓	
Reduced Administrative Costs. Approved to reduce the Alternative Payment Programs' administrative cap from 17.5 percent to 15 percent, for a savings of \$15 million.		✓
Child Care Deferral. Approved \$150 million in ongoing inter-year deferrals.	✓	
Child and Dependent Care Expense Credit. Approved elimination of the refundable portion of the Child and Dependent Care Expense Credit and allocated the savings from this proposal (\$100 million) to Stage II child care. The Senate only proposes to eliminate the refundable portion of the credit and does not make any changes to the core tax credit program.		✓

Comment: The Governor's budget proposes \$1.077 billion General Fund for child care in 2011-12. The Governor's budget proposes a combined General Fund reduction of \$716 million associated with various policy changes and service reductions.

Under current law, the state makes subsidized child care services available to: (1) families on public assistance and participating in work or job readiness programs; (2) families transitioning off public assistance programs; and, (3) other families with exceptional financial need.

PROPOSITION 98

Senate and Assembly Action: Both the Senate and Assembly provide the same level of ongoing Proposition 98 funding as the Governor's budget: \$49.3 billion. The following table shows the major differences in Proposition 98 funding between the Senate and Assembly. These issues should be considered as part of the total Proposition 98 package.

Item (dollars in thousands)	Issue	Title	Senate	Assembly	Difference
6110-128-0001	381	Restore Budget Year Funding for the Economic Impact Aid Program	0	56,000	56,000
6110-220-0001	276	Reduce Funding for the Charter School Facility Grant Program	-25,000	0	-25,000
6110-295-0001	384	Defer K-14 Mandates for 2011-12	0	-89,857	-89,857

Economic Impact Aid (*Issue 381*). The Economic Impact Aid (EIA) program is a state categorical program that provides funding for programs and services for English learners and educationally disadvantaged students in grades K-12.

- Governor: Provides a total funding level of \$888.4 million for this program for 2011-12.
- Senate: Approved as budgeted.
- Assembly: Restored \$56 million to the program based on updated workload estimates to provide a total funding level of \$944.4 million.

Charter School Facility Grant Program (*Issue 276*). The Charter School Facility Grant Program provides assistance with facilities rent and lease expenditures for charter schools that meet specific eligibility criteria. The 2010-11 Budget Act transitioned funding for this program from reimbursement to grant funding.

- Governor: Provides a total funding level of \$95.4 million for this program.
- Senate: Reduced funding by \$25 million to reflect anticipated savings for the program in 2011-12. This provides \$70.4 million for the program in 2011-12.
- Assembly: Approved as budgeted.

K-14 Mandates (Issue 384). Prior to the 2010-11 Budget Act, for nearly 10 years, the state has deferred the annual cost of education mandates but still required local education agencies to perform the mandated activity by providing a nominal amount of funding for each activity. The 2010-11 Budget Act implemented several mandate reforms and funded annual ongoing mandate costs at roughly \$90 million.

- Governor: Provides \$89.9 million to fund the 2011-12 ongoing cost of K-14 state mandated local programs.
- Senate: Approved as budgeted.
- Assembly: Provided a total of \$43,000 (\$1,000 per mandate) and defers the remaining ongoing cost.

PROPOSITION 10

Senate and Assembly Action: Both the Assembly and Senate approved of the \$1 billion shift for 2011-12 and rejected the 50 percent on-going transfer from the Local Commissions. The Assembly also approved of eliminating the State Commission for additional savings of approximately \$89 million per year on-going, which was not part of the Governor's proposal.

Comment: The Governor's Budget proposes to use \$1 billion in Proposition 10 Fund reserves (\$50 million from State reserves and \$950 million from local reserves) to support Medi-Cal services for children (aged 5 and under) in lieu of General Fund in 2011-12, and to shift 50 percent of the local allocation to the state on an on-going basis. This proposal requires voter approval and a June 2011 ballot initiative is assumed.

The California Children and Families Program (also known as "First 5") was created in 1998 upon voter approval of Proposition 10, the California Children and Families First Act (Act), which increased tobacco taxes by 50 cents per pack of cigarettes. Approximately 80 percent of the Prop 10 revenue is allocated directly to 58 county First 5 commissions. The remaining 20 percent stays at the state level with the State Children and Families Commission (State Commission), which will be discussed below. County commissions implement programs in accordance with local plans to support and improve early childhood development in their counties. While programs vary from county to county, each county commission provides services in three main areas: 1) Family Functioning; 2) Child Development; and 3) Child Health.

Reserves: Unspent funds are carried over for use in subsequent fiscal years. According to the DOF, over time, both the State and local fund balances have grown, and as of June 30, 2009, county commissions held more than \$2 billion in reserves. County commissions state that the amount of reserve assumed by the DOF is too high since some County commissions have maintained prudent reserves for their future obligations. They note that any redirection could create job loss and disruption, and eliminate vital services that are provided at the local level.

State Commission: Pursuant to the Act, the State Commission uses its funding allocation to support administration, public education and outreach, research and evaluation, and statewide programs. Specifically, the Act directs the Commission to: conduct independent research, including the evaluation of relevant programs; identify the best standards and practices for optimal early childhood development; and establish and monitor demonstration projects. The Commission oversees a public education campaign that includes advertising, public relations, and grassroots outreach. The Commission creates an educational "Kit for New Parents" which has been distributed to more than 3 million California residents. The Kit is available in six languages and independent evaluations have shown the Kit to have positive impacts on new parents.

IN HOME SUPPORTIVE SERVICES

Senate and Assembly Action: Both houses took actions that maintained the Governor's level of IHSS savings, as detailed below:

IHSS Actions Taken By Both Houses	Assembly	Senate
Health Care Certification. Approved a requirement for IHSS recipients to have certification that personal care services are necessary to prevent out-of-home care, with savings of \$152 million GF (savings are estimated by DOF to be higher than in the Governor's budget because of interactions between proposals when taken together).	✓	✓
Caseload Adjustment. Reduced caseload estimates based on more recent, actual data, for savings of \$83.2 million GF from the program in 2010-11 and 2011-12.	✓	✓
Community First Choice Option. Adopted \$121.1 million GF savings due to expected approval of six percent increase in federal financial participation as a result of IHSS qualifying under the new federal Community First Choice Option.	✓	✓
Advisory Committees. Reduced GF spending by \$1.4 million for IHSS Advisory Committees and eliminated the mandate, while retaining \$3,000 for each of the 56 Public Authorities.	✓	✓
Additional IHSS Actions Taken By Senate		
Domestic & Related Services Reduction. Adopted a modified version of the Governor's proposal on domestic and related services that included additional exceptions. More specifically, excluded: i) households where the only occupants are all IHSS recipients; ii) individuals whose housemates are neither their family members nor their IHSS providers; iii) domestic and related tasks that require the use of universal precautions; and iv) individuals whose housemates are not both able and available to meet the recipient's specified needs.		✓
Across-the-Board Reduction As Needed. Adopted an across-the-board reduction to correspond to any remaining amount of savings needed to reach a total \$486.1 million GF savings. Later estimates from DOF indicated that no across-the-board reduction was needed to reach the total savings adopted.		✓
Additional IHSS Actions Taken By Assembly		
Adopted an additional savings target of \$160 million (which becomes \$128.4 given the above-mentioned change to estimates for the health care certification action) to reach a total \$486.1 million GF savings and placeholder trailer bill on proposals to be determined, which may include, but are not limited to, proposals regarding medication compliance, nursing home intervention and diversion, and expanded goals for the Community Transitions Program.	✓	

Comment: The IHSS program provides various services to eligible aged, blind, and disabled persons who are unable to remain safely in their own homes without such assistance. IHSS providers assist recipients with tasks such as bathing, housework, feeding, and dressing. Recipients are eligible to receive up to 283 hours of IHSS per month. When a potential IHSS recipient applies for the program through a county office, the determination of their eligibility includes a process that takes into account the applicant's income and need for IHSS services. About 99 percent of IHSS recipients receive IHSS services as a Medicaid benefit.

The Governor's budget proposes a combined General Fund savings of \$486.1 million from the following proposals:

- 1) Elimination of domestic and related services (e.g., meal preparation and clean-up; laundry, shopping and errands) to recipients who live in shared housing and who do not receive an exception based on their own or their housemate's specified conditions (\$236.6 million);
- 2) An across-the-board reduction of 8.4 percent in the hours of service provided to individuals who do not apply for and receive supplemental care (which would result in a reduction of 12 percent when combined with an existing reduction in the budget year of 3.6 percent) (\$127.5 million); and
- 3) A new requirement that individuals receive certification from a health professional of their need for IHSS services (\$120.4 million).

The Governor's budget does not include any increase in nursing home costs as a result of these proposals.

LONG TERM CARE PROGRAMS

Senate and Assembly Action: Both house adopted alternatives to the Governor's proposal to eliminate the Multi-Purpose Senior Services Program (MSSP) and Adult Day Health Care (ADHC) programs.

MSSP

Senate Action. a \$5 million reduction to MSSP and rejected the remainder of the proposed reduction. The Senate also adopted budget bill language directing the Departments of Aging and Health Care Services to consult with the federal government about how to achieve the savings operationally and to minimize any impacts on the number of clients served.

Assembly Action. The Assembly rejected the Governor's proposal and fully restored the funding for MSSP.

ADHC

Senate Action. In lieu of maintaining the ADHC Benefit, Senate recast services and took the following actions:

- **\$25 million (GF) Appropriation.** Appropriates \$25 million (GF), with potential federal fund match, to assist with transitioning individuals to other Medi-Cal health services and social service and respite programs.
- **Budget Bill Language for Appropriation.** Budget Bill Language states: "Of the amount appropriated in this Item, \$25 million (GF) shall be allocated to grants to provide social activities and respite assistance for individuals who otherwise may have been receiving Adult Day Health Care Services. The purpose of this funding is to facilitate, as applicable and needed, transitions from ADHC services.
- **Placeholder Trailer Bill Language.** Placeholder trailer bill language was adopted for the DHCS to provide assistance with transitioning individuals from ADHC services to other Medi-Cal provided health and medical services as offered under the Medi-Cal Program.
- **Reduces General Fund.** This action reduces Medi-Cal by a net \$151.6 million (GF).

Assembly Action. Assembly maintained ADHC benefit and reduced by \$28.2 million (GF). The reduction is to be achieved as follows:

Description of Reduction Proposal	Estimated General Fund Savings
1. <u>Stakeholder Process.</u> Create stakeholder process with DHCS to identify chronically non-compliant ADHC facilities and implement a new ADHC Medical Necessity and Documentation Self-Audit tool for a 10 percent reduction in beneficiaries based on tighter eligibility criteria. Some field testing has already been completed.	-\$21.2 million
2. <u>Streamline Administration.</u> Move ADHC unit from Department of Aging to DHCS and streamline administration.	-\$1.7 million
3. <u>Consolidate Licensing & Certification.</u> Consolidate licensing and certification at DHCS and replace GF with federal funds.	-\$1.2 million
4. <u>Carry-Over Days.</u> Eliminate reimbursement for "carry-over" days. This eliminates the ability for beneficiaries to make-up absences during the last week of one month into the first week of the next month.	-\$400,000
5. <u>Non-Billable Holidays.</u> Mandate 10 non-billable "holidays" for all ADHC entities.	-\$3.7 million
Total Reduction	\$28.2 million

Comment:

Multi-Purpose Senior Services Program (MSSP): The Governor's budget proposes to eliminate MSSP, for 2011-12 savings of \$19.9 million GF. This would also result in the state losing \$19.9 million in federal funds. The Governor's budget does not include any increase in nursing home costs as a result of this proposal.

MSSP assists elderly Medi-Cal recipients to remain in their homes. Clients must be at least 65 years old and must be certified as eligible to enter a nursing home. MSSP provides mostly care management services, connecting individuals to necessary services. The program can also purchase specified services if the client's informal support and other sources of private and public services are exhausted. MSSP-funded services may include adult day care, housing assistance, personal care assistance, protective supervision, care management, respite, transportation, meal services, and other services. MSSP operates under a federal Medicaid waiver and has 41 sites statewide. The program serves approximately 11,789 clients per month.

Adult Day Health Care (ADHC). ADHC services are considered an “Optional” Benefit under Medi-Cal. ADHC services are a “bundled” service and provide health, therapeutic, and social services designed to serve those “at-risk” of being in a nursing home. California is one of few States that currently offers this service. Total funding for ADHC is \$369.8 million (\$176.6 million GF). There are 325 active ADHC providers in Medi-Cal who serve about 27,000 average monthly users. The DHCS estimated cost per ADHC beneficiary is \$1,128 per month, or \$13,538 annually.

The Medi-Cal Error Report has raised issues regarding ADHC eligibility for services based on medical acuity, as well as billing errors. Additional DHCS audit staff has been provided in past years to address some of these concerns.

Prior ADHC Cost Containment. Previous cost-containment efforts have included the following:

- Moratorium. In 2004, a statutory moratorium was placed on the expansion of new ADHC providers. This remains today.
- Treatment Authorization Reviews. In 2009, on-site treatment authorization reviews were implemented and are anticipated to reduce expenditures by \$824,000 (GF) in 2011-12.
- Medical Acuity Eligibility Criteria—Enjoined by Court. In 2009, the Legislature enacted medical acuity eligibility criteria to focus ADHC services on most medically acute individuals. This was to reduce program costs by 20 percent but was enjoined by the courts.
- Limit ADHC Benefit to Three Days. In 2009, the Legislature enacted statute to limit services for an individual to three days per week. However this was enjoined.

The budget eliminates the MSSP and ADHC Benefits effective June 1, 2011. The Administration states other Medi-Cal services are available in lieu of MSSP and ADHC services. These services other medical services include:

- Home Health Services;
- In-Home Supportive Services;
- Physical and Occupational Therapy;
- Clinic services that include dietitian, physician, social worker, and nursing services; and,
- Physician Services through the individual’s Medi-Cal health care provider.

ATTACHMENT C

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Proposal to Respond to the Governor's Budget Message Concerning Redevelopment

Summary of Reforms

- (1) Commencing in 2011-12, provide an annual payment equal to 5% of allocated gross tax increment (less existing pass throughs) to the State. The cumulative payment from all agencies is estimated to be \$200 million annually, sufficient to leverage \$1.7 billion plus. Annual surplus from the 5% above the State's debt service (+/- \$50 million) would go to schools and other taxing entities.
- (2) Commencing in 2018-2019, growth in tax increment above the 2008-09 level would be subject to an additional annual pass-through payment of 15% (on top of existing pass-through payments and the new 5% payment to the State). Existing project areas would be extended by ten years to help agencies in meeting these new financial obligations.
- (3) Cities with incremental taxable value in project areas exceeding 20% of the taxable value of the city could not adopt any new project area or expand any existing project area until this percentage was reduced.
- (4) Increased transparency in Agency operations by expanding disclosure requirements to cover substantial expenditures to or for the benefit of a private entity.
- (5) Reduce the time Agencies have to spend affordable housing dollars before they lose them and allow small agencies to pool funds with adjacent agencies

MAYORS' REDEVELOPMENT PROPOSAL | 2/18/2011

Proposal to Respond to the Governor's Budget Message Concerning Redevelopment

1) Proposal to Address Contribution to State Budget Crisis

- a) All agencies will be required to pledge an amount equal to 5% of gross allocated tax increment (less existing pass-through payments to local taxing entities), starting in FY 2011-2012. Assuming tax increment is \$5.0 billion and pass-through payments are \$1.0 billion, combined annual pledge would be \$200 million.
- b) State may pledge these funds to securitize a borrowing that could raise \$1.7 billion with a 25% coverage factor (30 years, 7% interest), or use them for any State purpose.
- c) Remaining annual coverage of \$50 million (estimated) would be available for education or any other purpose determined by the State, as would excess occurring as a result of future growth of tax increment.
- d) To assist agencies that do not have funds available to make the full 5% payment based on current financial conditions, agencies may reduce the cash payment to no less than 2% of gross allocated TI during the first three years (after existing pass-throughs), upon giving a separate promissory note to the State for the balance, with interest (above RDA borrowing rates), and negotiated installments of principal paid so that the full amount of the note – principal and interest – is paid by the 7th year.
- e) Any agency that could not meet its full 5% obligation would be prohibited from entering into any additional obligations until it had made up any payments to the State, other than obligations for affordable housing from Low-Moderate housing funds.
- f) To support agencies in committing the flow of funds required above, and to assist agencies in completing existing Plans while making this additional payment, Redevelopment Plan limitations for existing Project Areas (Plans approved by the Legislative Body as of June 30, 2011) will be adjusted as follows:
 - i) The current deadlines in existing Plans will be extended for 10 years, without the obligation to make additional blight findings, including:
 - (1) deadline for incurring debt;
 - (2) deadline for collecting tax increment and repaying debt; and
 - (3) period for Plan effectiveness.
 - ii) In addition, the period for collecting tax increment in existing Project Areas will be further extended to 30 years (FY 2042) only for the purposes of funding a Plan's proportionate share of the 5% State pass-through.
- g) Agencies that meet this obligation will not be subject to future State-mandated termination, or to make additional payments to the State except as provided below.

2) Proposal to Reduce the Impact of Tax Increment Allocations on Taxing Entities and Redirect Redevelopment Activities

- a) Commencing after five years forward (2018-19), growth in tax increment above that received in each project area in 2008-09 will be subject to an additional annual pass-through payment to taxing entities (in addition to existing annual pass-through payment requirements and the new 5% annual State payment requirement), of 15% (for an annual pass-through obligation of 35% plus the new 5% annual State payment requirement), subordinated to the annual payments required for existing obligations in that project area as of the effective date of the legislation. An agency may, with approval of the local legislative body and the county board of supervisors, allocate all or a portion of the county share of the additional 15% pass-through for redevelopment purposes. This new 15% pass-through tier exceeds and replaces the "tier 2" and "tier 3" pass-throughs currently required under the CRL by AB 1290, and applies to new and existing project areas. Any amounts paid pursuant to existing contractual pass-through payments to other taxing entities shall be credited toward this additional 15% pass-through requirement.
- b) Agencies could not adopt any new redevelopment project areas or expand existing redevelopment project areas if the aggregate percentage of incremental assessed value within all redevelopment project areas in the jurisdiction exceeds 20% of the jurisdiction's gross taxable property value until this percentage is reduced. Amendments to the law would provide a mechanism for agencies to terminate existing project areas or portions of project areas prior to their expiration date as a means of reducing the total percentage of the jurisdiction's incremental assessed valuation located within redevelopment project areas.
- c) Additional job-generating authority would be granted to agencies within redevelopment project areas, including tools targeted to direct business assistance for job-creation or retention, such as:
 - (i) Direct loans and loan guarantees;
 - (ii) Equipment and tenant improvement financing;
 - (iii) Payment of local fees;
 - (iv) Participating in small business administration loan programs to leverage such dollars;
 - (v) Assist community colleges and local non-profit providers in targeted job-training programs;
 - (vi) Participating in industry councils and similar organizations.

3) Proposal to Address Transparency in Operations

- a) Expand the application of CRL Section 33433 to any transactions involving an expenditure by an agency in excess of \$250,000 to or for benefit of a private entity.

4) Proposal to Address the Production of Affordable Housing

- a) Limit the general administrative and planning expenses (not including expenses incurred in connection with any specific affordable housing project or program) to no more than 15% of the actual annual deposits into the low and moderating income housing fund
- b) Cap the percentage of Low and Moderate Income Housing funds used on moderate income housing to no more than 30%, agency-wide, within any 5 year period
- c) Reduce the period an Agency has to encumber annual amounts of tax increment required by law to be deposited in the Low and Moderate Income Housing Fund to 3 years with 120% of any excess surplus transferred to the County or the Department of Housing and Community Development for distribution to eligible projects, inside or outside the territorial jurisdiction of the contributing agency, within 15 miles of the redevelopment project area generating the funds. The additional 20% shall come from agency resources other than low and moderate income deposits. The 3-year period shall be extended for not more than one additional year, to the extent that the agency has formally designated Low and Moderate Income Housing Funds to a specific eligible project or program, and has initiated and is actively taking all steps necessary to implement that project or program.
- d) Allow Agencies with annual housing deposits of less than \$600,000 annually to pool such funds with redevelopment agencies in adjacent communities, or transfer such funds to the County or HCD, for distribution to eligible affordable housing projects, inside or outside the territorial jurisdiction of the contributing agency, within 15 miles of the redevelopment project area that generated the funds
- e) Any excess surplus low and moderate income housing funds distributed to eligible projects located outside the territorial jurisdiction of a contributing Agency pursuant to (c) or (d) above shall not reduce the Regional Housing Needs Allocation (RHNA) of the municipal jurisdiction in which the Agency is located

C/CAG AGENDA REPORT

Date: March 10, 2011

To: City/County Association of Governments Board of Directors

From: Richard Napier, C/CAG Executive Director

Subject: Review and approval of Resolution 11-08 authorizing the C/CAG Chair to execute an agreement with the San Mateo County Superintendent of Schools to administer and manage the Countywide Safe Routes to School Program in an amount not to exceed \$2,000,000

(For further information contact John Hoang 363-4105)

RECOMMENDATION

That the C/CAG Board review and approve of Resolution 11-08 authorizing the C/CAG Chair to execute an agreement with the San Mateo County Superintendent of School to administer and manage the Countywide Safe Routes to Schools Program in an amount not to exceed \$2,000,000

FISCAL IMPACT

Up to \$2,000,000

SOURCE OF FUNDS

\$1,429,000 in Surface Transportation Program/Congestion Management and Air Quality (STP/CMAQ) funds is available to San Mateo County jurisdictions for the FY 09/10 to FY 11/12. Local match up to \$571,000 to be provided from Measure M (\$10 Vehicle Registration Fee)

BACKGROUND/DISSION

The Safe Routes to Schools (SR2S) program for San Mateo County is an element of the Metropolitan Transportation Commissions' (MTC) Climate Initiatives Program. The overall goal of the SR2S program is to enable and encourage children to walk or bicycle to schools by implementing projects and activities to improve health and safety, and also reduce traffic congestion due to school-related travels.

C/CAG, as the congestion management agency, is the designated agency for San Mateo County that receives the STP/CMAQ funds from MTC will administer the SR2S funding for the county, serving as the fiscal agent for the Program. C/CAG, in partnership with the San Mateo County Health System, took the lead in facilitating the development and preparation of the San Mateo

ITEM 6.2

County SR2S Strategic Plan. The development of the program, which began in February 2010 and continued through October 2010, has been performed by a Working Group and overseen by a Task Force consisting of schools, PTAs, law enforcement, public works, cities, and health officials. Among the participants in the Task Force has been the San Mateo County Office of Education, also referred to as the San Mateo County Superintendent of Schools.

In November 2010, the Superintendent of Schools presented C/CAG a proposal to serve as the lead for implementing the San Mateo County SR2S Program. The SR2S Task Force was presented with the draft scope of work describing the implementation approach, strategies and budget, which includes providing the SR2S Toolkit of Programs (currently in development) to schools as a resource to apply best practices focusing on education, encouragement, enforcement, and evaluation components. The proposal includes the establishment of a County SR2S Project Coordinator, SR2S Specialists, and the formation of two Advisory Committees (Policy and Operations) to guide the Superintendent of Schools.

The general input from the Task Force was that it was logical for the Superintendent of Schools to be the lead agency for the SR2S Program since the Superintendent has established relationships with the school districts and individual schools within the County that would help facilitate the program implementation. In addition, Task Force members also stressed the importance that the majority of the funds be distributed to the schools for programs and projects identified in the Toolkit and related services that could be provided by the network of SR2S Specialists. It was also recognized that in addition to providing funds to the schools, the success of the program would require that the SR2S Specialist and local volunteer efforts at the schools work closely together.

The development and implementation of the San Mateo County SR2S Program is estimated for a 30-month period, beginning approximately in January/February 2011 and ending approximately in June/July 2013. This initial countywide SR2S Program for San Mateo County would be considered a pilot program and would be evaluated annually with a comprehensive review at the end of the 30-month period.

Follow-up to the February 10, 2011 Board Meeting

This item was initially presented at the February 10, 2011 Board. After an extensive discussion, the Board moved this item to the March meeting and requested that San Mateo County Superintendent of Schools, Anne Campbell, be present to address questions from the Board members. Staff has compiled a list of questions and answers that frames some key points conveyed by the Board in February.

ATTACHMENT

- Safe Routes to School Program: Follow-up Questions and Answers
- Resolution 11-08
- Agreement between C/CAG and the San Mateo County Superintendent of Schools

Safe Routes to School (SR2S) Program: Follow-up Questions and Answers

March 2011

- **Why are we spending \$2 million on this program?**

Through the MTC Climate Initiative Program, San Mateo County was allocated \$1.429 million to specifically fund Safe Routes to School Programs within the County. C/CAG is the fiscal agent in charge of administering the program and is providing matching funds for this federal grant up to the \$2M total to fund the initial phase of the countywide SR2S Program. The matching funds come from Measure M.

The overall goal of the countywide SR2S Program is to enable and encourage children to walk or bicycle to schools by implementing projects and programs to improve health, well-being, and safety. The program will focus on the education, encouragement, enforcement, and evaluation activities.

The County Office of Education will be the lead agency and link among the local schools and cities. It will facilitate and coordinate the development of school site projects in a target of 50 schools across the county, and provide a menu of resources and services from which schools can choose; schools can also create their own program activities.

- **What is C/CAG's role?**

C/CAG is the designated agency to receive the funds and, therefore, is the project sponsor acting as the fiscal agent that will administer the funds. However, C/CAG primarily would have an oversight role in overseeing the development of the SR2S program and assuring that program meets its objectives.

C/CAG will also monitor the implementation of program activities, to ensure that services have been provided before payment is made for expenditures. Finally, C/CAG will receive the program evaluations.

- **What is the County Office of Education and what is its role in SR2S?**

The County Office of Education is an Intermediate Educational Agency that provides a link between the State Department of Education and the local school districts. The main functions of the County Office of Education (COE) are to provide leadership, support, service and coordination to the 23 local school districts in the county that educate the vast majority of students. It provides a variety of instructional, business, and consulting services that enhance the ability of districts to provide quality education. The office serves as an intermediate link between the California Department of Education and local districts, demonstrating educational leadership in the County and State, and working with public and private agencies for the benefit of public education.

The COE will serve as the Lead Educational Agency for implementing of the SR2S Program. The County Office of Education will provide the following types of services/activities:

- Hire a Coordinator who will manage the project.
 - Create a web site that lists the resources and services of SR2S (English and Spanish).
 - Inform all districts, schools and cities in the county about the program.
 - Create a listserv of contact persons (one person or more at schools and cities)
 - Hold multiple orientation meetings for principals and parent leaders.
 - Establish district/city/area networks of people interested in common activities.
 - Conduct a countywide needs assessment to determine what are the priority concerns, issues and needs, and what ideas schools have for program activities that will address their needs.
 - Create and disseminate toolkits and resources for local sites.
 - Provide training workshops at the County, district, city and school levels for project participants.
 - Create an application process schools can use to apply for funds to support site level projects.
 - Upon request from schools, hire consultants who can go to schools sites to provide parent education programs, student education programs, and other activities such as Bicycle Safety events, etc.
 - Conduct public information programs.
 - Collect feedback from schools about the success of the program and make adjustments as needed.
 - Monitor school implementation to ensure that schools are carrying out the site projects for which they have been funded.
 - Conduct evaluations of the program's success.
 - Other activities as needed to support the participating schools.
- **How would C/CAG and the COE work together in administering this program?**

C/CAG would contract with the COE to implement the SR2S program and would hold the COE accountable for achieving the goals and outcomes, meeting timelines and operating within the budget. The purpose of the proposed partnership is to ensure that the SR2S project is administered in a cost effective manner that integrates it effectively and smoothly with schools and community agencies, thus enabling them to use the funds productively on behalf of students and the community.

A Policy Advisory Committee would be formed to advise both CCAG and the COE on the program activities related to grants and strategic issues, and to create a community-wide, holistic approach to a healthier, safer, more sustainable San Mateo County. Membership on this Committee would be broadly based, including C/CAG and COE staff and representatives of cities, health agencies, law enforcement, schools, and other organizations.

Staff from the County Office can also invite C/CAG staff to visit project sites and will also make reports to C/CAG as requested.

- **How are we assured that another level of bureaucracy will not be created?**

The San Mateo County Office of Education, consisting of the Superintendent of Schools, Anne Campbell, and the Board of Education, provides leadership and support to public schools. The COE structure is already in place and has established and proven experience in administering programs that benefits schools.

This new countywide SR2S Program will require a dedicated project coordinator and a number of specialists that provides the technical assistance at the schools. These necessary positions do not constitute another level of bureaucracy.

The State Preschool Program that the County Office of Education administers provides a good model of how the County Office of Education plans to operate. Twenty years ago the State Department of Education made available funding to conduct preschool programs for low-income students ages 3 and 4. Local districts did not have the staff or the experience needed to apply individually for what would have been relatively small grants. The County Office submitted a County-wide application and received a large grant. It hired a State Preschool Coordinator and subcontracted with a variety of existing agencies, funding them to enroll low-income students in their programs. That State Preschool Program still operates in an effective, efficient manner, bringing millions of dollars into the county each year that serve hundreds of students in 16 different Centers across the county. There is still only one Coordinator and one part-time administrative assistant. The Coordinator manages the budget, assures legal compliance, maintains licensing standards, provides technical assistance to site Directors, etc. This has remained a very lean operation the a very high return on investment.

The County Office of Education also has a critical mass of staff whose functions are to serve and support all the schools in the County. For example, IT staff can be called upon to help develop web pages and the County Office can host the pages on its web site. Bilingual staff can provide Spanish translation services. A data analyst is available to assist with survey design and tabulation of results, etc.

Any staff hired from project funds will spend 100% of the time paid by the project on project activities.

- **Can the COE make a commitment to the program considering the resources required and other demands on their limited resources?**

The COE is committed and has factored in the project resources (project coordinator and specialists) required to effectively implement the program in the budget.

- **How many school districts and schools will benefit from this program?**

The program will focus on elementary schools and all schools are eligible to participate in the program. Outreach will be made to all 23 school districts and all schools within each district that could potentially benefit from the program. The

project has set a target of serving 50 schools, in as many as possible of the 20 districts that have elementary schools. (Note: three districts serve only high school students in grades 9-12.)

- **How do we engage the various school district boards of education and individual cities?**

Local schools sites, through engagement with PTAs, Site Councils and similar groups, will design and implement the strategies, objectives and activities that meet the needs of their students and families and help to achieve the overall goals of the project.

Regional partnerships will be developed with agencies such as city governments, the County Health System and community collaboratives that have existing networks to local school sites. The COE will coordinate and support this effort by contacting the stakeholders including schools and cities.

- **Have performance measures been developed to determine how effective the program will be?**

Some specific measurable outcomes of the project are indicated in the Scope of Work under “Outcomes”. More detailed performance measures will be developed by C/CAG and COE under the guidance of the Policy Advisory Committee during the initial Start-up phase of the project. The County Office has stated its intent of working collaboratively with C/CAG

- **Why are there aspects of the SR2S Program that have not been defined?**

This is a new program for San Mateo County; therefore, additional work will need to be performed during the start-up and planning phases, as described in the Scope of Work. County Office of Education will create the program details in the start-up phase, but will do so in consultation with the schools to ensure that program activities address school priorities.

- **Past programs administered by COE were passed on to the schools. Why will this not happen again?**

One major program that was returned in large part to the local districts in the past few years was the Special Education program. The districts felt that it would be better to have these students educated as close to their home communities as possible, and that they could do it more cost effectively – in part due to the savings on transportation if students were not transported long distances.

The County Office’s commitment is to provide the best possible services to local districts. The County Office believes it will maintain and operate this program for many years. In cases in which the County Office can best provide the services and districts want to receive it from the County Office, it continues to provide those

services. Two example are the State Preschool Program that it has operated for 20 years and the Outdoor Education Program it has maintained for over 40 years.

If local districts can run programs more effectively and efficiently, then the County Office believes that they should be allowed to do so.

RESOLUTION 11-08

**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 THE SAN MATEO COUNTY SUPERINTENDENT
OF SCHOOLS TO ADMINISTER AND MANAGE THE COUNTYWIDE
SAFE ROUTES TO SCHOOLS PROGRAM IN AN AMOUNT NOT TO
EXCEED \$2,000,000**

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 (CMA) responsible for the development and implementation of the Congestion Management Program for San Mateo County; and

WHEREAS, C/CAG was provided \$1,429,000 in funding from the federal Surface Transportation Program (STP) and/or Congestion Mitigation and Air Quality Improvement (CMAQ) program by the Metropolitan Transportation Commission (MTC) for the San Mateo County Safe Routes to School (SR2S) Program; and

WHEREAS, the overall goal of the SR2S Program is to enable and encourage children to walk or bicycle to schools by implementing projects and activities to improve health and safety; and

WHEREAS, as the CMA for San Mateo County, C/CAG will administer the SR2S funding for the county, serving as the fiscal agent for the Program; and

WHEREAS, C/CAG has determined that the San Mateo County Superintendent of Schools will serve as the lead agency to implement the SR2S program for San Mateo County.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the Chair is authorized to execute a funding agreement with the San Mateo County Superintendent of Schools in the amount not to exceed \$2,000,000. This agreement is attached hereto and is in a form that has been approved by C/CAG Legal Counsel.

PASSED, APPROVED, AND ADOPTED THIS 10TH DAY OF MARCH 2011.

Thomas M. Kasten, Chair

**FUNDING AGREEMENT
BETWEEN
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
AND
SAN MATEO COUNTY SUPERINTENDENT OF SCHOOLS
FOR
SAFE ROUTES TO SCHOOL PROGRAM**

THIS AGREEMENT, entered into this _____ day of _____ 2011, by and between the City/County Association of Governments of San Mateo County, a Joint Powers Agency, hereinafter called "C/CAG" and the San Mateo County Superintendent of Schools, hereinafter called "SUPERINTENDENT".

WITNESSETH

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, the SUPERINTENDENT provides leadership and support to public schools in San Mateo County through its three Divisions: Instructional Services, Fiscal and Operational Services, and Student Services.

WHEREAS, C/CAG received \$1,429,000 in Surface Transportation Program / Congestion Mitigation and Air Quality (STP/CMAQ) funds from the Metropolitan Transportation Commission Climate Initiative Program for the development and implementation of a Safe Routes to School Program (SR2S) in San Mateo County (the "Program"); and

WHEREAS, the total cost of the Program is estimated to be \$2,000,000, including the C/CAG matching funds in the amount of \$571,000; and

WHEREAS, the overall goal of the Program is to enable and encourage children to walk or bicycle to schools by implementing projects and activities to improve health and safety, and also reduce traffic congestion due to school-related travels; and

WHEREAS, C/CAG has determined that the SUPERINTENDENT will serve as the Lead Educational Agency (LEA) to implement the Program; and

WHEREAS, C/CAG and SUPERINTENDENT desire to enter into a formal agreement to specify the work scope for the SR2S Program that agree that C/CAG shall provide funds for the development of the Program.

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

1. SCOPE OF SERVICES

SUPERINTENDENT shall serve as the lead agency for implementation of the Program in San Mateo County. The Scope of Work to be performed by the SUPERINTENDENT is described in Exhibit A attached hereto.

2. TIME OF PERFORMANCE

The services funded by this agreement shall commence on or after full execution of this agreement and after C/CAG receive an "Authorization to Proceed", a federal authorization of funds, and shall be terminated by October 1, 2013. Either party may terminate the Agreement without cause by providing sixty (60) days advance written notice to the other party.

3. FUNDING AND METHOD OF PAYMENT

- a) C/CAG agrees to reimburse SUPERINTENDENT up to \$2,000,000 for the development and implementation of the SR2S Program in San Mateo County.
- b) SUPERINTENDENT shall submit billings, on a monthly basis, accompanied by the activity reports and paid invoices issued by consultants or progress payments as proof that services were incurred or rendered and paid for by the SUPERINTENDENT. Upon receipt of the invoice and its accompanying documentation, C/CAG shall pay the amount claimed under each invoice, up to the maximum amount described by this agreement, within thirty (30) days of receipt of the invoice, delivered or mailed to C/CAG as follows:

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

- c) Subject to duly executed amendments, it is expressly understood and agreed that in no event will the total funding commitment under this agreement exceed \$2,000,000, unless revised in writing and approved by C/CAG and SUPERINTENDENT.

4. AMENDMENTS

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

5. NOTICES

All notices or other communications to either party by the other shall be deemed given

when made in writing and delivered or mailed to such party at their respective addresses as follows:

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

To SUPERINTENDENT: Attention: Peter Burchyns,
Special Advisor to the Board and Superintendent
San Mateo County Office of Education
101 Twin Dolphin Drive
Redwood City, CA 94065-1064

6. INDEPENDENT CONTRACTOR

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

7. HOLD HARMLESS

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

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

SAN MATEO COUNTY
SUPERINTENDENT OF SCHOOLS

CITY/COUNTY ASSOCIATION OF
GOVERNMENT OF SAN MATEO COUNTY

Anne E. Campbell,
County Superintendent of Schools

Thomas M. Kasten, C/CAG Chair

Approved as to form:

SUPERINTENDENT Attorney

Counsel for C/CAG

EXHIBIT A

SCOPE OF WORK

Purpose of the Partnership

The San Mateo County Office of Education (SMCOE), also referred to as the San Mateo County Superintendent of Schools, will serve as the Lead Educational Agency (LEA) for the implementation of a Safe Routes to Schools (SR2S) Program in San Mateo County.

The City/County Association of Governments (C/CAG) of San Mateo will provide the funding for the project and will hold the San Mateo County Office of Education accountable for carrying out the activities described in this Scope of Work.

C/CAG and SMCOE have a joint interest in ensuring that the project integrates effectively and smoothly with schools and community agencies, thus enabling them to use the Federal Surface Transportation Program and Congestion Mitigation & Air Quality Improvement (STP/CMAQ) Program funds productively on behalf of students and the community.

Goal

The overall goal of the project will be to make San Mateo County a healthier, safer, more sustainable, environmentally sound community with better air quality, less traffic congestion, more physically fit students and adults who are well-served by schools and other agencies working collaboratively.

Guiding Principles

In carrying out its responsibilities, the County Office of Education will adhere to the following guiding principles:

- The SMCOE will work collaboratively with C/CAG, schools, cities and all partner agencies.
- The project will recognize the important role of volunteers (such as PTA members and others) in SR2S and will support and promote their involvement.
- The project will build upon existing successful models and programs and provide schools with a range of alternatives they can implement, based on their needs and interests.
- Schools will be provided with sufficient resources and support to implement site-based programs successfully.
- Participating schools will be provided clear directions and parameters so that they can operate their programs according to the funding regulations.
- The SMCOE will use data to guide program planning and evaluation.
- The SMCOE will maintain on-going communication and outreach, to ensure that

interested parties have the opportunity to be involved and to have their voices heard during implementation.

Outcomes

The specific measurable outcomes of the project will include but are not limited to:

- Improved knowledge about and more positive attitudes toward walking and biking to school, on the part of students, parents and volunteers.
- Increased numbers of students walking and biking to school.
- High levels of student, parent and volunteer participation in educational activities related to healthy and environmentally sound lifestyles.
- Decreased traffic and congestion around schools, one byproduct of which will be increased air quality.
- Reduced obesity and better health habits among students.
- Increased partnerships among schools, community agencies, parents and volunteers.
- Improved community safety.

Implementation Approach

The County Office of Education's approach is to combine three elements: centralized leadership and technical assistance; networks of collaboration and support; and services delivered to school sites in support of program activities that meet local needs and priorities.

Centralized Leadership and Technical Assistance

The SMCOE will provide overall direction, timelines and implementation regulations; be responsible for fiscal management and monitoring; and conduct the project evaluation. It will use its existing relationships with school district personnel and its established administrative systems to establish and implement the SR2S project. In addition, it will also use its regional and statewide contacts with other County Offices of Education to share resources and best practices with other agencies that are implementing county SR2S projects.

Networks of Collaboration and Support

Networks of collaboration will be developed among school sites and other agencies such as city governments, the County Health System and community organizations and volunteers. The networks could be based upon either schools in geographic proximity to each other or upon groups of schools with a common interest in a particular programmatic approach, such as Walking School Buses, Bicycle Safety, etc. These partners will be encouraged to build "learning communities" that: share common values, cultures and norms; engage in common professional development and technical training; and share successful practices.

The SMCOE plans to create 5-7 networks that would each have 5 to 10 schools; these will be supported by SR2S Specialists (part-time) who deliver technical assistance and other services to school sites.

The SR2S Specialists' would provide communications, information, trainings, meetings,

workshops, technical support, planning assistance, and other resources in support of SR2S to promote the development of successful school site-based SR2S programs; provide consultation and technical assistance to principals, teachers, parents, trainers and others concerning SR2S; enhance interagency cooperation with cities, the San Mateo County Health System and other agencies to promote healthy environments and active walking and biking behaviors that reduce the likelihood of illness and injury, increase the probability of personal fitness and safety for students and adults and support the development of environmentally sustainable communities.

Each school participating in the project will have a Site Team that plans and carries out the implementation activities. These Site Teams would include representatives from the school community and other agencies. The assumption is that volunteers from organizations such as Site Councils and PTAs will have large roles in site activities.

Local Services

Local school sites, through engagement with staff, Site Councils, PTAs and similar groups, will design, schedule and implement the specific activities that meet the needs of their students and families and help to achieve the overall goals of the project. Site support services will be delivered either by project staff (SR2S Specialists) or by school staff or consultants, funded by the project.

Governance

The SMCOE will be accountable to C/CAG for achieving the goals and outcomes of the project, developing detailed annual action plans and line item budgets, meeting timelines and operating within the budget.

The SMCOE will hire staff to manage the project and its budget, be responsible for implementation and submit timely reports. The SMCOE will also subcontract with schools to provide them the resources to carry out their action plans.

Alternatively, at the request of schools, the SMCOE could hire consultants or other staff who would provide specific services at the site that had been requested by the school; it could also purchase training and other materials for the school's use.

The SMCOE will convene two Advisory Committees (Policy and Operations) to help ensure that the SMCOE receives guidance, input and feedback from a cross-section of the entire community on whose behalf the initiative is being implemented.

The Policy Advisory Committee will advise C/CAG and the SMCOE on the direction of the project and on related infrastructure grants and strategic issues, thus helping to create a community-wide, holistic approach to a healthier, safer, more sustainable San Mateo County. Members of the Policy Advisory Committee will include elected officials; people who have leadership positions with various partner agencies, such as: C/CAG; the San Mateo Health System; the Metropolitan Transportation Commission; municipal government; law enforcement; other community leaders; etc.

The SR2S Operations Committee will provide a means of internal communication among service providers and the clients served at school sites and to offer input and feedback on program activities. Members of the Operations Committee will be individuals close to local school sites who are involved with local activities, such as: school staff; PTA members and other school volunteers; local police officers; staff members from city departments such as Planning or Recreation; and other community agencies such as Boys and Girls Clubs.

Staffing

The SMCOE will staff the project with a County SR2S Project Coordinator, a part-time administrative assistant and part-time SR2S Specialists whose responsibilities will be to deliver services to the Networks and school sites. The budget will also include funds for program consultants who work on specialized tasks or provides services to schools at their request, and an evaluator.

Implementation Strategies

Outlined below are the implementation strategies that the SMCOE will use in the various phases of the project.

Start-Up Phase: January – June 2011

- Execute formal agreement between CCAG-SMCOE.
- Complete detailed action plan and budget for the start-up phase.
- Work with C/CAG consultant to complete and distribute the SR2S Toolkit.
- Develop job descriptions, recruit and hire the Project Coordinator and assistant.
- Begin marketing/outreach/orientation via activities such as E-letters to schools and PTAs; presentations at local and regional sites; orientation and technical assistance meetings for interested parties.
- Make contacts with schools that have existing Safe Routes or similar programs to develop a cadre of “early implementers.”
- Conduct public information activities that involve media releases and the development of a Safe Routes web page on the County Office’s Web site.
- Develop collaborative networks.
- Develop measurable outcomes upon which evaluations will be based.
- Make progress reports to CCAG.

Planning Phase: July 2011 – December 2011

- Hire SR2S Specialists.
- Develop detailed action plan and for FY 2011.
- Conduct needs assessments, using a variety of techniques such as surveys, focus groups, technical assistance meetings, etc.
- Design data collection tools and evaluation instruments.
- Plan and deliver project training, based upon the needs of participants.
- Conduct research into model programs that have been successfully implemented

elsewhere, and develop a menu of recommended programs from which local schools can select for adoption/adaptation. (Note: schools will not be limited to these and will be encouraged to develop or continue other programs that are aligned to the SR2S goals.)

- Create and implement a system for regional and site planning grants, using a Request for Proposal format.
- Develop networks and sites action plans.
- Approve and fund action plans for implementation.
- Conduct 2011 annual evaluation and submit report to C/CAG.

Implementation Phase: January 2012 – June 2013

- Make project modifications, as needed.
- Develop detailed action plan and budget for FY 2012-13.
- Implement network and site plans and bring additional schools into the project.
- Conduct evaluations.
- Conduct research into possible sources of future funding and develop applications for funding to sustain SR2S activities beyond this funding cycle.
- Develop County, regional and site sustainability plans.

Budget

Estimated Income

The funding model is based on an estimated budget of \$2,000,000 that includes \$1,429,000 of STP/CMAQ funds and an additional \$571,000 of local funds provided by C/CAG.

Timeframe

The development and implementation of the San Mateo SR2S Program is planned for an approximate 30-month period (January 2011 – June 2013).

Annual Expenditures

The annual expenditure estimates over the 30-month life of the project (January 2011 – June 2013) are summarized below. These expenditures are organized on a July 1 – June 30 Fiscal Year basis that matches the budget cycles of both County agencies and school districts (including the County Office of Education). Once the formal contract is signed, the County Office of Education will develop an itemized line item budget for approval by C/CAG.

San Mateo County Superintendent of Schools					
Proposed SR2S Program Budget					
PHASE	Start Up*	Planning / Implementation	Implementation	TOTAL	%
Fiscal Year	2010/11	2011/12	2012/13		
EXPENDITURES					
Administrative					
Project Coordinator	\$ 19,000	\$ 120,000	\$ 125,000		
Administrative Assistance	\$ 10,500	\$ 34,000	\$ 36,000		
Operating Expenses (est)	\$ 5,000	\$ 25,000	\$ 25,000		
Indirect Cost (10.15%)	\$ 3,500	\$ 18,170	\$ 18,877		
Sub-total	\$ 38,000	\$ 197,170	\$ 204,877	\$ 440,047	22%
School Programs					
SR2S Specialists		\$ 173,000	\$ 190,000		
Site Grants (average \$12,000 each)**		\$ 300,000	\$ 600,000		
Consultant and Operating Expenses		\$ 75,000	\$ 75,000		
Indirect Cost (10.15%)		\$ 55,620	\$ 87,800		
Sub-total		\$ 603,620	\$ 952,800	\$ 1,556,420	78%
Total	\$ 38,000	\$ 800,790	\$ 1,157,677	\$ 1,996,467	
Note:					
* Estimate for two (2) months					
** Estimate 25 grants in FY 2012 and 50 grants in FY 2013; Range could be from \$5,000 to \$20,000)					

C/CAG AGENDA REPORT

Date: March 10, 2011

To: City/County Association of Governments Board of Directors

From: Richard Napier, C/CAG Executive Director

Subject: Review and recommend approval of the Measure M (\$10 Vehicle Registration Fee) 5-Year Implementation Plan (Special voting procedures apply.)

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

RECOMMENDATION

That the C/CAG Board review and approve the Measure M (\$10 Vehicle Registration Fee) 5-Year Implementation Plan.

FISCAL IMPACT

The estimated revenue is \$6.7 million annually and \$33.5 million for the 5-Year period.

SOURCE OF FUNDS

Funds are derived from the imposition of \$10 Vehicle Registration Fee (VRF) on each motor vehicle registered in San Mateo County pursuant of California Government Code 65089.20 and approval of Measure M by the voters on November 2, 2010.

BACKGROUND/DISCUSSION

C/CAG placed Measure M on the November 2, 2010, ballot to impose an annual fee of ten dollars (\$10) on motor vehicles registered in San Mateo County for transportation-related congestion mitigation and water pollution mitigation programs. Measure M, which was approved by the voters of San Mateo County, enables C/CAG to generate an estimated \$6.7 million annually (\$167 million over the next 25 years) to help fund various transportation programs for the 20 cities and the County.

The Expenditure Plan indicates that 50% of the net proceeds will be allocated to cities/County for local streets and roads and 50% will be used for Countywide Transportation Programs such as transit operations, regional traffic congestion management, water pollution prevention, and safe routes to school programs.

ITEM 6.3

An Implementation Plan has been developed to provide detailed program information (attached). The Plan defines the percentages breakdown and estimated revenue for the respective categories and programs as follows:

Category / Programs	Allocation	Annual Revenue (Million)	5-Year Revenue (Million)
▪ Program Administration	Up to 5%	\$0.34	\$1.70
▪ Local Streets and Roads	50% of net revenue	\$3.18	\$15.90
▪ Transit Operations and/or Senior Transportation*	22%	\$1.40	\$7.00
▪ Intelligent Transportation System (ITS) and Smart Corridors*	10%	\$0.64	\$3.18
▪ Safe Routes to Schools (SR2S)*	6%	\$0.38	\$1.90
▪ National Pollutant Discharge Elimination System (NPDES) and Municipal Regional Permit (MRP)*	12%	\$0.76	\$3.82
Total		\$6.70	\$33.50

* Countywide Transportation Programs (50% of net revenue)

The allocations for the Countywide Transportation Programs are derived based on anticipated needs and estimated implementation cost to fund each respective programs and projects, annually and over the 5-Year implementation period. It is the intent that each Countywide Transportation programs and projects will be evaluated at the end of each year to determine whether the initial funding level (allocations) was adequate or whether it requires adjustments based on the actual expenditures incurred during the previous year.

ATTACHMENTS

- Measure M Implementation Plan

Measure M Implementation Plan

\$10 Vehicle Registration Fee

March 2011

PURPOSE OF THE IMPLEMENTATION PLAN

The Measure M Implementation Plan describes the various programs identified in the Expenditure Plan in more detail and established percentages of funds allocated to each of the Countywide Transportation Programs. The Implementation Plan also identifies specific projects and programs under each category that would be eligible to receive funds along with identifying the targeted performance measures for each activity. The Implementation Plan, which requires adoption by the C/CAG Board, is developed at the onset of the 25-Year Measure M Program and will be updated every 5 years.

COLLECTION OF THE FEE

The \$10 Vehicle Registration Fee (VRF) will be collected for a period of 25 years, beginning on May 2, 2011 and ending on May 1, 2036. Beginning approximately July 2011 and every month thereafter for the duration of the fee, the Department of Motor Vehicles (DMV) will issue C/CAG a monthly check for revenues collected from the prior month. The estimated revenue is \$6.7 million annually and \$33.5 million over the initial 5-year implementation period. This amount takes into consideration the DMV's administrative fee charge of approximately \$0.005 (one-half of a cent) for each check issued to C/CAG.

IMPLEMENTATION STRATEGY

As indicated in the approved Measure M Expenditure Plan, up to 5% of the proceeds is allocated for administration with 50% of the net revenue allocated to the Local Streets and Roads category and 50% of the net revenue allocated to the Countywide Transportation Programs which includes the following programs: Transit Operations and/or Senior Transportation, Intelligent Transportation System (ITS) and Smart Corridors, Safe Routes to Schools (SR2S), and National Pollutant Discharge Elimination System (NPDES) and Municipal Regional Permit.

The general categories, detailed programs and projects guidelines, and respective performance measures contained in Measure M are further described as follows.

PROGRAM ADMINISTRATION (Up to 5%)

- Allocation of funds to be taken off the top.
- A portion of the funds will be used for routine program administration activities.
- In addition to routine administration, funds will be used to reimburse C/CAG for the following costs.
 - Payment to the County Registrar of Voters for placing Measure M on the November 2, 2010 ballot. (These costs are not counted towards the 5% limit on administration costs and may be amortized over a period of years, as needed)
 - Payment to the DMV for the initial setup and programming for the collection of a ten-dollar (\$10) fee imposed on motor vehicles registered in San Mateo County.
- Any unused administration funds would be redistributed to the Local Streets and Roads and/or Countywide Program categories as appropriate.

LOCAL STREETS AND ROADS (50% of Net Revenue)

- Allocations to local jurisdictions (20 cities and the County) for congestion mitigation and stormwater pollution mitigation programs.
- Allocation to be on a cost reimbursement basis utilizing a distribution formula consisting of 50% population and 50% road miles for each jurisdiction modified for a minimum guaranteed amount of \$75,000 for each jurisdiction. (Exhibit A)
- Allocations will be made two times a year, at a minimum every 6 months.
- Jurisdictions have the flexibility on use of the funds between the categories and projects; therefore, there are no requirements to split the funds evenly between the categories.
- Measure M should not be used to supplant existing city general funds.

Category	Programs/Projects Description	Performance Measure
Traffic Congestion Management	<ul style="list-style-type: none"> ▪ Local Shuttles/transportation ▪ Road resurfacing/reconstruction ▪ Deployment of local Intelligent Transportation System (ITS) ▪ Roadway operations (e.g., restriping, signal timing/coordination, signage) ▪ Replacement and/or upgrading of traffic signal hardware and/or software 	<ul style="list-style-type: none"> ▪ Number of passengers transported ▪ Miles/fraction of miles of roads improved. ▪ Number of ITS components installed/ implemented. ▪ Miles/fraction of miles of roads improved. ▪ Number of units replaced and/or upgraded.
Stormwater Pollution Prevention	<ul style="list-style-type: none"> ▪ Street Sweeping; ▪ Roadway storm inlet cleaning ▪ Street side runoff treatment ▪ Auto repair shop inspections ▪ Managing runoff from street/parking lot ▪ Small capital projects such as vehicle related runoff management/controls ▪ Capital purchases for motor vehicle related runoff management/controls ▪ Additional used oil drop off locations ▪ Motor vehicle fluid recycling programs ▪ Installation of new pervious surface medium strips in roadways 	<ul style="list-style-type: none"> ▪ Miles of streets swept ▪ Number of storm inlets cleaned ▪ Square feet of surfaces managed ▪ Number of auto repair shops inspected ▪ Square feet of surfaces managed annually ▪ Number of projects implemented ▪ Number of pieces of equipment purchased and installed ▪ Number of locations implemented/ operated; oil quantity collected ▪ Number of programs implemented/ operated; fluid quantity collected ▪ Square footage of new pervious surface medium strips installed

COUNTYWIDE TRANSPORTATION PROGRAMS (50% of Net Revenue)

- Allocations for the four (4) Countywide Programs are as follows:
 - Transit Operations and/or Senior Transportation - 22%
 - Intelligent Transportation System (ITS) and Smart Corridors - 10%
 - Safe Routes to Schools (SR2S) - 6%
 - National Pollutant Discharge Elimination System (NPDES) and Municipal Regional Permit (MRP) for administration and projects - 12%
- Allocation to be on a cost reimbursement basis.
- Up to a maximum of 4% may be transferred between the ITS/Smart Corridors, SR2S, and NPDES/MRP within the 5-year period taking into consideration actual expenditures, unused allocations, program shortfalls, and program needs.
- The ITS and NPDES projects to be selected by a competitive “call for project” process.
- The Transit Operations and/or Senior Transportation programs to be sponsored by SamTrans or Caltrain. Proposed projects to be submitted to C/CAG annually for approval.
- The SR2S Program to be administered by the C/CAG through the County Office of Education (COE)
- The ITS/Smart Corridors and NPDES/MRP Programs to be administered by C/CAG

Category	Programs/Projects Description	Performance Measure
Transit Operations and/or Senior Transportation	<ul style="list-style-type: none"> ▪ SamTrans Paratransit operations and maintenance (Caltrain projects are also eligible) ▪ Senior Mobility Management projects that complement paratransit (e.g., Mobility Ambassadors, Van Sharing) ▪ Senior Mobility Education (e.g. Senior Mobility Guide, Website Management) 	<ul style="list-style-type: none"> ▪ Operating costs and fare revenue; Usage; Operating Efficiency; Reliability and Safety; Customer satisfaction; Cost effectiveness ▪ To be determined ▪ To be determined
ITS and Smart Corridors	<ul style="list-style-type: none"> ▪ Deployment of projects having regional and countywide significance ▪ Maintenance and operations of the Smart Corridors specific equipment located within the San Mateo County jurisdictions’ right-of-way 	<ul style="list-style-type: none"> ▪ Number of ITS components installed and implemented ▪ Number of instances and duration that the equipment (directional signs, CCTV, communications, power supply line and equipment) is inoperable; Operability and activation of equipment
SR2S	<ul style="list-style-type: none"> ▪ San Mateo County SR2S Program provides modularized activities enable children to walk and bicycle to school through education, outreach, encouragement, evaluation and enforcement activities 	<ul style="list-style-type: none"> ▪ Number of schools participating in the Program; Number of programs, projects, and activities implemented

COUNTYWIDE TRANSPORTATION PROGRAMS (Continue)

Category	Programs/Projects Description	Performance Measure
NPDES and MRP	<ul style="list-style-type: none"> ▪ Street and Road Repair and Maintenance ▪ Green Street projects ▪ Control mobile sources ▪ Public outreach events ▪ Trash load reduction and hot spot cleanup ▪ Vehicle brake pad pollution impacts 	<ul style="list-style-type: none"> ▪ Number of guidance documents developed; area/length of roadways managed ▪ Number of projects completed, area of impervious surface managed with low impact development measures ▪ Number of guidance documents developed, outreach events or materials distributed, or mobile source properly managed ▪ Number of materials/events developed, distributed, and/or attended; Number of people contacted ▪ Number of guidance documents developed; quantity of area addressed by trash management measures; amount of trash loading reduced/prevented through implementation of management measures ▪ Number of guidance documents developed and/or quantity of pollutants addressed by management measures

EXHIBIT A

The table below provides an estimated distribution for the Local Streets and Roads allocation based a formula consisting of 50% population and 50% road miles for each jurisdiction modified for a minimum guaranteed amount of \$75,000 for each jurisdiction.

Jurisdiction	% of Total Allocation	Estimated Net Annual Revenue	Estimated Net 5-Year Revenue
San Mateo County	12.15%	\$ 386,806	\$ 1,934,032
San Mateo	11.02%	\$ 350,562	\$ 1,752,810
Daly City	9.62%	\$ 305,999	\$ 1,529,995
Redwood City	8.82%	\$ 280,747	\$ 1,403,733
South San Francisco	7.17%	\$ 228,162	\$ 1,140,812
Pacifica	4.84%	\$ 153,891	\$ 769,454
San Bruno	4.76%	\$ 151,514	\$ 757,570
Menlo Park	4.50%	\$ 143,095	\$ 715,475
San Carlos	4.03%	\$ 128,341	\$ 641,707
Burlingame	3.95%	\$ 125,668	\$ 628,338
Belmont	3.29%	\$ 104,574	\$ 522,872
Foster City	3.12%	\$ 99,227	\$ 496,134
East Palo Alto	3.06%	\$ 97,444	\$ 487,222
Hillsborough	2.81%	\$ 89,423	\$ 447,115
Millbrae	2.74%	\$ 87,046	\$ 435,232
Atherton	2.36%	\$ 75,000	\$ 375,000
Woodside	2.36%	\$ 75,000	\$ 375,000
Half Moon Bay	2.36%	\$ 75,000	\$ 375,000
Portola Valley	2.36%	\$ 75,000	\$ 375,000
Brisbane	2.36%	\$ 75,000	\$ 375,000
Colma	2.36%	\$ 75,000	\$ 375,000
Total	100%	\$ 3,182,500	\$ 15,912,499

Notes:

1. Population totals are updated based on the State of California Department of Finance estimates
2. Figures may be slightly off due to rounding off errors.
3. Assumes constant annual revenue over the 5-year Implementation Plan period.
4. Final net distribution amounts will take into account deductions for one-time election costs (which could be amortized over a period of years) and DMV initial set up and programming costs.

C/CAG AGENDA REPORT

Date: March 10, 2011

TO: C/CAG Board of Directors

From: Finance/ Review Committee

Subject: Review and approval of Resolution 11-24 requesting the reauthorization of the City/ County Association of Governments of San Mateo County (C/CAG) including approval of the Joint Powers Agreement and transmittal to the Cities and County

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

Recommendation:

Review and approval of Resolution 11-24 requesting the reauthorization of the City/ County Association of Governments of San Mateo County (C/CAG) including approval of the Joint Powers Agreement and transmittal to the Cities and County in accordance with the Finance/ Review Committee and staff recommendations.

Fiscal Impact:

None to C/CAG.

Source of Revenue:

Continued membership assessment to the Cities and County. Continued revenue from Federal, State, and Regional sources.

Background/Discussion:

C/CAG was founded in 1991 and renewed in 1995, 1999, 2003 and 2007. The current Joint Powers Agreement that provides C/CAG its legal basis is in effect until 12/1/11. Therefore, it is necessary to review C/CAG and consider reauthorization.

At the 2/10/11 meeting, the C/CAG Board authorized the Finance/ Review Committee to perform an evaluation of C/CAG and make recommendations on the reauthorization and the associated Joint Powers Agreement (JPA). The Finance/ Review Committee met on 2/22/11 to review C/CAG and discuss the continuation of C/CAG.

C/CAG Role:

The role of C/CAG is to:

Provide a forum for all agencies to work together on common issues:

Transportation

NPDES

Abandoned Vehicle Abatement

Solid Waste

Airport Land Use Commission

Legislation

Educate and elevate the decision making of local elected officials and technical professional staffs to include/ address countywide concerns in their local decisions.

Develop a consensus on the common issues of concern to the general public, solutions, and applicable funding recommendations/ priorities.

Act as Program Manager for Congestion Management Plan (CMA) Transportation funds (state and federal), AB 1546 Transportation/ Environmental Program DMV funds, Abandoned Vehicle Abatement (AVA), and Air Quality funds (AB434/TFCA).

C/CAG Performance:

C/CAG programs are mandated, or bring in revenue to San Mateo County, or provide a cost savings through Countywide implementation. See the attached C/CAG Program Analysis 2011. C/CAG has had very significant accomplishments including the Smart Corridor Project, AB 1546 C/CAG DMV Fee (Only County in State), Measure M DMV Fee, Sub-regional RHNA Process (Only sub-region in the State), sponsored AB 468 and SB 348 that became law, programmed \$91.3M in State and Federal funds, and the San Mateo County Energy Watch including Local Government Partnership with PG&E. Numerous County, Regional, State and National awards have been received. The C/CAG FY 10-11 Budget **member dues/ fees (\$2,051,368) are leveraged 5.2 times for total revenue and 15.3 times for controlled transportation funds.** Utilization of County and city staff for support has minimized the staffing necessary to meet the program requirements. This staffing approach enables C/CAG to meet the program requirements in a cost-effective manner.

C/CAG Benefits:

Benefits of C/CAG to the member agencies includes:

Provide a **forum to share ideas and solutions** among agencies for common issues.

Enable all agencies to have a **vote in the distribution of State and Federal Transportation funds (\$20-30M every two years)** allocated to San Mateo County.

Transportation funding provided to Cities and County. Provide support to assist agencies in getting and maintaining funds.

Provide cost-effective programs to **assist member agencies in meeting mandates.**

Provide active **intergovernmental support for San Mateo County** and the member agencies in the Region.

Provide additional information to agency staff on the system wide transportation impacts of proposed developments such that better local decisions can be made.

Provide proactive **Advocation at the State level to provide additional funding** such as C/CAG sponsored legislation and to preserve City/ County revenue.

Finance/ Review Committee Comments:

The Finance/ Review Committee met on 2/22/11 to review C/CAG and make a recommendation on the continuation of C/CAG. The Staff recommendation to the Finance/ Review Committee is that C/CAG has full-filled its role; therefore, it should retain the current role with a similar organization and structure. Approval of the revised Joint Powers Agreement for submittal to the member agencies is also recommended. The Finance/ Review Committee recommends to the C/CAG Board the continuation of C/CAG in accordance with the staff recommendations.

Joint Powers Agreement:

The Finance/ Review Committee reviewed the current Joint Powers Agreement. The agreement proposed is essentially identical to the one adopted in 2003. The proposed Joint Powers Agreement is attached. To assist in the review of the document changes are shown in bold below and in italics in the agreement. Key changes in the Joint Powers Agreement other than numbering or typographical include:

- 1- Section 3 (f). Purpose and Activities modified to update Committee list:
 - (2) Congestion Management and *Environmental* Quality Committee
 - (11) *Resource Management and Climate Protection Committee***
 - (12) *C/CAG Investment Committee***
- 2- Section 12. dates changed to reflect reauthorization:
“Effective Date/ Termination Date. This agreement shall be effective on July 1, **2011**, or upon its execution by the County and by at least eleven (11) cities representing the majority of the population of the County, whichever is later. ***This agreement shall continue at least until December 15, 2015, and thereafter shall continue until terminated pursuant to Section 11 of this agreement.***”
- 3- Section 21 added a sentence.
21. Storm Water Discharge Plan and Permit *To the extent permitted by law and regulation; and recognized by the applicable government agency;* the City/ County Association of Governments shall assume responsibility for the following activities under the National Pollutant Discharge Elimination System (NPDES) Program (40 CFR 122):

- 4- Section 23. Programming State and Federal Transportation Funds. C/CAG acting as the Congestion Management Agency shall be responsible for programming State and Federal Transportation Funds allocated to San Mateo County. These funds include but are not limited to State Transportation Improvement Program (*STIP*), *Surface Transportation Program (STP)*, *Congestion Management and Air Quality (CMAQ)*, and Transportation Development Act Article 3.

- 5- Section 25 and 26. Added to reflect new legislated program.

25. Measure M - Local Transportation Improvement Program. C/CAG shall serve as the overall program manager for the Local Transportation Improvement Program which programs up to a \$10 motor vehicle fee in accordance with Section 65089.20 of the Government Code and Section 9250.4 of the Vehicle Code.

26. San Mateo County Energy Watch and Climate Protection. C/CAG shall serve as the overall program manager for the San Mateo County Energy Watch Program that coordinates and provides energy conservation incentives, and Coordinates, Supports, and provide programs as necessary for Climate Protection.

- 6- Miscellaneous Sections Change Subcommittee to Committee, adjusts reference numbers as necessary, and execution language.

IN WITNESS WHEREOF, the parties hereto by their duly authorized representative, have affixed their hands on this *Joint Powers Agreement effective as of the first day of July, 2011.*

Attachments:

C/CAG Program Analysis 2011

Resolution 11-24

Joint Powers Agreement: Continuing Establishment of the City/ County Association of Governments - Revised March 2011

Alternatives:

- 1- Review and approval of Resolution 11-24 requesting the reauthorization of the City/ County Association of Governments of San Mateo County (C/CAG) including approval of the Joint Powers Agreement and transmittal to the Cities and County in accordance with the Finance/ Review Committee and staff recommendations.
- 2- Review and approval of Resolution 11-24 requesting the reauthorization of the City/ County Association of Governments of San Mateo County (C/CAG) including approval of the Joint Powers Agreement and transmittal to the Cities and County in accordance with the Finance/ Review Committee and staff recommendations with modifications.
- 3- No action.

C/CAG Program Analysis 2011						
Programs	Why C/CAG	Penalty	Outside Funds		Member Funds	Benefits
			%	Source	%	
Transportation						
Congestion Management Plan (CMP)	C/CAG is the designated Congestion Management Agency (CMA) for SM County. The CMP complies with State legislation and provides biennial monitoring of transportation network	Withhold gas tax	50%	MTC	50%	Short term plan
Countywide Transportation Plan (CTP)	Provides countywide consensus on long-range transportation vision		50%	MTC	50%	Long term planning
State/Federal Programs	CMA is designated to administer various Federal and State funded programs (street maintenance, bike/ped, streetscape, etc.)		100%	MTC		Better maintained streets; beautified street facilities, more bike and ped friendly
Congestion Relief Plan	Obsolve member agency from the need to develop Deficiency Plans for traffic level of service violations				100%	Reduce traffic congestion
Transportation for Clean Air (TFCA)	Designated recipient for the TFCA County Manager Fund		100%	Air District		Cleaner Air
DMV Fee (\$4)	C/CAG is originator of this program		100%	DMV		Reduce congestion and improve water quality

Programs	Why C/CAG	Penalty	Outside Funds		Member Funds	Benefits
			%	Source	%	
NPDES	Federal/State mandate	up to \$10K/day	85%	Parcel tax	15%	Meets legal obligation; cleaner water
Abandoned Vehicle	State mandate		100%	DMV		Less abandoned vehicles
ALUC	Mandate		20-30%	Grants	70-80%	Meets legal obligation
Solid Waste (AB939)	State mandate	up to \$10k/day	90%	County	10%	Meets legal obligation
San Mateo County Energy Watch	Countywide effort in energy conservation		100%	PG&E		Reduce energy consumption
Climate Support	Provides a forum for collaboration on climate actions		100%	Grants		Climate protection
Legislative Advocacy	Advocates for member agency benefits				100%	Protects local revenues

RESOLUTION 11-24

* * * * *

A RESOLUTION OF THE CITY/ COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY REQUESTING THE REAUTHORIZATION OF THE CITY/ COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) INCLUDING THE APPROVAL OF THE JOINT POWERS AGREEMENT AND TRANSMITTAL TO THE CITIES AND COUNTY

* * * * *

RESOLVED, by the C/CAG Board that,

WHEREAS the Joint Powers Agreement that created C/CAG expires on 12/1/11; and

WHEREAS the 20 Cities and the County approved and executed the Joint Powers Agreement in 1995, 1999, 2003 and 2007 continuing C/CAG for four years; and

WHEREAS C/CAG has achieved significant accomplishments including the passage of the Measure M Fee which will provide \$165M over 25 years of which \$82.5M goes to the cities and County; and

WHEREAS C/CAG has received numerous County, Regional, State and National awards for its programs; and

WHEREAS C/CAG's State legislative advocacy has resulted in the Governor signing into law SB 348 that provides \$8.75M over 3.5 years; and

WHEREAS C/CAG provides programs to address State Mandates in a cost effective manner; and

WHEREAS C/CAG's performance has been of significant benefit to the Cities and the County; and

NOW, THEREFORE, BE IT RESOLVED that the C/CAG Board recommends the reauthorization of the City/ County Association of Governments of San Mateo County (C/CAG) including approval of the Joint Powers Agreement and transmittal to the Cities and County.

PASSED, APPROVED, AND ADOPTED THIS 10TH DAY OF MARCH 2011.

Thomas M. Kasten, Chair

JOINT POWERS AGREEMENT

Continuing Establishment of the City/County Association of Governments

THIS AGREEMENT, by and between the COUNTY OF SAN MATEO (hereinafter referred to as "County") and those cities within the County of San Mateo who become signatories to this agreement (hereinafter referred to as "Cities" or "City" as the context requires), is made in light of the following recitals:

A. The County and the Cities have authority to perform a variety of functions in their respective communities and desire to establish a City/County Association of Governments (C/CAG) within the County of San Mateo whereby the parties will prepare, review, adopt, monitor and facilitate implementation by the member agencies county-wide state mandated plans as specified in 3(c) below. Local land-use decisions, except as they are affected by state-mandated county-wide plans, will remain solely within the cognizant local jurisdiction.

B. The parties are authorized to contract with each other for the joint exercise of any common power pursuant to Government Code Sections 6500 through 6518.

NOW, THEREFORE, the County and the Cities, in consideration of the mutual promises and agreements contained herein, **AGREE AS FOLLOWS**:

1. **Establishment of City/County Association of Governments of San Mateo County.** The parties hereby create an entity to be known as the City/County Association of

Governments of San Mateo County (hereinafter referred to as "C/CAG") for the preparation, review, adoption, monitoring and facilitation of implementation by the member agencies of county-wide state mandated plans. C/CAG shall be an entity which is separate from the parties to this agreement and shall be responsible for the administration of this agreement. Except as provided herein, the debts, liabilities, and obligations of C/CAG shall be the debts, liabilities, and obligations of the entity and not the debts, liabilities, and/or obligations of the parties to this agreement.

C/CAG shall have the power and is authorized to do any or all of the following:

- (a) To make and enter contracts;
- (b) To employ agents and employees;
- (c) To lease, maintain, manage, acquire, construct or operate any building, works or improvements;
- (d) To acquire, hold, or dispose of property;
- (e) To incur debts, liabilities, or obligations;
- (f) To sue and be sued in its own name;

2. **Board of Directors.** The Board of the City/County Association of Governments of San Mateo County (C/CAG) shall consist of a member of the City Council of each participating City to be selected by that City and one (1) member of the Board of Supervisors to be selected by the Board of Supervisors. Each City Council and the Board of Supervisors may select one (1) alternate member from its body who shall participate when the regular member is absent. In addition, there shall be two (2) non-voting ex-officio members: a representative of the San Mateo County Transit District Board of Directors selected by the Board of Directors and a representative of the San Mateo County Transportation Authority selected by the Authority. Additional Ex-Officio members may be

established by Board action in accordance with the special voting procedures identified in 4 (c). Regular attendance by the designated representative or alternate at the C/CAG Board and ~~Committee~~*Subcommittee* meetings shall be encouraged by the C/CAG Board and member agencies.

3. **Purposes and Activities.** C/CAG is established to fulfill 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 facilitate implementation by the member agencies the following state-mandated county-wide plans:
 - (1) Congestion Management Plan (as the designated Congestion Management Agency including enforcing compliance with the Congestion Management Plan);
 - (2) Integrated Solid Waste Management Plan (as the designated Local Task Force);
 - (3) Airport Land Use Plan (as the designated Airport Land Use Commission);
 - (4) Hazardous Waste Management Plan;
 - (5) NPDES - Stormwater Management Plan.
- (d) Perform such additional county-wide 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. Final adoption of any such plans shall only be after the plan has been introduced at a prior meeting held at least twenty-five (25) days earlier.

- (e) Perform any additional County-Wide activities as set forth in this agreement (~~Sections 20., 21., 22., and 23.~~**20, 21, 22, 23, 24, 25, and 26**).
- (f) Utilize and establish advisory subcommittees wherever necessary, including but not limited to:
 - (1) Airport Land Use Committee
 - (2) Congestion Management and ~~Environmental~~**Air** Quality Committee
 - (3) Congestion Management Plan (CMP) Technical Advisory Committee
 - (4) Solid Waste Advisory Committee (Local Task Force)
 - (5) Hazardous Waste Management Plan Advisory Committee
 - (6) Bikeways and Pedestrian Advisory Committee
 - (7) Finance Committee
 - (8) NPDES Committee
 - (9) NPDES Technical Advisory Committee
 - (10) Legislative Committee
 - (11) Resource Management and Climate Protection Committee**
 - (12) C/CAG Investment Committee**

~~Committees~~**Subcommittees** may be established by Board action in accordance with the special voting procedures identified in 4 (c). ~~Committee~~**Subcommittee** membership may include persons who are not members of the Board of Directors, including other elected officials or public members.

- (g) Adopt By-laws and such other rules of procedure as may be deemed necessary.

The duties, responsibilities or obligations of C/CAG, as set forth in this Agreement, are not intended, and shall not be interpreted, to expand or diminish any legal duties, responsibilities or obligations that any city or county member of C/CAG has, or may in the future have, under any provision of State or Federal law.

Notwithstanding anything to the contrary in any other provision of this Agreement, C/CAG shall have no authority and/ or obligation to implement or enforce the provisions of any County-wide plan except when C/CAG is functioning as an agency specifically designated by state or federal law as having the authority and/ or obligation to implement or enforce such County-wide plan.

4. **Voting Procedures.** The parties intend to strive for consensus following full discussion but in the event consensus cannot be reached the following voting procedures shall be utilized.

- (a) A quorum shall consist of at least a majority of the voting members and shall be required for all meetings of C/CAG.
- (b) All decisions and actions shall be by majority vote of those present unless the decision involves the adoption of a county-wide plan or any one (1) member requests the use of the special voting procedures hereinafter set forth.
- (c) The special voting procedures shall be utilized upon the request of any one (1) member. Addition of Ex-Officio members to the Board, the establishment of *Committees, Subcommittees*, and the final adoption of county-wide plans shall require the special voting procedures. Special voting procedures shall be as

follows: for a motion to be successful it must receive the votes of a majority of the members representing a majority of the population of the County. In determining the population of local governments, the population shall be utilized as set forth in a resolution adopted by the Board of Directors pursuant to Section 19.

5. **Budget.** The Board annually shall adopt, by a date C/CAG designates by resolution, an operating budget for C/CAG setting forth anticipated expenses, financing sources and proposed service levels necessary to carry out the purposes of this agreement. C/CAG shall establish its fiscal year by resolution. Immediately after approving the annual budget, the Board shall recommend the budget to the governing bodies of the members for the purpose of securing from each of them contributions and/or appropriations in accordance with each party's obligations as set forth in Section 6 below. It is expressly agreed and understood that the Board has no authority to bind any governing board to make the recommended contribution and/or appropriation and that this decision rests solely with each governing body. Each party shall deposit its monetary contribution to the budget with the C/CAG Treasurer on or before the date C/CAG designates by resolution.

6. **Contribution of Parties.** In consideration of the mutual promises contained herein, the parties agree that they shall make the following annual contributions towards maintaining the program of C/CAG.

Each member's contribution shall be its pro-rata share of the revenue needed for the annual budget as adopted by the Board of Directors. The pro-rata share of each agency shall be based upon its population as set forth in a resolution adopted by the Board of Directors pursuant to Section 19. By use of the special voting procedures under special circumstances the Board of

Directors may waive contributions. If a member fails to pay its annual contribution, it shall forfeit its voting rights as provided in Paragraph 10 and there shall be no further recourse against it for nonpayment.

7. **Treasurer.** The Board of Directors shall select a Treasurer from one of its member entities who shall be the depository and have custody of all the money and property of C/CAG from whatever source. The duties of the C/CAG Treasurer shall include those set forth in the Government Code Section 6500 et seq., Joint Exercise of Powers.

8. **Controller.** The Board of Directors shall select a Controller from one of its member entities who shall perform the functions of auditor and/or controller for C/CAG. The duties of the C/CAG Controller shall include those set forth in Government Code Section 6500 et seq., Joint Exercise of Powers.

9. **Staffing.** It is understood that C/CAG may require the support of its own administrative staff. When deemed necessary, the Board of Directors may employ an Executive Director. The Board shall have responsibility for all employment decisions regarding said Executive Director who shall serve at the pleasure of the Board of Directors.

The Executive Director shall be responsible for the day-to-day administration of C/CAG under the direction of the Board of Directors. The Executive Director shall seek advice and assistance from the Administrators' Advisory Committee. The Executive Director shall have the authority to employ administrative staff consistent with the approved budget of C/CAG.

There shall be an Administrators' Advisory Committee. The Committee will be

advisory to the C/CAG Board of Directors and Executive Director to assist them to most effectively accomplish the objectives of C/CAG by giving advice on agenda matters, monitoring outcomes of activities, assisting with identifying and allocating resources, and communicating with all members. The Committee members shall be: the City Managers from cities that contract staff to C/CAG, the County Manager, the General Manager of SamTrans, one (1) City Manager appointed by the City Managers' Association, and, the Chair and Vice-Chair(s) and Legal Counsel of C/CAG as ex-officio members. Committee Chairs and staff who have items for discussion at the Committee will be invited to participate. The definition and membership of this Committee may be revised by Board action in accordance with the special voting procedures identified in 4 (c).

It is understood that C/CAG may employ personnel, utilize existing County, SamTrans or City staff, or retain professional consultants to perform any necessary staff work in meeting its goals and objectives. It is further understood that no County, SamTrans or City staff will be utilized without the consent of the employing agency.

10. **Withdrawal.** Any party may withdraw from this agreement by filing written notice of intention to do so with the Chair of the governing board by September 30th of each year, or by another date C/CAG designates by resolution. The rights and obligations of such party shall terminate at the end of the first full fiscal year for which the withdrawing party has made its contribution following such notice having been given. The withdrawal of any party from this agreement shall in no way affect the rights and obligations of the remaining parties. If a party withdraws from this agreement, such party shall not be entitled to the return of any funds contributed to C/CAG nor to the return in cash or in kind of any materials or supplies until termination of this agreement. If a party fails to make its contribution in accordance with Section 6 of this agreement,

that agency shall forfeit its voting rights during the period of such non-payment. However, if one of the Cities or the County wishes to rejoin after forfeiting its membership by non-payment of its contribution, it may do so by paying the designated amount.

11. **Termination and Disposition of Property.** This agreement shall be deemed terminated when the number of Cities participating in this agreement contain less than a majority of the population of the County, or are fewer than eleven (11) in number. Upon termination, equipment and all other assets shall be distributed to the parties hereto in proportion to the contributions of the parties during the life of C/CAG including distribution to parties which may have withdrawn at an earlier date. Upon termination, any surplus money on hand shall be returned to the parties in proportion to the contributions of the parties during the life of C/CAG including distribution to parties which may have withdrawn at an earlier date.

12. **Effective Date/Termination Date.** This agreement shall be effective on July 1, ~~2011,2007~~, or upon its execution by the County and by at least eleven (11) cities representing the majority of the population of the County, whichever is later. This agreement *shall continue at least until December 1, 2015, and thereafter shall continue until terminated pursuant to Section 11 of this agreement. automatically terminate on December 1, 2015,2011, unless renewed in writing by the County and by at least eleven cities containing a majority of the population of the County. Upon such termination, the provisions of Sections 10 and 11 apply.*

13. **Meetings.** Monthly meetings of the C/CAG Board of Directors shall be held in accordance with the Brown Act, Government Code Section 54950 et seq. The Board of Directors

shall establish a regular time and place for the required meetings. In addition, the Board of Directors shall have such other meetings as are deemed necessary.

14. **Notice of Agreement.** Pursuant to Government Code Section 6503.5, C/CAG shall, within thirty (30) days after the effective date of this agreement, cause a notice of the agreement to be prepared and filed with the Office of the Secretary of State.

15. **Other Associations.** Participation in C/CAG is not intended to preclude member entities from entering into similar agreements with other jurisdictions.

16. **Legal Counsel.** Unless the Board of Directors determines otherwise, the County Counsel shall serve as legal counsel to C/CAG and provide all routine legal advice and service necessary including attendance at Board of Directors meetings.

17. **Insurance.** The County shall add C/CAG to its existing excess liability insurance coverage and shall maintain such coverage in full force and effect during the life of this agreement. Said excess liability insurance coverage includes a self-insured retention by the County. Unless the Board of Directors decides otherwise, County shall provide for the defense of any claims or litigation within the amount of the self-insured retention. Legal representation by the County will ordinarily be provided by the Office of the County Counsel.

Any out-of-pocket expenses or loss, by way of judgment or settlement, arising out of the operation of this agreement, within the limits of the County's self-insured retention shall be shared by the parties in accordance with the formula set forth in Section 6. Expenses shall not include

salaries or office expenses of any county employees, including any attorneys from the Office of the County Counsel.

18. **Amendments.** This Joint Powers Agreement may be amended at any time with the agreement of the majority of the members representing a majority of the population of the County, except as provided in 3(d).

19. **Adjustment of Population Figures.** The Board of Directors shall establish by resolution the population figures to be utilized in determining the population of local governments under this agreement based on the results of the decennial federal census or population figures provided by the State Department of Finance, and may revise the population figures at any time by resolution.

20. **Clean Air Vehicle Registration Fee Program.** C/CAG shall serve as the overall program manager for the San Mateo County under Health and Safety Code Section 44241 for funds made available by the increase in motor vehicle registration fees that the Bay Area Air Quality Management District is authorized to levy under A.B. 434, (1991 Statutes, Chapter 807.)

21. **Storm Water Discharge Plan and Permit.** *To the extent permitted by law and regulation; and recognized by the applicable government agency; t*The City/County Association of Governments shall assume responsibility for the following activities under the National Pollutant Discharge Elimination System (NPDES) Program (40 CFR 122):

(a) Ratify submission of a county-wide storm water discharge permit application and

accept permit on behalf of the County and Cities in the County, as co-permittees.

- (b) Prepare preliminary draft and final draft storm water management plan describing existing activities the County and Cities are conducting to help minimize the discharge of pollutants to storm water, describing new pollution measures that will be undertaken during the initial five year period of the NPDES permit, and containing other matters C/CAG determines are necessary or desirable.
- (c) Identify and recommend alternatives for implementation of a revenue program.
- (d) Enter into contracts with the County, the Cities, the County Flood Control District, and other entities to implement the revenue program and the storm water management plan.
- (e) Perform additional county-wide activities in connection with the NPDES program as set forth in the storm water management plan approved by, or as directed, by the Board of Directors.
- (f) Provide coordination and overall management of the NPDES program and advice to the County and the Cities on implementation.

The County and each City shall be solely responsible for complying with NPDES permit conditions and all federal, state, and local laws and regulations, relating to discharges from the storm sewers in its jurisdiction and under its control. The County and each City shall defend, indemnify, and hold harmless every other party to this agreement, and its officers and employees, from all claims, suits, actions, fines, penalties, damages, or liability of every name, kind, and description arising in any way out of the negligent or intentional acts of that County or City in complying or failing to comply with NPDES permit conditions, and all federal, state, and local regulations applicable to that County or City.

22. **Service Authority for Abatement of Abandoned Vehicles.** C/CAG shall be the service authority for the abatement of abandoned vehicles under Vehicle Code Section 22710. C/CAG shall impose a service fee of one dollar (\$1) on vehicles registered to an owner with an address in San Mateo County as authorized by Vehicle Code Sections 9250.7 and 22710. As provided in Vehicle Code Section 22710(b), C/CAG may contract and undertake any act convenient or necessary to carry out any law relating to its duties as the service authority.

23. **Programming State and Federal Transportation Funds.** C/CAG acting as the Congestion Management Agency shall be responsible for programming State and Federal Transportation Funds allocated to San Mateo County. These funds include but are not limited to State Transportation Improvement Program (*STIP*), *Surface*, Transportation *Program (STP)*, *Congestion Management and Air Quality (CMAQ)*, ~~*Equity Act for the 21st Century*~~, and Transportation Development Act Article 3.

24. **AB 1546 Transportation/ Environmental Vehicle Registration Fee Program.** C/CAG shall serve as the overall program manager for the San Mateo County Transportation/Environmental Program which programs up to a \$4 motor vehicle fee in accordance with Chapter 2.65 (commencing with Section 65089.11) to Division 1 of Title 7 of the Government Code and Section 9250.5 of the Vehicle Code.

25. **Measure M - Local Transportation Improvement Program.** *C/CAG shall serve as the overall program manager for the Local Transportation Improvement Program which*

programs up to a \$10 motor vehicle fee in accordance with Section 65089.20 of the Government Code and Section 9250.4 of the Vehicle Code.

26. San Mateo County Energy Watch and Climate Protection. C/CAG shall serve as the overall program manager for the San Mateo County Energy Watch Program that coordinates and provides energy conservation incentives, and Coordinates, Supports, and provide programs as necessary for Climate Protection.

IN WITNESS WHEREOF, the parties hereto by their duly authorized representative,
have affixed their hands on this *Joint Powers Agreement effective as of the first day of July,*
2011. _____ day of _____, 2007.

COUNTY OF SAN MATEO

ATTEST:

Clerk of the Board

by _____
President of the Board of Supervisors

TOWN OF ATHERTON

ATTEST:

Clerk of Town Council

by _____
Mayor

CITY OF BELMONT

C/CAG AGENDA REPORT

DATE: March 10, 2011

TO: C/CAG Board of Directors

FROM: Richard Napier, Executive Director

SUBJECT: Election of a C/CAG Chairperson and Two C/CAG Vice Chairpersons

(For further information please contact Richard Napier at (650) 599-1420)

RECOMMENDATION:

That the Board elect a Chairperson and two Vice Chairpersons. The vote can be by acclamation or a written ballot depending on the preference of the Board.

FISCAL IMPACT:

None.

BACKGROUND/DISCUSSION:

The C/CAG By-Laws, as amended on June 10, 2004, provides for the nomination of officers at the regular February Board meeting and the election of officers shall occur at the regular March Board meeting. This change was to allow time for the candidates to provide the Board Members with background information to assist them in casting their votes.

At the February 10, 2011 Board meeting, Bob Grassilli was nominated for Chair; and Carlos Romero, Brandt Grotte, and Terry Nagel were nominated for the two Vice Chairs.

No additional nominations may be submitted at the March 10th meeting. The Board can only accept additional nominees from the floor in the event there are not enough candidates for the available offices.

The voting shall be public. According to legal counsel, this can be done by hand or in writing as long as the Board member's name appears on the ballot and it becomes part of the official record. Written ballots will be available if the Board wants to use them.

ATTACHMENTS:

- Background information for Bob Grassilli, Brandt Grotte, Terry Nagel and Carlos Romero

(For Mayor
BOARD REPORT)

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Council Member Bob Grassilli

Contact Information



Bob Grassilli
Councilmember Grassilli
600 Elm Street
San Carlos, CA 94070
Phone: (650) 802-4160
Fax: (650) 592-5824



Councilmember Information

Term of Office: November, 2009 - November, 2013
Profession: Business Consultant

Email: bgrassilli@cityofsancarlos.org

Phone: (650) 802-4160

Biography

Bob Grassilli was elected to the San Carlos City Council on November 8, 2005 and again on November 3, 2009. Previously, he served on the San Carlos Planning Commission from 1994 to 2000, and volunteered on the Railroad Land Use Committee. He earned his Master's of Business Administration in Finance from the University of California, Berkeley and a Bachelor's degree in Business from the University of San Francisco. He is a graduate of Serra High School.

Mr. Grassilli's priorities for San Carlos include: adopting a fiscally responsible municipal budget and ensuring that citizens receive the best fire protection services available.

Mr. Grassilli started his professional career in 1970 with Arthur Andersen, a large Certified Public Accounting firm and in 1977 worked for Sunstream Homes where he spent 27 years; the last 18 as Chief Financial Officer. He currently serves on the Board of Directors of Samaritan House as well as the Carl and Celia Berta Gellert Foundation.

Mr. Grassilli was born in San Francisco and moved to the Peninsula at age four. He has lived in San Carlos since 1983. He enjoys golf and travel, as well as volunteering for various charities on the Peninsula.

Council Committee Assignments

Each year, the Mayor assigns members of the City Council to serve on Citywide and Regional committees representing the City of San Carlos. Here are the committees that this Council Member serves on as a Committee Member and Alternate Committee Member.

Council Committee Member

- [City/County Association of Governments \(C/CAG\)](#)
- [Council of Cities](#)
- [Planning Commission \(Council Liaison\)](#)
- [San Mateo County Convention and Visitors Bureau](#)
- [South Bay Area System Authority Board \(SBAS\)](#)
- [Wheeler Plaza Subcommittee \(Council Ad Hoc Committee\)](#)

Alternate Council Committee Member

- Belmont-San Carlos Fire Department Board
- C/CAG Airport Land Use Committee (ALUC)
- C/CAG Regional Housing Needs Assessment (RHNA)
- Housing Endowment and Regional Trust (HEART)

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Addressing the City Council

City Council Strategic Goals
and Objectives

Members

Agenda, Minutes and Video
Archives

Brandt Grotte has been a resident of San Mateo since 1986. He grew up in a variety of towns in the U.S. and abroad while his father was in the Air Force, settling in San Jose where he attended Leland High School. After high school, he obtained his BA in Aquatic Biology from UC Santa Barbara in 1979, and subsequently a Masters Degree in Environmental Management from the University of San Francisco in 1996. Brandt is very happily married to Kathy and has two stepsons. He currently works in the electronics industry as the company's Global Environmental, Safety and Health Manager.

Grotte has been active in neighborhood issues since 1989 including as a founding member of the Shoreview-Parkside Neighborhood Association and a representative to San Mateo United Homeowners including multiple years as President of each association. Other activities in support of the City and its residents and businesses have included

- Membership on San Mateo's Citizens Committee on Social Service Providers
- The City's committee that developed Single-Family Residential Design Guidelines (for second story additions)
- Bay Meadows Foundation (philanthropic)
- The City's Street Tree Maintenance focus group
- San Mateo United Homeowners Subcommittee on the General Plan Update
- City of San Mateo, Citizens' Academy
- Chamber of Commerce's Leadership Program
- Chair, member and founding Councilmember of the Sustainability Advisory Committee
- Founding member of San Mateo FACT (Flood Assessment Correction Team) to remove many of our homes from the FEMA Flood Map
- City representative to the City/County Association of Governments (C/CAG)
- City representative to the ALS/JPA (countywide ambulance services)
- Measure C campaign to improve Fire and Police stations
- Measure P to preserve height and density limits
- Implementing a Sustainability Plan and practices in our City to secure our long term future (now an appendix to the General Plan)
- Building a new Police Station that is seismically safe, sustainably green and demonstrates to our public safety workers that we value them
- City Council appointed lead on High Speed Rail – utilizing the opportunity to preserve and improve downtown San Mateo, electrify CalTrain and get safe grade separations for the streets in San Mateo
- Approved new Solar Panels on the Main Library which was determined LEED Gold in 2008
- Approved Bay Meadows Phase II which is now bringing good jobs to San Mateo, will provide a vibrant new Transit Oriented Development (TOD) neighborhood and significantly add 15+ acres to our system of parks
- Support for Downtown marketing efforts and the Chamber of Commerce EDGE program (to promote business conversation, employee training and business retention) that are helping to support our businesses in these challenging economic times
- Increased affordable housing requirement from 10 to 15% in new developments
- Approved the Hines and Station Park Green TOD developments which were approved with high green building requirements and development agreements that are business friendly and yet increase benefits to the adjacent neighborhoods

He is currently serving on the City Council as a Councilmember and was the 2009 Mayor. Grotte served on the Planning Commission of the City of San Mateo for 5 years including one year each as Vice-Chair and Chairperson. As a former Planning Commissioner, he demonstrated an open and responsive manner to all sides on any planning issue. This included listening, considering and then recommending solutions that balance the interests of all parties, and protect the character of San Mateo while allowing it to grow in a responsible and sustainable manner.

Professionally, Grotte has worked in the fields of aquaculture, facilities maintenance and for the past 29 years in the electronics field. His professional responsibilities include significant efforts in the areas of environmental management systems, risk management including fire protection, risk assessment, workers compensation, occupational health issues, quality management systems and building consensus between groups ranging from wage role employees to upper management.

Grotte's International experience has promoted his sensitivity to a variety of cultures and includes the challenges of achieving understanding across cultural boundaries. This is important when developing policies, obtaining consensus, implementing programs and interpreting needs all of which are important in the highly diverse City of San Mateo.

Terry Nagel

Current Offices

- Mayor of Burlingame; has served on Burlingame City Council since 2003; also served as Mayor in 2007
- Board of Directors, San Mateo County Transportation Authority
- Board Member, City/County Association of Governments for San Mateo County (C/CAG)
- Burlingame Representative, ICLEI (now called Local Governments for Sustainability)
- City Council Liaison, Citizens Environmental Council – Burlingame
- Board Member, San Mateo County Emergency Services Council
- Burlingame City Council Civic Engagement Subcommittee
- Burlingame City Council Community Recognition Subcommittee
- Founder and Board Member, Burlingame Pet Parade (now in its 8th year)

Previous Activities

- Chair, San Mateo County Council of Cities
- Board of Directors, Central County Fire Department
- Founder and Chair, Burlingame Green Ribbon Task Force
- Chair, Burlingame Centennial Executive Committee
- San Mateo County Utilities and Sustainability Task Force
- San Mateo County Pre-Hospital Emergency Services Council
- San Mateo County Airport Round Table
- Burlingame's City/Schools Liaison Committee
- PTA President, Lincoln School, Burlingame
- Vice President of Fundraising, Lincoln School, Burlingame
- Vice President, California Press Women, Northern California Chapter
- Board of Directors, CALL Primrose Center
- Chair, Burlingame High School Communications Committee
- Chair, Burlingame High School Music Boosters Holiday Open House fundraiser
- Deacon, First Presbyterian Church of Burlingame
- Community volunteer for Music at Kohl Mansion, San Mateo Arboretum Society, Girl Scouts, Boy Scouts and other organizations

Training and Experience

- Graduated in 2006 from the League of California Cities' California Civic Leadership Institute, a highly selective program that educates future leaders on state issues
- Graduated in 2003 from the Coro Center for Civic Leadership's Community Fellows program
- Covered 10 local cities, 8 school districts, the courts and county government as reporter/editor for *San Mateo Times*. Later worked as editor at *San Francisco Chronicle*, as Assistant Managing Editor of *Forbes ASAP* magazine, as Managing Editor of GreatSchools.net and as Communications Officer for the Skoll Foundation
- Founded and managed two online travel forums for Expedia.com
- Was owner/manager of out-of-print book search firm for 18 years in Burlingame, locating thousands of books for universities, libraries, research institutions and individuals
- Currently employed as Managing Editor for the Encore.org website at Civic Ventures, a nonprofit channeling the talent of experienced Americans into paid encore careers that help improve communities
- Graduated from the University of Washington in Seattle with a B.A. in English, *cum laude*

Key Accomplishments

Better Power Service – Terry is best known for mobilizing hundreds of residents to obtain better power service from Pacific Gas & Electric. Due to her efforts, PG&E has spent more than \$5.4 million on power reliability improvements in Burlingame, Millbrae, San Mateo and Hillsborough.

Transportation – Elected in 2009 and re-elected in 2011 to the San Mateo County Transportation Authority, Terry has promoted sustainable transportation solutions such as car sharing, pre-tax commuter benefits and electric charging stations. She has been a strong advocate for ensuring that the high speed rail route is responsive to community concerns, and that it is part of a larger plan that takes all of the county's transportation needs into consideration, including Caltrain and regional connections.

Green Initiatives – As a member of the county's Utilities and Sustainability Task Force, Terry helped shape San Mateo County's energy, water and sustainability plan. She formed Burlingame's Green Ribbon Task Force in 2007, signed the U.S. Mayors Climate Protection Agreement and guided the adoption of the city's comprehensive Climate Action Plan, which is ahead of schedule in meeting its 2012 benchmarks.

Education – Terry served as PTA President of Lincoln School, where she started a Computer Task Force that networked the school, organized parent education seminars and initiated a program with Stanford University that enabled students to enroll in online math courses. The Lincoln PTA awarded her its lifetime Honorary Service Award. She was also an active volunteer at Burlingame High School, where she chaired the Communications Committee and the Music Boosters holiday fundraiser and started the school's e-newsletter for parents. In 2007 she spearheaded a collaborative agreement between the City of Burlingame and the Burlingame Elementary School District. She also organized financial literacy workshops for high school and college students. The California Teachers Association awarded her the John Swett Award for Media Excellence – the highest recognition given in California for education reporting.

Current Initiatives

Senior Government Managers Encore Fellows – This program will match retired city managers and other senior local government officials with cities and counties that need help, working on defined projects that improve communities – a great way to tap the expertise of these experienced professionals at a low cost.

Community Wish List – Terry started the Wish List in 2004, which links donors of goods and services from more than 80 nonprofits in San Mateo County at www.communitywishlist.org.

Neighborhood Network – Terry founded the Neighborhood Network in 2006, which encourages neighbors to band together for emergency preparedness and crime prevention. More than 40 groups have formed in Burlingame. Terry is working with other communities to create a regional model for preparedness at the neighborhood level. See www.theneighborhoodnetwork.org.

San Mateo County Nonprofit Center – This proposed center would create a shared space where nonprofits addressing similar problems could collaborate and save money by sharing office equipment, personnel and services. It would serve as a catalyst for innovative solutions to economic and social problems by providing access to research, experts and resources.

Carlos Romero's Bio

Elected in 2008, Carlos Romero serves as Mayor of East Palo Alto and Vice Chair of the East Palo Alto Redevelopment Agency. He also chairs the Housing and Economic Development committees on the Council. Carlos is a former member of the Metropolitan Transportation Commission's Advisory Committees and the former vice-chair of the MTC's Minority Advisory Sub-Committee on Equity Analysis. Prior to his election to city council he served on and chaired the East Palo Alto Planning Commission for six years and was a member and chair of EPA's Rent Stabilization Board.

Professionally, Carlos is a housing development and land use consultant for non-profit and community based organizations since 2005. Over the past 20 years he has been involved throughout California in almost every aspect of developing and operating community housing development organizations as a founder, board member, project manager, and executive director. Prior to consulting, he headed Mission Housing Development Corporation, a San Francisco community-based, afford-able housing organization with an annual operating budget of \$6.5 million. During his tenure there he oversaw over \$110 million dollars of housing and mixed-use development activity.

In addition to his affordable housing development skills, Carlos has extensive experience as a community organizer in low-income neighborhoods. He has worked on numerous grassroots organizing campaigns ranging from the incorporation of East Palo Alto, to citizenship and civic participation trainings for immigrants. In 1988, he co-founded EPA CAN DO, a community-based housing development organization that has developed over 285 affordable housing units.

Carlos did his undergraduate studies in international relations and economics at Stanford University, was a Fannie Mae Fellow at the Kennedy School of Government in 2002, and in 2004 was awarded a Harvard Loeb Fellowship during which he researched land use issues, national housing policy, and real estate capital markets.

C/CAG AGENDA REPORT

Date: March 10, 2011

To: City/County Association of Governments Board of Directors

From: Richard Napier, Executive Director

Subject: Receive the Draft Comprehensive Bicycle and Pedestrian Plan (CBPP) and authorize staff to receive and incorporate additional comments through a public review process

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

RECOMMENDATION

That the C/CAG Board receives the Draft Comprehensive Bicycle and Pedestrian Plan (CBPP) and authorizes staff to receive and incorporate additional comments through a public review process.

FISCAL IMPACT / SOURCE OF FUNDS

\$189,000 / TDA Art. 3, Measure A

BACKGROUND/DISCUSSION

C/CAG and the San Mateo County Transportation Authority (SMCTA) partnered together to develop the CBPP to address planning, design, funding, and implementation of bicycle and pedestrian projects located within San Mateo County that have county significance. The goal of the new San Mateo County Comprehensive Bicycle and Pedestrian Plan (CBPP) is to update the previous bicycle plan, adopted in 2000, and expand the document to include a new pedestrian component.

CBPP Development Outreach

During the initial phase of the CBPP development process, beginning in July 2010, the 20 cities and County were asked to complete a survey indicating the state of bicycle and pedestrian projects within each respective jurisdiction. As needed, follow-up interviews and meetings were held with jurisdictions. As part of the process, the C/CAG BPAC has been relied upon to provide input and guidance towards the development of the CBPP over the course of five meetings, the most recent meeting being on February 24, 2011.

A Public Open House was held in October 2010 to allow members of the public, bicycle advocacy groups, and local agency staff to review and discuss the Countywide Bikeway Network (CBN), pedestrian demand analyses and improvement needs, and the vision/goals/policies. Additional input (e-mails and letters) was received from individuals and bicycle advocacy groups.

Administrative Draft CBPP

All the comments received from the outreach efforts indicated above were taken into consideration in the development of the Administrative Draft CBPP. The purpose of the Admin Draft, which was only

ITEM 6.6

distributed to the 20 cities and County in January 2011, was to provide the jurisdictions (project sponsors) the opportunity to review the document and make the necessary revisions prior to generating the Draft CBPP that would be made available to the public.

Draft CBPP for Public Review

Additional comments from the review of the Administrative Draft were incorporated into the Draft CBPP. The Draft CBPP was made available to the public on February 24, 2011 and posted on the project website located at <http://www.sanmateocountybikepedplan.org/smccbpmp/project-documents/>

The Draft CBPP has also been made available to the cities and the County staff and the respective bicycle and pedestrian committees as well as Caltrans, the Metropolitan Transportation Commission (MTC), and other interested agencies and individuals.

Staff proposes that the Draft CBPP be available for review and comment until April 15, 2011. The remaining schedule for completion of the CBPP will be as follows:

- May 19, 2011 Draft Final CBPP completed
- May 26, 2011 Presentation of the Draft Final CBPP to the BPAC
- July 14, 2011 Adoption of the Final CBPP by the C/CAG Board

ATTACHMENTS

- Public Review Draft San Mateo County Comprehensive Bicycle and Pedestrian Plan (Main Report and Appendices only)

(Provided for C/CAG Board and Alternate members only and submitted separately. Other interested parties may contact John Hoang at 650-363-4105 for copies)