

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. 224

- DATE:** Thursday, May 13, 2010
- TIME:** **6:30 P.M. Board Meeting**
- PLACE:** San Mateo County Transit District Office
1250 San Carlos Avenue, Second Floor Auditorium
San Carlos, CA
- PARKING:** Available adjacent to and behind building.
Please note the underground parking garage is no longer open.
- PUBLIC TRANSIT:** SamTrans Bus: Lines 261, 295, 297, 390, 391, 397, PX, KX.
CalTrain: San Carlos Station.
Trip Planner: <http://transit.511.org>

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

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

- 5.1 Approval of the Minutes of Regular Business Meeting No. 222 dated March 11, 2010. ACTION p. 1
- 5.2 Review and approval of Resolution 10-16 authorizing the request to the Metropolitan

- Transportation Commission for the allocation of fiscal year 2010/11 Transportation Development Act (TDA) Article 3 Pedestrian/Bicycle Project Funding for the San Mateo County Comprehensive Bicycle and Pedestrian Plan. ACTION p. 7
- 5.3 Review and approval of Resolution 10-17 authorizing the adoption of the San Mateo County Transportation Development Act (TDA) Article 3 program for fiscal year 2010/11 for \$100,000. ACTION p. 15
- 5.4 Review and approval of Resolution 10-20 authorizing the C/CAG Chair to execute an agreement with Alta Planning + Design for an amount not to exceed \$200,000 for the San Mateo County Comprehensive Bicycle and Pedestrian Plan. ACTION p. 21
- 5.5 Review and approval of status to extend the construction period and project limits of the Transportation Development Act (TDA) Article 3 funded Highway 1 Bicycle and Pedestrian Trail Project in the City of Half Moon Bay. ACTION p. 25
- 5.6 Review and approval of Resolution 10-18 approving the application for grant funds for the Urban Greening Planning Grant Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84). ACTION p. 29
- 5.7 Review and approval of modeling on-call contracts.
- 5.7.1 Review and approval of Resolution 10-24 authorizing the C/CAG Executive Director to issue task orders in full compliance with the terms and conditions of on-call Travel Demand Forecasting model service agreements in the aggregate amount not to exceed \$500,000 for a three (3) year term among three firms. ACTION p. 37
- 5.7.2 Review and approval of resolution 10-21 authorizing the C/CAG Chair to execute an agreement with Dowling Associates, Inc. for on-call Travel Demand Forecasting model services to be shared in the aggregate amount not to exceed \$500,000 for a three (3) year term among three firms and further authorize the Executive Director to make minor changes to said agreement upon consultation with Dowling Associates, Inc. ACTION p. 41
- 5.7.3 Review and approval of resolution 10-22 authorizing the C/CAG Chair to execute an agreement with Cambridge Systematics for on-call Travel Demand Forecasting model services to be shared in the aggregate amount not to exceed \$500,000 for a three (3) year term among three firms and further authorize the Executive Director to make minor changes to said agreement upon consultation with Cambridge Systematics. ACTION p. 55
- 5.7.4 Review and approval of resolution 10-23 authorizing the C/CAG Chair to execute an agreement with AECOM Technical Services, Inc. for on-call Travel Demand Forecasting model services to be shared in the aggregate amount not to exceed \$500,000 for a three (3) year term among three firms and further authorize the Executive Director to make minor changes to said agreement upon consultation with AECOM Technical Services, Inc. ACTION p. 69

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

6.0 REGULAR AGENDA

- 6.1 Approval of C/CAG Legislative priorities, positions and Legislative update.
(A position may be taken on any legislation, including legislation not previously identified.)
ACTION p. 83
- 6.2 Initial draft, assumptions, and input on the C/CAG 2010-11 Program Budget and Fees.
ACTION p. 99
- 6.3 Review and approval of the NPDES Five Year Budget Overview, C/CAG NPDES
Coordinator position, and Municipal Regional Permit Tasks with a nexus to the C/CAG
Vehicle License Fee.
- 6.3.1 Receive status report on estimated five-year National Pollutant Discharge Elimination
System (NPDES) budget for the San Mateo Countywide Water Pollution Prevention
Program.
INFORMATION p. 121
- 6.3.2 Review and approval of a full time C/CAG NPDES Program Coordinator position.
ACTION p. 125
- 6.3.3 Public Hearing to consider the approval of Resolution 10-19 updating C/CAG's existing list
of approved programs eligible for funding with vehicle license funds to include compliance
tasks mandated in the Municipal Regional Stormwater Permit that directly address the
negative impacts of Stormwater Pollution associated with vehicles or transportation
infrastructure. (Special Voting Procedure Applies)
ACTION p. 127
- 6.4 Receive information on Senate Bill 83 (SB 83) Authorizing C/CAG to impose an annual fee
of up to \$10 on motor vehicles registered within San Mateo County for transportation-
related projects and programs and direct staff to gather information and present
recommendation to the Board regarding the preparation of a measure to be put on the
November ballot.
ACTION p. 135
- 6.5 Review and approval of the revised C/CAG Procurement Policy.
ACTION p. 141
- 6.6 Review and approval of the C/CAG Investment Policy.
ACTION p. 153

7.0 COMMITTEE REPORTS

- 7.1 Committee Reports (oral reports).
- 7.2 Chairperson's Report.

8.0 EXECUTIVE DIRECTOR'S REPORT

9.0 COMMUNICATIONS - Information Only

Copies of communications are included for C/CAG Board Members and Alternates only. To request a copy of the communications, contact Nancy Blair at 650 5991406 or nblair@co.sanmateo.ca.us or download a copy from C/CAG's website – www.ccag.ca.gov.

- 9.1 Letter from Thomas M. Kasten, C/CAG Chairperson, to Councilpersons of San Mateo Cities, and Members of the Board of Supervisors, dated 4/8/10. Re: Vacancies on the Congestion Management and Environmental Quality Committee (CMEQ), the Bicycle and Pedestrian Advisory Committee (BPAC), and the Legislative Committee. p. 169
- 9.2. Press Release, dated 4/7/10. Re: Cities Seeks Public Input to Improve Traffic Conditions on Willow Road, University Avenue. p. 171
- 9.3 Letter from Thomas M. Kasten, C/CAG Chairperson, to Honorable Leland Yee, California State Senate, 8th Senate District, dated 4/10/10. Re: Thank you for speaking at C/CAG's Annual Retreat. p. 173
- 9.4 Letter from Richard Napier, Executive Director C/CAG, to Mayor Randy Royce, Council Members, and Planning Commissioners, dated 4/20/10. Re: Letter of support for the San Carlos East Side Community/Transit Connectivity Project and the City's Transportation for Livable Communities grant application. p. 175

10.0 ADJOURN

Next scheduled meeting: June 10, 2010 Regular Board Meeting.

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

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

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

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

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

FUTURE MEETINGS

May 13, 2010	Legislative Committee - SamTrans 2 nd Floor Auditorium - 5:30 p.m.
May 13, 2010	C/CAG Board - SamTrans 2 nd Floor Auditorium - 6:30 p.m.
May 18, 2010	NPDES Technical Advisory Committee - to be determined - 10:00 a.m.
May 20, 2010	CMP Technical Advisory Committee - SamTrans 2 nd Floor Auditorium - 1:15 p.m.
May 20, 2010	Resource Management and Climate Protection Committee (RMCP)
May 24, 2010*	CMEQ Committee - San Mateo City Hall - Conference Room C - 3:00 p.m.
May 27, 2010	Bicycle and Pedestrian Advisory Committee (BPAC) - San Mateo City Hall - Conference Room C - 7:00 p.m.
June 1, 2010 [†]	Administrators' Advisory Committee - 555 County Center, 5 th Fl, Redwood City – Noon

* All meetings are scheduled for the last Monday of the month except for May 24th and November 25th due to holidays.

[†] This is a Tuesday. Monday, May 31, is a holiday.

C/CAG

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Meeting No. 222

March 11, 2010

1.0 CALL TO ORDER/ROLL CALL

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

Coralin Feierbach – Belmont (6:44)

Sepi Richardson - Brisbane

Terry Nagel - Burlingame

Joseph Silva - Colma

David Canepa - Daly City

Carlos Romero - East Palo Alto (6:45)

Art Kiesel - Foster City

Naomi Patridge - Half Moon Bay

Tom Kasten - Hillsborough

Paul Seto - Millbrae

John Seybert - Redwood City

Irene O'Connell - San Bruno

Bob Grassilli - San Carlos

Brandt Grotte - San Mateo (6:48)

Carole Groom - San Mateo County

Karyl Matsumoto - South San Francisco, San Mateo County Transit District

Deborah Gordon - Woodside

Absent:

Atherton

Menlo Park

Pacifica

Portola Valley

Others:

Richard Napier, Executive Director - C/CAG

Nancy Blair, C/CAG Staff

Sandy Wong, Deputy Director - C/CAG

Lee Thompson, C/CAG - Legal Counsel

John Hoang, C/CAG Staff

Jean Higaki, C/CAG Staff

Joe Kott, C/CAG Staff

Parviz Mohktari, C/CAG Staff

Jim Bigelow, Redwood City/San Mateo County Chamber, CMEQ Member

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Christine Maley-Grubl, Alliance
Jerry Grace, Oakland

3.0 PUBLIC COMMENT ON ITEMS NOT ON AGENDA

Jerry Grace, Oakland

4.0 RESOLUTIONS OF APPRECIATION / PRESENTATIONS/ ANNOUNCEMENTS

The following report title was not on the original agenda.

Approval of Resolution 10-14 expressing appreciation to the Staff of the California Department of Housing and Community Development for their Support and Participation in the San Mateo County 21 Elements Housing Element Update Project.

Board Member Gordon MOVED to add this to the agenda. Board Member O'Connell SECONDED. **MOTION CARRIED** 15-0.

Board Member O'Connell MOVED to approve. Board Member Nagel SECONDED. **MOTION CARRIED** 15-0.

5.0 CONSENT AGENDA

Board Member Grotte MOVED approval of the Consent Agenda. Board Member O'Connell SECONDED. **MOTION CARRIED** 15-0.

5.1 Approval of the Minutes of Regular Business Meeting No. 221 dated February 11, 2010.
APPROVED

5.2 Approval of Resolution 10-12 authorizing the adoption of the Fiscal Year 2010/2011 Expenditure Plan for the Transportation Fund for Clean Air (TFCA) Program for San Mateo County.
APPROVED

5.3 Approval of Resolution 10-08 authorizing the C/CAG Chair to execute a Funding Agreement with the Metropolitan Transportation Commission (MTC) for an amount not to exceed \$60,000 for Community Based Transportation Planning Services, and further authorizing the Executive Director to make minor changes to said agreement upon consultation with MTC.
APPROVED

5.4 Approval of Resolution 10-09 authorizing the C/CAG Chair to execute a Funding Agreement with SamTrans for an amount not to exceed \$170,000 for Community Based Transportation Planning Services, and further authorizing the Executive Director to make minor changes to said agreement upon consultation with SamTrans.
APPROVED

5.5 Approval of appointment to the Congestion Management Program Technical Advisory Committee.
APPROVED

5.6 Approval of Resolution 10-14 expressing appreciation to the Staff of the California Department of Housing and Community Development for their Support and Participation in the San Mateo County 21 Elements Housing Element Update Project. APPROVED

6.0 REGULAR AGENDA

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

6.2 Review and approval of the Smart Corridor Quarterly Update and contracts with the City of San Mateo and Caltrans.

6.2.1 Quarterly update on the implementation of the San Mateo County Smart Corridor project. INFORMATION

6.2.2 Review and approval of Resolution 10-11 authorizing the C/CAG Chair to execute amendment No. 1 to the funding agreement between City/County Association of Governments (C/CAG) and City of San Mateo for Design and Construction of Smart Corridor Demonstration Project for an additional amount of \$1,000,000, to a new total of \$2,600,000. APPROVED

Board Member Gordon MOVED to approve Resolution 10-11 authorizing the C/CAG Chair to execute amendment No. 1 to the funding agreement between City/County Association of Governments (C/CAG) and City of San Mateo for Design and Construction of Smart Corridor Demonstration Project for an additional amount of \$1,000,000, to a new total of \$2,600,000. Board Member Seto SECONDED. **MOTION CARRIED** 17-0.

6.2.3 Approval of Resolution 10-10 authorizing the C/CAG Chair to execute a Cooperative Agreement with Caltrans for the Construction phase of Project 3 of the San Mateo County Smart Corridors project, and further authorizing the Executive Director to make minor changes to said agreement upon consultation with Caltrans. APPROVED

Board Member Nagel MOVED approval of Item 6.2.3. Board Member Grotte SECONDED. **MOTION CARRIED** 16-0.-1. Board member Feierbach abstained.

6.3 Approval of Resolution 10-13 authorizing the C/CAG Chair to execute an agreement with Hythane for the San Francisco International Airport (SFIA) Hydrogen Station for a maximum amount of \$200,000 consistent with prior Board action. APPROVED

Board Member Canepa MOVED approval of Item 6.3. Board Member Grotte SECONDED. **MOTION CARRIED** 17-01.

6.4 Election of a C/CAG Chairperson and two C/CAG Vice Chairpersons. APPROVED

Board Member Richardson nominated Tom Kasten for C/CAG Chair. Board Member Silva SECONDED. **MOTION CARRIED** unanimously 17-0.

Board Member Grotte MOVED to nominate Bob Grassilli and Carole Groom as Vice Chairs for C/CAG. Board Member Seto SECONDED. **MOTION CARRIED** unanimously 17-0.

7.0 COMMITTEE REPORTS

7.1 Committee Reports (oral reports).

None.

7.2 Chairperson's Report.

Looking for a speaker for C/CAG's Annual Retreat on April 8.

Thanked the Board for their vote of confidence.

Thanks was given to Board Members Grassilli and Gordon for accompanying the C/CAG Chair and Executive Director on the trip to Sacramento to meet with the Legislators regarding Prop 32.

8.0 EXECUTIVE DIRECTOR'S REPORT

Finance Committee met and worked on the Investment Policy and the Procurement Policy.

Significant changes were recommended for the Investment Policy. This will be brought back to the Board, at a future meeting, as an action item.

The Finance Committee took the comments provide by the Board Member, Board Member Matsumoto, and the City of San Carlos's Treasurer and made the recommended changes. This policy will be brought back to the Board at a future meeting.

9.0 COMMUNICATIONS - Information Only

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9.1 Letter from Richard Napier, Executive Director C/CAG, to Ms. Suna Mullins, Senior Grants Analyst, San Mateo County Transit District, dated 2/11/10. RE: C/CAG's interest in addressing mobility management and congestion relief in San Mateo County.

9.2 Letter from Richard Napier, Executive Director C/CAG, to Honorable Jackie Speier, U.S. House of Representatives, dated 2/11/10. RE: SamTrans Base Energy Efficient Lighting Program, FY2011 Appropriations Request \$600,000.

9.3 Letter from Richard Napier, Executive Director C/CAG, to Honorable Barbara Boxer, United States Senate, dated 2/11/10. RE: San Mateo County Transit District FY 2011 Appropriations Request, The Grand Boulevard Initiative - \$1,000,000.

9.4 Letter from Richard Napier, Executive Director C/CAG, to Honorable Anna Eshoo, U.S. House of Representatives, dated 2/17/10. RE: San Mateo County Transit District Fuel Efficient Non-Revenue Vehicle Replacement - FY 2011 Appropriation Request – Support.

9.5 Letter from Thomas M. Kasten, C/CAG Chairperson, to Honorable Darrell Steinberg, Senate President Pro Tem, dated 3/1/10. RE: Request to be C/CAG's keynote speaker at C/CAG's April 2010 retreat.

10.0 ADJOURN

The Board adjourned at 7:25 p.m.

C/CAG AGENDA REPORT

Date: May 13, 2010

To: City/County Association of Governments Board of Directors

From: Bicycle and Pedestrian Advisory Committee (BPAC)

Subject: Review and Approval of Resolution 10-16 Authorizing the Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2010/11 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding For the San Mateo County Comprehensive Bicycle and Pedestrian Plan

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

RECOMMENDATION

That the C/CAG Board review and approve Resolution 10-16 authorizing the request to the Metropolitan Transportation Commission for the allocation of Fiscal Year 2010/11 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding for the San Mateo County Comprehensive Bicycle and Pedestrian Plan.

FISCAL IMPACT

The cost to develop the San Mateo County Comprehensive Bicycle and Pedestrian Plan is estimated to be up to \$200,000. C/CAG is requesting an allocation of \$100,000 from the FY 2010/11 Transportation Development Act Article 3 (TDA Art 3). The San Mateo County Transportation Authority (TA) has agreed to provide \$100,000 in matching Measure A funds.

SOURCE OF FUNDS

- TDA Art. 3 funds are derived from the following sources:
 - Local Transportation Funds (LTF), derived from a ¼ cent of the general sales tax collected statewide
 - State Transit Assistance fund (STA), derived from the statewide sales tax on gasoline and diesel fuel.
- Measure A Transportation Sales Tax (SMCTA)

BACKGROUND/DISCUSSION

The San Mateo County Comprehensive Bicycle Route Plan was completed in 2000. Updating the Plan has been identified as a priority project in the C/CAG Work Plan for the past several years but resource and budget constraints have delayed the project. The goal of the new San Mateo County Bicycle and Pedestrian Plan (Bike/Ped Plan) project is to update the previous bicycle plan and expand the document to include a new pedestrian plan component with

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countywide significance. The BPAC supports the development of the Bike/Ped Plan. Staff has determined that consultant services will be needed to perform the work. The estimated project cost is \$200,000. Staff proposes funding the project using \$100,000 in FY 2010/11 TDA Art 3 and \$100,000 in matching Measure A funds.

At the January 2010 meeting, the Board approved combining the FY 2010/11 and FY 2011/12 TDA Article 3 programs together. The recent FY 2010/11 TDA Art 3 fund estimate is \$464,000. The BPAC recommends applying for \$100,000 in FY 2010/11 TDA Art. 3 funds for development of the Bike/Ped Plan. With the Board's approval, staff will submit a request for allocation to the Metropolitan Transportation Commission (MTC) to claim the funds for the project. The Bike/Ped Plan project will be identified as San Mateo County's priority project for the TDA Art 3 FY 2010/11 funding cycle and the remaining FY 2010/11 fund balance will be rolled over to FY 2011/12.

Resolution 10-16 authorizes the request for allocation of \$100,000 in FY 10/11 TDA Art 3 funds for the Bike/Ped Plan project. The related Resolution 10-17 authorizes the adoption of the San Mateo County FY 2010/11 TDA Art 3 Program for \$100,000, which for this year will have one project, the Bike/Ped Plan.

ATTACHMENTS

- Resolution 10-16 (including Attachments A & B)

RESOLUTION 10-16

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE REQUEST TO THE METROPOLITAN TRANSPORTATION COMMISSION FOR THE ALLOCATION OF FISCAL YEAR 2010/11 TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 PEDESTRIAN/BICYCLE PROJECT FUNDING FOR THE SAN MATEO COUNTY COMPREHENSIVE BICYCLE AND PEDESTRIAN PLAN

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

WHEREAS, Article 3 of the Transportation Development Act (TDA), Public Utilities Code (PUC) Section 99200 *et seq.*, authorizes the submission of claims to a regional transportation planning agency for the funding of projects exclusively for the benefit and/or use of pedestrians and bicyclists; and

WHEREAS, the Metropolitan Transportation Commission (MTC), as the regional transportation planning agency for the San Francisco Bay region, has adopted MTC Resolution No. 875, Revised, entitled "Transportation Development Act, Article 3, Pedestrian/Bicycle Projects," which delineates procedures and criteria for submission of requests for the allocation of "TDA Article 3" funding; and

WHEREAS, MTC Resolution No. 875, Revised requires that requests for the allocation of TDA Article 3 funding be submitted as part of a single, countywide coordinated claim from each county in the San Francisco Bay region; and

WHEREAS, the C/CAG desires to submit a request to MTC for the allocation of TDA Article 3 funds to support the projects described in Attachment B to this resolution, which are for the exclusive benefit and/or use of pedestrians and/or bicyclists; now, therefore, be it

RESOLVED, that the C/CAG declares it is eligible to request an allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code, and furthermore, be it

RESOLVED, that there is no pending or threatened litigation that might adversely affect the project or projects described in Attachment B to this resolution, or that might impair the ability of the C/CAG to carry out the project; and furthermore, be it

RESOLVED, that the C/CAG attests to the accuracy of and approves the statements in Attachment A to this resolution; and furthermore, be it

RESOLVED, that a certified copy of this resolution and its attachments, and any accompanying supporting materials shall be forwarded to the congestion management agency,

countywide transportation planning agency, or county association of governments, as the case may be, of San Mateo County for submission to MTC as part of the countywide coordinated TDA Article 3 claim.

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 request for the allocation of FY 2010/11 TDA Article 3 Pedestrian/Bicycle project funding for the San Mateo County Comprehensive Bicycle and Pedestrian Plan.

PASSED, APPROVED, AND ADOPTED THIS 13TH DAY OF MAY 2010.

Thomas M. Kasten, Chair

RESOLUTION 10-16

Attachment A

Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2010/11 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding

Findings

1. That the C/CAG is not legally impeded from submitting a request to the Metropolitan Transportation Commission for the allocation of Transportation Development Act (TDA) Article 3 funds, nor is the C/CAG legally impeded from undertaking the project(s) described in “Attachment B” of this resolution.
2. That the C/CAG has committed adequate staffing resources to complete the project(s) described in Attachment B.
3. A review of the project(s) described in Attachment B has resulted in the consideration of all pertinent matters, including those related to environmental and right-of-way permits and clearances, attendant to the successful completion of the project(s).
4. Issues attendant to securing environmental and right-of-way permits and clearances for the projects described in Attachment B have been reviewed and will be concluded in a manner and on a schedule that will not jeopardize the deadline for the use of the TDA funds being requested.
5. That the project(s) described in Attachment B comply with the requirements of the California Environmental Quality Act (CEQA, Public Resources Code Sections 21000 et seq.).
6. That as portrayed in the budgetary description(s) of the project(s) in Attachment B, the sources of funding other than TDA are assured and adequate for completion of the project(s).
7. That the project(s) described in Attachment B are for capital construction and/or design engineering; and/or for the maintenance of a Class I bikeway which is closed to motorized traffic; and/or for the purposes of restriping Class II bicycle lanes; and/or for the development or support of a bicycle safety education program; and/or for the development of a comprehensive bicycle and/or pedestrian facilities plan, and an allocation of TDA Article 3 funding for such a plan has not been received by the C/CAG within the prior five fiscal years.
8. That the project(s) described in Attachment B which are bicycle projects have been included in a detailed bicycle circulation element included in an adopted general plan, or included in an adopted comprehensive bikeway plan (such as outlined in Section 2377 of the California Bikeways Act, Streets and Highways Code section 2370 et seq.).
9. That any project described in Attachment B that is a “Class I Bikeway,” meets the mandatory minimum safety design criteria published in Chapter 1000 of the California Highway Design Manual.
10. That the project(s) described in Attachment B are ready to commence implementation during the fiscal year of the requested allocation.

11. That the C/CAG agrees to maintain, or provide for the maintenance of, the project(s) and facilities described in Attachment B, for the benefit of and use by the public.

RESOLUTION 10-16

Attachment B

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TDA Article 3 Project Application Form

Fiscal Year of this Claim: 2010/11 Applicant: City/County Association of Governments of San Mateo County (C/CAG)

Contact person: John Hoang

Mailing Address: 555 County Center, 5th Floor Redwood City, CA 94063

E-Mail Address: jhoang@co.sanmateo.ca.us Telephone: 650-363-4105

Secondary Contact: Sandy Wong

E-Mail Address: slwong@co.sanmateo.ca.us Telephone: 650-599-1409

Short Title Description of Project: San Mateo County Comprehensive Bicycle/Pedestrian Plan

Amount of claim: \$ 100,000

Functional Description of Project:

Develop the Countywide Bicycle and Pedestrian Plan for San Mateo County

Financial Plan:

List the project elements for which TDA funding is being requested (e.g., planning, environmental, engineering, right-of-way, construction, inspection, contingency, audit). Use the table below to show the project budget. Include prior and proposed future funding of the project. If the project is a segment of a larger project, include prior and proposed funding sources for the other segments.

Project Elements: Planning activity

Funding Source	All Prior FYs	Application FY	Next FY	Following FYs	Totals
TDA Article 3		\$100,000			\$100,000
list all other sources:					
1. Measure A sales tax		\$100,000			\$100,000
2.					
3.					
4.					
Totals		\$200,000			\$200,000

Project Eligibility:	YES?/NO?
A. Has the project been approved by the claimant's governing body? (If "NO," provide the approximate date approval is anticipated).	Yes
B. Has this project previously received TDA Article 3 funding? If "YES," provide an explanation on a separate page.	No
C. For "bikeways," does the project meet Caltrans minimum safety design criteria pursuant to Chapter 1000 of the California Highway Design Manual? (Available on the internet via: http://www.dot.ca.gov).	N/a
D. Has the project been reviewed by a Bicycle Advisory Committee? (If "NO," provide an explanation).	Yes
E. Has the public availability of the environmental compliance documentation for the project (pursuant to CEQA) been evidenced by the dated stamping of the document by the county clerk or county recorder? (required only for projects that include construction).	N/a
F. Will the project be completed before the allocation expires? Enter the anticipated completion date of project (month and year)	Yes
G. Have provisions been made by the claimant to maintain the project or facility, or has the claimant arranged for such maintenance by another agency? (If an agency other than the Claimant is to maintain the facility provide its name: _____)	N/a

C/CAG AGENDA REPORT

Date: May 13, 2010
To: City/County Association of Governments Board of Directors
From: Bicycle and Pedestrian Advisory Committee (BPAC)
Subject: Review and approval of Resolution 10-17 authorizing the adoption of the San Mateo County Transportation Development Act (TDA) Article 3 Program for Fiscal Year 2010/11 for \$100,000

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

RECOMMENDATION

That the C/CAG Board review and approve Resolution 10-17 authorizing the adoption of the San Mateo County Transportation Development Act (TDA) Article 3 Program for Fiscal Year 2010/11 for \$100,000, in accordance with staff recommendations.

FISCAL IMPACT

The TDA Article 3 funding is available through the Metropolitan Transportation Commission (MTC) for regional pedestrian and bicycle programs. The FY 2010/11 fund estimate is \$464,000 of which, \$100,000 will be distributed. The remaining \$364,000 will be rolled over to FY 11/12.

SOURCE OF FUNDS

TDA Article 3 funds are available from the Metropolitan Transportation Commission and are derived from the following sources:

- Local Transportation Funds (LTF), which is derived from a ¼ cent of the general sales tax collected statewide
- State Transit Assistance fund (STA), which is derived from the statewide sales tax on gasoline and diesel fuel.

BACKGROUND/DISCUSSION

San Mateo County receives an allocation for the TDA Article 3 program each fiscal year. At the January 2010 meeting, the Board approved combining the FY 2010/11 and FY 2011/12 TDA Article 3 programs together which would result in a larger FY 2011/12 Program budget available to fund more projects.

At the April 2010 BPAC meeting, the Committee recommended applying for \$100,000 in FY 2010/11 TDA Art. 3 funds for development of the San Mateo County Comprehensive Bicycle and Pedestrian Plan project (Resolution 10-16). The Bike/Ped Plan project would be

ITEM 5.3

identified as San Mateo County's only priority project for the TDA Art 3 FY 2010/11 program funding cycle.

The FY 2010/11 TDA Art 3 fund estimate is \$464,000 therefore it is proposed that \$100,000 be allocated for San Mateo County for the FY 2010/11 Program for the Bike/Ped Plan. The remaining funds will roll over to FY 2011/12. A call for project for the FY 2011/12 program cycle is expected to be issued in November 2010.

ATTACHMENTS

- Resolution 10-17

RESOLUTION 10-17

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE ADOPTION OF THE SAN MATEO COUNTY TRANSPORTATION DEVELOPMENT ACT (TDA) ARTICLE 3 PROGRAM FOR FISCAL YEAR 2010/11 FOR \$100,000

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 responsible for the development and implementation of the Transportation Development Act (TDA) Article 3 Program for San Mateo County; and

WHEREAS, C/CAG has developed a TDA Article 3 Program for Fiscal Year (FY) 2010/11 based on recommendation by the Bicycle and Pedestrian Committee (BPAC); and

WHEREAS, C/CAG has undertaken a process that complies with the Metropolitan Transportation Commission (MTC) Resolution No. 875 (Revised); and

WHEREAS, C/CAG has considered the final recommendation of said BPAC to fund the San Mateo County Comprehensive Bicycle and Pedestrian Plan for \$100,000; and

WHEREAS, C/CAG has voted to adopt the TDA Article 3 Program for FY 2010/11.

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 adopt the TDA Article 3 Program for FY 2010/11 for \$100,000.

PASSED, APPROVED, AND ADOPTED THIS 13TH DAY OF MAY 2010.

Thomas M. Kasten, Chair

**TDA Article 3 FY 2010/11
San Mateo County
FINAL PROGRAM**

No.	Project Sponsor	Project Description	TDA Fund Amount
1	C/CAG	San Mateo County Comprehensive Bicycle and Pedestrian Plan	\$100,000
Total FY 2010/11 Program			\$100,000
Total FY 2010/11 Amount Available			\$464,000
Balance to be Rolled Over to FY 2011/12			\$364,000

C/CAG AGENDA REPORT

Date: May 13, 2010

To: City/County Association of Governments Board of Directors

From: Richard Napier, Executive Director

Subject: Review and approval of Resolution 10-20 authorizing the C/CAG Chair to execute an agreement with Alta Planning + Design for an amount not to exceed \$200,000 for the San Mateo County Comprehensive Bicycle and Pedestrian Plan

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

RECOMMENDATION

That the C/CAG Board review and approve Resolution 10-20 authorizing the C/CAG Chair to execute an agreement with Alta Planning + Design for an amount not to exceed \$200,000 for the San Mateo County Comprehensive Bicycle and Pedestrian Plan, in accordance with staff recommendation.

FISCAL IMPACT

The total amount of this agreement will be for an amount not to exceed \$200,000. C/CAG is requesting an allocation of \$100,000 from the FY 2010/11 Transportation Development Act Article 3 (TDA Art 3). The San Mateo County Transportation Authority (TA) has agreed to provide \$100,000 in matching Measure A funds.

SOURCE OF FUNDS

- TDA Art. 3 funds are derived from the following sources:
 - Local Transportation Funds (LTF), derived from a ¼ cent of the general sales tax collected statewide
 - State Transit Assistance fund (STA), derived from the statewide sales tax on gasoline and diesel fuel.
- Measure A Transportation Sales Tax (SMCTA)

BACKGROUND/DISCUSSION

The San Mateo County Comprehensive Bicycle Route Plan was completed in 2000. Updating the Plan has been identified as a priority project in the C/CAG Work Plan for the past several years but resource and budget constraints have delayed the project. The goal of the new San Mateo County Bicycle and Pedestrian Plan (Bike/Ped Plan) project is to update the previous

ITEM 5.4

bicycle plan and expand the document to include a new pedestrian plan component with countywide significance. The BPAC supports the development of the Bike/Ped Plan. Staff has determined that consultant services will be needed to perform the work and estimated project budget to be up to \$200,000. The BPAC recommends funding the project using \$100,000 in FY 2010/11 TDA Art 3 and \$100,000 in matching Measure A funds.

In accordance with C/CAG's Procurement Policy, a Request for Proposal (RFP) was released on March 23, 2010, seeking a consultant to develop the Bike/Ped Plan. Two (2) proposals were received by the deadline of April 20, 2010. Consultants submitting proposals included Alta Planning + Design (in association with Fehr & Peers and Eisen/Letunic) (\$189,000) and Kimley-Horn & Associates (in association with Bottomley Design and Planning) (\$213,405).

On April 23, 2010, a proposal review panel consisting of Marisa Espinosa (Transportation Authority/Samtrans/Caltrain), Tom Madalena (C/CAG), and John Hoang (C/CAG) evaluated the proposals based on the consultants' understanding of project objectives and requirements, technical project approach, project management, and capabilities and experience. Cost was not considered in the evaluation. Consultant interviews were held on May 4, 2010. Based on the overall quality of the proposals, interviews, and scoring results, the panel recommended that Alta Planning + Design be awarded the contract.

The Alta Planning + Design Team's cost proposal is \$189,000 based on the scope of work submitted. It is anticipated that additional discussions and negotiations with the consultant team in finalizing the scope of work and cost estimate will be required over the next several weeks. The project budget may decrease or increase depending on the final scope of work. Therefore, staff request Board approval of a budget up to a maximum amount of \$200,000, which was the original budget estimated for this project.

ATTACHMENTS

- Resolution 10-20

RESOLUTION 10-20

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE CHAIR TO EXECUTE AN AGREEMENT WITH ALTA PLANNING + DESIGN FOR AN AMOUNT NOT TO EXCEED \$200,000 FOR THE SAN MATEO COUNTY COMPREHENSIVE BICYCLE AND PEDESTRIAN PLAN

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 has identified the San Mateo County Comprehensive Bicycle and Pedestrian Plan as a priority project with countywide significance; and

WHEREAS, C/CAG has determined that outside consulting services are needed to develop the San Mateo County Comprehensive Bicycle and Pedestrian Plan; and

WHEREAS, C/CAG has selected Alta Planning + Design to provide these services.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the Chair is authorized to execute an agreement with Alta Planning + Design for a maximum amount of \$200,000 in a form that has been approved by C/CAG Legal Counsel and further authorize the Executive Director to negotiate the Agreement prior to execution of said Agreement by the Chair. In accordance with C/CAG established policy, the Chair may administratively authorize up to an additional 5% of the total contract amount in the event that there are unforeseen costs associated with the project.

PASSED, APPROVED, AND ADOPTED THIS 13TH DAY OF MAY 2010.

Thomas M. Kasten, Chair

C/CAG AGENDA REPORT

Date: May 13, 2010
To: City/County Association of Governments Board of Directors
From: Bicycle and Pedestrian Advisory Committee (BPAC)
Subject: Review and Approval of Status to Extend the Construction Period and Project Limits of the Transportation Development Act (TDA) Article 3 funded Highway 1 Bicycle and Pedestrian Trail Project in the City of Half Moon Bay.

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

RECOMMENDATION

That the C/CAG Board review and approve the status to extend the construction period and project limits of the Transportation Development Act Article 3 funded Highway 1 Bicycle and Pedestrian Trail Project in the City of Half Moon Bay

FISCAL IMPACT

Transportation Development Act Article 3 (TDA Article 3) funds in the amounts of \$500,000 (FY 2007/08), \$100,000 (FY 2008/09), and \$300,000 (FY 2009/10). Unused TDA Art. 3 funds from previous fiscal years are rolled over to the next fiscal year.

SOURCE OF FUNDS

TDA Article 3 funds are derived from the following sources:

- Local Transportation Funds (LTF), derived from a ¼ cent of the general sales tax collected statewide
- State Transit Assistance fund (STA), derived from the statewide sales tax on gasoline and diesel fuel.

BACKGROUND/DISCUSSION

The City of Half Moon Bay was allocated a total of \$900,000 in TDA Art. 3 funds (FY 2007/08 – FY 2009/10) for various segments of the Highway 1 Bicycle and Pedestrian Trail Project. A breakdown of the fund amount, expiration date, and project limits are as follows:

<u>FY</u>	<u>Amount</u>	<u>Fund Expiration</u>	<u>Project Limits</u>
2007/08	\$500,000	June 30, 2010	Hwy 92 to Grand Blvd.
2008/09	\$100,000	June 30, 2011	Poplar St. to Seymour St.
2009/10	\$300,000	June 30, 2012	Grand Blvd. to Kehoe Ave.

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The TDA Art. 3 guidelines pertaining to funding are indicated below:

- Funds awarded in a fiscal year must be expended within three years.
- Funds allocated to a city for a specific project are not transferable to another project.
- If a city cannot complete a project within the time allowed, then the funds would be rescinded. Rescinded funds roll over to the next fiscal year.
- If a project's actual cost is lower than the allocated amount, the unused portion is rolled over to the next fiscal year.

The City of Half Moon Bay requested the following two items:

1. Time Extension: The City will not be able to complete construction of the Hwy 92/Grand Blvd. segment by June 30, 2010, therefore request a time extension to September 30, 2010.
2. Extend Project Limit: The City recently awarded a contract for construction of the Grand Blvd./Kehoe Ave. segment. The contract amount was significantly lower than the original cost estimate, therefore, the City propose extending the project limit north of Kehoe Ave. (approx. 1400 ft.) and applying the cost savings to the new segment.

The BPAC recommends approval of the time extension, which will enable the City to retain the funds. The BPAC also recommends approval to extending the project limits, which will allow the City to maximize the available funding already allocated to the project and at the same time enable the completion of more trails.

ATTACHMENTS

- Letters from the City of Half Moon Bay (2)



CITY OF HALF MOON BAY

City Hall, 501 Main Street
Half Moon Bay, CA 94019

April 9, 2010

Mr. John Hoang
City/County Association of Governments
Of San Mateo County
555 County Center, 5th Floor
Redwood City, CA 94063

RE: Highway 1 Trail in Half Moon Bay –Phase II

Dear Mr. Hoang,

The City of Half Moon Bay received a grant of \$500,000 in TDA Article 3 funds for the improvement of a segment of the Highway 1 Trail from Highway 92 to Grand Boulevard with the greatly appreciated support of the C/CAG and its Bicycle/Pedestrian Advisory Committee (B/PAC). A condition of the initial grant required the City to complete the project by June 30, 2010. The City could not start the project design immediately because of the changes in its key staff positions and pre-occupation with the Route 92 Widening project and unfortunate law suits. Last year, the City placed a high priority to this project, fast-tracked its design and environmental documents, obtained the required permits and construction bids and recently awarded the contract for a bid price lower than the engineer's estimate. The contractor is scheduled to start construction on April 19th and plans to complete it before June 30, 2010. However, the City will not be able to accept the contract and make final payments to the contractor for another sixty days. Any unforeseen condition encountered during construction may require the contractor to extend his construction completion schedule. The City requests the C/CAG and its B/PAC to grant a three month time extension to September 30, 2010 for the completion of this project.

The primary purpose of the subject project is to provide safe and non-motorized commute route for a large number of farm workers, school children, regional bicyclist, tourist and local residents, who presently have no option but to walk/ride in the highway pavement. The Highway 1 Trail is a part of the San Francisco Bay Area Regional Bike Way Network adopted by the Metropolitan Transportation Commission. Your continued support of this trail and approval of this request will be appreciated.

If you have any questions, please feel free to contact me at 650-726-8265 or mosharma@hmbcity.com.

Sincerely,

Mo Sharma
Mo Sharma
City Engineer

cc: City Manager



CITY OF HALF MOON BAY

City Hall, 501 Main Street Half Moon Bay CA 94019

April 9, 2010

Mr. John Hoang
City/County Association of Governments
Of San Mateo County
555 County Center, 5th Floor
Redwood City, CA 94063

RE: Highway 1 Trail in Half Moon Bay –Phase IV

Dear Mr. Hoang,

Approximately a year ago, the City of Half Moon Bay received a grant of \$400,000 in TDA Article 3 funds for the improvement of a segment of the Highway 1 Trail from Grand Boulevard to Kehoe Avenue with the greatly appreciated support of the C/CAG and its Bicycle/Pedestrian Advisory Committee. The City placed a high priority to this project, fast-tracked its design and environmental documents, obtained the required permits and construction bids and recently awarded the contract at a bid price significantly lower than the engineer's estimate and the approved grant amount. The City received ten highly competitive bids in the current environment of low construction activity.

The City would like to issue a contract change order to extend the project limits by approximately 1400 feet north of Kehoe Avenue to Wave Street and requests your authorization. The new project limits will thus be from Grand Boulevard to Wave Street. This adjustment will allow the City to complete more trail improvements with no increase in approved grant funding for the project. The contractor is scheduled to complete construction on his contract by August 2010.

The primary purpose of the subject project is to provide safe and non-motorized commute route for a large number of farm workers, school children, regional bicyclist, tourist and local residents, who presently walk/ride in the highway or useable portions of a dirt path. The Highway 1 Trail is a part of the San Francisco Bay Area Regional Bike Way Network adopted by the Metropolitan Transportation Commission. Your continued support of this trail and approval of this request will be appreciated.

If you have any questions, please feel free to contact me at 650-726-8265 or mosharma@hmbcity.com.

Sincerely,

Mo Sharma
Mo Sharma
City Engineer

cc: City Manager

C/CAG AGENDA REPORT

Date: May 13, 2010
To: City/County Association of Governments Board of Directors
From: Richard Napier, C/CAG Executive Director
Subject: Review and Approval of Resolution 10-18 Approving the Application for Grant Funds for the Urban Greening Planning Grant Program Under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84).

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

RECOMMENDATION

The C/CAG Board review and approve Resolution 10-18 approving the application for grant funds for the Urban Greening Planning grant program administered by the Strategic Growth Council under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection bond Act of 2006 (Proposition 84).

FISCAL IMPACT

If approved for funding, C/CAG would receive \$250,000 in grant funds to prepare an urban greening plan. There is no matching requirement, so there would be no fiscal impact to C/CAG if the grant is awarded, as staff time can be charged to the grant.

SOURCE OF FUNDS

If approved for grant funding, C/CAG would need to pay for costs of developing the urban greening plan up front and then receive reimbursement from the state. The proposed urban greening plan is an extension of C/CAG's existing Green Streets and Parking Lots Program administered through the San Mateo Countywide Water Pollution Prevention Program (Countywide Program) and is related to providing landscape-based stormwater treatment measures for runoff from transportation infrastructure, so the up-front costs could be paid from the Countywide Program's portion of stormwater-related vehicle license revenue. There are sufficient unencumbered stormwater-related vehicle license funds to pay for plan development.

BACKGROUND/DISCUSSION

California voters passed the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection bond Act of 2006 (Proposition 84) on November 7, 2006. Proposition 84 authorized up to \$17.5 million for the purpose of creating urban greening plans that will serve as the master document guiding and coordinating greening projects in the applicant's jurisdiction. The State's Strategic Growth Council, which was created in 2008 under Senate Bill 732 (Steinberg), issued a call for applications for an Urban Greening Planning grant program in February, 2010, with applications due April 30, 2010. The purpose of the grant program is to provide funds to develop urban greening plans that will serve as the master document guiding and coordinating greening projects in an urban area that will reduce greenhouse gas emissions and provide multiple benefits, including decreasing air and water

ITEM 5.6

pollution, reducing the consumption of natural resources and energy, increasing the reliability of local water supplies, or increasing adaptability to climate change.

The Countywide Program, through the stormwater Technical Advisory Committee, solicited municipalities interested in collaborating on an urban greening plan proposal to build upon its already successful Green Streets and Parking Lots program. The Cities of San Carlos and Redwood City expressed interest in participating on a proposal. C/CAG previously approved an amendment to the Countywide Program's green streets consultant contract (Nevue Ngan Associates from Portland, Oregon) for developing a grant application for green street and parking lot projects under Proposition 84, so Countywide Program staff worked closely with Nevue Ngan and staff from the Cities of San Carlos and Redwood City to prepare a grant application. The grant proposal identifies a 900-acre area within San Carlos and Redwood City in which urban greening would be planned to provide multiple benefits, with the primary focus being stormwater management consistent with the Countywide Program's Green Streets and Parking Lots program. Additional benefits that would be addressed through installation of urban greening include reduction in impervious surfaces, mitigation for greenhouse gas emissions, improvement in bicycle and pedestrian environments (including Safe Routes to Schools), and improvement in public health and community aesthetics. The Countywide Program received multiple support letters for the proposal, including from the U.S. Environmental Protection Agency and the San Mateo County Health Division.

The grant application was submitted by the April 30, 2010 due date, but the application package allows submittal after the application due date of an authorizing resolution if C/CAG is unable to adopt one prior to the grant submittal deadline. Since C/CAG had a retreat in April, staff is presenting the authorizing resolution for C/CAG's consideration at this meeting. The wording of the resolution is specified by the grant application requirements.

In order to conserve resources, the full grant application is not attached; however, an excerpt summarizing the proposed plan and an area map are attached. To review the full grant application as submitted, please contact the C/CAG staff person listed, above. Should the application be funded, it is reasonable to anticipate the urban greening plan may lead to additional funding for implementation, which will be beneficial to C/CAG in terms of compliance the Municipal Regional Permit's requirements for green street pilot projects.

ATTACHMENTS

- Resolution 10-18
- Excerpts from San Carlos – Redwood City Urban Greening Grant Application

ALTERNATIVES

- 1- C/CAG Board approve Resolution 10-18 approving the application for grant funds for the Urban Greening Planning grant program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection bond Act of 2006 (Proposition 84) in accordance with the staff recommendation.
- 2- C/CAG Board not approve Resolution 10-18 and direct staff to withdraw the submitted application.

RESOLUTION NO. 10-18

APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE URBAN GREENING PLANNING GRANT PROGRAM UNDER THE SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION BOND ACT OF 2006 (PROPOSITION 84)

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

WHEREAS, the Legislature and Governor of the State of California have provided funds for the program shown above; and

WHEREAS, the Strategic Growth Council has been delegated the responsibility for the administration of this grant program, establishing necessary procedures; and

WHEREAS, said procedures established by the Strategic Growth Council require a resolution certifying the approval of application(s) by the Applicants governing board before submission of said application(s) to the State; and

WHEREAS, the Applicant, if selected, will enter into an agreement with the State of California to carry out development of the Urban Greening Plan;

NOW, THEREFORE, BE IT RESOLVED that the City/County Association of Governments of San Mateo County

1. Approves the filing of an application for the San Carlos-Redwood City Urban Greening Plan; and
2. Certifies that Applicant understands the assurances and certification in the application; and
3. Certifies that applicant will have sufficient funds to develop the plan; or will secure the resources to do so; and
4. Certifies that applicant will work towards the Governor's State Planning Priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety as included in Government Code Section 65041.1; and
5. Appoints the Executive Director, or designee, as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, payment requests and so on, which may be necessary for development of the aforementioned plan.

PASSED, APPROVED, AND ADOPTED THIS 13TH DAY OF MAY, 2010.

Thomas M. Kasten, Chair

Summary of Proposed Urban Greening Plan

The proposed San Carlos – Redwood City Urban Greening Plan will serve as a master greening plan for approximately 900 acres of urbanized area in San Mateo County, consisting of multiple land use types, including single- and multi-family residential, mixed-use commercial, downtown retail, parks and open space, and public school facilities. The majority of the proposed plan area is within the City of San Carlos, with a smaller portion in the City of Redwood City. The intent of the greening plan is to demonstrate how a large-scale urban area can be retrofitted with new landscaped areas that will serve to address multiple objectives, including managing stormwater runoff, calming traffic, mitigating greenhouse gas emissions, improving public health, expanding bike and pedestrian environments, and improving community aesthetics.

While the proposed plan is ultimately an urban greening plan, what makes it unique is the manner in which the quantity, character, and locations of the greening will be determined. The driving factor in creating the proposed plan is determining how much landscaped area is needed to capture and treat, to current regulatory standards, stormwater runoff generated by streets, parking lots, driveways, and roofs within the plan area. This is expected to require a significant amount of new green space, the majority of which would be created within existing public rights-of-way, such as in public streets, sidewalks, and parking lots. Once the necessary amount of stormwater management-related landscaping is quantified, green spaces would be planned in terms of location and sizing based on physical constraints and other objectives, such as making streets more pedestrian friendly, improving separation between bicycles, pedestrians, and cars, calming traffic, and improving community aesthetics.

School sites within the plan area will serve as "hubs" for urban greening, with the plan detailing opportunities for a variety of green spaces on the school grounds and green street improvements that will address Safe Routes to Schools concerns, and will also be primary locations for public outreach "open house" events to provide the community with opportunities to participate in plan development. The planning process will also incorporate input and review from affected jurisdictions, create a Citizens Advisory Committee, and involve County Health System staff to ensure an integrated urban greening approach that will address multiple objectives.

The plan will identify "green focus areas" that exhibit need or opportunities for significant greening. It will also include short- and long-term implementation strategies, with a goal of full implementation by 2030 and identification of "catalyst" projects that can be implemented in the short-term to help generate understanding and support for full implementation. Although the plan will only address portions of two municipalities within the county, the intent is for the plan to be approved as a model for other municipalities within San Mateo County, the state, or the nation.

The grant applicant is the City/County Association of Governments (C/CAG), which is a joint powers authority with a Board consisting of elected officials from all 21 municipal jurisdictions within the County. The San Mateo Countywide Water Pollution Prevention Program (SMCWPPP), which is a program of C/CAG, will be the primary entity responsible for plan development, with partnerships with the Cities of San Carlos and Redwood City and the County Health System. The proposed plan will build on SMCWPPP's already successful Green Streets

and Parking Lots Program, which has, to date, created an award-winning design guidebook (*San Mateo County Sustainable Green Streets and Parking Lots Design Guidebook*, January 2009) and funded multiple green street and parking lot demonstration projects. As such, the grant applicant has existing knowledge, expertise, and partnerships to successfully create the proposed Urban Greening Plan. Although C/CAG, SCMWPPP, the affected cities, and the County Health System all have staff and resources that will assist with plan development, C/CAG intends to also solicit technical consulting services to assist with plan development. This mirrors the approach SMCWPPP used when creating its green streets guidebook.

C/CAG is the countywide congestion management agency and implements the local Safe Routes to Schools program as well as countywide bicycle planning efforts. As such, C/CAG will be able to readily integrate those efforts into the proposed greening plan to ensure a comprehensive, multi-objective approach. The County Health System is a division of San Mateo County, which is a member of C/CAG, so partnerships between C/CAG and health staff already exist. There are multiple community groups and other stakeholders that have provided letters of support or commitment to assisting in developing the proposed plan. C/CAG believes the proposed planning process will be a model for public participation and the urban greening plan will serve as a template that will be applicable to municipalities throughout the county and the state. Creation of a master greening plan for the proposed plan area is a first essential step to securing public support and funding for full-scale implementation over the coming years.

SAN CARLOS/ REDWOOD CITY URBAN GREENING PLAN AREA BOUNDARY



TYPICAL RESIDENTIAL STREETS



BEFORE: Many residential streets within the proposed Urban Greening Plan have little existing tree canopy and excessive impervious area.



CONCEPT SKETCH: This same street could be retrofitted as a green street by adding stormwater elements and street trees without overly-compromising existing on-street parking.

DOWNTOWN RETAIL CORE



BEFORE: Laurel Street currently offers many desirable restaurants and shops, however, the sidewalk zone is often cramped in order to create a lively storefront atmosphere.



CONCEPT SKETCH: This same street's parking zone could be realigned to allow space for wider sidewalks, optional flex-space in the parking zone, and multiple green street elements.

URBAN ARTERIALS AND BOULEVARDS



BEFORE: El Camino Real as it currently exists today is a 6-lane arterial divided by a landscaped median. Ironically, this landscape space might be better utilized adjacent to the sidewalk zone rather than in the middle of the corridor.



CONCEPT SKETCH: In a bold effort, consistent with the Grand Boulevard Initiative, El Camino Real is redesigned to allow for wider sidewalks, bike amenities, and green street elements. Such improvements could also help incite private redevelopment along the arterial corridor.

STREETS NEAR SCHOOLS



BEFORE: This school mid-block crossing currently has no accessibility ramps, perceivable signage, or traffic calming provisions to reinforce a safe pedestrian and bicycling environment.



CONCEPT SKETCH: Utilizing urban greening approaches and better site design, this crossing can become much safer, attractive, and help mitigate stormwater runoff.

C/CAG AGENDA REPORT

Date: May 13, 2010
To: City/County Association of Governments Board of Directors
From: Richard Napier, C/CAG Executive Director
Subject: Review and approval of Resolution 10-24 authorizing the C/CAG Executive Director to issue task orders in full compliance with the terms and conditions of on-call Travel Demand Forecasting model service agreements in the aggregate amount not to exceed \$500,000 for a three (3) year term among three firms.

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

RECOMMENDATION

That the C/CAG Board approve Resolution 10-24 authorizing the C/CAG Executive Director to issue task orders in full compliance with the terms and conditions of on-call Travel Demand Forecasting model service agreements in the aggregate amount not to exceed \$500,000 for a three (3) year term among three firms.

FISCAL IMPACT

This resolution will authorize the expenditure of up to \$500,000 over a three-year term among three modeling firms. Actual expenditures will be determined based on specific tasks orders to be approved by the Executive Director. Authorization to proceed will be given to consultant only after approval to execute a specific task order.

SOURCE OF FUNDS

Funding source will come from C/CAG congestion management funds. The San Mateo County Transportation Authority will reimburse up to one half of the cost of maintenance and upgrade of the model. In addition, the cost of model task orders for non-C/CAG projects will be fully reimbursed by project sponsors.

BACKGROUND/DISCUSSION

C/CAG is the designated Congestion Management Agency responsible for the development and implementation of the Congestion Management Program (CMP) for San Mateo County. California Government Code requires Congestion Management Agencies to develop and maintain a computerized Travel Demand Forecasting Model within their jurisdiction.

Uses of modeling services include but are not limited to San Mateo Countywide Transportation Plan (CTP) updates, major transit and highway improvement needs assessments, and identifying the benefits of major transit, freeway, and interchange

ITEM 5.7.1

modification projects. In addition modeling services may be made available for local project sponsors with full reimbursement.

The purpose of an on-call consultants list is to pre-qualify firms to engage in work required by public agencies. Pre-qualification expedites the selection and contracting process and introduces an additional degree of competitive pressure to ensure responsiveness and timely performance. If one firm is not available to perform needed work according to schedule and budgetary requirements, another firm on the on-call list that can do so is selected to perform the work. On call firms are aware of the option that an agency has to turn to another firm, so has an incentive to commit to performing the work within required schedule and budget constraints. Many Bay Area transportation agencies have established on-call list of consulting firms, including Samtrans, BART, the San Francisco Municipal Transportation Agency, AC Transit, and others.

Competitive Procurement Process:

C/CAG solicited qualifications from ten leading travel demand forecasting model service forecasting firms for the purpose of establishing a pre-qualified on-call list of firms to support the C/CAG forecasting model and its applications. Seven firms responded by submitting qualifications, which were evaluated by a panel of C/CAG staff members and three external reviewers, including representatives for the San Mateo County Transportation Authority, Caltrans, and the Santa Clara Valley Transportation Authority (VTA).

Four firms were invited for an interview before the five-member review panel. Three firms, Dowling Associates, Inc., Cambridge Systematics, and AECOM Technical Services, Inc. were recommended for the C/CAG on-call list by the review panel. These recommendations were reviewed and accepted by the C/CAG Executive Director.

Agreement for on-call services with three firms:

Under separate items, C/CAG staff is requesting that an on-call contract be executed with Dowling Associates, Inc., Cambridge Systematics, and AECOM Technical Services, Inc. The basis is that that all firms were selected through a competitive procurement process and is consistent with the competitive review process required in the C/CAG Procurement Policy.

With approval of Resolution 10-24, the work scope identified under each contract will be issued on a task order basis under approval of the Executive Director. As needs are identified, C/CAG staff will present the Consultants with a proposed scope of work for a specific task and request a cost proposal. The Consultants will provide C/CAG with a cost proposal for the specific task. Specific work scope and payments may be negotiated. A task order defining cost and schedule will be prepared for execution. The C/CAG Executive Director must approve and execute the task order before procurement of any expenditure.

ATTACHMENT

- Resolution 10-24

RESOLUTION 10-24

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) AUTHORIZING THE C/CAG EXECUTIVE DIRECTOR TO ISSUE TASK ORDERS IN FULL COMPLIANCE WITH THE TERMS AND CONDITIONS OF ON-CALL TRAVEL DEMAND FORECASTING MODEL SERVICE AGREEMENTS IN THE AGGREGATE AMOUNT NOT TO EXCEED \$500,000 FOR A THREE (3) YEAR TERM AMONG THREE FIRMS

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

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

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

WHEREAS, C/CAG has determined that outside consulting services are needed for model services; and

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

WHEREAS, C/CAG will negotiate and execute individual task orders for specific services on an as-needed basis.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the Board authorize the C/CAG Executive Director to issue task orders in full compliance with the terms and conditions of on-call Travel Demand Forecasting model service agreements in the aggregate amount not to exceed \$500,000 for a three (3) year term among three firms.

PASSED, APPROVED, AND ADOPTED THIS 13TH DAY OF MAY 2010.

Thomas M. Kasten, Chair

C/CAG AGENDA REPORT

Date: May 13, 2010
To: City/County Association of Governments Board of Directors
From: Richard Napier, C/CAG Executive Director
Subject: Review and approval of resolution 10-21 authorizing the C/CAG Chair to execute an agreement with Dowling Associates, Inc. for on-call Travel Demand Forecasting model services to be shared in the aggregate amount not to exceed \$500,000 for a three (3) year term among three firms and further authorize the Executive Director to make minor changes to said agreement upon consultation with Dowling Associates, Inc.

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

RECOMMENDATION

That the C/CAG Board review and Approve Resolution 10-21 authorizing the C/CAG Chair to execute an agreement with Dowling Associates, Inc. for on-call Travel Demand Forecasting model services to be shared in the aggregate amount not to exceed \$500,000 for a three (3) year term among three firms and further authorize the Executive Director to make minor changes to said agreement upon consultation with Dowling Associates, Inc.

FISCAL IMPACT

Execution of this agreement will authorize the expenditure of up to \$500,000 over a three-year term among three modeling firms. Actual expenditures will be determined based on specific tasks orders to be approved by the Executive Director. Authorization to proceed will be given to consultant only after approval to execute a specific task order.

SOURCE OF FUNDS

Funding source will come from C/CAG congestion management funds. The San Mateo County Transportation Authority will reimburse up to one half of the cost of maintenance and upgrade of the model. In addition, the cost of model task orders for non-C/CAG projects will be fully reimbursed by project sponsors.

BACKGROUND/DISCUSSION

C/CAG is the designated Congestion Management Agency responsible for the development and implementation of the Congestion Management Program (CMP) for San Mateo County. California Government Code requires Congestion Management Agencies to develop and maintain a computerized Travel Demand Forecasting Model within their jurisdiction.

ITEM 5.7.2

Uses of modeling services include but are not limited to San Mateo Countywide Transportation Plan (CTP) updates, major transit and highway improvement needs assessments, and identifying the benefits of major transit, freeway, and interchange modification projects. In addition modeling services may be made available for local project sponsors with full reimbursement.

The purpose of an on-call consultants list is to pre-qualify firms to engage in work required by public agencies. Pre-qualification expedites the selection and contracting process and introduces an additional degree of competitive pressure to ensure responsiveness and timely performance. If one firm is not available to perform needed work according to schedule and budgetary requirements, another firm on the on-call list that can do so is selected to perform the work. On call firms are aware of the option that an agency has to turn to another firm, so has an incentive to commit to performing the work within required schedule and budget constraints. Many Bay Area transportation agencies have established on-call list of consulting firms, including Samtrans, BART, the San Francisco Municipal Transportation Agency, AC Transit, and others.

Competitive Procurement Process:

C/CAG solicited qualifications from ten leading travel demand forecasting model service forecasting firms for the purpose of establishing a pre-qualified on-call list of firms to support the C/CAG forecasting model and its applications. Seven firms responded by submitting qualifications, which were evaluated by a panel of C/CAG staff members and three external reviewers, including representatives for the San Mateo County Transportation Authority, Caltrans, and the Santa Clara Valley Transportation Authority (VTA).

Four firms were invited for an interview before the five-member review panel. Three firms, Dowling Associates, Inc., Cambridge Systematics, and AECOM Technical Services, Inc. were recommended for the C/CAG on-call list by the review panel. One firm, Dowling Associates, Inc. was also specifically recommended to support C/CAG staff to keep and maintain C/CAG's San Mateo County travel demand and forecasting model. These recommendations were reviewed and accepted by the C/CAG Executive Director.

Agreement with Dowling:

C/CAG staff is requesting that an on-call contract be directed to Dowling Associates, Inc. The basis is that that Dowling Associates, Inc. was selected through a competitive procurement process and is consistent with the competitive review process required in the C/CAG Procurement Policy. Two other firms will be selected for on-call contracts to perform similar work with an aggregate amount among all three firms not to exceed \$500,000.

The work scope identified under the contract will be on a task order basis under approval of the Executive Director. For specific work scope and payment shall be negotiated and approved before execution of a task order and before expenditures take place.

A draft of the agreement is attached hereto and will be approved as to form by C/CAG legal counsel prior to execution.

ATTACHMENT

- Resolution 10-21
- Draft Agreement between C/CAG and Dowling Associates, Inc.

RESOLUTION 10-21

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) AUTHORIZING THE C/CAG CHAIR TO EXECUTE AN AGREEMENT WITH DOWLING ASSOCIATES, INC. FOR ON-CALL TRAVEL DEMAND FORECASTING MODEL SERVICES TO BE SHARED IN THE AGGREGATE AMOUNT NOT TO EXCEED \$500,000 FOR A THREE (3) YEAR TERM AMONG THREE FIRMS

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

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

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

WHEREAS, C/CAG has determined that outside consulting services are needed for model services; and

WHEREAS, C/CAG has selected Dowling Associates, Inc. to provide these on-call services; and

WHEREAS, C/CAG will negotiate and execute individual task orders for specific services on an as-needed basis.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the Board authorize the C/CAG Chair to execute an agreement with Dowling Associates, Inc to provide on-call travel demand forecasting model services for up to \$500,000 for a three-year base term to be shared in the aggregate among all three firms selected through the same request for qualifications process and further authorize the Executive Director to make minor changes to said agreement upon consultation with Dowling Associates, Inc. The final agreement will be reviewed and approved by C/CAG Legal Counsel as to form.

In accordance with C/CAG established policy, the Chair may administratively authorize up to an additional 5% of the total contract amount in the event that there are unforeseen costs associated with the project.

PASSED, APPROVED, AND ADOPTED THIS 13TH DAY OF MAY 2010.

Thomas M. Kasten, Chair

**AGREEMENT BETWEEN
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF
SAN MATEO COUNTY
AND DOWLING ASSOCIATES, INC.**

This Agreement entered this 13th day of May, 2010, by and between the CITY/COUNTY ASSOCIATION OF GOVERNMENTS, a joint powers agency formed for the purpose of preparation, adoption and monitoring of a variety of county-wide plans, hereinafter called "C/CAG" and Dowling Associates, Inc. hereinafter called "Consultant."

W I T N E S S E T H

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

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

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

WHEREAS, Dowling Associates has been pre-qualified in a competitive review process to assess capabilities in computer traffic simulation and forecast modeling; and

WHEREAS, by adoption of Resolution 10-21 and Resolution 10-24, the C/CAG Board of Directors has authorized the C/CAG Chair to execute an agreement with Dowling Associates, Inc. for on-call Travel Demand Forecasting model services for a three (3) year term, and further authorizing the Executive Director to execute task orders in full conformity with the terms and conditions of the agreement.

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

1. Services to be provided by Consultant. As needs are identified, C/CAG staff will present the Consultant with a proposed scope of work for a specific task and request a cost proposal. The Consultant will provide C/CAG with a cost proposal for the specific task. Specific work scope and payment may be negotiated. A task order defining cost and schedule will be prepared for execution. The C/CAG Executive Director must approve and execute the task order before procurement of any expenditure. Consultant shall provide services consistent with its proposal submitted to C/CAG and incorporated by reference.
2. Payments. C/CAG shall reimburse Consultant on a time and materials basis based on the executed task order and the hourly rate shown in Exhibit A. Consultant shall

submit to C/CAG for its approval monthly invoices for payment to be made within sixty (60) days of the date of the invoice.

3. Relationship of the Parties. It is understood that Consultant is an Independent Contractor, and that this Agreement is not intended to, and shall not be construed to, create the relationship of agent, servant, employee, partnership, joint venture or association, or any other relationship whatsoever other than that of Independent Contractor.
4. Non-Assignability. Neither party to this Agreement may assign this Agreement or any portion thereof to a third party.
5. Contract Term. This Agreement shall be in effect as of May 13, 2010, and shall terminate on June 30th, 2013 unless otherwise extended or terminated as set forth herein. Either party may terminate this Agreement at any time for any reason by providing 30 days' notice to the other party. Termination to be effective on the date specified in the notice. In the event of termination under this paragraph, Consultant shall be paid for all services provided to the date of termination. The term of this Agreement may be extended by written mutual agreement.
6. Hold Harmless/ Indemnity: Consultant shall indemnify and hold harmless C/CAG from all claims, suits or actions to the extent caused by the negligent acts, errors, or omissions of the Consultant, its agents, officers or employees related to or resulting from the performance or non-performance under this Agreement.
7. Insurance: Consultant or any sub-consultants performing the services on behalf of Consultant shall not commence work under this Agreement until all Insurance required under this section has been obtained, and such insurance has been approved by the C/CAG Staff. Consultant shall furnish the C/CAG Staff with Certificates of Insurance evidencing the required coverage and there shall be a specific contractual liability endorsement extending the Consultant's coverage to include the contractual liability assumed by the Consultant pursuant to this Agreement (subject to all terms and conditions of said policies). These Certificates shall specify or be endorsed to provide that thirty (30) days notice be given, in writing, to C/CAG of any pending change in the limits of liability or of non-renewal, cancellation, or modification of the policy. Such Insurance shall include at a minimum the following:

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

Liability Insurance: Consultant shall take out and maintain during the life of this Agreement Bodily Injury Liability and Property Damage Liability Insurance from claims for damages for bodily injury, including accidental death, as well as operations under this Agreement, whether such operations be by the Consultant or by anyone directly or indirectly employed by the Consultant (subject to all terms and conditions of said policy). Such insurance shall be combined single limit bodily

injury and property damage for each occurrence and shall be not less than \$1,000,000 unless another amount is specified below and shows approval by C/CAG Staff.

Required insurance shall include:

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

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

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

8. Non-discrimination. The Consultant and any sub-consultants performing the services on behalf of the Consultant shall not discriminate or permit discrimination against any person or group of persons on the basis or race, color, religion, national origin or ancestry, age, sex, sexual orientation, marital status, pregnancy, childbirth or related conditions, medical condition, mental or physical disability or veteran's status, or in any manner prohibited by federal, state or local laws.
9. Compliance with All Laws. Consultant shall at all times comply with all applicable laws and regulations, including without limitation those regarding services to disabled persons, including any requirements of Section 504 of the Rehabilitation Act of 1973.
10. Substitutions: If particular people are identified in this Agreement are providing services under this Agreement, the Consultant will not assign others to work in their place without written permission from C/CAG. Any substitution shall be with a person of commensurate experience and knowledge.
11. Sole Property of C/CAG: Any system or documents developed, produced or provided under this Agreement shall become the sole property of C/CAG. Consultant's system

or documents developed, produced, or provided (“Documents”), however, are not intended or represented to be suitable for reuse by C/CAG or others for any purpose other than the travel demand forecasting model (the “Model”) that is the subject of this Agreement. Any modification of the Model without written verification or adaptation by Consultant will be at the user’s sole risk and without liability or legal exposure to Consultant. In the event C/CAG, its employees, permitted assigns, successors, consultants and contractors (hereafter collectively “C/CAG”), subsequently modifies and then reproduces or otherwise uses Consultant’s Documents or creates a derivative work based upon Consultant’s Documents, C/CAG shall, where permitted or required by law, remove or completely obliterate the original professional seals, trademarks, logos, and other indications on said Documents of the identity of Consultant, its employees and consultants.

In the event of any future use of Consultant’s modified Documents without written verification or adaptation by Consultant, whether such use is made by C/CAG, its members, permitted assigns, successors, agents or consultants or contractors, to the fullest extent permitted by law, C/CAG hereby waives, releases and forever discharges Consultant, its officers, directors, shareholders, employees, successors, assigns, affiliates, subsidiaries, consultants, agents and insurance carriers (collectively the “Releasees”) from, and covenants not to sue on account of, any and all claims for damages, liabilities, losses, demands, costs and expenses of whatsoever kind or whatsoever nature (including, but not limited to, any claims of attorneys’ fees) for bodily injury, sickness, disease or death, or for injury to or destruction of tangible property which C/CAG may have or which may hereafter accrue to C/CAG as a result of any future use of Consultant’s modified Documents by C/CAG, its employees, permitted assigns, successors, agents or consultants or contractors. This release is intended to the fullest extent permitted by law to discharge the Releasees from and against any and all liability arising out of or connected in any way with any such future use of Consultant’s modified Documents even though that liability may arise out of any negligence or carelessness on the part of any such Releasee named above. It is further understood and agreed that this release is to be binding on C/CAG, its employees, permitted assigns, successors, consultants, contractors, or any other person or entity claiming by, through or under C/CAG.

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

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

13. Merger Clause. This Agreement, including Exhibit A attached hereto and incorporated herein by reference, constitutes the sole agreement of the parties hereto with regard to the matters covered in this Agreement, and correctly states the rights, duties and obligations of each party as of the document’s date. Any prior agreement, promises, negotiations or representations between the parties not expressly stated in this document are not binding. Any subsequent modifications must be in writing and

executed by the parties. In the event of a conflict between the terms, conditions or specifications set forth herein and those in Exhibit A attached hereto, the terms, conditions or specifications set forth herein shall prevail.

14. Governing Law. This Agreement shall be governed by the laws of the State of California and any suit or action initiated by either party shall be brought in the County of San Mateo, California.
15. Notices. All notices hereby required under this agreement shall be in writing and delivered in person or sent by certified mail, postage prepaid and addressed as follows:

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

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

Dowling Associates, Inc.
180 Grand Avenue, Suite 250
Oakland, CA 94612
Attention: Richard Dowling

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

Dowling Associates, Inc. (Consultant)

By _____ Date _____
Richard Dowling, Principle

City/County Association of Governments (C/CAG)

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

By _____ Date _____
C/CAG Legal Counsel



Billing Schedule 2010

Dowling Associates has established the following billing rates for our professional consulting services through December 15, 2010.

Classification	Hourly Rate
President	\$350
Principal Emeritus	\$295
Principal	\$210-\$235
Principal Associate	\$180-\$190
Research Engineer/Planner	\$165-\$225
Senior Engineer/Planner	\$145-\$180
Associate Engineer/Planner	\$115-\$135
Accounting	\$154-\$210
Graphic Artist	\$90 -\$100
Executive Assistant	\$70 -\$90

Expert witness charges available upon request.

Direct Expenses

The above rates include standard overhead items. The rates in the table below apply to non-standard items. Personal auto is billed at current IRS rates. All outside services and expenses are billed at cost, plus administrative cost of fifteen percent.

Item	Rate
Personal Auto Use	Current IRS Rate
Commercial Air and other Travel Expenses	Actual Cost
Delivery	Actual Cost
Teleconferences, Long Distance Phone	Actual Cost
Outside Printing and Binding	Actual Cost
Plotter maps and charts	\$6 per square foot

Invoices are due and payable within thirty days.
 Rates are subject to revision December 16, 2010.

Updated November 10, 2009

C/CAG AGENDA REPORT

Date: May 13, 2010
To: City/County Association of Governments Board of Directors
From: Richard Napier, C/CAG Executive Director
Subject: Review and approval of resolution 10-22 authorizing the C/CAG Chair to execute an agreement with Cambridge Systematics for on-call Travel Demand Forecasting model services to be shared in the aggregate amount not to exceed \$500,000 for a three (3) year term among three firms and further authorize the Executive Director to make minor changes to said agreement upon consultation with Cambridge Systematics.

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

RECOMMENDATION

That the C/CAG Board review and Approve Resolution 10-22 authorizing the C/CAG Chair to execute an agreement with Cambridge Systematics for on-call Travel Demand Forecasting model services to be shared in the aggregate amount not to exceed \$500,000 for a three (3) year term among three firms and further authorize the Executive Director to make minor changes to said agreement upon consultation with Cambridge Systematics.

FISCAL IMPACT

Execution of this agreement will authorize the expenditure of up to \$500,000 over a three-year term among three modeling firms. Actual expenditures will be determined based on specific tasks orders to be approved by the Executive Director. Authorization to proceed will be given to consultant only after approval to execute a specific task order.

SOURCE OF FUNDS

Funding source will come from C/CAG congestion management funds. The San Mateo County Transportation Authority will reimburse up to one half of the cost of maintenance and upgrade of the model. In addition, the cost of model task orders for non-C/CAG projects will be fully reimbursed by project sponsors.

BACKGROUND/DISCUSSION

C/CAG is the designated Congestion Management Agency responsible for the development and implementation of the Congestion Management Program (CMP) for San Mateo County. California Government Code requires Congestion Management Agencies to develop and maintain a computerized Travel Demand Forecasting Model within their jurisdiction.

Uses of modeling services include but are not limited to San Mateo Countywide Transportation Plan (CTP) updates, major transit and highway improvement needs assessments, and identifying the benefits of major transit, freeway, and interchange modification projects. In addition modeling services may be made available for local project sponsors with full reimbursement.

The purpose of an on-call consultants list is to pre-qualify firms to engage in work required by public agencies. Pre-qualification expedites the selection and contracting process and introduces an additional degree of competitive pressure to ensure responsiveness and timely performance. If one firm is not available to perform needed work according to schedule and budgetary requirements, another firm on the on-call list that can do so is selected to perform the work. On call firms are aware of the option that an agency has to turn to another firm, so has an incentive to commit to performing the work within required schedule and budget constraints. Many Bay Area transportation agencies have established on-call list of consulting firms, including Samtrans, BART, the San Francisco Municipal Transportation Agency, AC Transit, and others.

Competitive Procurement Process:

C/CAG solicited qualifications from ten leading travel demand forecasting model service forecasting firms for the purpose of establishing a pre-qualified on-call list of firms to support the C/CAG forecasting model and its applications. Seven firms responded by submitting qualifications, which were evaluated by a panel of C/CAG staff members and three external reviewers, including representatives for the San Mateo County Transportation Authority, Caltrans, and the Santa Clara Valley Transportation Authority (VTA).

Four firms were invited for an interview before the five-member review panel. Three firms, Dowling Associates, Inc., Cambridge Systematics, and AECOM Technical Services, Inc. were recommended for the C/CAG on-call list by the review panel. These recommendations were reviewed and accepted by the C/CAG Executive Director.

Agreement with Cambridge Systematics:

C/CAG staff is requesting that an on-call contract be directed to Cambridge Systematics. The basis is that that Cambridge Systematics was selected through a competitive procurement process and is consistent with the competitive review process required in the C/CAG Procurement Policy. Two other firms will be selected for on-call contracts to perform similar work with an aggregate amount among all three firms not to exceed \$500,000.

The work scope identified under the contract will be on a task order basis under approval of the Executive Director. For specific work scope and payment shall be negotiated and approved before execution of a task order and before expenditures take place.

A draft of the agreement is attached hereto and will be approved as to form by C/CAG legal counsel prior to execution.

ATTACHMENT

- Resolution 10-22
- Draft Agreement between C/CAG and Cambridge Systematics

RESOLUTION 10-22

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) AUTHORIZING THE C/CAG CHAIR TO EXECUTE AN AGREEMENT WITH CAMBRIDGE SYSTEMATICS FOR ON-CALL TRAVEL DEMAND FORECASTING MODEL SERVICES TO BE SHARED IN THE AGGREGATE AMOUNT NOT TO EXCEED \$500,000 FOR A THREE (3) YEAR TERM AMONG THREE FIRMS

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

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

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

WHEREAS, C/CAG has determined that outside consulting services are needed for model services; and

WHEREAS, C/CAG has selected Cambridge Systematics to provide these on-call services; and

WHEREAS, C/CAG will negotiate and execute individual task orders for specific services on an as-needed basis.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the Board authorize the C/CAG Chair to execute an agreement with Cambridge Systematics to provide on-call travel demand forecasting model services for up to \$500,000 for a three-year base term to be shared in the aggregate among all three firms selected through the same request for qualifications process and further authorize the Executive Director to make minor changes to said agreement upon consultation with Cambridge Systematics. The final agreement will be reviewed and approved by C/CAG Legal Counsel as to form.

In accordance with C/CAG established policy, the Chair may administratively authorize up to an additional 5% of the total contract amount in the event that there are unforeseen costs associated with the project.

PASSED, APPROVED, AND ADOPTED THIS 13TH DAY OF MAY 2010.

Thomas M. Kasten, Chair

**AGREEMENT BETWEEN
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF
SAN MATEO COUNTY
AND CAMBRIDGE SYSTEMATICS**

This Agreement entered this 13th day of May, 2010, by and between the CITY/COUNTY ASSOCIATION OF GOVERNMENTS, a joint powers agency formed for the purpose of preparation, adoption and monitoring of a variety of county-wide plans, hereinafter called "C/CAG" and Cambridge Systematics hereinafter called "Consultant."

W I T N E S S E T H

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

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

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

WHEREAS, Cambridge Systematics has been pre-qualified in a competitive review process to assess capabilities in computer traffic simulation and forecast modeling; and

WHEREAS, by adoption of Resolution 10-22 and Resolution 10-24, the C/CAG Board of Directors has authorized the C/CAG Chair to execute an agreement with Cambridge Systematics for on-call Travel Demand Forecasting model services for a three (3) year term, and further authorizing the Executive Director to execute task orders in full conformity with the terms and conditions of the agreement.

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

1. Services to be provided by Consultant. As needs are identified, C/CAG staff will present the Consultant with a proposed scope of work for a specific task and request a cost proposal. The Consultant will provide C/CAG with a cost proposal for the specific task. Specific work scope and payment may be negotiated. A task order defining cost and schedule will be prepared for execution. The C/CAG Executive Director must approve and execute the task order before procurement of any expenditure. Consultant shall provide services consistent with its proposal submitted to C/CAG and incorporated by reference.
2. Payments. C/CAG shall reimburse Consultant on a time and materials basis based on the executed task order and the hourly rate shown in Exhibit A. Consultant shall

submit to C/CAG for its approval monthly invoices for payment to be made within sixty (60) days of the date of the invoice.

3. Relationship of the Parties. It is understood that Consultant is an Independent Contractor, and that this Agreement is not intended to, and shall not be construed to, create the relationship of agent, servant, employee, partnership, joint venture or association, or any other relationship whatsoever other than that of Independent Contractor.
4. Non-Assignability. Neither party to this Agreement may assign this Agreement or any portion thereof to a third party.
5. Contract Term. This Agreement shall be in effect as of May 13, 2010, and shall terminate on June 30th, 2013 unless otherwise extended or terminated as set forth herein. Either party may terminate this Agreement at any time for any reason by providing 30 days' notice to the other party. Termination to be effective on the date specified in the notice. In the event of termination under this paragraph, Consultant shall be paid for all services provided to the date of termination. The term of this Agreement may be extended by written mutual agreement.
6. Hold Harmless/ Indemnity: Consultant shall indemnify and hold harmless C/CAG from all claims, suits or actions to the extent caused by the negligent acts, errors, or omissions of the Consultant, its agents, officers or employees related to or resulting from the performance or non-performance under this Agreement.
7. Insurance: Consultant or any sub-consultants performing the services on behalf of Consultant shall not commence work under this Agreement until all Insurance required under this section has been obtained, and such insurance has been approved by the C/CAG Staff. Consultant shall furnish the C/CAG Staff with Certificates of Insurance evidencing the required coverage and there shall be a specific contractual liability endorsement extending the Consultant's coverage to include the contractual liability assumed by the Consultant pursuant to this Agreement (subject to all terms and conditions of said policies). These Certificates shall specify or be endorsed to provide that thirty (30) days notice be given, in writing, to C/CAG of any pending change in the limits of liability or of non-renewal, cancellation, or modification of the policy. Such Insurance shall include at a minimum the following:

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

Liability Insurance: Consultant shall take out and maintain during the life of this Agreement Bodily Injury Liability and Property Damage Liability Insurance from claims for damages for bodily injury, including accidental death, as well as operations under this Agreement, whether such operations be by the Consultant or by anyone directly or indirectly employed by the Consultant (subject to all terms and conditions of said policy). Such insurance shall be combined single limit bodily

injury and property damage for each occurrence and shall be not less than \$1,000,000 unless another amount is specified below and shows approval by C/CAG Staff.

Required insurance shall include:

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

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

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

8. Non-discrimination. The Consultant and any sub-consultants performing the services on behalf of the Consultant shall not discriminate or permit discrimination against any person or group of persons on the basis or race, color, religion, national origin or ancestry, age, sex, sexual orientation, marital status, pregnancy, childbirth or related conditions, medical condition, mental or physical disability or veteran's status, or in any manner prohibited by federal, state or local laws.
9. Compliance with All Laws. Consultant shall at all times comply with all applicable laws and regulations, including without limitation those regarding services to disabled persons, including any requirements of Section 504 of the Rehabilitation Act of 1973.
10. Substitutions: If particular people are identified in this Agreement are providing services under this Agreement, the Consultant will not assign others to work in their place without written permission from C/CAG. Any substitution shall be with a person of commensurate experience and knowledge.
11. Sole Property of C/CAG: Any system or documents developed, produced or provided under this Agreement shall become the sole property of C/CAG. Consultant's system

or documents developed, produced, or provided (“Documents”), however, are not intended or represented to be suitable for reuse by C/CAG or others for any purpose other than the travel demand forecasting model (the “Model”) that is the subject of this Agreement. Any modification of the Model without written verification or adaptation by Consultant will be at the user’s sole risk and without liability or legal exposure to Consultant. In the event C/CAG, its employees, permitted assigns, successors, consultants and contractors (hereafter collectively “C/CAG”), subsequently modifies and then reproduces or otherwise uses Consultant’s Documents or creates a derivative work based upon Consultant’s Documents, C/CAG shall, where permitted or required by law, remove or completely obliterate the original professional seals, trademarks, logos, and other indications on said Documents of the identity of Consultant, its employees and consultants.

In the event of any future use of Consultant’s modified Documents without written verification or adaptation by Consultant, whether such use is made by C/CAG, its members, permitted assigns, successors, agents or consultants or contractors, to the fullest extent permitted by law, C/CAG hereby waives, releases and forever discharges Consultant, its officers, directors, shareholders, employees, successors, assigns, affiliates, subsidiaries, consultants, agents and insurance carriers (collectively the “Releasees”) from, and covenants not to sue on account of, any and all claims for damages, liabilities, losses, demands, costs and expenses of whatsoever kind or whatsoever nature (including, but not limited to, any claims of attorneys’ fees) for bodily injury, sickness, disease or death, or for injury to or destruction of tangible property which C/CAG may have or which may hereafter accrue to C/CAG as a result of any future use of Consultant’s modified Documents by C/CAG, its employees, permitted assigns, successors, agents or consultants or contractors. This release is intended to the fullest extent permitted by law to discharge the Releasees from and against any and all liability arising out of or connected in any way with any such future use of Consultant’s modified Documents even though that liability may arise out of any negligence or carelessness on the part of any such Releasee named above. It is further understood and agreed that this release is to be binding on C/CAG, its employees, permitted assigns, successors, consultants, contractors, or any other person or entity claiming by, through or under C/CAG.

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

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

13. Merger Clause. This Agreement, including Exhibit A attached hereto and incorporated herein by reference, constitutes the sole agreement of the parties hereto with regard to the matters covered in this Agreement, and correctly states the rights, duties and obligations of each party as of the document’s date. Any prior agreement, promises, negotiations or representations between the parties not expressly stated in this document are not binding. Any subsequent modifications must be in writing and

executed by the parties. In the event of a conflict between the terms, conditions or specifications set forth herein and those in Exhibit A attached hereto, the terms, conditions or specifications set forth herein shall prevail.

- 14. Governing Law. This Agreement shall be governed by the laws of the State of California and any suit or action initiated by either party shall be brought in the County of San Mateo, California.
- 15. Notices. All notices hereby required under this agreement shall be in writing and delivered in person or sent by certified mail, postage prepaid and addressed as follows:

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

Notices required to be given to Consultant shall be addressed as follows:
Cambridge Systematics
555 12th Street, Suite 1600
Oakland, CA 94607
Attention: Christopher Wornum

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

Cambridge Systematics (Consultant)

By _____ Date _____
Christopher Wornum, Principle

City/County Association of Governments (C/CAG)

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

By _____ Date _____
C/CAG Legal Counsel

Exhibit A

Name	Role	Loaded Hourly Rate		
		FY 2010	FY 2011	FY 2012
Yushuang Zhou	Project Manager	\$ 195.06	\$ 204.81	\$ 215.05
Ron West	Principal In Charge	\$ 213.88	\$ 224.57	\$ 235.80
Chris Wornum	Planner Liason	\$ 263.52	\$ 276.70	\$ 290.53
Lawrence Liao	Deputy PM	\$ 179.10	\$ 188.06	\$ 197.46
Michelle Bina	Modeler	\$ 112.15	\$ 117.76	\$ 123.65
Arun Kuppam	Senior Modeler	\$ 181.38	\$ 190.45	\$ 199.97
Praveen Srivastava	GIS Specialist	\$ 101.58	\$ 106.66	\$ 111.99
Sashank Musti	Modeler	\$ 99.95	\$ 104.95	\$ 110.19
David Kurth	Senior Modeler	\$ 239.57	\$ 251.55	\$ 264.13
Andrew Tang	Senior Transportation Planner	\$ 174.53	\$ 183.26	\$ 192.42
Wendy Tao	Transportation Planner	\$ 128.89	\$ 135.33	\$ 142.10
Production Support		\$ 95.86	\$ 100.65	\$ 105.69

C/CAG AGENDA REPORT

Date: May 13, 2010
To: City/County Association of Governments Board of Directors
From: Richard Napier, C/CAG Executive Director
Subject: Review and approval of resolution 10-23 authorizing the C/CAG Chair to execute an agreement with AECOM Technical Services, Inc. for on-call Travel Demand Forecasting model services to be shared in the aggregate amount not to exceed \$500,000 for a three (3) year term among three firms and further authorize the Executive Director to make minor changes to said agreement upon consultation with AECOM Technical Services, Inc.

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

RECOMMENDATION

That the C/CAG Board review and Approve Resolution 10-23 authorizing the C/CAG Chair to execute an agreement with AECOM Technical Services, Inc. for on-call Travel Demand Forecasting model services to be shared in the aggregate amount not to exceed \$500,000 for a three (3) year term among three firms and further authorize the Executive Director to make minor changes to said agreement upon consultation with AECOM Technical Services, Inc.

FISCAL IMPACT

Execution of this agreement will authorize the expenditure of up to \$500,000 over a three-year term among three modeling firms. Actual expenditures will be determined based on specific tasks orders to be approved by the Executive Director. Authorization to proceed will be given to consultant only after approval to execute a specific task order.

SOURCE OF FUNDS

Funding source will come from C/CAG congestion management funds. The San Mateo County Transportation Authority will reimburse up to one half of the cost of maintenance and upgrade of the model. In addition, the cost of model task orders for non-C/CAG projects will be fully reimbursed by project sponsors.

BACKGROUND/DISCUSSION

C/CAG is the designated Congestion Management Agency responsible for the development and implementation of the Congestion Management Program (CMP) for San Mateo County. California Government Code requires Congestion Management Agencies to develop and maintain a computerized Travel Demand Forecasting Model within their jurisdiction.

Uses of modeling services include but are not limited to San Mateo Countywide Transportation Plan (CTP) updates, major transit and highway improvement needs assessments, and identifying the benefits of major transit, freeway, and interchange modification projects. In addition modeling services may be made available for local project sponsors with full reimbursement.

The purpose of an on-call consultants list is to pre-qualify firms to engage in work required by public agencies. Pre-qualification expedites the selection and contracting process and introduces an additional degree of competitive pressure to ensure responsiveness and timely performance. If one firm is not available to perform needed work according to schedule and budgetary requirements, another firm on the on-call list that can do so is selected to perform the work. On call firms are aware of the option that an agency has to turn to another firm, so has an incentive to commit to performing the work within required schedule and budget constraints. Many Bay Area transportation agencies have established on-call list of consulting firms, including Samtrans, BART, the San Francisco Municipal Transportation Agency, AC Transit, and others.

Competitive Procurement Process:

C/CAG solicited qualifications from ten leading travel demand forecasting model service forecasting firms for the purpose of establishing a pre-qualified on-call list of firms to support the C/CAG forecasting model and its applications. Seven firms responded by submitting qualifications, which were evaluated by a panel of C/CAG staff members and three external reviewers, including representatives for the San Mateo County Transportation Authority, Caltrans, and the Santa Clara Valley Transportation Authority (VTA).

Four firms were invited for an interview before the five-member review panel. Three firms, Dowling Associates, Inc., Cambridge Systematics, and AECOM Technical Services, Inc. were recommended for the C/CAG on-call list by the review panel. These recommendations were reviewed and accepted by the C/CAG Executive Director.

Agreement with AECOM Technical Services, Inc.:

C/CAG staff is requesting that an on-call contract be directed to AECOM Technical Services, Inc.. The basis is that that AECOM Technical Services, Inc. was selected through a competitive procurement process and is consistent with the competitive review process required in the C/CAG Procurement Policy. Two other firms will be selected for on-call contracts to perform similar work with an aggregate amount among all three firms not to exceed \$500,000.

The work scope identified under the contract will be on a task order basis under approval of the Executive Director. For specific work scope and payment shall be negotiated and approved before execution of a task order and before expenditures take place.

A draft of the agreement is attached hereto and will be approved as to form by C/CAG legal counsel prior to execution.

ATTACHMENT

- Resolution 10-23
- Draft Agreement between C/CAG and AECOM Technical Services, Inc.

RESOLUTION 10-23

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) AUTHORIZING THE C/CAG CHAIR TO EXECUTE AN AGREEMENT WITH AECOM TECHNICAL SERVICES, INC. FOR ON-CALL TRAVEL DEMAND FORECASTING MODEL SERVICES TO BE SHARED IN THE AGGREGATE AMOUNT NOT TO EXCEED \$500,000 FOR A THREE (3) YEAR TERM AMONG THREE FIRMS

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

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

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

WHEREAS, C/CAG has determined that outside consulting services are needed for model services; and

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

WHEREAS, C/CAG will negotiate and execute individual task orders for specific services on an as-needed basis.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the Board authorize the C/CAG Chair to execute an agreement with AECOM Technical Services, Inc. to provide on-call travel demand forecasting model services for up to \$500,000 for a three-year base term to be shared in the aggregate among all three firms selected through the same request for qualifications process and further authorize the Executive Director to make minor changes to said agreement upon consultation with AECOM Technical Services, Inc. The final agreement will be reviewed and approved by C/CAG Legal Counsel as to form.

In accordance with C/CAG established policy, the Chair may administratively authorize up to an additional 5% of the total contract amount in the event that there are unforeseen costs associated with the project.

PASSED, APPROVED, AND ADOPTED THIS 13TH DAY OF MAY 2010.

Thomas M. Kasten, Chair

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

This Agreement entered this 13th day of May, 2010, by and between the CITY/COUNTY ASSOCIATION OF GOVERNMENTS, a joint powers agency formed for the purpose of preparation, adoption and monitoring of a variety of county-wide plans, hereinafter called "C/CAG" and AECOM Technical Services, Inc. hereinafter called "Consultant."

W I T N E S S E T H

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

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

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

WHEREAS, AECOM Technical Services, Inc. has been pre-qualified in a competitive review process to assess capabilities in computer traffic simulation and forecast modeling; and

WHEREAS, by adoption of Resolution 10-23 and Resolution 10-24, the C/CAG Board of Directors has authorized the C/CAG Chair to execute an agreement with AECOM Technical Services, Inc. for on-call Travel Demand Forecasting model services for a three (3) year term, and further authorizing the Executive Director to execute task orders in full conformity with the terms and conditions of the agreement.

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

1. Services to be provided by Consultant. As needs are identified, C/CAG staff will present the Consultant with a proposed scope of work for a specific task and request a cost proposal. The Consultant will provide C/CAG with a cost proposal for the specific task. Specific work scope and payment may be negotiated. A task order defining cost and schedule will be prepared for execution. The C/CAG Executive Director must approve and execute the task order before procurement of any expenditure. Consultant shall provide services consistent with its proposal submitted to C/CAG and incorporated by reference.
2. Payments. C/CAG shall reimburse Consultant on a time and materials basis based on the executed task order and the hourly rate shown in Exhibit A. Consultant shall

submit to C/CAG for its approval monthly invoices for payment to be made within sixty (60) days of the date of the invoice.

3. Relationship of the Parties. It is understood that Consultant is an Independent Contractor, and that this Agreement is not intended to, and shall not be construed to, create the relationship of agent, servant, employee, partnership, joint venture or association, or any other relationship whatsoever other than that of Independent Contractor.
4. Non-Assignability. Neither party to this Agreement may assign this Agreement or any portion thereof to a third party.
5. Contract Term. This Agreement shall be in effect as of May 13, 2010, and shall terminate on June 30th, 2013 unless otherwise extended or terminated as set forth herein. Either party may terminate this Agreement at any time for any reason by providing 30 days' notice to the other party. Termination to be effective on the date specified in the notice. In the event of termination under this paragraph, Consultant shall be paid for all services provided to the date of termination. The term of this Agreement may be extended by written mutual agreement.
6. Hold Harmless/ Indemnity: Consultant shall indemnify and hold harmless C/CAG from all claims, suits or actions to the extent caused by the negligent acts, errors, or omissions of the Consultant, its agents, officers or employees related to or resulting from the performance or non-performance under this Agreement.
7. Insurance: Consultant or any sub-consultants performing the services on behalf of Consultant shall not commence work under this Agreement until all Insurance required under this section has been obtained, and such insurance has been approved by the C/CAG Staff. Consultant shall furnish the C/CAG Staff with Certificates of Insurance evidencing the required coverage and there shall be a specific contractual liability endorsement extending the Consultant's coverage to include the contractual liability assumed by the Consultant pursuant to this Agreement (subject to all terms and conditions of said policies). These Certificates shall specify or be endorsed to provide that thirty (30) days notice be given, in writing, to C/CAG of any pending change in the limits of liability or of non-renewal, cancellation, or modification of the policy. Such Insurance shall include at a minimum the following:

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

Liability Insurance: Consultant shall take out and maintain during the life of this Agreement Bodily Injury Liability and Property Damage Liability Insurance from claims for damages for bodily injury, including accidental death, as well as operations under this Agreement, whether such operations be by the Consultant or by anyone directly or indirectly employed by the Consultant (subject to all terms and conditions of said policy). Such insurance shall be combined single limit bodily

injury and property damage for each occurrence and shall be not less than \$1,000,000 unless another amount is specified below and shows approval by C/CAG Staff.

Required insurance shall include:

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

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

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

8. Non-discrimination. The Consultant and any sub-consultants performing the services on behalf of the Consultant shall not discriminate or permit discrimination against any person or group of persons on the basis or race, color, religion, national origin or ancestry, age, sex, sexual orientation, marital status, pregnancy, childbirth or related conditions, medical condition, mental or physical disability or veteran's status, or in any manner prohibited by federal, state or local laws.
9. Compliance with All Laws. Consultant shall at all times comply with all applicable laws and regulations, including without limitation those regarding services to disabled persons, including any requirements of Section 504 of the Rehabilitation Act of 1973.
10. Substitutions: If particular people are identified in this Agreement are providing services under this Agreement, the Consultant will not assign others to work in their place without written permission from C/CAG. Any substitution shall be with a person of commensurate experience and knowledge.
11. Sole Property of C/CAG: Any system or documents developed, produced or provided under this Agreement shall become the sole property of C/CAG. Consultant's system

or documents developed, produced, or provided (“Documents”), however, are not intended or represented to be suitable for reuse by C/CAG or others for any purpose other than the travel demand forecasting model (the “Model”) that is the subject of this Agreement. Any modification of the Model without written verification or adaptation by Consultant will be at the user’s sole risk and without liability or legal exposure to Consultant. In the event C/CAG, its employees, permitted assigns, successors, consultants and contractors (hereafter collectively “C/CAG”), subsequently modifies and then reproduces or otherwise uses Consultant’s Documents or creates a derivative work based upon Consultant’s Documents, C/CAG shall, where permitted or required by law, remove or completely obliterate the original professional seals, trademarks, logos, and other indications on said Documents of the identity of Consultant, its employees and consultants.

In the event of any future use of Consultant’s modified Documents without written verification or adaptation by Consultant, whether such use is made by C/CAG, its members, permitted assigns, successors, agents or consultants or contractors, to the fullest extent permitted by law, C/CAG hereby waives, releases and forever discharges Consultant, its officers, directors, shareholders, employees, successors, assigns, affiliates, subsidiaries, consultants, agents and insurance carriers (collectively the “Releasees”) from, and covenants not to sue on account of, any and all claims for damages, liabilities, losses, demands, costs and expenses of whatsoever kind or whatsoever nature (including, but not limited to, any claims of attorneys’ fees) for bodily injury, sickness, disease or death, or for injury to or destruction of tangible property which C/CAG may have or which may hereafter accrue to C/CAG as a result of any future use of Consultant’s modified Documents by C/CAG, its employees, permitted assigns, successors, agents or consultants or contractors. This release is intended to the fullest extent permitted by law to discharge the Releasees from and against any and all liability arising out of or connected in any way with any such future use of Consultant’s modified Documents even though that liability may arise out of any negligence or carelessness on the part of any such Releasee named above. It is further understood and agreed that this release is to be binding on C/CAG, its employees, permitted assigns, successors, consultants, contractors, or any other person or entity claiming by, through or under C/CAG.

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

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

13. Merger Clause. This Agreement, including Exhibit A attached hereto and incorporated herein by reference, constitutes the sole agreement of the parties hereto with regard to the matters covered in this Agreement, and correctly states the rights, duties and obligations of each party as of the document’s date. Any prior agreement, promises, negotiations or representations between the parties not expressly stated in this document are not binding. Any subsequent modifications must be in writing and

executed by the parties. In the event of a conflict between the terms, conditions or specifications set forth herein and those in Exhibit A attached hereto, the terms, conditions or specifications set forth herein shall prevail.

14. Governing Law. This Agreement shall be governed by the laws of the State of California and any suit or action initiated by either party shall be brought in the County of San Mateo, California.
15. Notices. All notices hereby required under this agreement shall be in writing and delivered in person or sent by certified mail, postage prepaid and addressed as follows:

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

Notices required to be given to Consultant shall be addressed as follows:
AECOM Technical Services, Inc.
3101 Wilson Boulevard, 4th Floor
Arlington, VA 22201
Attention: Patrick Coleman

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

AECOM Technical Services, Inc. (Consultant)

By _____ Date _____
William A Woodford, Principle

City/County Association of Governments (C/CAG)

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

By _____ Date _____
C/CAG Legal Counsel

C/CAG On Call Travel Demand Services
 Proposed AECOM Rates for CY 2010
 5/5/10

Employee	Title	CY 10		
		Direct Labor Rate	Fully-loaded w/160.29 % OH and 10% fee	Full loaded rate
Woodford, William	Project Director and QA/QC	\$131.69	\$377.05	
Ogden, Brent	Project Advisor			\$290.00
Coleman, Patrick	Project Manager	\$80.82	\$231.40	
Chan, Jeffrey	Deputy Project Manager			\$180.00
Schmitt, David	Citilabs Training	\$71.57	\$204.92	
Capelle, Colin	Analyst	\$39.62	\$113.44	
Dhakras, Bhairavi	Analyst	\$39.24	\$112.35	
Neelisetty, Srikanth	Analyst	\$40.22	\$115.16	
Mangonon, Anthony	Analyst			\$130.00

C/CAG AGENDA REPORT

Date: May 13, 2010

To: City/County Association of Governments Board of Directors

From: Richard Napier, 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)

RECOMMENDATION

That the C/CAG Board review and approve recommendations on the attached C/CAG Legislation “Support” and “Watch” Legislative List report and that the C/CAG Board review the attached “State Legislative Update – April”.

FISCAL IMPACT

Not applicable.

SOURCE OF FUNDS

Not applicable.

LEGISLATIVE PRIORITY

“Support” List

BACKGROUND/DISCUSSION

Each year C/CAG monitors legislation pertinent to its mission. Bills are classified into a “Support” and a “Watch” list for appropriate follow-up by C/CAG staff lobbyist. Each list is presented below.

ATTACHMENTS

- C/CAG Legislation “Support” and “Watch” List Status
- State Legislative Update – April 2010

C/CAG LEGISLATION “SUPPORT” AND “WATCH” LIST STATUS

SUPPORT LIST

BILL: SB 965

http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=sb_965&sess=0910&house=B

AUTHOR: DeSaulnier (D)

<http://www.senate.ca.gov/DeSaulnier>

SUBJECT: High-speed rail

STATUS:

SENATE APPR.

4/26/2010 - From committee: Do pass. (Ayes 8. Noes 1.)

4/29/2010 #30 SENATE SENATE BILLS-SECOND READING FILE

SUMMARY:

Existing law, the California High-Speed Train Act, creates the High-Speed Rail Authority to develop and implement a high-speed train system in the state, with specified powers and duties. Existing law, the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, approved by the voters as Proposition 1A at the November 4, 2008, general election, provides for the issuance of \$9.95 billion in general obligation bonds for high-speed rail and related purposes. This bill, subject to appropriation by the Legislature, would authorize the authority to expend federal funds made available by the federal American Recovery and Reinvestment Act (ARRA) for high-speed rail purposes. The bill would require the authority to take various actions in that regard. The bill would also require the authority to submit to the Legislature an expenditure plan for the federal funds within 60 days of enactment of this act or upon finalization of a cooperative agreement with the federal government, whichever occurs later, and to submit a progress report on expenditure of the funds to the Legislature on the following December 31 and annually thereafter. The bill would make legislative findings and declarations relative to the award of federal funds to the state by ARRA for high-speed rail purposes. The bill would exempt the Transbay Terminal project in San Francisco from these provisions if ARRA funds are made available to the Transbay Joint Powers Authority for that project.

Last Amended on 4/7/2010

RECOMMENDATION: SUPPORT

BILL: SB 1333

http://www.leginfo.ca.gov/pub/09-10/bill/sen/sb_1301-1350/sb_1333_bill_20100426_amended_sen_v97.html

AUTHOR: Lee (D)

<http://dist08.casen.govoffice.com/>

SUBJECT: Airport Avigation Easements

STATUS:

4/30/2010 Set for hearing May 10.

SENATE APPR. 4/26/2010

SUMMARY:

The State Aeronautics Act governs the creation and operation of airports in this state. The act provides for the establishment of county airport land use commissions to carry out various requirements, including the formulation of a comprehensive land use compatibility plan to provide for the orderly growth of the airport and the area surrounding the airport within the jurisdiction of the commission, and to safeguard the general welfare of the inhabitants within the vicinity of the airport and the public in general. The act authorizes any person authorized to exercise the power of eminent domain for airport purposes to acquire by purchase, gift, devise, lease, condemnation, or otherwise airspace or an easement in airspace above the surface of property where necessary to permit imposition upon the property of excessive noise, vibration, discomfort, inconvenience, interference with use and enjoyment, and any consequent reduction in market value, due to the operation of aircraft to and from the airport. This bill would provide that if a political subdivision, as defined, conditions approval of a noise-sensitive project, as defined, upon the grant of an avigation easement, as defined, to the owner or operator of an airport, the avigation easement shall be required to be granted to the owner or operator of the airport prior to the issuance of the building permit that allows construction or reconstruction of the noise-sensitive project. The bill would require that the avigation easement include a termination clause that operates to terminate the avigation easement if the noise-sensitive project is not built and the permit or any permit extension authorizing construction or reconstruction has expired or has been revoked. The bill would require the political subdivision that issued the permit to notify the owner or operator of the airport of the expiration or revocation of the permit within 30 days of its expiration or revocation. The bill would require the owner or operator of the airport to record a notice of termination with the county recorder of the county where the property is located within 90 days after receipt of the notice from the political subdivision, and to provide the political subdivision with proof of filing of the notice of termination within 30 days of it being recorded. By requiring a political subdivision to provide notice of the expiration or revocation of the permit to the owner or

operator of an airport and by requiring the recording of a notice of termination, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

RECOMMENDATION: SUPPORT

WATCH LIST

BILL: AB 2620

http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=ab_2620&sess=0910&house=B

AUTHOR: Eng (D)

<http://democrats.assembly.ca.gov/members/a49>>

SUBJECT: Transportation: toll facilities

STATUS:

ASSEMBLY TRANS.

4/12/2010 - Re-referred to Com. on TRANS.

ASSEMBLY APPROPRIATIONS COMMITTEE, FUENTES, CHAIR

SUMMARY:

Existing law provides that the Department of Transportation shall have full possession and control of the state highway system and associated property. Existing law provides for the development of high-occupancy toll lanes on the state highway system by regional transportation agencies under specified circumstances and specifies the use of toll revenues generated from these facilities. This bill would require an unspecified percentage of net toll revenues generated by a toll facility on the state highway system to be dedicated to maintenance, preservation, and rehabilitation of the state highway system, including funding of projects in the state highway operation and protection program. The bill would also make legislative findings and declarations in that regard.

Last Amended on 4/8/2010

BILL: AB 2703

http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=ab_2703&sess=0910&house=B

AUTHOR: Perez (D)

<http://democrats.assembly.ca.gov/members/a46>

SUBJECT: Federal transportation economic stimulus funds: 2nd round.

STATUS:

ASSEMBLY TRANS.

4/12/2010 - Re-referred to Com. on TRANS.

ASSEMBLY FLOOR-SECOND READING

SUMMARY:

Existing law establishes special procedures and formulas for allocation and expenditure of federal transportation economic stimulus funds awarded to the state in 2009. Under these provisions, the Department of Transportation, with the approval of the Department of Finance, may make a loan or loans from a specified portion of those federal funds for the purpose of advancing projects meeting certain criteria that otherwise would be funded from the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, a general obligation bond measure approved by the voters in November 2006 as Proposition 1B. This bill would provide similar authority to advance those projects with loans of federal funds awarded to the state in 2010 under the 2nd round of federal transportation economic stimulus funds. In order to be eligible for an advance, a project would need to have been programmed for Proposition 1B bond funds by an unspecified date and be ready to be awarded within 90 days of federal apportionment. Upon repayment of the loans, these funds would be available for appropriation by the Legislature for the State Highway Operation and Protection Program.

Last Amended on 4/8/2010

RECOMMENDATION: WATCH

BILL: SB 1061

http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=sb_1061&sess=0910&house=B

AUTHOR: Hancock (D)

<http://www.senate.ca.gov/Hancock>

SUBJECT: San Francisco-Oakland Bay Bridge: capital projects.

STATUS:

SENATE APPR.

4/8/2010 - Read second time. Amended. Re-referred to Com. on APPR.

SENATE APPROPRIATIONS COMMITTEE

SUMMARY:

Existing law specifies the respective powers and duties of the Department of Transportation, the Metropolitan Transportation Commission, and the Bay Area Toll

Authority relative to the state-owned toll bridges in the Bay Area. Existing law specifies the major capital projects on the bridges that may be funded from toll revenues. Existing law provides that the authority may increase the toll rates to provide funds for various purposes, including the planning, design, construction, operation, maintenance, repair, replacement, rehabilitation, and seismic retrofit of these bridges. This bill would include, among the projects that may be funded from state-owned toll bridge revenues, a major project on the San Francisco-Oakland Bay Bridge consisting of a bicycle-pedestrian-maintenance pathway linking the pathway on the replacement eastern span with San Francisco, subject to certain conditions. The bill would provide that the project may be sponsored by the Metropolitan Transportation Commission. The bill would prohibit the Bay Area Toll Authority from increasing tolls to fund this project.

Last Amended on 4/8/2010

RECOMMENDATION: WATCH

BILL: SB 1245

http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=sb_1245&sess=0910&house=B

AUTHOR: Simitian (D)

<http://www.senate.ca.gov/Simitian>

SUBJECT: High-occupancy vehicle lanes.

STATUS:

SENATE APPROPRIATIONS COMMITTEE

SUMMARY:

Existing law provides for the Department of Transportation and local authorities, with respect to highways under their respective jurisdictions, to authorize or permit exclusive or preferential use of highway lanes for high-occupancy vehicles (HOVs). Existing law authorizes the development and implementation of high-occupancy toll (HOT) lanes under limited circumstances, pursuant to which vehicles that do not meet the vehicle occupancy requirements for use of an HOV lane may use the lane upon payment of a toll. This bill would require an HOV lane, including, but not limited to, a HOT lane, on a highway or bridge that was free of tolls to HOVs as of January 1, 2010, to remain free of tolls with respect to HOVs.

RECOMMENDATION: WATCH

BILL: SB 1299

http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=sb_1299&sess=0910&house=B

AUTHOR: Lowenthal (D)
<http://www.senate.ca.gov/Lowenthal>

SUBJECT: Vehicles: vehicle miles traveled fee (VMT).

STATUS:
SENATE APPR.

4/14/2010 - From committee: Do pass, but first be re-referred to Com. on APPR. (Ayes 7. Noes 1. Page 3186.) Re-referred to Com. on APPR.

5/3/2010 11 a.m. - John L. Burton Hearing Room (4203) SENATE
APPROPRIATIONS, KEHOE, Chair

SUMMARY:

Existing law requires the Department of Motor Vehicles and the Department of the California Highway Patrol to each shall file, at least monthly with the Controller, a report of money received by the department covering all fees for applications accepted by the department and all other moneys received by the Department of Motor Vehicles under the Vehicle Code and, at the same time, to remit all money so reported to the Treasurer. This bill would require the Department of Motor Vehicles to develop and implement, by January 1, 2012, a pilot program designed to assess the following issues related to implementing a vehicle miles traveled (VMT) fee in California. The bill would also require the department to prepare and submit a specified report of its findings to the policy and fiscal committees of the Legislature no later than June 30, 2012. This bill contains other existing laws.

RECOMMENDATION: WATCH

BILL: SB 1320

http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=sb_1320&sess=0910&house=B

AUTHOR: Hancock (D)
<http://www.senate.ca.gov/Hancock>

SUBJECT:
Transit fare evasion and passenger misconduct: administrative adjudication.

STATUS:
SENATE RULES COMMITTEE

SUMMARY:

Existing law provides that it is an infraction, punishable by a fine not to exceed \$250 and by specified community service, to evade the payment of any fare of, or to engage in passenger misconduct on or in a facility or vehicle of a public transportation system. Existing law authorizes the City and County of San Francisco and the Los Angeles

County Metropolitan Transportation Authority to adopt and enforce an ordinance to impose and enforce civil administrative penalties for fare evasion or passenger misconduct, other than by minors, on or in a transit facility or vehicle in lieu of the criminal penalties, with specified administrative adjudication procedures for the imposition and enforcement of the administrative penalties. Fare evasion and passenger misconduct violation penalties are deposited in the general fund of the City and County of San Francisco or the County of Los Angeles, as applicable. This bill would authorize the Alameda-Contra Costa Transit District to adopt and enforce a similar administrative adjudication ordinance. Fare evasion and passenger misconduct violation penalties would be deposited in the general fund of the district.

RECOMMENDATION: WATCH

BILL: SB 1371

http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=sb_1371&sess=0910&house=B

AUTHOR: Lowenthal (D)

<http://www.senate.ca.gov/Lowenthal>

SUBJECT:

Federal transportation economic stimulus funds: 2nd round.

STATUS:

5/3/2010 11:00 p.m. - John L. Burton Hearing Room (4203) SENATE
APPROPRIATIONS, KEHOE, Chair

SUMMARY:

Existing law generally provides for programming and allocation of state and federal transportation capital improvement program funds pursuant to the state transportation improvement program process administered by the California Transportation Commission. Under these provisions, 25% of available funds are available for interregional improvement projects nominated by the Department of Transportation, subject to a requirement that 60% of these funds be available for projects in non-urbanized areas on the interregional road system and for intercity rail projects. The remaining 75% of available funds are available for regional improvement projects nominated by regional agencies. All funds programmed through the state transportation improvement program process are subject to the north-south split, and the regional improvement funds are further subject to the county shares formula. This bill would require the Department of Transportation to work with local transportation agencies to develop a list of potential projects that may be awarded within a 90-day period of the award to the state of 2nd round federal transportation economic stimulus funds. The bill would require the department to submit a monthly status report to the Legislature, as specified, with respect to certain milestones for expenditure of these funds. The bill

would make related legislative findings and declarations. This bill contains other related provisions and other existing laws.

RECOMMENDATION: WATCH

BILL: SB 1418

http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=sb_1418&sess=0910&house=B

AUTHOR: Wiggins (D)

<http://www.senate.ca.gov/Wiggins>

SUBJECT: Transportation: motorist aid services.

STATUS:

SENATE APPROPRIATIONS COMMITTEE

SUMMARY:

Existing law authorizes the establishment of a service authority for freeway emergencies in any county if the board of supervisors of the county and the city councils of a majority of the cities within the county adopt resolutions providing for the establishment of the service authority. Existing law authorizes the Metropolitan Transportation Commission to function as the service authority for freeway emergencies in the San Francisco Bay area counties upon adoption of a resolution, as specified. Existing law authorizes a service authority to impose a fee of \$1 per year on vehicles registered in the counties served by the service authority. Existing law requires moneys received by a service authority to be used for the implementation, maintenance, and operation of a motorist aid system of call boxes and authorizes moneys received by a service authority in excess of what is needed for that system to be used for additional motorist aid services, including, among other things, changeable message signs and lighting for call boxes. Existing law requires any plan or amendment to a plan for a motorist aid system of call boxes for any state highway route to be approved by the Department of Transportation and the Department of the California Highway Patrol. This bill would authorize those service authorities to be established for freeway and expressway services, instead of only freeway emergencies and would delete the provisions authorizing only excess moneys to be used for additional motorist aid services and would instead authorize moneys from the service authority fee on vehicles to be used for the implementation, maintenance, and operation of systems, projects, and programs to aid and assist motorists, including, among other things, a call box system, freeway service patrol, mobile roadside assistance systems, intelligent transportation systems, and traveler information systems. The bill would authorize the Metropolitan Transportation Commission to place call boxes to assist motorists in specified parking or roadway areas in mutually agreed upon state and federal parks. The bill would authorize a service authority to impose a fee of up to \$2 per year on vehicles registered in the counties served by the service authority. The bill would provide that any amendment to an existing plan for a motorist aid network of call boxes adopted by a service authority shall be deemed to be approved by the Department of Transportation

and the Department of the California Highway Patrol unless rejected within 120 days of receipt of the amendment.

RECOMMENDATION: WATCH

BILL: SCA 5

http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=sca_5&sess=0910&house=B

AUTHOR: Hancock (D)

<http://www.senate.ca.gov/Hancock>

SUBJECT: State budget.

STATUS:

SENATE THIRD READING

9/1/2009 - Read second time. To third reading.

4/27/2010 #81 SENATE SENATE BILLS-THIRD READING FILE

SUMMARY:

The California Constitution requires the Governor to submit to the Legislature by January 10 of each year a budget for the ensuing fiscal year, accompanied by a Budget Bill itemizing recommended expenditures. The Constitution requires specified bills, including a bill making a change in state taxes for the purpose of raising revenue, a bill containing an urgency clause, and a bill, including the Budget Bill, that makes certain appropriations from the General Fund, to be passed in each house of the Legislature by a 2/3 vote. This measure would exempt General Fund appropriations in the Budget Bill from the 2/3 vote requirement. This bill contains other related provisions and other existing laws.

RECOMMENDATION: WATCH

BILL: SCA 9

http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=sca_9&sess=0910&house=B

AUTHOR: Ducheny (D)

<http://www.senate.ca.gov/Ducheny>

SUBJECT: Finance: state budget: taxes.

STATUS:

SENATE B. & F.R.

4/12/2010 - Set, first hearing. Testimony taken. Further hearing to be set.

4/26/2010 1:30 p.m. or upon adjournment of session SENATE BUDGET AND FISCAL REVIEW, DUCHENY, Chair Hearing cancelled

SUMMARY:

Existing constitutional provisions require each house of the Legislature to pass a bill appropriating money from the General Fund, except appropriations for the public schools, by a 2/3 vote. This measure would also exempt from this 2/3-vote requirement appropriations made in a Budget Bill, and appropriations made in a bill identified in the Budget Bill as containing only changes in law necessary to implement the Budget Bill. Instead, this measure would require that a Budget Bill, and any bill identified in the Budget Bill as containing only changes in law necessary to implement the Budget Bill, be passed by a 55% vote in each house. This bill contains other related provisions and other existing laws.

RECOMMENDATION: WATCH

BILL: SCA 15

http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=sca_15&sess=0910&house=B

AUTHOR: Calderon (D)

<http://www.senate.ca.gov/Calderon>

SUBJECT: State budget.

STATUS:

SENATE B. & F.R.

4/12/2010 - Set, first hearing. Testimony taken. Further hearing to be set.

4/26/2010 1:30 p.m. or upon adjournment of session SENATE BUDGET AND FISCAL REVIEW, DUCHENY, Chair, Hearing cancelled

SUMMARY:

The California Constitution requires the Governor to submit to the Legislature by January 10 of each year a budget for the ensuing fiscal year, accompanied by a Budget Bill itemizing recommended expenditures. The Constitution requires specified bills, including a bill making a change in state taxes for the purpose of raising revenue, a bill containing an urgency clause, and a bill, including the Budget Bill, that makes certain appropriations from the General Fund, to be passed in each house of the Legislature by a 2/3 vote. This measure would exempt General Fund appropriations in the Budget Bill for the ensuing fiscal year from the 2/3 -vote requirement if the total amount of General Fund revenues estimated by the Legislative Analyst, on or after May 15, for the current fiscal year is at least 5% below the estimate of General Fund revenues set forth in the Budget Bill enacted for the current fiscal year. This bill contains other related provisions and other existing laws.

Last Amended on 4/13/2009

RECOMMENDATION: WATCH



ADVOCATION



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

May 4, 2010

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

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

RE: STATE LEGISLATIVE UPDATE- APRIL

State Budget Update

On March 22nd, the Governor signed ABx8 6 and ABx8 9, otherwise known as the gas tax swap package. The proposal will provide approximately \$5 million to Caltrain and SamTrans for transit operations and capital expenditures for FY 10-11. In addition, the County will receive roughly \$5.6 million in HUTA funding.

State tax collections plummeted unexpectedly in April, wiping out months of steady gains (\$2.6 billion generated since January) that legislators hoped would ease their budget troubles and restore California's economy faster than experts predicted. Revenue for April, the biggest revenue month because it is when most Californians pay their taxes, lagged projections by nearly 30% —roughly \$3 billion, according to state officials.

Economists and finance officials are scurrying to analyze the data to determine what caused the April swoon. Some suspect it sprang from new laws that changed the rhythm of tax payments. It could also reflect the growth in unemployed residents eligible for refunds. The April collections came almost entirely from personal income taxes. Most corporate and sales taxes have not yet been reported. If they, too, come in below projections, the state's budget problem would grow worse.

Lawmakers face a deficit of \$18.6 billion — about 20% of general fund spending — with no easy options left for addressing it, as they have already cut state services severely and temporarily raised income, sales and vehicle taxes. The official number will be released on May 14th, when the Governor unveils his May Revision to the FY 10-11 budget.

Corporations announced higher profits, but the state's unemployment rate reached a new high in March, 12.6%. As result, Californians are paying fewer taxes and buying fewer goods, which depresses sales taxes.

To balance last year's budget, lawmakers tinkered heavily with the state tax code, speeding up the collection of taxes on businesses and individuals. One theory about the April revenue plunge is that those accelerated collections meant some taxes rolled into the Treasury months earlier.

While budget subcommittees convene, no action is expected to take place until at least the end of the June. Republicans have vowed not to vote for any budget solution that contains a tax. Democrats are faced with making cuts to education and health and human services. There are a few transportation related items that the legislature must consider including providing instruction for the allocation of the \$650 million of anticipated revenue to cities, counties, the STIP, and SHOPP from the gas tax swap for FY 10-11.

The Legislature's top two Democrats, Senate President Pro Tem Darrell Steinberg (D-Sacramento) and Assembly Speaker John A. Pérez (D-Los Angeles), were in Washington recently, requesting aid from congressional and Obama administration officials. Steinberg said before leaving that their goal was to gather federal commitments for \$3 billion to \$4 billion.

Redevelopment Funding At Risk

In April 2009, a Sacramento County Superior Court ruled that State raids of redevelopment funds are unconstitutional, invalidating a 2008 state budget bill to take \$350 million in redevelopment funds. Despite the clear unconstitutionality, just three months later legislators and the Governor approved budget bill ABx4-26 as part of the 2009 State budget which authorizes a devastating \$2.05 billion raid of local redevelopment funds, including \$1.7 billion in FY 2009-10 and another \$350 million in FY 2010-11. The California Redevelopment Association (CRA) and two of its member agencies filed a lawsuit on October 20, 2009, *CRA v. Genest*, to challenge the constitutionality of State raids of redevelopment funds.

On May 4th, the judge issued his decision on the CRA lawsuit against the state. CRA lost on all counts. The CRA board is considering whether they should file an appeal, a motion for a stay, etc. Payments would have to be made by May 10th if the court's decision is upheld.

C/CAG AGENDA REPORT

Date: May 13, 2010

TO: C/CAG Board of Directors

From: Richard Napier, Executive Director - C/CAG

Subject: Initial draft, assumptions, and input on the C/CAG 2010-11 Program Budget and Fees
(For further information or response to question's, contact Richard Napier at 650 599-1420)

Recommendation:

Review and provide comments on the initial draft and assumptions of the C/CAG 2010-11 Program Budget and Fees in accordance with the staff recommendation.

Fiscal Impact:

In accordance with the proposed C/CAG 2010-11 Program Budget.

Revenue Sources:

Funding sources for C/CAG include but are not limited to the following:

<u>Source</u>	Amount	% Total
1- Member Assessments (General and Gas Tax)	\$ 748,512	4.39
2- Member San Mateo Congestion Relief Fee	\$ 1,850,000	10.84
3- Metropolitan Transportation Commission Planning Funds	\$ 573,000	3.36
4- Metropolitan Transportation Commission Freeway Perf. Funds	\$ 0	0
5- MTC/ Federal Funds	\$ 250,000	1.47
6- Grants Miscellaneous	\$ 616,000	3.61
7- Transportation Authority Partnerships	\$ 2,265,000	13.28
8- TLSP - State Bond	\$ 1,000,000	5.86
9- Transportation Fund for Clean Air (Motor Vehicle Fee)	\$ 1,007,271	5.90
10- San Mateo Flood Control District Fee/ General Fund	\$ 1,302,856	7.64
11- AVA Service Fee	\$ 680,000	3.99
12- AB 1546 (Motor Vehicle Fee)	\$ 2,600,000	15.24
13- Planning, Programming, and Monitoring (STIP)	\$ 3,960,000	23.21
14- Federal Earmark	\$ 0	
15- MTC Rideshare	\$ 70,000	0.41
16- Interest.	\$ 137,000	0.80
TOTAL REVENUES	\$ 17,059,639	100

<u>Funds Controlled (Not included in C/CAG Budget)</u>	<u>Amount</u>	<u>% Total</u>
17- Member Congestion Relief Match	\$ 600,000	N/A
18- State Transportation Improvement Program Funds (Controlled)	\$15,000,000	N/A
19- Federal STP/ CMAQ Funds (Controlled)	\$ 5,000,000	N/A
20- State TDA Article 3 (Controlled)	\$ 600,000	N/A
TOTAL CONTROLLED	\$21,200,000	N/A

Background/Discussion:

Staff has developed the C/CAG Program Budget for 2010-11. Refer to the Budget Executive Summary in Attachment A. The complete detailed Budget will be provided in a separate attachment for reference for the June Board Meeting. See Attachment B for Member Assessments. The Member Assessments remain the same as in FY 09-10 in recognition of the difficult budget climate for the cities and the County. The C/CAG Budget will be introduced at the 5/13/10 C/CAG Board Meeting for comments. It is recommended that the Board approve the Budget at the 6/10/10 Board Meeting.

C/CAG 2010-11 Program Budget Assumptions:

The following are the initial Budget assumptions. It is requested that the C/CAG Board at the 5/13/10 Board Meeting provide additional direction on the assumptions to be used to develop the final Budget.

Revenue

- 1- General Fund/ Administrative - Member Assessments - Same as last year due to budget issues with the cities and County.
- 2- In FY 09-10 negotiated funding for the Airport Land-Use Commission (ALUC) of \$100,000 from San Francisco International Airport and \$2,000 from the County of San Mateo. Must continue to pursue ongoing funding for ALUC.
- 3- Congestion Management - Member Assessments - Same as last year due to financial issues with the cities and County.
- 4- Congestion Management - Assume \$5,354,925 in STIP funds flows through C/CAG Budget. This is for the construction of the local portion of the Smart Corridor Project.
- 5- Included negotiated level of funding for planning from the Metropolitan Transportation Commission (MTC) and the State Transportation Improvement Program.
- 6- Transportation Authority (TA) cost reimbursement funding is included in the FY 10-11 Budget.

Expenditures

- 7- Smart Corridor - Beginning construction phase of the Smart Corridor in FY 10-11 will significantly increase expenditures.
- 8- Congestion Management - Modeling - Will continue to make improvements to the Travel Demand Forecasting Model in FY 10-11.

- 9- 2020 Gateway - Phase 2 consists of the following:
 - Operational Study - \$100,000.
 - Implementation Project - Willow/ University project implementation \$175,000.
- 10- San Mateo Congestion Relief Program (SMCRP) - The following new program ramped up in FY 09-10.
 - Energy Local Government Partnership - \$240K pass through to County. Receive \$240K in cost reimbursement from PG&E, so there is no net cost to C/CAG.
- 11- San Mateo Smart Corridor Program - Included \$1,000,000 from the State Infrastructure Bond (TLSP) and \$900,000 from the funding for the Smart Corridors Project. Also includes \$5,354,925 of STIP funds for project implementation.
- 12- NPDES - Programmed projected cost for the new Municipal Regional Permit for FY 10-11. The reserves and other one time revenues cover the FY 10-11 cost. There is approximately a \$500-750K per year ongoing funding deficit that must be addressed.
- 13- DMV Fee - Transfer out \$900,000 to the Smart Corridor fund for project implementation.
- 14- TFCA - Programmed Projects are 100% reimbursed in current and budget year. Due to lower revenues received than programmed, may have a larger commitment than revenues. Will adjust the final payments to the programmed projects such that they stay within the funds available.
- 15- For FY 09-10 and FY 10-11 it is assumed that all the allocations to each agency will be made from the DMV Fee Program.

C/CAG 2010-11 Program Budget Overview:

Refer to the Budget Executive Summary in Attachment A. Revenues increased 46.19% and Expenditures increased 81.01%. The Revenue increase of \$5,390,077 is due primarily to the \$5,354,925 increase in State Transportation Improvement Program (STIP) funds for the Smart Corridor Project. The increase in Expenditures of \$7,949,904 is due to the project implementation (\$5,679,584) for the Smart Corridor project, an increase in Transportation Programs of \$979,065, and DMV Fee Program implementation cost of \$806,618. Ending Fund Balance decreased 7.24% or by \$703,824. The Reserve Fund Balance between FY 09-10 and FY 10-11 remain the same. The cost for the lobbyist is included in the budget for Congestion Management (\$38,000) and NPDES (\$38,000) funds.

The Member Assessments for FY 10-11 remains the same as in FY 09-10. Additionally the proposed Budget continues to pay for the lobbyist (\$78,000) without an increase in Member Assessment. This is effectively a 10% savings to Member Agencies.

Administrative Program Fund	\$250,024 (General Fund)
Transportation Programs Fund	\$390,907 (Gas Tax or General Fund)
Total C/CAG Assessments	\$640,931.

Assessments are made based on population. Basis is the State Department of Finance data released 1/01/06.

Congestion Relief Fund	\$1,850,000
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Total Congestion Relief	\$1,850,000
NPDES Agency Direct	\$107,581 (Colma, San Mateo, Woodside and Brisbane)
NPDES Flood Control District	\$1,302,856
Total NPDES	\$1,410,437

It is recommended that a fee and surcharge be applied of \$1,410,437. (Note: NPDES fees may increase slightly above this due to approved inflation factors. This will be included in the City/ County adopting resolutions.)

The Member Assessments, Congestion Relief, and Agency Direct total \$3,901,368.

See Attachment B for Member Assessments.

San Mateo County Congestion Management Program:

This fund includes update and enhancements to the model for \$200,000 and development of the Countywide Transportation Plan for \$300,000.

San Mateo Congestion Relief Program:

This fund includes shuttles (\$790,000), Congestion Relief Alliance support (\$505,000), miscellaneous congestion relief programs (\$567,000), San Mateo Energy Watch (\$240,000) and shared resource for housing with County of San Mateo (\$100,000).

San Mateo Smart Corridor Program:

This fund is for implementation of the San Mateo Smart Corridor. STIP funding of \$4,500,000 and Transportation Authority cost sharing of \$1,640,000 will fund the construction of the local portion the construction of the San Mateo Smart Corridor.

San Mateo County Transportation/ Environmental Program (AB 1546):

For FY 09-10 and FY 10-11 it is assumed that all the allocations to each agency will be made. Funding of \$900,000 will be provided for the Smart Corridor project implementation in FY 10-11.

C/CAG - Member Fees Highly Leveraged and Cost Savings:

The member dues and fees are highly leveraged. Attachment C provides a Graphical Representation of the C/CAG Budget and visually illustrates the leveraged capacity (Less SMCRP). The FY 10-11 Revenue is leveraged **5.22 to 1**. Including the funds that C/CAG controls, such as State and Federal Transportation funds, increases the leverage to **15.55 to 1**. The San Mateo Congestion Relief Program is leveraged **1.62 to 1** (Including City/ County shuttle

match).

Through the C/CAG functions revenues are provided to member agencies that in most cases exceed the Member Assessments or fees. Furthermore it would be more costly for the program to be performed by individual agencies than through C/CAG. Developing cost and program efficiency through collective efforts is the whole basis for C/CAG.

Funds provided by the Transportation Authority were coordinated with the TA staff and confirmed that the TA budget is consistent.

Committee Recommendations:

The Finance Committee will meet on 5/13/10 to review and comment on the detailed Budget. The Congestion Management and Environmental Quality Committee will review the Budget assumptions on 5/24/10. The Technical Advisory Committee (TAC) will review it on 5/20/10.

Attachments:

Attachment A - City/County Association of Governments 2010-11 Program Budget Executive Summary

Attachment B - Member Assessments FY 10-11

Attachment C - Graphical Representation of C/CAG Budget

Alternatives:

- 1- Review and provide comments on the initial draft of the C/CAG 2009-10 Program Budget and Fees in accordance with the staff recommendation.
- 2- Review and provide comments on the initial draft of the C/CAG 2009-10 Program Budget and Fees in accordance with the staff recommendation with modifications.
- 3- No action.

ATTACHMENT A

City/County Association of Governments 2010-11 Program Budget Executive Summary

05/05/10	CHANGES IN C/CAG BUDGET BY FISCAL YEAR					
	Projected					
	Actual	Budgeted	Budget	Budget	Notes	
	FY 2009-10	FY 2010-11	Change	% Change		
BEGINNING BALANCE	7,859,839	9,715,843	1,856,004	23.61%	B-1	
RESERVE BALANCE	376,112	376,112	0	0.00%		
PROJECTED REVENUES						
Interest Earnings	121,000	137,000	16,000	13.22%	R-9	
Member Contribution	2,597,903	2,598,512	609	0.02%	R-2	
Cost Reimbursements-SFIA	100,000	0	(100,000)	-100.00%		
MTC/ Federal Funding	892,000	893,000	1,000	0.11%	R-3	
Grants	431,050	616,000	184,950	42.91%	R-4	
DMV Fee	4,426,185	4,287,271	(138,914)	-3.14%	R-5	
NPDES Fee	1,398,457	1,302,856	(95,601)	-6.84%		
TA Cost Share	457,840	2,265,000	1,807,160	394.71%	R-6	
Miscellaneous/ SFIA	52	0	(52)	-100.00%	R-7	
Street Repair Funding	0	0	0	0.00%		
PPM-STIP	1,245,075	3,960,000	2,714,925	218.05%	R-8	
Assessment	0	0	0	0.00%		
TLSP	0	1,000,000	1,000,000	0.00%		
	0	0	0	0.00%		
Total Revenues	11,669,562	17,059,639	5,390,077	46.19%	R-1	
TOTAL SOURCES OF FUNDS	19,529,401	26,775,461	7,246,081	37.10%		
PROJECTED EXPENDITURES						
Administration Services	313,551	373,000	59,449	18.96%	E-2	
Professional Services	1,962,311	2,093,364	131,053	6.68%	E-3	
Consulting Services	3,074,706	9,665,535	6,590,829	214.36%	E-4	
Supplies	61,532	63,000	1,468	2.39%		
Prof. Dues & Memberships	130,734	173,314	42,580	32.57%	E-9	
Conferences & Meetings	16,895	22,500	5,605	33.18%		
Printing/ Postage	2,168	37,750	35,582	1641.24%	E-5	
Publications	36,046	17,500	(18,546)	-51.45%	E-6	
Distributions	4,074,515	5,178,000	1,103,485	27.08%	E-7	
Street Repair	0	0	0	0.00%		
Miscellaneous	28,716	30,500	1,784	6.21%	E-8	
Bank Fee	2,000	2,000	0	0.00%		
Audit Services	7,000	7,000	0	0.00%		
Project Management	103,385	100,000	(3,385)	-3.27%		
Total Expenditures	9,813,559	17,763,463	7,949,904	81.01%	E-1	
TRANSFERS						
Transfers In	300,000	1,005,000	705,000	235.00%	T-1	
Transfers Out	300,000	1,005,000	705,000	235.00%	T-1	
Administrative Allocation	0	0	0	0.00%		
Total Transfers	0	0	0	0.00%		
NET CHANGE	1,856,003	(703,824)	(2,559,827)	-137.92%		
TRANSFER TO RESERVES	0	0	0	0.00%		
TOTAL USE OF FUNDS	9,813,558	17,763,463	7,949,905	81.01%		
ENDING FUND BALANCE	9,715,843	9,012,018	(703,824)	-7.24%	B-2	
RESERVE FUND BALANCE	376,112	376,112	0	0.00%	RS-1	
NET INCREASE (Decrease) IN FUND BALANCE	1,856,004	(703,824)	(2,559,828)	-137.92%	B-3	
Note: Beginning/ Ending Reserve Fund Balance is not included in Beginning/ Ending Fund Balance						

05/05/10	C/CAG PROJECTED STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE								
	FY 2009-10								
	Administrative Program (General Fund)	Transportation Programs	SMCRP Program	Smart Corridor	TFCA	NPDES	AVA	DMV Fee Program	Total
BEGINNING BALANCE	2,470	690,423	1,044,349	0	(2,998)	1,197,215	607,502	4,320,778	7,859,839
RESERVE BALANCE	43,346	131,863	0	0	0	200,903	0	0	376,112
PROJECTED REVENUES									
Interest Earnings	1,000	20,000	30,000	0	4,000	30,000	4,000	32,000	121,000
Member Contribution	250,024	390,907	1,850,000	0	0	106,972	0	0	2,697,903
Cost Reimbursements-SFIA	100,000	0	0	0	0	0	0	0	100,000
MTC/ Federal Funding	0	892,000	0	0	0	0	0	0	892,000
Grants	131,050	60,000	240,000	0	0	0	0	0	431,050
DMV Fee	0	0	0	0	1,020,885	0	680,000	2,725,300	4,426,185
NPDES Fee	0	0	0	0	0	1,398,457	0	0	1,398,457
TA Cost Share	0	32,000	425,840	0	0	0	0	0	457,840
Miscellaneous/ SFIA	0	52	0	0	0	0	0	0	52
Street Repair Funding	0	0	0	0	0	0	0	0	0
PPM-STIP	0	460,000	0	785,075	0	0	0	0	1,245,075
Assessment	0	0	0	0	0	0	0	0	0
TLSP	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0
Total Revenues	482,074	1,854,959	2,545,840	785,075	1,024,885	1,535,429	684,000	2,757,300	11,669,562
TOTAL SOURCES OF FUNDS	484,544	2,545,382	3,590,189	785,075	1,021,987	2,732,644	1,291,502	7,078,078	19,529,401
PROJECTED EXPENDITURES									
Administration Services	118,000	65,433	51,418	21,200	6,000	40,000	0	11,500	313,551
Professional Services	250,000	1,294,708	194,308	126,000	25,000	52,913	0	19,382	1,962,311
Consulting Services	112,000	335,323	727,232	729,831	0	1,112,820	0	57,500	3,074,706
Supplies	61,500	32	0	0	0	0	0	0	61,532
Prof. Dues & Memberships	1,750	0	0	0	0	128,984	0	0	130,734
Conferences & Meetings	15,000	1,027	493	0	0	375	0	0	16,895
Printing/ Postage	1,500	0	0	0	0	668	0	0	2,168
Publications	22,250	1,796	12,000	0	0	0	0	0	36,046
Distributions	0	70,000	929,398	0	984,361	18,756	675,000	1,397,000	4,074,515
Street Repair	0	0	0	0	0	0	0	0	0
Miscellaneous	2,500	1,116	0	0	0	100	25,000	0	28,716
Bank Fee	2,000	0	0	0	0	0	0	0	2,000
Audit Services	7,000	0	0	0	0	0	0	0	7,000
Project Management	0	0	0	103,385	0	0	0	0	103,385
Total Expenditures	593,500	1,769,435	1,914,849	980,416	1,015,361	1,354,616	700,000	1,485,382	9,813,559
TRANSFERS									
Transfers In	0	0	0	300,000	0	0	0	0	300,000
Transfers Out	0	0	0	0	0	0	0	300,000	300,000
Administrative Allocation	(143,547)	110,892	20,034	0	2,527	7,575	0	2,518	0
Total Transfers	(143,547)	110,892	20,034	(300,000)	2,527	7,575	0	302,518	0
NET CHANGE	32,121	(25,368)	610,957	104,659	6,997	173,238	(16,000)	969,400	1,856,003
TRANSFER TO RESERVES	0	0	0	0	0	0	0	0	0
TOTAL USE OF FUNDS	449,953	1,880,327	1,934,883	680,416	1,017,888	1,362,191	700,000	1,787,900	9,813,558
ENDING FUND BALANCE	34,591	665,055	1,655,306	104,659	4,099	1,370,453	591,502	5,290,178	9,715,843
RESERVE FUND BALANCE	43,346	131,863	0	0	0	200,903	0	0	376,112
NET INCREASE (Decrease) IN FUND BALANCE	32,121	(25,368)	610,957	104,659	6,997	173,238	(16,000)	969,400	1,856,004
As of June 30, 2009									
Note: 1- Beginning/ Ending Reserve Fund Balance is not included in Beginning/ Ending Fund Balance									
2- See individual fund summaries and fiscal year comments for details on Miscellaneous expenses.									
3- SMCRP - San Mateo Congestion Relief Program, TFCA - Transportation Fund For Clean Air, NPDES - National Pollutant Discharge Elimination System, Abatement.									
AVA - Abandoned Vehicle Abatement; DMV - Department of Motor Vehicles.									

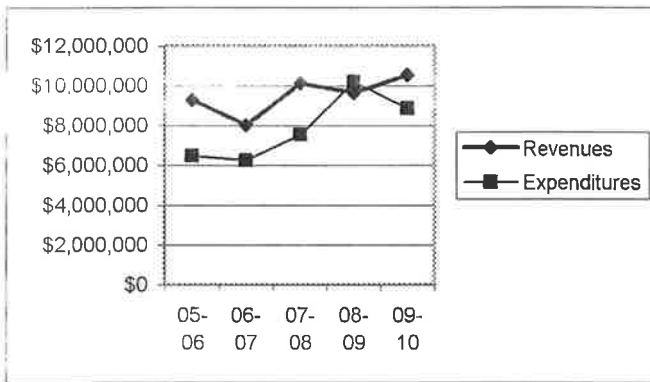
05/05/10	C/CAG PROGRAM BUDGET: REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE								
	FY 2010-11								
	Administrative Program (General Fund)	Transportation Programs	SMCRP Program	Smart Corridor	TFCA	NPDES	AVA	DMV Fee Program	Total
BEGINNING BALANCE	34,591	665,055	1,655,306	104,659	4,099	1,370,453	591,502	5,290,178	9,715,843
RESERVE BALANCE	43,346	131,863	0	0	0	200,903	0	0	376,112
PROJECTED REVENUES									
Interest Earnings	2,000	30,000	40,000	0	6,000	30,000	4,000	25,000	137,000
Member Contribution	250,024	390,907	1,850,000	0	0	107,581	0	0	2,598,512
Cost Reimbursements-SFIA	0	0	0	0	0	0	0	0	0
MTC/ Federal Funding	0	893,000	0	0	0	0	0	0	893,000
Grants	120,000	256,000	240,000	0	0	0	0	0	616,000
DMV Fee	0	0	0	0	1,007,271	0	680,000	2,600,000	4,287,271
NPDES Fee	0	0	0	0	0	1,302,856	0	0	1,302,856
TA Cost Share	0	250,000	375,000	1,640,000	0	0	0	0	2,265,000
Miscellaneous/ SFIA	0	0	0	0	0	0	0	0	0
Street Repair Funding	0	0	0	0	0	0	0	0	0
PPM-STIP	0	460,000	0	3,500,000	0	0	0	0	3,960,000
Assessment	0	0	0	0	0	0	0	0	0
TLSP	0	0	0	1,000,000	0	0	0	0	1,000,000
	0	0	0	0	0	0	0	0	0
Total Revenues	372,024	2,279,907	2,505,000	6,140,000	1,013,271	1,440,437	684,000	2,625,000	17,059,639
TOTAL SOURCES OF FUNDS	406,615	2,944,961	4,160,306	6,244,659	1,017,370	2,810,890	1,275,502	7,915,178	26,775,481
PROJECTED EXPENDITURES									
Administration Services	118,000	86,000	49,000	40,000	10,000	40,000	0	30,000	373,000
Professional Services	250,000	1,330,000	218,000	180,000	37,153	53,211	0	25,000	2,093,364
Consulting Services	60,000	897,000	820,065	6,340,000	0	1,313,470	0	235,000	9,665,535
Supplies	61,000	2,000	0	0	0	0	0	0	63,000
Prof. Dues & Memberships	1,750	0	0	0	0	171,564	0	0	173,314
Conferences & Meetings	15,000	3,000	1,000	0	0	1,500	0	2,000	22,500
Printing/ Postage	22,250	5,500	0	0	0	10,000	0	0	37,750
Publications	1,500	4,000	12,000	0	0	0	0	0	17,500
Distributions	0	420,000	1,101,000	0	957,000	25,000	675,000	2,000,000	5,178,000
Street Repair	0	0	0	0	0	0	0	0	0
Miscellaneous	2,500	1,000	1,000	0	0	1,000	25,000	0	30,500
Bank Fee	2,000	0	0	0	0	0	0	0	2,000
Audit Services	7,000	0	0	0	0	0	0	0	7,000
Project Management	0	0	0	100,000	0	0	0	0	100,000
Total Expenditures	541,000	2,748,500	2,202,065	6,660,000	1,004,153	1,615,745	700,000	2,292,000	17,763,463
TRANSFERS									
Transfers In	0	105,000	0	900,000	0	0	0	0	1,005,000
Transfers Out	0	0	65,000	0	0	0	0	940,000	1,005,000
Administrative Allocation	-145,119	109,398	20,628	0	3,643	7,201	0	4,249	0
Total Transfers	-145,119	4,398	85,628	-900,000	3,643	7,201	0	944,249	0
NET CHANGE	-23,857	-472,991	217,307	380,000	5,475	-182,509	-16,000	-611,249	-703,824
TRANSFER TO RESERVES	0	0	0	0	0	0	0	0	0
TOTAL USE OF FUNDS	395,881	2,752,898	2,287,693	5,760,000	1,007,796	1,622,946	700,000	3,236,249	17,763,463
ENDING FUND BALANCE	10,734	192,063	1,872,613	484,659	9,574	1,187,944	575,502	4,678,929	9,012,018
RESERVE FUND BALANCE	43,346	131,863	0	0	0	200,903	0	0	376,112
NET INCREASE (Decrease) IN FUND BALANCE	-23,857	-472,991	217,307	380,000	5,475	-182,509	-16,000	-611,249	-703,824
As of June 30, 2010									
Note: 1- Beginning/ Ending Reserve Fund Balance is not included in Beginning/ Ending Fund Balance.									
2- See individual fund summaries and fiscal year comments for details on Miscellaneous expenses.									
3- SMCRP - San Mateo Congestion Relief Program; TFCA - Transportation Fund For Clean Air; NPDES - National Pollutant Discharge Elimination System; Abatement									
AVA - Abandoned Vehicle Abatement; DMV - Department of Motor Vehicles.									

Undesignated Balance:

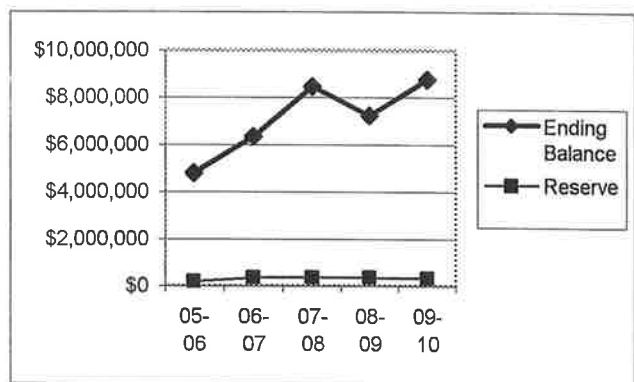
Major Programs/ Funds:	Balance Ending	Designated Expense	Designated Revenue	Designated Net	Undesignated Balance
General Fund	\$10,734	\$0	\$0	-\$0	\$10,734
Transportation Fund	\$192,063	\$92,000	\$0	-\$92,000	\$100,063
San Mateo Congestion Relief Program	\$1,872,613	\$823,000	\$100,000	-\$723,000	\$1,149,613
San Mateo Smart Corridor Program	\$484,659	\$484,659	\$0	\$484,659	\$0
TFCA	\$9,574	\$9,574	\$0	\$9,574	\$0
NPDES	\$1,187,944	\$750,000	\$0	-\$750,000	\$437,944
AVA	\$575,502	\$180,000	\$0	-\$180,000	\$395,502
DMV Fee	\$4,678,929	\$2,819,498	\$0	-\$2,819,498	\$1,859,431
C/CAG – Total	\$9,012,018	\$5,158,731	\$100,000	-\$5,058,731	\$3,953,287

C/CAG NORMALIZED FIVE YEAR HISTORICAL REVIEW:

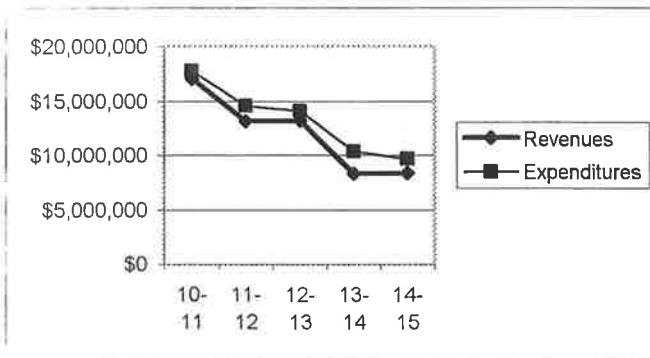
**FY 05-06 Thru FY 09-10
(Normalized to 2005)**



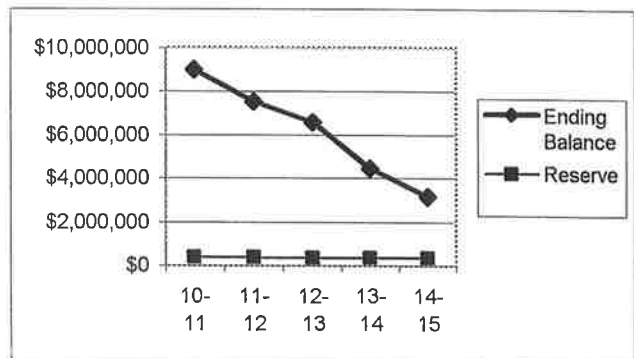
**FY 05-06 Thru FY 09-10
(Normalized to 2005)**



**FY 10-11 Thru FY 14-15
(Normalized to 2010)**



**FY 10-11 Thru FY 14-15
(Normalized to 2010)**



- Issues:**
- 1- Need to continue to get funding for the Airport Land Use Commission activities.
 - 2- New NPDES Storm-water Permit will significantly increase the cost of the program although budget balanced through FY 13-14.
 - 3- Implementation of the Smart Corridor Project will cause a significant increase in expenditures that needs to be managed.
 - 4- Staff needs to reduce the large balance (\$5,290,143) of the DMV Fee Program.
 - 5- Ending Balance will drop significantly due to project cash flow; however, it should not be seen as a problem.

Reserves: Have reserves of \$376,112 out of an Operating Budget of \$2,919,928 or 12.9%. However; the Undesignated Balance of \$3,953,287 provides funding capacity for unexpected issues or cost growth in programs. This will cover 1.5 years of the C/CAG fixed labor cost (\$1,950,000).

ATTACHMENT B

MEMBER ASSESSMENTS FY 10-11
(Same as FY 09-10)

Agency	% Popul (as of 1/1/06)	C/CAG FEE, FY 10-11		CONGESTION RELIEF PROGRAM ASSESSMENT			COUNTYWIDE HOUSING ELEMENT UPDATE			NPDES MEMBER ASSESSMENT					
		General Fund Fee	Gas Tax Fee	Total Fee	Agency	% of Trip Generation	Congestion Relief	Agency	% Popul (as of 1/1/06)	Element Update	Agency	% Popul (as of 1/1/06)	NPDES NPDES NPDES (Total) (Total) (Total) (Base) (Extended) (Total) (1) (1) (1)		
Atherton	1.00%	\$250,024	\$390,907	\$6,428	Atherton	1.34%	\$24,845	Atherton	1.00%	\$0	Atherton	1.00%	\$10,906	\$8,518	\$19,424
Belmont	3.54%	\$8,856	\$13,846	\$22,702	Belmont	3.56%	\$65,884	Belmont	3.54%	\$0	Belmont	3.54%	\$30,446	\$23,780	\$54,226
Brisbane (2)	0.52%	\$1,293	\$2,021	\$3,314	Brisbane (2)	1.18%	\$21,775	Brisbane (2)	0.52%	\$0	Burlingame	0.52%	\$8,664	\$6,767	\$15,431
Burlingame	3.91%	\$9,779	\$15,290	\$25,069	Burlingame	5.79%	\$107,193	Burlingame	3.91%	\$0	Colma	0.22%	\$3,339	\$26,822	\$61,161
Colma	0.22%	\$544	\$850	\$1,394	Colma	0.50%	\$9,224	Colma	0.22%	\$0	Daly City	0.22%	\$2,933	\$3,291	\$5,224
Daly City	14.48%	\$36,193	\$56,597	\$92,780	Daly City	10.79%	\$199,610	Daly City	14.48%	\$0	East Palo Alto	4.43%	\$81,553	\$63,699	\$145,251
East Palo Alto	4.43%	\$11,078	\$17,320	\$28,398	East Palo Alto	2.30%	\$42,633	East Palo Alto	4.43%	\$0	Foster City	4.13%	\$17,681	\$13,811	\$31,492
Foster City	4.13%	\$10,324	\$16,141	\$26,466	Foster City	4.90%	\$90,679	Foster City	4.13%	\$0	Half Moon Bay	1.76%	\$2,692	\$25,535	\$28,226
Half Moon Bay	1.76%	\$4,299	\$6,877	\$11,276	Half Moon Bay	1.27%	\$23,451	Half Moon Bay	1.76%	\$0	Hillsborough	1.51%	\$14,105	\$14,513	\$33,094
Hillsborough	1.51%	\$3,786	\$5,919	\$9,706	Hillsborough	1.27%	\$23,491	Hillsborough	1.51%	\$0	Menlo Park	4.25%	\$42,985	\$33,575	\$76,561
Menlo Park	4.25%	\$10,618	\$16,600	\$27,218	Menlo Park	5.57%	\$103,109	Menlo Park	4.25%	\$0	Millbrae	2.86%	\$22,529	\$17,597	\$40,126
Millbrae	2.86%	\$7,160	\$11,194	\$18,353	Millbrae	3.27%	\$60,419	Millbrae	2.86%	\$0	Pacific	5.35%	\$45,183	\$35,291	\$80,474
Pacific	5.35%	\$13,376	\$20,913	\$34,289	Pacific	3.50%	\$64,742	Pacific	5.35%	\$0	Portola Valley	0.63%	\$7,237	\$5,645	\$12,872
Portola Valley	0.63%	\$1,572	\$2,458	\$4,030	Portola Valley	0.41%	\$7,607	Portola Valley	0.63%	\$0	Redwood City	10.51%	\$78,175	\$61,061	\$139,236
Redwood City	10.51%	\$26,272	\$41,076	\$67,347	Redwood City	13.42%	\$248,197	Redwood City	10.51%	\$0	San Bruno	5.73%	\$42,460	\$33,165	\$75,625
San Bruno	5.73%	\$14,335	\$22,412	\$36,746	San Bruno	5.55%	\$102,604	San Bruno	5.73%	\$0	San Carlos	3.90%	\$31,176	\$30,599	\$69,775
San Carlos	3.90%	\$9,760	\$15,259	\$25,018	San Carlos	4.77%	\$88,246	San Carlos	3.90%	\$0	San Mateo	13.05%	\$94,938	\$74,454	\$169,091
San Mateo	13.05%	\$32,566	\$50,916	\$83,482	San Mateo	16.11%	\$298,110	San Mateo	13.05%	\$0	South San Francisco	8.59%	\$73,973	\$57,779	\$131,751
South San Francisco	8.59%	\$21,347	\$33,376	\$54,723	South San Francisco	8.99%	\$166,258	South San Francisco	8.59%	\$0	Woodside (3)	0.76%	\$9,046	\$7,066	\$16,112
Woodside (3)	0.76%	\$1,901	\$2,973	\$4,874	Woodside (3)	0.60%	\$11,189	Woodside (3)	0.76%	\$0	San Mateo County	8.94%	\$82,636	\$64,545	\$147,181
San Mateo County	8.94%	\$22,359	\$34,958	\$57,318	San Mateo County	4.90%	\$90,667	San Mateo County	8.94%	\$0	TOTAL	100.00%	\$790,227	\$617,230	\$1,407,457
TOTAL	100	\$250,024	\$390,907	\$640,931	TOTAL	100.0%	\$1,850,000	TOTAL	100.00%	\$0	TOTAL	100.00%	\$790,227	\$617,230	\$1,407,457

1- Except those in bold or collected by the San Mateo County Flood Control District
2- Bold indicates Cities pay it from their General Fund
3- Woodside pays for both NPDES Base and NPDES Extended from City Funds
4- Estimate of fees. Budget includes \$1,410,437.
5- Increased by 1%.

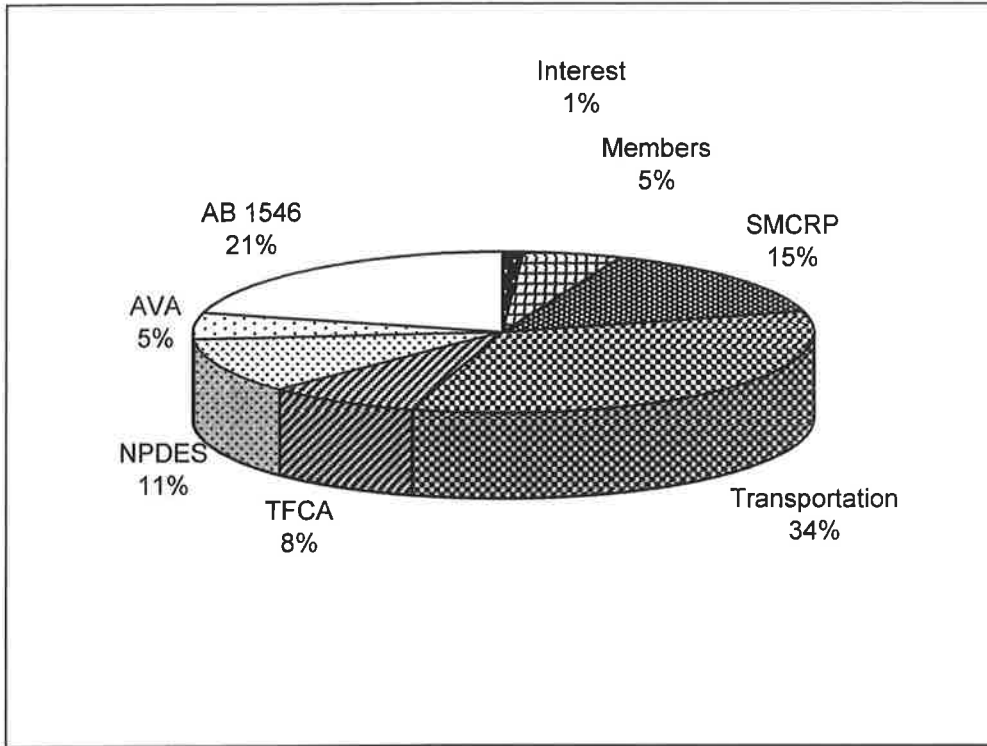
1- A slightly expanded program was adopted in FY 07-08
2- Transmitted to Cities and County for planning purposes
3- The % trip generation was updated. There may be slight variation between agencies in % change from the original program
4- Same C/CAG Fee as FY 08-09 and FY 09-10.

1- Same C/CAG Fee as in FY 08-09 and FY 09-10
2- Planned for in 6/06
3- Transmitted to Cities and County for planning purposes

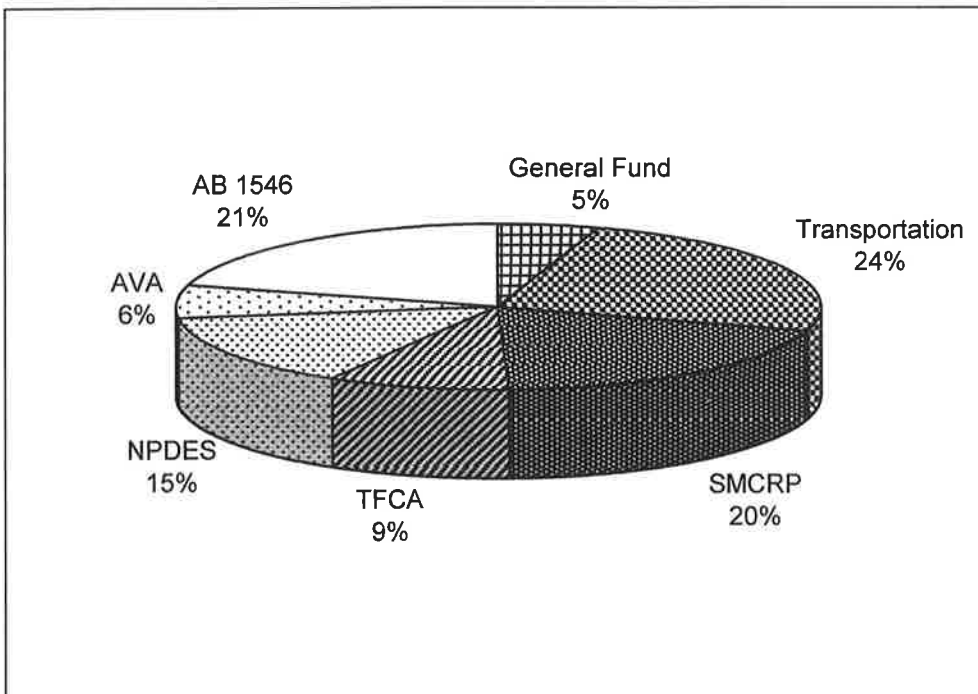
ATTACHMENT C

Graphical Representation of C/CAG Budget

C/CAG REVENUES FY 2010-11

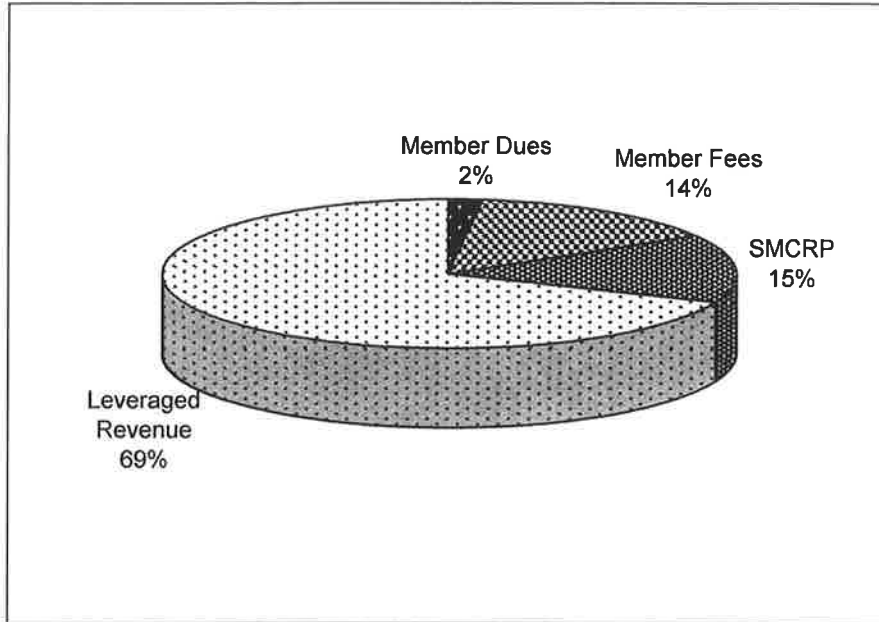


C/CAG EXPENDITURES FY 2010-11



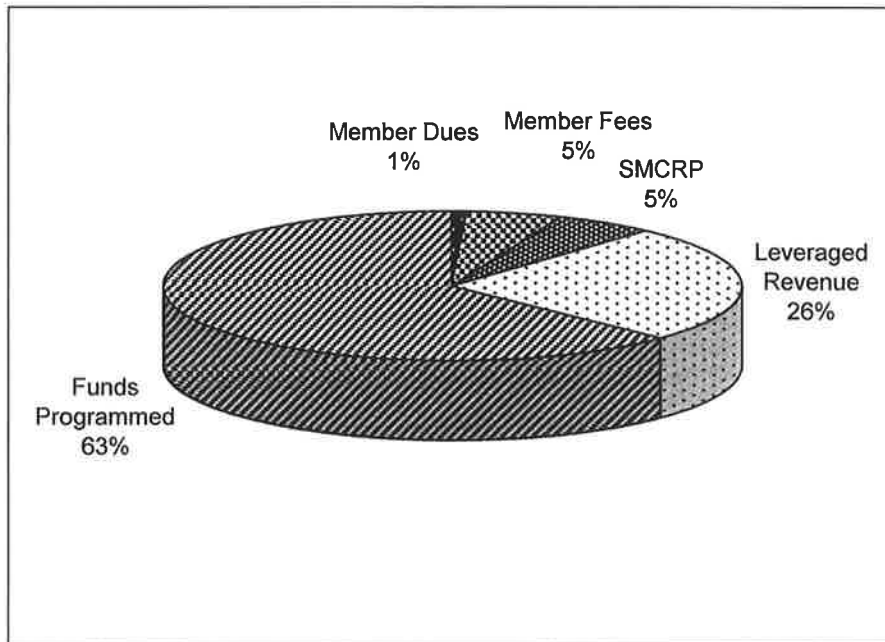
C/CAG MEMBER DUES/ FEES HIGHLY LEVERAGED

C/CAG REVENUES FY 2010-11



Leverage= 5.22073 to 1
(Less SMCRP Funds)

C/CAG CONTROLLED FUNDS FY 2010-11



Leverage= 15.5553 to 1
(Less SMCRP Funds)

C/CAG AGENDA REPORT

Date: May 13, 2010
To: City/County Association of Governments Board of Directors
From: Richard Napier, C/CAG Executive Director
Subject: Receive Status Report on Estimated Five-Year National Pollutant Discharge Elimination System (NPDES) Budget for the San Mateo Countywide Water Pollution Prevention Program

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

RECOMMENDATION

The C/CAG Board receive status report on estimated five-year National Pollutant Discharge Elimination System (NPDES) budget for the San Mateo Countywide Water Pollution Prevention Program (Countywide Program).

FISCAL IMPACT

Staff estimates the Countywide Program will have funding deficit of approximately \$400,000 over the course of the five year Municipal Regional Permit term.

SOURCE OF FUNDS

Over the course of the five-year Municipal Regional Permit term, C/CAG will spend over \$7 million in annual property tax revenues, \$1.24 million in the existing NPDES fund balance, \$187,000 in funds on hold with the Bay Area Stormwater Management Agencies Association (BASMAA), San Mateo County's \$720,000 share of a \$5 million U.S. Environmental Protection Agency grant to BASMAA, and approximately \$720,000 in countywide vehicle license funds. While the five year budget projection includes estimated costs for filing a test claim with the State Commission on Mandates and a Proposition 218 election, it does not include any potential fiscal benefits from either of those processes.

BACKGROUND/DISCUSSION

The Municipal Regional Permit (MRP) was adopted in October, 2009 and went into effect on December 1, 2009. Over the past six months, the Countywide Program worked with its technical consultants to develop cost estimates for the five years that the MRP is in effect. The total cost of compliance tasks under the MRP are estimated to be \$7.7 million, while general program administration costs over that period are estimated to be \$2.9 million. Program administration cost estimates, in addition to general program administration and oversight, include initial costs for developing a test claim for filing with the State Commission on Economic Mandates and a Proposition 218 election process. Combined, the permit compliance and program administration costs represent about a 50% increase in Countywide Program costs when compared with the previous stormwater permit.

On the revenue side, the Countywide Program receives approximately \$1.4 million annual in property taxes. The NPDES fund balance has grown over the past decade to approximately \$1.24 million. The Countywide Program has also contributed approximately \$187,000 to BASMAA over the last few years

that will help offset some MRP costs. BASMAA also recently received a \$5 million U.S. EPA grant to address mercury and PCB issues that will help the Countywide Program with about \$720,000 of the MRP costs. Countywide Program staff also identified, in consultation with C/CAG's Executive Director and Legal Counsel, approximately \$720,000 in MRP costs that could be funded with vehicle license revenue due to a direct nexus to vehicle- or transportation infrastructure-related pollution; however, use of these funds requires the C/CAG Board to approve a revised program of use for the vehicle license fees.

The five-year budget projection, after accounting for estimated expenditures and revenue sources and maintaining a \$200,000 reserve fund, indicates a deficit of approximately \$400,000 at the end of the permit term. While this deficit is relatively small in terms of the total Countywide Program cost over the term of the MRP (\$10.6 million), the major concern is going into the next five-year permit term without a \$1.24 million fund balance, no funds on hold with BASMAA, no EPA grant funds, and potentially no more vehicle license funds if the existing program is not reauthorized by the legislature and governor. In addition, it is reasonable to expect the next stormwater permit term will require greater expenditures, as many of the MRP requirements are related to small or pilot-scale implementation projects that are likely to move into full-scale implementation in the next permit. As such, C/CAG staff convened a funding options workgroup with some of the public works directors to begin formulating plans for pursuing additional revenue and will bring recommendations back to the C/CAG Board in the future.

ATTACHMENTS

- Five-year Countywide Program Budget and Revenue Estimates

ALTERNATIVES

No action required on this status report, but the C/CAG Board may provide direction to staff, as appropriate.

Estimated SMCWPPP Countywide Program Budget - 5 Year Planning

A. Compliance Tasks (based on final MRP adopted on 10-14-09)	FY 09/10	FY 10/11	FY 11/12	FY 12/13	FY 13/14	Total
C.2 Municipal Operations	\$49,000	\$47,000	\$52,000	\$72,000	\$57,000	\$277,000
C.3 New Development	\$192,000	\$191,600	\$184,212	\$171,836	\$152,473	\$892,121
C.4 Industrial-Commercial	\$136,000	\$98,000	\$106,000	\$94,000	\$96,000	\$530,000
C.5 Illicit Discharge Detection and Elimination	\$38,000	\$48,000	\$28,000	\$46,000	\$18,000	\$178,000
C.6 Construction Site Management	\$43,000	\$24,000	\$39,000	\$19,000	\$34,000	\$159,000
C.7 Public Information and Participation	\$283,416	\$307,696	\$315,261	\$320,657	\$325,885	\$1,552,915
C.8 Monitoring	\$120,688	\$117,648	\$384,887	\$552,527	\$578,039	\$1,753,789
C.9 Pesticide Controls	\$68,032	\$86,280	\$84,160	\$108,040	\$85,920	\$432,432
C.10. Trash Controls	\$60,000	\$60,000	\$60,000	\$45,000	\$35,000	\$250,000
C.11 Mercury Controls & C.12 PCBs Controls	\$89,800	\$190,486	\$236,042	\$709,404	\$201,496	\$1,427,228
C.13 Copper	\$0	\$26,400	\$31,400	\$21,400	\$16,400	\$95,600
C.14 PBDEs, Selenium and Legacy Pest	\$3,330	\$6,360	\$7,080	\$16,740	\$0	\$33,510
C.15 Conditionally Exempt Discharges	\$0	\$40,000	\$20,000	\$20,000	\$30,000	\$110,000
Compliance Task Subtotal:	\$1,073,266	\$1,243,470	\$1,548,041	\$2,196,604	\$1,630,212	\$7,691,594
B. Program Management and Oversight						
<u>Consulting Services</u>						
Compliance Tasks C.2 - C 15 from above	\$1,073,266	\$1,243,470	\$1,548,041	\$2,196,604	\$1,630,212	\$7,691,594
Program Coordinator tasks not included above	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$300,000
Vehicle license fee plan & implement	\$0	\$40,000	\$40,000	\$40,000	\$40,000	\$160,000
Litigation, permit appeal, unfunded mandates	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$375,000
<u>Professional Dues & Membership</u>						
BASMAA Dues	\$37,131	\$37,874	\$38,631	\$39,404	\$40,192	\$193,231
CASQA	\$8,250	\$8,415	\$8,583	\$8,755	\$8,930	\$42,933
Regional Monitoring Program	\$93,603	\$85,275	\$86,981	\$88,720	\$90,495	\$435,073
<u>Professional Services</u>						
Controller's Fee	\$66,000	\$68,000	\$68,000	\$68,000	\$68,000	\$338,000
EDS Consultant Work	\$14,913	\$15,211	\$15,515	\$15,826	\$16,142	\$77,609
Lobbyist	\$38,000	\$38,000	\$38,000	\$38,000	\$38,000	\$190,000
<u>Administrative Services</u>						
Executive Director of C/CAG	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$125,000
Administrative/Office Expenses	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$75,000
<u>Distributions</u>						
Member Agency Support/Distributions	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$50,000
<u>Other</u>						
Printing/Postage	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$50,000
Conferences and Meetings	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500	\$7,500
Miscellaneous	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$5,000
C. Support for Countywide Proposition 218 Election	\$0	\$50,000	\$50,000	\$400,000	\$0	\$500,000
Grand Total:	\$1,518,663	\$1,783,745	\$2,091,252	\$3,092,809	\$2,129,471	\$10,615,940
Increase Above Original Adopted¹ FY 2009/10 Budget:	\$108,340	\$373,422	\$680,929	\$1,682,486	\$719,148	\$3,564,325
Percent Increase:	7%	25%	45%	111%	47%	51%

¹ C/CAG Adopted FY 2009/10 NPDES Original Budget on 6-11-09

Available Revenue Sources

Existing Revenue Stream	
Current NPDES Revenue (basic fee, extended fee, member contributions, and interest)	Estimated Amount/year \$1,466,457

One-Time Fund Balances	
NPDES Fund Balance	\$1,244,000
BASMAA Clean Estuary Program Available Fund	\$112,000
BASMAA Regional Advertising Campaign	\$75,000
Total	\$1,431,000

BASMAA EPA Hg-PCBs Grant	
	Total Estimated Amount over Four Years
Countywide Program Share	\$720,000

Vehicle License Fees	
Vehicle License Fee (fee collected through 1-1-13 unless extended)	Total for Various Provisions FYs 09/10 - 13/14
C.2 Municipal Maintenance	\$12,000
C.3 New Development	\$210,000
C.4 Industrial-Commercial	\$0
C.5 IDDE	\$45,000
C.6 Construction	\$0
C.7 PIP	\$38,530
C.8 Monitoring	\$0
C.9 Pesticides	\$0
C.10 Trash	\$250,000
C.11 Hg- C.12 PCBs	\$0
C.13 Copper	\$5,600
C.14 PBDEs, etc.	\$0
C.15 NSW Discharges	\$0
VLF Plan and Implementation	\$160,000
Total	\$721,130

Reserve Fund Balance	
Reserve Funds	\$200,000

Total Estimated Revenue Shortfall FYs 09/10 -13/14	
Estimated revenue shortfall if reserve fund balance kept at \$200K and vehicle license fee funding shown above is available for use	\$411,525

Sources of Funding Estimated by Fiscal Year							
Fiscal Year	Current NPDES Revenue	Vehicle License Fees	BASMAA EPA Grant	NPDES Fund Balance	BASMAA Fund Balance	Shortfall	Total
FY 09/10	\$1,466,457	\$60,000	\$0	-\$7,794	\$0	\$0	\$1,518,663
FY 10/11	\$1,466,457	\$189,300	\$60,000	-\$4,512	\$72,500	\$0	\$1,783,745
FY 11/12	\$1,466,457	\$170,490	\$129,943	\$209,862	\$114,500	\$0	\$2,091,252
FY 12/13	\$1,466,457	\$160,610	\$480,686	\$985,056	\$0	\$0	\$3,092,809
FY 13/14	\$1,466,457	\$140,730	\$49,371	\$61,388	\$0	\$411,525	\$2,129,471
Totals	\$7,332,285	\$721,130	\$720,000	\$1,244,000	\$187,000	\$411,525	\$10,615,940

C/CAG AGENDA REPORT

Date: May 13, 2010
To: City/County Association of Governments Board of Directors
From: Richard Napier, C/CAG Executive Director
Subject: Review and approval of a full time C/CAG NPDES Program Coordinator position.

(For further information contact Richard Napier at 599-1420)

RECOMMENDATION

Review and approval of a full time C/CAG NPDES Program Coordinator position in accordance with the staff recommendation.

FISCAL IMPACT

\$200,000 per year.

SOURCE OF FUNDS

\$60,000 from Program Manager in NPDES Fund, \$40,000 from consultant costs in NPDES Fund, \$50,000 from DMV Fee Fund, and \$50,000 to be determined.

BACKGROUND/DISCUSSION

Currently C/CAG contracts with the City of Brisbane for the NPDES Program Coordinator function. Brisbane provides an NPDES Program Coordinator for 20% of the time. Effective 12/01/09 the Municipal Regional Permit (MRP) took effect. The MRP requirements are much greater than the previous permit. Specifically trash, monitoring, and low impact development requirements are going to be very costly. A five-year NPDES Budget Overview is being provided under a separate item. The Five Year NPDES Budget accounted for a full time NPDES Coordinator.

EXPANDED NPDES PROGRAM COORDINATOR TASKS

The basic tasks of the NPDES Program Coordinator include regional meeting attendance, countywide meeting preparation and attendance, managing the NPDES technical Consultant, presentations to the C/CAG Board, and general support to the cities and the County on the NPDES Water Pollution Prevention Program.

The new permit will add to the tasks performed by the NPDES Coordinator. Additional tasks projected include the following:

ITEM 6.3.2

- 1- Development of applications for Grants.
- 2- Support the permit appeal and defense as necessary.
- 3- Facilitate and support a claim with the State Commission on Mandates to reduce cost or provide additional funding.
- 4- Facilitate and support a Proposition 218 vote to raise additional funds for the C/CAG countywide program and to support the cities and County in implementation of the permit.
- 5- Many tasks will be more cost effective when done by the NPDES Coordinator instead of the consultant.

An overriding factor is that the NPDES Water Pollution Prevention Program has significantly increased in cost to C/CAG and the cities/ County to merit a full time coordinator.

PROJECTED COST

The projected loaded cost for the fulltime Coordinator including benefits is \$200. The initial funding plan is as follows:

Current Coordinator Level	\$60,000
Reduction to NPDES Consultant	\$40,000
DMV Fee Program	\$50,000
To be determined	\$50,000
TOTAL	\$200,000

Therefore, the net additional cost to C/CAG is approximately \$50,000.

A key function of the full time coordinator would be to pursue additional revenues for the program.

STAFF RECOMMENDATION

C/CAG staff recommends approval of a full time C/CAG NPDES Program Coordinator position.

ATTACHMENTS

None

RECOMMENDATIONS

- 1- Review and approval of a full time C/CAG NPDES Program Coordinator position in accordance with the staff recommendation.
- 2- Review and approval of a full time C/CAG NPDES Program Coordinator position in accordance with the staff recommendation with modifications.
- 3- No action. Retain the current coordinator level at 20%.

C/CAG AGENDA REPORT

Date: May 13, 2010
To: City/County Association of Governments Board of Directors
From: Richard Napier, C/CAG Executive Director
Subject: Review and Approval of Resolution 10-19 Updating C/CAG's Existing List of Approved Programs Eligible for Funding with Vehicle License Funds to Include Compliance Tasks Mandated in the Municipal Regional Stormwater Permit that Directly Address the Negative Impacts of Stormwater Pollution Associated with Vehicles or Transportation Infrastructure (**Special Voting Procedure Applies**)

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

RECOMMENDATION

The C/CAG Board review and approve Resolution 10-19 updating C/CAG's existing list of approved programs eligible for funding with vehicle license funds to include compliance tasks mandated in the Municipal Regional Stormwater Permit that directly address the negative impacts of stormwater pollution associated with vehicles or transportation infrastructure.

FISCAL IMPACT

Updating the approved list of eligible programs with the proposed additional tasks will allow approximately \$720,000 in vehicle license fees to be used for vehicle- or transportation infrastructure-related stormwater pollution prevention programs mandated by the Municipal Regional Permit, over the five-year term of the permit. If the list of programs is not approved, these costs would need to be funded by existing property tax revenues, thereby increasing the projected five-year deficit for the countywide stormwater program by \$720,000.

SOURCE OF FUNDS

The funds proposed for use on the list of additional programs are vehicle license fees collected under C/CAG's existing \$4 per vehicle program that was approved based on authorizing legislation (AB 1546 and SB 348). The proposed funds would be from the countywide portion of the stormwater half of the fees. There are sufficient unencumbered vehicle license funds for countywide stormwater programs to pay for the proposed list of additional programs.

BACKGROUND/DISCUSSION

The Municipal Regional Permit (MRP) was adopted in October, 2009 and went into effect on December 1, 2009. Over the past six months, the San Mateo Countywide Water Pollution Prevention Program (Countywide Program) worked with its technical consultants to develop cost estimates for the five years that the MRP is in effect. The total cost of compliance tasks under the MRP are estimated to be \$7.7 million, while general program administration costs over that period are estimated to be \$2.9 million. Combined, the permit compliance and program administration costs represent about a 50% increase in Countywide Program costs when compared with the previous stormwater permit.

Countywide Program staff identified, in consultation with C/CAG's Executive Director and Legal Counsel, approximately \$720,000 in Countywide Program MRP costs that could be eligible for funding with vehicle

license revenue based on a direct nexus to vehicle- or transportation infrastructure-related pollution; however, use of these funds requires the C/CAG Board to update its existing list of approved programs that can be funded using vehicle license fees. The tasks in the MRP identified as bearing a nexus to motor vehicles or transportation infrastructure include both Countywide Program and municipal efforts (e.g., the Countywide Program develops particular programs or guidance to address a particular issue and the municipalities then implement the recommended actions), so approval of the proposed list of programs will also allow municipalities to utilize their portion of the vehicle license funds for reimbursement of costs for specific MRP requirements.

Per the authorizing legislation, stormwater pollution prevention programs funded by the vehicle license fees must directly address the negative impacts on creeks, streams, bays, and the ocean caused by motor vehicles and the infrastructure supporting motor vehicle travel. The proposed list of programs includes only those MRP requirements that bear a direct relationship to motor vehicle or transportation infrastructure pollution concerns. The following table details the proposed list of programs and anticipated Countywide Program costs over the term of the permit:

Municipal Regional Permit Requirement	Program Description	Estimated Countywide Program Costs over MRP Term
<u>MRP Provision C.2</u> Street, Road, Bridge, and Structure Repair and Maintenance	Develop and/or implement management practices to prevent stormwater pollution associated with street, road, bridge, and structure repair and maintenance activities.	\$12,000
<u>MRP Provision C.3</u> Green Street Pilot Projects	Develop, model, assess, and/or implement low impact development measures to manage runoff from impervious surfaces related to transportation infrastructure.	\$210,000
<u>MRP Provision C.5</u> Control Mobile Sources	Develop and/or implement management practices, enforcement strategies, and/or outreach activities to address pollution impacts from mobile businesses.	\$45,000
<u>MRP Provision C.7</u> Public Outreach Events	Develop and/or distribute public outreach information addressing the pollution impacts associated with improperly managed vehicle washing activities.	\$38,530
<u>MRP Provision C.10</u> Trash Load Reduction and Hot Spot Cleanup	Develop and/or implement management measures to prevent or reduce pollution impacts from trash/litter associated with vehicles or transportation infrastructure, including measures to identify, assess, prevent, reduce, remove, and/or report information regarding trash/litter associated with vehicles or transportation infrastructure.	\$250,000
<u>MRP Provision C.13</u> Vehicle Brake Pads	Develop and/or participate in developing, and/or implement measures to address pollution impacts associated with vehicle brake pads.	\$5,600
Vehicle License Fee Program Development and Implementation	Develop, administer, implement, and/or track/report stormwater pollution prevention programs that directly address the negative impacts on creeks, streams, bays, and the ocean caused by motor vehicles and the infrastructure supporting motor vehicle travel.	\$160,000
TOTAL		\$721,130

C/CAG previously approved Resolution 08-55 that adopted a vehicle license program with specific programs eligible for funding with vehicle license fees. The proposed resolution, if approved, would add the vehicle- and transportation infrastructure-related MRP programs to the existing list of approved stormwater pollution prevention programs authorized by Resolution 08-55. Attachment 1 to proposed Resolution 10-19 lists the various MRP-related programs and provides recommended performance measures that will be used to evaluate and document levels of effort for each program.

ATTACHMENTS

- Resolution 10-19
- Attachment 1 - Proposed List of Programs and Performance Measures to Add to Existing List of Approved Stormwater Pollution Prevention Programs.

ALTERNATIVES

1. Approve Resolution 10-19 updating C/CAG's existing list of approved programs eligible for funding with vehicle license funds to include compliance tasks mandated in the Municipal Regional Stormwater Permit that directly address the negative impacts of stormwater pollution associated with vehicles or transportation infrastructure in accordance with the staff recommendation.
2. Approve Resolution 10-19 updating C/CAG's existing list of approved programs eligible for funding with vehicle license funds to include compliance tasks mandated in the Municipal Regional Stormwater Permit that directly address the negative impacts of stormwater pollution associated with vehicles or transportation infrastructure in accordance with the staff recommendation with modifications.
3. No action.

RESOLUTION NO. 10-19

RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/ COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY UPDATING THE EXISTING LIST OF APPROVED PROGRAMS ELIGIBLE FOR FUNDING WITH VEHICLE LICENSE FUNDS TO INCLUDE COMPLIANCE TASKS MANDATED IN THE MUNICIPAL REGIONAL STORMWATER PERMIT THAT DIRECTLY ADDRESS THE NEGATIVE IMPACTS OF STORMWATER POLLUTION ASSOCIATED WITH VEHICLES OR TRANSPORTATION INFRASTRUCTURE

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

WHEREAS, C/CAG administers the San Mateo Countywide Water Pollution Prevention Program to assist municipalities within the county with compliance with National Pollutant Discharge Elimination System (NPDES) permit requirements; and

WHEREAS, amended California Government Code Section 65089.11 et. seq. authorizes C/CAG to impose an annual fee of up to \$4 on motor vehicles registered within San Mateo County for a program for the management of traffic congestion and stormwater pollution within that County; and

WHEREAS, pursuant to amended California Government Code Section 65089.11 et. seq., C/CAG previously held a noticed public hearing and adopted a resolution providing for both the fee and a corresponding program for the management of traffic congestion and stormwater pollution by a vote of approval by Board Members representing two-thirds of the population of San Mateo County; and

WHEREAS, amended California Government Code Section 65089.11 et. seq. requires that C/CAG make a finding of fact by a two-thirds vote that those programs to be funded with the proceeds from the fee, bear a relationship or benefit to the motor vehicles that will pay the fee; and

WHEREAS, the Regional Water Quality Control Board adopted the Municipal Regional Stormwater Permit (Order R2-2009-0074, NPDES Permit No. CAS612008) on October 14, 2009; and

WHEREAS, the Municipal Regional Stormwater Permit mandates certain tasks that bear a relationship or benefit to the motor vehicles that pay the \$4 annual fee

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the City/County Association of Governments of San Mateo County, by a vote of approval by Board Members representing at least two-thirds of the population of San Mateo County:

1. Makes a finding of fact that the Municipal Regional Stormwater Permit-mandated programs shown in Attachment 1 bear a relationship or benefit to the motor vehicles that will pay the fee and adds them to the list of programs previously adopted by C/CAG Resolution 08-55 that are eligible for funding with vehicle license funds; and
2. Adopts the attached performance measures for those programs.

PASSED, APPROVED, AND ADOPTED, THIS 13TH DAY OF MAY, 2010.

Thomas M. Kasten, Chair

Attachment 1 to Resolution 10-19

**Proposed List of Programs and Performance Measures to
Add to Existing List of Approved Stormwater Pollution Prevention Programs
Eligible for Funding with Vehicle License Fees**

Stormwater Pollution Prevention		
Local Cities, County, and Countywide	Projects (Municipal Regional Permit- Mandated Programs)	Performance Measure
	<u>MRP Provision C.2</u> Street, Road, Bridge, and Structure Repair and Maintenance	Number of guidance documents developed or area/length of roadways properly managed, number of bridges or structures properly maintained.
	<u>MRP Provision C.3</u> Green Street Pilot Projects	Number of projects completed, area of impervious surface managed with low impact development measures
	<u>MRP Provision C.5</u> Control Mobile Sources	Number of guidance documents developed, outreach events or materials distributed, or mobile sources properly managed.
	<u>MRP Provision C.7</u> Public Outreach Events	Number of outreach materials/events developed, distributed, and or attended. Number of people reached through outreach activities.
	<u>MRP Provision C.10</u> Trash Load Reduction and Hot Spot Cleanup	Number of guidance documents developed or quantity of area addressed by trash management measures. Amount of trash loading reduced/prevented through implementation of management measures.
	<u>MRP Provision C.13</u> Vehicle Brake Pads	Number of guidance documents developed and/or quantity of pollutants addressed by management measures.
	Vehicle License Fee Program Development and Implementation	Not applicable -- program administration.

C/CAG AGENDA REPORT

Date: May 13, 2010

To: City/County Association of Governments Board of Directors

From: Richard Napier, C/CAG Executive Director

Subject: Receive information on Senate Bill 83 (SB 83) Authorizing C/CAG to impose an annual fee of up to \$10 on motor vehicles registered within San Mateo County for transportation-related projects and programs and direct staff to gather information and present recommendation to the Board regarding the preparation of a measure to be put on the November ballot.

(For further information contact Richard Napier at 599-1420)

RECOMMENDATION

That the C/CAG Board receive information on Senate Bill 83 (SB 83) authorizing C/CAG to impose an annual fee of up to \$10 on motor vehicles registered within San Mateo County for transportation-related projects and programs and direct staff to gather information and present recommendation to the Board regarding the preparation of a measure to be put on the November ballot.

FISCAL IMPACT

If approved by the C/CAG Board and voters in San Mateo County, the expected annual revenue from the vehicle registration fee is approximately \$6,750,000. The total cost of the recommended programs will be based on annual revenues received and the expenditure plan.

SOURCE OF FUNDS

Imposition of an additional fee of up to ten dollars (\$10) on each motor vehicle registered within San Mateo County effective on or after six months following the adoption of the measure by the voters, per the California Government Code Section 65089.20.

BACKGROUND/DISCUSSION

AB 1546

Assemblymember Simitian introduced Assembly Bill 1546 (AB1546) on behalf of C/CAG in 2003. This bill was adopted by the Legislature on August 18, 2004, and signed into law by the Governor on September 29, 2004 (California Code Section 65089.11 et. seq.). It took effect on January 1, 2005.

With the C/CAG Board's approval, an annual fee of up to four dollars (\$4) was imposed on motor vehicles registered in San Mateo County to fund traffic congestion management and stormwater pollution prevention programs. The collection of the fees began on July 1, 2005 and continued through January 1, 2009.

ITEM 6.4

The fees collected are used to fund programs and projects for congestion management that mitigates traffic congestion and for stormwater pollution prevention that addresses the negative impacts on creeks, streams, bays, and ocean caused by motor vehicles and infrastructure supporting motor vehicle travel.

SB 348

Senate Bill 348 (SB 348), sponsored by Senator Simitian, allowed the C/CAG Board to reauthorize an annual fee of up to \$4 on vehicles registered in San Mateo County for a period of four years until January 1, 2013, unless reauthorized by the Legislature. The bill was adopted by the Legislature and signed by the Governor on September 27, 2008.

SB 83

Senate Bill 83 (SB 83), authored by Senator Hancock and signed into law, authorizes C/CAG, as the countywide transportation planning agency, to impose an annual fee of up to ten dollars (\$10) on motor vehicles registered in San Mateo County, through a simple majority vote ballot measure, for transportation-related congestion mitigation and pollution mitigation programs and projects.

Revenue

The current \$4 vehicle license fee program receives an average of \$2.7 million annually. Total revenue to be collected from July 1, 2005 through January 1, 2013 (7 ½ years) is estimated at \$20,250,000.

Based on revenue received from the current program, anticipated revenue from the \$10 vehicle license fee program is projected to be approximately \$6.75 million annually.

Programs and Projects

Under the current program adopted by the Board, 50% of the revenue is allocated to local jurisdictions. The remaining 50% fund countywide programs. A complete list of programs, projects and performance measures can be found in Attachment 1.

Similar to the AB1546/SB348, the projects and programs that can be funded by the fee increase under SB 83 need to have a relationship or benefit to the person paying the fee (i.e., motor vehicles). The SB 83 legislation provides for a broader range of projects. Potential programs and projects that may receive funding from the new \$10 vehicle license fee program include but are not limited to:

- Countywide transportation and NPDES
- Local streets and roads rehabilitation (allocation to individual cities and the County specifically for roadway construction and overlay projects)
- Transit operations and maintenance (allocation to Caltrain and/or SamTrans)
- Safe Routes to School Program
- Bicycle and pedestrian related infrastructure projects

Considerations

A number of Bay Area counties are currently looking at proposing ballot measures for the November 2010 ballot and these counties have polled and received favorable results. C/CAG staff is coordinating with other Bay Area congestion management agencies (CMAs) on strategies

for placing the vehicle registration fee measure on the respective county ballots in November 2010. In order to place the measure on the San Mateo County November 2010 ballot, C/CAG will need to consider the following activities in determining the plan for San Mateo County:

- Polling have not been performed in San Mateo County to determine the feasibility of placing a vehicle registration fee measure in the November 2010 ballot. Is polling necessary? Can we place the measure on the ballot without polling in the County considering polls in other counties have been positive?
- The public outreach process will need to be implemented
- Develop an expenditure plan
- Determine costs associated with putting the measure on the ballot
- Consider the timing and activities required to be performed in order to put the measure on the ballot
- Since San Mateo County already have a \$4 fee which will end December 31, 2012 (unless reauthorized by the Legislature), consider options for the new fees (e.g., \$6 for the first 2 years and \$10 for subsequent years)
- Consider other county fees that will also be on the November 2010 ballot
- Total anticipated cost to place the measure on the ballot would be \$300,000 to \$500,000

Proposed Schedule

<u>Key Dates</u>	<u>Activities</u>
May 13, 2010	- Board directs staff to develop recommendation
May – June 2010	- Conduct Polling in San Mateo County - Develop draft Expenditure Plan
June 10, 2010	- Final recommendations to the Board - If Board approves placing a ballot measure on the November 2010 election, staff to proceed with tasks listed below
June – July 2010	- Hold Public Outreach/Workshops
July 2010	- <u>Special Board Meeting</u> : Approve Expenditure Plan and authorize placing the vehicle license fee measure on the ballot in November 2010
August 1, 2010	- Measure Placed on November 2010 Ballot
November 2, 2010	- San Mateo County residents votes on ballot measure

ATTACHMENTS

Attachment 1 –Program Fund Distribution and Programs and Performance Measures (Current C/CAG adopted \$4 Vehicle License Fee Program – FOR REFERENCE ONLY)

ATTACHMENT 1

PROGRAM FUND DISTRIBUTION

The established program allocates the net proceeds equally towards the traffic congestion management and stormwater pollution prevention categories. The program distributes the funding within these categories for projects that focuses on the local jurisdictions including the 20 cities and the County as well as projects with countywide significance. The program allocations are summarized as follows:

- 25% are committed to the cities and County for local traffic congestion management programs.
- 25% are programmed by C/CAG for Countywide traffic congestion management programs including the implementation of a demonstration alternate fuel program and the deployment of Intelligent Transportation Systems
- 25% are committed to the cities and County for local programs that address the negative impact on creeks, streams, bays, and the ocean caused by motor vehicles and the infrastructure supporting motor vehicle travel.
- 25% are programmed by C/CAG for Countywide programs that address the negative impact on creeks, streams, bays, and the ocean caused by motor vehicles and the infrastructure supporting motor vehicle travel.

PROGRAMS AND PERFORMANCE MEASURES

The following table identifies the project types associated with traffic congestion management and stormwater pollution prevention programs including performance measures as applicable to the Local Cities/County and Countywide programs.

Traffic Congestion Management		
	<i>Projects</i>	<i>Performance Measure</i>
Local Cities and County	Local shuttles/transportation	Number of passengers transported.
	Road resurfacing/reconstruction	Miles/fraction of miles of roads improved.
	Deployment of Local Intelligent Transportation Systems (ITS)	Number of ITS components installed/ implemented.
	Roadway operations such as: Restriping, Signal timing, coordination, Signage	Miles/fraction of miles of roads improved.
	Replacement and/or upgrading of traffic signal hardware and/or software	Number of units replaced and/or upgraded.

Countywide	Maintenance and operation of up to four hydrogen and/or other clean fuel shuttle vehicles and related fueling infrastructure	Number of passengers transported and number of passenger miles.
	Deployment of Intelligent Transportation System (ITS) projects having regional / Countywide significance	Number of ITS components installed / implemented.

Stormwater Pollution Prevention		
	<i>Projects</i>	<i>Performance Measure</i>
Local Cities and County	Street sweeping	Miles of streets swept an average of once a month.
	Roadway storm inlet cleaning	Number of storm inlets cleaned per year.
	Street side runoff treatment	Square feet of surfaces managed annually.
	Auto repair shop inspections	Number of auto repair shops inspected per year.
	Managing runoff from Street/Parking lot impervious surfaces	Square feet of surfaces managed annually.
	Small capital projects such as vehicle wash racks for public agencies that include pollution runoff controls	Number of projects implemented.
	Capital purchases for motor vehicle related runoff management and controls	Number of pieces of equipment purchased and installed.
	Additional used oil drop off locations	Number of locations implemented and operated, and quantity of oil collected.
	Motor vehicle fluid recycling programs	Number of programs implemented and operated, and quantity of fluids collected.
	Installation of new pervious surface medium strips in roadways	Square footage of new pervious surface medium strips installed.

Countywide	Pilot water studies	Number of studies completed
	Public outreach to auto repair shops	Number of shops contacted and information provided.
	Training and implementation of car wash Best Management Practices (BMPs)	Number of individuals trained
	NPDES consulting assistance on motor vehicle related issues	Person hours of consulting assistance.
	Brake pad partnership	Number of studies participated in.
	Partial funding for hydromodification plan	Percent implementation of the Plan
	Monitoring of motor vehicle related BMPs	Number of locations where BMPs were monitored annually
	Addressing stormwater pollution on the freeways and other State highways through installation of filtration systems	Number of filtration systems installed
	Countywide oil and other motor vehicle fluid recycling programs	Number of programs implemented and operated
	Countywide training on the prevention and control of water pollution attributable to motor vehicles	Number of individuals trained
	Sustainable, Green Streets and Parking Lot program.	Number of programs implemented

C/CAG AGENDA REPORT

Date: May 13, 2010
To: City/County Association of Governments Board of Directors
From: Finance Committee and Richard Napier, Executive Director
Subject: Review and approval of the revised C/CAG Procurement Policy

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

RECOMMENDATION

That the C/CAG Board review and approve the revised C/CAG Procurement Policy for professional services, and capital items, consumable items and services.

FISCAL IMPACT

None

SOURCE OF FUNDS

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

BACKGROUND/DISCUSSION

At the February 11, 2010 meeting, the C/CAG Board directed staff to revise the current C/CAG Procurement Policy and bring it back for approval. Since then, C/CAG staff, in consultation with C/CAG legal counsel, prepared a revised procurement policy and presented to the C/CAG Finance Committee for review and comment at the March 14, 2010 Finance Committee meeting. The Revised C/CAG Procurement Policy presented hereof incorporates comments from the Finance Committee.

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

ATTACHMENTS

1. Revised C/CAG Procurement Policy (with track changes)
2. Revised C/CAG Procurement Policy (without track changes)

ITEM 6.5

C/CAG PROCUREMENT POLICY

Established June 9, 2005 Revised May 13, 2010

Professional Services Procurements

1. The method for procurement of professional services (consultants) shall generally be the Request for Proposal (RFP) procedure. The primary purpose of using a RFP is to ensure that C/CAG receives the best value in obtaining services. The determination of "best value" is not based solely on the lowest price or the highest quality. It involves a subjective weighing of efficiency, quality, and economy, and a recommendation as to how the services might best be provided, including the consideration of Design-Build approaches. The RFP is not a bid, in which the contract is awarded to the lowest bidder and the bid dictates the terms of the contract. Rather, it is a mechanism for exploring the expense and potential methodologies that could be used for dealing with the project for which the proposal is solicited. The RFP is an opportunity to ensure that all qualified contractors are given an opportunity to be considered for providing services to C/CAG. Each RFP shall be sent to all qualified firms and/or individuals that have been previously identified by C/CAG staff. Some of the ways that C/CAG staff may identify qualified firms and/or individuals could be through the issuance of a Request for Qualifications (RFQ), a letter of interest, and/or a review of informational materials provided by firms and/or individuals. Any firm and/or individual can request to be included on this list at any time by communicating such request to C/CAG staff and providing a summary of qualifications.
2. All RFPs must include a well-defined statement of work and must require that the responding party include quantifiable objectives, performance standards, and deliverables in its response to the RFP in order to be considered for funding.
3. In response to a written request from the Executive Director, the C/CAG Chairperson, with the concurrence of at least one Vice Chairperson, may administratively authorize up to an additional 5%, but not to exceed \$100,000, of the original total contract amount in the event that there are unforeseen costs associated with the project.
4. If the contract is for work that will continue for a specified period of time, the term of the contract should be the period of time for which the services are needed, but no longer than three (3) years, unless a longer term is approved by the C/CAG Board.
5. The Executive Director may approve up to one year time extension of a contract if there is no change in the contract amount.
6. ~~Once a contractor has been selected through either the formal RFP procedure or another procedure as per 6., 7., 8., or 9., the contractor may be used to provide additional services, if the work is substantially similar to that which was included in the original contract, for a period of up to three (3) years beyond the initial contract ending date. This may be done through either the execution of an~~

With Track Changes

~~amendment to the existing contract or through the execution of a new contract. The approval of the amendment or new contract shall be subject to the approval requirements in 6, 7, or 8, depending on the amount of funding to be included in the amendment or new contract.~~

7. Contracts ~~\$5,000~~ \$25,000 and below:
 - a. A formal competitive RFP procedure is not required.
 - b. The selection process must be fair (see #1), and there must be documentation that the contractor selected is qualified and that the cost is competitive.
 - c. The results of another public agency's selection process may be used to satisfy the requirements of b.
 - d. A telephone survey of three (3) or more potential service providers may be used to satisfy the requirements of b.
 - e. The C/CAG Executive Director shall be authorized to execute contracts ~~\$5,000~~ \$25,000 and below without the prior approval of the Board. The Board shall be notified of such contracts executed at the next scheduled Board meeting following such execution.
8. Contracts ~~\$5,001~~ \$25,001 to ~~\$25,000~~ \$49,999:
 - a. A formal competitive RFP procedure is not required.
 - b. The selection process must be fair (see #1), and there must be documentation that the contractor selected is qualified and that the cost is competitive.
 - c. The results of another public agency's selection process may be used to satisfy the requirements of b.
 - d. A telephone survey of three (3) or more potential service providers may be used to satisfy the requirements of b.
 - e. The Chair of the C/CAG Board shall be authorized to execute contracts ~~\$25,000~~ \$49,999 and below without the prior approval of the Board. The Board shall be notified of such contracts executed at the next scheduled Board meeting following such execution.
9. Contracts greater than ~~\$25,000~~ \$50,000:
 - a. A formal competitive RFP procedure should be utilized unless authorization from the C/CAG Board is given for another procedure or for a waiver of the RFP process.
 - b. The selection process shall not utilize cost as the sole criteria in selecting the successful contractor. The proposals shall be evaluated based on a combination of factors that result in the best value to C/CAG, including but not limited to:
 - i. Understanding of the work required by C/CAG.
 - ii. Quality and responsiveness of the proposal.
 - iii. Demonstrated competence and professional qualifications necessary for satisfactory performance of the work required by C/CAG.
 - iv. Recent experience in successfully performing similar services.
 - v. Proposed methodology for completing the work.

With Track Changes

- vi. References.
 - vii. Background and related experience of the specific individuals to be assigned to the project.
 - viii. Proposed cost.
 - ix. Previous experience in providing similar services for C/CAG and satisfactory delivery of those services.
- c. The Chair of the C/CAG Board shall be authorized to execute contracts greater than ~~\$25,000~~ \$50,000 with the prior approval of 51% of the voting members of the Board present at a Board meeting where a vote on the contract was taken in accordance with C/CAG procedures. In accordance with the C/CAG Bylaws, Article VIII., Section 3., the special voting procedures may be utilized upon the request of any voting member. Under the special voting procedures, for a motion to be successful it must receive the votes of a majority of the voting members representing a majority of the population of the County.
10. Waiver of RFP Process:
- a. The C/CAG Board may waive the solicitation of RFPs when it determines that it is in the best interest of C/CAG to do so. Situations in which a RFP may be waived include, but are not limited to, emergency situations or those in which an independent contractor is the only available source of a particular service. Appropriate situations for waiving the RFP process include contracting directly with a member agency or other public agency, which has the qualifications or expertise to perform the particular service desired. Another appropriate situation for waiving the RFP process is where a particular firm, agency, and/or individual has unique qualifications and/or experience, ~~and or~~ it is determined by the C/CAG Board that the added time required for another firm and/or individual to acquire this knowledge base would create an unacceptable delay in the delivery of the service ~~and or~~ not result in significant cost savings. In all circumstances, the any waiver requires the approval of the C/CAG Board.
 - b. Requests to waive the RFP process that are presented to the C/CAG Board for consideration must include the specific findings by staff which substantiate the request for a waiver.
11. Contractors shall not discriminate or permit discrimination against any person or group of persons on the basis of race, color, religion, national origin or ancestry, age, sex, sexual orientation, marital status, pregnancy, childbirth or related conditions, medical condition, mental or physical disability or veteran's status, or in any manner prohibited by federal, state or local laws.
12. Contract specifications shall be written, and contractor services and products shall be delivered, in such a way so as to minimize C/CAG dependence on one particular contractor or methodology for future contracts or programs.
13. In those instances when the procurement requirements, standards or procedures of the funding source are more rigorous than these C/CAG procedures, those of the funding source shall apply to the procurement in question.

With Track Changes

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

All contracts must have the prior written consent of MTC.

Copies of all contracts or amendments to contracts exceeding \$25,000 must be provided to MTC after their execution.

MTC reserves the right to review contracts or amendments to contracts, prior to their execution.

All contracts must be in accordance with 49 Code of Federal Regulations (CFR) Part 18, MTC's funding agreement with DOT and any regulations, guidelines and circulars of Department of Transportation (DOT), applicable as a result of such funding agreement.

The provisions of the MTC/San Mateo County Interagency Agreement will be included, as applicable, in any contract exceeding \$25,000, including procurement of materials and leases of equipment.

All books, records, accounts, and any and all work products, materials, and other data relevant to the performance under any contract shall be maintained for a minimum of three (3) years following final payment by MTC.

All contractors shall not discriminate or permit discrimination against any persons or group of persons on the grounds of race, religious creed, color, national origin, age, ancestry, physical disability, medical condition, marital status, or sex, in any manner prohibited by federal, state, or local laws. Contractors shall comply with all applicable provisions of Executive Order 11246 as amended by Executive Order 11375 and as supplemented by Department of Labor (DOL) regulations.

C/CAG shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts.

C/CAG shall cooperate with MTC in meeting its commitments and objectives to ensure nondiscrimination in the award and administration of DOT assisted contracts and to create a level playing field on which disadvantaged business enterprises, as defined in 49 CFR Part 26, can compete fairly for contracts.

Contractors shall comply with all the requirements imposed by Title VI of the Civil Rights Act of 1964 (42 USC § 2000(d)) and the regulations of the DOT issued thereunder (49 CFR Part 21).

Title 49 CFR Part 18, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments" shall govern contracts.

1. No contract shall be executed with any organization or individual who is included on the List of Parties Excluded from Federal Procurement and Nonprocurement Programs, as published by the U.S. General Services Administration.

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

1. C/CAG shall, to greatest extent possible, utilize the procurement systems of its member agencies for capital purchases. The member agencies have in place the appropriate infrastructure to manage these procurement processes and this will

With Track Changes

enable C/CAG to take advantage of their greater purchasing power; thereby ensuring a more favorable price and the meeting of all appropriate federal, state and local procurement requirements.

2. The C/CAG Executive Director shall have the authority to purchase consumable items and services through any appropriate means up to a maximum of \$5,000. Purchases of more than \$5,000 require approval of the C/CAG Board.

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C/CAG PROCUREMENT POLICY

Established on June 9, 2005

Revised on May 13, 2010

Professional Services Procurements

1. The method for procurement of professional services (consultants) shall generally be the Request for Proposal (RFP) procedure. The primary purpose of using a RFP is to ensure that C/CAG receives the best value in obtaining services. The determination of “best value” is not based solely on the lowest price or the highest quality. It involves a subjective weighing of efficiency, quality, and economy, and a recommendation as to how the services might best be provided, including the consideration of Design-Build approaches. The RFP is not a bid, in which the contract is awarded to the lowest bidder and the bid dictates the terms of the contract. Rather, it is a mechanism for exploring the expense and potential methodologies that could be used for dealing with the project for which the proposal is solicited. The RFP is an opportunity to ensure that all qualified contractors are given an opportunity to be considered for providing services to C/CAG. Each RFP shall be sent to all qualified firms and/or individuals that have been previously identified by C/CAG staff. Some of the ways that C/CAG staff may identify qualified firms and/or individuals could be through the issuance of a Request for Qualifications (RFQ), a letter of interest, and/or a review of informational materials provided by firms and/or individuals. Any firm and/or individual can request to be included on this list at any time by communicating such request to C/CAG staff and providing a summary of qualifications.
2. All RFPs must include a well-defined statement of work and must require that the responding party include quantifiable objectives, performance standards, and deliverables in its response to the RFP in order to be considered for funding.
3. In response to a written request from the Executive Director, the C/CAG Chairperson, with the concurrence of at least one Vice Chairperson, may administratively authorize up to an additional 5%, but not to exceed \$100,000, of the original total contract amount in the event that there are unforeseen costs associated with the project.
4. If the contract is for work that will continue for a specified period of time, the term of the contract should be the period of time for which the services are needed, but no longer than three (3) years, unless a longer term is approved by the C/CAG Board.
5. The Executive Director may approve up to one year time extension of a contract if there is no change in the contract amount.
6. Contracts \$25,000 and below:
 - a. A formal competitive RFP procedure is not required.
 - b. The selection process must be fair (see #1), and there must be documentation that the contractor selected is qualified and that the cost is competitive.
 - c. The results of another public agency’s selection process may be used to satisfy the requirements of b.

- d. A telephone survey of three (3) or more potential service providers may be used to satisfy the requirements of b.
 - e. The C/CAG Executive Director shall be authorized to execute contracts \$25,000 and below without the prior approval of the Board. The Board shall be notified of such contracts executed at the next scheduled Board meeting following such execution.
7. Contracts \$25,001 to \$49,999:
- a. A formal competitive RFP procedure is not required.
 - b. The selection process must be fair (see #1), and there must be documentation that the contractor selected is qualified and that the cost is competitive.
 - c. The results of another public agency's selection process may be used to satisfy the requirements of b.
 - d. A telephone survey of three (3) or more potential service providers may be used to satisfy the requirements of b.
 - e. The Chair of the C/CAG Board shall be authorized to execute contracts \$49,999 and below without the prior approval of the Board. The Board shall be notified of such contracts executed at the next scheduled Board meeting following such execution.
8. Contracts greater than \$50,000:
- a. A formal competitive RFP procedure should be utilized unless authorization from the C/CAG Board is given for another procedure or for a waiver of the RFP process.
 - b. The selection process shall not utilize cost as the sole criteria in selecting the successful contractor. The proposals shall be evaluated based on a combination of factors that result in the best value to C/CAG, including but not limited to:
 - i. Understanding of the work required by C/CAG.
 - ii. Quality and responsiveness of the proposal.
 - iii. Demonstrated competence and professional qualifications necessary for satisfactory performance of the work required by C/CAG.
 - iv. Recent experience in successfully performing similar services.
 - v. Proposed methodology for completing the work.
 - vi. References.
 - vii. Background and related experience of the specific individuals to be assigned to the project.
 - viii. Proposed cost.
 - ix. Previous experience in providing similar services for C/CAG and satisfactory delivery of those services.
 - c. The Chair of the C/CAG Board shall be authorized to execute contracts greater than \$50,000 with the prior approval of 51% of the voting members of the Board present at a Board meeting where a vote on the contract was taken in accordance with C/CAG procedures. In accordance with the C/CAG Bylaws, Article VIII., Section 3., the special voting procedures may be utilized upon the request of any voting member. Under the special voting procedures, for a motion to be successful it must receive the votes of a majority of the voting members representing a majority of the population of the County.

9. Waiver of RFP Process:
 - a. The C/CAG Board may waive the solicitation of RFPs when it determines that it is in the best interest of C/CAG to do so. Situations in which a RFP may be waived include, but are not limited to, emergency situations or those in which an independent contractor is the only available source of a particular service. Another appropriate situation for waiving the RFP process is where a particular firm, agency, and/or individual has unique qualifications and/or experience, or it is determined by the C/CAG Board that the added time required for another firm and/or individual to acquire this knowledge base would create an unacceptable delay in the delivery of the service or not result in significant cost savings. In all circumstances, any waiver requires the approval of the C/CAG Board.
 - b. Requests to waive the RFP process that are presented to the C/CAG Board for consideration must include the specific findings by staff which substantiate the request for a waiver.
10. Contractors shall not discriminate or permit discrimination against any person or group of persons on the basis of race, color, religion, national origin or ancestry, age, sex, sexual orientation, marital status, pregnancy, childbirth or related conditions, medical condition, mental or physical disability or veteran's status, or in any manner prohibited by federal, state or local laws.
11. Contract specifications shall be written, and contractor services and products shall be delivered, in such a way so as to minimize C/CAG dependence on one particular contractor or methodology for future contracts or programs.
12. In those instances when the procurement requirements, standards or procedures of the funding source are more rigorous than these C/CAG procedures, those of the funding source shall apply to the procurement in question.

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

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

C/CAG AGENDA REPORT

Date: May 13, 2010
To: City/County Association of Governments Board of Directors
From: Finance Committee
Subject: Review and approval of the Revised C/CAG Investment Policy
(For further information or questions contact Richard Napier at 599-1420)

RECOMMENDATION

The C/CAG Board review and approve the revised C/CAG Investment Policy in accordance with the Finance Committee recommendation.

FISCAL IMPACT

Minimal. Will potentially reduce the return on investments while reducing or eliminating the potential for loss of principal.

SOURCE OF FUNDS

The Investment Policy applies to all C/CAG funds held by the C/CAG Financial Agent (City of San Carlos).

BACKGROUND/DISCUSSION

In FY 08-09 C/CAG lost approximately \$200,000 due to the Lehman Brothers negative impact on the County Pool. The C/CAG Board requested that the Finance Committee make changes to the Investment Policy in order to reduce the risk of loss of principal. The Finance Committee met twice to recommend changes to the Investment Policy. After meeting with the City of San Carlos and the C/CAG Chair, staff drafted final changes to the Investment Policy. This was presented to the Finance Committee and accepted on March 14, 2010. The Finance Committee recommended some minor changes which staff have made.

The major changes to the Investment Policy include the following:

- 1- Establish guidelines to reduce the potential for loss of principal.
- 2- Establish a C/CAG Investment Advisory Committee with significant financial expertise.
- 3- The C/CAG Investment Advisory Committee would specify to the C/CAG Financial Agent (City of San Carlos) the distribution between the County Pool and the State Pool (LAIF).

ATTACHMENTS

1. Revised C/CAG Investment Policy

ITEM 6.6

CITY AND COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY INVESTMENT POLICY

May, 2010

POLICY

The investment of the funds of the City and County Association of Governments (C/CAG) is directed to the goals of safety, liquidity and yield. This Investment Policy incorporates the policies defined by the certified investment policy standards recommended by the Association of Public Treasurers. The authority governing investments for municipal governments is set forth in the California Government Code, Sections 53601 through 53659. C/CAG's portfolio shall be designed and managed in a manner responsive to the public trust and consistent with state and local law.

The three objectives, in priority order, of the investment policy of the City and County Association of Governments are:

- 1- SAFETY OF PRINCIPLE - The primary objective of the investment policy of the City and County Association of Governments is SAFETY OF PRINCIPAL. Investments shall be placed in those securities as outlined by type and maturity sector in this document to achieve this objective. The portfolio should be analyzed not less than quarterly by the C/CAG Investment Committee and modified as appropriate periodically to respond to changing circumstances in order to achieve the Safety of Principle.
- 2- LIQUIDITY TO MEET NEEDS - Effective cash flow management and resulting cash investment practices are recognized as essential to good fiscal management and control. The portfolio should have adequate liquidity to meet the immediate and short term needs.
- 3- RETURN ON INVESTMENT - A reasonable return on investment should be pursued. Safety of Principle should not be reduced in order to achieve higher yield.

Portfolio management requires continual analysis and as a result the balance between the various investments and maturities may change in order to give C/CAG the optimum combination of Safety of Principle, necessary liquidity, and optimal yield based on cash flow projections.

SCOPE

The investment policy applies to all financial assets of the City and County Association of Governments. Policy statements outlined in this document focus on C/CAG's pooled funds.

PRUDENCE

The standard to be used by investment officials shall be that of a "prudent investor" and shall be applied in the context of managing all aspects of the overall portfolio. When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency. Within the limitations of this section and considering individual investments as part of an overall strategy, investments may be acquired as authorized by law.

It is C/CAG's full intent, at the time of purchase, to hold all investments until maturity to ensure the return of all invested principal dollars.

However, it is realized that market prices of securities will vary depending on economic and interest rate conditions at any point in time. It is further recognized that in a well-diversified investment portfolio, occasional measured losses are inevitable due to economic, bond market or individual security credit analysis. These occasional losses must be considered within the context of the overall investment program objectives and the resultant long-term rate of return.

Individuals assigned to manage the investment portfolio, acting within the intent and scope of the investment policy and other written procedures and exercising due diligence, shall be relieved of personal responsibility and liability for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely manner and appropriate action is taken to control adverse developments.

C/CAG will establish an Investment Advisory Committee that will analyze the portfolio quarterly against the policy objectives and make recommendations to C/CAG's Fiscal Agent as necessary for changes to the portfolio. It is intended that the committee membership include financial expertise.

OBJECTIVES

Safety of Principal

Safety of principal is the foremost objective of the City and County Association of Governments. Each investment transaction shall seek to ensure that capital losses are avoided, whether from securities default, broker-dealer default or erosion of market value. C/CAG shall seek to preserve principal by mitigating the three types of risk: credit risk, market risk and interest rate risk.

Credit risk, defined as the risk of loss due to failure of the issuer of a security, shall be mitigated by investing in investment grade securities and by diversifying the investment portfolio so that the failure of any one issuer does not unduly harm C/CAG's capital base and cash flow.

Market risk, defined as market value fluctuations due to overall changes in the general level of interest rates, shall be mitigated by limiting the average maturity of C/CAG's investment portfolio to two years, the maximum maturity of any one security to five years, structuring the portfolio based on historic and current cash flow analysis eliminating the need to sell securities prior to maturity and avoiding the purchase of long term securities for the sole purpose of short term speculation.

Interest rate risk, defined as pursuing higher yields at the cost of increasing the risk of loss of principal, shall be mitigated by accepting a lower return with increased safety of principle, by investing in investment grade securities, and by diversifying the investment.

Liquidity

Historical cash flow trends are compared to current cash flow requirements on an ongoing basis in an effort to ensure that C/CAG's investment portfolio will remain sufficiently liquid to enable C/CAG to meet all reasonably anticipated operating requirements. The C/CAG Executive Director will provide a projected cash flow schedule in consultation with the C/CAG Chair and the C/CAG Investment Advisory Committee Chair.

MATURITY MATRIX

Maturities of investments will be selected based on liquidity requirements to minimize interest rate risk and maximize earnings. Current and expected yield curve analysis will be monitored and the portfolio will be invested accordingly. The weighted average maturity of the pooled portfolio should not exceed two years and the following percentages of the portfolio should be invested in the following maturity sectors:

Maturity Range	Suggested Percentage
1 day to 7 days	10 to 50%
7 days to 180	10 to 30%
180 days to 360 days	10 to 30%
1 year to 2 years	10 to 20%
2 years to 3 years	0 to 20%
3 years to 4 years	0 to 20%
4 years to 5 years	0 to 20%

No more than 40% of the portfolio shall have a maturity of 2-5 years.

PERFORMANCE EVALUATION

Day to day management of C/CAG's portfolio is conducted by the C/CAG Fiscal Agent Finance Officer. Investment performance is monitored and provided to the C/CAG Investment Advisory Committee on a quarterly basis. Investment performance statistics and activity reports are generated on a quarterly basis for presentation to the C/CAG Investment Advisory Committee, and to the C/CAG Board. Annually, a statement of investment policy, and any proposed changes to the policy, will be rendered to the C/CAG Investment Advisory Committees and to the C/CAG Board for consideration at a public meeting.

C/CAG's investment portfolio is designed to at least attain a market average rate of return through economic cycles. The market average rate of return is defined as average return on the Local Agency Investment Fund (assuming the State does not adversely affect LAIF's returns due to budget constraints).

DELEGATION OF AUTHORITY

The Joint Powers Authority Agreement of the City and County Association of Governments of San Mateo County and the authority granted by the C/CAG Board, assign the responsibility of investing

unexpended cash to the Administrative Services Director. Daily management responsibility of the investment program may be delegated to the Finance Officer, who shall establish procedures for the operation consistent with this investment policy. For the longer term investments the C/CAG Fiscal Agent shall invest in accordance with the directions provided by the C/CAG Investment Advisory Committee.

C/CAG INVESTMENT ADVISORY COMMITTEE

C/CAG will establish an Investment Advisory Committee that will analyze the portfolio quarterly against the policy objectives and make recommendations as necessary for changes to the portfolio. The committee should include the C/CAG Chair or designee, and four public members with a financial background. Recommendations from the Committee should be unanimous. Quarterly Reports on the portfolio performance and the make-up of the County Pool and the Local Agency Investment Fund (LAIF) will be provided to the Committee. The Committee will consider input from the C/CAG Fiscal Agent and C/CAG staff in making their recommendations to the C/CAG Board.

ETHICS AND CONFLICTS OF INTEREST

The C/CAG Investment Advisory Committee, Officers, and employees involved in the investment process shall refrain from personal business activity that conflicts with proper execution of the investment program, or impairs their ability to make impartial investment decisions. Additionally the Administrative Services Director, the Finance Officer, and members of the C/CAG Investment Advisory Committee are required to annually file applicable financial disclosures (Form 700 etc.) as required by the Fair Political Practices Commission (FPPC).

SAFEKEEPING OF SECURITIES

To protect against fraud or embezzlement or losses caused by collapse of an individual securities dealer, all securities owned by C/CAG shall be held in safekeeping by a third party bank trust department, acting as agent for C/CAG under the terms of a custody agreement. All trades executed by a dealer will settle delivery versus payment (DVP) through C/CAG's safekeeping agent.

A receipt shall be provided for securities held in custody for C/CAG and shall be monitored by the Administrative Services Director to verify investment holdings.

INTERNAL CONTROL

Separation of functions between the Administrative Services Director or Finance Officer and/or the Senior Accountant is designed to provide an ongoing internal review to prevent the potential for converting assets or concealing transactions.

Investment decisions made by the C/CAG Investment Advisory Committee are executed by the Administrative Services Director or Finance Officer and confirmed by the Senior Accountant. All

wire transfers initiated by the Administrative Services Director or Finance Officer must be reconfirmed by the appropriate financial institution by the Senior Accountant. Proper documentation obtained from confirmation and cash disbursement wire transfers is required for each investment transaction. Timely bank reconciliation is conducted to ensure proper handling of all transactions.

The investment portfolio and all related transactions are reviewed and balanced to appropriate general ledger accounts by the Senior Accountant on a monthly basis. An independent analysis by an external auditor shall be conducted annually to review and perform procedure testing on the Agency's cash and investments that have a material impact on the financial statements. The Administrative Services Director and/or Investment Committee shall review and assure compliance with investment process and procedures.

REPORTING

The Administrative Services Director shall review and render quarterly reports to the C/CAG Investment Advisory Committee and to the C/CAG Board which shall include the face amount of the cash investment, the classification of the investment, the name of the institution or entity, the rate of interest, the maturity date, the current market value and accrued interest due for all securities. The quarterly reports will be submitted to the C/CAG Investment Advisory Committee within thirty (30) days following the end of the quarter covered by the report as per Section 53646 (b)(1) of the California Government Code. Once approved by the C/CAG Investment Advisory Committees, the quarterly reports shall be placed on C/CAG's meeting agenda for its review and approval no later than 75 days after the quarter ends.

QUALIFIED BROKER/DEALERS

C/CAG shall transact business only with banks, savings and loans, and with broker/dealers registered with the State of California or the Securities and Exchange Committee. The broker/dealers should be primary or regional dealers. The Administrative Services Director will maintain a list of approved dealers. Investment staff shall investigate dealers wishing to do business with C/CAG's staff to determine if they are adequately capitalized, have pending legal action against the firm or the individual broker and make markets in the securities appropriate to C/CAG's needs. The Investment staff shall recommend additions to the approved dealer list to the C/CAG Investment Advisory Committee for approval.

The Administrative Services Director or Finance Officer shall annually send a copy of the current investment policy to all broker/dealers approved to do business with C/CAG. Confirmation of receipt of this policy shall be considered evidence that the dealer understands C/CAG's investment policies and intends to sell C/CAG only appropriate investments authorized by this investment policy.

COLLATERAL REQUIREMENTS

Collateral is required for investments in certificates of deposit. In order to reduce market risk, the collateral level will be at least 110% of market value of principal and accrued interest. Collaterals should be held by an independent third party. Collaterals should be required for investments in CDs in excess of FDIC insured amounts.

In order to conform with the provisions of the Federal Bankruptcy Code which provides for liquidation of securities held as collateral, the only securities acceptable as collateral shall be certificates of deposit, commercial paper, eligible banker's acceptances, medium term notes or securities that are direct obligations of, or are fully guaranteed as to principal and interest by, the United States or any agency of the United States.

AUTHORIZED INVESTMENTS

Investment of C/CAG's funds is governed by the California Government Code Sections 53600 et seq. The level of investment in all areas will be reviewed by the C/CAG Investment Advisory Committee. Within the context of the limitations, the following investments are authorized, as further limited herein:

1. United States Treasury Bills, Bonds, and Notes or those for which the full faith and credit of the United States are pledged for payment of principal and interest. There is no percentage limitation of the portfolio that can be invested in this category, although a five-year maturity limitation is applicable.
2. Obligations issued by the Government National Mortgage Association (GNMA), the Federal Farm Credit System (FFCB), the Federal Home Loan Bank Board (FHLB), the Federal National Mortgage Association (FNMA), the Student Loan Marketing Association (SLMA), and the Federal Home Loan Mortgage Corporation (FHLMC). Investments in these agencies shall be no more than 20% of the portfolio. It should be reviewed quarterly by the C/CAG Investment Advisory Committees, although a five-year maturity limitation is applicable.

Investments detailed in items 3 through 9 are further restricted to a percentage of the cost value of the portfolio in any single issuer name to a maximum of 5%. The total value invested in any one issuer shall not exceed 5% of the issuer's net worth. Again, a five-year maximum maturity limitation is applicable unless further restricted by this policy.

3. Bills of exchange or time drafts drawn on and accepted by commercial banks, otherwise known as banker's acceptances. Banker's acceptances purchased may not exceed 180 days to maturity or 30% of the cost value of the portfolio and no more than 5% of the portfolio to any one corporate borrower.
4. Commercial paper ranked P1 by Moody's Investor Services or A1+ by Standard & Poor's, and issued by domestic corporations having assets in excess of \$500,000,000 and having an AA or better rating on its' long term debentures as provided by Moody's or Standard & Poor's. Purchases of eligible commercial paper may not exceed 270 days to maturity nor represent more than 10% of the outstanding paper of the issuing corporation. Purchases of commercial paper may not exceed 15% of the cost value of the portfolio and no more than 5% of the portfolio to any one corporate borrower.
5. Negotiable Certificates of Deposit issued by nationally or state chartered banks (FDIC insured institutions) or state or federal savings institutions. Purchases of negotiable

certificates of deposit may not exceed 30% of total portfolio. A maturity limitation of five years is applicable and no more than 5% of the portfolio to any one corporate borrower.

Local Agency Investment Fund (LAIF) which is a State of California managed investment pool, and San Mateo County Investment pool, may be used up to the maximum permitted by California State Law. A review of the pool/fund is required when they are part of the list of authorized investments.

6. Time deposits, non-negotiable and collateralized in accordance with the California Government Code, may be purchased through banks or savings and loan associations. Since time deposits are not liquid, no more than 25% of the investment portfolio may be invested in this investment type and no more than 5% of the portfolio to any one corporate borrower.
7. Medium Term Corporate Notes, with a maximum maturity of five years may be purchased. Securities eligible for investment shall be rated AA or better by Moody's or Standard & Poor's rating services. Purchase of medium term notes may not exceed 30% of the market value of the portfolio and no more than 5% of the market value of the portfolio may be invested in notes issued by one corporation. Commercial paper holdings should also be included when calculating the 15% limitation. The C/CAG portfolio should not have more than 5% of its investment portfolio (cumulative for all categories of investment) in any one corporate borrower.
8. Ineligible investments are those that are not described herein, including but not limited to, common stocks and long term (over five years in maturity) notes and bonds are prohibited from use in this portfolio. It is noted that special circumstances may arise that necessitate the purchase of securities beyond the five-year limitation. On such occasions, requests must be reviewed by the C/CAG Investment Advisory Committee and approved by the C/CAG Board prior to purchase.
9. Various daily money market funds administered for or by trustees, paying agents and custodian banks contracted by the City and County Association of Governments may be purchased as allowed under State of California Government Code. Only funds holding U.S. Treasury or Government agency obligations can be utilized.

The following summary of maximum percentage limits, by instrument, is established for C/CAG's total pooled funds portfolio:

<u>Investment Type</u>	<u>Percentage/Amount</u>
Repurchase Agreements	Not Allowed
Local Agency Investment Fund	\$10,000,000 per account
San Mateo County Investment Pool	\$10,000,000 per account
US Treasury Bonds/Notes/Bills	0 to 100%
US Government Agency Obligations	0 to 20%
Bankers' Acceptances	0 to 30%
Commercial Paper	0 to 5%
Negotiable Certificates of Deposit	0 to 30%
Time Certificates of Deposit	0 to 25%
Medium Term Corporate Notes	0 to 5%
Reverse Repurchase Agreements	0%

DERIVATIVE INVESTMENTS

Derivatives are investments whose value is "derived" from a benchmark or index. That benchmark can be almost any financial measure from interest rates to commodity and stock prices. The Joint Powers Authority will not invest directly in derivative investments. However, derivative investments could be made by the San Mateo County Pool or the Local Agency Investment Fund (LAIF) in which C/CAG invests. Therefore, the C/CAG Investment Advisory Committee may limit or prohibit how much is invested in the pools. Securities or investments classified as derivatives must be issued by an agency or entity authorized by this policy.

LEGISLATIVE CHANGES

Any State of California legislative action that further restricts allowable maturities, investment type, or percentage allocations will be incorporated into the City and County Association of Governments' Investment Policy and supersede any and all previous applicable language.

INTEREST EARNINGS

All moneys earned and collected from investments authorized in this policy shall be allocated quarterly based on statements received from LAIF, the San Mateo County Pool, and the Safekeeper.

LIMITING MARKET VALUE EROSION

The longer the maturity of securities, the greater their market price volatility. Therefore, it is the general policy of C/CAG to limit the potential effects from erosion in market values by adhering to the following guidelines:

All immediate and anticipated liquidity requirements will be addressed prior to purchasing all investments.

Maturity dates for long-term investments will coincide with significant cash flow requirements where possible, to assist with short term cash requirements at maturity.

All long-term securities will be purchased with the intent to hold all investments to maturity under then prevailing economic conditions. However, economic or market conditions may change, making it in C/CAG's best interest to sell or trade a security prior to maturity.

PORTFOLIO MANAGEMENT ACTIVITY

The investment program shall seek to augment returns consistent with the intent of this policy, identified risk limitations and prudent investment principals. These objectives will be achieved by use of the following strategies:

Active Portfolio Management. Through active fund and cash flow management, taking advantage of current economic and interest rate trends, the portfolio yield may be enhanced with limited and measurable increases in risk by extending the weighted maturity of the total portfolio.

Portfolio Maturity Management. When structuring the maturity composition of the portfolio, C/CAG shall evaluate current and expected interest rate yields and necessary cash flow requirements. It is recognized that in normal market conditions longer maturities produce higher yields. However, the securities with longer maturities also experience greater price fluctuations when the level of interest rates change.

Security Swaps. C/CAG may take advantage of security swap opportunities to improve the overall portfolio yield. A swap, which improves the portfolio yield, may be selected even if the transactions result in an accounting loss. Documentation for swaps will be included in C/CAG's permanent investment file documents. No swap may be entered into without the approval of the C/CAG Investment Advisory Committee and the C/CAG Board.

Competitive Bidding. It is the policy of C/CAG to require competitive bidding for investment transactions that are not classified as "new issue" securities. For the purchase of non-"new issue" securities and the sale of all securities at least three bidders must be contacted. Competitive bidding for security swaps is also suggested, however, it is understood that certain time constraints and broker portfolio limitations exist which would not accommodate the competitive bidding process. If a time or portfolio constraining condition exists, the pricing of the swap should be verified to current market conditions and documented for auditing purposes.

POLICY REVIEW

The City and County Association of Governments' investment policy shall be adopted by resolution of the C/CAG Board on an annual basis. This investment policy shall be reviewed at least annually to ensure its consistency with the overall objectives of preservation of principal, liquidity and yield, and its relevance to current law and financial and economic trends. The Investment Policy, including any amendments to the policy shall be forwarded to the C/CAG Board for approval.

Glossary of Terms

Accrued Interest- Interest earned but not yet received.

Active Deposits- Funds which are immediately required for disbursement.

Amortization- An accounting practice of gradually decreasing (increasing) an asset's book value by spreading its depreciation (accretion) over a period of time.

Asked Price- The price a broker dealer offers to sell securities.

Basis Point- One basis point is one hundredth of one percent (.01).

Bid Price- The price a broker dealer offers to purchase securities.

Bond- A financial obligation for which the issuer promises to pay the bondholder a specified stream of future cash flows, including periodic interest payments and a principal repayment.

Bond Swap - Selling one bond issue and buying another at the same time in order to create an advantage for the investor. Some benefits of swapping may include tax-deductible losses, increased yields, and an improved quality portfolio.

Book Entry Securities - Securities, such stocks held in "street name," that are recorded in a customer's account, but are not accompanied by a certificate. The trend is toward a certificate-free society in order to cut down on paperwork and to diminish investors' concerns about the certificates themselves. All the large New York City banks, including those that handle the bulk of the transactions of the major government securities dealers, now clear most of their transactions with each other and with the Federal Reserve through the use of automated telecommunications and the "book-entry" custody system maintained by the Federal Reserve Bank of New York. These banks have deposited with the Federal Reserve Bank a major portion of their government and agency securities holdings, including securities held for the accounts of their customers or in a fiduciary capacity. Virtually all transfers for the account of the banks, as well as for the government securities dealers who are their clients, are now effected solely by bookkeeping entries. The system reduces the costs and risks of physical handling and speeds the completion of transactions.

Bearer and Registered Bonds - In the past, bearer and registered bonds were issued in paper form. Those still outstanding may be exchanged at any Federal Reserve Bank or branch for an equal amount of any authorized denomination of the same issue. Outstanding bearer bonds are interchangeable with registered bonds and bonds in "book-entry" form. That is, the latter exist as computer entries only and no paper securities are issued. New bearer and registered bonds are no longer being issued. Since August 1986, the Treasury's new issues of marketable notes and bonds are available in book-entry form only. All Treasury bills and more than 90% of all other marketable securities are now in book-entry form. Book-entry obligations are transferable only pursuant to regulations prescribed by the Secretary of the Treasury.

Book Value- The value at which a debt security is shown on the holder's balance sheet. Book value is acquisition cost less amortization of premium or accretion of discount.

Broker - In securities, the intermediary between a buyer and a seller of securities. The broker, who usually charges a commission, must be registered with the exchange in which he or she is trading, accounting for the name registered representative.

Certificate of Deposit- A deposit insured up to \$100,000 by the FDIC at a set rate for a specified period of time.

Collateral- Securities, evidence of deposit or pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposit of public moneys.

Constant Maturity Treasury (CMT)- An average yield of a specific Treasury maturity sector for a specific time frame. This is a market index for reference of past direction of interest rates for the given Treasury maturity range.

Coupon- The annual rate of interest that a bond's issuer promises to pay the bondholder on the bond's face value.

County Pool- County of San Mateo managed investment pool.

Credit Analysis- A critical review and appraisal of the economic and financial conditions or of the ability to meet debt obligations.

Current Yield- The interest paid on an investment expressed as a percentage of the current price of the security.

Custody- A banking service that provides safekeeping for the individual securities in a customer's investment portfolio under a written agreement which also calls for the bank to collect and pay out income, to buy, sell, receive and deliver securities when ordered to do so by the principal.

Delivery vs. Payment (DVP)- Delivery of securities with a simultaneous exchange of money for the securities.

Discount- The difference between the cost of a security and its value at maturity when quoted at lower than face value.

Diversification- Dividing investment funds among a variety of securities offering independent returns and risk profiles.

Duration- The weighted average maturity of a bond's cash flow stream, where the present value of the cash flows serve as the weights; the future point in time at which on average, an investor has received exactly half of the original investment, in present value terms; a bond's zero-coupon equivalent; the fulcrum of a bond's present value cash flow time line.

Fannie Mae- Trade name for the Federal National Mortgage Association (FNMA), a U.S. sponsored corporation.

Federal Reserve System- The central bank of the U.S. that consists of a seven member Board of Governors, 12 regional banks and 5,700 commercial banks that are members.

Federal Deposit Insurance Corporation (FDIC)- Insurance provided to customers of a subscribing bank that guarantees deposits to a set limit (currently \$100,000) per account.

Fed Wire- A wire transmission service established by the Federal Reserve Bank to facilitate the transfer of funds through debits and credits of funds between participants within the Fed system.

Fiscal Agent - The organization that is essentially the checkbook for C/CAG funds.

Freddie Mac- Trade name for the Federal Home Loan Mortgage Corporation (FHLMC), a U.S. sponsored corporation.

Ginnie Mae- Trade name for the Government National Mortgage Association (GNMA), a direct obligation bearing the full faith and credit of the U.S. Government.

Inactive Deposits- Funds not immediately needed for disbursement.

Interest Rate- The annual yield earned on an investment, expressed as a percentage.

Investment Agreements- An agreement with a financial institution to borrow public funds subject to certain negotiated terms and conditions concerning collateral, liquidity and interest rates.

Local Agency Investment Fund (LAIF) - State of California managed investment pool.

Liquidity- Refers to the ability to rapidly convert an investment into cash.

Market Value- The price at which a security is trading and could presumably be purchased or sold.

Maturity- The date upon which the principal or stated value of an investment becomes due and payable.

New Issue- Term used when a security is originally "brought" to market.

Perfected Delivery- Refers to an investment where the actual security or collateral is held by an independent third party representing the purchasing entity.

Portfolio- Collection of securities held by an investor.

Primary Dealer- A group of government securities dealers that submit daily reports of market activity and security positions held to the Federal Reserve Bank of New York and are subject to its informal oversight.

Purchase Date- The date in which a security is purchased for settlement on that or a later date.

Rate of Return- The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized yield to maturity on a bond or the current income return.

Repurchase Agreement (REPO)- A transaction where the seller (bank) agrees to buy back from the buyer (C/CAG) the securities at an agreed upon price after a stated period of time.

Reverse Repurchase Agreement (REVERSE REPO)- A transaction where the seller (C/CAG) agrees to buy back from the buyer (bank) the securities at an agreed upon price after a stated period of time.

Risk- Degree of uncertainty of return on an asset.

Safekeeping- see custody.

Sallie Mae- Trade name for the Student Loan Marketing Association (SLMA), a U.S. sponsored corporation.

Secondary Market- A market made for the purchase and sale of outstanding issues following the initial distribution.

Settlement Date- The date on which a trade is cleared by delivery of securities against funds.

Time Deposit - A deposit in an interest-paying account that requires the money to remain on account for a specific length of time. While withdrawals can generally be made from a passbook account at any time, other time deposits, such as certificates of deposit, are penalized for early withdrawal.

Treasury Bills- U.S. Treasury Bills which are short-term, direct obligations of the U.S. Government issued with original maturities of 13 weeks, 26 weeks and 52 weeks; sold in minimum amounts of \$10,000 in multiples of \$5,000 above the minimum. Issued in book entry form only. T-bills are sold on a discount basis.

U.S. Government Agencies- Instruments issued by various US Government Agencies most of which are secured only by the credit worthiness of the particular agency.

Yield- The rate of annual income return on an investment, expressed as a percentage. It is obtained by dividing the current dollar income by the current market price of the security.

Yield to Maturity- The rate of income return on an investment, minus any premium or plus any discount, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond, expressed as a percentage.

Yield Curve- The yield on bonds, notes or bills of the same type and credit risk at a specific date for maturities up to thirty years.

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Date: April 8, 2010

To: All Councilpersons of San Mateo County Cities and Members of the Board of Supervisors

From: Thomas M. Kasten, Chair, City/County Association of Governments

Subject: **VACANCIES ON THE CONGESTION MANAGEMENT AND ENVIRONMENTAL QUALITY COMMITTEE (CMEQ), THE BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE (BPAC), AND THE LEGISLATIVE COMMITTEE**

The City/County Association of Governments (C/CAG) currently has vacancies on three of its standing Committees for elected officials of City Councils and/or the Board of Supervisors. Individuals wishing to be considered for appointment to either of these Committees should send a letter of interest to:

Richard Napier, C/CAG Executive Director
City/County Association of Governments
555 County Center, 5th Floor
Redwood City, CA 94063

or fax to 650-361-8227

or e-mail to tmadalena@co.sanmateo.ca.us

Individuals must be an elected official of one of the twenty City Councils in San Mateo County or an elected official of the County Board of Supervisors. Individuals may indicate interest in serving on one or more of the committees where there are vacancies. The letter of interest should include the reasons why the individual wishes to be appointed and any particular experience/background/qualities that they feel would bring value to that Committee. All letters of interest will be considered by the C/CAG Board.

The current vacancies are on the following committees:

1. The Congestion Management and Environmental Quality Committee (CMEQ) provides advice and recommendations to the full C/CAG Board on all matters relating to transportation planning, congestion management, travel demand management, coordination of land use and transportation planning, mobile source air quality programs, energy resources and conservation, and other environmental issues facing the local jurisdictions in San Mateo County. The role of the CMEQ Committee also includes making recommendations to the C/CAG Board on the allocation of funding for specific projects and activities addressing these programmatic areas. The Committee meets on the **ITEM 9.1**

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last Monday of each month from 3:00 p.m. to 5:00 p.m. in the San Mateo City Hall.
There is one vacancy on this Committee.

2. The Bicycle and Pedestrian Advisory Committee (BPAC) provides advice and recommendations to the full C/CAG Board on all matters relating to bicycle and pedestrian facilities planning, and selection of projects for state and federal funding. This Committee has approximately six meetings per year. They generally fall on the fourth Thursday of the month from 7:00 p.m. to 9:00 p.m. in San Mateo City Hall. There is one vacancy on this Committee.
3. The Legislative Committee provides advice and recommendations to the full C/CAG Board on all matters dealing with State and Federal Legislation, ballot measures, and positions to take on specific bills. The Committee is also the liaison with C/CAG's Lobbyist in Sacramento. The Committee meets over a buffet dinner from 5:30 p.m. to 6:30 p.m. on the second Thursday of the month, immediately before the regular C/CAG Board meeting. The Committee generally cancels its meetings when the State Legislature is in recess. There is one vacancy on this Committee.

All of these vacancies are for individuals who are elected city councilpersons or elected members of the Board of Supervisors. If you would like to be considered for any of these Committees, or would like to nominate an elected official for appointment to one or more of the Committees, please submit your request to Richard Napier through letter, fax, or e-mail at the addresses provided at the beginning of this letter by May 12, 2010.

If you have any questions about any of these Committees or this appointment process, please feel free to contact any of the C/CAG Staff as follows:

Richard Napier
650-599-1420

Sandy Wong
650-599-1409
slwong@co.sanmateo.ca.us

Tom Madalena
650-599-1460
tmadalena@co.sanmateo.ca.us

Sincerely,



Thomas M. Kasten
C/CAG Chair

NEWS RELEASE



Date: April 7, 2010
Contact: Richard Napier, Executive Director of C/CAG of San Mateo County
(650) 599-1420

FOR IMMEDIATE RELEASE

Cities Seek Public Input to Improve Traffic Conditions on Willow Road, University Avenue

Community Meetings in East Palo Alto and Menlo Park Scheduled for April 21 and 22

SAN MATEO, Calif. (April 7, 2010) – Residents and members of the public concerned about traffic on segments of Willow Road and University Avenue between US 101 and Bayfront Expressway are invited to learn more about a study designed to identify issues and provide potential solutions: the Willow Road/University Avenue Traffic Study. The City of East Palo Alto and the City of Menlo Park, in cooperation with the City/County Association of Governments of San Mateo County (C/CAG), will be holding two community meetings on April 21 and April 22 to provide participants with the opportunity to share input on traffic issues in the study area and to help with developing potential solutions.

About the Traffic Study

The study will evaluate traffic operation improvement options on the segments of Willow Road and University Avenue located between US 101 and the Bayfront Expressway. The purpose of the traffic study is to assess existing traffic conditions and operations, establish operational improvement strategies and make recommendations to address congestion and safety issues within the study area. Examples of potential solutions include prohibiting left turns during peak traffic hours, signal synchronization and coordination with Caltrans signals, dedicated right-turn pockets (called “tapers”) at key intersections, or other methods to improve the safety of drivers, pedestrians and bicyclists.

Input from the two upcoming community meetings will be considered in the study on existing traffic issues and potential improvements on Willow Road and University Avenue, as well as potential impacts on parallel streets and neighborhoods.

Community Meeting Details

Both meetings will discuss the same topics and information. At each meeting, attendees will be invited to offer feedback on existing traffic issues in the area, discuss potential improvement options, and learn about the study process and next steps.

- **East Palo Alto: Wednesday, April 21**
6:45 p.m.: Open House
7:30 p.m.: Public Works/Transportation Commission Meeting (*study is first item on agenda*)
East Palo Alto City Hall, Community Room, 2415 University Avenue, East Palo Alto, CA
For more information: Kamal Fallaha, (650) 853-3189 or kfallaha@cityofepa.org

- **Menlo Park: Thursday, April 22**
6:30 - 8:00 p.m.: Open House Community Meeting
7:00 p.m.: Presentation and Q & A Session
Menlo Park Senior Center, 100 Terminal Avenue, Menlo Park, CA
For more information: Chip Taylor, (650) 330-6770 or CWTaylor@menlopark.org

For more information, please contact the appropriate city staff member at the phone number listed above. Meeting facilities are accessible to persons with disabilities. For translation services requests or other special accommodations, please contact city staff at least five days in advance of the meeting.

ITEM 9.2

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April 10, 2010

The Honorable Leland Yee
State Capitol, Room 4074
Sacramento, CA 95814

Dear Senator Yee:

I want to thank you so much for being our keynote speaker at the C/CAG Annual Retreat last Thursday. Your remarks were very timely, and our board really appreciated the time you took to answer questions. It was a great start to our retreat and helped set the tone for the work ahead of us. We know how busy you are these days, and for you to take time out of your full schedule to be with us is greatly appreciated. It was great to see you and to hear from you.

As a small token of our thanks, we have a Certificate of Appreciation that we would like to present to you the next time you are in the area. Please have your office let us know when it might be convenient to present it to you.

Thank you for your dedication, hard work and support and for representing the cities and County of San Mateo so well in Sacramento.

Sincerely,

Tom Kasten

Thomas M. Kasten
Board Chair

PS
Go Bears!

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April 20, 2010

Mayor Randy Royce, Council Members, and Planning Commissioners
City of San Carlos
City Hall
600 Elm Street
San Carlos, CA 94070

Dear Mayor and Councilmembers:

On behalf of the City/County Association of Governments of San Mateo County, we are writing to express our support for the San Carlos East Side Community/Transit Connectivity Project and the City's Transportation for Livable Communities grant application. The San Carlos East Side Community/Transit Connectivity Project is in alignment with some of our key guiding principles such as improved air quality through the use of non-motorized vehicles.

The East Side Community/Transit Connectivity Project would complete a bicycle boulevard on East San Carlos Avenue, which would complete a linkage in regional bicycle traffic. This bikeway improvement would complement a set of bikeway improvements on Old County Road, to be funded by TDA Article 3 and the Bay Area Air Quality Management District's Bicycle Facility Program. Old County Road has been designated by C/CAG as the north-south bicycle route. The project would implement a key linkage in the City's improvement plan for the Holly Street/US 101 interchange, which connects Redwood Shores and the Bay Trail with San Carlos.

In addition, the project includes "green street" retrofits to improve stormwater quality. Using C/CAG's award-winning Sustainable Green Streets and Parking Lots Design Guidebook, San Carlos has developed an innovative plan to convert excess right-of-way on East San Carlos Avenue into stormwater infiltration planters and provide landscaped curb extensions to manage stormwater runoff on Old County Road. San Carlos reviewed its project proposal with C/CAG's stormwater technical advisory committee, who supported the approach.

The City of San Carlos has an excellent track record in delivering federal-aid grant projects. Their staff is knowledgeable and experienced with Caltrans local-assistance procedures. They have delivered many federal-aid projects in recent years and have not been on the inactive status obligation list.

We encourage your support of the East Side Community/Connectivity Project TLC grant application. Thank you for your consideration of our comments.

Sincerely,

 FOR
Richard Napier, Executive Director

ITEM 9.4