

C/CAG

City/County Association of Governments of San Mateo County

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BOARD MEETING NOTICE

Meeting No. 236

- DATE:** Thursday, June 9, 2011
- TIME:** **6:30 P.M. Board Meeting**
- PLACE:** San Mateo County Transit District Office
1250 San Carlos Avenue, Second Floor Auditorium
San Carlos, CA
- PARKING:** Available adjacent to and behind building.
Please note the underground parking garage is no longer open.
- PUBLIC TRANSIT:** SamTrans Bus: Lines 261, 295, 297, 390, 391, 397, PX, KX.
CalTrain: San Carlos Station.
Trip Planner: <http://transit.511.org>

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

SF Bay Conservation Development Commission presentation on proposed Basin Plan
Amendment

p. 1

- 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. 235 dated May 12, 2011.
ACTION p. 3
- 5.2 Review and approval of Resolution 11-26 authorizing the C/CAG Chair to execute an agreement between C/CAG and the County of San Mateo for up to \$50,000 for staff services provided to the Resource Management and Climate Protection Committee and for C/CAG as the Local Task Force.
ACTION p. 7
- 5.3 Update on the San Mateo County Energy Watch, Local Government Partnership with Pacific Gas and Electric Company.
INFORMATION p. 15
- 5.4 Review and approval of Resolution 11-31 authorizing the C/CAG Chair to execute an amendment to the agreement with Alta Planning + Design for an additional \$10,160 for a new contract amount not to exceed \$200,000 and time extension for the San Mateo County Comprehensive Bicycle and Pedestrian Plan project.
ACTION p. 21
- 5.5 Consideration/Approval of an Airport Land Use Compatibility Plan (CLUP) Consistency Review of a Referral from the City of South San Francisco, Re: El Camino Real/Chestnut Avenue Area Plan and Associated General Plan Amendment and Zoning Ordinance Amendment.
ACTION p. 27
- 5.6 Review and approval of Resolution 11-33 authorizing the C/CAG Chair to execute a three-year technical consultant contract with San Mateo County for a cost of \$1,075,839 for support of the Countywide Water Pollution Prevention Program in Fiscal Years 2011-14. ACTION p. 69
- 5.7 Review and approval of Resolution 11-34 authorizing the C/CAG Chair to execute a one-year extension to the technical consultant contract with Eisenberg, Olivieri, and Associates, Inc., for a cost not to exceed \$1,130,148 for support of the Countywide Water Pollution Prevention Program in Fiscal Year 2011-12.
ACTION p. 103
- 5.8 Approval of draft letter from C/CAG to the California Public Utilities Commission.
ACTION p. 133
- 5.9 Letter from C/CAG to the Association of Bay Area Governments commenting on the SCS Initial Vision Scenario.
INFORMATION p. 139
- 5.10 Review and approval of a commitment of up to \$70,000 in local match in partnership with the San Mateo County Transit District (SamTrans) on the Transportation, Community, and System Preservation Program grant application.
ACTION p. 145
- 5.11 Review and conceptual approval of investing up to \$2,000,000 in discretionary Transportation Enhancement (TE) funds for the construction of a Complete Street project on the El Camino Real/Mission Street.
ACTION p. 147
- 5.12 Review and Approval of the City of East Palo Alto's Request for a Time Extension to Complete the Transportation Development Act Article 3 funded Pedestrian Trail Project.
ACTION p. 149

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

6.0 REGULAR AGENDA

- 6.1 Review and approval of C/CAG Legislative priorities, positions, and legislative update.
(A position may be taken on any legislation, including legislation not previously identified.)
ACTION p. 153
- 6.2 Review and approval of Resolution 11-30 approving the C/CAG 2011-12 Program Budget and Fees. (Special voting procedures apply.)
ACTION p. 193
- 6.3 Presentation on PG&E and BAAQMD Grant, Climate Action Plan Template Project, Scope of Work and Timeline.
INFORMATION p. 245
- 6.3.1 Review and approval of Resolution 11-35 authorizing the C/CAG Chair to execute an agreement between C/CAG and the County of San Mateo to Provide Staff Services for the Administration of a Bay Area Air Quality Management District Climate Action Plan Template Grant in an Amount not to Exceed \$25,000.00 for fiscal year 2011-12. ACTION p. 263
- 6.4 Review and approval of a proposal to develop the Smart Corridor - Southern Segment project (between Whipple Ave in Redwood City and the Santa Clara County Line).
ACTION p. 273
- 6.5 Review and approval of Resolution 11-37 authorizing the C/CAG Chair to execute the Program Manager Funding Agreement with the Bay Area Air Quality Management District (BAAQMD) for the 2011/2012 Transportation Fund for Clean Air (TFCA) (40%) Program for San Mateo County for an amount up to \$987,566.04.
ACTION p. 275

7.0 COMMITTEE REPORTS

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

8.0 EXECUTIVE DIRECTOR'S REPORT

9.0 COMMUNICATIONS - Information Only

Copies of communications are included for C/CAG Board Members and Alternates only. To request a copy of the communications, contact Nancy Blair at 650 599-1406 or nblair@co.sanmateo.ca.us or download a copy from C/CAG's website – www.ccag.ca.gov.

- 9.1 Letter from Richard Napier, Executive Director C/CAG, to Doug Kimsey, Planning Manager, Metropolitan Transportation Commission, dated 5/17/11. Re: Projects recommended for inclusion in Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) from San Mateo County.
p. 291

- 9.2 Letter from Richard Napier, Executive Director C/CAG, to Honorable Jerry Hill, Member of the California State Assembly, 19th District, dated 5/16/11. Re: AB 56 p. 309
- 9.3 Letter from Bob Grassilli, C/CAG Chair, to Adrienne Tissier, Chair, Metropolitan Transportation Commission, dated 5/26/11. Re: Support of the Metropolitan Transportation Commission “fix-it-first” policy. p. 311

10.0 ADJOURN

Next scheduled meeting: August 11, 2011 Regular Board Meeting.

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

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

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

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

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

FUTURE MEETINGS

June 9, 2011	Legislative Committee - SamTrans 2 nd Floor Auditorium - 5:30 p.m.
June 9, 2011	C/CAG Board - SamTrans 2 nd Floor Auditorium - 6:30 p.m.
June 21, 2011	NPDES Technical Advisory Committee - to be determined - 10:00 a.m.
June 16, 2011	Resource Management and Climate Protection Committee (RMCP)
June 16, 2011	CMP Technical Advisory Committee - SamTrans 2 nd Floor Auditorium - 3:00 p.m. Conference Room C - 7:00 p.m.
June 27, 2011	CMEQ Committee - San Mateo City Hall - Conference Room C - 3:00 p.m.
July 25, 2011	Administrators' Advisory Committee - 555 County Center, 5 th Fl, Redwood City – Noon

C/CAG AGENDA REPORT

Date: June 9, 2011
To: City/County Association of Governments Board of Directors
From: Richard Napier, C/CAG Executive Director
Subject: **SF Bay Conservation Development Commission Presentation on Proposed Basin Plan Amendment**

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

RECOMMENDATION

Receive, review, and discuss a report by SF Bay Conservation and Development Commission with respect to a proposed Basin Plan Amendment.

BACKGROUND/DISCUSSION

The San Francisco Bay Conservation and Development Commission proposes to amend the Basin Plan. Staff from the Commission will present the proposed amendments. Details on all the proposed changes is enclosed, as a separate document, in this month's Board packet.

ITEM 4.1

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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Meeting No. 235
May 12, 2011

1.0 CALL TO ORDER/ROLL CALL

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

Jerry Carlson - Atherton
Christine Wozniak - Belmont (6:44)
Sepi Richardson - Brisbane
Terry Nagel - Burlingame
Joe Silva - Colma
Carlos Romero - East Palo Alto
Linda Koelling - Foster City
Naomi Patridge - Half Moon Bay
Tom Kasten - Hillsborough
Kirsten Keith - Menlo Park (6:39)
Marge Colapietro - Millbrae
Mary Ann Nihart - Pacifica
Jeffrey Gee - Redwood City
Irene O'Connell - San Bruno
Bob Grassilli - San Carlos
Carole Groom - San Mateo County, County Transportation Authority
Karyl Matsumoto - South San Francisco, San Mateo County Transit District
Deborah Gordon - Woodside

Absent,
Daly City
Portola Valley
San Mateo

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
Tom Madalena, C/CAG Staff
Joel Slavitt, San Carlos
Jim Bigelow, Redwood City/San Mateo County Chamber, CMEQ Member

ITEM 5.1

4.1 PRESENTATION

Certificate of appreciation for Joel Slavit for his dedicated service on the C/CAG Bicycle and Pedestrian Advisory Committee (BPAC).

5.0 CONSENT AGENDA

Board Member Richardson MOVED approval of Items 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, and 5.7.
Board Member Colapietro SECONDED. **MOTION CARRIED 17-0.**

5.1 Approval of the Minutes of Regular Business Meeting No. 233 dated March 10, 2011, and Regular Business Meeting No. 234 April 14, 2011. APPROVED

5.2 Review and approval of Resolution 11-29 authorizing the C/CAG Chair to execute Amendment No. 1 to the interagency agreement between C/CAG and the Metropolitan Transportation Committee (MTC) for Transportation Planning, programming, and Transportation Land-Use Coordination for FY 2009/10, 2010/11 and 2011/12. APPROVED

5.3 Review and approval of the Abandoned Vehicle Abatement (AVA) Program Report for the Second Quarter ending on December 31, 2010. INFORMATION

5.4 Review and accept the Single Audit Report for the year ended June 30, 2010. APPROVED

5.5 Review and approval of Resolution 11-27 authorizing the C/CAG Chair to execute an agreement with the County of San Mateo for office space modifications for a cost not to exceed \$70,000. APPROVED

5.6 Review and approval of Resolution 11-25 authorizing the C/CAG Chair to execute an amendment to the agreement between C/CAG and TJKM Transportation Consultants for time extension for the Traffic Study on Willow Road and University Avenue. APPROVED

5.7 Review and appointment of Commissioner Kevin Mullin to fill the vacant MTC seat on the Congestion Management & Environmental Quality (CMEQ) Committee APPROVED

Items 5.8 was removed from the Consent Calendar.

5.8 Review and accept the Quarterly Investment Report ending December 31, 2010. APPROVED

Board Member Nagel MOVED approval of Item 6.8. Board Member Kasten SECONDED.
MOTION CARRIED 17-0.

6.0 REGULAR AGENDA

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

Staff is directed to write a letter of support on AB56, regarding natural gas pipeline safety.

Board Member O'Connell MOVED to approve support of AB56. Board Member Richardson SECONDED. **MOTION CARRIED 17-0.**

The Legislative Committee recommends that staff write two letters to PG&E, and the CPUC:

1. Concerns about being notified of PG&E activities in San Mateo County.
2. Concerns of the robustness of the CPUC oversight of PG&E.

Board Member Gordon MOVED to approve the recommendation. Board Member Kasten SECONDED. **MOTION CARRIED 17-0.**

- 6.2 Initial draft, assumptions, and input on the C/CAG 2011-12 Program Budget and Fees.
ACTION

No action was taken.

- 6.3 Review and approval of the Final List of projects to be submitted to The Metropolitan Transportation Commission (MTC) for inclusion in the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS).
APPROVED

Board Member Richardson MOVED approval of 6.3. Board Member O'Connell SECONDED. **MOTION CARRIED 18-0.**

- 6.4 Receive report on the Pre-Tax Commuter Benefits outreach efforts and comment on a potential process of implementing a Pre-Tax Commuter Benefits Ordinance.
APPROVED

Board Member Colapietro MOVED approval of Item 6.4. Board Member Nagel SECONDED. **MOTION CARRIED 17-1.** Board Member Carlson abstained.

- 6.5 Review and approval of the Resolution 11-28 authorizing the C/CAG Chair to execute a funding agreement with the Metropolitan Transportation Commission (MTC) in an amount not to exceed \$96,128 for analysis of extending carpool lanes on US 101 from Whipple Ave to San Francisco County Line (hybrid option).
APPROVED

Board Member Matsumoto MOVED approval of Item 6.5. Board Member Wozniak SECONDED. **MOTION CARRIED unanimously 18-0.**

7.0 COMMITTEE REPORTS

7.1 Committee Reports (oral reports).

None.

7.2 Chairperson's Report.

None.

7.3 Boardmembers Report

South San Francisco has begun talking about banning plastic bags.

8.0 EXECUTIVE DIRECTOR'S REPORT

Explained negative balance in Finance report.

9.0 COMMUNICATIONS - Information Only

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10.0 ADJOURN

The meeting was adjourned in memory of Omar Ahmad.

C/CAG AGENDA REPORT

Date: June 9, 2011
To: City/County Association of Governments Board of Directors
From: Richard Napier, Executive Director
Subject: Review and approval of Resolution 11-26 authorizing the C/CAG Chair to execute an agreement between C/CAG and the County of San Mateo for up to \$50,000 for staff services provided to the Resource Management and Climate Protection Committee and for C/CAG as the Local Task Force.

For further information contact Richard Napier at 650-599-1420 or Kim Springer at 650-599-1412.

RECOMMENDATION

Adopt Resolution 11-26 authorizing the C/CAG Chair to execute an agreement between C/CAG and the County of San Mateo for up to \$49,999 for staff services provided to the Resource Management and Climate Protection Committee and for C/CAG as the Local Task Force.

FISCAL IMPACT

Up to \$50,000

SOURCE OF FUNDS

The General Fund is the source of funds for the staffing of the RMCP Committee and for staff support to C/CAG for the Local Task Force.

BACKGROUND/DISCUSSION

The RMCP Committee provides advice and recommendations to the Congestion Management and Environmental Quality (CMEQ) Committee and the full C/CAG Board on matters related to energy and water use and climate change efforts in San Mateo County. The RMCP also reports on the San Mateo County Energy Watch (SMCEW) and promotes the goals outlined in the San Mateo County Energy Strategy, including: energy, water, collaboration between cities and the utilities, leadership and economic opportunities related to the RMCP committee's efforts.

On November 18, 2010, the C/CAG Board approved Resolution No 10-60 for the same staff services for fiscal year 2010-11. Staff has prepared a new agreement for this next fiscal year, 2011-12, for staff services provided to the Resource Management and Climate Protection Committee and for C/CAG as the Local Task Force.

Resolution 11-26 and the agreement are provided as attachments to this staff report.

ITEM 5.2

ATTACHMENTS

- Resolution 11-26
- 2011-12 C/CAG County Agreement for the RMCP and Local Task Force

RESOLUTION NO. 11-26

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 BETWEEN C/CAG AND THE COUNTY OF SAN MATEO TO PROVIDE STAFF SERVICES FOR THE RESOURCE MANAGEMENT AND CLIMATE PROTECTION COMMITTEE AND FOR C/CAG AS THE LOCAL TASK FORCE IN AN AMOUNT NOT TO EXCEED \$50,000 FOR FISCAL YEAR 2011-2012.

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

WHEREAS, C/CAG desires to obtain services from the County of San Mateo (County) to serve as the primary technical staff support function for the Resource Management and Climate Protection Committee on matters related to energy, water, and greenhouse gas emission reduction strategies; and

WHEREAS, C/CAG desires to obtain services from the County to serve as the primary staff to the Local Task Force on matters related to solid waste;

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 the County of San Mateo to provide staff services for the Resource Management and Climate Protection Committee and for C/CAG as the Local Task Force in an amount not to exceed \$50,000 for fiscal year 2011-2012.

The C/CAG Board also authorizes the C/CAG Executive Director and Legal Counsel to negotiate the final terms and conditions of the agreement.

PASSED, APPROVED, AND ADOPTED THIS 9TH DAY OF JUNE, 2011.

Bob Grassilli, Chair

**AGREEMENT BETWEEN
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO
COUNTY (C/CAG) AND THE COUNTY OF SAN MATEO TO PROVIDE
STAFF SERVICES FOR THE RESOURCE MANAGEMENT AND
CLIMATE PROTECTION COMMITTEE AND TO C/CAG AS THE LOCAL
TASK FORCE IN AN AMOUNT NOT TO EXCEED \$50,000 FOR FISCAL
YEAR 2011-2012**

This Agreement entered this ____ Day of ____ 2011, by and between the CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY, a joint powers agency formed for the purpose of preparation, adoption and monitoring of a variety of county-wide state-mandated plans, hereinafter called "C/CAG" and the COUNTY OF SAN MATEO, hereinafter called "COUNTY."

W I T N E S S E T H

WHEREAS, the City/County Association of Governments (C/CAG) is committed to working with the cities in San Mateo County on issues related solid waste, resource conservation and climate protection; and

WHEREAS, C/CAG, desires to obtain services from the County of San Mateo (COUNTY) to serve as the primary technical staff support function for the Resource Management and Climate Protection committee for matters related to energy, water, and greenhouse gas emission reduction strategies and to C/CAG as staff to the Local Task Force on matters related to solid waste; and

WHEREAS, the COUNTY is committed to providing staff services for the Resource Management and Climate Protection committee and to the C/CAG Board as the solid waste Local Task Force;

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

1. **Services to be provided by COUNTY.** The COUNTY shall provide services as described in Exhibit A, attached hereto and incorporated by reference herein.
2. **Payments.** In consideration of the services rendered in accordance with all terms, conditions and specifications set forth herein and in Exhibit A, C/CAG shall reimburse COUNTY for eligible costs as set forth in Exhibit A, up to \$50,000. Payments shall be made within 30 days after receipt and approval of monthly invoices from the COUNTY.
3. **Relationship of the Parties.** It is understood that this is an Agreement by and between Independent Contractor(s) and 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.** COUNTY shall not assign this Agreement or any portion thereof to a third party without the prior written consent of C/CAG, and any attempted assignment

without such prior written consent is in violation of this Section and shall be grounds for termination of this Agreement.

5. **Contract Term.** This Agreement shall be in effect and cover cost as set out in Exhibit A from July 1, 2011 and shall terminate on June 30, 2012; provided, however, C/CAG may terminate this Agreement at any time for any reason by providing 30 days' written notice to COUNTY. Termination to be effective on the date specified in the notice. In the event of termination under this paragraph, COUNTY shall be paid for all services provided to the date of termination.
6. **Hold Harmless/Indemnity.** COUNTY shall defend, indemnify and save harmless C/CAG and its member agencies and their employees, agents and officers from all claims, suits, damages or actions arising from COUNTY's performance under this Agreement.

C/CAG shall defend, indemnify and save harmless County and its member agencies and their employees, agents and officers from all claims, suits, damages or actions arising from COUNTY's performance under this Agreement.

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

7. **Workers' Compensation Coverage.** Statutory Workers' Compensation Insurance and Employer's Liability Insurance will be provided by the COUNTY with limits of not less than one million dollars (\$1,000,000) for any and all persons employed directly or indirectly by COUNTY. In the alternative, COUNTY may rely on a self-insurance program to meet these requirements so long as the program of self-insurance complies fully with the provisions of the California Labor Code. In such case, excess Workers' Compensation Insurance with statutory limits shall be maintained. The insurer, if insurance is provided, and the COUNTY, if a program of self-insurance is provided, shall waive all rights of subrogation against C/CAG for loss arising from worker injuries sustained under this Agreement.
8. **Liability Insurance.** COUNTY shall take out and maintain during the life of this Agreement such Bodily Injury Liability and Property Damage Liability Insurance as shall protect COUNTY, its employees, officers and agents while performing work covered by this Agreement from any and all claims for damages for bodily injury, including accidental death, as well as any and all operations under this Agreement, whether such operations be by COUNTY or by any sub-contractor or by anyone directly or indirectly employed by either of them. In the alternative, COUNTY may rely on a self-insurance program to meet these requirements so long as the program of self-insurance complies fully with the provisions of the California Labor Code.

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, C/CAG, at its option, may, notwithstanding any other provision of this Agreement to the contrary, immediately declare a material breach of this Agreement and suspend all further

work pursuant to this Agreement.

9. **Non-discrimination.** COUNTY and its subcontractors performing the services on behalf of the COUNTY 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.
10. **Accessibility of Services to Disabled Persons.** COUNTY, not C/CAG, shall be responsible for compliance with all applicable requirements regarding services to disabled persons, including any requirements of Section 504 of the Rehabilitation Act of 1973.
11. **Substitutions.** If particular people are identified in Exhibit A as working under this Agreement, COUNTY will not assign others to work in their place without written permission from C/CAG. Any substitution shall be with a person of commensurate experience and knowledge.
12. **Joint Property.** As between C/CAG and COUNTY any system or documents developed, produced or provided under this Agreement shall become the joint property of C/CAG and the COUNTY.
13. **Access to Records.** COUNTY shall retain, for a period of no less than five years, all books, documents, papers, and records which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcriptions, and shall provide C/CAG, its member agencies, and or their auditors with access to said books and records.

COUNTY shall maintain all required records for five years after C/CAG makes final payments.
14. **Merger Clause.** With regard to the matters covered in this Agreement, this Agreement constitutes the sole agreement of the parties hereto, and any prior agreement, promises, negotiations or representations between the parties not expressly stated in this document are not binding.
15. **Amendments.** Any changes in the services to be performed under this Agreement shall be incorporated in written amendments, which shall specify the changes in work performed and any adjustments in compensation and schedule. All amendments shall be executed by the C/CAG Executive Director or a designated representative, and the Director of Public Works. No claim for additional compensation or extension of time shall be recognized unless contained in a duly executed amendment.
16. **Governing Law.** This Agreement shall be governed by the laws of the State of California and any suit or action initiated by either party shall be brought in the County of San Mateo, California.

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

County of San Mateo

By _____
James C. Porter
County Department of Public Works - Director

Date

By _____
County Counsel

Date

City/County Association of Governments (C/CAG)

By _____
Bob Grassilli
C/CAG Chair

Date

By _____
C/CAG Legal Counsel

Date

Exhibit A

STAFF SERVICES FOR THE RESOURCE MANAGEMENT AND CLIMATE PROTECTION COMMITTEE AND TO C/CAG AS THE LOCAL TASK FORCE

SCOPE OF WORK

- 1.0 Introduction - The City/ County Association of Governments of San Mateo County (C/CAG) is committed to working with the cities in San Mateo County on issues related to solid waste, resource conservation and climate protection and desires to contract with the County of San Mateo (County) for staff support of the C/CAG Resource Management and Climate Protection committee and to provide technical staff support to the C/CAG Board as the solid waste Local Task Force.
- 2.0 Management and Staffing Oversight - the County shall provide adequate reporting and information, and attend meetings with C/CAG staff as necessary to support the Resource Management and Climate Protection Committee, and shall provide reports and presentations to the C/CAG Board as necessary to ensure that the responsibilities of the solid waste Local Task Force are administered.
- 3.0 Specific Scope of Work – the County shall:
 - 3.1 Provide staffing for the Resource Management and Climate Protection Committee, including the development of agendas, writing of minutes and the provision of strategic support for ongoing initiatives
 - 3.2 Provide staff support to the Local Task Force (C/CAG Board) on matters related to Solid Waste including Non-Disposal Facility Element (NDFE) amendments and other matters related to Countywide Integrated Waste Management Planning
- 4.0 Reporting - The County of San Mateo shall report to the C/CAG Board and other C/CAG committees on activities related to this scope of work upon request during the 2011-2012 fiscal year.
- 5.0 Payments - The County shall submit invoices for services provided along with supporting documentation including labor hours and rates for management and staffing. C/CAG shall pay invoices within 30 days of receipt.

C/CAG AGENDA REPORT

Date: June 9, 2011
To: C/CAG Board of Directors
From: Richard Napier, Executive Director
Kim Springer, County Staff to C/CAG
Subject: Update on the San Mateo County Energy Watch, Local Government Partnership with Pacific Gas and Electric Company

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

RECOMMENDATION

Receive an informational update on the San Mateo County Energy Watch (SMCEW), Local Government Partnership (LGP) with Pacific Gas and Electric Company (PG&E) for the 2010-2012 program cycle.

FISCAL IMPACT

All SMCEW program costs are paid for under the C/CAG – PG&E LGP agreement.

BACKGROUND/DISCUSSION

The SMCEW partnership with PG&E began on January 1, 2009 under a bridge period contract per the California Public Utilities Commission (CPUC). Since that time, the CPUC, through a number of decisions, held the 2009 calendar year as a stand-alone bridge funded period and established a new, three-year program cycle from January 1, 2010 through December 31, 2012.

SMCEW 2010-2012 Program Update

Program Sectors:

In the new program cycle, the SMCEW has continued to accomplish energy savings in a variety of cities in San Mateo County in both its municipal, non-profit and commercial program sectors. As intentionally planned, a low-to-moderate-income (MIDI) residential sector program under the SMCEW began in January 2011 and is currently underway.

Energy Savings Results:

In January through December 2010 the municipal, non-profit and commercial portions of the SMCEW program accomplished approximately 2.5 million kilowatt hours, 400 peak kilowatts of energy savings, and approximately 5000 Therms of energy saving. In addition, the program established “pipeline” of approximately 3.5 million kilowatt hours, 850 peak kilowatts of energy savings and approximately 25,000 Therms of energy saving projects going into the 2011 program cycle year.

So far in 2011, the program has generated an additional 639,816 kwh in savings through the month of April 2011.

Customers Served:

Since the beginning of 2009, Energy Watch's municipal program has completed energy audits and/or completed energy-efficiency projects in nearly all the cities and other public agencies in San Mateo County, including Belmont, Brisbane, Burlingame, Colma, Daly City, Foster City, Half Moon Bay, Hillsborough, Menlo Park, Millbrae, Pacifica, Redwood City, San Bruno, San Carlos, San Mateo, SamTrans, South Bayside Waste Management Authority, South San Francisco, Woodside and the County of San Mateo.

Numerous energy-efficiency retrofit projects at public agencies have been completed recently including vending machine retrofits in multiple cities and lighting retrofits in two community centers and a fire station in South San Francisco. Outreach to nonprofits has yielded lighting retrofits at multiple faith-based and general-purpose organizations.

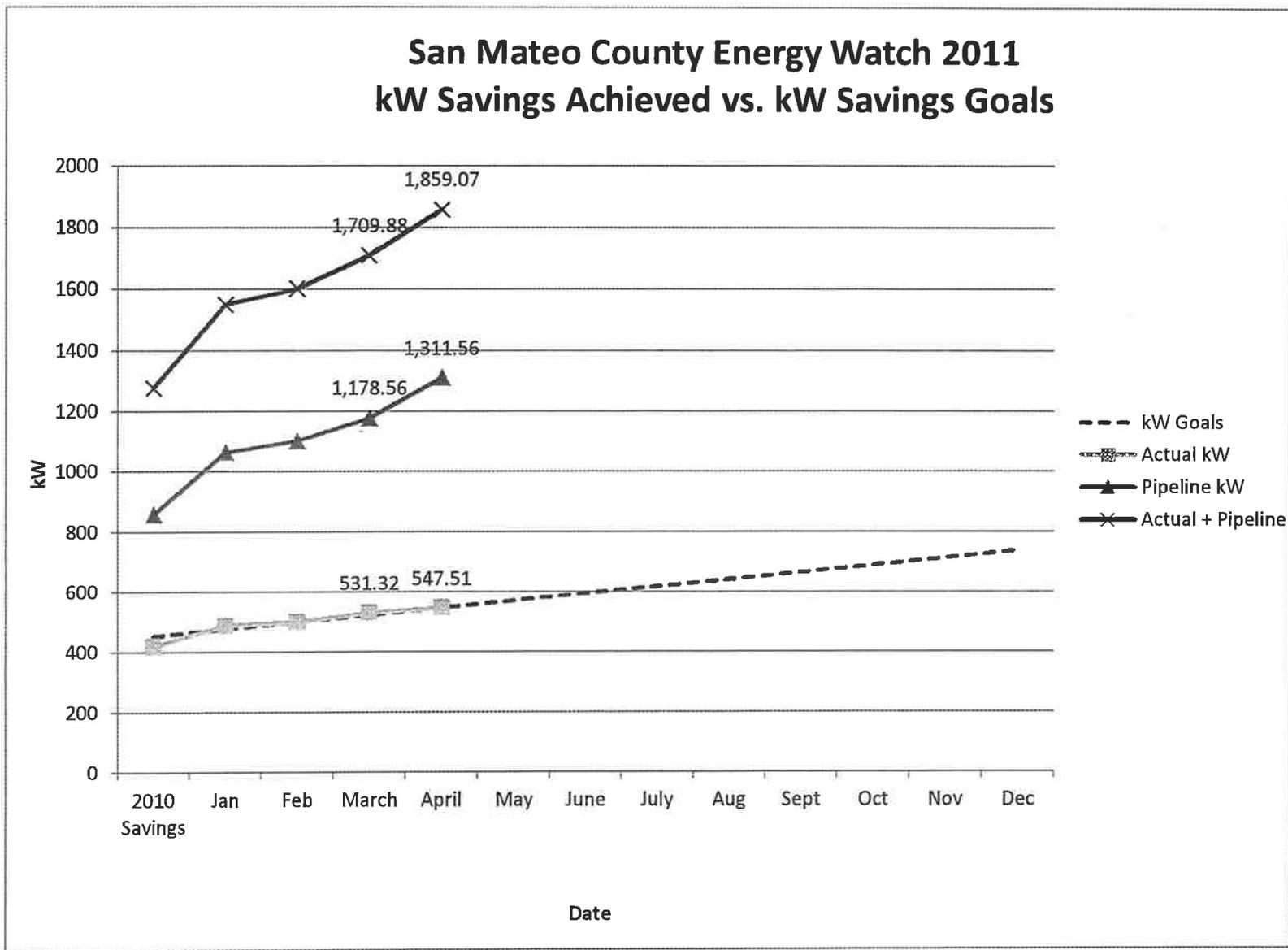
We're in process of working with the County on many projects, including a boiler replacement, upgrade of HVAC controls, installation of a heat recovery loop in an A/C package unit, and desktop virtualization project.

A set of charts showing the San Mateo County Energy Watch savings verses goals for the 2010 through 2012 program cycle is attached for your review with this staff report.

ATTACHMENT

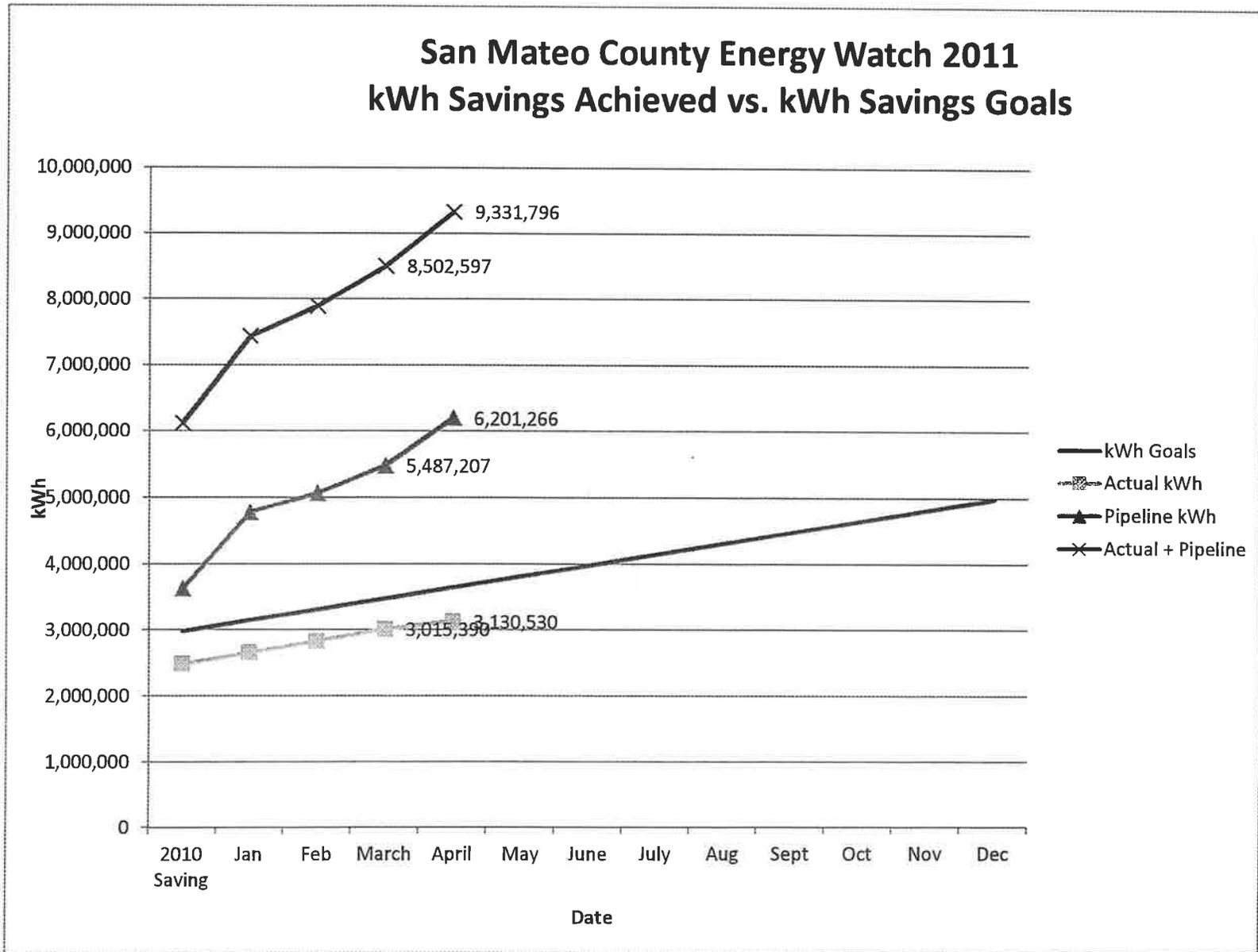
San Mateo County Energy Watch 2010-2012: Energy-Savings Goals vs. Energy-Savings Achieved

San Mateo County Energy Watch 2010-2012: Energy-Savings Goals vs. Energy-Savings Achieved

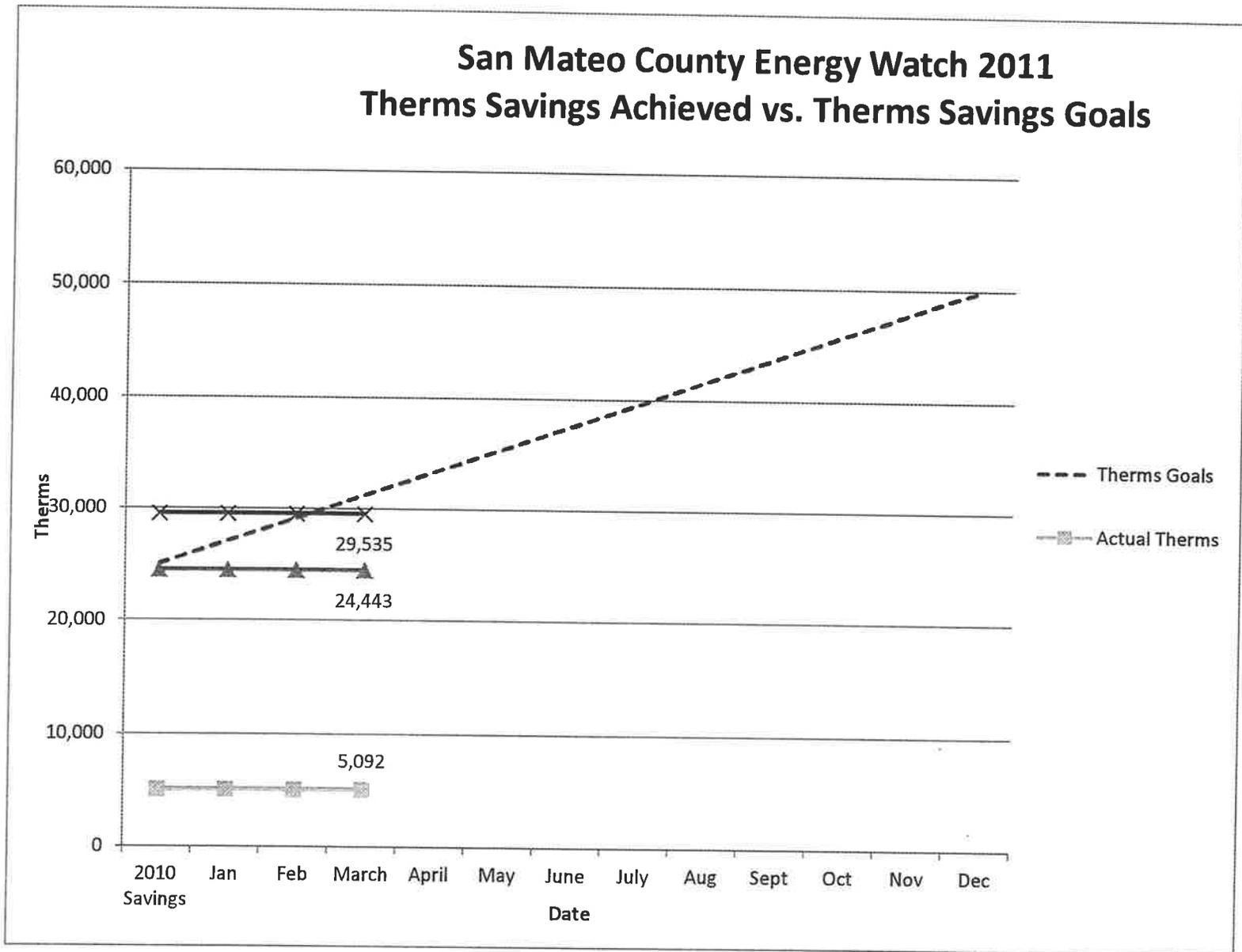


San Mateo County Energy Watch 2010-2012: Energy-Savings Goals vs. Energy-Savings Achieved

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San Mateo County Energy Watch 2010-2012: Energy-Savings Goals vs. Energy-Savings Achieved



C/CAG AGENDA REPORT

Date: June 9, 2011

To: City/County Association of Governments Board of Directors

From: Richard Napier, Executive Director

Subject: Review and approval of Resolution 11-31 authorizing the C/CAG Chair to execute an amendment to the agreement with Alta Planning + Design for an additional \$10,160 for a new contract amount not to exceed \$200,000 and time extension for the San Mateo County Comprehensive Bicycle and Pedestrian Plan project.

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

RECOMMENDATION

That the C/CAG Board review and approve Resolution 11-31 authorizing the C/CAG Chair to execute an amendment to the agreement between C/CAG and Alta Planning + Design for an additional \$10,160 for a new contract amount not to exceed \$200,000 and time extension for the San Mateo County Comprehensive Bicycle and Pedestrian Plan project.

FISCAL IMPACT

\$200,000 (previously approved by the C/CAG Board)

SOURCE OF FUNDS

- Transportation Development Act (TDA) Article 3 funds – FY 2010/11 (\$100,000)
- Measure A Transportation Sales Tax (\$100,000)

BACKGROUND/DISCUSSION

C/CAG entered into a contract with Alta Planning + Design on June 10, 2010, in the amount of \$189,840 for the development of the San Mateo County Comprehensive Bicycle and Pedestrian Plan (CBPP). The goal of the new CBPP is to update the previous bicycle plan which was adopted in 2000, and expand the document to include a new pedestrian component. The C/CAG Bicycle and Pedestrian Advisory Committee (BPAC) have provided inputs and guidance throughout the development process.

The Draft CBPP was released on February 24, 2011 for public review and comments. Comments were due on April 15, 2011. We continued to receive comments through May 17, 2011. C/CAG

ITEM 5.4

received over 170 individual comments from 36 individuals, local jurisdictions, and groups including the following: Cities of San Mateo, East Palo Alto, Half Moon Bay, Millbrae, Redwood City, San Bruno, South San Francisco; County of San Mateo (Health System and Public Works); Caltrans; Metropolitan Transportation Commission; SamTrans; Mid Coast Community Council; Sierra Club; Bike San Mateo County; Silicon Valley Bicycle Coalition; Group of 19 bicyclists; and 14 individual public members.

The next steps will be to incorporate minor edits to the CBPP based on comments received. In addition, staff plans on setting up a joint meeting with representatives from key agencies and local advocacy groups that provided comments, including up to two BPAC representatives, to discuss major issues and concerns prior to incorporating final revisions to the CBPP. The number of comments, the level of detail in the comments, and the specific requests for modifying the CBPP will require additional efforts by the consultant.

Additional work and time will be necessary to efficiently and adequately address comments and concerns in completing the CBPP, therefore, it is requested that the Alta Planning + Design contract be amended to add \$10,160 (total contract amount would be \$200,000) and that the completion date be extended to October 31, 2011. It is anticipated that the Final CBPP will be presented to the C/CAG BPAC at the July 2011 meeting with C/CAG Board approval at its August 11, 2011.

ATTACHMENTS

- Resolution 11-31
- Amendment No. 1 to the Agreement with Alta Planning + Design

RESOLUTION 11-31

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE CHAIR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH ATLA PLANNING + DESIGN FOR AN ADDITIONAL \$10,160 FOR A NEW CONTRACT AMOUNT NOT TO EXCEED \$200,000 AND TIME EXTENSION FOR THE SAN MATEO COUNTY COMPREHENSIVE BICYCLE AND PEDESTRIAN PLAN PROJECT

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

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

WHEREAS, C/CAG has identified the San Mateo County Comprehensive Bicycle and Pedestrian Plan (CBPP) as a priority project; and

WHEREAS, C/CAG entered into an agreement with Alta Planning + Design on June 10, 2010, to develop the CBPP; and

WHEREAS, C/CAG has determined that Alta Planning + Design will need to perform additional work and participate in additional meetings to complete the CBPP; and

WHEREAS, C/CAG has determined that additional time is needed to complete the additional work.

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 amendment to the agreement with Alta Planning + Design for \$10,160 for a new contract amount not to exceed \$200,000 and for a time extension to October 31, 2011. This agreement is attached hereto and is in a form that has been approved by C/CAG Legal Counsel.

PASSED, APPROVED, AND ADOPTED THIS 9TH DAY OF JUNE 2011.

Bob Grassilli, Chair

**AMENDMENT NO. 1 TO THE AGREEMENT
BETWEEN
THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
AND
ALTA PLANNING + DESIGN**

WHEREAS, the City/County Association of Governments for San Mateo County (hereinafter referred to as "C/CAG") and Alta Planning + Design (hereinafter referred to as "Contractor") are parties to an agreement originally dated June 10, 2010, to develop the San Mateo County Comprehensive Bicycle and Pedestrian Plan (the "Alta Contract"); and

WHEREAS, C/CAG has determined that additional consulting services and work are needed as described below (the "additional work"):

- Perform additional document revisions to the Public Review Draft Plan to develop a Draft Final Plan
- Participate in additional meetings with agencies, advocacy groups and the C/CAG Bicycle and Pedestrian Advisory Committee; and

WHEREAS, an additional ten thousand one hundred sixty dollars (\$10,160.00) will be required to complete the additional work; and

WHEREAS, C/CAG has determined that additional time is needed to complete all work and services under the Alta Contract; and

WHEREAS, the parties desire to amend the Alta Contract as set forth herein.

IT IS HEREBY AGREED by C/CAG and Contractor that the Alta Contract is amended as follows:

1. The additional work is hereby added to the services and work to be performed by Contractor under the Alta Contract and Contractor agrees to complete all work and services under the Alta Contract.
2. For the completion of the additional work, the maximum reimbursement to Contractor is increased by ten thousand one hundred sixty dollars (\$10,160.00). The new total maximum contract amount is two hundred thousand dollars (\$200,000.00).
3. The March 31, 2011 termination date is extended to October 31, 2011.
4. All other provisions of the Alta Contract shall remain in full force and effect.
5. This amendment shall take effect upon execution by both parties.

City/County Association of Governments
(C/CAG)

Alta Planning + Design (Contractor):

Bob Grassilli, Chair

By

Title: _____

Date: _____

Date: _____

Approved as to form:

Legal Counsel for C/CAG

C/CAG AGENDA REPORT

DATE: June 9, 2011

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

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

SUBJECT: Consideration/Approval of an Airport Land Use Compatibility Plan (CLUP) Consistency Review of a Referral from the City of South San Francisco, Re: *El Camino Real/Chestnut Avenue Area Plan and Associated General Plan Amendment and Zoning Ordinance Amendment*

RECOMMENDATION

That the C/CAG Board of Directors, acting as the Airport Land Use Commission, take action to determine that the content of the City of South San Francisco *El Camino Real/Chestnut Avenue Area Plan and Associated General Plan Amendment and Zoning Ordinance Amendment* is consistent with (1) the relevant recommended guidance from the *California Airport Land Use Planning Handbook January 2002*, (2) the text in the relevant Sections of California Public Utilities Code Division 9, Part 1, Chapter 4, Article 3.5, (3) the applicable airport/land use compatibility criteria contained in the 1996 *San Mateo County Comprehensive Airport Land Use Plan (CLUP)*, as amended, for the environs of San Francisco International Airport, and (4) the relevant content of the preliminary draft CLUP update for the environs of San Francisco International Airport (April 2011), based on the following conditions:

- 1. Airport Influence Area (AIA) Boundary.** At the time that the C/CAG Board formally adopts the Airport Influence Area (AIA) boundary for the environs of San Francisco International Airport, as part of the pending CLUP update, the City of South San Francisco shall coordinate with C/CAG to ensure that all future planning activities in the City adhere to the then applicable AIA boundary configuration and the related airport land use compatibility review process.
- 2. Height Limits/Critical Airspace Protection Surface Limits.** The City of South San Francisco shall coordinate with San Francisco International Airport staff to ensure that the finished height (highest structural element) of future development in the Planning Area shall not penetrate the critical airspace surfaces defined by (1) the United States Standard for Terminal Instrument Procedures (TERPS), per CFR Part 77 Section 77.23 and by (2) One-Engine Inoperative (OEI) procedures applicable to aircraft departures on Runways 28L/R at San Francisco International Airport prior to approval of such development.
- 3. Aircraft Noise Impacts.** The City of South San Francisco shall ensure that all future development in the Planning Area complies with the interior noise level requirements of the 2010 California Building Code and the noise limits specified in the Noise Element of the *South San Francisco General Plan* related to aircraft noise prior to approval of such development.
- 4. Safety/Hazards to Aircraft in Flight.** The City of South San Francisco shall ensure that all future development in the Planning Area does not include any of the following hazards to aircraft in flight, prior to approval of such development:

ITEM 5.5

C/CAG Agenda Report, Re: Consideration/Approval of an Airport Land Use Compatibility Plan (CLUP) Consistency Review of a Referral from the City of South San Francisco, Re: *El Camino Real/Chestnut Avenue Area Plan and Associated General Plan Amendment and Zoning Ordinance Amendment*

June 9, 2011

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RECOMMENDATION - continued

- a. Sources of glare, such as highly reflective building materials or bright lights, including search lights, laser displays, etc.
 - b. Distracting lights that could be mistaken for airport identification lighting, runway edge lighting, runway end identification lighting, or runway approach lighting.
 - c. Sources of dust, smoke, water vapor, or steam that may impair visibility.
 - d. Sources of electrical/electronic interference that could interfere with aircraft communications or navigation equipment.
 - e. Features or elements that create an increased attraction for wildlife, particularly flocks of birds, that is inconsistent with FAA rules and regulations, including but not limited to FAA Order 5200.5A, *Waste Disposal Sites On or Near Airports*, FAA Advisory Circular 150/5200-33B, *Hazardous Wildlife Attractants On or Near Airports*, and any successor or replacement orders of advisory circulars.
5. **Real Estate Disclosure.** Amend the text in Chapter 2 - Land Use, Chapter 8 – Noise, or elsewhere in the *South San Francisco General Plan* to address state-mandated real estate disclosure, as follows:

“All real estate transactions within the preliminary airport influence area (AIA) boundaries for San Francisco International Airport (Areas A and B), as shown in the preliminary draft CLUP update for the environs of San Francisco International Airport (April 2011), are subject to the real estate disclosure requirements of Chapter 496, Statutes 2002.”

6. **Compliance with California Government Code 65302.3, Re: General Plan Consistency With Comprehensive Airport Land Use Compatibility Plan (CLUP).**

Include the following text in the City Council resolution that adopts the proposed *El Camino Real/Chestnut Avenue Area Plan and Associated General Plan Amendment and Zoning Ordinance Amendment*:

“The goals, policies, and other relevant content contained in the *El Camino Real/Chestnut Avenue Area Plan and Associated General Plan Amendment and Zoning Ordinance Amendment* do not conflict with the with (1) the relevant guidance from the *California Airport Land Use Planning Handbook January 2002*, (2) the text in the relevant Sections of California Public Utilities Code Division 9, Part 1, Chapter 4, Article 3.5, (3) the applicable airport/land use compatibility policies and criteria contained in the 1996 *San Mateo County Comprehensive Airport Land Use Plan* document, as amended, for the environs of San Francisco International Airport and (4) the relevant content of the preliminary draft CLUP update for the environs of San Francisco International Airport (April 2011).”

FISCAL IMPACT

None.

C/CAG Agenda Report, Re: Consideration/Approval of an Airport Land Use Compatibility Plan (CLUP) Consistency Review of a Referral from the City of South San Francisco, Re: *El Camino Real/Chestnut Avenue Area Plan and Associated General Plan Amendment and Zoning Ordinance Amendment*

June 9, 2011

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BACKGROUND

I. Proposed Land Use Policy Actions

The City of South San Francisco has submitted its *El Camino Real/Chestnut Avenue Area Plan and Associated General Plan Amendment and Zoning Ordinance Amendment* documents to the C/CAG Board, acting as the Airport Land Use Commission, for a determination of the consistency of the relevant content of the documents with the airport/land use compatibility criteria contained in the *San Mateo County Comprehensive Airport Land Use Plan*, as amended, for San Francisco International Airport (see Attachment Nos. 1A, 1B, and 1C). The referral is subject to review, pursuant to PUC Section 21676(b). The 60-day state-mandated review process will expire on June 10, 2011. The proposed land use actions were not reviewed by the ALUC because the Committee did not meet.

The *El Camino Real/Chestnut Avenue Area Plan* covers approximately 98 acres and includes lands formerly owned by the San Francisco Public Utilities Commission, Kaiser Hospital, and the City of South San Francisco Municipal Services Building. The *Plan Area* is expected to be built out by 2030. The build out scenario includes the following: 1,500 residential units (minimum 800 units), approximately 310,000 square feet of non-residential development (retail, office, public/institutional).

The *General Plan Amendment* includes amendments to the Land Use, Planning Sub-Areas, Transportation, and Park, Public Facilities, and Services Elements of the *South San Francisco General Plan* document. Adoption of the proposed *El Camino Real/Chestnut Area Plan* will also include amendments to the Zoning Ordinance to ensure consistency between the Zoning Ordinance, the amended *General Plan* and the *Area Plan* (see Attachment No.2). A summary of non-residential development (sq. ft.) and residential development (units) is shown in Attachment No. 3.

II. Airport Influence Area (AIA) Boundary

An airport influence area (AIA) boundary defines the geographic area within which proposed local agency land use policy actions (i.e. general plans, general plan updates, general plan amendments, specific plans, specific plan amendments, zoning ordinances, rezonings, etc.) must be referred to the airport land use commission for a determination of the consistency of the those actions with the policies and criteria contained in the relevant airport/land use compatibility plan (CLUP) document. As of this date, the Commission (C/CAG Board) has not adopted an airport influence area (AIA) boundary for San Francisco International Airport. However, it has been the practice of the Commission to define the Airport Influence Area (AIA) boundary in two parts: an Area A for real estate disclosure, per state law and an Area B, a geographic boundary for real estate disclosure and for formal review of proposed local agency land use policy actions. The Commission took this approach when it adopted the San Carlos Airport Influence Area boundary.

For the purposes of this report, Staff is using the term “preliminary Airport Influence Area boundary” to refer to the AIA boundary (Area A and Area B) for San Francisco International Airport (SFO) that is included in the pending draft SFO CLUP update document (April 2011). The *El Camino Real/Chestnut Avenue Area Plan* boundary is located within preliminary Airport Influence Area A boundary for SFO but not within the preliminary Airport Influence Area B Boundary (see Attachment No. 4).

C/CAG Agenda Report, Re: Consideration/Approval of an Airport Land Use Compatibility Plan (CLUP) Consistency Review of a Referral from the City of South San Francisco, Re: *El Camino Real/Chestnut Avenue Area Plan and Associated General Plan Amendment and Zoning Ordinance Amendment*

June 9, 2011

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DISCUSSION

I. Airport/Land Use Compatibility Issues

There are three airport/land use compatibility issues that are relevant to the content of the City of South San Francisco the proposed *El Camino Real/Chestnut Avenue Area Plan and Associated General Plan Amendment and Zoning Ordinance Amendment* documents. These include: (a) Height of Structures/Airspace Protection, (b). Aircraft Noise Impacts, and (c). Safety Criteria. Each of these issues is addressed in the following sections.

(a). Height of Structures/Airspace Protection

The Airport Land Use Commission (C/CAG Board) has adopted the provisions in Federal Aviation Regulations FAR Part 77, “Objects Affecting Navigable Airspace”, as amended, to establish height restrictions and federal notification requirements for project sponsors, related to proposed development within the FAR Part 77 airspace boundaries for San Francisco International Airport. The *El Camino Real/Chestnut Avenue Area Plan* does not lay below the current FAR Part 77 imaginary surfaces for San Francisco International Airport (see Attachment No. 5A). However, the *Plan Area* does lie below the current airspace protection surfaces for San Francisco International Airport defined in United States Standard for Terminal Instrument Procedures (TERPS), as included in CFR Part 77 Section 77.23 and below current airspace protection surfaces defined in One-Engine Inoperative (OEI) departure procedures, as described in FAA Advisory Circular 150/5300-13 (see Attachment No. 5B).

Any proposed building or structure that exceeds the federal maximum height limits for airspace protection is considered by the Airport Land Use Commission (C/CAG Board) to be an incompatible land use, unless the FAA determines otherwise (i.e. the FAA determines the height of the structure to be an airspace obstruction or no hazard to air navigation, via a formal airspace impact study). The text in the proposed *Plan* indicates the following: “...the building heights will be required to adhere to the limits indicated in the most recently adopted CLUP.” This requirement is reinforced by South San Francisco General Plan Policy 2-I-22, which states the following: “Require that all future development conforms with the relevant height, aircraft noise, and safety policies and compatibility criteria contained in the most recently adopted version of the San Mateo County Comprehensive Airport Land Use Plan for the environs of San Francisco International Airport.” A graphic of the *Area Plan* height limits (base height and height limit with discretionary approval) is shown in Attachment 5C.

(b). Aircraft Noise Impacts

The Community Noise Equivalent Level metric in decibels (dB CNEL) represents the average daytime noise level during a 24-hour day, based on a compilation of individual noise events and adjusted for the lower tolerance of people to noise during evening and nighttime hours. The State of California and the FAA define an airport’s noise impact boundary as the 65 dB CNEL aircraft noise level. This level is used by the Airport/Land Use Commission (C/CAG Board) to define the noise impact boundary for San Francisco International Airport and for the application of noise mitigation actions.

C/CAG Agenda Report, Re: Consideration/Approval of an Airport Land Use Compatibility Plan (CLUP) Consistency Review of a Referral from the City of South San Francisco, Re: *El Camino Real/Chestnut Avenue Area Plan and Associated General Plan Amendment and Zoning Ordinance Amendment*

June 9, 2011

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DISCUSSION - continued

The *El Camino Real/Chestnut Avenue Area Plan* is not located within the 65 dB CNEL aircraft noise contour or higher contour level as shown on the Airport's most recent Noise Exposure Map accepted by the FAA (see Attachment No.6). However, the Planning Area is still subject to intermittent noise from aircraft departures on Runways 28L/R and other ambient noise sources. Chapter 2: Land Use and Chapter 9: Noise of the *South San Francisco General Plan*, as amended in 2010, include numerous policies regarding aircraft noise mitigation. Aircraft noise attenuation is also addressed in Title 8 Health and Welfare of the *South San Francisco Municipal Code* (see Attachment No. 7). Future development in the Planning Area should meet the interior noise level requirements defined in the 2010 California Building and the in of the *South San Francisco General Plan and Municipal Code*

(c). Safety Criteria

Safety Zones. The El Camino Real/Chestnut Area Plan is not located within any current or future runway end safety zones for San Francisco International Airport.

Land Uses. Certain types of land uses are recognized by the Airport Land Use Commission (C/CAG Board) as hazards to air navigation in the vicinity of San Francisco International Airport. Those land uses are listed in the draft CLUP update (April 2011) and include the following:

- a. Sources of glare, such as highly reflective building materials or bright lights, including search lights, laser displays, etc.
- b. Distracting lights that could be mistaken for airport identification lighting, runway edge lighting, runway end identification lighting, or runway approach lighting.
- c. Sources of dust, smoke, water vapor, or steam that may impair visibility.
- d. Sources of electrical/electronic interference that could interfere with aircraft communications or navigation equipment.
- e. Features or elements that create an increased attraction for wildlife, particularly flocks of birds, that is inconsistent with FAA rules and regulations, including but not limited to FAA Order 5200.5A, *Waste Disposal Sites On or Near Airports*, FAA Advisory Circular 150/5200-33B, *Hazardous Wildlife Attractants On or Near Airports*, and any successor or replacement orders of advisory circulars.

II. Real Estate Disclosure

California Public Utilities Code PUC Section 21674.7 states the following:

“An airport land use commission...shall be guided by information prepared and updated pursuant to Section 21674.5 and referred to as the Airport Land Use Planning Handbook published by the Division of Aeronautics...”

C/CAG Agenda Report, Re: Consideration/Approval of an Airport Land Use Compatibility Plan (CLUP) Consistency Review of a Referral from the City of South San Francisco, Re: *El Camino Real/Chestnut Avenue Area Plan and Associated General Plan Amendment and Zoning Ordinance Amendment*

June 9, 2011

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DISCUSSION - continued

The *California Airport Land Use Planning Handbook January 2002* states the following:

“ALUCs are encouraged to adopt policies defining the area within which information regarding airport noise impacts should be disclosed as part of real estate transactions.”

The real estate disclosure requirements of Chapter 496, Statutes of 2002 (formerly AB 2776 (Simitian)) affects sales of real property that occur within an airport influence area (AIA) boundary. It requires a statement (notice) to be included in the property transfer documents that (1) indicates the subject property is located within an airport influence area (AIA) boundary and (2) that the property may be subject to certain impacts from airport/aircraft operations. The wording of the disclosure notice is as follows:

“NOTICE OF AIRPORT IN VICINITY

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

The content of the proposed *El Camino Real/Chestnut Avenue Area Plan and Associated General Plan Amendment and Zoning Ordinance Amendment* documents does not include text and/or policies that address real estate disclosure related to properties located within the vicinity of an airport. To address this issue, the City Council resolution to adopt the proposed *El Camino Real/Chestnut Avenue Area Plan and Associated General Plan Amendment and Zoning Ordinance Amendment* should include the following text:

“All real estate transactions within the preliminary airport influence area (AIA) boundary for San Francisco International Airport (Areas A and B) are subject to the real estate disclosure requirements of Chapter 496, Statutes 2002.”

III. Compliance with California Government Code 65302.3

California Government Code Section 65302.3 states that a local agency general plan and/or any affected specific plan must be consistent with the applicable airport/land use compatibility criteria contained in the adopted airport land use plan (CLUP). The City of South San Francisco *El Camino Real/Chestnut Avenue Area Plan and Associated General Plan Amendment and Zoning Ordinance Amendment* documents are subject to compliance with the above - referenced Government Code Section. Therefore, the text in the draft *General Plan Amendment* document should include the following:

“The goals, policies, and other relevant content contained herein do not conflict with the applicable airport/land use compatibility criteria contained in the *San Mateo County Comprehensive Airport Land Use Plan*, as amended, for San Francisco International Airport.”

C/CAG Agenda Report, Re: Consideration/Approval of an Airport Land Use Compatibility Plan (CLUP) Consistency Review of a Referral from the City of South San Francisco, Re: *El Camino Real/Chestnut Avenue Area Plan and Associated General Plan Amendment and Zoning Ordinance Amendment*

June 9, 2011

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DISCUSSION - continued

IV. Guidance from the *California Airport Land Use Planning Handbook*

Staff reviewed the relevant content of the *California Airport Land Use Planning Handbook January 2002*, published by the Caltrans Division of Aeronautics, to prepare this report. The staff analysis and recommendations contained herein are consistent with and guided by the relevant provisions contained in the *Handbook*.

ATTACHMENTS

- Attachment No. 1A: Letter to Dave Carbone, C/CAG-Airport Land Use Committee, from Michael Lappen, City of South San Francisco Economic Development Coordinator, dated March 30, 2011; re: Airport Land Use Committee review - El Camino Real /Chestnut Avenue Area Plan and related land use policy actions
- Attachment No. 1B: Graphic: Regional Context - El Camino Real /Chestnut Avenue Area Plan and related land use policy actions
- Attachment No. 1C: Graphic: Planning Area - El Camino Real /Chestnut Avenue Area Plan
- Attachment No. 2: Written description of the El Camino Real /Chestnut Avenue Area Plan and related land use policy actions
- Attachment No. 3: Table 2-3: Focus Area Development Summary By Block
Source: South San Francisco Planning Commission Staff Report, dated May 5, 2011
- Attachment No. 4: Graphic: Location of El Camino Real/Chestnut Avenue Area Plan in relation to the preliminary Airport Influence Area (AIA) boundaries (Area A and Area B) for San Francisco International Airport
- Attachment No. 5A: Graphic: Location of El Camino Real/Chestnut Avenue Area Plan in relation to the FAR Part 77 Civil Airport Imaginary Surfaces for San Francisco International Airport
- Attachment No. 5B: Graphic: Location of El Camino Real/Chestnut Avenue Area Plan in relation to San Francisco International Airport Critical Aeronautical Surfaces –Northwest Side (TERPS and OEI surfaces)
- Attachment No. 5C: Graphic: El Camino Real/Chestnut Avenue Area Plan Height Limits
- Attachment No. 6: Graphic: Location of El Camino Real/Chestnut Avenue Area Plan in relation to San Francisco International Airport FAA-accepted Noise Contours (composite 2001/2006)
- Attachment No 7: Written description of state and local aircraft noise regulations, and relevant noise policies from Chapter 2 and Chapter 9 of the *1999 South San Francisco General Plan*, as amended in 2010 and Title 8 of the *South San Francisco Municipal Code*



DEPARTMENT OF
ECONOMIC AND
COMMUNITY DEVELOPMENT
(650) 829-6620
FAX (650) 829-6623

March 30, 2011

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

Subject: Airport Land Use Committee – El Camino Real/Chestnut Avenue Area Plan

Dear Mr. Carbone,

Thank you for your time and insight regarding the Airport Land Use Committee's (ALUC) review of the El Camino Real/Chestnut Avenue Area Plan, proposed in a roughly 98-acre area south of the SSF BART Station in South San Francisco. The Plan will be implemented to facilitate transit-oriented development adjacent to the SSF BART Station and in the El Camino Real Redevelopment Area.

Location

The Planning Area encompasses approximately 98 acres along El Camino Real, from Southwood Drive to just north of Sequoia Avenue. The majority of the Planning Area is situated between El Camino Real and Mission Road. The right-of-way for the underground BART line runs through the length of the site. A Focus Area has also been illustrated which identifies opportunity sites within the Planning Area. These opportunity sites, which include vacant and underutilized sites, as well as sites owned by the City of South San Francisco, present the greatest development opportunities within the Planning Area, and are the focus of the proposed Plan. North of the Planning Area is the South San Francisco BART Station along with newer high-density development, major commercial establishments such as Costco, and Kaiser Hospital. To the south of the Planning Area is the South El Camino Real sub-area and the City of San Bruno. (see attached location map)

CITY COUNCIL 2011

KEVIN MULLIN, MAYOR
RICHARD A. GARBARINO, VICE MAYOR
MARK ADDIEGO, COUNCILMEMBER
PEDRO GONZALEZ, COUNCILMEMBER
KARYL MATSUMOTO, COUNCILMEMBER

BARRY M. NAGEL, CITY MANAGER

ATTACHMENT NO. 1A

RECEIVED

2011 APR 11 P 3:39

SAN MATEO COUNTY
PLANNING AND BUILDING
DEPARTMENT

The Proposed Plan

The proposed Plan aims to transform the Planning Area into a new walkable, distinctive, mixed-use district at the geographic center of South San Francisco. A network of open spaces will form the armature of new development. New streets and pedestrian connections will extend through the area, enabling easy movement on foot. The BART right-of-way that extends through the length of the Planning Area will be transformed into a linear park and a pedestrian-oriented “Main Street”, lined with restaurants, cafés, and outdoor seating in a portion of the right-of-way. Development will be at high densities, reflecting adjacent transit access.

The proposed Plan envisions a new neighborhood of up to 4,400 residents housed in low- to high-rise buildings. It will provide a range of commercial uses; walking access to everyday amenities; new civic uses, potentially including a new City Library; and parks, plazas, and gathering spaces for the entire South San Francisco community. Taller residential buildings will have townhouses at the lower level with individual entrances oriented to streets, particularly key pedestrian routes. Parking will be below grade or in structures, enabling efficient use of land.

The City is proposing changes to the City’s policies and regulations, necessitating a determination by the ALUC as to consistency with the Airport Land Use Plan. The Changes include the General Plan Amendment and an amendment to the Zoning Ordinance.

General Plan Amendment

Staff believes the changes of interest to the ALUC are minor in nature. The proposed Plan includes amendments to the existing General Plan land use classifications. The General Plan High Density Residential land use classification would be amended to allow higher density development under the High Density Residential land use classification within the Planning Area. In addition, the proposed Plan introduces two new land use classifications: El Camino Real Mixed Use North, High Intensity and El Camino Real Mixed Use North, Medium Intensity. In addition to these, the Plan applies the existing General Plan Public, and Park and Recreation land use classifications to sites in the Planning Area. In addition to land use classifications and designations, amendments will also be made to the General Plan to allow for increased building height within the Planning Area. New policies in the Transportation and Parks, Public Facilities, and Services elements incorporate transportation improvements and additional parkland policies included in the proposed Plan. No additional amendments are required to ensure consistency between the General Plan and proposed Area Plan.

High Density Residential

This designation is intended to accommodate high-density residential development on the vacant property south of the intersection of Grand Avenue and Mission Road. Up to 120 units per acre are permitted and a minimum density of 80 units per acre is required. Maximum density may be increased to 180 units per acre may be achieved for development meeting specified criteria.

El Camino Real Mixed Use North, High Intensity

This designation is intended to accommodate high-intensity active uses and mixed-use development. Retail and department stores; eating and drinking establishments; hotels; commercial recreation; financial, business, and personal services; residential; educational and social services; and office uses are permitted. Within this designation, the ground floor frontage of a site along El Camino Real, Chestnut Avenue and Oak Avenue is required to accommodate active uses.

El Camino Real Mixed Use North, Medium Intensity

This designation is intended to accommodate high-intensity active uses and mixed-use development. Retail and department stores; eating and drinking establishments; hotels; commercial recreation; financial, business, and personal services; residential; educational and social services; and office uses are permitted.

Amendment to the Zoning Ordinance

The proposed Plan includes an amendment to Division III: Specific and Area Plan Districts of the Zoning Ordinance. The amendment includes a new chapter (Chapter 20.270 El Camino Real/Chestnut Avenue Area Plan District) for Division III. The new El Camino Real/Chestnut District (proposed District) includes the following three sub-districts: El Camino Real/Chestnut Mixed Use, High Density (ECR/C-MXH), El Camino Real/Chestnut Mixed Use, Medium Density (ECR/C-MXM), and El Camino Real/Chestnut Residential, High Density (ECR/C-RH). The proposed District establishes the use regulations, standards and development review procedures needed to implement the proposed Plan. The proposed land use regulations establish permitted, permitted after review and approval of a Minor Use Permit by the Chief Planner, and permitted after review and approval of a Conditional Use Permit by the Planning Commission uses within the Planning Area. In addition, the proposed District includes development standards such as lot size and width, FAR, density, height, yards, building form, open space, active frontage, and parking and loading that will apply to development within the Planning Area. In addition, figures showing maps will be amended in Chapter 20.250 Transit Village Plan District to exclude the area, which will be part of the proposed District. In addition, Section 20.300.012 will be amended to clarify electrical equipment and the definition of active uses will be added to Chapter 20.360 Terms and Definitions.

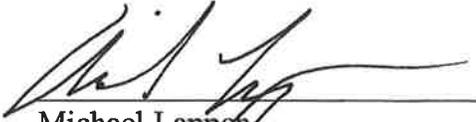
Environmental Impact Report

A Draft Environmental Impact Report (DEIR) has been prepared by the planning firm Dyett & Bhatia to analyze the potential environmental impacts of the project. The DEIR was circulated on February 25, 2011 for a forty-five day review period. This hearing is intended to provide the public and the Commission an opportunity to present oral comments on the draft report. Written comments will be accepted until April 11, 2011.

Page 4 of 4

I appreciate your willingness to schedule this matter for consideration at the May ALUC meeting and the June C/CAG meeting. Please contact me at 650-829-6620 if you have additional questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Lappen', written over a horizontal line.

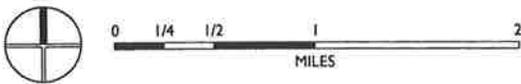
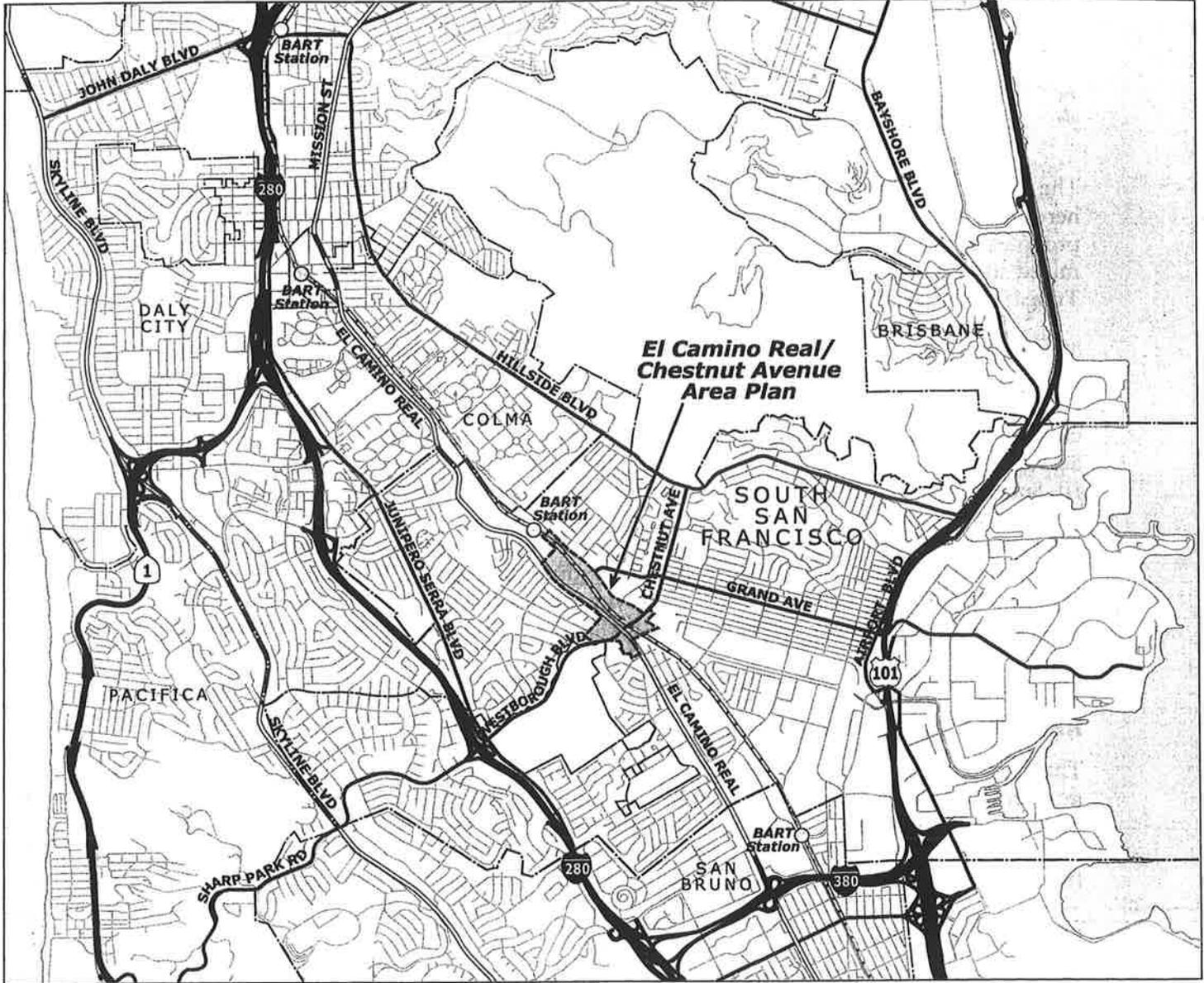
Michael Lappen
Economic Development Coordinator

Attachments:

1. Study Area Location Map
2. Draft General Plan Amendment (in the attached CD-ROM)
3. Draft Amendment to the Zoning Ordinance (in the attached CD-ROM)
4. Draft Area Plan (in the attached CD_ROM)
5. Draft Environmental Impact Report (DEIR), February 2011

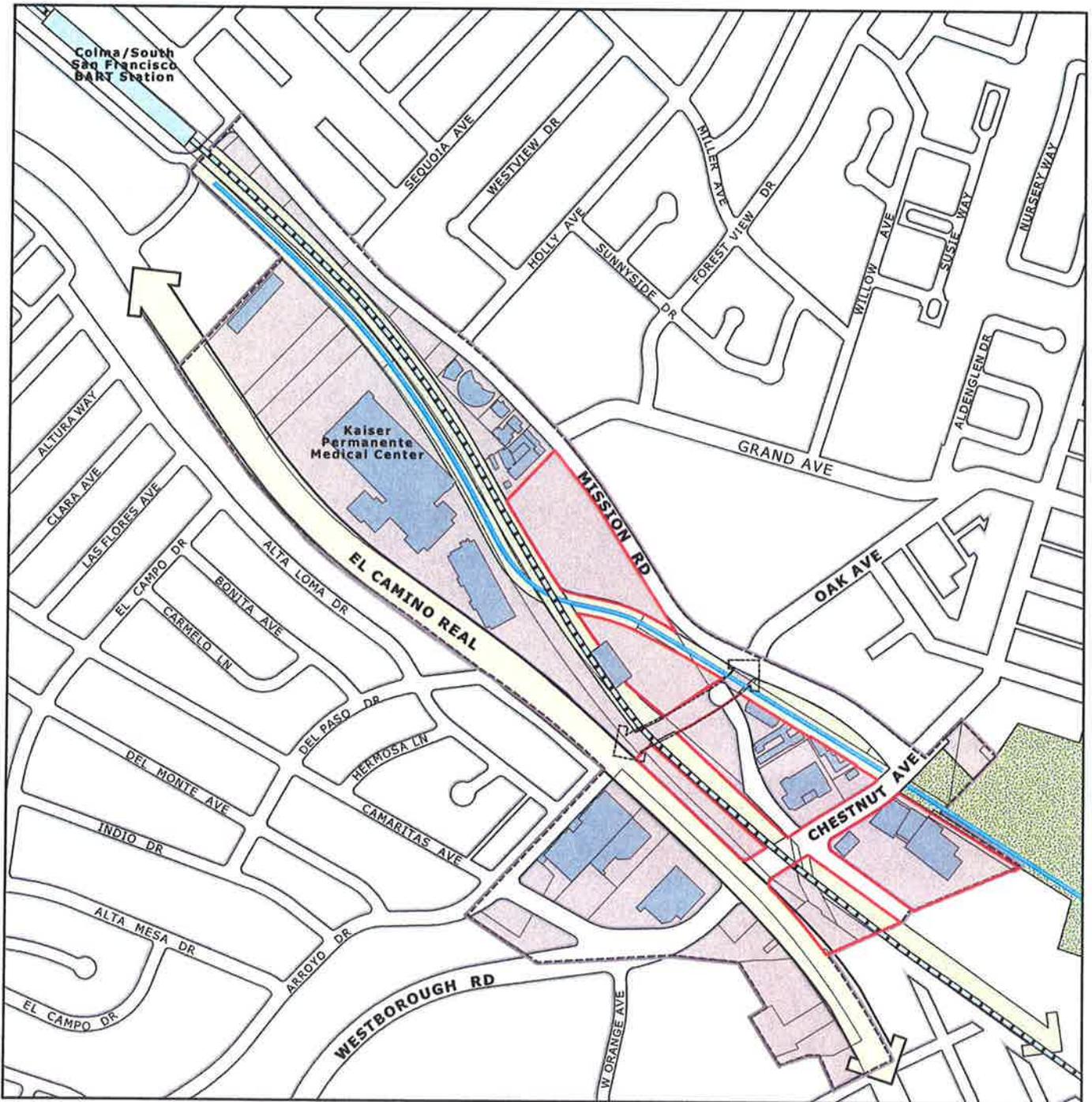
cc: Marty Van Duyn, Assistant City Manager
Susy Kalkin, Chief Planner
Brian Crossman, Assistant City Attorney

Figure 2.1-1: Regional Context

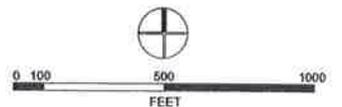


ATTACHMENT NO. 1B

Figure 1-2: Planning Area



- Focus Area
- Park/Open Space
- Planning Area Boundary
- BART
- Canal



ATTACHMENT NO. 1C

2.2 PURPOSE AND OBJECTIVES OF THE PROPOSED PLAN

The proposed Plan consists of policies and proposals to guide the future growth within the Planning Area. The proposed Plan establishes a transformative vision for the area, which emerged through a collaborative process that engaged City officials and staff, developers, property owners, regional agencies, and residents. The vision builds on the regional Grand Boulevard Initiative that calls for El Camino Real—the original Mission Trail that was first paved into a highway in South San Francisco nearly 100 years ago—to be transformed into a boulevard, highlighted by nodes of higher intensity mixed-use development. The plan includes a complete set of goals, policies, and critical implementation strategies, as well as design and development standards and guidelines, that will help achieve the desired vision. The proposed Plan provides an overall vision for the area in terms of land use, urban design and circulation, and emphasizes the creation of a vibrant and viable activity center in South San Francisco.

2.3 PROPOSED PLAN

The proposed Plan aims to transform the Planning Area into a new walkable, distinctive, mixed-use district at the geographic center of South San Francisco. A network of open spaces will form the armature of new development. New streets and pedestrian connections will extend through the area, enabling easy movement on foot. The BART right-of-way that extends through the length of the Planning Area will be transformed into a linear park and a pedestrian-oriented “Main Street”, lined with restaurants, cafés, and outdoor seating in a portion of the right-of-way. Development will be at high densities, reflecting adjacent transit access.

The proposed Plan envisions a new neighborhood of up to 4,400 residents housed in low- to high-rise buildings. It will provide a range of commercial uses; walking access to everyday amenities; new civic uses, potentially including a new City Library; and parks, plazas, and gathering spaces for the entire South San Francisco community. Taller residential buildings will have townhouses at the lower level with individual entrances oriented to streets, particularly key pedestrian routes. Parking will be below grade or in structures, enabling efficient use of land.

GENERAL PLAN AMENDMENTS

An area plan is adopted as an amendment to a city’s General Plan.¹ The proposed Area Plan’s, goals, objectives, and policies must be consistent with the City of South San Francisco General Plan. Therefore, adoption of the proposed Area Plan will include amendments to the Land Use; Planning Sub-Areas; Transportation; and Parks, Public Facilities, and Services elements of the existing General Plan to ensure consistency.

The proposed Plan includes amendments to the existing General Plan land use classifications. Figure 2.3-1 shows the existing General Plan Land Use Diagram. The General Plan High Density Residential land use classification would be amended to allow higher density development under the High Density Residential land use classification within the Planning Area. In addition, the proposed Plan introduces two new land use classifications: El Camino Real Mixed Use North, High Intensity and El Camino Real Mixed Use North, Medium

¹ Governor’s Office of Planning and Research, *State of California General Plan Guidelines*, 2003.

Intensity. In addition to these, the Plan applies the existing General Plan Public, and Park and Recreation land use classifications to sites in the Planning Area. Table 2.3-1 summarizes the density and development intensity standards for these new and amended land use designations. Figure 2.3-2 shows the proposed amendments to the General Plan Land use Diagram.

In addition to land use classifications and designations, amendments will also be made to the General Plan to allow for increased building height within the Planning Area. Figure 2.3-3 shows the existing Special Area Height Limitations while Figure 2.3-4 shows the proposed amendments to the Height Limitations diagram. Figure 2.3-5 shows the proposed height limits in the Planning Area.

Proposed land use designations follow.

High Density Residential

This designation, as it applies to the 4.5-acre former San Francisco Public Utilities Commission (PUC) parcel between Mission Road and the Colma Creek canal, allows higher densities than elsewhere in the city, reflecting the area's close proximity to the South San Francisco BART Station. Up to 120 units per acre are permitted and a minimum density of 80 units per acre is required. Maximum density may be increased to 180 units per acre may be achieved for development meeting specified criteria.

El Camino Real Mixed Use North, High Intensity

This designation is intended to accommodate high-intensity active uses and mixed-use development. Retail and department stores; eating and drinking establishments; hotels; commercial recreation; financial, business, and personal services; residential; educational and social services; and office uses are permitted.

The minimum FAR for all uses, exclusive of structured parking, shall be 0.6, of which a minimum 0.3 FAR shall be active uses. Active uses are those that are accessible to the general public, generate walk-in pedestrian clientele and contribute to a high level of pedestrian activity. Such uses include retail shops, restaurants, bars, theaters and the performing arts, commercial recreation and entertainment, personal and convenience services, hotels, banks, travel agencies, childcare services, libraries, museums, and galleries.

Within this designation, the ground floor frontage of a site along El Camino Real, Chestnut Avenue and Oak Avenue is required to be devoted to active uses. The maximum FAR for all uses, inclusive of residential but exclusive of structured parking, shall be 2.0, with increases to a maximum total FAR of 3.0 for development meeting specified criteria. Residential density (included within the overall FAR) is limited to a maximum of 80 units per acre, with increases to a maximum of 110 units per acre for development meeting specified criteria.

El Camino Real Mixed Use North, Medium Intensity

This designation is intended to accommodate high-intensity active uses and mixed-use development. Retail and department stores; eating and drinking establishments; hotels;

commercial recreation; financial, business, and personal services; residential; educational and social services; and office uses are permitted.

The minimum FAR for all uses, exclusive of structured parking, shall be 0.6, of which a minimum 0.3 FAR shall be active uses. Active uses are those that are accessible to the general public, generate walk-in pedestrian clientele and contribute to a high level of pedestrian activity. Such uses include retail shops, restaurants, bars, theaters and the performing arts, commercial recreation and entertainment, personal and convenience services, hotels, banks, travel agencies, childcare services, libraries, museums, and galleries.

Within this designation, the maximum FAR for all uses, inclusive of residential but exclusive of structured parking, shall be 1.5, with increases to a maximum total FAR of 2.5 for development meeting specified criteria. Residential density (included within the overall FAR) is limited to 40 units per acre, with increases to a maximum of 60 units per acre for development meeting specified criteria.

Table 2.3-1: Summary of Standards for Density and Development Intensity

Land Use Designation	Residential Density (units/net acre)			Floor Area Ratio (residential and non-residential uses combined)				
	Min	Max.	Max. with Discretionary Approval and State- Mandated Bonus	Min	Base Max.	Bonuses		Total Max. with Discre- tionary Ap- proval and Incentive- Based Bonus- es
						Bonus Attainable with TDM Program	Bonus Attain- able with Other Speci- fied Design Standards	
High Density Residential	80	120	180	–	–	–	–	–
El Camino Real Mixed Use North								
El Camino Real Mixed Use North, High Intensity	–	80	110	0.6 ¹	2.0	0.5	0.5	3.0
El Camino Real Mixed Use North, Medium Intensity	–	40	60	0.6 ¹	1.5	0.5	0.5	2.5

¹ A minimum 0.3 FAR of the required 0.6 FAR shall be active uses. The requirement for a minimum 0.3 FAR of active uses does not apply to projects where 30% of the units are restricted and affordable to low- or low-moderate-income households.

Dyett & Bhatia, 2010.

Table 2.3-2: Summary of Proposed General Plan Amendments

	<i>Existing</i>	<i>Proposed Plan</i>
Land Use Designation	Business Commercial Community Commercial El Camino Real Mixed Use High Density Residential Office	El Camino Real Mixed Use North High Density Residential
Uses	Mixed use only allowed within El Camino Real Mixed Use	Mixed use allowed in El Camino Real Mixed Use North
Height Limitations ¹	50 feet El Camino Real Mixed Use: 80 feet, 120 feet ²	El Camino Real Mixed Use North (East of Colma Creek between Grand and Evergreen Drive): 40 feet El Camino Real Mixed Use North: 80 feet, 120 feet ² High Density Residential: 120 feet, 160 feet ²
Minimum Active Use Requirement	El Camino Real Mixed Use: 0.3 FAR of the required 0.6 FAR shall be active uses	El Camino Real Mixed Use North: 0.3 FAR of the required 0.6 FAR shall be active uses
Minimum FAR	El Camino Real Mixed Use: 0.6 for sites larger than 20,000 square feet	El Camino Real Mixed Use North: 0.6
Maximum FAR	Business Commercial: 0.5, 1.0 ² Community Commercial: 0.5, 1.0 ² El Camino Real Mixed Use: 2.5, 3.5 ² Office: 1.0, 2.5 ²	El Camino Real Mixed Use North, High Intensity: 2.0, 3.0 ² El Camino Real Mixed Use North, Medium Intensity: 1.5, 2.5 ²
Minimum Density (du/ac)	-	High Density Residential: 80
Maximum Density (du/ac)	High Density Residential: 18, 30, 37.5 ² El Camino Real Mixed Use: 60, 80 ²	High Density Residential: 120, 180 ² El Camino Real Mixed Use North, High Intensity: 80, 110 ² El Camino Real Mixed Use North, Medium Intensity: 40, 60 ²
¹ For areas subject to airport-related height limitations, building heights must be in accordance with the limits indicated in the most recently adopted Comprehensive Airport Land Use Plan. ² Maximum permitted with Incentives, Bonuses and/or Discretionary Review.		

Dyett & Bhatia, 2010.

In addition, policies have been added to the Planning Sub-Areas, Transportation, and Parks and Parks, Public Facilities, and Services elements. New policies in the Planning Sub-Areas chapter include references to the proposed Plan as the guiding policy document for the El Camino Real/Chestnut Avenue Area. New policies in the Transportation and Parks, Public Facilities, and Services elements incorporate transportation improvements and additional parkland policies included in the proposed Plan. No additional amendments are required to ensure consistency between the General Plan and proposed Area Plan.

ZONING ORDINANCE AMENDMENTS

When a General Plan amendment results in inconsistency between the General Plan and zoning, the zoning must be amended to re-establish consistency.² In addition, as zoning is one of the tools used to implement an area plan, the Zoning Ordinance must also be consistent with the proposed Area Plan. Therefore, adoption of the proposed Area Plan will include amendments to the Zoning Ordinance to ensure consistency between the Zoning Ordinance and amended General Plan and proposed Area Plan. The Zoning Map will also be amended to reflect the changes in Zoning designations. Figures 2.3-6 and 2.3-7 show existing and proposed Zoning designations within the Planning Area.

The proposed Plan includes an amendment to Division III: Specific and Area Plan Districts of the Zoning Ordinance. The amendment includes a new chapter (Chapter 20.270 El Camino Real/Chestnut Avenue Area Plan District) for Division III. The new El Camino Real/Chestnut District (proposed District) includes the following three sub-districts: El Camino Real/Chestnut Mixed Use, High Density (ECR/C-MXH), El Camino Real/Chestnut Mixed Use, Medium Density (ECR/C-MXM), and El Camino Real/Chestnut Residential, High Density (ECR/C-RH). The proposed District establishes the use regulations, standards and development review procedures needed to implement the proposed Plan. The proposed land use regulations establish permitted, permitted after review and approval of a Minor Use Permit by the Chief Planner, and permitted after review and approval of a Conditional Use Permit by the Planning Commission uses within the Planning Area. In addition, the proposed District includes development standards such as lot size and width, FAR, density, height, yards, building form, open space, active frontage, and parking and loading that will apply to development within the Planning Area. In addition, figures showing maps will be amended in Chapter 20.250 Transit Village Plan District to exclude the area which will be part of the proposed District. In addition, Section 20.300.012 will be amended to clarify electrical equipment and the definition of active uses will be added to Chapter 20.360 Terms and Definitions. Table 2.3-3 shows a summary of existing zoning designations and proposed zoning designations within the Planning Area.

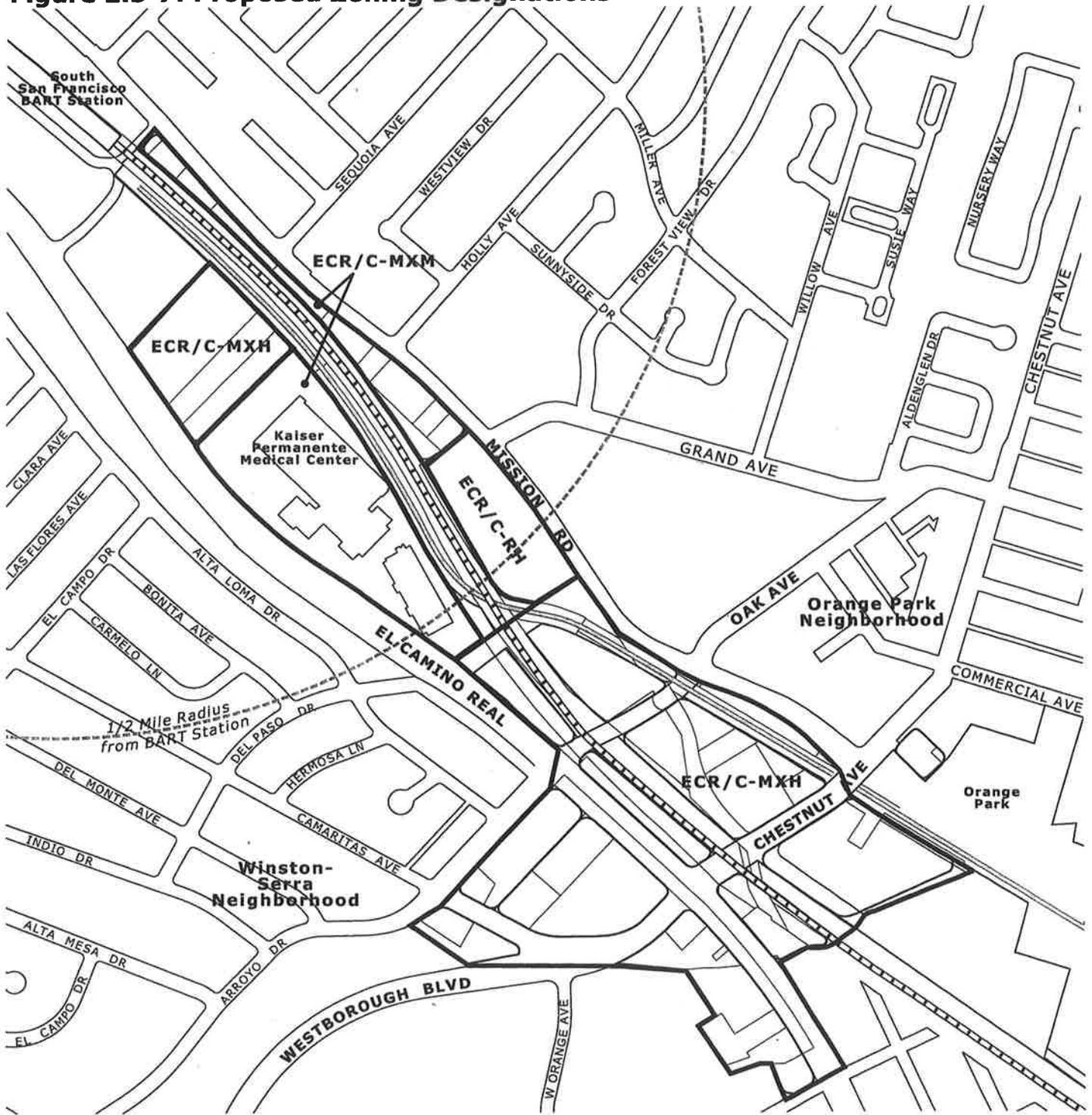
² Ibid.

Table 2.3-3: Summary of Existing and Proposed Zoning Designations

<i>Existing Zoning Designations</i>	<i>Proposed Zoning Designations</i>
Business Commercial (BC)	El Camino Real/Chestnut Mixed Use, High Density (ECR/C-MXH)
Community Commercial (CC)	El Camino Real/Chestnut Mixed Use, Medium Density (ECR/C-MXM)
El Camino Real Mixed Use (ECRMX)	El Camino Real/Chestnut Residential, High Density (ECR/C-RH)
High Density Residential (RH-30)	
Public/Quasi-Public (PQP)	
Transit Village Commercial (TV-C)	
Transit Village Residential, High Density (TV-RH)	
Transit Village Residential, Medium Density (TV-RM)	

Dyett & Bhatia, 2010.

Figure 2.3-7: Proposed Zoning Designations



ECR/C-MXH: El Camino Real/Chestnut Mixed Use, High Intensity

ECR/C-MXM: El Camino Real/Chestnut Mixed Use, Medium Intensity

ECR/C-RH: El Camino Real/Chestnut Residential, High Density



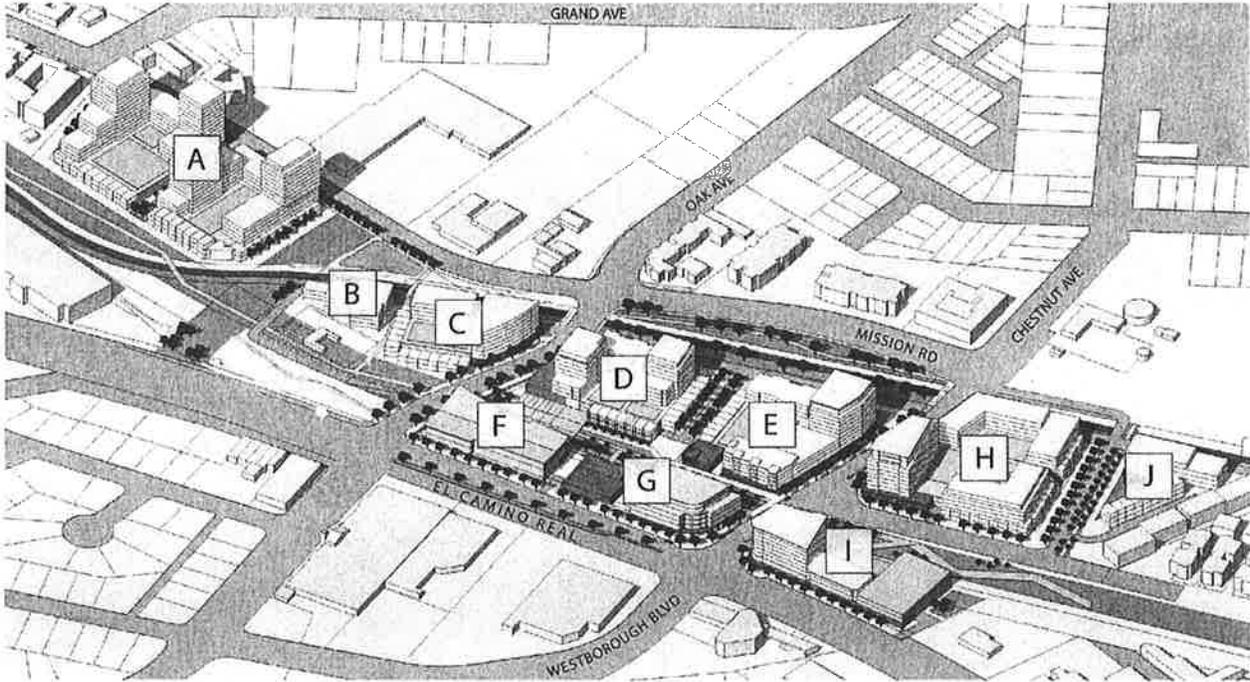
Staff Report
 RE: El Camino Real/Chestnut Avenue Area Plan
 Date: May 5, 2011

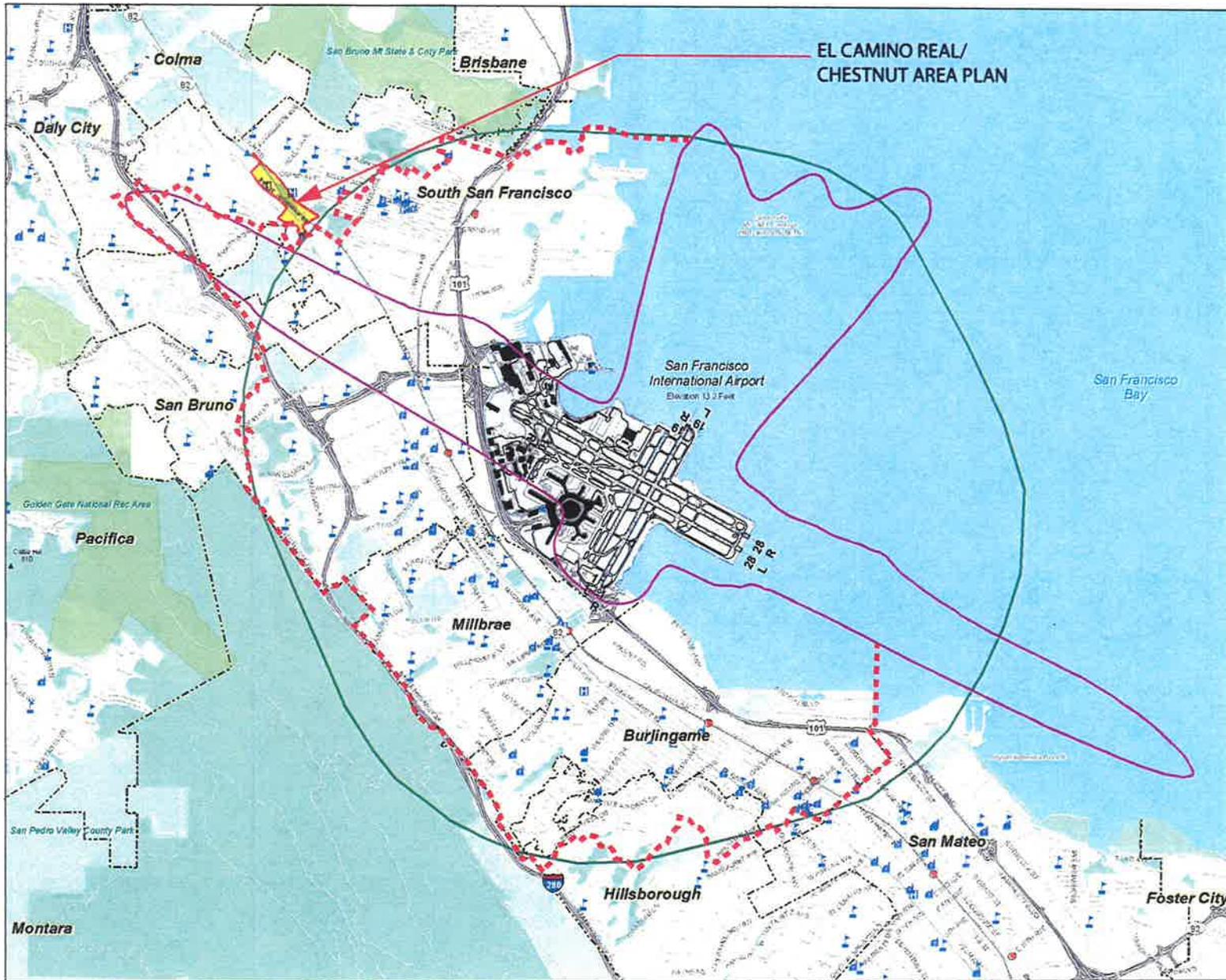
Page 6

Table 2-3: Focus Area Development Summary by Block

Block	Non-Residential (SF)			Residential (units)			Parking (spaces)			
	Retail	Office	Public/Inst.	Low-Rise	Tower	Town-houses	Total	Podium	Under-ground	Total
A	0	0	0	136	244	39	419	486	0	486
B	0	0	0	43	0	0	43	0	30	30
C	11,600	0	0	24	51	19	94	150	0	150
D	13,400	0	0	23	101	15	139	258	0	258
E	62,700	0	0	68	73	9	150	0	397	397
F	9,200	0	50,000	0	0	0	0	108	0	108
G	25,300	73,000	0	0	0	0	0	0	103	103
H	26,200	0	0	127	67	29	223	312	0	312
I	38,400	0	0	25	77	0	102	159	0	159
J	0	0	0	36	0	9	45	0	63	63
Total	186,800	73,000	50,000	482	613	120	1,215	1,473	593	2,066

Dyett and Bhatia, 2010





- LEGEND**
- Boundary for Airport Influence Area B
 - Composite 65 CNEL Contour, 2001 and 2006 NEMs
 - FAR Part 77 Critical Surface
 - Airport Property
 - BART Station
 - CALTRAIN Station
 - School
 - Place of Worship
 - Hospital
 - Municipal Boundary
 - Railroad
 - Freeway
 - Road
 - Local Park, Golf Course, Cemetery
 - Regional Park or Recreation Area
 - Open Space

Sources:
FAR Part 77 Surfaces: City and County of San Francisco, Ricondo & Associates, Inc. 2007

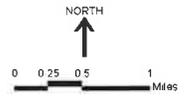
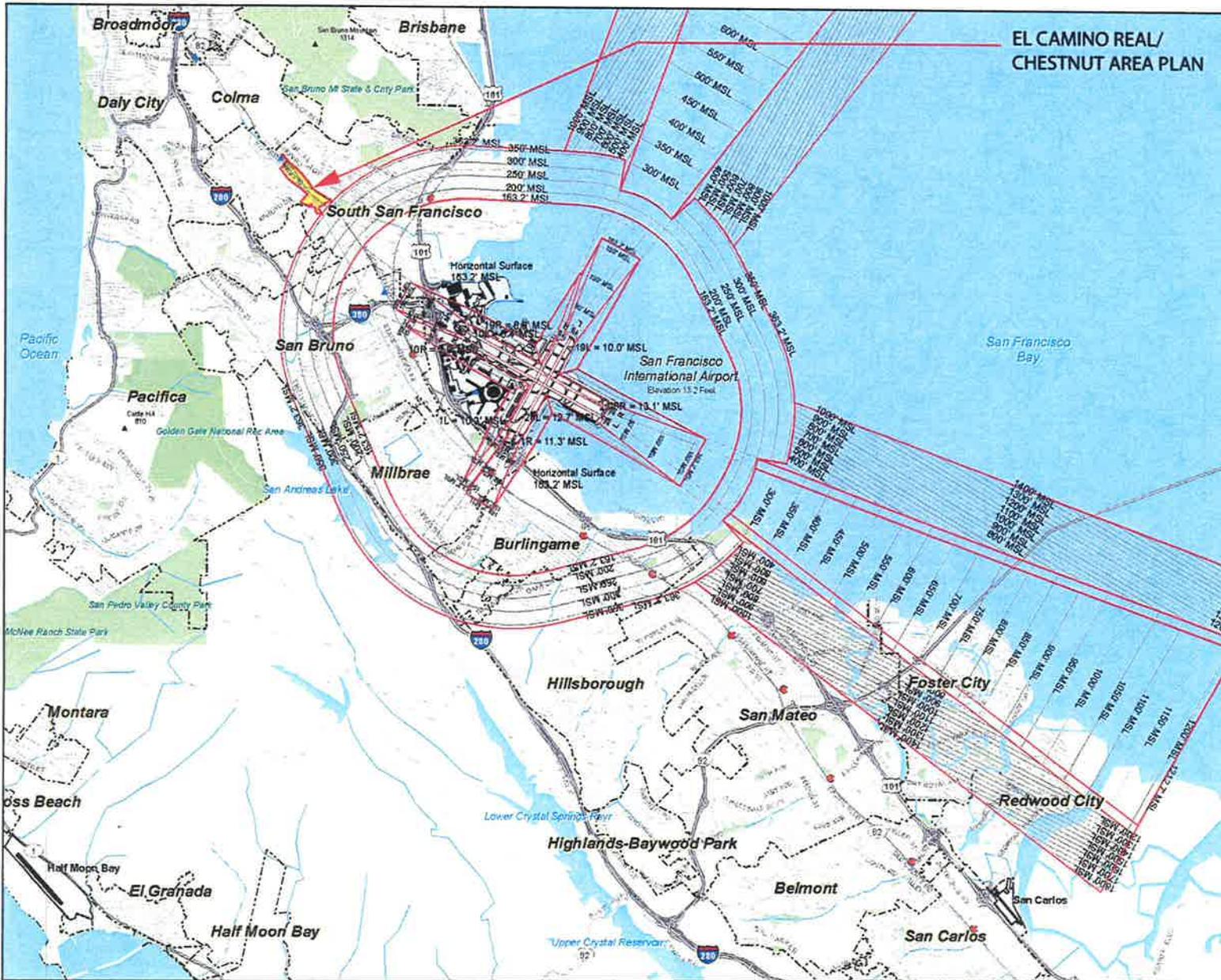
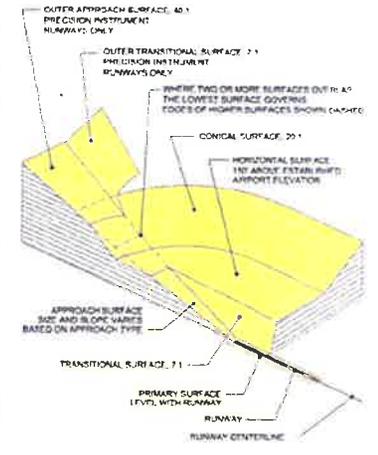


Figure 4-2
**AIRPORT INFLUENCE AREA B
- PROJECT REFERRAL AREA**
Comprehensive Airport Land Use Plan
For The Environs of San Francisco International Airport
C/CAG
City/County Association of Governments
of San Mateo County, California



- LEGEND**
- FAR Part 77 Civil Airport Imaginary Surfaces
 - 100' MSL - Elevation Contour, feet AMSL
 - ▭ Airport Property
 - ▲ BART Stations
 - CALTRAIN Stations
 - ▭ Regional Park or Recreation Area
 - Municipal Boundary
 - Railroads
 - Freeways
 - Roads

Isometric Diagram of FAR Part 77, Paragraph 77.25 Civil Airport Imaginary Surfaces



Sources:
 FAR Part 77 Surfaces: City and County of San Francisco, Ricondo & Associates, Inc. 2007

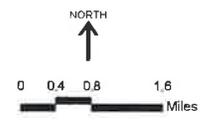


Figure C-1
SFO'S FAR PART 77 CIVIL AIRPORT IMAGINARY SURFACES
 Comprehensive Airport Land Use Plan
 For The Environs of San Francisco International Airport

C/CAG
 City/County Association of Governments
 of San Mateo County, California

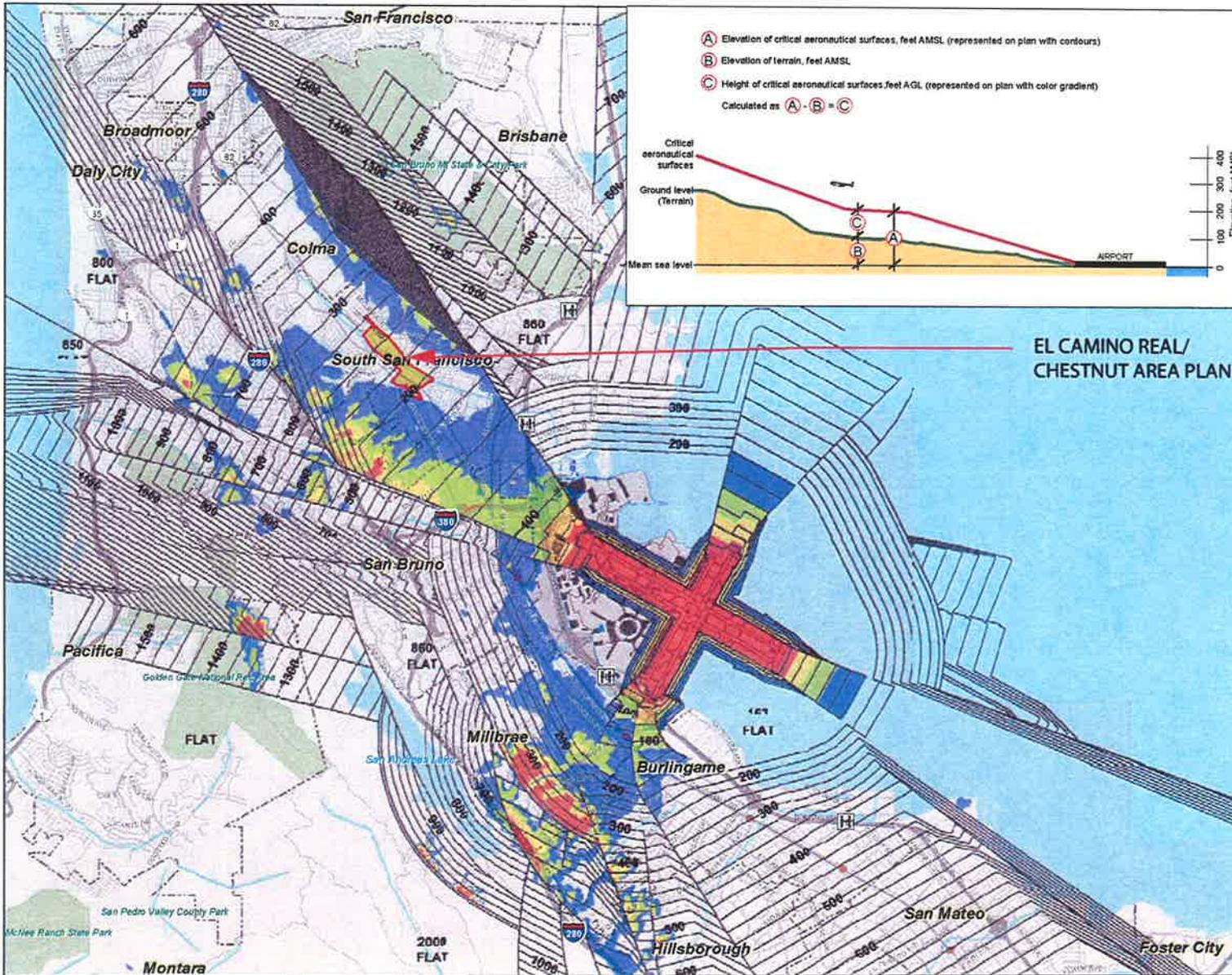
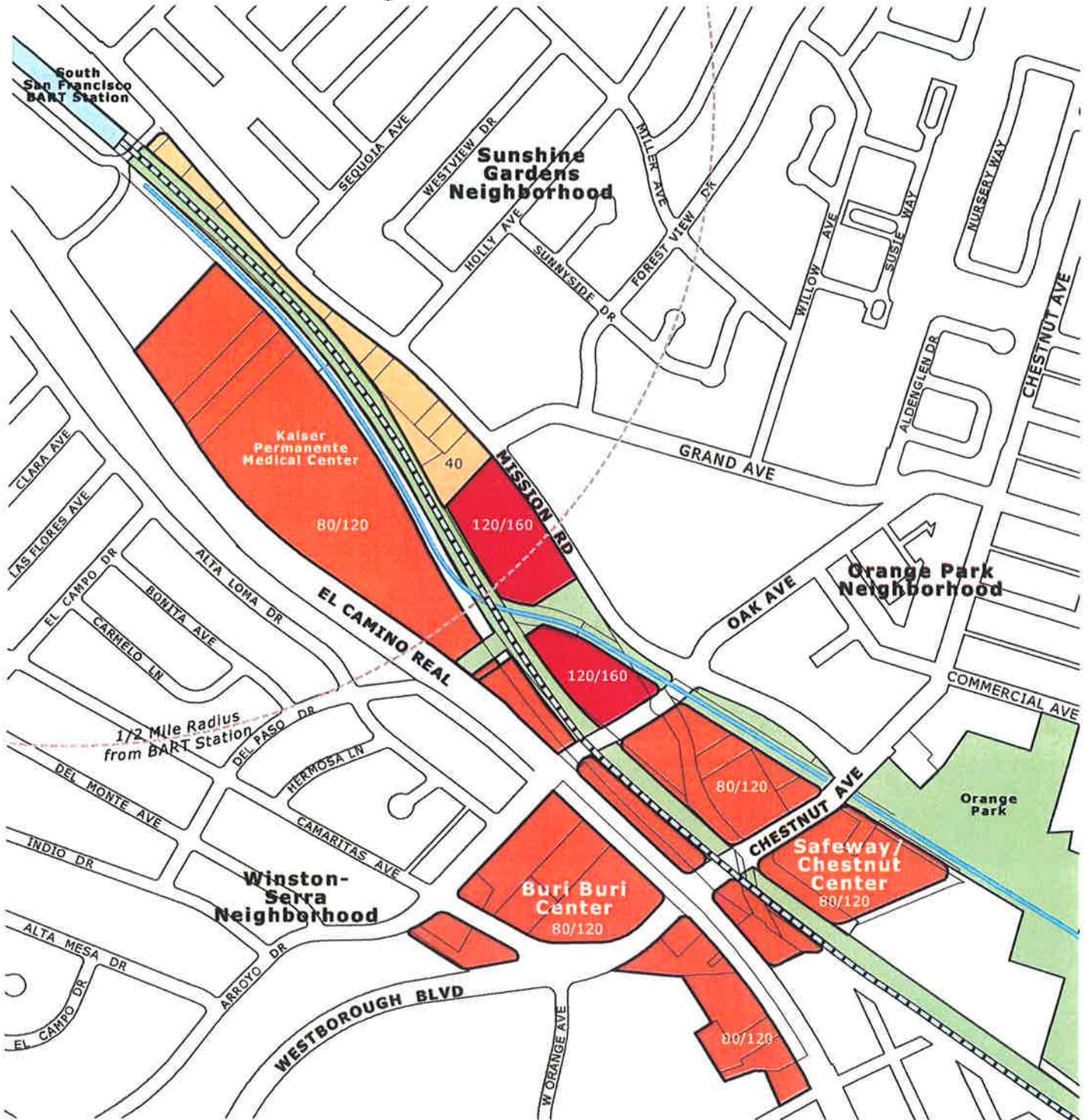


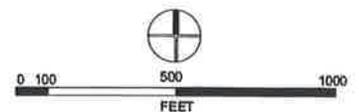
Figure 4-9
CRITICAL AERONAUTICAL SURFACES
NORTHWEST SIDE
 Comprehensive Airport Land Use Plan
 For The Environs of San Francisco International Airport
C/CAG
 City/County Association of Governments
 of San Mateo County, California

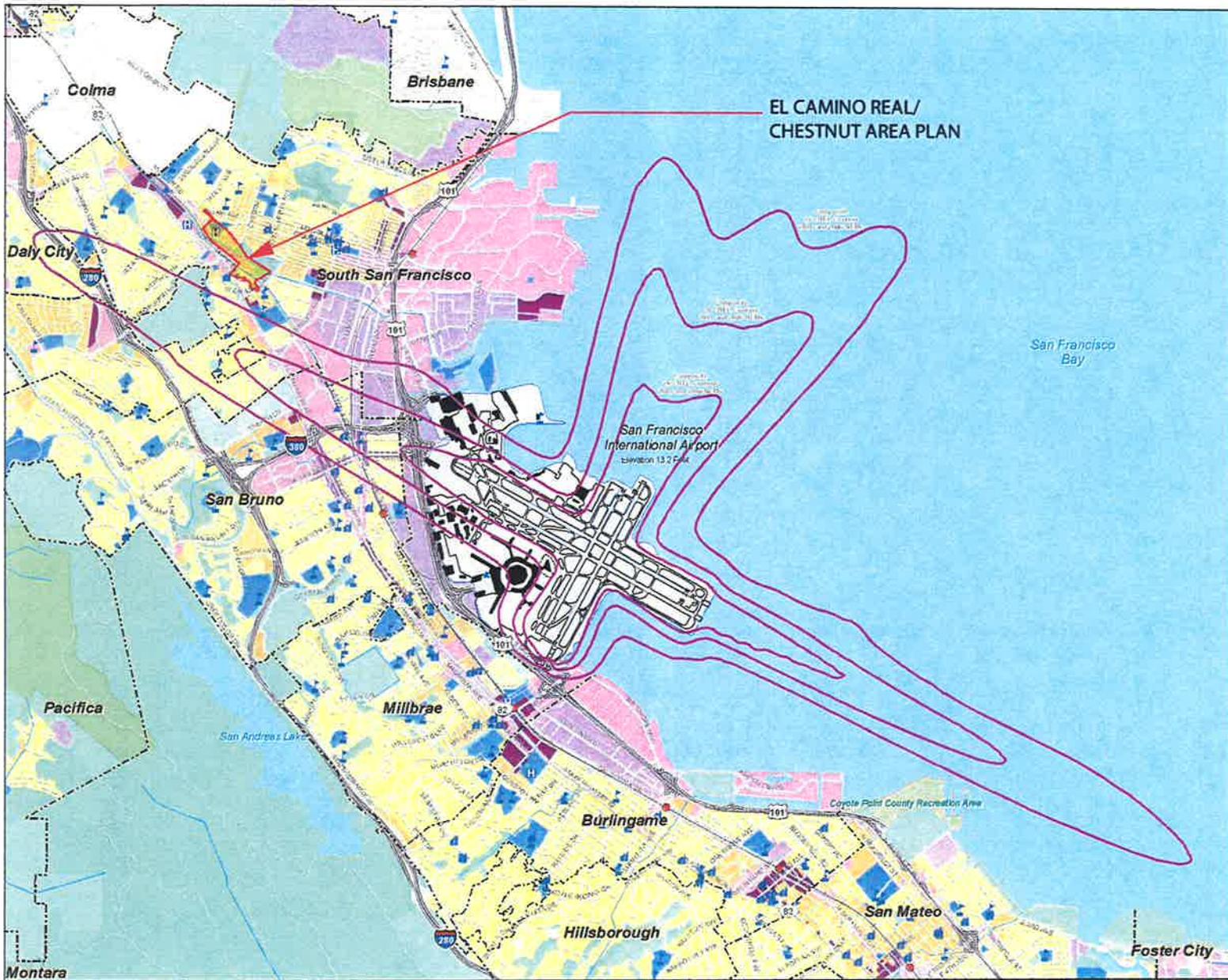
Figure 2.3-5: Area Plan Height Limitations



xx/xx Base Height Limit/
Height Limit with
Discretionary Approval

- 120/160 Feet
- 80/120 Feet
- 40 Feet





- LEGEND**
- Composite CNEL Contour, 2001 and 2006 NEMs
 - Airport Property
 - ▲ BART Station
 - CALTRAIN Station
 - School
 - ⛪ Place of Worship
 - ⚪ Hospital
 - Municipal Boundary
 - Railroad
 - Freeway
 - Road
- Planned Land Use Per General Plans:**
- Public
 - Multi-Family Residential
 - Single Family Residential
 - Mixed Use
 - Transit Oriented Development
 - Commercial
 - Industrial, Transportation, and Utilities
 - Local Park, Golf Course, Cemetery
 - Regional Park or Recreation Area
 - Open Space
 - Planned use not mapped

- Sources:**
- Noise Contour Data:**
- San Francisco International Airport Noise Exposure Map Update - September 17, 2001;
- County Base Maps:**
- San Mateo County Planning & Building Department, 2007
- Local Plans:**
- Burlingame Bayfront Specific Area Plan, August 2006
 - Burlingame Downtown Specific Plan, January 2009
 - Burlingame General Map, September 1984
 - North Burlingame/Rollins Road Specific Plan, February 2007
 - Colma Municipal Code Zoning Maps, December 2003
 - Daly City General Plan Land Use Map, 1987
 - Hillsborough General Plan, March 2005
 - Millbrae Land Use Plan, November 1998
 - Pacific General Plan, August 1985
 - San Bruno General Plan, December 2008
 - San Mateo City Land Use Plan, March 2007
 - San Mateo County Zoning Map, 1992
 - South San Francisco General Plan, 1998

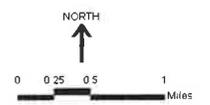


Figure 4-3
NOISE COMPATIBILITY ZONES
 Comprehensive Airport Land Use Plan
 For The Environs of San Francisco International Airport
C/CAG
 City/County Association of Governments
 of San Mateo County, California

safely and efficiently and in accordance with specified conditions. The assurances appear either in the application for Federal assistance and become part of the final grant offer or in restrictive covenants to property deeds. The duration of these obligations depends on the type of recipient, the useful life of the facility being developed, and other conditions stipulated in the assurances. The City of South San Francisco currently runs an Aircraft Noise Insulation Program with their AIP grant. South San Francisco's assurances include taking "appropriate action, including adoption of zoning laws, to the extent reasonable, to restrict use of land adjacent to or in the immediate vicinity of the Airport to activities and purposes compatible with normal Airport operations, including landing and takeoff of aircraft" and "maintaining zoning and land uses within its jurisdiction that would not reduce the compatibility of the Airport or federally financed noise compatibility measures."

State Regulations

The State of California has guidelines for evaluating the compatibility of various land uses as a function of community noise exposure. The State also establishes noise limits for vehicles licensed to operate on public roads. For heavy trucks, the State pass-by standard is consistent with the federal limit of 80 dB. The State pass-by standard for light trucks and passenger cars (less than 4.5 tons, gross vehicle rating) is also 80 dB at 15 meters from the centerline. These standards are implemented through controls on vehicle manufacturers and by legal sanction of vehicle operators by state and local law enforcement officials.

California Noise Insulation Standards, California Code of Regulations, Title 24

The State has also established noise insulation standards for new multi-family residential units, hotels, and motels that would be subject to relatively high levels of transportation-related noise. The noise insulation standards set forth an interior standard of DNL 45 dB in any habitable room. Where such units are proposed in areas subject to noise levels greater than DNL 60 dB, the Code requires an acoustical analysis to demonstrate that the dwelling units have been designed to meet the interior noise standard. Title 24 standards are typically enforced by local jurisdictions through the building permit application process.

General Plan Consistency with Airport Land Use Compatibility Plans

Public Utilities Code 21675 requires each airport land use commission to formulate an airport land use compatibility plan. California Government Code 65302.3 further requires that general plans be consistent with airport land use compatibility plans. In addition, general plans and applicable specific plans must be amended to reflect amendments to the airport land use compatibility plan. The San Mateo County Comprehensive Airport Land Use Plan is discussed below.

Local Regulations

San Mateo County Comprehensive Airport Land Use Plan, 1996

The San Mateo County Airport Land Use Commission (ALUC) develops and implements the San Mateo County Comprehensive Airport Land Use Plan (CLUP). The current CLUP was adopted in December 1996. In San Mateo County, the City/County Association of Governments of San Mateo County (C/CAG) is the designated ALUC. The CLUP establishes the procedures that C/CAG uses in reviewing proposed local agency actions that affect land use

decisions in the vicinity of San Mateo County's airports. Airport planning boundaries define where height, noise, and safety standards, policies, and criteria are applied to certain proposed land use policy actions.

For the purposes of review under the SFIA Land Use Plan, the 2001 NEM is the most recent federally accepted NEM and is the noise contour map that C/CAG uses in making its determination of the consistency of a proposed local agency land use policy action with the SFIA Land Use Plan.⁵ A small portion of the Planning Area in the southwest is located between the 2001 CNEL 60 dB and CNEL 65 dB noise contours (i.e., noise levels are between CNEL 60 dB and CNEL 65 dB), as shown in Figure 3.5-2. No noise/land use compatibility standards apply within these noise contours.

South San Francisco General Plan (1999)

The South San Francisco General Plan contains a Noise Element which has policies to reduce noise impacts in the City. The San Mateo County CLUP noise/land use compatibility standards have been adopted by the City of South San Francisco and are contained in Table 9.2-1 of the Noise Element. Relevant policies in the 1999 General Plan, as amended in 2010 include:

Chapter 2: Land Use

2-I-22 Require that all future development conforms with the relevant height, aircraft noise, and safety policies and compatibility criteria contained in to the most recently adopted version of the San Mateo County Comprehensive Airport Land Use Plan for the environs of San Francisco International Airport.

Chapter 9: Noise

9-G-1 Protect public health and welfare by eliminating or minimizing the effects of existing noise problems, and by preventing increased noise levels in the future.

9-G-2 Continue efforts to incorporate noise considerations into land use planning decisions, and guide the location and design of transportation facilities to minimize the effects of noise on adjacent land uses.

9-I-1 Work to adopt a pass-by (single event) noise standard to supplement the current 65 dB CNEL average noise level standard as the basis for aircraft noise abatement programs.

9-I-2 Work to adopt a lower average noise standard for aircraft-based mitigation and land use controls.

9-I-3 Pursue additional funding sources and programs for the noise insulation retrofit of homes not completed before the expiration of the Memorandum of Understanding in 2000.

9-I-4 Ensure that project applications for all new noise-sensitive land uses (plans and specifications), including hospitals and residential units proposed within the CNEL 60 dB to

⁵ City of San Bruno. General Plan Environmental Impact Report, October 2008.

CNEL 69 dB aircraft noise contour include an acoustical study, prepared by a professional acoustic engineer, that specifies the appropriate noise mitigation features to be included in the design and construction of these uses, to achieve an interior noise level of not more than CNEL 45 dB in any habitable room, based on the latest official SFIA noise contours and on-site measurement data.

9-1-5 Ensure that project applications for new noise-sensitive land uses (plans and specifications), including schools and places of assembly, proposed within the CNEL 60 dB to CNEL 69 dB aircraft noise contour include an acoustical study, prepared by a professional acoustic engineer, that specifies the appropriate noise mitigation features to be included in the design and construction of these uses, to achieve an interior noise level of not more than Leq 45 dB for the noisiest hour of normal facility operation.

9-I-6 Require that applicants for new noise-sensitive development in areas subject to noise generators producing noise levels greater than 65 dB CNEL, obtain the services of a professional acoustical engineer to provide a technical analysis and design of mitigation measures.

9-I-7 Where site conditions permit, require noise buffering for all noise-sensitive development subject to noise generators producing noise levels greater than 65 dB CNEL. This noise attenuation method should avoid the use of visible sound walls, where practical.

9-I-8 Require the control of noise at source through site design, building design, landscaping, hours of operation, and other techniques, for new developments deemed to be noise generators.

South San Francisco Municipal Code

Title 8 Health and Welfare

8.32.050 Special provisions

(d) Construction. Construction, alteration, repair or landscape maintenance activities which are authorized by a valid city permit shall be allowed on weekdays between the hours of 8 a.m. and 8 p.m., on Saturdays between the hours of 9 a.m. and 8 p.m., and on Sundays and holidays between the hours of 10 a.m. and 6 p.m., or at such other hours as may be authorized by the permit, if they meet at least one of the following noise limitations:

- (1) No individual piece of equipment shall produce a noise level exceeding 90 dB at a distance of 25 feet. If the device is housed within a structure or trailer on the property, the measurement shall be made outside the structure at a distance as close to 25 feet from the equipment as possible.
- (2) The noise level at any point outside of the property plane of the project shall not exceed 90 dB.

Title 20 Zoning

Section 20.300.010 Performance Standards

E. Noise

3. Noise Attenuation Measures. Noise attenuation measures identified in an acoustic study shall be incorporated into the project to reduce noise impacts to satisfactory levels.
4. Maximum Acceptable Interior Noise Levels. New noise-sensitive uses (e.g. schools, hospitals, churches, and residences) shall incorporate noise attenuation measures to achieve and maintain an interior noise level of CNEL 45 dB.
5. Residential Interior Noise Level Reduction. New dwellings exposed to CNEL above 65 dB shall incorporate the following noise reduction design measures unless alternative designs that achieve and maintain an interior noise level of CNEL 45 dB are incorporated and verified by a Board Certified Acoustical Engineer.
 - a. All façades must be constructed with substantial weight and insulation;
 - b. Sound-rated windows providing noise reduction performance similar to that of the façade must be included for habitable rooms;
 - c. Sound-rated doors or storm doors providing noise reduction performance similar to that of the façade must be included for all exterior entries;
 - d. Acoustic baffling of vents is required for chimneys, fans, and gable ends;
 - e. Installation of a mechanical ventilation system affording comfort under closed-window conditions; and
 - f. Double-stud construction, double doors, and heavy roofs with ceilings of two layers of gypsum board on resilient channels.

F. Vibration. No vibration shall be produced that is transmitted through the ground and is discernible without the aid of instruments by a reasonable person at the lot lines of the site. Vibrations from temporary construction, demolition, and vehicles that enter and leave the subject parcel (e.g., construction equipment, trains, trucks, etc.) are exempt from this standard.

The Airport/Community Roundtable

The Airport/Community Roundtable is a voluntary committee of elected representatives from 45 municipalities near SFIA, established in 1981 to address community noise impacts from aircraft operations at SFIA. The Roundtable monitors a performance-based noise mitigation program implemented by airport staff, interprets community concerns and attempts to achieve noise mitigation through a cooperative sharing of authority among the aviation industry, the Federal Aviation Administration, SFIA management and local government.

Residential Sound Insulation Program

The home insulation program at SFIA began in 1983, treating homes, churches, and schools in the County of San Mateo, Daly City, Millbrae, Pacifica, San Bruno and South San Francisco. The program is administered directly by the local jurisdictions but funded through a

combination of FAA and airport funds distributed through the airport. FAA guidelines set the standard for eligibility for the use of federal funds to insulate residences; noise sensitive properties within the federally approved CNEL 65 dB annual noise contour are eligible.

IMPACT ANALYSIS

SIGNIFICANCE CRITERIA

Significance criteria were developed based on CEQA Guidelines Appendix G. Implementation of the proposed Plan would have a potentially significant impact if it would:

- Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project;
- Expose persons to or generate noise levels in excess of standards established in the General Plan, Noise Ordinance, or CLUP;
- Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project;
- Expose people residing or working in the project area to excessive noise levels as identified in an airport land use plan; or
- Expose persons to or generate excessive ground-borne vibration or ground-borne noise levels;
- For a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels.

METHODOLOGY & ASSUMPTIONS

Noise impacts are assessed based on a comparative analysis of the noise levels resulting from the proposed Plan and the noise levels under existing conditions. Analysis of temporary construction noise effects is based on typical construction phases and equipment noise levels. Title 8 of the South San Francisco Municipal Code would also apply to construction in the Planning Area.

The impact of project and cumulative traffic noise has been evaluated using guidance from Caltrans. A change in noise levels of less than 3 dB is not discernible to the general population; an increase in average noise levels of 3 dB is considered barely perceptible, while an increase of 5 dB is considered readily perceptible to most people.⁶ Therefore, for evaluation of operational noise due to project-related traffic, an increase in noise of 3 dB over existing noise levels would be considered substantial and indicate a significant permanent increase in ambient noise levels.

For land use compatibility impacts, compatibility categories developed by the Airport Land Use Committee are applied to the proposed Plan.

⁶ Caltrans, California Department of Transportation. Traffic Noise Analysis Protocol for New Highway Construction and Reconstruction Projects, October, 1998.

Noise contours were developed by Charles M. Salter Associates based on traffic data provided by Kimley-Horn. Noise contours projected for 2030 are shown in Figure 3.5-3. The contours were developed for 2030 based on transportation data.

SUMMARY OF IMPACTS

Construction Noise Impacts

Ambient noise levels near areas of new development may temporarily increase due to construction activities. Proposed Plan development would be required to comply with the limitations on construction activity and associated noise standards included in Title 8 of the South San Francisco Municipal Code. Compliance with these provisions is mandatory and will ensure that construction noise impacts, while potentially a temporary nuisance, are less than significant.

Traffic and Airport Noise Impacts

Noise generated from the project is expected to be primarily due to noise from traffic along El Camino Real, Mission Road, and Chestnut Avenue. Noise levels are expected increase an average of 2.6 dB along El Camino Real, an average of 2.2 dB along Mission Road, and an average of 2.1 dB along Chestnut Avenue. Because this increase is less than 3.0 dB, it is not expected to be noticeable, making the impact less than significant.

The proposed Plan could result in development of noise-sensitive receptors in close proximity to major sources of transportation noise, from El Camino Real, Mission Road, and Chestnut Avenue. The frontages of El Camino Real, Mission Road, and Chestnut Avenue will be subject to noise levels of CNEL 65 dB or greater from roadway noise along those streets. Residential uses are conditionally compatible within the CNEL 65 dB to CNEL 70 dB range and existing regulations and policies and proposed policies will ensure that traffic noise will be sufficiently mitigated.

Maintenance of interior noise levels at CNEL 45 dB or less and restriction of residential development in CNEL 70 dB+ areas based on existing General Plan policies, and Title 24 and attenuation standards in the Zoning Ordinance would reduce the noise impacts on new noise-sensitive development to a less than significant level.

Other Noise Impacts

The Planning Area is not located within the 65 dB CNEL or greater aircraft noise contour as shown in Figure 3.5-2. The airport noise contours shown on Figure 3.5-2 are the most recent FAA-approved noise contours and includes 2001 baseline noise contours and projected 2006 noise contours. Therefore, noise levels identified in the CLUP are expected to have no impact on the proposed Plan.

Given the limited potential for and temporary nature of ground-borne vibration in the Planning Area, the impact is less than significant. No private airstrips are located in the vicinity of the Planning Area; therefore no impact due to noise from private airstrips is expected.

C/CAG AGENDA REPORT

Date: June 9, 2011

To: City/County Association of Governments Board of Directors

From: Richard Napier, C/CAG Executive Director

Subject: Review and approval of Resolution 11-33 authorizing the C/CAG Chair to execute a three-year technical consultant contract with San Mateo County for a cost of \$1,075,839 for support of the Countywide Water Pollution Prevention Program in Fiscal Years 2011-14.

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

RECOMMENDATION

The C/CAG Board review and approve Resolution 11-33 authorizing the C/CAG Chair to execute a three-year technical consultant contract with San Mateo County (County) for a cost of \$1,075,839 for support of the Countywide Water Pollution Prevention Program (Countywide Program) in fiscal years 2011-14.

FISCAL IMPACT

The cost for the County's services in fiscal years 2011-14 is \$1,075,839. Contract costs are included in the proposed C/CAG budget for the Countywide Program.

SOURCE OF FUNDS

The Program is funded through annual property tax assessments (or member agency contributions if so elected) and vehicle license fee revenue. The County's 2011-12 consultant costs are included in the proposed 2011-12 C/CAG budget and sufficient revenue exists between property tax and vehicle license revenue to fund the proposed costs in fiscal years 2012-14.

BACKGROUND/DISCUSSION

C/CAG previously approved Resolution 10-31 authorizing San Mateo County, through its Environmental Health Department (County Health), to provide technical consulting services to the Countywide Program for stormwater-related public information and participation (PIP) programs during Fiscal Year 2010-11. The Municipal Regional Permit (MRP), which mandates a new set of PIP requirements for municipalities throughout the Bay Area, went into effect in December 2009. The PIP provisions, like many of the MRP requirements, are being addressed at three levels: regionally, through the Bay Area Stormwater Management Agencies Association's PIP committee, on a countywide basis through the Countywide Program via its contract with San Mateo County, and locally by individual municipalities. This requires highly integrated efforts on behalf of Countywide Program staff and technical consultants to participate in regional efforts, develop and implement countywide efforts, and disseminate information and work products at the local level to meet all of the MRP requirements.

ITEM 5.6

County Health has unique experience providing compliance assistance to C/CAG's Countywide Program for public education and outreach programs mandated under countywide and regional municipal stormwater permits. The additional time it would take for a different firm or organization to acquire the knowledge and experience necessary to develop and maintain outreach and education programs could jeopardize the ability of C/CAG's member agencies to remain in compliance with permit requirements. Therefore, in accordance with Section 9 of C/CAG's procurement policy, staff recommends waiving the Request for Proposals process and authorizing a new agreement with County Health to provide ongoing technical services to the Countywide Program. Specific details justifying this recommendation are provided as follows:

To most cost effectively meet certain outreach requirements under the Municipal Regional Permit, there are advertising/media campaigns being coordinated and funded at a regional level through the Bay Area Stormwater Management Agencies Association. The planning and budgeting efforts for these campaigns have been ongoing since the permit went into effect in December 2009. County Health has been structuring its annual workplans and providing five-year planning budgets to the Countywide Program based on regular involvement in the BASMAA regional efforts. C/CAG's member agencies are dependent upon these regional campaigns to meet Municipal Regional Permit requirements. Any interruption to the Countywide Program's ability to fully participate in and make funding commitments to this regional effort as a new firm or organization acquires the necessary knowledge and experience to represent the Countywide Program in the BASMAA process could jeopardize the compliance status of C/CAG's member agencies.

County Health, in coordination with the Countywide Program's Public Information and Participation Subcommittee, developed school outreach programs that include subcontracts with outside vendors that extend beyond the current fiscal year. These subcontracts would need to be terminated if a new firm or organization were selected; during the time it would take the new firm or organization to develop similar programs and subcontracts, C/CAG's member agencies would potentially be out of compliance with the Municipal Regional Permit's school-age outreach requirements.

County Health coordinates the annual Coastal Cleanup Day event in San Mateo County under the current contract. This is a significant effort requiring coordination with site captains throughout the county that host cleanup events; it would be difficult for a new firm or organization to take over and effectively coordinate an event of this magnitude in September 2011 if a new agreement with C/CAG is executed two months prior on July 1. This event is counted as a permit-required public outreach/involvement event by all jurisdictions, so failure to coordinate Coastal Cleanup Day would force jurisdictions to host their own events to maintain compliance with the Municipal Regional Permit.

ATTACHMENTS

- Resolution 11-33
- Agreement for Consulting Services
- County Health's 2011-14 Workplans and Budget

RESOLUTION NO. 11-33

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) AUTHORIZING THE C/CAG CHAIR TO EXECUTE A THREE-YEAR TECHNICAL CONSULTANT CONTRACT WITH SAN MATEO COUNTY FOR A COST OF \$1,075,839 FOR SUPPORT OF THE COUNTYWIDE WATER POLLUTION PREVENTION PROGRAM IN FISCAL YEARS 2011-14

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

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

WHEREAS, C/CAG determined outside consulting services are needed to assist the Water Pollution Prevention Program with its Public Information and Participation Program mandated by requirements in the Municipal Regional Stormwater Permit during fiscal years 2011-14; and

WHEREAS, San Mateo County, through the Environmental Health Division, has successfully provided technical consulting services for Public Information and Participation Programs in the past, and has submitted a scope of work and budget for performing such services in Fiscal Years 2011-14;

NOW, THEREFORE, BE IT RESOLVED that the C/CAG Chair be authorized to execute a three-year technical consultant contract with San Mateo County Division of Environmental Health for a cost of \$1,075,839 for support of the Countywide Water Pollution Prevention Program during Fiscal Years 2011-14 in accordance with the attached agreement and workplan and budget.

PASSED, APPROVED, AND ADOPTED THIS 9TH DAY OF JUNE, 2011.

Bob Grassilli, Chair

AGREEMENT BETWEEN
CITY/COUNTY ASSOCIATION OF GOVERNMENTS AND
SAN MATEO COUNTY FOR PROFESSIONAL SERVICES

THIS AGREEMENT is entered into on _____, 2011, between the City/County Association of Governments ("C/CAG") and San Mateo County, hereinafter referred to as Consultant.

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

WHEREAS, C/CAG has determined that consulting assistance is required to facilitate the implementation of the Countywide Water Pollution Prevention Program; and

WHEREAS, Consultant has the capacity and is willing to provide C/CAG with such assistance and services.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Rendition of Services. Consultant agrees to provide C/CAG with the assistance and services as described in Exhibit A.
2. Payment. In consideration of Consultant providing the assistance and services described in Exhibit A, C/CAG shall reimburse Consultant at the rates shown in Exhibit A, not to exceed a maximum of one million seventy-five thousand eight hundred thirty-nine dollars (\$1,078,839) under this Agreement for fiscal years 2011-14.
3. Term of Agreement. This Agreement shall commence on July 1, 2011, and shall continue until June 30, 2014 unless terminated by either party upon thirty (30) days prior written notice.
4. Relationship of Parties. It is expressly understood that this is an agreement between two (2) independent entities and that no agency, employee, partnership, joint venture or other relationship is established by this Agreement. The intent by both County and C/CAG is to create an independent contractor relationship.

5. Indemnifications and Liability. C/CAG shall indemnify, keep and save harmless Consultant against any and all suits, claims or actions arising out of any intentional, reckless, or negligent conduct by C/CAG, its agents or employees in the course of C/CAG's performance of its responsibilities under this Agreement.

Consultant shall indemnify, keep and save harmless C/CAG, its directors, officers, employees and agents against any and all suits, claims or actions arising out of any intentional, reckless or negligent conduct by Consultant in the course of his performance of the responsibilities under this Agreement.

6. Workers' Compensation Coverage. C/CAG shall not be liable for any workers' compensation benefits payable to Consultant for performing services under this Agreement.

7. Assignment and Delegations. Neither C/CAG nor Consultant shall assign any of its rights or transfer any of its obligations under this Agreement without the prior written consent of the other party. Any attempt, not in accordance with this paragraph, to assign or delegate rights or obligations under this Agreement shall be ineffective, null and void.

8. Termination. In the event of termination of this Agreement for reasons other than Consultant's breach of the Agreement, Consultant shall be compensated for all services performed to the termination date together with reimbursable costs then due.

9. Non Discrimination. The parties 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.

10. Applicable Law. This Agreement, its interpretations and enforcement shall be governed by the laws of the State of California.

11. Binding on Successors. This Agreement is binding on and inures to the benefit of the successors of the parties.

12. Notices. Any notice which may be required under this Agreement shall be in writing, shall be effective when sent, and shall be given by personal service or by certified mail, return receipt requested, to the address set forth below or to such other addresses that may be specified in writing to all parties to this Agreement.

If to C/CAG: C/CAG Executive Director
555 County Center, 5th Floor
Redwood City, CA 94063

If to County: San Mateo County Division of Environmental Health
Attn: Dean Peterson, Director
2000 Alameda de las Pulgas, Suite 100
San Mateo, CA 94403

13. Severability. If one or more of the provisions or paragraphs of this Agreement shall be found to be illegal or otherwise void or unenforceable, the remainder of this Agreement shall not be affected and shall remain in full force and effect.

14. Amendment of Agreement and Merger Clause. This Agreement, including the Exhibits attached hereto and incorporated herein by reference, constitutes the sole Agreement of the parties hereto with regard to the Services that are the subject hereof and correctly states the rights, duties and obligations of each party with regard thereto as of this document's date. In the event that any term, condition, provision, requirement or specification set forth in this body of this Agreement conflicts with or is inconsistent with any term, condition, provision, requirement or specification in any exhibit and/or attachment to this Agreement, the provisions in the body of this Agreement shall prevail. Any prior agreement, promises, negotiations, or representations between the parties regarding the Services that are the subject hereof not expressly stated in this document are not binding. All subsequent modifications shall be in writing and signed by the parties.

IN WITNESS HEREOF, the parties have caused this Agreement to be entered into as of the day and year set forth on page one of this Agreement.

COUNTY OF SAN MATEO

Carole Groom, President
Board of Supervisors

Date _____

Attest:

By _____
Clerk of Said Board

CITY/COUNTY ASSOCIATION OF GOVERNMENTS

Bob Grassilli, Chair

Dated: _____

C/CAG LEGAL COUNSEL

Dated: _____

EXHIBIT A

CONSULTANT BUDGETS AND WORKPLANS

**SAN MATEO COUNTY ENVIRONMENTAL HEALTH
SMCWPPP BUDGET FOR 2011-2012**

HOURLY RATE \$ 153.00

Task Number	Item	Vendor/hours	2011-2012	VLF?
A	PIP SUPPORT TASKS			
1	PROVIDE SUPPORT TO PIP			
	Salaries	140 hours	\$ 21,420.00	
2	REPORTING			
	Salaries	80 hours	\$ 12,240.00	
3	ASSIST OTHER SUBCOMMITTEES			
	Salaries	60 hours	\$ 9,180.00	
		TOTAL	\$ 42,840.00	
B	ADVERTISING CAMPAIGNS (C.7.b)			
	SUPPORT REGIONAL AD CAMPAIGN			
	Salaries	60 Hours	\$ 9,180.00	
		TOTAL	\$ 9,180.00	
C	MEDIA RELATIONS: USE OF FREE MEDIA (C.7.c)			
	LOCAL MEDIA PITCHES			
	Salaries	20 hours	\$ 3,060.00	
		TOTAL	\$ 3,060.00	
D	STORMWATER POINT OF CONTACT (C.7.d)			
1	WEBSITE			
	Salaries	270 hours	\$ 41,310.00	
	Web Hosting - 1 year		\$ 108.00	
	Translation service - contractor		\$ 1,200.00	
		SUBTOTAL	\$ 42,618.00	
2	RESPOND TO EMAILS & CALLS			
	Salaries	45 Hours	\$ 6,885.00	
		TOTAL	\$ 49,503.00	
E	PUBLIC OUTREACH EVENTS (C.7.e)			
1	PUBLIC OUTREACH EVENTS			
	Salaries	150 hours	\$ 22,950.00	
	Booth cost		\$ 500.00	
		SUBTOTAL	\$ 23,450.00	20%
2	OUTREACH MATERIALS			
	Salaries	130 hours	\$ 19,890.00	
	Materials		\$ 15,000.00	
		SUBTOTAL	\$ 34,890.00	
3	CAR WASH OUTREACH			
	Salaries	150 hours	\$ 22,950.00	
	Materials		\$ 6,000.00	
		SUBTOTAL	\$ 28,950.00	100%
		TOTAL	\$ 87,290.00	

F	WATERSHED STEWARDSHIP COLLABORATIVE EFFORTS (C.7.f)			
	Salaries	60 hours	\$9,180	
	Materials		\$2,000	
		TOTAL	\$11,180	70%
G	CITIZEN INVOLVEMENT EVENTS (C.7.g)			
1	CALIFORNIA COASTAL CLEANUP DAY			
	Salaries	320 Hours	\$ 48,960.00	
	Materials		\$ 2,500.00	
		SUBTOTAL	\$ 51,460.00	30%
2	COMMUNITY ACTION GRANT			
	Salaries	20 hours	\$ 3,060.00	
	Printing		\$ 180.00	
		SUBTOTAL	\$ 3,240.00	
		TOTAL	\$ 54,700.00	
G	SCHOOL-AGE CHILDREN OUTREACH (C.7.h)			
1	SCHOOL ASSEMBLIES			
	Salaries	40 Hours	\$ 6,120.00	
	Contract		\$ 20,000.00	
	Stamps for Teacher Survey		\$ 250.00	
		SUBTOTAL	\$ 26,370.00	20%
2	JR HIGH & HIGH SCHOOL			
	Salaries	30 Hours	\$ 4,590.00	
	Contract		\$ 10,000.00	
		SUBTOTAL	\$ 14,590.00	100%
		TOTAL	\$ 40,960.00	
H	PESTICIDES PUBLIC OUTREACH (C.9)			
1	PESTICIDES PUBLIC OUTREACH: OUR WATER, OUR WORLD			
	Salaries	280 Hours	\$ 42,840.00	
	Materials		\$ 9,000.00	
		SUBTOTAL	\$ 51,840.00	
2	GREEN GARDENER TRAINING PROGRAM FOR LANDSCAPERS			
	Salaries	20 Hours	\$ 3,060.00	
	Sponsorship		\$ 5,000.00	
		SUBTOTAL	\$ 8,060.00	
		TOTAL	\$ 59,900.00	
TOTAL PROGRAM COSTS for 2011-2012			\$ 358,613.00	
		Vehicle Fee Items	\$ 76,768.00	
		All other Items	\$ 281,845.00	

**SAN MATEO COUNTY ENVIRONMENTAL HEALTH
SMCWPPP BUDGET FOR 2012-2013**

HOURLY RATE \$ 153.00

Task Number	Item	Vendor/hours	2012-13	VLF?
A	PIP SUPPORT TASKS			
1	PROVIDE SUPPORT TO PIP			
	Salaries	140 hours	\$ 21,420.00	
2	REPORTING			
	Salaries	80 hours	\$ 12,240.00	
3	ASSIST OTHER SUBCOMMITTEES			
	Salaries	60 hours	\$ 9,180.00	
			TOTAL \$ 42,840.00	
B	ADVERTISING CAMPAIGNS (C.7.b)			
	SUPPORT REGIONAL AD CAMPAIGN			
	Salaries	60 Hours	\$ 9,180.00	
			TOTAL \$ 9,180.00	
C	MEDIA RELATIONS: USE OF FREE MEDIA (C.7.c)			
	LOCAL MEDIA PITCHES			
	Salaries	20 hours	\$ 3,060.00	
			TOTAL \$ 3,060.00	
D	STORMWATER POINT OF CONTACT (C.7.d)			
1	WEBSITE			
	Salaries	270 hours	\$ 41,310.00	
	Web Hosting - 1 year		\$ 108.00	
	Translation service - contractor		\$ 1,200.00	
			SUBTOTAL \$ 42,618.00	
2	RESPOND TO EMAILS & CALLS			
	Salaries	45 Hours	\$ 6,885.00	
			TOTAL \$ 49,503.00	
E	PUBLIC OUTREACH EVENTS (C.7.e)			
1	PUBLIC OUTREACH EVENTS			
	Salaries	150 hours	\$ 22,950.00	
	Booth cost		\$ 500.00	
			SUBTOTAL \$ 23,450.00	20%
2	OUTREACH MATERIALS			
	Salaries	130 hours	\$ 19,890.00	
	Materials		\$ 15,000.00	
			SUBTOTAL \$ 34,890.00	
3	CAR WASH OUTREACH			
	Salaries	150 hours	\$ 22,950.00	
	Materials		\$ 6,000.00	
			SUBTOTAL \$ 28,950.00	100%
			TOTAL \$ 87,290.00	

F	WATERSHED STEWARDSHIP COLLABORATIVE EFFORTS (C.7.f)			
	Salaries	60 hours	\$9,180	
	Materials		\$2,000	
			TOTAL	\$11,180 70%
G	CITIZEN INVOLVEMENT EVENTS (C.7.g)			
	1 CALIFORNIA COASTAL CLEANUP DAY			
	Salaries	320 Hours	\$ 48,960.00	
	Materials		\$ 2,500.00	
			SUBTOTAL	\$ 51,460.00 30%
	2 COMMUNITY ACTION GRANT			
	Salaries	20 hours	\$ 3,060.00	
	Printing		\$ 180.00	
			SUBTOTAL	\$ 3,240.00
			TOTAL	\$ 54,700.00
G	SCHOOL-AGE CHILDREN OUTREACH (C.7.h)			
	1 SCHOOL ASSEMBLIES			
	Salaries	40 Hours	\$ 6,120.00	
	Contract		\$ 20,000.00	
	Stamps for Teacher Survey		\$ 250.00	
			SUBTOTAL	\$ 26,370.00 20%
	2 JR HIGH & HIGH SCHOOL			
	Salaries	30 Hours	\$ 4,590.00	
	Contract		\$ 10,000.00	
			SUBTOTAL	\$ 14,590.00 100%
			TOTAL	\$ 40,960.00
H	PESTICIDES PUBLIC OUTREACH (C.9)			
	1 PESTICIDES PUBLIC OUTREACH: OUR WATER, OUR WORLD			
	Salaries	280 Hours	\$ 42,840.00	
	Materials		\$ 9,000.00	
			SUBTOTAL	\$ 51,840.00
	2 GREEN GARDENER TRAINING PROGRAM FOR LANDSCAPERS			
	Salaries	20 Hours	\$ 3,060.00	
	Sponsorship		\$ 5,000.00	
			SUBTOTAL	\$ 8,060.00
			TOTAL	\$ 59,900.00
TOTAL PROGRAM COSTS for 2012-2013			\$ 358,613.00	
		Vehicle Fee Items	\$ 76,768.00	
		All other Items	\$ 281,845.00	

**SAN MATEO COUNTY ENVIRONMENTAL HEALTH
SMCWPPP BUDGET FOR 2013-2014**

HOURLY RATE \$ 153.00

Task Number	Item	Vendor/hours	2013-14	VLF?
A	PIP SUPPORT TASKS			
	PROVIDE SUPPORT TO PIP			
1	Salaries	140 hours	\$ 21,420.00	
2	REPORTING			
	Salaries	80 hours	\$ 12,240.00	
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	Salaries	60 hours	\$ 9,180.00	
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B	ADVERTISING CAMPAIGNS (C.7.b)			
	SUPPORT REGIONAL AD CAMPAIGN			
	Salaries	60 Hours	\$ 9,180.00	
		TOTAL	\$ 9,180.00	
C	MEDIA RELATIONS: USE OF FREE MEDIA (C.7.c)			
	LOCAL MEDIA PITCHES			
	Salaries	20 hours	\$ 3,060.00	
		TOTAL	\$ 3,060.00	
D	STORMWATER POINT OF CONTACT (C.7.d)			
1	WEBSITE			
	Salaries	270 hours	\$ 41,310.00	
	Web Hosting - 1 year		\$ 108.00	
	Translation service - contractor		\$ 1,200.00	
		SUBTOTAL	\$ 42,618.00	
2	RESPOND TO EMAILS & CALLS			
	Salaries	45 Hours	\$ 6,885.00	
		TOTAL	\$ 49,503.00	
E	PUBLIC OUTREACH EVENTS (C.7.e)			
1	PUBLIC OUTREACH EVENTS			
	Salaries	150 hours	\$ 22,950.00	
	Booth cost		\$ 500.00	
		SUBTOTAL	\$ 23,450.00	20%
2	OUTREACH MATERIALS			
	Salaries	130 hours	\$ 19,890.00	
	Materials		\$ 15,000.00	
		SUBTOTAL	\$ 34,890.00	
3	CAR WASH OUTREACH			
	Salaries	150 hours	\$ 22,950.00	
	Materials		\$ 6,000.00	
		SUBTOTAL	\$ 28,950.00	100%
		TOTAL	\$ 87,290.00	

F	WATERSHED STEWARDSHIP COLLABORATIVE EFFORTS (C.7.f)			
	Salaries	60 hours	\$9,180	
	Materials		\$2,000	
		TOTAL	\$11,180	70%
G	CITIZEN INVOLVEMENT EVENTS (C.7.g)			
1	CALIFORNIA COASTAL CLEANUP DAY			
	Salaries	320 Hours	\$ 48,960.00	
	Materials		\$ 2,500.00	
		SUBTOTAL	\$ 51,460.00	30%
2	COMMUNITY ACTION GRANT			
	Salaries	20 hours	\$ 3,060.00	
	Printing		\$ 180.00	
		SUBTOTAL	\$ 3,240.00	
		TOTAL	\$ 54,700.00	
G	SCHOOL-AGE CHILDREN OUTREACH (C.7.h)			
1	SCHOOL ASSEMBLIES			
	Salaries	40 Hours	\$ 6,120.00	
	Contract		\$ 20,000.00	
	Stamps for Teacher Survey		\$ 250.00	
		SUBTOTAL	\$ 26,370.00	20%
2	JR HIGH & HIGH SCHOOL			
	Salaries	30 Hours	\$ 4,590.00	
	Contract		\$ 10,000.00	
		SUBTOTAL	\$ 14,590.00	100%
		TOTAL	\$ 40,960.00	
H	PESTICIDES PUBLIC OUTREACH (C.9)			
1	PESTICIDES PUBLIC OUTREACH: OUR WATER, OUR WORLD			
	Salaries	280 Hours	\$ 42,840.00	
	Materials		\$ 9,000.00	
		SUBTOTAL	\$ 51,840.00	
2	GREEN GARDENER TRAINING PROGRAM FOR LANDSCAPERS			
	Salaries	20 Hours	\$ 3,060.00	
	Sponsorship		\$ 5,000.00	
		SUBTOTAL	\$ 8,060.00	
		TOTAL	\$ 59,900.00	
TOTAL PROGRAM COSTS for 2013-2014			\$ 358,613.00	
		Vehicle Fee Items	\$ 76,768.00	
		All other Items	\$ 281,845.00	



C.7. Public Information and Outreach WORKPLAN for 2011-2012

Countywide Program Support: Description of Tasks

PIP Support Tasks

A.1. PROVIDE SUPPORT TO PIP

Six PIP Meetings: create agenda, prepare notes, handouts, and outreach materials.	140 hours	\$21,420
Two Environmental Health employees to attend and report at meetings, take meeting minutes and distribute, and any follow-up.		

Other Agency Responsibilities

City/Town/County Co-Permittees:

- Attend and participate in six PIP meetings
- One volunteer to serve as Chairperson at meetings

A.2. REPORTING

<ul style="list-style-type: none"> • Quarterly • Annual 	80 hours	\$12,240
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Other Agency Responsibilities

City/Town/County Co-Permittees:

- Submit 1/2 yearly report for section “C.7 Public Information and Outreach” to EOA for submittal to Regional Water Board. Reports due by the July and January TAC meetings.

A.3. ASSIST OTHER SUBCOMMITTEES

As needed: attend meetings, give presentations, assist with press releases and coordinate on outreach materials with other subcommittees.	60 hours	\$9,180
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C.7.a. Storm Drain Inlet Marking

No Contractor support.

Other Agency Responsibilities

City/Town/County Co-Permittees:

- Inspect and maintain storm drain markings of at least 80 percent of municipality maintained inlets to ensure they are legibly labeled with a no dumping message or equivalent once per permit term. In the 2013 Annual Report, report prior years’ annual percentages.



- Verify that newly developed streets are marked prior to acceptance of the project. In the 2013 Annual Report, report prior years' annual number of projects accepted after inlet markings verified.

C.7.b. Advertising Campaigns

B. SUPPORT REGIONAL AD CAMPAIGN

Attend BASMAA monthly meetings to support the development of two regional ad campaigns, one on trash/litter and the other on urban pesticides. Participate in email, meeting prep, research, and follow-up.	60 hours	\$9,180
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Other Agency Responsibilities

City/County Association of Governments (C/CAG):

- Contribute population-based share to regional advertising campaign.

Regional/BASMAA:

- Target a broad audience with two separate advertising campaigns, one on trash/litter and the other on reducing impact of urban pesticides, within the permit cycle.
- Conduct pre-campaign and post-campaign surveys.

C.7.c. Media Relations – Use of Free Media

C. LOCAL MEDIA PITCHES

Conduct a minimum of two local media relations pitches (e.g. press release, public service announcements)	20 hours	\$3,060
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Other Agency Responsibilities

Regional/BASMAA:

- Conduct regional level pitches

C.7.d. Stormwater Point of Contact

D.1. WEBSITE

Maintain website, updating based on program needs. Publish contact information, printed materials, PSA's, and press releases. Send out Gov Delivery emails to subscribers.	170 hours	\$26,010
Track website visitor traffic with monthly reports.	20 hours	\$3,060
Payment for hosting website (1 year).	Payment	\$108
Translate key pages to Spanish (sub-contractor)		\$1200
And publish mirror pages with translated content (EH).	20 hours	\$3060
Establish YouTube channel, host video contest	60 hours	\$9,180

D.2. RESPOND TO EMAILS & CALLS



Respond to emails and calls from the public, organizations, cities, and co-permittees.	45 hours	\$6,885
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Other Agency Responsibilities

City/Town/County Co-Permittees:

- Contact for Illicit Discharge Coordinator
- Contact for Stormwater Business Inspector

City/County Association of Governments (C/CAG):

- Respond to media inquiries

C.7.e. Public Outreach Events

E.1. PUBLIC OUTREACH EVENTS

Staff a minimum of 10 events in 10 different municipalities to help cities/towns/unincorporated County meet permit requirements. Prioritize those that have more event requirements; track effectiveness of outreach and provide this information to the municipality for reporting purposes. Staff one County-wide event, publicized with PIP member help.	150 hours	\$22,950
Booth cost	Payment	\$500

Other Agency Responsibilities

City/Town/County Co-Permittees:

- Each municipality shall participate and/or host the number of events according to its population as shown in Table 7.1 Public Outreach Events. In the Annual Report list the events participated in and assess the effectiveness of efforts with appropriate measures.

E.2. OUTREACH MATERIALS

Order materials (research cost(s), setup order, review, process invoices, organize materials into storage for use) Provide outreach materials by request to nonprofits, schools, residents, and municipalities; evaluate request, gather materials, and arrange for pickup, delivery, or mailing.	130 hours	\$19,890
Outreach Materials	Materials	\$15,000

Other Agency Responsibilities

City/Town/County Co-Permittees:

- Request outreach materials at least two weeks before scheduled outreach event.
- Pickup new outreach materials at PIP meetings and make available to residents.



E.3. CAR WASH OUTREACH

Renew discount card with business partners. Continue with media advertisements with pollution prevention messages.	60 hours	\$9,180
Set up partnership with schools (replace fundraiser washes with cards)	60 hrs	\$9,180
Partner with water agencies (advertise through their bills, etc)	30 hrs	\$4,590
Materials and Advertising	Cost	\$6,000

C.7.f. Watershed Stewardship Collaborative Efforts

Partner with stewardship groups to coordinate spring cleanup events.	40 hours	\$6120
Direct residents to their local stewardship group for spring events.	20 hrs	\$3060
Materials and Advertising	Cost	\$2,000

Other Agency Responsibilities

City/Town/County Co-Permittees:

- Encourage and support watershed stewardship collaborative efforts of community groups. Coordinate with existing groups and encourage and support development of new groups. Report in each annual report, efforts undertaken and the results of these efforts, and provide an evaluation of the effectiveness of these efforts.

C.7.g. Citizen Involvement Events

G.1. CALIFORNIA COASTAL CLEANUP DAY

Coordinate the Countywide event with 30+ events spread throughout the Coast, the Bay, and Inland Creeks.	320 hours	\$48,960
Materials and Supplies	Materials	\$2,500

G.2. COMMUNITY ACTION GRANT

Update community action grant database. Mail postcards to over 300+ community groups and schools. Respond to questions and emails. Coordinate with the Project Lead (volunteer from PIP).	20 hours	\$3,060
Postcards	Materials	\$180

Other Agency Responsibilities

City/County Association of Governments (C/CAG):

- Pay \$15,000 to grant recipients.

City/Town/County Co-Permittees:

- Each permittee shall sponsor and/or host the number of citizen events according to its population as shown in Table 7.2 Community Involvement Events.



- *Note:* the Countywide California Coastal Cleanup Day counts as one event toward each permittees total. Permittees can also count one event for the awarding of the community action grant to an organization within their jurisdiction.
- One Volunteer from the PIP subcommittee to be the Contact person (Lead) for the Community Action Grant.

C.7.h. School-Age Children Outreach

H.1. SCHOOL ASSEMBLIES

Kindergarten through 5 th grade school assembly program.	40 hours	\$6,120
Contract with the Banana Slug String Band	Contract	\$20,000
Postage for Teacher Surveys	Materials	\$250

H.2. HIGH SCHOOL PRESENTATIONS

10-12 th grade “Water Pollution Prevention and Your Car” science and drivers education class presentations.	30 hours	\$4,590
Contract with Rock Steady	Contract	\$10,000

Other Agency Responsibilities

City/Town/County Co-Permittees:

- One Volunteer from the PIP subcommittee to work with Municipal Maintenance Committee volunteer to be a judge and present award at the Science Fair.

C.7.i. Outreach to Municipal Officials

No Contractor support.

Other Agency Responsibilities

City/Town/County Co-Permittees:

- At least once per permit cycle conduct outreach to municipal officials to increase overall awareness of stormwater and/or watershed message(s).

C.9.h. Pesticides Toxicity Control Public Outreach;

i. Point of Purchase Outreach

iii. Pest Control Contracting Outreach

i. I.1. PESTICIDES PUBLIC OUTREACH: OUR WATER, OUR WORLD

Maintain 20 retail partnership stores – visit stores twice a year to update shelf talkers and fact sheets.	280 hours	\$42,840
Participate in regional meeting. Order, organize, store, and distribute materials.		
Present to the Master Gardeners in September. Conduct outreach		



to residents who hire or purchase pesticides, home gardeners, and college students taking landscaping classes, through presentations and tabling events.		
Partnership store supplies: fact sheets, shelf talkers, tape, literature rack, labels. Outreach materials for residents.	Materials	\$9,000

Other Agency Responsibilities

Regional/BASMAA:

- Coordinates Our Water, Our World Program with County partners: Arranges and solicits print runs, provides consultant to staff booths at trade shows, liaison with the corporate partners Home Depot and Orchard Supply Hardware. Arranges print advertising in magazines, newspapers, bus shelters, as determined at regional meetings.

v. Outreach to Pest Control Operators

I.2. GREEN GARDENER TRAINING PROGRAM FOR LANDSCAPERS

Sponsor the third series of classes in the Bay Area Green Gardener Program. Participate in Technical Advisory Committee.	20 hours	\$3,060
Sponsorship: ¼ of cost of implementing program	Sponsor	\$5,000



C.7. Public Information and Outreach WORKPLAN for 2012-2013

Countywide Program Support: Description of Tasks

PIP Support Tasks

A.1. PROVIDE SUPPORT TO PIP

Six PIP Meetings: create agenda, prepare notes, handouts, and outreach materials.	140 hours	\$21,420
Two Environmental Health employees to attend and report at meetings, take meeting minutes and distribute, and any follow-up.		

Other Agency Responsibilities

City/Town/County Co-Permittees:

- Attend and participate in six PIP meetings
- One volunteer to serve as Chairperson at meetings

A.2. REPORTING

<ul style="list-style-type: none"> • Quarterly • Annual 	80 hours	\$12,240
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Other Agency Responsibilities

City/Town/County Co-Permittees:

- Submit 1/2 yearly report for section “C.7 Public Information and Outreach” to EOA for submittal to Regional Water Board. Reports due by the July and January TAC meetings.

A.3. ASSIST OTHER SUBCOMMITTEES

As needed: attend meetings, give presentations, assist with press releases and coordinate on outreach materials with other subcommittees.	60 hours	\$9,180
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C.7.a. Storm Drain Inlet Marking

No Contractor support.

Other Agency Responsibilities

City/Town/County Co-Permittees:

- Inspect and maintain storm drain markings of at least 80 percent of municipality maintained inlets to ensure they are legibly labeled with a no dumping message or equivalent once per permit term. In the 2013 Annual Report, report prior years’ annual percentages.



- Verify that newly developed streets are marked prior to acceptance of the project. In the 2013 Annual Report, report prior years' annual number of projects accepted after inlet markings verified.

C.7.b. Advertising Campaigns

B. SUPPORT REGIONAL AD CAMPAIGN

Attend BASMAA monthly meetings to support the development of two regional ad campaigns, one on trash/litter and the other on urban pesticides. Participate in email, meeting prep, research, and follow-up.	60 hours	\$9,180
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Other Agency Responsibilities

City/County Association of Governments (C/CAG):

- Contribute population-based share to regional advertising campaign.

Regional/BASMAA:

- Target a broad audience with two separate advertising campaigns, one on trash/litter and the other on reducing impact of urban pesticides, within the permit cycle.
- Conduct pre-campaign and post-campaign surveys.

C.7.c. Media Relations – Use of Free Media

C. LOCAL MEDIA PITCHES

Conduct a minimum of two local media relations pitches (e.g. press release, public service announcements)	20 hours	\$3,060
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Other Agency Responsibilities

Regional/BASMAA:

- Conduct regional level pitches

C.7.d. Stormwater Point of Contact

D.1. WEBSITE

Maintain website, updating based on program needs. Publish contact information, printed materials, PSA's, and press releases. Send out Gov Delivery emails to subscribers.	170 hours	\$26,010
Track website visitor traffic with monthly reports.	20 hours	\$3,060
Payment for hosting website (1 year).	Payment	\$108
Translate key pages to Spanish (sub-contractor) And publish mirror pages with translated content (EH).	20 hours	\$3060
Establish YouTube channel, host video contest	60 hours	\$9,180



D.2. RESPOND TO EMAILS & CALLS

Respond to emails and calls from the public, organizations, cities, and co-permittees.	45 hours	\$6,885
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Other Agency Responsibilities

City/Town/County Co-Permittees:

- Contact for Illicit Discharge Coordinator
- Contact for Stormwater Business Inspector

City/County Association of Governments (C/CAG):

- Respond to media inquiries

C.7.e. Public Outreach Events

E.1. PUBLIC OUTREACH EVENTS

Staff a minimum of 10 events in 10 different municipalities to help cities/towns/unincorporated County meet permit requirements. Prioritize those that have more event requirements; track effectiveness of outreach and provide this information to the municipality for reporting purposes. Staff one County-wide event, publicized with PIP member help.	150 hours	\$22,950
Booth cost	Payment	\$500

Other Agency Responsibilities

City/Town/County Co-Permittees:

- Each municipality shall participate and/or host the number of events according to its population as shown in Table 7.1 Public Outreach Events. In the Annual Report list the events participated in and assess the effectiveness of efforts with appropriate measures.

E.2. OUTREACH MATERIALS

Order materials (research cost(s), setup order, review, process invoices, organize materials into storage for use) Provide outreach materials by request to nonprofits, schools, residents, and municipalities; evaluate request, gather materials, and arrange for pickup, delivery, or mailing.	130 hours	\$19,890
Outreach Materials	Materials	\$15,000

Other Agency Responsibilities

City/Town/County Co-Permittees:

- Request outreach materials at least two weeks before scheduled outreach event.
- Pickup new outreach materials at PIP meetings and make available to residents.



E.3. CAR WASH OUTREACH

Renew discount card with business partners. Continue with media advertisements with pollution prevention messages.	60 hours	\$9,180
Pilot partnership with schools (substitute cards for fundraisers washes)	60 hrs	\$9,180
Partner with water agencies (advertise through their bills, etc)	30 hrs	\$4,590
Materials and Advertising	Cost	\$6,000

C.7.f. Watershed Stewardship Collaborative Efforts

Partner with stewardship groups to coordinate spring cleanup events.	40 hours	\$6,120
Direct residents to their local stewardship group for spring events.	20 hrs	\$3,060
Materials and Advertising	Cost	\$2,000

Other Agency Responsibilities

City/Town/County Co-Permittees:

- Encourage and support watershed stewardship collaborative efforts of community groups. Coordinate with existing groups and encourage and support development of new groups. Report in each annual report, efforts undertaken and the results of these efforts, and provide an evaluation of the effectiveness of these efforts.

C.7.g. Citizen Involvement Events

G.1. CALIFORNIA COASTAL CLEANUP DAY

Coordinate the Countywide event with 30+ events spread throughout the Coast, the Bay, and Inland Creeks.	320 hours	\$48,960
Materials and Supplies	Materials	\$2,500

G.2. COMMUNITY ACTION GRANT

Update community action grant database. Mail postcards to over 300+ community groups and schools. Respond to questions and emails. Coordinate with the Project Lead (volunteer from PIP).	20 hours	\$3,060
Postcards	Materials	\$180

Other Agency Responsibilities

City/County Association of Governments (C/CAG):

- Pay \$15,000 to grant recipients.

City/Town/County Co-Permittees:

- Each permittee shall sponsor and/or host the number of citizen events according to its population as shown in Table 7.2 Community Involvement Events.



- *Note:* the Countywide California Coastal Cleanup Day counts as one event toward each permittees total. Permittees can also count one event for the awarding of the community action grant to an organization within their jurisdiction.
- One Volunteer from the PIP subcommittee to be the Contact person (Lead) for the Community Action Grant.

C.7.h. School-Age Children Outreach

H.1. SCHOOL ASSEMBLIES

Kindergarten through 5 th grade school assembly program.	40 hours	\$6,120
Contract with the Banana Slug String Band	Contract	\$20,000
Postage for Teacher Surveys	Materials	\$250

H.2. HIGH SCHOOL PRESENTATIONS

10-12 th grade “Water Pollution Prevention and Your Car” science and drivers education class presentations.	30 hours	\$4,590
Contract with Rock Steady	Contract	\$10,000

Other Agency Responsibilities

City/Town/County Co-Permittees:

- One Volunteer from the PIP subcommittee to work with Municipal Maintenance Committee volunteer to be a judge and present award at the Science Fair.

C.7.i. Outreach to Municipal Officials

No Contractor support.

Other Agency Responsibilities

City/Town/County Co-Permittees:

- At least once per permit cycle conduct outreach to municipal officials to increase overall awareness of stormwater and/or watershed message(s).

C.9.h. Pesticides Toxicity Control Public Outreach;

i. Point of Purchase Outreach

iii. Pest Control Contracting Outreach

i. I.1. PESTICIDES PUBLIC OUTREACH: OUR WATER, OUR WORLD

Maintain 20 retail partnership stores – visit stores twice a year to update shelf talkers and fact sheets.	280 hours	\$42,840
Participate in regional meeting. Order, organize, store, and distribute materials.		
Present to the Master Gardeners in September. Conduct outreach		



to residents who hire or purchase pesticides, home gardeners, and college students taking landscaping classes, through presentations and tabling events.		
Partnership store supplies: fact sheets, shelf talkers, tape, literature rack, labels. Outreach materials for residents.	Materials	\$9,000

Other Agency Responsibilities

Regional/BASMAA:

- Coordinates Our Water, Our World Program with County partners: Arranges and solicits print runs, provides consultant to staff booths at trade shows, liaison with the corporate partners Home Depot and Orchard Supply Hardware. Arranges print advertising in magazines, newspapers, bus shelters, as determined at regional meetings.

v. Outreach to Pest Control Operators

I.2. GREEN GARDENER TRAINING PROGRAM FOR LANDSCAPERS

Sponsor the third series of classes in the Bay Area Green Gardener Program. Participate in Technical Advisory Committee.	20 hours	\$3,060
Sponsorship: ¼ of cost of implementing program	Sponsor	\$5,000



C.7. Public Information and Outreach WORKPLAN for 2013-2014

Countywide Program Support: Description of Tasks

PIP Support Tasks

A.1. PROVIDE SUPPORT TO PIP

Six PIP Meetings: create agenda, prepare notes, handouts, and outreach materials.	140 hours	\$21,420
Two Environmental Health employees to attend and report at meetings, take meeting minutes and distribute, and any follow-up.		

Other Agency Responsibilities

City/Town/County Co-Permittees:

- Attend and participate in six PIP meetings
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A.2. REPORTING

<ul style="list-style-type: none"> • Quarterly • Annual 	80 hours	\$12,240
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Other Agency Responsibilities

City/Town/County Co-Permittees:

- Submit 1/2 yearly report for section “C.7 Public Information and Outreach” to EOA for submittal to Regional Water Board. Reports due by the July and January TAC meetings.

A.3. ASSIST OTHER SUBCOMMITTEES

As needed: attend meetings, give presentations, assist with press releases and coordinate on outreach materials with other subcommittees.	60 hours	\$9,180
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C.7.a. Storm Drain Inlet Marking

No Contractor support.

Other Agency Responsibilities

City/Town/County Co-Permittees:

- Inspect and maintain storm drain markings of at least 80 percent of municipality maintained inlets to ensure they are legibly labeled with a no dumping message or equivalent once per permit term. In the 2013 Annual Report, report prior years’ annual percentages.



- Verify that newly developed streets are marked prior to acceptance of the project. In the 2013 Annual Report, report prior years' annual number of projects accepted after inlet markings verified.

C.7.b. Advertising Campaigns

B. SUPPORT REGIONAL AD CAMPAIGN

Attend BASMAA monthly meetings to support the development of two regional ad campaigns, one on trash/litter and the other on urban pesticides. Participate in email, meeting prep, research, and follow-up.	60 hours	\$9,180
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Other Agency Responsibilities

City/County Association of Governments (C/CAG):

- Contribute population-based share to regional advertising campaign.

Regional/BASMAA:

- Target a broad audience with two separate advertising campaigns, one on trash/litter and the other on reducing impact of urban pesticides, within the permit cycle.
- Conduct pre-campaign and post-campaign surveys.

C.7.c. Media Relations – Use of Free Media

C. LOCAL MEDIA PITCHES

Conduct a minimum of two local media relations pitches (e.g. press release, public service announcements)	20 hours	\$3,060
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Other Agency Responsibilities

Regional/BASMAA:

- Conduct regional level pitches

C.7.d. Stormwater Point of Contact

D.1. WEBSITE

Maintain website, updating based on program needs. Publish contact information, printed materials, PSA's, and press releases. Send out Gov Delivery emails to subscribers.	170 hours	\$26,010
Track website visitor traffic with monthly reports.	20 hours	\$3,060
Payment for hosting website (1 year).	Payment	\$108
Translate key pages to Spanish (sub-contractor)		\$1200
And publish mirror pages with translated content (EH).	20 hours	\$3060
Establish YouTube channel, host video contest	60 hours	\$9,180



D.2. RESPOND TO EMAILS & CALLS

Respond to emails and calls from the public, organizations, cities, and co-permittees.	45 hours	\$6,885
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Other Agency Responsibilities

City/Town/County Co-Permittees:

- Contact for Illicit Discharge Coordinator
- Contact for Stormwater Business Inspector

City/County Association of Governments (C/CAG):

- Respond to media inquiries

C.7.e. Public Outreach Events

E.1. PUBLIC OUTREACH EVENTS

Staff a minimum of 10 events in 10 different municipalities to help cities/towns/unincorporated County meet permit requirements. Prioritize those that have more event requirements; track effectiveness of outreach and provide this information to the municipality for reporting purposes. Staff one County-wide event, publicized with PIP member help.	150 hours	\$22,950
Booth cost	Payment	\$500

Other Agency Responsibilities

City/Town/County Co-Permittees:

- Each municipality shall participate and/or host the number of events according to its population as shown in Table 7.1 Public Outreach Events. In the Annual Report list the events participated in and assess the effectiveness of efforts with appropriate measures.

E.2. OUTREACH MATERIALS

Order materials (research cost(s), setup order, review, process invoices, organize materials into storage for use) Provide outreach materials by request to nonprofits, schools, residents, and municipalities; evaluate request, gather materials, and arrange for pickup, delivery, or mailing.	130 hours	\$19,890
Outreach Materials	Materials	\$15,000

Other Agency Responsibilities

City/Town/County Co-Permittees:

- Request outreach materials at least two weeks before scheduled outreach event.
- Pickup new outreach materials at PIP meetings and make available to residents.



E.3. CAR WASH OUTREACH

Renew discount card with business partners. Continue with media advertisements with pollution prevention messages.	60 hours	\$9,180
Expand partnership with schools (sub cards for fundraisers washes)	60 hrs	\$9,180
Partner with water agencies (advertise through their bills, etc)	30 hrs	\$4,590
Materials and Advertising	Cost	\$6,000

C.7.f. Watershed Stewardship Collaborative Efforts

Partner with stewardship groups to coordinate spring cleanup events.	40 hours	\$6,120
Direct residents to their local stewardship group for spring events.	20 hrs	\$3,060
Materials and Advertising	Cost	\$2,000

Other Agency Responsibilities

City/Town/County Co-Permittees:

- Encourage and support watershed stewardship collaborative efforts of community groups. Coordinate with existing groups and encourage and support development of new groups. Report in each annual report, efforts undertaken and the results of these efforts, and provide an evaluation of the effectiveness of these efforts.

C.7.g. Citizen Involvement Events

G.1. CALIFORNIA COASTAL CLEANUP DAY

Coordinate the Countywide event with 30+ events spread throughout the Coast, the Bay, and Inland Creeks.	320 hours	\$48,960
Materials and Supplies	Materials	\$2,500

G.2. COMMUNITY ACTION GRANT

Update community action grant database. Mail postcards to over 300+ community groups and schools. Respond to questions and emails. Coordinate with the Project Lead (volunteer from PIP).	20 hours	\$3,060
Postcards	Materials	\$180

Other Agency Responsibilities

City/County Association of Governments (C/CAG):

- Pay \$15,000 to grant recipients.

City/Town/County Co-Permittees:

- Each permittee shall sponsor and/or host the number of citizen events according to its population as shown in Table 7.2 Community Involvement Events.



- *Note:* the Countywide California Coastal Cleanup Day counts as one event toward each permittees total. Permittees can also count one event for the awarding of the community action grant to an organization within their jurisdiction.
- One Volunteer from the PIP subcommittee to be the Contact person (Lead) for the Community Action Grant.

C.7.h. School-Age Children Outreach

H.1. SCHOOL ASSEMBLIES

Kindergarten through 5 th grade school assembly program.	40 hours	\$6,120
Contract with the Banana Slug String Band	Contract	\$20,000
Postage for Teacher Surveys	Materials	\$250

H.2. HIGH SCHOOL PRESENTATIONS

10-12 th grade “Water Pollution Prevention and Your Car” science and drivers education class presentations.	30 hours	\$4,590
Contract with Rock Steady	Contract	\$10,000

Other Agency Responsibilities

City/Town/County Co-Permittees:

- One Volunteer from the PIP subcommittee to work with Municipal Maintenance Committee volunteer to be a judge and present award at the Science Fair.

C.7.i. Outreach to Municipal Officials

No Contractor support.

Other Agency Responsibilities

City/Town/County Co-Permittees:

- At least once per permit cycle conduct outreach to municipal officials to increase overall awareness of stormwater and/or watershed message(s).

C.9.h. Pesticides Toxicity Control Public Outreach;

i. Point of Purchase Outreach

iii. Pest Control Contracting Outreach

i. I.1. PESTICIDES PUBLIC OUTREACH: OUR WATER, OUR WORLD

Maintain 20 retail partnership stores – visit stores twice a year to update shelf talkers and fact sheets.	280 hours	\$42,840
Participate in regional meeting. Order, organize, store, and distribute materials.		
Present to the Master Gardeners in September. Conduct outreach		



to residents who hire or purchase pesticides, home gardeners, and college students taking landscaping classes, through presentations and tabling events.		
Partnership store supplies: fact sheets, shelf talkers, tape, literature rack, labels. Outreach materials for residents.	Materials	\$9,000

Other Agency Responsibilities

Regional/BASMAA:

- Coordinates Our Water, Our World Program with County partners: Arranges and solicits print runs, provides consultant to staff booths at trade shows, liaison with the corporate partners Home Depot and Orchard Supply Hardware. Arranges print advertising in magazines, newspapers, bus shelters, as determined at regional meetings.

v. Outreach to Pest Control Operators

I.2. GREEN GARDENER TRAINING PROGRAM FOR LANDSCAPERS

Sponsor the third series of classes in the Bay Area Green Gardener Program. Participate in Technical Advisory Committee.	20 hours	\$3,060
Sponsorship: ¼ of cost of implementing program	Sponsor	\$5,000

C/CAG AGENDA REPORT

Date: June 9, 2011

To: City/County Association of Governments Board of Directors

From: Richard Napier, C/CAG Executive Director

Subject: Review and approval of Resolution 11-34 authorizing the C/CAG Chair to execute a one-year extension to the technical consultant contract with Eisenberg, Olivieri, and Associates, Inc., for a cost not to exceed \$1,130,148 for support of the Countywide Water Pollution Prevention Program in Fiscal Year 2011-12.

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

RECOMMENDATION

The C/CAG Board review and approve Resolution 11-34 authorizing the C/CAG Chair to execute an amendment to the technical consultant contract with Eisenberg, Olivieri, and Associates, Inc. (EOA), extending the term of the contract through fiscal 2011-12 for a cost not to exceed \$1,031,148.

FISCAL IMPACT

The cost for EOA's services in 2011-12 is \$1,031,148. Contract costs are included in the proposed C/CAG budget for the Program.

SOURCE OF FUNDS

The Program is funded through annual property tax assessments (or member agency contributions if so elected) and vehicle license fee revenue. The County's 2011-12 consultant costs are included in the proposed 2011-12 C/CAG budget and sufficient revenue exists between property tax and vehicle license revenue to fund the proposed costs.

BACKGROUND/DISCUSSION

C/CAG previously approved Resolution 07-19 awarding a three year technical consultant contract to EOA, which included a provision for up to three one-year extensions. The proposed contract extension would be the first one-year extension. Since the existing contract allows for the one-year extensions, the requirement in the procurement policy for issuing a Request for Proposals is not applicable. EOA provides technical support to the Countywide Program in assisting municipalities with compliance with the requirements of the Municipal Regional Stormwater Permit, which went into effect in December 2009.

ATTACHMENTS

- Resolution 11-34
- Proposed Contract Amendment #6
- Exhibit A - EOA's Proposed 2011-12 Scope of Work and Budget

ITEM 5.7

RESOLUTION NO. 11-34

AUTHORIZING THE C/CAG CHAIR TO EXECUTE AMENDMENT NO. 6 TO THE TECHNICAL CONSULTANT CONTRACT BETWEEN THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) AND EISENBERG, OLIVIERI, & ASSOCIATES, INC. (EOA, INC.) EXTENDING THE TERM OF THE CONTRACT THROUGH FISCAL 2011-12 FOR A COST NOT TO EXCEED \$1,031,148

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

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

WHEREAS, C/CAG determined outside consulting services are needed to assist during Years 2010-11; and

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

WHEREAS, EOA has prepared a scope of work and budget for providing technical support during Fiscal Year 2011-12;

NOW, THEREFORE, BE IT RESOLVED that C/CAG hereby authorizes the C/CAG Chair to execute a one-year extension to the existing technical consultant contract with Eisenberg, Olivieri, and Associates, Inc., at a cost not to exceed of \$1,031,148 to support the Countywide Water Pollution Prevention Program in Fiscal year 2011-12.

PASSED, APPROVED, AND ADOPTED THIS 9TH DAY OF JUNE, 2011.

Bob Grassilli, Chair

**AMENDMENT (No. 6) TO THE AGREEMENT BETWEEN THE CITY/COUNTY
ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AND EISENBERG,
OLIVIERI, ASSOCIATES, INC.**

WHEREAS, the Board of Directors of the City/County Association of Governments for San Mateo County (hereinafter referred to as C/CAG) and Eisenberg, Olivieri, and Associates, Inc. (hereinafter referred to as Consultant) are parties to an agreement for consulting services dated June 14, 2007, with subsequent amendments dated August 9, 2007, June 12, 2008, May 14, 2009, February 11, 2010, and June 10, 2010 (the "Existing Agreement"); and

WHEREAS, C/CAG desires ongoing consulting services to meet requirements in the Municipal Regional Permit; and

WHEREAS, Consultant submitted a scope of work and budget of \$1,031,148 for services it will provide under an extension and amendment of the Existing Agreement during Fiscal Year 2011-12; and

WHEREAS, Consultant has reviewed and accepted this amendment to the Existing Agreement;

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

1. Consultant will provide the consulting services described in the attached Exhibit A (the "Extended Scope of Work") under the terms and conditions of the Existing Agreement, as amended hereby.
2. The funding provided to Consultant by C/CAG for the Extended Scope of Work will be no more than one-million thirty-one thousand one-hundred forty-eight dollars (\$1,031,148.00) for Fiscal Year 2011-12.
3. The term of the Existing Agreement is extended to June 30, 2012
4. Payment for services for the Extended Scope of Work shall be on a time and materials basis, based upon the receipt of invoices for the actual costs, and with services to be performed only upon the request of C/CAG staff after review of specific work plans for individual tasks.
5. All other provisions of the Existing Agreement shall remain in full force and effect.
6. The terms hereof amending the Existing Agreement shall take effect upon signature by both parties.

For C/CAG:

For Consultant:

Bob Grassilli, Chair

Signature

Date: June 9, 2011

By: _____

Approved as to form:

Date: _____

C/CAG Legal Counsel

EXHIBIT A

**EOA Inc.'s Scope of Work to Assist the
San Mateo Countywide Water Pollution Prevention Program
Comply with Municipal Regional Stormwater Requirements
FY 2011/12**

MRP's Provisions C.2 and C.9 Municipal Maintenance Activities

Based on the Countywide Program's FY 2011/12 approved budget/work plan EOA will continue to assist the Countywide Program and its member agencies to implement the municipal regional stormwater permit's (MRP) requirements prescribed in Provisions C.2 Municipal Operations and portions of C.9 Pesticides Toxicity Control. It is anticipated that much of the pesticide toxicity control work to "Track and Participate in Relevant Regulatory Processes" (Provision C.9.e) will be conducted jointly through the Countywide Program's participation in a BASMAA funded project, and therefore it is not included in this scope of work. In addition, this scope of work does not cover "Public Outreach" (Provision C.9.h) because this assistance is included in County Environmental Health's contract for services.

Task 2.1 Assist Municipalities to Implement Appropriate Maintenance Operations BMPs

EOA will assist the Municipal Maintenance (MM) Subcommittee's members to understand and implement maintenance-related BMPs, such as those described in the California Stormwater Quality Association's Handbook for Municipal Operations (CASQA Handbook), for the following activities that are listed as MRP requirements:

- BMPs for street and road repair maintenance activities, such as asphalt/concrete removal, cutting, installation, and repair (Provision 2.a);
- Sidewalk/plaza maintenance and pavement washing, such as mobile cleaning, pressure washing operations at parking lots and garages, trash areas, fueling areas, sidewalk and plaza cleaning (Provision C.2.b);
- Bridge and structure maintenance and graffiti removal conducted in ways that prevent non-stormwater and wash water discharges to storm drains (Provision C.2.c); and
- Corporation yards for activities, such as inspecting corporation yards; plumbing vehicle and equipment wash areas to the sanitary sewer; using dry clean up methods when cleaning debris and spills; and storing materials outdoors (Provision C.2.f).

This task will also include continuing to provide guidance needed to assist the 12 agencies that operate storm drain pump stations to meet the MRP's requirement to inspect and collect dissolved oxygen data twice a year during the dry season and inspect pump stations twice a year during the wet season (Provision C.2.d).

This task will include the following deliverables:

- Evaluate Water Board staff's NOV's, descriptions of expectations, and recommendations about complying with the MRP's Provision C.2 and prepare a written draft list of specific recommendations to further improve the member agencies' understanding and implementation of the MRP's requirements. Based on the MM Subcommittee's review and

comments on this draft list, the list will be prioritized, finalized, and implemented, as possible within the available budget;

- Add the written list of specific recommendations to the members only portion of the Countywide Program's webpage; and
- Answer questions from the Countywide Program's member agencies staff about the implementation of BMPs; inspection requirements for corporation yard/maintenance facilities; and the implementation of municipal stormwater pump station dissolved oxygen testing and inspection requirements.

Task 2.2 Assist with Municipal Maintenance Component Coordination and Regulatory Compliance

EOA will provide technical support to the MM Subcommittee and the Parks Maintenance and IPM Work Group and assist the Countywide Program with the preparation of the Countywide Program's portion of the FY 2010/11 annual report. This will include continued collaboration with BASMAA's Municipal Operations Committee to identify cost-effective ways of complying regionally with the MRP's requirements.

MM Subcommittee and Parks Maintenance Work Group: Both the MM Subcommittee and the Parks Maintenance and IPM Work Group will meet approximately every quarter to guide the implementation of this component's Countywide Program activities.

Annual Report: EOA will draft the maintenance-related section of the Countywide Program's portion of the annual report and work with the Countywide Program Coordinator to finalize and obtain approval by each agency's duly authorized representative. The annual report will be submitted to the Water Board by the September 15, 2011 MRP compliance deadline. EOA will work with BASMAA to identify the municipal maintenance-related MRP reporting requirements for FY 2011/12.

Budget/Work Plan: The Countywide Program's FY 2012/13 budget/work plan for these MRP provisions will be updated and submitted to the TAC for review and approval. EOA will work with the Program Coordinator to finalize the updated budget/work plan based upon any comments received.

This task will include the following deliverables:

- Organize and facilitate up to four Municipal Maintenance Subcommittee meetings and up to three Parks Maintenance and IPM work group meetings. This will include identifying new chairs, working with the chairs to plan agendas and discussion materials (e.g., handouts, presentations, and talking points), participating in meetings, preparing meeting summaries, and completing meeting follow up actions.
- Complete the municipal maintenance section of the Countywide Program's portion of the FY 2010/11 Annual Report. EOA will submit this section to the Program Coordinator for review. Based on comments received EOA will finalize the report for submittal to the Water Board staff by the September 15, 2011 MRP deadline.

- Develop the FY 2012/13 budget and work plan for municipal maintenance (Provision C.2 Municipal Operations) and parks maintenance and IPM activities (C.9 Pesticide Toxicity Control) and update budget projections through FY 2014/15.

Task 2.3 Parks Maintenance and Integrated Pest Management

EOA will continue working with the Parks Maintenance and IPM Work Group to assist the Countywide Program's municipalities to improve their understanding and compliance with the requirements contained in the MRP's Provision C.9 Pesticides Toxicity Control. This will be achieved by preparing and distributing compliance guidance materials and by covering specific priority MRP compliance topics at the Parks Maintenance and IPM work group meetings and the annual Parks Maintenance and IPM training workshop. Areas to focus on for improved understanding and MRP compliance training include the following:

- Implementation of IPM policy or ordinance (Provision C.9.a), which will include encouraging agencies to adopt a revised IPM policy in FY 2011/12 that meets the Water Board staff's expectations;
- Implementation of standard operating procedures for pesticide use and IPM (Provision C.9.b);
- Training of municipal employees about pesticides that threaten water quality and IPM practices (Provision C.9.c);
- Requirements for agency contractors to implement IPM (Provision C.9.d); and
- Interface with County Agricultural Commissioners (Provision C.9.f).
- This task will include the following deliverables:
 - Complete the Parks Maintenance and IPM training workshop similar to previous years for municipal staff that apply or make decisions about the application of pesticides and, as space is available, pest control operators who work for municipalities in San Mateo County.
 - Communicate with County Agricultural Commissioner's staff through the Parks Maintenance and IPM Work Group meetings, emails, and/or telephone calls to (1) obtain input and assistance on urban pest management practices and use of pesticides; 2) solicit information from cities about any water quality issues related to pesticides; and (3) provide an opportunity to report violations, if any are known, of pesticide regulations (e.g., illegal handling) affecting stormwater or creating a non-stormwater discharge disallowed by the MRP (per Provision C.9.f).
 - Evaluate Water Board staff's NOV's, descriptions of expectations, and recommendations on complying with the MRP's Provision C.9, and prepare a written draft list of specific recommendations to further improve the member agencies' understanding and compliance with the MRP's pesticide toxicity control requirements. Based on the Parks Maintenance and IPM work group's review and comments on this draft list, the list will be prioritized, finalized, and implemented, as possible within the available budget.

- o Add the written list of specific recommendations to the members only portion of the Countywide Program's webpage;

MRP's Provisions C.3 and C.6 New Development and Construction Activities

EOA will assist the Countywide Program and its member agencies to continue implementing the MRP's Provision C.3 (New Development) and Provision C.6 (Construction Site Controls). The new development and construction tasks in this section are organized around these two MRP provisions, with the inclusion of one subtask to implement Provision C.13 requirements for implementing BMPs during the installation and cleaning of architectural copper.

Task 3.1 Assist with Implementation of Provision C.3

EOA will prepare new tools and update existing tools used by the member agencies to comply with the MRP's Provision C.3.

Finalize and Facilitate Implementation of BASMAA's Regional Work Products. On behalf of the Countywide Program, EOA will attend BASMAA's Development Committee and work group meetings regarding the finalization, adoption and implementation of regional products that BASMAA prepared in FY 2010/11, including the LID Feasibility Criteria, Biotreatment Soil Specifications, Green Roof Specifications, and Special Projects Criteria. As possible within the available budget, this will include participation in meetings, preparation of brief meeting summaries, the review of draft materials, and coordination with the New Development Subcommittee to keep member agencies informed and involved.

Update C.3 Technical Guidance. EOA will coordinate with the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) and the Alameda Countywide Clean Water Program (ACCWP) to prepare guidance materials to help the member agencies implement the LID Feasibility/Infeasibility Criteria prepared by BASMAA. We will incorporate this guidance in the Countywide Program's C.3 Technical Guidance, and also update the C.3 Technical Guidance for consistency with the following finalized BASMAA work products: LID Feasibility Criteria, Special Projects Criteria, Soil Specifications, Green Roof Specifications.

Update Forms and Checklists. In order to help the member agencies implement the MRP's new LID requirements beginning December 1, 2011, EOA will work with the Subcommittee to identify the need to update the existing Impervious Surface Worksheet and NPDES Checklist, and make limited updates of these forms as directed by the Subcommittee. We will continue working with the Subcommittee and C.3 Checklist Work Group to complete the comprehensive C.3 Compliance Checklist that was begun in FY 2010/11.

Annual Reporting Coordination. EOA will work with the Subcommittee to help agency staff understand and use the Provision C.3 and C.6 sections of the Annual Report forms, and address Water Board staff's feedback on the 2009/10 Annual Reports, to help the agencies report on Fiscal Year 2010/11 activities by the September 15 due date. This assistance will include a presentation at a special training session on completing the Annual Report form, and preparation of supporting

information that the agencies may download from the password protected portion of the Countywide Program's website.

This task will include the following deliverables:

- Complete local guidance materials for implementing LID feasibility criteria;
- Update of C.3 Technical Guidance;
- Update checklists and forms;
- Complete final version of Provision C.3 Compliance Checklist;
- Prepare and give a training presentation on how to complete Provision C.3 and C.6 sections of the Annual Report Form; and
- Complete annual report supporting information and upload this information to the Countywide Program's password protected portion of the website.

Task 3.2 Assist with Implementation of Hydromodification Management Requirements

Bay Area Hydrology Model. EOA will continue to assist the Countywide Program in coordinating with the SCVURPPP and the ACCWP to monitor the need for updates to the Bay Area Hydrology Model (BAHM) and/or related documentation. This is anticipated to include planning for future BAHM updates, regional coordination/administration, on call support, and distributing information about regional training workshops, if any, for municipal staff on using BAHM.

This task will include the following deliverable:

- Advertise and promote attendance by staff and contractors at Clear Creek sponsored training workshop on use of BAHM.

Task 3.3 Assist with Implementation of Construction Site Requirements

EOA will continue working with the New Development Subcommittee to assist the Countywide Program's member agencies to understand and implement the requirements for construction included in the MRP and the statewide Construction General Permit. This assistance will include the following.

Construction Work Group. EOA will assist the New Development Subcommittee in forming a Construction Work Group that will consist of agency staff members directly involved in implementing Provision C.6 requirements for construction site stormwater control. The purpose of the work group is to help agencies improve the understanding and implementation of MRP requirements by construction site inspection staff. EOA staff will attend the meetings. The proposed budget assumes that the work group will meet quarterly.

Update Construction Site Inspection Tracking Spreadsheet. EOA will work with the New Development Subcommittee and the newly formed Construction Work Group to identify any changes or improvements to the construction site inspection tracking spreadsheet that may be needed based on the agencies' use of the new spreadsheet during Fiscal Year 2009/10.

This task will include the following deliverables:

- Complete up to four Construction Work Group meetings including the preparation of meeting agendas, handouts, and meeting summaries; and
- Update the construction site tracking spreadsheet as a tool to assist with MRP Provision C.6 recordkeeping and reporting requirements.

Task 3.4 Assist with Outreach and Training

New Development Training. EOA will work with the New Development Subcommittee to plan and conduct a New Development Workshop in Fall 2011, which is anticipated to focus on the new LID requirements that go into effect on December 1, 2011.

Coordinate with CalBIG. EOA will assist the California Building Inspectors Group (CalBIG) to provide training to building inspectors and construction site inspectors on stormwater BMPs for construction sites. The training is currently scheduled for August 10, 2011. EOA will assist CalBIG with advertising the workshop, attend the workshop, and prepare and give presentations. EOA will incorporate into its presentation information on BMPs for the installation, cleaning, treating and washing of architectural copper, in order to assist the agencies in meeting the Provision Provision C.13.a(iii) requirement to report on training regarding these BMPs in the 2012 Annual Report.

Outreach Brochures. During FY 2011/12, EOA will prepare and update educational outreach pieces, such as those listed below. This task does not include printing or photocopying of the outreach materials.

- **Regional Brochure on BMPs for Small Projects:** On behalf of the Countywide Program, EOA will attend BASMAA Development Committee and work group meetings regarding the preparation of an outreach brochure on site-specific BMPs for single family residences and other small development projects per Provision C.3.i. As possible within the available budget, this work will include participation in BASMAA meetings, preparation of brief meeting summaries, the review of draft updates of the outreach materials, and coordination with the New Development Subcommittee to keep member agencies informed and involved in the update of outreach materials.
- **Architectural Copper Flyer:** EOA will complete the educational flyer on BMPs for the installation, cleaning, treating and washing of architectural copper, which was begun in FY 2010/11, in order to assist the member agencies in meeting the requirements of Provision C.13.a(ii)(2) to educate installers and operators on these BMPs.
- **Construction BMP brochures:** As possible within the available budget, EOA will work with the newly formed Construction Work Group to update existing construction BMP brochures that may be handed out at job sites per the MRP requirement to provide

education on stormwater pollution prevention, as needed, during construction site inspections.

- **Provision C.3 Outreach Flyer.** EOA will work with the New Development Subcommittee to identify the need to update this existing flyer to assist member agencies in implementing the new LID requirements, and make revisions as directed by the Subcommittee.

- This task will include the following deliverables:

- Conduct a New Development Subcommittee workshop that will likely focus on new LID requirements;

- Prepare and present a presentation at the New Development Subcommittee’s workshop and add the presentations and other training materials to the password protected section of the Countywide Program’s webpage; and

- Complete and/or update electronic files of educational outreach brochures, and add these materials to the Countywide Program’s webpage.

Task 3.5 Assist with Regulatory Compliance

New Development Subcommittee. EOA will continue to support the meetings of the New Development Subcommittee by working with the Subcommittee Chair to develop meeting agendas, prepare handouts and other materials for the meetings, participate in meetings, and prepare meeting summaries. Subcommittee meetings are not specifically required by the MRP, but they have proven important to support permit compliance.

Annual Report: EOA will prepare a draft and a final version of the New Development and Construction sections of the Program’s FY 2010/11 Annual Report. The final version will address comments received from Program staff and member agencies.

Work Plan: In Spring 2012, EOA will prepare the Provision C.3 and C.6 sections of the FY 2012/13 work plan for review and approval by the New Development Subcommittee and TAC.

Website Assistance. EOA will coordinate with the San Mateo County Environmental Health staff to update New Development Subcommittee information on the Countywide Program’s website.

Limited On-Call Assistance. EOA will respond to questions from agency staff, as possible within the available budget. Where appropriate, information provided for individual agencies may be offered as case studies or other agenda items for the New Development Subcommittee.

- This task will include the following deliverables:

- Complete assistance for up to six New Development Subcommittee meetings including preparing agendas, handout materials for review at the meetings, and meeting summaries;

- Prepare the new development and construction section of the Countywide Program's portion of the FY 2010/11 Annual Report. EOA will submit this section to the Program Coordinator for review. Based on comments received EOA will finalize the report for submittal to the Water Board staff by the September 15, 2011 MRP deadline; and
- Develop the FY 2012/13 budget and work plan for new development (Provision C.3 New Development and Redevelopment) and construction activities (C.6 Construction Site Controls) and update budget projections through FY 2014/15.

**MRP's Provisions C.4, C.5, C.15, and Portion of C.13
Commercial, Industrial and Illicit Discharge Controls**

Based on the Countywide Program's FY 2011/12 approved budget/work plan EOA will assist the Countywide Program and its member agencies to implement the MRP's requirements prescribed in Provisions C.4 Business Inspections, C.5 Illicit Discharge Detection and Elimination, C.15 Exempted and Conditionally Exempted Discharges, and a portion of C.13 Copper Controls.

Task 4.1 Staff Training, Assist with Inspection Lists, and Enforcement Response Plan

This multi-faceted task includes MRP compliance assistance with the following Provision C.4 requirements:

- Inspector Annual Training (Provision C.4.d);
- Annual process for updating and maintaining a list of industrial and commercial facilities to inspect as part of the Business Inspection Plan (Provisions C.4.b.); and
- Enforcement Response Plans (Provision C.4.c).
- The Inspector Training Work Group developed "Guidance to Stormwater Inspectors on Meeting MRP's Annual Training Requirements (Provision C.4.d) as Self-Training in FY 2010/11" to assist new and experienced stormwater inspectors to meet the MRP's annual training requirement. The effectiveness of the self-training guidance will be evaluated so improvements may be made for use in future years when Countywide Program sponsored training workshops/events do not occur.
- In FY 2011/12 there will be a training workshop that will provide an opportunity for inspectors to practice inspecting, evaluating, and documenting findings at a corporation yard or similar location. The training workshop will also include classroom topics that meet the MRP's requirements for inspector training, such as inspection procedures, implementation of typical BMPs, illicit discharge detection, elimination, and follow up; and urban runoff pollution prevention.

EOA will continue to assist municipalities to implement the annual agreed upon process for updating and maintaining a list of facilities that merit stormwater inspection. The municipalities are responsible for including this list as part of their Business Inspection Plans. This assistance will rely

on municipal staff using the March 28, 2011 memorandum with the subject title of: “Guidance on Annual Process for Identifying Businesses and Facilities Needing Stormwater Inspections.”

This task will include the following deliverables:

- Summarize what cities have reported in the FY 2010/11 annual report about the types of non-hazmat/non-retail food facilities, if any, they need County Environmental Health’s assistance inspecting; the level of compliance with the MRP’s enforcement requirements and time deadlines; and the status of adoption of the new MOU with County Environmental Health for agencies who contract for hazmat and retail food facility stormwater inspection services.
- Answer municipal staff questions and provide follow up assistance on the implementation and improvement of inspection guidance materials.
- Complete training workshop that meets the MRP’s requirements for business and illicit discharge inspection staff.
- Review the BASMAA/Water Board staff ad hoc work group’s guidance on violation issues and evaluate the Water Board staff’s NOV’s, descriptions of Water Board staff expectations, and recommendations on complying with the MRP’s Provisions C.4, C.5, C.15, and C.13. Prepare a written draft list of specific recommendations to further improve the agencies’ understanding and compliance with the MRP’s requirements for business inspection, illicit discharge detection and elimination, exempted/conditionally exempted discharges, and copper controls. Based on the CII Subcommittee’s review and comments on this draft list, the list will be prioritized, finalized, and implemented, as possible within the available budget.
- Add the written list of specific recommendations to the members only portion of the Countywide Program’s webpage.

Task 4.2 Assist with Regulatory Compliance and Planning

EOA will provide technical support to the CII Subcommittee and assist the Countywide Program with the preparation of its FY 2010/11 annual report. This will include continued collaboration with BASMAA’s Municipal Operations Committee to identify cost-effective ways of meeting the MRP’s recordkeeping and reporting requirements in FY 2011/12. This assistance will not usually include developing TAC meeting agendas and agenda packets; researching and preparing TAC agenda topics; and preparing TAC meeting summaries because this work will be conducted by the full-time stormwater coordinator.

CII Subcommittee: Both the CII Subcommittee and its Training Work Group will meet approximately every quarter to plan and oversee implementation of the commercial, industrial, and illicit discharge control activities that facilitate MRP compliance. EOA will organize and facilitate the subcommittee and work group meetings, including working with chairs to develop agendas, and prepare discussion materials (e.g., handouts, presentations, and talking points).

Annual Report: EOA will summarize progress assisting with the countywide implementation of business/illicit discharge inspection-related activities, exempted and conditionally exempted

discharge controls, and copper control activities in the Countywide Program's portion of the draft Annual Report.

Budget/Work Plan: The Countywide Program's FY 2012/13 budget/work plan for these MRP provisions will be updated and submitted to the TAC for review and approval. EOA will work with the Program Coordinator to finalize the updated budget/work plan based upon any comments received.

This task will include the following deliverables:

- Conduct training for municipal staff on how to complete the FY 2010/11 Annual Report template.
- Organize and facilitate up to four CII Subcommittee and up to four Training Work Group meetings and prepare written meeting summaries.
- Complete the commercial, industrial, and illicit discharge control section of the Countywide Program's portion of the FY 2010/11 Annual Report.
- Develop the FY 2011/12 budget/ work plan for business inspections (Provision C.4 Industrial and Commercial Site Controls); illicit discharge control (Provision C.5. Illicit Discharge Detection and Elimination); non-stormwater discharges including member agencies' water utilities (Provision C.15 Exempted and Conditionally Exempted Discharges); and copper controls (Provision C.13 Copper Controls) and update budget projections through FY 2014/15.

Task 4.3 Illicit Discharge Detection and Elimination

EOA will assist with the implementation of illicit discharge detection and elimination tasks required by the MRP's Provision C.5. In particular, this will include the following activities:

Assist member agencies to implement the MRP's spill and dumping response and complaint response requirements (Provision C.5.c);

Implement through BASMAA's Municipal Operations Committee (Provision C.5.d) an expansion of BASMAA's existing surface cleaner recognition program to include BMPs and a program for fleet washers and carpet cleaners;

Assist agencies to implement the collection system illicit discharge screening requirements (Provision C.5.e); and

Implement any needed improvements to the illicit discharge spill and discharge complaint tracking (Provision C.5.f) spreadsheet created in FY 2009/10.

This task will include the following deliverables:

- Summarize agencies' information from the FY 2010/11 annual reports regarding compliance with the MRP's illicit discharge control requirements in order to identify any areas needing

improvement. This will include reviewing compliance activities, such as spill and dumping response and complaint response, collection system illicit discharge screening, and illicit discharge spill and discharge complaint tracking.

- Complete mobile cleaning educational outreach materials that will be developed through the Countywide Program's participation in a BASMAA-led project for mobile cleaners.

Task 4.4 BMPs for Conditionally Exempted Non-Stormwater Discharges

EOA will assist with the implementation of exempted and conditionally exempted discharge tasks required by the MRP's Provision C.15. In particular, this will include assisting municipalities to comply with the notification, BMP implementation, and, where applicable, monitoring requirements for the following types of conditionally exempted non-stormwater discharges:

- Planned discharges of potable water (Provision C.15.b.iii.(1));
- Unplanned discharges of potable water (Provision C.15.b.iii.(2)); and
- Swimming pool, hot tub, spa, and fountain water discharges (Provision C.15.b.v).

This task will also include identifying any additional types of non-stormwater discharges not listed in Provision C.15 that the Countywide Program's member agencies would like to propose as exempt from the MRP's Prohibition A.1. Any list proposed by the CII Subcommittee would need to be approved by the TAC before being transmitted to the Water Board staff.

This task will include the following deliverables:

- Prepare or adapt existing training material for municipal water utility staff on complying with the MRP's requirements for planned and unplanned potable water discharges and for discharges of swimming pool, hot tub, spa, and fountain waters.
- Add training materials to the Countywide Program's website.
- Develop a plan for training water utility staff about the MRP's requirements and methods for meeting these requirements. The plan will include information about when the training would occur and its budget.
- Prepare a list of any proposed additional types of non-stormwater discharges that the CII Subcommittee recommends be forwarded to the Water Board's Executive Officer for approval.

Task 4.5 Copper Controls

EOA will facilitate the implementation of the following copper control tasks required by the MRP:

- Manage waste generated from cleaning and treating copper-architectural features, including copper roofs, during construction and post-construction (Provision C.13.a);

- Engage in efforts to reduce copper discharges from brake pads (Provision C.13.c); and
- Ensure the use of proper copper control BMPs during industrial facility inspections (Provision C.13.d).

This task will primarily focus on identifying, adapting, and, if needed, developing additional educational materials for business inspectors to assist them to identify businesses that are sources of copper and to identify or adapt BMP educational materials that describe how to mitigate the potential for the discharge of copper from these businesses. The copper control BMP information identified will be presented at the business inspector training workshop planned under Provision C.4.d. (Task 3.1 above).

This task will include the following deliverables:

- Complete a survey among the member agencies about how wastes from treating and cleaning copper architectural features are regulated by the municipalities in order to identify any areas where improvement and assistance may be needed.
- Identify, prepare or adapt existing copper control BMP information for use as inspector educational outreach materials for distribution as part of a training workshop that will be held during the spring of 2012.

MRP's Provisions C.10 Trash Load Reductions

Based on the Countywide Program's FY 2011/12 approved budget/work plan EOA will assist the Countywide Program and its member agencies to implement the MRP's requirements prescribed in Provisions C.10 Trash Load Reductions. This work will continue to include assisting BASMAA to complete its ongoing trash loading study of different land uses and its development of trash loading reduction tracking methods as an in kind project with SCVURPPP. The implementation of these activities is guided by the Countywide Program's Trash Work Group.

The trash load reduction tasks do not include assisting municipalities to understand and participate in ABAG/SFEP's full-trash capture grant funded demonstration project because this work will be conducted by the full-time stormwater coordinator.

Task 5.1 Short-Term Trash Load Reduction Plan and Baseline Trash Load

EOA will assist each interested municipality to develop its Short-Term Trash Load Reduction Plan (Plan) that the MRP requires be submitted to the Water Board by February 1, 2012. The Plan will describe how each municipality will achieve a 40% reduction in trash load by July 1, 2014.

This task will also include calculating each municipality's estimated baseline trash load amount using the available, partial results from BASMAA's trash load study. The results from BASMAA's trash load study will be incomplete at the time (February 1, 2012) the baseline trash load determinations are due to the Water Board. The baseline trash loads will be estimated by combining the amounts of different land uses in each community with the baseline trash load estimates for these different land uses.

These land use trash load estimates are likely to improve as additional information is collected during the remainder of the FY 2011/12 wet season.

EOA will continue to identify locations where installed trash full-capture devices fulfill land use and economic criteria that are underrepresented in BASMAA's trash loading study. Provided that local municipalities approve the use of these devices, they will be added to the baseline trash load study. Full-capture trash devices included in the trash load study will be maintained by a contractor and the material removed from each device will be characterized by another contractor using BASMAA's approved sampling and analysis plan.

EOA will continue to represent the Countywide Program at BASMAA's monthly Trash Committee meetings and assist with facilitating quarterly meetings of the Countywide Program's Trash Work Group.

This task will include the following deliverables:

- Complete Short-Term Trash Load Reduction Plans for each municipality interested in obtaining assistance with this task by the February 1, 2012 MRP required submittal date.
- Calculate baseline trash load from MS4s for each municipality by the February 1, 2012 MRP required submittal date.
- Continue to maintain the 12 trash full-capture devices the Countywide Program installed in the City of San Mateo and the one the County installed in the San Mateo County unincorporated area during the trash load study period scheduled to last through the FY 2011/12 wet season. In addition, identify and include any additional, suitably located, trash full-capture devices to the study and maintain these devices during the study's duration.
- Working with SCVURPPP complete BASMAA's baseline trash load study and its trash load reduction tracking methodology.
- Participate in up to 12 BASMAA Trash Committee meetings and following each meeting prepare a brief summary of the most important items agreed to and being worked on by the Committee. This participation will include soliciting input from the Countywide Program's Trash Work Group and representing the Trash Work Group at BASMAA's Trash Committee meetings.

Task 5.2 Trash Load Reduction Compliance Assistance

EOA will identify areas of the MRP's Trash Load Reduction requirements that the Countywide Program's member agencies need additional assistance understanding and/or implementing the MRP requirements. One of the priorities of the Countywide Program is to help its member agencies to comply with the MRP's requirements in order to avoid possible future NOV's and other enforcement actions.

This task will include the following deliverables:

- Summarize agencies' information from the FY 2010/11 annual report regarding compliance with the MRP's Trash Load Reductions;
- Prepare a written draft list of specific recommendations for improving the member agencies' understanding and compliance with the MRP's trash load reduction requirements including recordkeeping and reporting requirements. Based on the Trash Work Group's review and comments on this draft list, the list will be prioritized, finalized, and implemented within the available budget;
- Add the written list of specific recommendations to the members only portion of the Countywide Program's webpage;
- Complete the trash load reduction section of the Countywide Program's portion of the FY 2010/11 Annual Report; and
- Update the FY 2012/13 budget/work plan for trash load reduction (Provision C.10 Trash Load Reduction) and update budget projections through FY 2014/15.

MRP's Provisions C.8, C.11, C.12, and C.14 Watershed Assessment and Monitoring (WAM)

EOA will assist the Countywide Program's Watershed Assessment and Monitoring (WAM) component to implement tasks related to water quality monitoring and certain pollutants of concern. These tasks address requirements in MRP Provisions C.8, C.11, C.12, and C.14, and are described below, including deliverables that will fulfill MRP requirements.

Task 6.1 Assist with WAM Component Coordination and Regulatory Compliance

EOA will continue to plan, coordinate, and support technically all WAM component activities by working with the Countywide Program's Watershed Assessment and Monitoring (WAM) Subcommittee. This will include facilitating approximately three WAM Subcommittee meetings per year. EOA will also continue to assist the Countywide Program to collaborate and coordinate with other Bay Area municipal stormwater management agencies on all WAM component tasks, including representing the Countywide Program on BASMAA's Monitoring and Pollutants of Concern Committee, which meets monthly. In addition, EOA will assist the Countywide Program to prepare the WAM component section of the Countywide Program's FY 2010/11 Annual Report, which is due September 15, 2011.

This task will include the following deliverables:

- Facilitate up to three WAM Subcommittee meetings including preparing agendas, handout materials for review at the meetings, and meeting summaries; and
- Complete the WAM section of the Countywide Program's FY 2010/11 Annual Report.

Task 6.2 Assist with Water Quality Monitoring

EOA will assist the Countywide Program to perform tasks required by the MRP's Provision C.8 -

Water Quality Monitoring. An important aspect of this task will be continuing to assist the Countywide Program to participate in the Regional Monitoring Coalition (RMC) among Bay Area municipal stormwater management agencies. The RMC is intended to enhance coordination and collaboration in order to maximize performance and the cost-effectiveness of complying with the monitoring requirement. EOA will continue to represent the Countywide Program on BASMAA's RMC Work Group, which meets monthly. This task includes the following subtasks:

- **MRP Provision C.8.b - San Francisco Estuary Monitoring:** The MRP requires that Permittees participate in a San Francisco Estuary receiving water monitoring program, at a minimum equivalent to the San Francisco Estuary Regional Monitoring Program (RMP), by contributing annually their financial fair-share. Through continued participation in RMP's committees and work groups, the Countywide Program and BASMAA have remained informed stakeholders able to oversee the RMP's activities and identify any opportunities to direct existing RMP funds towards meeting MRP requirements. In coordination with other BASMAA agencies, EOA will continue to assist the Countywide Program to participate in the RMP, including participating in selected RMP committees and work groups and providing input to related work plans and reports. The Countywide Program's direct financial contribution to the RMP is not included in the budget for this task.

This subtask will include the following deliverable:

- Complete a section of the FY 2011/12 Annual Report that summarizes how over the course of the fiscal year the Countywide Program participated in the RMP in collaboration/coordination with other Bay Area municipal stormwater management agencies.
- **MRP Provision C.8.c. - Status Monitoring / Rotating Watersheds:** EOA will assist the Countywide Program to participate in the RMC's field programs to conduct monitoring of creeks in San Mateo County and other parts of the Bay Area as required by the MRP. The primary objectives are to gather information on whether numeric and narrative water quality objectives are met in creeks and whether creek conditions are supporting beneficial uses (e.g., aquatic habitat, recreational uses). The fieldwork will begin during the 2011/12 rainy season and extend into the spring and early summer. The focus will be on collecting the types of screening-level biological, physical and chemical water quality data required by the MRP. Field activities will include biological community sampling (benthic macroinvertebrate and algae bioassessments), continuous water quality monitoring using multi-parameter probe measurements (e.g., pH, temperature, and dissolved oxygen), collecting grab water and sediment samples (for toxicity testing and chemical and bacterial analysis), and stream physical condition surveys. The field and laboratory data generated will undergo initial evaluation and Quality Assurance (QA) procedures and will be entered into the RMC's central Information Management System (IMS) to facilitate future interpretation and reporting.

This subtask will include the following deliverable:

- Enter field and laboratory data into the RMC's central IMS to facilitate future interpretation and reporting (an initial report is due to the Regional Water Board during FY 2012/13).
- **MRP Provision C.8.d. - Monitoring Projects:** EOA will assist the Countywide Program to participate in the RMC's regional project to develop guidance on conducting "monitoring projects" required by the MRP during future fiscal years. Permittees are required to conduct these monitoring projects to identify stressors/sources when the results of the above-described creek status monitoring data exceed certain trigger levels described in the MRP.

This subtask will include the following deliverable:

- Prepare a guidance document on conducting monitoring projects (stressor/source identification studies). The actual monitoring projects will occur during future fiscal years.
- **MRP Provision C.8.e.i.-v. - Pollutants of Concern (POC) and Long Term Trends Monitoring:** EOA will assist the Countywide Program to collaborate with other Bay Area municipal stormwater management agencies to begin installing and monitoring from pollutant loading stations during the 2011/12 wet season as required by the MRP. The primary objectives are to quantify POC loads for Total Maximum Daily Load (TMDL) purposes, identify which Bay small tributaries (local creeks and rivers) contribute the highest loads of POC to the Bay, and determine whether management actions are reducing POC loads from small tributaries to the Bay. The fieldwork will begin during the 2011/12 rainy season and will focus on collecting wet weather water samples from stations installed in creeks or engineered stormwater conveyances and analyzing for POCs, with mercury and PCBs being the highest priority (lower priority POCs include copper, PBDEs, legacy pesticides, and PAHs). BASMAA is coordinating this work with implementation of the Small Tributaries Loading Strategy of the San Francisco Estuary RMP. The field and laboratory data generated will undergo initial evaluation and Quality Assurance (QA) procedures and will be entered into the RMC's central IMS to facilitate future interpretation and reporting.

This subtask will include the following deliverable:

- Enter field and laboratory data into the RMC's central IMS to facilitate future interpretation and reporting (an initial report is due to the Regional Water Board during FY 2012/13).
- **MRP Provision C.8.e.vi. - Sediment Delivery Estimate/Budget:** EOA will assist the Countywide Program to participate in an ongoing regional project to develop a robust estimate of the sediment loading delivered to the Bay by local tributaries and urban drainages as required by the MRP. The project will build upon existing San Francisco Estuary RMP estimates.

This subtask will include the following deliverable:

- Complete a section of the FY 2011/12 Annual Report that summarizes how over the

course of the fiscal year the sediment delivery study progressed and a timeline for its completion.

- **MRP Provision C.8.f. - Citizen Monitoring and Participation:** EOA will assist the Countywide Program to encourage citizen monitoring and stakeholder observations and reporting of water body conditions. Per MRP requirements, this will include making reasonable efforts to seek out citizen and stakeholder information and comment regarding water body function and quality during evaluation of status monitoring results and development of monitoring projects.

This subtask will include the following deliverable:

- Complete a section of the FY 2011/12 Annual Report that summarizes how over the course of the fiscal year citizen monitoring and stakeholder observations were encouraged and incorporated into the evaluation of status monitoring results and development of monitoring projects.
- **MRP Provision C.8.g. – Reporting:** The MRP requires annual electronic reporting of field monitoring results comparable with the state's Surface Water Ambient Monitoring Program (SWAMP) database followed by an annual Urban Creeks Monitoring Report with data analysis and interpretation. EOA will assist the Countywide Program to participate in regional projects to 1) modify existing SWAMP electronic data reporting templates for BASMAA agency MRP reporting purposes; and 2) develop a detailed outline for the Urban Creeks Monitoring Report, which is due annually starting March 15, 2013.

This subtask will include the following deliverables:

- Complete an electronic data reporting template for BASMAA agency MRP reporting of monitoring results; and
- Prepare a detailed outline for the Urban Creeks Monitoring Report.

Task 6.3 Assist with Participation in Clean Watersheds for a Clean Bay

EOA will continue to assist the Countywide Program to participate in Clean Watersheds for a Clean Bay (CW4CB), a four-year regional project that is addressing MRP Provisions C.11/12 c., d., e. and i. FY 2011/12 is the second year of the project. CW4CB is pilot testing methods to reduce loading of sediment-bound pollutants to the Bay and, therefore, help implement the PCBs and mercury TMDL water quality restoration programs. CW4CB has identified five high priority project watersheds that discharge urban runoff with PCBs and other pollutants to the Bay. One of these five watersheds is the Pulgas Creek pump station watershed in San Carlos. CW4CB is identifying PCB and mercury source areas within the project watersheds and will refer these sites to regulatory agencies for cleanup and abatement. The project is also developing methods to enhance removal of sediment with PCBs and other pollutants during municipal operations and maintenance activities (e.g., street sweeping and stormwater conveyance structure cleanouts), retrofitting eight to 10 urban runoff treatment facilities into existing infrastructure throughout the Bay Area, and facilitating development and implementation of a regional risk reduction program that focuses on educating the public about the

health risks of consuming certain species of Bay fish that contain high levels of PCBs and mercury.

EOA will continue to assist the Countywide Program to participate in all components of CW4CB and will continue to represent the Countywide Program on CW4CB's Project Management Team and work groups. CW4CB is funded by a \$5-million grant from USEPA to BASMAA and \$2.04-million in matching funding from BASMAA and BASMAA agencies (including the Countywide Program), Bay Area municipal wastewater treatment agencies, and industrial dischargers to the Bay. The Countywide Program has agreed to contribute \$240,000 of the matching funds over four years, and this task will be credited as year two of an in-kind contribution towards this commitment.

This task will include the following deliverable:

- Describe the work conducted over the course of the fiscal year in the Pulgas Creek pump station watershed and other project areas and summarize the overall status of all CW4CB tasks in the 2011/12 Annual Report and in project progress reports due to EPA on October 31, 2011, April 30, 2012, and October 31, 2012.

Task 6.4 Assist with Pollutants of Concern Projects

EOA will assist the Countywide Program to perform tasks to address mercury, PCBs, PBDEs, legacy pesticides, and selenium, as required by the MRP Provisions C.11, C.12, and C.14. As mentioned previously, this will include continuing to assist the Countywide Program to collaborate and coordinate with other Bay Area municipal stormwater management agencies through participation on BASMAA's Monitoring and Pollutants of Concern Committee. This task includes the following sub-tasks:

- **MRP Provision C.12.a. - Implement a regional project to incorporate PCBs and PCB-containing equipment identification into existing industrial inspections:** EOA will assist the Countywide Program to report on FY 2010/11 efforts by its municipalities to incorporate identification of PCBs and PCB-containing equipment into industrial inspections as required by the MRP.

This subtask will include the following deliverable:

- Complete a section of the FY 2010/11 Annual Report that summarizes efforts to incorporate identification of PCBs and PCB-containing equipment into industrial inspections.
- **MRP Provision C.12.b. - Conduct Pilot Projects to Evaluate Managing PCB-Containing Materials/Wastes during Building Demolition and Renovation (e.g., Window Replacement) Activities:** To fulfill MRP requirements in Provision C.12.b, BASMAA has been working with the regional "PCBs in Caulk" project managed by the San Francisco Estuary Partnership and funded by federal stimulus funds (ARRA). The project is characterizing PCBs in Bay Area building materials and conducting pilot projects to evaluate managing PCB-containing materials during building demolition and renovation. In collaboration with other BASMAA agencies, EOA will continue to assist the Countywide Program to help represent BASMAA's interests (i.e., MRP compliance) and facilitate local agency participation in this project.

This subtask will include the following deliverable:

- Complete a section of the FY 2011/12 Annual Report that summarizes activities conducted by the PCBs in Caulk project over the course of the fiscal year and how they helped to fulfill MRP requirements.

- **MRP Provision C.11/12.f. - Diversion of Dry Weather and First Flush Flows to Publicly Owned Treatment Works (POTWs):** The MRP requires BASMAA agencies to perform pilot projects to assess the feasibility of diverting runoff to sanitary sewers for treatment at local POTWs. In coordination/collaboration with other Bay Area municipal stormwater management agencies, EOA will continue to assist the Countywide Program to plan and implement an "operational diversion" pilot program that will be mainly funded by the CW4CB task mentioned previously to develop methods to enhance removal of sediment with PCBs and other pollutants during municipal operations and maintenance activities. It is anticipated that the study will consist of street and/or storm drain flushing in the Pulgas Creek pump station watershed and routing of the washwater to South Bayside System Authority (SBSA), which is the local POTW, contingent upon acceptance of these flows by SBSA.

This subtask will include the following deliverable:

- Complete a section of the 2011/12 Annual Report that summarizes work conducted over the course of the fiscal year and the overall status of the diversion project.

- **MRP Provision C.11/12.h. - Fate and Transport Study of Hg/PCBs in Urban Runoff:** The MRP requires that permittees conduct or cause to be conducted studies aimed at better understanding the fate, transport, and biological uptake of mercury and PCBs discharged in urban runoff. EOA will continue to assist the Countywide Program to participate in a regional collaborative project to address this requirement through participation in the San Francisco Estuary RMP.

This subtask will include the following deliverable:

- Complete a section of the 2011/12 Annual Report that summarizes work conducted over the course of the fiscal year and the overall status of the fate and transport study.

- **MRP Provision C.11.j. - Develop Allocation Sharing Scheme with Caltrans:** The waste load allocation for urban stormwater in the San Francisco Bay mercury TMDL implicitly includes Caltrans roadway and non-roadway facilities within the geographic boundaries of the MRP program area. The MRP requires development of an equitable mercury allocation-sharing scheme in consultation with Caltrans to address the Caltrans facilities in the program area. EOA will continue to assist the Countywide Program to participate in a regional collaborative project to work with Caltrans to develop allocation sharing methods.

This subtask will include the following deliverable:

- Complete a section of the 2011/12 Annual Report that summarizes work conducted over the course of the fiscal year and the overall status of developing an equitable mercury allocation-sharing scheme with Caltrans.
- **MRP Provision C.14.a. - Control Program for PBDEs, Legacy Pesticides, and Selenium:** The MRP requires permittees to characterize the representative distribution of PBDEs, legacy pesticides, and selenium in the urban areas of the Bay Region. EOA will continue to assist the Countywide Program to participate in a regional collaborative project to address this requirement by compiling and evaluating data from a variety of existing and new sources (e.g., previously completed analyses of municipal stormwater management agency stormwater conveyance bedded sediment, ongoing SWAMP data collection efforts, RMP data collected through the Small Tributaries Loading Strategy, and data collected through MRP Provision C.8).

This subtask will include the following deliverable:

- Complete a section of the 2011/12 Annual Report that summarizes work conducted over the course of the fiscal year and the overall status of the effort to characterize the distribution of PBDEs, legacy pesticides, and selenium in urban areas in the Bay Region.

Municipal Stormwater NPDES Permit Compliance Assistance

Level of Effort and Cost Estimate¹
Fiscal Year 2011/12

Task Description	Principal or	Managing	Managing	Senior	Senior	Senior	Assoc.	Assoc.	Admin	Total Hours	Other EOA Costs (Subs)	Total EOA Cost
	Engineer II 200	Engineer II 188	Engineer I 177	Engineer III 163	Engineer II 150	Engineer I 136	Eng/Sci II 125	Eng/Sci I 103	60			
Provisions C.2 & 9: Municipal Maintenance and Pesticides Toxicity Control												
2.1 Assist Municipalities to Implement Appropriate Maintenance Operations BMPs	40	8		50					20	118	\$0	\$18,854
2.2 Component Coordination and Regulatory Compliance	40	8		42					16	138	\$0	\$21,862
2.3 Parks Maintenance and Integrated Pest Management	40	24		16					24	280	\$0	\$40,496
Subtotal:	120	40	0	108	0	208	0	0	60	536	\$0	\$81,012
Provisions C.3 & 6: New Development and Construction Site Controls												
3.1 Assist with Implementation of Provision C.3	8			149		144	24		16	341	\$5,000	\$54,431
3.2 Assist with Implementation of HM Requirements	8			48						56	\$5,000	\$14,424
3.3 Assist with Implementation of Construction Site Requirements	8		8	117		42	32		24	231	\$0	\$33,239
3.4 Assist with Outreach and Training	1			96		72	16		40	225	\$8,000	\$38,040
3.5 Assist with Regulatory Requirements	8			117		18	4		10	157	\$0	\$24,219
Subtotal:	33	0	8	527	0	276	76	0	90	1010	\$18,000	\$164,353
Provisions C.4, 5, 13, & 15: Industrial/Illicit Discharge Controls, Conditionally Exempted Discharges, & Copper Controls												
4.1 Staff Training, Assist with Inspection Lists, & Enf. Response Pla	48	10	30			80	24		40	232	\$0	\$33,070
4.2 Assist with Regulatory Compliance and Planning	100	12	24			90	24		40	290	\$0	\$44,144
4.3 Illicit Discharge Detection and Elimination	40					60	44		20	164	\$0	\$22,860
4.4 BMPs for Conditionally Exempted Non-Stormwater Discharges	24	8	18			50	32		16	148	\$0	\$21,250
4.5 Copper Controls	24	16	44			90	32		24	230	\$0	\$33,276
Subtotal:	236	46	116	0	0	370	156	0	140	1064	\$0	\$154,600
Provisions C.10: Trash Load Reduction												
5.1 Short-Term Trash Load Reduction Plan & Baseline Trash Load	40	40	116	360	120	140	100		80	996	\$0	\$149,072
5.2 Trash Load Reduction Compliance Assistance	80			100	100	100	40		40	460	\$0	\$68,300
Subtotal:	120	40	116	460	220	240	140	0	120	1456	\$0	\$217,372
Provisions C.8, 11, 12, & 14: WAM (Monitoring, Mercury-PCBs Controls, & PBDEs, Legacy Pesticides and Selenium)												
6.1 Assist w/WAM Component Coordination & Regulatory Compliance			100		120				16	236	\$0	\$36,660
6.2 Assist with Water Quality Monitoring			200			640	640	640	40	2160	\$60,000	\$330,760
6.3 Assist with Participation in Clean Watersheds for a Clean Bay			200				120		16	336	\$0	\$51,360
6.4 Assist with Pollutants of Concern Projects			200				80		16	296	\$0	\$46,360
Subtotal:	0	0	700	0	120	640	840	640	88	3028	\$60,000	\$465,140
Total Hours	389	86	824	635	120	1494	1072	640	378	3028		
Task 99 Other Costs and Expenses											Provs. C.2 & C.9	\$2,050
Associated with Provisions C.2&9; C.3&6; C.4&5&15&13; C.10; & C.8&11&12&14											Provs. C.3 & C.6	\$8,363
											Provs. C.4, C.5, C.15, & C.13	\$8,543
											Provision C.10	\$6,628
											Provs. C.8, C.11, C.12 & C.14	\$22,087
											Subtotal	\$47,671

TOTAL BUDGET: \$1,130,148

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

C/CAG AGENDA REPORT

Date: June 9, 2011
To: City/County Association of Governments Board of Directors
From: Richard Napier, C/CAG Executive Director
Subject: Approval of Draft Letter from C/CAG to the California Public Utilities Commission
(For further information or questions contact Joseph Kott at 599-1453)

RECOMMENDATION

Approval by the C/CAG Board of a letter to the California Public Utilities Commission (CPUC) concerning improved oversight of and communications with PG&E .

BACKGROUND/DISCUSSION

At its meeting on May 12, 2011, the C/CAG Board directed staff to prepare a letter to the CPUC encouraging improvements in oversight of communications with PG & E. A draft letter is attached for Board review and approval (Attachment A).

ATTACHMENTS

- A. Draft Letter for C/CAG to the CPUC

ATTACHMENT A

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

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

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June 9, 2011

Mr. Michael R. Peevey
President
California Public Utilities Commission (CPUC)
505 Van Ness Avenue
San Francisco, CA 94102

Re: PG & E Communications with Local Communities

Dear President Peevey,

The City/ County Association of Governments of San Mateo County (C/CAG) is composed of all 20 cities and the County in San Mateo County. At its meeting of May 12th, the C/CAG Board requested that a letter be drafted to encourage better communications between the CPUC and PG&E. Better communication between PG & E and the local communities in San Mateo County is also encouraged. As the recent pipeline explosion and fire in San Bruno illustrated, the quality of information and communication from PG&E to communities in its service area is crucial for public safety. Both PG&E and our cities and towns have a shared interest in ensuring that staff and residents are informed about the energy infrastructure that is so essential to our daily lives.

We urge the CPUC to take all necessary steps to ensure that communications from PG&E to San Mateo County communities are timely and accurate. C/CAG recognizes the difficult job that your agency has in overseeing the complex operations of our state's public utilities. Nevertheless, improvements to stakeholder communications are always valuable, hence a worthwhile goal for all who are committed to the efficient operation of our public utilities. C/CAG has been working with PG & E to develop more regular communications to our cities and County on PG & E projects.

More specifically, C/CAG urges the CPUC to ensure the following with respect to PG & E operations:

- Enhanced communication from PG & E to the cities and County on upcoming capital projects, to both staff and residents in our communities, particularly with respect to potential safety issues;
- Preparation of annual performance measure reports to the CPUC pertaining to any infrastructure problems that have been identified and any conditions that require

- pipeline repair.
- Streamlining the process for applications by local agency staff for engineering services such as utilities relocations.

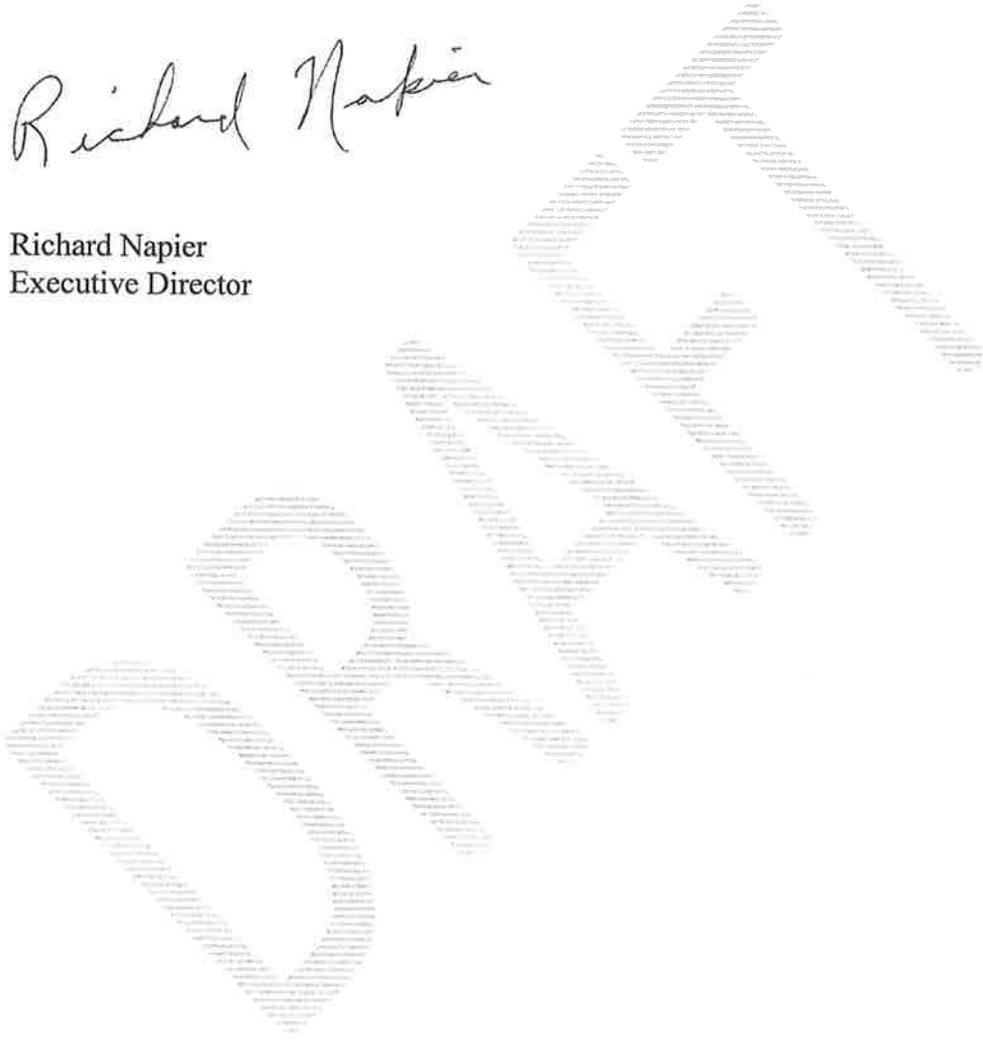
We know that you share our concern about public safety and are confident that the CPUC will continue its good work on this cause.

Sincerely,



Richard Napier

Richard Napier
Executive Director



C/CAG AGENDA REPORT

Date: June 9, 2011
To: City/County Association of Governments Board of Directors
From: Richard Napier, C/CAG Executive Director
Subject: Letter from C/CAG to the Association of Bay Area Governments commenting on the SCS Initial Vision Scenario

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

RECOMMENDATION

This item is for the C/CAG Board's information only.

BACKGROUND/DISCUSSION

SB 375 mandates closer integration of land use and transportation planning with the aim to reduce greenhouse gas emissions in California. C/CAG is collaborating with local and regional partners to craft a Sustainable Communities Strategy for San Mateo County. As part of this collaboration, C/CAG staff has commented on the merits of the Association of Bay Area Governments (ABAG) Initial Vision Scenario for growth to the year 2040 in the nine-county Bay region, including San Mateo County. This letter is attached for the information of the Board

ATTACHMENTS

- A. Letter from C/CAG to ABAG on the Initial Vision Scenario

C/CAG
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San Francisco • Woodside*

May 20, 2011

Ms. Marisa Raya
Regional Planner,
Association of Bay Area Governments
101 Eighth Street
Oakland, CA 94607

Re: Response to Sustainable Communities Strategy (SCS) Initial Vision Scenario

Dear Marisa,

The City/County Association of Governments of San Mateo County (C/CAG) has been engaged with the twenty-one local communities in San Mateo County in reviewing the SCS Initial Vision Scenario allocation of households and jobs to the year 2040 since its release in March of this year. C/CAG supports the better integration of regional land use and transportation planning called for in SB 375. We believe that the SCS process has been positive in encouraging dialog between local governments and both ABAG and MTC. Nevertheless, we also believe that some of the Initial Vision Scenario assumptions are unrealistic upon which to build a more sustainable Bay Area and San Mateo County.

Assume a Housing Growth of the Bay Area Historical Average (24 percent) -A crucial limitation of the Initial Vision Scenario is that it assumes much higher housing production (34%) than historical rates (24%). While housing production has been depressed in San Mateo County as well as throughout the Bay Area for the past three years, even as the housing sector recovers we do not anticipate that housing production will even reach historical growth rates for the term of the SCS to 2040. Among the reasons for this are the built-up nature of San Mateo County's urban and suburban areas, the desire of San Mateo County residents to preserve open space for environmental and recreational purposes, and community concerns about the impacts of growth (traffic, schools, public services, natural resources) that make higher growth rates problematic in many areas of San Mateo County. The contemporary development entitlement process reflects these concerns and realities. Consequently, even reversion to the historical growth rate in the future will be a challenge.

The objective of the SCS should not be to establish an unrealistic housing growth rate to address the greenhouse gas issue. Rather it should be to redistribute realistic housing growth in order to minimize greenhouse gas emission. The aggregate housing projections should be determined using various planning approaches to determine an appropriate range. The final housing growth for the region should be within reason of the historical average.

Recommendation: Therefore, it is requested that the total aggregate housing growth be within line of the historical average which is 24 per cent.

Bay Area Growth should Recognize Resource Limitations -The Initial Vision Scenario does not factor in the crucial resource limitations facing San Mateo County communities. The most significant such resource constraint is water. Communities in our county and throughout the Bay Area rely on water allocations from the San Francisco Public Utilities Commission (SFPUC). These allocations are a constraint to development in that they are granted for a specific number of years and represent a ceiling of water availability during those years. Moreover, future allocations are always somewhat uncertain in that they depend on the interaction of the supply of water available to the SFPUC and the demand for that water throughout the State. C/CAG believes that a clear recognition of this resource constraint is a pre-condition for a feasible SCS in San Mateo County and within the entire Bay Area.

These are of course many other resource and infrastructure constraints. These include school capacity, traffic loads on local streets and roads, land available for public parks, and the capacity of storm drain and wastewater processing systems.

Recommendation: It is requested that the growth expectation for the Bay Area be reduced by water and other resource limitations.

Significant Investment in Transportation Needed – To meet even match historical growth rates in San Mateo County as we look to the year 2040, substantial transportation investments will be required. These investments include Caltrain electrification, grade separation, and increased service frequency; robust increases in Samtrans bus service frequency along growth corridors in the County; significant upgrades to the County's bicycle and pedestrian network; increased BART service frequency; investments in local shuttle services; enhancements to local traffic operations and control; and increased funding for local streets and roads to keep pace with growth.

Recommendation: It is requested that a careful review be conducted of required transportation investments associated with Sustainable Communities Strategy growth planning.

San Mateo County Growth Allocation Error - We are also concerned about the allocation of growth in the Initial Vision Scenario to unincorporated areas of San Mateo County which is unreasonably lower than the FY 2007 Housing Element. It appears that much of the County's household growth has been assigned in error to cities adjacent to

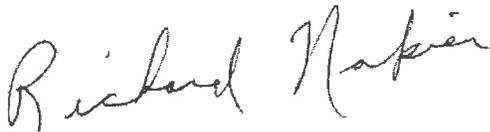
these areas. In our view, these cities, specifically Redwood City and Daly City, should not be assigned growth outside of their municipal boundaries.

Recommendation: It is requested that ABAG staff work with the County of San Mateo and the cities to accurately allocate housing in these areas.

C/CAG appreciates your efforts and those of your regional agency colleagues at both ABAG and MTC toward a more sustainable Bay Area. We do urge, however, that significant adjustments be made to the Initial Vision Scenario as it pertains to San Mateo County in response to the comments that you have received from our local governments as well as the comments we have provided. C/CAG endorses the specific verbal and written comments provided to ABAG to date from all of our local communities, including Daly City, San Bruno, East Palo Alto, Redwood City, the City of San Mateo, San Mateo County, Burlingame, Menlo Park, Hillsborough, Colma, South San Francisco, Belmont, and Brisbane.

We look forward to continuing our constructive collaboration with ABAG and MTC as the Bay Area plans for a more sustainable future.

Sincerely,

A handwritten signature in cursive script that reads "Richard Napier". The signature is written in dark ink and is positioned below the word "Sincerely,".

Richard Napier
Executive Director

C/CAG AGENDA REPORT

DATE: June 9, 2011

TO: City/County Association of Governments Board of Directors

FROM: Richard Napier, Executive Director

SUBJECT: Review and approval of a commitment of up to \$70,000 in local match in partnership with the San Mateo County Transit District (SamTrans) on the Transportation, Community, and System Preservation Program grant application.

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

RECOMMENDATION

That the C/CAG Board review and approve a commitment of up to \$70,000 in local match in partnership with the San Mateo County Transit District (SamTrans) on the Transportation, Community, and System Preservation Program grant application.

FISCAL IMPACT

This commitment would provide up to \$70,000 in matching funds from C/CAG should the Transportation, Community, and System Preservation Federal grant be awarded. The \$70,000 is to leverage funds in the effort of obtaining a \$560,000 grant.

SOURCE OF FUNDS

C/CAG fund will come from the Congestion Relief Program funds.

BACKGROUND/ DISCUSSION

C/CAG has partnered with the San Mateo County Transit District (SamTrans) on the Grand Boulevard Initiative in San Mateo County. SamTrans has received a United States Department of Transportation Tiger II grant to prepare preliminary design for up to 4 Complete Streets Design Case Study projects along the El Camino Real/Mission Street in San Mateo County. These case study projects were designed to bring to fruition demonstration projects that are consistent with the Caltrans-endorsed "Street Design Guidelines" included in the Grand Boulevard Multimodal Transportation Corridor Plan (Corridor Plan).

Complete Streets are defined as streets that consider and are designed to account for all modes of transportation including pedestrians, bicyclists, transit riders and drivers. The case studies are streetscape projects along the El Camino Real/Mission Street that support the Grand Boulevard vision of creating a more vibrant and pleasant place for pedestrians, bicyclists, and transit riders. The grant funds that are being pursued with the Transportation, Community, and System Preservation Program will be utilized to prepare final design for one of the Case Study projects, to be selected through a process at a later date.

ITEM 5.10

Due to the fact that the deadline for the grant application was May 24, 2011, staff has verbally committed \$70,000 in matching funds in support of this grant application. SamTrans recently submitted the grant application requesting \$560,000 from the Transportation, Community, and System Preservation Program. There is a total match of \$140,000 for the grant that would be split between C/CAG, SamTrans and project sponsor. The \$70,000 from C/CAG would be leveraging \$560,000 in Federal grant funds if successful. Success in obtaining the Federal grant funds would finance the final design of a complete street segment with green street design features that promotes sustainable development that can be replicated at other locations.

C/CAG AGENDA REPORT

DATE: June 9, 2011

TO: City/County Association of Governments Board of Directors

FROM: Richard Napier, Executive Director

SUBJECT: Review and conceptual approval of investing up to \$2,000,000 in discretionary Transportation Enhancement (TE) funds for the construction of a Complete Street project on the El Camino Real/Mission Street.

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

RECOMMENDATION

That the C/CAG Board review and conceptually approve of investing up to \$2,000,000 in discretionary Transportation Enhancement (TE) funds for the construction of a Complete Street project on the El Camino Real/Mission Street.

FISCAL IMPACT

This commitment is for up to \$2,000,000 in Transportation Enhancement (TE) funds to fund the construction of one selected Complete Street project on El Camino Real/Mission Street.

SOURCE OF FUNDS

Transportation Enhancement (TE) fund is a sub-component of the State Transportation Improvement Program (STIP) dedicated for community-based projects that enhance transportation experience related to surface transportation, including pedestrian, bicycle, livability and sustainability improvements

BACKGROUND/ DISCUSSION

C/CAG has partnered with the San Mateo County Transit District (SamTrans) on the Grand Boulevard Initiative in San Mateo County. SamTrans has received a United States Department of Transportation Tiger II grant to pursue up to 4 Complete Streets Design Case Studies along the El Camino Real/Mission Street in San Mateo County. The funding that is available through the grant that was received from the Tiger II funds is to produce up to 4 preliminary design packages of Complete Streets projects on the El Camino Real/Mission Street.

SamTrans is pursuing an additional Transportation, Community, and System Preservation Program (TCSP) grant to bring one of these preliminary design packages to 100% final design. Upon completion of the 100% design staff is recommending to utilize up to \$2,000,000 in Transportation Enhancement (TE) funds towards construction of the selected project. This is an opportunity to utilize TE funds in a manner that supports C/CAG's commitment to support

ITEM 5.11

Green Streets and the Grand Boulevard Initiative vision and principles. The C/CAG Board of Directors has been supportive of the Green Street program and this would be a project that would build upon that program by constructing a complete street project with green street design features. Staff will require that the complete street project include green street design features.

C/CAG has discretion over the Transportation Enhancement (TE) funds in San Mateo County. TE funds are allowed to be accumulated over multiple years and approximately \$2,000,000 is available to fund this effort. Transportation Enhancement (TE) funds are extremely cumbersome administratively because projects must comply with both Federal and State process requirements concurrently. Additionally, there are other specific TE requirements that do not apply to ordinary Federal or State funded projects. As a result, it is advisable to use these funds on one large project versus numerous small projects.

A Grand Boulevard case study project would be consistent with the TE Program by providing improvements such as bicycle and pedestrian enhancements, landscaping and other scenic beautification.

Upon final selection of a project with completion of 100% design, staff will come back to the Board of Directors for formal approval of funding.

C/CAG AGENDA REPORT

Date: June 9, 2011
To: City/County Association of Governments Board of Directors
From: Richard Napier, Executive Director
Subject: Review and Approval of the City of East Palo Alto's Request for a Time Extension to Complete the Transportation Development Act Article 3 funded Pedestrian Trail Project

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

RECOMMENDATION

That the C/CAG Board review and approve the City of East Palo Alto's request for a time extension to complete the Transportation Development Act Article 3 funded Pedestrian Trail Project.

FISCAL IMPACT

\$100,000 Transportation Development Act Article 3 (TDA Article 3) funds allocated in FY 2008/09

SOURCE OF FUNDS

TDA Article 3 funds are derived from the following sources:

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

BACKGROUND/DISCUSSION

The City of East Palo Alto was allocated \$100,000 in TDA Article 3 funds in FY 2008/09 for a project to convert a contaminated and abandoned rail spur into a pedestrian trail. The TDA Article 3 Funding guidelines indicate that funds awarded in a fiscal year must be expended within three years and if a city cannot complete the project within the time allowed, funds would be rescinded. For East Palo Alto's project, the funds would need to be expended by June 30, 2011. The City has indicated that it is not able to complete the construction of the pedestrian trail by June 30, 2011, and has requested a time extension to September 30, 2011, to complete the project.

Staff recommends approval of the time extension, which will enable the City to retain the funds and complete the project. With approval, staff will coordinate with the Metropolitan Transportation Commission accordingly to preserve funding for the project.

ATTACHMENTS

- Letter from the City of East Palo Alto

ITEM 5.12



CITY OF EAST PALO ALTO
COMMUNITY DEVELOPMENT DEPARTMENT
REDEVELOPMENT AGENCY
1960 Tate Street • East Palo Alto, CA 94303

May 28, 2011

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

RE: Convert Abandoned Rail Spur into Pedestrian Trail

Dear Mr. Hoang:

In FY 2008-09, the City of East Palo Alto received a grant of \$100,000 in TDA Article 3 funds to convert a contaminated, abandoned Rail Spur into a pedestrian trail that would complete an important section of the trail network identified in the City's Bay Access Master Plan. A condition of the grant award required the City to incur eligible costs on or before June 30, 2011. The City could not start the project design, prepare bid specifications, and award the contract because our two development partners to improve the rail spur stopped work on their projects due to the collapse of the housing market in early 2008, and due to a long regulatory review process by the Regional Water Quality Control Board (RWQCB).

The two developers, DKB Homes and the Olson Company, entered into a Rail Spur Easement Agreement with the Redevelopment Agency that obligated them to contribute a combined \$200,000 toward the cost of remediating and improving the spur. DKB Homes had already spent \$65,000 towards their obligation by conducting a Phase I and II environmental assessment, clearing the area of overgrown vegetation and debris, and removing the railroad tracks and ties. Our other partner, the Olson Company, decided to abandon their project in 2009 when it became clear there would not be a quick turnaround in the housing market. Furthermore, we underestimated the amount of time needed for approval by the RWQCB of the rail spur remediation plan.

The good news is that the Remediation Plan has been approved. The Remediation Plan calls capping the contamination by constructing a Class I pedestrian/bicycle trail, primarily over the area where the railroad tracks existed. We are close to putting this project out to bid. Our current schedule calls for grading plan and trail to be designed by June 13; a deadline date to receive bids on June 24, with a possible award date for the project at the first or second meeting Council meeting in July. Therefore, the City of East Palo Alto respectfully requests C/CAG for a time extension to September 30, 2011 to award the contract and complete the improvements.

Sincerely,


Carlos Martinez
Redevelopment Director

C/CAG AGENDA REPORT

Date: June 9, 2011
To: City/County Association of Governments Board of Directors
From: Richard Napier, C/CAG Executive Director
Subject: Approval of C/CAG Legislative priorities, positions, and legislative update.
(A position may be taken on any legislation, including legislation not previously identified.)

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

RECOMMENDATIONS

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

LEGISLATIVE PRIORITY

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

The following measure is recommended for a *Support* position:

ACA 4 (Blumenfield) Local government financing: voter approval.
AB 710 (Skinner) Local planning: infill and transit-oriented development;

The following measures are recommended for a *Watch* position:

SB 517 (Lowenthal) High-Speed Rail Authority;
SB 582 (Emmerson) Commute benefit policies; and
AB 441 (Monning) State planning.

BACKGROUND/DISCUSSION

The C/CAG Board receives monthly written reports and oral briefings from the C/CAG State

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

ITEM 6.1

legislative advocates. For this month, our State legislative advocates have provided a Monthly Report (Attachment A). The summary report of the State Legislative Analyst's Office on the May State Budget Revision is also attached (Attachment B).

ACA 4:

Subject to a majority vote of the people of at least 55%, this measure permits exceeding the property tax assessment limit of 1% on real estate for the purpose of city, county, and special district capital investments for "facilities and improvements" police, and fire services.

Recommendation: *Support.*

AB 710:

This bill would state the findings and declarations of the Legislature with respect to parking requirements and infill and transit-oriented development, and would state the intent of the Legislature to reduce unnecessary government regulation and to reduce the cost of development by eliminating excessive minimum parking requirements for infill and transit-oriented development.

Recommendation: *Support.*

SB 582:

This bill authorizes metropolitan planning organizations jointly with air pollution control districts in the state beginning on January 1, 2013, subject to certain exceptions, to adopt a commute benefit ordinance. C/CAG is considering distribution of a uniform model commute benefits ordinance for San Mateo County.

Recommendation: *Watch.*

SB 517:

This bill would place the High-Speed Rail Authority within the Business, Transportation and Housing Agency. The bill would provide for the Secretary of Business, Transportation and Housing to serve on the authority as a nonvoting, ex officio member.

Recommendation: *Watch.*

AB 441:

This bill would require the California Transportation Commission to include health issues, as

specified, in the guidelines promulgated by the Commission for the preparation of regional transportation plans.

Recommendation: *Watch.*

Attachment C provides additional information on each of these measures.

ATTACHMENTS

- A. Monthly Legislative Report
- B. Legislative Analyst's Office Report on May 2011 State Budget Revision
- C. Summary of Selected Legislative Measures

ATTACHMENT A



ADVOCATIONS



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



ADVOCACION



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

May 31, 2011

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

RE: STATE LEGISLATIVE UPDATE-MAY

On May 16, Governor Brown released his May Revision to the 2011-12 State Budget proposing a General Fund level of spending not seen since 1972-73. The Governor reported that revenues were up by more than \$6.6 billion, including \$2.8 billion for the current year and \$3.5 billion for the budget year which begins on July 1, 2011. The rise in revenues will be used to reduce the amount of tax extensions needed, and increase funding for K-12 education (\$3 billion), public safety and health and human services.

After accounting for the solutions adopted by the legislature in March (\$13.4 billion), higher revenues, an updated spending projections, the state's \$26.6 billion deficit has been reduced to \$9.6 billion. The remaining \$9.6 billion problem is comprised of a \$4.8 billion shortfall for the remainder of FY 10-11, and a structural deficit of \$4.8 billion in 11-12. In the future, the state projects to continue to have a structural deficit of \$10 billion through at least 2014-15 if solutions are not adopted. The Governor proposes the elimination of 43 commissions and boards, the reduction of 5,500 of state personnel positions, and tax extensions in order to balance the budget and build a \$1.2 billion reserve. The extensions would include the following:

- **PIT Dependent Exemption Credit:** Maintain the dependent exemption credit in effect in 2009 until 2015. If extended, this proposal is expected to generate revenues of \$725 million in FY 10-11 and \$1.248 billion in FY 11-12.
- **Sales & Use Tax:** Effective July 1, 2011, the 6-cent sales and use tax would continue for 5 years (FY15-16). The rate would sunset on June 30th to 5-cents without voter approval. If extended, the proposal is expected to generate \$4.520 billion in FY 11-12 and \$5.5 billion in FY 14-15.
- **Vehicle License Fee (VLF):** Effective July 1, the 1.15% VLF rate would continue for five years. Of the 1.15% rate, 0.5% would be used to fund local programs including public safety. If extended, this proposal is expected to generate \$1.382 billion in FY 11-12 and nearly \$1.7 billion in FY 14-15.

Given the current revenue situation, the Governor does not seek a 2011 personal income surcharge, but would reinstate it for the 2012 through 2015 tax years in order to fund core services. In addition, the Governor has backed off of his January proposal to eliminate enterprise zones. The Governor still proposes to eliminate redevelopment agencies and, on a one-time basis, use \$1.7 billion in redevelopment funding to reimburse Medi-Cal and trail court services.

Impact on Transportation

Overall, the May Revision does not make any significant changes to funding for transportation or public transit. The Governor's May Revision states that the reenactment of the gas tax swap (AB 105, Chapter 6, Statutes of 2011), which was enacted in March, provides the General Fund with \$903.5 million in relief for FY 10-11 through the use of truck weight fees to pay transportation-related bond debt service in addition to the \$799.6 million in General Fund relief realized prior to the enactment of Proposition 22. Truck weight fees will provide \$777.5 million in General Fund reimbursements for debt service costs in FY 11-12.

Bond Funding

In 2006, state voters approved Proposition 1B, authorizing \$19.975 billion in supplemental funding to improve the state's transportation infrastructure through the sale of bonds. This bond program has become the sole source of funding for several regional transportation planning agencies for some highway and most transit capital projects. Therefore, the sale of bonds and allocation to transportation programs is critical.

Governor Brown canceled the Spring bond sale as a result of the state's ongoing budget deficit which has made it challenging to tackle the state's "wall of debt" that has accrued from bond debt service and deferrals to education funding. The Governor has proposed to eliminate \$29 billion of the \$35 billion total by FY 2014-15. The reenactment of the "gas tax swap" in March however provides a solution by setting aside truck weight fees to pay for transportation-related bond debt service, which essentially converts Proposition 1B into a revenue bond program. If bonds are not sold, the state would be collecting revenue and hindering its use to keep projects moving on schedule and in a cost effective manner.

As a result, we continue to work diligently with the Legislature and Administration, and a broad statewide coalition of stakeholders, including the League of California Cities, CALCOG, CSAC, California Alliance for Jobs, Self-Help Counties Coalition, Transportation California, and Associated General Contractors to make our case for conducting a Proposition 1B bond sale this Fall.

Last week, we testified in front of both the Senate and Assembly Budget Transportation Subcommittees to stress the need for a Proposition 1B bond sale in order to keep vital highway and transit projects moving.

On May 11th and 12th, your advocacy team attended the CTC meeting in Los Angeles to make a pitch to the other regional transportation planning agencies in the state on the need to assist with asking the Governor to allow for the Treasurer to conduct a bond sale.

We are pleased to announce that the Governor is considering a \$1.5 billion bond sale for this Fall to accommodate cash flow needs for 2012. That amount may increase depending on cash flow needs by all sectors. As a result, communicating our cash flow needs to Caltrans and the Department of Finance (DOF) is imperative. Over \$11 billion in allocated bond proceeds, including \$1 billion for transportation, remain on balance sheets for bond programs for several sectors. Consequently, DOF is attempting to balance cash flow needs vs. unspent balances accruing and not being put to use. The \$1 billion for transportation however will be spent by December of this year.

In order to position ourselves to receive a larger allocation of funding for all Proposition 1B programs of interest, we need up-to-date information from your agency regarding cash flow needs. We will work with staff to deliver the information to Caltrans by June 3rd.

CMIA Cost Savings

Caltrans has reported that cost savings associated with the Corridor Mobility Improvement Account (CMIA) program in the neighborhood of \$60 million have materialized in the north, and \$120 million in the south. The CTC is in the process of compiling a list of projects that may receive funding. Action is expected to be taken in either July or August.

High-Speed Rail

In January, the Governor proposed \$12.6 million in state operations and \$179.3 million in capital outlay funding for FY 11-12. This level of funding is intended to provide resources for legal costs, contracts, program oversight, environmental outreach and financial consulting. Capital outlay funds are proposed to be used for environmental work, preliminary design and engineering of the seven Phase I segments, with half of the funding coming from Proposition 1A and half from federal funding.

The May Revision proposes an increase of \$3.9 million in state operations and a decrease of \$46.2 million in capital outlay funding, bringing the total of funding to \$149.6 million for FY 11-12. The Authority's revised cost-estimate for capital outlay work on Phase I projects in FY 11-12 is \$180.5 million. Due to \$47.5 in current year savings which can be used in the current year, the Authority's capital outlay budget has been reduced to \$133.1 million.

Both the Assembly and Senate Budget subcommittees on transportation (sub#3 and sub #2 respectively) met on May 25th to consider funding levels for high-speed rail. We are pleased to report among the items approved by both committees was funding for the FY 2011-12 cost of the 2009 HSRA MOU with CalTrain –an amount of \$1.1 million. In addition, budget bill language was approved for the San Francisco to San Jose segment that requires the environmental and design work to stay substantially within the existing rail corridor for the sections in Santa Clara and San Mateo counties.

ATTACHMENT B

**LEGISLATIVE ANALYST'S OFFICE REPORT
ON MAY 2011 STATE BUDGET REVISION**

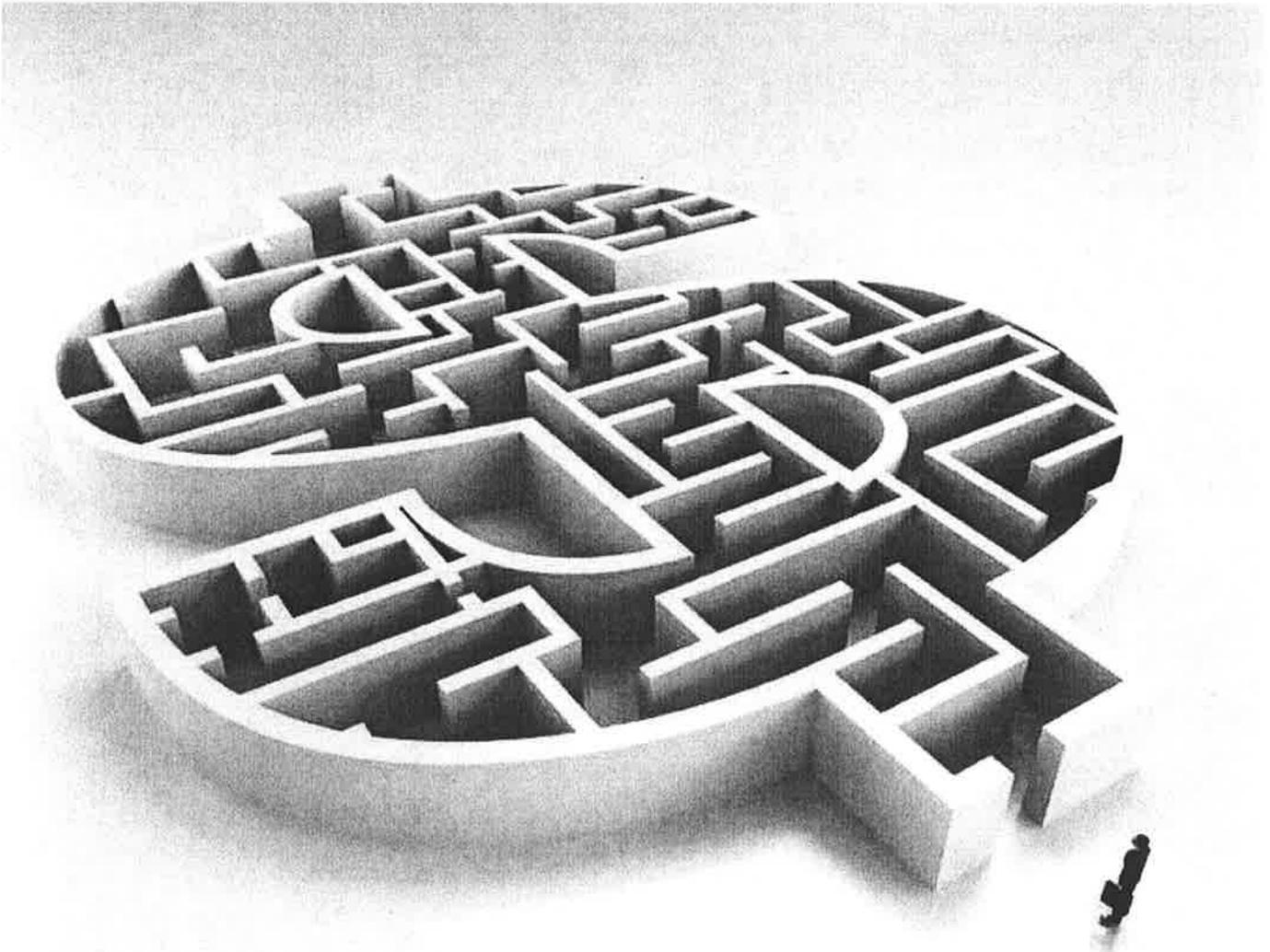
LAO

Mac Taylor
Legislative Analyst

May 18, 2010

The 2010-11 Budget:

Overview of the May Revision



AN LAO REPORT

SUMMARY

GOVERNOR PROPOSES \$19 BILLION OF BUDGET SOLUTIONS

Large Budget Problem Little Changed Since January. In the May Revision, the administration estimates that California must address a \$17.9 billion gap between current-law resources and expenditures in the 2010-11 General Fund budget. In our view, the administration's estimate is reasonable. While our tax revenue estimates are slightly higher than the Governor's: \$400 million in 2009-10 and \$1 billion in 2010-11—overall, our view of the budget problem is similar.

Governor's Proposal Relies Heavily on Spending Reductions. The Governor's May budget package proposes \$19.1 billion of solutions—enough to close the \$17.9 billion shortfall and leave the General Fund with a \$1.2 billion reserve. Program spending reductions make up two-thirds of the solutions proposed by the Governor. Compared to his January proposal, the May Revision assumes a more reasonable level of increased federal aid (\$3.4 billion), although receipt of even that amount remains uncertain. Borrowing and fund shifts total about 10 percent of the Governor's solutions. New revenues make up under 5 percent of the Governor's package.

Significant New Spending Reduction Proposals. The May Revision includes major spending reduction proposals that were not included in the Governor's base budget package in January. In particular, the Governor proposes eliminating the California Work Opportunity and Responsibility to Kids (CalWORKs) program, which provides cash grants and welfare-to-work services to over 1 million Californians in low-income families. He also would eliminate state funding for need-based, subsidized child care thereby eliminating slots for more than 200,000 children. The cuts mainly would be ongoing in nature. Still, even if the Legislature approved all these painful cuts and realized the savings assumed by their passage, a stubborn multibillion dollar operating deficit would persist in the years to come.

KEY QUESTIONS FOR THE LEGISLATURE

Alternative Proposals or Drastic Cuts in Some Core Programs?

Throughout the spring, our office has offered alternative spending reduction proposals to the Legislature. In many areas, including health and social services programs, our alternatives reduce program spending by a lesser amount than the Governor in order to preserve core services for those most in need. In other cases, such as the universities, trial courts, and public safety local assistance grants, we believe there are opportunities for savings beyond those identified by the administration. We advise the Legislature to reject the Governor's most drastic spending cuts, especially the elimination of CalWORKs and child care funding. Our alternative spending reductions—in conjunction with other budget actions—could help sustain critical components of these important programs.

More Revenues Could Ameliorate the Most Severe Cut Proposals. The Governor presents Californians with a clear vision of the types of severe program reductions that are necessary if the budget were balanced without some additional revenue increases this year. Alternatively, some of the most severe cuts proposed by the Governor could be avoided by adopting selected revenue increases—from fee increases and other nontax revenues, changes to tax expenditure programs, delays in previously scheduled tax reductions or expirations, and targeted tax increases. We urge the Legislature to put these types of solutions in the mix.

How Much Education Spending Can the State Afford?

Given the state budget situation, there is a real question whether California can afford to fund the current-law Proposition 98 minimum funding level. Rather than adopt strained legal interpretations of the funding guarantee, as presented by the Governor, the Legislature should forthrightly suspend Proposition 98 if the minimum guarantee is above the level of funding that the state can afford.

How Will the State Prepare for the Longer Term?

Even if the Legislature adopted all of the May Revision's proposals and achieved the full estimated savings, the state would be left with a multibillion dollar (between \$4 billion and \$7 billion) annual operating shortfall. We believe that the Legislature should therefore adopt changes now that will help address the remaining problem. Major changes that would move the state in the right direction include a stronger state "rainy day fund," realignment of certain state responsibilities and funding to local governments, changes to kindergarten and after school programs, and major pension and retiree health reform.

LAO BOTTOM LINE

The last decade has provided some of the most challenging budget situations—including last year's plan addressing roughly \$60 billion in solutions. Yet this year's budget situation may prove to be the most difficult. All of the major options available to the Legislature to close the budget gap will be difficult. The two basic avenues to balancing this budget—sharply lower spending in some programs and higher revenues—each result in negative consequences for the economy, jobs, and the Californians most directly affected. While much of the remainder of this budget process will focus on how to minimize the damage to taxpayers and program service levels, we urge elected leaders to use this crisis to better prepare the state to cope with future economic downturns and challenges.

ADMINISTRATION'S ASSESSMENT OF THE BUDGET PROBLEM

Relatively Minor Changes Between January and May. When he submitted the *2010-11 Governor's Budget* to the Legislature on January 8 and called the Legislature into a fiscal emergency special session, the Governor identified an \$18.9 billion current-law budget shortfall in the General Fund in 2010-11. (At that time, he proposed \$19.9 billion of budget solutions to close the shortfall and leave the state with a \$1 billion reserve.) Enacted special session legislation—

which put in place the so-called “gas tax swap” (the elimination of the gasoline sales tax offset by an increase in the per gallon excise tax on gasoline)—reduced the 2010-11 budget problem by \$1.4 billion according to administration estimates. (As described in the nearby box, enacted special session legislation also included laws to address the state's serious cash flow problems.) In addition, the federal government agreed to apply an enhanced federal Medicaid match to the state's

CASH BILLS AN IMPORTANT STEP FORWARD... BUT SUMMER CASH RISKS STILL LOOM

Background. As we described in our January 2009 report, *California's Cash Flow Crisis*, the state suffers from a basic cash flow problem, even in good years. Most revenues are received during the second half of the fiscal year (January to June), while most expenses are paid in the first half of the fiscal year (July to December). When the state is unable to borrow—as occurred in February 2009 and during the summer 2009 budget impasse—the Controller sometimes must refrain from making some payments or issue “IOUs” so that the state's “priority payments,” such as debt service and payroll, continue as scheduled. Issuing IOUs rattles investors and disrupts finances of state payment recipients. More flexibility to delay some payments helps prevent IOU issuance.

More Flexibility for State Cash Flow Management in 2010-11. As part of the special session, the Legislature passed two bills—ABX8 5 (Committee on Budget) and ABX8 14 (Committee on Budget)—that give the executive branch more flexibility to manage cash in 2010-11. These measures allow the state to delay roughly \$5 billion of scheduled payments to schools, universities, and local governments at almost any given time. Assuming the state meets previously estimated revenue and expense targets in May and June 2010, it will enter 2010-11 with a \$7 billion cash cushion (from available balances of special funds)—about the same as one year ago. The flexibility provided by the cash legislation, however, should help the state survive the first few weeks of the summer “cash drought” when expenses often far exceed receipts. Nevertheless, should a prolonged budget impasse or financial market disruptions delay the state's routine annual cash borrowing past August or September, the Controller may again have to issue IOUs or implement unscheduled payment delays.

Medicare Part D “clawback payments,” which resulted in \$680 million of General Fund relief. Offsetting these positive developments were estimated cost increases of about \$500 million and an estimated revenue decline of about \$600 million. Accordingly, the administration now estimates that on net the size of the 2010-11 budget problem has declined \$1 billion, to \$17.9 billion.

Administration Withdraws Some January Proposals. In the May Revision, the Governor drops a few proposals he made in January. Specifically, fol-

lowing a major oil spill in the Gulf of Mexico, the Governor dropped his support for drilling for oil off the Santa Barbara coast (a \$197 million solution in January). The administration withdrew certain criminal justice proposals, including a \$317 million January solution that would have shifted specified non-serious felons to a maximum sentence of 366 days in county jails instead of state prisons. The Governor also backed off his proposal to suspend new competitive CalGrant financial aid (a \$46 million January solution).

MAJOR PROPOSALS IN THE MAY REVISION

Figure 1 lists the Governor’s current budget proposals, including the changes made in his May Revision. Many proposals remain from the Governor’s January budget package—such as the \$811 million January proposal to score savings in the Receiver’s inmate medical care operations remains. (Estimated savings from some of these proposals have been lowered due to assumed later enactment.) Major new or modified May Revision solutions are described below.

New or Modified Expenditure-Related Solutions

As shown in Figure 1, the Governor’s budget package includes \$12.2 billion of expenditure-related solutions. Generally, these are budget solutions that would reduce program spending and result in a lower level of governmental services for affected residents. New or substantially modified expenditure-related solutions in the May Revision include the following.

Reduce Proposition 98 Spending (\$4.3 Billion). A major change to the Governor’s Proposition 98 package in the May Revision is the proposed

elimination of need-based, subsidized child care (not including preschool funding). The Governor’s proposed reductions in Proposition 98 spending are described later in this report.

Reduce State Employee Pay and Staffing, and Shift Pension Costs to Employees (\$2.1 Billion). The Governor maintains his “5/5/5” employee compensation proposal from January—reducing state employee salaries by 5 percent, increasing state employee pension contributions by 5 percent for a like amount of state savings, and increasing departmental “salary savings” by 5 percent to reduce state payrolls. In total, the Governor’s January employee compensation package is scored as a \$1.6 billion General Fund budget solution by the administration, and its provisions also generally apply to the state’s special funds. (Special funds generally are fee-driven accounts, such as the Motor Vehicle Account [MVA].) In the May Revision, on top of the 5/5/5 proposal, the Governor proposes a “mandatory personal leave program” (PLP), estimated to achieve \$795 million (\$446 million General Fund) of state savings. Under PLP, state employees in the ex-

ecutive branch would have their take-home pay reduced by the equivalent of eight hours of pay each month in 2010-11, and they would be credited with an equal number of PLP hours. Em-

ployees would have discretion when to use their PLP leave. In addition, furlough Fridays would end in June 2010.

Figure 1
General Fund Budget Solutions Proposed by the Governor

2009-10 and 2010-11 Combined (In Billions)

	Reduced Costs or Increased Revenues
Expenditure-Related Solutions	
Reduce Proposition 98 spending (including elimination of child care)	\$4.3
Reduce state employee pay and staffing, and shift pension costs to employees	2.1
Eliminate CalWORKs program	1.2
Implement various changes to Medi-Cal	0.9
Reduce inmate medical care costs	0.8
Reduce IHSS spending (excluding enhanced federal match)	0.8
Reduce county mental health realignment funds by 60 percent	0.6
Redirect county savings from social services reductions	0.4
Commit certain offenders to county jails, not state prisons	0.2
Suspend or defer certain mandate reimbursements ^a	0.2
Reduce spending in various health programs	0.2
Reduce spending in various social services programs	0.2
Reduce SSI/SSP grants for individuals to the federal minimum	0.1
Reduce other spending	0.3
Subtotal	(\$12.2)
Assumed Federal Funding and Flexibility Solutions	
Assume more federal money or flexibility in Medi-Cal and other programs	\$1.6
Assume extension of enhanced FMAP funding for Medi-Cal Program	1.4
Assume enhanced funding for other programs	0.4
Subtotal	(\$3.4)
Loans, Loan Extensions, Transfers, and Funding Shifts	
Borrow from special funds	\$1.1
Extend due dates for existing special fund loans to General Fund	0.5
Use remaining authorized hospital fees for Medi-Cal children's health coverage	0.2
Use temporary federal retiree reinsurance funds to reduce state retiree health costs	0.2
Transfer special fund monies to the General Fund	0.1
Use excess Student Loan Operating Fund monies for Cal Grant costs	0.1
Adopt other funding shifts	0.4
Subtotal	(\$2.6)
Revenue Solutions	
Score additional revenues from previously authorized state asset sales	\$0.5
Authorize automated speed enforcement to offset trial court costs	0.2
Extend hospital fees	0.2
Levy 4.8 percent charge on all property insurance for emergency response activities	0.1
Subtotal	(\$0.9)
Total, All Proposed Solutions	\$19.1

^a Due to administration scoring, does not include \$131 million for the proposed suspension of the AB 3632 mental health mandate.

FMAP=Federal Medical Assistance Percentages.

Eliminate CalWORKs Program (\$1.2 Billion).

In the May Revision, the administration proposes the elimination of CalWORKs. Substantially funded by the federal government, CalWORKs provides cash grants and welfare-to-work services to low-income families. Currently, enhanced federal funding included in last year's federal economic stimulus legislation (and assumed to be extended through 2010-11 in the Governor's budget package) applies to CalWORKs. Accordingly, elimination of CalWORKs would result in a substantial loss of federal funding for the state.

Implement Various Changes to Medi-Cal (About \$900 Million). The May Revision proposes a variety of additional changes to Medi-Cal, including enrolling seniors and people with disabilities in managed care (\$179 million); imposing new copayment requirements for various services (\$152 million), hospital stays (\$73 million), and emergency room visits (\$54 million); limiting physician or clinic visits to ten per year (\$90 million); and freezing hospital rates (\$85 million). The Governor's budget assumes federal approval of a state plan amendment or waiver to achieve the assumed savings. Enhanced federal funding approved as part of the economic stimulus legislation is assumed to be extended through 2010-11. In addition to the types of proposals described above for the Medi-Cal Program, the Governor also proposes elimination of Drug Medi-Cal (except for perinatal and youth services programs). Drug Medi-Cal, funded in part by the federal government as part of California's Medicaid program, pays for substance abuse treatment, including methadone.

Reduce IHSS Spending (\$750 Million). With various prior In-Home Supportive Services (IHSS) reductions blocked by the courts, the administration now proposes to consult with stakeholders

to achieve IHSS cost savings. While the full-year General Fund savings proposed is \$750 million beginning in 2011-12, the net General Fund benefit in 2010-11 would be \$637 million because of enhanced federal matching funds that resulted from the federal economic stimulus legislation. This proposal would reduce General Fund support of this program by roughly half.

Reduce County Mental Health Realignment Funds (\$602 Million). Counties use mental health realignment funds—totaling about \$1 billion under current law in 2010-11—to support a range of mental health services for indigent persons as well as Medi-Cal enrollees. Under the administration proposal, counties would no longer have to provide more than the minimum range of mental health services required by the federal government for participation in Medicaid, resulting in estimated savings of \$602 million. (The remaining \$435 million in mental health realignment dollars would be used to fund only these required services—such as early and periodic screening, diagnosis, and treatment; inpatient hospital psychiatric services; and medication.) The county savings, however, would be offset by increased county funding shares for certain social services programs. The state would realize savings from the correspondingly lower funding shares for these same social services programs. The Governor no longer proposes changes to Proposition 63—which provides about \$1 billion per year for mental health services from a personal income tax (PIT) surcharge on taxable income in excess of \$1 million.

Place Certain Offenders in County Jails, Not State Prisons (\$244 Million). Under the May Revision proposal beginning July 1, 2010, non-serious, non-violent, non-sex offenders who are convicted of specified felonies and sentenced to

three years or less would serve their sentence in a county jail instead of state prison. The administration estimates this would reduce the prison population by 10,600 inmates in 2010-11 and generate \$244 million of savings. Beginning in 2011-12, the state would establish a public safety block grant program for counties to be funded using about one-half of the state's prior fiscal-year savings from this shift. Also as part of the May Revision, the Governor proposes legislation to continuously appropriate \$503 million annually from the General Fund for various local public safety programs beginning in 2011-12. The programs now are funded with revenues from the temporary vehicle license fee (VLF) increase that is set to expire on June 30, 2011. (Taken altogether, these proposals would help balance the 2010-11 budget, but would result in a net General Fund cost increase of nearly \$300 million beginning in 2011-12.)

Federal Funding and Flexibility Solutions

More Reasonable—Though Still Uncertain—Federal Funding Assumption (\$3.4 Billion).

In his January budget proposal, the Governor proposed a budget based on the assumption that the federal government would provide additional funding of about \$6.9 billion in 2010-11, principally for health and social services programs. In the event that the federal government was not forthcoming with this aid, the administration proposed a “trigger” list of alternative revenue and expenditure solutions. As described above, the federal government already has provided \$680 million of additional funding to the state related to the Medicare Part D clawback, and these funds are already factored into health program budgets in the May Revision. The Governor now assumes a much smaller amount of additional

federal aid: \$3.4 billion. About half of this would be provided through an assumed congressional extension of enhanced Federal Medical Assistance Percentage program and other funding originally approved in last year's economic stimulus legislation. An additional \$1.6 billion in the May Revision relates to unspecified future federal funding or flexibility in Medi-Cal and other programs. The May Revision—with this much smaller assumption of new federal funding—includes no trigger list of alternative proposals.

Loans, Loan Extensions, Transfers, and Funding Shifts

The Governor's budget proposals, as amended by the May Revision proposals, include \$2.6 billion of loans, loan extensions, transfers, and funding shifts. Major new proposals in this category are:

- ***Loans, Transfers, and Loan Extensions Related to Special Funds (\$1.6 Billion).*** As described in the next part of this report on revenues, the budget includes \$1.6 billion of one-time budget relief by using special fund dollars for General Fund purposes.
- ***Temporary Use of Federal Retiree Reinsurance Funds to Reduce Retiree Health Costs (\$200 Million).*** The recent federal health care reform legislation included a temporary “early retiree” reinsurance program designed to assist employers in preserving existing health coverage for pre-Medicare retirees age 55 to 64. This program will be in place until the establishment of health care “exchanges” intended to provide more affordable health care options. The budget reflects an expectation that costs for the Califor-

nia Public Employees’ Retirement System’s state retiree health plans will be reduced \$200 million in 2010-11 under this temporary program. (This is a preliminary estimate that will be refined in the coming weeks. Final savings, we expect, will be less than \$200 million.)

Revenue Solutions

As shown in Figure 1, the May Revision includes about \$900 million of new revenues to help balance the 2010-11 budget, principally from the Governor’s January budget proposals. As described above, the Governor has abandoned one of his January revenue proposals that related to oil drilling at Tranquillon Ridge off the coast of Santa Barbara County.

\$1.2 Billion Reserve Proposed for 2010-11—Up \$200 Million From January

2009-10: Huge Year-End Shortfall. As shown in Figure 2, the administration estimates that the General Fund would end 2009-10 with a negative reserve balance of \$6.8 billion. Despite spending more than it took in, the state has continued operations through a variety of cash management measures in 2009-10, including borrowing from investors, loans from state special funds, payment delays, and (early in the fiscal year) IOUs.

2010-11: \$8 Billion Estimated Operating Surplus. The administration estimates that, under the Governor’s May Revision policies, Gen-

eral Fund revenue and transfers in 2010-11 will be \$91.5 billion, while expenditures would be \$83.4 billion. This results in an \$8 billion operating surplus. That surplus would both address the \$6.8 billion problem in 2009-10 and allow the state to end the 2010-11 fiscal year with a \$1.2 billion reserve. This is a \$200 million larger reserve than the Governor proposed in his January budget package.

Per Capita Real General Fund Spending Would Drop to Mid-1990s Levels. As shown in Figure 3, the level of spending proposed by the administration would continue the recent drop in state spending, as adjusted for growth in population and inflation. In 2010-11, the inflation-adjusted per capita spending level would be similar to that of 1993-94—also at a low point due to a recession. Since 2008-09, large temporary boosts in federal stimulus funds and shifts of local government property taxes (lowering General Fund spending) have helped the state balance its budget. Even accounting for these factors, adjusted General Fund spending under the May Revision would be at its lowest level since 1995-96.

**Figure 2
Governor’s May Revision General Fund Condition**

(Dollars in Millions)

	Proposed 2009-10	Proposed for 2010-11	
		Amount	Percent Change
Prior-year fund balances	-\$5,361	-\$5,305	
Revenues and transfers	86,521	91,451	5.7%
Total resources available	\$81,160	\$86,146	
Expenditures	\$86,465	\$83,404	-3.5%
Ending fund balance	-\$5,305	\$2,742	
Encumbrances	\$1,537	\$1,537	
Reserve^a	-\$6,842	\$1,205	

^a Special fund for economic uncertainties.

**Other Significant
May Revision Proposals**

In addition to proposals to address the state’s large General Fund deficit, the May Revision includes proposals affecting state special funds, the use of bond proceeds, and other accounts. Major non-General Fund proposals in the May Revision include:

- **Initial Appropriations From the Water Bond on the November 2010 Ballot.** The May Revision proposes that the Legislature appropriate \$1.1 billion of proceeds from the \$11 billion water bond proposal before voters on the November 2010 ballot. The Governor proposes appropriating about \$700 million of these proceeds for the Departments of Water Resources, Fish and Game, and Public Health for drought relief, groundwater, conveyance,

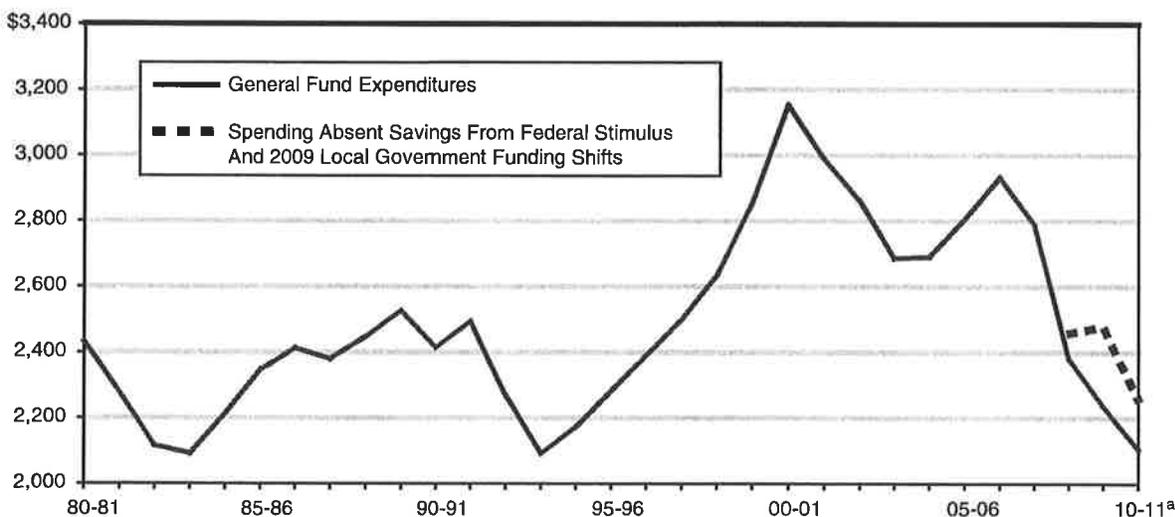
desalination, Delta sustainability, and other projects. In addition, \$419 million of bond proceeds are proposed to be appropriated for the Water Resources Control Board to fund water recycling and wastewater projects.

- **Decrease of Funds for Caltrans Capital Outlay Support Program.** The May Revision budgets a net decrease of \$42 million for engineering workload in the Department of Transportation’s (Caltrans) capital outlay support program, including a reduction of 750 engineering and other positions and 102 overtime position-equivalents, as well as an increase of 69 contract staff. This will make more State Highway Account funds available for highway maintenance activities.

Figure 3

Inflation-Adjusted Per Capita General Fund Spending

2009-10 Base Year, State and Local Government Deflator



^a Reflects Governor’s May Revision proposed spending levels for 2009-10 and 2010-11.

ADMINISTRATION'S ECONOMIC AND REVENUE OUTLOOK

Economic Forecast

Forecast of Moderate Recovery. The economic forecast underlying the May Revision's revenue estimates assumes that the state and national economies will continue to recover at a moderate pace from the deep recession of 2007 through 2009. State personal income growth is projected at 3.2 percent in 2010 and 4.5 percent in 2011—slightly lagging the forecast for the nation as a whole. The May Revision forecast reflects some positive economic developments since the release of the Governor's budget, including the report that national gross domestic product grew 5.9 percent in the fourth quarter of 2009. As with its prior forecast, however, the administration expects that employment growth will be slow in bouncing back.

Revenue Forecast

Modest Reduction in Tax Revenues Since January. Tax revenue receipts from December to March this year were well above those amounts assumed in the Governor's January

budget. These encouraging gains, however, were wiped out by April receipts, which fell more than \$3 billion short of expectations. The sharp April decline—concentrated in PIT receipts—reflected a combination of (1) revenues coming in on a different timeline than originally expected and (2) somewhat worse receipts attributable to the 2009 tax year. Consequently, as shown in Figure 4, the May Revision estimates that current-year revenues from the state's "big three" taxes will fall short of original expectations by more than \$1.8 billion. For the budget year, the May Revision's forecast for these taxes is just slightly (\$226 million) above the January outlook. In both years, strong sales tax receipts are helping to offset expected PIT shortfalls. Taxable sales are projected to jump 7.8 percent in 2010-11, reflecting continued improved consumer spending after three straight years of decline.

Budget Reflects New Loan Proposals.

The primary reason that the administration's new 2010-11 revenue forecast is \$2.1 billion higher than its January outlook is the addition

Figure 4
May Revision Revenue Forecast Similar to January

(In Millions)

	May Revision		Change From January Budget	
	2009-10	2010-11	2009-10	2010-11
Personal income tax	\$44,021	\$46,245	-\$2,619	-\$617
Sales and use tax	26,852	26,967	816	1,116
Corporation tax	9,386	9,779	-21	-273
Subtotals, "big three" revenues	(\$80,259)	(\$82,991)	(-\$1,824)	(\$226)
Other revenues	5,815	7,347	243	261
Transfers/loans	447	1,116	19	1,642
Totals	\$86,521	\$91,454	-\$1,562	\$2,129

of \$1.6 billion in proposed one-time revenues related to the use of state special fund dollars for General Fund purposes.

- **New Loans.** The Governor proposes \$1.1 billion in new borrowing of special fund balances, including \$650 million from fuel excise taxes and \$250 million from the MVA.
- **Delayed Repayment.** The proposed loans would be added to the state's existing outstanding balance of \$1.8 billion in similar loans previously authorized by the Legislature. The May Revision proposes to delay the repayment of \$494 million associated with these existing loans that otherwise would take place in 2010-11.
- **New Transfers.** The Governor also proposes transferring \$82 million from special funds, primarily the MVA, to the General Fund. Transferred funds would not need to be repaid.

LAO Assessment of May Revision Revenue Forecast

LAO Forecast Similar, But Slightly Higher.

Our own updated economic and revenue forecasts are quite similar to those of the administration. They both reflect the consensus view that the state is pulling out of the recession's doldrums—but slowly. Our economic outlook shows almost identical personal income growth rates in California over the next two years. As such, we believe the May Revision revenue forecast is reasonable and realistic. Under our forecast, we expect revenues to be slightly higher in the final two months of 2009-10 and leave the

state about \$400 million better off. In 2010-11, our expectation for the big three tax revenues is about \$1 billion (1 percent) higher than the administration. The largest difference relates to the PIT and, specifically, capital gains. Our slightly more positive view of capital gains' rebound in 2010 accounts for most of the revenue difference. Yet, our forecast still expects capital gains to be about one-half of their 2007 level.

June 2010 Will Be Key Month. Due to recent budget agreements to accelerate revenue collections, California taxpayers are now scheduled to make 40 percent of their estimated annual payments in the month of June. This policy change, combined with April's weak receipts, means that June 2010 is now expected to be the state's largest revenue collection month for 2009-10. How much the state will receive in June is difficult to assess given the recent acceleration change and uncertainty over the precise strength of the state's economy. June's actual receipts will help clarify the state's revenue outlook for the upcoming year.

Estate Tax Assumption Looks Shaky. Based on the provisions of current federal law, the May Revision assumes \$892 million in revenues from the federal estate tax in 2010-11, and our forecast also includes a similar amount. It appears increasingly unlikely, however, that the federal government will allow the restoration of the state estate tax exemption in 2011 (known as the state "pickup" tax) as provided for under current law. Both the President's budget and pending congressional legislation would eliminate the state pickup tax. Unless Congress fails to act on this issue (thus leaving current law in place), we would expect that the state will not receive the estate tax revenues.

More Revenues Possible From Sale of State Buildings. The May Revision continues the January budget estimate of about \$600 million in revenues from the sale of state office buildings authorized in the 2009-10 budget package. As we described in our April 2010 report *Evaluating the Sale-Leaseback Proposal: Should the State Sell Its Office Buildings?*, we believe that the sale could net the state hundreds of millions of dol-

lars more than this assumption. If the Legislature and the Governor finalize such a sale in the next few months, budget estimates could be adjusted considerably upward to reflect the final sale amount. Given the poor long-term fiscal policy of this proposal, however, we would encourage the Legislature to consider other alternatives for closing the budget gap.

PROPOSITION 98—K-14 EDUCATION

Governor's May Revision Proposal

Figure 5 shows the Governor's May Revision Proposition 98 spending levels. Relative to the Governor's January budget, the May Revision contains only a minor funding increase in the current year (due to various technical adjustments) but a substantial funding reduction in the budget year (due to the proposed elimination of child care programs). We describe these adjustments in more detail below.

Current-Year Proposition 98 Changes.

Although the drop in 2009-10 General Fund revenues resulted in a drop in the minimum guarantee, the Governor's proposed Proposition 98 spending level for 2009-10 remains virtually unchanged from January. As a result, the May Revision provides \$503 million more than the Governor's estimate of the Proposition 98 minimum guarantee. The Governor counts this over-appropriation as a payment towards an \$11.2 billion statutory obligation related to the 2009-10 budget package (with subsequent payments to resume in 2011-12). Despite the small change in Proposition 98 spending, the May Revision includes \$1.1 billion in additional General Fund spending to offset a decline in local property tax revenue (due primarily to the Governor's deci-

sion to use \$877 million in one-time property tax revenues to support other parts of the state budget). Largely because of this increase in General Fund spending, the state would now meet the 2009-10 federal maintenance-of-effort (MOE) requirements for K-12 education.

Budget-Year Proposition 98 Changes. For 2010-11, the May Revision reduces Proposition 98 spending by \$1.5 billion from the January level. Of the total reduction, \$1.2 billion is achieved by eliminating all Proposition 98 support for state-subsidized child care programs (except state preschool programs). The Governor also proposes using \$321 million in unspent prior-year funds, thereby achieving the same amount of ongoing Proposition 98 savings. The Governor maintains his January proposals to reduce K-12 revenue limits (by \$1.5 billion) but no longer links these reductions to savings in contracting and administration. In 2010-11, the state would not meet its federal MOE requirement for K-12 education. Thus, it would continue to seek a waiver. (It appears to qualify for the waiver.)

To Achieve Budget-Year Savings, Governor Proposes "Rebenching" Proposition 98. To achieve additional budget-year savings without suspending the Proposition 98 minimum guaran-

tee, the May Revision “rebenches” the guarantee to reflect the elimination of child care services. The rebenching essentially reduces the 2010-11 minimum guarantee by an amount equal to Proposition 98 child care spending in 2009-10. By rebenching the guarantee, the Governor essentially redefines expenditures counted towards Proposition 98 and the minimum percentage of General Fund revenues that the state must provide for Proposition 98 spending. This rebenching results in 2010-11 savings of \$1.5 billion. The Governor does not rebench for the gas tax swap as required by the agreement enacted in March. Instead, he proposes to override a statutory “hold harmless” provision of that measure, thereby avoiding \$686 million in additional state costs.

Already Questionable Proposition 98 Plan Becomes Riskier Due to Rebenching

In our February analysis, we noted that the Governor’s overall Proposition 98 funding plan

was tenuously held together. In particular, we raised concern that the Governor’s Proposition 98 approach was legally risky, as it assumed the state had no maintenance factor obligation (constitutionally required payments to restore education spending over time) entering 2009-10. Not only does the May Revision retain this questionable maintenance factor assumption, but it is further complicated by the proposed rebenching of the minimum guarantee due to the elimination of child care programs.

Legality Uncertain. The legality of rebenching for the elimination of state-subsidized child care is uncertain. This uncertainty is heightened due to the Governor’s assumption that some federally funded child care continues to be administered by existing providers. That is, under the Governor’s plan, no functional responsibility has been eliminated entirely or clearly shifted to a different set of entities. Moreover, unlike rebenching for local property tax shifts, the state

**Figure 5
Governor’s Proposition 98 Funding Proposal**

(In Millions)

	2009-10			2010-11		
	January Budget	May Revision	Change	January Budget	May Revision	Change
K-12 Education						
General Fund	\$30,844	\$32,022	\$1,178	\$32,023	\$30,927	-\$1,096
Local property tax revenue	13,237	12,105	-1,133	11,950	11,529	-422
Subtotals	(\$44,082)	(\$44,127)	(\$45)	(\$43,974)	(\$42,456)	(-\$1,518)
California Community Colleges						
General Fund	\$3,722	\$3,722	—	\$3,981	\$3,991	\$9
Local property tax revenue	1,953	1,962	\$8	1,913	1,907	-6
Subtotals	(\$5,675)	(\$5,683)	(\$8)	(\$5,895)	(\$5,898)	(\$3)
Other Agencies						
	\$94	\$93	-\$1	\$85	\$89	\$3
Totals	\$49,851	\$49,903	\$52	\$49,954	\$48,442	-\$1,512
General Fund	\$34,660	\$35,837	\$1,177	\$36,090	\$35,007	-\$1,083
Local property tax revenue	15,191	14,066	-1,124	13,864	13,435	-428

has little experience with rebenching for the shift or elimination of a program once funded within Proposition 98.

Potentially Unworkable Starting Point Calls for Different Approach

The Governor’s May plan does not reflect a particularly useful architecture upon which to build the state’s K-14 education budget. Absent the Governor’s legal interpretations, his proposed spending level would require suspension of the Proposition 98 minimum guarantee. The May plan also is based on the Governor’s questionable policy decision to eliminate all state-subsidized child care immediately. (We discuss our recommended approach on child care in more detail later in this report.)

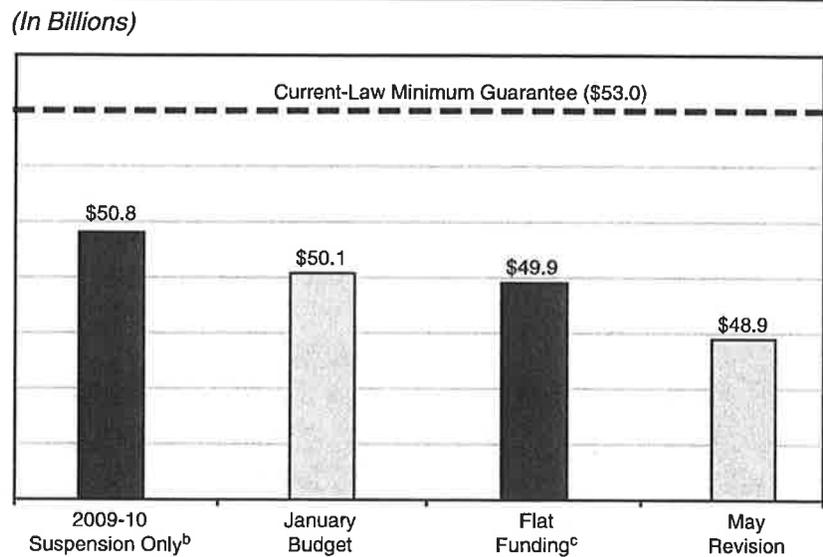
Current-Law Requirement Likely Unaffordable. Under current law, the state would need to provide substantially more money than the Governor proposes—\$4.1 billion higher than the Governor’s May level and \$2.9 billion higher than the Governor’s January level. As such, we believe the state cannot afford to support K-14 education at this level.

Take a Different Approach. Given these concerns, we recommend the Legislature take a different approach in building the K-14 budget. Figure 6

shows two budget-year Proposition 98 options in addition to the Governor’s January and May plans. Below, we discuss these budget alternatives in more detail. As discussed below, the key question for the Legislature in building its K-14 education budget will be how much it can afford given its other budget pressures.

Two Options Require Suspension in 2009-10. The two options identified in the figure as alternatives to the Governor’s proposal would require suspension of the minimum guarantee in 2009-10 to the current spending level (as allowed under the California Constitution). Despite the suspension, schools would be funded at the same level as proposed by the Governor and would not be subject to additional programmatic reductions in 2009-10 (beyond the reductions already imposed in the enacted budget). The primary reason for suspending Proposition 98

Figure 6
Options for 2010-11 Proposition 98 Spending^a



^aIncludes ongoing and one-time funds.
^bAssumes Proposition 98 is suspended in 2009-10 to the current spending level. Meets minimum guarantee in 2010-11.
^cAssumes Proposition 98 is suspended in both 2009-10 and 2010-11 to the current spending level.

is to clarify that maintenance factor does exist upon entering 2009-10 (to the significant benefit of education over the long run). As a result, suspension potentially could resolve the maintenance factor issue in a straightforward manner. While signaling that maintenance factor exists, suspension also acknowledges that the state cannot afford to make an immediate payment. (In 2009-10, under current law, the state would need to make an additional maintenance factor payment of almost \$1.3 billion absent suspension.) Suspending in 2009-10 also provides benefit to the state by lowering the minimum guarantee for 2010-11.

After suspending in 2009-10, the Legislature then would have two options for 2010-11:

- **2009-10 Suspension Only.** Under this option, the state would fund the minimum guarantee in 2010-11 (\$50.8 billion). While this option would provide notably less than required under current law, it is higher than the May Revision level by \$1.9 billion (or \$700 million, excluding the effect of the child care elimination).
- **Flat Funding.** Another option would be to suspend the guarantee to the current spending level in both years (\$49.9 billion). Though Proposition 98 funding would remain flat year over year, the state still would need to cut \$1.9 billion in K-14 Proposition 98 program spending. This is because the state used considerable one-time state monies in 2009-10 to support its ongoing programs. (Similarly, many school districts will experience additional program reductions because

they used their one-time federal stimulus monies in 2009-10 to support ongoing programs.)

Make Targeted Reductions First. Whether the state adopts the one-year suspension option, the flat-funding option, or some other funding level, some reductions to K-14 education will be needed. We recommend that the Legislature first make targeted cuts before resorting to across-the-board reductions. For example, we recommend reducing funding for physical education courses offered by community colleges, aligning special education funding with revised student counts, and reducing the number of times the state administers the high school exit exam. We have identified more than \$650 million in these targeted savings proposals. (We also have identified additional education-related savings outside of Proposition 98.)

Make Other Cuts, As Needed, From General Purpose Monies. Even if the state were to take all our targeted reductions, it likely still would need to make additional cuts. The Legislature could consider making these reductions, as needed, to K-12 revenue limits, California Community College (CCC) apportionments, and the K-12 flex item (or some combination thereof). For every 1 percent cut in these areas, the state would achieve about \$435 million in savings (\$310 million from K-12 revenue limits, \$55 million from CCC apportionments, and \$70 million from the K-12 flex item). As detailed in previous reports, we continue to recommend combining these additional cuts with additional flexibility for districts (both from categorical program requirements and education mandates).

LAO'S OVERALL ASSESSMENT OF THE MAY REVISION

Major Annual Budget Shortfalls Would Persist

Reasonable Estimates, Reasonable Revenue Assumptions. We believe that the administration's estimate of the size of the state's budget problem in 2010-11 is sound. As noted earlier, our own updated economic and revenue forecasts are very close to those of the administration. As such, we believe the May Revision revenue forecast is quite reasonable and realistic. Under our forecast, we expect revenues to be slightly higher in the final two months of 2009-10 and leave the state about \$400 million better off. In 2010-11, our expectation for the big three tax revenues is about \$1 billion (1 percent) higher than the administration. The largest difference relates to the PIT and, specifically, capital gains.

Stubborn Structural Deficit Would Persist. As we described in our November 2009 publication, *California's Fiscal Outlook*, under then-current law, the state faced a lingering General Fund budget gap around \$20 billion through at least 2014-15. Little has changed since then to shrink that amount. As part of our review of the May Revision, we have estimated how this persistent long-term problem would change under the Governor's proposals. Specifically, our forecast combines our assessment of revenue and expenditure trends with the assumption that *all* of the May Revision's proposals are adopted by the Legislature. In addition, except in clear cases when a proposal is unworkable (such as the Governor's proposed increase in pension contributions for current employees), we have given the administration the "benefit of the doubt" that

its proposals will achieve the desired level of savings. Furthermore, consistent with current law, we generally assume no future cost-of-living adjustments for state programs or pay increases for state employees throughout the forecast period. Given these assumptions, our out-year forecast should be viewed as a very best case scenario.

Under these assumptions, the ongoing gap between General Fund revenues and expenditures would be significantly reduced but not eliminated. As shown in Figure 7, shortfalls would range between \$4 billion and \$7 billion through 2014-15. (The peak of the shortfall in 2012-13 reflects the repayment of the state's \$2 billion loan from local governments.) Given this ongoing shortfall even under the sharp spending reductions proposed by the Governor, it is unrealistic for the Legislature to eliminate the long-term problem entirely this year. We, however, urge the Legislature to consider the out-year implications of its 2010-11 budget decisions and aim to achieve roughly the same level of progress as the Governor in tackling the state's structural deficit.

Legislature Should Take Actions to Mitigate Some Risky Budget Assumptions

Any Budget Adopted This Year Will Include Some Risks. As has been the case in several recent budgets, the Governor's budget proposals include several billion dollars of assumptions—both on the revenue and expenditure sides of the ledger—that carry with them moderate or major implementation risk. In fact, we cannot imagine any balanced budget solution this year that could

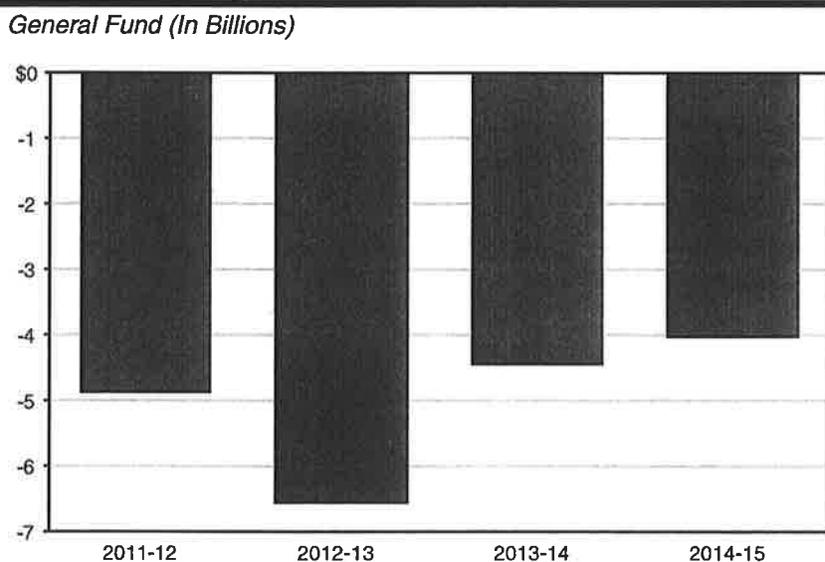
avoid some level of risky assumptions. Federal MOE and similar requirements in various programs—including some related to provisions of last year’s economic stimulus legislation—limit the state’s budget options. In some other programs, such as those requiring changes in eligibility or caseloads, significant savings cannot be achieved quickly. It is clear that nearly all of the easy budget-balancing solutions for California are gone.

Legislature Can Take Actions to Mitigate Some of the Risks. The Legislature cannot control what Congress and the President do to extend enhanced federal funding for health and social services programs, nor can it control what the federal government does to affect the state’s estate tax revenues. It also cannot control what the voters decide in the November election, as described in the box on the next page.

In enacting a credible, balanced budget for 2010-11, however, the Legislature *can* take actions to mitigate *some* budget risks. Careful, clearly crafted trailer bills, particularly those relating to reductions in health and social services programs, can ensure that budget-balancing actions have the strongest possible chance of withstanding judicial scrutiny. Furthermore, if it assumes certain expenditure reductions, the Legislature needs to pass legislation to give departments a meaningful chance of actually achieving budgeted savings. For example, in our view, the prison medical care Receiver will have little chance of achieving the full \$811 million of savings assumed in the Governor’s budget package unless the Legislature passes measures to assist him in doing so. In addition, lawmakers should not assume that the administration can achieve hundreds of millions or billions of dollars of General Fund personnel savings on

its own without prompt enactment of legislation that (1) facilitates major changes in operations, sentencing, or staffing in the prison system (which is responsible for about two-thirds of non-university General Fund personnel costs), or (2) enacts reductions in state employee pay or health benefits. These pay and benefit reductions may result either from collective bargaining or the Legislature’s use of its constitutional powers to appropriate funds for state personnel costs.

Figure 7
May Revision Would Reduce, But Not Eliminate, Future Operating Shortfalls^a



^aLegislative Analyst’s Office estimates of the differences between annual General Fund expenditures and revenues under the Governor’s May Revision proposals.

NOVEMBER 2010 INITIATIVES AND THE STATE'S BUDGET PLANNING

The Legislature has placed an \$11 billion water bond proposal on the November 2010 ballot. In addition, although not all of them have officially qualified, it is now expected that the November 2010 ballot will include about ten initiatives. If approved by the voters, a number of these measures could directly affect the Legislature's budget plans. Some would improve the budget situation, even as others could reverse budget-balancing decisions. Historically, the state budget has not assumed the passage of voter initiatives at upcoming elections, but the Legislature may wish to have contingency plans in place depending on the outcome for several November ballot measures. While we are still reviewing the measures for our analyses in the November 2010 ballot pamphlet, we highlight some of the key measures with budget implications below.

Two Proposed Initiatives Potentially Could Reverse Budget Decisions. A measure designed to protect local government revenues would apply its provisions to all legislative actions taken after October 20, 2009. As such, it might affect several major budget solutions provided in the gas tax swap package (Chapters 11 and 12, Statutes of 2009-10 Eighth Extraordinary Session [ABX8 6 and ABX8 9, Committee on Budget]) and the Governor's May Revision proposals. These solutions total about \$1.8 billion in General Fund relief in the current and budget years combined. The solutions include using revenues from fuel taxes to pay transportation debt service and to provide loans to the General Fund—uses that generally would not be permitted under the measure. The initiative also would limit the state's authority to increase redevelopment payments to schools (beyond the \$350 million required in 2010-11 under existing law) or make other changes in local finance.

Another measure would amend the Constitution to broaden the definition of a state tax, local special tax, and state tax increase to include many measures that the Legislature and local governing bodies currently may approve by a majority vote. Under the measure, more revenue measures would require approval by a two-thirds vote of the Legislature or two-thirds of the local electorate. By expanding the scope of what is considered a tax or a tax increase, the measure would make it more difficult for the state to enact a broad range of measures that generate revenues or modify existing taxes. The measure specifies that any state legislation enacted after January 1, 2010, that is inconsistent with its provisions would become inoperative 12 months after the state's voters approve the initiative, unless the Legislature reenacts the legislation in compliance with the initiative's provisions. (As such, any implications of the measure on enacted measures would not be felt until 2011-12.)

Other Initiatives Would Raise General Fund Resources. On the other hand, several proposed measures would improve the state's fiscal condition by adding additional revenues. One measure would reverse recent budget actions that lower corporate tax revenues. If passed, the measure would increase corporate tax receipts by hundreds of millions of dollars in 2010-11, growing in subsequent years. In addition, a measure to impose a vehicle surcharge would allow a reduction in costs to operate state parks, and a measure to legalize marijuana-related activities could increase state tax revenues.

Reject Elimination of CalWORKs and Child Care

The Governor's May Revision proposes to eliminate the CalWORKs program effective October 1, 2010, and state-funded child care programs effective July 1, 2010. Combined with savings assumed in January, these proposals would reduce General Fund spending by over \$2.5 billion. These programs are core pieces of the state's safety net, and we therefore recommend that the Legislature reject these proposals.

Core Programs for State's Neediest Families. Since the 1930s, CalWORKs, or its federally authorized predecessor program, has provided low-income families with children with cash assistance to meet their basic needs. Following enactment of the 1996 federal welfare reform legislation, the program added a substantial welfare-to-work component, whereby able-bodied adult recipients were provided with child care and/or other training and services so that they could enter the labor force. The cash grants, in combination with food stamp benefits, provide families with enough support to stay out of deep poverty (which is defined as 50 percent of the federal poverty level). Similarly, subsidized child care helps current and former CalWORKs recipients as well as other low-income families maintain employment, serving as an important complement to adults' efforts to obtain and keep jobs. Because existing eligibility criteria restricts services to families earning less than 75 percent of the state median income, the child care program helps some of the neediest families in California.

Both Programs Provide Access to Large Federal Funding. By eliminating CalWORKs and child care, the state would be foregoing major amounts of federal funding. In CalWORKs, the state would forego the annual \$3.7 billion federal

Temporary Assistance to Needy Families (TANF) block grant. Moreover, California would forego hundreds of millions of dollars in Emergency Contingency Funds (ECF) authorized by the 2009 federal stimulus package. (The ECF provides 80 percent federal financial participation in costs for cash grants, nonrecurring short-term assistance, and subsidized employment which exceed their corresponding costs in 2007.) Although the ECF is scheduled to expire on September 30, 2010, both the President's budget and the Governor's budget assume it will be extended for one more year.

Despite the elimination of all state child care funding, the Governor assumes the state would continue to receive all anticipated federal funding for child care and could thereby continue to offer care to a small subset of currently served children. (Federal child care funds total about \$660 million in 2010-11, including \$550 million in ongoing federal block grant funds and \$110 million in one-time stimulus funds.) It is unclear, however, if California could continue to receive the same level of federal funding given the absence of state funding. While California might be able to use state funding for preschool and applicable local funds to help meet some federal match requirements, the state could lose at least some federal funding.

Proposal Would Shift Costs to Counties and Elsewhere. Counties are responsible under state law for providing cash assistance to families who are both unable to support themselves and ineligible for other state and federal programs. The elimination of CalWORKs would make most low-income families eligible for county general assistance (GA) programs, potentially resulting in county costs exceeding \$1 billion annually. It is not clear how counties would pay for this

obligation—particularly in the context of the recession’s hit on counties’ own revenues and the Governor’s other proposals that would be financially detrimental to counties. Counties have no such obligation to provide welfare-to-work services and child care. Absent these services, however, it will be difficult for many families to become self-sufficient and exit county GA programs.

The administration’s proposal would also result in some eligibility determination costs being shifted from CalWORKs to Medi-Cal. The budget plan does not take this into account. We estimate these state costs to be roughly \$200 million annually.

Programs Can Still Contribute Savings.

While we recommend rejecting the complete elimination of these programs, we believe that the state can generate substantial General Fund savings in these two program areas. For example, the state could make targeted child care reductions while still providing subsidized care to the neediest families. Most notably, as outlined in our February report, *The 2010-11 Budget: Proposition 98 and K-12 Education*, the state could reduce eligibility ceilings and provider reimbursement rates. While this would achieve notably less savings than completely eliminating subsidized child care, targeted reductions would allow the state to preserve services for the lowest income families. Moreover, by applying the same eligibility reforms across all child care programs, the state could address some existing inconsistencies between the state’s CalWORKs and non-CalWORKs child care programs. (Currently, former CalWORKs recipients who begin to earn more can continue to receive child care services even as children from lower income families linger on waiting lists.)

Given the 80 percent federal funding stream which is likely to exist through October 2011, we believe there is limited General Fund benefit from making substantial CalWORKs reductions during 2010-11. However, once the ECF expires, all savings from CalWORKs reductions accrue to the state General Fund with no loss of federal funds (because the block grant is fixed). Accordingly, given our projections of ongoing deficits, the Legislature may need to make substantial reductions in CalWORKs in 2011-12.

Alternative Proposals Would Help Preserve Core Programs

Throughout the spring, our office has provided alternative spending reduction proposals to the Legislature. (Our web site—www.lao.ca.gov—contains an online list of our updated 2010-11 budget findings and recommendations, as well as our published reports.) In many areas, our alternatives reduce program spending by a lesser amount than the Governor in order to preserve services for those most in need. In some areas of the budget, we recommend that the Legislature adopt more savings than imposed by the Governor. In particular, we believe the Legislature should achieve substantially more savings from the universities, trial courts, and public safety local assistance programs. These spending reductions—in conjunction with other budget actions—could facilitate maintenance of the state’s core programs.

More Revenues Could Ameliorate the Most Severe Cut Proposals. The Governor presents Californians with a clear vision of the types of severe program reductions that are necessary if the budget were balanced without some additional revenue increases this year. Alternatively, some of the most severe cuts proposed by the

Governor could be avoided by adopting selected revenue increases—from fee increases and other nontax revenues, changes to tax expenditure programs, delays in previously scheduled tax reductions or expirations, and targeted tax increases. We urge the Legislature to put these types of solutions in the mix.

We have previously presented the Legislature with a menu of revenue options to consider from the following categories:

- ***Delays in Previously Scheduled Tax Reductions or Expirations.*** In its January trigger proposals (withdrawn as part of the May Revision), the administration suggested delaying the implementation of recent tax changes (such as the optional single sales factor) by one year. We recommend the Legislature consider delaying these provisions for two years in recognition of the 2010-11 budget challenges, as well as the loss of nearly \$10 billion in other temporary taxes in 2011-12.
- ***Changes to Tax Expenditure Programs.*** Tax expenditures are credits, exemptions, and deductions intended to produce a particular policy benefit through the tax code. Yet, some of these programs have failed to prove their effectiveness—such as enterprise zones—and others result in a disparate treatment of income. As with programs on the spending side of the budget, we recommend that the Legislature eliminate those lower priority programs in order to preserve more critical ones.
- ***Fee Increases.*** Some fee increases benefit the General Fund and make sense from a policy perspective. For example, we have proposed the establishment of a wildland fire protection fee—an alternative to the Governor’s emergency response initiative proposal—that would place a charge on owners of structures in areas where the state has responsibility for wildland fire management. We also have recommended community college fee increases, which would not affect financially needy students (because they are eligible to receive full fee waivers) and would be fully offset for most middle-income students (who qualify for federal tax credits).
- ***Targeted Tax Rate Increases.*** Finally, we have suggested the Legislature could consider targeted tax rate increases. Given the fragile state of the economy and the level of these taxes relative to other states, we discourage increasing the state’s broad-based big three taxes (personal income, sales and use, and corporation taxes) above their current levels. We have, however, suggested two proposals that would raise other tax rates while adhering to sound tax policy principles. First, many economists believe that taxes on alcohol do not fully compensate for the societal costs associated with drinking. Since alcohol tax rates have not been updated for inflation since 1991, such an adjustment could produce over \$200 million of General Fund benefit. In addition, we suggest permanently aligning the VLF—currently increased temporarily under provisions of the February 2009 budget package—with local

property tax rates, as it represents a tax on property.

Think Now About the Longer Term

The last decade has provided some of the state's most challenging budget situations—including last year's plan addressing roughly \$60 billion in solutions. Yet this year's budget situation may prove to be the most difficult in recent memory. All of the major options available to the Legislature to close the budget gap will be difficult. The two basic avenues to balancing this budget—sharply lower spending in some programs and higher revenues—each result in negative consequences for the economy, jobs, and the Californians most directly affected. While much of the budget process will focus on how to minimize the damage to taxpayers and program service levels, we urge elected leaders to use this crisis to better prepare the state's budget and its government to cope with future economic downturns. By thinking now about the longer term, the Legislature and the Governor can help bring the long-term structural deficit down. Among the actions that policy makers could consider this year are:

- **A Stronger State Rainy Day Fund.** Along with others, we have proposed improved mechanisms for setting aside unexpected budget surpluses to build a stronger state rainy day fund.

- **State-Local Realignment.** The Governor has proposed to give local governments responsibility and funding for criminal justice programs that they can better administer. Our office, legislative leaders, and others have suggested additional shifts. For instance, the state-local relationship for the provision of some health and social services should be reconsidered, particularly within the context of federal health care reform.
- **Actions Now That Can Reduce the Structural Deficit.** With a continuing structural deficit, the state needs to adopt actions that may require implementation time but can save money later. For example, we recommend the state take actions now relating to kindergarten and after school programs that could achieve more than \$900 million in savings in 2011-12. Similarly, sharply increasing pension and retiree health costs should prompt consideration of major changes in these benefits for future state and local hires, which would save billions in future decades.

Taking steps in these areas now would significantly improve the state's future prospects.

LAO Publications

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ATTACHMENT C

SUMMARY OF SELECTED PENDING

STATE LEGISLATIVE MEASURES

ACA 4 (Blumenfeld) Local government financing: voter approval.

The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit for a rate imposed by a city, county, city and county, or special district, as defined, to service bonded indebtedness incurred to fund specified public improvements and facilities, or buildings used primarily to provide sheriff, police, or fire protection services, that is approved by 55% of the voters of the city, county, city and county, or special district, as applicable. This bill contains other related provisions and other existing laws.

Recommendation: ***Support.***

AB 710 (Skinner) Local planning: infill and transit-oriented development.

The Planning and Zoning Law requires specified regional transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system, and requires the regional transportation plan to include, among other things, a sustainable communities strategy, for the purpose of using local planning to reduce greenhouse gas emissions. This bill would state the findings and declarations of the Legislature with respect to parking requirements and infill and transit-oriented development, and would state the intent of the Legislature to reduce unnecessary government regulation and to reduce the cost of development by eliminating excessive minimum parking requirements for infill and transit-oriented development. This bill contains other related provisions and other existing laws.

Recommendation: ***Support.***

SB 517 (Lowenthal) High-Speed Rail Authority.

Existing law creates the High-Speed Rail Authority in state government with specified powers and duties relative to development and implementation of a high-speed train system. The authority is composed of 9 members, including 5 members appointed by the Governor. This bill would place the High-Speed Rail Authority within the Business, Transportation and Housing Agency. The bill would provide for the Secretary of Business, Transportation and Housing to serve on the authority as a nonvoting, ex officio member. The bill would require the secretary to propose an annual budget for the authority upon consultation with the authority. The bill would require the members of the authority appointed by the Governor to be appointed with the advice and consent of the Senate. The bill would provide for the members that are appointed to have specified background or experience, as specified. This bill contains other related provisions and other existing laws.

Recommendation: ***Watch.***

SB 582 (Emmerson) Commute benefit policies.

Existing law requires transportation planning agencies to undertake various transportation planning activities, including preparation of a regional transportation plan. Existing law requires transportation planning agencies that are designated under federal law as metropolitan planning organizations to include a sustainable communities strategy as part of the regional transportation plan for their region. Existing law creates air quality management districts and air pollution control districts with various responsibilities relative to reduction of air pollution. This bill, beginning on January 1, 2013, subject to certain exceptions, would authorize a metropolitan planning organization jointly with the local air quality management district or air pollution control district to adopt a commute benefit ordinance that requires covered employers operating within the common area of the organization and district with a specified number of covered employees to offer those employees certain commute benefits. The bill would require that the ordinance specify certain matters, including any consequences for noncompliance, and would impose a specified reporting requirement. The bill would impose a requirement for all metropolitan planning organizations within the region served by a specified air district to jointly elect to adopt the ordinance together with the district. The bill would exclude from its provisions an air district with a trip reduction regulation initially adopted prior to the 1990 Federal Clean Air Act Amendments as long as it continues to have a regulation that allows trip reduction as a method of compliance. The bill would make its provisions inoperative on January 1, 2017.

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

Recommendation: *Watch.*

AB 441 (Monning) State planning.

Existing law requires certain transportation planning activities by the Department of Transportation and by designated regional transportation planning agencies, including development of a regional transportation plan. Existing law authorizes the California Transportation Commission, in cooperation with regional agencies, to prescribe study areas for analysis and evaluation and guidelines for the preparation of a regional transportation plan. This bill would require that commission to include health issues, as specified, in the guidelines promulgated by the commission for the preparation of regional transportation plans. This bill contains other related provisions and other existing laws.

Recommendation: *Watch.*

C/CAG AGENDA REPORT

Date: June 9, 2011
TO: C/CAG Board of Directors
From: Richard Napier, Executive Director - C/CAG
Subject: Review and approval of Resolution 11-30 approving the C/CAG 2011-12 Program Budget and Fees
(For further information or response to question's, contact Richard Napier at 650 599-1420)

Recommendation:

Review and approval of Resolution 11-30 approving the C/CAG 2011-12 Program Budget and Fees in accordance with the staff recommendation.

Fiscal Impact:

In accordance with the proposed C/CAG 2011-12 Program Budget.

Revenue Sources:

Funding sources for C/CAG include member assessments, cost reimbursement from partners, local sales tax Measure A, private and public grants, regional - State - Federal transportation and other funds, Department of Motor Vehicle fees, State - Federal earmarks, and interest.

Background/Discussion:

Staff has developed the C/CAG Program Budget for 2011-12. Refer to the following:

- Attachment A: Budget Executive Summary. The complete detailed Budget will be provided in a separate attachment for reference.
- Attachment B: Member Assessments. The Member Assessments remain the same as in FY 10-11 in recognition of the difficult budget climate for the cities and the County.
- Attachment C: A graphical presentation of the budget
- Attachment D: Resolution 11-30 adopting the C/CAG 2011-12 Program Budget and Fees
- Attachment E: A comparison of the FY 2010-11 Projection vs. FY 2010-11 Updated Budget
- Attachment F: Key Budget Definitions/ Acronyms

The C/CAG Budget was introduced at the 5/12/11 Board Meeting and is recommended for approval at the 6/9/11 Board Meeting.

C/CAG 2011-12 Program Budget Assumptions:

Revenue Assumptions

- 1- General Fund/ Administrative - Member Assessments - Same as last year due to budget issues

ITEM6.2

- with the cities and County.
- 2- In FY 10-11 negotiated funding for the Airport Land-Use Commission (ALUC) of \$100,000 from San Francisco International Airport and \$20,000 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- Smart Corridor - Assumed \$2,400,000 in STIP, \$700,000 in TLSP, and \$3,000,000 of Measure A funds all of which flows through C/CAG Budget. This is for the construction of the local portion of the Smart Corridor Project.
 - 5- Included increased negotiated level of funding of \$903,000 for planning from the Metropolitan Transportation Commission (MTC) and \$460,000 from the State Transportation Improvement Program (STIP).
 - 6- Transportation Authority (TA) cost reimbursement funding is included in the FY 11-12 Budget.
 - 7- San Mateo Congestion Relief Program assumes \$200,000 in funding for climate action planning. This includes cost for climate action partnerships to assist the cities and County as was done in the 2010-2011 C/CAG budget.
 - 8- Includes revenue from AB 1546 of \$2,600,000 and Measure M of \$6,700,000.

Expenditures Assumptions

- 9- Smart Corridor - Beginning construction phase of the Smart Corridor in FY 11-12 will significantly increase expenditures.
- 10- Congestion Management - Modeling - Funding for VTA as the primary C/CAG modeler.
- 11- 2020 Gateway - Phase 2 consists of the following:
Implementation Project Match of \$100,000 for Willow-University project.
- 12- San Mateo Energy Watch - Local Government Partnership - \$220K pass through to County. Receive \$220K in cost reimbursement from PG&E, so there is no net cost to C/CAG. Also includes \$239,000 for Climate Action Planning.
- 13- San Mateo Smart Corridor Program - Assumes construction of the Smart Corridor project (\$6,996,000).
- 14- NPDES - Programmed projected cost for the new Municipal Regional Permit for FY 11-12. Will use Measure M funds as necessary to address the \$500-750K per year ongoing funding structural deficit.
- 15- DMV Fee - Transfer out \$400,000 to the Smart Corridor fund and \$344,490 to the NPDES fund.
- 16- Measure M - Will pay back \$550,000 to AB 1546 Fund for the cost of the election.
- 17- All funds except the LGP Energy Watch and Abandoned Vehicle Abatement Fund will proportionately share the cost of financial, legal, office space and miscellaneous fixed support cost.
- 18- TFCA - Programmed Projects are 100% reimbursed in the 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.
- 19- For FY 10-11 and FY 11-12 it is assumed that all the allocations to each agency will be made from the DMV Fee (AB 1546 and Measure M) Program.

C/CAG 2011-12 Program Budget Overview:

Fund Balance:

Beginning - There is a 14.1% increase of \$1,267,681 of which \$1,289,119 is due to:

- the DMV Fee Program increase of \$258,105.
- the Congestion Management and San Mateo Congestion Relief net increase of \$198,508.
- the Smart Corridor increase of \$604,535.
- NPDES Program increase of \$227,971.

Ending - There is a 10.33% decrease (\$1,060,064,824) of which \$1,030,570 is due to the decrease in fund balance for the Transportation Programs (\$629,704), Smart Corridor (\$546,000), NPDES (\$155,816) and the DMV Fee Program (-\$300,950). This is due to the implementation of the countywide projects and Smart Corridor project implementation.

Revenues:

Total - Revenues increased 110%. The Revenue increase of \$12,486,653 of which \$11,810,075 is due to: \$5,085,075 increase in State Transportation Improvement Program (STIP) funds for the Smart Corridor Project and \$6,725,000 from the new Measure M revenue.

PPM-STIP - There is a 235.7% increase (\$1,685,075) of which \$2,400,000 is due to the State Transportation Improvement Program (STIP) funds for the Smart Corridor.

TA Cost Share - Increased 720.29% or \$3,073,320 due to \$3,000,000 cash advance for the Smart Corridor Project to address cash flow for the project.

Interest - Assumes nominal interest rate.

Expenditures:

Total - There is a 144.4% increase (\$14,564,398) of which \$ 13,864,098 is due to:

- An increase in the Transportation Programs project implementation (\$355,735)
- Measure M distributions of \$4,775,673
- The San Mateo Congestion Relief Program increased project implementation (\$898,080) for the Smart Corridor project
- The Smart Corridor Project (\$6,285,610)
- DMV Fee Countywide Programs (\$1,549,000).

Professional Services - There is a 11.5% increase (\$216,927) due to increase in staff due to full time NPDES program manager .

Consulting Services - There is a 267% increase (\$8,869,571) of which \$8,223,537 is due to:

- The Transportation Programs (\$197,064) increased project implementation including transportation model update
- The San Mateo Congestion Relief Program (\$1,172,000) due to Countywide Program implementation.
- Smart Corridor project implementation (\$6,309,000)
- DMV Fee Program (\$545,473) project implementation.

Distributions - There is a 136.54% of \$5,538,000 of which \$5,728,200 is due to:

- Measure M (\$4,228,200)
- DMV Fee (\$1,500,000)

Reserve Balance: Increased Reserves by 66.47% (\$250,000) to \$626,112. This yields an average reserve of 22% of the operating cost (\$2,841,475). Not necessary to establish a reserve for LGP Energy Watch, TFCA, and AVA.

C/CAG 2010-11 Program Budget Issues:

The C/CAG FY 11-12 Budget is conservative and balanced. Staff will need to do the following:

- Continue to develop sources of revenue to fund the Airport Land Use Commission activities.
- Manage for cash flow the implementation of the Smart Corridor Project which will cause a significant increase in expenditures.
- Reduce the large ending balance (\$1,525,295) of the San Mateo Congestion Relief Program and the DMV Fee Program (\$4,653,379).
- Address the AVA balance of \$563,523 by distributing the funds or returning it to the state.

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

The Member Assessments for FY 11-12 remains the same as in FY 10-11. 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 11-12 Revenue is leveraged **10.67 to 1**. Including the funds that C/CAG controls, such as State and Federal Transportation funds, increases the leverage to **20.96 to 1**.

Through the C/CAG functions revenues are provided to member agencies that 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 met on 5/12/11 and provided comments on the detailed Budget. The Technical Advisory Committee (TAC) met on 5/19/11 on the C/CAG Budget. All Committees recommend approval of the budget as presented.

Attachments:

Attachment A - City/County Association of Governments 2011-12 Program Budget Executive Summary

Attachment B - Member Assessments FY 11-12

Attachment C - Graphical Representation of C/CAG Budget

Attachment D - Resolution 11-30 adopting the C/CAG 2011-12 Program Budget and Fees

Attachment E - FY 2010 - 11 Projection vs. FY 2010 - 11 Updated Budget

Attachment F - Key Budget Definitions/ Acronymns

Alternatives:

- 1- Review and approval of Resolution 11-30 approving the C/CAG 2011-12 Program Budget and Fees in accordance with the staff recommendation.
- 2- Review and approval of Resolution 11-30 approving the C/CAG 2011-12 Program Budget and Fees in accordance with the staff recommendation with modifications.
- 3- No action.

ATTACHMENT A

City/County Association of Governments 2011-12 Program Budget Executive Summary

(Detailed Budget Provided Separately)

06/01/11	CHANGES IN C/CAG BUDGET BY FISCAL YEAR				
	Projected				
	Actual	Budgeted	Budget	Budget	
	FY 2010-11	FY 2011-12	Change	% Change	
BEGINNING BALANCE	8,997,830	10,265,511	1,267,681	14.09%	
RESERVE BALANCE	376,112	376,112	0	0.00%	
PROJECTED REVENUES					
Interest Earnings	64,000	104,000	40,000	62.50%	
Member Contribution	2,599,827	2,599,931	104	0.00%	
Cost Reimbursements-SFIA	0	0	0	0.00%	
MTC/ Federal Funding	665,000	973,000	308,000	46.32%	
Grants	511,619	712,443	200,824	39.25%	
DMV Fee	4,215,562	10,958,500	6,742,938	159.95%	
NPDES Fee	1,298,989	1,309,989	11,000	0.85%	
TA Cost Share	426,680	3,500,000	3,073,320	720.29%	
Miscellaneous/ SFIA	99,209	124,601	25,392	25.59%	
Street Repair Funding	0	0	0	0.00%	
PPM-STIP	1,174,925	2,860,000	1,685,075	143.42%	
Assessment	0	0	0	0.00%	
TLSP	300,000	700,000	400,000	133.33%	
	0	0	0	0.00%	
Total Revenues	11,355,811	23,842,464	12,486,653	109.96%	
TOTAL SOURCES OF FUNDS	20,353,641	34,107,975	13,754,334	67.58%	
PROJECTED EXPENDITURES					
	Projected				
	Actual	Budgeted	Budget	Budget	
	FY 2010-11	FY 2011-12	Change	% Change	
Administration Services	418,592	354,000	(64,592)	-15.43%	
Professional Services	1,886,632	2,103,559	216,927	11.50%	
Consulting Services	3,322,282	12,191,853	8,869,571	266.97%	
Supplies	124,500	73,000	(51,500)	-41.37%	
Prof. Dues & Memberships	125,244	135,166	9,922	7.92%	
Conferences & Meetings	14,815	20,500	5,685	38.37%	
Printing/ Postage	19,860	30,750	10,890	54.83%	
Publications	13,329	8,000	(5,329)	-39.98%	
Distributions	4,056,100	9,594,200	5,538,100	136.54%	
Street Repair	0	0	0	0.00%	
Miscellaneous	(21,414)	30,500	51,914	242.43%	
Bank Fee	1,000	2,000	1,000	100.00%	
Audit Services	6,190	9,000	2,810	45.40%	
Project Management	121,000	100,000	(21,000)	-17.36%	
Total Expenditures	10,088,130	24,652,528	14,564,398	144.37%	
TRANSFERS					
Transfers In	1,249,300	1,494,490	245,190	19.63%	
Transfers Out	1,249,300	1,494,490	245,190	19.63%	
Administrative Allocation	0	0	0	0.00%	
Total Transfers	0	0	0	0.00%	
NET CHANGE	1,267,680	(810,064)	(2,077,744)	-163.90%	
TRANSFER TO RESERVES	0	250,000	250,000	0.00%	
TOTAL USE OF FUNDS	10,088,130	24,902,528	14,814,398	146.85%	
ENDING FUND BALANCE	10,265,511	9,205,447	(1,060,064)	-10.33%	
RESERVE FUND BALANCE	376,112	626,112	250,000	66.47%	
NET INCREASE (Decrease) IN FUND BALANCE	1,267,681	(1,060,064)	(2,327,745)	-183.62%	
Note: Beginning/ Ending Reserve Fund Balance is not included in Beginning/ Ending Fund Balance					

06/01/11	C/CAG PROGRAM BUDGET: REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE										
	FY 2011-12										
	Administrative Program (General Fund)	Transportation Programs	SMCRP Program	Smart Corridor	LGP Energy Watch	TFCA	NPDES	AVA	DMV Fee Program	Measure M (DMV Fee)	Total
BEGINNING BALANCE	13,975	414,475	1,936,198	563,768	5,503	2,102	1,578,445	602,023	5,148,549	473	10,265,511
RESERVE BALANCE	43,346	131,863	0	0	0	0	200,903	0	0	0	376,112
PROJECTED REVENUES											
Interest Earnings	2,000	3,000	25,000	0	0	6,000	15,000	3,000	25,000	25,000	104,000
Member Contribution	250,024	390,907	1,850,000	0	0	0	109,000	0	0	0	2,599,931
Cost Reimbursements-SFIA	0	0	0	0	0	0	0	0	0	0	0
MTC/ Federal Funding	0	973,000	0	0	0	0	0	0	0	0	973,000
Grants	100,000	179,000	0	0	303,500	0	129,943	0	0	0	712,443
DMV Fee	0	0	0	0	0	1,000,000	0	658,500	2,600,000	6,700,000	10,958,500
NPDES Fee	0	0	0	0	0	0	1,309,989	0	0	0	1,309,989
TA Cost Share	0	200,000	300,000	3,000,000	0	0	0	0	0	0	3,500,000
Miscellaneous/ SFIA	0	0	0	0	0	0	124,601	0	0	0	124,601
Street Repair Funding	0	0	0	0	0	0	0	0	0	0	0
PPM-STIP	0	460,000	0	2,400,000	0	0	0	0	0	0	2,860,000
Assessment	0	0	0	0	0	0	0	0	0	0	0
TLSP	0	0	0	700,000	0	0	0	0	0	0	700,000
	0	0	0	0	0	0	0	0	0	0	0
Total Revenues	352,024	2,205,907	2,175,000	6,100,000	303,500	1,006,000	1,688,533	661,500	2,625,000	6,725,000	23,842,464
TOTAL SOURCES OF FUNDS	365,999	2,620,381	4,111,198	6,663,768	309,003	1,008,102	3,266,978	1,263,523	7,773,549	6,725,473	34,107,975
PROJECTED EXPENDITURES											
Administration Services	117,000	115,000	20,000	21,000	8,000	8,000	25,000	0	20,000	20,000	354,000
Professional Services	255,000	1,150,000	150,000	125,000	287,000	35,000	51,559	0	25,000	25,000	2,103,559
Consulting Services	30,000	820,750	1,210,000	6,750,000	161,000	0	1,945,103	0	125,000	1,050,000	12,191,853
Supplies	71,000	2,000	0	0	0	0	0	0	0	0	73,000
Prof. Dues & Memberships	1,750	0	0	0	0	0	133,416	0	0	0	135,166
Conferences & Meetings	8,000	3,000	1,000	0	3,000	0	1,500	0	2,000	2,000	20,500
Printing/ Postage	20,250	5,500	0	0	0	0	5,000	0	0	0	30,750
Publications	4,000	4,000	0	0	0	0	0	0	0	0	8,000
Distributions	0	70,000	940,000	0	0	961,000	20,000	675,000	2,700,000	4,228,200	9,594,200
Street Repair	0	0	0	0	0	0	0	0	0	0	0
Miscellaneous	2,500	1,000	1,000	0	0	0	1,000	25,000	0	0	30,500
Bank Fee	2,000	0	0	0	0	0	0	0	0	0	2,000
Audit Services	9,000	0	0	0	0	0	0	0	0	0	9,000
Project Management	0	0	0	100,000	0	0	0	0	0	0	100,000
Total Expenditures	520,500	2,271,250	2,322,000	6,996,000	459,000	1,004,000	2,182,578	700,000	2,872,000	5,325,200	24,652,528
TRANSFERS											
Transfers In	0	0	0	400,000	200,000	0	344,490	0	550,000	0	1,494,490
Transfers Out	0	0	200,000	0	0	0	0	0	744,490	550,000	1,494,490
Administrative Allocation	-158,626	103,458	13,903	0	24,126	3,517	6,261	0	3,680	3,680	0 To General Fur
Total Transfers	-158,626	103,458	213,903	-400,000	-175,874	3,517	-338,229	0	198,170	553,680	0
NET CHANGE	-9,850	-168,801	-360,903	-496,000	20,374	-1,517	-155,816	-38,500	-445,170	846,120	-810,064
TRANSFER TO RESERVES	0	50,000	50,000	50,000	0	0	0	0	50,000	50,000	250,000
TOTAL USE OF FUNDS	361,874	2,424,708	2,585,903	6,646,000	283,126	1,007,517	1,844,349	700,000	3,120,170	5,928,880	24,902,528
ENDING FUND BALANCE	4,126	195,673	1,525,295	17,768	25,877	585	1,422,629	563,523	4,653,379	796,593	9,205,447
RESERVE FUND BALANCE	43,346	181,863	50,000	50,000	0	0	200,903	0	50,000	50,000	626,112
NET INCREASE (Decrease) IN FUND BALANCE	-9,850	-218,801	-410,903	-546,000	20,374	-1,517	-155,816	-38,500	-495,170	796,120	-1,060,064
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.											
Sum of Admin and Profess.	372,000	1,265,000	170,000		295,000	43,000	76,559		45,000	45,000	2,311,559
% Basis	16%	55%	7%		13%	2%	3%		2%	2%	100%
Admin Cost Sharing											
Legal Services	20,000										
Accounting Services	70,600										
Office Space	60,000										
Printing/ Postage	20,250										
Publications	4,000										
Web Support	14,200										
Total	189,050										
	30,424	103,458	13,903		24,126	3,517	6,261		3,680	3,680	189,050
Transfer Out		103,458	13,903		24,126	3,517	6,261		3,680	3,680	
Transfer In	158,626										

C/CAG PROJECTED STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE											
FY 2010-11											
	Administrative Program (General Fund)	Transportation Programs	SMCRP Program	Smart Corridor	LGP Energy Watch	TFCA	NPDES	AVA	DMV Fee Program	Measure M (DMV Fee)	Total
BEGINNING BALANCE	18,419	734,101	1,418,064	(40,767)	(183)	11,282	1,350,474	615,523	4,890,917	0	8,997,830
RESERVE BALANCE	43,346	131,863	0	0	0	0	200,903	0	0	0	376,112
PROJECTED REVENUES											
Interest Earnings	0	2,000	20,000	0	0	6,000	8,000	3,000	25,000	0	64,000
Member Contribution	250,025	390,907	1,850,000	0	0	0	108,895	0	0	0	2,599,827
Cost Reimbursements-SFIA	0	0	0	0	0	0	0	0	0	0	0
MTC/Federal Funding	0	665,000	0	0	0	0	0	0	0	0	665,000
Grants	111,230	93,889	0	0	246,500	0	60,000	0	0	0	511,619
DMV Fee	0	0	0	0	0	957,062	0	658,500	2,600,000	0	4,215,562
NPDES Fee	0	0	0	0	0	0	1,298,989	0	0	0	1,298,989
TA Cost Share	0	115,000	311,680	0	0	0	0	0	0	0	426,680
Miscellaneous/ SFIA	0	0	0	0	0	0	99,209	0	0	0	99,209
Street Repair Funding	0	0	0	0	0	0	0	0	0	0	0
PPM-STIP	0	460,000	0	714,925	0	0	0	0	0	0	1,174,925
Assessment	0	0	0	0	0	0	0	0	0	0	0
TLSP	0	0	0	300,000	0	0	0	0	0	0	300,000
	0	0	0	0	0	0	0	0	0	0	0
Total Revenues	361,255	1,726,796	2,181,680	1,014,925	246,500	963,062	1,575,093	661,500	2,625,000	0	11,355,811
TOTAL SOURCES OF FUNDS	379,674	2,460,897	3,599,744	974,158	246,317	974,344	2,925,567	1,277,023	7,515,917	0	20,353,641
PROJECTED EXPENDITURES											
Administration Services	117,000	100,052	126,075	19,000	8,000	3,465	25,000	0	20,000	0	418,592
Professional Services	246,022	1,010,552	125,270	129,000	267,000	32,534	53,254	0	23,000	0	1,886,632
Consulting Services	47,719	723,686	38,000	441,000	140,400	0	1,301,950	0	80,000	549,527	3,322,282
Supplies	124,500	0	0	0	0	0	0	0	0	0	124,500
Prof. Dues & Memberships	1,750	0	0	0	0	0	123,494	0	0	0	125,244
Conferences & Meetings	8,000	3,315	0	0	3,000	0	500	0	0	0	14,815
Printing/ Postage	12,250	5,500	0	110	0	0	2,000	0	0	0	19,860
Publications	11,000	1,980	349	0	0	0	0	0	0	0	13,329
Distributions	0	70,000	1,134,100	0	0	957,000	20,000	675,000	1,200,000	0	4,056,100
Street Repair	0	0	0	0	0	0	0	0	0	0	0
Miscellaneous	1,750	439	126	280	0	(25,000)	1,000	0	0	0	(21,414)
Bank Fee	1,000	0	0	0	0	0	0	0	0	0	1,000
Audit Services	6,190	0	0	0	0	0	0	0	0	0	6,190
Project Management	0	0	0	121,000	0	0	0	0	0	0	121,000
Total Expenditures	577,181	1,915,515	1,423,920	710,390	418,400	967,999	1,527,198	675,000	1,323,000	549,527	10,088,130
TRANSFERS											
Transfers In	0	0	0	300,000	210,000	0	189,300	0	0	550,000	1,249,300
Transfers Out	0	0	210,000	0	0	0	0	0	1,039,300	0	1,249,300
Administrative Allocation	(211,483)	130,907	29,626	0	32,414	4,243	9,224	0	5,068	0	0
Total Transfers	(211,483)	130,907	239,626	(300,000)	(177,586)	4,243	(180,076)	0	1,044,368	(550,000)	0
NET CHANGE	(4,444)	(319,626)	518,134	604,535	5,686	(9,180)	227,971	(13,500)	257,632	473	1,267,680
TRANSFER TO RESERVES	0	0	0	0	0	0	0	0	0	0	0
TOTAL USE OF FUNDS	365,699	2,046,422	1,663,546	410,390	240,814	972,242	1,347,122	675,000	2,367,368	(473)	10,088,130
ENDING FUND BALANCE	13,975	414,475	1,936,198	563,768	5,503	2,102	1,578,445	602,023	5,148,549	473	10,265,511
RESERVE FUND BALANCE	43,346	131,863	0	0	0	0	200,903	0	0	0	376,112
NET INCREASE (Decrease) IN FUND BALANCE	(4,444)	(319,626)	518,134	604,535	5,686	(9,180)	227,971	(13,500)	257,632	473	1,267,681
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- SMCRRP - 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.											
Administration Services	\$363,022	\$1,110,604	\$251,345		\$275,000	\$35,999	\$78,254		\$43,000	\$0	\$2,157,224
% Basis	0.16828208	0.51483013	0.116513158		0.127478636	0.016687649	0.036275321		0.019933023	0	100%
Admin Cost Sharing											
Legal Services	\$20,000										
Accounting Services	\$70,600										
Office Space	\$45,000										
Printing/ Postage	\$12,250										
Publications	\$11,000										
Web Support	\$15,017										
Office Space Move	\$70,000										
Redwood City program Payroll	\$10,405										
Total	\$254,272										
	\$42,789	130,907	29,626		32,414	4,243	9,224		5,068	0	\$254,272
Transfer Out		130,907	29,626		32,414	4,243	9,224		5,068	0	
Transfer In	\$211,483										

**CITY/ COUNTY ASSOCIATION OF GOVERNMENTS OF
SAN MATEO COUNTY (C/CAG)
FACT SHEET - FY 2011-12**

Description: Joint Powers Authority of the 20 Cities and the County in San Mateo County. Functions as the Congestion Management Agency for San Mateo County including programming State and Federal discretionary funds. Also acts as the Local Task Force for Solid Waste Management, Airport Land Use Commission, Water Pollution Prevention Program and Transportation Fund for Clean Air manager. Facilitates long range planning to link land use and transportation.

Full Time Equivalent (FTE): FY 10-11 8.5 FTE FY 11-12 9.0 FTE
No change NPDES Program Manager went from part time to full time

Major Budget Assumptions:

Assumptions include: 1- No change in member assessment, 2- For NPDES budget assumed the new Municipal Regional Permit level and partially funded (\$344,490) by DMV Fee Program, 3-Smart Corridor Implementation including \$6,100,000 in transportation funds flows through the C/CAG budget, 4- San Mateo County Energy Watch (\$303,500), 5- Climate action planning funding (\$200,000) is provided from the San Mateo Congestion Relief Program, and Measure M funding of \$6,700,000.

C/CAG Budget:	FY 10-11 Projection	FY 11-12 Budget	Change	PerCent
Beginning Balance:	\$ 8,997,830	\$10,265,511	\$ 1,267,681	14.09%
Reserves:	\$ 376,112	\$ 376,112	\$ 0	0%
Total Revenues:	\$11,355,811	\$23,842,464	\$12,486,653	109.96%
Total Sources of Funds:	\$20,353,641	\$34,107,975	\$13,754,334	67.58%
Total Expenditures:	\$10,088,130	\$24,652,528	\$14,564,398	144.37%
Transfer to Reserves:	\$ 0	\$ 250,000	\$ 250,000	N/A
Total Use of Funds:	\$10,088,130	\$24,902,528	\$14,814,398	146.85%
Ending Fund Balance:	\$10,265,511	\$ 9,205,447	(\$1,060,064)	-10.33%
Reserve Fund Balance:	\$ 376,112	\$ 626,112	\$ 250,000	66.5%

Reserves are not included in Total Sources of Funds.

Capital: Consulting - \$12,191,853 Distributions - \$9,594,200 Total - \$21,786,053

Operating: \$2,866,475

C/CAG Budget Overview:

Revenues increased 110% and Expenditures increased 144.4%. The Revenue increase of \$12,486,653 of which \$11,810,075 is due primarily to the \$5,085,075 increase in State Transportation Improvement Program (STIP) funds for the Smart Corridor Project and \$6,725,000 from new Measure M revenue. The Expenditures increase of \$14,564,398 of which \$13,864,098 is a due to the project implementation (\$6,285,610) for the Smart Corridor project, an increase in Transportation Programs of \$355,735, new Measure M local distributions of \$4,775,673, San Mateo Congestion Relief increase of \$898,080 due to Smart Corridor Project support and climate action, and DMV Fee Program implementation cost of \$1,549,000. Ending Fund Balance decreased 10.33% or by \$1,060,064. The Reserve Fund Balance between FY 10-11 and FY 11-12 increased by \$250,000 to \$626,112 which is 22% of the operating cost.

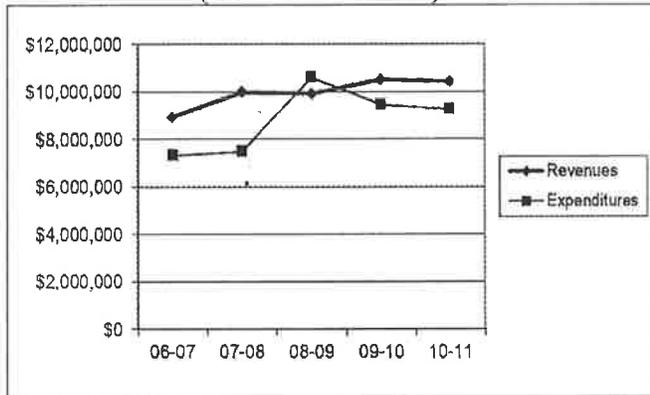
Major Programs/ Funds:	Balance Beginning	Revenues	Expenditures	Transfers	Balance Ending
General Fund	\$ 13,975	\$ 352,024	\$ 520,500	(\$158,626)	\$ 4,126
Transportation Fund	\$ 414,475	\$ 2,205,907	\$ 2,271,250	\$ 153,458	\$ 195,673
San Mateo Congestion Relief Program	\$1,936,198	\$ 2,175,000	\$ 2,322,000	\$ 263,903	\$1,525,295
San Mateo Smart Corridor	\$ 563,768	\$ 6,100,000	\$ 6,996,000	(\$350,000)	\$ 17,768
LGP Energy Watch	\$ 5,503	\$ 303,500	\$ 459,000	(\$175,874)	\$ 25,877
TFCA	\$ 2,102	\$ 1,006,000	\$ 1,004,000	\$ 3,517	\$ 585
NPDES	\$1,578,445	\$ 1,688,533	\$ 2,182,578	(\$338,229)	\$1,422,629
AVA	\$ 602,023	\$ 661,500	\$ 700,000		\$ 563,523
DMV Fees	\$5,149,022	\$ 9,350,000	\$ 8,197,200	\$ 751,850	\$5,449,972
C/CAG - Total	\$10,266,511	\$23,842,464	\$24,652,528	\$ 0	\$9,205,447

Undesignated Balance:

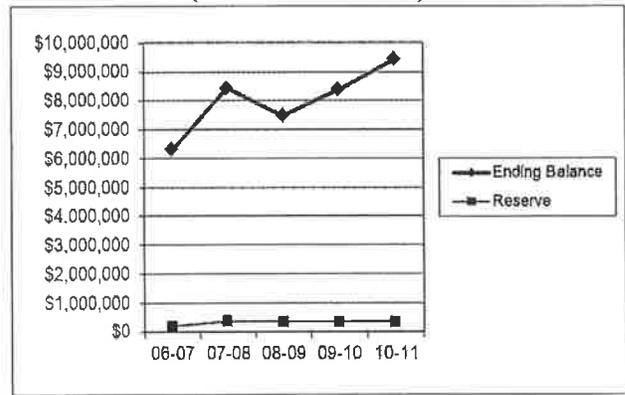
Major Programs/ Funds:	Balance Ending	Designated Expense	Designated Revenue	Designated Net	Undesignated Balance
General Fund	\$ 4,126	\$0	\$0	-\$0	\$4,126
Transportation Fund	\$195,673	\$150,000	\$0	-\$150,000	\$45,673
San Mateo Congestion Relief Program	\$1,525,295	\$823,000	\$100,000	-\$723,000	\$802,295
San Mateo Smart Corridor Program	\$17,768	\$17,768	\$0	-\$17,768	\$0
LGP Energy Watch	\$25,877	\$25,877	\$0	-\$25,877	\$0
TFCA	\$585	\$585	\$0	-\$585	\$0
NPDES	\$1,422,629	\$1,000,000	\$0	-\$1,000,000	\$422,629
AVA	\$563,523	\$180,000	\$0	-\$180,000	\$383,523
DMV Fees	\$5,449,972	\$3,500,000	\$0	-\$3,500,000	\$1,949,972
C/CAG – Total	\$9,205,447	\$5,697,230	\$100,000	-\$5,597,230	\$3,608,217

C/CAG NORMALIZED FIVE YEAR HISTORICAL REVIEW:

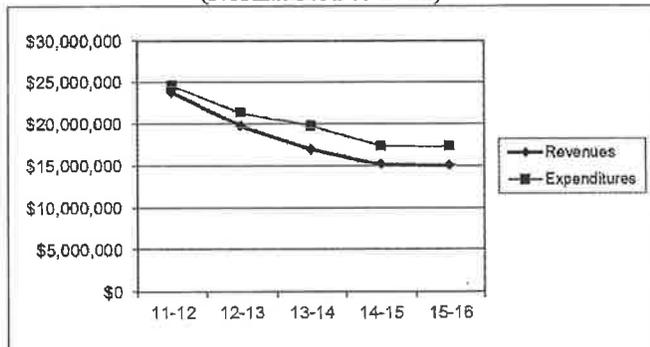
**FY 06-07 Thru FY 10-11
(Normalized to 2006)**



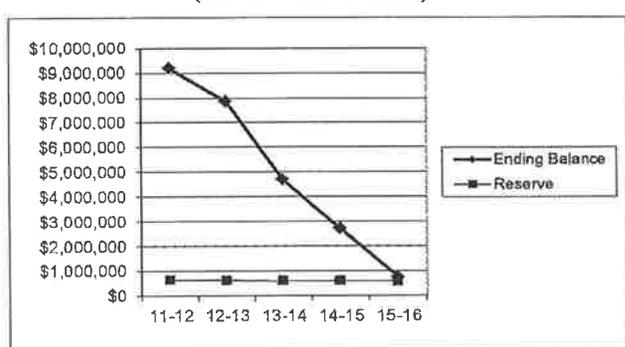
**FY 06-07 Thru FY 10-11
(Normalized to 2006)**



**FY 11-12 Thru FY 15-16
(Normalized to 2011)**



**FY 11-12 Thru FY 15-16
(Normalized to 2011)**



- 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. Measure M should address the \$750,000 per year deficit. Must pursue additional revenue.
 - 3- Implementation of the Smart Corridor Project will cause a significant increase in expenditures that requires the cash flow to be managed.
 - 4- Staff needs to reduce the large balance (\$4,653,379) 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.
 - 6- Need to program or return the AVA balance of \$563,523.

Reserves: Have reserves of \$626,112 out of an Operating Budget of \$2,866,475 or 22%. However; the Undesignated Balance of \$3,827,475 provides funding capacity for unexpected issues or cost growth in programs. This will cover 1.9 years of the C/CAG fixed labor cost (\$1,950,000).

CITY/COUNTY ASSOCIATION OF GOVERNMENTS
2011-12 PROGRAM BUDGET
JULY 1, 2011 - JUNE 30, 2012
 (by fund)

ADMINISTRATIVE PROGRAM - GENERAL FUND

PROGRAM DESCRIPTION: The General Fund finances the administrative functions of C/CAG. The Airport Land Use Commission and Waste Management Programs are also included. The FY 11-12 member assessment is the same as for FY 10-11.

Issues: The FY 11-12 Budget assumes that all the Funds except for the AVA Program and Smart Corridor will share proportionally some administrative costs. As a result of this C/CAG policy the General Fund is in a balanced position. Need to get continued funding (\$100,000) from San Francisco International Airport and (\$20,000) from County of San Mateo for Airport Land Use Commission functions.

Reserves: Important to have adequate reserves. Current level of \$43,346 is minimal. Would like to maintain at least 15% in the future.

ESTIMATED BEGINNING BALANCE		\$13,975
RESERVE BALANCE		\$43,346
PROJECTED REVENUES		
Interest Income	\$2,000	
Member Assessments (General Fund)	\$250,024	
Miscellaneous/ SFIA	\$0	
Grants	\$100,000	
TOTAL PROJECTED REVENUES	\$352,024	\$352,024
TOTAL SOURCES OF FUNDS		\$365,999
PROPOSED EXPENDITURES		
Administrative Services	\$117,000	
Professional Services	\$255,000	
Consulting Services	\$30,000	
Supplies ¹	\$71,000	
Professional Dues & Memberships	\$1,750	
Conferences & Meetings	\$8,000	
Printing and Postage	\$20,250	
Publications	\$4,000	
Miscellaneous	\$2,500	
Bank Fee	\$2,000	
Audit Services	\$9,000	
TOTAL EXPENDITURES	\$520,500	\$525,000
TRANSFERS	(\$158,626)	(\$158,626)
NET CHANGE	(\$9,850)	
TRANSFER TO RESERVES	\$0	
TOTAL USE OF FUNDS	\$361,874	
ENDING FUND BALANCE (6/30/12)		\$4,126
RESERVE FUND BALANCE		\$43,346

¹Includes office lease and operating expenses.

Note: Beginning/ Ending Reserve Fund Balance is not included in Beginning/ Ending Fund Balance

ADMINISTRATIVE PROGRAM		GENERAL FUND	
NORMALIZED FIVE YEAR HISTORICAL OVERVIEW			
General Fund Five Year History FY 06-07 THRU FY 10-11 (Normalized to 2006)			
General Fund Five Year Projection FY 11-12 THRU FY 15-16 (Normalized to 2011)			
NORMALIZED FIVE YEAR PROJECTION OVERVIEW			
General Fund Five Year History FY 06-07 THRU FY 10-11 (Normalized to 2006)			
General Fund Five Year Projection FY 11-12 THRU FY 15-16 (Normalized to 2011)			
TREND:		Assumed 1.5% CPI for next Four Years	
Multi-year assumption averaged 1.5% per year increase for Expenditures.		Assumed 1.5% CPI for next Four Years	
Increased Revenue (Member Assessment) 2% in FY 13-14 and FY 15-16.		Assumed 1.5% CPI for next Four Years	
Transfers into the General Fund from the Transportation Programs, SMCRP, TFCA, NPDES, and DMV Fee Funds to share general cost.		Assumed 1.5% CPI for next Four Years	
Need to continue to find a source of revenue for ALUC activities.		Assumed 1.5% CPI for next Four Years	

CITY/COUNTY ASSOCIATION OF GOVERNMENTS
2011-12 PROGRAM BUDGET
JULY 1, 2011 - JUNE 30, 2012
 (by fund)

TRANSPORTATION PROGRAMS FUND

PROGRAM DESCRIPTION: Transportation Programs includes Congestion Management Program, Countywide Transportation Plan, MTC Transportation Plus Land-use, Ride-share, Bikeways and Pedestrian Advisory Committee (BPAC) and TDA Fund Management, the Peninsula 2020 Corridor study, and the 2020 Corridor Phase 2 implementation of Willow/ University ITS improvements.

Issues: The FY 11-12 member assessment is the same as for FY 10-11. Coordinated the C/CAG budget with the Transportation Authority Budget for consistency. Assumed no funding beyond the negotiated level of funding for planning from the Metropolitan Transportation Commission (MTC) and the State Transportation Improvement Program for FY 11-12.

Reserves: Transferred \$50,000 to reserves. The reserve balance is \$181,863.

ESTIMATED BEGINNING BALANCE		\$414,475
RESERVE BALANCE		\$131,863
PROJECTED REVENUES		
Interest Earnings	\$3,000	
Member Contribution (CMP 111)	\$390,907	
Miscellaneous	\$0	
Federal Funding - MTC	\$973,000	
PPM-STIP	\$460,000	
Grants/ VTA	\$179,000	
TA Cost Share	\$200,000	
TOTAL PROJECTED REVENUES	\$2,205,907	\$2,205,907
TOTAL SOURCES OF FUNDS		\$2,620,381
PROJECTED EXPENDITURES		
Administration	\$115,000	
Professional Services	\$1,150,000	
Consulting Services	\$920,750	
Supplies	\$2,000	
Conferences & Meetings	\$3,000	
Printing/ Postage	\$5,500	
Publications	\$4,000	
Distributions	\$70,000	
Miscellaneous	\$1,000	
TOTAL EXPENDITURES	\$2,271,250	\$2,271,250
TRANSFERS	\$103,458	\$103,458
NET CHANGE	(\$168,801)	(\$168,801)
TRANSFER TO RESERVES	\$50,000	
TOTAL USE OF FUNDS	\$2,424,708	
ENDING FUND BALANCE (6/30/12)		\$195,673

RESERVE FUND BALANCE

\$181,863

Note: Beginning/ Ending Reserve Fund Balance is not included in Beginning/ Ending Fund Balance.
 TA provides funding for potential TA requested studies.

TRANSPORTATION PROGRAMS		TRANSPORTATION PROGRAMS	
NORMALIZED FIVE YEAR HISTORICAL OVERVIEW		NORMALIZED FIVE YEAR HISTORICAL OVERVIEW	
<p>Transportation Programs Five Year History FY 06-07 THRU FY 10-11 (Normalized to 2006)</p>	<p>Transportation Programs Five Year History FY 06-07 THRU FY 10-11 (Normalized to 2006)</p>	<p>Transportation Programs Five Year History FY 06-07 THRU FY 10-11 (Normalized to 2006)</p>	<p>Transportation Programs Five Year History FY 06-07 THRU FY 10-11 (Normalized to 2006)</p>
<p>Transportation Programs Five Year Projection FY 11-12 THRU FY 15-16 (Normalized to 2011)</p>	<p>Transportation Programs Five Year Projection FY 11-12 THRU FY 15-16 (Normalized to 2011)</p>	<p>Transportation Programs Five Year Projection FY 11-12 THRU FY 15-16 (Normalized to 2011)</p>	<p>Transportation Programs Five Year Projection FY 11-12 THRU FY 15-16 (Normalized to 2011)</p>
<p>Assumed 1.5% CPI for next four years.</p>		<p>Assumed 1.5% CPI for next four years.</p>	
<p>TREND: Assumes Revenue and Expenditures grow average of 1% and 4% per year respectively. Increased Member Assessments 2% in FY 13-14 and recommended for FY 15-16.</p>		<p>Assumed 1.5% CPI for next four years.</p>	

CITY/COUNTY ASSOCIATION OF GOVERNMENTS

2011-12 PROGRAM BUDGET

JULY 1, 2011- JUNE 30, 2012

(by fund)

SAN MATEO CONGESTION RELIEF PLAN PROGRAM FUND

PROGRAM DESCRIPTION: The San Mateo Congestion Relief Plan (SMCRP) goal is to increase transit ridership from 6% to 20% and reduce automobile usage from 94 to 80%. The plan focuses on the operating efficiency of the transportation system through shuttles, Transportation Demand Management, Intelligent Transportation Systems and creating incentives for transportation friendly land use. C/CAG will work with SamTrans, the Transportation Authority, and the Peninsula Congestion Relief Alliance to implement this program. New programs include Countywide Housing Element Update and Energy Local Government Partnership.

Issues: C/CAG and TA staff coordinated the SamTrans/ TA contribution for FY 11-12. Primary focus has been on local shuttles. Need to reduce the Ending Balance.

Reserves: Established a reserve of \$50,000. Not critical to develop a reserve since the projects are adjusted to fit the funds available.

ESTIMATED BEGINNING BALANCE **\$1,936,198**

RESERVE BALANCE

PROJECTED REVENUES

Interest Earnings	\$25,000	
Member Contribution (Gas Tax - See Attachment B)	\$1,850,000	
Cost Reimbursements		
MTC/ Federal Funding	\$0	
Grants	\$0	
TA (Note 1)	\$300,000	
PPM-STIP	\$0	
TOTAL PROJECTED REVENUES	\$2,175,000	\$2,175,000

TOTAL SOURCES OF FUNDS **\$4,111,198**

PROJECTED EXPENDITURES

Administration	\$20,000	
Professional Services	\$150,000	
Consulting Services (Studies)	\$1,210,065	
ITS/ Ramp Metering - \$200,000		
Countywide TDM - \$505,000		
ECR Incentive/ CRP - \$467,000		
Distributions	\$940,000	
Shuttles - \$790,000		
ECR Incentive Program - \$150,000		
Other	\$2,000	
Transfer - Climate	\$200,000	
TOTAL EXPENDITURES	\$2,322,000	

TRANSFERS **\$213,903** **\$213,903**

NET CHANGE **(\$360,903)**

TRANSFER TO RESERVES **\$50,000**

TOTAL USE OF FUNDS **\$2,585,9030**

ENDING FUND BALANCE (6/30/11) **\$1,525,295**

RESERVE FUND BALANCE **\$50,000**

Note 1 Funds proposed by TA staff. Budget will be adjusted if necessary to reflect final approved amount.

SAN MATEO CONGESTION RELIEF PROGRAM NORMALIZED FIVE YEAR HISTORICAL OVERVIEW		SAN MATEO CONGESTION RELIEF PROGRAM NORMALIZED FIVE YEAR HISTORICAL OVERVIEW		SAN MATEO CONGESTION RELIEF PROGRAM NORMALIZED FIVE YEAR HISTORICAL OVERVIEW	
San Mateo Congestion Relief Program Five Year History FY 06-07 THRU FY 10-11 (Normalized to 2006)		San Mateo Congestion Relief Program Five Year History FY 06-07 THRU FY 10-11 (Normalized to 2006)		San Mateo Congestion Relief Program Five Year History FY 06-07 THRU FY 10-11 (Normalized to 2006)	
San Mateo Congestion Relief Program Five Year Projection FY 11-12 THRU FY 15-16 (Normalized to 2011)		San Mateo Congestion Relief Program Five Year Projection FY 11-12 THRU FY 15-16 (Normalized to 2011)		San Mateo Congestion Relief Program Five Year Projection FY 11-12 THRU FY 15-16 (Normalized to 2011)	
NORMALIZED FIVE YEAR PROJECTION OVERVIEW					
Assumed 1.5% CPI for next four years.	Assumed 1.5% CPI for next four years.	Assumed 1.5% CPI for next four years.	Assumed 1.5% CPI for next four years.	Assumed 1.5% CPI for next four years.	Assumed 1.5% CPI for next four years.
TREND: Assumes Revenue & Expenditures grow 3% and 2% per year respectively. City/ County contribution is maintained fixed at \$1,8500,000. Not important to develop a reserve in this program since programs are adjusted to fit the funds available. Ending Balance has been growing but is projected to be reduced as projects transition from study to implementation.					

CITY/COUNTY ASSOCIATION OF GOVERNMENTS
2011-12 PROGRAM BUDGET
JULY 1, 2011- JUNE 30, 2012
 (by fund)

SMART CORRIDOR PROJECT - SMART CORRIDOR FUND

PROGRAM DESCRIPTION: Design, construction, and test of the San Mateo Smart Corridor Project (\$20-25M).

Issues: Implementation of the Smart Corridor Project will cause a significant increase in expenditures that requires the cash flow to be managed.

Reserves: Transferred \$50,000 to reserves for a total reserve of \$50,000.

ESTIMATED BEGINNING BALANCE		\$563,768
RESERVE BALANCE		\$0
PROJECTED REVENUES		
Interest Income	\$0	
TA Cost Share	\$3,000,000	
PPM - STIP	\$2,400,000	
TLSP	\$700,000	
TOTAL PROJECTED REVENUES	\$6,100,000	\$6,100,000
TOTAL SOURCES OF FUNDS		\$6,663,768
PROPOSED EXPENDITURES		
Administrative Services	\$21,000	
Professional Services	\$125,000	
Consulting Services	\$6,750,000	
Supplies ¹	\$0	
Professional Dues & Memberships	\$0	
Conferences & Meetings	\$0	
Printing and Postage	\$0	
Publications	\$0	
Project Management	\$100,000	
Bank Fee	\$0	
Audit Services	\$0	
TOTAL EXPENDITURES	\$6,996,000	\$6,996,000
TRANSFERS	(\$400,000)	(\$400,000)
NET CHANGE	(\$496,000)	
TRANSFER TO RESERVES	\$50,000	
TOTAL USE OF FUNDS	\$6,646,000	\$17,768
ENDING FUND BALANCE (6/30/12)		
RESERVE FUND BALANCE		\$50,000

¹Includes office lease and operating expenses.

Note: Beginning/ Ending Reserve Fund Balance is not included in Beginning/ Ending Fund Balance

SAN MATEO COUNTY SMART CORRIDOR NORMALIZED FIVE YEAR HISTORICAL OVERVIEW	
<p>Smart Corridor Program Five Year History FY 06-07 THRU FY 10-11 (Normalized to 2006)</p>	<p>Smart Corridor Program Five Year History FY 06-07 THRU FY 10-11 (Normalized to 2006)</p>
<p>Smart Corridor Program Five Year History FY 06-07 THRU FY 10-11 (Normalized to 2006)</p>	<p>Smart Corridor Program Five Year History FY 06-07 THRU FY 10-11 (Normalized to 2006)</p>
NORMALIZED FIVE YEAR PROJECTION OVERVIEW	
<p>Smart Corridor Program Five Year Projection FY 11-12 THRU FY 15-16 (Normalized to 2011)</p>	<p>Smart Corridor Program Five Year Projection FY 11-12 THRU FY 15-16 (Normalized to 2011)</p>
<p>Smart Corridor Program Five Year Projection FY 11-12 THRU FY 15-16 (Normalized to 2011)</p>	<p>Smart Corridor Program Five Year Projection FY 11-12 THRU FY 15-16 (Normalized to 2011)</p>
<p>Assumed 1.5% CPI for next four years.</p>	<p>Assumed 1.5% CPI for next four years.</p>
<p>TREND: Cost to build the current Smart Corridor Project with construction of the local arterials only. Assumed projected cash flow for the Smart Corridor Project.</p>	<p>Assumed 1.5% CPI for next four years.</p>

CITY/COUNTY ASSOCIATION OF GOVERNMENTS
2011-12 PROGRAM BUDGET
JULY 1, 2011- JUNE 30, 2012
 (by fund)

LGP ENERGY WATCH FUND

Issues: C/CAG formed a Local Government Partnership with PG&E. The objective is to market and provide incentives to implement energy savings projects. Also includes various climate programs.

Reserves: The reserve balance is \$0. Not necessary to have reserves since it is a cost reimbursement program.

ESTIMATED BEGINNING BALANCE		\$5,503
RESERVE BALANCE		\$0
PROJECTED REVENUES		
Interest Earnings	\$0	
Member Contribution (CMP 111)	\$0	
Miscellaneous	\$0	
Federal Funding - MTC	\$0	
PPM-STIP	\$0	
Grants/ VTA	\$303,500	
TA Cost Share	\$0	
TOTAL PROJECTED REVENUES	\$303,500	\$303,500
TOTAL SOURCES OF FUNDS		\$309,003
PROJECTED EXPENDITURES		
Administration	\$8,000	
Professional Services	\$287,000	
Consulting Services	\$161,000	
Supplies	\$0	
Conferences & Meetings	\$3,000	
TOTAL EXPENDITURES	\$459,000	
TRANSFERS	(\$175,874)	(\$175,874)
NET CHANGE	\$20,375	
TRANSFER TO RESERVES	\$0	\$0
TOTAL USE OF FUNDS	\$283,126	
ENDING FUND BALANCE (6/30/12)		\$25,877
RESERVE FUND BALANCE		\$0

Note: Beginning/ Ending Reserve Fund Balance is not included in Beginning/ Ending Fund Balance.
 TA provides funding for potential TA requested studies.

LGP ENERGY WATCH PROGRAM NORMALIZED FIVE YEAR HISTORICAL OVERVIEW		LGP ENERGY WATCH PROGRAM NORMALIZED FIVE YEAR HISTORICAL OVERVIEW	
LGP Energy Watch Program Five Year History FY 06-07 THRU FY 10-11 (Normalized to 2006)		LGP Energy Watch Program Five Year History FY 06-07 THRU FY 10-11 (Normalized to 2006)	
LGP Energy Watch Program Five Year History FY 06-07 THRU FY 10-11 (Normalized to 2006)		LGP Energy Watch Program Five Year History FY 11-12 THRU FY 15-16 (Normalized to 2011)	
LGP Energy Watch Program Five Year History FY 06-07 THRU FY 10-11 (Normalized to 2006)		LGP Energy Watch Program Five Year History FY 11-12 THRU FY 15-16 (Normalized to 2011)	
LGP Energy Watch Program Five Year History FY 06-07 THRU FY 10-11 (Normalized to 2006)		LGP Energy Watch Program Five Year History FY 11-12 THRU FY 15-16 (Normalized to 2011)	
NORMALIZED FIVE YEAR PROJECTION OVERVIEW		NORMALIZED FIVE YEAR PROJECTION OVERVIEW	
LGP Energy Watch Program Five Year History FY 11-12 THRU FY 15-16 (Normalized to 2011)		LGP Energy Watch Program Five Year History FY 11-12 THRU FY 15-16 (Normalized to 2011)	
LGP Energy Watch Program Five Year History FY 11-12 THRU FY 15-16 (Normalized to 2011)		LGP Energy Watch Program Five Year History FY 11-12 THRU FY 15-16 (Normalized to 2011)	
Assumed 1.5% CPI for next four years.	Assumed 1.5% CPI for next four years.	Assumed 1.5% CPI for next four years.	Assumed 1.5% CPI for next four years.
TRENDS:		TRENDS:	
Assumes Revenue & Expenditures grow 2% and 5% per year respectively.		Assumes Revenue & Expenditures grow 2% and 5% per year respectively.	
Not important to develop a reserve in this program since programs are adjusted to fit the funds available.		Not important to develop a reserve in this program since programs are adjusted to fit the funds available.	
Ending Balance has been growing but is projected to be reduced as projects transition from study to implementation.		Ending Balance has been growing but is projected to be reduced as projects transition from study to implementation.	

**CITY/COUNTY ASSOCIATION OF GOVERNMENTS
2011-12 PROGRAM BUDGET
JULY 1, 2011 - JUNE 30, 2012
(by fund)**

TFCA PROGRAM FUND

Program Description: The Bay Area Air Quality Management District (BAAQMD) is charged under AB 434 to levy a surcharge on motor vehicle registration fees to fund projects and programs to reduce air pollution. This provides the revenues for the Transportation Fund for Clean Air (TFCA) Program. Forty (40) percent of the revenues generated within San Mateo County are allocated to C/CAG to be used to fund local programs implementing specified transportation control measures to improve air quality in the San Francisco Bay Area. Primary focus in San Mateo County is on shuttles and Countywide Transportation Demand Management.

Issues: The actual funds received were less than programmed; therefore, must reduce payment to project sponsors.

Reserves: Current reserve is \$0. Not important to develop a reserve since the projects are adjusted to fit the funds available.

ESTIMATED BEGINNING BALANCE¹		\$2,102	
RESERVE BALANCE			\$0
PROJECTED REVENUES			
Interest Earnings	\$6,000		
TFCA Motor Vehicle Fee Revenue ²	\$1,000,000		
TOTAL PROJECTED REVENUES	\$1,006,000	\$1,006,000	
TOTAL SOURCES OF FUNDS		\$1,008,102	
PROPOSED EXPENDITURES			
Administration Services	\$8,000		
Professional Services	\$35,000		
Project Sponsor Reduction			
Conferences & Meetings	\$0		
TFCA Distributions (See Attached Details)	\$961,000		
TOTAL EXPENDITURES	\$1,004,000	\$1,004,000	
NET CHANGE	(\$1,517)		
TOTAL TRANSFERS	\$3,517	\$3,517	
TRANSFER TO RESERVE	\$0		
TOTAL USE OF FUNDS	\$1,007,517		
ENDING FUND BALANCE (6/30/12)		\$585	
RESERVE FUND BALANCE			\$0

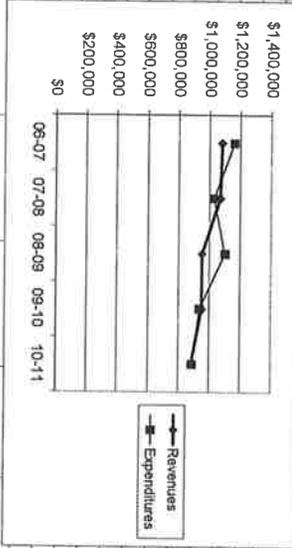
¹ TFCA Funds are good for two years. Programming issues, interest and cost reimbursement result in a balance carried forward.

² Estimate for 2011-12 is \$1,000,000 direct to San Mateo.

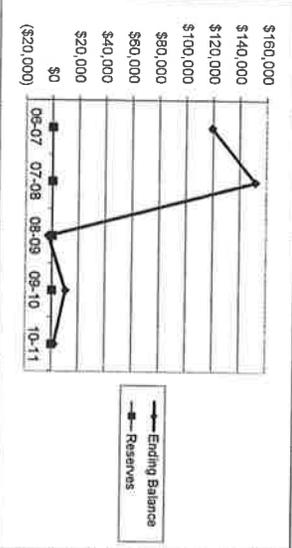
³ Beginning/ Ending Reserve Fund Balance is not included in Beginning/ Ending Fund Balance

**TRANSPORTATION FUND FOR CLEAN AIR PROGRAM
NORMALIZED FIVE YEAR HISTORICAL OVERVIEW**

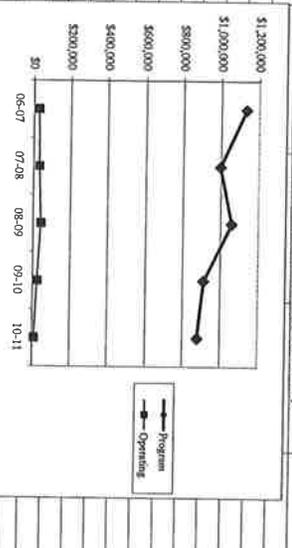
TFCA Program Five Year History
FY 06-07 THRU FY 10-11 (Normalized to 2006)



TFCA Program Five Year History
FY 06-07 THRU FY 10-11 (Normalized to 2006)

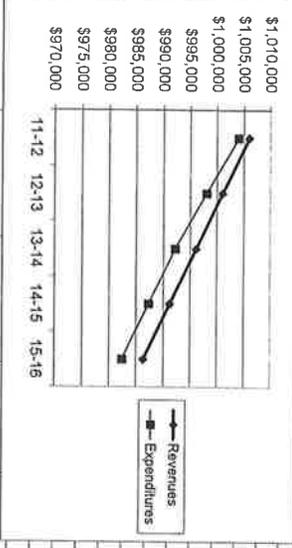


TFCA Program Five Year History
FY 06-07 THRU FY 10-11 (Normalized to 2006)

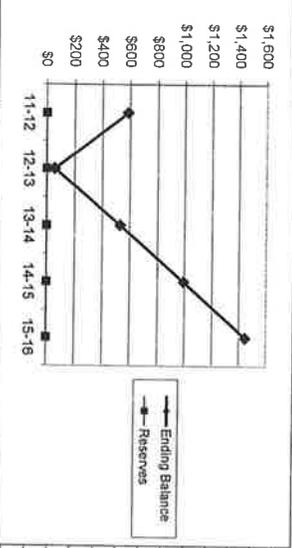


NORMALIZED FIVE YEAR PROJECTION OVERVIEW

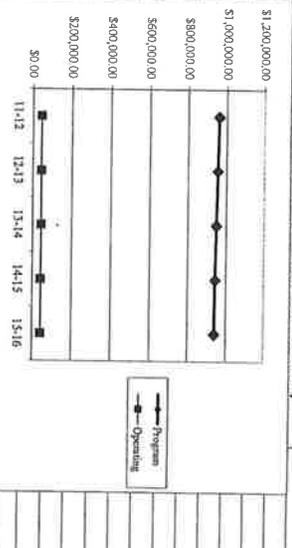
TFCA Program Five Year Projection
FY 11-12 THRU FY 15-16 (Normalized to 2011)



TFCA Program Five Year Projection
FY 11-12 THRU FY 15-16 (Normalized to 2011)



TFCA Program Five Year Projection
FY 11-12 THRU FY 15-16 (Normalized to 2011)



Assumed 1.5% CPI for next four years.

Assumed 1.5% CPI for next four years.

Assumed 1.5% CPI for next four years.

TREND:

Assumes Revenue and Expenditures grow 1% per year. Tied to registered vehicles growth.
Historical expenditure fluctuation is due to delays in project sponsor cost reimbursement requests.
Not important to develop a reserve in this program since programs are adjusted to fit the funds available.
Revenues and Expenditures are fully utilized in the Funding Year which results in essentially a \$0 Ending Balance

CITY/COUNTY ASSOCIATION OF GOVERNMENTS
2011-12 PROGRAM BUDGET
JULY 1, 2011 - JUNE 30, 2012
 (by fund)

NPDES STORMWATER MANAGEMENT PLAN PROGRAM FUND

PROGRAM DESCRIPTION: The National Pollutant Discharge Elimination System (NPDES) program is a response to the mandate imposed by federal/ state legislation and the San Francisco Bay Regional Water Quality Control Board (RWQCB) requiring a San Mateo County stormwater discharge permit. The Cities/ County have joined together with C/CAG as co-permittee agencies for the Water Pollution Prevention Program (WPPP).

Issues: New NPDES Storm-water Permit will significantly increase the cost of the program although budget balanced through FY 13-14. Approximately a \$750,000 per year deficit. Must pursue additional revenue. Need to legislatively address the ability to generate revenue. Proposition 218 seriously limits the ability to increase revenue in response to expanded programs required from the permit. Included the cost of a Proposition 218 vote and a claim with the Commission on mandates. Transferred \$344,490 from Measure M Fund.

Reserves: Current reserves are \$200,903. Need to try to increase the reserves to 15% (\$200-250,000) over next few years.

ESTIMATED BEGINNING BALANCE		\$1,578,445	
RESERVE BALANCE			\$200,903
PROJECTED REVENUES			
Interest Earnings	\$15,000		
Member Contribution	\$109,000		
Grants	\$129,943		
Miscellaneous	\$124,601		
NPDES Fee ¹ (See Attachment B)	\$1,309,989		
TOTAL PROJECTED REVENUES	\$1,688,533	\$1,688,533	
TOTAL SOURCES OF FUNDS			\$3,266,978
PROPOSED EXPENDITURES			
Administration Services	\$25,000		
Professional Services	\$51,559		
Consulting Services ²	\$1,945,103		
Conferences & Meetings	\$1,500		
Professional Dues & Membership	\$133,416		
Printing & Postage	\$1,500		
Publications	\$5,000		
NPDES Distributions	\$20,000		
Miscellaneous	\$1,000		
TOTAL EXPENDITURES	\$2,182,578	\$2,182,578	
NET CHANGE	(\$155,816)		
TRANSFERS	(\$338,229)	(\$338,229)	
TRANSFER TO RESERVES	\$0		
TOTAL USE OF FUNDS	\$1,844,349		
ENDING FUND BALANCE (6/30/12)		\$1,422,629	
RESERVE FUND BALANCE			\$200,903

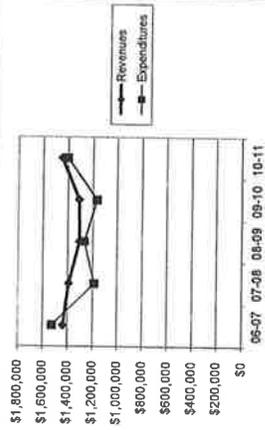
¹NPDES Fee - Assumed the same base contribution rate as 2010-11 plus a COLA for the supplemental fee

²Consulting services are provided by EOA and San Mateo County.

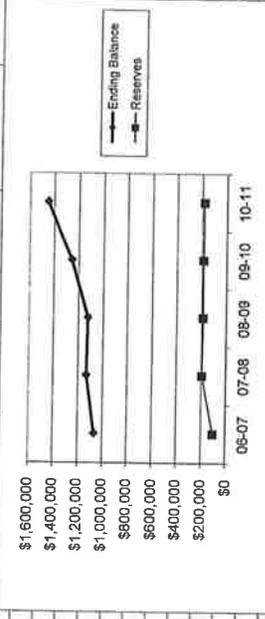
³Beginning/ Ending Reserve Fund Balance is not included in Beginning/ Ending Fund Balance.

NORMALIZED FIVE YEAR HISTORICAL OVERVIEW

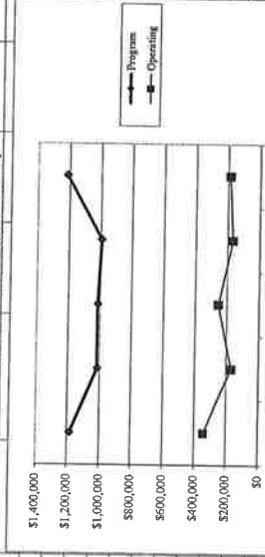
**NPDES Program Five Year History
FY 06-07 THRU FY 10-11 (Normalized to 2006)**



**NPDES Program Five Year History
FY 06-07 THRU FY 10-11 (Normalized to 2006)**

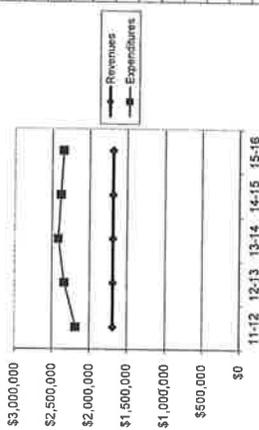


**NPDES Program Five Year History
FY 06-07 THRU FY 10-11 (Normalized to 2006)**

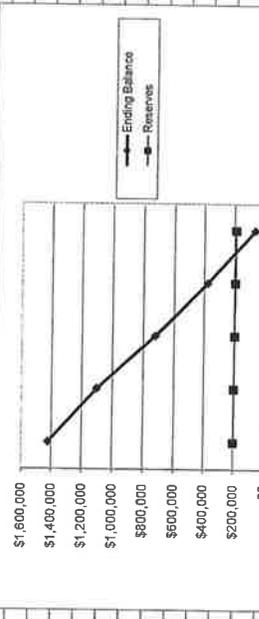


NORMALIZED FIVE YEAR PROJECTION OVERVIEW

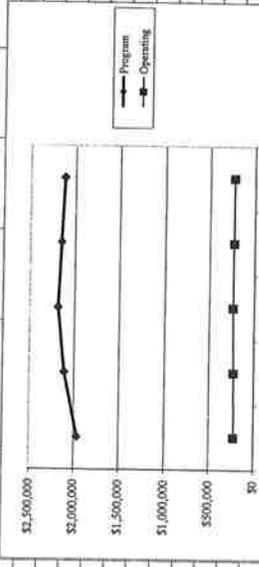
**NPDES Program Five Year Projection
FY 11-12 THRU FY 15-16 (Normalized to 2011)**



**NPDES Program Five Year Projection
FY 11-12 THRU FY 15-16 (Normalized to 2011)**



**NPDES Program Five Year Projection
FY 11-12 THRU FY 15-16 (Normalized to 2011)**



Assumed 1.5% CPI for next four years.

TREND:

- Assumed a Revenue Growth of 1.5% per year and no new revenue.
- Included the projected cost for the Municipal Regional Permit.
- Need to develop additional Revenue since it is less than Expenditures.
- Currently have a reasonable level of Reserves (\$100,903).
- One time revenue balances budget until FY 13-14.

Assumed 1.5% CPI for next four years.

Assumed 1.5% CPI for next four years.

CITY/COUNTY ASSOCIATION OF GOVERNMENTS
2011-12 PROGRAM BUDGET
JULY 1, 2011- JUNE 30, 2012
 (by fund)

ABANDONED VEHICLE ABATEMENT SERVICE AUTHORITY FUND

PROGRAM DESCRIPTION: The objective of the Abandoned Vehicle Abatement (AVA) Program is to assist the Cities and County in the abatement of abandoned vehicles. These revenues provide cost recovery for the expenses incurred by member jurisdictions related to the abatement of abandoned vehicles. The County and 17 Cities participate in this program. The City of San Carlos provides administrative and finance support for the program. AVA funds are distributed to those agencies (18) participating, based half on population and half on proportionate share of vehicles abated.

Issues: Need to program the uncommitted funds which is over \$400,000.

Reserves: Current reserve is \$0. Not important to develop a reserve since the projects are adjusted to fit the funds available.

ESTIMATED BALANCE¹		\$602,023
RESERVE BALANCE		\$0
PROJECTED REVENUES		
Interest Earnings	\$3,000	
Abandoned Vehicle Abatement Fee Revenues ²	\$658,500	
TOTAL PROJECTED REVENUES	\$661,500	\$661,500
TOTAL SOURCES OF FUNDS		\$1,263,523
PROPOSED EXPENDITURES		
Administration Services	\$0	
Professional Services	\$0	
AVA Distributions ³ (See Attached Distributions)	\$675,000	
Miscellaneous	\$25,000	
TOTAL EXPENDITURES	\$700,000	\$700,000
NET CHANGE	(\$38,500)	
TRANSFER TO RESERVES	\$0	
TOTAL USE OF FUNDS	\$700,000	
ENDING FUND BALANCE¹ (6/30/12)		\$563,523
RESERVE FUND BALANCE		\$0

¹AB 135, effective January 1, 1996, requires rebating surplus funds back to the State of California 90 days after the preceding year ends. Surplus generated prior to this date is not affected.

²Assumed the same contribution rate as 2010-11.

³The same agency reimbursement level as 2010-11 was assumed.

⁴ Beginning/ Ending Reserve Fund Balance is not included in Beginning/ Ending Fund Balance.

ABANDONED VEHICLE ABATEMENT PROGRAM NORMALIZED FIVE YEAR HISTORICAL OVERVIEW																																					
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<p>TREND: Assumes Revenue and Expenditures grow 1% per year. Tied to motor vehicle registration growth. Historical expenditure fluctuation is due to timing of revenue and project sponsor reimbursement. Not important to develop a reserve in this program since programs are adjusted to fit the funds available. Assumed spend the unprogrammed funds such that the Ending Balance is reduced to approximately \$0.</p>	<p>TREND: Assumed 1.5% CPI for next four years.</p>																																				

CITY/COUNTY ASSOCIATION OF GOVERNMENTS
2011-12 PROGRAM BUDGET
JULY 1, 2011 - JUNE 30, 2012
 (by fund)

DMV FEE PROGRAM

PROGRAM DESCRIPTION: AB 1546 was signed into law and took effect on January 1, 2005 and reauthorized as SB 348 in 2008. It provides authorization for 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 storm-water pollution within San Mateo County. The Board initially authorized the implementation of a \$4 fee beginning 7/1/05, and reauthorized the implementation in November 2008. Both traffic congestion and storm-water pollution programs include support for local programs and new countywide programs. An allocation for each agency is provided to support the local programs.

Issues: Delay in implementation of new countywide programs (50% of funds) for both congestion relief and storm-water pollution programs have resulted in the large increasing fund balance. However, grants were awarded to cities in FY 2008/09. As cities continue to submit invoices as projects are completed, the fund balance will be drawn down. Need to reduce the large balance (\$4,653,379) of the DMV Fee Program.

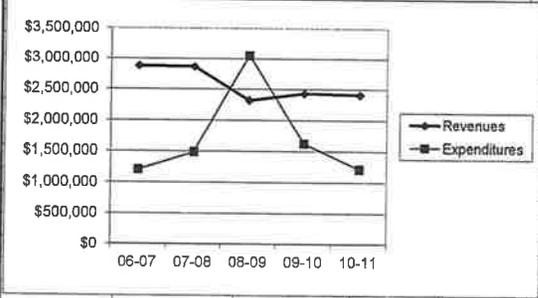
Reserves: Transferred \$50,000 to reserves for a total of \$50,000.

ESTIMATED BEGINNING BALANCE		\$5,148,549	
RESERVE BALANCE			\$0
PROJECTED REVENUES			
Interest Income	\$25,000		
DMV Fee	\$2,600,000		
TA Cost Share	\$0		
TOTAL PROJECTED REVENUES	\$2,625,000	\$2,625,000	
TOTAL SOURCES OF FUNDS		\$7,773,549	
PROPOSED EXPENDITURES			
Administrative Services	\$20,000		
Professional Services	\$25,000		
Consulting Services	\$125,000		
Supplies ¹	\$0		
Professional Dues & Memberships			
Conferences & Meetings	\$2,000		
Publications	\$		
Distribution	\$2,700,000		
TOTAL EXPENDITURES	\$2,872,000		
TRANSFERS	\$198,170	\$198,170	
NET CHANGE	(\$445,170)		
TRANSFER TO RESERVES	\$50,000		
TOTAL USE OF FUNDS	\$3,120,170		
ENDING FUND BALANCE (6/30/12)		\$4,653,379	
RESERVE FUND BALANCE			\$50,000

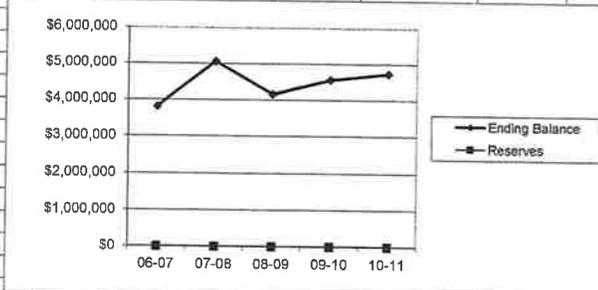
Note: 1- Beginning/ Ending Reserve Fund Balance is not included in Beginning/ Ending Fund Balance
 2- Assumed full allocation to Cities/ County.

**DMV FEE PROGRAM
NORMALIZED FIVE YEAR HISTORICAL OVERVIEW**

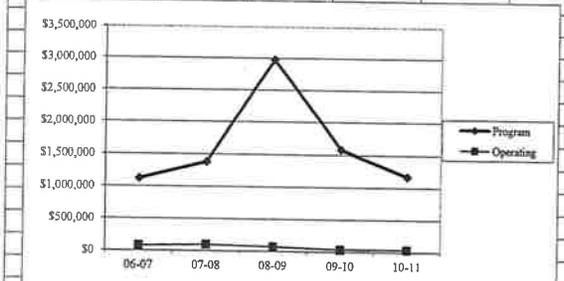
**DMV Fee Program Five Year History
FY 06-07 THRU FY 10-11 (Normalized to 2006)**



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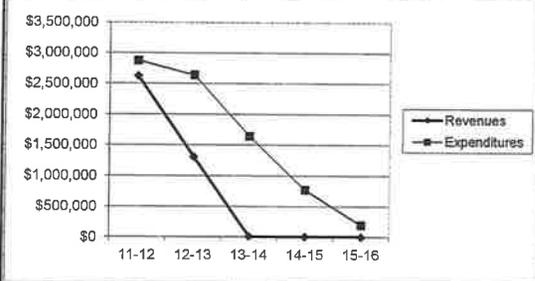


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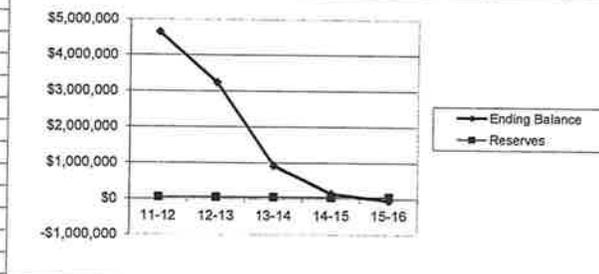


NORMALIZED FIVE YEAR PROJECTION OVERVIEW

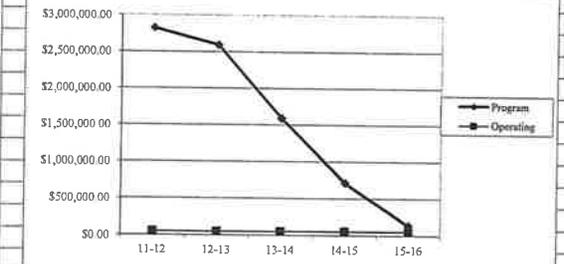
**DMV Fee Program Five Year projection
FY 11-12 THRU FY 15-16 (Normalized to 2011)**



**DMV Fee Program Five Year projection
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**DMV Fee Program Five Year projection
FY 11-12 THRU FY 15-16 (Normalized to 2011)**



Assumed 1.5% CPI for next four years.

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Assumed 1.5% CPI for next four years.

TREND: Revenues and expenditures grow 0% and 5% respectively.
 Programs will be implemented that matches the funding available.
 Will not invest in recurring programs so as to not create a future unfunded liability.
 Program expires in FY 13-14.

**CITY/COUNTY ASSOCIATION OF GOVERNMENTS
2011-12 PROGRAM BUDGET
JULY 1, 2011 - JUNE 30, 2012
(by fund)**

MEASURE M

PROGRAM DESCRIPTION: A \$10 motor vehicle fee was approved by the voters in 2010. The fee is good for 25 years. It will raise \$6,700,000 a year. Half will be provided to the cities/ County on a cost reimbursement allocation basis. The remaining half will provide funding for transit, ITS projects, Safe Routes to Schools, and Water Pollution Prevention Program.

Issues: Need to implement the countywide projects on a timely basis..

Reserves: Transferred \$50,000 to reserves for a total of \$50,000.

ESTIMATED BEGINNING BALANCE		\$473
RESERVE BALANCE		\$0
PROJECTED REVENUES		
Interest Earnings	\$25,000	
Member Contribution (CMP 111)	\$0	
Miscellaneous	\$0	
Federal Funding - MTC	\$0	
PPM-STIP	\$0	
DMV Fee	\$6,700,000	
TA Cost Share	\$0	
TOTAL PROJECTED REVENUES	\$6,725,000	\$6,725,000
TOTAL SOURCES OF FUNDS		\$6,725,473
PROJECTED EXPENDITURES		
Administration	\$20,000	
Professional Services	\$25,000	
Consulting Services	\$1,050,000	
Supplies	\$0	
Conferences & Meetings	\$2,000	
Distributions	\$4,228,200	
TOTAL EXPENDITURES	\$5,325,200	
TRANSFERS	\$553,680	\$553,680
NET CHANGE	\$846,120	
TRANSFER TO RESERVES	\$50,000	
TOTAL USE OF FUNDS	\$5,928,880	
ENDING FUND BALANCE (6/30/12)		\$796,593
RESERVE FUND BALANCE		\$50,000

Note: Beginning/ Ending Reserve Fund Balance is not included in Beginning/ Ending Fund Balance.
TA provides funding for potential TA requested studies.

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15-16	\$6,000,000	\$6,000,000																																			
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<p>TREND: Revenues and expenditures grow 0.5% and 10% respectively. Programs will be implemented that matches the funding available. Will not invest in recurring programs so as to not create a future unfunded liability.</p>																																					

ATTACHMENT B

**MEMBER ASSESSMENTS FY 11-12
(Same as FY 10-11)**

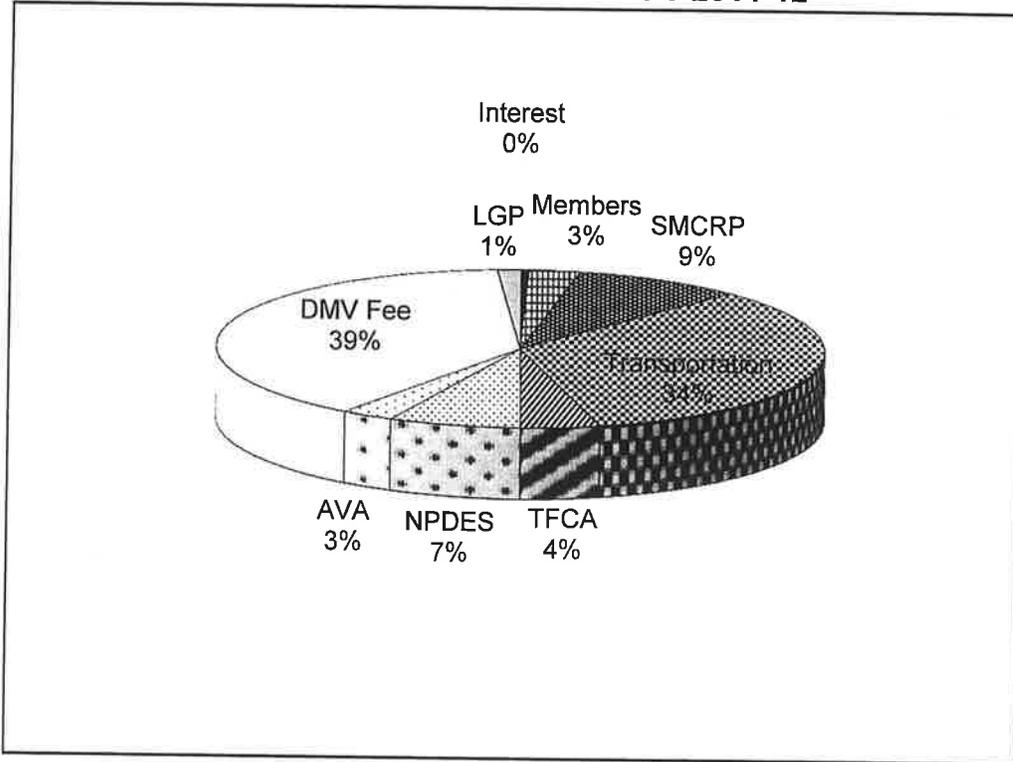
C/CAG FEE					CONGESTION RELIEF PROGRAM ASSESSMENT					COUNTYWIDE HOUSING ELEMENT		
FY 11-12					FY 11-12					FY 11-12		
Agency	%	General Fund	Gas Tax	Total	Agency	% of Trip	Congestion		Agency	%	Element	
	Popul.	Fee	Fee	Fee		Generation	Relief			Popul.	Update	
	(as of 1/1/06)	\$250,024	\$390,907							(as of 1/1/06)		
Atherton	1.00%	\$2,507	\$3,920	\$6,428	Atherton	1.34%	\$24,845		Atherton	1.00%	\$0	
Belmont	3.54%	\$8,856	\$13,846	\$22,702	Belmont	3.56%	\$65,884		Belmont	3.54%	\$0	
Brisbane (2)	0.52%	\$1,293	\$2,021	\$3,314	Brisbane (2)	1.18%	\$21,775		Brisbane (2)	0.52%	\$0	
Burlingame	3.91%	\$9,779	\$15,290	\$25,069	Burlingame	5.79%	\$107,193		Burlingame	3.91%	\$0	
Colma	0.22%	\$544	\$850	\$1,394	Colma	0.50%	\$9,224		Colma	0.22%	\$0	
Daly City	14.48%	\$36,193	\$56,587	\$92,780	Daly City	10.79%	\$199,610		Daly City	14.48%	\$0	
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%	\$10,324	\$16,141	\$26,466	Foster City	4.90%	\$90,679		Foster City	4.13%	\$0	
Half Moon Bay	1.76%	\$4,399	\$6,877	\$11,276	Half Moon Bay	1.27%	\$23,451		Half Moon Bay	1.76%	\$0	
Hillsborough	1.51%	\$3,786	\$5,919	\$9,706	Hillsborough	1.27%	\$23,491		Hillsborough	1.51%	\$0	
Menlo Park	4.25%	\$10,618	\$16,600	\$27,218	Menlo Park	5.57%	\$103,109		Menlo Park	4.25%	\$0	
Millbrae	2.86%	\$7,160	\$11,194	\$18,353	Millbrae	3.27%	\$60,419		Millbrae	2.86%	\$0	
Pacifica	5.35%	\$13,376	\$20,913	\$34,289	Pacifica	3.50%	\$64,742		Pacifica	5.35%	\$0	
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%	\$26,272	\$41,076	\$67,347	Redwood City	13.42%	\$248,197		Redwood City	10.51%	\$0	
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%	\$9,760	\$15,259	\$25,018	San Carlos	4.77%	\$88,246		San Carlos	3.90%	\$0	
San Mateo	13.03%	\$32,566	\$50,916	\$83,482	San Mateo	16.11%	\$298,110		San Mateo	13.03%	\$0	
South San Francisco	8.54%	\$21,347	\$33,376	\$54,723	South San Francisco	8.99%	\$166,325		South San Francisco	8.54%	\$0	
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%	\$22,359	\$34,958	\$57,318	San Mateo County	4.90%	\$90,667		San Mateo County	8.94%	\$0	
TOTAL	100	\$250,024	\$390,907	\$640,931	TOTAL	100.0%	\$1,850,000		TOTAL	100.00%	\$0	
1- Same C/CAG Fee as in FY 08-09, FY 09-10, and FY 10-11.					1- Transmitted to Cities and County for planning purposes							
2- Transmitted to Cities and County for planning purposes					2- The % trip generation was updated. There may be slight variation between agencies in % change from the original program.							
					3- Same C/CAG Fee as FY 08-09, FY 09-10, and FY 10-11.							

NPDES MEMBER ASSESSMENT						
			FY 11-12			
Agency	%	NPDES	NPDES	NPDES	NPDES	NPDES
	Popul.	Basic (1)	Extended (1)	Extended (1,5	Total (1)	
	(as of 1/1/06)		2.50%			
Atherton	1.00%	\$10,906	\$8,518	\$8,731	\$19,637	
Belmont	3.54%	\$30,446	\$23,780	\$24,375	\$54,821	
Brisbane (2)	0.52%	\$8,664	\$6,767	\$6,936	\$15,600	
Burlingame	3.91%	\$34,339	\$26,822	\$27,492	\$61,831	
Colma	0.22%	\$2,933	\$2,291	\$2,348	\$5,281	
Daly City	14.48%	\$81,553	\$63,699	\$65,291	\$146,844	
East Palo Alto	4.43%	\$17,681	\$13,811	\$14,156	\$31,837	
Foster City	4.13%	\$32,692	\$25,535	\$26,173	\$58,865	
Half Moon Bay	1.76%	\$18,581	\$14,513	\$14,876	\$33,457	
Hillsborough	1.51%	\$14,105	\$11,017	\$11,293	\$25,398	
Menlo Park	4.25%	\$42,985	\$33,575	\$34,415	\$77,400	
Millbrae	2.86%	\$22,529	\$17,597	\$18,037	\$40,566	
Pacifica	5.35%	\$45,183	\$35,291	\$36,174	\$81,356	
Portola Valley	0.63%	\$7,227	\$5,645	\$5,786	\$13,013	
Redwood City	10.51%	\$78,175	\$61,061	\$62,587	\$140,762	
San Bruno	5.73%	\$42,460	\$33,165	\$33,994	\$76,454	
San Carlos	3.90%	\$39,176	\$30,599	\$31,364	\$70,540	
San Mateo	13.03%	\$94,938	\$74,154	\$76,007	\$170,945	
South San Francisco	8.54%	\$73,973	\$57,779	\$59,223	\$133,196	
Woodside (3)	0.76%	\$9,046	\$7,066	\$7,243	\$16,289	
San Mateo County	8.94%	\$82,636	\$64,545	\$66,159	\$148,795	
TOTAL	100.00%	\$790,227	\$617,230	\$632,660	\$1,422,887	
1- Except those in bold is collected by the San Mateo County Flood Control District						
2- Bold indicate Cities pay it from their General Fund.						
3- Woodside pays for Both NPDES Basic and NPDES Extended from City Funds						
4- Estimate of fees. Budget includes approximately \$1,425,000.						
5- Increased by 1%.						
6- The Column Headings shown in Bold are the FY 11-12 Projected Fee						

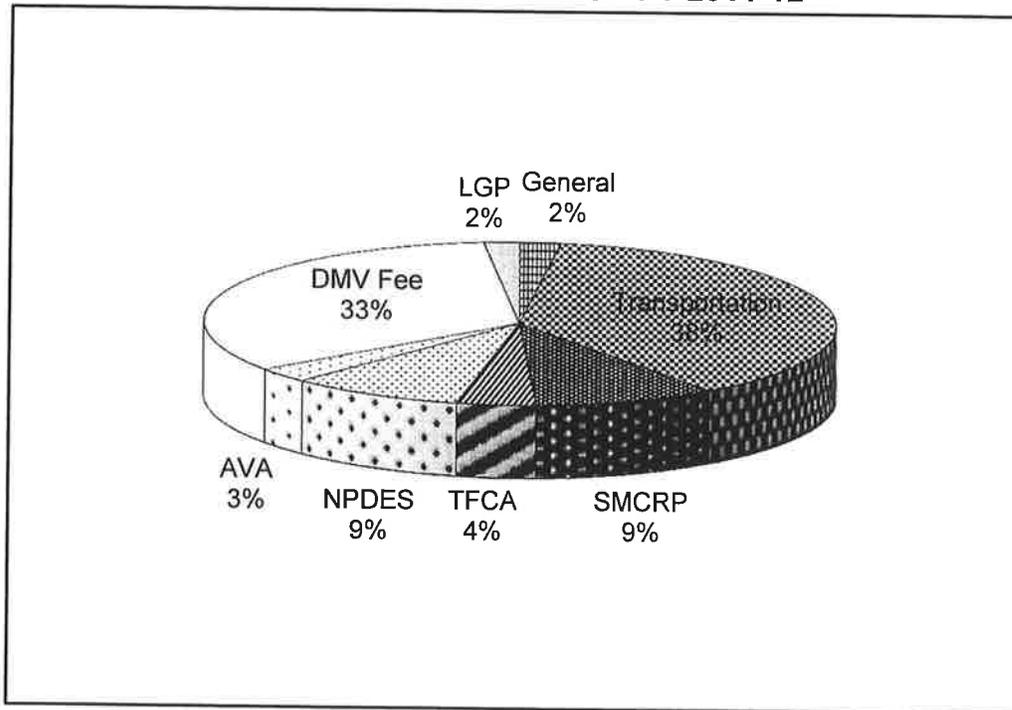
ATTACHMENT C

Graphical Representation of C/CAG Budget

C/CAG REVENUES FY 2011-12

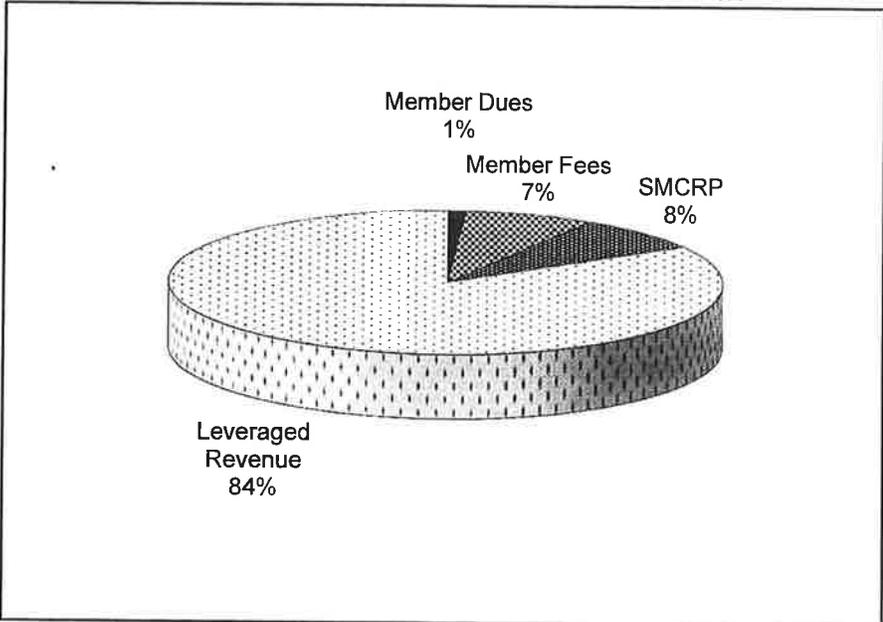


C/CAG EXPENDITURES FY 2011-12



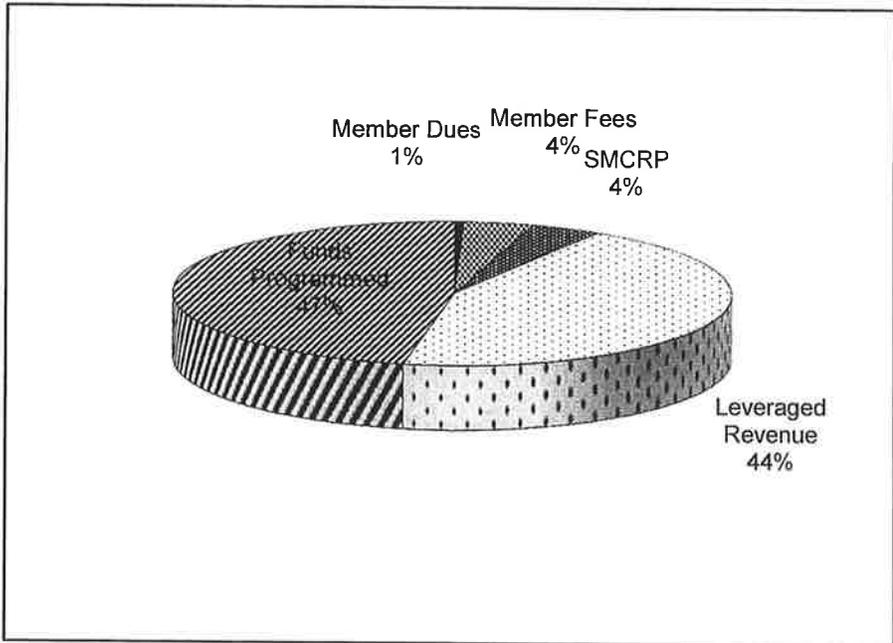
C/CAG MEMBER DUES/ FEES HIGHLY LEVERAGED

C/CAG REVENUES FY 2011-12



Leverage= 10.6764 to 1
(Less SMCRP Funds)

C/CAG CONTROLLED FUNDS FY 2011-12



Leverage= 20.968 to 1
(Less SMCRP Funds)

ATTACHMENT D

Resolution 11-30 adopting the C/CAG 2011-12 Program Budget and Fees

RESOLUTION 11-30

* * * * *

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
CITY/COUNTY ASSOCIATION OF GOVERNMENTS
OF SAN MATEO COUNTY (C/CAG) ADOPTING THE C/CAG 2011-12 PROGRAM
BUDGET AND FEES**

* * * * *

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

WHEREAS, C/CAG is authorized as a Joint Powers Agency to provide services for member agencies; and

WHEREAS, C/CAG is required to adopt a program budget and establish fees annually; and

WHEREAS, C/CAG must use the latest population data available from the State of California, dated 1/01/06, in establishing the member assessments; and

WHEREAS, a C/CAG 2011-12 Program Budget and fees has been proposed;

NOW, THEREFORE, BE IT RESOLVED that the City/County Association of Governments of San Mateo County (C/CAG) adopts the C/CAG 2011-12 Program Budget and Fees.

PASSED, APPROVED, AND ADOPTED THIS 9TH DAY OF JUNE 2011.

Bob Grassilli, Chair

ATTACHMENT E

FY 2010 - 11 Projection vs. FY 2010 - 11 Updated Budget

06/01/11	C/CAG PROJECTION VS UPDATED BUDGET				
	Updated	Projected			
	Budgeted	Actual	Budget	Budget	
	FY 2010-11	FY 2010-11	Change	% Change	
BEGINNING BALANCE	9,715,843	8,997,830	(718,013)	-7.39%	
RESERVE BALANCE	376,112	376,112	0	0.00%	
PROJECTED REVENUES					
Interest Earnings	137,000	64,000	(73,000)	-53.28%	
Member Contribution	2,598,512	2,599,827	1,315	0.05%	
Cost Reimbursements-SFIA	0	0	0	0.00%	
MTC/ Federal Funding	893,000	665,000	(228,000)	-25.53%	
Grants	616,000	511,619	(104,381)	-16.94%	
DMV Fee	4,287,271	4,215,562	(71,709)	-1.67%	
NPDES Fee	1,302,856	1,298,989	(3,867)	-0.30%	
TA Cost Share	2,265,000	426,680	(1,838,320)	-81.16%	
Miscellaneous/ SFIA	0	99,209	99,209	0.00%	
Street Repair Funding	0	0	0	0.00%	
PPM-STIP	3,960,000	1,174,925	(2,785,075)	-70.33%	
Assessment	0	0	0	0.00%	
TLSP	1,000,000	300,000	(700,000)	-70.00%	
		0	0	0.00%	
Total Revenues	17,059,639	11,355,811	(5,703,828)	-33.43%	
TOTAL SOURCES OF FUNDS	26,775,481	20,353,641	(6,421,841)	-23.98%	
PROJECTED EXPENDITURES					
Administration Services	373,000	418,592	45,592	12.22%	
Professional Services	2,093,364	1,886,632	(206,732)	-9.88%	
Consulting Services	9,865,535	3,322,282	(6,543,253)	-66.32%	
Supplies	63,000	124,500	61,500	97.62%	
Prof. Dues & Memberships	173,314	125,244	(48,070)	-27.74%	
Conferences & Meetings	22,500	14,815	(7,685)	-34.16%	
Printing/ Postage	37,750	19,860	(17,890)	-47.39%	
Publications	17,500	13,329	(4,171)	-23.83%	
Distributions	5,178,000	4,056,100	(1,121,900)	-21.67%	
Street Repair	0	0	0	0.00%	
Miscellaneous	30,500	(21,414)	(51,914)	-170.21%	
Bank Fee	2,000	1,000	(1,000)	-50.00%	
Audit Services	7,000	6,190	(810)	-11.57%	
Project Management	100,000	121,000	21,000	21.00%	
Total Expenditures	17,963,463	10,088,130	(7,875,333)	-43.84%	
TRANSFERS					
Transfers In	1,005,000	1,249,300	244,300	24.31%	
Transfers Out	1,005,000	1,249,300	244,300	24.31%	
Administrative Allocation	(0)	0	0	0.00%	
Total Transfers	(0)	0	0	878.53%	
NET CHANGE	(903,824)	1,267,680	2,171,504	240.26%	
TRANSFER TO RESERVES	0	0	0	0.00%	
TOTAL USE OF FUNDS	17,963,463	10,088,130	(7,875,333)	-43.84%	
ENDING FUND BALANCE	8,812,018	10,265,511	1,453,493	16.49%	
RESERVE FUND BALANCE	376,112	376,112	0	0.00%	
NET INCREASE (Decrease) IN FUND BALANCE	(903,824)	1,267,681	2,171,505	240.26%	
Note: Beginning/ Ending Reserve Fund Balance is not included in Beginning/ Ending Fund Balance					

ATTACHMENT F

Key Budget Definitions/ Acronyms

Key Budget Definitions/ Acronyms

AB 434 - Transportation Fund for Clean Air Program
AB 1546 Program - San Mateo County Environmental/ Transportation Pilot Program
AVA - Abandoned Vehicle Abatement
BAAQMD - Bay Area Air Quality Management District
BPAC - Bicycle and Pedestrian Advisory Committee
Cal PUC - California Public Utilities Commission
C/CAG - City/ County Association of Governments
CMAQ - Congestion Mitigation and Air Quality
CMP 111 - Congestion Management Program (Proposition 111)
DMV - Department of Motor Vehicles
ECR - El Camino Real
ISTEA - Intermodal Surface Transportation Equity Act
ITS - Intelligent Transportation Study
LGP - Local Government Partnership with PG&E and Cal PUC
Measure A - San Mateo County Sales Tax for Transportation
Measure M - C/CAG \$10 Motor Vehicle Fee
MTC - Metropolitan Transportation Commission
Normalized - Years in a multi-year analysis all referred to a base year.
NPDES - National Pollutant Discharge Elimination System
Peninsula 2020 Gateway Study - San Mateo and Santa Clara County study on Highway 101 and access to the Dumbarton Bridge.
PPM - Planning Programming and Monitoring
PSR - Project Study Report
RWQCB - San Francisco Bay Area Regional Water Quality Control Board
SFIA - San Francisco International Airport
SMCRP - San Mateo Congestion Relief Plan Program
SMEW - San Mateo Energy Watch
STIP - State Transportation Improvement Program (State and Federal Transportation Funds)
STOPPP - Storm-water Pollution Prevention Program
STP - Surface Transportation Program (Federal Funds)
TA - San Mateo County Transportation Authority
TAC - Congestion Management Technical Advisory Committee
TDA - Transportation Development Act Article III Funding
TFCA - Transportation Fund for Clean Air (Also known as AB 434)
TLSP - Traffic Light Synchronization Program - Part of Proposition 1B Infrastructure Bond
VTA - Santa Clara Valley Transportation Authority

C/CAG AGENDA REPORT

Date: June 9, 2011
To: City/County Association of Government Board of Directors
From: Kim Springer
Subject: Presentation on PG&E and BAAQMD Grant, Climate Action Plan template Project, Scope of Work and Timeline

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

RECOMMENDATION

Receive a presentation on the BAAQMD/PG&E grant to develop a Climate Action Plan (CAP) Template and Tool set for the cities in San Mateo County.

FISCAL IMPACT

Not to exceed \$45,000.

SOURCE OF FUNDS

Funding for staff work for the completion of deliverables for the BAAQMD and PG&E grants are paid through agreements between C/CAG and the County of San Mateo in FY2010-11 and FY2011-12, from Congestion Relief Funds.

BACKGROUND/DISCUSSION

On September 16, 2010, the C/CAG Board adopted a Resolution No. 10-53, giving the Chair authority to sign Grant Agreement 2010-083 between C/CAG and the BAAQMD for \$50,000 to complete a CAP template project for the cities in San Mateo County and Cupertino. On March 10, 2011, the C/CAG Board adopted Resolution No. 11-11 for a PG&E Contract Work Authorization No. 2500458103 between C/CAG and PG&E for \$125,000.

The following is a simplified list of deliverables required by the grant agreements:

- CAP Template
 - CAP Template Outline
 - List of CAP Measures
 - Draft CAP Template
 - Final CAP Template
 - CAP Template User's Manual
- CAP Forecasting and Calculation Tool
 - List of Tool Attributes
 - Final CAP Tool
 - CAP Tool User's Manual
- List of Consultants and RFPs

ITEM 6.3

- CAP template
 - RFP for Selection
 - Final CAP Template Consultant (Kema, Inc.)
- CAP Tool
 - RFP for Selection
 - Final CAP Tool Consultant
- CAP Technical Assistance
 - RFP for Selection
 - Final CAP Technical Assistance Consultant
- Workshops for Cities
 - Draft of Workshop Material
 - Attendance Lists
- Completed CAPs
 - Two CAPs by 12/31/11 for BAAQMD Grant
 - CAP for Countywide/C/CAG by 12/31/12
 - Five CAPs by 12/31/12 for PG&E Contract Work Authorization

C/CAG staff believe that the C/CAG Board should be given greater details on the project and its progress, in order to help solicit involvement by cities in San Mateo County to complete the required eight (8) climate action plans.

The CAP Template Project Timeline, BAAQMD Grant Agreement No. 2010-083 and PG&E CAP Template Outline and Timeline are provided as attachments to this staff report.

Attachments

BAAQMD Grant Agreement No. 2010-083
 PG&E CAP Template Project Outline and Timeline

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

GRANT AGREEMENT

GRANT NO. 2010-083

RECEIVED

10 SEP 20 AM 9:10

BAY AREA AIR QUALITY
MANAGEMENT DISTRICT

1. **PARTIES** - The parties to this Agreement ("Agreement") are the Bay Area Air Quality Management District ("DISTRICT") whose address is 939 Ellis Street, San Francisco, CA 94109, and **City/County Association of Governments** ("GRANTEE") whose address is 555 County Center, 5th Floor, Redwood City, CA 94063.
2. **RECITALS**
 - A. DISTRICT is the local agency with primary responsibility for regulating stationary source air pollution in the Bay Area Air Quality Management District in the State of California. DISTRICT is authorized to enter into this Agreement under California Health and Safety Code Section 40701.
 - B. DISTRICT desires to award GRANTEE a grant for the activities described in Attachment A, Work Plan.
 - C. All parties to this Agreement have had the opportunity to have the Agreement reviewed by their attorney.
3. **TERM** - The term of this Agreement is from August 1, 2010 to January 30, 2012, unless further extended by amendment of this Agreement in writing, or terminated earlier.
4. **TERMINATION** - DISTRICT shall have the right to terminate this Agreement at its sole discretion at any time upon thirty (30) days written notice to GRANTEE. The notice of termination shall specify the effective date of termination, which shall be no less than thirty (30) calendar days from the date of delivery of the notice of termination, and shall be delivered in accordance with the provisions of section 10 below. Immediately upon receipt of the notice of termination, GRANTEE shall cease all activities under this Agreement, except such activities as are specified in the notice of termination. Within forty-five (45) days of receipt of written notice, GRANTEE is required to:
 - A. Submit a final written report describing all work performed by GRANTEE;
 - B. Submit an accounting of all grant funds expended up to and including the date of termination; and,
 - C. Reimburse DISTRICT for any unspent funds.
5. **NO AGENCY RELATIONSHIP CREATED / INDEPENDENT CAPACITY** - GRANTEE and the agents and employees of GRANTEE, in the performance of this Agreement, shall act in an independent capacity and not as officers or employees or agents of DISTRICT, and nothing herein shall be construed to be inconsistent with that relationship or status. DISTRICT shall not have the right to direct or control the activities of GRANTEE in performing the services provided herein.
6. **CONTRACTORS / SUBCONTRACTORS / SUBGRANTEES**
 - A. GRANTEE will be entitled to make use of its own staff and such contractors, subcontractors, and subgrantees as are mutually acceptable to GRANTEE and DISTRICT. Any change in contractors, subcontractors, or subgrantees must be mutually acceptable to the parties. Immediately upon termination of any such contract, subcontract, or subgrant, GRANTEE shall notify DISTRICT.

- B. Nothing contained in this Agreement or otherwise, shall create any contractual relation between DISTRICT and any contractors, subcontractors, or subgrantees of GRANTEE, and no agreement with contractors, subcontractors, or subgrantees shall relieve GRANTEE of its responsibilities and obligations hereunder. GRANTEE agrees to be as fully responsible to DISTRICT for the acts and omissions of its contractors, subcontractors, and subgrantees and of persons either directly or indirectly employed by any of them as it is for the acts and omissions of persons directly employed by GRANTEE. GRANTEE's obligation to pay its contractors, subcontractors, and subgrantees is an independent obligation from DISTRICT's obligation to make payments to GRANTEE. As a result, DISTRICT shall have no obligation to pay or to enforce the payment of any moneys to any contractor, subcontractor, or subgrantee.
7. INDEMNIFICATION - GRANTEE agrees to indemnify, defend, and hold harmless DISTRICT, its officers, employees, agents, representatives, and successors-in-interest against any and all liability, demands, claims, costs, losses, damages, recoveries, settlements, and expenses (including reasonable attorney fees) that DISTRICT, its officers, employees, agents, representatives, and successors-in-interest may incur or be required to pay arising from the death or injury of any person or persons (including employees of GRANTEE), or from destruction of or damage to any property or properties, caused by or connected with the performance of this Agreement by GRANTEE, its employees, subcontractors, subgrantees, or agents.
8. PAYMENT
- A. DISTRICT agrees to award GRANTEE a grant of fifty thousand dollars (\$50,000) for the activities described in Attachment A, Scope of Work, and Attachment B, Cost Schedule. This fee shall be payable in five installments, as follows:
- i) \$5000 upon DISTRICT's receipt of October 31, 2010 Progress Report and documentation of completion of deliverables attributed to that progress report as listed in Attachment A, Scope of Work, and Attachment B, Cost Schedule;
 - ii) \$15,000 upon DISTRICT's receipt of February 29, 2011 Progress Report and documentation of completion of deliverables attributed to that progress report as listed in Attachment A, Scope of Work, and Attachment B, Cost Schedule;
 - iii) \$15,000 upon DISTRICT's receipt of June 30, 2011 Progress Report and documentation of completion of deliverables attributed to that progress report as listed in Attachment A, Scope of Work, and Attachment B, Cost Schedule;
 - iv) \$5,000 upon DISTRICT's receipt of September 30, 2011 Progress Report and documentation of completion of deliverables attributed to that progress report as listed in Attachment A, Scope of Work, and Attachment B, Cost Schedule;
 - v) \$10,000 upon DISTRICT's receipt of December 31, 2011 Progress Report and documentation of completion of deliverables attributed to that progress report as listed in Attachment A, Scope of Work, and Attachment B, Cost Schedule;
- B. GRANTEE shall carry out the work described on the Work Plan in accordance with the Payment Schedule, and shall obtain DISTRICT's written approval of any changes or modifications to the Work Plan or the Payment Schedule prior to performing the changed work or incurring the changed cost. If GRANTEE fails to obtain such prior written approval, DISTRICT, at its sole discretion, may refuse to provide funds to pay for such work or costs.
- C. Payment will be made only to GRANTEE.
9. AUTHORIZED REPRESENTATIVE - GRANTEE shall continuously maintain a representative vested with signature authority authorized to work with DISTRICT on all grant-related issues.

GRANTEE shall, at all times, keep DISTRICT informed as to the identity of the authorized representative.

10. **NOTICES** - All notices that are required under this Agreement shall be provided in the manner set forth herein, unless specified otherwise. Notice to a party shall be delivered to the attention of the person listed below, or to such other person or persons as may hereafter be designated by that party in writing. Notice shall be in writing sent by e-mail, facsimile, or regular first class mail. In the case of e-mail and facsimile communications, valid notice shall be deemed to have been delivered upon sending, provided the sender obtained an electronic confirmation of delivery. E-mail and facsimile communications shall be deemed to have been received on the date of such transmission, provided such date was a business day and delivered prior to 4:00 p.m. PST. Otherwise, receipt of e-mail and facsimile communications shall be deemed to have occurred on the following business day. In the case of regular mail notice, notice shall be deemed to have been delivered on the mailing date and received five (5) business days after the date of mailing.

DISTRICT: Bay Area Air Quality Management District
939 Ellis Street
San Francisco, CA 94109
Attn: Abby Young

GRANTEE: San Mateo City/County Assoc. of Governments
555 County Center, 5th Floor
Redwood City, CA 94063
Attn: Richard Napier

11. **ADDITIONAL PROVISIONS** - All attachment(s) to this Agreement are expressly incorporated herein by this reference and made a part hereof as though fully set forth.
12. **ACKNOWLEDGEMENTS** - GRANTEE shall acknowledge DISTRICT support each time the activities funded, in whole or in part, by this Agreement are publicized in any news media, brochures, or other type of promotional material. The acknowledgement of DISTRICT support must state "Funded by a Grant from the Bay Area Air Quality Management District." Initials or abbreviations for DISTRICT shall not be used.
13. **ADVERTISING / PUBLIC EDUCATION** - GRANTEE shall submit copies of all draft public education or advertising materials to DISTRICT for review and approval prior to GRANTEE's use of such materials.
14. **FINANCIAL MANAGEMENT SYSTEM**
- A. GRANTEE shall be responsible for maintaining an adequate financial management system and will immediately notify DISTRICT when GRANTEE cannot comply with the requirements in this section.
- B. GRANTEE's financial management system shall provide for:
- i) **Financial reporting:** accurate, current, and complete disclosure of the financial results of each grant in conformity with generally accepted principles of accounting, and reporting in a format that is in accordance with the financial reporting requirements of the grant.
 - ii) **Accounting records:** records that adequately identify the source and application of funds for DISTRICT-supported activities. These records must contain information pertaining to grant awards and authorizations, obligations, unobligated balances, assets, liabilities, outlays or expenditures and income.

- iii) Internal control: effective internal and accounting controls over all funds, property and other assets. GRANTEE shall adequately safeguard all such assets and assure that they are used solely for authorized purposes.
 - iv) Budget control: comparison of actual expenditures or outlays with budgeted amounts for each grant.
 - v) Allowable cost: procedures for determining reasonableness, allowability, and allocability of costs generally consistent with the provisions of federal and state requirements.
 - vi) Source documentation: accounting records that are supported by source documentation.
 - vii) Cash management: procedures to minimize the time elapsing between the advance of funds from DISTRICT and the disbursement by GRANTEE, whenever funds are advanced by DISTRICT.
- C. DISTRICT may review the adequacy of the financial management system of GRANTEE at any time subsequent to the award of the grant. If DISTRICT determines that GRANTEE's accounting system does not meet the standards described in paragraph B above, additional information to monitor the grant may be required by DISTRICT upon written notice to GRANTEE, until such time as the system meets with DISTRICT approval.
15. AUDIT / RECORDS ACCESS - GRANTEE agrees that DISTRICT shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this Agreement. GRANTEE agrees to maintain such records for possible audit for a minimum of three (3) years after final payment, unless a longer period of records retention is stipulated, or until completion of any action and resolution of all issues which may arise as a result of any litigation, dispute, or audit, whichever is later. GRANTEE agrees to allow the designated representative(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. Further, GRANTEE agrees to include a similar right of DISTRICT to audit records and interview staff in any contract, subcontract, or subgrant related to performance of this Agreement.
16. FORFEIT OF GRANT FUNDS / REPAYMENT OF FUNDS IMPROPERLY EXPENDED - If grant funds are not expended, or have not been expended, in accordance with this Agreement, or if real or personal property acquired with grant funds is not being used, or has not been used, for grant purposes in accordance with this Agreement, DISTRICT, at its sole discretion, may take appropriate action under this Agreement, at law or in equity, including requiring GRANTEE to forfeit the unexpended portion of the grant funds and/or to repay to DISTRICT any funds improperly expended.
17. COMPLIANCE - GRANTEE shall comply fully with all applicable federal, state, and local laws, ordinances, regulations, and permits. GRANTEE shall provide evidence, upon request, that all local, state, and/or federal permits, licenses, registrations, and approvals have been secured for the purposes for which grant funds are to be expended. GRANTEE shall maintain compliance with such requirements throughout the grant period. GRANTEE shall ensure that the requirements of the California Environmental Quality Act are met for any approvals or other requirements necessary to carry out the terms of this Agreement. Any deviation from the requirements of this section shall result in non-payment of grant funds.
18. ASSIGNMENT - No party shall assign, sell, license, or otherwise transfer any rights or obligations under this Agreement to a third party without the prior written consent of the other party, and any attempt to do so shall be void upon inception.
19. WAIVER - No waiver of a breach, of failure of any condition, or of any right or remedy contained in or granted by the provisions of this Agreement shall be effective unless it is in

writing and signed by the party waiving the breach, failure, right, or remedy. No waiver of any breach, failure, right, or remedy shall be deemed a waiver of any other breach, whether or not similar, nor shall any waiver constitute a continuing waiver unless the writing so specifies. Further, the failure of a party to enforce performance by the other party of any term, covenant, or condition of this Agreement, and the failure of a party to exercise any rights or remedies hereunder, shall not be deemed a waiver or relinquishment by that party to enforce future performance of any such terms, covenants, or conditions, or to exercise any future rights or remedies.

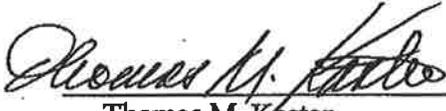
20. FORCE MAJEURE - Neither DISTRICT nor GRANTEE shall be liable for or deemed to be in default for any delay or failure in performance under this Agreement or interruption of services resulting, directly or indirectly, from acts of God, enemy or hostile governmental action, civil commotion, strikes, lockouts, labor disputes, fire or other casualty, judicial orders, governmental controls, regulations or restrictions, inability to obtain labor or materials or reasonable substitutes for labor or materials necessary for performance of the services, or other causes, except financial, that are beyond the reasonable control of DISTRICT or GRANTEE, for a period of time equal to the period of such force majeure event, provided that the party failing to perform notifies the other party within fifteen calendar days of discovery of the force majeure event, and provided further that that party takes all reasonable action to mitigate the damages resulting from the failure to perform. Notwithstanding the above, if the cause of the force majeure event is due to party's own action or inaction, then such cause shall not excuse that party from performance under this Agreement.
21. SEVERABILITY - If a court of competent jurisdiction holds any provision of this Agreement to be illegal, unenforceable or invalid in whole or in part for any reason, the validity and enforceability of the remaining provisions, or portions of them will not be affected.
22. HEADINGS - Headings on the sections and paragraphs of this Agreement are for convenience and reference only, and the words contained therein shall in no way be held to explain, modify, amplify, or aid in the interpretation, construction, or meaning of the provisions of this Agreement.
23. DUPLICATE EXECUTION - This Agreement is executed in duplicate. Each signed copy shall have the force and effect of an original.
24. GOVERNING LAW - Any dispute that arises under or relates to this Agreement shall be governed by California law, excluding any laws that direct the application to another jurisdiction's laws. Venue for resolution of any dispute that arises under or relates to this Agreement, including mediation, shall be San Francisco, California.
25. ENTIRE AGREEMENT AND MODIFICATION - This Agreement represents the final, complete, and exclusive statement of the agreement between the parties and supersedes all prior and contemporaneous understandings and agreements of the parties. No party has been induced to enter into this Agreement by, nor is any party relying upon, any representation or warranty outside those expressly set forth herein. This Agreement may only be amended by mutual agreement of the parties in writing and signed by both parties.
26. SURVIVAL OF TERMS - The provisions of sections 7 (Indemnification), 15 (Audit / Records Access), 16 (Forfeit of Grant Funds / Repayment of Funds Improperly Expended), 18 (Confidentiality) shall survive the expiration or termination of this Agreement.

IN WITNESS WHEREOF, the parties to this Agreement have caused this Agreement to be duly executed on their behalf by their authorized representatives.

BAY AREA AIR QUALITY
DISTRICT

CITY/COUNTY MANAGEMENT
ASSOCIATION OF GOVERNMENTS

By: 
Jack P. Broadbent
Executive Officer/APCO

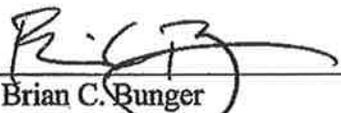
By: 
Thomas M. Kasten
Chair

Date: 9/27/10

Date: SEPT. 16, 2010

Approved as to form:
District Counsel

Approved as to form:
C/CAG Legal Counsel

By: 
Brian C. Bunger
District Counsel

By: 

ATTACHMENT A SCOPE OF WORK

GRANTEE will complete the following tasks. The results of the work will be a developed climate action plan (CAP) template including calculator tool for estimating greenhouse gas (GHG) emissions reductions from a wide variety of policies and measures.

Phase I - Scope and Develop CAP Template and Tools

Task 1.1: Establish working group and develop outline of the CAP template. Leverage working group to develop desired attributes of both the forecasting and calculation tools. Examine existing CAP calculation tools and settle on list of measures to be included in the CAP template and tool "package". Complete a competitive procurement process for consultants to support the writing of the CAP template and/or the development of the CAP tools.

Deliverables:

1. CAP template outline
2. List of desired attributes of the forecasting and calculation tools
3. List of measures to be included in the CAP template and tools
4. List of selected consultants and/or staff and roles

Task 1.2: Complete the CAP template and develop the calculations methodologies and coefficients for the measures to be included in the CAP template and tool "package". The CAP template will contain a list of GHG emission reduction measures (approximately 40 measures) that the city can choose from to include in their CAP. This deliverable will be reviewed by the BAAQMD for feedback, in order to establish that the resulting CAP template and tool "package" meet existing CEQA guidelines.

Deliverables:

1. Completed Draft CAP template
2. Completed Draft calculation methodologies and coefficients for selected measures

Task 1.3: Develop CAP Forecasting and Calculation Tools, leveraging existing tools available, collaborating with organizations to customize existing tools, or develop an entirely new set of tools. The CAP Forecasting and Calculation Tools will:

- allow input of the cities' 2005 GHG emission inventory levels as a baseline
- allow a "business as usual" % trend for future GHG emissions growth to be included
- allow the city to set an emissions reduction goal for 2050 and interim goals in alignment with their adopted climate protection commitment
- provide calculations for the measures contained in the CAP template
- provide approximate cost and GHG emission reduction potential, hopefully for all the CAP template measures
- allow calculations through the input of simple data by the city
- leverage real world cost and outcome data when ever possible
- leverage commonly accepted coefficients, GWPs, etc., such that the outcome of the CAP meets with commonly accepted protocols, etc.
- have a graphic output that will generate a chart or table that can be used in the CAP report

Deliverable:

1. CAP Forecasting and Calculation Tool tied to measures on CAP template

Phase II - Develop Workshops and Climate Action Plans

Task 2.1: Develop workshop materials and provide workshops for staff from the cities in San Mateo County.

Deliverable:

1. Workshop materials
2. Attendance lists

Task 2.2: Work with a minimum of two (2) cities in San Mateo County to complete Government Operation and Community-Scale CAPs using the developed CAP template and tools.

Deliverables:

1. A minimum of two completed CAPs covering government operation and community-scale GHG emissions. The CAPs will meet the standards of "qualified GHG Reduction Strategies" as defined in the Air District's 2010 CEQA Guidelines.
2. Sample staff report and resolution for presentation to city or town council

**ATTACHMENT B
COST SCHEDULE**

The following is a schedule for providing documentation of deliverables as required by the District. Documentation of completed deliverables must be received before payment will be released. Determination of whether a deliverable has been completed is at the sole discretion of the District. Invoices may be submitted prior to the due dates shown in the table below, provided all required deliverables have been completed and documentation of their completion is included with the invoice. **The District will not pay for work completed prior to contract execution.**

TASKS	DOCUMENTATION OF COMPLETED DELIVERABLES
<i>Due Date: October 31, 2010</i>	<i>Invoice not to exceed \$5,000</i>
Task 1.1: Establish Working Group and CAP Template Outline	<ol style="list-style-type: none"> 1. CAP template outline 2. List of desired attributes of the forecasting and calculation tools 3. List of measures to be included in the CAP template and tools 4. List of selected consultants and roles
<i>Due Date: February 28, 2011</i>	<i>Invoice not to exceed \$15,000</i>
Task 1.2: Complete the CAP template and develop calculations methodologies	<ol style="list-style-type: none"> 1. Completed Draft CAP template 2. Completed Draft calculation methodologies and coefficients for selected measures
<i>Due Date: June 30, 2011</i>	<i>Invoice not to exceed \$15,000</i>
Task 1.3: Develop CAP Forecasting and Calculation Tools	<ol style="list-style-type: none"> 1. CAP Forecasting and Calculation Tool tied to measures on CAP template
<i>Due Date: September 30, 2011</i>	<i>Invoice not to exceed \$5,000</i>
Task 2.1: Provide Workshops for Local Government Staff	<ol style="list-style-type: none"> 1. Workshop materials 2. Attendance lists
<i>Due Date: December 31, 2011</i>	<i>Invoice not to exceed \$10,000</i>
Task 2.2: Completion of 2 CAPs	<ol style="list-style-type: none"> 1. 2 completed CAPs 2. Sample staff report and resolution for presentation to city or town council

CONTRACT TOTAL COST NOT TO EXCEED: \$50,000

Climate Action Plan Template Project Outline

Task 1.1

PG&E Contract Work Authorization # 2500458103

4/30/2011

Climate Action Plan (CAP) Template Project Outline - Scope of Work Details

The following project outline follows the scope of work as outlined in Contract Work Authorization (CWA) #2500458103.

TASK 1 – Develop Outline and Memo Describing Timeline and Deliverable Details:

Task 1.1 Write CAP Template Project Outline and Memo describing specifics of deliverables and a Time Line associated with the project under this Contract Work Authorization (CWA).

Deliverable Description: This CAP Template Project Outline is *the deliverable* for Task 1.1

Task 2 – Develop Greenhouse Gas Data Tracking, Forecasting and Planning Tool (Tool):

C/CAG will provide San Mateo County cities, the County, and Cupertino with a software tool that will track greenhouse gas emissions, forecast future emissions, and project future emissions under different climate action planning measures. C/CAG will conduct a formal Request for Proposal (RFP) process to identify the vendor/developer for this tool.

The tool will be a secure “software as a service” (SaaS), so the software will be web-based and location-independent. The tool will allow cities to track emissions data for their municipal operations (energy, fuel and water used; miles traveled; solid waste generated; and fugitive emissions from refrigerants, fire suppression, etc.), as well as data for their jurisdiction’s community (energy, fuel, and water used; miles traveled; solid waste generated; fugitive emissions from wastewater treatment and landfills). The software will be able to send emails to appropriate city staff to remind them to enter data on a regular basis, and will also be able to run data consistency checks and generate reports showing potential data input errors. This tool will allow cities to track emissions data on an ongoing basis and generate a greenhouse gas emissions inventory report easily, replacing the current time-consuming process of collecting data and generating a report every five years.

The tool will also forecast future emissions to assist cities in creating climate action plans to meet their emissions-reduction targets. The tool’s vendor will upload into the tool C/CAG’s menu of 30 to 50 potential emissions-reduction measures, which is currently being created by a consultant through a grant from the Bay Area Air Quality Management District. Each measure will include an estimate of the

amount of greenhouse gas emissions the measure would reduce if implemented by the city. The tool will be able to take the city's current emissions data and project multiple scenarios through wedge graphs: a business-as-usual scenario and scenarios based on selecting different measures from the C/CAG menu. These wedge charts will also show the amount of emissions that will be reduced by new state laws (Renewable Portfolio Standard, Pavley, etc.), based on the consultant's calculations.

Users will be able to easily export the tool's graphs and charts into Word and Excel for the city's reports.

The vendor will provide initial trainings for a local administrator and the cities, and provide ongoing customer service.

Several designated users at each city will be able to access the tool, and C/CAG and County staff will be able to access the cities' emission totals in order to track emissions countywide.

Funding from PG&E's Green Communities program will cover the cost of the energy-related portions of the tools; C/CAG will provide matching funds for the portions of the tool related to transportation, solid waste, etc.

Task 2.1 – Complete Specifications for the Tool, including the structure, sample GHG reduction measures and calculation methods, required graphic capabilities, etc.

C/CAG – County Staff will write a more formal list of specifications for use in the eventual RFP for the CAP tool than that presented above. This list will include the requirements and capabilities for the tool and also requirements for customization of the tool.

Task 2.2 - Write and Post Request for Proposal (RFP). Complete RFP document and post to C/CAG website and notify interested parties of posting.

C/CAG – County Staff will prepare the RFP for the procurement of the CAP tool, including all required specifications noted in Task 2.1. The RFP will be provided to at least four (4) vendors for consideration.

Task 2.3 - Select Vendor – Complete SaaS vendor selection process and award contract.

C/CAG – County Staff will collect responses to the RFP for the CAP tool and, by committee, will select a vendor to develop the CAP tool that will forecast and calculate GHG emissions, and allow the cities in San Mateo County to track sources of GHG emissions for their cities and communities.

Task 2.4 - Develop Tool – Complete the development of the Tool with the selected vendor and load GHG reduction measures, making the Tool ready for presentation at city workshops in Task 4.

C/CAG – County Staff will work closely with the vendor selected in Task 2.3 to complete the development of the CAP Tool, to ensure that it meets all the requirements outlined in the RFP (Task 2.2).

TASK 3 – Develop Users Manual for Workshops:

TASK 3.1 - Write Draft User’s Manual for the CAP template and tool package as a starting point for future editing, based on user feedback.

TASK 3.2 - Present CAP Template and Tool Package to two new users (city staff) and record any challenges they find using the package. Develop solutions for any issues discovered, and modify the draft User’s Manual accordingly. Finalize User’s Manual in preparation for workshops.

Task 4 - Develop Workshop Materials and Complete Two (2) CAP Launch Workshops:

Task 4.1 – Develop workshop materials including: Agenda, PowerPoint presentation, copies of CAP Template package, User’s Manual described in Task 2 and attendance sheets including city affiliations. The workshop and the workshop materials are meant to give the city “user” the means to get started on the development of a CAP for their city.

Task 4.2 – Complete Two (2) CAP Launch Workshops. The workshops are meant to give the city “user” the means to get started on the development of a CAP for their city. There will be two workshops, held at a facility with computer terminals so that city staff will be able to access and “test run” the CAP Template and Tracking tools. Two (2) workshops will be held to offer choice of times and dates to the cities.

Task 5 - Provide Technical Assistance to Cities and County on Tracking Tool and CAP Template Use and Complete a Total of at least Six (6): Five (5) Climate Action Plans (Greenhouse Gas Reduction Strategies) for cities and One (1) Countywide Climate Action Plan (Greenhouse Gas Reduction Strategy):

As in all other tasks provided in this CWA, funds will be used to provide assistance to cities with (at least) equal matching funds from C/CAG. Because energy consumption, be it from building energy use, water transport or renewable fuels for transportation, comprises approximately 50% of GHG emissions (the remaining 50% coming from the transportation sector), all funds from this CWA will be directed to efforts compatible with energy related public good charges under the auspices of the CPUC.

Task 5.1 – Define technical assistance requirements and complete a procurement process for a consultant to provide technical assistance to the cities (and County) and C/CAG for completion of Task 4 above.

Task 5.2 - Complete Climate Action Plans (Greenhouse Gas Reduction Strategies):

C/CAG – County Staff will support connections between the cities and the technical assistance contractor to support the completion of 6 CAPs. One of the six CAPs will be for C/CAG as a countywide entity. The remaining 5 CAPs will be completed, using the CAP Template and Tool package.

Because C/CAG – County staff has no ultimate control over the adoption process of CAPs by individual cities, completed CAPs for these deliverables will not require the completion of the adoption of the CAP by the city. However, the completed CAP will be the CAP intended to be taken to the city Council by the city staff and may include the staff report and resolution for adoption.

TASK 6 - Invoicing and Reporting: Contractor shall report on Program activities as described below and invoice PG&E upon completion of Deliverables described in Tasks 1, 2, 3, 4 and 5 above (and as outlined in the CWA for Tasks 1-6):

C/CAG - County Staff will report on and invoice PG&E as deliverables of Tasks 1,2,3, 4 and 5 are completed, or at completion of the total task, per the task budgets in Section 3 of the CWA and the Timeline provided with this report. Reports and invoices will include information on the specific Task for which the invoice applies and the report will include all deliverables included in the CWA for the task completed.

C/CAG – County Staff will submit quarterly reports within 30 calendar days of the end of each quarter, with due dates starting April 30, 2011 and ending September 30, 2012, unless the scope of the CWA to which this report applies is completed before the final date of the term of this CWA.

C/CAG – County Staff will submit a Final Program Report to the PG&E Program Manager no later than 60 days after the completion of the completed portion of the Scope of Work as outlined in the CWA. The final report will be delivered no later than 1/31/2013 and will include:

- Program Overview
- Summary of Program Accomplishments
- Program Activities
- Customer Satisfaction
- Description of Challenges and Lessons Learned

Coordination with Other Grant Funding:

The scope of work and deliverables for CWA 2500458103 coordinate with funding from two other sources: the BAAQMD (\$50K) and C/CAG (up to \$175K).

Grant Timeline:

The attached Timeline shows the proposed timing for the deliverables of this grant and the coordination of deliverable to the BAAQMD grant mentioned above.

C/CAG AGENDA REPORT

Date: Jun 9, 2011
To: City/County Association of Governments Board of Directors
From: Richard Napier, Executive Director
Subject: Review and approval of Resolution 11-35 authorizing the C/CAG Chair to execute an agreement between C/CAG and the County of San Mateo to Provide Staff Services for the administration of the Bay Area Air Quality Management District Climate Action Plan Template Grant in an Amount not to Exceed \$25,000 for fiscal year 2011-12.

For further information contact Richard Napier at 650-599-1420 or Kim Springer at 650-599-1412.

RECOMMENDATION

Adopt Resolution 11-35 authorizing the C/CAG Chair to execute an agreement between C/CAG and the County of San Mateo to Provide Staff Services for the administration of the Bay Area Air Quality Management District (BAAQMD) Climate Action Plan Template Grant in an Amount not to Exceed \$25,000 for fiscal year 2011-12.

FISCAL IMPACT

Up to \$25,000.

SOURCE OF FUNDS

Funds from the Congestion Relief Fund will pay for County staff time. Staff has attained funding from the BAAQMD in an amount of \$50,000 and PG&E in an amount of \$125,000 for this project.

BACKGROUND/DISCUSSION

On September 16, 2010 the C/CAG Board adopted Resolution 10-53 authorizing the C/CAG chair to execute an agreement with the BAAQMD to receive a \$50,000 grant for a climate action plan template and tool project.

Project deliverables include the writing of a template and development of a forecasting and calculation tool, such that city staff can fully understand:

- the steps and internal-city processes for completing their climate action plan (CAP)
- approximately 40 greenhouse gas emission reduction measures
- the California Environmental Quality Act (CEQA) requirements for CAPs
- the calculation methodologies to establish cost and emission reductions for each greenhouse gas emission reduction measure
- the staffing and monetary implications of each greenhouse gas emission reduction measure

ITEM 6.3.1

- a forecasting and calculation tool matched to the aforementioned list of greenhouse gas emission reduction measures

A majority of the grant funds will be used to contract with a consultant to write the CAP template document, develop a menu of GHG reduction measures and to develop a forecasting and calculation tool. C/CAG has set aside funding in its budget fund additional costs for this project.

The attached agreement is for County of San Mateo staff time to support the completion of deliverables for this Grant.

ATTACHMENTS

C/CAG County Agreement for CAP Template Grant Project for Fiscal Year 2011-12

RESOLUTION NO. 11-35

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 BETWEEN C/CAG AND THE COUNTY OF SAN MATEO TO PROVIDE STAFF SERVICES FOR THE ADMINISTRATION OF THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT CLIMATE ACTION TEMPLATE GRANT IN AN AMOUNT NOT TO EXCEED \$25,000 FOR FISCAL YEAR 2011-2012.

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

WHEREAS, C/CAG is committed to working with the cities in San Mateo County on issues related to solid waste, resource conservation and climate protection; and

WHEREAS, C/CAG desires to obtain services from the County of San Mateo (County) to provide staff services for a climate action plan template project related to the Bay Area Air Quality Management District, Climate Action Plan template Grant Agreement, Grant No. 2010-083 and Pacific Gas and Electric Company, Contract Work Authorization No. 2500458103(Grants); and

WHEREAS, the County is committed to providing staff services for the grant;

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 the County of San Mateo to provide staff services for the administration of the Bay Area Air Quality Management District, Climate Action template Grant Agreement in an amount not to exceed \$25,000 for fiscal year 2011-2012.

The C/CAG Board also authorizes the C/CAG Executive Director and Legal Counsel to negotiate the final terms and conditions of the agreement.

PASSED, APPROVED, AND ADOPTED THIS 9TH DAY OF JUNE, 2011.

Bob Grassilli, Chair

**AGREEMENT BETWEEN
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO
COUNTY (C/CAG) AND THE COUNTY OF SAN MATEO TO PROVIDE
STAFF SERVICES FOR A CLIMATE ACTION PLAN TEMPLATE
PROJECT IN AN AMOUNT NOT TO EXCEED \$25,000 FOR FISCAL YEAR
2011-2012**

This Agreement entered this ____ Day of ____ 2011, by and between the CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY, a joint powers agency formed for the purpose of preparation, adoption and monitoring of a variety of county-wide state-mandated plans, hereinafter called "C/CAG" and the COUNTY OF SAN MATEO a subdivision of the State of California, hereinafter called "COUNTY."

WITNESSETH

WHEREAS, C/CAG is committed to working with the cities in San Mateo County on issues related solid waste, resource conservation and climate protection; and

WHEREAS, C/CAG desires to obtain services from the COUNTY to provide staff services for a climate action plan template project related to Bay Area Air Quality Management District, Climate Action Plan Template Grant Agreement, Grant No. 2010-083 (Grant) and Pacific Gas and Electric Company , Contract Work Authorization No. 2500458103; and

WHEREAS, the COUNTY is committed to providing staff services for the Grant;

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

1. **Services to be provided by COUNTY.** The COUNTY shall provide services as described in Exhibit A, attached hereto and incorporated by reference herein.
2. **Payments.** In consideration of the services rendered in accordance with all terms, conditions and specifications set forth herein and in Exhibit A, C/CAG shall reimburse COUNTY for eligible costs as set forth in Exhibit A, up to \$25,000. Payments shall be made within 30 days after receipt and approval of monthly invoices from the COUNTY.
3. **Relationship of the Parties.** It is understood that the COUNTY enters into this Agreement as an Independent Contractor and the 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.** COUNTY shall not assign this Agreement or any portion thereof to a third party without the prior written consent of C/CAG, and any attempted assignment without such prior written consent is in violation of this Section and shall be grounds for termination of this Agreement.

5. **Contract Term.** This Agreement shall be in effect and cover costs as set out in Exhibit A from July 1, 2011 and shall terminate on June 30, 2012; provided, however, C/CAG may terminate this Agreement at any time for any reason by providing 30 days' written notice to COUNTY. COUNTY may terminate this Agreement at any time for any reason by providing 30 days' written notice to C/CAG. Termination will be effective on the date specified in the notice. In the event of termination under this paragraph, COUNTY shall be paid for all services provided to the date of termination.
6. **Hold Harmless/Indemnity.** COUNTY shall defend, indemnify and save harmless C/CAG and its member agencies and their employees, agents and officers from all claims, suits, damages or actions arising from COUNTY's performance under this Agreement.

C/CAG shall defend, indemnify and save harmless County and its member agencies and their employees, agents and officers from all claims, suits, damages or actions arising from C/CAG's performance under this Agreement.

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

7. **Workers' Compensation Coverage.** Statutory Workers' Compensation Insurance and Employer's Liability Insurance will be provided by the COUNTY with limits of not less than one million dollars (\$1,000,000) for any and all persons employed directly or indirectly by COUNTY. In the alternative, COUNTY may rely on a self-insurance program to meet these requirements so long as the program of self-insurance complies fully with the provisions of the California Labor Code. In such case, excess Workers' Compensation Insurance with statutory limits shall be maintained. The insurer, if insurance is provided, and the COUNTY, if a program of self-insurance is provided, shall waive all rights of subrogation against C/CAG for loss arising from worker injuries sustained under this Agreement.
8. **Liability Insurance.** COUNTY shall take out and maintain during the life of this Agreement such Bodily Injury Liability and Property Damage Liability Insurance as shall protect COUNTY, its employees, officers and agents while performing work covered by this Agreement from any and all claims for damages for bodily injury, including accidental death, as well as any and all operations under this Agreement, whether such operations be by COUNTY or by any sub-contractor or by anyone directly or indirectly employed by either of them. In the alternative, COUNTY may rely on a self-insurance program to meet these requirements so long as the program of self-insurance complies fully with the provisions of the California Labor Code.

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, C/CAG, at its option, may, notwithstanding any other provision of this Agreement to the contrary, immediately declare a material breach of this Agreement and suspend all further work pursuant to this Agreement.

9. **Non-discrimination.** COUNTY and its subcontractors performing the services on behalf of the COUNTY 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.
10. **Accessibility of Services to Disabled Persons.** COUNTY, not C/CAG, shall be responsible for compliance with all applicable requirements regarding services to disabled persons, including any requirements of Section 504 of the Rehabilitation Act of 1973.
11. **Substitutions.** If particular people are identified in Exhibit A as working under this Agreement, COUNTY will not assign others to work in their place without written permission from C/CAG. Any substitution shall be with a person of commensurate experience and knowledge.
12. **Joint Property.** As between C/CAG and COUNTY any system or documents developed, produced or provided under this Agreement shall become the joint property of C/CAG and the COUNTY.
13. **Access to Records.** COUNTY shall retain, for a period of no less than five years, all books, documents, papers, and records which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcriptions, and shall provide C/CAG, its member agencies, and or their auditors with access to said books and records.

COUNTY shall maintain all required records for five years after C/CAG makes final payments.
14. **Merger Clause.** With regard to the matters covered in this Agreement, this Agreement constitutes the sole agreement of the parties hereto and any prior agreement, promises, negotiations or representations between the parties not expressly stated in this document are not binding.
15. **Amendments.** Any changes in the services to be performed under this Agreement shall be incorporated in written amendments, which shall specify the changes in work performed and any adjustments in compensation and schedule. All amendments shall be executed by the C/CAG Executive Director or a designated representative, and the Director of Public Works. No claim for additional compensation or extension of time shall be recognized unless contained in a duly executed amendment.
16. **Governing Law.** This Agreement shall be governed by the laws of the State of California and any suit or action initiated by either party shall be brought in the County of San Mateo, California.

IN WITNESS WHEREOF, the parties hereto have affixed their hands to this Agreement to Provide Staff Services for a Climate Action Plan Template on the day and year first

above indicated.

County of San Mateo (COUNTY)

By _____
James C. Porter
County Department of Public Works - Director

Date

Approved as to Form By _____
County Counsel

Date

City/County Association of Governments (C/CAG)

By _____
Bob Grassilli
C/CAG Chair

Date

Approved as to Form By _____
C/CAG Legal Counsel

Date

Exhibit A

STAFF SERVICES FOR A CLIMATE ACTION PLAN TEMPLATE PROJECT

SCOPE OF WORK

- 1.0 Introduction - The City/ County Association of Governments of San Mateo County (C/CAG) is committed to working with the cities in San Mateo County on issues related to solid waste, resource conservation and climate protection. C/CAG desires to contract with the County of San Mateo (County) to provide staff services for the administration and project management of C/CAG's Climate Action Plan Template Project (Project) pursuant to the Scope of Work outlined in the Bay Area Air Quality Management District (BAAQMD) Grant Agreement Grant No. 2010-083 (Grant Agreement) between C/CAG and the BAAQMD and the Scope of Work outlined in the Pacific Gas and Electric Company, Contract Work Authorization No. 2500458103. The Project will be funded through C/CAG and the Grant Agreement.
- 2.0 Management and Staffing Oversight - the County shall provide staff support to C/CAG to accomplish deliverables as provided in Section 3.0 below. The County shall provide project administration and project management to include: coordination of a working group of city staff, providing direction on procurement of consultants, managing the consultants, reviewing and commenting on consultant submittals, preparing and submitting required BAAQMD grant reports, and managing the Project in accordance with the stipulated timeline to ensure completion of the Project in accordance with the Scope of Work and Cost Schedule as outlined in the Grant Agreement.
- 3.0 Grant Scope of Work – the County shall:
 - 3.1 Support the completion of the scope of work as outlined in the Grant Agreements attached hereto and referenced herein, up to a maximum amount of \$25,000 for this agreement.
- 4.0 Reporting - The County of San Mateo shall report to the C/CAG Board and other C/CAG committees and staff on activities and Project progress related to this scope of work upon request during the term of this agreement.
- 5.0 Payments - The County shall submit invoices for services provided along with supporting documentation including labor hours and rates for management and staffing. C/CAG shall pay invoices within 30 days of receipt.

C/CAG AGENDA REPORT

Date: June 9, 2011
To: C/CAG Board of Directors
From: Richard Napier, Executive Director
Subject: Review and approval of a proposal to develop the Smart Corridor - Southern Segment project (between Whipple Ave in Redwood City and the Santa Clara County Line)

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

RECOMMENDATION

That the C/CAG Board review and approve a proposal to develop the Smart Corridor - Southern Segment project (between Whipple Ave in Redwood City and the Santa Clara County Line).

FISCAL IMPACT

It is proposed to proceed with environmental reevaluation and final engineering design work for Smart Corridor - Southern Segment. Final contracts for environmental and design work will be presented to C/CAG Board for approval at a later date. It is estimated the cost for environmental and design to be up to \$1.5 million, including:

- Outside consultant for environmental reevaluation
- Outside consultant for final engineering design
- Caltrans staff to conduct final engineering design

Funding is included in the Draft C/CAG 2011/12 Budget.

SOURCE OF FUNDS

It is anticipated the funding for environmental and design of Smart Corridor Southern Segment be funded from AB 1546 and Congestion Relief funds.

BACKGROUND/DISCUSSION

The overall San Mateo County Smart Corridors project will implement inter-jurisdictional traffic management strategies by deploying integrated Intelligent Transportation Systems (ITS) elements along the portions of the US 101 corridor from I-380 to the Santa Clara County line and SR 82 (El Camino Real) and local arterial streets. The funded segment of Smart Corridor is from I-380 in the City of San Bruno to Whipple Avenue in Redwood City, consists of \$10M TLSP grant, \$11M County STIP, \$3M Measure A, and approximately \$2M C/CAG funds.

The proposed Southern Segment from Whipple Ave to Santa Clara County Line is estimated at \$10.6M for construction. On March 23, 2011, the California Transportation Commission (CTC) has

ITEM 6.4

issued a call for projects resulting from project cost savings accumulated statewide in the CMIA Transportation Bond program. Target award date for the CMIA Costing Saving call for projects will be in June or August 2011. In response to that call for project, staff submitted an application for the Smart Corridor - Southern Segment requesting for the \$10.6M construction fund. Since the CMIA fund is only for construction, environmental approval and engineering design must be funded via other means.

In addition, one of the most important factors in the selection of the CMIA Cost Saving grant is project readiness. Staff recommend to immediately mobilize a project team to get this project ready for construction by conducting environmental reevaluation and final design. It is to be prepared in the event that the project receives the CMIA Cost Saving grant, or other available grant funds.

ATTACHMENT

None.

C/CAG AGENDA REPORT

DATE: June 9, 2011

TO: City/County Association of Governments Board of Directors

FROM: Richard Napier, Executive Director

SUBJECT: Review and approval of Resolution 11-37 authorizing the C/CAG Chair to execute the Program Manager Funding Agreement with the Bay Area Air Quality Management District (BAAQMD) for the 2011/2012 Transportation Fund for Clean Air (TFCA) (40%) Program for San Mateo County for an amount up to \$987,566.04.

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

RECOMMENDATION

That the C/CAG Board review and approve Resolution 11-37 authorizing the C/CAG Chair to execute the Program Manager Funding Agreement with the Bay Area Air Quality Management District (BAAQMD) for the 2011/2012 Transportation Fund for Clean Air (TFCA) (40%) Program for San Mateo County for an amount up to \$987,566.04.

FISCAL IMPACT

This agreement provides up to \$987,566.04 in TFCA funding for FY 2011/2012. Included in this amount is \$46,566 to cover the administrative costs of the program.

SOURCE OF FUNDS

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

BACKGROUND/ DISCUSSION

C/CAG acts as the Program Manager for the Transportation Fund for Clean Air (TFCA) Program in San Mateo County. This program distributes Transportation Fund for Clean Air funds to qualifying projects that reduce emissions in the air. At the March 10, 2011 C/CAG Board meeting the Board approved the projects to be funded as part of the TFCA Program. The projects that were approved include:

ITEM 6.5

C/CAG	Administration	\$46,566
SamTrans	Shuttle Bus Program	\$527,000
Peninsula Traffic Congestion Relief Alliance	County-wide Voluntary Trip Reduction Program	\$414,000
TOTAL		\$987,566

The attached funding agreement between C/CAG and the Bay Area Air Quality Management District is for the receipt of the FY 11/12 TFCA County Program Manager funds.

ATTACHMENTS

- Resolution 11-37
- Funding agreement with the Bay Area Air Quality Management District

RESOLUTION 11-37

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG CHAIR TO EXECUTE THE PROGRAM MANAGER FUNDING AGREEMENT WITH THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT (BAAQMD) FOR THE 2011/2012 TRANSPORTATION FUND FOR CLEAN AIR (TFCA) (40%) PROGRAM FOR SAN MATEO COUNTY FOR AN AMOUNT UP TO \$987,566.04.

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

WHEREAS, the Board of Directors of the City/County Association of Governments at its March 10, 2011 meeting approved certain projects and programs for funding through San Mateo County's 40 percent local share of Transportation Fund for Clean Air (TFCA) revenues; and,

WHEREAS, the City/County Association of Governments will act as the Program Manager for \$987,566.04 of TFCA funded projects; and,

WHEREAS, it is necessary to enter into a Program Manager Agreement with the Bay Area Air Quality Management District setting forth the responsibilities of each party.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that on behalf of C/CAG the Chair is authorized to enter into an agreement with the Bay Area Air Quality Management District for the 2011/2012 Transportation Fund for Clean Air (TFCA) San Mateo County Program.

PASSED, APPROVED, AND ADOPTED THIS 9TH DAY OF JUNE 2011.

Bob Grassilli, Chair

FUNDING AGREEMENT
BETWEEN
THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT
AND
CITY/COUNTY ASSOCIATION OF GOVERNMENTS

11-SM

This Funding Agreement (Agreement) is entered into between the City/County Association of Governments, hereinafter referred to as "Program Manager," and the Bay Area Air Quality Management District, hereinafter referred to as "Air District," hereinafter referred to jointly as "Parties." This Agreement includes Attachment A, which specifies the funding allocated under this Agreement, and Attachment B, which pertains to insurance requirements.

SECTION I

RECITALS:

- 1) The Air District is authorized under California Health and Safety (Health & Safety) Code Sections 44223 and 44225 to levy a fee on motor vehicles registered within its jurisdiction ("Motor Vehicle Fees"), a portion of which the Air District receives and dedicates to its Transportation Fund for Clean Air (TFCA) program.
- 2) TFCA program monies may be allocated for projects to reduce air pollution from motor vehicles and to implement transportation control measures included in the plan adopted pursuant to Health and Safety Code Sections 40233, 40717, and 40919.
- 3) In accordance with Health and Safety Code Section 44241(d), the Air District allocates not less than forty (40) percent of the TFCA monies received to implement the TFCA Program Manager program ("Program").
- 4) The Air District has been notified, in a communication dated July 29, 1992, that the Program Manager is the duly authorized recipient of the proportionate share of Program monies for San Mateo County, and has been so designated by resolution(s) adopted by the San Mateo County Board of Supervisors and by the city councils of a majority of the cities representing a majority of the population in the incorporated area of the county. The terms and conditions for the expenditure of the County's Program monies by the Program Manager are set forth in the resolution(s).
- 5) On December 1, 2010, the Air District Board of Directors ("Board of Directors") approved the TFCA County Program Manager Fund Policies for Fiscal Year 2011/2012 ("Policies"). The Policies set forth requirements, including eligibility and cost-effectiveness requirements, for projects funded by TFCA funds in fiscal year ending (FYE) 2012. The Policies are incorporated as Appendix D and made a part of the "County Program Manager Fund Expenditure Plan Guidance for Fiscal Year 2011/2012, December 22, 2010" ("Guidance"), and are incorporated herein and made a part hereof by this reference as if fully set forth herein.
- 6) On or about March 31, 2011, the Program Manager submitted an Expenditure Plan Application to the Air District, which specified interest income earned by the Program

Manager and TFCA funds from previously funded TFCA projects available for reprogramming to other projects.

- 7) On May 4, 2011, the Board of Directors approved an estimated allocation of FYE 2012 TFCA Program monies of \$976,283 for San Mateo County. On this same date, the Board of Directors approved an estimated total funding level for FYE 2012 for San Mateo County to be administered by the Program Manager (FYE 2012 TFCA funds), plus interest reported by the Program Manager and any reprogramming of previous TFCA monies remaining from projects from previous fiscal years, of \$987,566.04, which is covered under this Agreement (“TFCA Funds”).
- 8) The Air District and the Program Manager, pursuant to Health and Safety Code Section 44241, hereby enter into this funding agreement to implement the Program within San Mateo County; to select and fund projects that improve air quality in the San Francisco Bay Area Air Basin and comply with the Policies; and to oversee such funded projects to assure that they meet, and are implemented in accordance with, the Policies and the terms of this funding agreement (“Agreement”). This Agreement covers the funding allocation set forth in Paragraph 7 above.

SECTION II

PROGRAM MANAGER AGREES:

- 1) To implement the FYE 2012 Program within San Mateo County in accordance with this Agreement and the Policies.
- 2) To select and fund projects that improve air quality in the San Francisco Bay Area Air Basin and that comply with the Policies and the terms of this Agreement (“Program Projects”). Recipients of TFCA Funds may include the Program Manager, which undertakes its own County projects, and other entities (“Sub-awardees”). The Program Manager shall designate the Program Projects as FYE 2012 Program Projects for administrative purposes.
- 3) Except in the case where the Program Manager is the Sub-awardee, to enter into a binding agreement with each Sub-awardee that sets forth the maximum amount of TFCA Funds awarded for each Program Project, and requires each Sub-awardee to comply with the terms of this Agreement and the Policies and to implement the Program Projects as approved by the Program Manager. The Program Manager shall maintain copies of the Program Manager’s written agreements with Sub-awardees and any amendments thereto with Sub-awardees to carry out the Program Projects.
- 4) To encumber and expend all TFCA Funds within two (2) years of receipt of the first payment of the TFCA Funds. The Program Manager may extend this time limit to the last day of the Term of this Agreement if consistent with the Policies:
 - a) The Program Manager approves an application to extend the time to implement a particular Program Project, which extended deadline will be later than two (2) years from the date the Program Manager receives the first payment of TFCA Funds, or

- b) The Program Manager finds, based on the Sub-awardee's application that despite significant progress on the particular Program Project, the Sub-awardee requires additional time to implement the Program Project.
- 5) To return to the Air District any TFCA Funds and associated interest unexpended as per Section II, Paragraph 4 unless either:
 - a) The Program Manager has approved an extension for a Sub-awardee to implement its Program Project(s) as per Section II, Paragraph 4, or
 - b) The Air District and the Program Manager have amended this Agreement to provide for further extensions of time to expend such funds.
- 6) To maintain, at all times during the term of this Agreement, a separate account or sub-ledger for all TFCA Funds and to withdraw funds from this separate account only for the reimbursement of costs to implement Program Projects. Failure to comply with this paragraph shall constitute grounds for termination pursuant to Section IV, Paragraph 2 below.
- 7) To maintain, or cause to be maintained, adequate records to document and demonstrate to Air District staff and auditors the receipt, interest accrual, and expenditures of Air District funds to implement the Program.
- 8) To track and report to the Air District all interest accrued from TFCA Funds.
 - a) The Program Manager shall not use interest from TFCA Funds for administrative purposes.
 - b) The Program Manager's distribution of any interest funds shall be at the discretion of the Program Manager, after consultation with the Air District and shall be in accordance with the Policies and applicable State law.
- 9) To track and report to the Air District any TFCA Funds and associated interest unencumbered at the time of completion or termination of a Program Project. The distribution of any such funds and associated interest shall be at the discretion of the Program Manager, after consultation with the Air District.
- 10) To limit administrative costs to conduct the Program to no more than five percent (5%) of the FYE 2012 TFCA monies received by the Program Manager.
- 11) To allow, and to require the Sub-awardees to allow, the Air District's staff, its authorized representatives, and its independent auditors, during the term of this Agreement and for three (3) years following completion of each Program Project, to conduct performance and financial audits of the County's Program and Program Projects and to inspect the Program Projects. During audits, the Program Manager will make available to the Air District in a timely manner all records relating to the Program Manager's implementation of the Program and of Sub-awardees' expenses and performance of their Program Projects. During inspections, the Program Manager will provide, at the request of the Air District, access to inspect a Sub-awardee's Program Projects and related records.
- 12) To keep, and to require Sub-awardees to keep, all financial and Program Project implementation records necessary to demonstrate compliance with this Agreement and the Program. Such records include the reports and those records required to comply with Section

II, Paragraphs 8, 9, 10, 11, 12, 15, and 21. Such records shall include documentation that demonstrates significant progress made for those Program Projects seeking extensions to the completion date. The Program Manager shall keep such documents in a central location for a period of five (5) years following completion of the projects and shall require each Sub-awardee to keep its necessary records at a central Sub-awardee location.

- 13) To maintain, and to require that each Sub-awardee maintain, employee time sheets documenting those hourly labor costs incurred in the implementation of this Agreement, including both administrative and Program Project implementation costs, or to establish an alternative method to document staff costs charged to the funded project.
- 14) To distribute TFCA Funds allocated to a Sub-awardee only as reimbursement for documented Program Project costs that are eligible and approvable under the Policies.
- 15) To prepare and submit reports to the Air District as follows:
 - a) Semi-annual Funding Status Report: Beginning May 31, 2012, the Program Manager shall submit a report on May 31 and October 31 of each year until all Program Projects are completed that specifies a) the Program Projects that have been cancelled, completed, and completed at a cost less than the allocation during the previous six-month period and if completed at a lesser cost, the amount of associated unexpended funds; and b) the Program Projects for which the Program Manager has extended any deadlines and, for those projects, the revised completion date and documentation of the Program Manager's certification that, pursuant to Health and Safety Code Section 44242(d), the Sub-awardee had made significant progress.
 - b) Final Reports: Beginning May 31, 2012, the Program Manager shall submit each May 31 and October 31, until all Program Projects are completed, a Final Report for each completed Program Project, which itemizes (a) the expenditure of the TFCA Funds, and (b) the results of the monitoring of the performance of each Program Project on Air District-approved report forms.
 - c) Interim Project Reports: Beginning October 31, 2012, the Program Manager shall submit each October 31 an Interim Project Report for each Program Project that has not been completed and which itemizes (a) the expenditure of the TFCA Funds, and (b) the status of each Program Project's implementation on Air District-approved report forms.
 - d) If the due date for a report specified above falls on a weekend or on a State holiday, then that report is due on the following business day.
- 16) To require all Sub-awardees to acknowledge the Air District as a Program Project's funding source during the implementation of a Program Project and to use the Air District's approved logo as specified below:
 - a) The logo shall be used on signs posted at the site of any Program Project construction.
 - b) The logo shall be displayed on any vehicles or equipment operated or obtained as part of a Program Project.
 - c) The logo shall be used on any public information material relating to a Program Project, such as websites and printed materials, including transit schedules, brochures, handbooks, maps and other promotional materials.

- d) The Program Manager shall retain documentation, such as photographs of vehicles and copies of press releases, demonstrating that Air District logos are used and displayed as required.
- 17) To assure that all TFCA Funds received under this Agreement are expended only in accordance with all applicable provisions of law for projects that are implemented directly by the Program Manager, and to require Sub-awardees to expend the funds only in accordance with all applicable provisions of law.
- 18) To require that Sub-awardees return to the Program Manager all TFCA Funds that are not expended in accordance with applicable provisions of law.
- 19) To the extent not otherwise prohibited by law, and to the extent required by the California Public Records Act (California Government Code section 6250 *et seq.*), to make available to the public and to require that Sub-awardees make available to the public any software, written documents, or other products developed with TFCA Funds.
- 20) To require that Sub-awardees receiving TFCA Funds for the purchase of any vehicles return to the Program Manager any funds realized from the sale of any vehicles purchased with TFCA Funds if such sale occurs prior to the last day of the last year listed as a Project Years of Effectiveness following the date of purchase of the vehicles. The Project Years of Effectiveness is the default value stated in Appendix G of the Guidance for the applicable project type, unless a different value was approved and shown to yield a Project meeting the cost-effectiveness requirement in the Policies by the Program Manager. The amount of funds returned to the Program Manager shall be proportional to the percentage of TFCA Funds originally used to purchase the vehicles. Any such funds returned to the Program Manager shall be reallocated to eligible Program Projects.
- 21) To obtain and maintain, and to require that each Sub-awardee obtain and maintain, throughout the Term of this Agreement, the insurance coverage specified in "Insurance Requirements," Attachment B, and to comply with all insurance requirements set forth therein, including the provision of documentation of said insurance coverage. Failure to obtain and maintain the insurance coverage and to comply with all insurance requirements is a breach of this Agreement.

SECTION III

AIR DISTRICT AGREES:

- 1) To pay the FYE 2012 TFCA monies, the amount of which is estimated on Attachment A, Summary Information, Line 1 and calculated as set forth in Section III, Paragraphs 1a and 1b below, for Program Projects that are consistent with the Policies and this Agreement, in two payments. Payments shall be made after this Agreement has been signed by both the Program Manager and the Air District. Notwithstanding the above, the Air District is only obligated to pay that portion of the FYE 2012 TFCA monies that that constitutes that portion of the fees subvended by the California Department of Motor Vehicles ("DMV") for calendar year 2011 to the Air District for its allocation to the Program Manager from the Program funds. To the extent the estimated FYE 2012 TFCA monies exceed the Motor Vehicle Fees that are received by the Air District and are available to the Program Manager, the Program

Manager understands and agrees that the Air District will not pay the difference between the Motor Vehicle Fees available and the estimated FYE 2012 TFCA monies.

- a) To endeavor to forward the first payment within thirty (30) business days of the Air District receiving from the DMV all the revenues that comprise the payment. The first payment shall represent the County's proportionate share of the Program revenues generated from registration fees paid for motor vehicles that registered in San Mateo County between January 1, 2011, and June 30, 2011, less Air District's administrative and audit costs.
 - b) To endeavor to forward the second payment within thirty (30) business days of the Air District receiving from the DMV all the revenues that comprise the payment. The second payment shall represent the County's proportionate share of the Program revenues generated from registration fees paid for motor vehicles that registered in San Mateo County between July 1, 2011, and December 31, 2011, less Air District's administrative and audit costs.
- 2) To provide timely notice prior to conducting an audit.
 - 3) To provide the Program Manager, and any other requesting party, a copy of the fiscal and performance audits conducted pursuant to Section 44242 of the Health and Safety Code.
 - 4) To provide the Program Manager with all Air District-approved Program Manager reporting forms required for the Program Manager to submit pursuant to this Agreement, including the reports required pursuant to Section II, Paragraph 15 above.
 - 5) To provide a copy of the Air District logo to the Program Manager solely for use to fulfill the obligation under Section II.16 of this Agreement.

SECTION IV

IT IS MUTUALLY AGREED:

- 1) Term: The term of this Agreement shall be from the Effective Date of this Agreement until the end of the fourth year from the date of Air District Board of Directors approval of the funding allocation (May 4, 2015) ("Term"), unless it is terminated or amended as provided for in Paragraphs 2 and 8 of this Section or elsewhere in this Agreement.

If the Program Manager seeks to extend the Term in order to provide a Sub-awardee additional time to complete its Program Project(s) beyond the two-year extension already provided by the Program Manager, the Program Manager shall submit that request to the Air District no later than 60 days prior to the end of the Term.

- 2) Termination: Either Party may terminate this Agreement at any time by giving written notice of termination to the other Party which shall specify the effective date thereof. Notice of termination under this paragraph shall be given at least ninety (90) days before the effective date of such termination, unless the parties mutually agree to an earlier termination date. This Agreement shall also terminate at the end of the fiscal year during which the City/County Association of Governments loses its designation as Program Manager for San Mateo County.

- 3) Indemnity: The Program Manager shall indemnify and hold harmless the Air District, its employees, agents, representatives, and successors-in-interest against any and all liability, loss, expense, including reasonable attorneys' fees, or claims for injury or damages arising out of the performance by the Program Manager of its duties under this Agreement and shall require Sub-awardees to indemnify and hold harmless the Air District, its employees, agents, representatives, and successors-in-interest against any and all liability, loss, expense, including reasonable attorneys' fees, or claims for injury or damages arising out of their performance of the project or operation or use of the equipment that is subject to this Agreement.
- 4) Notices: Any notice which may be required under this Agreement shall be in writing, shall be effective when received, and shall be given by personal service, by U.S. Postal Service mail, or by certified mail (return receipt requested), to the addresses set forth below, or to such addresses which may be specified in writing to the Parties hereto.

Executive Director
City/County Association of Governments
555 County Center, 5th Fl.
Redwood City, CA 94063

Air Pollution Control Officer
Bay Area Air Quality Management District
939 Ellis Street
San Francisco, CA 94109

- 5) Program Liaison: Within thirty (30) days from the Effective Date of this Agreement, the Program Manager shall notify the Air District of the Program Manager's Program Liaison and of the Liaison's address, telephone number, and email address. The Program Liaison shall be the liaison to the Air District pertaining to implementation of this Agreement and shall be the contact for information about the Program and Program Projects. The Program Manager shall notify the Air District of the change of Program Liaison or of the Liaison's contact information in writing no later than thirty (30) days from the date of any change.
- 6) Additional Provisions and Additional Acts and Documents: Each Party agrees to do all such things and take all such actions, and to make, execute and deliver such other documents that are reasonably required to carry out the provisions, intent and purpose of this Agreement. All attachments to this Agreement are expressly incorporated herein by this reference and made a part hereof as though fully set forth.
- 7) Integration: This Agreement, including all attachments hereto, represents the final, complete, and exclusive statement of the agreement between the Air District and the Program Manager related to the Parties' rights and obligations and subject matter described in this Agreement, and supersedes all prior and other contemporaneous understandings and agreements of the parties. No Party has been induced to enter into this Agreement by, nor is any Party relying upon, any representation or warranty outside those expressly set forth herein.
- 8) Amendment: This Agreement may not be modified except in writing, signed by both Parties hereto, and any attempt at oral modification of this Agreement shall be void and of no effect.

- 9) **Independent Contractor:** Neither the Program Manager nor its officers, employees, agents, or representative shall be considered employees or agents of the Air District.
- 10) **Assignment:** Neither Party shall assign, sell, license, or otherwise transfer any rights or obligations under this Agreement without the prior written consent of the other Party.
- 11) **Waiver:** No waiver of a breach, of failure of any condition, or of any right or remedy contained in or granted by the provisions of this Agreement shall be effective unless it is in writing and signed by the Party waiving the breach, failure, right, or remedy. No waiver of any breach, failure, right, or remedy shall be deemed a waiver of any other breach, whether or not similar, nor shall any waiver constitute a continuing waiver unless the writing so specifies. Further, the failure of a Party to enforce performance by the other Party of any term, covenant, or condition of this Agreement, and the failure of a Party to exercise any rights or remedies hereunder, shall not be deemed a waiver or relinquishment by that Party to enforce future performance of any such terms, covenants, or conditions, or to exercise any future rights or remedies.
- 12) **Severability:** If a court of competent jurisdiction holds any provision of this Agreement to be illegal, unenforceable or invalid in whole or in part for any reason, the validity and enforceability of the remaining provisions, or portions of them will not be affected.
- 13) **Force Majeure:** Neither the Air District nor the Program Manager shall be liable for or deemed to be in default for any delay or failure in performance under this Agreement or interruption of services resulting, directly or indirectly, from acts of God, enemy or hostile governmental action, civil commotion, strikes, lockouts, labor disputes, fire or other casualty, judicial orders, governmental controls, regulations or restrictions, inability to obtain labor or materials or reasonable substitutes for labor or materials necessary for performance of this Agreement, or other causes, except financial that are beyond the reasonable control of the Air District or the Program Manager.
- 14) **Governing Law:** Any dispute that arises under or relates to this Agreement shall be governed by California law, excluding any laws that direct the application of another jurisdiction's laws. Venue for resolution of any dispute that arises under or relates to this Agreement, including mediation, shall be San Francisco, California.
- 15) **Effective Date:** The effective date of this Agreement is the date the Air District Executive Officer/Air Pollution Control Officer executes the Agreement (the "Effective Date").
- 16) **Survival of Terms:** Any terms of this Agreement that by their nature extend beyond the term (or termination) of this Agreement shall remain in effect until fulfilled, and shall apply to both parties' respective successors and assigns. Such terms include, but may not be limited to, the auditing requirements set forth in Paragraph II, Paragraph 11.

IN WITNESS WHEREOF, the Program Manager and the Air District have entered into this Agreement as of the date listed below.

FOR PROGRAM MANAGER:

by: _____
Bob Grassilli
City/County Association of Governments

Approved as to legal form (optional):

by: _____
City/County Association of Governments

FOR AIR DISTRICT:

by: _____ Date: _____
Jack P. Broadbent
Executive Officer/APCO
Bay Area Air Quality Management District

Approved as to legal form:

by: _____
Brian C. Bungler, District Counsel
Bay Area Air Quality Management District

SUMMARY INFORMATION

Program Manager Agency Name: City/County Association of Governments

Address: 555 County Center, 5th Fl., Redwood City, CA 94063

PART A: NEW TFCA FUNDS

1. Estimated FYE 2012 TFCA monies (based on projected CY2010 revenues):	Line 1:	<u>\$976,283.00</u>
2. Difference between prior-year estimate and actual revenue ⁷ :	Line 2:	<u>\$-21,231.96</u>
a. Actual FYE 2010 TFCA monies (based on CY2009):		<u>\$1,020,885.04</u>
b. Estimated FYE 2010 TFCA monies (based on CY2009):		<u>\$1,042,117.00</u>
<i>(‘a’ minus ‘b’ equals Line 2.)</i>		
3. Estimated New Allocation (Sum of Lines 1 and 2):	Line 3:	<u>\$955,051.04</u>
4. Interest income. List interest earned on TFCA funds in calendar year 2010.	Line 4:	<u>\$1,537.00</u>
5. Estimated TFCA monies budgeted for administration:	Line 5:	<u>\$46,566.00</u>
<i>(Note: This amount may not exceed 5% of Line 3.)</i>		
6. Total new TFCA funds available in FYE 2012 for projects and administration	Line 6:	<u>\$956,588.04</u>
<i>(Add Lines 3 and 4. These funds are subject to the six-month allocation deadline.)</i>		

PART B: TFCA FUNDS AVAILABLE FOR REPROGRAMMING

7. Total amount from previously funded projects available for reprogramming to other projects. (Enter zero (0) if none.)	Line 7:	<u>\$30,978.00</u>
<i>(Note: Reprogrammed funds originating from pre-2006 projects are not subject to the six-month allocation deadline.)</i>		

PART C: TOTAL AVAILABLE TFCA FUNDS

8. Total Available TFCA Funds (Sum of Lines 6 and 7)	Line 8:	<u>\$987,566.04</u>
9. Estimated Total TFCA funds available for projects (Line 8 minus Line 5)	Line 9:	<u>\$941,000.04</u>

⁷ At the time of Expenditure Plan Application, the FYE 2011 actual revenues (based on CY2010) were not available from DMV. Thus the difference between the FYE 2011 estimated and actual TFCA monies is not included in this form.

INSURANCE REQUIREMENTS

Verification of Coverage

The Program Manager shall obtain and maintain certificates and/or other evidence of the insurance coverage required below. The Air District reserves the right to require the Program Manager to provide complete, certified copies of any insurance offered in compliance with these specifications. Certificates, policies and other evidence provided shall specify that the Air District shall receive 30 days advanced notice of cancellation from the insurers.

Minimum Scope of Insurance

Throughout the Term as defined in Section IV of the Agreement, the Program Manager shall obtain and maintain in full force and effect the Liability Insurance as set forth below, and shall require each Sub-awardee to obtain and maintain in full force and effect the Liability Insurance and Property Insurance as set forth below:

1. **Liability Insurance** with a limit of not less than \$1,000,000 per occurrence. Such insurance shall be of the type usual and customary to the business of the Program Manager and Sub-awardee, and to the operation of the vehicles, vessels, engines or equipment operated by the Sub-awardee.
2. **Property Insurance** in an amount of not less than the insurable value of Sub-awardee's vehicles, vessels, engines or equipment funded under the Agreement, and covering all risks of loss, damage or destruction of such vehicles, vessels, engines or equipment.

Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A: VII. The Air District may, at its sole discretion, waive or alter this requirement or accept self-insurance in lieu of any required policy of insurance.

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*

May 17, 2011

Doug Kimsey
Planning Manager
Metropolitan Transportation Commission
101 Eighth Street
Oakland, CA 94607-4700

Subject: Projects recommended for inclusion in Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) from San Mateo County

Dear Mr. Kimsey,

The San Mateo City/County Association of Governments (C/CAG) Board of Directors approved the attached list of projects recommended for inclusion in the 2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) at its May 12, 2011 meeting. Individual Project Submittal Forms for the projects were submitted online through the BayArea2040 website.

The 2040 RTP/SCS Project list was presented, at the May 12, 2004 meeting, of the City/County Association of Governments of San Mateo County (C/CAG) Board for review and approval as to which projects to recommend for inclusion in the RTP/SCS. The Board meeting agenda is attached for your information (see Item 6.3).

The initial “call for projects” was issued to public works directors of the county’s 21 local jurisdictions with copies sent to the respective city managers, planning directors, as well as MTC policy advisory council members (in San Mateo), C/CAG board members, C/CAG committee members, and low-income community based organization stakeholders.

C/CAG staff worked with the San Mateo County Transit District (SamTrans), the San Mateo County Transportation Authority (SMCTA), Caltrain, and others, to develop project lists for Measure A, transit, and multi-county projects. Coordination meetings with MTC and California Department of Transportation (Caltrans) staff were held to discuss mutual priorities.

To comply with outreach requirements, the “call for projects” was posted on the C/CAG website and has been distributed to the public upon request. A press release from C/CAG was issued on March 11, 2011 and a Public Hearing on the Draft List of Projects was held on March 28, 2011 with notification posted in local a county newspaper.

ITEM 9.1

A draft RTP list of projects, based on request received from partner agencies in the County, was presented at the March 17, 2011 Congestion Management Program Technical Advisory Committee (TAC) meeting for review and comment. A public hearing to review the draft list was held at the Congestion Management Program and Environmental Quality Committee (CMEQ) on March 28, 2011. The draft list was presented to the C/CAG Board on April 14, 2011 for review and comment.

The Final list was recommended for approval by the TAC on April 21, 2011 and the CMEQ on April 25, 2011. Online project applications for projects on the attached list were submitted to MTC by April 29, 2011.

If you have any questions, please feel free to contact me at (650) 599-1420 or Jean Higaki of my staff at (650) 599-1462.

Sincerely,



Richard Napier
Executive Director
City/County Association of Governments
of San Mateo County

Attachments:

1. Final Listing of San Mateo County 2040 Regional Transportation Plan (RTP/SCS) Projects
2. C/CAG Board May 12, 2011 meeting agenda
3. "Call for Project" schedule

2040 RTP Project List

New or Ref # of Existing Project	Sponsor	Project Title	Project Description	Total Cost (in millions)	RTP Financial Constraint (in millions)	Vision - Beyond Financial Constraint (in millions)	Funding Source
21602	SMCTA, Caltrans, City of Burlingame	Reconstruct U.S. 101/Broadway interchange	Reconstruct interchange and ramps at US 101 and Broadway.	\$74.5	\$74.5	\$0.0	STIP, Meas A, Local
21603	SMCTA	Modify U.S. 101/Woodside Road interchange	Modify U.S. 101/Woodside Road interchange	\$66.0	\$66.0	\$0.0	STIP, Meas A, Local
21604	SMCTA	Construct modified auxiliary lanes on U.S. 101 from Oyster Point to San Francisco County line	Construct modified auxiliary lanes on U.S. 101 from Oyster Point to San Francisco County line	\$72.0	\$72.0	\$0.0	STIP, Meas A,
21606	SMCTA	Reconstruct U.S. 101/Willow Road interchange	Reconstruct U.S. 101/Willow Road interchange	\$57.0	\$57.0	\$0.0	STIP, Meas A, Local
21607	East Palo Alto	University Avenue Overpass Bike/ Ped Facility	Stage 2 operational and safety improvements of this interchange over two phases: Phase 2A includes construction of a diagonal southbound off-ramp, widening of University Avenue overcrossing for pedestrians on the north side of the structure and adding approximately 400 meters of auxiliary lane on the southbound. Phase 2A will include new design elements to improve the overall design quality of the project by adding new landscape elements and streetscape elements to the project. Phase 2B of the project will include widening the over-crossing structure on the south side as well as the approaches on both sides of the structure to accommodate bike lanes.	\$7.0	\$7.0	\$0.0	Federal Earmark HPP 3769, Local
21608	SMCTA	Construct auxiliary lanes (one in each direction) on U.S. 101 from Marsh Road to Embarcadero Road	Construct auxiliary lanes (one in each direction) on U.S. 101 from Marsh Road to Embarcadero Road	\$119.9	\$119.9	\$0.0	STIP, Meas A, Proposition 1B Corridor Mobility Improvement Account funds
21609	SMCTA	Improve local access from Sneath Lane and San Bruno Avenue to I-280/I-380 interchange (study phase only)	Improve local access from Sneath Lane and San Bruno Avenue to I-280/I-380 interchange (study phase only)	\$25.8	\$4.5	\$21.3	STIP, Meas A
21612	SMCTA	Improve access to/from west side of Dumbarton Bridge on Route 84 connecting to U.S. 101 (includes flyovers, interchange improvements and conversion of Willow Road between Route 84 and U.S. 101 to expressway)	Improve access to/from west side of Dumbarton Bridge on Route 84 connecting to U.S. 101 (includes flyovers, interchange improvements and conversion of Willow Road between Route 84 and U.S. 101 to expressway)	\$367.9	\$62.4	\$305.5	STIP, Meas A, Local

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San County
2040 Regional Transportation Plan (RTP/SCS) Projects
(Costs are shown in \$ millions)

2040 RTP Project List

New or Ref # of Existing Project	Sponsor	Project Title	Project Description	Total Cost (in millions)	RTP Financial Constraint (in millions)	Vision - Beyond Financial Constraint (in millions)	Funding Source
21613	SMCTA	Improve Route 92 from San Mateo-Hayward Bridge to I-280 (includes widening and uphill passing lane from U.S. 101 to I-280 & modification of Route 92/El Camino Real interchange)	Improve Route 92 from San Mateo-Hayward Bridge to I-280 (includes widening and uphill passing lane from U.S. 101 to I-280 & modification of Route 92/El Camino Real interchange)	\$174.5	\$32.1	\$142.4	Federal Earmark 3mil, STIP, Meas A
21615	SMCTA / City of Daly City	Reconstruct I-280/Route 1 interchange (Daly City), including ramps	Reconstruct I-280/Route 1 interchange, including ramps	\$119.5	\$18.9	\$100.6	STIP, Meas A, Local
21892	SMCTA/RWC	Widen Woodside Road from 4 to 6 lanes from El Camino Real to Broadway	Widen Woodside Road from 4 to 6 lanes from El Camino Real to Broadway	\$16.0	\$2.8	\$13.2	STIP, Meas A, Local
21893	SMCTA	Widen Route 92 from Half Moon Bay city limits and Pilarcitos Creek (includes widening shoulders and travel lanes to standard widths and straightening curves)	Widen Route 92 from Half Moon Bay city limits and Pilarcitos Creek (includes widening shoulders and travel lanes to standard widths and straightening curves)	\$34.0	\$5.0	\$29.0	STIP, Meas A, Local
22227	Brisbane/SMCTA	Geneva Avenue Extension	Extend Geneva Avenue from its current terminus at Bayshore Boulevard through new Candlestick Interchange (see Ref ID 22756) and connect to Harney Way	\$87.0	\$87.0	\$0.0	Prop 1B, Meas A, STIP, Local, Developer
22229	Brisbane/SMCTA	US 101-Sierra Point Parkway	Reconstruct Sierra Point Parkway on/off ramps at western join to US 101 and extend Lagoon Way from this improved interchange to Bayshore Boulevard	\$80.7	\$14.1	\$66.6	Prop 1B, Meas A, STIP, Local, Developer
22230	SMCTA / City of Daly City	Construct Auxiliary Lanes between I-380 and Hickey Boulevard (Daly City, South San Francisco, San Bruno)	Construct auxiliary lanes (one in each direction) on I-280 from I-380 to Hickey Boulevard	\$74.3	\$12.8	\$61.5	STIP, Meas A
22232	City of Daly City	Construct streetscape improvements in Planned Development Areas on Mission Street (Route 82) from John Daly Boulevard to San Pedro Road and on Geneva Avenue from city limit to city limit	Design and construction of enhanced sidewalks, landscaping, improved street crossings, landscaped median islands, and pedestrian-scale street lighting in Planned Development Areas along and adjoining Mission Street (Route 82) from John Daly Boulevard to San Pedro Road and Geneva Avenue from city limit to city limit. Projects to be phased for implementation in both design and construction.	\$50.4	\$5.4	\$45.0	Local, Developer
22239	Pacifica	Widen Manor Drive overcrossing at Route 1 (includes new traffic signals at intersection)	Widen Manor Drive overcrossing at Route 1 (includes new traffic signals at intersection)	\$12.3	\$12.3	\$0.0	STIP, Meas A, Local

2040 RTP Project List

New or Ref # of Existing Project	Sponsor	Project Title	Project Description	Total Cost (in millions)	RTP Financial Constraint (in millions)	Vision - Beyond Financial Constraint (in millions)	Funding Source
22261	Pacifica	Replace San Pedro Creek Bridge over Route 1	Replace San Pedro Creek Bridge over Route 1	\$8.0	\$8.0	\$0.0	Fed Earmarks, Meas A, STIP
22271	SMCTA	Widen Skyline Boulevard (Route 35) from 2 to 4 lanes between I-280 and Sneath Lane	Widen Skyline Boulevard (Route 35) from 2 to 4 lanes between I-280 and Sneath Lane	\$21.9	\$3.8	\$18.1	STIP, Meas A
22279	South San Francisco/ SMCTA	U.S. 101/Produce Avenue Interchange	Construct new U.S. 101/Produce Avenue interchange (includes replacement of Produce Avenue on- and off-ramps and South Airport Boulevard ramps to U.S. 101 at Wondercolor Lane) connecting to South Airport Boulevard and San Mateo Avenue.	\$107.3	\$107.3	\$0.0	STIP, Meas A, Local
22282	SMCTA	Improve U.S. 101 operations near Route 92	Improve U.S. 101 operations near Route 92	\$53.8	\$53.8	\$0.0	Phase 1 (Phased construction - 40mil), STIP, Meas A, Local
22751	Half Moon Bay	Improve operations and safety of Route 1 in Half Moon Bay (includes extending Route 1 to Half Moon Bay city limits and channelization at local intersections)	Improve operations and safety of Route 1 in Half Moon Bay (includes extending Route 1 to Half Moon Bay city limits and channelization at local intersections)	\$16.3	\$16.3	\$0.0	STIP, Meas A, Local
22756	Brisbane/ SMCTA	US 101-Candlestick Point Interchange	Reconstruct Candlestick Point interchange at US 101, including through connections on west to an extended Geneva Avenue (see Ref ID 22227) and on east to Harney Way	\$192.0	\$192.0	\$0.0	STIP, Meas A, Local, Developer
94644	SMCTA	Construct westbound slow-vehicle lane on Route 92 from Route 35 to I-280	Construct westbound slow-vehicle lane on Route 92 from Route 35 to I-280	\$112.2	\$19.6	\$92.6	Meas A, STIP
98204	SMCTA/ Pacifica	Add travel lane (one in each direction) on Route 1 (Calera Parkway) between Fassler Avenue and Westport Drive in Pacifica (includes traffic signal coordination on Fassler Avenue and Reina Del Mar Avenue)	Add travel lane (one in each direction) on Route 1 (Calera Parkway) between Fassler Avenue and Westport Drive in Pacifica (includes traffic signal coordination on Fassler Avenue and Reina Del Mar Avenue)	\$45.7	\$45.7	\$0.0	Meas A, STIP, Local
230417	City of San Carlos	US 101/Holly Street Interchange Modification	Widen EB to NB loop to 2 lanes and eliminate NB to WB Loop. Provide grade-separated pedestrian and bicycle path.	\$18.5	\$18.5	\$0.0	Local, Developer
230428	City of Redwood City	Redwood City Blomquist Street Extension and Blomquist Bridge over Redwood Creek	Extend Blomquist Street to Bair Island Road/East Bayshore Rd which includes a new Blomquist Bridge crossing Redwood Creek	\$12.0	\$12.0	\$0.0	Developer

2040 RTP Project List

New or Ref # of Existing Project	Sponsor	Project Title	Project Description	Total Cost (in millions)	RTP Financial Constraint (in millions)	Vision - Beyond Financial Constraint (in millions)	Funding Source
230592	East Palo Alto	Bay Road Improvements Project, Phase 2 & Phase 3	Traffic calming and streetscape Improvements on Bay Road from University Avenue to Cooley Landing. Phase II segment will be from Clarke Avenue to Tara Road, and Phase III will be from Tara Road to Bay Trail. Improvements include : construction of wider sidewalks, storm drainage systems, pedestrian and street lighting, Landscaped median, planters, landscaped bulb outs, and streetscape elements, bus stop stop facilities, colored concrete pavement (decorative) at intersections, Resurfacing of the roadway, lighted (LED) crosswalks, bike lanes, irrigation and planting of shrubs and tress in the median and on both sides of the roadway, Relocation of existing utilities, Construction of new ADA ramps at all intersections and mid-block crossings, and New pavement striping.	\$11.9	\$11.9	\$0.0	Federal Earmarks HPP #707, #3767 and STP earmark CA 784, Local
230704	City of Foster City	State Route 92/Chess Drive Ramp Widening Project	Widening on and off ramps	\$2.4	\$2.4	\$0.0	Developer, Local
New	C/CAG	US101 HOV/T lanes, Whipple to County Line	Modify existing lanes to accommodate an HOV/T lane from Whipple to County Line	\$40.0	\$40.0	\$0.0	STIP, Local
New	City of Daly City	Callan Boulevard / Serramonte Boulevard and Lake Merced Boulevard / Southgate Avenue Intersection Improvements	Intersection and signalization improvements at the Callan Boulevard / Serramonte Boulevard intersection and at the Lake Merced Boulevard / Southgate Avenue intersection	\$0.6	\$0.6	\$0.0	Local, Developer
New	City of Millbrae	California Drive Extension	Extend California Drive north to the intesection of Victoria and El Camino Real	\$7.4	\$1.7	\$5.7	Local
New	City of Millbrae	Millbrae Avenue and Rollins Road Intersection Improvement	Widen Millbrae Avenue between Rollins Road and US101 southbound onramp and resurface the intersection	\$3.3	\$0.7	\$2.5	Local
New	City of Millbrae	US101 Millbrae Ave Bike/Ped Bridge	Across US101 north of and adjacent to the existing Millbrae Avenue bridge; Construct a new 10-foot wide Class 1 mixed-use bike/ped overcrossing.	\$12.4	\$3.0	\$9.4	Federal Earmark HPP # 2701, Local

2040 RTP Project List

New or Ref # of Existing Project	Sponsor	Project Title	Project Description	Total Cost (in millions)	RTP Financial Constraint (in millions)	Vision - Beyond Financial Constraint (in millions)	Funding Source
New	Foster City	Triton Drive	Widen Triton drive between Foster City Boulevard and Pilgrim	\$1.5	\$1.5	\$0.0	Developer, Meas A, Local
New	Menlo Park	Sand Hill Road Signal	Signal Coordination between	\$1.8	\$1.8	\$0.0	Local, Measure A
New	Menlo Park	Willow Road Adaptive Signal	Adaptive Signal control	\$2.3	\$2.3	\$0.0	Local, Measure A
230349	NPS/ GGNRA	Improve local access to National Park Service (NPS) lands in San Mateo	Improve local access to National Park Service (NPS) lands in San Mateo	\$0.4	\$0.1	\$0.3	FHWA Federal Lands Highway Program/ Park Roads and Parkways Program (FLHP/ PRPP), Central Federal Lands Highways (CFL) Division,
New	SMCTA	101/Penisula Ave West modifications	Reconstruct 101 Interchange to add on and off ramps from southbound 101	\$35.0	\$6.0	\$29.0	Meas A, STIP, Local
New	San Mateo County	Highway 1 Safety and Mobility Project	Operational and Safety Improvements for vehicles, bicycles, and pedestrians, along the Highway One corridor between Half Moon Bay and Pacifica	\$65.0	\$13.8	\$51.2	Local
New	SMCTA/ Daly City	I-280/John Daly Boulevard Overcrossing	Widen the north side of John Daly Boulevard I-280 overpass to accommodate vehicular and Bike/Ped	\$7.7	\$1.3	\$6.4	Meas A, STIP, Local
Sub Total				\$2,218.1	\$1,217.8	\$1,000.3	

22226	City of Brisbane	Bayshore Intermodal Station	Enhance existing Caltrain facility to additionally accommodate SFMTA buses, Samtrans buses, cross-platform transfers between Caltrain and SFMTA (connect with 3rd Street Light Rail extension, see Ref ID 94632), and transfers from/to new Geneva Ave/Harney Way Bus Rapid Transit (see Ref ID 230207)	\$48.6		\$48.6	STIP, Local Funds, Measure A, and Developer Exactions
230433	City of Redwood City	Redwood City Ferry Service Implementation	Implement ferry service from the Redwood City ferry terminal to other terminals in the Bay Area	\$51.2	\$51.2	\$0.0	Transit Admin - Ferry Boat fund, USDOT (To be submitted by WETA)
New	City of Redwood City	Redwood City Ferry Terminal	Construct a new ferry terminal to be located off Seaport Blvd adjacent to the Port of Redwood City.	\$15.0	\$15.0	\$0.0	Meas A (To be submitted by WETA)
New	City of Redwood City	Redwood City Street Car Construction and Implementation	Construct and implement street car service on Broadway from 5th Ave to downtown train station	\$10.0		\$10.0	
New	SamTrans	SamTrans BRT	Implementation of BRT service in San Mateo County on the El Camino Real	\$782.0	\$116.8	\$665.2	Proposition 1B, Measure A sales tax, FTA
94667	SamTrans	Incremental Increase in Paratransit Service	Increase in capacity of the SamTrans paratransit fleet and service to meet projected demand	\$481.4	\$45.8	\$435.6	FTA Section 5310, District sales tax, Measure A sales tax, Measure M veh. reg. Fee

San Diego County
2040 Regional Transportation Plan (RTP/SCS) Projects
(Costs are shown in \$ millions)

2040 RTP Project List

New or Ref # of Existing Project	Sponsor	Project Title	Project Description	Total Cost (in millions)	RTP Financial Constraint (in millions)	Vision - Beyond Financial Constraint (in millions)	Funding Source
230192	SamTrans	SamTrans Rapid Bus	Improve SamTrans bus service on the El Camino Real (include enhanced service levels, transit priority measures, signal timing and related bus improvements)	\$2.5	\$2.5		District Sales Tax, Measure A sales tax, Measure M veh. reg. Fee
Sub Total				\$1,390.7	\$231.3	\$1,159.4	
230430	C/CAG	Bicycle and pedestrian facilities and enhancement	Bicycle and Pedestrian facilities and enhancements including class I, II, and III facilities, Bicycle bridge overcrossings, Bicycle / Ped Trails, bicycle and pedestrian access, and other related air quality exempt work.	\$60.0	\$60.0	\$0.0	\$1,000mil covered under Regional Bike Program #22247 to build out Regional Bicycle Network as defined in MTC's Regional Bicycle Master Plan
22423	C/CAG	Lifeline transportation	Lifeline Transportation Program: fund programs and services that address transportation gaps specific to low-income communities	\$33.0	\$33.0	\$0.0	\$400mil covered under Regional Lifeline Program #22423 to fund programs and services that address transportation gaps specific to low-income communities
New	C/CAG	Non-capacity increasing local road intersection modifications and channelization	Make local intersection improvements (includes street channelization, overcrossings, and safety improvements)	\$63.0	\$10.0	\$53.0	
22274	C/CAG	Install an Intelligent Transportation System (ITS) and a Traffic Operation System (TOS) countywide	Install an Intelligent Transportation System (ITS) and a Traffic Operation System (TOS) countywide	\$73.7	\$73.7	\$0.0	Prop 1B, Meas A, STIP
22268	C/CAG	Shuttles	Provide countywide shuttle service between Caltrain stations and/ or major activity centers (includes purchase of vehicles)	\$175.0	\$97.0	\$78.0	
New	SamTrans	Transforming El Camino Real into a Complete Street as part of the Grand Boulevard Initiative	Planning and implementation of a "complete streets" design for Mission Street/El Camino Real as part of the Grand Boulevard Initiative to accommodate all modes of travel, including but not limited to curb/gutters, sidewalks, drainage, street crossings, bike facilities, streetscape, medians, utilities, traffic channelization, signal improvements, bulbouts, parking, bus and transit access improvements.	\$175.5	\$50.0	\$125.5	STIP-TE, CMAQ (TLC), Local

2040 RTP Project List

New or Ref # of Existing Project	Sponsor	Project Title	Project Description	Total Cost (in millions)	RTP Financial Constraint (in millions)	Vision - Beyond Financial Constraint (in millions)	Funding Source
New	C/CAG	TLC/Streetscape	Planning and implementation of a Complete Streets design to accommodate all modes of travel.	\$60.0	\$50.0	\$10.0	\$2,200 mil covered under Regional TLC Program #21011 to improve pedestrian, bicycle and transit access; and support station development areas and FOCUS Priority Development Areas (PDAs)
21624	C/CAG	Transit Oriented Development (TOD)	Implement an incentive program to support transit-oriented developments in San Mateo	\$100.0	\$50.0	\$50.0	
New	C/CAG	Transportation environmental enhancements	Transportation-related capital improvement projects that enhance quality-of-life, in or around transportation facilities as defined by Caltrans TE program. Includes slope protection/ stabilization and erosion control.	\$25.0	\$25.0	\$0.0	
230434	C/CAG	Implement local circulation improvements and the local streets traffic management program	Implement local circulation improvements and the local streets traffic management program	\$20.0	\$20.0	\$0.0	
New	C/CAG	Implement San Mateo County's Safe Routes to Schools Program	Implement San Mateo County's Safe Routes to Schools Program. Includes capital and non-capital projects.	\$9.5	\$9.5	\$0.0	Local. \$400 mil covered by Regional Climate Action Campaign #230550 for outreach and educational projects like Safe Routes to School/ Transit
New	C/CAG	Local streets and roads DM	Local streets and roads DM	\$30.0	\$30.0	\$0.0	ESIP and similar Caltrans programs to be submitted by Caltrans
New	C/CAG	Highway 92 DM	Highway 92 DM	\$3.0	\$3.0	\$0.0	ESIP and similar Caltrans programs to be submitted by Caltrans
230597	C/CAG	Local streets and roads DM	Local streets and roads DM	\$30.0	\$30.0	\$0.0	ESIP and similar Caltrans programs to be submitted by MTC
Sub Total				\$785.2	\$468.7	\$316.5	
Total*				\$4,394.0	\$1,917.8	\$2,476.2	

* Total does not include Caltrain Projects

Agency Name: Peninsula Corridor Joint Powers Board
 Date Submitted: 4/13/2011
 Contact Name: Joel Slavit
 Contact Telephone: 650 508-6476
 Contact E-mail: slavit@samtrans.com

CalTrain Project List

Project Name	Brief Project Description	Project Limits/Location	Total Project Cost (in 2011 \$)	Committed Funding Sources
1 Caltrain Terminal station Improvement: 4th and King Station Improvements	The project includes widening and lengthening the terminal platforms and reconfiguring the track approach at the 4th & King Caltrain terminal. Track modifications will support the Downtown San Francisco extension to the Transbay Terminal. Improvements will be designed to support Caltrain service but the footprint will accommodate HSR.	4th and King Station, San Francisco, CA.	\$ 68,000,000	FRA HSR, State Prop 1A HSR, FTA Section 5309, JPB
2 Caltrain CommunicationsBased Overlay Signal System (CBOSS) and Positive Train Control System (PTC)	CBOSS/PTC is a system of signalization, utilizing ontrack and off track sensors, which allows for automated computerized collision prevention, improved manual collision prevention, improved accident prevention, and improved headways. Legal mandate requires PTC to be in place by 2015.	Along the entire Caltrain ROW.	\$ 231,000,000	FRA HSR, Prop 1A HSR, FRA Earmark, Prop 1B PTMISEA, JPB
3 South Terminal Phase II and II	Phase II of this project is to construct an additional mainline track and new signal controls north of Diridon Station to CEMOF. Phase III is to install an additional mainline track and signal controls south of Diridon Station to Interstate 280.	Between the Caltrain maintenance facility (CEMOF) and Interstate 280 in San Jose, CA.	\$ 70,000,000	FTA Section 5309, Prop 1B PTMISEA
4 Caltrain Terminal Station Improvement: San Jose Diridon Station	Redesign of Diridon to accommodate increased service and demand associated with mode additions including Bay Area Rapid Transit (BART), High Speed Rail (CAHSR), Bus Rapid Transit, and peoplomover airport service. These increases result in an approximately fivefold increase in train traffic. Upgraded station is expected to be one of the premier transit hubs in the Western US. Listed costs are just the Caltrain share of the project.	Diridon Station, San Jose, CA.	\$ 150,000,000	FRA HSR, Prop 1A HSR, JPB, developers
5 Grade Separations - Phase 1: San Mateo County	Grade separations at approximately 2 to 3 high priority Measure A candidate locations to separate vehicular and rail traffic for safety purposes.	TBD, along Caltrain corridor in San Mateo County.	\$ 300,000,000	San Mateo County Measure A

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CalTrain Project List

Project Name	SBID, Project Description	Project Limits/Location	Total Project Cost (in 2010 \$)	Committed Funding Sources
6 Grade Separations - Phase 2: San Mateo, Santa Clara, and San Francisco Counties	Project involves grade separation on approximately 43 grade crossings throughout San Mateo, Santa Clara, and San Francisco Counties. These projects will separate vehicular and rail traffic for safety purposes under a service scenario of 10 trains per hour in peak service with HSR.	Remaining at-grade crossings to be grade separated along Caltrain corridor.	\$ 4,386,000,000	0
7 Caltrain Vehicle Expansion to Support 6 Trains During Peak	Purchase of 14 EMUs will allow Caltrain to increase service from 5 trains per hour to 6 trains per hour. An electric multiple unit or EMU is a multiple unit train consisting of self-propelled carriages, using electricity as the motive power. An EMU requires no separate locomotive, as electric traction motors are incorporated within one or a number of the carriages.	Rolling Stock procurement for service between San Francisco and San Jose w/ Electrification	\$ 62,580,000	
8 Caltrain Vehicle Expansion to Support 10 Trains During Peak	Purchase of 72 additional EMUs will allow Caltrain to run 10 trains per hour. An electric multiple unit or EMU is a multiple unit train consisting of self-propelled carriages, using electricity as the motive power. An EMU requires no separate locomotive, as electric traction motors are incorporated within one or a number of the carriages.	Rolling Stock procurement for service between San Francisco and San Jose w/ Electrification	\$ 325,000,000	
9 Caltrain At-grade Crossing Improvements	This project will involve work to improve at-grade crossing safety, signalization, crossing guards, striping, and signage. Infrastructure will be installed in preparation for UIC compliant equipment to be installed. Includes installation of four quad gates at all intersections, video monitoring and alarm management system.	Along the entire Caltrain ROW.	\$ 114,800,000	Federal Section 130 program, San Mateo County transportation tax, Santa Clara County transportation tax
10 Caltrain Mid-Line Overtake	This project involves the installation of passing tracks between San Francisco and San Jose Diridon Station, which will allow an express train to pass a local train in a scenario involving 10 trains per hour during peak service. Location is to be determined, and will likely be co-located at a planned high speed rail station.	To be determined location between San Francisco and San Jose Diridon Stations.	TBD	

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 Contact E-mail: slavit@samtrans.com

CalTrain Project List

Project Name	Brief Project Description	Project Limits/Location	Total Project Cost (in 2013 \$)	Committed Funding Sources
11 Transit Enhancements - Caltrain Station Upgrades, Phase 1	Station improvements along the Caltrain corridor associated with planned TOD development. Stations may include, but are not limited to: Hillsdale, Hayward Park, Bayshore, and San Carlos. Improvements include parking and bus, shuttle and bicycle and pedestrian access improvements.	May include, but are not limited to the Hillsdale, Hayward Park, Bayshore & San Carlos stations.	\$ 200,000,000	JPB, developer contributions
12 Transit Enhancements - Caltrain Station Upgrades, Phase 2	This project involves system-wide access improvements at Caltrain stations associated with increased service and demand due to an increase in 6 trains per hour with Electrification. Improvements include parking and bus, shuttle and bicycle and pedestrian access improvements.	Between San Francisco and San Jose with Electrification	\$ 25,000,000	JPB, developer contributions
13 Transit Enhancements - Caltrain Station Upgrades, Phase 3	This project involves system-wide access improvements at Caltrain stations associated with increased service and demand due to a planned increase to 10 trains per hour. Project covers all Caltrain stations. Improvements include parking and bus, shuttle and bicycle and pedestrian access improvements.	Between San Francisco and San Jose	\$ 126,000,000	
14 Caltrain Electrification between Tamien and San Francisco	The project includes the installation of traction power substations, an overhead catenary system to supply power to the trains, signal and grade crossing circuitry changes, and related communications improvements. The traction power substations will be small to medium sized outdoor electrical facilities spaced about five to seven miles apart. They will distribute the power along the route. The main components of the overhead catenary system are poles along side the tracks (spaced approximately 180ft apart), which support the wires over the tracks and supply the power to the trains. The signaling, grade crossing and communications portions of the project will be necessary changes to existing circuitry, but be contained within existing or new small enclosures, and therefore be largely invisible.	Between San Francisco and San Jose	\$ 785,000,000	FRA HSR, Prop 1A HSR, FTA Section 5307, FHWA CMAQ, Prop 1B PTMISEA, JPB

Agency Name: Peninsula Corridor Joint Powers Board
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 Contact Telephone: 650 508-6476
 Contact E-mail: slaviti@samtrans.com

CalTrain Project List

Project Name	Short Project Description	Project Limit/Location	Total Project Cost (in 2011 \$)	Committed Funding Sources

\$6,843,380,000

Please add additional rows if needed

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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BOARD MEETING NOTICE

Meeting No. 235

DATE: Thursday, May 12, 2011

TIME: **6:30 P.M. Board Meeting**

PLACE: San Mateo County Transit District Office
1250 San Carlos Avenue, Second Floor Auditorium
San Carlos, CA

PARKING: Available adjacent to and behind building.
Please note the underground parking garage is no longer open.

PUBLIC TRANSIT: SamTrans Bus: Lines 261, 295, 297, 390, 391, 397, PX, KX.
CalTrain: San Carlos Station.
Trip Planner: <http://transit.511.org>

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

Certificate of appreciation for Joel Slavit for his dedicated service on the C/CAG Bicycle and Pedestrian Advisory Committee (BPAC).

1

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. 233 dated March 10, 2011, and Regular Business Meeting No. 234 April 14, 2011. ACTION p. 3
- 5.2 Review and approval of Resolution 11-29 authorizing the C/CAG Chair to execute Amendment No. 1 to the interagency agreement between C/CAG and the Metropolitan Transportation Committee (MTC) for Transportation Planning, programming, and Transportation Land-Use Coordination for FY 2009/10, 2010/11 and 2011/12. ACTION p. 11
- 5.3 Review and approval of the Abandoned Vehicle Abatement (AVA) Program Report for the Second Quarter ending on December 31, 2010. INFORMATION p. 15
- 5.4 Review and accept the Single Audit Report for the year ended June 30, 2010. ACTION p. 23
- 5.5 Review and approval of Resolution 11-27 authorizing the C/CAG Chair to execute an agreement with the County of San Mateo for office space modifications for a cost not to exceed \$70,000. ACTION p. 39
- 5.6 Review and approval of Resolution 11-25 authorizing the C/CAG Chair to execute an amendment to the agreement between C/CAG and TJKM Transportation Consultants for time extension for the Traffic Study on Willow Road and University Avenue. ACTION p. 55
- 5.7 Review and appointment of Commissioner Kevin Mullin to fill the vacant MTC seat on the Congestion Management & Environmental Quality (CMEQ) Committee ACTION p. 61
- 5.8 Review and accept the Quarterly Investment Report ending December 31, 2010. ACTION p. 65

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

6.0 REGULAR AGENDA

- 6.1 Review and approval of C/CAG Legislative priorities, positions, and legislative update. (A position may be taken on any legislation, including legislation not previously identified.) ACTION p. 69
- 6.2 Initial draft, assumptions, and input on the C/CAG 2011-12 Program Budget and Fees. ACTION p. 89

- 6.3 Review and approval of the Final List of projects to be submitted to The Metropolitan Transportation Commission (MTC) for inclusion in the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). ACTION p. 63 III
- 6.4 Receive report on the Pre-Tax Commuter Benefits outreach efforts and comment on a potential process of implementing a Pre-Tax Commuter Benefits Ordinance. ACTION p. 127
- 6.5 Review and approval of the Resolution 11-28 authorizing the C/CAG Chair to execute a funding agreement with the Metropolitan Transportation Commission (MTC) in an amount not to exceed \$96,128 for analysis of extending carpool lanes on US 101 from Whipple Ave to San Francisco County Line (hybrid option). ACTION p. 133

7.0 COMMITTEE REPORTS

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

8.0 EXECUTIVE DIRECTOR'S REPORT

9.0 COMMUNICATIONS - Information Only

Copies of communications are included for C/CAG Board Members and Alternates only. To request a copy of the communications, contact Nancy Blair at 650 599-1406 or nblair@co.sanmateo.ca.us or download a copy from C/CAG's website – www.ccag.ca.gov.

10.0 ADJOURN

Next scheduled meeting: June 9, 2011 Regular Board Meeting.

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

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

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

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

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

FUTURE MEETINGS

May 12, 2011 Legislative Committee - SamTrans 2nd Floor Auditorium - 5:30 p.m.
May 12, 2011 C/CAG Board - SamTrans 2nd Floor Auditorium - 6:30 p.m.
May 17, 2011 NPDES Technical Advisory Committee - to be determined - 10:00 a.m.
May 19, 2011 Resource Management and Climate Protection Committee (RMCP)
May 19, 2011 CMP Technical Advisory Committee - SamTrans 2nd Floor Auditorium - 3:00 p.m.
Conference Room C - 7:00 p.m.
May 19, 2011 Airport Land Use Commission - Burlingame City Hall - Council Chambers – 4:00 P.M.
May 23, 2011 Administrators' Advisory Committee - 555 County Center, 5th Fl, Redwood City – Noon
May 23, 2011 CMEQ Committee - San Mateo City Hall - Conference Room C - 3:00 p.m.
May 26, 2011 Bicycle and Pedestrian Advisory Committee (BPAC) - San Mateo City Hall -

2040 Regional Transportation Plan (RTP/SCS) “Call for Project” schedule

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

Schedule Task	Date
Review and Solicit Input on Draft Call for Projects Guidance	MTC PTAC: January 31, 2011 Regional RAWG: February 1, 2011 MTC Policy Advisory Council: February 9, 2011
MTC Planning Committee for Information	February 9, 2011
MTC Issues Call for Projects Guidance Letter to CMAs	February 10, 2011
C/CAG staff coordination meeting with SMCTA/San Joaquin/TJP	February 10, 2011
CMP TAC – Review of Call for Projects	February 11, 2011
C/CAG issues a call for projects to all identified project sponsors	February 18, 2011
Open Web-Based Project Application Form for Use by CMAs/ Project Sponsors	March 1, 2011
Project Sponsors submit initial project lists to C/CAG	March 15, 2011
C/CAG staff develops preliminary draft list of projects based on sponsor submissions	March 16, 2011
CMP TAC – Review of draft list	March 17, 2011
CMEQ (Public Hearing) – Review of the draft list	March 24, 2011
Project Sponsors access and use web-based application	April 8, 2011
C/CAG Board – Review of the draft list	April 14, 2011
CMP TAC – Review of the draft list	April 21, 2011
CMEQ – Review of the draft list	April 25, 2011
Project Submittals Due to MTC	April 29, 2011
C/CAG Board – Approval of the Final List (C/CAG will submit a draft list and request an extension from MTC for Board approved final list.)	May 12, 2011
MTC Conducts Project-Level Performance Assessment	May – July 2011

C/CAG

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May 16, 2011

Honorable Jerry Hill
Member of the California State Assembly, 19th District
State Capitol room 2170, P.O. Box 942849
Sacramento, CA 94249-0019

Re: AB 56

Dear Assembly Member Hill,

The City/ County Association of Governments of San Mateo County (C/CAG) is composed of all 20 cities and the County in San Mateo County. At its meeting of May 12th, the C/CAG Board of Directors endorsed AB 56, legislation that addresses pipeline safety by increasing the accountability of utilities and regulators for inspection and repair of California's pipeline infrastructure. Among other provisions, AB 56 ensures that ratepayers will not pay for penalties and fee assessed on utilities by the California Public Utilities Commission (CPUC). This legislation also would require the CPUC to establish minimum standards for automatic and/or remote shutoff valves where feasible, as well as to prioritize the safety of pipelines close to areas of high seismic risk and to prepare annual performance measure reports to the CPUC pertaining to any pipeline problems that have been identified and any conditions that require pipeline repair.

C/CAG believes that AB 56 is essential to ensure public safety along natural gas pipelines. The requirements of AB 56 will increase the accountability of natural gas utilities and reassure the public that both utilities and government are doing all that is possible to protect life and property.

Thank you for being a champion of this effort.

Regards,



Richard Napier for
Bob Grassili
Chair

C/CAG

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May 26, 2011

Adrienne Tissier, Chair
Metropolitan Transportation Commission
101 Eighth Street
Oakland, CA 94607-4700

Subject: Support of the Metropolitan Transportation Commission “fix-it-first” policy

Dear Ms. Tissier,

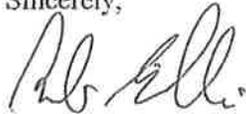
On May 12, 2011, the City/County Association of Governments (C/CAG) Board of Directors met to review and approve of the final list of projects to be submitted to the Metropolitan Transportation Commission (MTC) for inclusion in the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). During the discussion of this item, an issue arose regarding the state of the freeways and highways in San Mateo County.

It was stated that the degradation of pavement on the state highway system, freeway system, and major arterial system is clearly noticeable and that the funds needed to bring the system to a state of good repair is severely inadequate.

The C/CAG Board strongly supports the MTC “fix-it-first” policy and would like to see this policy implemented in the region.

If you have any questions, please feel free to contact the Executive Director, Richard Napier at (650) 599-1420.

Sincerely,



Bob Grassilli, Chair
City/County Association of Governments
of San Mateo County

ITEM 9.3

