

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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Millbrae • Pacifica • Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County • South San Francisco • Woodside*

BOARD MEETING NOTICE

Meeting No. 228

- DATE:** Thursday, September 16, 2010
- TIME:** **6:30 P.M. Board Meeting**
- PLACE:** San Mateo County Transit District Office
1250 San Carlos Avenue, Second Floor Auditorium
San Carlos, CA
- PARKING:** Available adjacent to and behind building.
Please note the underground parking garage is no longer open.
- PUBLIC TRANSIT:** SamTrans Bus: Lines 261, 295, 297, 390, 391, 397, PX, KX.
CalTrain: San Carlos Station.
Trip Planner: <http://transit.511.org>

- 1.0 CALL TO ORDER/ ROLL CALL
- 2.0 **PLEDGE OF ALLEGIANCE**
- 3.0 PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA
Note: Public comment is limited to two minutes per speaker.
- 4.0 RESOLUTIONS OF APPRECIATION / PRESENTATIONS/ ANNOUNCEMENTS
- 4.1 State Budget Overview by Legislative Analyst - Mac Taylor
- 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. 228 dated August 12, 2010.

ACTION p. 1

- 5.2 Approval of Appointment to the Congestion Management Program Technical Advisory Committee. ACTION p. 7
- 5.3 Consideration/Approval of a Comprehensive Airport Land Use Compatibility Plan (CLUP) Consistency Review of a Referral from the City of Burlingame, Re: Draft Burlingame Downtown Specific Plan June 2010. ACTION p. 11
- 5.4 C/CAG's support of the Healthy Eating Active Living Cities Campaign grant application to the Silicon Valley Community Foundation, and C/CAG's intention to co-host one training seminar for municipal officials. INFORMATION p. 31
- 5.5 Review and accept the Quarterly Investment Report ending March 31, 2010. ACTION p. 35
- 5.6 Review and accept the Quarterly Investment Report ending June 30, 2010. ACTION p. 41
- 5.7 Resolution 10-53 Authorizing the C/CAG Chair to Execute an Agreement with the Bay Area Air Quality Management District to Receive a \$50,000 grant for Climate Action Plan Template and Tool Project. ACTION p. 47

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. 61
- 6.1.1 Review and approval of Resolution 10-56 in support of Measure M to fund local transportation improvements in San Mateo County. ACTION p. 79
- 6.2 Receive Status Report on Unfunded Mandates Test Claim Process Related to Municipal Regional Stormwater Permit. INFORMATION p. 85
- 6.3 Review and adoption of Resolution 10-52: Resolution to approve a contract between the Board of Administration California Public Employees Retirement System and the Board of Directors City/ County Association of Governments of San Mateo County (C/CAG). ACTION p. 87
- 6.4 Grand Boulevard Multimodal Transportation Corridor Plan
- 6.4.1 Presentation on the Draft Grand Boulevard Multimodal Transportation Corridor Plan. INFORMATION p. 99
- 6.4.2 Review and approval of Resolution 10-54 authorizing the C/CAG Chair to execute the Second Amendment to Memorandum of Understanding between San Mateo County Transit District, City/County Association of Governments of San Mateo County, and Santa Clara Valley Transportation Authority for the implementation of the Grand Boulevard Multimodal Transportation Corridor Plan. ACTION p. 101
- 6.4.3 Review and approval of Resolution 10-55 authorizing the C/CAG Chair to execute the First

Amendment to the Bottomley Associates Agreement for the implementation of the Grand Boulevard Multimodal Transportation Corridor Plan to add \$7,378 for a new total cost not to exceed \$148,070. ACTION p. 111

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

9.1 Letter from Richard Napier, Executive Director C/CAG, to Shaun Donovan, Secretary, U.S. Department of Housing and Urban Development, dated 8/12/10. RE: Joint HUD Community Challenge Planning and TIGER II Planning Grant, Docket No. FR-5415-N-1, Grand Boulevard Initiative Implementation Planning. p. 117

9.2 Letter from Chair Kasten, to Governor Arnold Schwarzenegger, dated 8/16/10. RE: C/CAG Support of SB 1333 (Yee). p. 119

9.3 Letter from Richard Napier, Executive Director C/CAG, to Charlotte Dickson, Director, Healthy Eating Active Living Cities Campaign, dated 8/16/10. RE: Support of grant application to Silicon Valley Community Foundation. p. 121

9.4 Letter from Richard Napier, Executive Director C/CAG, to Shaun Donovan, Secretary, U.S. Department of Housing and Urban Development, dated 8/19/10. RE: Joint HUD Community Challenge Planning and TIGER II Planning Grant, Docket No. FR-5415-N-1, Grand Boulevard: Removing Barriers to Livable Communities. p. 123

9.5. Letter from Chair Kasten, to Governor Arnold Schwarzenegger, dated 9/3/10. Re: SB 346 (Kehoe) – Source Control of Copper Water Pollution – Support. p. 125

10.0 ADJOURN

Next scheduled meeting: October 14, 2010 Regular Board Meeting.

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

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

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

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

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

FUTURE MEETINGS

September 16, 2010 Legislative Committee - SamTrans 2nd Floor Auditorium - 5:30 p.m.
September 16, 2010 C/CAG Board - SamTrans 2nd Floor Auditorium - 6:30 p.m.
September 16, 2010 Resource Management and Climate Protection Committee (RMCP)
September 16, 2010 CMP Technical Advisory Committee - SamTrans 2nd Floor Auditorium – 3:00 p.m.
September 21, 2010 NPDES Technical Advisory Committee - to be determined - 10:00 a.m.
September 27, 2010 Administrators' Advisory Committee - 555 County Center, 5th Fl, Redwood City – Noon
September 27, 2010 CMEQ Committee - San Mateo City Hall - Conference Room C - 3:00 p.m.
September 30, 2010 Airport Land Use Committee (ALUC) Special Meeting and Public Workshop - Burlingame City Hall City Council Chamber - 3:00 p.m. (Tentative)

C/CAG

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Meeting No. 227
August 12, 2010

1.0 CALL TO ORDER/ROLL CALL

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

Coralin Feierbach – Belmont
Sepi Richardson - Brisbane
Terry Nagel - Burlingame
Joe Silva - Colma
David Canepa - Daly City
Carlos Romero - East Palo Alto
Linda Koelling - Foster City
Naomi Patridge - Half Moon Bay
Tom Kasten - Hillsborough
Kelly Fergusson - Menlo Park (6:50)
Paul Seto - Millbrae
Ann Wengert - Portola Valley
Rosanne Foust - Redwood City
Bob Grassilli - San Carlos
Carole Groom - San Mateo County
Karyl Matsumoto - South San Francisco, San Mateo County Transit District

Absent:

Atherton
Pacifica
San Bruno
San Mateo
Woodside

Others:

Richard Napier, Executive Director - C/CAG
Nancy Blair, C/CAG Staff
Sandy Wong, Deputy Director - C/CAG
Lee Thompson, C/CAG - Legal Counsel
Tom Madalena, C/CAG Staff
John Hoang, C/CAG Staff
Jean Higaki, C/CAG Staff
Joe Kott, C/CAG Staff
Parviz Mohktari, C/CAG Staff
Jim Bigelow, Redwood City/San Mateo County Chamber, CMEQ Member

ITEM 5.1

Christine Maley-Grubl, Alliance
Jerry Grace, Oakland
Pat Bell, San Carlos
Peter Ingram City of Redwood City
John Litzinger, HNTB
Marc Hershman, Assembly Member Jerry Hill's office

3.0 PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Note: Public comment is limited to two minutes per speaker.

3.1. Presentation on High Speed Rail

John Litzinger, HNTB, provided an update on the High Speed Rail and answered questions.

4.0 RESOLUTIONS OF APPRECIATION / PRESENTATIONS/ ANNOUNCEMENTS

None.

5.0 CONSENT AGENDA.

Board Member Foust MOVED approval of Consent Items 5.1, 5.2, 5.4, 5.8, 5.8.1, 5.8.2, 5.12, 5.13, and 5.14. Board Member Nagel SECONDED. **MOTION CARRIED 16-0.**

5.1 Approval of the Minutes of Regular Business Meeting No. 225 dated June 10, 2010 and Special Meeting No. 226 dated July 10, 2010. APPROVED

5.2 Review the attendance reports for the 2010 C/CAG Board and Committees. INFORMATION

5.4 Review and approval of the Abandoned Vehicle Abatement (AVA) Program Report for the Third Quarter ending March 31, 2010. INFORMATION

5.8 Review and approval of the FY 2010/2011 Transportation Fund for Clean Air (TFCA) Program for San Mateo County.

5.8.1 Review and approval of Resolution 10-38 authorizing the C/CAG Chair to execute the Program Manager Funding Agreement with the Bay Area Air Quality Management District (BAAQMD) for the 2010/2011 Transportation Fund for Clean Air (TFCA) (40%) Program for San Mateo County for an amount up to \$1,004,153. APPROVED

5.8.2 Review and approval of Resolution 10-40 authorizing the C/CAG Chair to execute the Funding Agreement between C/CAG and the San Mateo County Transit District (SamTrans) in the amount of \$536,000 under the 2010/2011 Transportation Fund for Clean Air (TFCA) Program to provide shuttle services. APPROVED

5.12 Review and approval of Resolution 10-46 authorizing the C/CAG Chair to execute a funding agreement with the San Mateo County Transportation Authority (SMCTA) to receive a maximum amount of \$650,000 for joint and/ or co-sponsored programs for FY 2010/11. APPROVED

5.13 Review and approval of Resolution 10-48 authorizing the C/CAG Chair to execute amendments to the agreements with various cities and the Alliance, Resolution 10-50 authorizing the C/CAG Chair to execute the funding agreement with the City of Daly City, and Resolution 10-51 authorizing the C/CAG Chair to execute the funding agreement with the City of Millbrae for the provision of Congestion Relief Program shuttle services for a total cost not to exceed \$742,515 from July 1, 2010 through June 30, 2011. APPROVED

5.14 Biennial review of the C/CAG Conflict of Interest Code (COI). INFORMATION

Items 5.3, 5.5, 5.6, 5.7, 5.9, 5.10, and 5.11 were removed from the Consent Calendar.

5.3 Review and approval of Resolution 10-45 authorizing the C/CAG Chair to execute the agreement between C/CAG and the City of San Carlos to provide financial services to C/CAG for an amount not to exceed \$70,600 for FY 10-11. APPROVED

The Resolution title will be changed to match the title of the report.

Board Member Koelling MOVED to approve Item 5.3 with the change to the title of the resolution. Board Member Patridge SECONDED. **MOTION CARRIED** 16-0.

5.5 Review and accept the C/CAG Single Audit Report for the year ended June 30, 2009. APPROVED

5.6 Review and approval of the Transportation Fund for Clean Air (TFCA) Program Manager Fund Audit for specified projects for the period July 1, 2006 through June 30, 2008. APPROVED

Board Member Matsumoto MOVED to approve Items 5.5 and 5.6. Board Member Patridge SECONDED. **MOTION CARRIED** 16-0.

5.7 Review and accept the Quarterly Investment Report ending March 31, 2010. ACTION

Errors were found in the Quarterly Investment Report. The report will be corrected, and will be brought back to the Board for approval.

5.9 Receive the San Mateo County Safe Routes to School Program Workslope. INFORMATION

5.10 Review and approval of Resolution 10-42 authorizing the filing of an application for federal Surface Transportation Program (STP) and/or Congestion Mitigation and Air Quality Improvement (CMAQ) funding and committing the necessary non-federal match and stating the assurance to complete the Countywide Safe Routes to School project. APPROVED

Board Member Fergusson MOVED to approve Items 5.9 and 5.10. Board Member Koelling SECONDED. **MOTION CARRIED** 16-0.

- 5.11 Review and approval of an additional, Chamber of Commerce, position on the Resource Management and Climate Protection Committee (RMCP). APPROVED

Board Member Matsumoto MOVED to approve Item 5.11. Board Member Richardson SECONDED. **MOTION CARRIED** 16-0.

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.) ACTION

No action was taken.

- 6.2 Establishment of a C/CAG contract and resolutions with the Public Employee Retirement System (PERS) that creates benefits equivalent to the City of Redwood City that currently covers C/CAG's direct employees.

- 6.2.1 Review and adoption of Resolution 10-43: Resolution of Intention to Approve a Contract between the Board of Administration California Public Employees Retirement System and the Board of Directors City/ County Association of Governments of San Mateo County (C/CAG). APPROVED

- 6.2.2 Review and adoption of Resolution 10-44 of the City/ County Association of Governments of San Mateo County (C/CAG) for Paying and Reporting the Value of Employer Paid Member Contributions. APPROVED

- 6.2.3 Review and Adoption of Resolution 10-47 of the City/ County Association of Governments of San Mateo County (C/CAG) to Tax Defer Member Paid Contributions - IRC 414(H)(2) Employer Pick-Up. APPROVED

- 6.2.4 Review and adoption of Resolution 10-49: Employer Pickup Resolution Pre-Tax Payroll Deduction Plan For Service Credit Purchases (Contribution Code 14). APPROVED

Board Member Koelling MOVED to approve Items 6.2.1, 6.2.2, 6.2.3, and 6.2.4. Board Member Richardson SECONDED. **MOTION CARRIED** 15-1. Board Member Canepa Opposed.

- 6.3 Quarterly update on the implementation of the San Mateo County Smart Corridor project. INFORMATION
Staff provided a quarterly update and answered questions.

- 6.4 Presentation from the Peninsula Traffic Congestion Relief Alliance (Alliance) on the Countywide Voluntary Trip Reduction Program.

Christine Maley-Grubl, Alliance Executive Director, gave a presentation and answered questions.

- 6.4.1 Review and approval of Resolution 10-41 authorizing the C/CAG Chair to execute an agreement between the City/County Association of Governments (C/CAG) of San Mateo County and the Peninsula Traffic Congestion Relief Alliance in the amount of \$512,000 from the Congestion Relief Plan to provide the Countywide Voluntary Trip Reduction Program for FY 2010/2011. APPROVED

Board Member Koelling MOVED to approve Item 6.4.1 resolution authorizing the C/CAG Chair to execute an agreement between C/CAG and the Alliance in the amount of \$512,000. Board Member Groom SECONDED. **MOTION CARRIED** 16-0.

- 6.4.2 Review and approval of Resolution 10-39 authorizing the C/CAG Chair to execute a Funding Agreement between C/CAG and the Peninsula Traffic Congestion Relief Alliance (Alliance) in the amount of \$421,000 under the 2010/2011 Transportation Fund for Clean Air (TFCA) Program to provide the County-wide Voluntary Trip Reduction Program.

APPROVED

Board Member Koelling MOVED to approve Item 6.4.2. Board Member Groom SECONDED. **MOTION CARRIED** 16-0.

- 6.5 Executive Director Presentation on C/CAG's FY 09-10 Performance. INFORMATION

7.0 COMMITTEE REPORTS

- 7.1 None.

- 7.2 Chairperson's Report.

Mac Taylor, California's Legislative Analyst, will speak at the September 16, 2010 C/CAG Board meeting.

- 7.3 Board Members Report

None.

8.0 EXECUTIVE DIRECTOR'S REPORT

None. Will respond to questions.

9.0 COMMUNICATIONS - Information Only

- 9.1 Letter from Richard Napier, Executive Director C/CAG, to Honorable Felipe Fuentes, Chair Assembly Appropriations Committee, dated 7/27/10. Re: SB 346 (Kehoe) – Source Control of Copper Water Pollution – Support As Amended August 2.

- 9.2 News Release: California High-Speed Rail Authority, dated 7/27/10. Re: Survey Finds Strong Support for High-Speed Rail, *Findings Bolster Effort to Attract Federal and Private Investment*.

- 9.3 Letter from Richard Napier, Executive Director C/CAG, to California Energy Commission, dated 7/16/10. Re: Support for the San Francisco International Airport application for supplemental funding to launch a hydrogen station that will serve the entire County.
- 9.4 News Release, City of East Palo Alto and City of Menlo Park, dated 7/07/10. Re: Cities Seek Public Input to Improve Traffic Conditions on Willow Road, University Avenue.
- 9.5 Letter from Richard Napier, Executive Director C/CAG, to Ms. Cynthia Bryant, Chair, California Strategic Growth Council, dated 6/22/10. Re: Support for the California Climate Data Integration Pilot Project.
- 9.6 Letter from Thomas M. Kasten, Chair, to Honorable Pedro Nava, Chair, Assembly Committee on Environmental Safety & Toxic Materials, dated 6/09/10. Re: SB 346 (Kehoe) – Source Control of Copper Water Pollution – Support As Proposed To Be Amended.
- 10.0 ADJOURN

The meeting adjourned at 8:50 p.m.

C/CAG AGENDA REPORT

Date: September 16, 2010
To: City/County Association of Governments Board of Directors
From: Richard Napier, Executive Director
Subject: Approval of Appointment to the Congestion Management Program Technical Advisory Committee

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

RECOMMENDATION

That the Board approves the appointment of Mo Sharma, City Engineer for City of Half Moon Bay, to fill a vacant seat on the Congestion Management Program Technical Advisory Committee.

FISCAL IMPACT

None.

BACKGROUND/DISCUSSION

The Congestion Management Program Technical Advisory Committee (CMP TAC), made up of engineers and planners, provide technical expertise for the Congestion Management and Environmental Quality (CMEQ) Committee and the C/CAG Board. There are a total of 23 positions (15 engineers, 4 planners) from local jurisdictions in addition to one representative each from Caltrans, SMCTA /Peninsula Corridor JPB/Caltrain, MTC, and C/CAG.

There are currently two vacancies, one vacant engineering position due to the resignation of Rick Mao (Colma) and one vacant planning position due to the retirement of Bob Beyer (San Mateo). To fill vacant positions, staff typically solicits individuals from C/CAG member agencies that are not currently represented on the TAC and request that cities submit a letter of interest to C/CAG for appointment consideration.

For the engineering vacancy, staff received one letter of interest from the City of Half Moon Bay, which recommended Mo Sharma, City Engineer, to serve on the Committee. The appointment, if approved, backfills the one vacant engineering position. The process of filling the planning position is ongoing and will be presented to the C/CAG Board separately.

ITEM 5.2

ATTACHMENTS

- Current CMP TAC Roster
- Letter from City of Half Moon Bay

Current CMP TAC Roster – 2010

2010 TAC Roster and Attendance		
No.	Member	Agency
1	Jim Porter (Co-Chair)	San Mateo County Engineering
2	Joseph Hurley (Co-Chair)	SMCTA / PCJPB / Caltrain
3	Duncan Jones	Atherton Engineering
4	Randy Breault	Brisbane Engineering
5	Syed Murtuza	Burlingame Engineering
6	Bill Meeker	Burlingame Planning
7	Gene Gonzalo	Caltrans
8	Sandy Wong	C/CAG
9	Robert Ovadia	Daly City Engineering
10	Tatum Mothershead	Daly City Planning
11	Ray Towne	Foster City Engineering
12	Chip Taylor	Menlo Park Engineering
13	Ron Popp	Millbrae Engineering
14	Van Ocampo	Pacifica Engineering
15	Peter Vorametsanti	Redwood City Engineering
16	Klara Fabry	San Bruno Engineering
17	Robert Weil	San Carlos Engineering
18	Larry Patterson	San Mateo Engineering
19	Steve Monowitz	San Mateo County Planning
20	Dennis Chuck	So. San Francisco Engineering
21	Kenneth Folan	MTC
22	<i>Vacant</i>	<i>Engineering</i>
23	<i>Vacant</i>	<i>Planning</i>

- Note:**
- 14 jurisdictions are represented (14 Engineers, 3 Planners)
 - One representative each for Caltrans, MTC, SMCTA/JBP/Caltrain, and C/CAG
 - Not represented (Belmont, Colma, East Palo Alto, Half Moon Bay, Hillsborough, Portola Valley, Woodside)



CITY OF HALF MOON BAY

City Hall, 501 Main Street Half Moon Bay CA 94019

June 9, 2010

Richard Napier
Executive Director
San Mateo County
City/County Association of Governments
555 County Center, 5th floor
Redwood City, CA 94063

Subject: Appointment to the C/CAG TAC

Dear Mr. Napier:

The City of Half Moon Bay recommends the appointment of its City Engineer, Mo Sharma, to fill the current vacancy on the C/CAG Technical Advisory Committee. He has previously served on this committee for several years and has contributed very useful and practical input. Mr. Sharma is very familiar with the regional and local issues related to traffic congestion and clean water programs. He will offer positive contributions on these issues from the prospective of the entire coastal area of San Mateo County.

Your favorable consideration is appreciated.

Sincerely,

Micahael Dolder
Interim City Manager

C/CAG AGENDA REPORT

DATE: September 16, 2010

TO: C/CAG Board of Directors

FROM: David F. Carbone, C/CAG Airport Land Use Committee (ALUC) Staff
TEL.: 650/363-4417; FAX: 650/363-4849; email: dcarbone@co.sanmateo.ca.us

RE: Consideration/Approval of a Comprehensive Airport Land Use Compatibility Plan (CLUP) Consistency Review of a Referral From the City of Burlingame, Re: Draft *Burlingame Downtown Specific Plan* June 2010.

RECOMMENDATION

That the C/CAG Board of Directors, acting as the Airport Land Use Commission, determine that the content of the Draft *Burlingame Downtown Specific Plan* June 2010 document 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, Airport Land Use Commission, and (3) the applicable airport/land use compatibility criteria for the environs of San Francisco International Airport, as contained in the *San Mateo County Comprehensive Airport Land Use Plan December 1996*, as amended, based on the following conditions:

1. Add the following text in the appropriate location in the Draft *Burlingame Downtown Specific Plan* June 2010 document to address compliance with the relevant airport/land use compatibility criteria for the environs of San Francisco International Airport, to read as follows:

"The goals, polices, programs and other relevant content contained herein do not conflict with the recommended guidance from the *California Airport Land Use Planning Handbook January 2002*, (2) the text in the relevant Sections of California Public Utilities Code Division 9, Part 1, Chapter 4, Article 3.5 Airport Land Use Commission, and (3) the applicable airport/land use compatibility criteria for the environs of San Francisco International Airport, as contained in the *San Mateo County Comprehensive Airport Land Use Plan*, as amended."
2. Add text in the Draft *Burlingame Downtown Specific Plan* document to indicate that (1) future development in the planning area is subject to the height limitations of the applicable FAR Part 77 airspace protections parameters for San Francisco International Airport and the federal notification process, via FAA Form 7460-1, "Notice of Proposed Construction or Alteration" and (2) the findings of all FAA aeronautical studies conducted by the FAA, per the federal notification process, will be incorporated into the City's final approval of all new development in the planning area.

ITEM 5.3

C/CAG Agenda Report, Re: Consideration/Approval of a Comprehensive Airport Land Use Compatibility Plan (CLUP) Consistency Review of a Referral From the City of Burlingame, Re: Draft *Burlingame Downtown Specific Plan* June 2010.

September 16, 2010

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3. Add text in the Draft *Burlingame Downtown Specific Plan* document that states the following:

“Future development in the *Downtown Specific Plan* area shall comply with all relevant FAA standards and criteria for the safe passage of aircraft in flight. Land use characteristics that should be avoided include:

- a. Sources of glare, such as highly reflective buildings or building features or bright lights including search lights or laser displays, which would interfere with the vision of pilots controlling aircraft on final approach to a runway;
 - 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 the visibility of pilots in control of an aircraft in flight;
 - d. Sources of electrical interference that may affect aircraft communications or navigation equipment;
 - e. Any use that creates an increased attraction for wildlife, particularly large flocks of birds, that is inconsistent with all relevant FAA rules and regulations, including but not limited to FAA Order 5200.5A, FAA Advisory Circular 150/5200-33B, and any successor replacement orders and/or advisory circulars.
4. Add appropriate text in the Draft *Burlingame Downtown Specific Plan* document that indicates all of the planning area is located within the preliminary airport influence area (AIA) boundary for San Francisco International Airport and therefore, all property for sale in the planning area is subject to the real estate disclosure requirements of Chapter 496, Statutes 2002 .

BACKGROUND

The City of Burlingame has referred its Draft *Burlingame Downtown Specific Plan* June 2010 to C/CAG, acting as the Airport Land Use Commission, for a determination of consistency with the relevant airport/land use compatibility criteria and guidelines contained in the *San Mateo County Comprehensive Airport Land Use Plan*, as amended for the environs of San Francisco International Airport (see Attachment Nos. 1A and 1B.). The document is subject to ALUC/C/CAG review, pursuant to California Public Utilities Code Section 21676 (b). The 60-day review period will expire on September 24, 2010. A copy of the Draft *Specific Plan* and Initial Study/Mitigated Negative Declaration document is available at www.burlingame.org

C/CAG Agenda Report, Re: Consideration/Approval of a Comprehensive Airport Land Use Compatibility Plan (CLUP) Consistency Review of a Referral From the City of Burlingame, Re: Draft *Burlingame Downtown Specific Plan* June 2010.

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Nearly all of the City of Burlingame is located within Area B of the preliminary Airport Influence Area (AIA) boundary for San Francisco International Airport based, on criteria developed in the current draft SFO CLUP update project. Area B defines a geographic area within which affected jurisdictions (land use authorities) must refer their proposed land use policy actions (i.e. general plan amendments, specific plans, etc.) to the ALUC and C/CAG Board for a CLUP consistency review/action (see Attachment Nos. 2A and 2B). The Area B boundary is based on the configuration of the outer boundary of the Conical Surface airspace protection criterion for San Francisco International Airport, per the relevant criteria defined in Federal Aviation Regulations FAR Part 77.

The *Downtown Specific Plan* area is bounded by Oak Grove Ave on the north, the Caltrain tracks south to Burlingame Ave and Anita Road on the east, Peninsula Ave and the city limits on the south, and El Camino Real on the west (see Attachment No.3). The purpose of the *Burlingame Downtown Specific Plan* June 2010 is stated on p. 1-1 of the document as follows:

“1.2 PURPOSE OF THE PLAN

The Burlingame Downtown Specific Plan is a policy documents and implementation guide. The Plan sets forth strategies for change, as well as regulatory policies to guide and govern future development within the Downtown. It serves to publicly state the City’s goals, objectives, and expectations for the future of the Downtown and to instigate the transformation of the periphery of the downtown in keeping with the character of the existing core. The Plan details the proposed land uses and their distribution, proposed infrastructure improvements, development standards, and implementation measures required to achieve its goals.”

Due to scheduling conflicts, the C/CAG Airport Land Use Committee (ALUC) was not able to meet to review and take action on this referral. Therefore, staff has brought this item directly to the C/CAG Board, in its role as the Airport Land Use Commission, for final action, prior to the expiration of the state-mandated review period.

DISCUSSION

I. Airport/Land Use Compatibility Issues

There are three airport/land use compatibility issues contained in the *San Mateo County Comprehensive Airport Land Use Plan December 1996*, as amended, for the environs of San Francisco International Airport, that relate to the proposed general plan amendment. These include: (a.) Height of Structures, Use of Airspace, and Airspace Compatibility, (b.) Aircraft Noise Impacts, and (c.) Safety Criteria. The following sections address each issue.

C/CAG Agenda Report, Re: Consideration/Approval of a Comprehensive Airport Land Use Compatibility Plan (CLUP) Consistency Review of a Referral From the City of Burlingame, Re: Draft *Burlingame Downtown Specific Plan* June 2010.
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A. Height of Structures, Use of Airspace, and Airspace Compatibility

The Airport Land Use Commission (C/CAG Board) has adopted the provisions in Federal Aviation Regulations FAR Part 77, "Objects Affecting Navigable Airspace," to establish height restrictions, airspace protection, and federal notification requirements related to proposed development within the FAR Part 77 airspace boundaries for San Francisco International Airport. The regulations contain three key elements: (1.) standards for determining obstructions in the navigable airspace and designation of imaginary surfaces for airspace protection, (2.) requirements for project sponsors to provide notice to the FAA of certain proposed construction or alteration of structures that may affect the navigable airspace and (3.) initiation of aeronautical studies, by the FAA, to determine the potential effect(s), if any, of proposed construction or alterations of structures on the subject airspace.

Nearly all of the City of Burlingame is located within the FAR Part 77 airspace protection boundaries for San Francisco International Airport (see Attachment No. 4.). The *Specific Plan* document indicates the maximum building heights in the Plan area range from 35 feet to 75 feet (with a conditional use permit). It is highly unlikely that any future building or structure that complies with the maximum building height limits shown in the *Specific Plan* would have a potential airspace impact. However, compliance with the zoning district height limits does not relieve the construction sponsor of the federal obligation to file FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, if required.

B. Aircraft Noise Impacts

The 65 dB CNEL (Community Noise Equivalent Level) aircraft noise contour defines the state and federal thresholds for aircraft noise impacts. The City of Burlingame is located outside of the most recent (2007) 65 dB CNEL aircraft noise contour for San Francisco International Airport and therefore, is not located within the Airport's noise impact boundary. However, two types of aircraft noise do impact portions of the City: (1) low frequency "backblast" noise from aircraft departures on Runways 1. This type of noise is not generally reflected in the configuration of aircraft noise contours. However, the steep terrain in the western portion of the city can affect the level and location of backblast noise; and (2) high frequency noise from aircraft departures on Runways 19 during strong south wind and storm conditions. It is important to note that these runways are used for aircraft departures (toward Hillsborough/Burlingame) less than one percent of the time.

The *Specific Plan* area is not located within any current or future aircraft noise contours for San Francisco International Airport, nor does the area receive any regular commercial aircraft overflight. Therefore, aircraft noise is not an airport/land use compatibility issue in the *Specific Plan* area.

C/CAG Agenda Report, Re: Consideration/Approval of a Comprehensive Airport Land Use Compatibility Plan (CLUP) Consistency Review of a Referral From the City of Burlingame, Re: Draft *Burlingame Downtown Specific Plan* June 2010.

September 16, 2010

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C. Safety Criteria

1. Safety Zones

The *California Airport/Land Use Planning Handbook January 2002* requires airport/land use compatibility plans (CLUPs) to identify safety zones and related land use compatibility criteria for each runway end. The current SFO CLUP document does not include safety zones for the runway ends at SFO.

The SFO CLUP update that is currently in progress will include the required safety zones and related land use compatibility policies and criteria. Safety zones are located in the vicinity of each runway end. A preliminary review of the draft SFO CLUP update document indicates that the *Burlingame Downtown Specific Plan* area is not located in or near any proposed runway safety zone for San Francisco International Airport, per the guidance from the *California Airport/Land Use Planning Handbook January 2002*. Therefore, runway safety is not an airport/land use compatibility issue in the *Specific Plan* area.

2. Land Use Characteristics

The *California Airport/Land Use Planning Handbook January 2002* provides guidance to land use authorities (cities and counties) and project sponsors, regarding land use characteristics that may cause hazards to aircraft in flight and therefore, should be avoided. These characteristics include the following

- a. Sources of glare, such as highly reflective buildings or building features or bright lights including search lights or laser displays, which would interfere with the vision of pilots controlling aircraft in flight;
- 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 the visibility of a pilot in control of an aircraft in flight.;
- d. Sources of electrical interference that may affect aircraft communications or navigation equipment;
- e. Any use that creates an increased attraction for wildlife, particularly large flocks of birds, that is inconsistent with all relevant FAA rules and regulations, including but not limited to FAA Order 5200.5A, FAA Advisory Circular 150/5200-33B, and any successor replacement orders and/or advisory circulars.

C/CAG Agenda Report, Re: Consideration/Approval of a Comprehensive Airport Land Use Compatibility Plan (CLUP) Consistency Review of a Referral From the City of Burlingame, Re: Draft *Burlingame Downtown Specific Plan* June 2010.

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Staff recommends that the Draft *Burlingame Downtown Specific Plan* document be amended to add appropriate text to ensure that future development in the *Plan* area will comply with all relevant FAA standards and criteria for the safe passage of aircraft in flight. The amended text should include the list of land use characteristics to be avoided, as shown above.

II. State-Mandated Real Estate Disclosure, Re: Proximity of Real Property to an Airport

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..."

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."

Chapter 496, Statutes of 2002 (formerly AB 2776 (Simitian)) affects all sales of real property that may occur within an airport influence area (AIA) boundary. It requires a statement (notice) to be included in the property transfer documents that indicates (1) the subject property is located within an airport influence area (AIA) boundary and (2) 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 current CLUP for the environs of San Francisco International Airport does not contain specific policies or guidance regarding real estate disclosure of potential airport/aircraft impacts related to proposed development near the airport. The SFO CLUP update that is currently in progress, will include policy language regarding the state-mandated real estate disclosure for sales of real property within the SFO airport influence area (AIA) boundary. Staff recommends that the Draft *Burlingame Downtown Specific Plan* document be amended to refer to the state mandate for real estate disclosure within the (preliminary) airport influence area (AIA) for San Francisco International Airport.

C/CAG Agenda Report. Re: Consideration/Approval of a Comprehensive Airport Land Use Compatibility Plan (CLUP) Consistency Review of a Referral From the City of Burlingame, Re: Draft *Burlingame Downtown Specific Plan* June 2010.

September 16, 2010

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III. Compliance with California Government Code Section 65302.3

California Government Code Section 65302.3 states that a local agency general plan and/or any affected specific plan must be consistent¹ with the applicable airport/land use compatibility criteria in the relevant adopted airport land use plan (CLUP). Staff recommends that the text in the Draft *Burlingame Downtown Specific Plan* document be revised to read as follows:

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

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* to prepare this report. The staff analysis and recommendations contained herein are consistent with and guided by the relevant recommendations and guidelines contained in the *Handbook*.

ATTACHMENTS

- No. 1 A.** Letter to Dave Carbone, ALUC Staff, from Maureen Brooks, Planning Manager, City of Burlingame, dated June 4, 2010; re: request for ALUC review of Draft *Burlingame Downtown Specific Plan* June 2010
- No. 1 B.** Document: *Burlingame Downtown Specific Plan Executive Summary*
- No. 2 A.** Graphic: Preliminary Airport Influence Area (AIA) Boundary for San Francisco International Airport: Areas A and B
- No. 2 B.** Graphic: Location of the City of Burlingame within Area B of the Airport Influence Area (AIA) Boundary for San Francisco International Airport
- No. 3.** Graphic: Figure 1-1.: Downtown Specific Plan Project Area
- No. 4.** Graphic: FAR Part 77 Civil Airport Imaginary Surfaces for San Francisco International Airport

¹ As widely used in airport land use planning, consistency does not require being identical. It means only that the concepts, standards, physical characteristics, and resulting consequences of a proposed action must not conflict with the intent of the law or the compatibility plan to which the comparison is being made (Source: *California Airport Land Use Planning Handbook June 2002*, Chapter 5, p. 5-3).

CITY OF BURLINGAME

City Hall – 501 Primrose Road
Burlingame, California 94010-3997



ATTACHMENT NO. 1A COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division
PH: (650) 558-7250
FAX: (650) 696-3790

June 4, 2010

Dave Carbone, ALUC Staff
City and County Association of Governments
Airport Land Use Committee
455 County Center, Second Floor
Redwood City, CA 94063

Re: ALUC Review of Draft Burlingame Downtown Specific Plan

Dear Mr. Carbone,

Enclosed is a copy of the Draft Burlingame Downtown Specific Plan and the Mitigated Negative Declaration prepared for the plan for Airport Land Use Committee (ALUC) and/or City and County Association of Governments (C/CAG) review for consistency with the Comprehensive Airport Land Use Plan (ALUP) for San Francisco International Airport. Please note that the plan area is within the airport environs area of San Francisco International Airport, but it is not within a 65 CNEL or higher noise contour of the airport. The area appears to lie primarily within the conical surface of the Federal Aviation Regulations (FAR) PART 77, "Objects Affecting Navigable Airspace", with height restrictions ranging from 161' above mean sea level (MSL) up to 361 feet above MSL. The elevation of the downtown area ranges from 30 to 40 feet above MSL, and the maximum building height within the plan area would be 75 feet. Therefore, any new construction will fall within the height restrictions of the FAR PART 77 Imaginary Surfaces.

The Draft Burlingame Downtown Specific Plan and the Mitigated Negative Declaration will be reviewed by the Planning Commission for public comment on June 14, 2010. It is expected that the Planning Commission will take action on the plan, a recommendation to the City Council, in July, 2010. We would like to take the plan to the City Council for action in September, 2010.

It is my understanding that the Airport Land Use Committee may not meet in July or August, 2010 (tentative meeting date of August 26, 2010), and that the C/CAG Board is scheduled to meet on August 12, 2010. Since there don't appear to be any major issues with land use consistency, it is requested that the Draft Burlingame Downtown Specific Plan be submitted directly to the C/CAG board for review at the August 12, 2010 meeting.

Once the draft document has been reviewed by the Planning Commission, ALUC and/or C/CAG, Community Development Department staff will make any requested changes and schedule a City Council public hearing for action on the Burlingame Downtown Specific Plan. Thank you for your assistance. If you have any questions, please call me at (650) 558-7253.

Sincerely,

Maureen Brooks
Planning Manager

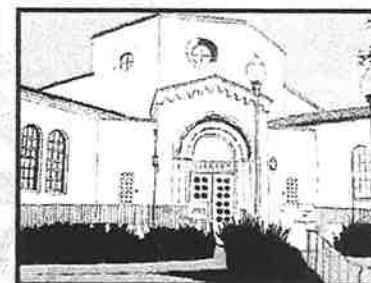
Enclosures: Burlingame Downtown Specific Plan Public Review Draft, June 2010
Mitigated Negative Declaration, Burlingame Downtown Specific Plan, 5/27/2010

Register online for the City of Burlingame list serve at www.burlingame.org



BURLINGAME DOWNTOWN SPECIFIC PLAN

Executive Summary



PUBLIC REVIEW DRAFT June 2010

ATTACHMENT NO. 1B

Executive Summary

The Downtown Specific Plan is the document that serves to guide growth, development, and design standards in Downtown Burlingame. The Plan is the result of a thorough two-year process which included a large number of public visioning sessions, stakeholder meetings and interviews, and both City Council and Planning Commission meetings. All goals and policies are designed to complement one another support an overall vision; often strategies aim to address multiple related issues simultaneously.



The Downtown Specific Plan has been divided into chapters based on subject matter. The following is a summary of the important policies and principals of each chapter.

PLAN GOALS

The Goals chapter outlines the overall goals and policy directives for each aspect of the Downtown Specific Plan. Goals and policies were developed based on extensive public input from community workshops, discussion groups, and resident surveys. Goals for the plan include:

Land Use Goals:

- Promote more retail uses on Howard Avenue.
- Provide incentives for a vibrant, diverse mix of uses.
- Ensure sensitive transitions between the existing adjacent residential areas and the downtown area.
- Identify civic and cultural opportunities including social interaction opportunities.
- Ensure an economically viable downtown, with both local retailers and regional destination stores.

Parking Goals:

- Explore creative parking solutions.
- Provide better management of existing parking spaces.
- Provide better access and way-finding to parking areas.
- Re-examine Downtown parking requirements
- Ensure that the parking supply is adequate to serve future development.

Streets & Circulation Goals:

- Encourage temporary street closures.
- Streets in the downtown area should be friendly to pedestrians and bicyclists.
- Create links and connections, both to Downtown and within Downtown.

Streetscape Goals:

- Improve the streetscape, particularly at the pedestrian scale.
- Design a quality, cohesive streetscape including landscaping.
- Ensure that necessary utilities are provided to maintain the streetscape.
- Accommodate a variety of pedestrian experiences.

Open Space Goals:

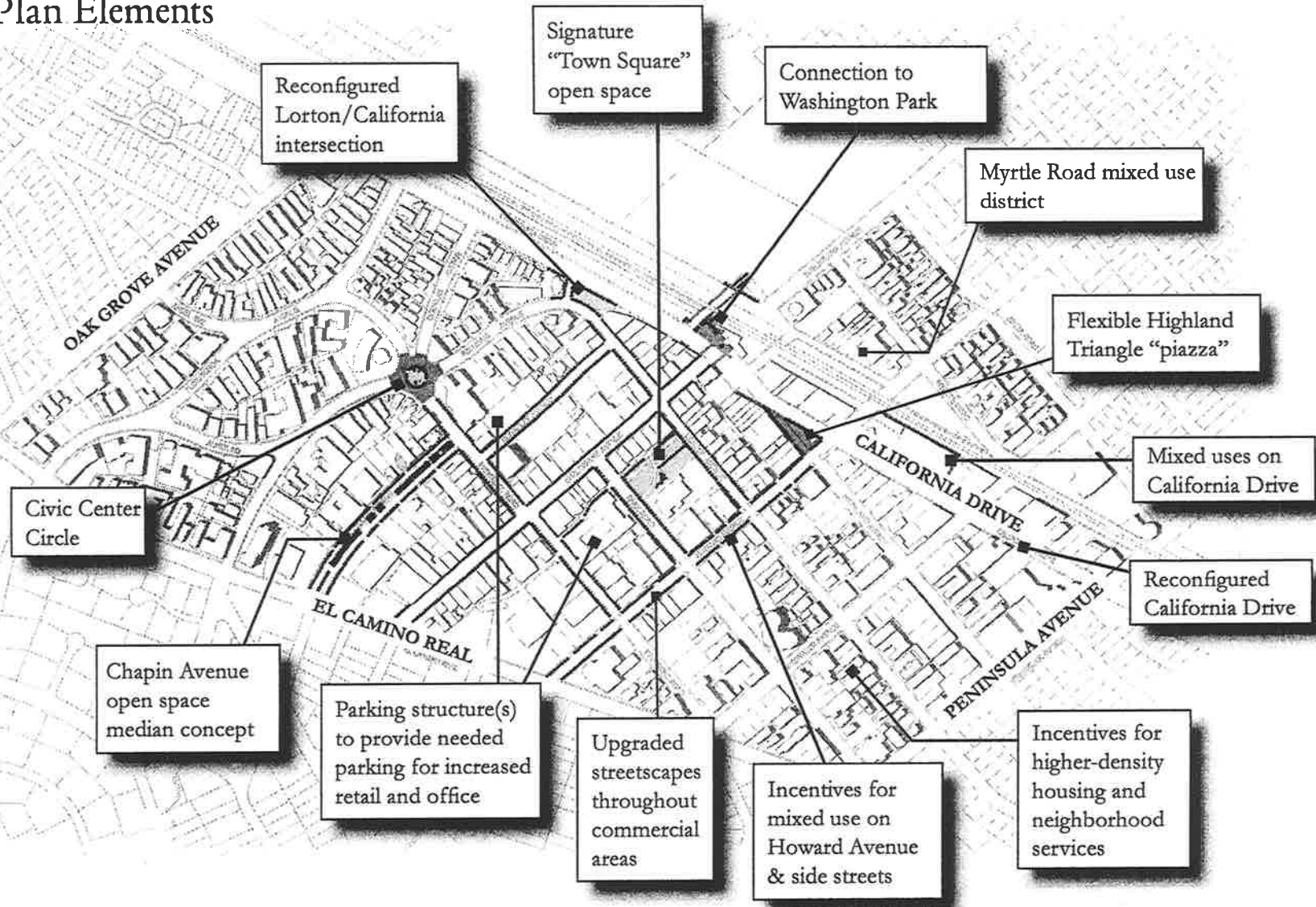
- Create a “signature” downtown open space.
- Create small areas of relief, such as pocket parks.

Design & Character Goals:

- Protect and preserve historic character.
- Develop policies and provide incentives for the restoration, preservation, and adaptive re-use of historic structures.
- Preserve and enhance small-town scale with walkable, pedestrian-scaled, landscaped streets.

Each goal is supported by a series of policies, which are further developed in the respective chapters of the plan.

Key Plan Elements



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FIGURE E-1: Key Plan Elements

LAND USE

The Land Use chapter of the Downtown Specific Plan both reinforces current beneficial land use policies and introduces a series of new policies intended to promote further vitality and beautification. Some of the more important aspects of the Land Use chapter include:

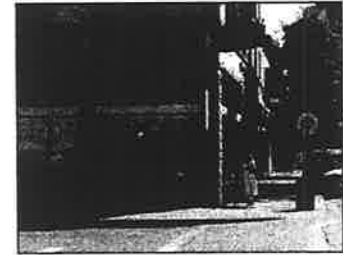
- A new policy and regulation framework that encourages vibrant mixed use development along Howard Avenue;
- Accommodations for a wide range of housing choices downtown, including higher densities in the blocks between Howard and Peninsula Avenues;
- Provisions to allow the California Drive Auto Row to evolve into a mixed use corridor;
- Small-scale, neighborhood-serving mixed use areas in the Myrtle Road and Bayswater/El Camino Real areas;
- A more simplified approach to parking standards to encourage the type of development desired by the community.



STREETSCAPES & OPEN SPACE

The Streetscapes & Open Space chapter of the Downtown Specific Plan focuses on enhancing the streets public spaces throughout downtown. The chapter focuses on creating consistency within the design of downtown streetscapes, outlining approaches that will enhance the commercial viability of emerging and transitioning city blocks, such as Howard Avenue, Chapin Avenue, and Auto Row, while supporting the already high levels of usage on Burlingame Avenue with needed streetscape improvements. Proposed streetscape improvements include:

- Revitalized Burlingame Avenue streetscape to provide a setting fitting for the high-quality commercial environment;
- New streetscapes for Howard Avenue and the side streets to encourage a vibrant mix of uses;
- An “open space median” on Chapin Avenue to break down the scale of the street and provide a unique setting;
- New streetscape and roadway reconfiguration for California Drive as part of a larger vision to provide connection between downtown Burlingame and Broadway;
- Emphasis on the importance of trees throughout the streets of Downtown Burlingame, in keeping with Burlingame’s recognition as a “Tree City USA” for 30 consecutive years.



The Land Use Map for the Downtown Specific Plan follows a highly customized approach to a variety of redefined land use districts based on the unique characteristics of each downtown block or area. Land uses and building form standards are intended to be transparent and predictable so that applicants, neighbors, and decision makers alike have an understanding of what types of development are expected and encouraged.

The chapter also proposes a variety of different options for increasing and redefining open space downtown, including:

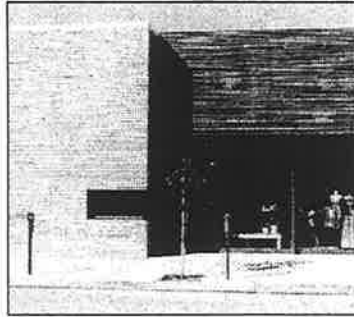
- Signature downtown “town square” open space in the heart of the commercial district;
- A “civic center circle” open space between City Hall and the Library;
- New open space as part of a reconfiguration of the California Drive/Lorton Avenue intersection;
- A piazza-style “flex zone” in the 200 block of Highland Avenue;
- Stronger connection between downtown and Washington Park.

DESIGN & CHARACTER

The Design & Character chapter is the key component in realizing the vision for Downtown Burlingame through its existing and new buildings. The chapter features explanations, design guidelines, and recommendations for commercial, mixed-use, and residential development. Guidelines address important aspects of downtown character such as:

- Pedestrian use and character elements such as entrances, ground-level uses, and site access;
- Architectural compatibility elements such as building scale, on-site parking design, and upper-story setbacks;
- Architectural design consistency elements such as façade design, window details, awnings, and materials;
- Site design and amenities such as open spaces and building coverage;
- Mixed Use design elements such as setbacks, ground level treatments, roof treatments, and open space;
- Residential design elements such as architectural diversity and compatibility, pedestrian character, and site amenities;
- Unique architectural approaches to the Myrtle Road area;
- Importance of landscape trees in projects.

In addition, the chapter includes guidelines to promote sustainability and green building design, as well as preservation of historic buildings.

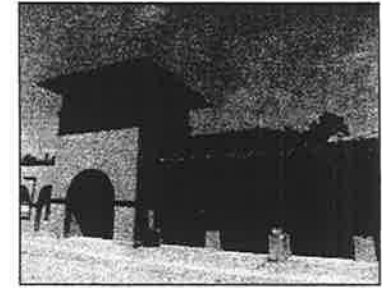


HISTORIC RESOURCES

The Historic Resources chapter outlines a range of incentives for owners of historic buildings to maintain, restore, and enhance their properties including:

- A *voluntary* Downtown Burlingame Register of Historic Resources that will allow for property owners to take advantage of a range of historic resource programs such as the State Historical Building Code, Mills Act tax abatement, and Federal Rehabilitation Tax Credits;
- Reduced permit fees for historic renovation;
- Reduced parking requirements for adaptive reuse;
- Design exceptions for projects involving historic resources, as part of the design review process;
- Façade restoration grants.

The chapter also encourages promotion of historic resources to distinguish Downtown Burlingame as a unique place and take advantage of interest in historic tourism.



CIRCULATION & PARKING

Downtown Burlingame's compact, highly connected streets system allows a high level of accessibility for pedestrians, bicyclists, vehicles, and transit riders alike. The Circulation & Parking chapter describes recommended roadway improvements to further improve accessibility. Some of the more innovative opportunities include redesigning some of downtown's more complicated intersections for improved function and aesthetics, as well as reconfiguring California Drive to calm traffic and serve as a principal bicycle access for downtown. Roadway reconfiguration and improvement projects include:



- Reconfiguration of the complex California Drive/Lorton Avenue intersection to either a more straightforward signalized intersection or a roundabout;
- Reconfiguration of the intersection of Primrose Road/Bellevue Avenue/Douglas Avenue from the existing complex intersection to a more simple traffic circle;
- Modification of Highland Avenue between Howard Avenue and California Drive to discourage cut-through traffic and provide flexibility to neighboring businesses;
- "Road diet" of California Drive to create differentiated travel lanes, dedicated turn lanes, and marked bicycle lanes. The intention is to create a more even, calmer traffic flow and better accommodate bicycles and pedestrians;
- Signalization adjustments at El Camino Real/Peninsula Avenue/Park Road and California Drive/Howard Avenue to accommodate traffic volumes, as needed.

Downtown Burlingame benefits from a range of transit opportunities, and the chapter analyzes the current strengths, shortcomings, and possible opportunities for transit service downtown including Caltrain service, the

Burlingame Downtown Shuttle, SamTrans, and potential California High Speed Rail (CHSR).

The chapter makes several provisions to encourage bicycle use downtown as a viable transportation option. Strategies include:

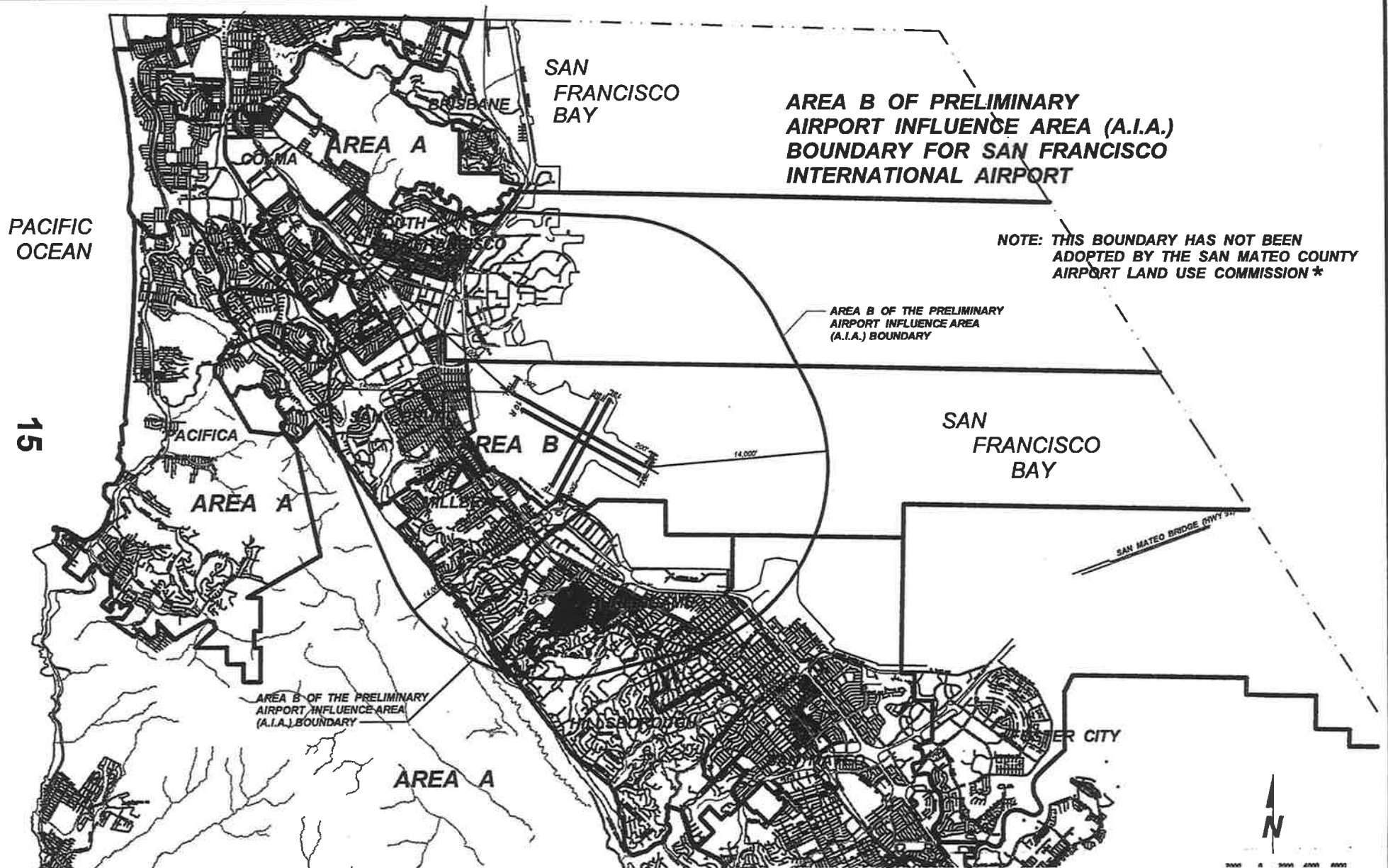
- Bike racks distributed throughout downtown for short-term parking;
- A conveniently-located, central bike parking facility for long-term parking;
- Marked bike lanes and "sharrows" (shared equally between bikes and motor vehicles) to accommodate bicycle access into and throughout downtown;
- Bicycle accommodations in new developments such as secure racks and lockers.

Parking is a critical component of downtown Burlingame, and the chapter discusses a variety of ideas as to better manage parking in both the near-term and long-term. The plan focuses on a shared parking strategy, in which parking is shared by businesses and uses that have differing times of optimal use. Strategic management is emphasized to make the most productive use of existing parking resources, and a coordinated plan for future expansion is outlined to accommodate additional development as needed.

IMPLEMENTATION

Every great plan needs to have a well-thought implementation strategy. The Implementation Chapter includes a list of implementation actions, their anticipated cost, potential funding sources, and a time frame of when the actions would be completed. It sets forth the Downtown areas that should be given priority, key steps needed to implement the Specific Plan, and how the Plan will be administered.



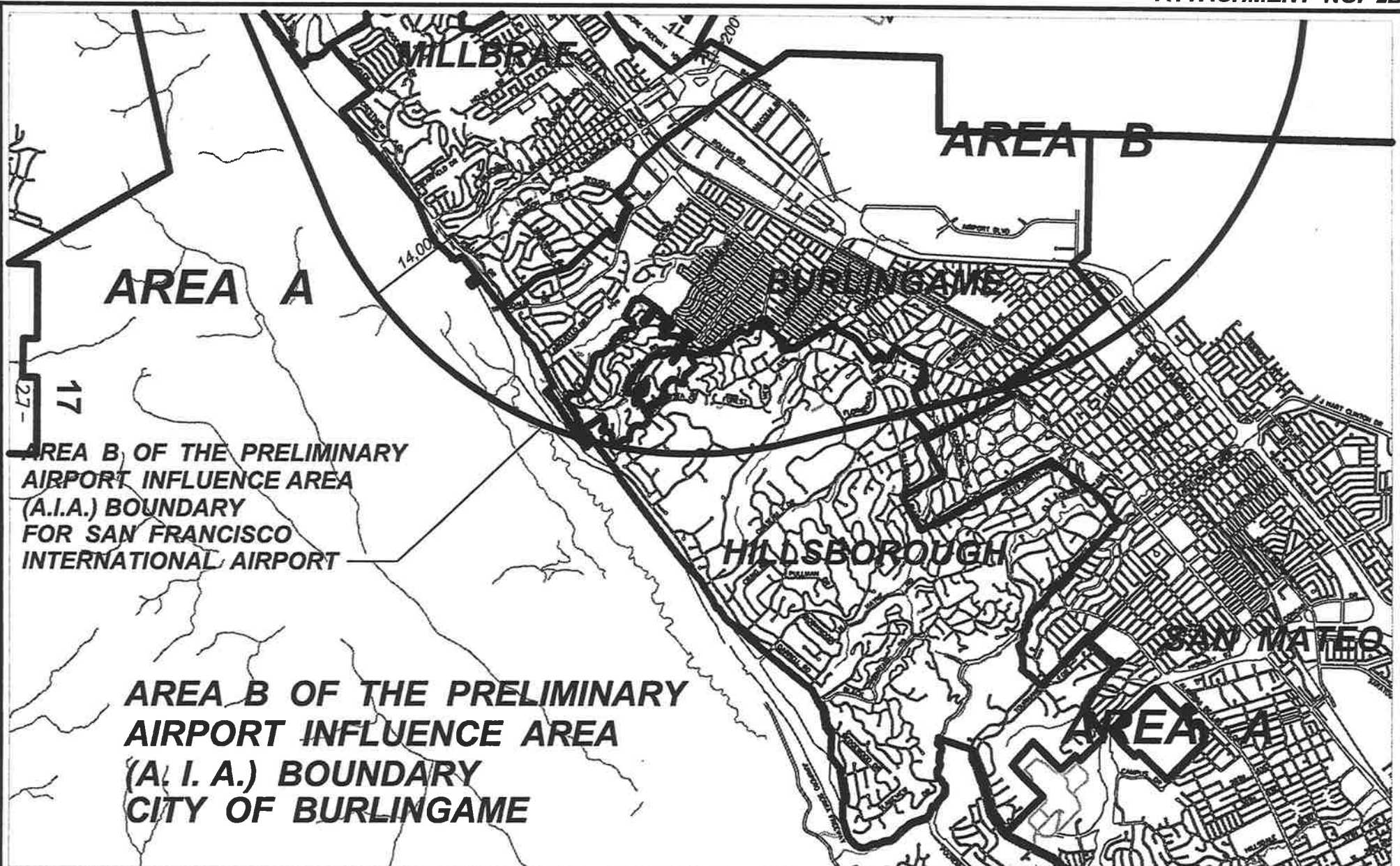


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DATA SOURCE: FEDERAL AVIATION REGULATIONS (F.A.R. PART 77) SAN FRANCISCO INTERNATIONAL AIRPORT (DRAFT - DECEMBER 2007)
 NOISE CONTOURS: SAN FRANCISCO INTERNATIONAL AIRPORT (OCTOBER 2006)
 BASE MAP: SAN MATEO COUNTY PUBLIC WORKS (2007)

* CITY/COUNTY ASSOCIATION OF GOVERNMENT OF SAN MATEO COUNTY (C/CAG)



**AREA B OF THE PRELIMINARY
AIRPORT INFLUENCE AREA
(A.I.A.) BOUNDARY
FOR SAN FRANCISCO
INTERNATIONAL AIRPORT**

**AREA B OF THE PRELIMINARY
AIRPORT INFLUENCE AREA
(A. I. A.) BOUNDARY
CITY OF BURLINGAME**

DATA SOURCE: FEDERAL AVIATION REGULATIONS (F.A.R. PART 77) SAN FRANCISCO INTERNATIONAL AIRPORT (DRAFT - DECEMBER 2007)
NOISE CONTOURS: SAN FRANCISCO INTERNATIONAL AIRPORT (OCTOBER 2006)
BASE MAP: SAN MATEO COUNTY PUBLIC WORKS (2007)

* CITY/COUNTY ASSOCIATION OF GOVERNMENT OF SAN MATEO COUNTY (CICAG)

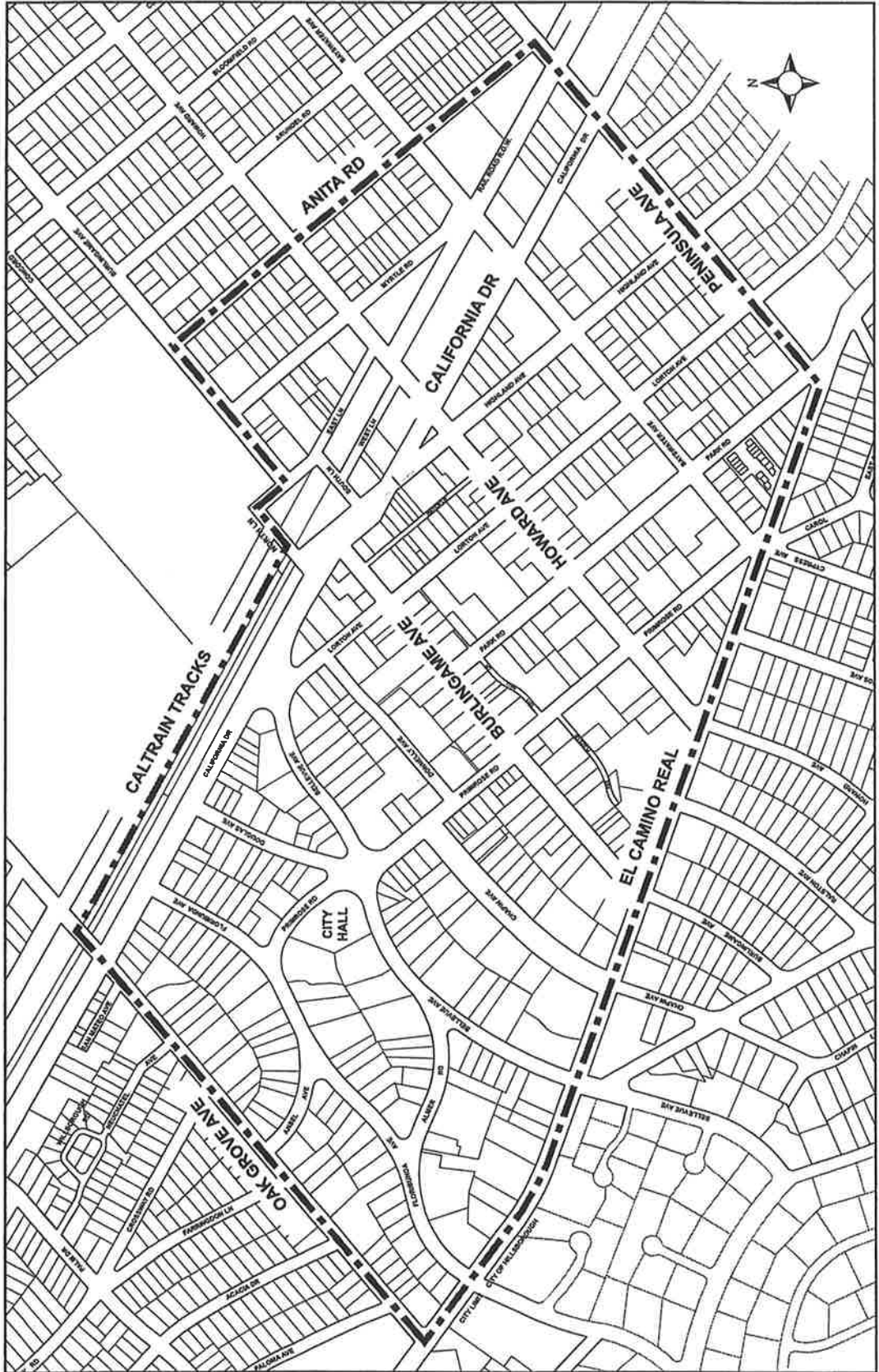
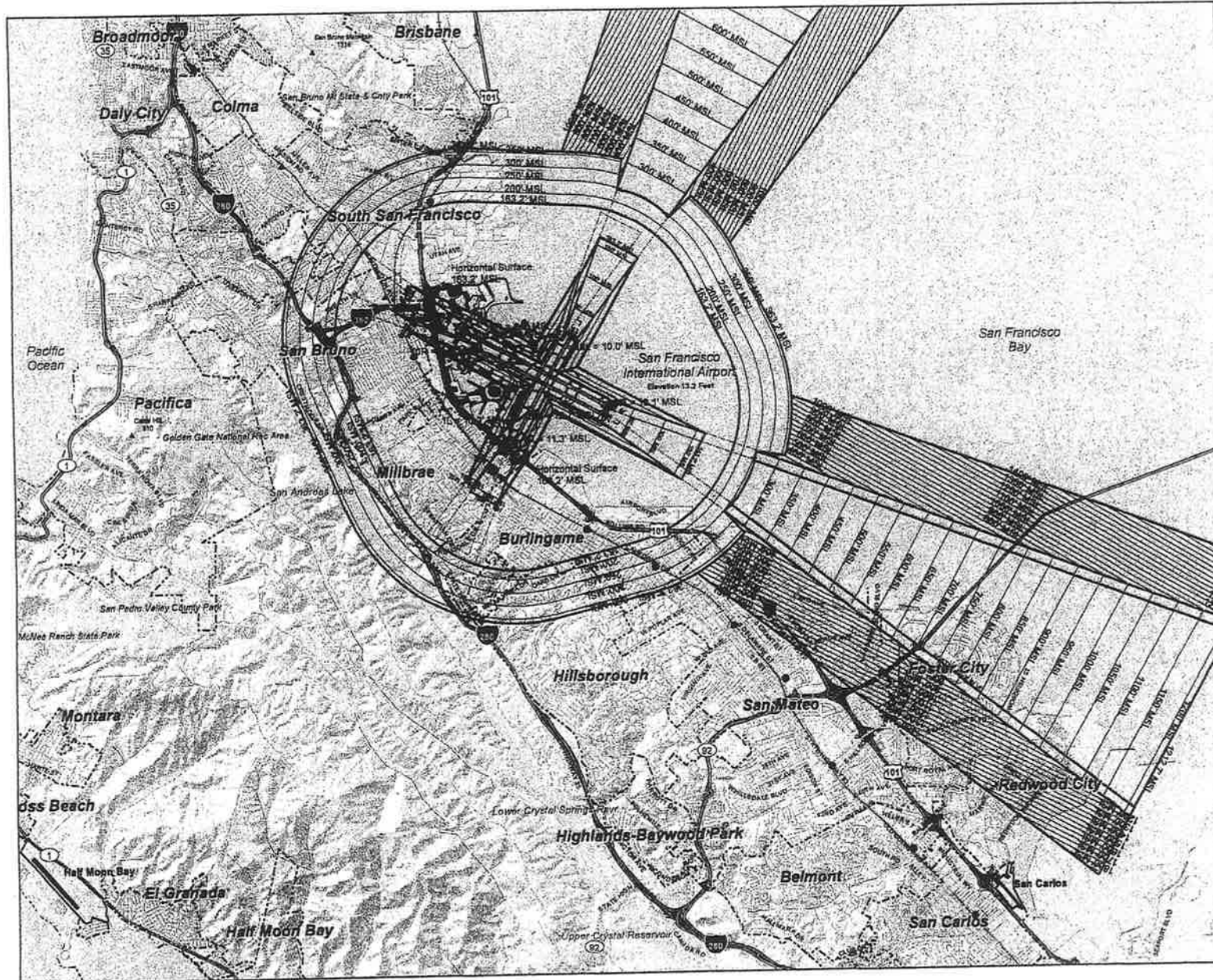


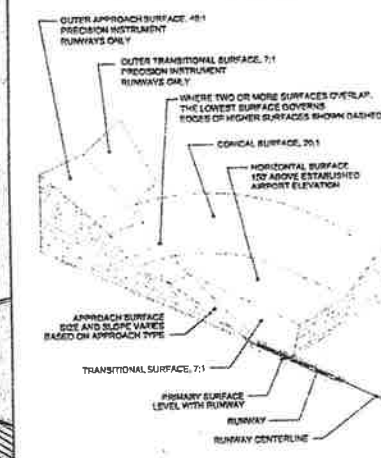
FIGURE 1-1: Downtown Specific Plan Project Area



LEGEND

- FAR Part 77 Civil Airport Imaginary Surfaces
- 400' 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, Ricordo & Associates, Inc. 2007

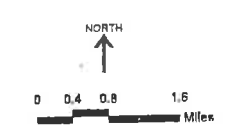


Figure 4-8
**FAR PART 77
 CIVIL AIRPORT IMAGINARY SURFACES**
 Comprehensive Airport Land Use Plan
 For The Environs of San Francisco International Airport
CICAG
 City/County Association of Governments
 of San Mateo County, California

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

August 16, 2010

Charlotte Dickson, Director
Healthy Eating Active Living Cities Campaign
2201 Broadway Suite 502
Oakland, CA 94612

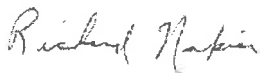
Dear Ms. Dickson,

I am writing to express the support of the City/County Association of Governments of San Mateo County for the grant application your organization is submitting to the Silicon Valley Community Foundation and to state our intention to co-host one of your training seminars for municipal officials.

Our constituency is interested in learning more about the relationship between health, land use and transportation planning, and welcomes the opportunity to hear about specific policies and planning strategies they can use in their local communities.

We welcome the addition of Healthy Eating Active Living Cities Campaign to the Peninsula's movement to improve the health of our cities and communities through land use and transportation policy and planning. The Campaign's track record with municipal officials around the State of California and in the Peninsula Counties will be an asset to our work.

Sincerely,



Richard Napier
Executive Director, C/CAG



HEALTHY EATING
ACTIVE LIVING
CITIES
CAMPAIGN

WHO: The **Healthy Eating Active Living (HEAL) Cities Campaign**, a partnership of the **League of CA Cities** and the California Center for Public Health Advocacy, works with city officials, primarily elected officials and city managers, across California to adopt policies to increase economic, community, family and individual health. Our policy menu includes land use, economic development and employee wellness policies, and was created with input from nearly 200 municipal officials across the state. Our methods of education, outreach and assistance include training sessions and webinars, one on one meetings, technical assistance calls and a monthly email newsletter (see our [website](#)).

Since August of 2009, 44 city councils have taken action to join the campaign through a resolution or policy (see cities [here](#)), including the City of Brisbane. The Campaign is working with an additional 80 cities and maintains a database of 600 officials who are interested in the Campaign's goals and methods, including 32 officials from 14 cities in San Mateo.

Between June of 2009 and 2010, representatives from 11 of San Mateo's cities joined our training sessions and webinars. We held one of these, the "Healthy General Plans" breakfast seminar, on the Peninsula in partnership with Healthy San Mateo Health and several other Silicon Valley organizations.

Our land use policies mirror those that the Silicon Valley Community Foundation is seeking to support through its regional planning initiative:

- Compact, mixed use, transit oriented development
- Active transportation (walking, biking)

WHAT: The HEAL Cities Campaign is applying to the Silicon Valley Community Foundation to support a San Mateo and Santa Clara focused project that will:

- Increase municipal officials' capacity to engage residents, including immigrants, in local and regional sustainable community planning efforts in both San Mateo and Santa Clara counties.
- Increase municipal officials' capacity to employ land use and transportation policy and planning to stimulate local economic development and to support the health of city residents.
- Increase the number of municipal land use and transportation policies and plans that support health.

HOW: The HEAL Cities Campaign and its partner, the Institute for Local Government (ILG) will provide the following:

- 2 workshops, one in each county, on engaging residents in land use and transportation planning. A focus of the workshop will be engaging residents who have immigrated from countries outside the US.
- 2 regional workshops on the relationship between land use and transportation planning, local economic development and health.
- Additional workshops as requested on topics related to the publications listed below.
- One to one meetings and technical assistance to officials to assist implementation of resident involvement strategies and policy development to adopt policies that support mixed use development and active transportation (walking, biking).
- Publications covering
 - Public participation requirements for regional planning and opportunities for public engagement in regional planning
 - Guide to planning health neighborhoods
 - Understanding regional transportation planning
 - How to build community support for affordable housing
 - Immigrant civic engagement
 - Other relevant topics

We will coordinate closely with existing efforts in San Mateo to address these issues.

HELP WE NEED: The Campaign and its partner, the ILG, requests the CCAG to co-host the San Mateo workshop on resident involvement in local and regional planning, and to publicize additional training opportunities . **If the CCAG agrees, we need a letter to this effect on CCAG letterhead by AUGUST 18, 2010 close of business. An electronic letter will suffice. The letter should be addressed to me:**

**Charlotte Dickson, Director
 Healthy Eating Active Living Cities Campaign
 2201 Broadway Suite 502
 Oakland, CA 94612**

OTHER SAN MATEO SUPPORTERS TO DATE: San Mateo Public Health Department, Peninsula Division of the League of California Cities

C/CAG AGENDA REPORT

Date: September 16, 2010
To: C/CAG Board of Directors
From: Richard Napier, Executive Director - C/CAG
Subject: Review and accept the Quarterly Investment Report ending March 31, 2010
(For further information or response to questions, contact Richard Napier at 650 599-1420)

Recommendation:

Review and accept the Quarterly Investment Report ending March 31, 2010 in accordance with the staff recommendations.

Fiscal Impact:

None.

Revenue Source:

All C/CAG revenue sources.

Background:

C/CAG's financial agent (City of San Carlos) provides a quarterly report of investments. Attached is the Quarterly Investment Report as of March 31, 2010. The report indicates a reduction in the funds held by the San Mateo County pool. Staff recommends acceptance of the report.

On June 10, 2010 the C/CAG Board adopted the Revised C/CAG Investment Policy. Per the adopted policy, C/CAG staff will work with the Board and the Finance Committee to establish an Investment Advisory Committee. This advisory committee will analyze the portfolio quarterly against the policy objectives and recommend changes as necessary.

Attachments:

Quarterly Investment Report as of March 31, 2010

Alternatives:

- 1- Review and accept the Quarterly Investment Report ending March 31, 2010 in accordance with the staff recommendations.
- 2- No action.

ITEM 5.5

CITY AND COUNTY ASSOCIATION OF GOVERNMENTS

Board of Directors Agenda Report

To: Richard Napier, Executive Director
From: Jeff Maltbie, Administrative Services Director
Date: May 2010

SUBJECT: Quarterly Investment Report as of March 31, 2010

RECOMMENDATION:

It is recommended that the C/CAG Board review and accept the Quarterly Investment Report.

ANALYSIS

The attached investment report indicates that on March 31, 2010, funds in the amount of \$8,663,182 were invested producing a weighted average yield of 0.69%. Accrued interest this quarter totaled \$14,089.

Below is a summary of the changes in the portfolio:

	Qtr Ended 3/30/10	Qtr Ended 12/31/09	Increase (Decrease)
Total Portfolio	\$ 8,663,182	\$ 9,146,229	\$ (483,047)
Wgtd Avg Yield	0.69%	0.74%	-0.05%
Interest Earnings	\$ 14,089	\$ 16,953	\$ (2,864)

The decrease in the portfolio totaling \$483,047 is attributable to the total amount of disbursements for operations exceeding the amount of cash receipts during the quarter. Larger payments in the quarter ended March 31, 2010 include: distribution payments totaling \$269,245 for traffic congestion planning process; distribution payments totaling \$194,000 for the ECR Incentive and AVA reimbursements in the amount of \$173,466. The decrease in interest income is due to the continued decline in market rates.

Historical cash flow trends are compared to current cash flow requirements on an ongoing basis to ensure that C/CAG's investment portfolio will remain sufficiently liquid to meet all reasonably anticipated operating requirements. As of March 31, 2010, the portfolio contains enough liquidity to meet the next six months of expected expenditures by C/CAG. All investments are in compliance with the Investment Policy. Attachment 2 shows a historical comparison of the portfolio for the past seven quarters.

The City's Investment Advisory Committee has reviewed and approved the attached Investment Report.

Attachments

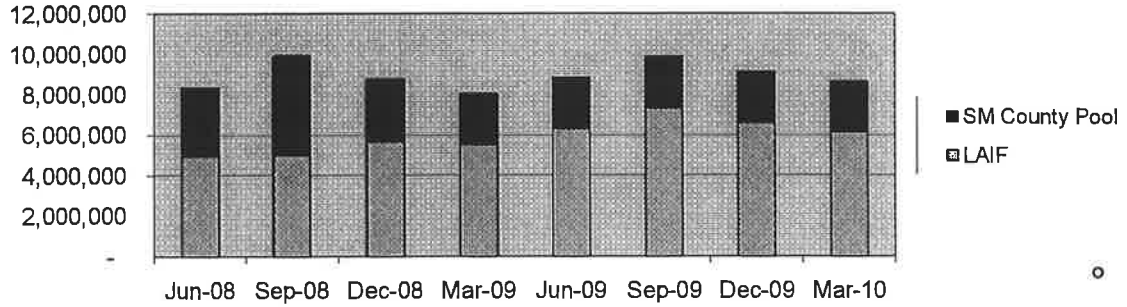
- 1 – Investment Portfolio Summary for the Quarter Ended March 31, 2010
- 2 – Historical Summary of Investment Portfolio

CITY & COUNTY ASSOCIATION OF GOVERNMENTS

SUMMARY OF ALL INVESTMENTS
For Quarter Ending March 31, 2010

Category	Maturity		Weighted Average Interest Rate	HISTORICAL Book Value	GASB 31 ADJ Market Value
	Days	Months			
Local Agency Investments					
Local Agency Investment Fund (LAIF)	1		0.56%	6,116,947	6,116,947
San Mateo County Investment Pool (COPOOL)	2		1.01%	2,546,235	2,546,235
Agency Securities					
Total Investment			0.69%	8,663,182	8,663,182
o					
GRAND TOTAL OF PORTFOLIO			0.69%	8,663,182	8,663,182
Total Accrued Interest this Quarter					14,089
Total Interest Earned (Loss) Fiscal-Year-to-Date					50,361

**City/County Association of Governments
Historical Summary of Investment Portfolio**



City/County Association of Governments Investment Portfolio

	Jun-08	Sep-08	Dec-08	Mar-09	Jun-09	Sep-09	Dec-09	Mar-10
LAIF	4,972,951	5,018,363	5,703,382	5,540,310	6,318,815	7,342,689	6,606,282	6,116,947
SM County Pool	3,405,619	4,926,763	3,087,734	2,508,254	2,519,784	2,534,221	2,539,947	2,546,235
Total	\$8,378,570	\$9,945,126	\$8,791,116	\$8,048,565	\$8,838,599	\$9,876,910	\$9,146,229	\$8,663,182

C/CAG AGENDA REPORT

Date: September 16, 2010
To: C/CAG Board of Directors
From: Richard Napier, Executive Director - C/CAG
Subject: Review and accept the Quarterly Investment Report ending June 30, 2010
(For further information or response to questions, contact Richard Napier at 650 599-1420)

Recommendation:

Review and accept the Quarterly Investment Report ending June 30, 2010 in accordance with the staff recommendations.

Fiscal Impact:

None.

Revenue Source:

All C/CAG revenue sources.

Background:

C/CAG's financial agent (City of San Carlos) provides a quarterly report of investments. Attached is the Quarterly Investment Report as of June 30, 2010. The portfolio remained fairly constant during the last quarter of the fiscal year. Staff recommends acceptance of the report.

On June 10, 2010 the C/CAG Board adopted the Revised C/CAG Investment Policy. Per the adopted policy, C/CAG staff will work with the Board and the Finance Committee to establish an Investment Advisory Committee. This advisory committee will analyze the portfolio quarterly against the policy objectives and recommend changes as necessary.

Attachments:

Quarterly Investment Report as of June 30, 2010

Alternatives:

- 1- Review and accept the Quarterly Investment Report ending June 30, 2010 in accordance with the staff recommendations.
- 2- No action.

ITEM 5.6

CITY AND COUNTY ASSOCIATION OF GOVERNMENTS
Board of Directors Agenda Report

To: Richard Napier, Executive Director
From: Jeff Maltbie, Administrative Services Director
Date: August 2010

SUBJECT: Quarterly Investment Report as of June 30, 2010

RECOMMENDATION:

It is recommended that the C/CAG Board review and accept the Quarterly Investment Report.

ANALYSIS

The attached investment report indicates that on June 30, 2010, funds in the amount of \$8,677,271 were invested producing a weighted average yield of 0.75%. Accrued interest this quarter totaled \$15,348.

Below is a summary of the changes in the portfolio:

	Qtr Ended 06/30/10	Qtr Ended 03/31/10	Increase (Decrease)
Total Portfolio	\$ 8,677,271	\$ 8,663,182	\$ 14,089
Wgtd Avg Yield	0.75%	0.69%	0.06%
Interest Earnings	\$ 15,348	\$ 14,089	\$ 1,259

The portfolio remained fairly constant during the last quarter of the fiscal year. This is primarily due to the total amount of disbursements for operations matching the amount of cash receipts during the quarter. The increase in interest income is due to the slight increase in market rates.

Historical cash flow trends are compared to current cash flow requirements on an ongoing basis to ensure that C/CAG's investment portfolio will remain sufficiently liquid to meet all reasonably anticipated operating requirements. As of June 30, 2010, the portfolio contains enough liquidity to meet the next six months of expected expenditures by C/CAG. All investments are in compliance with the Investment Policy. Attachment 2 shows a historical comparison of the portfolio for the past seven quarters.

The City's Investment Advisory Committee has reviewed and approved the attached Investment Report.

Attachments

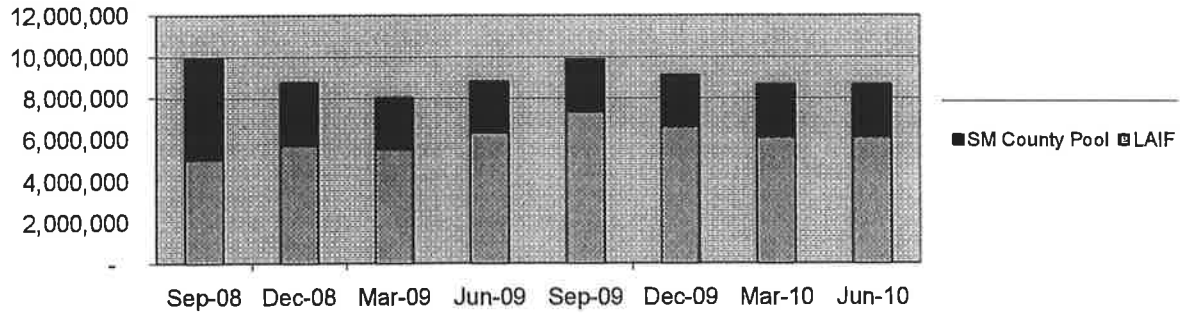
- 1 – Investment Portfolio Summary for the Quarter Ended June 30, 2010
- 2 – Historical Summary of Investment Portfolio

CITY & COUNTY ASSOCIATION OF GOVERNMENTS

SUMMARY OF ALL INVESTMENTS
For Quarter Ending June 30, 2010

Category	Maturity		Weighted Average Interest Rate	HISTORICAL Book Value	GASB 31 ADJ Market Value
	Days	Months			
Liquid Investments					
Local Agency Investment Fund (LAIF)	1		0.56%	6,125,449	6,135,518
San Mateo County Investment Pool (COPOOL)	2		1.20%	2,551,821	2,560,931
Agency Securities					
Total Investments			0.75%	8,677,271	8,696,449
GRAND TOTAL OF PORTFOLIO			0.75%	8,677,271	8,696,449
Total Accrued Interest this Quarter					15,348
Total Interest Earned (Loss) Fiscal-Year-to-Date					65,709

**City/County Association of Governments
Historical Summary of Investment Portfolio**



City/County Association of Governments Investment Portfolio

	Sep-08	Dec-08	Mar-09	Jun-09	Sep-09	Dec-09	Mar-10	Jun-10
LAIF	5,018,363	5,703,382	5,540,310	6,318,815	7,342,689	6,606,282	6,116,947	6,125,449
SM County Pool	4,926,763	3,087,734	2,508,254	2,519,784	2,534,221	2,539,947	2,546,235	2,551,821
Total	\$ 9,945,126	\$ 8,791,116	\$ 8,048,565	\$ 8,838,599	\$ 9,876,910	\$ 9,146,229	\$ 8,663,182	\$ 8,677,271

C/CAG AGENDA REPORT

Date: September 16, 2010
To: City/County Association of Governments Board of Directors
From: Richard Napier, Executive Director
Subject: Resolution 10-53 Authorizing the C/CAG Chair to Execute an Agreement with the Bay Area Air Quality Management District to Receive a \$50,000 Grant for Climate Action Plan Template and Tool Project

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

RECOMMENDATION

Adopt Resolution No.10-53 authorizing the C/CAG Chair to execute an agreement with the Bay Area Air Quality Management District (BAAQMD) to receive a \$50,000 grant for a Climate Action Plan Template and Tool Project

FISCAL IMPACT

No fiscal impact.

SOURCE OF FUNDS

N/A

BACKGROUND/DISCUSSION

C/CAG and the County jointly completed deliverables satisfying a BAAQMD Grant (NO. 2008-107), which ended on November 30, 2009. The deliverables completed include the completion of both government operations and communitywide greenhouse gas (GHG) emission inventories for the County and all of the cities in San Mateo County.

Since that time, cities in San Mateo County have moved on to the next “phase” of climate action: the development of both their government operations and communitywide Climate Action Plans (CAPs). C/CAG and County staff recognized the need to provide resources to the cities and the County, to facilitate the eventual completion of CAPs by all of the cities in San Mateo County.

Simultaneous to the completion of their GHG inventories in late 2009, a small working group of five cities and the County were beginning to work on an outline for a CAP template. In order to support and build on this effort, staff approached the BAAQMD to seek funding with an expanded scope of work, leveraging the outcomes of the previous grant mentioned above.

The BAAQMD was receptive to both the approach and scope of work proposed for this project. The proposed Grant Agreement NO. 2010-083 (Agreement) is attached.

ITEM 5.7

Deliverables for this new Agreement 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 CAPs
- Approximately 40 GHG reduction measures (Measure)
- the California Environmental Quality Act (CEQA) requirements for CAPs
- the calculation methodologies to establish cost and emission reductions for each GHG emission reduction Measure
- the staffing and monetary implications of each GHG emission reduction Measure.

As a deliverable, staff will conduct workshops as needed to help cities to successfully use this new template and tool set. The Agreement also requires that two cities complete CAPS using the new template and tool set, taking the staff report and CAP to their councils for adoption.

A majority of the grant funds will be used to contract with a consultant to write the CAP template document and develop a menu of GHG reduction measures. C/CAG has set aside funding in its budget to match the grant funds to support a forecasting and calculation tool to accompany the template document.

Staff has already begun discussions with and will seek additional funding for this project from some cities, ABAG and PG&E to expand on the number of completed CAPs in San Mateo County.

ATTACHMENTS

1. Resolution 10-53
2. Bay Area Air Quality Management District Grant Agreement NO. 2010-083

RESOLUTION NO. 10-53

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) AUTHORIZING THE C/CAG CHAIR TO EXECUTE AN AGREEMENT WITH THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT TO RECEIVE A \$50,000 GRANT FOR A CLIMATE ACTION PLAN TEMPLATE AND TOOL PROJECT

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

WHEREAS, C/CAG and the County of San Mateo (County) completed a Bay Area Air Quality Management District grant agreement NO. 2008-107 and all associated deliverables on November 30, 2009, which included the completion of all government operation and communitywide greenhouse gas emission inventories with or for the cities in San Mateo County; and

WHEREAS, C/CAG and County staff, as a next step, desire to reach a goal of all cities in San Mateo County completing climate action plans; and

WHEREAS, C/CAG and County staff believe a climate action plan template and tool resource will support the effort to reach a goal of all cities in San Mateo County completing climate action plans; and

WHEREAS, C/CAG and County staff have approached the Bay Area Air Quality Management District and have negotiated a scope of work and time line in a new grant agreement NO. 2010-083 to help fund these resources.

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 Bay Area Air Quality Management District to receive a \$50,000 grant for a climate action plan template and tool project, subject to review and approval as to form by C/CAG legal counsel.

PASSED, APPROVED, AND ADOPTED THIS 16TH DAY OF SEPTEMBER 2010.

Thomas M. Kasten, Chair

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

GRANT AGREEMENT

GRANT NO. 2010-083

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 **San Mateo County, City/County Association of Governments** (“CONTRACTOR”) 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
MANAGEMENT DISTRICT

SAN MATEO CITY/COUNTY
ASSOCIATION OF GOVERNMENTS

By: _____
Jack P. Broadbent
Executive Officer/APCO

By: _____
Richard Napier
Executive Director

Date: _____

Date: _____

Approved as to form:
District Counsel

By: _____
Brian C. Bunger
District Counsel

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

C/CAG AGENDA REPORT

Date: September 16, 2010

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)

RECOMMENDATION

That the C/CAG Board of Directors adopt a “Oppose” position on **California Proposition 26**, a statewide ballot measure that would require a two-thirds vote on State and local fees.

That the C/CAG Board of Directors review and consider updates to the C/CAG Legislation “Support” and “Watch” Legislative List report and also review the attached “State Legislative Update – August”.

Updates on the “**Support**” recommendations affirmed at the June 10, 2010 Legislative Committee and C/CAG Board meetings are as follows:

SB 965 – which, if amended, would allow Caltrain early access to American Recovery and Reinvestment Act (ARRA) funds for improvements on Caltrain and other commuter rail lines in California. Support for this legislation does not necessarily mean or imply support for any High Speed rail alignment or other configuration (undergrounding, elevation, or at-grade).

UPDATE: SB 965 has been passed and sent to the Governor for signature.

SB 1333 – which ensures the enforcement of airport air space (“avignation”) safety easements.

UPDATE: SB 1333 has been passed and sent to the Governor for signature.

SB 1141 – which facilitates formation of countywide airport land use commissions.

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ITEM 6.1

UPDATE: SB 1141 has been passed and sent to the Governor for signature.

SB 346 – which regulates hazardous pollution from brake pads.

UPDATE: SB 346 has been passed and sent to the Governor for signature.

FISCAL IMPACT

Not applicable.

SOURCE OF FUNDS

Not applicable.

LEGISLATIVE PRIORITY

“Support” List

BACKGROUND/DISCUSSION

On June 26, 2010 the C/CAG Legislative Committee and C/CAG Board of Directors received materials and an oral presentation of California Proposition 26. Staff was instructed to return to the Legislative Committee to recommend a formal position in the event that the Proposition qualified for the November 2, 2010 ballot

Each year the C/CAG Board of Directors adopts positions on pending State legislation as well as periodically updates C/CAG’s “Support” and “Watch” list for legislation. Board decisions on pending legislation guide the actions of C/CAG staff and the C/CAG lobbyist in Sacramento.

ATTACHMENTS

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

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

SUPPORT LIST

BILL: SB 346

http://info.sen.ca.gov/cgi-bin/postquery?bill_number=sb_346&sess=CUR&house=B&site=sen

AUTHOR: Kehoe (D)

<http://dist39.casen.govoffice.com/>

SUBJECT: Hazardous materials: motor vehicle brake friction materials.

STATUS:

8/31/2010 Enrolled

Summary: Would require the department to conduct a baseline survey, on or before January 1, 2013, of the concentration levels of nickel, zinc, copper, and antimony in motor vehicle brake friction materials. The bill would require the department, commencing on January 1, 2013, and at least every 3 years thereafter, to monitor the concentration levels of those metals in motor vehicle brake friction materials to ensure that those levels do not increase by more than 50% above the baseline levels established through the baseline survey. The bill would require the department to take specified action if any of those metals increased by more than 50%, and would require the department to prioritize the presence of those constituents in brake friction materials for regulation, as specified. This bill contains other related provisions and other existing laws.

C/CAG POSITION: SUPPORT

BILL: SB 965

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

AUTHOR: DeSaulnier (D)

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

SUBJECT: High-speed rail

STATUS:

8/13/2010 Enrolled

SUMMARY:

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

Last Amended on 6/21/ 2010

C/CAG POSITION: SUPPORT

BILL: SB 1333

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

AUTHOR: Yee (D)

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

SUBJECT: Airport Avigation Easements**STATUS:**

8/13/2010 Enrolled

SUMMARY:

The State Aeronautics Act governs the creation and operation of airports in this state. The act provides for the establishment of county airport land use commissions to carry out various requirements, including the formulation of a comprehensive land use compatibility plan to provide for the orderly growth of the airport and the area surrounding the airport within the jurisdiction of the commission, and to safeguard the general welfare of the inhabitants within the vicinity of the airport and the public in general. The act authorizes any person authorized to

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exercise the power of eminent domain for airport purposes to acquire by purchase, gift, devise, lease, condemnation, or otherwise airspace or an easement in airspace above the surface of property where necessary to permit imposition upon the property of excessive noise, vibration, discomfort, inconvenience, interference with use and enjoyment, and any consequent reduction in market value, due to the operation of aircraft to and from the airport. This bill would provide that if a political subdivision, as defined, conditions approval of a noise-sensitive project, as defined, upon the grant of an avigation easement, as defined, to the owner or operator of an airport, the avigation easement shall be required to be granted to the owner or operator of the airport prior to the issuance of the building permit that allows construction or reconstruction of the noise-sensitive project. The bill would require that the avigation easement include a termination clause that operates to terminate the avigation easement if the noise-sensitive project is not built and the permit or any permit extension authorizing construction or reconstruction has expired or has been revoked. The bill would require the political subdivision that issued the permit to notify the owner or operator of the airport of the expiration or revocation of the permit within 30 days of its expiration or revocation. The bill would require the owner or operator of the airport to record a notice of termination with the county recorder of the county where the property is located within 90 days after receipt of the notice from the political subdivision, and to provide the political subdivision with proof of filing of the notice of termination within 30 days of it being recorded. By requiring a political subdivision to provide notice of the expiration or revocation of the permit to the owner or operator of an airport and by requiring the recording of a notice of termination, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

C/CAG POSITION: SUPPORT

BILL: SB 1141

http://info.sen.ca.gov/cgi-bin/postquery?bill_number=sb_1141&sess=CUR&house=B&site=sen

AUTHOR: Negrete McLeon (D)

<http://dist32.casen.govoffice.com/>

SUBJECT: Airport s: Land Use Commissions

STATUS:

8/13/2010 Enrolled

SUMMARY:

The State Aeronautics Act governs the creation and operation of airports in this state. The act provides for the establishment of county airport land use commissions to carry out various requirements, including the formulation of a comprehensive land use compatibility plan to

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provide for the orderly growth of airports and the area surrounding airports within the jurisdiction of the commission, and to safeguard the general welfare of the inhabitants within the vicinity of an airport and the public in general. The act requires each county in which there is an airport served by a scheduled airline, with certain exceptions, to establish an airport land use commission. Existing law additionally requires each county in which there is an airport operated for the benefit of the public to establish an airport land use commission, but authorizes the board of supervisors of a county, upon making certain findings, to declare that the county is exempt from establishing an airport land use commission. Existing law requires that an airport land use commission include in its membership, 2 persons having expertise in aviation, as defined. This bill would revise the definition of a person having expertise in aviation. This bill contains other related provisions and other existing laws.

C/CAG POSITION: SUPPORT

CALIFORNIA PROPOSITION 26

http://ag.ca.gov/cms_attachments/initiatives/pdfs/i891_initiative_09-0093.pdf

and

http://www.lao.ca.gov/ballot/2010/26_11_2010.aspx

Proponent:

Allan Zaremborg

SUBJECT: State and local fees

STATUS:

Qualified for November 2, 2010 Ballot on 06/24/2010

SUMMARY:

Increases legislative vote requirement to two-thirds for state levies and charges, with limited exceptions, and for certain taxes currently subject to majority vote. Changes Constitution to require voters to approve, either by two-thirds or majority, local levies and charges with limited exceptions. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: Potentially major decrease in state and local revenues and spending, depending upon future actions of the Legislature, local governing bodies, and local voters.

C/CAG POSITION: OPPOSE

WATCH LIST

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BILL: AB 744

<http://www.assembly.ca.gov/acs/acsframeset2text.htm>

AUTHOR: Torrico (D)

<http://democrats.assembly.ca.gov/members/a20/mainpage.aspx>

SUBJECT: Transportation: toll lanes: Express Lane Network

STATUS:

APPR. SUSPENSE FILE

8/27/2009

SUMMARY:

Existing law specifies the respective powers and duties of the Bay Area Toll Authority and the Department of Transportation relative to the operation of the state-owned Bay Area toll bridges and the allocation of toll bridge revenues. Existing law provides for the department to designate certain lanes for the exclusive use of buses and high-occupancy vehicles (HOVs). Existing law provides for various agencies, including the Sunol Smart Carpool Lane Joint Powers Authority, the Alameda County Congestion Management Agency, and the Santa Clara Valley Transportation Authority, to implement high-occupancy toll (HOT) lanes on state highways, which are high-occupancy vehicle lanes that may also be used by vehicles without the requisite number of occupants upon payment of a toll. This bill would authorize the Bay Area Toll Authority to develop, administer, operate, and maintain a Bay Area Express Lane Network on state highways within the 9 Bay Area counties pursuant to a development plan recommended by the Bay Area Express Lane Network Project Oversight Committee, which the authority would be required to establish. The bill would authorize the authority to establish the fee structure for use of the express lanes and would require a public hearing in that regard. The bill would authorize the authority to determine the types of vehicles that may use the lanes. The bill would prohibit the authority from converting existing nontolled general-purpose lanes to express lanes. The bill would provide for agreements between the authority and the Department of Transportation and the Department of the California Highway Patrol. The bill would require revenues from the express lanes to be deposited in the Bay Area Express Lane Network Account, which the authority would be required to create. The bill would authorize the authority to issue revenue bonds for the express lane program. The bill would specify the use of revenues in the account, including the net revenues remaining after expenses and obligations, including revenue bond obligations, for the express lane program are satisfied. The bill would provide for certain payments by the authority to the Department of Transportation and the Department of the California Highway Patrol relative to their responsibilities with regard to the express lane

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program, and would continuously appropriate the amount of those payments to those agencies for those purposes. The bill would require the Sunol Smart Carpool Lane Joint Powers Authority, the Alameda County Congestion Management Agency, and the Santa Clara Valley Transportation Authority to enter into agreements with the Bay Area Toll Authority by January 1, 2011, to provide for the transfer of their rights and obligations relative to HOT lane projects to the Bay Area Toll Authority. The bill would enact other related provisions. This bill contains other related provisions and other existing laws.

C/CAG POSITION: WATCH

BILL: AB 2703

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

AUTHOR: Perez (D)

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

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

STATUS:

7/15/2010 To Senate Appropriations

SUMMARY:

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

CCAG POSITION: WATCH

BILL: SB 1061

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

AUTHOR: Hancock (D)

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

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

STATUS:

8/04/2010 ASM APPR.

SUMMARY:

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

C/CAG RECOMMENDATION: WATCH

BILL: SB 1245

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

AUTHOR: Simitian (D)

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

SUBJECT: High-occupancy vehicle lanes.

STATUS:

6//21/2010 – ASM APPR.

SUMMARY:

Existing law provides for the Department of Transportation and local authorities, with respect to highways under their respective jurisdictions, to authorize or permit exclusive or preferential use

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

C/CAG RECOMMENDATION: WATCH

BILL: SB 1299

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

AUTHOR: Lowenthal (D)

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

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

STATUS:

5/27/2010 – SEN APPR. Suspense File

SUMMARY:

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

C/CAGRECOMMENDATION: WATCH

BILL: SB 1320

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

AUTHOR: Hancock (D)

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

SUBJECT:

Transit fare evasion and passenger misconduct: administrative adjudication.

STATUS:

8/02/2010 ASM TRANSPORTATION

SUMMARY:

Existing law provides that it is an infraction, punishable by a fine not to exceed \$250 and by specified community service, to evade the payment of any fare of, or to engage in passenger misconduct on or in a facility or vehicle of a public transportation system. Existing law authorizes the City and County of San Francisco and the Los Angeles County Metropolitan Transportation Authority to adopt and enforce an ordinance to impose and enforce civil administrative penalties for fare evasion or passenger misconduct, other than by minors, on or in a transit facility or vehicle in lieu of the criminal penalties, with specified administrative adjudication procedures for the imposition and enforcement of the administrative penalties. Fare evasion and passenger misconduct violation penalties are deposited in the general fund of the City and County of San Francisco or the County of Los Angeles, as applicable. This bill would authorize the Alameda-Contra Costa Transit District to adopt and enforce a similar administrative adjudication ordinance. Fare evasion and passenger misconduct violation penalties would be deposited in the general fund of the district.

C/CAG RECOMMENDATION: WATCH

BILL: SB 1371

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

AUTHOR: Lowenthal (D)

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

SUBJECT:

Federal transportation economic stimulus funds: 2nd round.

STATUS:

7/28/2010 ASM APPR

SUMMARY:

Existing law generally provides for programming and allocation of state and federal

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

C/CAG RECOMMENDATION: WATCH

BILL: SB 1418

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

AUTHOR: Wiggins (D)

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

SUBJECT: Transportation: motorist aid services.

STATUS:

7/02/2010 ASM TRANSPORTATION

SUMMARY:

Existing law authorizes the establishment of a service authority for freeway emergencies in any county if the board of supervisors of the county and the city councils of a majority of the cities within the county adopt resolutions providing for the establishment of the service authority. Existing law authorizes the Metropolitan Transportation Commission to function as the service authority for freeway emergencies in the San Francisco Bay area counties upon adoption of a resolution, as specified. Existing law authorizes a service authority to impose a fee of \$1 per year on vehicles registered in the counties served by the service authority. Existing law requires moneys received by a service authority to be used for the implementation, maintenance, and operation of a motorist aid system of call boxes and authorizes moneys received by a service authority in excess of what is needed for that system to be used for additional motorist aid

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services, including, among other things, changeable message signs and lighting for call boxes. Existing law requires any plan or amendment to a plan for a motorist aid system of call boxes for any state highway route to be approved by the Department of Transportation and the Department of the California Highway Patrol. This bill would authorize those service authorities to be established for freeway and expressway services, instead of only freeway emergencies and would delete the provisions authorizing only excess moneys to be used for additional motorist aid services and would instead authorize moneys from the service authority fee on vehicles to be used for the implementation, maintenance, and operation of systems, projects, and programs to aid and assist motorists, including, among other things, a call box system, freeway service patrol, mobile roadside assistance systems, intelligent transportation systems, and traveler information systems. The bill would authorize the Metropolitan Transportation Commission to place call boxes to assist motorists in specified parking or roadway areas in mutually agreed upon state and federal parks. The bill would authorize a service authority to impose a fee of up to \$2 per year on vehicles registered in the counties served by the service authority. The bill would provide that any amendment to an existing plan for a motorist aid network of call boxes adopted by a service authority shall be deemed to be approved by the Department of Transportation and the Department of the California Highway Patrol unless rejected within 120 days of receipt of the amendment.

C/CAG RECOMMENDATION: WATCH

BILL: SCA 5

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

AUTHOR: Hancock (D)

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

SUBJECT: State budget.

STATUS:

7/28/2010 #81 SENATE APPROPRIATIONS

SUMMARY:

The California Constitution requires the Governor to submit to the Legislature by January 10 of each year a budget for the ensuing fiscal year, accompanied by a Budget Bill itemizing recommended expenditures. The Constitution requires specified bills, including a bill making a change in state taxes for the purpose of raising revenue, a bill containing an urgency clause, and a

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bill, including the Budget Bill, that makes certain appropriations from the General Fund, to be passed in each house of the Legislature by a 2/3 vote. This measure would exempt General Fund appropriations in the Budget Bill from the 2/3 vote requirement. This bill contains other related provisions and other existing laws.

C/CAG RECOMMENDATION: WATCH

BILL: SCA 9

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

AUTHOR: Ducheny (D)

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

SUBJECT: Finance: state budget: taxes.

STATUS:

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

SUMMARY:

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

C/CAG RECOMMENDATION: WATCH

BILL: SCA 15

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

AUTHOR: Calderon (D)

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

SUBJECT: State budget.

STATUS:

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

SUMMARY:

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

C/CAG RECOMMENDATION: WATCH



ADVOCATION



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

September 7, 2010

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

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

RE: STATE LEGISLATIVE UPDATE- AUGUST

Status of the State Budget

The most recent developments suggest that there may be agreement in principle on \$15 billion out of the \$19 billion problem. While details are scant, the solutions seems to revolve around \$3.7 billion in cuts to schools and the reserve (\$500 million), the imposition of an oil severance tax, and \$1.4 billion in adjusted projections by the Legislative Analyst's Office. Additional savings of nearly \$1.5 billion have been realized through the renegotiation of pension plans by six unions.

The Governor and Democrats are also pushing for another tax swap which would broaden the tax base by reducing the personal income tax and sales tax, while expanding the sales tax to services. The plan is estimated to generate anywhere from \$2 to \$3 billion. The 2009-10 Regular Session adjourned on Tuesday, August 31st. The legislature can still work on items requiring a 2/3 vote, such as urgency items or the state budget, through as late as November 30, when the it adjourns sine die (last possible date for current class of legislators to vote on any items before new class is sworn in). Rumor has it that a deal could be reached in principle after the Labor Day weekend.

Given that transportation was addressed in the March Special Session, there is little to be concerned about at this point. In the event that the legislature does decide to approve the proposal to lower the sales tax, your advocacy team has already received verbal commitments from the leadership in both houses that they would exempt the sales tax on diesel from such a reduction. This would ensure that the sole source of funding for public transportation would be retained at its current level.

Bills of Interest

SB 346 (Kehoe) which would restrict the use of copper and other toxic chemicals in automobile brake pads has been enrolled to the Governor for consideration of a signature. CCAG staff worked diligently with the author's office to provide technical assistance throughout the process. CCAG supported this legislation.

SB 1333 (Yee) which requires an airport to acquire an avigation easement prior to the issuance of a building permit that allows for construction of a residential project within the airport's 65 decibel (dB) or higher noise boundary, has been enrolled to the Governor for consideration of a signature. CCAG supported this legislation.

SB 965 (DeSaulnier) which encourages the timely development of high-speed rail to enhance job creation and establishes reporting requirements, has been enrolled to the Governor's desk. CCAG is in support of this bill.

SB 1141 (Negrete-McLeod) which makes various changes to the general statutory requirement that each county form an airport land use commission (ALUC); authorizes the Division of Aeronautics (Division) at Caltrans to provide startup funds to counties for the establishment of an ALUC; and, prohibits airports in counties that have not established an ALUC from receiving an annual credit of \$10,000 from the state Aeronautics Account fund if an ALUC has not been established in that county, was enrolled to the Governor. CCAG is in support of this bill.

C/CAG AGENDA REPORT

Date: September 16, 2010
To: City/County Association of Governments Board of Directors
From: Richard Napier, C/CAG Executive Director
Subject: Review and approval of Resolution 10-56 in support of Measure M to fund local transportation improvements in San Mateo County

RECOMMENDATION

That the C/CAG Board of Directors adopt Resolution 10-56 in support of Measure M to fund local transportation improvements in San Mateo County.

FISCAL IMPACT

The passage of Measure M would generate an estimated \$6.7 million annually in new funds for transportation-related purposes in San Mateo County over twenty-five years.

SOURCE OF FUNDS

Vehicle license fee.

LEGISLATIVE PRIORITY

“Support” List.

BACKGROUND/DISCUSSION

On July 8, 2010 the C/CAG Board of Directors adopted Resolution 10-37 authorizing a Countywide ballot measure to impose a \$10 vehicle registration fee in San Mateo County to fund an Expenditure Plan devoted to transportation-related purposes in San Mateo County. Subsequent to this Board action, Measure M, has been placed on the November 2, 2010 election ballot for San Mateo County. Resolution 10-56 formally supports Measure M.

ATTACHMENTS

1. Resolution 10-56
2. “Local Transportation Improvements in San Mateo County” Fact Sheet/Frequently Asked Questions

ITEM 6.1.1

RESOLUTION 10-56

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY IN SUPPORT OF MEASURE M TO FUND LOCAL TRANSPORTATION IMPROVEMENTS IN SAN MATEO COUNTY

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 for San Mateo County (the "CMA") created pursuant to Chapter 2.6, of Division 1, of Title 7, of the California Government Code, responsible for the development and implementation of the Congestion Management Program for San Mateo County; and

WHEREAS, C/CAG has placed a measure (Measure M) on the November 2, 2010 ballot which measure, if passed, would allow the CMA to levy of a \$10 vehicle registration fee (VRF), for 25 years, on each motor vehicle registered within San Mateo County, which VRF would generate approximately \$6.7 million annually to be used for transportation-related congestion and water pollution mitigation programs and projects in San Mateo County; and

WHEREAS, the passage of Measure M would generate the funding to help maintain neighborhood streets, fix potholes, provide transportation options, improve traffic circulation, provide transit options including senior and disabled services, reduce congestion, reduce water pollution from oil and gas runoff, and provide safe routes to schools; and

WHEREAS, Measure M includes an Expenditure Plan that allocates up to five percent (5%) of the proceeds to be used for program administration, with fifty percent (50%) of the net revenue allocated to the 20 cities and the County for local streets and roads and fifty percent 50% to countywide transportation programs; and

WHEREAS, an Implementation Plan would be updated every five years and annual audits performed to assure that all funds be spent for programs and projects in San Mateo County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the City/County Association of Governments of San Mateo County by a vote of approval by Board Members:

Endorses Measure M, the "Local Transportation Improvement In San Mateo County" measure on the November 2, 2010, ballot which measure would impose an additional fee of \$10 on each motor vehicle registered in San Mateo County, for 25 years, the proceeds to be used for transportation-related congestion and water pollution mitigation programs and projects in San Mateo County.

PASSED, APPROVED, AND ADOPTED THIS 16TH DAY OF SEPTEMBER 2010.

Thomas M. Kasten, Chair

Local Transportation Improvements In San Mateo County

On November 2, 2010 Ballot

The City/County Association of Governments of San Mateo County (C/CAG), the Congestion Management Agency for San Mateo County, is placing a measure on the November 2, 2010 ballot requesting an additional \$10 motor vehicle registration fee, for 25 years, to provide needed funding to help maintain neighborhood streets, fix potholes, provide transit options for including senior and disabled services, provide safe routes to schools, reduce congestion, and reduce water pollution from oil and gas runoff. All revenues will be spent on projects in San Mateo County.

BENEFITS:

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



California Government Code section 65089.20 enabled the C/CAG, as the Congestion Management Agency, to place the new Vehicle Registration Fee before the voters of San Mateo County. The additional fee would generate about \$6.7 million per year for 25 years. San Mateo County has significant unfunded transportation needs and this money would help fund some of those needs. All funds would be spent on programs and projects that benefits residents in the 20 cities within San Mateo County and the unincorporated County.

EXPENDITURE PLAN

Categories	Local Streets and Roads 50%	Countywide Transportation Programs 50%
Programs	<ul style="list-style-type: none"> • Congestion Mitigation Programs (Roadway maintenance, pothole repairs, and traffic congestion management) • Water Pollution Prevention 	<ul style="list-style-type: none"> • Transit Operations including Senior and Disabled Services • Safe Routes to School • Regional Traffic Congestion Management • Water Pollution Prevention Program
Benefits	<ul style="list-style-type: none"> • Maintains streets and roads • Reduces traffic congestion and delays • Reduces air pollution • Reduces water pollution for oil and gas runoff 	<ul style="list-style-type: none"> • Provides transit service and local mobility options • Reduces vehicle trips to schools • Improves countywide traffic circulation • Reduces impacts of transportation on the environment
Includes	<ul style="list-style-type: none"> • Up to 5% for administrative services (Net revenue funds Expenditure Plan) • Implementation Plan will be adopted by C/CAG and updated every 5 years • Independent Audit will be performed annually 	



For more information:
 City/County Association of Governments of San Mateo County (C/CAG)
 555 County Center, 5th Floor, Redwood City, CA 94063
 650-599-1406 (ph) 650-361-8227 (fax)
www.ccag.ca.gov

Local Transportation Improvements in San Mateo County

Frequently Asked Questions

- **What is C/CAG?**

The City/County Association of Governments of San Mateo County (C/CAG) is the designated Congestion Management Agency (CMA) for San Mateo County responsible for the coordinating, planning, and programming of transportation, land-use, water pollution prevention, and air quality related programs and projects. C/CAG provides a cooperative, cost-effective means of responding to countywide planning, transportation and other mandates from the State of California and the Federal Government. All 20 cities and the County have one representative (from the elected members of the Board/Council) on the C/CAG Board of Directors.

- **What is the difference between vehicle registration fee and vehicle license fee?**

A registration fee is a flat fee whereas a license fee is variable based on the value of the vehicle.

- **What can the additional \$10 Vehicle Registration Fee (VRF) be used for?**

The funds must be used for transportation-related programs and projects that have a relationship or benefit to the owners of the vehicles paying the VRF. Funds would be used for programs to repair and maintain local streets and roads; improve traffic safety for vehicles, bicycles, and pedestrians; reduce traffic congestion; reduce air and water pollution; and help sustain transit operations including seniors and disable services. Fifty percent (50%) of the funds will go directly back to each city/town for their use.

- **When would the fee take effect and how long will the fee be collected for?**

The collection of the fees would begin in May 2011 and last for 25 years until April 2036.

- **How much money will the fee generate?**

The additional VRF will generate about \$6.7 million annually based on current estimates.

- **How much money will be spent on administration?**

California Government Code section 65089.20 limits the amount for administration cost to 5% (about \$335,000 per year). C/CAG estimates that actual annual cost to administer the program will be near 2% (\$134,000). The unused administration funds would be distributed to the programs and may be used for startup costs.

- **How would the cities and the County receive the Local Streets and Roads money?**

Per the Expenditure Plan, annually, about \$3.2 million would be allocated to the 20 cities and the County based on the proportionate share of populations and road miles, with a minimum guaranteed of \$75,000 per year for smaller jurisdictions. Cities and the County would receive the money on a reimbursement basis.

- **How would funding for the various Countywide Transportation Programs be determined?**

C/CAG would develop a detailed Implementation Plan that specifies percentages of the funds that would be allocated to each program listed in the Expenditure Plan. This Implementation Plan would be updated every 5 years.

- **There's already an existing \$4 VRF in San Mateo County, what's the difference between this and the new \$10 VRF?**

The new \$10 VRF will replace the existing \$4 VRF. The \$4 VRF will expire on December 31, 2012, therefore, there will be an overlap of about 18 months where both VRFs are collected concurrently.

C/CAG AGENDA REPORT

Date: September 16, 2010
To: City/County Association of Governments Board of Directors
From: Richard Napier, C/CAG Executive Director
Subject: Receive Status Report on Unfunded Mandates Test Claim Process Related to Municipal Regional Stormwater Permit

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

RECOMMENDATION

The C/CAG Board receive a status report on unfunded mandates test claims process related to Municipal Regional Stormwater Permit.

FISCAL IMPACT

Current C/CAG expenditure for funding the creation and distribution of model documents is approximately \$35,000. Sufficient funds for this expenditure were included in the FY 2009-10 and 2010-11 budgets for the Countywide Water Pollution Prevention Program (Countywide Program).

SOURCE OF FUNDS

Funds for the current effort to develop the model test claim documents were included in the Fiscal Year 2009-10 (\$75,000) and 2010-11 (\$75,000) Countywide Program budgets.

BACKGROUND/DISCUSSION

The Municipal Regional Permit (MRP) was adopted in October 2009 and went into effect on December 1, 2009. Since adoption of the permit, Countywide Program staff worked with its technical consultants to develop cost estimates for the five years that the MRP is in effect. The cost for the Countywide Program to meet the MRP requirements is expected to exceed revenue and reserve funds, resulting in a deficit for C/CAG of over \$400,000 at the end of the permit term. Recent decisions by the California Commission on State Mandates (Commission) regarding requirements in Los Angeles and San Diego municipal stormwater permits indicate some provisions in the MRP may be state mandates requiring reimbursement by the State. Therefore, in an effort to explore all options for funding the new MRP requirements, the Countywide Program partnered with the Santa Clara, Alameda, and Fairfield-Suisun stormwater programs to 1) analyze the MRP to determine which provisions have a high probability of success for being declared unfunded mandates, and 2) prepare model documents that could be used by all jurisdictions within those programs for filing test claims on those provisions, should those jurisdictions so choose. The model documents were distributed to C/CAG's member agencies on August 19, 2010.

ITEM 6.2

Commission rules require submittal of test claims within one year of adoption of the MRP, so jurisdictions have until October 14, 2010 to file. Countywide Program staff provided a briefing and question and answer session on the model documents and test claim process for the staff and city attorneys of all jurisdictions on August 31, 2010.

Now, each jurisdiction needs to decide whether to file a test claim with the Commission before the October 14, 2010 deadline. C/CAG is not a co-permittee on the MRP, so, although C/CAG has effectively been assigned by its members to perform and fund many of the compliance tasks within the MRP on behalf of the member agencies, it is ineligible to file a test claim with the Commission.

Should C/CAG's member agencies decide to file test claims, it would be advantageous and more cost effective for member agencies if C/CAG continues to fund joint efforts to support and defend the claims. However, it will not be known until the next C/CAG Board meeting how many and which C/CAG members have filed test claims. At that time, the C/CAG Board may consider the form and extent of its continued support for the test claim efforts. Costs for C/CAG to continue supporting its member agencies through the test claim process are not known; however, the Countywide Program has included \$75,000 per year for each of the five years of the MRP term for efforts such as the unfunded mandate process, permit appeals, and litigation.

ALTERNATIVES

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

C/CAG AGENDA REPORT

Date: September 16, 2010

TO: C/CAG Board of Directors

From: Richard Napier, Executive Director - C/CAG

Subject: Review and adoption of Resolution 10-52: Resolution to Approve a Contract between the Board of Administration California Public Employees Retirement System and the Board of Directors City/ County Association of Governments of San Mateo County (C/CAG)

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

Recommendation:

Review and adoption of Resolution 10-52: Resolution to Approve a Contract between the Board of Administration California Public Employees Retirement System and the Board of Directors City/ County Association of Governments of San Mateo County (C/CAG) in accordance with the staff recommendation.

Fiscal Impact:

Employee cost included in the adopted FY 2010-11 Budget. The proposed PERS contract has a 3.5% lower rate than current so there will be a small savings for the cost of the Executive Director and Administrative Assistant.

Source of Revenue:

All C/CAG revenue sources.

Background/ Discussion:

The C/CAG Executive Director and Administrative Assistant are covered by the City of Redwood City payroll with the employment costs to Redwood City reimbursed by C/CAG. Therefore, all benefits provided to the employees are provided through the City of Redwood City. The California Public Employee Retirements System (PERS) performed an audit on the City of Redwood City and determined that a separate contract with C/CAG was preferred. C/CAG made an application to PERS as requested. The objective is for the C/CAG - PERS contract to create benefits equal to what is currently provided by Redwood City.

The C/CAG Board approved the Resolution of Intention to contract with PERS at the August 12, 2010 C/CAG Board Meeting. The required 20 days have passed since the Resolution of Intention was adopted. Therefore, the formal adoption of the final contract with PERS is before the Board.

ITEM 6.3

C/CAG Board Action:

The only issue for the Board is authorization to approve the final contract with PERS.

Resolution 10-52 Approve the final contract with PERS

Resolution 10-52 provides PERS retirement benefits equal to what is currently offered by Redwood City. C/CAG staff recommends approval of Resolution 10-52 as presented and to authorize the C/CAG Chair to execute the contract and any supporting documents.

Future Annual Costs:

The proposed PERS - C/CAG contract cost is 11.830 percent employer and 8 percent employee.

This contract rate is 3.5% lower than the current level because the City of Redwood City has amortized payments for past retroactive benefits that are included in their PERS rate. This will result in a small savings to C/CAG for the cost of the Executive Director and Administrative Assistant.

This C/CAG - PERS rate is subject to review and adjustment by PERS in the future based on historical data and other factors.

Attachment:

Resolution 10-52

Alternatives:

- 1- Review and adoption of Resolution 10-52: Resolution to Approve a Contract between the Board of Administration California Public Employees Retirement System and the Board of Directors City/ County Association of Governments of San Mateo County (C/CAG) in accordance with the staff recommendation.
- 2- No action.

RESOLUTION 10-52

**RESOLUTION TO APPROVE A CONTRACT BETWEEN THE BOARD OF
ADMINISTRATION CALIFORNIA PUBLIC EMPLOYEES RETIREMENT
SYSTEM AND THE BOARD OF DIRECTORS CITY/ COUNTY ASSOCIATION
OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG)**

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

RESOLUTION AUTHORIZING A CONTRACT

No. _____

WHEREAS, the Public Employees' Retirement Law provides for the participation of a Public Agency in the California Public Employees' Retirement System, making its employees members of said System; and

WHEREAS, the Board of Directors of the City/County Association of Governments of San Mateo County (C/CAG) on _____, _____, adopted a Resolution giving notice of intention to approve a contract providing for such participation; and

WHEREAS, the employees of said public agency, whose memberships in said Retirement System are contemplated, have approved said participation, by majority vote;

NOW, THEREFORE, BE IT RESOLVED, that a contract between the Board of Directors of the City/County Association of Governments of San Mateo County (C/CAG) and the Board of Administration, California Public Employees' Retirement System is hereby authorized, a copy of said contract being attached hereto and by such reference made a part hereof as though herein set out in full; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the presiding officer of said governing body is hereby authorized, empowered and directed to execute said contract for and on behalf of said public agency.

Adopted this _____ day of _____, _____.

Presiding Officer

Attest:

Clerk or Secretary

CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM
Actuarial and Employer Services Branch
Public Agency Contract Services
P.O. Box 942709
Sacramento, CA 94229-2709
(888) CalPERS (225-7377)

**CERTIFICATION
OF
FINAL ACTION OF GOVERNING BODY**

I hereby certify that the _____ of the
(governing body)

_____ of the
(public agency)

considered and adopted on _____, _____, by an affirmative
(date)

vote of a majority of the members of said Governing Body, **Ordinance / Resolution** No. _____ approving the attached contractual agreement between the Governing Body of said Agency and the Board of Administration of the California Public Employees' Retirement System, a certified copy of said **Ordinance / Resolution** in the form furnished by said Board of Administration being attached hereto.

Adoption of the retirement benefit increase was not placed on the consent calendar.

Clerk/Secretary

Title

Date _____



California
Public Employees' Retirement System

CONTRACT

Between the
Board of Administration
California Public Employees' Retirement System
and the
Board of Directors
City/County Association of Governments of San
Mateo County (C/CAG)

In consideration of the covenants and agreement hereafter contained and on the part of both parties to be kept and performed, the governing body of above public agency, hereafter referred to as "Public Agency", and the Board of Administration, Public Employees' Retirement System, hereafter referred to as "Board", hereby agree as follows:

1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for local miscellaneous members.
2. Public Agency shall participate in the Public Employees' Retirement System from and after _____ making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.

3. Public Agency agrees to indemnify, defend and hold harmless the California Public Employees' Retirement System (CalPERS) and its trustees, agents and employees, the CalPERS Board of Administration, and the California Public Employees' Retirement Fund from any claims, demands, actions, losses, liabilities, damages, judgments, expenses and costs, including but not limited to interest, penalties and attorneys fees that may arise as a result of any of the following:
 - (a) Public Agency's election to provide retirement benefits, provisions or formulas under this Contract that are different than the retirement benefits, provisions or formulas provided under the Public Agency's prior non-CalPERS retirement program.
 - (b) Public Agency's election to amend this Contract to provide retirement benefits, provisions or formulas that are different than existing retirement benefits, provisions or formulas.
 - (c) Public Agency's agreement with a third party other than CalPERS to provide retirement benefits, provisions, or formulas that are different than the retirement benefits, provisions or formulas provided under this Contract and provided for under the California Public Employees' Retirement Law.
 - (d) Public Agency's election to file for bankruptcy under Chapter 9 (commencing with section 901) of Title 11 of the United States Bankruptcy Code and/or Public Agency's election to reject this Contract with the CalPERS Board of Administration pursuant to section 365, of Title 11, of the United States Bankruptcy Code or any similar provision of law.
 - (e) Public Agency's election to assign this Contract without the prior written consent of the CalPERS' Board of Administration.
 - (f) The termination of this Contract either voluntarily by request of Public Agency or involuntarily pursuant to the Public Employees' Retirement Law.
 - (g) Changes sponsored by Public Agency in existing retirement benefits, provisions or formulas made as a result of amendments, additions or deletions to California statute or to the California Constitution.
4. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
 - a. Employees other than local safety members (herein referred to as local miscellaneous members).

5. Any exclusion(s) shall remain in effect until such time as the Public Employees' Retirement System determines that continuing said exclusion(s) would risk a finding of non-compliance with any federal tax laws or regulations. If such a determination is contemplated, the Public Employees' Retirement System will meet with the Public Agency to discuss the matter and coordinate any required changes or amendments to the contract.

In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:

- a. **SAFETY EMPLOYEES; AND**
 - b. **MEMBERS OF THE GOVERNING BODY FIRST ELECTED OR APPOINTED PRIOR TO JULY 1, 1994. (Elected or appointed officials who are first elected or appointed on or after July 1, 1994 or to a term of office not consecutive with a term held on June 30, 1994 are excluded pursuant to Government Code Section 20322).**
6. The percentage of final compensation to be provided for local miscellaneous members for each year of credited prior service is 0% and the percentage of final compensation to be provided for each year of credited current service is 100% and determined in accordance with Section 21354.5 of said Retirement Law (2.7% at age 55 Full formula).
 7. Public Agency elects to be subject to the following optional provisions:
 - a. Section 20042 (One-Year Final Compensation).
 - b. Section 20903 (Two Years Additional Service Credit).
 8. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members of said Retirement System.
 9. Public Agency shall also contribute to said Retirement System as follows:
 - a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members.

- b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
 - c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.
10. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.
11. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

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

BY _____
LORI MCGARTLAND, CHIEF
EMPLOYER SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY _____
PRESIDING OFFICER

Witness Date

Attest:

Clerk

CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

Actuarial and Employer Services Branch

Public Agency Contract Services

(888) CalPERS (225-7377)

SUMMARY OF MAJOR PROVISIONS

2.7% @ 55 Formula (Section 21354.5)

Local Miscellaneous Members

SERVICE RETIREMENT

To be eligible for service retirement, a member must be at least age 50 and have five years of CalPERS credited service. There is no compulsory retirement age.

The monthly retirement allowance is determined by age at retirement, years of service credit and final compensation. The basic benefit is 2.7% of final compensation for each year of credited service upon retirement at age 55. If retirement is earlier than age 55, the percentage of final compensation decreases for each quarter year of attained age to 2% at age 50.

Final compensation is the average monthly pay rate during the last consecutive 36 months of employment, or 12 months if provided by the employer's contract, unless the member designates a different period of 36 or 12 consecutive months when the average pay rate was higher.

DISABILITY RETIREMENT

Members substantially incapacitated from performing the usual duties for the position for his/her current employer, and from performing the usual duties of the position for other CalPERS covered employers (including State agencies, schools, and local public agencies), and where similar positions with these other employers with reasonably comparable in pay, benefits, and promotional opportunities are not available, would be eligible for disability retirement provided they have at least five years of service credit. The monthly retirement allowance is 1.8% of final compensation for each year of service. The maximum percentage for members who have between 10.000 and 18.518 years of service credit is one-third of their final compensation. If the member is eligible for service retirement the member will receive the highest allowance payable, service or disability. If provided by the employer's contract, the benefit would be a minimum of 30% of final compensation for the first five years of service credit, plus 1% for each additional year of service to a maximum benefit of 50% of final compensation.

INDUSTRIAL DISABILITY RETIREMENT

If provided by the employer's contract, members permanently incapacitated from performing their duties, as defined above under Disability Retirement, and the disability is a result of a job-related injury or illness may receive an Industrial Disability Retirement benefit equal to 50% of their final compensation. If provided in the employer's contract and the member is totally disabled, the disability retirement allowance would equal 75% of final compensation in lieu of the disability retirement allowance otherwise provided. If the member is eligible for service retirement, the service retirement allowance is payable. The total allowance cannot exceed 90% of final compensation.

PRE-RETIREMENT DEATH BENEFITS

Basic Death Benefit: This benefit is a refund of the member's contributions plus interest and up to six months' pay (one month's salary rate for each year of current service to a maximum of six months).

1957 Survivor Benefit: An eligible beneficiary may elect to receive either the Basic Death Benefit or the 1957 Survivor Benefit. ~~The 1957 Survivor Benefit provides a monthly allowance equal to one-half of the highest service retirement allowance the member would have received had he/she retired on the date of death. The 1957 Survivor Benefit is payable to the surviving spouse or registered domestic partner until death or to eligible unmarried children until age 18.~~

1959 Survivor Benefit: (If provided by the employer's contract and the member is not covered under social security.) A surviving spouse or registered domestic partner and eligible children may receive a monthly allowance as determined by the level of coverage. This benefit is payable in addition to the Basic Death Benefit or 1957 Survivor Benefit. Children are eligible if under age 22 and unmarried.

Pre-Retirement Optional Settlement 2 Death Benefit: (If provided by the employer's contract.) The spouse or registered domestic partner of a deceased member, who was eligible to retire for service at the time of death, may elect to receive the Pre-Retirement Optional Settlement 2 Death Benefit in lieu of the lump sum Basic Death Benefit. The benefit is a monthly allowance equal to the amount the member would have received if he/she had retired for service on the date of death and elected Optional Settlement 2, the highest monthly allowance a member can leave a spouse or registered domestic partner.

COST-OF-LIVING ADJUSTMENTS

The cost of living allowance increases are limited to a maximum of 2% compounded annually unless the employer's contract provides a 3, 4, or 5% increase.

DEATH AFTER RETIREMENT

The lump sum death benefit is \$500 (or \$600, \$2,000, \$3,000, \$4,000 or \$5,000 if provided by the employer's contract) regardless of the retirement plan chosen by the member at the time of retirement.

TERMINATION OF EMPLOYMENT

Members who have separated from employment may elect to leave their contributions on deposit or request a refund of contributions and interest. Those who leave their contributions on deposit may apply at a later date for a monthly retirement allowance if the minimum service and age requirements are met. Members who request a refund of their contributions terminate their membership and are not eligible for any future benefits unless they return to CalPERS membership.

EMPLOYEE CONTRIBUTIONS

Miscellaneous members covered by the 2.7% @ 55 formula contribute 8% of reportable earnings. Those covered under a modified formula (coordinated with Social Security) do not contribute on the first \$133.33 earned.

The employer also contributes toward the cost of the benefits. The amount contributed by the employer for current service retirement benefits generally exceeds the cost to the employee. In addition, the employer bears the entire cost of prior service benefits (the period of time before the employer provided retirement coverage under CalPERS). All employer contribution rates are subject to adjustment by the CalPERS Board of Administration.

C/CAG AGENDA REPORT

Date: September 16, 2010
To: C/CAG Board of Directors
From: Richard Napier, Executive Director
Subject: Presentation on the Draft Grand Boulevard Multimodal Transportation Corridor Plan.

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

A verbal report will be provided at the meeting.

ITEM 6.4.1

C/CAG AGENDA REPORT

Date: September 16, 2010
To: C/CAG Board of Directors
From: Richard Napier, Executive Director
Subject: Review and approval of Resolution 10-54 authorizing the C/CAG Chair to execute the Second Amendment to Memorandum of Understanding between San Mateo County Transit District, City/County Association of Governments of San Mateo County, and Santa Clara Valley Transportation Authority for the implementation of the Grand Boulevard Multimodal Transportation Corridor Plan.

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

RECOMMENDATION

That the C/CAG Board review and approve of Resolution 10-54 authorizing the C/CAG Chair to execute the Second Amendment to Memorandum of Understanding between San Mateo County Transit District, City/County Association of Governments of San Mateo County, and Santa Clara Valley Transportation Authority for the implementation of the Grand Boulevard Multimodal Transportation Corridor Plan.

FISCAL IMPACT

The fiscal impact will be that the C/CAG will now receive \$8,404 as a reimbursement from the Caltrans grant for staff time that C/CAG has spent on the project.

SOURCE OF FUNDS

State of California Transportation Planning Grant

BACKGROUND/DISCUSSION

C/CAG, the Santa Clara Valley Transportation Authority (VTA), and the San Mateo County Transit District (SamTrans) partnered in October of 2006 for a Caltrans planning grant application for a Grand Boulevard Multimodal Transportation Corridor Plan (Corridor Plan). The application was approved and a transportation-planning grant in the amount of \$299,178 was awarded by Caltrans for the development of the Corridor Plan.

ITEM 6.4.2

The goal of the Corridor Plan is to facilitate development of a plan for improved transportation, with an emphasis on transit and land use in the El Camino Real Corridor (State Highway 82) from Daly City to San Jose's Diridon Station in support of smart growth. The Corridor Plan will guide the transformation of El Camino Real into a transit and pedestrian friendly, high-performing multi-modal arterial where all modes of transportation move efficiently and safely.

The three partner agencies entered into a Memorandum of Understanding dated June 18, 2008 to specify each party's obligations regarding local match commitments, the Scope of Work, and other general provisions for implementation of the Corridor Plan. VTA, SamTrans, and C/CAG also executed a First Amendment to Memorandum of Understanding dated August 4, 2009.

The attached Second Amendment to Memorandum of Understanding for the implementation of the Grand Boulevard Multimodal Transportation Corridor Plan is being brought forward to move unused Caltrans grant funds in the Project Budget from Task 6 to Task 5. Additionally, the amendment moves funds from Consultant Cost to Staff Cost in Task 3 and Task 6. The result of the amendment is that it will now allow VTA to receive \$15,595 and C/CAG to receive \$8,404 as reimbursement for staff time. It also will move \$7,378 (unspent funds from Task 6) to Task 5 for the work being completed by the consultant, Bottomley Associates. The additional work under Task 5 on the Street Design Guidelines was mainly derived from requests from Caltrans for revisions on the Street Design Guidelines.

ATTACHMENTS

- Resolution 10-54
- Second Amendment to Memorandum of Understanding for the implementation of the Grand Boulevard Multimodal Transportation Corridor Plan

RESOLUTION 10-54

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 THE SECOND AMENDMENT TO MEMORANDUM OF UNDERSTANDING BETWEEN SAN MATEO COUNTY TRANSIT DISTRICT, CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY, AND SANTA CLARA VALLEY TRANSPORTATION AUTHORITY FOR THE IMPLEMENTATION OF THE GRAND BOULEVARD MULTIMODAL TRANSPORTATION CORRIDOR PLAN.

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

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

WHEREAS, C/CAG, San Mateo County Transit District (SamTrans), and the Santa Clara Valley Transportation Authority (VTA) received A \$299,178 Caltrans Transportation Planning Grant to facilitate the development of a plan for improved transportation, with an emphasis on transit and land use on the El Camino Real Corridor from Daly City to San Jose's Diridon Station in support of smart growth; and

WHEREAS, SamTrans, VTA and C/CAG entered into a Memorandum of Understanding (MOU) dated June 18, 2008 to specify each party's obligations regarding their local match commitments, work scope and other general provisions for implementation of the Corridor Plan; and

WHEREAS, Samtrans, VTA, and C/CAG executed the First Amendment to Memorandum of Understanding dated August 4, 2009 to allow VTA to provide some modeling work required for Task 2 of the Corridor Plan Scope of Work, and to update the Project Budget, Project Schedule and Organization Chart; and

WHEREAS, Samtrans, VTA, and C/CAG desire to amend the Memorandum of Understanding such that VTA will now receive \$15,595 and C/CAG will now receive \$8,404 from the Caltrans grant as reimbursement for staff time and to move \$7,378 in the budget from Task 6 to Task 5.

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 hereby authorized to execute the Second Amendment to Memorandum of Understanding between San Mateo County Transit District, City/County Association of

Governments of San Mateo County, and Santa Clara Valley Transportation Authority for the implementation of the Grand Boulevard Multimodal Transportation Corridor Plan.

PASSED, APPROVED, AND ADOPTED THIS 16TH DAY OF SEPTEMBER 2010.

Thomas M. Kasten, Chair

SECOND AMENDMENT

TO

**MEMORANDUM OF UNDERSTANDING FOR THE IMPLEMENTATION OF THE
GRAND BOULEVARD MULTIMODAL TRANSPORTATION CORRIDOR PLAN**

This Second Amendment (“**Second Amendment**”) to the Memorandum of Understanding for the Implementation of the Grand Boulevard Multimodal Transportation Corridor Plan, dated June 18, 2008, and amended August 4, 2009 (“**Agreement**”), is entered into this _____ day of _____, 2010, between the San Mateo County Transit District (“**District**” or “**SamTrans**”), the City/County Association of Governments of San Mateo County (“**C/CAG**”) and the Santa Clara Valley Transportation Authority (“**VTA**”).

WHEREAS, the District has been designated by the Metropolitan Transportation Commission (“**MTC**”) as the subgrantee of an FTA Section 5304 Caltrans Statewide Transit Planning Study Grant (“**Grant**”) to fund the Grand Boulevard Multimodal Transportation Corridor Plan (“**Corridor Plan**”); and

WHEREAS, the District, VTA and C/CAG entered into the Agreement to specify each party’s obligations regarding their local match commitments, work scope and other general provisions for implementation of the Corridor Plan; and

WHEREAS, the District, VTA and C/CAG first amended the Agreement to provide for additional work under Task 2 of the Corridor Plan Scope of Work and to update the Project Budget, Project Schedule and Organizational Chart; and

WHEREAS, the District, VTA and C/CAG now desire to amend the Agreement to reflect that VTA staff will complete a larger share of the work required for Task 3 and that VTA and C/CAG staff will provide all of the work required for Task 6; to move funding from Task 6 to Task 5 for consultant work; and to update the Project Budget and Project Schedule.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. **Amendment of Section 2. Funding of Corridor Plan, d. Specific Financial Obligations, d) Task 3.** “Section 2. Funding of Corridor Plan, d. Specific Financial Obligations,

d) Task 3” of the Agreement is hereby amended by replacing the section in its entirety with the following:

“d) Task 3

C/CAG will provide a local match of \$3,520 and will submit a requisition to the District for this amount. VTA will provide a local match of \$16,000 and will contract with a consultant for \$17,266 in project work. VTA will also provide \$30,311 in staff time for project work, which will be reimbursed with Grant funds. VTA will submit separate requisitions to the District for these amounts. The District will provide a local match of \$8,894 and will submit requisitions to the MTC for the total local match, VTA staff time, and consultant costs.”

2. Amendment of Section 2. Funding of Corridor Plan, d. Specific Financial

Obligations, f) Task 5. “Section 2. Funding of Corridor Plan, d. Specific Financial Obligations, f) Task 5” of the Agreement is hereby amended by replacing the section in its entirety with the following :

“f) Task 5

C/CAG will provide a local match of \$5,200 and will contract with a consultant for \$92,270 in project work. C/CAG will submit separate requisitions to the District for these amounts. VTA will provide a local match of \$6,320 and will submit a requisition to the District for this amount. The District will provide a local match of \$13,674 and will submit a requisition to the MTC for the total local match and consultant costs.”

3. Amendment of Section 2. Funding of Corridor Plan, d. Specific Financial

Obligations, g) Task 6. “Section 2. Funding of Corridor Plan, d. Specific Financial Obligations, g) Task 6” of the Agreement is hereby amended by replacing the section in its entirety with the following:

“g) Task 6

“C/CAG will provide a local match of \$6,000 and will provide \$8,404 in staff time for project work, which will be reimbursed with Grant funds. C/CAG will submit separate requisitions to the District for these amounts. VTA will provide a local match of \$12,400 and will provide \$8,404 in staff time for project work, which will be reimbursed with Grant funds. VTA will submit separate requisitions to the District for these amounts. The District will provide a local match of \$3,113 and will submit a requisition to the MTC for the total local match and staff time costs.”

4. Amendment of Section 5. Term. “Section 5. Term” is hereby amended by replacing “September 30, 2010” with “December 31, 2010.”

5. Amendment of ATTACHMENT B-1 Project Budget. “ATTACHMENT B-1 Project Budget” of the Agreement is hereby amended by replacing the Project Budget with the amended budget, attached to this Second Amendment as ATTACHMENT B-2.

6. Amendment of ATTACHMENT C-1 Project Schedule. “ATTACHMENT C-1 Project Schedule” is hereby amended by replacing the Project Schedule with the amended schedule, attached to this Second Amendment as ATTACHMENT C-2.

7. **Effect of Amendment.** Excepting only the terms and provisions specifically set forth in this Second Amendment, the terms and provisions of the Agreement shall remain in full force and effect. In the event of a conflict between the terms and provisions of the Agreement and the terms and provisions of this Second Amendment, the terms and provisions of this Second Amendment shall govern and control.

IN WITNESS WHEREOF, the Parties have entered into this Second Amendment on the date above written.

**Santa Clara Valley
Transportation Authority**

San Mateo County Transit District

By: _____

Michael T. Burns
General Manager

By: _____

Michael J. Scanlon
General Manager/CEO

Date

Date

APPROVED AS TO FORM:

APPROVED AS TO FORM

Attorney for VTA

Attorney for the District

Date

Date

**City/County Association of Governments of
San Mateo County**

By: _____

Thomas M. Kasten
Chair

Date

APPROVED AS TO FORM:

Attorney for C/CAG

Date

ATTACHMENT B-2

Project Budget

WORK ITEMS	Consultant Cost	Staff Cost	SamTrans In-Kind	C/CAG Kind	In- VTA Kind	In- Total In-Kind	Total Cost
TASK 0: Project Refinement	\$0	\$0	\$11,562	\$2,720	\$2,720	\$17,002	\$17,002
TASK 1: Execute MOU	\$0	\$0	\$7,115	\$1,920	\$1,920	\$10,955	\$10,955
TASK 2: Conduct Transportation and Land Use Analysis	\$47,987	\$15,000	\$8,338	\$28,400	\$27,000	\$63,738	\$126,725
TASK 3: Assess Current and Future Transit Ridership	\$17,266	\$30,311	\$8,894	\$3,520	\$16,000	\$28,414	\$75,991
TASK 4: Develop Multimodal Access Strategies	\$55,800	\$0	\$14,675	\$16,000	\$7,520	\$38,195	\$93,995
TASK 5: Develop Corridor-Wide Design Coordination Strategies	\$92,270	\$0	\$13,674	\$5,200	\$6,320	\$25,194	\$117,464
TASK 6: Develop Corridor Operations and Management Policy	\$0	\$16,809	\$3,113	\$6,000	\$12,400	\$21,513	\$38,322
TASK 7: Prepare Final Reports and Presentations	\$23,735	\$0	\$3,113	\$1,760	\$1,840	\$6,713	\$30,448
TOTALS	\$237,058	\$62,120	\$70,484	\$65,520	\$75,720	\$211,724	\$510,902

ATTACHMENT C-2

Project Schedule

Tasks	Estimated Completion
TASK 0: Project Refinement	April 2008
TASK 1: Execute MOU	August 2008
TASK 2: Conduct Transportation and Land Use Analysis	March 2010
TASK 3: Assess Current and Future Transit Ridership	March 2010
TASK 4: Develop Multimodal Access Strategies	May 2010
TASK 5: Develop Corridor-Wide Coordination Strategies	May 2010
TASK 6: Develop Corridor Operations and Management Policy	May 2010
TASK 7: Prepare Final Reports and Presentations	December 2010

C/CAG AGENDA REPORT

Date: September 16, 2010
To: C/CAG Board of Directors
From: Richard Napier, Executive Director
Subject: Review and approval of Resolution 10-55 authorizing the C/CAG Chair to execute the First Amendment to the Bottomley Associates Agreement for the implementation of the Grand Boulevard Multimodal Transportation Corridor Plan to add \$7,378 for a new total cost not to exceed \$148,070.

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

RECOMMENDATION

That the C/CAG Board review and approve of Resolution 10-55 authorizing the C/CAG Chair to execute the First Amendment to the Bottomley Associates Agreement for the implementation of the Grand Boulevard Multimodal Transportation Corridor Plan to add \$7,378 for a new total cost not to exceed \$148,070.

FISCAL IMPACT

This First Amendment to the Bottomley Associates Agreement will increase the agreement amount by \$7,378 which will be fully reimbursed by the State of California Transportation Planning Grant. Therefore, there is no net fiscal impact to C/CAG as the additional funds to be added by the amendment will be reimbursed by the Caltrans grant for the Grand Boulevard Multimodal Transportation Corridor Plan.

SOURCE OF FUNDS

The funds that will be reimbursed by the grant will be derived from the Congestion Relief Program.

BACKGROUND/DISCUSSION

C/CAG, the Santa Clara Valley Transportation Authority (VTA), and the San Mateo County Transit District (SamTrans) partnered in October of 2006 for a Caltrans planning grant application for a Grand Boulevard Multimodal Transportation Corridor Plan (Corridor Plan). The application was approved and a transportation-planning grant in the amount of \$299,178 was awarded by Caltrans for the development of the Corridor Plan.

ITEM 6.4.3

On behalf of the partner agencies C/CAG agreed to hold the agreement with Bottomley Associates for the completion of Tasks 4 and Task 5, which were to develop the Multimodal Access Strategy and the Street Design Guidelines, respectively. As a result of a number of requests from Caltrans to revise the Street Design Guidelines, the work by the consultant has gone over the originally budgeted and contracted amount by \$7,378. This cost increase is offset by cost savings from Task 6. The moving of funds from Task 6 to Task 5 is enabled by Resolution 10-54. The attached amendment is to increase the original agreement with Bottomley Associates by \$7,378 and to extend the agreement to October 30, 2010. This amendment will result in no net cost to C/CAG as C/CAG will be reimbursed for the additional \$7,378 from the Caltrans planning grant. This amendment shall be in a form to be approved by C/CAG Legal Counsel.

ATTACHMENTS

- Resolution 10-55
- First Amendment to Agreement between City/County Association of Governments and Bottomley Associates

RESOLUTION 10-55

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 THE FIRST AMENDMENT TO THE BOTTOMLEY ASSOCIATES AGREEMENT FOR THE IMPLEMENTATION OF THE GRAND BOULEVARD MULTIMODAL TRANSPORTATION CORRIDOR PLAN TO ADD \$7,378 FOR A NEW TOTAL COST NOT TO EXCEED \$148,070.

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, San Mateo County Transit District (SamTrans), and the Santa Clara Valley Transportation Authority (VTA) received A \$299,178 Caltrans Transportation Planning Grant to facilitate the development of a plan for improved transportation, with an emphasis on transit and land use on the El Camino Real Corridor from Daly City to San Jose's Diridon Station in support of smart growth; and

WHEREAS, C/CAG entered into an agreement with Bottomley Associates dated June 12, 2008 to complete Task 4 and Task 5 of the Scope of Work for the Grand Boulevard Multimodal Transportation Corridor Plan; and

WHEREAS, Samtrans, VTA, and C/CAG now desire to amend the Bottomley Associates Agreement such that an additional \$7,378 will be added to the agreement to cover additional costs incurred as a result of revisions to the Street Design Guidelines developed under Task 5 of the Scope of Work for the Grand Boulevard Multimodal Transportation Corridor Plan.

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 hereby authorized to execute the First Amendment to the Bottomley Associates Agreement for the implementation of the Grand Boulevard Multimodal Transportation Corridor Plan to add \$7,378 for a new total cost not to exceed \$148,070, subject to review and approval as to form by C/CAG Legal Counsel.

PASSED, APPROVED, AND ADOPTED THIS 16TH DAY OF SEPTEMBER 2010.

Thomas M. Kasten, Chair

**FIRST AMENDMENT TO AGREEMENT BETWEEN
CITY/COUNTY ASSOCIATION OF GOVERNMENTS
AND
BOTTOMLEY ASSOCIATES**

WHEREAS, the City/County Association of Governments (hereinafter referred to as C/CAG), and Bottomley Associates are parties to an Agreement dated August 12, 2008, regarding the Grand Boulevard Multimodal Transportation Corridor Plan (the "Original Agreement"); and

WHEREAS, the parties now desire to enter into this first amendment.

IT IS HEREBY AGREED by C/CAG and the Bottomley Associates that:

1. This first amendment shall be to provide additional funding and an extension of time in order for Bottomley Associates to complete Task 5 of the Grand Boulevard Multimodal Transportation Corridor Plan and the Original Agreement is hereby amended as set forth herein.

2. The added funding provided to the Bottomley Associates by C/CAG under this first amendment will be seven thousand three hundred seventy eight dollars (\$7,378), thereby making the new total contract maximum amount one hundred forty eight thousand and seventy dollars (\$148,070). The maximum amount available pursuant to this first amendment will be one hundred forty eight thousand and seventy dollars (\$148,070). The additional funds will be paid based upon the receipt of invoices for services provided as defined in Exhibit A.

3. The Contract Term, as specified in section 5 of the Original Agreement shall terminate on October 30, 2010.

4. All other provisions of the Original Agreement shall remain in full force and effect.

For C/CAG:

For Bottomley Associates:

Thomas M. Kasten, Chair

Date: _____

Date: _____

Approved as to form:

C/CAG Legal Counsel

Bottomley Associates Legal Counsel

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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August 12, 2010

Shaun Donovan, Secretary
U.S. Department of Housing and Urban Development
451 7th Street, SW
Washington, DC 20410

RE: Joint HUD Community Challenge Planning and TIGER II Planning Grant
Docket No. FR-5415-N-12
Grand Boulevard Initiative Implementation Planning


Dear Mr. Donovan,

On behalf of the City/County Association of Governments of San Mateo County (C/CAG), I am writing to strongly support the San Mateo County Transit District's application for TIGER II & HUD funds to lead Grand Boulevard Initiative Implementation Planning activities. The proposed program of interrelated projects will effectively address the barriers to achieving multimodal and economically viable communities along the 43-mile El Camino Real Corridor.

The Grand Boulevard Initiative (GBI) is a unique inter-jurisdictional collaboration consisting of 19 cities, San Mateo and Santa Clara counties, and local and regional agencies, united to transform an auto-oriented State Highway into a multimodal corridor of sustainable communities that support walking, transit and an improved quality of life. The proposed activities will build upon the substantial work completed and underway, including the Grand Boulevard Multimodal Transportation Corridor Plan and Phase I of an Economic and Housing Opportunities Assessment, and will advance the findings from these plans to implementation readiness. The planning activities will focus on key nodes, segments, and city-based planning efforts, as well as corridor-wide analyses to identify next steps towards implementing Grand Boulevard vision, enabling the Corridor to realize its full economic potential and become a sustainable communities model for the country. Each step of these activities will be supported by an integrated outreach program to foster civic engagement and local support for the objectives of livability and sustainability.

We believe that the Grand Boulevard Initiative is well-positioned to effectively facilitate the proposed activities based on their success to date, and the broad range participation and support by the cities, regional agencies, public and private partners. C/CAG has been an active participant in and sponsoring partner of the Grand Boulevard Initiative, and we wholeheartedly support the funding of this worthy project.

Sincerely,



Richard Napier
Executive Director, C/CAG

ITEM 9.1

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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August 16, 2010

Governor Arnold Schwarzenegger
State Capitol Building
Sacramento, CA 95814

RE: C/CAG Support of SB 1333 (Yee)

Dear Governor Schwarzenegger,

The City/ County Association of Governments of San Mateo County (C/CAG) is composed of elected representatives from the County of San Mateo and all 20 cities in the County. The Association was created in 1990, via a Joint Powers Agreement (JPA), to address a number of countywide issues, including airport/land use compatibility. At its Regular Meeting on June 10, 2010, the C/CAG Board of Directors unanimously endorsed SB 1333, which is on your desk for signature. SB 1333 is legislation to ensure that an avigation easement be granted by the real property owner to the airport proprietor prior to issuance of a building permit for construction of a noise sensitive project (residential, etc.) near an airport. Furthermore, the bill requires that the text of the easement document include a clause that operates to terminate the easement if the noise-sensitive project is not built and the building permit or any permit extension authorizing construction or reconstruction has expired or has been revoked.

C/CAG urges that you sign SB1333. This important legislation benefits both real property owners and airport proprietors regarding noise impacts from airport operations without unduly restricting the use of real property and the legal rights of citizens.

Thank you for your consideration.

Regards,



Thomas M. Kasten
C/CAG Chair

ITEM 9.2

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

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August 16, 2010

Charlotte Dickson, Director
Healthy Eating Active Living Cities Campaign
2201 Broadway Suite 502
Oakland, CA 94612

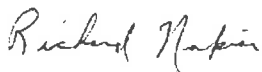
Dear Ms. Dickson,

I am writing to express the support of the City/County Association of Governments of San Mateo County for the grant application your organization is submitting to the Silicon Valley Community Foundation and to state our intention to co-host one of your training seminars for municipal officials.

Our constituency is interested in learning more about the relationship between health, land use and transportation planning, and welcomes the opportunity to hear about specific policies and planning strategies they can use in their local communities.

We welcome the addition of Healthy Eating Active Living Cities Campaign to the Peninsula's movement to improve the health of our cities and communities through land use and transportation policy and planning. The Campaign's track record with municipal officials around the State of California and in the Peninsula Counties will be an asset to our work.

Sincerely,



Richard Napier
Executive Director, C/CAG

ITEM 9.3

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

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August 19, 2010

Shaun Donovan, Secretary
U.S. Department of Housing and Urban Development
451 7th Street, SW
Washington, DC 20410

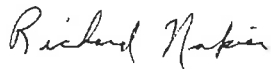
**RE: Joint HUD Community Challenge Planning and TIGER II Planning Grant
Docket No. FR-5415-N-12
Grand Boulevard: Removing Barriers to Livable Communities**

Dear Mr. Donovan,

This letter is to confirm the City/County Association of Governments of San Mateo County's (C/CAG) commitment to funding \$300,000 of the required local match for the Grand Boulevard: Removing Barriers to Livable Communities project. The San Mateo County Transit District is submitting this application under the Department of Housing and Urban Development Community Challenge Planning Grants and the Department of Transportation's TIGER II Planning Grants.

C/CAG has been an active participant in and sponsoring partner of the Grand Boulevard Initiative, and we wholeheartedly support the funding of this worthy project. The proposed program of interrelated projects will effectively address the barriers to achieving multimodal and economically viable communities along the 43-mile El Camino Real Corridor.

Sincerely,



Richard Napier
Executive Director, C/CAG

ITEM 9.4

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

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September 3, 2010

Governor Arnold Schwarzenegger
State Capitol Building
Sacramento, CA 95814

RE: SB 346 (Kehoe) – Source Control of Copper Water Pollution – Support

Dear Governor Schwarzenegger:

The City/County Association of Governments of San Mateo County (C/CAG) strongly supports SB 346 (Kehoe), which will provide California's cities and counties with the tool they need to comply with stringent federal and state water quality mandates and avoid billions of dollars in costs and potential penalties. SB 346 requires that copper, a significant aquatic pollutant, be reduced to 5% by weight in vehicle brake pads sold in California by 2021 and to a *de minimis* 0.5% by weight by 2025. Peer-reviewed scientific studies have established that by far the most significant source of copper in urban watersheds is the fine dust generated from the use of brake pads. This copper poses threats to aquatic life including migratory salmonid fish.

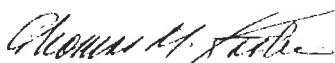
Pursuant to the requirements of the Federal Clean Water Act, the Regional Water Quality Control Boards in Los Angeles and San Diego have already imposed deadlines and copper Total Maximum Daily Load (TMDL) limits on discharges of stormwater to California waters. Similar TMDLs are expected to be imposed on other urban watersheds across the state in the near future. The only technically and economically feasible way for municipalities to comply with these looming deadlines is to eliminate copper pollution at its primary source – vehicle brake pads. Any attempt to try and remove copper in highly urbanized areas that is already dissolved in stormwater would most likely require large tracts of land and construction of new treatment infrastructure. Estimates are that this could easily cost already fiscally strapped local governments billions of dollars statewide with no guarantee that these methods would actually succeed.

The work to reduce copper in brake pads needs to start now. Local governments need to demonstrate now to the Water Boards and environmental stakeholders that they have solid TMDL compliance plans that can be achieved by the final compliance dates, and the auto industry needs to start now to complete the transition to new materials in time to help meet those deadlines. All parties need to be able bank now on copper in brake pads being reduced over time and SB 346 becoming law is the best way to meet that shared need.

SB 346 is based on 14 years of scientifically based, shared fact-finding and thoughtful discussion and negotiation. As a result, SB 346 provides the auto industry with a reasonable timeline within which to develop and distribute safe and effective copper-free brake friction materials while also giving cities and counties the ability to demonstrate that they will meet their copper TMDLs in a timely manner. SB 346 is the embodiment of good legislation and that was recognized when both the Senate and the Assembly, in overwhelming votes with significant bi-partisan support, approved it. All the major auto industries, environmental groups, and local governments support SB 346, and the bill has no recorded opposition.

C/CAG strongly supports SB 346, and respectfully encourages your signature on this landmark legislation.

Sincerely,



Thomas M. Kasten, C/CAG Chair

cc: Senator Christine Kehoe