

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. 183

- DATE:** Thursday, September 14, 2006
- TIME:** 7:00 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

1.0 CALL TO ORDER/ ROLL CALL

2.0 PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA
Note: Public comment is limited to two minutes per speaker.

3.0 ANNOUNCEMENTS/ PRESENTATIONS

None.

4.0 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.

- 4.1 Review and approval of the Minutes of Regular Business Meeting No. 182 dated August 10, 2006. ACTION p. 1
- 4.2 Review and approval of C/CAG Legislative update. ACTION p. 9
- 4.3 Review and approval of Resolution 06-29 authorizing the C/CAG Chair to execute the funding agreement with the Bay Area Air Quality Management District (BAAQMD) for the 2006-07 Transportation Fund for Clean Air (TFCA) (40%) Program for San Mateo County for the receipt of \$1,183,800. ACTION p. 27

- 4.4 Review and approval of Resolution 06-30 authorizing the C/CAG Chair to execute an agreement with the Peninsula Traffic Congestion Relief Alliance in the amount of \$1,020,000 under the 2006-07 Transportation Fund for Clean Air (TFCA) Program, the C/CAG Countywide Congestion Relief Plan, and the Regional Rideshare Program, to provide the Countywide Transportation Demand Management (TDM) Program. ACTION p. 47
- 4.5 Review and approval of Resolution 06-31 authorizing the C/CAG Chair to execute an agreement with the City of Menlo Park in the amount of \$45,000 under the 2006-07 Transportation Fund for Clean Air (TFCA) Program to provide shuttle services. ACTION p. 71
- 4.6 Review and approval of Resolution 06-32 authorizing the C/CAG Chair to execute an agreement with the San Mateo County Transit District (SamTrans) in the amount of \$638,000 under the 2006-07 Transportation Fund for Clean Air (TFCA) Program to provide shuttle services. ACTION p. 83
- 4.7 Review and approval of Resolution 06-33 authorizing the C/CAG Chair to execute an agreement with Fehr and Peers Associates, Inc. in the amount not to exceed \$44,600 for the 2007 Congestion Management Program (CMP) monitoring program. ACTION p. 95
- 4.8 Review and approval of the reappointments of David Alfano, Cory Roay, and Robert Cronin to the Bicycle and Pedestrian Advisory Committee (BPAC) for an additional term expiring September 2008. ACTION p. 115
- 4.9 Review and approval of the C/CAG Investment Program. ACTION p. 127
- 4.9.1 Review and accept the Quarterly Investment Report as of June 30, 2006.
- 4.9.2 Review and approval of Resolution 06-34 adopting the C/CAG Investment Policy.
- 4.9.3 Policy for authorizing investment deposit and withdrawals.
- 4.10 Review and approval of Deputy Director position/ classification and authorization for the Executive Director to establish an appropriate salary range. ACTION p. 153
- 4.11 Review and approval of salary ranges for C/CAG Administrative Secretary and Administrative Assistant positions. ACTION p. 161

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.

5.0 REGULAR AGENDA

- 5.1 El Camino Real Incentive Program.
- 5.1.1 Review and approval of the El Camino Real Incentive Program Planning Grant process. ACTION p. 171
- 5.1.2 Report on the first of two El Camino Real planning workshops held with the business community in cooperation with the San Mateo County Economic Development Association (SAMCEDA). INFORMATION p. 181
- 5.2 Review and approval of a progress report on the Congestion Relief Program and establishment of a process for Board review of the program ACTION p. 185
- 5.3 Update on the creation of a Sub-regional Housing Needs Allocation Process (RHNA) within San Mateo County. INFORMATION p. 195

6.0 COMMITTEE REPORTS

6.1 Committee Reports (oral reports).

6.2 Chairperson's Report.

7.0 EXECUTIVE DIRECTOR'S REPORT

8.0 COMMUNICATIONS - Information Only

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

- 8.1 Letter from Tom Madalena, C/CAG Transportation Planning Manager, to Susy Kalkin, Principal Planner, City of South San Francisco, dated 8/10/06. Re: 249 East Grand Avenue Office/R&D Project Transportation Demand Management Plan. p. 205
- 8.2 Letter from James M. Vreeland, Jr., C/CAG Chair, to the Honorable Kevin Murray, Chairman, Senate Appropriations Committee, dated 7/31/06. Re: Support for AB 2538. p. 207
- 8.3 Letter from Tom Madalena, C/CAG Transportation Planning Manager, to Maureen Riordan, Senior Planner, City of Redwood City, dated 8/1/06. Re: Stanford Outpatient Center Project Transportation Demand Management Plan. p. 209
- 8.4 Letter from Walter Martonc, C/CAG Staff, to Neng Pacumio, San Mateo County Transportation Authority, dated 8/16/06. Re: Billing for reimbursable work done by C/CAG. p. 211
- 8.5 Letter from James M. Vreeland, Jr., C/CAG Chair, to the Honorable Sam Aanestad, California Senate Appropriations Committee, dated 8/21/06. Re: Support for AB 2538. This letter was also sent individually to every member of the California Senate. p. 213
- 8.6 Letter from Honorable Barbara Boxer, United States Senator, dated 8/28/06. Re: C/CAG's support for H.R. 5417, the Internet Freedom and Nondiscrimination Act of 2006. p. 215

9.0 MEMBER COMMUNICATIONS

10.0 ADJOURN

Next scheduled meeting: October 12, 2006 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.

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 6, 2006 2020 Peninsula Gateway Corridor Study TAC - 2:00 P.M. - Menlo Park City Hall - CANCELED
September 13, 2006 2020 Peninsula Gateway Corridor Study PAC - 4:00 P.M. - Menlo Park City Hall - CANCELED
September 14, 2006 Legislative Committee - SamTrans 2nd Floor Auditorium - 5:00 P.M.
September 14, 2006 C/CAG Board - SamTrans 2nd Floor Auditorium - 7:00 P.M.
No meeting in Sept. NPDES Technical Advisory Committee - TBD - 10:00 a.m.
September 21, 2006 CMP Technical Advisory Committee - SamTrans 2nd Floor Auditorium - 1:15 P.M.
September 21, 2006 Utilities Working Group - 155 Bovet Rd., San Mateo - 2:45 P.M.
No meeting in Sept. Airport Land Use Committee - 4:00 P.M. - Burlingame City Hall.
September 25, 2006 CMEQ Committee - San Mateo City Hall - Conference Room C - 3:00 P.M.
September 28, 2006 Bikeways and Pedestrian Advisory Committee - San Mateo City Hall -
Conference Room C - 7:30 P.M.
October 2, 2006 Administrators' Advisory Committee - 555 County Center, 5th Floor, Redwood City - 8:00 A.M.

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Meeting No. 182
August 10, 2006

1.0 CALL TO ORDER/ROLL CALL

Vice Chair Gordon called the meeting to order at 7:00 p.m. Roll call was taken.

James Janz - Atherton
Sepi Richardson - Brisbane
Rosalie O'Mahony - Burlingame
Linda Koelling - Foster City
Marina Fraser - Half Moon Bay
Tom Kasten - Hillsborough
Kelly Fergusson - Menlo Park (7:05)
Diane Howard - Redwood City
Irene O'Connell - San Bruno
San Carlos - Bob Grassilli
Carole Groom - San Mateo
Karyl Matsumoto - South San Francisco
Deborah Gordon - Woodside

Absent:

Belmont
Colma
Daly City
East Palo Alto
Millbrae
Pacifica
Portola Valley
County of San Mateo

Others:

Richard Napier, Executive Director - C/CAG
Nancy Blair, Administrative Assistant - C/CAG
Miruni Soosaipillai, C/CAG - Legal Counsel
Walter Martone, C/CAG
Sandy Wong, C/CAG
Tom Madalena, C/CAG
John Hoang, C/CAG
Dave Carbone, C/CAG
Brian Lee, San Mateo County - Public Works
Pat Dixon, SMCTA - CAC
Ray Razavi, South San Francisco - City Engineer

ITEM 4.1

Debra Auker, City of Half Moon Bay
Christine Maley-Grubl, Executive Director, Peninsula Congestion Relief Alliance
Jim Bigelow, Redwood City/San Mateo County Chamber, Menlo Park Chamber
Duane Bay, Director, San Mateo Department of Housing

2.0 Public Comments

Jim Bigelow, representing the Redwood City/San Mateo County Chamber and Menlo Park Chamber, attended the CALTRAINS JPB meeting on 8/3/06 and noted CALTRAIN staff have been working hard to come up with the new project 2025. This new project takes CALTRAIN from a heavy rail system into a light rail rapid type system. He encouraged the Board to have CALTRAIN staff give a presentation on what they are looking at in finalizing the plan towards the end of the year.

4.0 CONSENT AGENDA

Board Member Richardson MOVED approval of Consent Items 4.1, 4.2, 4.4, 4.5, 4.6, 4.7, 4.8, 4.10, and 4.11. Board Member Koelling SECONDED. **MOTION CARRIED** 13-0.

- 4.1 Review and approval of the Minutes of Regular Business Meeting No. 181 dated June 8, 2006. **APPROVED**
- 4.2 Review and approval of potential candidate projects for the Corridor Mobility Improvement Account (CMIA) component of the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (subject to approval by the voters in November 2006). **APPROVED**
- 4.4 Review and approval of Resolution 06-21 authorizing the C/CAG Chair to execute an amendment to the agreement with Hexagon Transportation Consultants increasing the maximum amount by \$162,451 to perform travel forecasting services for the Transportation Authority, that will be cost reimbursed, for the following projects: **APPROVED**
- Willow-U.S. 101 Interchange Project
 - Transportation Authority Strategic Plan Update
- 4.5 Review and approval of Resolution 06-22 authorizing the C/CAG Chair to execute an agreement with the County of San Mateo for construction contract administration to install ramp metering equipment at the US 101/Willow Road Separation and to reimburse the County of San Mateo the local share of project cost not to exceed \$82,000. **APPROVED**
- 4.6 Review and approval of an amendment to the C/CAG Bylaws changing the name of the Congestion Management & Air Quality Committee (CMAQ) to the Congestion Management & Environmental Quality (CMEQ) Committee. **APPROVED**
- 4.7 Review and approval of the Quarterly Investment Report and the authorization of staff to open an investment account with the San Mateo County Investment Pool. **APPROVED**
- 4.8 Review and approval of the Abandoned Vehicle Abatement (AVA) Program Reports for the Second Quarter FY 05-06 ending December 31, 2005 and the Third Quarter FY 05-06 ending March 31, 2006. **APPROVED**
- 4.10 Acceptance of the Amicus Brief for the NPDES Stormwater Pollution Prevention Program (STOPPP) transmitted in accordance with the C/CAG Board approved Legislative Delegation process.

- 4.11 Review and approval of Resolution 06-25 authorizing the C/CAG Executive Director to submit a proposal to the Bay Area Air Quality Management District for \$46,200 to pay the incremental cost of two compressed natural gas (CNG) shuttle buses that can subsequently be converted to operate on a CNG and Hydrogen blended fuel. APPROVED

Items 4.3, 4.9, and 4.12 were removed from the Consent Calendar.

- 4.3 Review and approval of Resolution 06-20 authorizing the execution of an agreement with the Peninsula Traffic Congestion Relief Alliance for the support of an employer-based shuttle program in the City of South San Francisco for a maximum amount of \$110,000. APPROVED

Board Member Kasten MOVED to approve Item 4.3 and asked C/CAG staff to look into whether they are comfortable with the present \$1,000,000 liability insurance compared to what is happening in the courts today. Board Member O'Mahony SECONDED. **MOTIONED CARRIED** 13-0.

- 4.9 Review/ Approval of (1) Resolution 06-23, to accept a grant offer of \$300,000 and related assurances and conditions from the Federal Aviation Administration (FAA) for the purpose of preparing a land use compatibility study for the Environs of San Francisco International Airport, per the relevant provisions of Section 160 of *Vision 100 - Century of Aviation Reauthorization Act* and (2) Resolution 06-24 to authorize C/CAG staff to initiate an RFQ/RFP process to select a qualified consultant(s) to assist C/CAG staff in the preparation of the above-referenced land use study. APPROVED

C/CAG staff submitted the grant application materials to the FAA in January 2006. In response, the FAA has made a grant offer to the C/CAG Board that indicates the FAA has allocated \$300,000 under the Fiscal Year 2006 Airport Improvement Program (AIP) to fund the project. It is important to note that C/CAG is the first unit of local government in the country to apply for and receive a grant under the *Vision 100* Section 160 program. Much of the funding will be spent on consultant assistance to prepare the land use study.

Board Member O'Mahony MOVED to approve Item 4.9. Board Member Howard SECONDED. **MOTIONED CARRIED** 13-0.

- 4.12 Review and approval of Samceda workshop contract for two workshops at \$7,500 per meeting for a total of \$15,000. APPROVED

As part of the El Camino Real Incentive Program, a workshop was held and organized by SAMCEDA on 5/17/06, with a second workshop to be given at a later date. SAMCEDA has agreed to the final cost of \$15,000 for two workshops. Staff will provide minutes and attendance from the first workshop.

C/CAG Board Member Matsumoto MOVED to approve Item 4.9. Board Member Howard SECONDED. **MOTIONED CARRIED** 13-0.

5.0 REGULAR AGENDA

- 5.1 Review and approval of C/CAG Legislative update and potential positions on various Propositions. (A position may be taken on any legislation, including legislation not previously identified.)

a) Proposition 1A – Transportation Funding Protection (support)

Board Member Kasten **MOVED** to accept the Legislative Committee’s recommendation.
Board Member Koelling **SECONDED**. **MOTIONED CARRIED** 13-0.

b) Proposition 1B – Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (support)

Board Member O’Mahony **MOVED** to accept the Legislative Committee’s recommendation.
Board Member O’Connell **SECONDED**. **MOTIONED CARRIED** 13-0.

c) Proposition 1C – Housing and Emergency Shelter Trust Fund Act of 2006 (support)

It was noted the Legislative Committee voted in favor with one member abstaining.

Board Member Kasten **MOVED** to accept the Legislative Committee’s recommendation.
Board Member Janz **SECONDED**. **MOTIONED CARRIED** 13-0-1. Board Member O’Mahony
Abstained.

d) Proposition 1C – Housing and Emergency Shelter Trust Fund Act of 2006 (support)

Board Member Howard **MOVED** to accept the Legislative Committee’s recommendation.
Board Member O’Mahony **SECONDED**. **MOTIONED CARRIED** 13-0.

e) Proposition 84 – Water Quality, Safety and Supply. Flood Control. Natural Resource Protection. Park Improvements. Bonds. Initiative Statute (no position)

Board Member Kasten **MOVED** to accept the Legislative Committee’s recommendation.
Board Member Koelling **SECONDED**. **MOTIONED CARRIED** 13-0.

f) Proposition 90 – Government Acquisition, Regulation of Private Property. Initiative Constitutional Amendment (oppose)

Board Member Howard **MOVED** to accept the Legislative Committee’s recommendation.
Board Member O’Mahony **SECONDED**. **MOTIONED CARRIED** 13-0.

5.2 Review and approval of Resolution 06-28 to adopt the Policy on Traffic Impact Analysis (TIA) to determine traffic impacts on the Congestion Management Program (CMP) roadway network resulting from roadway changes, general plan updates, and land use development projects. **APPROVED**

Introduced as an information item at the 12/8/05 C/CAG Board meeting, staff was asked to distribute the Draft Policy to cities/County for comments. The policy has since been reformatted for easier reading. The TAC and CMAQ approved the final changes, with CMAQ directing staff to encourage local jurisdictions to provide incentive to increase densities in select locations that will cumulatively enhance the viability of improved transit service.

The City of San Mateo requested last minute changes to the language of the policy.

Board Member Howard **MOVED** to accept the Policy on Traffic Impact Analysis with the change that C/CAG add the suggested changes that were mentioned on Page 3 of 14, on Page 5 of 14, and the first sentence on Page 4 of 14 “This policy does not prohibit a local jurisdiction from mitigating impacts

on local streets that result from congestion on a CMP roadway.” Board Member Koelling
SECONDED. MOTION CARRIED 13-0.

- 5.3 Review and approval of C/CAG role in facilitating and supporting a Sub-regional Housing Needs Allocation Process (RHNA) within San Mateo County. **APPROVED**

As of 7/31/06, 16 cities representing 62% of the population have adopted resolutions authorizing them to become members of a countywide sub-region, an entity that would locally administer a sub-regional housing needs allocation process. The remaining five jurisdictions are expected to follow. This would be the first group in the Bay Area to make use of State legislation allowing cities and counties to form a sub-region to plan how to accommodate State requirements to develop housing for population growth.

Duane Bay, Director, San Mateo Department of Housing provided information and answered questions.

Board Member O’Connell **MOVED** to approve Item 5.3. Board Member Koelling **SECONDED. MOTIONED CARRIED 13-0.**

- 5.4 Review and approval of Resolution 06-26 authorizing the programming of \$1,544,000 in Federal STP/CMAQ funds as follows: \$1,500,000 for the Highway 92 and Main Street project cost increase in the City of Half Moon Bay; \$44,000 for an appropriate project as determined by the C/CAG Executive Director **APPROVED**

The construction contract for the Hwy 92 and Main street improvement project in Half Moon Bay has a shortfall of \$4,500,000. It was recommended to have this cost increase be shared equally by the City of Half Moon Bay, C/CAG, and San Mateo County Transportation Authority (SMCTA) at \$1,500,000 each.

Board Member O’Mahony **MOVED** to approve the \$1,500,000 STP money and the \$44,000 CMAQ for the project in Half Moon Bay. Board Member Richardson **SECONDED. MOTIONED CARRIED 13-0.**

- 5.5 Review and approval of Resolution 06-27 authorizing the C/CAG Executive Director to negotiate an agreement with Parking Company of America (PCA) to implement a demonstration shuttle service for the Coastside for an amount not to exceed \$153,956.38 through December 31, 2006, and authorize the C/CAG Chair to execute said agreement subject to approval as to form by C/CAG Legal Counsel. **APPROVED**

On 6/8/06 the Board authorized \$160,000 for the implementation of an emergency shuttle service to address the severe traffic congestion resulting from the closure of Route 1 at Devil’s Slide. CALTRANS repaired and reopened the road to commuter traffic effective 8/04/06 (two months ahead of schedule). Steps were immediately taken to cancel the new shuttle service. Resolution 06-27 would allow the remainder of the funds, \$153,956.38, to be used for a demonstration shuttle program serving the Coastside.

Board Member Janz **MOVED** to approve Item 5.5. Board Member Fergusson **SECONDED. MOTIONED CARRIED 13-0.**

- 5.6 Review and Approval of policy for the performance evaluation and compensation of the Executive Director. APPROVED

The Compensation Committee recommended a policy for the performance review and compensation for the C/CAG Executive Director. The intention of the policy is to establish fairness and continuity in performance review and setting compensation. Within the policy is the creation of a committee; therefore, special voting procedures are required.

Board Member Kasten MOVED to approve Item 5.6. Member O'Connell SECONDED.

A Super Majority Vote was taken by roll call. **MOTION CARRIED** 13-0. Results: 13 Agencies approving. This represents 62% of the Agencies representing 60% of the population..

6.0 COMMITTEE REPORTS

6.1 Committec Reports (oral reports).

None.

6.2 Chairperson's Report.

None.

7.0 EXECUTIVE DIRECTOR'S REPORT

The C/CAG packet is now being mailed with the Communications separated from the reports.

On the Finance Management Report, there is a negative balance in Fund 25 because the transfers have not been made from the prior years. The usual practice is to wait until all the expenses have been paid, and then the transfers are made. This will correct the balance. We are currently in the process of going through the year-end report. The first draft will be provided at the September C/CAG meeting.

The AB 1546 program; in May 2006 the Board authorized staff to look for opportunities to get State funding and partner in various ways. Unfortunately, the RFP that came out was not positive, staff had limited options. They very much wanted a commercial-type approach. Staff looked into the possible options of working with Menlo Park, the airport, and PG&E. C/CAG's consultant advised staff to go with PG&E, as it was the best opportunity. PG&E did get some funding. C/CAG's commitment was \$270,000 from C/CAG. C/CAG is still looking to do something with Menlo Park and the airport.

8.0 COMMUNICATIONS - Information Only

- 8.1 Letter from Tom Madalena, C/CAG Staff, to Deanna Chow, Sr. Planner, City of Menlo Park, dated 6/31/06. Re: 321 Middlefield Road Project.
- 8.2 Letter from David Carbone, C/CAG ALUC Staff, to Tom Passanisi, Principal Planner, City of Redwood City, dated 6/01/06. Re: C/CAG Airport Land Use Committee (ALUC) Comments on a Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Redwood City Downtown Precise Plan.

- 8.3 Letter from Richard Napier, Executive Director - C/CAG, to Judy Williams, Executive Administrator, Sustainable San Mateo County, dated 6/05/06. Re: Sustainable San Mateo County 2006 Report Card.
- 8.4 Letter from Honorable James M. Vreeland Jr., C/CAG Chair, to Honorable Wesley Chesbro, California State Senate, dated 6/08/06. Re: SB 1225 - Support.
- 8.5 Letter from Honorable James M. Vreeland Jr., C/CAG Chair, to Honorable Christine Kehoe, California State Senate, dated 6/08/06. Re: Opposition for SB 1627.
- 8.6 Letter from Honorable James M. Vreeland Jr., C/CAG Chair, to US Senator Dianne Feinstein, US Senator Barbara Boxer, US Congresswoman Anna Eshoo, US Congressman Tom Lantos, and US Congressman James Sensenbrenner, dated 6/08/06. Re: Support for HR 5417 - Telecommunications Reform.
- 8.7 Letter from Honorable James M. Vreeland Jr., C/CAG Chair, to Honorable Jackie Speier, California State Senate, dated 6/08/06. Re: AB 2987 - Oppose. Letter also sent to Honorable Joseph Simitian.
- 8.8 Letter from Honorable James M. Vreeland Jr., C/CAG Chair, to Honorable Martha Escutia, Chair, Senate Energy, Utilities & Communications Committee, dated 6/08/06. Re: AB 2987 (Núñez/Levine), as amended 5/31/06: Cable and Video Service - Notice of Opposition.
- 8.9 Letter from Honorable Phillip E. Mathewson, Mayor, City of Belmont, to Honorable Martha Escutia, Chair, Senate Energy, Utilities & Communications Committee, dated 6/08/06. Re: AB 2987 (Núñez/Levine), as amended 5/31/06: Cable and Video Service - Notice of Opposition.
- 8.10 Letter from Honorable James M. Vreeland Jr., C/CAG Chair, to Honorable Dianne Feinstein, United States Senate, dated 6/08/06. Re: Opposition for S 2686 - Telecommunications Reform. Letter also sent to Honorable Barbara Boxer and Honorable Ted Stevens.
- 8.11 Letter from Honorable James M. Vreeland Jr., C/CAG Chair, to Honorable Tom Lantos, U.S. Congress, dated 6/08/06. Re: Concerns with HR 5252 - Telecommunications Reform. Letter also sent to Honorable Anna Eshoo.
- 8.12 Letter from Richard Napier, Executive Director - C/CAG, to James Corless, Metropolitan Transportation Commission, dated 6/15/06. Re: Support for the Daly City Mission Street Pedestrian/ Transit Improvements TLC Proposal.
- 8.13 Letter from Tom Madalena, C/CAG Staff, to Susy Kalkin, Principal Planner, City of South San Francisco, dated 6/19/06. Re: TDM Plan - 681 Gateway Boulevard Project.
- 8.14 Letter from Honorable Deborah Gordon, C/CAG Vice Chair, to Juliet E. Cox, Attorney at Goldfarb and Lipman, dated 6/20/06. Re: Legislative Committee Presentation on Eminent Domain.
- 8.15 Letter from Richard Napier, Executive Director - C/CAG, to James Corless, Metropolitan Transportation Commission, dated 6/21/06. Re: City of Redwood City Transportation for Livable Communities El Camino Real Funding Application.
- 8.16 Letter from Richard Napier, Executive Director - C/CAG, to James Corless, Metropolitan Transportation Commission, dated 6/22/06. Re: City of Menlo Park Transportation for Livable

Communities El Camino Real Funding Application.

- 8.17 Letter from Richard Napier, Executive Director - C/CAG, to James Corless, Metropolitan Transportation Commission, dated 6/22/06. Re: City of Belmont Transportation for Livable Communities El Camino Real Funding Application.
- 8.18 Letter from Richard Napier, Executive Director - C/CAG, to the Members of the California State Legislature, dated 6/29/06. Re: Preliminary Report on the Implementation of the Vehicle Fee for Congestion and Stormwater Management Programs in San Mateo County in Accordance with California Government Code Section 65089.11.ET.SEQ.
- 8.19 Letter from Tom Madalena, C/CAG Staff, to Steve Carlson, Sr. Planner, City of South San Francisco, dated 7/17/06. Re: Home Depot Project Transportation Demand Management Plan.
- 8.20 Letter from Richard Napier, Executive Director - C/CAG, to Honorable Tom Harman, California State Senate, dated 7/18/06. Re: Congratulations on Election to the California Senate.

9.0 MEMBER COMMUNICATIONS

None.

10.0 ADJOURN

Meeting adjourned 8:43 p.m.

C/CAG AGENDA REPORT

Date: September 14, 2006
To: City/County Association of Governments Board of Directors
From: C/CAG Legislative Committee
Subject: REVIEW AND APPROVAL OF C/CAG LEGISLATIVE UPDATE

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

(For further information contact Walter Martonc at 599-1465 or Richard Napier at 599-1420)

RECOMMENDATION

That the C/CAG Board approve the attached monthly update report on pending legislation.

FISCAL IMPACT

Not applicable.

SOURCE OF FUNDS

Not applicable.

BACKGROUND/DISCUSSION

Attached is a list of the bills that appear to be most related to the legislative priorities established by the C/CAG Board. C/CAG staff is also tracking approximately 135 other bills that have subject matter consistent with C/CAG's legislative priorities. The 2005-2006 Legislature adjourned on August 31, 2006. The bills noted as "Chaptered or Vetoed" were approved by the Legislature and have been either signed into law by the Governor or vetoed by him. Those listed as "Enrolled" have been approved by the Legislature and are awaiting action by the Governor. The Governor has until September 30, 2006 to sign or veto bills approved by the Legislature.

The following is the status of the bills that C/CAG has taken formal positions on.

- AB 315 (Hancock) – Energy efficiency design standards for schools. C/CAG position – Support. Status – Senate 3rd Reading (Dead).
- AB 707 (Hancock) – June 2006 Primary Election voting by mail. C/CAG position – Support. Status – Dead.
- AB 1162 (Mullin) – Moratorium on eminent domain for owner-occupied residences. C/CAG position – Support. Status – Dead.
- AB 1329 (Wolk) – Design-build contracting for cities in Solano and Yolo Counties. C/CAG position – Support. Status – Chaptered.
- AB 1358 (Mullin) – ALUC review of new schoolsites for charter schools. C/CAG position – Support. Status – Chaptered.

ITEM 4.2

- AB 2444 (Klehs) – Congestion management and motor vehicle environmental mitigation fees. C/CAG position – Neutral. Status – Enrolled.
- AB 2538 (Wolk) – Increased Planning and Programming funds for Congestion Management Agencies. C/CAG position – Support. Status – Enrolled.
- AB 2681 (Pavley) – Increased vehicle registration fees for Abandoned Vehicle Abatement programs. C/CAG position – Support. Status – Enrolled.
- AB 2987 (Nunez) – State regulation of cable and video service. C/CAG position – Oppose. Status – Enrolled.
- AB 3026 (Lieber) – Increased Workers’ compensation benefits for peace officers. C/CAG position – Oppose. Status – Senate Rules Committee (Dead).
- ACA 4 (Plescia) – Protection of Proposition 42 (fuel sales tax) funds. C/CAG position – Support. Status – this bill has been preempted by Proposition 1A on the November 06 ballot.
- ACA 9 (Bogh) - Protection of Proposition 42 (fuel sales tax) funds. C/CAG position – Support. Status – this bill has been preempted by Proposition 1A on the November 06 ballot.
- ACA 11 (Oropeza) - Protection of Proposition 42 (fuel sales tax) funds. C/CAG position – Support. Status – this bill has been preempted by Proposition 1A on the November 06 ballot.
- ACA 13 (Harman) – Exemption of stormwater pollution prevention programs from the voting requirements under Proposition 218. C/CAG position – Support. Status – Assembly Local Government Committee (Dead).
- SB 172 (Torlakson) – Increased toll to pay for Bay Bridge replacement. C/CAG position - Support. Status – This bill was preempted by Regional Measure 2 and a comprehensive bridge financing package that was negotiated by the President of the Senate, Senator Don Perata.
- SB 369 (Simitian) – Recycling of tires for rubberized asphalt concrete. C/CAG position – Support. Status – Enrolled.
- SB 371 (Torlakson) – Design-build contracting for various transportation entities. C/CAG position – Support. Status – Assembly desk (Dead).
- SB 1024 (Perata) – Transportation infrastructure bond. C/CAG position – Support. Status – this bill has been preempted by Proposition 1B on the November 06 ballot.
- SB 1059 (Escutia) – Electric transmission corridors. C/CAG position – neutral. Status – Enrolled.
- SB 1206 (Kehoe) – Revisions to the definition of “blighted area” for redevelopment and eminent domain purposes. C/CAG position – Oppose. Status – Enrolled.
- SB 1210 (Torlakson) – Payment of litigation fees by local jurisdictions in eminent domain cases where the court finds that the offer for the property was unreasonable. C/CAG position – Oppose. Status – Enrolled.
- SB 1225 (Chesbro) - Increased vehicle registration fees for Abandoned Vehicle Abatement programs. C/CAG position – Support. Status – Enrolled.
- SB 1611 (Simitian) – Vehicle registration fees to support congestion management programs. C/CAG position – Support. Status – Assembly Appropriations Committee Suspense File (Dead).
- SB 1627 (Kehoe) – Administrative approval of wireless telecommunications facilities. C/CAG position – Oppose. Status – Enrolled.

ATTACHMENTS

- Action Report With Summary By Subject.

ACTION REPORT WITH SUMMARY BY SUBJECT

Legislative Update

Airport Land Use**AB 1358 (Mullin) Acquisition of proposed schoolsites: notice.**

C - 09/06/2005

Status:

09/06/2005 - ASM CHAPTERED Chaptered by Secretary of State - Chapter No. 229, Statutes of 2005

Calendar:**Summary**

Existing law requires the governing board of each school district, before acquiring title to property for a new schoolsite, to provide the State Department of Education written notice of the proposed acquisition, along with any information required by the department, if the proposed site is within two miles, measured by air line, of that point on an airport runway or potential airport runway included in an airport master plan that is nearest to the site . Existing law requires the State Department of Education, upon receipt of the notice, to notify the Department of Transportation in writing of the proposed acquisition . Existing law requires the Department of Transportation to investigate the proposed site and submit a report of its findings and recommendations concerning acquisition of the site to the State Department of Education . Existing law requires the State Department of Education to forward the report to the governing board of the school district . Existing law provides that state or local funds may not be apportioned or expended for acquisition of a site if the Department of Transportation's recommendation does not favor acquisition of the site . This bill would require a school district to provide the Department of Transportation with that notice before leasing property for a new schoolsite . This bill also would make these provisions applicable to charter schools .

C/CAG

Support 1

Airport Land
Use**Budget****ACA 1 (Calderon) Two-Year Budget.**

I - 12/06/2004

Status:

04/14/2005 - ASM APPR. Referred to Coms. on BUDGET and APPR

Calendar:**Summary**

The California Constitution requires that a budget be submitted by the Governor, and that a Budget Bill be passed by the Legislature, for each fiscal year . This measure would express the intent of the Legislature to enact the necessary statutory changes, and to propose to the people the necessary constitutional changes, to enact a budget for a two -year fiscal period .

C/CAG

1

Budget

Eminent Domain**SB 1210 (Torlakson) Eminent domain.**

E - 08/31/2006

Status:

08/31/2006 - SEN ENROLLMENT Senate concurs in Assembly amendments. (Ayes 32. Noes 0.) To enrollment.

Calendar:**Summary**

Existing law governing settlement offers in eminent domain proceedings authorizes the recovery of litigation expenses under certain circumstances . Existing law provides that if a court finds, on motion of the defendant, that the offer of the plaintiff was unreasonable and the offer of the defendant was reasonable in light of the evidence admitted and the compensation awarded in the proceeding, then the costs allowed shall include the defendant's litigation expenses . This bill would define litigation expenses to mean the party's reasonable attorney's fees and costs, including reasonable expert witness and appraiser fees . This bill contains other related provisions and other existing laws .

C/CAG

Oppose 1

Eminent
Domain

ACTION REPORT WITH SUMMARY BY SUBJECT**Legislative Update****Environment**

AB 32 (Nunez) Air pollution: greenhouse gases: California Global Warming Solutions Act of 2006. E - 08/31/2006

Status:

08/31/2006 - ASM ENROLLMENT Rereferred to Com on NAT. RES. pursuant to Assembly Rule 7.2. From committee With recommendation That Senate amendments be concurred in (Ayes 7. Noes 2.) (August 31). Senate amendments concurred in enrollment

Calendar:**Summary**

Under existing law, the State Air Resources Board (state board), the State Energy Resources Conservation and Development Commission (Energy Commission), and the California Climate Action Registry all have responsibilities with respect to the control of emissions of greenhouse gases, as defined, and the Secretary for Environmental Protection is required to coordinate emission reductions of greenhouse gases and climate change activity in state government. This bill would require the state board to adopt regulations to require the reporting and verification of statewide greenhouse gas emissions and to monitor and enforce compliance with this program, as specified. The bill would require the state board to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions levels in 1990 to be achieved by 2020, as specified. The bill would require the state board to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions, as specified. The bill would authorize the state board to adopt market-based compliance mechanisms, as defined, meeting specified requirements. The bill would require the state board to monitor compliance with and enforce any rule, regulation, order, emission limitation, emissions reduction measure, or market-based compliance mechanism adopted by the state board, pursuant to specified provisions of existing law. The bill would authorize the state board to adopt a schedule of fees to be paid by regulated sources of greenhouse gas emissions, as specified. This bill contains other related provisions and other existing laws.

C/CAG

1

Environment

AB 315 (Hancock) School facilities: energy efficiency: design standards. A - 08/28/2006

Status:

08/28/2006 - SEN RLS. Read third time, amended, and returned to third reading. Re-referred to Com. on RLS.

Calendar:**Summary**

Existing law, the Leroy F. Greene School Facilities Act of 1998 (the Greene Act of 1998), establishes a program in which the State Allocation Board is required to provide state per-pupil funding, including hardship funding, for new school facilities construction and school facilities modernization for applicant school districts. This bill would require the board to adopt regulations that ensure that school facilities constructed or modernized in whole or in part with those funds are in accordance with the high performance rating criteria in the specified Collaborative for High Performance Schools Best Practices Manual. The bill would permit the board to substitute a revised version of the Best Practices Manual that is available after August 31, 2006, for the version available on or before August 31, 2006, if the board approves the contents of that later version as being in accordance with the purposes of these provisions. The bill would require the regulations to include incentive-based guidelines that increase the base allocation provided for a school facilities project that meets the requirements necessary to generate points pursuant to the Best Practices Manual, as specified. The bill would require the regulations to award a school district that achieves at least one of the specified goals at a school site with not less than \$ 50,000, with individual award levels set by the board on a case-by-case basis. This bill contains other related provisions and other existing laws.

C/CAG

Support

1

Environment

Housing

SB 832 (Perata) Punitive damages. E - 08/31/2006

Status:

08/31/2006 - SEN ENROLLMENT Senate concurs in Assembly amendments. (Ayes 24. Noes 14.) To enrollment.

ACTION REPORT WITH SUMMARY BY SUBJECT

Legislative Update

Calendar:**Summary**

Existing law provides that in an action for the breach of an obligation not arising from contract, where it is proven by clear and convincing evidence that the defendant has been guilty of oppression, fraud, or malice, the plaintiff, in addition to the actual damages, may recover damages for the sake of example and by way of punishing the defendant. This bill would provide, with respect to an action filed after August 16, 2004 that results of a final judgment or settlement that is rendered on or before June 30, 2011, and includes punitive damages, that the punitive damages shall be apportioned according to a specified formula. Pursuant to this formula, 25% would be paid to the plaintiff or plaintiffs and 75% of the award would be paid to the Director of the Department of Finance for deposit into the Public Benefit Trust Fund, which would be created by the bill. The fund would be administered by the Department of Finance. Of the amounts deposited into the fund, 25% would be continuously appropriated to pay the plaintiff's attorney, as specified, and the remainder would be available for annual appropriation in the Budget Act, to be used for purposes consistent with the nature of the award, as specified. This bill contains other related provisions.

C/CAG 1 Housing

SB 1330 (Dunn) Housing developments: attorney's fees.

A - 05/26/2006

Status:

06/28/2006 - ASM H. & C.D. Set, first hearing. Failed passage in committee. Reconsideration granted.

Calendar:**Summary**

The Planning and Zoning Law requires local agencies to make specified written findings based upon substantial evidence in the record before disapproving or conditionally approving a housing development project that renders it infeasible for the use of very low, low-, or moderate-income households, including farmworker housing. This law authorizes an applicant for a housing development project and a person who would be eligible to apply for residence in the development to bring an action for a violation of this provision. This bill would revise the attorney's fees and costs provisions in all 3 of the above provisions by requiring the court to award reasonable attorney's fees and costs, except under extraordinary circumstances in which the court finds that awarding fees would not further the purposes of these provisions, in addition to any attorney fees to which the plaintiff is entitled under a specified provision of the Code of Civil Procedure. The bill would delete the January 1, 2007, repeal date for the provisions referenced in paragraph (2) above. This bill contains other existing laws.

C/CAG 1 Housing

Land Use Authority**AB 1162 (Mullin) Eminent domain.**

A - 09/02/2005

Status:

09/06/2005 - SEN RLS. Re-referred to Com. on RLS.

Calendar:**Summary**

Existing law authorizes public entities to seize private property under the power of eminent domain. This bill would prohibit, until January 1, 2008, a community redevelopment agency, or community development commission or joint powers agency, as specified, from exercising the power of eminent domain to acquire owner-occupied residential real property if ownership of the property will be transferred to a private party or private entity. This bill contains other related provisions.

C/CAG Support 1 Land Use Authority CSAC-support

ACA 15 (Mullin) Eminent domain: redevelopment.

A - 08/23/2005

Status:

08/24/2005 - ASM G.O. Re-referred to Com. on G.O.

ACTION REPORT WITH SUMMARY BY SUBJECT

Legislative Update

Calendar:

Summary

redevelopment . This measure would set forth a constitutional provision prohibiting a redevelopment agency from acquiring property through the exercise of the power of eminent domain unless it first makes a written finding that the property contains conditions of both physical and economic blight . This bill contains other existing laws .

C/CAG

1

Land Use
Authority

SB 53 (Ke hoe) Redevelopment.

E - 08/30/2006

Status:

08/29/2006 - SEN ENROLLMENT Senate concurs in Assembly amendments. (Ayes 40. Noes 0.) To enrollment

Calendar:

Summary

The Community Redevelopment Law authorizes the establishment of redevelopment agencies in communities in order to address the effects of blight, as defined, in those communities and requires those agencies to prepare, or cause to be prepared, and approve a redevelopment plan for each project area . Existing law requires that a redevelopment plan contain certain provisions and authorizes a plan to provide for the agency to acquire by gift, purchase, lease, or condemnation all or part of the real property in the project area . Existing law permits an agency to extend the time limitation for commencement of eminent domain proceedings to acquire property within the project area only by amending the redevelopment plan . This bill would require redevelopment plans to contain a description of the agency's program to acquire real property by eminent domain, including prohibitions, if any, on the use of eminent domain . The bill would require a redevelopment agency to find, based on substantial evidence, that significant blight remains in the project area and cannot be eliminated without the use of eminent domain before amending a redevelopment plan to extend the time limitation for the commencement of eminent domain proceedings to acquire property within the project area . This bill contains other related provisions and other existing laws.

C/CAG

1

Land Use
Authority

SB 1059 (Escutia) Electric transmission corridors.

E - 08/31/2006

Status:

08/31/2006 - SEN ENROLLMENT Senate concurs in Assembly amendments. (Ayes 35. Noes 1.) To enrollment.

Calendar:

Summary

Existing law requires the State Energy Resources Conservation and Development Commission to adopt a strategic plan for the state's electric transmission grid using existing resources . Existing law requires that the plan identify and recommend actions required to implement investments needed to ensure reliability, relieve congestion, and to meet future growth in load and generation, including, but not limited to, renewable resources, energy efficiency, and other demand reduction measures . This bill would authorize the commission to designate a transmission corridor zone on its own motion or by application of a person who plans to construct a high -voltage electric transmission line within the state . The bill would provide that the designation of a transmission corridor shall serve to identify a feasible corridor where a future transmission line can be built that is consistent with the state's needs and objectives as set forth in the strategic plan adopted by the commission . The bill would prescribe procedures for the designation of a transmission corridor zone, including publication of the request for designation and request for comments, coordination with federal agencies and California Native American tribes , informational hearings, and requirements for a proposed decision . This bill contains other related provisions and other existing laws.

C/CAG

Neutral

1

Land Use
Authority

Local Govt Finance

ACTION REPORT WITH SUMMARY BY SUBJECT**Legislative Update****AB 3026 (Lieber) Workers' compensation: peace officers.**

A - 08/16/2006

Status:

08/17/2006 - SEN RLS. Read second time. To third reading. Re-referred to Com. on RLS.

Calendar:**Summary**

Existing law requires employers to secure the payment of workers' compensation, including medical treatment, for injuries incurred by their employees that arise out of, or in the course of, employment . This bill would require an employee who is a peace officer and who suffers an injury that arises out of, or in the course of, employment to have the right to be treated for that injury by a physician of his or her choice at a facility of his or her choice within a reasonable geographic distance .

C/CAG

Oppose

1

Local Govt
Finance**ACR 79 (Aghazarian) Fee Payers Bill of Rights.**

I - 07/13/2005

Status:

08/25/2005 - ASM APPR. SUSPENSE FILE in committee: Held under submission In committee: Referred to APPR. suspense file.

Calendar:**Summary**

This measure would state that a bill that would impose, increase, or extend the duration of an existing fee, or authorize the imposition of a new fee should, among other things, be approved by a 2/3 vote of the entire membership of each of the 2 houses of the Legislature .

C/CAG

1

Local Govt
Finance**Other Local Govt Interest****AB 707 (Hancock) Voting by mail: June 6, 2006, primary election.**

A - 02/14/2006

Status:

02/16/2006 - SEN E., R. & C. A. Re-referred to Com. on E., R. & C.A.

Calendar:**Summary**

Existing law authorizes a local, special, or consolidated election to be conducted wholly by mail if the governing body of the local agency authorizes the use of all mailed ballots for the election, the election is held on an established mailed ballot election date, and the election meets certain other specified requirements . This bill would, until January 1, 2007, authorize any county in this state to conduct the June 6, 2006, direct primary election wholly by mailed ballots if specified conditions are met . This bill contains other related provisions and other existing laws .

C/CAG

Support

1

Other Local
Govt Interest**Redevelopment****SB 1206 (Kehoe) Redevelopment.**

E - 08/30/2006

Status:

08/29/2006 - SEN ENROLLMENT Senate concurs in Assembly amendments. (Ayes 40. Noes 0.) To enrollment.

Calendar:**Summary**

ACTION REPORT WITH SUMMARY BY SUBJECT**Legislative Update**

The Community Redevelopment Law authorizes the establishment of redevelopment agencies in communities in order to address the effects of blight in those communities and defines a blighted area as one that is predominantly urbanized and characterized by specified conditions . This bill would revise the definition of "predominantly urbanized" and revise the conditions that characterize a blighted area . The bill would prohibit the inclusion of nonblighted parcels in a redevelopment project area for the purpose of obtaining property tax revenue from the area without substantial justification for their inclusion . This bill contains other related provisions and other existing laws.

C/CAG

Oppose

1

Redevelopment

Sales Tax**AB 1282 (Mullin) Income taxes: credits: child care.**

E - 08/31/2006

Status:

08/28/2006 - ASM ENROLLMENT in Assembly. To enrollment.

Calendar:**Summary**

The existing Personal Income Tax and Corporation Tax Law provide tax credits for startup expenses for child care programs or constructing a child care facility, costs for child care information and referral services, and costs paid or incurred for contributions to a qualified care plan . Under existing law these credits are only available for certain taxable years beginning before January 1, 2007. This bill would extend the credits to taxable years beginning before January 1, 2012. This bill would also require the Franchise Tax Board to report to the Legislature on the effectiveness of these credits, as specified . This bill contains other related provisions .

C/CAG

1

Sales Tax

Smart Growth**AB 1020 (Hancock) Transportation planning: improved travel models.**

E - 08/28/2006

Status:

08/24/2006 - ASM ENROLLMENT Senate amendments concurred in. To enrollment. (Ayes 46. Noes 31. Page 6934.)

Calendar:**Summary**

Existing law requires certain transportation planning activities by the Department of Transportation and by designated regional transportation planning agencies, including development of a regional transportation plan . Existing law authorizes the California Transportation Commission, in cooperation with the regional agencies, to prescribe study areas for analysis and evaluation . This bill would require the commission, by December 31, 2007, to adopt guidelines related to the travel demand models used in the development of regional transportation plans by regional transportation planning agencies . The bill would require a regional transportation planning agency for a region with a population of 800,000 or more to use those guidelines . The bill would specify certain policy choices that a travel demand model shall be capable of evaluating . The bill would require the Department of Transportation to assist the commission, on request, in this regard, and would impose other related requirements . Because the bill would impose additional duties on local agencies, it would impose a state -mandated local program . This bill contains other related provisions and other existing laws .

C/CAG

1

Smart Growth

Solid Waste & Recycling**SB 369 (Simitian) Solid waste: tire recycling: rubberized asphalt concrete.**

E - 09/01/2006

Status:

08/30/2006 - SEN ENROLLMENT Senate concurs in Assembly amendments. (Ayes 30. Noes 3.) To enrollment.

Calendar:

ACTION REPORT WITH SUMMARY BY SUBJECT

Legislative Update

Summary

Existing law authorizes the California Integrated Waste Management Board to implement a program to award grants of up to \$ 50,000 to cities, counties, districts, and other local governmental agencies for the funding of public works projects that use rubberized asphalt concrete and meet specified qualifications, including that the project will use between 2,500 and 20,000 tons of rubberized asphalt concrete and 20 pounds or more of crumb rubber per ton of rubberized asphalt concrete . The grants are funded by an appropriation in the annual Budget Act from the California Tire Recycling Management Fund . Existing law became inoperative on June 30, 2006, and is repealed on January 1, 2007. This bill would revise the eligibility qualifications for those public works grants to instead require the project to use at least 1,250 tons of rubberized asphalt concrete . The bill would require the board to annually calculate the amount of a grant, based on the amount of rubberized asphalt concrete used on a project, and would increase the maximum amount of grant money that can be awarded to \$ 250,000. This bill would recommence the grant program on January 1, 2007, and would make the program inoperative on June 30, 2010. The bill would extend the repeal date to January 1, 2011. This bill contains other related provisions and other existing laws .

C/CAG

Support 1

Solid Waste &
Recycling**Stormwater (NPDES)****ACA 13 (Harman) Local government: assessments and fees or charges.**

A - 04/21/2005

Status:

05/04/2005 - ASM L. GOV. In committee. Set, first hearing. Hearing canceled at the request of author.

Calendar:**Summary**

(1) The California Constitution conditions the imposition or increase of an assessment by a city, county, or special district for flood control purposes upon compliance with requirements for written notice to property owners, a public hearing, and an opportunity for majority protest . The California Constitution exempts the imposition of a flood control assessment existing on November 6, 1996, from these requirements . This measure would instead exempt from these requirements an assessment for the purposes of financing the capital costs or maintenance and operation expenses of flood control, whether the assessment existed on November 6, 1996, or is imposed after that date . This bill contains other related provisions and other existing laws .

C/CAG

Support with
amendments 1Stormwater
(NPDES)**Telecommunications****AB 1547 (Levine) Alluvial Fan Task Force.**

A - 08/28/2006

Status:

08/28/2006 - SEN RLS. Re-referred to Com. on RLS.

Calendar:**Summary**

Existing law, until January 1, 2007, requires the Alluvial Fan Task Force to develop a model ordinance on alluvial fan flooding to be made available to communities subject to alluvial fan flooding, and to prepare and submit a related report to the Legislature not later than June 30, 2006. This bill would extend each of those dates by 2 years. This bill contains other related provisions .

C/CAG

1

Telecommunica
tions**AB 2987 (Nunez) Cable and video service.**

E - 08/31/2006

Status:

08/31/2006 - ASM ENROLLMENT From committee With recommendation That Senate amendments be concurred (Ayes 10, Noes 0.) (August 31).

Senate amendments concurred ifo enrollment

Calendar:

ACTION REPORT WITH SUMMARY BY SUBJECT

Legislative Update

Summary

Existing law provides that any city, county, or city and county may authorize by franchise or license the construction and operation of a community antenna television system and prescribe rules and regulations to protect the subscribers. Existing law requires that cable and video service providers comply with specified customer service standards and performance standards. This bill would enact the Digital Infrastructure and Video Competition Act of 2006 and would establish a procedure for the issuance of state franchises for the provision of video service, which would be defined to include cable service and open-to-video systems, that would be administered by the Public Utilities Commission. The commission would be the sole franchising authority for state franchises to provide video services. The bill would require any person or corporation that seeks to provide video service in this state to file an application with the commission for a state franchise with specified information, signed under penalty of perjury. By creating a new crime, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

C/CAG

Oppose 1

Telecommunica
tions**SB 850 (Escutia) Broadband telecommunications service.**

A - 03/09/2006

Status:

03/09/2006 - ASM U. & C. From committee with author's amendments. Read second time. Amended. Re-referred to committee.

Calendar:**Summary**

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including telephone corporations. Existing law imposes various duties on the commission with regard to the provision of universal telephone and telecommunications service. This bill would make legislative findings and declarations relating to telecommunication services, and would state the intent of the Legislature to enact legislation relating to encouraging fair competition in the provision of video service, encouraging the widespread build-out of state-of-the-art video service, providing for a state-issued franchise as an alternative to obtaining a local franchise, and permitting existing cable operators to transition to a new state-issued franchise, as provided. The bill would also state the Legislature's intent that legislation enacted to achieve those purposes not alter local governmental control of the local right of way with regard to the construction of telephone lines, as provided.

C/CAG

1

Telecommunica
tions**SB 909 (Bowen) Broadband services.**

E - 08/31/2006

Status:

08/31/2006 - SEN ENROLLMENT Senate concurs in Assembly amendments. (Ayes 28. Noes 12.) To enrollment.

Calendar:**Summary**

Existing law establishes the California Teleconnect Fund Administrative Committee to advise the Public Utilities Commission regarding the implementation, development, and administration of a program to advance universal service by providing discounted rates to qualifying schools, libraries, hospitals, health clinics, and community organizations, and to carry out the program pursuant to the commission's direction, control, and approval (teleconnect program). This bill would instead authorize the commission to expend up to \$ 2,000,000 of the unencumbered amount for the nonrecurring installation costs of high-speed broadband services, as defined, for community organizations that are eligible for discounted rates pursuant to the teleconnect program. By removing the 40% limitation and expanding eligible expenses to nonrecurring installation costs, the bill would make an appropriation. This bill contains other existing laws.

C/CAG

1

Telecommunica
tions**SB 1627 (Ke hoe) Wireless telecommunications facilities.**

E - 08/30/2006

Status:

08/30/2006 - SEN ENROLLED Enrolled To Governor at 1 p.m.

ACTION REPORT WITH SUMMARY BY SUBJECT

Legislative Update

Calendar:

Summary

The Planning and Zoning Law authorizes the legislative body of any county or city to adopt ordinances that, among other things, regulate the use of buildings, structures, and land as between industry, business, residences, and open space. This bill would require a city, including a charter city, or county to administratively approve an application for a collocation facility on or immediately adjacent to a wireless telecommunications collocation facility, as defined, through the issuance of a building permit or a nondiscretionary permit, as specified. This bill contains other related provisions and other existing laws.

C/CAG

Oppose 1

Telecommunications

Transportation - Other**AB 2538 (Wolk) Transportation funds: planning and programming: regional agencies.**

E - 08/29/2006

Status:

08/23/2006 - ASM ENROLLMENT In Assembly. To enrollment.

Calendar:

Summary

Existing law generally provides for programming and allocation of funds for transportation capital improvement projects through the state transportation improvement program process administered by the California Transportation Commission. Existing law requires 25% of available funds to be programmed and expended on interregional improvement projects nominated by the Department of Transportation, and 75% of available funds to be programmed and expended on regional improvement projects nominated by regional transportation planning agencies or county transportation commissions, as applicable, through adoption of a regional transportation improvement program. Existing law authorizes a transportation planning agency or county transportation commission to request and receive up to 1% of regional improvement fund expenditures for the purposes of project planning, programming, and monitoring, but authorizes an amount up to 5% of those expenditures for a transportation planning agency or county transportation commission not receiving federal metropolitan planning funds. This bill would instead authorize each transportation planning agency or county transportation commission to request and receive up to 5% of those funds for the purposes of project planning, programming, and monitoring. The bill would change the references to "regional improvement funds" to instead refer to "county share." The bill would make other conforming changes.

C/CAG

Support 1

Transportation-Other

Transportation - Roads**AB 1329 (Wolk) Design-build contracting: cities.**

C - 09/06/2005

Status:

09/06/2005 - ASM CHAPTERED Chaptered by Secretary of State - Chapter No. 228, Statutes of 2005

Calendar:

Summary

Existing law requires public entities to comply with certain procedures in soliciting and evaluating bids and awarding contracts for the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement. Existing law, until January 1, 2006, permits certain counties, with the approval of the board of supervisors, to enter into design-build contracts, as defined, in accordance with specified provisions. This bill would, until January 1, 2011, permit cities in the Counties of Solano and Yolo, with the approval of the city council, to enter into specified design-build contracts, as defined, in accordance with specified provisions. This bill would require cities that elect to use the described design-build contract procurement process to report to the Legislative Analyst's office before December 1, 2009. This bill contains other related provisions and other existing laws.

ACTION REPORT WITH SUMMARY BY SUBJECT

Legislative Update

C/CAG

Support 1

Transportation-
Roads**SB 172 (Torlakson) Bay area state-owned toll bridges: financing.**

A - 05/27/2005

Status:

05/13/2005 - ASM TRANS. To Com. on TRANS.

Calendar:**Summary**

Existing law specifies the powers and duties of the Department of Transportation, the Metropolitan Transportation Commission, and the Bay Area Toll Authority with respect to the collection and expenditure of toll revenue from the state-owned toll bridges within the geographic jurisdiction of the commission. Under existing law, this toll revenue, other than revenue from the \$ 1 seismic surcharge, is deposited into the Bay Area Toll Account and controlled by the authority. Existing law requires the department and the authority to enter into a cooperative agreement that makes the department responsible for operating the bridges and for constructing improvements to the bridges financed by toll revenues. Existing law estimates the cost to seismically retrofit the state-owned bay area toll bridges and identifies funding to be made available for this purpose from various sources, including imposition of a \$1 seismic retrofit surcharge. Under existing law, this surcharge revenue is deposited into the Toll Bridge Seismic Retrofit Account for expenditure by the department until completion of the seismic projects and payment of the bonds issued to finance those projects. This bill would state the Legislature's findings that the amount identified for the seismic retrofit of the state-owned toll bridges is insufficient and would state its intent to identify additional funding sources for those projects. The bill would require the seismic retrofit surcharge to be paid to the authority and deposited into the Bay Area Toll Account, and would require the department to transfer to the authority, for deposit into that account, all revenue from the surcharge. The bill would continuously appropriate all seismic surcharge revenues in the account to the authority for purposes specified by law. The bill would authorize on or after January 1, 2009, the authority to increase the seismic retrofit surcharge by \$ 1. This bill contains other related provisions and other existing laws.

C/CAG

Support 1

Transportation- MTC
Roads Staff support**SB 374 (Torlakson) Public contracts: design-build contracting: transportation entities.**

A - 01/23/2006

Status:

01/31/2006 - ASM DESK In Assembly. Read first time. Held at Desk.

Calendar:**Summary**

Existing law sets forth requirements for the solicitation and evaluation of bids and the awarding of contracts by public entities for the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement. Existing law also authorizes specified state agencies, cities, and counties to implement alternative procedures for the awarding of contracts on a design-build basis. Existing law, until January 1, 2007, authorizes transit operators to enter into a design-build contract, as defined, according to specified procedures. This bill would declare the intent of the Legislature to enact legislation that would develop an alternative and optional procedure for bidding on highway, bridge, tunnel, or public transit construction projects in the jurisdiction of any county, local transportation authority, as defined, or local or regional transportation entity, as provided, and would authorize the Department of Transportation to develop an alternative bidding procedure for highway, bridge, or tunnel projects on the state highway system.

C/CAG

Support 1

Transportation- MTC-support
Roads**SB 1024 (Perata) Public works and improvements: bond measure.**

A - 01/26/2006

Status:

01/31/2006 - ASM DESK In Assembly. Read first time. Held at Desk.

Calendar:

ACTION REPORT WITH SUMMARY BY SUBJECT**Legislative Update****Summary**

Existing law provides various funding sources for transportation purposes . This bill would enact the Safe Facilities, Improved Mobility, and Clean Air Bond Act of 2006 to authorize an unspecified amount of state general obligation bonds for specified purposes, including the state transportation improvement program, passenger rail improvements, levee improvements, flood control, restoration of Proposition 42 transportation funds, port infrastructure and security projects, trade corridors of significance, transit security projects, grade separation projects, local bridge seismic upgrade projects, state -local partnership transportation projects, emissions reduction projects, environmental enhancement projects, transit -oriented development, and housing, regional growth, and infill development purposes, subject to voter approval . This bill contains other related provisions .

C/CAG Support 1 Transportation- MTC
Roads Staff support

Transportation - Transit

AB 1699 (Frommer) Commuter and intercity passenger trains: push-pull operation: study.

E - 08/31/2006

Status:
08/31/2006 - ASM ENROLLMENT In Assembly. Concurrence in Senate amendments pending. Senate amendments concurred in. To enrollment.
Calendar:

Summary

Existing law provides for federal regulation of safety and equipment matters relative to rail passenger and freight service, and provides for federal and state funding of various rail passenger services throughout the state . Existing law sets forth responsibilities of the Public Utilities Commission relative to railroad safety . Existing law provides for the Director of Transportation to allocate available funds from the Public Transportation Account to the Institute of Transportation Studies at the University of California for various transportation research activities . This bill would require the Department of Transportation to contract with the Institute of Transportation Studies to conduct a study of the safety of push -pull commuter rail and intercity rail passenger operations in California, and would require the study to be submitted to the Legislature by June 1, 2008. The bill would appropriate \$475,000 from the Public Transportation Account in the State Transportation Fund to the department for these purposes .

C/CAG 1 Transportation-
Transit

Transportation-All

AB 2444 (Klehs) Congestion management and motor vehicle environmental mitigation fees.

E - 08/29/2006

Status:
08/29/2006 - ASM ENROLLMENT Senate amendments concurred in. To enrollment (Ayes 41. Noes 34 Page 7281.)
Calendar:

Summary

Existing law provides for the imposition by air districts and other local agencies of fees on the registration of motor vehicles in certain areas of the state that are in addition to the basic vehicle registration fee collected by the Department of Motor Vehicles . This bill would authorize the congestion management agencies in the 9 Bay Area counties, by a 2/3 vote of all of the members of the governing board, to impose an annual fee of up to \$ 5 on motor vehicles registered within those counties for a program for the management of traffic congestion . The bill would require a program with performance measures and a budget to be adopted before the fee may be imposed . The bill would require the agency to have an independent audit performed on the program within 2 years after the fee becomes operative, and each year after that date, and to submit a report to the Legislature on the program by July 1, 2011. The bill would require the Department of Motor Vehicles, if requested, to collect the fee and distribute the net revenues, after deduction of specified costs, to the agency . The bill would require that the fees collected may only be used to pay for programs bearing a relationship or benefit to the owners of motor vehicles paying the fee, and would require the agency to make a specified finding of fact in that regard by a 2/3 vote . This bill contains other related provisions .

ACTION REPORT WITH SUMMARY BY SUBJECT**Legislative Update****Vehicle Abatement****AB 2681 (Pavley) Vehicles: registration fees: fines.**

E - 08/29/2006

Status:

08/24/2006 - ASM ENROLLMENT Senate amendments concurred in. To enrollment. (Ayes 45. Noes 33. Page 5947.)

Calendar:**Summary**

Existing law authorizes a county to establish a service authority for the abatement of abandoned vehicles and impose a \$ 1 vehicle registration fee in a county if the board of supervisors of that county, by a 2/3 vote, and a majority of the cities having a majority of the incorporated population within the county adopt resolutions providing for the establishment of that authority and the imposition of the \$ 1 fee. Existing law imposes an additional \$ 2 fee upon all commercial motor vehicles that are subject to the permanent trailer identification program . This bill would revise the amount of vehicle registration fees for these purposes from \$ 1 to \$1 or \$2, and would revise the amount of the additional service fee imposed on a commercial motor vehicle from \$ 2 to \$2 or \$4, as established by the service authority . The bill would require the same adoption procedure set forth above for increasing the vehicle registration fee from \$ 1 to \$2. This bill contains other related provisions and other existing laws .

C/CAG

Support

1

Vehicle

Abatement

SB 1225 (Chesbro) Service authority: registration and service fees.

E - 08/30/2006

Status:

08/30/2006 - SEN ENROLLED Enrolled. To Governor at 1 p.m.

Calendar:**Summary**

Existing law authorizes the establishment of a service authority for the abatement of abandoned vehicles and the imposition of a \$ 1 vehicle registration fee in a county if the board of supervisors of that county, by a 2/3 vote, and a majority of the cities having a majority of the incorporated population within the county adopt resolutions providing for the establishment of that authority and the imposition of the \$ 1 fee. Existing law imposes an additional \$ 2 service fee on a commercial motor vehicle . This bill would revise the amount of the vehicle registration fee for these purposes from \$ 1 to \$1 or \$2, and would revise the amount of the additional service fee imposed on a commercial motor vehicle from \$ 2 to \$2 or \$4, as established by the service authority . The bill would require the same adoption procedure set forth above for an increase of the fee from \$ 1 to \$2.

C/CAG

Support

1

Vehicle

Abatement

Water**AB 1665 (Laird) Water resources.**

A - 08/30/2006

Status:

08/31/2006 - ASM W.P. & W In Assembly Concurrence in Senate amendments pending e-referred to Com on W.P. & W pursuant to Assembly Rule 77.2.

Calendar:**Summary**

ACTION REPORT WITH SUMMARY BY SUBJECT

Legislative Update

The Planning and Zoning Law requires a city or county general plan to include specified mandatory elements, including a land use element that designates the proposed general distribution and general location and extent of the uses of the land for various purposes and a conservation element that considers, among other things, the effect of development within the jurisdiction, as described in the land use element, on natural resources located on public lands. The land use element is required to identify areas that are subject to flooding, and the conservation element may also cover, among other things, flood control . This bill would require the land use element to identify and annually review those areas covered by the general plan that are subject to flooding as identified by floodplain mapping prepared by the Federal Emergency Management Agency or the Department of Water Resources (department) and would require, upon the next revision of the housing element on or after January 1, 2008, the conservation element of the general plan to identify rivers, creeks, and streams, flood corridors, riparian habitat, and land that may accommodate floodwater for purposes of groundwater recharge and stormwater management . By imposing new duties on local public officials, the bill would create a state -mandated local program . This bill contains other related provisions and other existing laws .

C/CAG

1

Water

C/CAG AGENDA REPORT

DATE: September 14, 2006

TO: City/County Association of Governments Board of Directors

FROM: Richard Napier, Executive Director

SUBJECT: REVIEW AND APPROVAL OF RESOLUTION 06-29 AUTHORIZING THE C/CAG CHAIR TO EXECUTE THE FUNDING AGREEMENT WITH THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT (BAAQMD) FOR THE 2006-07 TRANSPORTATION FUND FOR CLEAN AIR (TFCA) (40%) PROGRAM FOR SAN MATEO COUNTY FOR THE RECEIPT OF \$1,183,800

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

RECOMMENDATION:

That the C/CAG Board review and approve Resolution 06-29 authorizing the C/CAG Chair to execute the Funding Agreement with the Bay Area Air Quality Management District (BAAQMD) for the 2006-07 Transportation Fund for Clean Air (TFCA) (40%) Program for San Mateo County for the receipt of \$1,183,800.

FISCAL IMPACT:

This agreement provides \$1,183,800 in TFCA funding for FY 2006-07. Included in this amount is \$50,800 to cover the administrative costs of the program.

BACKGROUND/ DISCUSSION:

C/CAG acts as the Program Manager for the Transportation Fund for Clean Air (TFCA) Program in San Mateo County. This program distributes Transportation Fund for Clean Air Funds to qualifying projects that reduce emissions in the air. At the March 9, 2006 C/CAG Board meeting the Board approved the projects to be funded as part of the TFCA Program. They include:

C/CAG	Administration	\$50,800
SamTrans	Shuttle Bus Program	\$638,000
Menlo Park	Mid Day Shuttle Program	\$45,000
Congestion Relief Alliance	Countywide Transportation Demand Management (TDM) Program	\$450,000
TOTAL		\$1,183,800

ATTACHMENTS:

- Resolution 06-29
- Funding agreement with the Bay Area Air Quality Management District.

ITEM 4.3

RESOLUTION 06-29

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG CHAIR TO EXECUTE THE FUNDING AGREEMENT WITH THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT (BAAQMD) FOR THE 2006-07 TRANSPORTATION FUND FOR CLEAN AIR (TFCA) (40%) PROGRAM FOR SAN MATEO COUNTY FOR THE RECEIPT OF \$1,183,800.

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

WHEREAS, the Board of Directors of the City/County Association of Governments at its March 9, 2006 meeting approved certain projects and programs for funding through San Mateo County's 40 percent local share of Transportation Fund for Clean Air (TFCA) revenues; and,

WHEREAS, the City/County Association of Governments will act as the Program Manager for \$1,183,800 of TFCA funded projects; and,

WHEREAS, it is necessary to enter into a Funding Agreement with the Bay Area Air Quality Management District setting forth the responsibilities of each party.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the Chair is authorized to enter into an agreement with the Bay Area Air Quality Management District for the 2006-07 Transportation Fund for Clean Air (TFCA) San Mateo County Program. The agreement shall be in a form approved by City/County Association of Governments' Legal Counsel.

PASSED, APPROVED, AND ADOPTED THIS 14TH DAY OF SEPTEMBER 2006.

James M. Vreeland Jr., Chair

FUNDING AGREEMENT
BETWEEN
THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT
AND
CITY/COUNTY ASSOCIATION OF GOVERNMENTS

06-SM

This Funding Agreement (Agreement) is entered into between the City/County Association of Governments, hereinafter referred to as "Program Manager," and the Bay Area Air Quality Management District, hereinafter referred to as "Air District" on the date shown on page 5. Attachment A, which specifies the projects covered by this Agreement, is hereby incorporated into this Agreement by this reference.

SECTION I

RECITALS:

- 1) The Air District is authorized under Health and Safety Code Sections 44223 and 44225 to levy a fee on motor vehicles. Funds generated by the fee are referred to as the Transportation Fund for Clean Air (TFCA) and are used to implement projects to reduce air pollution from motor vehicles.
- 2) Health and Safety Code Section 44241 limits expenditure of collected revenues to specified transportation control measures included in the plan adopted pursuant to Health and Safety Code Sections 40233 and 40717 and limits the allocation of the funds to public agencies within the Air District's jurisdiction.
- 3) Health and Safety Code Section 44241(d) stipulates that forty (40) percent of funds generated within a county where the fee is in effect shall be allocated by the Air District to one or more public agencies designated to receive the funds.
- 4) The Air District has been notified, in a communication dated July 29, 1992, that the Program Manager is the duly authorized recipient of forty (40) percent of the funds collected in San Mateo County, and has been so designated by resolutions adopted by the San Mateo County Board of Supervisors and by the City Councils of a majority of the cities representing a majority of the population in the incorporated area of the county. The resolutions specify the terms and conditions for the expenditure of funds by Program Manager.
- 5) The Air District and Program Manager, pursuant to Health and Safety Code Section 44241, hereby enter into this Funding Agreement to implement specified projects to improve air quality in the San Francisco Bay Area Air Basin. This Agreement covers those projects specified in Attachment A.

SECTION II

PROGRAM MANAGER AGREES:

- 1) To apply all funds received under this Agreement to the projects listed in Attachment A consistent with the mutually agreed to terms and conditions contained in this Agreement.
- 2) To maintain, at all times during the term of this Agreement, a separate account or sub-ledger for all funds received under this Agreement and to withdraw funds from this separate account only for the reimbursement of costs to implement approved projects. Failure to comply with this paragraph shall constitute grounds for termination pursuant to Section IV.2 below.
- 3) To maintain, or cause to be maintained, adequate records to document and demonstrate to Air District staff and auditors the receipt, interest accrual, and expenditures of Air District funds.

06-SM

Page 1 of 5

- 4) To apply all interest accrued from funds received under this Agreement toward projects approved by the Air District Board of Directors. The distribution of any such interest shall be at the discretion of the Program Manager after consultation with the Air District.
- 5) To apply any funds and associated interest unencumbered at the time of completion or termination of an approved project or projects towards other projects approved by the Air District Board of Directors. The distribution of any such funds and associated interest shall be at the discretion of the Program Manager after consultation with the Air District.
- 6) To return to the Air District any funds and associated interest, or both, unexpended within two years of the date of receipt of the funds unless a project schedule which extends beyond the two years has been approved by the Program Manager.
- 7) To limit administrative costs in the handling of these funds to no more than five (5) percent of the funds received.
- 8) To allow the Air District to audit all expenditures relating to the projects funded through this Agreement. For the duration of the projects as described in Attachment A and for three (3) years following completion of the projects, Program Manager will make available to the Air District, or to an independent auditor selected by the Air District, all records relating to project performance and expenses incurred in implementing the projects.
- 9) To maintain employee time sheets documenting those hourly labor costs incurred by employees of the Program Manager, which are paid with funds received under this Agreement to fulfill the Program Manager's obligations under this Agreement, or to establish an alternative method to document Program Manager staff costs charged to this grant.
- 10) To require that any recipients of funds allocated through this Funding Agreement shall, for the duration of projects as described in Attachment A and for three (3) years following completion of the projects, in a timely fashion make available to the Air District, or to an independent auditor selected by the Air District, all records relating to project performance and expenses incurred in implementing the project or projects for which funding was received.
- 11) To require that any recipients of funds allocated through this Funding Agreement maintain employee time sheets documenting those hourly labor costs incurred in the implementation of the projects described in Attachment A, which are paid with funds received under this Funding Agreement, or to establish an alternative method to document staff costs charged to the funded project.
- 12) To distribute TFCA funds allocated to any recipient of funds only on a cost reimbursement basis, on the basis of documented legitimate expenditures for the intended purpose of the approved project.
- 13) To keep necessary records of the performance of the project or projects as specified in Attachment A in order to expedite evaluation of emissions reductions achieved from implementation of the project or projects.
- 14) To submit a report to the Air District within (4) months of the end of each fiscal year which itemizes (a) the expenditure of the funds, (b) progress to date in the implementation of each funded project or projects and (c) the results of the monitoring of the performance of the project or projects as specified in Attachment A. Annual reports shall be prepared and submitted in accordance with the Air District's format and shall be submitted until all projects listed in Attachment A are completed.

- 15) To use the Air District's approved logo for the TFCA for any projects implemented directly by Program Manager under this Agreement, as specified below:
 - a) the logo will be used on signs posted at the site of any construction;
 - b) the logo will be displayed on any vehicles operated with or obtained as part of a project;
 - c) the logo will be used on any printed material intended for public consumption associated with any project, including project related transit schedules, brochures, handbooks, maps created for public distribution, and promotional material.
- 16) To require all recipients of funds for projects funded under this Agreement to use the Air District's approved logo for the TFCA as specified in Section II.15 above.
- 17) To acknowledge the Air District as a funding source in any related articles, news releases or other publicity materials for the projects funded under this Agreement which are implemented directly by the Program Manager, and to require recipients of funds for projects funded under this Agreement to do the same.
- 18) To assure that all funds received under this Agreement are expended only in accordance with all applicable provisions of law for projects which are implemented directly by the Program Manager, and to require recipients of funds for projects funded under this Agreement to expend the funds only in accordance with all applicable provisions of law.
- 19) To the extent not otherwise prohibited by law, and to the extent required by the California Public Records Act, to place in the public domain any software, written document, or other product developed with funds received through this Agreement, and to require recipients of funds for projects funded under this Agreement to do the same.
- 20) To require that any recipient of TFCA funds for the purchase of any vehicles must either obtain approval from the Program Manager for alternate use of the vehicles or return to the Program Manager any funds realized from the sale of any vehicles purchased with TFCA funds if such reuse or sale occurs within the industry standards for the useful life from the date of purchase of the vehicles. The amount of funds returned to the Program Manager shall be proportional to the percentage of TFCA funds originally used to purchase the vehicles. Any such funds returned to the Program Manager shall be reallocated to eligible projects approved by the Air District.

SECTION III

AIR DISTRICT AGREES:

- 1) To forward the funds for the projects described in Attachment A in two payments. The first payment will be forwarded within thirty (30) working days of the Air District receiving from the California Department of Motor Vehicles all the revenues that comprise the payment. The first payment will represent forty (40) percent of the revenues generated from motor vehicles registering in San Mateo County between January 1, 2006 and June 30, 2006, less Air District's management and audit costs. The second payment will represent forty (40) percent of the revenues generated from motor vehicles registering in San Mateo County between July 1, 2006 and December 31, 2006, less Air District's management and audit costs. The second payment will be forwarded within thirty (30) working days of the Air District receiving from the DMV all the revenues that comprise the payment. Payments will only be made after this Agreement has been signed by both the Program Manager and the Air District.
- 2) To provide timely notice prior to conducting an audit.

- 3) To provide the Program Manager, and any other requesting party, a copy of the fiscal and performance audits as specified in Section 44242 of the Health and Safety Code.
- 4) To provide the Program Manager with a standard format and content summary for the report described in Section II.14 above.

SECTION IV

IT IS MUTUALLY AGREED:

- 1) Term: This Agreement will remain in effect for three (3) years after the completion of all the projects listed in Attachment A, unless it is terminated as provided below.
- 2) Termination: Either party may terminate this Agreement at any time by giving written notice of termination to the other party which shall specify the effective date thereof. Notice of termination under this paragraph shall be given at least ninety (90) days before the effective date of such termination. This Agreement shall also terminate at the end of the fiscal year during which the City/County Association of Governments loses designation as Program Manager for San Mateo County.
- 3) Indemnity: Program Manager shall indemnify and save harmless the Air District from all claims, suits or actions resulting from the performance by Program Manager of its duties under this Agreement. Air District shall indemnify and save harmless Program Manager from all claims, suits or actions resulting from the performance by Air District of its duties under this Agreement.
- 4) Notices: Any notice which may be required under this Agreement shall be in writing, shall be effective when received, and shall be given by personal service, by U.S. Postal Service mail, or by certified mail (return receipt requested), to the addresses set forth below, or to such addresses which may be specified in writing to the parties hereto.

James M. Vreeland, Jr., Chair
City/County Association of Governments
555 County Center, 5th Fl.
Redwood City, CA 94063

Jack P. Broadbent
Air Pollution Control Officer
Bay Area Air Quality Management District
939 Ellis Street
San Francisco, CA 94109

- 5) Contacts: Liaison with the Air District with regard to the day to day activities of the projects and programs included on Attachment A shall be with Joseph Steinberger. Liaison with the Program Manager with regard to the day to day activities of the projects and programs included on Attachment A shall be with Sandy Wong. Notification of change of status of contact persons shall be made in writing within thirty (30) days of the effective date of the change of status.
- 6) Additional Acts and Documents: Each party agrees to do all such things and take all such actions, and to make, execute and deliver such other documents reasonably required to carry out the provisions, intent and purpose of this Agreement.
- 7) Integration: This Agreement including all attachments hereto, represents the entire agreement of the parties with respect to the subject matter described in this Agreement, and no representation, warranties, inducements or oral agreements have been made by either of the parties except as expressly set forth herein, or in other contemporaneous written agreements.

- 8) **Amendment:** This Agreement may not be modified except in writing, signed by both parties hereto, and any attempt at oral modification of this Agreement shall be void and of no effect. The Air District contact person and the Program Manager contact person identified pursuant to paragraph IV.5 above may jointly authorize, in writing, any schedule revisions, or changes to the Project scope of work that do not diminish the emission reductions associated with the Project. Any other amendments to this Agreement shall be executed in writing by the signators to this Agreement. Any change in Project scope shall be approved by the Air District prior to implementation of the change by the recipient of funds.
- 9) **Independent Contractor:** Program Manager renders its service under this Agreement as an independent contractor. None of the Program Manager's agents or employees shall be agents or employees of the Air District. This paragraph does not apply to elected officials serving concurrently on the governing boards of both the Program Manager and the Air District.
- 10) **Assignment:** This Agreement may not be assigned by either party without the express written consent of the other party.
- 11) **Severability:** Should any part of this Agreement be declared unconstitutional, invalid, or beyond the authority of either party to enter into or carry out, such decision shall not affect the validity of the remainder of this Agreement which shall continue in full force and effect; provided that, the remainder of this Agreement can, absent the excised portion, reasonably be interpreted to give effect to the intentions of the parties.
- 12) **Force Majeure:** Neither the Air District nor Program Manager shall be liable or deemed to be in default for any delay or failure in performance under this Funding Agreement or interruption of services, directly or indirectly, from acts of God, civil or military authority, acts of public enemy, war, strikes, labor disputes, shortages of suitable parts, materials, labor or transportation, or any similar cause beyond the reasonable control of the Air District or Program Manager.
- 13) **Governing Law:** This Funding Agreement shall be construed and interpreted and the legal relations created thereby shall be determined in accordance with the laws of the State of California.

IN WITNESS WHEREOF, Program Manager and Air District have entered into this Funding Agreement as of the date listed below.

FOR PROGRAM MANAGER:

FOR AIR DISTRICT:

by: _____
 James M. Vreeland, Jr., Chair
 City/County Association of Governments

by: _____ Date: _____
 Jack P Broadbent, Executive Officer/APCO
 Bay Area Air Quality Management District

Approved as to legal form:

Approved as to legal form:

by: _____
 Legal Counsel
 City/County Association of Governments

by: _____
 District Counsel
 Bay Area Air Quality Management District

SUMMARY INFORMATION

Program Manager Name: City/County Association of Governments of San Mateo County

Contact Person: Sandy Wong Phone No.: (650) 599-1409

Address: 555 County Center, 5th Floor, Redwood City, CA 94063-1665

Signature: _____ Date: _____

Executive Director

PART A: NEW TFCA FUNDS

- | | | |
|---|----------|---------------------|
| 1. Estimated FY06/07 DMV revenues as reported by BAAQMD. | Line 1a: | \$ <u>1,067,098</u> |
| Adjustment between FY05/06 estimate and actual revenue. | Line 1b: | \$ <u>23,131</u> |
| Estimated FY05/06 DMV revenues: | Line 1c: | \$ <u>1,047,289</u> |
| Actual FY05/06 DMV revenues: | Line 1d: | \$ <u>1,070,420</u> |
| (Line 1d minus Line 1c equals Line 1b) | | |
| 2. Interest income. Show interest earned on TFCA funds in calendar year 2005. | Line 2: | \$ <u>4,029</u> |
| 3. Total new TFCA funds. Add Lines 1a, 1b, and 2. | Line 3: | \$ <u>1,094,258</u> |

PART B: UNALLOCATED TFCA FUNDS

- | | | |
|---|---------|------------------|
| 4. Total unallocated funds from previously funded projects and funds that have not been allocated to projects that are available for programming to new projects. Enter zero (0) if there are no unallocated funds. Include TFCA funds available due to project cancellation or projects completed under-budget, and funds not previously allocated. Complete and attach Summary Information Addendum. | Line 4: | \$ <u>89,542</u> |
|---|---------|------------------|

PART C: TOTAL AVAILABLE TFCA FUNDS

- | | | |
|-----------------------|---------|---------------------|
| 5. Add Lines 3 and 4. | Line 5: | \$ <u>1,183,800</u> |
|-----------------------|---------|---------------------|

PART D: FY06/07 TFCA ALLOCATIONS

- | | | |
|--|---------|---------------------|
| 6. Total TFCA funds budgeted for administration.
(Note: Line 6 cannot exceed 5% of the sum of Lines 1a and 1b.) | Line 6: | \$ <u>50,800</u> |
| 7. Total TFCA funds allocated to new projects. Show the total of all TFCA funds allocated to new projects as shown on the attached project information sheets. | Line 7: | \$ <u>1,133,000</u> |
| 8. Total allocations. Add Line 6 plus Line 7.
(Note: Line 8 should not exceed the amount on Line 5.) | Line 8: | \$ <u>1,183,800</u> |

PART E: UNALLOCATED FUNDS

- | | | |
|---|---------|-------------|
| 9. Total unallocated funds. Subtract Line 8 from Line 5. Enter zero (0) if all available funds are allocated to new projects. | Line 9: | \$ <u>0</u> |
|---|---------|-------------|

Governing Board Resolution:

Attach a copy of the resolution adopted by your Governing Board authorizing the distribution of the above funds. The resolution should state that the projects included in this expenditure program are the most appropriate and cost-effective strategies currently available within the county for reducing motor vehicle emissions. All proposed expenditures must be consistent with the *Clean Air Plan* and Section 44241(b) of the California Health and Safety Code.

SUMMARY INFORMATION ADDENDUM

Unallocated TFCA Funds Available for Reprogramming

Fiscal Year	BAAQMD Project #	Project Sponsor	Project Name	TFCA Funds Allocated	TFCA Funds Expended	TFCA Funds Available	Code ¹
04/05	04SM00	C/CAG	Administration	49,403	49,350	53	CP
FY05/06		Unallocated funds				\$ 89,489	UF

Total \$ 89,542

1: Enter CP for completed project.
 Enter CN for canceled project.
 Enter UF for unallocated funds.

Date _____

PROJECT MONITORING FORM 1

Ridesharing; Shuttle/Feeder Bus; Transit Information; Rail-Bus Integration; Smart Growth Projects

TFCA Project # _____	Project Sponsor: _____
Project Title: _____	
Contact: _____	Phone: _____ E-mail: _____
TFCA \$ Expended: \$ _____	Total Project Cost: \$ _____
Project Start Date: _____	Completion Date: _____

- 1. Project Description:** Briefly describe the project's target population and the services provided.
- 2. Monitoring Methodology:** Describe source of data provided below, and explain any assumptions made to generate data. If a survey was performed, provide a copy of survey form and summary data.
- 3. Project Data:** Complete the section below that is most appropriate for your specific project type. Note: Round trips should be counted as two one-way trips for all project types.

A. Carpool Formation Projects: (also transit information projects)

Project Component	# Trips Reduced Per Day (One Way)	# Days Per Year	Avg. One Way Trip Distance

B. Transit or Rideshare Incentive Projects:

Project Component	Total # Recipients	Total \$ Value of Incentives Provided	# Trips Reduced Per Day (One Way)	# Days Per Year	Avg. One Way Trip Distance

C. Shuttle / Vanpool Projects: Please describe fuel type and vehicle model for each vehicle used to provide the shuttle or vanpool service:

# Shuttle/ Vanpool Trips per Day	Avg. Shuttle/VP Trip Distance (One-Way)	# Passengers per Day (One-Way)	Avg. Home to Work Trip Distance (One-Way)

- 4. Other Requirements:** Check Parts J and L of the Project Information Sheet. Please respond to or attach information for any additional requirements here.

Date _____

PROJECT MONITORING FORM 2 Clean Air Vehicle Projects

Use this form for clean air vehicle projects, including infrastructure. Attach additional sheets as needed.

TFCA Project # _____	Project Sponsor: _____
Project Title: _____	
Contact: _____	Phone: _____ E-mail: _____
TFCA \$ Expended: \$ _____	Total Project Cost: \$ _____
Project Start Date: _____	Completion Date: _____
Total # of Vehicles Acquired: _____	

1. Clean Air Vehicles Acquired:

Provide documentation of purchase and the following information for each clean air vehicle acquired:

Manufacturer / Model	GVW	Fuel Type	Vehicle ID Number (VIN)	Month/Year Placed in Service

Old Vehicles Scrapped: For projects requiring vehicle retirement (prior to FY 99/00, or FY 02/03 and later), provide the following information regarding disposition of vehicles that were replaced.

Manufacturer	Model	Year	Engine Type/Fuel	Vehicle ID Number (VIN)	Method of Disposition	Resale Price (if applicable)

If vehicles were scrapped, provide documentation (e.g., DMV Notice to Dismantler form) that the VIN has been retired (engine block and frame/chassis destroyed). If vehicles were sold, submit vehicle sale/TFCA reimbursement form. Make check payable to Bay Area Air Quality Management District and specify "Account 49" on the check. If vehicles were retrofitted instead (allowable in FY 03/04), complete Form 4.

2. Alternative Fuel Infrastructure: For refueling/recharging infrastructure projects, please describe the infrastructure installed, including the location and capacity. Also describe public access policy, public access hours, and any specific limitations on public use of the infrastructure.

3. Other Requirements: Check Parts J and L of the Project Information Sheet. Please respond to or attach information for any additional requirements here.

Date _____

PROJECT MONITORING FORM 3 Bicycle Projects

TFCA Project # _____	Project Sponsor: _____
Project Title: _____	
Contact: _____	Phone: _____ E-mail: _____
TFCA \$ Expended: \$ _____	Total Project Cost: \$ _____
Project Start Date: _____	Completion Date: _____

Complete the section that applies to the type of bicycle project implemented. Use additional sheets as needed.

1. **Bicycle Paths, Lanes, and Routes:** Provide the following information for each segment of project. Class 1 = off-street bicycle path. Class 2 = on-street bike lane. Class 3 = on-street bike route (no bike lane).

Segment Name	Class 1, 2, or 3	Segment Length

2. **Bicycle Lockers and Racks:**

	# Units Installed	Total Bike Capacity	Cost per Unit	Manufacturer	Avg. # Users per Day (If available)
Lockers					
Racks					

Provide a list of location(s) where lockers/racks were installed.

3. **Bicycle Racks on Buses:**

# Racks Installed	# Bikes per Rack	Cost per Unit	Manufacturer

4. **Police Bicycle Projects:** Provide information on bicycle usage (e.g., number of hours of use or number of miles ridden per day or per year), if available.

Type of Bike	# Bikes Purchased	Cost per Bike

5. **Other Requirements:** Check Parts J and L of the Project Information Sheet. Please respond to or attach information for any additional requirements here.

Date _____

PROJECT MONITORING FORM 4 Arterial Management Projects

TFCA Project # _____	Project Sponsor: _____	
Project Title: _____		
Contact: _____	Phone: _____	E-mail: _____
TFCA \$ Expended: \$ _____	Total Project Cost: \$ _____	
Project Start Date: _____	Completion Date: _____	

Complete the section that applies to the type of project implemented. Use additional sheets as needed.

- 1. Arterial Signal Timing Projects:** Use a separate reporting form for each road segment affected by the project. Provide information for both directions of traffic (e.g., N & S) using a separate line for each direction. Measure vehicle speed and traffic volume concurrently. The before project data shall be gathered within 3 months prior to construction and reported on Lines 1 and 2. The post-project data shall be gathered within 3 months after project completion and reported on Lines 3 and 4. **Note: The 2-year post project data (23 to 25 months after the construction of the project) is only required for projects that received four years of effectiveness at the time of project approval.** Provide a list of (or attach a map showing) locations of re-timed traffic signals.

Arterial/Segment: _____

Length (nearest 0.1 mi.) _____

#	Data Collection	Time Period	Direction of Traffic	Days/Year Effective	Traffic Volume in Period	Average Vehicle Speed for Period
1.	Pre-Project					
2.	Pre-Project					
3.	Post-Project					
4.	Post-Project					
5.	2-yrs Post-Project					
6.	2-yrs Post-Project					

- 2. Transit Bus Traffic Signal Prioritization Projects:** Provide the following information, using a separate column for each bus route that benefited from the project. The sponsor is encouraged to provide any additional information that helps document the impact of the project on bus ridership.

Route number (Use a separate column for each route)	Rte	Rte	Rte
Distance of bus route (one way)			
Days per year of service			
# Runs per day (one-way) with and \ without project	\	\	\
Average bus speed with and \ without project	\	\	\
Average passengers per run with and \ without project	\	\	\

Provide list (or attach map) showing locations of traffic signals where transit signal prioritization systems were installed. Indicate where other improvements were made to the arterial to improve transit speeds (e.g., bus bulbs, queue lanes).

- 3. Other Requirements:** Check Parts J and L of the Project Information Sheet. Please respond to or attach information for any additional requirements here.

Date _____

PROJECT MONITORING FORM 5 Repowers and Retrofits

Use this form for repowers and retrofits to existing engines. This form should also be used for shuttle/retrofit projects and heavy-duty clean air vehicle projects fulfilling the requirements of Policy #26 with a retrofit. Attach additional sheets as needed.

TFCA Project # _____	Project Sponsor: _____	
Project Title: _____		
Contact: _____	Phone: _____	E-mail: _____
TFCA \$ Expended: \$ _____	Total Project Cost: \$ _____	
Project Start Date: _____	Completion Date: _____	
Total # of Vehicles Acquired: _____		

1. Repowers:

Provide the following information about the old engine:

Engine Make/Model	Engine Year	NOx certification level (g/bhp-hr)	Fuel Type	GVW	Vehicle ID Number (VIN)

Provide the following information about the new repower engine:

Engine Make/Model	Engine Year	NOx+NMHC certification level (g/bhp-hr)	Fuel Type	Ave. Annual Mileage*	Month/Year Repowered

Provide documentation that the vehicle was repowered.

* For vehicles operating predominantly in stop-and-go applications, annual fuel use (in gallons) may be provided instead of annual mileage. If fuel use provided, submit supporting receipts/documentation.

2. Retrofits:

Provide the following information about the existing vehicle and engine:

Engine Make/Model	Engine Year	Fuel Type	GVW	Ave. Annual Mileage*	Vehicle ID Number (VIN)

For each vehicle listed above, indicate the corresponding retrofit device. Provide the device name, and certified emissions reductions. Provide documentation that the vehicle was retrofitted.

3. **Other Requirements:** Check Parts J and L of the Project Information Sheet. Please respond to or attach information for any additional requirements here.

PROJECT INFORMATION

- A. Project Number: 06SM01 B. Project Sponsor: City of Menlo Park
- C. Project Contact: Debbie Helming D. Contact Phone #: 650 858-3448
- E-mail: dahelming@menlopark.org
- E. Project Title: Menlo Park Mid Day Shuttle and Shopper Shuttle
- F. TFCA \$ Allocated: \$ 45,000 G. Total Project Cost: \$ 138,893

Other Funding:	Amount	Source
	<u>\$42,040</u>	<u>Redevelopment agency</u>
	<u>\$51,560</u>	<u>Local Service Component of Congestion Relief Program</u>
	<u>\$293</u>	<u>Shuttle Developer Fees</u>

- H. Project Description: This project supports the operation of the Menlo Park Midday shuttle, a free community service route open to the general public, but designed to meet the needs of Menlo Park seniors. The route connects Stanford Medical Center, Stanford Shopping Center, Little House, Safeway, downtown Menlo Park, senior housing complexes, Menlo Park Caltrain Station, Veterans Hospital, Belle Haven Library, and Onetta Harris Community Center. The Shopper's Shuttle provides shuttle service on Wednesdays and Fridays to Safeway, Stanford Shopping Center and Downtown Menlo Park.
- I. Project Schedule: Start Date (mo/yr) July 2006 Final Report Due Date (mo/yr) September 2007
- J. Final Report Content: Menlo Park will complete and submit Project Monitoring Form 1, *Ridesharing; Shuttle/Feeder Bus; Transit Information; Rail-Bus Integration; Smart Growth Projects*.

A survey of shuttle riders will also be performed, and the following data will be provided for all shuttles funded:

1. A description of the shuttle services, including routes, stops and schedule information.
2. Explanation of how many vehicle trips were eliminated and the length of the trips eliminated.
3. The following data for each shuttle route:
 - a. Average daily ridership
 - b. Total boardings
 - c. Revenue miles of service
 - d. Mode of travel prior to the shuttle service
 - e. Frequency of use
 - f. One-way trip distance
 - g. Length (miles) of trip compared to prior mode
 - h. Length (time) of trip compared to prior mode
 - i. Attitudes toward the level/quality of service
 - j. Willingness to pay a fare to ride the shuttle service
 - k. Knowledge of and use of shuttles on BAAQMD-announced "Spare the Air Days"
4. Copies of press articles, press releases, newsletter articles and any other publicity material regarding the project.

PROJECT INFORMATION

A. Project Number: 06SM02 B. Project Sponsor: Peninsula Traffic Congestion Relief Alliance

C. Project Contact: Christine Maley-Grub D. Contact Phone #: 650-588-8170

E-mail: Christine@commute.org

E. Project Title: Countywide Transportation Demand Management (TDM) Program

F. TFCA \$ Allocated: \$ 450,000 G. Total Project Cost: \$ 1,375,110

Other Funding:	Amount	Source
	<u>\$ 355,110</u>	<u>San Mateo County Transportation Authority</u>
	<u>\$ 500,000</u>	<u>San Mateo Congestion Relief Plan</u>
	<u>\$ 70,000</u>	<u>TFCA Regional Funds (Metropolitan Transportation Commission)</u>

H. Project Description: This project supports the *Alliance*, a transportation demand management program in San Mateo County as part of a region wide network of TDM services provided in collaboration and partnership with the Regional Rideshare Program, 511 Contra Costa, and Solano Napa Commuter Information to encourage use of transportation alternatives such as carpools, vanpools and transit. Efforts are targeted primarily at commute trips. The activities conducted by the *Alliance* include a Guaranteed Ride Home Program, an employer outreach program that conducts marketing and outreach to employer work sites in San Mateo County, a non-employer commuter outreach program that reaches commuters directly, and an incentive program for new carpool commuters, new vanpool riders, vanpool drivers, new transit riders, and for people that form carpools to school.

I. Project Schedule: Start Date (mo/yr) July 2006 Final Report Due Date (mo/yr): October 2007

J. Final Report Content: The Alliance will complete and submit Project Monitoring Form 1, *Ridesharing; Shuttle/Feeder Bus; Transit Information; Rail-Bus Integration; Smart Growth Projects*. The final report will also include a description of the completed project, including summary statistics of the following activities:

1. Guaranteed ride home program and number of rides provided.
2. Employer and Non-Employer Outreach programs.
3. Commuter Alternative Incentive Programs and number of incentives provided.

PROJECT INFORMATION

A. Project Number: 06SM03 B. Project Sponsor: San Mateo County Transit District (SamTrans)

C. Project Contact: Richard Cook D. Contact Phone #: (650) 508-6476

E-mail: cookr@samtrans.com

E. Project Title: SamTrans Shuttle Bus Program

F. TFCA \$ Allocated: \$638,000

G. Total Project Cost: \$ \$1,803,277

Other Funding:	Amount	Source
	<u>\$968,686</u>	<u>Participating Employers</u>
	<u>\$196,591</u>	<u>SamTrans sales tax</u>

H. Project Description: This project supports the SamTrans Shuttle Bus Program, a peak commute period shuttle bus service from BART stations to major employment sites in San Mateo County. Those employment sites are not served conveniently by existing transit service. The SamTrans Shuttle Bus Program includes nine (9) previously approved shuttle routes that are currently operating as part of the SamTrans Shuttle Bus Program. All shuttle vehicles operated with TFCA funds meet the California Air Resources Board (CARB) particulate matter standards for public transit fleets.

I. Project Schedule: Start Date (mo/yr) July 2006 Final Report Due Date (mo/yr) September 2007

J. Final Report Content: SamTrans will complete and submit Project Monitoring Form 1 (*Shuttle/Feeder Bus Program*). A survey of shuttle riders will also be performed, and the following data will be provided for all shuttles funded:

1. A description of the shuttle services, including routes, stops and schedule information.
2. Explanation of how the number of vehicle trips and trip length were determined.
3. The following data for each shuttle route:
 - a. Average daily ridership
 - b. Total boardings
 - c. Revenue miles of service
 - d. Mode of travel prior to the shuttle service
 - e. Frequency of use
 - f. One-way trip distance
 - g. Length (miles) of trip compared to prior mode
 - h. Length (time) of trip compared to prior mode
 - i. Attitudes toward the level/quality of service
 - j. Willingness to pay a fare to ride the shuttle service
 - k. Knowledge of and use of shuttles on "Spare the Air Days"
4. Copies of press articles, press releases, newsletter articles and any other publicity material regarding the project.

C/CAG AGENDA REPORT

DATE: September 14, 2006

TO: City/County Association of Governments Board of Directors

FROM: Richard Napier, Executive Director

SUBJECT: **REVIEW AND APPROVAL OF RESOLUTION 06-30 AUTHORIZING THE C/CAG CHAIR TO EXECUTE AN AGREEMENT WITH THE PENINSULA TRAFFIC CONGESTION RELIEF ALLIANCE IN THE AMOUNT OF \$1,020,000 UNDER THE 2006-07 TRANSPORTATION FUND FOR CLEAN AIR (TFCA) PROGRAM, THE C/CAG COUNTYWIDE CONGESTION RELIEF PLAN, AND THE REGIONAL RIDESHARE PROGRAM, TO PROVIDE THE COUNTYWIDE TRANSPORTATION DEMAND MANAGEMENT (TDM) PROGRAM.**

(Please contact Tom Madalena at 599-1460 with questions or for further information)

RECOMMENDATION:

That the Board approve Resolution 06-30 authorizing the C/CAG Chair to execute an agreement with the Peninsula Traffic Congestion Relief Alliance (Alliance) in the amount of \$1,020,000 under the Transportation Fund for Clean Air (TFCA) Program, the C/CAG Countywide Congestion Relief Plan, and the Regional Rideshare Program, to provide the Countywide Transportation Demand Management (TDM) Program.

FISCAL IMPACT:

Funding for the \$1,020,000 for the Alliance's Countywide Transportation Demand Management (TDM) Program will come from the following:

Transportation Fund for Clean Air (TFCA):

Under the 2006-07 TFCA program there is a total allocation of \$1,183,800 of which \$450,000 is designated for the Alliance.

C/CAG Countywide Congestion Relief Plan:

Under the Congestion Relief Plan there is up to \$500,000 budgeted for the Alliance's Countywide Transportation Demand Management (TDM) Program

Regional Rideshare Program:

San Mateo County's share of the Metropolitan Transportation Commission (MTC) Regional Rideshare Program is \$70,000.

ITEM 4.4

SOURCE OF FUNDS:

TFCA funds are derived from a Vehicle Registration Fee surcharge provided to C/CAG by the Bay Area Air Quality Management District (BAAQMD). The funds under the Congestion Relief Plan are derived from C/CAG Member Agency assessments. The Regional Rideshare Program is funded by the Metropolitan Transportation Commission (MTC).

BACKGROUND/ DISCUSSION:

C/CAG acts as the Program Manager for the Transportation Fund for Clean Air (TFCA) Program in San Matco County. This program distributes TFCA monies to projects whose primary objective is to reduce emissions in the air. At the March 9, 2006 C/CAG meeting the Board approved the projects to be funded with the 2006-07 allocation. These were submitted to the Bay Area Air Quality Management District (BAAQMD) and approved. The attached contract is with the Peninsula Traffic Congestion Relief Alliance to operate a Countywide Transportation Demand Management (TDM) Program to assist private and public sectors to connect their employees and customers with transportation systems that provide an alternative to driving single occupant vehicles. The funds under the TFCA program were insufficient to fully support this program; therefore it is being jointly funded with revenues under the Countywide Congestion Relief Plan as well as the San Matco County share of the Regional Rideshare Program.

ATTACHMENTS:

- Resolution 06-30
- Funding Agreement with the Peninsula Traffic Congestion Relief Alliance

RESOLUTION 06-30

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG CHAIR TO EXECUTE AN AGREEMENT WITH THE PENINSULA TRAFFIC CONGESTION RELIEF ALLIANCE IN THE AMOUNT OF \$1,020,000 UNDER THE TRANSPORTATION FUND FOR CLEAN AIR (TFCA) PROGRAM, THE COUNTYWIDE CONGESTION RELIEF PLAN, AND THE REGIONAL RIDESHARE PROGRAM, TO PROVIDE THE COUNTYWIDE TRANSPORTATION DEMAND MANAGEMENT (TDM) PROGRAM.

WHEREAS, the Board of Directors of the City/County Association of Governments at its March 9, 2006 meeting approved certain projects and programs for funding through San Mateo County's local share of Transportation Fund for Clean Air (TFCA) revenues; and,

WHEREAS, the agencies implementing these projects, the scope of the work and the specified amount of Transportation Fund for Clean Air (TFCA) funding, have been identified and approved by the Board of Directors; and,

WHEREAS, it is necessary for C/CAG to enter into Project Sponsor agreements with the individual agencies receiving Transportation Fund for Clean Air (TFCA) project funding, setting forth the responsibilities of each party; and,

WHEREAS, one of these programs is to provide a Countywide Transportation Demand Management (TDM) Program and is sponsored by the Peninsula Congestion Relief Alliance; and,

WHEREAS, there are insufficient funds under the TFCA program to fully fund this program and supplemental funding is available under the Countywide Congestion Relief Plan.

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 enter into an agreement with the Peninsula Congestion Relief Alliance for \$1,020,000. A total of \$450,000 will be derived from the Transportation Fund for Clean Air (TFCA) program, \$500,000 will be derived from the Congestion Relief Plan, and \$70,000 will be derived from the Metropolitan Transportation Commission's Regional Rideshare Program. This agreement shall be in a form approved by C/CAG Legal Counsel.

PASSED, APPROVED, AND ADOPTED THIS 14TH DAY OF SEPTEMBER 2006.

James M. Vreeland Jr., Chair

FISCAL YEAR 2006-2007 FUNDING AGREEMENT
BETWEEN
THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS
AND
PENINSULA TRAFFIC CONGESTION RELIEF ALLIANCE

This Funding Agreement (Agreement) is made and entered into between the City/County Association of Governments (C/CAG), hereinafter referred to as "Program Manager," and the Peninsula Traffic Congestion Relief Alliance, hereinafter referred to as "Project Sponsor," on the date shown on Attachment A ("Project Information" form), which along with Attachment B, Attachment C, Attachment D, Attachment E, and Attachment F specify the project covered by this Agreement and are hereby incorporated into this Agreement by this reference.

SECTION I

RECITALS:

- 1) The Bay Area Air Quality Management District, hereinafter referred to as "Air District" is authorized under Health and Safety code Section 44223 and 44225 to levy a fee on motor vehicles. Funds generated by the fee are referred to as the Transportation Fund for Clean Air (TFCA) and are used to implement projects to reduce air pollution from motor vehicles.
- 2) Health and Safety Code Section 44241 limits expenditure of collected revenues to specified transportation control measures included in the plan adopted pursuant to Health and Safety Code Sections 40233 and 40717 and limits the allocation of the funds to public agencies within the Air District's jurisdiction.
- 3) Health and Safety Code Section 44241(d) stipulates that forty (40) percent of funds generated within a county where the fee is in effect shall be allocated by the Air District to one or more public agencies designated to receive the funds.
- 4) The Air District has been notified, in a communication dated July 29, 1992, that the Program Manager is the duly authorized recipient of forty (40) percent of the funds collected in San Mateo County, and has been so designated by resolutions adopted by the San Mateo County Board of Supervisors and by the City Councils of a majority of the cities representing a majority of the population in the incorporated area of the county. The resolutions specify the terms and conditions for the expenditure of funds by the Program Manager.
- 5) C/CAG has been designated, by previous resolutions, as the overall Program Manager for San Mateo County.
- 6) On March 9, 2006, the Program Manager approved projects for TFCA funding including

\$450,000 from TFCA funds, \$500,000 from the Congestion Relief Plan, and \$70,000 from TFCA regional funds (Metropolitan Transportation Commission) to fund the Countywide Transportation Demand Management (TDM) Program (hereinafter referred to as "Project") for a total of \$1,020,000 for fiscal year 2006-07.

- 7) The Program Manager and Project Sponsor, pursuant to Health and Safety code Section 44241, hereby enter into this Funding Agreement to implement the specified project to improve air quality in the San Francisco Bay Area Air Basin. This Agreement covers the project specified in Attachment A, Attachment B, Attachment C, Attachment D, Attachment E, and Attachment F.

SECTION II

PROJECT SPONSOR AGREES:

- 1) To apply all funds received under this Agreement to the project described in Attachment A, Attachment B, Attachment C, Attachment D, Attachment E, and Attachment F, consistent with the mutually agreed to terms and conditions contained in this Agreement.
- 2) To maintain, at all times during the term of this Agreement, a separate account or sub-ledger for all funds received under this Agreement and to withdraw funds from this separate account.
- 3) To maintain, or cause to be maintained adequate records to document and demonstrate to the Program Manager, Air District staff and auditors the receipt and expenditures of TFCA funds.
- 4) To allow the Program Manager and the Air District to audit all expenditures relating to the project funded through this Agreement. For the duration of the project as described in Attachment A and for three (3) years following completion of the project, Project Sponsor will make available to the Program Manager, Air District staff, or to an independent auditor selected by the Air District all records relating to project performance and expenses incurred in implementing the project.
- 5) To maintain employee time sheets documenting those hourly labor costs incurred in the implementation of the project described in Attachment A, which are paid with funds received under this Funding Agreement, or to establish an alternative method to document staff costs charged to the funded project.
- 6) All TFCA funds allocated to a recipient will be distributed on a cost reimbursement basis, on the basis of documented legitimate expenditures for the intended purpose of the approved project. Costs will be reimbursed only to the amount of the TFCA funds authorized by this Agreement. In no event shall the Program Manager be required to provide any funding to the Project Sponsor under this Agreement unless such funds are first provided to the Program Manager by the Air District.

- 7) To keep necessary records of the performance of the project specified in Attachment A and Attachment B in order to expedite evaluation of emissions reductions achieved from implementation of the project.
- 8) To submit a report to the Program Manager within (2) months of the end of each fiscal year which itemizes (a) the expenditure of the funds, (b) progress to date in the implementation of the funded project and (c) results of the monitoring of the performance of the project as specified in Attachment A. Annual report shall be prepared and submitted in accordance with the Air District's format and shall be submitted until all projects listed in Attachment A are completed.
- 9) To use the Air District's approved logo for the TFCA project implemented directly by the Project Sponsor under this Agreement, as specified below:
 - a) the logo will be used on signs posted at the site of any construction;
 - b) the logo will be displayed on any vehicles operated with or obtained as part of a project;
 - c) the logo will be used on any printed material intended for public consumption associated with any project, including project related transit schedules, brochures, handbooks, maps created for public distribution, and promotional material.
- 10) To credit the Air District as a funding source in any related articles, news releases or other publicity materials for the project funded under this Agreement which are implemented directly by the Project Sponsor.
- 11) All funds received under this Agreement shall be expended only in accordance with all applicable provisions of the law for the project that is implemented directly by the Project Sponsor.
- 12) To the extent not otherwise prohibited by law, and to the extent required by the California Public Records Act, to place in the public domain any software, written document, or other product developed with funds received through this Agreement.
- 13) If TFCA funds are used for the purchase of any vehicle(s), Project Sponsor must either obtain approval from the Program Manager for alternative use of the vehicle(s) or return to the Program Manager any funds realized from the sale of any vehicle(s) purchased with TFCA funds if such reuse or sale occurs within the industry standards for the useful life from the date of purchase of the vehicle(s). The amount of funds returned to the Program Manager shall be proportional to the percentage of TFCA funds originally used to purchase the vehicle(s).
- 14) Project Sponsor will complete the project by June 30, 2007.

- 15) Project Sponsor must sign this Funding Agreement within sixty (60) days after the Program Manager has transmitted it to them in order to remain eligible for the granted TFCA funds. Program Manager may grant a one-time extension of thirty (30) days to the applicant for just cause.
- 16) Unless authorized by the Program Manager, if no status reports and/or reimbursement requests are received from the Project Sponsor within one (1) year from the date of execution of the Agreement the project will be considered for cancellation and the funds reprogrammed.

SECTION III

PROGRAM MANAGER AGREES:

- 1) To distribute TFCA funds allocated to the Project Sponsor only on a cost reimbursement basis, on the basis of documented legitimate expenditures for the intended purpose of the approved project. Costs will be reimbursed only to the amount of the TFCA funds authorized by this Agreement. In no event shall the Program Manager be required to provide any funding to the Project Sponsor under this Agreement unless such funds are first provided to the Program Manager by the Air District.
- 2) Reimburse costs from the execution of this Agreement through June 30, 2007.
- 3) To provide timely notice prior to conducting an audit.
- 4) To provide the Project Sponsor, and any other requesting party, a copy of the fiscal and performance audits as specified in Section 44242 of the Health and Safety Code.
- 5) To provide the Project Sponsor with a standard format and content summary for the report described in Section II.8 above.

SECTION IV

IT IS MUTUALLY AGREED:

- 1) Term: This Agreement will remain in effect for three (3) years after the completion of the project defined in Attachment A, unless it is terminated as provided below.
- 2) Termination: Either party may terminate this Agreement at any time by giving written notice of termination to the other party which shall specify the effective date thereof. Notice of termination under this paragraph shall be given at least ninety (90) days before the effective date of such termination. This Agreement will also terminate at the end of the fiscal year during which the City/County Association of Government loses designation as Program Manager for San Matco County.

- 3) **Indemnity:** Project Sponsor shall indemnify and save harmless the Program Manager from all claims, suits or actions resulting from the performance by Project Sponsor of its duties under this Agreement. Program Manager shall indemnify and save harmless the Project Sponsor from all claims, suits or actions resulting from the performance by Program Manager of its duties under this Agreement. In the event that, for any reason other than Program Manager's sole misconduct, the Air District seeks return of funds already distributed to the Project Sponsor, the Project Sponsor shall indemnify the Program Manager in the amount the Program Manager is required to return to the Air District under the funding Agreement between the Program Manager and the Air District that includes this specific project.
- 4) **Notices:** Any notice which may be required under this Agreement shall be in writing, shall be effective when received, and shall be given by personal service, by U.S. Postal Service mail, or by certified mail (return receipt requested), to the address set forth below, or to such addresses which may be specified in writing to the parties hereto.

Christine Maley-Grubl
Peninsula Traffic Congestion Relief Alliance
1150 Bayhill Drive, Suite 107
San Bruno, CA 94066
650-588-8170

Tom Madalena
City/County Association of Governments
555 County Center, 5th Floor
Redwood City, CA 94063
650-599-1460

- 5) **Additional Acts and Documents:** Each party agrees to do all things and take all such actions, and to make, execute and deliver such other documents and instruments, as shall be reasonably requested to carry out the provisions, intent and purpose of this Agreement.
- 6) **Integration:** This Agreement represents the entire agreement of the parties with respect to the subject matter described in this Agreement, and no representation, warranties, inducements or oral agreements have been made by any of the parties except as expressly set forth herein, or in other contemporaneous written agreements.
- 7) **Amendment:** This Agreement may not be changed, modified or rescinded except in writing, signed by all parties hereto, and any attempt at oral modification of the Agreement shall be void and no effect.
- 8) **Independent Contractor:** Project Sponsor renders its services under this Agreement as an independent contractor. None of the Project Sponsor's agents or employees shall be agents or employees of the Program Manager. This paragraph does not apply to elected officials serving concurrently on the governing boards of the Project Sponsor, Program Manager or the Air District.

- 9) Assignment: This Agreement may not be assigned, transferred, hypothecated, or pledged by any party without express written consent of the other party.
- 10) Severability: Should any part of this Agreement be declared unconstitutional, invalid, or beyond the authority of either party to enter into or carry out, such decision shall not affect the validity of the remainder of this Agreement which shall continue in full force and effect; provided that, the remainder of this Agreement can, absent the excised portion, reasonably be interpreted to give the intentions of the parties.
- 11) Force Majeure: Neither the Project Sponsor, Program Manager or the Air District shall be liable or deemed to be in default for any delay or failure in performance under this Funding Agreement or interruption of services, directly or indirectly, from acts of God, civil or military authority, acts of public enemy, war, strikes, labor disputes, shortages of suitable parts, materials, labor or transportation, or any similar cause beyond the reasonable control of the Project Sponsor, Program Manager or the Air District.
- 12) Governing Law: This Funding Agreement shall be construed and interpreted and the legal relations created thereby shall be determined in accordance with the laws of the State of California.

IN WITNESS WHEREOF, Project Sponsor and Program Manager have entered into this Funding Agreement as of the date listed below.

FOR PROJECT SPONSOR:

FOR PROGRAM MANAGER:

By: _____

By: _____

*James M. Vreeland Jr., Chair
City/County Association of Governments*

Approved as to legal form:

Approved as to legal form:

By: _____

Legal Counsel

By: _____

*Legal Counsel
City/County Association of Governments*

ATTACHMENT A
PROJECT INFORMATION

A. Project Number: 06SM02 B. Project Sponsor: Peninsula Traffic Congestion Relief Alliance

C. Project Contact: Christine Maley-Grubl D. Contact Phone #: (650) 588-8170

E-mail: Christine@commute.org

E. Project Title: Countywide Transportation Demand Management (TDM) Program

F. TFCA \$ Allocated: \$450,000

G. Total Project Cost: \$1,375,110

Other Funding:	Amount	Source
	<u>\$355,110</u>	<u>San Mateo County Transportation Authority</u>
	<u>\$500,000</u>	<u>San Mateo Congestion Relief Plan</u>
	<u>\$70,000</u>	<u>TFCA Regional Funds (Metropolitan Transportation Commission)</u>

H. Project Description: This project supports the *Alliance*, a transportation demand management program in San Mateo County as part of a region wide network of TDM services provided in collaboration and partnership with the Regional Rideshare Program, 511 Contra Costa, and Solano Napa Commuter Information to encourage use of transportation alternatives such as carpools, vanpools and transit. Efforts are targeted primarily at commute trips. The activities conducted by the *Alliance* include a Guaranteed Ride Home Program, an employer outreach program that conducts marketing and outreach to employer work sites in San Mateo County, non-employer commuter outreach program that reaches commuters directly, and an incentive program for new carpool commuters, new vanpool riders, vanpool drivers, new transit riders, and for people that form carpools to school.

I. Project Schedule: Start Date (mo/yr) July 2006 Final Report Due Date (mo/day/yr)
October 1, 2007

J. Final Report Content: The Alliance will complete and submit Project Monitoring Form 1, *Ridesharing; Shuttle/Feeder Bus; Transit Information; Rail-Bus Integration; Smart Growth Projects*. The final report will also include a description of the completed project, including summary statistics of the following activities:

1. Guaranteed ride home programs and number of rides provided.
2. Employer and Non-Employer Outreach programs.
3. Commuter Alternative Incentive Programs and number of incentives provided.

ATTACHMENT B

SCOPE OF WORK

C/CAG shall appoint The Peninsula Traffic Congestion Relief Alliance (The Alliance) to act on behalf of, incorporate the identity of, and support the mission and goals of, the Regional Rideshare Program to perform the following tasks for San Mateo County:

Employer Outreach

1. Identify employers that do not have TDM programs or are not aware of the services provided by the RRP Contractor and/or The Alliance. Introduce these employers to TDM.
2. Encourage and assist employers that do not have TDM programs to implement programs at their worksites, and encourage employers to use the RRP ridesharing system (RMS).
3. Obtain administrative access to the RMS by working with the RRP Contractor to develop requirements, procedures, and guidelines for RMS administrative access and web reporting tool usage to be included in the "Coordination Plan for Working with County Partners" (Deliverable IV.E of the RRP Contract).
4. Work with employers that may already have TDM programs and assist them to improve the quality and substance of the products and services they offer.
5. Provide ongoing communications to employers with TDM programs and those without that are interested in hearing about RRP and The Alliance news and offerings.
6. Coordinate with other local agency TDM program providers and the RRP Contractor to ensure the same employers are not solicited multiple times and to facilitate contact with multi-site employers.
7. Coordinate with the RRP Contractor and the RRP TAC to consistently track products and services or improvements that employers offer (i.e., "sales").
8. Coordinate with the RRP Contractor and the RRP TAC to consistently assess the state of employer programs within the County and measure progress toward additional penetration into the employer market.
9. Maintain an employer outreach database.
10. Make the employer outreach database available to MTC and TDM partners for communications and mailings, as requested by MTC's Rideshare Program Project Manager or distribute communications as requested by MTC's Rideshare Program Project Manager to employers in The Alliance employer outreach database
11. Coordinate with the RRP Contractor to develop any regional campaign, event, promotions, etc. that has an employer outreach element to ensure that the campaign can be implemented in San Mateo County. Implement such activities and tailor activity materials provided by the RRP Contractor as necessary.
12. Coordinate with the RRP Contractor to ensure that all vanpools in the county are entered into the ridesharing database.

Program Marketing Related to Employer Outreach

1. Comply with *Attachment B-1, "RRP Marketing & Customer Communications Requirements"*.
2. Work with other local agency TDM program providers and CMAs and MTC's Rideshare Program Project Manager to develop a uniform way to integrate county program identities with 511. (See *Attachment B-1, "RRP Marketing & Customer Communications Requirements."*)

Program Planning

1. Ensure that work scope and funding arrangements between MTC and C/CAG are established.
2. Participate in rideshare TAC meetings and any relevant TAC Working Group meetings. These meetings shall serve as the forum for coordination with CMAs accepting delegation, the RRP Contractor, and MTC's Rideshare Program Project Manager on:
 - a. Provision of services in this Scope.
 - b. RRP Contractor development of any materials that will be used for employer outreach;
 - c. RRP Contractor development of any regional events or campaigns involving work with employers; and
 - d. Performance reporting on services in this Scope.
3. Participate with MTC's Rideshare Program Project Manager, or designee, the Bay Area Air Quality Management District (BAAQMD), the RRP Contractor and other involved CMAs in the TFCA joint reporting working group to develop, refine and agree by consensus on a joint RRP Transportation Fund for Clean Air (TFCA) application and reporting process. Through the working group, update the process as needed over time.
4. Implement the application and reporting process that is collaboratively developed, and consensually agreed to, by members of the TFCA joint reporting working group. Implement the process according to the schedule consensually established by the TFCA joint reporting working group, including the official launch date and possible pilot.
5. As agreed upon by the TFCA joint reporting working group, include any of the following program activities if they are implemented by The Alliance in the joint TFCA application and reporting process: employer outreach, vanpool incentives, transit incentives, carpool incentives, matchlist processing, matchlist placement calls/follow-up activities, vanpool formation, provision of airport information, provision of general Transportation Demand Management information, carpool to transit, or guaranteed ride home program. Implement these programs as a partner of the RRP Contractor and other involved CMAs and report their results through the RRP Contractor for TFCA purposes. Allow additional program activities implemented by The Alliance that are not mentioned in the above list to be considered for inclusion as the joint reporting process is updated by the TFCA joint reporting working group as described above.
6. Through the TFCA Joint Reporting Working Group and the RRP TAC, coordinate program activities on an annual basis to ensure there no duplication of service between the RRP Contractor and local program activities.
7. Meet performance outcomes necessary to facilitate a successful joint TFCA regional fund application (i.e., meet and, as necessary, exceed TFCA cost-per-ton effectiveness goals to allow continued TFCA funding for the RRP Contractor).
8. Monitor and report program performance, and coordinate with the RRP Contractor as necessary, and as consensually agreed upon by the joint TFCA working group, to provide data to the RRP Contractor to complete joint TFCA applications and reports.
9. Provide the following measurements on a quarterly basis using the format shown in *Attachment D* to the RRP Contractor by the 10th of the month following the end of the quarter. Strive to achieve the annual targets established by MTC and the TAC.

<u>MEASUREMENT</u>	<u>FY06-07 ALLIANCE TARGET</u>
# new employers during the year	133
# of active employers (average) during the year	100
# of maintenance employers (average) during the year	445

Definitions:

ACTIVE EMPLOYER

An employer or employer site that has received services from The Alliance or participated in an Alliance program within the last two years. At a minimum, the employer's involvement includes:

- Hosting an on-site employee transportation event, **or**
- Requesting advice about TDM programs, **or**
- Requesting program information to distribute to employees and/or clients, **or**
- Being willing to distribute program information to employees and/or clients, **or**
- Implementing/offering another program activity specific to The Alliance, **and**
- Providing an "ETC-type" contact.

The amount of time and the duration needed to work with an active employer will vary with the level of activity requested by the employer. Active employers become maintenance employers if the ETC-type contact is lost or if the employer has not minimally participated in the last two years.

MAINTENANCE EMPLOYER

An employer or employer site in The Alliance's database that receives general employer mailings or e-mail updates from The Alliance on a periodic basis, but at least annually. Maintenance employer address information is current.

NEW EMPLOYER

New employers are not a separate category from active and maintenance employers. A new employer can be either a "new active employer" or a "new maintenance employer."

New Active Employer

An employer that is classified as an active employer for the first time during the fiscal year. A new active employer could be an employer that is solicited for the first time or a "maintenance employer" that takes advantage of one of The Alliance's programs for the first time.

New Maintenance Employer

An employer that is classified as a maintenance employer for the first time during the fiscal year. A new maintenance employer is an employer that is solicited for the first time but does not minimally participate in an Alliance program.

10. Work with the RRP Contractor to develop a definition of employer "sales" made. Track the number of employer sales for possible inclusion as a future target.

ATTACHMENT B-1

RRP Marketing & Customer Communications Requirements

A. 511 Call-to-Action

1. Use of Logo and Tag Line

Any marketing or outreach materials (e.g., newspaper ads, radio ads, billboards, employer packets, e-mail newsletters, etc.) that support tasks in *Attachment B, Scope of Work* (regardless of funding source) shall include, in addition to The Alliance logo, the current, approved 511 logo and tag line available in the "511 Tool Box".

To ensure that it is clear to The Alliance customers how to access The Alliance, the 511 logo and tag line may be included on the back or bottom of any brochure and/or in small size. It may also be accompanied by the phrase, "For Bay Area regional transportation information go to *insert logo/tagline here*" or "For transportation information outside San Mateo County, go to *insert logo/tagline here*"

The Alliance shall follow MTC's guidelines for using the 511 logo and tag line, available at <http://511.org/toolbox/default.asp>. If the 511 logo or tag line changes, the Alliance will update the 511 logo or tag line the next time it revises its materials.

2. 511 Coordination

The Alliance shall ensure that its marketing efforts, as they support the tasks in *Attachment B, Scope of Work* are coordinated with other 511 marketing efforts.

The Alliance shall include on its program website homepage a link to www.511.org and/or the 511.org Rideshare site.

When communicating with the media about activities that support the tasks in *Attachment B, Scope of Work*, the Alliance shall explain its role as a provider of RRP services and 511 Travel Information services.

B. Process for Developing Marketing & Outreach Materials

The RRP Contractor will develop regional marketing and outreach materials for regional campaigns. The Alliance will have the opportunity to review and provide feedback on these materials through the monthly RRP TAC meetings and the Regional Marketing Working Group meetings. Once the materials are finalized, the RRP Contractor will share electronic files with The Alliance, in a format that will allow The Alliance to make changes. The Alliance may add appropriate local program information to these materials. The Alliance will be responsible for printing and distribution costs.

MTC's Rideshare Program Project Manager, or designee, has the option to review materials created by The Alliance related to regional campaigns. MTC's Rideshare Program Project Manager's (or designee's) review is limited to ensuring appropriate use of the 511 logo and tag line and coordination with the regional campaign. The review process will be as follows:

1. When developing its own regional campaign outreach materials, The Alliance shall develop and present creative concept/draft materials to MTC's Rideshare Program Project Manager, or designee, for feedback.
2. MTC's Rideshare Program Manager will inform the Alliance Program Manager of MTC's intent to exercise its review option within five (5) business days upon receipt of materials from the Alliance. MTC's Rideshare Program Manager and the Alliance Program Manager will agree upon a timeline for MTC's feedback submission.
3. The Alliance Program Manager shall incorporate feedback from MTC's Rideshare Program Project Manager, or designee, whenever possible, in the final draft materials.
4. The Alliance Program Manager shall submit the final draft materials to MTC's Rideshare Program Project Manager for final review.

5. MTC's Rideshare Program Project Manager will provide final approval to The Alliance Program Manager of all such products within five business days of receipt of final draft materials (Step 4).

ATTACHMENT B-2
Database Management & Information Sharing Requirements

In order to provide accurate, comprehensive and coordinated information to the Regional Rideshare Program's (RRP) partner organizations (funding partners and designated local government-funded TDM programs) about employers and individuals interested in ridematching and other TDM products and services, Contractor will adhere to the following requirements for the employer and ridematching databases.

I. Employer Database

Contractor will maintain a database of employers. This database will support the Contractor's employer outreach efforts and will contain employers located in Group 3 counties. The Employer Database includes contact information about employers interested in receiving information/calls from the Contractor regarding RRP products and services. Group 1 and Group 2 counties will maintain separate databases to support employer outreach efforts in their respective counties.

A. Employer Database Content, Accuracy and Currency

1. Contractor shall ensure that the contact information in the database is up to date and accurate through an annual updating process.
2. The following information shall be recorded in the database for each company (and may be modified based on reviews with partners, employees and others, after consultation with MTC):
 - a. Contact information, including Personal Contact information, including size of work force, title, address, phone number, fax number, email address and county.
 - b. The date an employer expressed interest in being in the database
 - c. The date(s) employer information is updated
 - d. What types of TDM programs/benefits the employer offers
 - e. The "sales" made by the Contractor to the employer
 - f. Notes about the employer's interest in increasing the number of employer TDM programs/benefits
 - g. Employer classification -- "not interested," "active," or a "maintenance" employer
 - h. Dates of all employer meetings/conversations
 - i. Any annual employer events
 - j. Any specific employer requests
 - k. Any other relevant information
3. No individual or company record will remain in the active employer database for longer than two years without a successful contact by Contractor. In addition to the annual purge, Contractor will purge the database of old records and correct inaccurate records based on information it receives through returned mail and e-mail and disconnected phone numbers on an on-going basis.

B. Employer Database Ownership and Availability

MTC owns the information in the employer database but makes it available for use by government-funded local TDM programs in the nine-county Bay Area to promote local and regional TDM program services and incentives that mitigate the growth of traffic congestion and motor vehicle emissions and the Bay Area Air Quality Management District for their use in promoting their Spare the Air program. MTC will be responsible for coordinating and responding to all requests for information from the employer database. Contractor shall only share information in the Employer Database as directed by MTC.

II. Ridematching Database

The Ridematching Database contains contact information for commuters interested in 1) receiving matchlists from the Regional Rideshare Program and/or 2) information/calls from the Regional Rideshare Program and partner organizations regarding TDM products and services.

A. Ridematching Database Content, Accuracy and Currency

1. Contractor will maintain and enhance the Ridematching Database.
2. Contractor shall ensure that the contact information in the database is up to date and accurate. Contractor may use a variety of proposed methods to maintain the accuracy and currency of the ridematching database.

3. Contractor shall provide an off-site back-up copy of the database.

B. Ridematching Database Ownership & Availability

1. MTC owns the information in the employer database but makes it available for use by government-funded local TDM programs in the nine-county Bay Area to promote local and regional TDM program services and incentives that mitigate the growth of traffic congestion and motor vehicle emissions. Otherwise, ridematching customer information is confidential.
2. MTC will direct Contractor about whom they may share data. Generally, MTC will share data with other government-funded rideshare agencies for ridesharing purposes only. At the time of registration or through the registration materials, ridematching customers shall be informed of this policy. All relevant program materials, including the website, shall include the following policy statement to reinforce public understanding of the confidentiality policy:

"Personal information will remain confidential and will only be used for ridesharing purposes and to provide you coordinated information about products, services and special campaigns that encourage the use of alternatives to driving alone. Please contact us with questions regarding this policy."

III. Ridematching Database Reports

Information in the ridematching database may be made available to entities through a series of (online and hard-copy) reports as follows:

1. Employee Transportation Coordinators (or designated TDM representative) at Registered Companies may receive a detailed listing of their employees that are active in the ridematching system.
2. TMAs or other Transportation Agencies may receive a detailed listing of employees or employers affiliated with the Transportation Management Agency (TMA).
3. The nine Bay Area County CMA representatives (Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma) may receive the following qualitative information:
 - a. Detailed listing of applicants who live in county
 - b. Detailed listing of applicants who work in county
 - c. New applicants who live in county
 - d. New applicants who work in county
 - e. Vanpool trip details based on origin in county
 - f. Vanpool trip details based on destination in county

This information shall be provided quantitatively, in the monthly report to MTC. It will exclude detailed contact names/information.

Contractor will provide, on an as-requested basis, the above-listed eight reports to CMA representatives who will use the database information to enhance the ridematching services provided at the regional level and for informational purposes only. Entities that wish to have these reports provided on a monthly basis shall submit a request to MTC's Regional Rideshare Program Manager. MTC will consider each request on an individual basis. If MTC approves the request, MTC will direct Contractor to provide requested reports monthly until otherwise notified.

Contractor will provide reports electronically in an MS Excel file to provide the greatest flexibility for the requestor.

4. Contractor will respond to local government-funded TDM program requests to distribute information about products, services and special campaigns that encourage the use of alternatives to driving alone to targeted groups of individuals in the ridematching database. Requests to distribute product, service and special campaign information to targeted individuals in the ridematching database will be coordinated through MTC's Regional Rideshare Program Manager.

**ATTACHMENT C
Invoice Format**

**REGIONAL RIDESHARE PROGRAM SERVICES
CITIES AND COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
_____*QUARTER, FISCAL YEAR*_____**

Total Value of Work Performed: \$ _____
 Invoiced Total (88.53%): \$ _____

Employer Outreach & Services	Total Quarterly Expenses
Total Direct Labor	\$0.00
Burden	\$0.00
<i>Benefits = XX.XX%</i>	<i>\$0.00</i>
<i>Overhead = XX.XX%</i>	<i>\$0.00</i>
Direct Costs	\$0.00
Total Invoice	\$0.00

ATTACHMENT D
Quarterly Statistics Format

C/CAG RRP Activities

	<i>Quarter 1</i>	<i>Quarter 2</i>	<i>Quarter 3</i>	<i>Quarter 4</i>			
New employers						133	
Active employers					N/A	N/A	N/A
Maintenance employers					N/A	445	N/A

ATTACHMENT E

GOOD FAITH EFFORTS

To meet the requirements of this Funding Agreement, the RECIPIENT must achieve, be on track to achieve, or make a good-faith effort to achieve, the targets described in *Attachment B, Scope of Work*. The RECIPIENT shall provide the following information to demonstrate that a good faith effort was made.

1. A log of employer contact and/or efforts to identify new employers demonstrating that staff made sufficient contacts such that targets could have been met barring other circumstances.
2. Documentation explaining why targets were not met and how the inability to meet targets was caused by factors out of the control of the project staff's efforts.
3. Any additional data to support a demonstration of good faith efforts.

ATTACHMENT F

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (Third Party Contracts and Subcontracts over \$100,000)

Instructions for Certification:

1. By signing and submitting this bid or proposal, the prospective lower tier participant is providing the signed certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, MTC may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to MTC if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "persons," "lower tier covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549 [49 CFR Part 29]. You may contact MTC for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized in writing by MTC.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction", without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List issued by U.S. General Service Administration.
8. Nothing contained in the foregoing shall be construed to require establishment of system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under Paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to all remedies available to the Federal Government, MTC may pursue available remedies including suspension and/or debarment.

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION,
INELIGIBILITY AND VOLUNTARY EXCLUSION
LOWER TIER COVERED TRANSACTION**

(1) The prospective lower tier participant certifies, by submission of this bid or proposal, that neither it nor its "principals" [as defined at 49 C.F.R. Section 29.105(p)] is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) When the prospective lower tier participant is unable to certify to the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Date

(signature of authorized official)

(type/print name and title)

C/CAG AGENDA REPORT

DATE: September 14, 2006

TO: City/County Association of Governments Board of Directors

FROM: Richard Napier, Executive Director

SUBJECT: **REVIEW AND APPROVAL OF RESOLUTION 06-31 AUTHORIZING THE C/CAG CHAIR TO EXECUTE AN AGREEMENT WITH THE CITY OF MENLO PARK IN THE AMOUNT OF \$45,000 UNDER THE 2006-07 TRANSPORTATION FUND FOR CLEAN AIR (TFCA) PROGRAM TO PROVIDE SHUTTLE SERVICES.**

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

RECOMMENDATION:

That the Board approve Resolution 06-31 authorizing the C/CAG Chair to execute an agreement with City of Menlo Park for \$45,000 under the Transportation Fund for Clean Air (TFCA) Program to provide shuttle services.

FISCAL IMPACT:

Under the TFCA program there is a total allocation of \$1,183,800 of which \$45,000 is designated for the Menlo Park Mid Day Shuttle in FY 2006-07.

SOURCE OF FUNDS:

TFCA funds are derived from a Vehicle Registration Fee surcharge provided to C/CAG by the Bay Area Air Quality Management District.

BACKGROUND/ DISCUSSION:

C/CAG acts as the Program Manager for the Transportation Fund for Clean Air (TFCA) Program in San Mateo County. This program distributes TFCA monies to projects whose primary objective is to reduce emissions in the air. At the March 9, 2006 C/CAG meeting the Board approved the projects to be funded with the 2006-07 allocation. These were submitted to the Bay Area Air Quality Management District (BAAQMD) and approved. The attached contract is with City of Menlo Park to operate a mid day shuttle bus program that will connect major destinations in Menlo Park with residential areas and the CalTrain Station.

ATTACHMENTS:

- Resolution 06-31
- Funding Agreement with the City of Menlo Park

ITEM 4.5

RESOLUTION 06-31

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG CHAIR TO EXECUTE AN AGREEMENT WITH THE CITY OF MENLO PARK IN THE AMOUNT OF \$45,000 UNDER THE TRANSPORTATION FUND FOR CLEAN AIR (TFCA) PROGRAM TO PROVIDE SHUTTLE SERVICES.

WHEREAS, the Board of Directors of the City/County Association of Governments at its March 9, 2006 meeting approved certain projects and programs for funding through San Mateo County's local share of Transportation Fund for Clean Air (TFCA) revenues; and,

WHEREAS, the agencies implementing these projects, the scope of the work and the specified amount of Transportation Fund for Clean Air (TFCA) funding, have been identified and approved by the Board of Directors; and,

WHEREAS, it is necessary for C/CAG to enter into Project Sponsor agreements with the individual agencies receiving Transportation Fund for Clean Air (TFCA) project funding, setting forth the responsibilities of each party; and,

WHEREAS, one of these programs is to provide a Mid Day Shuttle service to various locations in Menlo Park and is sponsored by the City of Menlo Park.

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 enter into an agreement with the City of Menlo Park for \$45,000 under the Transportation Fund for Clean Air (TFCA) program. This agreement shall be in a form approved by C/CAG Legal Counsel.

PASSED, APPROVED, AND ADOPTED THIS 14TH DAY OF SEPTEMBER 2006.

James M. Vreeland Jr., Chair

FISCAL YEAR 2006-2007 FUNDING AGREEMENT
BETWEEN
THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS
AND
CITY OF MENLO PARK

This Funding Agreement (Agreement) is made and entered into between the City/County Association of Governments (C/CAG), hereinafter referred to as "Program Manager," and the City of Menlo Park, hereinafter referred to as "Project Sponsor," on the date shown on Attachment A ("Project Information" form), which specifies the project covered by this Agreement and is hereby incorporated into this Agreement by this reference.

SECTION I

RECITALS:

- 1) The Bay Area Air Quality Management District, hereinafter referred to as "Air District" is authorized under Health and Safety code Section 44223 and 44225 to levy a fee on motor vehicles. Funds generated by the fee are referred to as the Transportation Fund for Clean Air (TFCA) and are used to implement projects to reduce air pollution from motor vehicles.
- 2) Health and Safety Code Section 44241 limits expenditure of collected revenues to specified transportation control measures included in the plan adopted pursuant to Health and Safety Code Sections 40233 and 40717 and limits the allocation of the funds to public agencies within the Air District's jurisdiction.
- 3) Health and Safety Code Section 44241(d) stipulates that forty (40) percent of funds generated within a county where the fee is in effect shall be allocated by the Air District to one or more public agencies designated to receive the funds.
- 4) The Air District has been notified, in a communication dated July 29, 1992, that the Program Manager is the duly authorized recipient of forty (40) percent of the funds collected in San Mateo County, and has been so designated by resolutions adopted by the San Mateo County Board of Supervisors and by the City Councils of a majority of the cities representing a majority of the population in the incorporated area of the county. The resolutions specify the terms and conditions for the expenditure of funds by the Program Manager.
- 5) C/CAG has been designated, by previous resolutions, as the overall Program Manager for San Mateo County.
- 6) On March 9, 2006, the Program Manager approved projects for TFCA funding including \$45,000 to fund the Menlo Park Mid Day Shuttle Program (hereinafter referred to as "Project") for fiscal year 2006-07.

- 7) The Program Manager and Project Sponsor, pursuant to Health and Safety code Section 44241, hereby enter into this Funding Agreement to implement the specified project to improve air quality in the San Francisco Bay Area Air Basin. This Agreement covers the project specified in Attachment A.

SECTION II

PROJECT SPONSOR AGREES:

- 1) To apply all funds received under this Agreement to the project described in Attachment A consistent with the mutually agreed to terms and conditions contained in this Agreement.
- 2) To maintain, at all times during the term of this Agreement, a separate account or sub-ledger for all funds received under this Agreement and to withdraw funds from this separate account.
- 3) To maintain, or cause to be maintained adequate records to document and demonstrate to the Program Manager, Air District staff and auditors the receipt and expenditures of TFCA funds.
- 4) To allow the Program Manager and the Air District to audit all expenditures relating to the project funded through this Agreement. For the duration of the project as described in Attachment A and for three (3) years following completion of the project, Project Sponsor will make available to the Program Manager, Air District staff, or to an independent auditor selected by the Air District all records relating to project performance and expenses incurred in implementing the project.
- 5) To maintain employee time sheets documenting those hourly labor costs incurred in the implementation of the project described in Attachment A, which are paid with funds received under this Funding Agreement, or to establish an alternative method to document staff costs charged to the funded project.
- 6) All TFCA funds allocated to a recipient will be distributed on a cost reimbursement basis, on the basis of documented legitimate expenditures for the intended purpose of the approved project. Costs will be reimbursed only to the amount of the TFCA funds authorized by this Agreement. In no event shall the Program Manager be required to provide any funding to the Project Sponsor under this Agreement unless such funds are first provided to the Program Manager by the Air District.
- 7) To keep necessary records of the performance of the project specified in Attachment A in order to expedite evaluation of emissions reductions achieved from implementation of the project.

- 8) To submit a report to the Program Manager within (2) months of the end of each fiscal year which itemizes (a) the expenditure of the funds, (b) progress to date in the implementation of the funded project and (c) results of the monitoring of the performance of the project as specified in Attachment A. Annual report shall be prepared and submitted in accordance with the Air District's format and shall be submitted until the project listed in Attachment A is completed.
- 9) To use the Air District's approved logo for the TFCA project implemented directly by the Project Sponsor under this Agreement, as specified below:
 - a) the logo will be used on signs posted at the site of any construction;
 - b) the logo will be displayed on any vehicles operated with or obtained as part of a project;
 - c) the logo will be used on any printed material intended for public consumption associated with any project, including project related transit schedules, brochures, handbooks, maps created for public distribution, and promotional material.
- 10) To credit the Air District as a funding source in any related articles, news releases or other publicity materials for the project funded under this Agreement which are implemented directly by the Project Sponsor.
- 11) All funds received under this Agreement shall be expended only in accordance with all applicable provisions of the law for the project that is implemented directly by the Project Sponsor.
- 12) To the extent not otherwise prohibited by law, and to the extent required by the California Public Records Act, to place in the public domain any software, written document, or other product developed with funds received through this Agreement.
- 13) TFCA funds used for the purchase of any vehicle(s) must either obtain approval from the Program Manager for alternative use of the vehicle(s) or return to the Program Manager any funds realized from the sale of any vehicle(s) purchased with TFCA funds if such reuse or sale occurs within the industry standards for the useful life from the date of purchase of the vehicle(s). The amount of funds returned to the Program Manager shall be proportional to the percentage of TFCA funds originally used to purchase the vehicle(s).
- 14) Project Sponsor will complete the project by June 30, 2007.
- 15) Project Sponsor must sign this Funding Agreement within sixty (60) days after the Program Manager has transmitted it to them in order to remain eligible for the granted TFCA funds. Program Manager may grant a one-time extension of thirty (30) days to the applicant for just cause.

- 16) Unless authorized by the Program Manager, if no status reports and/or reimbursement requests are received from the Project Sponsor within one (1) year from the date of execution of the Agreement the project will be considered for cancellation and the funds reprogrammed.

SECTION III

PROGRAM MANAGER AGREES:

- 1) To distribute TFCA funds allocated to the Project Sponsor only on a cost reimbursement basis, on the basis of documented legitimate expenditures for the intended purpose of the approved project. Costs will be reimbursed only to the amount of the TFCA funds authorized by this Agreement. In no event shall the Program Manager be required to provide any funding to the Project Sponsor under this Agreement unless such funds are first provided to the Program Manager by the Air District.
- 2) Reimburse costs from the execution of this Agreement through June 30, 2007.
- 3) To provide timely notice prior to conducting an audit.
- 4) To provide the Project Sponsor, and any other requesting party, a copy of the fiscal and performance audits as specified in Section 44242 of the Health and Safety Code.
- 5) To provide the Project Sponsor with a standard format and content summary for the report described in Section II.8 above.

SECTION IV

IT IS MUTUALLY AGREED:

- 1) **Term:** This Agreement will remain in effect for three (3) years after the completion of the project defined in Attachment A, unless it is terminated as provided below.
- 2) **Termination:** Either party may terminate this Agreement at any time by giving written notice of termination to the other party which shall specify the effective date thereof. Notice of termination under this paragraph shall be given at least ninety (90) days before the effective date of such termination. This Agreement will also terminate at the end of the fiscal year during which the City/County Association of Government loses designation as Program Manager for San Mateo County.
- 3) **Indemnity:** Project Sponsor shall indemnify and save harmless the Program Manager from all claims, suits or actions resulting from the performance by Project Sponsor of its duties under this Agreement. Program Manager shall indemnify and save harmless the Project Sponsor from all claims, suits or actions resulting from the performance by Program Manager of its duties under this Agreement. In the event that, for any reason the

Air District seeks return of the funds granted to the Project Sponsor, the Project Sponsor shall indemnify the Program Manager in the amount the Program Manager is required to return to the Air District under the funding Agreement between the Program Manager and the Air District that includes this specific project.

- 4) Notices: Any notice which may be required under this Agreement shall be in writing, shall be effective when received, and shall be given by personal service, by U.S. Postal Service mail, or by certified mail (return receipt requested), to the address set forth below, or to such addresses which may be specified in writing to the parties hereto.

Debbie Helming
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025
650-330-6773

Tom Madalena
City/County Association of Governments
555 County Center, 5th Floor
Redwood City, CA 94063
650-599-1460

- 5) Additional Acts and Documents: Each party agrees to do all things and take all such actions, and to make, execute and deliver such other documents and instruments, as shall be reasonably requested to carry out the provisions, intent and purpose of this Agreement.
- 6) Integration: This Agreement represents the entire agreement of the parties with respect to the subject matter described in this Agreement, and no representation, warranties, inducements or oral agreements have been made by any of the parties except as expressly set forth herein, or in other contemporaneous written agreements.
- 7) Amendment: This Agreement may not be changed, modified or rescinded except in writing, signed by all parties hereto, and any attempt at oral modification of the Agreement shall be void and no effect.
- 8) Independent Contractor: Project Sponsor renders its services under this Agreement as an independent contractor. None of the Project Sponsor's agents or employees shall be agents or employees of the Program Manager. This paragraph does not apply to elected officials serving concurrently on the governing boards of the Project Sponsor, Program Manager or the Air District.
- 9) Assignment: This Agreement may not be assigned, transferred, hypothecated, or pledged by any party without express written consent of the other party.
- 10) Severability: Should any part of this Agreement be declared unconstitutional, invalid, or beyond the authority of either party to enter into or carry out, such decision shall not

affect the validity of the remainder of this Agreement which shall continue in full force and effect; provided that, the remainder of this Agreement can, absent the excised portion, reasonably be interpreted to give the intentions of the parties.

- 11) Force Majeure: Neither the Project Sponsor, Program Manager or the Air District shall be liable or deemed to be in default for any delay or failure in performance under this Funding Agreement or interruption of services, directly or indirectly, from acts of God, civil or military authority, acts of public enemy, war, strikes, labor disputes, shortages of suitable parts, materials, labor or transportation, or any similar cause beyond the reasonable control of the Project Sponsor, Program Manager or the Air District.
- 12) Governing Law: This Funding Agreement shall be construed and interpreted and the legal relations created thereby shall be determined in accordance with the laws of the State of California.

IN WITNESS WHEREOF, Project Sponsor and Program Manager have entered into this Funding Agreement as of the date listed below.

FOR PROJECT SPONSOR:

FOR PROGRAM MANAGER:

By: _____

By: _____
James M. Vreeland Jr., Chair
City/County Association of Governments

Approved as to legal form:

Approved as to legal form:

By: _____
Legal Counsel

By: _____
Legal Counsel
City/County Association of Governments

Attachment A
PROJECT INFORMATION

- A. Project Number: 06SM01 B. Project Sponsor: City of Menlo Park
- C. Project Contact: Debbie Helming D. Contact Phone #: (650) 858-3448
- E-mail: dahelming@menlopark.org
- E. Project Title: Menlo Park Mid Day Shuttle and Shopper Shuttle

F. TFCA \$ Allocated: \$45,000 G. Total Project Cost: \$138,893

Other Funding:	Amount	Source
	<u>\$42,040</u>	<u>Redevelopment agency</u>
	<u>\$51,560</u>	<u>Local Service Component of Congestion Relief Program</u>
	<u>\$293</u>	<u>Shuttle Developer Fees</u>

H. Project Description:

This project supports the operation of the Menlo Park Midday shuttle, a free community service route open to the general public, but designed to meet the needs of Menlo Park seniors. The route connects Stanford Medical Center, Stanford Shopping Center, Little House, Safeway, downtown Menlo Park, senior housing complexes, Menlo Park Caltrain Station, Veterans Hospital, Belle Haven Library, and Onetta Harris Community Center. The Shopper's Shuttle provides shuttle service on Wednesdays and Fridays to Safeway, Stanford Shopping Center and Downtown Menlo Park.

I. Project Schedule: Start Date (mo/yr) July 2006 Final Report Due Date (mo/day/yr) September 1, 2007

J. Final Report Content: Menlo Park will complete and submit Project Monitoring Form 1, *Ridesharing; Shuttle/Feeder Bus; Transit Information; Rail-Bus Integration; Smart Growth Projects*.

A survey of shuttle riders will also be performed, and the following data will be provided for all shuttles funded:

1. A description of the shuttle services, including routes, stops and schedule information.
2. Explanation of how many vehicle trips were eliminated and the length of the trips eliminated.
3. The following data for each shuttle route:
 - a. Average daily ridership
 - b. Total boardings
 - c. Revenue miles of service
 - d. Mode of travel prior to the shuttle service
 - e. Frequency of use
 - f. One-way trip distance
 - g. Length (miles) of trip compared to prior mode
 - h. Length (time) of trip compared to prior mode

- i. Attitudes toward the level/quality of service
 - j. Willingness to pay a fare to ride the shuttle service
 - k. Knowledge of and use of shuttles on BAAQMD-announced "Spare the Air Days"
4. Copies of press articles, press releases, newsletter articles and any other publicity material regarding the project.

C/CAG AGENDA REPORT

DATE: September 14, 2006

TO: City/County Association of Governments Board of Directors

FROM: Richard Napier, Executive Director

SUBJECT: **REVIEW AND APPROVAL OF RESOLUTION 06-32 AUTHORIZING THE C/CAG CHAIR TO EXECUTE AN AGREEMENT WITH THE SAN MATEO COUNTY TRANSIT DISTRICT (SAMTRANS) IN THE AMOUNT OF \$638,000 UNDER THE 2006-07 TRANSPORTATION FUND FOR CLEAN AIR (TFCA) PROGRAM TO PROVIDE SHUTTLE SERVICES.**

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

RECOMMENDATION:

That the Board approve Resolution 06-32 authorizing the C/CAG Chair to execute an agreement with the San Mateo County Transit District (SamTrans) for \$638,000 under the Transportation Fund for Clean Air (TFCA) Program to provide shuttle services.

FISCAL IMPACT:

Under the TFCA program there is a total allocation of \$1,183,800 of which \$638,000 is designated for the SamTrans Shuttle Bus Program in FY 2006-07.

SOURCE OF FUNDS:

TFCA funds are derived from a Vehicle Registration Fee surcharge provided to C/CAG by the Bay Area Air Quality Management District.

BACKGROUND/ DISCUSSION:

C/CAG acts as the Program Manager for the Transportation Fund for Clean Air (TFCA) Program in San Mateo County. This program distributes TFCA monies to projects whose primary objective is to reduce emissions in the air. At the March 9, 2006 C/CAG meeting the Board approved the projects to be funded with the 2006-07 allocation. These were submitted to the Bay Area Air Quality Management District (BAAQMD) and approved. The attached contract is with SamTrans to operate nine employer based shuttle bus programs that will connect major employment centers in Daly City, South San Francisco, Brisbane, Millbrae and San Bruno with BART stations.

ATTACHMENTS:

- Resolution 06-32
- Funding Agreement with the San Mateo County Transit District (SamTrans)

ITEM 4.6

RESOLUTION 06-32

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG CHAIR TO EXECUTE AN AGREEMENT WITH THE SAN MATEO COUNTY TRANSIT DISTRICT (SAMTRANS) FOR \$638,000 UNDER THE TRANSPORTATION FUND FOR CLEAN AIR (TFCA) PROGRAM TO PROVIDE SHUTTLE SERVICES.

WHEREAS, the Board of Directors of the City/County Association of Governments at its March 9, 2006 meeting approved certain projects and programs for funding through San Mateo County's local share of Transportation Fund for Clean Air (TFCA) revenues; and,

WHEREAS, the agencies implementing these projects, the scope of the work and the specified amount of Transportation Fund for Clean Air (TFCA) funding, have been identified and approved by the Board of Directors; and,

WHEREAS, it is necessary for C/CAG to enter into Project Sponsor agreements with the individual agencies receiving Transportation Fund for Clean Air (TFCA) project funding, setting forth the responsibilities of each party; and,

WHEREAS, one of these programs is to provide nine shuttles between various employment centers and BART stations and is sponsored by the San Mateo County Transit District.

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 enter into an agreement with the San Mateo County Transit District for \$638,000 under the Transportation Fund for Clean Air (TFCA) program. This agreement shall be in a form approved by C/CAG Legal Counsel.

PASSED, APPROVED, AND ADOPTED THIS 14TH DAY OF SEPTEMBER 2006.

James M. Vreeland Jr., Chair

FISCAL YEAR 2006-2007 FUNDING AGREEMENT
BETWEEN
THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS
AND
SAN MATEO COUNTY TRANSIT DISTRICT

This Funding Agreement (Agreement) is made and entered into between the City/County Association of Governments (C/CAG), hereinafter referred to as "Program Manager," and the San Mateo County Transit District (SamTrans), hereinafter referred to as "Project Sponsor," on the date shown on Attachment A ("Project Information" form), which specifies the project covered by this Agreement and is hereby incorporated into this Agreement by this reference.

SECTION I

RECITALS:

- 1) The Bay Area Air Quality Management District, hereinafter referred to as "Air District" is authorized under Health and Safety code Section 44223 and 44225 to levy a fee on motor vehicles. Funds generated by the fee are referred to as the Transportation Fund for Clean Air (TFCA) and are used to implement projects to reduce air pollution from motor vehicles.
- 2) Health and Safety Code Section 44241 limits expenditure of collected revenues to specified transportation control measures included in the plan adopted pursuant to Health and Safety Code Sections 40233 and 40717 and limits the allocation of the funds to public agencies within the Air District's jurisdiction.
- 3) Health and Safety Code Section 44241(d) stipulates that forty (40) percent of funds generated within a county where the fee is in effect shall be allocated by the Air District to one or more public agencies designated to receive the funds.
- 4) The Air District has been notified, in a communication dated July 29, 1992, that the Program Manager is the duly authorized recipient of forty (40) percent of the funds collected in San Mateo County, and has been so designated by resolutions adopted by the San Mateo County Board of Supervisors and by the City Councils of a majority of the cities representing a majority of the population in the incorporated area of the county. The resolutions specify the terms and conditions for the expenditure of funds by the Program Manager.
- 5) C/CAG has been designated, by previous resolutions, as the overall Program Manager for San Mateo County.
- 6) On March 9, 2006, the Program Manager approved projects for TFCA funding including \$638,000 to fund the SamTrans Shuttle Bus Program (hereinafter referred to as "Project") for fiscal year 2006-07.

- 7) The Program Manager and Project Sponsor, pursuant to Health and Safety code Section 44241, hereby enter into this Funding Agreement to implement the specified project to improve air quality in the San Francisco Bay Area Air Basin. This Agreement covers the project specified in Attachment A.

SECTION II

PROJECT SPONSOR AGREES:

- 1) To apply all funds received under this Agreement to the project described in Attachment A consistent with the mutually agreed to terms and conditions contained in this Agreement.
- 2) To maintain, at all times during the term of this Agreement, a separate account or sub-ledger for all funds received under this Agreement and to withdraw funds from this separate account.
- 3) To maintain, or cause to be maintained adequate records to document and demonstrate to the Program Manager, Air District staff and auditors the receipt and expenditures of TFCA funds.
- 4) To allow the Program Manager and the Air District to audit all expenditures relating to the project funded through this Agreement. For the duration of the project as described in Attachment A and for three (3) years following completion of the project, Project Sponsor will make available to the Program Manager, Air District staff, or to an independent auditor selected by the Air District all records relating to project performance and expenses incurred in implementing the project.
- 5) To maintain employee time sheets documenting those hourly labor costs incurred in the implementation of the project described in Attachment A, which are paid with funds received under this Funding Agreement, or to establish an alternative method to document staff costs charged to the funded project.
- 6) All TFCA funds allocated to a recipient will be distributed on a cost reimbursement basis, on the basis of documented legitimate expenditures for the intended purpose of the approved project. Costs will be reimbursed only to the amount of the TFCA funds authorized by this Agreement. In no event shall the Program Manager be required to provide any funding to the Project Sponsor under this Agreement unless such funds are first provided to the Program Manager by the Air District.
- 7) To keep necessary records of the performance of the project specified in Attachment A in order to expedite evaluation of emissions reductions achieved from implementation of the project.

- 8) To submit a report to the Program Manager within (2) months of the end of each fiscal year which itemizes (a) the expenditure of the funds, (b) progress to date in the implementation of the funded project and (c) results of the monitoring of the performance of the project as specified in Attachment A. Annual report shall be prepared and submitted in accordance with the Air District's format and shall be submitted until the project listed in Attachment A is completed.
- 9) To use the Air District's approved logo for the TFCA project implemented directly by the Project Sponsor under this Agreement, as specified below:
 - a) the logo will be used on signs posted at the site of any construction;
 - b) the logo will be displayed on any vehicles operated with or obtained as part of a project;
 - c) the logo will be used on any printed material intended for public consumption associated with any project, including project related transit schedules, brochures, handbooks, maps created for public distribution, and promotional material.
- 10) To credit the Air District as a funding source in any related articles, news releases or other publicity materials for the project funded under this Agreement which are implemented directly by the Project Sponsor.
- 11) All funds received under this Agreement shall be expended only in accordance with all applicable provisions of the law for the project that is implemented directly by the Project Sponsor.
- 12) To the extent not otherwise prohibited by law, and to the extent required by the California Public Records Act, to place in the public domain any software, written document, or other product developed with funds received through this Agreement.
- 13) TFCA funds used for the purchase of any vehicle(s) must either obtain approval from the Program Manager for alternative use of the vehicle(s) or return to the Program Manager any funds realized from the sale of any vehicle(s) purchased with TFCA funds if such reuse or sale occurs within the industry standards for the useful life from the date of purchase of the vehicle(s). The amount of funds returned to the Program Manager shall be proportional to the percentage of TFCA funds originally used to purchase the vehicle(s).
- 14) Project Sponsor will complete the project by June 30, 2007.
- 15) Project Sponsor must sign this Funding Agreement within sixty (60) days after the Program Manager has transmitted it to them in order to remain eligible for the granted TFCA funds. Program Manager may grant a one-time extension of thirty (30) days to the applicant for just cause.

- 16) Unless authorized by the Program Manager, if no status reports and/or reimbursement requests are received from the Project Sponsor within one (1) year from the date of execution of the Agreement the project will be considered for cancellation and the funds reprogrammed.

SECTION III

PROGRAM MANAGER AGREES:

- 1) To distribute TFCA funds allocated to the Project Sponsor only on a cost reimbursement basis, on the basis of documented legitimate expenditures for the intended purpose of the approved project. Costs will be reimbursed only to the amount of the TFCA funds authorized by this Agreement. In no event shall the Program Manager be required to provide any funding to the Project Sponsor under this Agreement unless such funds are first provided to the Program Manager by the Air District.
- 2) Reimburse costs from the execution of this Agreement through June 30, 2007.
- 3) To provide timely notice prior to conducting an audit.
- 4) To provide the Project Sponsor, and any other requesting party, a copy of the fiscal and performance audits as specified in Section 44242 of the Health and Safety Code.
- 5) To provide the Project Sponsor with a standard format and content summary for the report described in Section II.8 above.

SECTION IV

IT IS MUTUALLY AGREED:

- 1) Term: This Agreement will remain in effect for three (3) years after the completion of the project defined in Attachment A, unless it is terminated as provided below.
- 2) Termination: Either party may terminate this Agreement at any time by giving written notice of termination to the other party which shall specify the effective date thereof. Notice of termination under this paragraph shall be given at least ninety (90) days before the effective date of such termination. This Agreement will also terminate at the end of the fiscal year during which the City/County Association of Government loses designation as Program Manager for San Mateo County.
- 3) Indemnity: Project Sponsor shall indemnify and save harmless the Program Manager from all claims, suits or actions resulting from the performance by Project Sponsor of its duties under this Agreement. Program Manager shall indemnify and save harmless the Project Sponsor from all claims, suits or actions resulting from the performance by Program Manager of its duties under this Agreement. In the event that, for any reason the

Air District seeks return of the funds granted to the Project Sponsor, the Project Sponsor shall indemnify the Program Manager in the amount the Program Manager is required to return to the Air District under the funding Agreement between the Program Manager and the Air District that includes this specific project.

- 4) Notices: Any notice which may be required under this Agreement shall be in writing, shall be effective when received, and shall be given by personal service, by U.S. Postal Service mail, or by certified mail (return receipt requested), to the address set forth below, or to such addresses which may be specified in writing to the parties hereto.

Joel Slavit
SamTrans
1250 San Carlos Ave
San Carlos, CA 94070
650-508-6476

Tom Madalena
City/County Association of Governments
555 County Center, 5th Floor
Redwood City, CA 94063
650-599-1460

- 5) Additional Acts and Documents: Each party agrees to do all things and take all such actions, and to make, execute and deliver such other documents and instruments, as shall be reasonably requested to carry out the provisions, intent and purpose of this Agreement.
- 6) Integration: This Agreement represents the entire agreement of the parties with respect to the subject matter described in this Agreement, and no representation, warranties, inducements or oral agreements have been made by any of the parties except as expressly set forth herein, or in other contemporaneous written agreements.
- 7) Amendment: This Agreement may not be changed, modified or rescinded except in writing, signed by all parties hereto, and any attempt at oral modification of the Agreement shall be void and no effect.
- 8) Independent Contractor: Project Sponsor renders its services under this Agreement as an independent contractor. None of the Project Sponsor's agents or employees shall be agents or employees of the Program Manager. This paragraph does not apply to elected officials serving concurrently on the governing boards of the Project Sponsor, Program Manager or the Air District.
- 9) Assignment: This Agreement may not be assigned, transferred, hypothecated, or pledged by any party without express written consent of the other party.
- 10) Severability: Should any part of this Agreement be declared unconstitutional, invalid, or beyond the authority of either party to enter into or carry out, such decision shall not

affect the validity of the remainder of this Agreement which shall continue in full force and effect; provided that, the remainder of this Agreement can, absent the excised portion, reasonably be interpreted to give the intentions of the parties.

- 11) Force Majeure: Neither the Project Sponsor, Program Manager or the Air District shall be liable or deemed to be in default for any delay or failure in performance under this Funding Agreement or interruption of services, directly or indirectly, from acts of God, civil or military authority, acts of public enemy, war, strikes, labor disputes, shortages of suitable parts, materials, labor or transportation, or any similar cause beyond the reasonable control of the Project Sponsor, Program Manager or the Air District.
- 12) Governing Law: This Funding Agreement shall be construed and interpreted and the legal relations created thereby shall be determined in accordance with the laws of the State of California.

IN WITNESS WHEREOF, Project Sponsor and Program Manager have entered into this Funding Agreement as of the date listed below.

FOR PROJECT SPONSOR:

FOR PROGRAM MANAGER:

By: _____

By: _____
James M. Vreeland Jr., Chair
City/County Association of Governments

Approved as to legal form:

Approved as to legal form:

By: _____
Legal Counsel

By: _____
Legal Counsel
City/County Association of Governments

Attachment A
PROJECT INFORMATION

A. Project Number: 06SM03 . B. Project Sponsor: San Mateo County Transit District (SamTrans)

C. Project Contact: Richard Cook

D. Contact Phone #: (650) 508-6476

E-mail: cookr@samtrans.com

E. Project Title: SamTrans Shuttle Bus Program

F. TFCA \$ Allocated: \$638,000

G. Total Project Cost: \$ \$1,803,277

Other Funding:	Amount	Source
	<u>\$968,686</u>	<u>Employers</u>
	<u>\$196,591</u>	<u>SamTrans sales tax</u>

H. Project Description:

This project supports the SamTrans Shuttle Bus Program, a peak commute period shuttle bus service from BART stations to major employment sites in San Mateo County. These employment sites are not served conveniently by existing transit service. The SamTrans Shuttle Bus Program includes nine (9) previously approved shuttle routes that are currently operating as part of the SamTrans Shuttle Bus Program. All shuttle vehicles operated with TFCA funds meet the California Air Resources Board (CARB) particulate matter standards for public transit fleets.

I. Project Schedule: Start Date (mo/yr) July 2006 Final Report Due Date (mo/day/yr)
September 1, 2007

J. Final Report Content: SamTrans will complete and submit Project Monitoring Form 1 (Shuttle/Feeder Bus Program).

A survey of shuttle riders will also be performed, and the following data will be provided for all shuttles funded in the Final Report:

1. A description of the shuttle services, including routes, stops and schedule information.
2. Explanation of how the number of vehicle trips and trip length were determined.
3. The following data for each shuttle route:
 - a. Average daily ridership
 - b. Total boardings
 - c. Revenue miles of service
 - d. Mode of travel prior to the shuttle service
 - e. Frequency of use
 - f. One-way trip distance
 - g. Length (miles) of trip compared to prior mode
 - h. Length (time) of trip compared to prior mode
 - i. Attitudes toward the level/quality of service
 - j. Willingness to pay a fare to ride the shuttle service

- k. Knowledge of and use of shuttles on "Spare the Air Days"
4. Copies of press articles, press releases, newsletter articles and any other publicity material regarding the project.

C/CAG AGENDA REPORT

Date: September 14, 2006
To: City/County Association of Governments Board of Directors
From: Richard Napier, Executive Director
Subject: REVIEW AND APPROVAL OF RESOLUTION 06-33 AUTHORIZING THE C/CAG CHAIR TO EXECUTE AN AGREEMENT WITH FEHR AND PEERS ASSOCIATES, INC. IN THE AMOUNT NOT TO EXCEED \$44,600 FOR THE 2007 CONGESTION MANAGEMENT PROGRAM (CMP) MONITORING PROGRAM

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

RECOMMENDATION

That the C/CAG Board review and approve Resolution 06-33 authorizing the C/CAG Chair to execute of an agreement with Fehr & Peers Associates, Inc. in the amount not to exceed \$44,600 for the 2007 Congestion Management Program (CMP) monitoring program.

SOURCE OF FUNDS

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

FISCAL IMPACT

A total of \$50,000 has been budgeted for miscellaneous consulting services for the 2007 Congestion Management Program and the Countywide Transportation Plan. To date none of these funds have been obligated.

BACKGROUND/DISCUSSION

Every two years C/CAG, as the Congestion Management Agency for San Mateo County, is required to measure the roadway Level of Service (LOS) and conduct other activities to determine compliance with the Congestion Management Program. The last monitoring update was performed in 2005.

On June 12, 2006, a Request for Proposal (RFP) was issued to solicit for a consultant to conduct monitoring services for the San Mateo County CMP for 2007. The scope of work to be provided by the consultant includes the following:

- Provide traffic counts and LOS calculations
- Conduct other monitoring required under the Congestion Management Program **ITEM 4.7**
- Calculate the required traffic exclusions to the monitored traffic, through use of the travel forecasting model

C/CAG received a total of two (2) proposals. One from Kimley-Horn and Associates, Inc. for \$48,960. Another from Fehr and Peers Associates, Inc. for \$44,600. A panel of staff was set up to review, evaluate, and rank the proposals submitted. Both bidders were highly competitive, well-qualified, and met the requirements set forth by the Request for Proposal (RFP). It is recommended that Fehr and Peers Associates, Inc. be selected to provide monitoring services to update the 2007 CMP. Fehr and Peers Associates had conducted congestion monitoring for C/CAG in 1999, 2001 2003, and 2005 for the CMP update. They have provide excellent services in CMP monitoring

ATTACHMENTS

- Resolution 06-33
- Contract with Fehr & Peers Associates, Inc.
- Fehr and Peers Associates, Inc. proposal

RESOLUTION 06-33

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG CHAIR TO EXECUTE AN AGREEMENT WITH FEHR AND PEERS ASSOCIATES, INC. IN THE AMOUNT NOT TO EXCEED \$44,600 FOR THE 2007 CONGESTION MANAGEMENT PROGRAM (CMP) MONITORING PROGRAM

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

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

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

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

WHEREAS, C/CAG has selected Fehr & Peers Associates, Inc. through a competitive bid process to provide these services; and

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 Fehr & Peers Associates, Inc. in the amount not to exceed \$44,600 for the 2007 Congestion Management Program (CMP) monitoring program. This agreement is attached hereto and is in a form that has been approved by C/CAG Legal Counsel.

PASSED, APPROVED, AND ADOPTED THIS 14TH DAY OF SEPTEMBER 2006.

James M. Vreeland, Jr., Chair

AGREEMENT BETWEEN
CITY/COUNTY ASSOCIATION OF GOVERNMENTS AND
FEHR & PEERS ASSOCIATES, INC.

This Agreement entered this 14th Day of September, 2006, by and between the CITY/COUNTY ASSOCIATION OF GOVERNMENTS, a joint powers agency formed for the purpose of preparation, adoption and monitoring of a variety of county-wide state-mandated plans, hereinafter called "C/CAG" and Fehr & Peers Associates, Inc., hereinafter called "Contractor."

WITNESSETH

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

WHEREAS, C/CAG is prepared to award funding for conducting the San Mateo County Congestion Management Program 2007 Monitoring; and

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

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

1. Services to be provided by Contractor. In consideration of the payments hereinafter set forth, Consultant agrees to perform the services described in Exhibit A.
2. Payments. In consideration of Contractor providing the assistance and services authorized by C/CAG staff, C/CAG shall reimburse Consultant based on the cost rates set forth in Exhibit A up to a maximum amount of forty-four thousand and six hundred dollars (\$44,600).
3. Relationship of the Parties. It is understood that this is an Agreement by and between Independent Contractor(s) and is not intended to, and shall not be construed to, create the relationship of agent, servant, employee, partnership, joint venture or association, or any other relationship whatsoever other than that of Independent Contractor.
4. Non-Assignability. Contractor shall not assign this Agreement or any portion thereof to a third party without the prior written consent of C/CAG, and any attempted assignment without such prior written consent in violation of this Section automatically shall terminate this Agreement.

5. **Contract Term.** This Agreement shall be in effect as of September 14, 2006 and shall terminate on December 31, 2007; provided, however, the C/CAG Chairperson may terminate this Agreement at any time for any reason by providing 30 days' notice to Contractor. Termination to be effective on the date specified in the notice. In the event of termination under this paragraph, Contractor shall be paid for all services provided to the date of termination.
6. **Hold Harmless/ Indemnity:** Contractor shall indemnify and save harmless C/CAG from all claims, suits or actions resulting from the negligent performance by Contractor of its professional services under this Agreement. C/CAG shall indemnify and save harmless Contractor from all claims, suits or actions resulting from the negligence of C/CAG under this Agreement.

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

7. **Insurance:** Contractor or its subcontractors performing the services on behalf of Contractor shall not commence work under this Agreement until all Insurance required under this section has been obtained and such insurance has been approved by the C/CAG Staff. Contractor shall furnish the C/CAG Staff with Certificates of Insurance evidencing the required coverage and there shall be a specific contractual liability endorsement extending the Contractor's coverage to include the contractual liability assumed by the Contractor pursuant to this Agreement. These Certificates shall specify or be endorsed to provide that thirty (30) days notice must be given, in writing, to C/CAG of any pending change in the limits of liability or of non-renewal, cancellation, or modification of the policy; ten (10) days notice will be given in the event of non-payment.

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

Liability Insurance: Contractor shall take out and maintain during the life of this Agreement such Bodily Injury Liability and Property Damage Liability Insurance as shall protect C/CAG, its employees, officers and agents while performing work covered by this Agreement from any and all claims for damages for bodily injury, including accidental death, as well as any and all operations under this Agreement, whether such operations be by the Contractor or by any sub-contractor or by anyone directly or indirectly employed by either of them. Such insurance shall be combined single limit bodily injury and property damage for each occurrence and shall be not less than \$1,000,000 unless another amount is specified below and shows approval by C/CAG Staff.

Required insurance shall include:

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

C/CAG and its officers, agents, employees and servants shall be named as additional insured on any such policies of insurance, which shall also contain a provision that the insurance afforded thereby to C/CAG, its officers, agents, employees and servants shall be primary insurance to the full limits of liability of the policy, and that if C/CAG, or its officers and employees have other insurance against a loss covered by such a policy, such other insurance shall be excess insurance only.

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

8. Non-discrimination. The Contractor and its subcontractors performing the services on behalf of the Contractor shall not discriminate or permit discrimination against any person or group of persons on the basis or race, color, religion, national origin or ancestry, age, sex, sexual orientation, marital status, pregnancy, childbirth or related conditions, medical condition, mental or physical disability or veteran's status, or in any manner prohibited by federal, state or local laws.
9. Accessibility of Services to Disabled Persons. The Contractor, not C/CAG, shall be responsible for compliance with all applicable requirements regarding services to disabled persons, including any requirements of Section 504 of the Rehabilitation Act of 1973.
10. Substitutions: If particular people are identified in this Agreement are providing services under this Agreement, the Contractor will not assign others to work in their place without written permission from C/CAG. Any substitution shall be with a person of commensurate experience and knowledge.
11. Work products of contractor for this project, which are delivered under this agreement or which are developed, produced and paid for under this agreement, shall become the property of C/CAG. Contractor shall not be liable for C/CAG's use, modification or re-use of products without contractor's participation or for purpose other than those specifically intended for this project.

12. Agreement Renewal. This Agreement may be renewed for an additional two (2) years upon approval by the C/CAG Board and Contractor.
13. Access to Records. C/CAG, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the Contractor which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcriptions.

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

14. Merger Clause. This Agreement, including Exhibit A attached hereto and incorporated herein by reference, constitutes the sole agreement of the parties hereto with regard to the matters covered in this Agreement, and correctly states the rights, duties and obligations of each party as of the document's date. Any prior agreement, promises, negotiations or representations between the parties not expressly stated in this document are not binding. All subsequent modifications shall be in writing and signed by the C/CAG Chairperson. In the event of a conflict between the terms, conditions or specifications set forth herein and those in Exhibit A attached hereto, the terms, conditions or specifications set forth herein shall prevail.
15. Governing Law. This Agreement shall be governed by the laws of the State of California and any suit or action initiated by either party shall be brought in the County of San Mateo, California.
16. Notices. All notices hereby required under this agreement shall be in writing and delivered in person or sent by certified mail, postage prepaid and addressed as follows:

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

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

Fehr & Peers Associates, Inc.
255 Market Street, Suite 200
San Jose, CA 95110
Attention: Robert H. Eckols, P.E., Senior Associate

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

Contractor

By _____

Date

Contractor Legal Counsel

By _____

City/County Association of Governments (C/CAG)

By _____

James M. Vreeland, Jr.
C/CAG Chairman

Date

C/CAG Legal Counsel

By _____

Miruni Soosaipillai, C/CAG Counsel

EXHIBIT A

SCOPE OF WORK

1. Collect Available Data

CONSULTANT shall obtain data currently available for the CMP roadway system and intersections from the California Department of Transportation (Caltrans) and from the Public Works and Planning Departments of C/CAG member agencies to help reduce the data collection effort.

2. Conduct Counts/Surveys

CONSULTANT shall conduct intersection turning movement counts at the 16 CMP intersections. Three-day (72-hour) machine counts will be conducted for the CMP arterials and multi-lane highways. Travel time surveys will be conducted during the AM and PM peak periods for the freeways to measure average speeds. A minimum of five (5) complete runs will be conducted for each freeway segment in each direction. Observations of the CMP intersections and roadway segments will be conducted during the AM and PM peak hours.

3. Conduct Level of Service (LOS) Calculations

CONSULTANT shall calculate the levels of service for the CMP roadway system and intersections utilizing the methods according to the Highway Capacity Manual (1994 HCM) and based on the Transportation Research Board's (TRB) Circular 212. CONSULTANT shall recommend the appropriate HCM (1994 or 2000) to utilize for this monitoring update.

4. Incorporate Exemptions

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

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

CONSULTANT shall use the travel times surveys conducted during the Task 2 to represent travel times for single-occupant automobiles. Travel time surveys for carpools will be conducted for the HOV lanes on U.S. 101. Transit schedules will be used to estimate travel times via bus and rail. Transit agencies will be contacted to confirm that the schedules are reflective of actual travel times.

6. Evaluate Bicycle and Pedestrian Measure

CONSULTANT shall review the CMP CIP projects to ascertain whether pedestrian and bicycle

travel is accommodated in new transportation projects.

7. Collect and Analyze Transit Ridership Data

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

8. Prepare Documentation

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

9. Attend Meeting

CONSULTANT shall be available to attend one meeting during the study.



July 14, 2006

Mr. John Hoang
City/County Association of Governments (C/CAG)
555 County Center, 5th Floor
Redwood City, California 94063

Subject: 2007 San Mateo County Congestion Program Monitoring Program P61302

Dear Mr. Hoang:

Fehr & Peers is pleased to submit this proposal to conduct the 2007 Monitoring Program for San Mateo County Congestion Management Program. Fehr & Peers is familiar with the monitoring program for San Mateo County as we have prepared the previous monitoring programs from 1999 to 2005. Our approach, schedule, relevant experience, qualifications, references, and cost estimates are discussed below.

Project Understanding/Approach

The purpose of the Monitoring Program is to evaluate the roadway segments and intersections that comprise the CMP Roadway System in San Mateo County and determine compliance with the adopted Traffic Level of Service (LOS) Standards on a biennial schedule.

Based on our work with the previous San Mateo County monitoring programs (1999 to 2005), we highlight the following elements of our approach to complete the tasks outlined in Attachment A of the Request for Proposals:

- Data Collection - use the same traffic count firm that collected the previous monitoring data
- Staffing Continuity - use the same Project Manager and Project Engineer from our most recent C/CAG monitoring effort
- Level of Service Methodology – use both the Circular 212 and 2000 Highway Capacity Manual methodology to prepare LOS calculations (which is consistent with the previous report)

By maintaining the continuity in terms of the data collection, project management and technical methodology, we will insure consistency with the previous monitoring program results. Due to our previous work for CCAG and the CMP program, Fehr & Peers staff is already familiar with the CMP facilities and understands the history of the traffic operations on these facilities.

Schedule

Based on our previous experience, the project schedule is, in part, dependent on the timely receipt of available traffic counts (Caltrans, San Mateo County, and local cities), transit ridership data from transit agencies, and San Mateo County Regional Travel Demand Model outputs. In addition, it is recommended that field data collection (counts and travel time runs) be conducted during the same months as the previous monitoring programs to minimize any seasonal travel differences. We propose the following schedule for the project:

Tasks/Activities	Weeks
• Collect Available Data	2
• Conduct Traffic Counts & Travel Time Surveys	6
• Conduct LOS Calculations, Incorporate Exemptions, Collect Transit Data, Evaluate Bicycle and Pedestrian Measures	4
• Submit Draft Report – after start of data collection	12
• Submit Final Report – after receipt of comments on Draft Report	3

Relevant Experience

As indicated previously, Fehr & Peers prepared the San Mateo County Monitoring Programs for C/CAG on a biennial schedule between 1999 and 2005. Fehr & Peers also prepared a Citywide Monitoring Program for the City of Gilroy on an annual basis between 1999 and 2002/2003. The major tasks conducted for the City of Gilroy Monitoring Program include:

- Preparation of LOS calculations for intersections and roadway segments
- Future forecasts at key intersections and roadway segments with traffic from approved and pending projects
- Identification of Capital Improvement Projects to mitigate future intersection and roadway segment deficiencies

Fehr & Peers has also coordinated data collection on CMP roadways for other studies funded by C/CAG such as the US 101 Ramp Metering Study and the SR 1 Pacifica Operations Study.

Qualifications (Staffing)

Fehr & Peers specializes in providing transportation planning and traffic engineering services to public and private sector clients. We emphasize the development of creative, cost-effective, and results-oriented solutions to planning and design problems associated with all modes of transportation. Rather than trying to offer a multi-disciplined approach, we choose to focus on being the best traffic engineering and transportation planning consulting firm. We offer specialized expertise in the following areas:

- Traffic Operations and Simulation
- Transportation Impact Analysis
- Traffic Engineering/ITS Design
- Transit Operations and Simulation
- Travel Demand Forecasting
- Smart Growth Planning
- Bicycle/Pedestrian Planning and Design
- Transportation Systems Planning
- Traffic Calming
- Land Use/Transportation Planning

Maintaining this singular focus on transportation enables us to provide state-of-the-practice expertise to our clients. We are nationally-recognized experts in these areas as evidenced by the fact that we routinely publish professional papers, serve on national committees, and teach courses to others in the industry. Fehr & Peers has over 140 professionals in nine offices located in California (6), Nevada (1), Utah (1), and Colorado (1).

As stated previously, we propose to assign the same key staff to the 2007 CCAG CMP monitoring project in order to maintain consistency in the reporting. The following two individuals would be responsible for the preparation of the report and their resumes are attached.

Robert Eckols would be the Project Manager and point of contact for all work assignments. Robert Eckols, P.E., a Senior Associate with Fehr & Peers Associates, has over 25 years of consulting experience in fields of traffic engineering, transportation planning, and environmental engineering. Robert has worked on a wide variety of transportation projects in the areas of freeway operations, signal system coordination and timing, transit planning, site traffic analyses,

area-wide circulation studies, environmental impact analyses, site circulation planning and parking studies. Robert served as the Project Manager for the two previous Monitoring studies.

Norman Wong would serve as the Project Engineer. Norman, a Senior Transportation Engineer with Fehr & Peers, has 8 years of experience that includes traffic operations, transportation impact analyses for large and small developments, preparation of transportation sections of EIRs, and parking studies. Norman has served as the Project Engineer for all previous San Mateo CMP Monitoring Program studies prepared by Fehr & Peers.

References

A list of references and their contact information for those agencies that we have prepared Congestion Management Programs is attached.

Fee Estimate

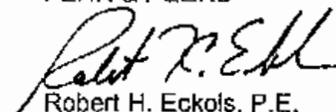
The number of person hours for each task, the estimated number of counts and surveys, the cost per count/survey, and the total cost of the monitoring effort is presented below.

Task	Senior Associate \$195/Hour (Robert)	Senior Engineer \$135/Hour (Norman)	Engineer/ Support (\$100/Hour)	Number of Counts	Cost Per Count	Count Cost	Other Direct Costs	Task Total
1. Collect Available Data	0	2	6					\$870
2. Conduct Counts/Surveys	0	4	14				\$400	\$2,340
Intersection Counts				16	\$550	\$8,800		\$8,800
Roadway Segment Counts (72-Hr)				17	\$200	\$3,400		\$3,400
Travel Time Surveys (# of hours)				70	\$100	\$7,000		\$7,000
3. Conduct LOS Calculations	0	6	30					\$3,810
4. Incorporate Exemptions	0	8	30					\$4,080
5. Conduct U.S. 101 HOV Travel Time Runs	0	0	8				\$200	\$1,000
6. Eval. Bike/Ped.Measures	2	6	8					\$2,000
7. Collect/Analyze Transit Data	0	4	12					\$1,740
8. Prepare Documentation	8	16	40				\$1,000	\$8,720
9. Attend Meeting (1)	0	4	2				\$100	\$840
Total	10	50	150			\$19,200	\$1,700	\$44,600

We request that changes be made to the contract agreement (see attached markup). Please feel free to call us at (408) 278-1700 should you have any questions or if you need additional information. We are looking forward to working on this project.

Sincerely,

FEHR & PEERS


 Robert H. Eckols, P.E.
 Senior Associate


 Norman Wong
 Senior Transportation Engineer

ROBERT ECKOLS, P.E.
Senior Associate

EXPERIENCE

2003-Present Fehr & Peers Associates
 1996-2003 Parsons Corporation
 1989-1995 Eisenberg, Olivieri & Associates, Inc.
 1980-1989 Baton-Aschman Associates, Inc. (Parsons)

Freeway Operations/Interchange Design Studies

Prepared freeway mainline, ramp, and intersection operations analyses and developed conceptual designs for ramp intersections, terminals, and adjacent local streets. Analyzed impacts of new freeway construction on local street circulation.

- US 101 Interchange Improvements PSR – San Jose, California
- US 101 Corridor Study – San Jose, California
- I-580 High Occupancy Vehicle Lane Corridor Study, Pleasanton to Livermore, California
- U.S. 95, I-15 Interchanges, Las Vegas, Nevada
- Operations Analysis Project Study Report I-880/Coleman Avenue Interchange
- Operations Analysis U.S. 101/SR 87 Auxillary Lane Project
- Operations Analysis/Preliminary Engineering for I-880/Coleman Avenue and SR 87 Interchanges

Master Plans

- Site master plan and related traffic studies for Travis Air Force Base; Fairfield, California
- Mariposa County General Plan Update; Mariposa County, California
- Transportation site master plan environmental impact reports for Cabrillo Community College, San Jose City College and Evergreen Community College
- Site master planning and circulation studies for Lockheed Missile and Space, Sunnyvale, California and Hewlett-Packard Corporation, Cupertino, California

Traffic Engineering/Signal Timing

- Signal timing studies for San Jose, San Francisco, Redwood City, Upland, and Richmond, California.
- Site traffic analyses and environmental impact reports for developments in California, Arizona, and Oregon.

EDUCATION

- Master of Urban & Regional Planning, Texas A&M University, 1980
- Bachelor of Science Architectural Engineering, University of Texas at Austin, 1977

AFFILIATIONS

- Institute of Transportation Engineers (ITE)

CERTIFICATION

- Licensed Professional Civil Engineer, State of California (36384)

PUBLICATIONS & PRESENTATIONS

- "Operational Characteristics of Commercial Border Stations Along the U.S.-Mexico Border" Transportation Research Board 78th Annual Meeting, January 1999.
- "Optimizing Truck Movement through U.S.-Mexican Border Crossings" Transportation Research Board 78th Annual Meeting, January 1999.
- "Sizing a U.S.-Mexican Border Commercial Inspection Station" Transportation Research Board 78th Annual Meeting, January 1999.

Parking Studies

- Parking demand analyses for community colleges: San Jose City College, Evergreen Community College, De Anza, and Foothill Community College
- Parking access and circulation studies for United Airlines Maintenance facilities located at San Francisco International and Oakland International airports
- Parking demand analyses for the proposed shared use library between San Jose City Library System and San Jose State University in San Jose, California
- Caltrain Extension to Monterey County, Monterey County, California. Developed conceptual station layout for the proposed station located in Pajaro, California

Transit Feasibility and Design Studies

- Transit planning and traffic circulation studies for San Jose, California downtown transit mall; Santa Rosa, California transit development plan; Fairfield, California transit development plan; and Denver, Colorado downtown transit mall.
- San Mateo Rail Bridge Feasibility Study. Project manager for developing a strategy for improving the vertical clearances at four existing rail grade separations.
- Hayward Park Caltrain Station Parking Expansion, San Mateo, California. Project manager for developing preliminary engineering and cost estimates for an expanded parking facility and transit drop off area for the Caltrain Hayward Park Station.
- Sam Trans Bus Stop Improvement Program, San Mateo County, California. Project manager for developing conceptual designs and final PS&E for bus stops located throughout San Mateo County.

International Planning/Goods Movement

- U.S.-Mexico Binational Transportation Planning and Programming Study. This two and a half year study developed the core data and analytical methodologies for cross-border transportation planning between the United States and Mexico. The study was performed for the state departments, federal transportation agencies and the border state transportation departments in both countries.
- Border Congestion Study, Western Governors Association. The WGA desired to identify and develop consensus and support for actions or improvements that can reduce border-crossing congestion and improve air quality along the U.S.-Mexican border.

Information System Design and Implementation

Involved in the needs assessment, design and implementation of information systems related to environmental engineering projects. Projects included the development of both database applications and geographic information systems. These projects were primarily related to effective management of ground, surface, and wastewater resources.

- Water Pollution Control Plant Industrial Waste Data Management System, Sunnyvale, California
- Urban Runoff Clean Water Program Geographic Information System, Alameda County, California
- Urban Runoff Clean Water Program Information System, San Mateo County, California
- Regional Water Quality Control Board Underground Tank Mapping System
- Groundwater Well Mapping System, Alameda County, California
- Santa Clara Valley Water District Wellhead Protection Geographic Information System, Santa Clara County, California
- University of California Hazardous Materials Management Plan-Information System Assessment

NORMAN WONG
Senior Transportation Engineer

EXPERIENCE

Transportation Impact Analysis

Conducted traffic impact studies for new and redevelopment projects, including estimating project trip generation, distribution, and assignment; evaluating site access and on-site circulation; conducting intersection operation and capacity analysis, and documenting results. Studies include:

- Foster City Neighborhood Shopping Center Redevelopment Projects EIR, Foster City, CA
- Foster/Woodstock EIR, Foster City, CA
- Crowne Plaza Hotel Expansion, Burlingame, CA
- Moitozo Development, San Jose, CA
- Olson Cherry Orchard Site TIA, Sunnyvale, CA
- Cisco TIA, Milpitas, CA
- Home Depot TIA, Fremont, CA
- Wal-Mart TIA, Fremont, CA
- Genentech Building 32, South San Francisco, CA

Traffic Modeling

Developed or updated citywide TRAFFIX Models for the City of Foster City and the City of Gilroy. The models contained zones representing approved and proposed developments. The model was used to develop traffic projections at key intersections and evaluate intersection levels of service under existing and future/buildout scenarios.

Pedestrian/Bicycle Studies

Assisted in preparation of studies to improve pedestrian and bicycle circulation. Cost estimates and/or improvements plans were prepared for the following studies:

- San Jose Commuter Bicycle Corridor Project
- Sunnyvale Long-Range Bicycle Capital Improvement Program
- Emeline Campus Pedestrian Circulation Study, Santa Cruz County, CA

Traffic Operations Analyses

Conducted operational analyses in support of freeway corridor studies for State Route 17 in Los Gatos, California and US 101 Central Corridor in San Jose, California

EDUCATION

- Bachelor of Science in Civil Engineering, San Jose State University, 1998

AFFILIATION

- Institute of Transportation Engineers (ITE)

COMPUTER SKILLS

Familiar with the use of transportation analysis software including:

- TRAFFIX
- CORSIM
- HCS
- NCAP
- CAPSSI
- Syncho
- FREQ
- VISSIM

CERTIFICATION

- Engineer-In-Training, State of California

References

A list of references and their contact information for those agencies that we have prepared Congestion Management Programs is provided below.

Sandy Wong
C/CAG
555 County Center, 5th Floor
Redwood City, California 94063
(650) 833-0286

Kristi Abrams
City of Gilroy
7351 Rosanna Street
Gilroy, CA 95020
(408) 846-0450



FEHR & PEERS
TRANSPORTATION CONSULTANTS

C/CAG AGENDA REPORT

Date: September 14, 2006
To: C/CAG Board of Directors
From: Richard Napier, Executive Director
Subject: REVIEW AND APPROVAL OF THE REAPPOINTMENTS OF DAVID ALFANO, CORY ROAY, AND ROBERT CRONIN TO THE BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE (BPAC) FOR AN ADDITIONAL TERM EXPIRING SEPTEMBER 2008

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

RECOMMENDATION

That the C/CAG Board review and approve the following reappointments to the Bicycle and Pedestrian Advisory Committee (BPAC) in accordance with staff recommendation.

<u>Member</u>	<u>Term</u>	<u>City of Residence</u>
• David Alfano	Term #3 ending September 2008	Menlo Park
• Robert Cronin	Term #3 ending September 2008	Menlo Park
• Cory Roay	Term #1 ending September 2008	Belmont

FISCAL IMPACT

There will be no fiscal impact.

SOURCE OF FUNDS

Not applicable

BACKGROUND/DISCUSSION

At the March 9, 2006 C/CAG Board meeting, the Board adopted the following BPAC membership policy:

- For reappointment of existing members, past attendance records should be a consideration. The attendance policy should be in accordance with the adopted Board Policy which is that members are required to attend a minimum of 75% of all meetings (including regular meetings that did not achieve a quorum) in the past consecutive 12 months.

ITEM 4.8

- No more than two (2) members, either elected or public, should reside in the same jurisdiction. This new requirement will only apply to new applicants to BPAC and not to existing members.
- Candidates will complete the BPAC Membership Application Form.
- Recruitment announcements should be sent to local Bicycle and Pedestrian groups.

Currently the BPAC has four public members, David Alfano, Robert Cronin, Cory Roay, and Tom Koos, that have terms set to expire in September 2006. Staff contacted these members to solicit them to continue their work with the BPAC. Staff developed a membership application for new members as well as incumbents. Attached please find a copy of the application for appointment to the City/County Association of Governments (C/CAG) of San Mateo County Bicycle and Pedestrian Advisory Committee (BPAC).

Three of the four incumbent public members of the BPAC that had terms set to expire decided to reapply for appointment. Attached please find the membership applications for the three incumbents. All three incumbents met the past attendance requirement. Staff anticipates sending out an announcement to solicit a new member to fill the seat to be vacated by Tom Koos in October 2006.

ATTACHMENTS

- Bicycle and Pedestrian Advisory Committee Membership Application
- 3 BPAC membership applications from incumbents
- Attendance records for 2005 and 2006

ALTERNATIVES

- 1 - Review and approval of the reappointments to the Bicycle and Pedestrian Advisory Committee (BPAC) in accordance with staff recommendation.
- 2 - Review and approval of the reappointments to the Bicycle and Pedestrian Advisory Committee (BPAC) in accordance with staff recommendation with modifications.
- 3 - No action.

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*

Bicycle and Pedestrian Advisory Committee Membership Application

Please give brief answers to the following questions to be considered for appointment to the City/County Association of Governments (C/CAG) of San Mateo County Bicycle and Pedestrian Advisory Committee (BPAC).

FOR INCUMBENTS:

1. Why do you want to be reappointed to the BPAC?
2. Do you have any suggestions for making the BPAC more effective?
3. How long have you served on the BPAC?

FOR NEW MEMBERS:

1. What expertise/experience do you have pertaining to serving on this committee?
2. Why do you want to serve on this committee?
3. What special strengths would you bring to the committee?
4. What is the role of the countywide Bicycle and Pedestrian Advisory Committee?
5. Have you ever attended a meeting of this committee? If so, when?

FOR ALL APPLICANTS:

- A. The C/CAG BPAC meets on the fourth Thursday of the month from 7:30 - 9:30 p.m., do you have other commitments that will keep you from attending meetings?
- B. Are you a member of any other committees/organizations?
- C. Please mention the city in which you reside.

Applications will be reviewed and presented to the C/CAG Board for appointment to the BPAC. Please email, fax, or mail your application attention Tom Madalena.

tmadalena@co.sanmateo.ca.us

650-361-8227 fax

555 County Center
5th Floor
Redwood City, CA 94063

**Response from
DAVID ALFANO
CURRENT BPAC CHAIR**

Bicycle and Pedestrian Advisory Committee Membership Application

Please give brief answers to the following questions to be considered for appointment to the City/County Association of Governments (C/CAG) of San Mateo County Bicycle and Pedestrian Advisory Committee (BPAC).

FOR INCUMBENTS:

1. Why do you want to be reappointed to the BPAC?

I am completely committed to the success of the BPAC in its mission to provide safe and reasonable transportation on bicycle and on foot to the widest possible portion of our communities. I have supported the BPAC in various roles since the early 1990s, and I keep this activity as a high priority as my own personal way of contributing to our larger community. Of the many options available to me, I feel most compelled to use my energies to contribute to the activities of the BPAC. In this way it's my personal commitment to community life in San Mateo County.

Given my long-term affiliation with the BPAC, I also bring a "corporate history" to the table and can draw on past experience of prior BPAC activities when they are relevant to current items. I believe this is a valuable additional capability that I bring to BPAC meetings.

2. Do you have any suggestions for making the BPAC more effective?

I believe that outreach efforts, to both the community at large and to the government jurisdictions affected by C/CAG decisions, can have a significant positive impact on the BPAC's effectiveness. We have been highly successful in recent years in helping the communities prepare good applications for TDA-funded projects. I would like to see this continue. I also strongly believe that we can be more effective through outreach to the community at large and to bicycle and pedestrian organizations, through media such as print and especially the internet.

3. How long have you served on the BPAC?

I have been involved with the BPAC in some role since 1994 (possibly 1993), when I first learned of its existence. During the early years, I sat in the audience area, most of that time as a formal "alternate" to member Scott Mace, who was Chair for many years. I worked side-by-side with Scott as his alternate, even meeting with him locally to be briefed on his viewpoints for those occasions where I would be called to the table as his substitute. In 1997 I was formally recognized as a member of the BPAC. I became Vice Chair in 2000 under Phil Armstrong, and continued as Vice Chair under Nick Kapp. Subsequent to Mr. Kapp's resignation from the BPAC, I was elected Chair by a majority of the BPAC members (ratified by C/CAG) in August of 2002. I have served faithfully and conscientiously since then, with a very strong attendance record.

**Response from
DAVID ALFANO
CURRENT BPAC CHAIR**

FOR ALL APPLICANTS:

A. The C/CAG BPAC meets on the fourth Thursday of the month from 7:30 – 9:30 p.m., do you have other commitments that will keep you from attending meetings?

I have the fourth Thursday of the month already blocked off in my planner (Palm Pilot) for all BPAC meetings. That is to say, a BPAC meeting is the default activity blocked off for that time period each month, regardless of our particular schedule.

B. Are you a member of any other committees/organizations?

I am not a member of any other formal committees or organizations at this time. BPAC is my primary form of public service. I have an affiliation with a Commute Alternatives Program at NASA's Ames Research Center, where I am employed.

C. Please mention the city in which you reside.

I reside in Menlo Park, California.

Applications will be reviewed and presented to the C/CAG Board for appointment to the BPAC. Please email, fax, or mail your application attention Tom Madalena.

tmadalena@co.sanmateo.ca.us

650-361-8227 fax

555 County Center
5th Floor
Redwood City, CA 94063

From: Robert Cronin

Bicycle and Pedestrian Advisory Committee Membership Application

Please give brief answers to the following questions to be considered for appointment to the City/County Association of Governments (C/CAG) of San Mateo County Bicycle and Pedestrian Advisory Committee (BPAC).

FOR INCUMBENTS:

1. Why do you want to be reappointed to the BPAC?

I would like to continue working to improve the accommodations for bicyclists and pedestrians in San Mateo County.

2. Do you have any suggestions for making the BPAC more effective?

I would like to hear more input from the public in addition to the input from the cities and the county.

3. How long have you served on the BPAC?

Since 1999.

FOR ALL APPLICANTS:

A. The C/CAG BPAC meets on the fourth Thursday of the month from 7:30 - 9:30 p.m., do you have other commitments that will keep you from attending meetings?

No problems here.

B. Are you a member of any other committees/organizations?

I am on the board of the Peninsula Bicycle and Pedestrian Coalition.

C. Please mention the city in which you reside.

Menlo Park.

Applications will be reviewed and presented to the C/CAG Board for appointment to the BPAC. Please email, fax, or mail your application attention Tom Madalena.

tmadalena@co.sanmateo.ca.us <mailto:tmadalena@co.sanmateo.ca.us>
650-361-8227 fax
555 County Center
5th Floor, Redwood City, CA 94063

DALY CITY POLICE DEPARTMENT

Memorandum

August 30, 2006

To: Mr. Tom Madalena
From: Cory Roay
Subject: Application for reappointment to San Mateo CO BPAC

I would like to be considered for reappointment to the San Mateo County Bicycle/Pedestrian Advisory Committee in order to continue to work in collaboration with others in improving the safety and accessibility of public areas for cyclists and pedestrians in our County.

I am impressed with the effectiveness of the committee and also with the level of cooperation and pragmatism of the individual members and County staff and have no suggestions for improvement.

I was appointed to the BPAC on 04-14-05.

I have no other commitments that would prevent me from attending meetings in the future.

I am a member of the Daly City BPAC, the Peninsula Velo Bicycle Club, and I am employed as a Lieutenant in the Daly City Police Department.

I reside in Belmont, CA.

Sincerely,

Cory Roay

BPAC 2005 ATTENDANCE REPORT

Name	Jan 27	Feb 17	Feb 24	Apr 28	Jun 30 No Quorum	July 28	Oct 27	Dec 1
David Alfano 604-3409	yes	yes	yes	yes		yes	yes	
Michael Barnes 808-6153	yes	yes	yes	yes	yes	yes		yes
Cathy Baylock 579-2623	yes	yes	yes	yes			yes	yes
Maureen Brooks 558-7253		yes	yes	yes	yes		yes	yes
Robert Cronin 323-3436	yes	yes	yes	yes	yes		yes	yes
Karyl Matsumoto 508-7940	yes	yes	yes	yes		yes	yes	yes
Matt Grocott 851-4886	yes	yes	yes			yes	yes	yes
Mike Harding 325-9362	yes	yes	yes	yes	yes	yes	yes	yes
Marc Hershman 573-9500								yes
Ken Ibarra 589-4613	yes	yes		yes				yes
Tom Koos 529-1541	yes	yes	yes		yes			yes
Julie Lancelle 455-0346	yes	yes	yes		yes	yes	yes	
Sue Lempert 342-9667	yes	yes	yes	yes	yes	yes		yes
Mark Meadows 746-7460	yes			yes		yes	yes	yes
Cory Roay 991-8270	na	na	na	yes	yes	yes	yes	yes

Quorum = 8 + 4 elected officials

BPAC 2006 ATTENDANCE REPORT

Name	Feb 11 Tour	Feb 23	Mar 23	Apr 27	Jun 22	Sept 28	Oct	Dec
David Alfano 604-3409	yes		yes	yes	yes			
Michael Barnes 808-6153	yes		yes		yes			
Cathy Baylock 579-2623	yes	yes	yes	yes	yes			
Maureen Brooks 558-7253	yes	yes		yes	yes			
Robert Cronin 323-3436		yes	yes	yes	yes			
Karyl Matsumoto 508-7940	yes	yes	yes	yes	yes			
Matt Grocott 851-4886	yes	yes	yes	yes	yes			
Mike Harding 325-9362	yes	yes	yes	yes	yes			
Marc Hershman 573-9500	yes	yes	yes	yes	yes			
Ken Ibarra 589-4613	yes	yes	yes	yes	yes			
Tom Koos 529-1541	yes	yes	yes	yes				
Julie Lancelle 455-0346	yes	yes	yes	yes	yes			
Naomi Patridge 726-8270 568-1230 msg	yes	yes	yes	yes	yes			
Mark Meadows 746-7460	yes		yes	yes	yes			
Cory Roay 991-8270	yes	yes	yes	yes				

Quorum = 8 + 4 elected officials

C/CAG AGENDA REPORT

Date: September 14, 2006

TO: C/CAG Board of Directors

From: Richard Napier, Executive Director - C/CAG

Subject: Review and approval of the C/CAG Investment Program: 1- Review and accept the Quarterly Investment Report as of June 30, 2006. 2- Review and approval of Resolution 06-34 adopting the C/CAG Investment Policy. 3- Review and approval of Resolutions 06-35 and 06-36 adopting the policy for authorizing investment deposit and withdrawals.

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

Recommendation:

Review and approval of the C/CAG Investment Program: 1- Review and accept the Quarterly Investment Report as of June 30, 2006. 2- Review and approval of Resolution 06-34 adopting the C/CAG Investment Policy. 3- Review and approval of Resolutions 06-35 and 06-36 adopting the policy for authorizing investment deposit and withdrawals. Approve in accordance with the staff recommendations.

Fiscal Impact:

None. Guidance for the prudent investment of C/CAG funds.

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, 2006. Staff recommends acceptance of the report.

On May 13, 2004 the C/CAG Board approved the investment policy and the investment authorizations. The policy and authorization should be updated annually. Attached is the updated C/CAG Investment Policy. The following changes were made to the policy:

- 1- Replace Finance Director with Administrative Services Director.
- 2- On page 5 Item 4 180 days was increased to 270 days. Same as City of San Carlos.
- 3- On page 5 Item 6 the questionnaire statement was deleted at the recommendation of the C/CAG Auditor.
- 4- On page 1 Scope "One exception..." paragraph was moved to Page 2 Maturity

ITEM 4.9

- Matrix.
5- Miscellaneous minor typo changes.

Staff recommends adoption of the C/CAG Investment Policy.

Attached is the policy for Authorizing Investments and Withdrawals. This is updated to reflect the changes in titles. Staff recommends approval of the policy for Authorizing Investments and Withdrawals.

Attachments:

Quarterly Investment Report as of June 30, 2006
Adoption of C/CAG Investment Policy
Authorizing Investment Deposits and Withdrawals

Alternatives:

- 1- Review and approval of the C/CAG Investment Program: 1- Review and accept the Quarterly Investment Report as of June 30, 2006. 2- Review and approval of Resolution 06-34 adopting the C/CAG Investment Policy. 3- Review and approval of Resolutions 06-35 and 06-36 adopting the policy for authorizing investment deposit and withdrawals. Approve in accordance with the staff recommendations.
- 2- Review and approval of the C/CAG Investment Program: 1- Review and accept the Quarterly Investment Report as of June 30, 2006. 2- Review and approval of Resolution 06-34 adopting the C/CAG Investment Policy. 3- Review and approval of Resolutions 06-35 and 06-36 adopting the policy for authorizing investment deposit and withdrawals. Approve in accordance with the staff recommendations with modifications.
- 3- No action.

CITY AND COUNTY ASSOCIATION OF GOVERNMENTS
Board of Directors Agenda Report

To: Richard Napier, Executive Director
From: Jeff Maltbie, Administrative Services Director
Date: September 14, 2006

SUBJECT: Quarterly Investment Report as of June 30, 2006

RECOMMENDATION:

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

ANALYSIS

C/CAG's only investment vehicle to date has been the Local Agency Investment Fund (LAIF). The balance in the Local Agency Investment Fund as of June 30, 2006 was \$2,295,409 earning 4.53% interest. Total accrued interest for the quarter ending June 30, 2006 was \$25,873, with a total fiscal year to date interest earnings of \$89,191.

On August 10, 2006, the C/CAG Board authorized the opening of an investment account with the San Mateo County Investment Pool. This will allow for better diversification of the portfolio. In addition, the Investment Committee is considering other investment options to maximize investments and maintain the investment priorities of "Safety, Liquidity and Yield".

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, 2006, 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.

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

Attachment

CITY & COUNTY ASSOCIATION OF GOVERNMENTS

SUMMARY OF ALL INVESTMENTS
For Quarter Ending June 30, 2006

Category	Maturity		Weighted Average Interest Rate	HISTORICAL Book Value	GASB 31 ADJ Market Value
	Days	Months			
Liquid Investments					
Local Agency Investment Fund (LAIF)	1		4.53%	2,295,409	2,295,409
Agency Securities					
Total Investments			4.53%	2,295,409	2,295,409
GRAND TOTAL OF PORTFOLIO			4.53%	2,295,409	2,295,409
Total Accrued Interest this Quarter					25,873
Total Interest Earned Fiscal-Year-to-Date					89,191

CITY AND COUNTY ASSOCIATION OF GOVERNMENTS
Board of Directors Agenda Report

To: Richard Napier, Executive Director
From: Jeff Maltbie, Administrative Services Director
Date: September 14, 2006

SUBJECT: Adoption of C/CAG Investment Policy

RECOMMENDATION:

It is recommended that the C/CAG Board review and approve the adoption of the attached C/CAG Investment Policy.

ANALYSIS

The City of San Carlos is the Financial Agent for C/CAG. The C/CAG Investment Policy is fully compliant with California Code and is modeled after the City of San Carlos. The primary objective of the Investment Policy is safety of principal, while meeting the cash flow needs of the JPA, through prudent investment of unexpended cash.

The policy review section indicates that the Investment Policy shall be adopted by resolution on an annual basis. The attached Investment Policy has been updated to replace the Finance Director position with the position of Administrative Services Director and has been approved by the Investment Committee.

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

Attachments

- 1 - Resolution
- 2 - C/CAG Investment Policy

RESOLUTION NO. 06-34
RESOLUTION OF THE BOARD
CITY AND COUNTY ASSOCIATION OF GOVERNMENTS
Adoption of the Investment Policy

WHEREAS, the City of San Carlos is the Financial Agent for C/CAG; and

WHEREAS, the City of San Carlos invests the C/CAG funds under its control; and

WHEREAS, it is important for the C/CAG Board to provide clear Investment Policy direction

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the attached Investment Policy is approved and adopted.

PASSED AND ADOPTED by the Board of Directors of the City/County Association of Governments of San Mateo County, State of California on the 14th day of September 2006, by the following vote:

AYES, BOARD MEMBERS

NOES, BOARD MEMBERS

ABSENT, BOARD MEMBERS

ATTEST:

Chairperson of C/CAG

Richard Napier, Executive Director

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

August 2006

POLICY

The investment of the funds of the City and County Association of Governments (C/CAG) is directed to the goals of safety, liquidity and yield. This Investment Policy incorporates the policies defined by the certified investment policy standards recommended by the Association of Public Treasurers. The authority governing investments for municipal governments is set forth in the California Government Code, Sections 53601 through 53659.

The primary objective of the investment policy of the City and County Association of Governments is SAFETY OF PRINCIPAL. Investments shall be placed in those securities as outlined by type and maturity sector in this document. Effective cash flow management and resulting cash investment practices are recognized as essential to good fiscal management and control. C/CAG's portfolio shall be designed and managed in a manner responsive to the public trust and consistent with state and local law. Portfolio management requires continual analysis and as a result the balance between the various investments and maturities may change in order to give C/CAG the optimum combination of necessary liquidity and optimal yield based on cash flow projections.

SCOPE

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

PRUDENCE

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

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

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

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

OBJECTIVES

Safety of Principal

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

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

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

Liquidity

Historical cash flow trends are compared to current cash flow requirements on an ongoing basis in an effort to ensure that C/CAG's investment portfolio will remain sufficiently liquid to enable C/CAG to meet all reasonably anticipated operating requirements.

MATURITY MATRIX

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

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

* One exception does exist regarding the investment of bond reserve funds. If in the opinion of the Administrative Services Director, matching the segregated investment portfolio of the bond reserve fund with the maturity schedule of an individual bond issue is prudent given current economic analysis, the investment policy authorizes extending beyond the five year maturity limitation as outlined in this document.

PERFORMANCE EVALUATION

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

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

DELEGATION OF AUTHORITY

The Joint Powers Authority Agreement of the City and County Association of Governments and the authority granted by the C/CAG Board, assign the responsibility of investing unexpended cash to the Administrative Services Director. Daily management responsibility of the investment program may be delegated to the Finance Officer, who shall establish procedures for the operation consistent with this investment policy.

INVESTMENT COMMITTEE

An investment committee consisting of the City of San Carlos Treasurer, City Manager, Assistant City Manager, and Administrative Services Director shall be established to provide general oversight and direction concerning the policy related to management of C/CAG's investment pool. The Finance Officer shall not be a member of the committee but shall serve in a staff and advisory capacity. The committee shall review and approve quarterly investment reports prepared by the Finance Department and reviewed by the Finance Officer or meet as necessary to discuss changes to the report or the investment strategy.

ETHICS AND CONFLICTS OF INTEREST

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

SAFEKEEPING OF SECURITIES

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

Securities held custody for C/CAG shall be independently audited on an annual basis to verify investment holdings.

All exceptions to this safekeeping policy must be approved by the Administrative Services Director in written form and included in the quarterly reporting to the C/CAG Board.

INTERNAL CONTROL

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

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

The investment portfolio and all related transactions are reviewed and balanced to appropriate general ledger accounts by the Senior Accountant on a monthly basis. An independent analysis by an external auditor shall be conducted annually to review internal control, account activity and compliance with policies and procedures.

REPORTING

The Administrative Services Director shall review and render quarterly reports to the Investment Advisory Committee and to the C/CAG Board which shall include the face amount of the cash investment, the classification of the investment, the name of the institution or entity, the rate of interest, the maturity date, the current market value and accrued interest due for all securities. The quarterly reports shall be placed on C/CAG's meeting agenda for its review and approval no later than 75 days after the quarter ends.

QUALIFIED BROKER/DEALERS

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

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

COLLATERAL REQUIREMENTS

Collateral is required for investments in certificates of deposit. In order to reduce market risk, the collateral level will be at least 110% of market value of principal and accrued interest.

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

AUTHORIZED INVESTMENTS

Investment of C/CAG's funds is governed by the California Government Code Sections 53600 et seq. Within the context of the limitations, the following investments are authorized, as further limited herein:

1. United States Treasury Bills, Bonds, and Notes or those for which the full faith and credit of the United States are pledged for payment of principal and interest. There is no percentage limitation of the portfolio that can be invested in this category, although a five-year maturity limitation is applicable.
2. Obligations issued by the Government National Mortgage Association (GNMA), the Federal Farm Credit System (FFCB), the Federal Home Loan Bank Board (FHLB), the Federal National Mortgage Association (FNMA), the Student Loan Marketing Association (SLMA), and the Federal Home Loan Mortgage Corporation (FHLMC). There is no percentage limitation of the portfolio that can be invested in this category, although a five-year maturity limitation is applicable.

Investments detailed in items 3 through 10 are further restricted to a percentage of the cost value of the portfolio in any single issuer name to a maximum of 5%. The total value invested in any one issuer shall not exceed 5% of the issuers net worth. Again, a five-year maximum maturity limitation is applicable unless further restricted by this policy.

3. Bills of exchange or time drafts drawn on and accepted by commercial banks, otherwise known as banker's acceptances. Banker's acceptances purchased may not exceed 180 days to maturity or 30% of the cost value of the portfolio.
4. Commercial paper ranked P1 by Moody's Investor Services or A1+ by Standard & Poor's, and issued by domestic corporations having assets in excess of \$500,000,000 and having an AA or better rating on its' long term debentures as provided by Moody's or Standard & Poor's. Purchases of eligible commercial paper may not exceed 270 days to maturity nor represent more than 10% of the outstanding paper of the issuing corporation. Purchases of commercial paper may not exceed 15% of the cost value of the portfolio.
5. Negotiable Certificates of Deposit issued by nationally or state chartered banks (FDIC insured institutions) or state or federal savings institutions. Purchases of negotiable certificates of deposit may not exceed 30% of total portfolio. A maturity limitation of five years is applicable.

Local Agency Investment Fund (LAIF) which is a State of California managed investment pool, and San Mateo County Investment pool, may be used up to the maximum permitted

by California State Law. A thorough review of the pool/fund is required when they are part of the list of authorized investments.

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

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

<u>Investment Type</u>	<u>Percentage/Amount</u>
Repurchase Agreements	0%
Local Agency Investment Fund	\$40,000,000 per account
US Treasury Bonds/Notes/Bills	0 to 100%
US Government Agency Obligations	0 to 100%
Bankers' Acceptances	0 to 30%
Commercial Paper	0 to 15%
Negotiable Certificates of Deposit	0 to 30%
Time Certificates of Deposit	0 to 25%
Medium Term Corporate Notes	0 to 30%
Reverse Repurchase Agreements	0%

DERIVATIVE INVESTMENTS

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

LEGISLATIVE CHANGES

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

INTEREST EARNINGS

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

LIMITING MARKET VALUE EROSION

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

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

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

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

PORTFOLIO MANAGEMENT ACTIVITY

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

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

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

Security Swaps. C/CAG may take advantage of security swap opportunities to improve the overall portfolio yield. A swap, which improves the portfolio yield, may be selected even if the transactions result in an accounting loss. Documentation for swaps will be included in C/CAG's permanent investment file documents.

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

POLICY REVIEW

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

Glossary of Terms

Accrued Interest- Interest earned but not yet received.

Active Deposits- Funds which are immediately required for disbursement.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Inactive Deposits- Funds not immediately needed for disbursement.

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

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

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

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

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

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

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

Portfolio- Collection of securities held by an investor.

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

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

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

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

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

Risk- Degree of uncertainty of return on an asset.

Safekeeping- see custody.

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

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

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

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

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

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

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

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

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

CITY AND COUNTY ASSOCIATION OF GOVERNMENTS

Board of Directors Agenda Report

To: Richard Napier, Executive Director
From: Jeff Maltbie, Administrative Services Director
Date: September 14, 2006

SUBJECT: Authorizing Investment Deposits and Withdrawals

RECOMMENDATION:

Staff recommends the Board adopt resolutions authorizing certain designated positions to order deposit or withdrawal of investments related to investments held in Local Agency Investment Fund (LAIF) and San Mateo County Pool.

ANALYSIS

Chapter 730 of the statutes of 1976 Section 16429.1 was added to the California Government Code to create a Local Agency Investment Fund in the State Treasury for the deposit of money of a local agency for purposes of investment by the State Treasurer. In May 2004, the Board adopted a resolution authorizing the following officials access to deposit or withdrawal funds from LAIF: Treasurer, Deputy Treasurer, Assistant Manager, Finance Director, Financial Services Manager and Investment Revenue Manager.

In addition, in August 2006, the Board approved opening an investment account in the San Mateo County Pool.

As some of these positions are no longer on staff and as the City of San Carlos is the Financial Agent for SBWMA, Staff recommends changing the authorization for LAIF and adding the authorization for the San Mateo County Pool to the below listed positions at the City of San Carlos:

City Manager
Assistant City Manager
City Treasurer
Deputy City Treasurer
Administrative Services Director
Finance Officer
Financial Services Manager

RESOLUTION NO. 06-35
RESOLUTION OF THE BOARD
CITY AND COUNTY ASSOCIATION OF GOVERNMENTS
Authorizing Local Agency Investment Fund Deposits and Withdrawals

WHEREAS, pursuant to Chapter 730 of the statutes of 1976, Section 16429.1 was added to the California Government Code to create a Local Agency Investment Fund in the State Treasury for the deposit of money of a local agency for purposes of investment by the State Treasurer; and

WHEREAS, the Joint Powers Authority does hereby find that the deposit and withdrawal of money in the Local Agency Investment Fund in accordance with the provisions of Section 16329.1 of the Government Code for the purpose of investment as stated therein as in the best interests of the City and County Association of Governments of San Mateo County; and

WHEREAS, the City of San Carlos is the Financial Agent of the Joint Powers Authority

NOW, THEREFORE BE IT RESOLVED that the Joint Powers Authority does hereby authorize the deposit and withdrawal of the City and County Association of Governments monies in the Local Agency Investment Fund in the State Treasury in accordance with the provisions of Section 16429.1 of the Government Code for the purpose of investment as stated therein and verification by the State Treasurer's Office of all banking information provided in that regard; and

BE IT FURTHER RESOLVED that the following City and County Association of Governments' designated representatives of the City of San Carlos or their successors shall be authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund:

TITLE:

City Manager
Assistant City Manager
City Treasurer
Deputy City Treasurer
Administrative Services Director
Finance Officer
Financial Services Manager

PASSED AND ADOPTED by the Board of the City and County Association of Governments, County of San Mateo, State of California on the 14th day of September 2006, by the following vote:

AYES, BOARD MEMBERS

NOES, BOARD MEMBERS

ABSENT, BOARD MEMBERS

ATTEST:

Chairperson of C/CAG

Richard Napier, Executive Director

RESOLUTION NO. 06-36
RESOLUTION OF THE BOARD
CITY AND COUNTY ASSOCIATION OF GOVERNMENTS
Authorizing San Mateo County Pool Fund Deposits and Withdrawals

WHEREAS, in August 2006, the Joint Powers Authority authorized opening an investment account with the San Mateo County Pool; and

WHEREAS, the Joint Powers Authority does hereby find that the deposit and withdrawal of money in the San Mateo County Pool Investment Fund in accordance with the provisions of C/CAG's Investment Policy for the purpose of investment as stated therein as in the best interests of the City and County Association of Governments; and

WHEREAS, the City of San Carlos is the Financial Agent of the Joint Powers Authority.

NOW, THEREFORE BE IT RESOLVED that the Joint Powers Authority does hereby authorize the deposit and withdrawal of City and County Association of Governments monies in the San Mateo County Pool in accordance with the C/CAG Investment Policy for the purpose of investment as stated therein; and

BE IT FURTHER RESOLVED that the following C/CAG designated representatives of the City of San Carlos or their successors shall be authorized to order the deposit of withdrawal of monies in the San Mateo County Pool:

TITLE:

- City Manager
- Assistant City Manager
- City Treasurer
- Deputy City Treasurer
- Administrative Services Director
- Finance Officer
- Financial Services Manager

PASSED AND ADOPTED by the Board of the City and County Association of Governments, County of San Mateo, State of California on the 14th day of September 2006, by the following vote:

AYES, BOARD MEMBERS

NOES, BOARD MEMBERS

ABSENT, BOARD MEMBERS

ATTEST:

Chairperson of C/CAG

Richard Napier, Executive Director

C/CAG AGENDA REPORT

Date: September 14, 2006
TO: C/CAG Board of Directors
From: Richard Napier, Executive Director - C/CAG
Subject: Review and approval of Deputy Director position/ classification and authorization for the Executive Director to establish an appropriate salary range

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

Recommendation:

Review and approval of Deputy Director position/ classification and authorization for the Executive Director to establish an appropriate salary range in accordance with the staff recommendation.

Fiscal Impact:

Fiscal impact programmed into the C/CAG Budget. Potential budget impact of \$15,000-25,000.

Background/Discussion:

The County of San Mateo created a position when C/CAG was formed. This position is Transportation Systems Coordinator with a salary range of \$89,315.20 - \$111,654.40 annually. C/CAG utilizes higher-level personnel with a resulting lower number of staff. It has not been updated since it was created. Since the C/CAG senior staff works for the County, this position limits the ability to provide merit increases commensurate with their performance. This also puts C/CAG at a disadvantage in competing with other agencies to retain senior people.

Deputy Director Position:

Comparable counties such as Alameda, Contra Costa, San Francisco and Santa Clara all have a Deputy Director position. It is used as Deputy Director of a particular function (i.e. Deputy Director of Programs). It is requested that C/CAG work with the County to establish a Deputy Director position for C/CAG staff. The primary difference would be financial management. The Deputy Director should also be pursuing and managing a significant amount of C/CAG funds. Initial assessment indicates a salary range of \$110,000-\$130,000. Since the personnel work for the County, C/CAG must work with the County to make certain that it is consistent with the County's personnel system. The County has committed to work with C/CAG to address this issue. The County will do a salary survey to establish an appropriate salary range.

C/CAG staff requests that the Board approve the following:

ITEM 4.10

- 1- Authorize the establishment of a Deputy Director of "Function" position. The purpose is to not add personnel, but to provide a possible classification for established personnel. The classification could apply to more than one individual since it is a Deputy Director "Function".
- 2- Authorize the Executive Director to work with the County to establish a salary range.
- 3- Authorize the Executive Director to work with the County when applying the Deputy Director position.

C/CAG staff requests the Board approve these recommendations. Attached is the job description of Transportation Systems Coordinator and the additional responsibilities for the Deputy Director Position.

Attachments:

Transportation Systems Coordinator
Letter to Donna Vaillancourt dated May 22, 2006

Alternatives:

- 1- Review and approval of Deputy Director position/ classification and authorization for the Executive Director to establish an appropriate salary range in accordance with the staff recommendation.
- 2- Review and approval of Deputy Director position/ classification and authorization for the Executive Director to establish an appropriate salary range in accordance with the staff recommendation with modifications.
- 3- No action.

Class Title: TRANSPORTATION SYSTEMS COORDINATOR

Salary: \$42.94 - \$53.68 hourly
\$3,435.20 - \$4,294.40 biweekly
\$7,442.93 - \$9,304.53 monthly
\$89,315.20 - \$111,654.40 annually

[Email me when this position opens](#)

Description Benefits

Plan, organize and coordinate activities and programs related to the Congestion Management System for the County; provide technical and administrative support to the City/County Association of Governments on transportation issues; coordinate projects with the cities within the County and outside agencies.

SUPERVISION RECEIVED AND EXERCISED

Receive administrative direction from higher level management. Exercise direct and indirect supervision over lower level professional, technical and clerical staff, including consultants and contract service providers.

Examples Of Duties:

Duties may include, but are not limited to, the following:

- Provide technical and administrative support to the City/County Association of Governments (C/CAG) and its committees, including agenda planning and coordination of presentations, research and follow up on requests for information, and formulation of policy recommendations.
- Direct, coordinate and monitor the work of consultants, including contract negotiation and invoice processing; serve as liaison between consultant and C/CAG.
- Represent the County and C/CAG in meetings and interactions with the regional planning agency, the State Department of Transportation, and Bay Area congestion management agencies; interpret and implement rules and regulations.
- Provide highly complex staff assistance to senior level management.
- Participate in the development and implementation of program goals, objectives, policies, procedures and priorities.
- Maintain an effective working relationship with a variety of public and private organizations, including other County departments and agencies.
- Assist in the development of County-wide transportation priorities and implementation strategies.
- Assist in advocating for funding to support comprehensive transportation programs.
- Advise Legislators of the official position on legislation taken by C/CAG and maintain liaison with officials in the Legislative and other governmental jurisdictions to further the interests of C/CAG in such matters.
- Perform related duties as assigned.

Qualifications:

Knowledge of:

- Principles and practices of public administration and program management.

including planning, implementation and evaluation.

- Principles and practices of contract negotiation, preparation and administration.
- Pertinent local, state and federal laws, rules, regulations and enforcement procedures.
- Practices and procedures as applied to the analysis and evaluation of programs, policies and operational needs.
- Local and state legislative processes and the key players within those processes.
- Basic principles and practices of the County's operations and its administration and organization.

Skill/Ability to:

- Research, analyze, and make recommendations on administrative and management practices and procedures.
- Communicate effectively both orally and in writing; prepare comprehensive administrative, fiscal and technical reports and correspondence.
- Represent C/CAG and Public Works to other departments, agencies, and before public bodies.
- Establish and maintain effective and cooperative working relationships with others contacted in course of performing assigned responsibilities.
- Integrate a variety of activities and services to achieve program goals, objectives, and priorities.
- Apply principles and techniques of community organization.
- Speak effectively to diverse audiences, including professional, civic, legislative, and citizen groups.
- Maintain cooperative working relationships with other agencies and staff.
- Prepare complex and detailed written reports, program policies, procedures and contracts.
- Interpret policies, guidelines and procedures.

Education and Experience

Any combination of education and experience that would likely provide the required knowledge, skills and abilities is qualifying. A typical way to qualify is:

Three years of increasingly responsible managerial experience preferably in the transportation field.

Previous Classification:

None

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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

May 22, 2006

To: Donna Vaillancourt

From: Richard Napier
Executive Director C/CAG

Subject: Establishment of Transportation Systems Manager Job Classification

The County established the Position of Transportation Systems Coordinator over 10 years ago for the County staff that was working with C/CAG. See the attached job description. There are currently two personnel in that position. Given the function, role, and type of staffing that C/CAG does to meet its charter, it is necessary to have some senior management personnel. Given this requirement the current position of Transportation Systems Coordinator is somewhat limiting in function and salary. It is requested that an additional job classification of Transportation Systems Manager be created. Of equal importance is that this is necessary in order to remain salary competitive in order to retain staff. The Marin County Transportation Authority recently did a solicitation for Transportation Project Manager that had a salary to \$120-125K per year. Contact Dianne Steinhauser at 415-507-2714 for additional details on the Marin County Transportation Authority position. This position has some lower responsibility than the similar C/CAG functions yet higher salary maximum. I am certain that there are similar examples in the Bay Area. Therefore, based on the C/CAG need for Senior Management functions and the need to be competitive in the marketplace it is requested that the following addition position be created.

Class Title: Senior Transportation Systems Manager

Salary: \$110,000 - \$130,000 annually

Description: Same as Transportation Systems Coordinator with the following additions. Senior level management of major transportation programs including responsibility for financial management to ensure that all C/CAG programs stay on budget and work with the regional partners to maximize the Transportation funds to San Mateo County.

Examples of Duties: Same as Transportation Systems Coordinator with the following additions. Manage major transportation system programs including financial responsibility that all C/CAG programs meet their approved budget.

Work with the regional stakeholders at the management level to maximize the transportation funding to San Mateo County.

Qualifications: Same as Transportation Systems Coordinator with the following additions.
Significant financial management skills.
Grant writing and pursuit of private and public grants.

Skill/ Ability to: Same as Transportation Systems Coordinator with the following additions.
Significant financial management skills.
Grant writing and pursuit of private and public grants.

Education and Experience: Same as Transportation Systems Coordinator with the following additions.

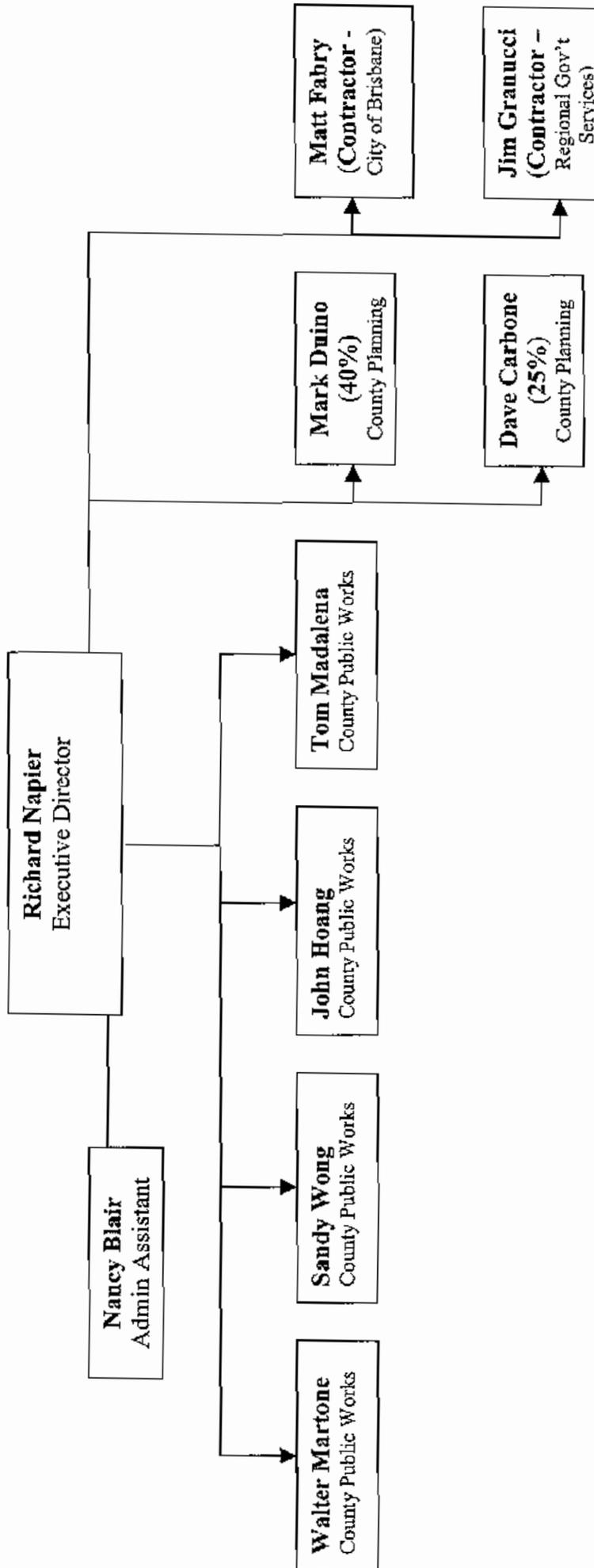
Two years experience in managing major transportation systems programs.

Previous Classification:

Transportation Systems Coordinator. (Possible previous classification)

C/CAG Human Resource Chart

(September 2006)



C/CAG AGENDA REPORT

Date: September 14, 2006

TO: C/CAG Board of Directors

From: Richard Napier, Executive Director - C/CAG

Subject: Review and approval of salary ranges for C/CAG Administrative Secretary and Administrative Assistant positions
(For further information or response to question's, contact Richard Napier at 650 599-1420)

Recommendation:

Approval of salary ranges for C/CAG Administrative Secretary and Administrative Assistant positions in accordance with the staff recommendation.

Fiscal Impact:

Fiscal impact programmed into the C/CAG Budget.

Background/Discussion:

The C/CAG Board has authorized both Administrative Secretary and Administrative Assistant positions. However, the Board has only authorized one position that can be filled by either job category. The current salary range for Administrative Secretary is \$35,000-\$45,000 and Administrative Assistant \$40,000-\$52,000. The salary range has not been reviewed for Administrative Secretary and Administrative Assistant for more than five years. Attached is an agency salary comparison for these positions. Based on this comparison, C/CAG staff recommends that the salary range for Administrative Secretary be increased to \$38,000-\$49,000 and Administrative Assistant be increased to \$45,000-\$64,000. The new ranges will make the positions more competitive in the marketplace and will make it easier to recruit and retain personnel.

Attachments:

Agency Salary Comparison for Administrative Secretary and Administrative Assistant
C/CAG Administrative Assistant

Alternatives:

- 1- Approval of salary ranges for C/CAG Administrative Secretary and Administrative Assistant positions in accordance with the staff recommendation.
- 2- Approval of salary ranges for C/CAG Administrative Secretary and Administrative Assistant positions in accordance with the staff recommendation with modifications. **ITEM 4.11**

3- No action.

AGENCY SALARY COMPARISON
for
ADMINISTRATIVE SECRETARY and ADMINISTRATIVE ASSISTANT

Salary Comparison	Secretary	Administrative Assistant
City of San Carlos	TBD	Included in Secretary
City of Redwood City	\$47,316-\$57,528	\$57,756-\$69,348
County of San Mateo	\$43,264-\$54,059 (Level II)	\$47,861-\$59,842 (Level 1)
C/CAG (Current)	\$35,000-\$45,000	\$40,000-\$52,000
C/CAG (Proposed)	\$38,000-\$49,000	\$45,000-\$64,000

TBD – To Be Determined. Will provide by the Board Meeting.

C/CAG ADMINISTRATIVE ASSISTANT

The Organization

The City/ County Association of Governments (C/CAG) is a joint power's authority consisting of San Mateo County and twenty cities within the county. A governing Board of Directors made up of one elected representative of each agency sets policy for the organization. The Executive Director and Administrative Secretary/ Administrative Assistant are the only full-time staff employed by C/CAG. All other staff functions are performed through contracts with local agencies and independent consultants. C/CAG is the Congestion Management Agency for San Mateo County, the Airport Land Use Commission, the Stormwater Pollution Prevention Program Manager, and manages a variety of other countywide programs and activities by the Board of Directors.

The Position

The Administrative Assistant performs a variety of highly responsible, confidential and complex administrative (including some secretarial) duties for the Executive Director. A key characteristic of the Administrative Assistant position is the ongoing programmatic responsibility.

This is an advanced level position. Positions at this level are distinguished by the degree of responsibility assumed and complexity, sensitivity and variety of duties that are assigned. The employee performs the most difficult and responsible types of duties, including acting as the secretary to an executive administrator, providing routine administrative support relating to an organization-wide activity or function, and serving as Secretary to the Board of Directors, under the supervision of the Executive Director.

Supervision received and exercised

Receives general supervision from the Executive Director.

May exercise some degree of supervision over temporary clerical staff.

As project manager exercise degree of supervision necessary to achieve project objectives.

Examples of Duties

Duties may include, but are not limited to the following:

Perform a wide variety of complex, responsible, and confidential duties for the Executive Director and Board of Directors.

Ability to independently draft staff reports to the C/CAG Board and Committees.

Ability to be direct staff to a C/CAG Committee with minimal oversight by Executive Director.

Operate as a Project Manager for one or more of C/CAG functions with minimal oversight by the Executive Director. Provides oversight to one or multiple programmatic areas; ensures that work is completed in an appropriate manner and that program goals are met; recommends and implements policy or procedural changes related to the programmatic area(s); may develop the budget and time schedules for the programmatic area(s).

Maintain computerized project tracking databases such that they are current and accurate.

Deal directly with local and regional governmental agencies as necessary to implement tasks.

Screen calls, visitors, and mail. Respond to requests for information and assistance, resolve member and public concerns and complaints.

Interpret C/CAG policies, procedures and regulations in response to inquiries and complaints. Refer inquiries, as appropriate.

Participate in budget preparation and administration. Prepare cost estimates for budget recommendations. Submit justification for budget items, monitor and control expenditures.

Independently respond to letters and general correspondence of a routine nature.

Make travel arrangements, maintain appointment schedules and calendars, and arrange meetings, conferences and C/CAG functions, maintain master calendar of meeting schedules.

Transcribe dictation, type in word processing and assemble letters, reports, agendas, mailing lists, manuals, and other materials.

Participate and assist in the administration of the office.

Research, compile and analyze data for special projects and various comprehensive reports.

Handle purchasing and personnel activities.

Evaluate operations and activities of assigned responsibilities. Recommend organizational or procedural improvements and modifications affecting support activities. Prepare various reports on operations and activities.

Assemble communications and agenda packets and related materials. Maintain log of communications sent.

Initiate and maintain a variety of files and records for information such as, meeting minutes, agendas, resolutions, committee lists, budget records. Maintain manuals and resource materials.

Serve as the Secretary to the Board of Directors under the direction of the Executive Director. Assist in the preparation of the agenda and assemble background materials, attend meetings and

transcribe minutes and perform related support and follow-up services.

Order and maintain office supplies, stationary, business cards and supplies for administrative staff as required.

Maintain petty cash fund. Prepare purchase orders and payment vouchers.

Maintain all official C/CAG records.

Qualifications

Knowledge of:

English usage, spelling, grammar, and punctuation.

Modern office methods, practices, procedures and computer equipment.

Business letter writing and basic report preparation.

Organization, procedures, and operating detail of public agencies.

Principles and procedures of record keeping.

Principles of supervision, training and performance evaluation.

Principles of project management.

Ability to do the following:

Perform reasonable, complex secretarial work involving the use of independent judgment.

Understand the organization and operation of C/CAG and outside agencies, as necessary, to assume assigned responsibilities.

Communicate clearly, courteously, and concisely, both orally and in writing.

Work cooperatively with other staff, city and county officials and outside agencies.

Learn, interpret and apply C/CAG policies and regulations.

Apply project management principles to meet programmatic objectives, budget, and schedules.

Maintain computerized project tracking databases such that they are current and accurate.

Maintain confidential data and information for executive staff. Independently prepares correspondence and memorandums.

Use a computer word processor at a speed necessary for successful job performance.

Transcribe dictation at a speed necessary for successful job performance.

Have a working knowledge of computer spreadsheet and database programs.

Work independently without supervision.

Establish and maintain cooperative working relationships with those contacted in the course of work.

Analyze situations carefully and adopt effective courses of action.

Compile and maintain complex and extensive records and prepare reports.

Physical Requirements

Applicants must be free from conditions which would preclude satisfactory performance of the essential functions of the job. Subsequent to a job offer, candidates will be examined by an agency physician before appointment is approved.

Experience and Education

Any combination of education and experience and training that would likely provide the required knowledge and ability is qualifying. A typical way to obtain the knowledge and ability would be:

Six years of increasingly responsible administrative experience, particularly project management experience with a public agency.

Education or training equivalent to the completion of Bachelor of Arts in Political Science or Public Administration.

Compensation and Benefits

Salary Range: ~~\$40,000-\$52,000~~ \$45,000-\$64,000

Hours: The normal work week is 40 hours. Attendance at one evening Board of Directors meeting each month is required. Flexible scheduling will be considered.

Benefits will be in accordance with the plan of the agency providing the personnel support function to C/CAG.

Holidays: 14 (Consistent with Redwood City)

Vacation: 10 days after one year, 15 days after five years. Probationary employees accrue vacation but may not take or be paid for it until they have completed 6 months of employment.

Sick Leave: 1 day per month. Maximum accrual 200 days.

Bereavement Leave: 3 working days per occurrence

Health Insurance: Various Plans are available with C/CAG contributing the major portion of the monthly premium.

Dental Insurance: Coverage including orthodontia for employees and their dependents through Dental Plan with C/CAG contributing major portion of coverage.

Retirement: PERS, 2% at 55 coverage.

Probation: Employees must successfully complete a six month probationary period.

C/CAG AGENDA REPORT

Date: September 14, 2006
To: C/CAG Board of Directors
From: Richard Napier, Executive Director
Subject: REVIEW AND APPROVAL OF THE EL CAMINO REAL INCENTIVE PROGRAM PLANNING GRANT PROCESS.

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

RECOMMENDATION

That the C/CAG Board of Directors consider the approval of the attached El Camino Real Planning Grant Process that has been reviewed and approved by the Congestion Management and Environmental Quality Committee in accordance with staff recommendation.

FISCAL IMPACT

This initiative will provide a financial incentive of up to \$50,000 for the planning document. This incentive requires a 50% local match.

SOURCE OF FUNDS

The planning grant incentive funds will be derived from the Congestion Relief Program.

BACKGROUND/DISCUSSION

The objective of this program is to encourage cities and the County to take a look at the El Camino Real as it runs through their jurisdiction from city line to city line. Participating in this program will enable cities to be eligible for incentive funds for transit oriented development (TOD) housing projects that are built along the El Camino Real corridor.

In addition to this C/CAG program, there are a number of other initiatives occurring that involve the El Camino Real corridor. C/CAG has contracted for a Housing Needs Study of the corridor. The results of this study will become available in the next month. SamTrans is sponsoring two initiatives - The Grand Boulevard initiative and the Transit Oriented Development Opportunities Study. The Association of Bay Area Governments (ABAG) is also conducting research and providing technical assistance with the communities along El Camino Real through its Focusing Our Vision program, and its Corridors program. The three agencies sponsoring these six initiatives meet regularly to coordinate activities and ensure that there is no duplication. Attached is a chart that provides comparative information about all of the initiatives.

Under the C/CAG program cities and the County are eligible to receive up to \$50,000 to complete a plan that studies El Camino Real from city line to city line. Jurisdictions that have

ITEM 5.1.1

plans that have been completed that meet the intent of the El Camino Real Planning Program will be eligible to receive up to \$50,000 in incentive funds for implementation in place of the planning incentive funds since there will be no retroactive invoicing permitted. The process to obtain the funds is presented in the attached El Camino Real Incentive Program Planning Grant Process.

The Congestion Management and Environment Quality Committee reviewed this item at its meeting on August 28, 2006, and recommends it for approval.

ATTACHMENTS

- El Camino Real Incentive Program Planning Grant Process
- California Department of Transportation and City/County Association of Governments of San Mateo County Joint Principles for Improvement on El Camino Real
- El Camino Real Initiatives – County and Regional

ALTERNATIVES

- 1 - Review and approval of the El Camino Real Incentive Program Planning Grant Process in accordance with staff recommendation.
- 2 - Review and approval of the El Camino Real Incentive Program Planning Grant Process in accordance with staff recommendation with modifications.
- 3 - No action.

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*

El Camino Real Incentive Program Planning Grant Process

The purpose of studying El Camino Real is to examine the potential for increased housing in the County and to improve upon the mobility and “sense of place” along the corridor. C/CAG has a vested interest in seeing that this vital County thoroughfare has capacity preserved while the roadway itself is improved upon both in terms of safety and aesthetics. As the Congestion Management Agency, C/CAG hopes to foster insightful thinking about ways that this opportunity corridor can help in the reduction of congestion through increased mixed-use densities and transit usage along the El Camino Real. Once a city has an acceptable adopted plan, the city will also be eligible to apply for the C/CAG TOD Incentive Program for high-density (40 units or more per acre) housing projects anywhere along the El Camino Real within their city.

The process for the El Camino Real incentive planning grants will be as follows:

1. There will be no formal call for applications, a jurisdiction along the El Camino Real in San Mateo County may submit a letter of intent asking for the money anytime during the grant period.
2. The end of fiscal year 07/08 (June 30, 2008) is the horizon date for the planning grant incentive, but could be reauthorized in future fiscal years.

In order to be eligible the following conditions must be met:

1. To receive up to \$50,000 in planning grant incentive funds the jurisdiction must commit to study El Camino Real from city line to city line.
2. There is a 50% match requirement.
3. The money will be available as a reimbursement and will only be available after the planning document is available in draft format.
 - a) Submit a draft of the plan and an invoice to receive up to \$50,000.
 - b) The plan and request for reimbursement must be completed by the end of fiscal year 07/08 (June 30, 2008).
4. The process used to develop the document must include consideration of the entire stretch of El Camino Real in the jurisdiction, thereby making a conscious decision to change or not to change currently designated land uses, although no changes are required.
5. The plan must cover land use, transportation, and aesthetics and potential issues along the El Camino Real.

Each jurisdiction may use their own planning processes so that the plan meets their needs. All costs that can be proven and are within the grant period are eligible and the jurisdiction must submit the plan along with invoicing to receive the incentive funds.

Potential ways to implement a qualified planning process:

1. The jurisdiction can agree to host a planning workshop conducted by C/CAG staff. The cost of the C/CAG staff, the C/CAG Model consultant, and related materials do not count against the funds that the jurisdiction is eligible to receive.
 - a. Use of the PLACES Model in a workshop with the City Council, Board of Supervisors, and/or Planning Commission.
2. City/County staff conducts the planning process.
3. City/County hires consultant to conduct the planning process.
4. Jurisdictions can use any combination of 1, 2, or 3.
5. Planning process should be reviewed with C/CAG Staff to ensure that it meets the eligibility criteria.

What constitutes an acceptable plan to C/CAG to be eligible for the C/CAG grants?

1. The plan must conform to the adopted definition for El Camino Real (copy attached)
 - a. The plan must look at the following:
 - i. Jobs
 - ii. Housing
 - iii. Proximity to transit (both fixed rail and bus)
 - iv. Possible densities to support transit
 - v. Current land uses and status of existing uses
 - b. The plan must consider pedestrian and streetscape improvements along El Camino Real where appropriate
 - i. Implementation of improvements is not required.
 - ii. Potentially the plan could then be used in applications for regional funds through programs such as MTC's Transportation For Livable Communities and other local programs as they become available.
 - c. The plan must consider land use options that will support multi-modal opportunities along El Camino Real
 - i. Improving upon pedestrian safety and increased transit usage are paramount to the improvement of the corridor.
2. Documentation for entire length being covered can come through meeting minutes or community workshops.
3. The plan must conform to the adopted transportation definition for El Camino Real.
4. The plan must look at the entire length of El Camino Real (all of the frontage of El Camino Real, the width of the corridor for the plan is up to the local jurisdiction).
5. The plan should consider higher density housing in the corridor such that the new densities could increase the viability of transit.
6. The plan should consider affordable housing.
7. The plan should consider amenities that encourage the use of transit by the elderly and the disabled.

For further information on the program please contact Tom Madalena.

City/County Association of Governments
555 County Center, 5th Floor
Redwood City, CA 94063
Tom Madalena
650-599-1460



C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS
OF SAN MATEO COUNTY

**CALIFORNIA DEPARTMENT OF TRANSPORTATION (DEPARTMENT)
AND CITY/ COUNTY ASSOCIATION OF GOVERNMENTS
OF SAN MATEO COUNTY (C/CAG)
JOINT PRINCIPLES FOR IMPROVEMENTS ON EL CAMINO REAL**

El Camino Real (ECR) in San Mateo County is a major thoroughfare that connects several downtowns/ communities in the County. El Camino Real Corridor provides an opportunity for improved community aesthetics, transit connections, mixed-use developments, and housing at various levels of densities. It is critical that the County and the cities along the El Camino Real Corridor preserve the transportation role of this important transportation corridor while they define its unique character within their community. The practices of context sensitivity as discussed in Caltrans policy and guidelines will be used in the application of design standards and project features along the Corridor. Any changes (land-use or transportation) that impacts El Camino Real should actively involve C/CAG and Caltrans through Context Sensitive Solutions as early in the process as possible.

Transportation

Mobility - Seek to optimize mobility on El Camino Real as a thoroughfare connecting communities from County line to County line. This includes mobility for multiple modes of transportation such as public transit, private and commercial vehicles, bicycles and pedestrians.

Through Capacity - Preserve the through capacity on El Camino Real to:

- a- Allow for future traffic increase due to population growth and increased housing densities.
- b- Allow for potential enhancements for Express Bus or Bus Rapid Transit including the capability of a possible dedicated bus lane. No land use or transportation project should reduce or eliminate a segment of El Camino Real from the potential for a dedicated bus lane.
- c- Facilitate Incident Management.

This means as a minimum:

- a- No elimination of through lanes.
- b- Must retain the current through lane footprint for transportation purposes only.
- c- Other actions that reduce capacity on El Camino Real must be evaluated under the C/CAG adopted traffic impact policies for the Congestion Management network. Changes found to have significant unmitigated traffic impacts under that policy will not be permitted.

This will enable the incremental development of El Camino Real to be consistent with and to not preclude the potential development of a long-term vision that may include housing and enhanced transit service in the El Camino Real Corridor.

JOINT PRINCIPALS ON EL CAMINO REAL (Continued)

Turning Capacity - Flexible. This will be primarily determined by operating characteristics and safety considerations on a location specific basis. Caltrans will work cooperatively with local cities and County. Changes must be evaluated using the C/CAG adopted traffic impact policies for the Congestion Management network. Changes found to have significant unmitigated traffic impacts under that policy will not be permitted.

Conversion of an existing third through lane to a left turning lane on a temporary or short term basis may be considered, provided that it is absolutely not possible to accommodate a turning lane through the use of other alternatives. The alternatives that must be used first to create the turning lane include the usage of available median space, reduction of lane widths, removal of parking, project mitigation (dedication of land), purchase of land, usage of other amenities, etc. Any proposed turning lane must retain the geometry and footprint of the through lane. A minimum of two through lanes in each direction of travel on El Camino Real must be preserved. If a proposed development causes the turning traffic to increase thereby causing a need for a turning lane the development should address and pay for the mitigation of this turning lane including consideration of prohibiting left turns. C/CAG and Caltrans must approve the conversion of the through lane to provide a left turn lane.

The sponsor must provide the traffic analysis that is acceptable to C/CAG and Caltrans or provide the funds for the study that will be managed by C/CAG and Caltrans. The analysis must show a significant benefit to the overall traffic flow at the intersection before the conversion of the through lane will be considered. A lane conversion may be revoked by C/CAG and Caltrans in the future in the event of increased through traffic demand or the establishment of a dedicated Bus Lane.

Transit - Fully consider development of Express Bus or Bus Rapid Transit including the possibility of a dedicated bus lane to increase the person throughput. Encourage transit ridership through easy and attractive pedestrian connection between the downtown centers and Caltrain/ BART stations through design, aesthetics, and special crosswalk treatments.

Land Use

El Camino Real is an opportunity for housing and mixed-use (with housing) developments especially in areas where there is easy access to transit (bus and rail). The needs of existing businesses and other uses along the Corridor must be fully considered as planning and development decisions take place. While there are many opportunities for redevelopment, it is recognized that ECR may still provide an appropriate location for many of the older, established, less attractive, though necessary uses.

Caltrans Flexibility

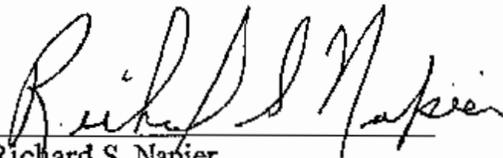
Caltrans will provide reasonable flexibility in the design standards as long as the basic transportation principles in this policy and safety are maintained. The practices of context sensitivity as discussed in Department policy and guidelines will be used in the application of design standards and project features along the Corridor. This includes consideration of safety, operational efficiencies and surrounding environment as well as community's vision and interests. Early consultation concerning the application

JOINT PRINCIPALS ON EL CAMINO REAL (Continued)

of Context Sensitive Solutions and regular public involvement will be the backbone of developing solutions that fit within the context of the environment.

Congestion Management Plan

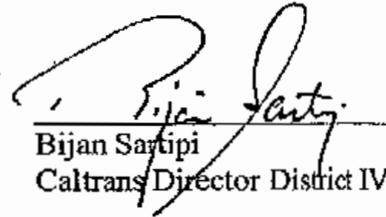
These principles will be incorporated into the San Mateo County Congestion Management Program and as such will be a conformity issue.



Richard S. Napier
C/CAG Executive Director

5/26/06

Date



Bijan Sartipi
Caltrans Director District IV

5/26/06

Date

EL CAMINO REAL INITIATIVES
COUNTY AND REGIONAL

	El Camino Real Incentive Program	Housing Needs Study	Grand Boulevard	TOD Opportunities Study	Focusing Our Vision	Corridors
Sponsor	C/CAG	C/CAG	Samtrans/Samoeca VIA Joint Venture	Samtrans	Joint Policy Committee MTC/ABAG/BAAGMD	ABAG
Study Funding	C/CAG	C/CAG	Samtrans/County SAFETEA LU Earmark	Caltrans Planning Grant	MTC/Caltrans	Caltrans Planning Grant
Geographic Focus	El Camino Real in San Mateo County	San Mateo County	El Camino Real Daily City to San Jose	San Mateo County Rail Stations	Region - 9 Bay Area Counties	El Camino Real Daily City to Santa Clara
Objective	Incentivize Local ECR Planning & Implementation	Define current & future housing needs	Bi-County Coordination & Forum for ECR	Define High Density Mixed Use Development Opportunities Near Rail Stations	Negotiate Priority Development Areas	Assess land uses & major transportation investments
Coordination	Planning, joint meetings, joint funding & shared data	Shared Data	Planning, joint meetings, joint funding & shared data	Planning, joint meetings & shared data	Planning, joint meetings & shared data	Planning, joint meetings, joint funding & shared data
Joint Implementation	X		X	X		X
Local Input	Yes	Yes	Yes	Yes	Yes	Yes
Process	Local	Countywide	Bi-County San Mateo/Santa Clara	Countywide	Region	Region
Schedule	6/30/08	8/6/06	TBD	1/30/07	TBD	TBD
Planning Responsibility	Council, Planning Commission, & Staff	N/A	Task Force of cities, counties, regional agencies stakeholders	Samtrans	Joint Policy Committee	Thru ECR Incentive Program
Local Implementation Funding	\$12-15M	N/A	\$2.8M (San Mateo Co)	TBD	TBD-Bond	None

C/CAG AGENDA REPORT

Date: September 14, 2006

To: City/County Association of Governments Board of Directors

From: Richard Napier, Executive Director

Subject: REPORT ON THE FIRST OF TWO EL CAMINO REAL PLANNING WORKSHOPS HELD WITH THE BUSINESS COMMUNITY IN COOPERATION WITH THE SAN MATEO COUNTY ECONOMIC DEVELOPMENT ASSOCIATION (SAMCEDA)

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

RECOMMENDATION

This report is for information only. No action is required.

FISCAL IMPACT

The C/CAG Board authorized a total of \$15,000 to conduct two workshops with the business community to gain their input on the planning for improvements on the El Camino Real Corridor.

SOURCE OF FUNDS

Funding to support these workshops will be derived from the C/CAG Congestion Relief Plan. This amount was included in the adopted C/CAG budget for Fiscal Years 05-06 and 06-07.

BACKGROUND/DISCUSSION

On May 11, 2006 the C/CAG Board approved a contract with the San Mateo County Economic Development Association (SAMCEDA) to hold a workshop with the business community using the PLACE3S land use model. This workshop would be to obtain input from the business community about their vision for future land uses along El Camino Real along with the feasibility and constraints of future developments. This information would then be provided to the cities and the County for their consideration when they do their individual planning for the Corridor. The C/CAG Board had previously adopted this task as part of the approval of the El Camino Real Incentive Program. The agreement with SAMCEDA was subsequently amended to include the hosting of two workshops at no added cost.

The first workshop was held on May 17, 2006 at the Siebel Systems Campus in Foster City. Fifteen individuals attended, representing business interests throughout the Corridor. The

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businesses represented included the San Mateo County Convention and Visitors Bureau, Safeway, See's Candies, First National Bank of Northern California, Summer Hill Homes, the South San Francisco Chamber of Commerce, Negis Homes, and BKF Engineers.

Four separate groups were created representing geographic sections of the Corridor. They included Daly City, Colma, and South San Francisco as Group 1, San Bruno, Millbrae, and Burlingame as Group 2, Hillsborough, San Mateo, Belmont, and San Carlos as Group 3, and Redwood City, Atherton, and Menlo Park as Group 4. Individuals having interests in multiple groups were allowed to float among any of the groups where they had input to provide.

Each Group was provided a detailed map of their section of the Corridor. These maps illustrated the existing land uses. The participants were asked to discuss and develop a consensus on land use changes they would like to propose. The information was then compiled using the new land use designations to determine the impacts on housing and employment in each section of the Corridor. The following is a summary of the outcomes:

Group 1 (Daly City, Colma, and South San Francisco)

Current housing units	-	19,000
Proposed housing units	-	23,000
Current number of jobs	-	26,000
Proposed number of jobs	-	19,000

Group 2 (San Bruno, Millbrae, and Burlingame)

Current housing units	-	23,660
Proposed housing units	-	35,000
Current number of jobs	-	26,589
Proposed number of jobs	-	61,000

Group 3 (Hillsborough, San Mateo, Belmont, and San Carlos)

Current housing units	-	16,444
Proposed housing units	-	46,000
Current number of jobs	-	16,500
Proposed number of jobs	-	56,000

Group 4 (Redwood City, Atherton, and Menlo Park)

Current housing units	-	26,074
Proposed housing units	-	20,000
Current number of jobs	-	39,567
Proposed number of jobs	-	28,000

The workshop process worked extremely well and received complements from the participants. However the projections of jobs and housing produced by the PLACE3S land use model, based on the input from the participants, resulted in numbers that were over or understated in most instances. Staff has been working with the consultants who adapted the Model for use by C/CAG, to make adjustments and refinements to correct these

inconsistencies before the next workshop is held.

The four Groups also provided comments related to the specific geographical areas. These included:

Group 1 (Daly City, Colma, and South San Francisco)

1. Guiding Principles

- Mixed use (strategically placed)
- Coordination of land uses for a sense of identity (cityscape)

Group 2 (San Bruno, Millbrae, and Burlingame)

1. Burlingame Station area is a good example of a destination
2. Millbrae North is not pedestrian friendly, need more retail to give reasons to go there
3. Millbrae Station area needs more retail, housing, employment, entertainment. But must be more pedestrian-friendly
4. At all train stations retail on the ground floor; residential and office uses on upper floors
5. South Burlingame along California Street: auto dealers/repair shops should be relocated north
6. Along EL Camino, North Millbrae and San Bruno are very under-utilized. Too many parking lots. Can be more “high rise”, at least 3 stories.
7. Leave open space that is used for recreation as-is
8. Need the retail to support higher-density multi-family housing
9. Leave west side of El Camino in Burlingame primarily as-is
10. Increased flexibility in regulations to allow for multifamily housing projects

Group 3 (Hillsborough, San Mateo, Belmont, and San Carlos)

1. Open Space/Trails between rail and El Camino
2. More emphasis on design standards along El Camino
3. More flexibility with density and mix of uses
4. Create a “sense of place” – consider Berkeley’s Shattuck Avenue as an example
5. From San Carlos/Holly to Redwood City border: mixed use, residential/retail and commercial along Laurel and El Camino Real
6. Harbor/Industrial: consider high density office and residential
7. Planning Area 144C (City of San Mateo): build over/redevelop parking lots
8. Planning Area 300A (City of San Mateo): more retail; 3-4 stories of mixed use

Group 4 (Redwood City, Atherton, and Menlo Park)

1. Increase housing: affordable and densities that are medium-high to high (40 du/acre)
2. Too many commuting into the area
3. Improve pedestrian friendliness

4. Change the “pass-through” nature of El Camino
5. Should coordinate Grand Boulevard and Rail Corridor to emphasize transit-oriented development
6. Need more parking to support small businesses on El Camino
7. Combine pedestrian improvements with increased parking
8. City-provided parking is a plus along El Camino
9. Housing along the corridor is needed to diversify use
10. Make it easier to identify where to park – this will encourage use
11. Widening along El Camino in some places is needed for parking
12. Address transit, pedestrian, and auto access to support business
13. Examine potential to slow traffic along El Camino. Maybe in select areas? If unable to slow traffic, make more efficient to accommodate through traffic and shopping/business activities
14. Encourage change by taking advantage of large use areas where leases are getting ready to expire

The second workshop will be scheduled for the fall of 2006.

ATTACHMENTS

None.

C/CAG AGENDA REPORT

Date: September 14, 2006
To: City/County Association of Governments Board of Directors
From: Richard Napier, Executive Director
Subject: REVIEW AND APPROVAL OF A PROGRESS REPORT ON THE CONGESTION RELIEF PROGRAM AND ESTABLISHMENT OF A PROCESS FOR BOARD REVIEW OF THE PROGRAM

(For further information contact Walter Martone at 599-1465)

RECOMMENDATION

That the C/CAG Board accept this progress report on the implementation of the Congestion Relief Program.

FISCAL IMPACT

The total annual amount available for the Congestion Relief Program has been approximately \$5.2 million from C/CAG and other matching funds for the programs under the Congestion Relief Plan in each of the fiscal years since the program began (2002-03).

SOURCE OF FUNDS

Annual funding to support the programs under the Congestion Relief Plan is derived from the following sources:

- C/CAG member assessments adopted by C/CAG on February 14, 2002 - \$1.3 million
- State Transportation Improvement Program funds to support the Transit Oriented Development program for employment centers - \$3 million
- Matching funds for specific programs from the San Mateo County Transportation Authority
 - Local service program - \$260,000
 - Ramp metering program - \$100,000
 - Intelligent transportation systems - \$200,000
- Matching funds from individual cities for the local service program - \$360,000

BACKGROUND/DISCUSSION

The Congestion Relief Plan was adopted by C/CAG on February 14, 2002. This was because a number of locations throughout the County had been measured through traffic counts, to have congestion that exceeded the standards that were adopted by C/CAG under the Congestion Management Program. Although the Congestion Management Program is a legal requirement

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and enforceable with financial penalties, the C/CAG Board recognized that it was more important to use this opportunity to create a plan that could make a real impact in congestion that has been allowed to go unchecked for many years. A key factor in developing the Plan was for C/CAG to respect and support the economic development done by local jurisdictions that was critical in order to make San Mateo County prosperous and to ensure a sound financial base to support local government. The economic prosperity however, created severe traffic problems. C/CAG decided that a plan was needed so that the congestion did not threaten that same prosperity. Therefore. The attached Executive Summary of the Plan shows this Plan was designed to find ways to improve mobility Countywide and in every jurisdiction, while not putting a halt to economic growth the specific benefits of each of the elements of the Plan for the local jurisdictions.

The alternative to developing a Countywide Plan would have been for each individual jurisdiction to research, develop, fund, and implement its own plan. The C/CAG Board determined that the Countywide approach would be more cost-effective and provide more comprehensive benefits to the overall transportation system in the County.

The adopted Congestion Relief Plan also relieved all San Mateo County jurisdictions - the 20 cities and the County - from having to fix the specific congested locations that triggered the need for the Plan, and any new ones that might be detected for the subsequent five years.

PROGRAM ENHANCEMENT

In 2004 the cities and the County faced a financial crisis due to the diversion of significant local funds to the State of California to address the State's budget shortfall. In order to assist its Member Jurisdictions, the C/CAG Board decided to reimburse the cities and the County the equivalent of one year's assessment under the Congestion Relief Plan, to support local transportation programs already paid for by the jurisdictions, thereby reducing costs already incurred by the jurisdictions. The Board decided to extend the Plan for one additional year through June 30, 2007 to keep the Plan fully funded. Also in 2004 the C/CAG Board was successful in having legislation enacted that authorized up to a four-dollar increase in the Vehicle Registration Fee to support congestion management and stormwater pollution prevention programs. One-half of the proceeds from this Fee are provided directly to C/CAG's Member Agencies. In fiscal year 2005-06 this amount was \$1.2 million. The remaining half of the funds is used for Countywide programs.

ACCOMPLISHMENTS

The following is status report on how the programs contained in the Congestion Relief Plan have/are being implemented:

1. **Expanded of Shuttle Programs and other local transportation services** – There has been one expanded employer based shuttle service to connect major employment sites with rail transit stations. This program connects the San Francisco Glen Park BART Station with the South San Francisco East of 101 Business Park. The expansion included

improving handicap accessibility, utilizing cleaner fuel vehicles, and increasing capacity. In addition to this program, C/CAG also contributed approximately \$700,000 annually of its Transportation Fund For Clean Air allocation to the Countywide network of employer based shuttles operated by SamTrans.

Local Transportation Services – In each of fiscal years 02-03, 03-04, 04-05, and 06-07, a total of nine city-sponsored shuttle programs from nine jurisdictions were funded by the C/CAG Board. These programs jointly provided transportation to over 300,000 individuals last fiscal year. These are programs designed and implemented by the local jurisdictions to meet the individual needs of their jurisdictions. The services supplement and do not duplicate the existing SamTrans fixed route bus services.

As of June 2006 a total of \$1,401,287.73 has been expended of Congestion Relief Plan funds for this effort. These funds have been matched by \$446,823.60 provided by the San Mateo County Transportation Authority to offset these costs.

2. **Expanded Transportation Demand Management Programs** – The C/CAG Board approved an expansion of the programs offered by the Peninsula Traffic Congestion Relief Alliance. This expansion included the development of additional opportunities for individuals and companies to use transit and other alternative methods of transportation. The Alliance continues to actively work with the cities/County and employers to set up car and vanpools, distribute transit information, provide subsidies to individuals for using alternative transportation, and manage a number of the employer based shuttle programs. Some of the increased services provided by the Alliance as a result of the Congestion Relief Program include:
 - Try Transit Campaign: The Alliance conducts an annual media blitz promoting transit use that included the distribution of free transit passes to first time transit users. This publicity campaign is generally timed to correspond with other transportation events such as the opening of the BART extension to Millbrae and the inauguration of the Caltrain Baby Bullet Train.
 - Expansion of shuttle services: The Alliance now manages a total of 15 shuttle programs. They have also been very active in facilitating the planning for new community shuttles. Currently they are working with the Cities of Pacifica and Redwood City to design new programs. The Alliance has also recruited new businesses to financially support the employer-based shuttle program.
 - Assistance to businesses has been expanded to cover the entire County: Individual staff members have been hired for each region of the County to provide commute alternative assistance in the form of training, designing programs for employers, and providing incentives for workers.
 - All of the successful programs operated by the Alliance have been expanded so that they are available Countywide: These include car and vanpool formations and subsidies for the riders, guaranteed ride home programs, and various bicycle programs.

As of June 2006 a total of \$2 million has been expended of Congestion Relief Plan funds for this effort.

- 3. Adopted the Countywide Intelligent Transportation System Strategic Plan** - In August 2005 the C/CAG Board adopted the Countywide Intelligent Transportation System (ITS) Strategic Plan and deployment strategy. Some of the elements of the Plan that are currently being implemented include traffic signal upgrading and synchronization for the entire length of El Camino Real in San Mateo County. This effort is being funded through a five million dollar Caltrans grant matched by State Transportation Improvement Program (STIP) funds, also in the amount of five million dollars.

C/CAG Staff has assembled a working committee composed of city public works staff, the California Highway Patrol, local law enforcement and emergency response staff, Caltrans, and the County's Emergency Services Office. This committee is designing a comprehensive strategy to respond to incidents along the entire length of Route 101 in San Mateo County. The strategy will include the identification and signing of detours to help motorists navigate around incidents, and the creation of protocols for the rapid deployment of incident management responses for every segment of Route 101. A segment is defined as between two adjacent interchanges. The strategy will also include a capital improvement program to construct the necessary improvements and install the technology to make the system operate effectively. It is hoped that the development of this strategy will help C/CAG and local jurisdictions in San Mateo County to qualify for funding from the State and Federal Government for further implementation.

As of June 2006 a total of \$263,248.30 has been expended of Congestion Relief Plan funds for this effort. These funds have been matched by \$131,624.14 provided by the San Mateo County Transportation Authority to offset these costs.

- 4. Adopted the Ramp Metering Study** - In November 2005 the C/CAG Board approved the conclusions of the study conducted of the possible benefits of ramp metering along Route 101, and portions of Routes 380 and the Northern part of Route 280. The study concluded that ramp metering at selected locations, during certain times of the day, and in specific directions, can have a beneficial impact on traffic flow without creating new problems on the local streets and roads. The C/CAG Board authorized the creation of a Ramp Metering Technical Advisory Committee to work with Caltrans to design a ramp metering system that would initially be deployed on Route 101 south of Route 92 to the southern County line. The system that is currently being designed will maximize the benefits to the mainline freeway while minimizing the impacts to local streets and roads. The timing of the signals and other parameters are being created by the Committee based on actual field data that was collected and modeled within the past few months. It is anticipated that this first phase of the project will be ready for activation by the end of calendar year 2006.

As of June 2006 a total of \$209,960.38 has been expended of Congestion Relief Plan

funds for this effort. These funds have been matched by \$100,000 provided by the San Mateo County Transportation Authority to offset these costs.

5. **Began Development of a Transit Oriented Development Incentive Program for Employment Centers** - Staff has developed a concept and basic design for providing incentive funding to local jurisdictions that approve the development of concentrated employment centers within one-third of a mile of a transit station. The Congestion Management and Air Quality Committee is considering ways of implementing the incentives so that they will have measurable outcomes and result in benefits to C/CAG that would not otherwise be available.

To date, no funds have been spent to implement this program.

REVIEW PROCESS

The Congestion Relief Plan and the programs that are funded and operated under it will expire on June 30, 2007. C/CAG staff is proposing the following process for the Board to review the programs, look at alternatives for future programs, and consider adoption of a program for the next five years.

- Receive a status report on the programs implemented to date - September 2006 Board meeting.
- Review options for the continuation of successful programs and consideration of the addition of new programs. A range of alternatives will be provided that include both higher and lower costs for the total program - October 2006 Board meeting.
- Conduct meeting with individual jurisdictions as requested to explain the alternatives for continuation of the Congestion Relief Program - October and November 2006.
- Conduct open house meetings in each of the regions of the County to explain the alternatives for continuation of the Congestion Relief Program - November 2006.
- Provide recommendations to the Board for the adoption of a new Congestion Relief Program for the five-year period of July 2007 through June 2012 - December 2006.

ATTACHMENTS

- Executive Summary of the Countywide Congestion Relief Plan.

SAN MATEO COUNTY CONGESTION RELIEF PLAN (DEFICIENCY PLAN) EXECUTIVE SUMMARY

This Congestion Relief Plan is necessary because a number of locations throughout the County have been determined through traffic counts to have congestion that exceeds the standards that were adopted by C/CAG as part of the Congestion Management Program. Although the Plan is a legal requirement and enforceable with financial penalties, it is more important that the Plan be viewed as an opportunity to make a real impact in congestion that has been allowed to go unchecked for many years. A key factor in developing the Plan has been for C/CAG to respect and support the economic development done by local jurisdictions to make San Mateo County prosperous and to ensure a sound financial base to support local government. Economic prosperity however, has created severe traffic problems, which if not properly addressed, will threaten that same prosperity. Therefore this Plan aims to find ways to improve mobility Countywide and in each and every jurisdiction, while not putting a halt to this economic growth.

The Plan being proposed will relieve all San Mateo County jurisdictions - 20 cities and the County - from having to fix the specific congested locations that triggered the development of this Plan, and any new ones that may be detected for the next five years.

The following elements are intended to be a comprehensive package of policies and actions that together will make a measurable impact on current congestion and slow the pace of future congestion:

1. Expand the Countywide Employer-Based Shuttle Program.

Recommendation: Increase the permanent funding available for the Countywide Employer Shuttle program of proven effectiveness. This shuttle program focuses on connecting employment centers to transit centers (both BART and Caltrain). The cost to the 20 cities and the County for this component will be \$500,000 based on each jurisdiction's share of automobile trips both generated and attracted as a percent of the Countywide total. It is anticipated that these funds will be matched dollar for dollar by a combination of Transportation Authority, SamTrans, Joint Powers Board, and/or employer contributions. The benefit to the cities and the County will be the creation of new employer-based shuttles for the residents and employers in the community.

2. Create a network of Local Transportation Services.

Recommendation: The intent of this recommendation is to increase the use of public transit by the residents of each local community, thereby reducing local congestion. Local jurisdictions will be encouraged to participate in experimental efforts to provide transportation services for its residents that meet the unique characteristics and needs of that jurisdiction. A

Countywide pool of funds of approximately \$1 million dollars will be established and made available to match local jurisdiction efforts on a dollar for dollar basis. It will be up to each jurisdiction to determine how these services will be organized, the type of service to be provided, and the amount of contribution that the jurisdiction wishes to make. The benefit to the jurisdiction will be the creation or expansion of local transportation services that focus primarily on connecting that jurisdiction's residential areas with downtown, employment centers, schools, and transit stations.

3. Expand the Provision of Countywide Transportation Demand Management Programs and 4. Creation of a Countywide "Try Transit" Campaign.

Recommendation: Increase the permanent funding available for Countywide Transportation Demand Management projects of proven effectiveness through the Peninsula Congestion Relief Alliance. Conduct a one-time Countywide media blitz to encourage individuals to "try transit." Limited time free transit passes will be secured from the major transit providers in San Mateo County and made available to first time users of transit during the promotion period. The cost to the cities and the County for this component will be \$500,000 based on each jurisdiction's share of automobile trips both generated and attracted as a percent of the Countywide total. The benefit to the cities and the County will be the creation of new employer-based initiatives that encourage and support workers taking alternative transportation modes to and from work.

5. Develop a Countywide Intelligent Transportation Study and Plan.

Recommendation: New technologies and other techniques can improve the efficiency of the existing transportation infrastructure. In order to be truly effective, these systems must be implemented on a regional basis, and not only in selected locations. This recommendation is to fund a comprehensive plan and recommendations for the implementation of state-of-the-art intelligent transportation systems throughout San Mateo County. The plan will include an evaluation of the current technology, estimated traffic improvements resulting from implementation of the plan, and anticipated cost of deploying and maintaining the system. The cost to the cities and the County for this component will be \$200,000 based on each jurisdiction's share of automobile trips both generated and attracted as a percent of the Countywide total. It is anticipated that these funds will be matched dollar for dollar by the Transportation Authority. The benefit to the cities and the County will be the improvement of mobility within and through each community as a result of the more efficient use of the existing roadway and freeway network.

6. Develop a Countywide Ramp Metering Study and Plan for U.S. 101 Corridor.

Recommendation: Currently each jurisdiction in which a ramp-metering site is located must develop an agreement with Caltrans before that site is activated. This recommendation is to develop a Countywide approach. C/CAG will first commission a detailed operational analysis of the Route 101 corridor. C/CAG staff will work closely with the staffs of its member cities in creating a detailed work plan for this study and to identify a recommended list of criteria for C/CAG to consider before determining if ramp metering should be implemented. This work

plan will be subject to the review and recommendation of the Technical Advisory Committee (TAC) and the Congestion Management and Air Quality Committee (CMAQ) of C/CAG. The C/CAG Board will ultimately determine the acceptability of the work plan. The operational analysis will also include the impacts of ramp metering on local streets and roads. This analysis will be done by an independent contractor under the direction of C/CAG and will identify the congestion relieving benefits (if any) for specific locations. The staffs of local jurisdictions, the TAC, and CMAQ will continue to be involved in all aspects of the study and the formulation of recommendations for C/CAG. After consideration of this study and the recommendations of the TAC and CMAQ, C/CAG would decide whether to enter into a Countywide agreement with Caltrans for the activation of ramp metering along any parts of the Route 101 corridor. No location will be activated without conducting the analysis or without the prior authorization of the C/CAG Board. Local jurisdictions impacted by the outcomes of the study will have an opportunity to review and comment on any recommendations before they are presented to the C/CAG Board for consideration. The cost to the cities and the County for this study will be \$100,000 based on each jurisdiction's share of automobile trips both generated and attracted as a percent of the Countywide total. It is anticipated that these funds will be matched dollar for dollar by the Transportation Authority. The benefit to the cities and the County will be the improvement of mobility within and through the community as a result of the more efficient use of the existing roadway and freeway network.

7. Expansion of the Transit-Oriented Development Program

Recommendation: Expand the Transit Oriented Development Program to include incentives for concentrated housing developments and employment centers within one-third of a mile of a fixed rail station. The incentives could be in the form of transit subsidies, flexible work hours, guaranteed ride home program, etc. There is no financial contribution required of the cities or the County to participate in this incentive program. If a city or the County approves a project(s) meeting these criteria and that are subsequently built, they will qualify for funding to make roadway and other community improvements that make it more attractive and convenient for walking and bicycle travel.

8. Local Government Transportation Initiatives

Recommendation: Extend the Congestion Relief Plan for a fifth year to generate an additional \$1.3 million to support local government transportation initiatives. For fiscal year 2003-04 and 2004-05, each local government can apply to C/CAG to receive funding for local transportation and/or roadway programs that have been determined as a priority by the local jurisdiction. The amount of the grant for each year is based on 50% of that local jurisdiction's contribution to the Congestion Relief Plan for that year. This program was put in place in recognition of the severe fiscal crisis facing local jurisdictions and the need to ensure that there is a source of funds to support local transportation projects that provide jobs and improve the movement of people and goods, thereby supporting economic recovery.

SUMMARY

Under this Plan, the cities and the County will be assessed a total of \$1.3 million on an annual basis for the five year period of the Plan. This amount represents each jurisdiction's share of the total cost of the Plan based on that jurisdiction's percent of automobile trips both generated and attracted as a percent of the Countywide total. It is anticipated that the local jurisdiction's contribution will be more than quadrupled as a result of the generation of matching funds to support the Plan. Also, as a participant in this Plan the cities and the County will be exempt from any deficiency planning requirements for the next five years that are the result of a roadway segment or intersection exceeding the Level of Service Standard set forth in the Congestion Management Program.

C/CAG AGENDA REPORT

Date: September 14, 2006
TO: C/CAG Board of Directors
From: Richard Napier, Executive Director - C/CAG
Subject: Update on the creation of a Sub-regional Housing Needs Allocation Process (RHNA) within San Mateo County.

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

Update:

All twenty cities plus the County in San Mateo County are the first group in the Bay Area to make use of State legislation allowing cities and counties to form a sub-region to plan how to accommodate State requirements to develop housing for population growth. These twenty-one jurisdictions represent one-fifth of the total jurisdictions in the Bay Area Region. The City/County Association of Governments (C/CAG) has been selected as the entity to manage the process for the San Mateo County Sub-region. Over the next 18 months C/CAG, together with the cities and the County, will work to find the best way to ensure that each jurisdiction does the most it can to address the housing crisis facing the Bay Area.

C/CAG will host an organizational workshop on September 18, 2006 from 11:30 A.M.-1:30 P.M. The City Managers, Planning/ Housing Directors, and Redevelopment Agency Directors are invited to define the process the Sub-region will follow to establish housing shares that are reasonable and reflect the unique characteristics of the cities and the County.

Attachments:

Letter dated 8/31/06 to Henry Gardner of ABAG
C/CAG Press Release dated 8/29/06

ITEM 5.3

C/CAG

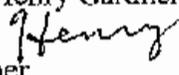
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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August 31, 2006

Association of Bay Area Governments
101 Eighth Street
P.O. Box 2050
Oakland, CA. 94607

Attention: Henry Gardner, Executive Director

Dear Mr. Gardner 

Pursuant to Government Code Sections 65584-65584.05, the 20 cities of San Mateo County and the County of San Mateo have unanimously adopted resolutions authorizing each jurisdiction to become a member of a countywide "sub-region," an entity that would locally administer ABAG's Regional Housing Needs Allocation process (RHNA). These resolutions, adopted over the last two months, are enclosed.

The City/County Association of Governments (C/CAG) has been selected to facilitate and coordinate the allocation process for the "sub-region." Over the next few months, C/CAG and all of the jurisdictions in San Mateo County will work together to establish realistic housing production shares in a way that better reflects the each jurisdiction's opportunities and constraints to build housing.

We look forward to working with you and your staff over the next two years to make this process a true success. If there are any questions or additional information needed please contact me at 650 599-1420.

Regards,



Richard Napier
Executive Director
C/CAG

San Mateo County

Sub-Regional Housing Needs Allocation Resolutions

Agency	Date Approved
Atherton	7/19/06
Belmont	8/08/06
Brisbane	8/21/06
Burlingame	7/17/06
Colma	7/12/06
Daly City	8/14/06
East Palo Alto	7/25/06
Foster City	7/17/06
Half Moon Bay	7/18/06
Hillsborough	7/10/06
Menlo Park	7/18/06
Millbrae	7/11/06
Pacifica	7/10/06
Portola Valley	7/26/06
Redwood City	8/28/06
San Bruno	7/25/06
San Carlos	7/24/06
San Mateo	7/17/06
San Mateo County	8/15/06
South San Francisco	7/26/06
Woodside	7/25/06

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Press Release

For Immediate Release (August 29, 2006, 2:00 p.m.)

Contact: Richard Napier, C/CAG Executive Director – 650 599-1420

ALL TWENTY CITIES PLUS THE COUNTY IN SAN MATEO COUNTY CREATE A SUB-REGION TO DETERMINE WHERE NEW HOUSING SHOULD BE DEVELOPED

All twenty cities plus the County in San Mateo County are the first group in the Bay Area to make use of State legislation allowing cities and counties to form a sub-region to plan how to accommodate State requirements to develop housing for population growth. These twenty-one jurisdictions represent one-fifth of the total jurisdictions in the Bay Area Region. The City/County Association of Governments (C/CAG) has been selected as the entity to manage the process for the San Mateo County Sub-region. Over the next eight months C/CAG, together with the cities and the County, will work to find the best way to ensure that each jurisdiction does the most it can to address the housing crisis facing the Bay Area.

Every five years the State of California assigns a housing production number to each region based on forecast population growth. This includes the demand for housing at all income levels. In the Bay Area region the agency responsible for allocating this number to all of the local jurisdictions is the Association of Bay Area Governments (ABAG).

In 2004 the California Legislature approved the creation of sub-regions so that groups of contiguous local governments can receive a total housing allocation number from ABAG, and then determine how best to assign targets to the individual jurisdictions. C/CAG will manage the process for the San Mateo County Sub-region. C/CAG is a Joint Powers Agency that includes the twenty cities and the County in San Mateo County. "The creation of the Sub-region will make for a more meaningful process to determine realistic shares for housing in each jurisdiction by allowing the consideration of additional local factors such as the availability of locations for housing, ensuring that the proximity of housing to jobs is balanced, and by matching the types of housing to the income levels of current and future residents. Hopefully this will result in a stronger commitment to meet these goals," according to James M. Vreeland, Jr., Councilman from Pacifica and current Chairman of C/CAG.

On Monday night the Redwood City Council adopted a Resolution joining the Sub-region, making it unanimous among the cities and the County of San Mateo. Mayor Barbara Pierce praised the effort stating that, "In the past, cities and counties basically had no say in how the allocation process took place. We now have an opportunity to work together to establish realistic housing shares in a way that reflects local input and makes us accountable for our own decisions."

As a first step, jurisdictions must reach agreement on ground rules for making allocations. This will not create a new layer of bureaucracy because the C/CAG Board and the jurisdictions in the Sub-region have pledged staff time at no added cost to support the effort. ABAG has established December 31, 2006 as the date by which the Sub-region must develop the allocation

methodology and begin a 60-day public comment period. The final allocations must be adopted by April 2008.

San Mateo County Supervisor and ABAG Vice President Rose Jacobs Gibson has been promoting the Subregional approach with the C/CAG Board Members ever since the law was passed two years ago. "We will finally have an opportunity to use local creativity so that meaningful housing shares are established and new housing is actually built, instead of putting numbers in a plan that may or may not happen. It is our chance to work together in partnership and help each other to reach a common goal," according to Supervisor Jacobs Gibson.

ABAG has pledged to work closely with C/CAG to make sure that this experiment has every chance of success. Henry Gardner, Executive Director of ABAG stated that "I am very pleased that C/CAG, the cities and County of San Mateo have taken this step. They have already shown leadership in the fields of transportation and land use, and we expect that the relationships they have been building will help promote housing in appropriate locations."

For further information contact:

Richard Napier, Executive Director

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

650 599-1420 – voice

650 361-8227 - fax

rnapierr@co.sanmateo.ca.us

C/CAG

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August 10, 2006

Susy Kalkin, Principal Planner
City of South San Francisco
Planning Division
P.O. Box 711
South San Francisco, CA 94083

RE: 249 East Grand Avenue Office/R&D Project Transportation Demand Management Plan

Dear Ms. Kalkin:

I have reviewed the Transportation Demand Management (TDM) Plan for the 249 East Grand Avenue Office/R&D Project. The TDM Plan is very thorough and covers the requirements for compliance with the Congestion Management Program.

Thank you for working with C/CAG to develop this comprehensive set of TDM measures. We would appreciate it if you could keep us informed of the enforcement of the plan so that we can keep track of how the program is being implemented.

Regards,



Tom Madalena
City/County Association of Governments of San Mateo County
650-599-1460 direct
tmadalena@co.sanmateo.ca.us

ITEM 8.1

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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July 31, 2006

The Honorable Kevin Murray, Chairman
Senate Appropriations Committee
State Capitol, Room 2206
Sacramento, CA 95814

RE: SUPPORT FOR AB 2538

Dear Senator Murray:

The City/County Association of Governments of San Mateo County, which is a joint powers agency that includes San Mateo County and all 20 of its incorporated cities, would like to go on record in support of AB 2538.

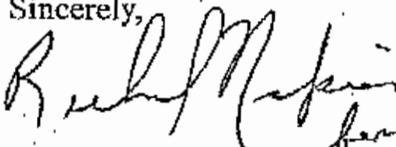
This bill will allow each Congestion Management Agency to receive up to five percent of its county share of STIP funds to use for planning, programming, and monitoring. C/CAG is the sponsor of more transportation planning and monitoring programs than ever before in its history. Some of these include:

- Improved access and egress for the Dumbarton Bridge (State Route 84)
- Ramp metering implementation plan and monitoring program on State Route 101
- Intelligent transportation system implementation plan
- Various corridor studies including State Route 82
- Update to the Countywide Transportation Plan
- Update and monitoring of the Congestion Management Program
- Update of the Countywide Bicycle and Pedestrian Plan

This bill would provide the flexibility to use existing funding to support these efforts. This would allow us to qualify for new outside funding for capital improvements that are justified through the studies and monitoring efforts.

Please feel free to contact our Executive Director, Richard Napier, at 650 599-1420 if you have any questions.

Sincerely,


James M. Vreeland Jr. *from 8/11/06*
C/CAG Chair

cc: Senator Joe Simitian
Assemblymember Lois Wolk

Senator Jackie Speier
Wes Lujan, Advocation

ITEM 8.2

C/CAG
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August 1, 2006

Maureen Riordan, Senior Planner
City of Redwood City
Planning Services
P.O. Box 391
Redwood City, CA 94064-0391

RE: Stanford Outpatient Center Project Transportation Demand Management Plan

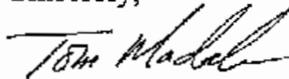
Dear Ms. Riordan:

I have reviewed the Transportation Demand Management (TDM) Plan for the Stanford Outpatient Center Project. The TDM Plan is very thorough and it appears to cover all of the requirements for compliance with the Congestion Management Program.

Thank you for working with C/CAG to develop this comprehensive set of Transportation Demand Management measures.

Please give me a call at 650-599-1460 if you have any questions.

Sincerely,



Tom Madalona
C/CAG of San Mateo County
650-599-1460
tmadalona@co.sanmateo.ca.us

ITEM 8.3

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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August 16, 2006

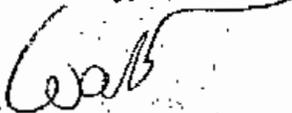
Neng Pacumio
San Mateo County Transportation Authority
1250 San Carlos Avenue
San Carlos, CA 94070
(SAM 902)

BILLING FOR REIMBURSABLE WORK DONE BY C/CAG

Please consider this as the second bill for the SMCTA's share of the Local Service Program (residential shuttles) for Fiscal Year 2005-06. Under the Congestion Relief Plan adopted by C/CAG on February 14, 2002, the San Mateo County Transportation Authority agreed to jointly fund Local Transportation Services that are sponsored by and ½ funded by the cities. The Transportation Authority agreed to pay for one-half of C/CAG's portion of the cost of these service up to a maximum of \$450,000 per fiscal year.

The total billings being submitted in this invoice are \$176,746.73 and the SMCTA share is \$88,373.37. Enclosed are copies of all of the bills and proof of payment for your records. There will be one more bill covering Fiscal Year 2005-06 for approximately \$25,000. I am waiting to get the check register copies for these payments before I submit the final billing to you. Give me a call if you have any questions. Thank you.

Sincerely,



Walter Martone
650 599-1465

cc: Joe Hurley
Richard Cook

ITEM 8.4

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS
OF SAN MATEO COUNTY

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August 21, 2006

The Honorable Sam Aaneestad
California Senate
State Capitol, Room 2054
Sacramento, CA 95814

*Individual letter faxed
to every Senator*

RE: SUPPORT FOR AB 2538

Dear Senator Aaneestad:

The City/County Association of Governments of San Mateo County, which is a joint powers agency that includes San Mateo County and all 20 of its incorporated cities, would like to go on record in support of AB 2538.

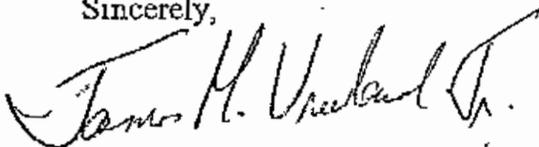
This bill will allow each Congestion Management Agency to receive up to five percent of its county share of STIP funds to use for planning, programming, and monitoring. C/CAG is the sponsor of more transportation planning and monitoring programs than ever before in its history. Some of these include:

- Improved access and egress for the Dumbarton Bridge (State Route 84)
- Ramp metering implementation plan and monitoring program on State Route 101
- Intelligent transportation system implementation plan
- Various corridor studies including State Route 82
- Update to the Countywide Transportation Plan
- Update and monitoring of the Congestion Management Program
- Update of the Countywide Bicycle and Pedestrian Plan

This bill would provide the flexibility to use existing funding to support these efforts. This would allow us to qualify for new outside funding for capital improvements that are justified through the studies and monitoring efforts.

Please feel free to contact our Executive Director, Richard Napier, at 650 599-1420 if you have any questions.

Sincerely,



James M. Vreeland Jr.
C/CAG Chair

ITEM 8.5

United States Senate

HART SENATE OFFICE BUILDING
SUITE 112
WASHINGTON, DC 20510-0505
(202) 224-3553
<http://boxer.senate.gov/contact>

August 28, 2006

The Honorable James M. Vreeland, Jr., Chairman
City/County Association of Governments (C/CAG)
555 County Center, 5th Floor
Redwood City, CA 94063

Dear Chairman Vreeland:

Thank you for writing to me to express C/CAG's support for H.R. 5417, the Internet Freedom and Nondiscrimination Act of 2006. I appreciate hearing from you on this important matter.

This bill, which is currently under consideration in the House of Representatives, is designed to ensure network neutrality, which is the principle that consumers should have access to the Internet content and applications of their choice without interference from network operators.

As a longtime advocate for network neutrality, I am co-sponsoring similar legislation in the Senate. The Internet Freedom Preservation Act, S.2917, would prevent network operators from using their network to discriminate against competitors or impose charges based on the type of Internet traffic.

Network neutrality is also addressed in H.R.5252, the broad telecommunications bill now pending in both the House and Senate. I am working with my colleagues to strengthen this bill's weak network neutrality provision, which fails to protect open and equal access to the Internet.

Again, thank you for writing to me. Please feel free to contact me again about this or other issues of concern to you and the City/County Association of Governments of San Mateo County.

Sincerely,



Barbara Boxer
United States Senator

ITEM 8.6

1700 MONTGOMERY STREET
SUITE 210
SAN FRANCISCO, CA 94111
(415) 403-0100

312 NORTH SPRING STREET
SUITE 1748
LOS ANGELES, CA 90012
(213) 894-5000

501 J STREET
SUITE 7-600
SACRAMENTO, CA 95814
(916) 448-2787

2500 TULARE STREET
SUITE 5290
FRESNO, CA 93721
(559) 497-5109

600 B STREET
SUITE 2240
SAN DIEGO, CA 92101
(619) 239-3884

201 NORTH E STREET
SUITE 210
SAN BERNARDINO, CA 9240
(909) 888-8525