

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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BOARD MEETING NOTICE

Meeting No. 260

DATE: Thursday, September 12, 2013

TIME: 6:30 P.M.

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
Caltrain: San Carlos Station.
Trip Planner: <http://transit.511.org>

- 1.0 CALL TO ORDER/ ROLL CALL
- 2.0 PLEDGE OF ALLEGIANCE
- 3.0 PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA
Note: Public comment is limited to two minutes per speaker.
- 4.0 PRESENTATIONS/ ANNOUNCEMENTS
- 4.1 Update on the implementation of the San Mateo County Smart Corridor project. p. 1
- 5.0 CONSENT AGENDA

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

- 5.1 Approval of the minutes of regular business meeting No. 259 dated August 8, 2013. ACTION p. 3
- 5.2 Review and accept Quarterly Investment Report as of June 30, 2013 ACTION p. 9
- 5.3 Review and approval of Resolution 13-28 authorizing the C/CAG Chair to execute a funding agreement with the County of San Mateo for C/CAG to receive up to \$155,500 for a limited term Countywide Pedestrian and Bicycle Coordinator position for FY 2013/2014 and FY 2014/2015. ACTION p. 15
- 5.4 Review and approval of Resolution 13-29 authorizing the C/CAG Chair to execute a funding agreement with the San Mateo County Transit District for C/CAG to receive up to \$65,000 for a limited term countywide Pedestrian and Bicycle Coordinator position for FY 2013/2014 and FY 2014/2015. ACTION p. 19
- 5.5 Review and approve the appointment of John Fuller from the City of Daly City to fill a vacant seat on the Congestion Management Program Technical Advisory Committee (CMP TAC) ACTION p. 23
- 5.6 Review and approval of waiving the C/CAG procurement process and authorizing the Executive Director to execute an agreement between Andrea Pappajohn and C/CAG for the San Mateo County Energy Watch, school energy benchmarking project for an amount not to exceed \$12,500 through calendar year 2014. ACTION p. 27

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

6.0 REGULAR AGENDA

- 6.1 Review and approval of C/CAG legislative policies, priorities, positions, and legislative update. (A position may be taken on any legislation, including legislation not previously identified.) ACTION p. 35
- 6.2 Review and approval of the revised C/CAG By-Laws. ACTION p. 43
- 6.3 Review and approval of the Draft 2013 Congestion Management Program (CMP) and Monitoring Report and authorize its release for distribution and comments. ACTION p. 55
- 6.4 Presentation on Potential Countywide Funding Initiative: Funding Needs Analysis and Funding Options Report. INFORMATION p. 61

- 6.5 Approval of Resolution 13-31 approving the Proposed 2014 State Transportation Improvement Program (STIP) for San Mateo County and also authorize the C/CAG Executive Director to negotiate with the Metropolitan Transportation Commission (MTC) and California Transportation Commission (CTC) to make modifications as necessary.
(Special voting procedures apply). ACTION p. 63
- 6.6 Review and approval of staff recommendation on the proposed Highway Relinquishment Study for SR 82 El Camino Real/Mission Street. ACTION p. 69
- 6.7 Review and approval of prefunding the C/CAG actuarial liability of other post-employment benefit (OPEB) at \$184,359. ACTION p. 73
- 7.0 COMMITTEE REPORTS
- 7.1 Committee Reports (oral reports).
- 7.2 Chairperson's Report
- 7.3 Boardmembers Report
- 8.0 EXECUTIVE DIRECTOR'S REPORT
- 9.0 COMMUNICATIONS - Information Only
- Copies of communications are included for C/CAG Board Members and Alternates only. To request a copy of the communications, contact Nancy Blair at 650 599-1406 or nblair@co.sanmateo.ca.us or download a copy from C/CAG's website – www.ccag.ca.gov.
- 9.1 Letter from Brandt Grotte, C/CAG Chair, to The Honorable Darrell Steinberg, California State Senate, President pro Tempore, dated 8/8/13. RE: Letter supporting the nomination of Mr. Brian Kelly as Secretary of the newly created California State Transportation Agency. p. 83
- 9.2 Letter from Brandt Grotte, C/CAG Chair, to All Councilpersons of San Mateo County and Members of the Board of Supervisors, All City/County Managers, dated 9/4/13: RE: C/CAG Committee Vacancies for Elected Officials. p. 85

10.0 ADJOURN

Next scheduled meeting: October 11, 2013 Regular Board Meeting.

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

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

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

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

Executive Director: Sandy Wong 650 599-1409

Administrative Assistant: Nancy Blair 650 599-1406

FUTURE MEETINGS

Sept. 12, 2013	Legislative Committee - SamTrans 2 nd Floor Auditorium - 5:30 p.m.
Sept. 12, 2013	C/CAG Board - SamTrans 2 nd Floor Auditorium - 6:30 p.m.
Sept. 18, 2013	Resource Management and Climate Protection Committee (RMCP)
Sept. 19, 2013	CMP Technical Advisory Committee - SamTrans 2 nd Floor Auditorium - 1:15p.m.
Sept. 23, 2013	Administrators' Advisory Committee - 555 County Center, 5 th Fl, Redwood City – Noon
Sept. 23, 2013	CMEQ Committee - San Mateo City Hall - Conference Room C - 3:00 p.m.
Sept. 26, 2013	Bicycle and Pedestrian Advisory Committee (BPAC) - San Mateo City Hall - Conference Room C - 7:00 p.m.

C/CAG AGENDA REPORT

Date: September 12, 2013
To: City/County Association of Governments Board of Directors
From: Sandy Wong, Executive Director
Subject: Update on the implementation of the San Mateo County Smart Corridor project

(For further information or questions contact Parviz Mokhtari at (408) 425-2433)

RECOMENDATION

None. This is an informational presentation.

FISCAL IMPACT

The entire Smart Corridor project limits are from Highway 380 on the north to the Santa Clara County line on the south. The following are the funds programed/allocated to the entire Smart Corridor Project.

State Transportation Improvement Program (STIP)	\$11,000,000
Traffic Light Synchronization Program (TLSP)	\$10,000,000
San Mateo County Transportation Authority	\$ 3,000,000
C/CAG (Vehicle License Fee)	\$ 1,600,000
Federal funds for project 1 in City of San Mateo	\$ 1,000,000
Additional TLSP	\$ 7,500,000
Additional STIP	<u>\$ 1,200,000</u>
Total	\$35,300,000

BACKGROUND/DISCUSSION

The Smart Corridor project is divided into five (5) separate projects for construction and implementation. They are;

Project 1. This is the demonstration project in the City of San Mateo.

Status: Project 1 has been completed.

Project 2. This project will install Smart Corridor elements along the local roads from San Bruno Avenue to the Santa Clara County line as well as installation of some equipment on El Camino Real.

Status: This project is under construction and it is estimated to be completed by late 2013.

ITEM 4.1

Project 3. This project will install all Smart Corridor elements on El Camino Real and other State right of way from Highway 380 to Whipple Avenue in Redwood City.

Status: This project is under construction and the estimated completion is late 2013.

Project 4. This project consists of the following four (4) sub-projects:

- a) Traffic Signal Upgrade. At the regular meeting on September 13, 2012, the Board adopted resolution 12-52 awarding the contract to Kimley-Horn and Associates
- b) System Integration. At the regular meeting on April 11, 2013, the Board of Directors adopted resolution 13-11 awarding the contract to Iteris.
- c) Incident Response Plan. A request for proposal (RFP) for this project is under preparation and it is anticipated that the proposed contract will be presented to the Board for approval in late 2013 or early 2014.
- d) Installation of fiber in cities and BART buildings.

Status: It is estimated that all above 4 sub-projects will be completed by summer of 2014 when the entire Smart Corridor project will become operational.

Project 5. This project will install all Smart Corridor elements on El Camino Real and other State right of way from Whipple Avenue to the Santa Clara County line.

Status: This project is under construction and estimated completion is spring 2014.

ATTACHMENT

None

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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BOARD MEETING MINUTES

Meeting No. 259

August 8, 2013

1.0 CALL TO ORDER/ROLL CALL

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

Elizabeth Lewis – Atherton (6:40)

Christine Wozniak - Belmont

Clarke Conway – Brisbane

Terry Nagel – Burlingame, San Mateo County Transportation Authority

Joseph Silva – Colma

David Canepa - Daly City

Art Kiesel – Foster City

Larry May - Hillsborough

Gina Papan - Millbrae

Mary Ann Nihart - Pacifica

Maryann Moise Derwin – Portola Valley

Alicia Aquirre - Redwood City

Irene O’Connell - San Bruno

Bob Grassilli - San Carlos

Brandt Grotte - San Mateo

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

Absent,

East Palo Alto

Half Moon Bay

Menlo Park

San Mateo County

Woodside

Others:

Sandy Wong, Executive Director C/CAG

Nancy Blair, C/CAG Staff

Lee Thompson, C/CAG Legal Counsel

Tom Madalena, C/CAG Staff

John Hoang, C/CAG Staff

Jean Higaki, C/CAG Staff

ITEM 5.1.

Matt Fabry, C/CAG Staff
Duane Bay, San Mateo County
Scott Hart, PG&E
Jim Bigelow, Redwood City/San Mateo County Chamber, CMEQ Member
Russ Hancock, Joint Venture Silicon Valley
Chuck Cole, Advocation
Gus Khouri, Khouri Consulting
Andrew Antwih, Shaw/ Yoder/ Antwih Inc.
Chester Fung, San Francisco County Transportation Authority
Corinne Goodrich, SamTrans
Randy Breault, Brisbane

3.0 PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

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

Scott Hart, PG&E Government Relations Representative, provided an update on PG&E's activities in the area.

- 3.1 Board Member Wozniak told the Board that if anyone has information about the Windfall Elimination Provisions related to retirement and social security benefits, please contact Coralin Feierbach.

4.0 PRESENTATIONS/ ANNOUNCEMENT

- 4.1 Presentation to Jerry Carlson, Councilmember of the Town of Atherton, for his years of dedicated service and contributions to C/CAG.

Board Member Papan MOVED to approve Certificate of Appreciation to Jerry Carlson. Board Member O'Connell SECONDED. **MOTION CARRIED 16-0.**

- 4.2 Presentation on a proposed study of El Camino Real/Mission Street Relinquishment provided by Russ Hancock, Joint Venture Silicon Valley.

The Board requested this proposed study (the draft scope of work), be brought to the September C/CAG Board meeting as an agenda item to be reviewed and voted upon.

5.0 CONSENT AGENDA

Board Member Aquirre MOVED approval of Items 5.1, 5.2, 5.4, 5.5, and 5.6. Board Member Papan SECONDED. **MOTION CARRIED 16-0.**

- 5.1 Approval of the minutes of regular business meeting No. 258 dated June 13, 2013.

APPROVED

5.2 Review and approval of Resolution 13-26 authorizing the C/CAG Chair to execute a Cooperative Agreement between C/CAG and County of San Mateo Department of Housing for Joint Workplan for Housing-Related Activities for FY 13/14 in an amount not to exceed \$125,000. APPROVED

5.4 Review and approval of the Transportation Development Act Article 3 Pedestrian and Bicycle Program Call for Projects process and schedule for the FY 2013/2014 cycle APPROVED

5.5 Review the attendance reports for the 2013 C/CAG Board and Committees. APPROVED

One page of the NPDES 2013 attendance report was missing from the packet. The complete report was provided to the Board as a handout.

5.6 Review and approval of Resolution 13-27, waiving the Request for Proposals process and authorizing the C/CAG Chair to execute Amendment #1 with San Mateo County's Division of Environmental Health to continue providing technical support to the Countywide Water Pollution Prevention Program, extending the term six months (through December 2014) for an additional cost not to exceed \$213,962. APPROVED

Item 5.3 was removed from the Consent Agenda by staff.

5.3 Review and accept the revised funding recommendation for the Pacifica Bayshore Circulator Shuttle for FY 2013/2014 in an amount of \$90,762 in Measure A Transportation funds through the Shuttle Program Joint Call for Projects INFORMATION APPROVED

Staff removed this item from the Consent Agenda because it is listed as an Information item, whereas it is an Action item requiring the Board's vote.

Board Member O'Connell MOVED with staff recommendation. Board Member Clarke SECONDED. MOTION CARRIED 16-0.

6.0 REGULAR AGENDA

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

Staff provided a legislative update for July 2013 on bills C/CAG has been following that have not been acted upon:

- AB 188 - Not dead, not moving forward
- AB 162 - Stalled
- SB 731 - Author has high priority on pushing the bill through
- SB 556 - Some opposition, continuing to push forward.

Stormwater Management update – staff is working with the legislative advocacy group to push a piece of legislation through during the remainder of the legislative session. Assembly Member Kevin Mullin has offered C/CAG a vehicle for enabling the legislation, this is

Bill AB 418. The end of the legislation session is September 13, 2013. Staff will be drafting a model support letter to send out to the jurisdictions in hopes that folks can submit them in support of the legislation.

Chair Grotte asked the Board to take this information back to their cities and ask them to send letters of support as soon as possible. Address the letter to Assembly Member Mullin.

Staff's recommendation is to add an item to the agenda, it would be:

- 6.1.2 Approve a support letter for Brian Kelly to be appointed as the Secretary of Transportation.

Staff recommends adding this item to the agenda because it was not included in the packet. The reason for adding this item at this time is because the hearing on the confirmation for this position is prior to the Board's next meeting. Legislative Committee recommends sending a letter of support.

Legal Counsel's direction is the Board will need to vote to approve adding this item to the agenda. Approval to add this item to the agenda requires a two-thirds vote.

Board Member Papan MOVED to add item to the agenda. Board Member O'Connell SECONDED. Vote was taken by voice vote. **MOTION CARRIED** 16-0.

Board Member Papan MOVED to approve sending the letter of support. Board Member Nihart SECONDED. **MOTION CARRIED** 15-0-1. Board Member Wozniak abstained.

- 6.2 Receive presentation and documents on Bi-County Transportation Study (at the border of San Mateo and San Francisco county line). INFORMATION

Chester Fung, San Francisco County Transportation Authority, provided a presentation and answered questions.

Staff will bring the Study back to the C/CAG Board for formal approval after the cities of Daly City and Brisbane have had an opportunity to take action to support the Study.

- 6.3 Review the Draft 2014 State Transportation Improvement Program (STIP) for San Mateo County. INFORMATION

The STIP is a rolling five year program. Every two years, it is updated. The last cycle was 2012, which was adopted by the California Transportation Commission (CTC) that covered five years; FY 2012/2013, FY 2013/2014, FY 2014/2015, FY 2015/2016, FY 2016/2017. The 2014 update is for two new fiscal years being added to the program; FY 2017/18 and FY 2018/19.

Staff will bring the final 2014 State Transportation Improvement Program (STIP) back to the Board for approval.

- 6.4 Accept funding from the County of San Mateo and review and approval of a limited term position for a countywide Pedestrian and Bicycle Coordinator for fiscal years 2013-14 and 2014-15. APPROVED

Staff made a correction to the staff report on page 79 that 25% funding will come from SanTrans instead of SMCTA.

Board Member Conway MOVED approval of Item 6.4. Board Member Papan SECONDED. MOTION CARRIED 16-0.

7.0 COMMITTEE REPORTS

7.1 Committee Reports (oral reports).

None.

7.2 Chairperson's Report

None.

7.3 Boardmembers Report

Board Member Derwin talked about the handout *Resilient Communities for America Agreement*. This agreement is about adaptation for climate change, and its importance to San Mateo County. Board Member Derwin asked the Board to take the agreement to their councils and open the discussion about adaptation.

Chair Grotte reminded the Board that October 9 is Walk to School Day.

8.0 EXECUTIVE DIRECTOR'S REPORT

None.

9.0 COMMUNICATIONS - Information Only

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

9.1 Letter from Sandy Wong, Executive Director C/CAG, to David Byers, ESQ., Byers/Richardson Lawyers, dated 7/2/13. RE: Request for Airport Land Use Compatibility Information Related to the Big Wave North Parcel Alternative (NPA) Project.

9.2 Letter from Brandt Grotte, C/CAG Chair, to The Honorable Al Muratsuchi, Member of the California State Assembly, 66th District, dated 6/14/13. Subject: Support for Assembly Bill 66: Mandatory Utility Outage Reporting.

10.0 CLOSED SESSION (Pursuant to Government Code Sec. 54957):

10.1 Public Employee Performance Evaluation – Executive Director

11.0 RECONVENE TO OPEN SESSION

No action was taken during the closed session.

12.0 ADJOURN

Meeting adjourned at 9:00 p.m.

C/CAG AGENDA REPORT

Date: September 12, 2013
To: C/CAG Board of Directors
From: Sandy Wong, Executive Director - C/CAG
Subject: Review and accept the Quarterly Investment Report as of June 30, 2013
(For further information, contact Sandy Wong at 650 599-1409)

RECOMMENDATION:

That the C/CAG Board of Directors review and accept the Quarterly Investment Report as of June 30, 2013.

FISCAL IMPACT:

None.

REVENUE SOURCE:

All C/CAG revenue sources.

BACKGROUND:

C/CAG's financial agent (City of San Carlos) provides a quarterly report of investments. Attached is the Quarterly Investment Report as of June 30, 2013. The total portfolio value is \$18,356,210 producing a weighted average yield of 0.29%. The total portfolio value increased primarily due to the transfer of excess funds from the checking account to the LAIF investment portfolio account in June to earn interest. A third Lehman recovery payment of \$11,119 was received in this quarter, bringing the recovery to-date to \$33,054 or 14.88% of the total Lehman investment loss of \$222,171 incurred in 2009.

The County Treasurer notified us of the intent to sell the remaining holdings of Lehman interests rather than waiting for the completion of the bankruptcy, which could take at least another year. With the sale of the remaining holdings, the County could net out an average total final recovery of 39% or better. Additionally, proceeds from the sale of the Lehman interests "should enhance the recovery total based on the time value of money and the ability to re-invest the funds at a higher rate."

ATTACHMENT:

Quarterly Investment Report as of June 30, 2013

ITEM 5.2

C/CAG
CITY/COUNTY ASSOCIATION OF GOVERNMENTS
of San Mateo County

Board of Directors Agenda Report

To: Sandy Wong, Executive Director
From: Tracy Kwok, Financial Services Manager
Date: July 31, 2013

SUBJECT: Quarterly Investment Report as of June 30, 2013

RECOMMENDATION:

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

ANALYSIS:

The attached investment report indicates that on June 30, 2013, funds in the amount of \$18,356,210 were invested producing a weighted average yield of 0.29%. Accrued interest earnings for this quarter totaled \$13,622.

Below is a summary of the changes in the portfolio:

	Qtr Ended 6/30/13	Qtr Ended 3/31/13	Increase (Decrease)
Total Portfolio	\$ 18,356,210	\$ 18,179,727	\$ 176,483
Wgtd Avg Yield	0.29%	0.34%	-0.05%
Interest Earnings	\$ 13,622	\$ 15,365	\$ (1,743)
Lehman Recovery Pymt	\$ 11,119	\$ -	\$ 11,119

The total portfolio value increased primarily due to the transfer of excess funds from the checking account to the LAIF investment portfolio account in June to earn interest. The slight decrease in the weighted average yield resulted in a decrease in accrued interest earnings.

A third Lehman recovery payment of \$11,119 was received in this quarter, bringing the recovery to-date to \$33,054 or 14.88% of the total Lehman investment loss of \$222,171 incurred in 2009. The County Treasurer recently notified us of the intent to sell the remaining holdings of Lehman interests rather than waiting for the completion of the bankruptcy. In her letter, the County Treasurer explained that after the final distribution in the bankruptcy, which could take at least another year, the total cumulative recovery would be in the range of 25-30% of the loss incurred. With the sale of the remaining holdings, the County could net out an average total final recovery of 39% or better. Additionally, proceeds from the sale of the Lehman interests "should enhance the recovery total based on the time value of money and the ability to re-invest the funds at a higher rate." The County Treasurer further states that the County's bankruptcy attorneys, County Counsel and counsel handling the County's other claims against Lehman outside of the bankruptcy have advised her there

should be no adverse impacts in those other venues were the County to sell the Lehman interests, which would effectively withdraw the County from the bankruptcy liquidation plan. All County Pool participants will be notified once the County has the final details.

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, 2013, the portfolio contains enough liquidity to meet the next six months of expected expenditures by C/CAG. All investments are in compliance with the Investment Policy. Attachment 2 shows a historical comparison of the portfolio for the past nine quarters.

The primary objective of the investment policy of the CCAG remains to be the SAFETY OF PRINCIPAL. The permitted investments section of the investment policy also states:

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

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

Attachments

1 – Investment Portfolio Summary for the Quarter Ended June 30, 2013

2 – Historical Summary of Investment Portfolio

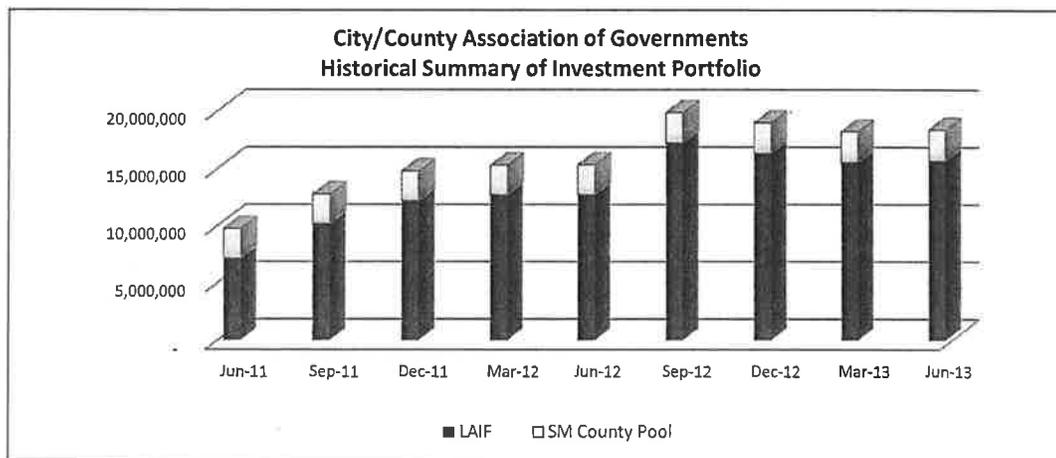
CITY & COUNTY ASSOCIATION OF GOVERNMENTS

SUMMARY OF ALL INVESTMENTS

For Quarter Ending June 30, 2013

Category	Weighted Average Interest Rate	HISTORICAL Book Value	GASB 31 ADJ Market Value
Liquid Investments:			
Local Agency Investment Fund (LAIF)	0.24%	15,693,902	15,698,190
San Mateo County Investment Pool (COPOOL)	0.61%	2,662,308	2,652,804
Agency Securities			
<i>none</i>			
Total - Investments	0.29%	18,356,210	18,350,993
GRAND TOTAL OF PORTFOLIO	0.29%	\$ 18,356,210	\$ 18,350,993
Total Accrued Interest this Quarter			13,622
Total Interest Earned (Loss) Fiscal-Year-to-Date			64,559

C/CAG Investment Report June 30, 2013



City/County Association of Governments Investment Portfolio

	Jun-11	Sep-11	Dec-11	Mar-12	Jun-12	Sep-12	Dec-12	Mar-13	Jun-13
LAIF	7,158,604	10,167,100	12,174,722	12,685,059	12,696,529	17,207,806	16,319,895	15,532,855	15,693,902
SM County Pool	2,580,462	2,588,438	2,596,189	2,602,633	2,621,911	2,627,815	2,641,320	2,646,873	2,662,308
Total	\$ 9,739,066	\$ 12,755,537	\$ 14,770,911	\$ 15,287,692	15,318,440	19,835,621	18,961,215	18,179,727	18,356,210

C/CAG AGENDA REPORT

Date: September 12, 2013
To: C/CAG Board of Directors
From: Sandy Wong, C/CAG Executive Director
Subject: Review and approval of Resolution 13-28 authorizing the C/CAG Chair to execute a funding agreement with the County of San Mateo for C/CAG to receive up to \$155,500 for a limited term Countywide Pedestrian and Bicycle Coordinator position for FY 2013/2014 and FY 2014/2015.

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

RECOMMENDATION

The C/CAG Board review and approve Resolution 13-28 authorizing the C/CAG Chair to execute a funding agreement with the County of San Mateo for C/CAG to receive \$155,500 for a limited term Countywide Pedestrian and Bicycle Coordinator position for FY 2013/2014 and FY 2014/2015.

FISCAL IMPACT

It is estimated that the loaded rate for such a full-time position is approximately between \$120,000 and \$160,000 per year. This includes salary, benefits, and all necessary overhead costs. This is a limited term position that will be established for fiscal years 2013/2014 and 2014/2015. However, the full amount will not be fully expended in the first fiscal year due to the fact that the fiscal year is underway. Funding for this position is established at:

50% - County of San Mateo
25% - C/CAG
25% - San Mateo County Transit District (SamTrans)

SOURCE OF FUNDS

County of San Mateo – Measure A funds
C/CAG – Congestion Management fund
San Mateo County Transit District (SamTrans) – Local funds which are approved on an annual budget cycle.

BACKGROUND/DISCUSSION

At the August 8, 2013 C/CAG Board of Directors meeting, the C/CAG Board approved a limited term position for a countywide Pedestrian and Bicycle Coordinator position for FY 13/14 and FY 14/15, with funding contribution from the County of San Mateo and SamTrans. The position will

ITEM 5.3

be evaluated by funding agencies at the end of the term based upon the performance objectives set forth. The Pedestrian and Bicycle Coordinator position will be overseen by C/CAG, similar to other C/CAG transportation professional staff.

For FY 2013-14, SamTrans' share will be capped at \$25,000. The County of San Mateo has agreed to cover the difference in case SamTrans' share of 25% exceeds that amount. However, it is unlikely that will happen since the position will not be filled until mid-year so the first year budget is not expected to be fully expended.

For FY 2014-15, since SamTrans operates on an annual budget, therefore the SamTrans funding for the second year will be contingent upon SamTrans Board of Directors approval as is discussed in the companion item 5.4 of the September 12, 2013 C/CAG Board agenda.

Final terms of the funding agreement with the County of San Mateo is under negotiation and will be reviewed and approved by C/CAG legal counsel as to form, prior to execution by the C/CAG Chair.

ATTACHMENT

Resolution 13-28

RESOLUTION 13-28

RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG CHAIR TO EXECUTE A FUNDING AGREEMENT WITH THE COUNTY OF SAN MATEO FOR C/CAG TO RECEIVE UP TO \$155,500 FOR A LIMITED TERM PEDESTRIAN AND BICYCLE COORDINATOR POSITION FOR FY 2013/2014 AND FY 2014/2015

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

WHEREAS, C/CAG currently provides pedestrian and bicycle planning and program management in San Mateo County; and

WHEREAS, the County of San Mateo approved funding at the July 23, 2013 Board of Supervisors meeting in the amount of \$155,500 for a Pedestrian and Bicycle Coordinator position to be overseen by C/CAG; and

WHEREAS, the C/CAG Board of Directors approved a limited term position for a countywide Pedestrian and Bicycle Coordinator for FY 13/14 and FY 14/15 at the August 8, 2013 Board of Directors meeting; and

WHEREAS, C/CAG will also execute a separate agreement to receive additional funding from the San Mateo County Transit District to fully fund this position.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the C/CAG Chair is authorized to execute a funding agreement with the County of San Mateo for C/CAG to receive up to \$155,500 for a limited term Pedestrian and Bicycle Coordinator position for FY 2013/2014 and FY 2014/2015, and that the C/CAG Executive Director is authorized to negotiate the final terms of said agreement, subject to approval as to form by C/CAG Legal Counsel, prior to execution by the Chair.

PASSED, APPROVED, AND ADOPTED THIS 12TH DAY OF SEPTEMBER 2013.

Brandt Grotte, C/CAG Chair

C/CAG AGENDA REPORT

Date: September 12, 2013

To: C/CAG Board of Directors

From: Sandy Wong, C/CAG Executive Director

Subject: Review and approval of Resolution 13-29 authorizing the C/CAG Chair to execute a funding agreement with the San Mateo County Transit District for C/CAG to receive up to \$65,000 for a limited term countywide Pedestrian and Bicycle Coordinator position for FY 2013/2014 and FY 2014/2015.

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

RECOMMENDATION

The C/CAG Board review and approve Resolution 13-29 authorizing the C/CAG Chair to execute a funding agreement with the San Mateo County Transit District for C/CAG to receive up to \$65,000 for a limited term countywide Pedestrian and Bicycle Coordinator position for FY 2013/2014 and FY 2014/2015.

FISCAL IMPACT

It is estimated that the loaded rate for such a full-time position is approximately between \$120,000 and \$160,000 per year. This includes salary, benefits, and all necessary overhead costs. This is a limited term position that will be established for fiscal years 2013/2014 and 2014/2015. However, the full amount will not be fully expended in the first fiscal year due to the fact that the fiscal year is underway. Funding for this position is established at:

50% - County of San Mateo
25% - C/CAG
25% - San Mateo County Transit District (SamTrans)

SOURCE OF FUNDS

County of San Mateo – Measure A funds
C/CAG – Congestion Management fund
San Mateo County Transit District (SamTrans) – Local funds which are approved on an annual budget cycle.

BACKGROUND/DISCUSSION

At the August 8, 2013 C/CAG Board of Directors meeting, the C/CAG Board approved a limited term position for a countywide Pedestrian and Bicycle Coordinator position for FY 13/14 and FY 14/15, with funding contribution from the County of San Mateo and SamTrans. The position will

ITEM 5.4

be evaluated by funding agencies at the end of the term based upon the performance objectives set forth. The Pedestrian and Bicycle Coordinator position will be overseen by C/CAG, similar to other C/CAG transportation professional staff.

For FY 2013-14, SamTrans' share will be capped at \$25,000. The County of San Mateo has agreed to cover the difference in case SamTrans' share of 25% exceeds that amount. However, it is unlikely that will happen since the position will not be filled until mid-year so the first year budget is not expected to be fully expended.

For FY 2014-15, SamTrans' funding will be predicated upon the SamTrans Board of Directors approval during its annual budget process. Currently SamTrans management has expressed the willingness to bring this forward to the SamTrans Board of Directors for FY 14/15. The final dollar amount for the SamTrans funding agreement is still in the process of being negotiated.

Final terms of the funding agreement with the SamTrans is under negotiation and will be reviewed and approved by C/CAG legal counsel as to form, prior to execution by the C/CAG Chair.

ATTACHMENT

Resolution 13-29

RESOLUTION 13-29

RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG CHAIR TO EXECUTE A FUNDING AGREEMENT WITH THE SAN MATEO COUNTY TRANSIT DISTRICT FOR C/CAG TO RECEIVE UP TO \$65,000 FOR A LIMITED TERM PEDESTRIAN AND BICYCLE COORDINATOR POSITION FOR FY 2013/2014 AND FY 2014/2015

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

WHEREAS, C/CAG currently provides pedestrian and bicycle planning and program management in San Mateo County; and

WHEREAS, at the June 5, 2013 San Mateo County Transit District (SamTrans) Board of Directors meeting the SamTrans Board approved funding in the amount of \$25,000 for a Pedestrian and Bicycle Coordinator to be overseen by C/CAG; and

WHEREAS, at the August 8, 2013 meeting, the C/CAG Board of Directors approved a limited term position for a countywide Pedestrian and Bicycle Coordinator for FY 13/14 and FY 14/15 with funding contribution from SamTrans and the County of San Mateo; and

WHEREAS, C/CAG will also execute a separate agreement to receive additional funding from the County of San Mateo to fully fund this position.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the C/CAG Chair is authorized to execute a funding agreement with the San Mateo County Transit District to receive up to \$65,000 for a limited term Pedestrian and Bicycle Coordinator position for FY 2013/2014 and FY 2014/2015, and that the C/CAG Executive Director is authorized to negotiate the final terms of said agreement, subject to approval as to form by C/CAG Legal Counsel, prior to execution by the Chair.

PASSED, APPROVED, AND ADOPTED THIS 12TH DAY OF SEPTEMBER 2013.

Brandt Grotte, C/CAG Chair

C/CAG AGENDA REPORT

Date: September 12, 2013
To: City/County Association of Governments Board of Directors
From: Sandy Wong, Executive Director
Subject: Review and approve the appointment of John Fuller from the City of Daly City to fill a vacant seat on the Congestion Management Program Technical Advisory Committee (CMP TAC)

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

RECOMMENDATION

That the Board review and approve the appointment of John Fuller from the City of Daly City to fill a vacant seat on the Congestion Management Program Technical Advisory Committee (CMP TAC).

FISCAL IMPACT

None.

BACKGROUND/DISCUSSION

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

As approved by the C/CAG Board, the maximum number of CMP TAC members is 25 and the total vary depending on vacancies and/or interest from the city staff. C/CAG received a letter from the City of Daly City requesting the appointment of John Fuller, Public Works Director, on the CMP TAC. The appointment would backfill a vacant position previously held by a Daly City representative. With the appointment, there will be a total of 24 CMP TAC members.

ATTACHMENTS

- Current CMP TAC Roster - 2013
- Letter from City of Daly City

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Current CMP TAC Roster – 2013

2013 TAC Roster and Attendance		
No.	Member	Agency
1	Jim Porter (Co-Chair)	San Mateo County Engineering
2	Joseph Hurley (Co-Chair)	SMCTA / PCJPB / Caltrain
3	Afshin Oskoui	Belmont Engineering
4	Randy Breault	Brisbane Engineering
5	Syed Murtuza	Burlingame Engineering
6	Bill Meeker	Burlingame Planning
7	Lee Taubeneck	Caltrans
8	Sandy Wong	C/CAG
9	Tatum Mothershead	Daly City Planning
10	Brad Underwood	Foster City Engineering
11	Mo Sharma	Half Moon Bay Engineering
12	Paul Willis	Hillsborough Engineering
13	Chip Taylor	Menlo Park Engineering
14	Van Ocampo	Pacifica Engineering
15	Shobuz Ikbal	Redwood City Engineering
16	Klara Fabry	San Bruno Engineering
17	Jay Walter	San Carlos Engineering
18	Larry Patterson	San Mateo Engineering
19	Steve Monowitz	San Mateo County Planning
20	Brian McMinn	South San Francisco Engineering
21	Gerry Beaudin	South San Francisco Planning
22	Paul Nagengast	Woodside Engineering
23	Kenneth Folan	MTC

- Note:
- 16 out of 21 jurisdictions are represented (15 Engineers, 4 Planners)
 - One representative each for Caltrans, MTC, SMCTA/JBP/Caltrain, and C/CAG
 - Not currently represented (Atherton, Colma, East Palo Alto, Millbrae, Portola Valley)



CITY OF DALY CITY

333-90TH STREET
DALY CITY, CA 94015-1895

PHONE: (650) 991-8000

August 5, 2013

Ms. Sandy Wong, Executive Director
City/County Association of Governments of San Mateo County
555 County Center, 5th Floor
Redwood City, CA 94063

Subject: Replacement of Daly City Engineering Representative on the City/County
Association of Governments of San Mateo County Technical Advisory Committee

Dear Ms. Wong

Sandy

The City of Daly City is requesting the appointment of Mr. John L. Fuller, Director of Public Works, to replace Mr. Robert Ovadia, Acting City Engineer, on the Technical Advisory Committee for the City/County Association of Governments of San Mateo County.

If you have any questions, you can contact me at (650) 991-8127.

Sincerely,

Pat
Patricia E. Martel
City Manager

cc: John L. Fuller, P.E., Director of Public Works
John Hoang, City/County Association of Governments of SMC ✓

C/CAG AGENDA REPORT

Date: September 12, 2013
To: C/CAG Board of Directors
From: Sandy Wong, Executive Director
Subject: Review and approval of waiving the C/CAG procurement process and authorizing the Executive Director to execute an agreement between Andrea Pappajohn and C/CAG for the San Mateo County Energy Watch, school energy benchmarking project for an amount not to exceed \$12,500 through calendar year 2014

(For further information contact Kim Springer at (650) 599-1412)

RECOMMENDATION

That the C/CAG Board review and approve the waiving of C/CAG procurement process and authorize the Executive Director to execute an agreement between C/CAG and Andrea Pappajohn for the San Mateo County Energy Watch (SMCEW), school energy benchmarking project for an amount not to exceed \$12,500 through calendar year 2014.

FISCAL IMPACT

\$12,500 will be paid for under the C/CAG – PG&E Local Government Partnership (LGP) program.

SOURCE OF FUNDS

PG&E Local Government Partnership (LGP) grant.

BACKGROUND/DISCUSSION

San Mateo County Energy Watch is a Local Government Partnership (LGP) between C/CAG and PG&E and is managed and staffed by RecycleWorks, a program of the County of San Mateo.

For the last three years, the SMCEW program has leveraged a yearly cycle, AmeriCorps program administered by Bay Area Community Resources (BACR), which places members into local governments and nonprofits in the Bay Area region to implement energy and climate action programs. The Americorps member assigned to the SMCEW, Samir Dhebar, will complete his ten-month assignment of 1700 hours at the end of July 2013, leaving the program without staff for two months as a new BACR program member is recruited. Mr. Dhebar's major project has been to energy benchmark all 174 public schools in San Mateo County. Significant progress has been made towards that goal. However, there is still work to be done on both the benchmarking and preparations for a workshop on October 10, 2013 at the San Mateo County Office of Education, when both the benchmarking results and resources for the schools will be presented. In order to avoid delays in progress, staff recommends hiring outside staff services from a contractor with knowledge of the program to continue work on this project.

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Mr. Dhebar has worked closely with a Skyline College intern, Andrea Pappjohn, on the SMCEW school benchmarking project, providing a ready source of staffing with knowledge of the project and work completed to date.

The C/CAG procurement policy allows waiving of the RFP process when an individual has unique experience that would take another individual added time to acquire and when there is not significant cost saving to be had through a competitive process. Staff believes the proposed approximate rate of \$25 per hour is reasonable, and that Andrea Pappajohn's knowledge of the project will allow her to seamlessly move the project forward without delay.

ATTACHMENT

- Agreement with Andrea Pappajohn.

AGREEMENT BETWEEN
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
AND ANDREA PAPPAJOHNS FOR SUPPORT SERVICES TO THE SAN MATEO COUNTY
ENERGY WATCH PROGRAM

This Agreement entered this 12th day of September, 2013, by and between the City/County Association of Governments of San Mateo County, a joint powers agency, hereinafter called "C/CAG" and Andrea Pappajohn, hereinafter called "Contractor."

W I T N E S S E T H

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 and other programs and plans; and,

WHEREAS, C/CAG is prepared to award funding for contracted staff time to support ongoing work on the San Mateo County Energy Watch; 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, Contractor agrees to perform the services described in Exhibit A, attached hereto (the "Services"). Contractor shall perform services in accordance with the schedule to be provided by C/CAG over the life of this agreement. All Services are to be performed and completed by December 31, 2014.
2. Payments. In consideration of Contractor providing the Services, C/CAG shall reimburse contractor according to the rates described in Exhibit A – Scope of Services, up to a maximum amount of Twelve Thousand Two Hundred Fifty dollars (\$12,250) for Services provided during the Contract Term as set forth below. Payments shall be made to contractor based on an invoice submitted by contractor that identifies expenditures and describes services performed in accordance with the agreement. C/CAG shall have the right to receive, upon request, documentation substantiating charges billed to C/CAG.
3. Relationship of the Parties. It is understood that Contractor is an Independent Contractor and this Agreement is not intended to, and shall not be construed to, create the relationship of agent, servant, employee, partnership, joint venture or association, or any other relationship whatsoever other than that of Independent Contractor.
4. Contract Term. This Agreement shall be in effect as of August 26, 2013 and shall terminate on December 31, 2014; provided, however, C/CAG 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.

5. Hold Harmless/ Indemnity: Contractor shall indemnify and save harmless C/CAG, its agents, officers and employees from all claims, suits or actions to the extent caused by the negligence, errors, acts or omissions of the Consultant, its agents, officers or employees related to or resulting from performance, or non-performance under this Agreement.

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

6. Sole Property of C/CAG. Work products of Contractor which are delivered under this Agreement or which are developed, produced and paid for under this Agreement, shall be and 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 pursuant to this Agreement.
7. 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.
8. 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
555 County Center, 5th Floor
Redwood City, CA 94063
Attention: Susan Wright

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

Andrea Pappajohn
2920 Dolores Way
Burlingame, CA 94010
Attention: Andrea Pappajohn

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

Contractor

Andrea Pappajohn

Date

City/County Association of Governments (C/CAG)

By _____
Sandy Wong, Executive Director

Date

Approved as to Form

C/CAG Legal

EXHIBIT A - SCOPE OF SERVICES

Contractor ~~shall~~ will provide professional services as an administrative contractor for C/CAG. The methods and techniques used to provide services to the County are within the Contractor's discretion, but subject to C/CAG's policies, guidelines and requirements. The amount of time, specific hours and location of the performance of Contractor's services is also left to the Contractor's discretion provided that Contractor coordinates with the SMC Energy Watch coordinator as needed.

Task 1: Preparation for October 10 School Energy Savings Workshop

1. Prepare customized data packet for each school district
2. Research content for Power Point presentations and other informational materials
3. Set up registration for workshop including making name tags
4. Contact targeted school district personnel that haven't registered to encourage them to attend
5. Develop a post survey for attendees
6. Arrange for catering for breakfast and lunch, and technology needs for the workshop
7. Serve as liaison with speakers, vendors, and information providers
8. Prepare "leave behind materials" for workshop attendees
9. Help with set up and clean up at the workshop
10. Handle registration at the workshop
11. Present information at the workshop as requested
12. Related logistical tasks for the workshop

Compensation for Task 1: \$2,000

Task 2: Training of Climate Corps Bay Area Fellow

1. ~~Train~~ Walk new Climate Corps Bay Area fellow ~~on~~ through best practices manual, set up of Portfolio Manager account, and other related records and documentation
2. Explain the history of the benchmarking project and interactions with individual school districts
3. Recommend strategies for setting up a water benchmarking project based on what was learned from the energy benchmarking project
4. Answer ongoing questions about the benchmarking project

Compensation for Task 2: \$150

Task 3: Payment Paperwork for Skyline Interns

1. Contact Skyline interns regarding paperwork necessary for them to be paid by San Mateo County Office of Education
2. Act as liaison between interns and SMCOE regarding paperwork to ~~make sure they get~~ ensure interns are paid

Compensation for Task 3: \$100

Task 4: Monthly Billing for SMC Energy Watch program

1. Record SMCEW hours from RecycleWorks time sheets
2. Process invoices for SMC Energy Watch program
3. Create invoices for PG&E and C/CAG

Compensation for Task 4: \$125 per monthly billing completed

Task 5: Monthly Report for SMC Energy Watch program

1. Update energy savings charts (2 kW charts, 2 kWh charts)
2. Write monthly report with information provided by SMC Energy Watch coordinator, documented in Constant Contact and Google analytics, etc.

Compensation for Task 5: \$125 per monthly report completed

Task 6: SMCEW support services as assigned

1. ~~Do~~ Complete follow up projects to the Oct. 10 workshop as requested
2. Assist with additional SMC Energy Watch outreach or administrative projects as requested.

Compensation for Task 6: Contractor and SMC Energy Watch shall mutually agree upon a fixed compensation for additional projects or Contractor shall invoice C/CAG for hours of work performed at a rate of \$25 per hour. Maximum compensation under Task 6 shall be \$5,000.

Total potential maximum compensation by task:

Task 1:	\$2,000
Task 2:	\$150
Task 3:	\$100
Task 4:	\$2,250
Task 5:	\$2,750
Task 6:	\$5,000
Total:	\$12,250

C/CAG AGENDA REPORT

Date: September 12, 2013
To: City/County Association of Governments Board of Directors
From: Sandy Wong, Executive Director
Subject: Review and approval of C/CAG legislative policies, priorities, positions, and legislative update (A position may be taken on any legislation, including legislation not previously identified)

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

RECOMMENDATION

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

FISCAL IMPACT

Unknown.

SOURCE OF FUNDS

NA.

BACKGROUND/DISCUSSION

The C/CAG Legislative Committee receives monthly written reports and oral briefings from the C/CAG's State legislative advocates. Attached are reports regarding the status of legislation of interest and the status of stormwater legislation efforts. This year, the last day of the legislative session is September 13, 2013. The legislature reconvenes next year on January 6, 2014.

At the June 13, 2013 C/CAG Board meeting, the Board directed staff to arrange an opportunity for the sponsors of AB 188 to speak to the Legislative Committee and Board. The arranged speaker did not attend either meeting on August 8, 2013. AB 188 revises the circumstances under which a "change in ownership" of real property owned by a legal entity is deemed to have occurred. This affects the triggering of a reassessment of property for tax purposes.

ATTACHMENTS

- Legislative Update – August 29, 2013
- Full Legislative information is available for specific bill at <http://leginfo.legislature.ca.gov/>

ITEM 6.1



ADVOCATION



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

August 29, 2013

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

RE: STATE LEGISLATIVE UPDATE- August

Back from Summer Recess

- The Senate and Assembly have both reconvened from their summer recess. There are approximately, 1,100 bills active bills that are pending action for the final month of the 2013 legislative session.
- Senate President Pro Tem Steinberg announced that this top three end of session legislative priorities are CEQA reform (see update on SB 731 below), a new water bond and addressing the prison overcrowding issue (summary in bullet below).
- The United States Supreme Court declined to block a court order that Governor Brown release 9,600 inmates from state prisons, moving California a step closer to relocating or freeing those prisoners by the end of the year, in order to deal with the state prison overcrowding issue. The Secretary of the state's Department of Corrections and Rehabilitation, Jeffrey Beard, has outlined a plan that will include relying on county jails, community correctional facilities and out-of-state prisons to reduce its prison population.

Bills of Interest

AB 162 (Holden)

Summary: As originally introduced, this bill would have significantly limited the authority of local jurisdictions to regulate the placement of certain wireless facilities.

Unreasonable Timeframes. In 2009, the Federal Communications Commission (FCC) adopted rules that require local governments to review and act on applications for the establishment of wireless communications structures. Under that ruling, cities have 90 days to review collocation applications, and 150 days for other siting applications. If cities do not act in this timeframe, an applicant can bring action in court. The earlier version of AB 162 included provisions that would have cut these timeframes in half and would have deemed applications granted at the end of the 45 days. The bill has been significantly amended to delete those provisions.

The latest version of AB 162 (Holden) -- As amended in the Assembly on May 9th -- includes new provisions that make legislative findings and declarations regarding the critical need to maintain signal strength and call reliability for 911 calls from cellular telephones, and would state the intent of the Legislature to subsequently amend this bill to include provisions that would increase network capacity on existing wireless structures in order to serve the needs of safety personnel and the people of the state.

Status: This bill a two-year bill. It is currently pending in the Assembly Local Government Committee and, absent extraordinary rule waivers, would not be eligible to move forward until January, 2014.

AB 188 (Ammiano)

Summary: AB 188 would revise the definition of “change of ownership” for the purposes of property tax assessment. The California Constitution requires properties to be reassessed upon a change of ownership, with certain exceptions. That event is easily defined when one entity purchases real property from another entity. However, it is less clear when properties are owned by corporations that are themselves owned by a number of shareholders change hands. AB 188 would specify that if the entire ownership interest in a legal entity is sold or transferred in a single transaction, then the real property owned by that entity has changed ownership. The bill would also increase penalties for failing to report changes in ownership to the Board of Equalization (BOE) and require a deed to be recorded with the county recorder upon changes in ownership interest like those described above.

Status: AB 188 is still being held in the Assembly Revenue and Taxation Committee. Both the Governor and the Senate Pro-Tem have cautioned that there should be a cooling off period in the post-prop 30 world prior to enacting any new tax measures. AB 188 is a tax levy, which means this bill is not subject to the legislative deadlines and technically could move forward. We still believe that this will not move forward in 2013.

SB 556 (Corbett)

Summary: This bill would require a disclosure to be printed on the uniform or vehicle of a contract employee, if the uniform or vehicle is similar to or contains the logo of the public agency for which the contractor is providing services, which states that the employee is a nongovernment employee.

According to the author and proponents, public agencies are routinely hiring third party intermediaries, such as labor contractors or temporary staffing agencies. Arrangements that they argue, separate the company at the top from the workers at the bottom, thus shielding the public agency from liability. They argue that subcontracting has implications for consumers and the public because many times consumers don't even know what entity they are actually doing business with, or who is in charge if something goes wrong. In addition, they argue that when workers enter a home or have access to personal information, the consumer should have the right to know if the worker is a city employee, a known company employee, a temporary or contracted out employee, or an independent contractor.

Opponents argue that SB 556 undercuts the primary reason for entering into independent contracting relationships by shifting liability to a public agency. The League of Cities writes that “many public agencies that contract for services specify uniform requirements in their written contracts with a service provider. These uniform requirements are oftentimes done for the purpose of ensuring the public knows who the contractor is serving and for identifying regional operations during a major disaster or mutual aid request from the public agency.”

UPDATE: The bill was amended on August 26th to modify the terms and conditions Public agencies around the state who previously opposed the bill remain opposed. Transit agencies in particular, are still pressing for an exemption from the bill's provisions. They argue that the amendments do not address the totality of their concerns and that they will continue to oppose the bill until they get an .

SB 556 will soon be heard on the Assembly floor. We ask you to please contact your Assembly delegation as soon as possible to ask your representative(s) to oppose SB 556.

Status: This measure is currently on the Assembly floor and eligible to be heard as early as the first day that the Assembly reconvenes from Summer Recess (August 5th).

SB 391 (DeSaulnier)

SB 391 (DeSaulnier) California Homes and Jobs Act of 2013.

Summary: This bill would impose a fee, beginning January 1, 2014, of \$75 on every real estate instrument, paper, or notice that is required or permitted by law, excluding real estate instruments, papers, or notices recorded in connection with a transfer subject to a documentary transfer tax. Revenue from this fee would be used to create an ongoing source of state revenue to fund project and programs that support the development, acquisition, rehabilitation, and preservation of housing affordable to low- and moderate-income households, including, but not limited to, transitional and permanent rental housing, including necessary service and operating subsidies; homeownership opportunities; emergency shelters and rapid rehousing services; accessibility modifications; and efforts to acquire and rehabilitate foreclosed, vacant or blighted homes.

Requires the State Housing and Community Development Department (HCD) to develop a California Homes and Jobs Trust Fund Investment Strategy (investment strategy) and requires HCD to submit the first investment strategy to the Legislature as part of the Governor's May Revise of the Budget Act in 2014-15 and every five years after as part of the Budget Act beginning in 2019-20.

The bill would require that the investment strategy identify the statewide needs, goals, objectives, and outcomes for housing for a five-year time period. The bill also requires that also promote a geographically balanced distribution of funds, including consideration of a direct allocation of funds to local governments. The bill would also require that the plan emphasize investments that serve households that are at or below 60% of area median income (AMI).

Status: Pending Assembly Appropriations Committee. Scheduled for August 30th.

SB 731 (Steinberg)

SB 731 (Steinberg) Environment: California Environmental Quality Act and sustainable communities strategy.

Summary: Existing law, under the California Environmental Quality Act (CEQA), requires lead agencies with the principal responsibility for carrying out or approving a proposed discretionary project to prepare a negative declaration, mitigated negative declaration, or environmental impact report (EIR) for this action, unless the project is exempt from CEQA. CEQA includes various statutory exemptions, as well as categorical exemptions under guidelines. Existing Law also establishes the Strategic Growth Council to award grants and loans for planning and developing sustainable communities' strategies.

According to the author, this bill would achieve the following:

Statewide standardized environmental thresholds for the environmental impacts of traffic and noise for infill projects. Projects meeting these thresholds would not be subject to lawsuits for those impacts under CEQA and would not be required to do more for those thresholds in environmental documents unless required by a local government. Also excludes project aesthetics from CEQA consideration. These aspects of a project impacts are currently common elements for CEQA litigation and typically are most complicated for lead agencies and project proponents to analyze and mitigate.

Better state-level planning to reduce legal challenges under CEQA and incentivize smart planning by amending the Government Code Specific Plan section to exclude unsubstantiated opinions for “new information” that would trigger additional revisions to the Environmental Impact Review. Also appropriates \$30 million for SB 375 (of 2008) planning grants based on competitive process.

This expands the current CEQA exemption for specific planning so that projects undertaken pursuant to that local plan and EIR are not subject to further review or CEQA lawsuits. Further, local governments typically prioritize investment in smart growth plans.

CEQA streamlining for clean energy projects and formalizes a Renewable Energy Ombudsman position to expedite siting for renewable energy projects. The goal would be to remove regulatory obstacles for large renewable energy projects and establish a position in the Office of the Governor to champion renewable energy projects within the State.

Expedite the disposition of legal challenges under CEQA. Specifically:

- Allows the lead agency to comply with notices and findings on EIRs through the Internet;
- Allows the 30-day statute of limitations to bring actions under CEQA to be tolled by mutual agreement of parties in order to facilitate settlements;
- Authorizes project proponents to request and pay for concurrent internet-based preparation of the administrative record for all projects to reduce litigation delays, saving months if not a year off project delays;
- Allows courts to issue partial remands of environmental documents to reduce re-notice/recirculation/litigation delays where lead agencies have been found to be in violation of the law;
- Directs the Attorney General to track lawsuits and report to the Legislature in order to provide lawmakers and the public with accurate information on whether or not CEQA is being abused by vexatious litigants.

The author’s office reports that the bill “seeks that elusive middle ground between those who support fundamentally undermining the statute and those who support the status quo.”

Status: Will be heard in the Assembly Appropriations Committee on August 30th

Other Items of Interest:

- **Unemployment Insurance:** Governor Brown indicated that unemployment insurance reform would be one of his priorities for the end of the legislative session. It appears that additional details/language have yet to emerge. We will update you as we receive additional information.
- **Assembly Republicans** have announced that they will hold a leadership vote after the current legislative session ends on Sept. 13. Current Assembly Republican Leader, Assembly Member Connie Conway (R-Tulare), who had previously been challenged in February, will seek re-election said her spokesperson.
- **The Newest State Senator** Andy Vidak (R-Kings County), who won the election for the 16th State Senate district, will be sworn in tomorrow in the City of Hanford, which is in his district.
- **ARB appointment:** Governor Brown has appointed John Eisenhut of Turlock, CA to the California Air Resources Board. He has been manager of grower relations at Hilltop Ranch Inc and owner of Eisenhut Farms since 1975. This position requires confirmation by the Senate.
- **Water Bond:** There were two information hearings at the Capitol in the last couple of weeks on this issue. The bond was initially scheduled to appear on the 2010 ballot, but has been pushed to the 2014 ballot. Both the Assembly and the Senate are

working on draft language to revise what is currently in the bond and it appears that they are in agreement that the overall bond will be smaller than initially proposed, which was \$11.1 billion. While the Legislature has until next year to craft revised language, it is possible that this may become a priority for the end of this legislative session.

- **Governor adds to senior staff:** The Governor has named Dana Williamson as his Cabinet Secretary, Wade Crowfoot as Deputy Cabinet Secretary among other appointments announced this week. Williamson has worked as a senior advisor to Brown since 2011 and Crowfoot has served as Director of Policy in the Governor's Office of Planning and Research.
- **Noreen Evans:** Senator Noreen Evans announced this week that she will not be running for re-election once her current term is done in 2014. She has stated that she will be returning to her law practice. A broad field of candidates are expected for this race.

Upcoming Deadlines:

- Aug. 30 :Last day for fiscal committees to meet and report bills in the Assembly and the Senate
- Sep. 6: Last day to amend bills on the floor
- Sep. 3-13 Floor Session Only. No Committees, other than conference committees and Rules committee, may meet for any purpose
- Sep. 13: Last day for each house to pass bills
- Oct. 13: Last day for Governor to sign or veto bills passed by the Legislature on or before Sep. 13 and in the Governor's possession after Sep. 13

Stormwater Funding Proposal

An update on the stormwater proposal will be provided via a separate memo from Khouri Consulting.



September 3, 2013

TO: Board Members, City/County Association of Governments for San Mateo County
FROM: Gus Khouri, Legislative Advocate
Khouri Consulting

RE: STATE LEGISLATIVE UPDATE - STORMWATER MANAGEMENT- AUGUST

Legislative Counsel published on August 26 its written opinion regarding C/CAG's authority as a Joint Powers Agency (JPA) to impose special taxes or property-related fees. The opinion concludes that the joint powers code (Section 6502 of the Government Code) does not explicitly provide taxation authority, and therefore legislation would be required to enable C/CAG to pursue a special tax or property-related fee.

While Legislative Counsel prepared its written opinion, C/CAG staff and its legislative advocacy team met with staff from the Senate Governance and Finance Committee, Assembly Member Mullin's office, and Senator Hill's office to discuss the need for enabling legislation. In questioning the need for enabling legislation, C/CAG staff was referred to other parts of the Government Code in which JPA's have been granted authority to impose taxes and charges, specifically through Mello-Roos Community Facilities Districts, the Revenue Bond Finance Law, and C/CAG's existing authority to impose vehicle registration fees. Further review by C/CAG staff indicate these code sections are not currently applicable to what C/CAG is trying to accomplish and legislative modifications to those code sections would still be necessary in order for C/CAG to have the needed flexibility in pursuing a viable funding mechanism for stormwater compliance activities.

C/CAG staff continues to work with its legislative advocacy team to craft and pursue enabling legislation. However, it is unlikely C/CAG will be able to get legislation out of the legislature prior to the September 12 end-of-session deadline. Fortunately, C/CAG has an existing vehicle (AB 418, Mullin) that allows C/CAG to continue pursuing authorization in early 2014 if unsuccessful in the coming weeks. C/CAG could potentially move a product directly to the Governor's desk by early February by adding an urgency clause to the bill, but this requires a 2/3 vote in both houses. This would enable C/CAG to stay on its existing schedule of potentially placing an initiative before voters or property owners in mid-2014, but requires consensus on the bill's language and remains challenging in the Assembly given that Democrats are one member short of a 2/3 majority.

C/CAG AGENDA REPORT

Date: September 12, 2013
TO: C/CAG Board of Directors
From: Ad Hoc By-Laws Task Force
Subject: Review and approval of the revised C/CAG By-Laws

(For further information or response to questions, contact Sandy Wong at 650 599-1409)

RECOMMENDATION:

That the C/CAG Board review and approve the revised C/CAG By-Laws.

FISCAL IMPACT:

None.

REVENUE SOURCES:

NA.

BACKGROUND/DISCUSSION:

The current C/CAG By-Laws were last updated in 2006, with a minor revision regarding the vice chair provision on February 14, 2013.

On March 14, 2013, the C/CAG Board formed an Ad Hoc By-Laws Task Force to review and make recommendation on a comprehensive update of the C/CAG By-Laws.

Board members Alicia Aguirre, Kirsten Keith, and Rich Kowalczyk volunteered to serve on the Task Force. The Task Force met and corresponded by email, with support from C/CAG staff and legal counsel including: Sandy Wong, Lee Thompson, Nancy Blair, Jean Higaki, and Matt Fabry.

The recommended changes are shown in the attached “*2013 Bylaws of the City/County Association of Governments of San Mateo County*”. New language is shown with **underline** and deleted language is shown with ~~strike through~~.

ATTACHMENT

- 2013 Bylaws of C/CAG

ITEM 6.2

**2013 BYLAWS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS
OF SAN MATEO COUNTY**

The County of San Mateo and the cities within the County of San Mateo have entered into a Joint Powers Agreement establishing the City/County Association of Governments of San Mateo County (hereinafter referred to as "C/CAG"). Section 3 (fg) of the Joint Powers Agreement authorizes C/CAG to adopt bylaws. CCAG hereby adopts the following bylaws for the purpose of providing for the orderly conducts of its affairs.

ARTICLE I. NAME

The name of the separate entity established by the Joint Powers Agreement is the "City/County Association of Governments of San Mateo County," and may be referred to as "C/CAG."

ARTICLE II. PURPOSES

Section 1. C/CAG shall have the following purposes operating through the Board of Directors for control, direction and administration:

- (a) ~~(a)~~—Plan, organize, and maintain the work of C/CAG and be responsible for its overall operation.
- (b) Generate, receive, and distribute funding sources as needed and appropriate for each of C/CAG programs.**
- (b) Advise City Councils and the Board of Supervisors of all significant activities of C/CAG.
- (c) Prepare, review, adopt, monitor, **implement, and facilitate implementation by the member agencies,** ~~and enforce the following state mandated~~ **and** Countywide plans **and programs, including without limitation the following:**

Revised Draft 1

- (1) Congestion Management ~~Program~~Plan (serving as the designated Congestion Management Agency, whose duties include directing and managing plan compliance);
 - (2) Integrated Solid Waste Management Plan (serving as the Local Task Force);
 - (3) Airport Land Use Plan (serving as the designated Airport Land Use Commission);
 - (4) ~~Hazardous Waste Management Plan;~~
 - (5) ~~NPDES Stormwater Management Plan~~Water Pollution Prevention Program (implementing and facilitating implementation by member agencies of state mandated municipal storm water permits);
- (d) Perform such additional countywide planning and implementation activities as approved by or directed by two-thirds (2/3) of the members representing two-thirds (2/3) of the population of the County.
- ~~(e) Assume all the activities previously assigned to the Regional Planning Committee.~~

Section 2. C/CAG shall not participate in or endorse any political activity involving any individual candidate for public office. The selection of officers within Article IV herein shall not be considered a political activity subject to this section.

ARTICLE III. MEMBERSHIP

Section 1. The County of San Mateo and each city which has signed the Joint Powers Agreement shall be members of C/CAG.

Section 2. The Board of Directors of C/CAG shall consist of a member of the City Council

of each participating city to be selected by that city and one member of the Board of Supervisors to be selected by the Board of Supervisors.

Section 3. Each member City Council and the Board of Supervisors may select one alternate member from its body who shall participate when the regular member is absent.

Section 4. If both the member and the alternate will be absent the City Council or Board of Supervisors may designate a substitute for that meeting and notify C/CAG, in writing, of the designation.

Section 5. There shall be ~~four~~ **two Board Member * MOVED to approve Item *. Board Member * SECONDED. MOTION CARRIED**(42) nonvoting ex-officio members: ~~the County Superintendent of Schools; a member of the San Francisco Airport Commission selected by the Commission; a member of the San Mateo County Transit District Board of Directors selected by the its Board of Directors; and~~ a member of the San Mateo County Transportation Authority selected by the Authority.

Section 6. Any member agency may withdraw from C/CAG by filing written notice of intention to do so with the Chairperson of C/CAG, by _____ September 30 of each year. ~~The rights and obligations of any such member shall terminate~~ **on June 30 of the next calendar year** ~~at the end of the first full fiscal year for which such member has made its contribution~~ following such notice having been given.

Section 7. If any member agency fails to make its contribution in accordance with Section 6 of the Joint Powers Agreement, that member shall forfeit its voting rights during the period of such nonpayment.

Section 8. If any Board member, or his/her designated ~~representative~~ alternate, fails to attend three consecutive meetings, without notification of the Chairperson or the Executive Director, the Chairperson will notify the City Council or Board of Supervisors to encourage future participation.

Revised Draft 1

ARTICLE IV. OFFICERS

Section 1. The officers of the Board of Directors shall consist of a Chairperson, and one Vice Chairperson.

Section 2. The Chairperson and Vice Chairperson shall be elected from among the nominees by the Board of Directors at the March meeting to serve for a term of twelve (12) months commencing on April 1. There shall be a two-term limit for each office. That is, a member may not serve more than two consecutive terms as the Chairperson, and not more than two consecutive terms as Vice Chairperson. An officer shall hold his or her office until he or she resigns, is removed from office, is otherwise disqualified to serve, or until his or her successor qualifies and takes office.

Section 3. Nomination for officers of the Board of Directors shall be made from the floor only at the regular February Board meeting. Nominations shall be made only by voting members of the Board of Directors.

Section 4. The Chairperson and Vice Chairperson must be a regularly designated, voting member (e.g., not an alternate, or an ex-officio member) of the Board of Directors.

Section 5. Nominations and election of the Chairperson shall precede nominations and election of the Vice Chairperson. Voting shall be public for all offices.

Section 6. The Chairperson shall preside at all meetings of the Board, may call special meetings when necessary, and shall serve as the principal executive officer. The Chairperson shall have such other powers, and shall perform such other duties which may be incidental to the office of the Chairperson, subject to the control of the Board.

Section 7. In the absence or inability of the Chairperson to act, the Vice Chairperson shall exercise all of the powers and perform all of the duties of the Chairperson. The Vice Chairperson shall also have such other powers and shall perform such other duties as may be assigned by the Board of Directors.

Section 8. A special election to fill the vacant office shall be called by the Board of Directors if the Chairperson or the Vice Chairperson is unable to serve a full term of office.

Section 9. All officers shall serve without compensation.

Section 10. The Chairperson or the Vice Chairperson may be removed from office at any time by a majority vote of those members present at a duly constituted meeting of the Board.

~~Section 11. The Vice Chairperson shall be a member of the Administrators' Advisory Committee.~~

ARTICLE V. EXECUTIVE DIRECTOR

Section 1. The Executive Director shall report to the full Board of Directors through the Chairperson.

Section 2. The Executive Director shall direct staff and -serve as the liaison between staff and the Board of Directors. ~~shall have dealings with staff and contractors through the Executive Director.~~

Section 3. The Board of Directors shall develop a process for the review of the performance of the Executive Director on an annual basis.

ARTICLE VI. COMMITTEES

Section 1. The Board of Directors may establish and appoint members to committees and advisory boards wherever necessary. The following standing committees have been established to assist in accomplishing C/CAG's goals:

Administrators' Advisory

Airport Land Use (ALUC)

Bicycle & Pedestrian Advisory (BPAC)

Congestion Management & Environmental Quality (CMEQ)

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Congestion Management Program Technical Advisory Committee (CMP TAC)

Finance

Legislative

~~Hazardous Waste Management Plan Advisory~~

~~Solid Waste Advisory~~

NPDES Stormwater

NPDES Technical Advisory Committee

Resource Management and Climate Protection

Review & Compensation

Section 2. Persons who are not members of the Board of Directors, including other elected officials and public members, may be appointed to serve on any committee or advisory board established by the Board of Directors.

Section 3. During any consecutive twelve month period, committee members will be expected to attend at least 75% of the scheduled meetings and not have more than three consecutive absences. If the number of absences exceeds these limits, the seat may be declared vacant by the C/CAG Chair. Attendance by a committee member's designated alternates, where designated alternates are expressly included in the composition of the committee, will not count toward meeting the attendance requirements of the committee member. Appointments to fill the vacant seats will be made at the next regularly scheduled C/CAG meeting from existing waiting lists if available. If not, a recruitment process will be initiated and the appointment will be made as soon as practical.

Section 4. The composition of committees and~~(Note from discussion at C/CAG meeting where this attendance item was discussed: Appointments to fill vacancies on committees, should also make every attempt to~~**reflect a balanced** the representation **from** ~~to include~~ the different regions of the County. Although this is not always possible **or appropriate (i.e., the committee address**

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only specific regions of the county), it should become a prime consideration of the Board when conducting recruitments and making appointments.

Section 5. The C/CAG Executive Director will ~~notify the C/CAG Chair if and when there is the need to apply this new policy, and will also periodically report~~ to the full Board on the attendance of Board members and member agencies at committee meetings jurisdictions at meetings of the full Board.)

Section 6. Unless otherwise required by law, the Joint Powers Agreement, these bylaws, or directed or instructed by the full Board, each committee shall establish its own meeting and operating procedures.

ARTICLE VII. MEETINGS

Section 1. The Board of Directors shall establish by resolution the date, time, and place for regular C/CAG Board meetings.

Section 2. All meetings of the Board of Directors shall be held in accordance with the Brown Act, Government Code Section 54950 et seq.

Section 3. The Board of Directors shall have such other meetings as are deemed necessary.

ARTICLE VIII. CONDUCT OF BUSINESS

Section 1. A quorum shall consist of at least a majority of the voting members and shall be required for all meetings of C/CAG.

Section 2. All decisions shall be by majority vote of those present unless the decisions involve the adoption of a countywide plan or any voting member requests the use of the special voting procedures set forth in Section 3.

Section 3. The special voting procedures shall be utilized upon the request of any voting member and for the final adoption of countywide plans. Special voting procedures shall be as

Revised Draft 1

follows: for a motion to be successful it must receive the votes of a majority of the voting members representing a majority of the population of the County. In determining the population of local governments, ~~the population as of 2000 shall be utilized as set forth in Exhibit "A" to the Joint Powers Agreement or~~ the most recent population figures adopted by Resolution **shall be utilized**.

Section 4. C/CAG shall not finally adopt any state-mandated countywide plan unless the plan has been introduced at a prior meeting held at least twenty-five (25) days earlier.

Section 5. Except as provided in these bylaws, or by a majority vote of those present, **the most recent version of Rosenberg's Roberts Rules of Order, Revised**, shall constitute the parliamentary ~~authority~~ **procedures** for C/CAG.

ARTICLE IX. OTHER MATTERS

Section 1. No member shall receive compensation or reimbursement from C/CAG for expenses incurred in attending any meeting or other function.

Section 2. The Administrator's Advisory Committee members shall be: the C/CAG Chairperson; the C/CAG Vice Chairperson; the County Manager or his/her designee; the General Manager of Sam Trans or his/her designee; and one (1) city manager appointed by the City Manager's Association. The City Manager, or his/her designee, of the City whose Treasurer serves as the Treasurer for C/CAG shall be a non-voting ex-officio member. The C/CAG chairperson shall be the chairperson of the Administrator's Advisory Committee.

Section 3. The Treasurer shall be selected as may be determined by the Board of Directors from time to time. In the absence of a specific separate selection process, the Treasurer shall be the entity or person identified and serving as Treasurer pursuant to a contract for such services.

Section 4. The Controller shall be selected as may be determined by the Board of Directors from time to time. In the absence of a specific separate selection process, the

Controller shall be the entity or person identified and serving as Controller pursuant to a contract for such services.

C/CAG AGENDA REPORT

Date: September 12, 2013

To: City/County Association of Governments Board of Directors

From: Sandy Wong, Executive Director

Subject: Review and approval of the Draft 2013 Congestion Management Program (CMP) and Monitoring Report and authorize its release for distribution and comments

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

RECOMMENDATION

That the C/CAG Board review and approve the Draft 2013 Congestion Management Program (CMP) and Monitoring Report and authorize its release for distribution and comments.

FISCAL IMPACT

It is not anticipated that the changes in the 2013 CMP will result in any increase in the current fiscal commitment that C/CAG has made to the Program.

BACKGROUND/DISCUSSION

Overview

Every two years, C/CAG as the Congestion Management Agency for San Mateo County, is required to prepare and adopt a Congestion Management Program (CMP) for San Mateo County. The CMP is prepared in accordance with state statutes, which also establish requirements for local jurisdictions to receive certain gas tax subvention funds. The CMP's conformance with regional goals enable San Mateo County jurisdictions to qualify for state and federal transportation funding.

The Metropolitan Transportation Commission (MTC) also provides guidance for consistency and compatibility with the Regional Transportation Plan (RTP). MTC's findings for the consistency of CMPs focus on five areas:

- Goals and objectives established in the RTP,
- Consistency of the system definition with adjoining counties,
- Consistency with federal and state air quality plans,
- Consistency with the MTC travel demand modeling database and methodologies; and
- RTP financial assumptions.

For this year's update, MTC recommended additional information for inclusion in the CMP which includes:

ITEM 6.3

- References to statutory requirements MAP-21 for RTP and air quality conformity requirements
- References to the Plan Bay Area and performance targets in the latest adopted RTP

2013 CMP Update

The Draft 2013 CMP includes updated information and changes from the adopted 2011 CMP. The majority of the document is unchanged from the 2011 CMP. Some key updates are highlighted below:

- Updated Chapter 5 – Trip Reduction and Travel Demand Element
 - Reflects the current Transportation Demand Element (TDM) and Transportation System Management (TSM) measures.
- Updated Chapter 7 – Deficiency Plan Guidelines
 - Reflects updated 2013 monitoring results and amended San Mateo County Congestion Relief Plan (CRP).
- Updated Chapter 8 – Seven Year Capital Improvement Program
 - Reflects the draft 2014 State Transportation Improvement Program (STIP) project list.
- Updated Chapter 11 – Vehicle Registration Fee (VRF) Program
 - Reflects final \$4 VRF program allocations and updated Measure M Program.
- Appendices that were updated includes the following:
 - Appendix F - 2013 CMP Monitoring (Draft)
 - Appendix G – Status of Capital Improvement Projects
 - Appendix M – Measure M Implementation Plan (amended)
- A new Appendix N is added for inclusion of the complete *MTC's Guidance for 2013 Congestion Management Programs (CMPs)*

It is recommended that Chapter 11, Vehicle Registration Fee (VRF) Program be deleted from the next CMP update due to the fact that the \$4 VRF Program ended January 2013. In addition, there are no requirements by either the CMP statutes or MTC's CMP Guidance that indicates the need to update or include the C/CAG VRF Program. The Appendix M, Measure M Implementation Plan, will continue to be included in the appendix as information only.

2013 Traffic Level of Service and Performance Monitoring

C/CAG is required to measure the roadway segments and intersections on the Congestion Management Program roadway network to determine the change in LOS from one period to the next. As part of the 2013 CMP update, C/CAG has retained a consultant to monitor the roadway segments and intersections on the CMP roadway network. Traffic volumes counts and travel time surveys were performed between March 14th and April 10th of this year. As a result of this

monitoring, C/CAG is required to determine what location(s), if any, has (have) exceeded the LOS standard that was established by C/CAG in 1991.

In determining conformance with the LOS standards, C/CAG historically excludes traffic impacts attributable to interregional travel based on the C/CAG Travel Demand Forecasting Model. To address deficiencies on the CMP network, C/CAG developed the San Mateo County Congestion Relief Plan (CRP). Originally adopted in 2002 and reauthorized in 2011 to be effective through June 2015, the CRP fulfills the requirement of a Countywide Deficiency Plan for all roadway segment and intersection deficiencies identified through the monitoring done for the 1999 through the current Congestion Management Programs. With the CRP in place, no jurisdiction will be required to develop a deficiency plan as a result of this monitoring report.

In calculating the LOS for the CMP network, C/CAG identifies the deficient locations after deducting for interregional travel (all trips originating outside San Mateo County). Based on the monitoring report and after the exclusions for interregional traffic was applied, four out of the 53 roadway segments exceeded the LOS standard. The segments in violation of the LOS Standard in 2013 are as follows:

- AM – Northbound SR 1 between SF County line and Linda Mar Blvd
- AM – Westbound SR 84 between I-280 and Alameda de Las Pulgas
- AM – Eastbound and Westbound SR 92 between I-280 and US 101
- PM – Eastbound and Westbound SR 92 between I-280 and US 101

For the sixteen intersections monitored, the 2013 traffic volumes, lane configurations, and signal phasing were used as inputs to the intersection level of service calculations. This year’s monitoring as well as the 2011 monitoring used the 2000 Highway Capacity Manual method (average control delay) to calculate the LOS results.

All 16 CMP intersections were in compliance with the LOS Standard. There were no LOS standard violations for intersections in 2011 also.

A summary of the number of roadway segments and intersections with a LOS F (F designated the worse possible congestion) since the 1999 CMP are as follows:

Year	LOS F*		Year	LOS F*	
	Roadways	Intersections**		Roadways	Intersections**
1999	18	3	2007	14	2
2001	16	1	2009	10	3
2003	13	0	2011	14	2
2005	12	0	2013	12	2

* Without Exemption

** Majority of intersections monitored are along Route 82 (El Camino Real)

It is noted that nine (9) CMP segments had an LOS of F (without exemptions) in both the AM and PM peak periods. Three segments had LOS of F in the AM peak period only and three segments had LOS F in the PM peak period only.

Travel times were also measured for the U.S. 101 corridor between the San Francisco and Santa Clara County Lines. The U.S. 101 corridor was selected because, in addition to mixed-flow lanes, it includes High Occupancy Vehicle (HOV) lanes, bus routes, and passenger rail.

The total travel time for carpools was estimated by adding the travel time in the HOV lanes between the Santa Clara County Line and Whipple Avenue to the travel time in the mixed-flow lanes between Whipple Avenue and the San Francisco County Line. Travel time for single occupancy identified as part of the 2013 monitoring indicates a 21% increase in the southbound AM peak period and an 18% decrease in the southbound PM peak period. Carpool lanes show an increase of 23% in both the southbound AM peak period and northbound PM peak periods.

Travel times for bus and passenger rail modes were estimated based on SamTrans and Caltrain published schedules. Caltrain travel time estimations were based on the most recent published schedules taking into consideration the Baby Bullet and the Limited Stops trains between the Palo Alto Station and the Bayshore Station. The largest increase in travel time was 23% in the southbound AM period when compared to 2011.

The published schedule for SamTrans Route KX indicate a slightly longer travel time from that previously shown in 2011 for all directions and time. The travel times shown reflect the duration of the trip between Palo Alto Caltrain Station and the halfway distance between the Mission/7th Street Station in SF, estimated to be at the county line. Overall, there was an increase of up to 9% in travel time when compared to 2011.

Average Travel Time in US 101 Corridor (in minutes)
(Between San Francisco and Santa Clara County Lines)

Mode	AM - Morning Commute Peak Period								PM - Evening Commute Peak Period							
	Northbound				Southbound				Northbound				Southbound			
	2013	2011	2009	2007	2013	2011	2009	2007	2013	2011	2009	2007	2013	2011	2009	2007
Auto - Single Occ.	28	29	30	26	41	34	28	35	30	32	33	33	33	40	29	30
Carpool - HOV Lane	32	28	30	26	37	30	26	31	37	30	32	31	32	35	27	29
Caltrain (From Palo Alto Station to Bayshore Station)	35	35	35	35	38	31	31	34	38	34	34	38	37	35	35	34
SamTrans Route KX (From Palo Alto Caltrain Station to between Mission/7th in SF)	83	76	79	75	87	81	85	78	86	81	83	80	85	78	89	81

As shown below, the 2013 transit ridership data indicates annual total ridership for SamTrans has decreased by 9% whereas Caltrain ridership increased by 23% when compared to FY 2011. Annual total ridership for BART increased by 10% at the Colma and Daly City stations and increased by 15% for the SFO Extension stations. Overall annual total transit ridership increased about 10% when compared with FY 2011.

	Annual Total				Average Weekday			
	2013	2011	2009	2007	2013	2011	2009	2007
SamTrans	12,445,748	13,474,466	14,951,949	14,351,402	40,966	44,910	49,950	47,535
Caltrain	15,595,559	12,673,420	12,691,612	10,980,802	49,031	39,909	40,066	34,867
BART (Colma & Daly City)	7,778,180	7,014,816	7,026,186	6,864,974	27,102	23,598	23,711	23,214
BART (SFO Ext. Stations)	11,685,236	10,097,310	9,900,626	7,662,450	38,696	32,294	31,485	24,516
Combined Transit	47,504,723	43,260,012	44,570,373	39,859,628	155,795	140,711	145,212	130,132

The complete draft Monitoring Report is included in Appendix F of the Draft 2013 Congestion Management Program. (A copy is attached to this staff report)

2013 CMP approval schedule (tentative)

<u>Date</u>	<u>Activity</u>
August 15	Draft CMP to TAC
August 26	Draft CMP to CMEQ
September 12	Draft CMP to Board (distribution for comments)
Sep/Oct	Draft CMP due to MTC
October 17	Final CMP to TAC
October 28	Final CMP to CMEQ
November	MTC performs Consistency Findings
November 14	Final CMP to Board
Nov/Dec	MTC approval of 2014 RTIP

ATTACHMENT

- Draft Level of Service and Performance Measure Monitoring Report – 2013 (Will be provided to Board Members only under separate cover.)
- Draft 2013 San Mateo County Congestion Management Program (CMP). (Will be provided to Board Members only under separate cover.)
- Draft 2013 San Mateo County CMP Appendix
(Electronic version is available for download at http://ccag.ca.gov/plans_reports.html.
Hard copy available upon request)

(Hard copies provided to C/CAG Board members only. Public members may contact John Hoang at 650-363-4105 if interested in receiving the document.)

C/CAG AGENDA REPORT

Date: September 12, 2013
To: City/County Association of Governments Board of Directors
From: Sandy Wong, Executive Director
Subject: Presentation on Potential Countywide Funding Initiative: Funding Needs Analysis and Funding Options Report

(For further information or questions contact Matthew Fabry at 650 599-1419)

RECOMMENDATION

Receive presentation on the preliminary results of the Funding Needs Analysis and Funding Options Report for the potential Countywide Funding Initiative.

BACKGROUND

Since January, C/CAG has been working with a consultant team led by SCI Consulting Group to evaluate the feasibility of a countywide funding initiative to generate new, ongoing funding for C/CAG and its member agencies to address compliance costs associated with the Municipal Regional Stormwater Permit (MRP). The consultant team has been working on three main tasks:

- Task 1 – Funding Needs Analysis: estimates costs to comply with the MRP for both C/CAG and its member agencies. This includes analysis for each of the 21 jurisdictions in the county.
- Task 2 – Funding Options Report: details the various available options for funding the different compliance activities mandated in the MRP. This includes both balloted and non-balloted approaches, as well as recommendations for potential ways existing efforts and funding sources could be restructured for greater effectiveness.
- Task 3 – Public Opinion Research: gauges support among both registered voters and property owners within San Mateo County for funding stormwater compliance activities. This includes completing 800 telephone surveys and mailing out 22,000 written surveys that test varying dollar amounts, positive and negative arguments, and potential ballot language.

Staff and representatives from SCI Consulting Group will provide a presentation detailing preliminary results of the Task 1 and Task 2 efforts regarding funding needs and options.

ITEM 6.4

C/CAG AGENDA REPORT

Date: September 12, 2013

To: City/County Association of Governments Board of Directors

From: Sandy Wong, Executive Director

Subject: Approval of Resolution 13-31 approving the Proposed 2014 State Transportation Improvement Program (STIP) for San Mateo County and also authorize the C/CAG Executive Director to negotiate with the Metropolitan Transportation Commission (MTC) and California Transportation Commission (CTC) to make modifications as necessary. (Special voting procedures apply).

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

RECOMMENDATION

That the C/CAG Board review and approve of Resolution 13-31 approving the Proposed 2014 State Transportation Improvement Program (STIP) for San Mateo County and also authorize the C/CAG Executive Director to negotiate with the Metropolitan Transportation Commission (MTC) and California Transportation Commission (CTC) to make modifications as necessary. (Special voting procedures apply).

FISCAL IMPACT

No impact to the direct C/CAG budget.

SOURCE OF FUNDS

The 2014 State Transportation Improvement Program (STIP) fund will come from State and Federal fund sources.

BACKGROUND/DISCUSSION

C/CAG is the designated agency responsible to develop the regional share of the State Transportation Improvement Program (STIP) for San Mateo County. STIP candidate projects must be consistent with the Regional Transportation Plan as well as the County's Congestion Management Plan. In addition, projects must have an approved Project Study Report (PSR).

The STIP is a five-year document adopted every two years that displays commitments of transportation funds for improving highway, transit, and other transportation systems. On

ITEM 6.5

June 11, 2013, Caltrans presented the draft STIP Fund Estimates for the five-year STIP period (FY 2014/15 through FY 2018/19) to the California Transportation Commission (CTC). The CTC adopted this estimate at their August 6, 2013 meeting.

The adopted 2012 STIP covered the period between FY 2012/13 through 2016/17. Funds previously programmed for highway and transit projects as adopted in the 2012 STIP are still committed.

It is expected that San Mateo County will be able to program approximately \$21.4 mil in FY 17/18 and FY 18/19. Although counties/regions can request to program these new funds in the earlier years, the CTC will likely only allow programming of new funds in the outer two years of the five-year cycle.

The Draft Proposed 2014 STIP was presented to the C/CAG Congestion Management Program Technical Advisory Committee (TAC) on July 18, 2013. The TAC recommended approval of the Draft 2014 STIP.

The Draft Proposed 2014 STIP was reviewed by the C/CAG Board on August 8, 2013 and a public workshop was held on August 14, 2013, in accordance with MTC public outreach requirements.

The Draft Proposed 2014 STIP was presented to the Congestion Management Program and Environmental Quality Committee (CMEQ) on August 26, 2013. The CMEQ recommended approval of the Draft 2014 STIP.

Upon approval by the C/CAG Board, the Proposed 2014 STIP for San Mateo County will be forwarded to the Metropolitan Transportation Commission (MTC) for inclusion in the Bay Area regional STIP proposal. If approved by the MTC in December 2013, as scheduled, the proposal will be forwarded to the California Transportation Commission (CTC) for approval in March 2014. During the coming months, it is anticipated Bay Area-wide and statewide negotiations will take place regarding the exact amount of funds available for each county in each fiscal year. Staff also requests that the C/CAG Board authorize the Executive Director to negotiate with MTC and CTC to make modifications as necessary.

ATTACHMENT

- Resolution 13-31
- Proposed Draft Summary of 2014 STIP for San Mateo County

RESOLUTION NO. 13-31

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY APPROVING THE PROPOSED 2014 STATE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) FOR SAN MATEO COUNTY AND AUTHORIZE THE C/CAG EXECUTIVE DIRECTOR TO NEGOTIATE WITH THE METROPOLITAN TRANSPORTATION COMMISSION (MTC) AND CALIFORNIA TRANSPORTATION COMMISSION (CTC) TO MAKE MODIFICATIONS AS NECESSARY

WHEREAS, the City/County Association of Governments (C/CAG) of San Mateo County is the designated Congestion Management Agency (CMA) for San Mateo County; and,

WHEREAS, the California Transportation Commission (CTC) has adopted the Fund Estimates for the 2014 State Transportation Improvement Program (STIP); and,

WHEREAS, the Fund Estimates for the San Mateo County 2014 STIP is \$21.4 million in FY 2017/18 and 2018/2019 funds and \$650K in Planning/Programming/Monitoring (PPM) funds; and,

WHEREAS, the Metropolitan Transportation Commission (MTC) and the California Transportation Commission (CTC) may need to go through iterations of STIP proposals submitted by various counties in the region and throughout the state in order to develop the final statewide STIP program; and,

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County to approve the San Mateo County Proposed 2014 State Transportation Improvement Program (STIP) and authorize the C/CAG Executive Director to negotiate with the Metropolitan Transportation Commission (MTC) and California Transportation Commission (CTC) to make minor modifications as necessary.

PASSED, APPROVED, AND ADOPTED THIS 12TH DAY OF SEPTEMBER 2013.

Brandt Grotte, Chair

SUMMARY of PROPOSED 2014 STIP FOR SAN MATEO COUNTY
(\$1,000's)

Lead Agency	Rte	PPNO	Project	Total	(Info Only) Prior Year	(Info Only) 13-14	14-15	15-16	16-17	17-18	18-19
SMCTA	101	702A	US 101/Broadway Interchange	23,218	4,218	19,000					
SMCTA	101	690A	US 101/Willow interchange reconstruction	28,951	8,480				20,471	20,471	
SMCTA/ Pacifica	1	632C	SR 1 Calera Parkway - Pacifica	6,900			6,900	6,900			
SMCTA/ Pacifica	1	2140H	Hwy 1 San Pedro Creek Bridge Replacement	3,000	3,000						
San Mateo	92/82	668A	Phase 1 of SR 92 Improvement from I-280 to US 101 - Construction of Operational Improvement at the SR 92/EI Camino Real Interchange	5,000					5,000		
SM C/CAG	92	668D	Phase 2 of SR 92 Improvement from I-280 to US 101 - Environmental Study for Improvement at the SR 92/US 101 Interchange Vicinity	23,839				2,411	2,411	3,217	18,211
SM C/CAG	VAR	2140E	Countywide ITS Project	4,298			800	800	3,498		
SM C/CAG	VAR	2140F	Smart Corridor Segment (TLSP)	10,000	10,000						
SM C/CAG	VAR	2140F/Q	Smart Corridor Segment (STIP) - Segment 3 to Santa Clara county line	1,977	1,977						
			SUBTOTAL - HIGHWAY (2014/15 thru 2018/19):	60,508				7,700	10,909	23,688	18,211
JPB		2140J	CalTrain San Bruno Ave Grade Separation (HSRCSA)	19,203	19,203						
BART		1003J	Daly City BART station improvement, elevator, lighting	900	900						
			SUBTOTAL - PTA ELIGIBLE (2014/15 thru 2018/19):	0							
SM C/CAG		2140L	FE Reserve (County Share)	1,964			1,964				
MTC		2140C	FE Reserve (MTC Share)-ECR Complete Streets	1,991		995	996	1,991			
MTC		2140	Planning, programming, and monitoring (MTC)	345			64	67	69	72	73
SM C/CAG		2140A	Planning, programming, and monitoring (CMA)	1,612			355	165	462	315	315
			SUBTOTAL - TE and PLANNING (2014/15 thru 2018/19):	3,948			419	2,223	531	387	388
			Grand Total (2014/15 thru 2018/19):	64,456		19,000	419	9,923	11,440	24,075	18,599

C/CAG AGENDA REPORT

Date: September 12, 2013
TO: C/CAG Board of Directors
From: Sandy Wong, Executive Director
Subject: Review and approval of staff recommendation on the proposed Highway Relinquishment Study for SR 82 El Camino Real/Mission Street

(For further information or response to questions, contact Sandy Wong at 650 599-1409)

RECOMMENDATION:

That the C/CAG Board review and approve staff recommendation on the Highway Relinquishment Study for SR 82 El Camino Real/Mission Street.

Staff recommend that the C/CAG Board take no position regarding the proposed highway relinquishment study.

Alternative option: That the C/CAG Board, as the Congestion Management Agency for San Mateo County, participate in the proposed Relinquishment study, if approved through a voting procedure.

FISCAL IMPACT:

Funding for this study is being sought with the Metropolitan Transportation Commission (MTC). C/CAG staff participation in the study does not require additional resources beyond current staffing budget.

REVENUE SOURCES:

NA.

BACKGROUND/DISCUSSION:

On June 13, 2013, the C/CAG Board discussed the potential highway relinquishment study as an informational item. The discussion indicated there was no interest in relinquishment unless there is funding for it.

On August 8, 2013, the C/CAG Board received a presentation from Russ Hancock, Co-Chair of GBI Task Force, Executive Director of Joint Venture Silicon Valley. A discussion by board members ensued. Based on that discussion, there was no clear consensus by the C/CAG Board whether to pursue the study or not. The C/CAG Board directed staff to provide further information regarding the proposed study and make a recommendation.

Analysis

The Grand Boulevard Initiative (GBI) is a collaboration of 19 cities, counties, local and regional agencies united to improve the performance, safety and aesthetics of El Camino Real. The vision of the Grand Boulevard Initiative as established by its committee and task force is to see the El Camino Real corridor "*achieve its full potential as a place for residents to work, live, shop and play, creating links*

between communities that promote walking and transit and an improved and meaningful quality of life.”

The El Camino Real (State Route 82) is owned by the State of California Department of Transportation (Caltrans). Hence, changes and modifications to the El Camino Real within Caltrans right-of-way must be approved by Caltrans. The approval process has shown to be lengthy and challenging.

Consequently, the GBI Task Force, at its December 5, 2012 and March 27, 2013 meetings, directed their staff to explore the idea of relinquishment, based on recent relinquishment of a portion of The Alameda (State Route 82) in San Jose.

Relinquishment, as defined by Caltrans, is the act of transferring the property rights, liability and maintenance responsibilities (ownership) of a portion of a state highway to another entity.

One of the benefits of relinquishment is that it allows local agencies and their communities to be more creative and flexible in making improvements to the roadway facility. However, due to the historic and projected funding shortage for streets and roads maintenance, there are concerns from many that taking ownership of the El Camino Real will further exacerbate the situation.

The Study

Based on the current draft conceptual workscope, the study would analyze the following:

- 1) Relinquishment related statutes, policies, and processes.
- 2) Roles and responsibilities of agencies, and ownership options
- 3) Costs to bring the roadway to state of good repair;
- 4) Projection of future maintenance and operation costs.

The study is meant to be a technical feasibility study. It is aimed at providing quantitative information regarding relinquishment. The study should not be viewed as any policy decision. Instead, the outcome of the study will aid decision makers to form their decisions. Based on the outcome of the study, individual jurisdictions may or may not have interest in pursuing relinquishment. That decision will be with the jurisdictions because C/CAG, as the congestion management agency, does not have the authority in that decision.

Committee Input and Recommendations

At their meetings on May 16th and August 15th, 2013, the Congestion Management TAC discussed this item. At both meetings, the recommendation was to defer such study until the corridor functionality is further defined. That would include the operational functionality of the corridor in terms of bus operations, emergency relief route, smart corridor, etc.

On May 20, 2013, this item was presented to the CMEQ Committee. The CMEQ recommended the study because the study will provide information (as decision making tool) on obligations, liabilities, and financial implication for relinquishment.

On August 26, 2013, the CMEQ committee discussed this item and majority of the committee recommended the study, with one abstention and three against.

ATTACHMENT

- Draft Conceptual Level Workslope

ATTACHMENT A

DRAFT CONCEPTUAL LEVEL WORKSCOPE

Task 1: Describe Caltrans' Process for Relinquishment of State Highways

- Include description of relinquishment type, relinquishment conditions, key agency stakeholders and procedures for relinquishment of State highways to local agencies.
- Cite legislative statutes and policies.

Task 2: Clarify Roles and Responsibilities of Stakeholders (Caltrans, Local Agencies, MTC...)

- Identify scope and types of inter-agency agreements to be prepared (e.g., MoUs, RFI, PIDs...) and agencies responsible for the preparation.
- Describe the collaboration, negotiation and review processes between the stakeholders, specifically among the cities and intra-agency departments that would be participating in these discussions.
- Explore potential ownership options.

Task 3: Describe Calculations for Cost Analysis and Identify Potential Funding Sources

- Assess existing conditions of SR 82 corridor for Santa Clara and San Mateo counties by county and city, and the estimated cost to bringing the roadway to a state of good repair.
- Investigate how much Caltrans has spent to operate and maintain SR 82 corridor in Santa Clara and San Mateo counties for past 5, 10 and 20 year periods if data is available.
- Provide cost estimates for relinquishment and annual operations and maintenance for subsequent 10 years following relinquishment and identify funding sources typically used to support the relinquishment process and on-going maintenance of the corridor. Include breakdown of costs that cities already cover (e.g. some cities already maintain sidewalks and median landscaping) as well as increased cost associated with full roadway maintenance.

Task 4: Provide Examples of Recent Relinquishments in the Bay Area and Other Areas of the State

- Compile examples of relinquishment projects in the Bay Area and other areas of relinquishment interest in the State and summarize key common elements in a table format for comparison (e.g., relinquishment of SR 82 and SR 130 in San Jose and SR 238 in Hayward). Also include discussion on local motivation(s) for relinquishment and anticipated benefits.
- Compare lengths of corridor, cost per mile for relinquishment and maintenance, inventory of roadside assets (e.g., traffic signal controllers, street light poles, length of sidewalk and curb/gutter...).

Task 5: Estimate Level of Effort and Schedule for Relinquishment

- Describe level of effort for relinquishment from planning phase to implementation phase including staffing resources and budget.
- Identify funding responsibilities for relinquishment planning and implementation.
- Provide outline of tasks and schedule, including duration and next steps.

C/CAG AGENDA REPORT

Date: September 12, 2013
TO: C/CAG Board of Directors
From: Sandy Wong, Executive Director
Subject: Review and approval of prefunding the C/CAG actuarial liability of other post-employment benefit (OPEB) at \$184,359

(For further information or response to questions, contact Sandy Wong at 650 599-1409)

RECOMMENDATION:

Review and approval of prefunding the C/CAG actuarial liability of other post-employment benefit (OPEB) at \$184,359, and direct staff to explore irrevocable trust options.

[Note: Prefunding at this level is based on the assumption of 6.5% rate of return. Actual rate of return will vary. If return is lower than expected, C/CAG will still be responsible for the remaining liability.]

FISCAL IMPACT:

Approval of this prefunding option will require C/CAG to invest \$184,359 in a irrevocable trust for OPEB.

REVENUE SOURCES:

Funding sources for C/CAG OPEB will be the same as those that fund C/CAG employee salaries and benefits.

BACKGROUND/DISCUSSION:

On May 9, 2013, the C/CAG Board of Directors received the "Actuarial Valuation of Other Post-Employment Benefits (OPEB)" report prepared by Bickmore & Associates for C/CAG. That report provided the OPEB actuarial liabilities for C/CAG as of July 1, 2012.

Although C/CAG is not required by law to prefund its OPEB costs other than the pay-as-you-go amount necessary to provide current benefits to retirees, at the May 9th meeting, the C/CAG Board directed staff to make a recommendation on prefunding the liabilities.

Definitions:

Pay-as-you-go: When an agency contributes only the current year's retiree benefit payments.

Prefunding: When an agency consistently contributes an amount each year, or an up-front lump sum amount, with the funds set aside in an irrevocable trust available only to pay plan benefits.

ITEM 6.7

Annual Required Contribution (ARC): ARC represents a level of funding that, if paid on an ongoing basis, is projected to cover normal costs each year and amortize any unfunded actuarial liabilities over a period of 30 years.

Unfunded Actuarial Accrued Liability (UAAL): The excess of the actuarial accrued liability over the actuarial value of plan assets.

Current C/CAG actuarial liability

The actuarial valuation report calculated the C/CAG unfunded actuarial accrued liability (UAAL) to be \$197,811 by fiscal year ending June 30, 2013, and that the UAAL will grow to be \$215,079 by June 30, 2014, and will grow to be \$232,739 by June 30, 2015, if there is no prefunding.

At present, C/CAG is using pay-as-you-go. That means C/CAG is only paying for the actual cost of retiree benefit, estimated at \$11,462 for FY 2013-14. However, the Annual Required Contribution (ARC) is \$29,039.

Analysis

The accrued liability comes from employees who have worked for C/CAG and have earned the benefit. Because the employee has already worked and earned the benefit over the past many years, that liability has been accrued. GASB 45 requires reporting on the unfunded liability.

By prefunding at \$184,359, C/CAG will eliminate its OPEB unfunded actuarial accrued liability. Future cost would still be assigned (normal costs for the 2 active employees, estimated at \$14,500 for FY 2014-15).

Finance Committee Recommendation

The Finance Committee met on August 26, 2013 and recommended prefunding the \$184,359, which is based on the assumption of 6.5% rate of return earning on the prefund amount in the irrevocable trust. The voting outcome of the Finance Committee was 2 in favor and 1 against.

ATTACHMENTS

1. Executive Summary of Bickmore Report (C/CAG Actuarial Valuation of OPEB as of July 1, 2012).
2. Table 1A – Summary of Valuation results (Pay-As-You-Go basis)
3. Table 1B – Calculation of the Annual Required Contribution
4. Appendix 1 – Comparison of Pay-As-You-Go and Prefunding
5. C/CAG Actuarial Valuation of OPEB as of July 1, 2012 (Full Report) (*Provide to C/CAG members only. Also available at <http://www.ccag.ca.gov/ccag.html>*)



Bickmore

City/County Association of Governments
of San Mateo County

Actuarial Valuation of Other
Post-Employment Benefit Programs
as of July 1, 2012

Submitted February 2013

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A. Executive Summary

This report presents the results of the July 1, 2012 actuarial valuation of the City/County Association of Governments of San Mateo County (C/CAG) other post-employment benefit (OPEB) programs. Briefly, benefits include subsidized medical coverage for eligible retirees. The purpose of this valuation is to assess the OPEB liabilities and provide disclosure information as required by Statement No. 45 of the Governmental Accounting Standards Board (GASB 45). This is the first such report prepared for C/CAG, as prior OPEB reporting for its employees was included in the reporting of the City of Redwood City.

Prefunding is the term used to describe when an agency consistently contributes an amount at least equal to the annual required contribution (ARC) each year, with the funds set aside in an irrevocable trust available only to pay plan benefits. Contributing only the current year's retiree payments is referred to as pay-as-you-go funding. There are other options relating to the funding policy, including shorter amortization periods and partial pre-funding. These other options would require additional calculations not provided in this report, though we would be happy to provide illustrations at the C/CAG's request.

Prefunding the plan supports use of a higher discount rate and generally produces substantially lower liabilities than a pay-as-you-go funding policy. Results presented in this report are based on discount rates of 4% for pay-as-you-go and 6.5% and 7.5% to illustrate prefunding. None of these rates are a guarantee of future investment performance, but rather an assumption about the long term rate of return. We have selected these rates based on our judgment, though the ultimate decision for these rates lies with the C/CAG.

C/CAG confirmed that no irrevocable OPEB trust has yet been established and does not intend to do so prior to June 30, 2013. Accordingly, we calculate the GASB 45 actuarial accrued liability (AAL) on a pay-as-you-go basis to be \$197,811 as of July 1, 2012. With no trust assets to offset these liabilities, the unfunded actuarial accrued liability as of this date is also \$197,811.

The following summarizes results for the fiscal year ending June 30, 2013, determined on a pay-as-you-go basis:

- We calculate the annual required contribution (ARC) to be \$27,475.
- We project contributions totaling \$10,518 for the fiscal year ending June 30, 2013, equal to the premium payments for retirees.
- Based on the calculations and contributions as described above, we calculate a net OPEB obligation of \$16,957 as of June 30, 2013.

These results are shown in tables beginning on page 9. Projected results for the fiscal years ending June 30, 2014 and June 30, 2015, assuming continuation of a pay-as-you-go funding policy, are also shown in these tables.

To assist C/CAG in assessing the ramifications of establishing a prefunding policy, we also illustrate results on a prefunding basis in Appendix 1, comparing results for two different assumed rates of return.

**Executive Summary
(Concluded)**

The liabilities shown in the report reflect assumptions regarding continued future employment, rates of retirement and survival, and elections by future retirees to retain coverage for themselves and their spouses. To the extent that actual experience is not what we assumed, future results will be different. We also note that this valuation has been prepared on a closed group basis; generally, no provision is made for new employees. However, given the small number of C/CAG employees, we have reflected one retirement and one new employee hired between the valuation date and the date this report was issued.

Details of our valuation process and the various disclosures required by GASB 45 are provided on the succeeding pages. The date of the next actuarial valuation should not be later than July 1, 2015. If there are any significant changes in the employee data, benefits provided or the funding policy, please contact us to discuss whether an earlier valuation is appropriate.

Table 1A
Summary of Valuation Results
Pay-As-You-Go Basis

The following summarizes the results of our July 1, 2012 valuation of OPEB liabilities for C/CAG calculated under GASB 45 for the fiscal year ending June 30, 2013. We have also projected corresponding amounts for the fiscal years ending June 30, 2014 and 2015.

Valuation date	Pay-As-You-Go Basis		
	7/1/2012		
For fiscal year beginning	7/1/2012	7/1/2013	7/1/2014
For fiscal year ending	6/30/2013	6/30/2014	6/30/2015
Discount rate	4.00%	4.00%	4.00%
Number of Covered Employees*			
Actives	2	2	2
Retirees	1	1	1
Total Participants	3	3	3
Actuarial Present Value of Projected Benefits			
Actives	\$ 227,938	\$ 235,954	\$ 243,280
Retirees	117,584	112,871	108,036
Total APVPB	345,522	348,825	351,316
Actuarial Accrued Liability (AAL)			
Actives	80,227	102,207	124,703
Retirees	117,584	112,871	108,036
Total AAL	197,811	215,079	232,739
Actuarial Value of Assets			
	-	-	-
Unfunded AAL (UAAL)	197,811	215,079	232,739
Normal Cost	19,109	19,730	20,371
Benefit Payments			
Actives (in retirement)	1,102	2,112	3,703
Retirees	9,416	9,350	4,331
Total	10,518	11,462	8,034

* Because this valuation has been prepared on a closed group basis, potential future employees are not included. However, given the small number of C/CAG employees, we have reflected one recent retirement and one new employee hired. For future years, we recognize the possibility that active employees will leave employment and that some may retire and elect benefits based on assumptions outlined in Table 4, so the actual number of employees in future years would be different from those shown above.

Table 1B
Calculation of the Annual Required Contribution

The following exhibit calculates the amortization payments and the annual required contribution (ARC) on a pay-as-you-go basis for the fiscal years ending June 30, 2013, June 30, 2014 and June 30, 2015.

Fiscal Year End	Pay-As-You-Go Basis		
	6/30/2013	6/30/2014	6/30/2015
Funding Policy			
Discount rate	4.00%	4.00%	4.00%
Amortization method	Level % of Pay	Level % of Pay	Level % of Pay
Initial amortization period (in years)	30	30	30
Remaining period (in years)	30	29	28
Determination of Amortization Payment			
UAAL	\$ 197,811	\$ 215,079	\$ 232,739
Factor	27.0642	26.2536	25.437
Payment	7,309	8,192	9,150
Annual Required Contribution (ARC)			
Normal Cost	19,109	19,730	20,371
Amortization of UAAL	7,309	8,192	9,150
Interest to 06/30	1,057	1,117	1,181
Total ARC at fiscal year end	27,475	29,039	30,702

While the following is not intended to be used to determine the normal cost or ARC in future years, this information may be of value for planning purposes:

Valuation date	7/1/2012		
	6/30/2013	6/30/2014	6/30/2015
Projected covered payroll	\$ 247,208	\$ 255,242	\$ 263,538
Normal Cost as a percent of payroll	7.7%	7.7%	7.7%
ARC as a percent of payroll	11.1%	11.4%	11.6%
ARC per active ee	13,738	14,520	15,351

**Appendix 1
 Comparison of Pay-As-You-Go and Prefunding**

The following table provides an illustration of results for the fiscal years ending June 30, 2014 and 2015 for a selection of different funding levels and discount rates. The different funding levels vary, in part, on how rapidly the unfunded accrued liability is amortized. The pay-as-you-go results are the same results found in Tables 1A, 1B and 1C for these two years.

Contribution Level	Pay-As-You-Go	Prefunding	
	only pay retiree benefits	contribute at least 100% of the ARC	
Discount Rate	4.00%	6.50%	7.50%
Valuation results adjusted to fiscal year ended June 30, 2014:			
Number of Covered Employees			
Actives	2	2	2
Retirees	1	1	1
Total Participants	3	3	3
Present Value of Future Benefits			
(Value of all benefits now)	\$ 348,825	\$ 241,271	\$ 211,850
Actuarial Accrued Liability			
(Future benefit costs assigned to past employee service)	215,079	159,960	143,969
Normal Cost			
(Future benefit costs assigned to employee service during this year)	19,730	13,147	11,354
Expected Retiree Benefit Payments	11,462	11,462	11,462

Annual Required Contributions for FYE 2014			
(equals normal cost plus amortization payment plus interest to fiscal year end)			
1 Minimum (30 year level % of pay amortization)	29,039	22,770	21,079
2 30 year level dollar amortization of unfunded AAL	Not typically	26,394	24,514
3 10 year level dollar amortization of unfunded AAL	used with pay-	36,253	33,180
4 1 year level dollar amortization of unfunded AAL	as-you-go	184,359	166,972

Annual Required Contributions for FYE 2015			
1 Minimum (30 year level % of pay amortization)	30,702	23,509	21,763
2 30 year level dollar amortization of unfunded AAL	Not typically	26,849	24,911
3 10 year level dollar amortization of unfunded AAL	used with pay-	36,707	33,577
4 1 year level dollar amortization of unfunded AAL	as-you-go	14,456	12,602

Note: OPEB contributions include payments made by C/CAG to pay retiree benefits

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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

August 8, 2013

The Honorable Darrell Steinberg
California State Senate, President pro Tempore
State Capitol, Room 205
Sacramento, CA 95814

Dear Senator Steinberg:

On behalf of the City/County Association of Governments of San Mateo County (C/CAG), we are pleased to support the nomination of Mr. Brian Kelly as Secretary of the newly created California State Transportation Agency.

Mr. Kelly has more than 20 years of experience working on transportation issues, steering diverse public and private infrastructure factions to successful funding, and leading policy directives that have enhanced California's transportation system and delivery. As a senior advisor to five Senate pro Tempore leaders and Secretary to the former Business, Transportation, & Housing Agency, Mr. Kelly has distinguished himself as a leader in project delivery, funding, and infrastructure policy.

Our agency, which serves as the congestion management agency for San Mateo County, believes that Mr. Kelly is uniquely qualified to serve as the first Secretary of the California State Transportation Agency and strongly endorses his appointment. He has made it a priority to seek the opinions of local transportation partners throughout his career, working to enhance project delivery, while crafting lasting partnerships. This was evident in the delivery of Proposition 1B and high-speed rail funding to our county.

Mr. Kelly is dedicated to improving California's transportation infrastructure and we believe his confirmation as Secretary of the California State Transportation Agency will benefit the efficient management and delivery of transportation programs throughout California.

For these reasons, we ask that you appoint Mr. Brian Kelly as the Secretary of the California State Transportation Agency.

Sincerely,



Brandt Grotte
Board Chair
City/County Association of Governments of San Mateo County

cc: Members, Senate Rules Committee

The Honorable Rich Gordon, Assembly Member, 24th District
The Honorable Kevin Mullin, Assembly Member, 22nd District
The Honorable Jerry Hill, Senator, 13th District
The Honorable Leland Yee, Senator, 8th District

ITEM 9.1

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*

Date: September 4, 2013

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

From: Brandt Grotte, C/CAG Chair

Subject: **C/CAG Committee Vacancies for Elected Officials**

The City/County Association of Governments of San Mateo County (C/CAG) currently has vacancies on four of its standing Committees for elected officials of City Councils and/or the Board of Supervisors. The vacancies are:

- 1 Seat – Congestion Management & Environmental Quality (CMEQ) Committee**
- 1 Seat – Resource Management and Climate Protection (RMCP) Committee**
- 1 Seat – Bicycle and Pedestrian Advisory Committee (BPAC)**
- 2 Seats – Legislative Committee**

Individuals wishing to be considered for appointment to any of these Committees should send a letter of interest to:

Sandy Wong, C/CAG Executive Director
City/County Association of Governments
555 County Center, 5th Floor
Redwood City, CA 94063
or e-mail to slwong@smcgov.org

Individuals must be an elected official on one of the twenty City Councils in San Mateo County or an elected official on the San Mateo County Board of Supervisors. Individuals may send a letter of interest for a specific committee or a letter expressing interest in serving on any of the committees where there are vacancies.

About the committees:

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

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

2. **The Resource Management and Climate Protection Committee (RMCP)** provides advice and recommendations to the full C/CAG Board and provides updates to the Congestion Management and Environmental Quality (CMEQ) Committee on matters related to energy, water use and climate action efforts in San Mateo County and develops and promotes actions, programs and resources on the same. The RMCP committee also reports on the San Mateo County Energy Watch (SMCEW) and promotes the goals outlined in the San Mateo County Energy Strategy, including: energy, water, collaboration between cities and the utilities, leadership, and economic development opportunities. There is one vacancy on this committee.
3. **The Bicycle and Pedestrian Advisory Committee (BPAC)** provides advice and recommendations to the full C/CAG Board on all matters relating to bicycle and pedestrian facilities planning, and selection of projects for state and federal funding. This Committee has approximately six meetings per year. They generally fall on the fourth Thursday of the month from 7:00 p.m. to 9:00 p.m. in San Mateo City Hall. There is one vacancy on this Committee.
4. **The Legislative Committee** provides advice and recommendations to the full C/CAG Board on all matters dealing with State and Federal Legislation, ballot measures, and positions to take on specific bills. The Committee is also the liaison with C/CAG's Lobbyist in Sacramento. The Committee meets at 5:00 p.m. on the 2nd Thursday of the month, immediately before the regular C/CAG Board meeting. The Committee generally cancels its meetings when the State Legislature is in recess. There are two vacancies on this committee.

If you would like to be considered for any of these Committees, please submit your letter of interest by **October 18, 2013**.

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

For CMEQ:	For RMCP:	For BPAC:	For Legislative Committee:
Sandy Wong	Kim Springer	Tom Madalena	Jean Higaki
650-599-1409	650-599-1412	650-599-1460	650-599-1462
slwong@smcgov.org	kspringer@smcgov.org	tmadalena@smcgov.org	jhigaki@smcgov.org

Sincerely,



Brandt Grotte
C/CAG Chair