

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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

BOARD MEETING NOTICE

Meeting No. 232

- DATE:** Thursday, February 10, 2011
- TIME:** **6:30 P.M. Board Meeting**
- PLACE:** San Mateo County Transit District Office
1250 San Carlos Avenue, Second Floor Auditorium
San Carlos, CA
- PARKING:** Available adjacent to and behind building.
Please note the underground parking garage is no longer open.
- PUBLIC TRANSIT:** SamTrans Bus: Lines 261, 295, 297, 390, 391, 397, PX, KX.
CalTrain: San Carlos Station.
Trip Planner: <http://transit.511.org>

- 1.0 CALL TO ORDER/ ROLL CALL
- 2.0 **PLEDGE OF ALLEGIANCE**
- 3.0 PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA
Note: Public comment is limited to two minutes per speaker.
- 4.0 PRESENTATIONS/ ANNOUNCEMENTS
 - 4.1 PRESENTATION
 - 4.1.1 Presentation to Paul Seto, Councilmember of the City of Millbrae, for his years of dedicated service and contributions to C/CAG. p. 1
 - 4.1.2. Presentation to Kelly Fergusson, Councilmember of the City of Menlo Park, for her years of dedicated service and contributions to C/CAG. p. 5

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. 230 dated December 9, 2010. ACTION p. 9
- 5.2 Review and Approval of Resolution 11-02 Authorizing the Executive Director to enter into an agreement with the Alameda County Clean Water Program regarding the coordination of efforts and joint legal representation for unfunded mandate test claims filed by San Mateo and Alameda County member agencies. ACTION p. 15
- 5.3 Review and approval of Resolution 11-09 authorizing the C/CAG Chair to execute an agreement with Jacobs Engineering Group to provide traffic monitoring service for the 2011 Congestion Management Program (CMP) update in an amount not to exceed \$55,822.02. ACTION p. 21
- 5.4 Review and approval of Resolution 11-04 authorizing the C/CAG chair to execute an Agreement with Mokhtari Engineering Inc. for project management services on the Smart Corridors Project for one year in an amount not to exceed \$100,000. ACTION p. 35
- 5.5 Review and Approval of C/CAG Resolution 11-01 Authorizing the C/CAG Chair to Execute an Agreement (Memorandum of Understanding) Between C/CAG and the San Francisco Airport Commission for Partial Funding for the Preparation of an Update of the Comprehensive Airport Land Use Compatibility Plan (CLUP) for the Environs of San Francisco International Airport and Related C/CAG Staff Costs in the Amount of \$100,000 to be Paid to the C/CAG Board in FY 2010/2011. ACTION p. 49
- 5.6 Review and accept C/CAG Audits.
- 5.6.1 Review and accept the Abandoned Vehicle Abatement Fund Financial Statements (Audit) for the Year Ended June 30, 2010. ACTION p. 59
- 5.6.2 Review and accept the C/CAG Basic Financial Statements (Audit) for the Year Ended June 30, 2010. ACTION p. 65
- 5.6.3 Review and accept the AB 1546 Fund Financial Statements (Audit) for the Year Ended June 30, 2010. ACTION p. 81
- 5.6.4 Review and accept the Memorandum on Internal Control and Required Communications for the Year Ended June 30, 2010. ACTION p. 87
- 5.7 Request the Finance Committee to evaluate the performance of the City/ County Association of Governments of San Mateo County (C/CAG) and to make a recommendation to the Board on reauthorization. ACTION p. 91
- 5.8 Review and approval of the Joint Call for Projects for the San Mateo County Bicycle and Pedestrian Program for FY 2012 and FY 2013. ACTION p. 93

- 5.9 Review and approval of Resolution 11-07 authorizing the Chair to execute an agreement with Joint Venture Silicon Valley Network for \$75,000 for ongoing direct support and assistance services to local governments. ACTION p. 119
- 5.10 Approval of appointments to fill two vacant stakeholder seats on the Resource Management and Climate Protection Committee. ACTION p. 135
- 5.11 Review and approval of co-sponsoring the Silicon Valley Leadership Group efforts to Save Caltrain and provide \$3,000 for outreach meetings and polling. ACTION p. 141

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

6.0 REGULAR AGENDA

- 6.1 Review and approval of C/CAG Legislative priorities, positions, Legislative update, and State legislative advocate.
(A position may be taken on any legislation, including legislation not previously identified.) ACTION p. 145
- 6.1.1 Presentation from State Legislative Advocate. INFORMATION
- 6.1.2 Review and approval of Resolution 11-05 authorizing the C/CAG Chair to execute an agreement with Advocation to provide State legislative advocacy services for an amount not exceed \$72,000 annually for two years or a total of \$144,000. ACTION p. 179
- 6.2 Review and approval of Resolution 11-08 authorizing the C/CAG Chair to execute an agreement with the San Mateo County Superintendent of Schools to administer and manage the Countywide Safe Routes to School Program in an amount not to exceed \$2,000,000. ACTION p. 199
- 6.3 Review and approval of Resolution 11-06 accepting the North Central San Mateo (City) Community-Based Transportation Plan and recommending implementation of the identified strategies. ACTION p. 213
- 6.4 Review and Approval of Resolution 11-03 Authorizing Submittal of an Application for \$1.5 Million in Grant Funds Under the U.S. Environmental Protection Agency's San Francisco Bay Water Quality Improvement Fund and Authorizing the Executive Director to Commit \$500,000 in Matching Funds and \$1 Million in Leveraged Funds for Focused Green Street Project Implementation to Address Polychlorinated Biphenyl (PCB) Pollution in San Carlos and Development of a Countywide Green Streets Implementation Plan ACTION p. 219
- 6.5 Review and provide input on the draft San Mateo County Countywide Transportation Plan 2035 (CTP 2035) visions, goals and objectives. ACTION p. 225
- 6.6 Nominations for C/CAG Chair and Vice Chair (two) for the March election of officers. ACTION p. 259

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 Chair Kasten to Honorable Jeff Ira, Mayor, City of Redwood City, dated 1/4/11. Re: C/CAG Board Review/Action on the City of Redwood City *Downtown Precise Plan Public Review Draft 8/31/10*. p. 265

9.2 Letter from Chair Kasten to Honorable Carole Groom, Supervisor/Vice-President, County of San Mateo Board of Supervisors, dated 1/4/2011. Re: CCAG Board Review/Action on the *San Mateo County 2007-2014 Draft Housing Element*. p. 267

9.3 Letter from Chair Kasten to City Managers/ County Manager dated 1/4/11. Re: Test Claim for Unfunded Mandates Relating to California Water Quality Control Board, San Francisco Bay Region, Permit No. CAS612008, issued as Order No. R2-2009-0074 (October 14, 2009). p. 269

9.4 Letter from Bijan Sartipi, District Director, Department of Transportation, to Mr. Richard Napier, Executive Director C/CAG, dated 1/26/11. Re: Route 101/Candlestick Point Interchange Modification Project Study Report (PSR) and the 101/Holly Street Interchange PSR in the Project Initiation Document Reimbursement Pilot Program. p. 271

10.0 ADJOURN

Next scheduled meeting: March 10, 2011 Regular Board Meeting.

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

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

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

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

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

FUTURE MEETINGS

February 10,2011 Finance Committee - SamTrans 2nd Floor Auditorium - 4:30 p.m.
February 10, 2011 Legislative Committee - SamTrans 2nd Floor Auditorium - 5:30 p.m.
February 10, 2011 C/CAG Board - SamTrans 2nd Floor Auditorium - 6:30 p.m.
February 15, 2011 NPDES Technical Advisory Committee - to be determined - 10:00 a.m.
February 17, 2011 Resource Management and Climate Protection Committee (RMCP)
February 17, 2011 CMP Technical Advisory Committee - SamTrans 2nd Floor Auditorium - 3:00 p.m.
February 21, 2011 Administrators' Advisory Committee - 555 County Center, 5th Fl, Redwood City – Noon
February 24, 2011 Bicycle and Pedestrian Advisory Committee (BPAC) - San Mateo City Hall -
Conference Room C - 7:00 p.m.
February 28, 2011 CMEQ Committee - San Mateo City Hall - Conference Room C - 3:00 p.m.

C/CAG AGENDA REPORT

Date: February 10, 2011
To: C/CAG Board of Directors
From: Richard Napier, Executive Director
Subject: Presentation to Paul Seto, Councilmember of the City of Millbrae, for His years of dedicated service and contributions to C/CAG.

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

RECOMMENDATION

That the C/CAG Board honor Paul Seto for His years of dedicated service and contributions to C/CAG.

FISCAL IMPACT

Not applicable.

SOURCE OF FUNDS

Not applicable.

BACKGROUND/DISCUSSION

Paul Seto has contributed years of dedicated public service in San Mateo County. He has served as a Councilmember and Mayor for the City of Millbrae. He has provided leadership to C/CAG as a Board of Directors member, and the C/CAG Airport Land Use Committee (ALUC). The C/CAG Board of Directors, as well as the C/CAG staff, have appreciated Paul Seto.

ATTACHMENTS

Certificate of appreciation.

ITEM 4.1.1

12

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS
OF SAN MATEO COUNTY

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Millbrae • Millbrae • Millbrae • Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County
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**A PRESENTATION OF THE BOARD OF DIRECTORS OF THE
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF
SAN MATEO COUNTY (C/CAG) EXPRESSING APPRECIATION TO
PAUL SETO**

FOR HIS DEDICATED SERVICE TO C/CAG

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

Whereas, Paul Seto has served the City of Millbrae community in many capacities; and,

Whereas, Paul Seto has served as Mayor and Council Member for the City of Millbrae for three years; and,

Whereas, Paul Seto has served on the C/CAG Board of Directors, representing the City of Millbrae; in 2010, and,

Whereas, Paul Seto has served on the C/CAG Airport Land Use Committee, representing the City of Millbrae; from 2008 to 2009.

Now, therefore, the Board of Directors of C/CAG hereby resolves that C/CAG expresses its appreciation to Paul Seto for his years of dedicated public service, and wishes his happiness and success in the future.

PASSED, APPROVED, AND ADOPTED THIS 10TH DAY OF JANUARY, 2011.

Thomas M. Kasten, Chair

C/CAG AGENDA REPORT

Date: February 10, 2011
To: C/CAG Board of Directors
From: Richard Napier, Executive Director
Subject: Presentation to Kelly Fergusson, Councilmember of the City of Menlo Park, for her years of dedicated service and contributions to C/CAG.

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

RECOMMENDATION

That the C/CAG Board honor Kelly Fergusson for her years of dedicated service and contributions to C/CAG.

FISCAL IMPACT

Not applicable.

SOURCE OF FUNDS

Not applicable.

BACKGROUND/DISCUSSION

Kelly Fergusson has contributed years of dedicated public service in San Mateo County. She has served as a Councilmember and Mayor for the City of Menlo Park. She has provided leadership to C/CAG as a Board of Directors member. The C/CAG Board of Directors, as well as the C/CAG staff, have appreciated Kelly Fergusson.

ATTACHMENTS

Certificate of appreciation.

ITEM 4.1.2

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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

**A PRESENTATION OF THE BOARD OF DIRECTORS OF THE
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF
SAN MATEO COUNTY (C/CAG) EXPRESSING APPRECIATION TO
KELLY FERGUSSON
FOR HER DEDICATED SERVICE TO C/CAG**

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

Whereas, Kelly Fergusson has served the City of Menlo Park community in many capacities; and,

Whereas, Kelly Fergusson has served as Mayor and Council Member for the City of Menlo Park for many years; and,

Whereas, Kelly Fergusson has served on the C/CAG Board of Directors, representing the City of Menlo Park; from 2007 through 2010.

Now, therefore, the Board of Directors of C/CAG hereby resolves that C/CAG expresses its appreciation to Kelly Fergusson for her many years of dedicated public service, and wishes her happiness and success in the future.

PASSED, APPROVED, AND ADOPTED THIS 10TH DAY OF JANUARY, 2011.

Thomas M. Kasten, Chair

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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Meeting No. 230
December 9, 2010

1.0 CALL TO ORDER/ROLL CALL

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

Christine Wozniak - Belmont
Sepi Richardson - Brisbane
Terry Nagel - Burlingame
Joseph Silva - Colma
David Canepa - Daly City
Linda Koelling - Foster City
Tom Kasten - Hillsborough
Paul Seto - Millbrae
Julie Lancelle - Pacifica
Maryann Moise Derwin - Portola Valley
Rosanne Foust - Redwood City
Bob Grassilli - San Carlos
Brandt Grotte - San Mateo
Carole Groom - San Mateo County
Karyl Matsumoto - South San Francisco, San Mateo County Transit District

Absent:

Atherton
East Palo Alto
Half Moon Bay
Menlo Park
San Bruno
Woodside

Others:

Richard Napier, Executive Director - C/CAG
Nancy Blair, C/CAG Staff
Sandy Wong, Deputy Director - C/CAG
Lee Thompson, C/CAG - Legal Counsel
John Hoang, C/CAG Staff
Tom Madalena, C/CAG Staff
Jean Higaki, C/CAG Staff
Joe Kott, C/CAG Staff
Dave Carbone, C/CAG Staff

ITEM 5.1

Parviz Makhtari, C/CAG Staff
Christine Maley-Grubl, Alliance
George Mozingo, San Mateo County
David Boesch, San Mateo County
Clayton Holstein, Brisbane
Jim Bigelow, Redwood City/San Mateo County Chamber, CMEQ Member
Pat Bell, San Carlos
Sue Lempert, San Mateo
Will Travis, BCDC
Joe LaClair, BCDC

4.1 PRESENTATION

- 4.1.1 Presentation of Certificate of Appreciation to Julie Lancelle, Councilmember of the City of Pacifica, for her years of dedicated service and contributions to C/CAG.
- 4.1.2 Presentation of Certificate of Appreciation to Sue Lempert, City of San Mateo, for her years of dedicated service and contributions to MTC.
- 4.1.3 Presentation by State Senator Leland Yee.
- 4.1.4 Presentation by Bay Conservation Development Commission

4.2 ANNOUNCEMENTS

C/CAG's 20th Anniversary

5.0 CONSENT AGENDA

Board Member Richardson **MOVED** approval of Consent Items 5.1, 5.2, 5.3, 5.4, 5.5, and 5.6. Board Member Koelling **SECONDED**. **MOTION CARRIED** 15-0 for Items 5.2 thru 5.6 and **MOTION CARRIED** 11-0-4. for Item 5.1 with Board Members Grotte, Wozniak, Groom, and Foust abstaining from Item 5.1.

- 5.1 Approval of the Minutes of Regular Business Meeting No. 229 dated November 18, 2010.
APPROVED
- 5.2 Consideration of a Referral from the County of San Mateo, Re: Comprehensive Airport Land Use Compatibility Plan (CLUP) Consistency Review of a General Plan Amendment: *San Mateo County 2007-2014 Draft Housing Element*.
APPROVED
- 5.3 Consideration/Approval of a Comprehensive Airport Land Use Plan (CLUP) Consistency Review of a Referral From the City of Redwood City, Re: *Downtown Precise Plan Public Review Draft 8/31/2010*.
APPROVED
- 5.4 Review and approval of Resolution 10-65 authorizing the C/CAG Chair to execute an agreement between C/CAG and the San Mateo County Department of Housing for Cooperative Pursuit of Housing Solutions and to share costs for consulting and staff support services at a net cost to C/CAG of not to exceed \$100,000 for the fiscal year 2010-11.
APPROVED

- 5.5 Update on the San Mateo County Energy Watch, Local Government Partnership with Pacific Gas and Electric Company. INFORMATION

Saved approximately 2,178 Megawatt hours and 378 peak kilowatts which is on track to meet 2010 goals.

- 5.6 Review and accept the Quarterly Investment Report ending September 30, 2010. APPROVED

Earned \$16,094 or 0.76% interest for the quarter.

6.0 REGULAR AGENDA

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

The C/CAG Legislative Committee ranked the 2011 Legislative Priorities as follows:

- Priority 1 - Protect against the diversion of local revenues including the protection of redevelopment funds and programs.
- Priority 2 - Protect against increased local costs resulting from State action without 100% State reimbursement for the added costs.
- Priority 3 - Advocate for revenue solutions to address State budget issues that are also beneficial to Cities/ County.
- Priority 4 - Encourage the State to protect transportation funding and develop an equitable cost-sharing arrangement to pay for any cost overruns on the construction of the Bay Bridge.
- Priority 5 - Secure stable funding to pay for increased NPDES mandates.
- Priority 6 - Support reasonable climate action/Greenhouse Gas legislation.
- Priority 7 - Support energy conservation.
- Priority 8 - Support for transportation funding for preparation of comprehensive land use plans for airports and support business community engagement in transportation demand management efforts.
- Priority 8 - Support lowering the 2/3rd super majority vote for local special purpose taxes.

Board Member Foust MOVED approval of Item 6.1. Board Member Richardson SECONDED. **MOTION CARRIED** 15-0.

- 6.2 Review and approval of Resolution 10-64 (1) accepting the certificate of the Chief Elections Officer as the statement of the result of the vote as determined by the official canvass of the November 2, 2010, Measure M election; (2) declaring and accepting the passage of Measure M; and (3) imposing a \$10 Vehicle Registration Fee on vehicles registered in San Mateo County in accordance with Measure M. APPROVED

Board Member Grotte MOVED approval of Item 6.2. Board Member Seto SECONDED. **MOTION CARRIED** 15-0.

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

6.4 Review and approval of Resolution 10-63 reauthorizing the San Mateo County Congestion Relief Plan for four years from July 1, 2011 to June 30, 2015.
APPROVED

Board Member Richardson MOVED approval of Item 6.4. Board Member Nagel SECONDED.

A Super Majority Vote was taken by roll call. **MOTION CARRIED** 15-0. Results: 15 Agencies approving. This represents 71% of the Agencies representing 82% of the population.

6.5 Review and approval of Resolution 10-66 authorizing the C/CAG Chair to execute an agreement with the Santa Clara Valley Transportation Authority (VTA) for travel demand forecasting model license and services for a three (3) year term in an amount not to exceed \$575,000.
APPROVED

Board Member Foust MOVED approval of Item 6.5. Board Member Grotte SECONDED.
MOTION CARRIED 15-0.

7.0 COMMITTEE REPORTS

7.1 Committee Reports (oral reports).

None.

7.2 Chairperson's Report.

The Chair commented on Item 9.3, and provided an update.

7.3 Boardmembers Report

None.

8.0 EXECUTIVE DIRECTOR'S REPORT

The Director wished everyone a safe and happy holiday.

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 Chair Kasten to the Honorable R. Sean Randolph, Chairman, San Francisco Bay Conservation Development Commission, dated 11/1/10. RE: San Francisco Bay Conservation Development Commission's (BCDC) proposed Bay Plan amendment.

- 9.2 Letter from Chair Kasten to All Councilpersons of San Mateo County Cities and Members of the Board of Supervisors, dated 11/18/10. Re: Vacancies on the Congestion Management and Environmental Quality Committee (CMEQ) and the Bicycle and Pedestrian Advisory Committee (BPAC).
- 9.3 Letter from Chair Kasten to the Honorable Ross Mirkarimi, Board Chair, San Francisco County Transportation Authority, dated 11/22/10. Re: C/CAG's opposition to the Mobility, Access and Pricing Study (MAPS) Scenario 3.

10.0 ADJOURN

The meeting adjourned at 8:43 p.m.



C/CAG AGENDA REPORT

Date: February 10, 2011
To: City/County Association of Governments Board of Directors
From: Richard Napier, C/CAG Executive Director
Subject: Review and approval of Resolution 11-02 authorizing the Executive Director to enter into an agreement with the Alameda County Clean Water Program regarding the coordination of efforts and joint legal representation for unfunded mandate test claims filed by San Mateo and Alameda County member agencies.

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

RECOMMENDATION

The C/CAG Board review and approve Resolution 11-2 authorizing the Executive Director to enter into an agreement with the Alameda County Clean Water Program regarding the coordination of efforts and joint legal representation for unfunded mandate test claims filed by San Mateo and Alameda County member agencies.

FISCAL IMPACT

There is no unanticipated fiscal impact from the proposed resolution. Under the proposed arrangement, the cost to C/CAG and its members for legal services through a decision by the State Commission on Mandates would not exceed \$60,580 over the next calendar year. The San Mateo Countywide Water Pollution Prevention Program (Countywide Program) has approximately \$35,000 remaining in the current fiscal year budget and \$75,000 budgeted in the 2011/12 fiscal year for such activity. Due to the current timeline for the Commission's process, it is unlikely significant funds will be expended under this agreement in the remainder of the current fiscal year.

SOURCE OF FUNDS

Sufficient funds are included in the Countywide Program's annual budget for permit-related legal issues. Funding for the Countywide Program comes from property tax revenue and vehicle registration fees.

BACKGROUND/DISCUSSION

The Municipal Regional Permit (MRP) was adopted by the Regional Water Quality Control Board in October 2009 and went into effect on December 1, 2009. The MRP applies to most Bay Area Counties and jurisdictions, including among others, the member agencies of C/CAG and the Alameda County Clean Water Program.

When the MRP was first issued, the Countywide Program partnered with the Santa Clara, Alameda, and Fairfield-Suisun stormwater programs to analyze the MRP to determine which provisions have a high probability of success for being declared unfunded mandates by the State Commission on Unfunded Mandates (the "Commission"). Model documents that could be used by all jurisdictions within those programs for filing test claims were prepared for those jurisdictions wishing to file a test claim. In October 2010, of the 22 San Mateo co-permittees under the MRP (20 cities/towns, the county, and the

ITEM 5.2

flood control district), 21 filed timely test claims based on the model documents. Sixteen of the 17 co-permittees in Alameda County filed similar test claims.

The Commission reviewed the test claims and determined that it would effectively require the San Mateo County claimants to consolidate their test claims by rejecting all but the first-filed test claim (that of the City of Brisbane), but allow the “rejected” claimants to participate as co-claimants by re-filing the test claim form and indicating a common spokesperson. Each C/CAG member jurisdiction has been sent the information and documentation required to become a co-claimant as suggested by the Commission and has been asked to return those forms for submittal to the Commission by January 28, 2011. As of January 28, 2011, 21 of the 22 potential co-claimants had returned the required documentation.

In anticipation of some form of consolidation, this C/CAG Board at its November 18, 2010, meeting passed resolution 10-62. In addition to authorizing C/CAG staff to continue to provide support for the member agency test claims, that resolution authorized the Executive Director, acting on behalf of C/CAG and the Countywide Program, to serve as the spokesperson and representative for those member agencies making such a request.

Going forward, the unfunded mandate test claim process will continue with several steps. The Commission staff will provide the test claims to State agencies for review and comment. Those comments are currently due by March 18, 2011, but it is possible, if not likely, that the State agencies will ask for even more time. Once the State agency comment period ends, the test claimants will have an opportunity to respond to those comments. Once the review and commenting process is complete, Commission staff will issue a draft decision that is subject to additional public review and comment. The Commission's staff will then provide a final recommendation to the Commission members for decision. The Commission's decision will be subject to appeal to the courts – by any impacted party.

In November, C/CAG staff estimated that the cost for C/CAG to provide joint representation for its member agencies' test claims through to a decision by the Commission was approximately \$100,000.

The Alameda County Clean Water Program, representing the Alameda County Claimants (the “Alameda Claimants”), has proposed that our two programs agree to a joint representation and cost sharing. The Alameda Claimants have already engaged the law firm of Meyers/Nave as their legal counsel and claimant representative in connection with the unfunded mandate claims. The cooperation and joint representation proposed would require that our Countywide Program and member claimants join the Alameda Claimants in the engagement of Meyers/Nave as legal counsel and claimant representative.

The arrangement would be that C/CAG (as the Countywide Program), would engage Meyers/Nave, as would each C/CAG member wishing to participate and continue as a claimant. While each C/CAG member jurisdiction would have an individual and direct attorney-client agreement and relationship with Meyers/Nave, no individual member jurisdiction would be billed for any services provided. Instead, as anticipated in November, all fees would be paid by C/CAG. Meyers/Nave would obtain any required conflict waivers. In turn, C/CAG and the Alameda County Clean Water Program would have an agreement between them, and with Meyers/Nave, pursuant to which all bills and invoices would be sent to the Alameda County Clean Water Program, and Alameda would in turn invoice C/CAG (the San Mateo County Program) at the end of each fiscal year for 50% of the shared costs. The arrangements will specify that, unless C/AG agrees otherwise, the total costs to C/CAG are not to exceed \$60,580 through the Commission's decision.

ATTACHMENTS

- Resolution 11-2

ALTERNATIVES

- 1- C/CAG Board approve Resolution 11-2 authorizing the Executive Director to enter into an agreement with the Alameda County Clean Water Program regarding the provision of joint legal representation for unfunded mandate test claims filed by San Mateo and Alameda County member agencies..
- 2- C/CAG Board reject the arrangement proposed by the Alameda County Clean Water Program and seek legal representation for member agency test claims separately.
- 3- No action.

RESOLUTION 11-2

RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/ COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE EXECUTIVE DIRECTOR, IN CONNECTION WITH THE MUNICIPAL REGIONAL PERMIT, TO: 1) EXECUTE A JOINT REPRESENTATION AND COST SHARING AGREEMENT WITH THE ALAMEDA COUNTY CLEAN WATER PROGRAM; 2) ENGAGE MEYERS/NAVE AS LEGAL COUNSEL AND CLAIMANT REPRESENTATIVE; AND 3) ENTER INTO OTHER AGREEMENTS OR ARRANGEMENTS AS REASONABLY NECESSARY TO SUPPORT THE AGREEMENTS WITH THE ALAMEDA COUNTY CLEAN WATER PROGRAM AND MEYERS/NAVE

WHEREAS, C/CAG manages the Countywide Water Pollution Prevention Program (Countywide Program) that assists C/CAG's member agencies and performs compliance activities in compliance with requirements contained in the Municipal Regional Permit (MRP) issued by the San Francisco Bay Regional Water Quality Control Board; and,

WHEREAS, C/CAG's member agencies have or will file test claims (the "test claims"), as claimants or co-claimants with the State's Commission on State Mandates (Commission) that identified certain provisions of the MRP as potential unfunded state mandates that cumulatively, over the course of the five-year term of the MRP, may cost C/CAG and its member agencies tens of millions of dollars in compliance costs; and,

WHEREAS, the members of the Alameda County Clean Water Program (the "Alameda Program") have filed claims with the Commission that are similar to the test claims and have engaged Meyers/Nave as legal counsel and claimant representative in connection therewith; and

WHEREAS, given the similarities in all of the test claims filed the C/CAG and Alameda Program member agencies, it would be more cost-effective for C/CAG and the Alameda Program to fund a common effort to support and defend the claims on behalf of their member agencies; and

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 Executive Director, in connection with the municipal regional stormwater permit, is authorized to:

1. Execute a joint representation and cost sharing agreement with the Alameda Program
2. Engage Meyers/Nave as legal counsel and claimant representative
3. Enter into other agreements or arrangements as reasonably necessary in support of the agreements with the Alameda Program and Meyers/Nave

PASSED, APPROVED, AND ADOPTED THIS 10TH DAY OF FEBRUARY, 2011.

Thomas M. Kasten, Chair

C/CAG AGENDA REPORT

Date: February 10, 2011

To: City/County Association of Governments Board of Directors

From: Richard Napier, Executive Director

Subject: Review and approval of Resolution 11-09 authorizing the C/CAG Chair to execute an agreement with Jacobs Engineering Group to provide traffic monitoring service for the 2011 Congestion Management Program (CMP) update in an amount not to exceed \$55,822.02

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

RECOMMENDATION

That the C/CAG Board review and approve Resolution 11-09 authorizing the C/CAG Chair to execute of an agreement with Jacobs to provide traffic monitoring service for the 2011 Congestion Management Program (CMP) update in an amount not to exceed \$55,822.02.

SOURCE OF FUNDS

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

FISCAL IMPACT

Up to \$60,000 has been budgeted for consulting services for the 2011 Congestion Management Program monitoring.

BACKGROUND/DISCUSSION

Every two years C/CAG, as the Congestion Management Agency for San Mateo County, is required to measure the roadway Level of Service (LOS) and conduct other activities to determine compliance with the Congestion Management Program (CMP). The CMP roadway system that are monitored includes 16 intersections and 53 roadway segments. The last monitoring update was performed in 2009.

Per the C/CAG adopted Procurement Policy, a formal Request for Proposal (RFP) process was utilized. On December 23, 2010, a Request for Proposal (RFP) was issued to solicit for a consultant to conduct monitoring services for the San Mateo County CMP for 2011. The scope of work to be provided by the consultant would include conducting traffic counts and perform level of service calculations on the CMP intersections and roadway segments using approved

ITEM 5.3

methodologies, and monitoring travel time performances for the Highway 101 corridor for automobiles and transit. Proposals were due on January 21, 2011.

C/CAG received a total of seven (7) proposals. A panel comprised of three staff reviewed, evaluated, and ranked the proposals based on the consultants' understanding of project objectives and requirements, technical project approach, project management, capabilities and experience. Cost was not considered. The firms were ranked based on the scoring results, as follows:

<u>Rank</u>	<u>Firm</u>
1	Jacobs Engineering Group
2	Dowling Associates
3	Kimley-Horn Associates
4	TJKM Transportation Consultants
5	RBF Consulting
6	Fehr & Peers
7	Quality Traffic Data

Based on the results of the evaluation, it is recommended that Jacobs Engineering Group be selected to provide monitoring services for the 2011 CMP. The cost for performing the 2011 CMP monitoring is \$55,822.02. The work product developed by the consultant will provide C/CAG expanded capabilities for enhancing congestion management programs in San Mateo County.

Since this work will be performed on a biennial basis, a provision is included in the agreement to provide C/CAG the option to renew the agreement with the consultant, based on satisfactory performance, for an additional four years (2 additional two-year cycles) that includes services for the 2013 and 2015 CMPs.

ATTACHMENTS

- Resolution 11-09
- Agreement between C/CAG and Jacobs Engineering Group

RESOLUTION 11-09

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG CHAIR TO EXECUTE AN AGREEMENT WITH JACOBS ENGINEERING GROUP TO PROVIDE TRAFFIC MONITORING SERVICES FOR THE 2011 CONGESTION MANAGEMENT PROGRAM (CMP) IN AN AMOUNT NOT TO EXCEED \$55,822.02

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

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

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

WHEREAS, C/CAG has determined that outside consulting services are needed for the conducting the monitoring of the 2011 Congestion Management Program; and

WHEREAS, C/CAG has selected Jacobs Engineering Group through a competitive process to provide these services; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the Chair is authorized to execute an agreement with Jacobs Engineering Group in the amount not to exceed \$55,822.02. In accordance with C/CAG established policy, the Chair may administratively authorize up to an additional 5% of the total contract amount in the event that there are unforeseen costs associated with the project. This agreement is attached hereto and is in a form that has been approved by C/CAG Legal Counsel.

PASSED, APPROVED, AND ADOPTED THIS 10TH DAY OF FEBRUARY 2011.

Thomas M. Kasten, Chair

AGREEMENT BETWEEN
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
AND
JACOBS ENGINEERING GROUP

This Agreement entered this ____ day of _____, 2011, by and between the City/County Association of Governments of San Mateo County, a joint powers agency, hereinafter called "C/CAG" and Jacobs Engineering Group, 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 plans; and,

WHEREAS, C/CAG is prepared to award funding for conducting the San Mateo County 2011 Congestion Management Program monitoring; and

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

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

1. Services to be provided by Contractor. In consideration of the payments hereinafter set forth, Contractor agrees to perform the services described in Exhibit A, attached hereto (the "Services").
2. Payments. In consideration of Contractor providing the Services, C/CAG shall reimburse Consultant based on the fee schedule set forth in Exhibit B up to a maximum amount of fifty five thousand eight hundred twenty two dollars and two cents (\$55,822.02) for Services provided during the Contract Term as set forth below. The hours stated in Exhibit B are intended to be an estimate of the amount of time Contractor expects to spend on each task. Payments shall be made to contractor monthly 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. Non-Assignability. Contractor shall not assign this Agreement or any portion thereof to a third party.

5. Contract Term. This Agreement shall be in effect as of _____ and shall terminate on September 1, 2011; 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.
6. 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.

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

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

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

Required insurance shall include:

Required Amount	Approval by C/CAG Staff if under \$ 1,000,000
--------------------	--

a. Comprehensive General Liability	\$ 1,000,000	_____
b. Workers' Compensation	\$ Statutory	_____

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

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

8. Non-discrimination. The Contractor and any subcontractors performing the services on behalf of the Contractor shall not discriminate or permit discrimination against any person or group of persons on the basis or race, color, religion, national origin or ancestry, age, sex, sexual orientation, marital status, pregnancy, childbirth or related conditions, medical condition, mental or physical disability or veteran's status, or in any manner prohibited by federal, state or local laws.
9. Compliance with All Laws. Contractor shall at all times comply with all applicable laws and regulations, including without limitation those regarding services to disabled persons, including any requirements of Section 504 of the Rehabilitation Act of 1973.
10. Substitutions: If particular people are identified in this Agreement are providing services under this Agreement, the Contractor will not assign others to work in their place without written permission from C/CAG. Any substitution shall be with a person of commensurate experience and knowledge.
11. 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.
12. Agreement Renewal. This Agreement may be renewed for an additional four years (two 2-year cycles that includes services for the 2013 and 2015 CMPs) upon the mutual agreements and approval by the C/CAG Board and Contractor.
13. Access to Records. C/CAG, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the Contractor which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcriptions.

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

14. Merger Clause. This Agreement, including Exhibit A attached hereto and incorporated herein by reference, constitutes the sole agreement of the parties hereto with regard to the matters covered in this Agreement, and correctly states the rights, duties and obligations of each party as of the document's date. Any prior agreement, promises, negotiations or representations between the parties not expressly stated in this document are not binding. Any subsequent modifications must be in writing and signed by the parties. In the event of a conflict between the terms, conditions or specifications set forth herein and those in Exhibit A attached hereto, the terms, conditions or specifications set forth herein shall prevail.
15. Governing Law. This Agreement shall be governed by the laws of the State of California and any suit or action initiated by either party shall be brought in the County of San Mateo, California.

16. Notices. All notices hereby required under this agreement shall be in writing and delivered in person or sent by certified mail, postage prepaid and addressed as follows:

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

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

Jacobs Engineering Group
300 Frank H. Ogawa Plaza, Suite 10
Oakland, CA 94612
Attention: Steve Taylor

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

Jacobs Engineering Group (Contractor)

By _____

Date

City/County Association of Governments (C/CAG)

By _____
Thomas M. Kasten, C/CAG Chair

Date

C/CAG Legal Counsel

By _____

EXHIBIT A

SCOPE OF SERVICES

1. Collect Available Data

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

2. Conduct Counts/Surveys

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

3. Conduct Level of Service (LOS) Calculations

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

4. Incorporate Exemptions

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

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

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

6. Evaluate Bicycle and Pedestrian Measure

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

travel is accommodated in new transportation projects.

7. Collect and Analyze Transit Ridership Data

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

8. Prepare Documentation

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

9. Attend Meeting

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

EXHIBIT B

FEE SCHEDULE

Fee proposal for Required Scope of Work City/County Association of Governments (C/CAG) of San Mateo 2011 Congestion Management Program Personnel		Jacobs Engineering Group Inc.							
		Project Manager	GIS Support	Marks Traffic Data Data Collectors	Totals				
No.	Task Description	\$82.02	\$38.79	\$50.00	Hours	Base Fee	Overhead	Profit	Total by Task
							1.3000	10%	
1	Collect Available Data	1	4		5	\$237.18	\$308.33	\$54.55	\$600.07
2	Conduct Counts (included in Expenses) / Surveys	16	120	220	356	\$16,967.12	\$7,757.26	\$1,372.44	\$26,096.81
3	Conduct Level of Service (LOS) Calculations	2	8		10	\$474.36	\$616.67	\$108.10	\$1,200.13
4	Incorporate Exemptions	8	24		32	\$1,587.12	\$2,063.26	\$365.04	\$4,015.41
5	Conduct Carpool Travel Time Surveys		8	32	40	\$1,910.32	\$403.42	\$71.37	\$2,385.11
6	Evaluate Bicycle and Pedestrian Measure	2	4		6	\$319.20	\$414.96	\$73.42	\$807.58
7	Collect and Analyze Transit Ridership Data	2	16		18	\$784.68	\$1,020.08	\$180.48	\$1,965.24
8	Prepare Documentation	4	40		44	\$1,879.68	\$2,443.68	\$432.33	\$4,755.59
9	Attend Meetings	8			8	\$666.16	\$863.01	\$160.92	\$1,660.08
Exp	Expenses	\$1,860		\$10,456		\$12,316.00			\$12,316.00
Base Scope - Total		43	224	252	519	\$37,131.82	\$15,880.67	\$2,809.64	\$55,822.02

C/CAG AGENDA REPORT

Date: February 10, 2011
To: City/County Association of Governments Board of Directors
From: Richard Napier, Executive Director
Subject: Review and approval of Resolution 11-04 authorizing the C/CAG chair to execute an Agreement with Mokhtari Engineering Inc. for project management services on the Smart Corridors Project for one year in an amount not to exceed \$100,000.

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

RECOMMENDATION

That the C/CAG Board approve of Resolution 11-04 authorizing the C/CAG chair to execute an Agreement with Mokhtari Engineering Inc. for project management services on the Smart Corridors Project for one year in an amount not to exceed \$100,000.

FISCAL IMPACT

This one-year contract is for time and material and is in an amount not to exceed \$100,000. This amount is included in the Smart Corridor project budget.

SOURCE OF FUNDS

Fund source of the Smart Corridor Project Management Services will come from a combination of Traffic Light Synchronization Program (TLSP), State Transportation Improvement Program (STIP), and local funds.

BACKGROUND/DISCUSSION

The overall San Mateo County Smart Corridors project will implement inter-jurisdictional traffic management strategies by deploying integrated Intelligent Transportation Systems (ITS) elements along the portions of the US 101 corridor from I-380 to the Santa Clara County line and SR 82 (El Camino Real) and local arterial streets. The Smart Corridors project, from I-380 in the City of San Bruno to Whipple Avenue in Redwood City, was awarded \$10M from the TLSP Program (Traffic Light Synchronization Program). C/CAG also programmed \$11M in the 2008 STIP (State Transportation Improvement Program) for a total project implementation (design and construction).

On February 12, 2009, the Board approved execution of a consultant contract with Mokhtari Engineering, Inc., for \$232,960, to provide project management services for the San Mateo County Smart Corridors Project for one year. Per that authorization, any extension or continuation beyond the current funding level would be presented to C/CAG Board for final approval.

ITEM 5.4

On February 11, 2010, under the new procurement policy, the contract with Mokhtari Engineering, Inc. was extended by one year to February 12, 2011 with no additional funds added to the contract.

Although the design of the Smart Corridors is nearly complete, it is anticipated that C/CAG will require some amount of Project Management services during the Smart Corridors construction and integration phase. The amount of services needed for Project Management will vary from month to month. This contract extension is for providing services for one year not to exceed \$100,000.

Per Section 5 of the C/CAG Procurement Policy:

“ Once a contractor has been selected through either the formal RFP procedure or another procedure as per 6, 7., 8., or 9., the contractor may be used to provided additional services, if the work is substantially similar to that which was included in the original contract, for a period of up to three years beyond the initial contract ending dated. This may be done through either the execution of an amendment to the existing contract or though the execution of a new contract. The approval of the amendment or new contract shall be subject to the approval requirements in 6., 7., or 8., depending on the amount of funding to be included in the amendment or new contract.”

This contract being presented to the Board for approval, to comply with the C/CAG procurement policy. Section 8 of the C/CAG Procurement Policy, which states that approval from 51% of the present voting members of the Board is required for execution of contracts greater than \$50,000.

Mokhtari Engineering, Inc. was originally selected through a formal RFP procedure two years ago. It is requested that the RFP process be waived, for this contract, as the Project Manager has been successfully functioning as the project manager from the concept of operations through design.

Mokhtari Engineering has been a primary focal point on the Smart Corridors project for two years. He has an institutional knowledge of the project, and has developed a working relationship with Caltrans, the design consultants, and the Cities. Conducting a request for proposal (RFP) to bring in a new project manager at this time would not benefit the project in time or cost.

ATTACHMENT

- Resolution 11-04
- Draft Agreement

RESOLUTION 11-04

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) AUTHORIZING THE C/CAG CHAIR TO EXECUTE AN AGREEMENT WITH MOKHTARI ENGINEERING INC. FOR PROJECT MANAGEMENT SERVICES ON THE SMART CORRIDORS PROJECT FOR ONE YEAR IN AN AMOUNT NOT TO EXCEED \$100,000

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

WHEREAS, C/CAG was awarded \$10M in funding from the Traffic Light Synchronization Program (TLSP), which is part of the Proposition 1B State Infrastructure Bond, and obtained an additional \$10M from the 2008 State Transportation Improvement Program (STIP) to implement a Smart Corridors ITS Project; and

WHEREAS, C/CAG determined that consulting services were needed to provide project management services for the Smart Corridors project; and

WHEREAS, the C/CAG selection committee selected Mokhtari Engineering, Inc. to provide these services; and

WHEREAS, Mokhtari Engineering, Inc. has been providing project management services for the Smart Corridors project for two years; and

WHEREAS, C/CAG has determined that continued project management services are needed through construction completion and integration phase of the Smart Corridors ITS project; and

WHEREAS, it is estimated that the cost of project management services for one year will be \$100,000.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the Chair is authorized to execute an agreement with Mokhtari Engineering, Inc. to provide Project Management Services for the San Mateo County Smart Corridors Project in an amount not to exceed \$100,000. It is also resolved that the C/CAG Executive Director is authorized to negotiate the final terms of said agreement prior to its execution by the C/CAG Chair, subject to approval as to form by the C/CAG Legal Counsel.

PASSED, APPROVED, AND ADOPTED THIS 10TH DAY OF FEBRUARY 2011.

Thomas M. Kasten, Chair

**AGREEMENT BETWEEN
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
AND MOKHTARI ENGINEERING, INC.**

This Agreement entered this 10th day of February, 2011, by and between the CITY/COUNTY ASSOCIATION OF GOVERNMENTS, a joint powers agency for the development and implementation of the Congestion Management Program for San Mateo County, hereinafter called "C/CAG" and Mokhtari Engineering, Inc., hereinafter called "Consultant."

W I T N E S S E T H

WHEREAS, C/CAG has adopted a Countywide Congestion Relief Plan that includes specific programs and studies to improve congestion management in San Mateo County including the Countywide Intelligent Transportation System (ITS) Strategic Plan; and

WHEREAS, C/CAG was awarded \$10M in funding from the Traffic Light Synchronization Program (TLSP), which is part of the Proposition 1B State Infrastructure Bond, and obtained an additional \$11M from the 2008 State Transportation Improvement Program (STIP) to implement a Smart Corridors Project; and

WHEREAS, C/CAG is the sponsor agency for the development and implementation of the Smart Corridors Project in San Mateo County; and

WHEREAS, the Smart Corridors Project (the "Project") is a cooperative effort by the San Mateo City/County Association of Governments (C/CAG), SMCTA, multiple local jurisdictions, Caltrans, and countywide and regional transportation agencies; and

WHEREAS, the Smart Corridors Project will implement traffic management strategies by deploying Intelligent Transportation System (ITS) elements along conventional state highway routes and major local streets to manage traffic congestion and improve mobility; and

WHEREAS, C/CAG has determined that Project Management services are needed to oversee the construction and integration phase of the Smart Corridors project; and

WHEREAS, under competitive process, C/CAG has selected Mokhtari Engineering, Inc. to provide these services for the development and design of the Smart Corridors project; and

WHEREAS, C/CAG would like to execute a new contract with Mokhtari Engineering, Inc. to continue to provide these services.

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

1. Services to be provided by Consultant. In consideration of the payments hereinafter set

forth, Consultant agrees to perform the services described in Exhibit A, Scope of Work, attached hereto as (“Services”).

2. Payments. In consideration of Consultant providing the Services, C/CAG shall reimburse Consultant on a time and materials basis based on a \$160 hourly rate up to a maximum of one hundred thousand dollars (\$100,000).
3. Relationship of the Parties. It is understood that Consultant is an Independent Contractor, and that this Agreement is not intended to, and shall not be construed to, create the relationship of agent, servant, employee, partnership, joint venture or association, or any other relationship whatsoever other than that of Independent Contractor.
4. Non-Assignability. Consultant shall not assign this Agreement or any portion thereof to a third party.
5. Contract Term. This Agreement shall be in effect as of February 10, 2011, and shall terminate on February 12, 2012 unless otherwise extended or terminated as set forth herein. C/CAG may terminate this Agreement at any time for any reason by providing 30 days’ notice to Consultant. Consultant may terminate this Agreement at any time for any reason by providing 30 days’ notice to C/CAG. Termination to be effective on the date specified in the notice. In the event of termination under this paragraph, Consultant shall be paid for all services provided to the date of termination. C/CAG may extend the term of this Agreement until such time as the maximum, not-to exceed payment amount specified in section 2 above has been earned by Consultant.
6. Hold Harmless/ Indemnity: Consultant shall indemnify and save harmless C/CAG 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. C/CAG shall indemnify and save harmless Consultant from all claims, suits or actions to the extent caused by the negligence, errors, acts or omissions of C/CAG, its agents, officers or employees related to or resulting from C/CAG’s 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.

7. Insurance: Consultant or any sub-consultants performing the services on behalf of Consultant shall not commence work under this Agreement until all Insurance required under this section has been obtained and such insurance has been approved by the C/CAG Staff. Consultant shall furnish the C/CAG Staff with Certificates of Insurance evidencing the required coverage and there shall be a specific contractual liability endorsement extending the Consultant’s coverage to include the contractual liability assumed by the Consultant pursuant to this Agreement. These Certificates shall specify or be endorsed to provide that thirty (30) days notice must be given, in writing, to

C/CAG of any pending change in the limits of liability or of non-renewal, cancellation, or modification of the policy. Such Insurance shall include at a minimum the following:

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

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

Required insurance shall include:

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

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

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

8. Non-discrimination. The Consultant and any sub-consultants performing the Services on behalf of the Consultant shall not discriminate or permit discrimination against any person or group of persons on the basis or race, color, religion, national origin or ancestry, age, sex, sexual orientation, marital status, pregnancy, childbirth or related

conditions, medical condition, mental or physical disability or veteran's status, or in any manner prohibited by federal, state or local laws.

9. Compliance with All Laws. Consultant shall at all times comply with all applicable laws and regulations, including without limitation those regarding services to disabled persons, including any requirements of Section 504 of the Rehabilitation Act of 1973.
 10. Substitutions: If particular people are identified in this Agreement are providing services under this Agreement, the Consultant will not assign others to work in their place without written permission from C/CAG. Any substitution shall be with a person of commensurate experience and knowledge.
 11. Sole Property of C/CAG: Any system or documents developed, produced or provided under this Agreement shall become the sole property of C/CAG.
-
12. Access to Records. C/CAG, or any of its duly authorized representatives, shall have access to any books, documents, papers, and records of the Consultant which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcriptions.

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

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

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

Mokhtari Engineering, Inc.
5520 Woodhurst Lane.
San Jose, California 95123
Attention: Parviz Mokhtari, Project Manager

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

Mokhtari Engineering, Inc. (Consultant)

By _____

_____ Date

City/County Association of Governments (C/CAG)

By _____

Thomas M. Kasten
C/CAG Chair

_____ Date

C/CAG Legal Counsel

By _____

EXHIBIT A

PROJECT DESCRIPTION

The Smart Corridors project involves civil work, extensive Intelligent Transportation Systems (ITS) device installations, communication networking, traffic engineering efforts, and signal/detection integration.

The objective of the Smart Corridors project is to identify a well-defined alternate route, utilizing arterial streets to handle naturally diverted traffic, in the event of a major freeway incident on US101. Signal phasing along these identified routes would be optimized and signage would be added to effectively manage traffic on alternate routes.

The San Mateo County Smart Corridors Project will deploy and/or integrate:

- Traffic signal improvements (controller upgrades and signal coordination)
- On-ramp metering (existing)
- Signal Interconnect
- Communications network
- Non-intrusive arterial vehicle detection system
- Arterial travel time data
- Arterial electronic trailblazer signs
- Fixed and pan-tilt-zoom CCTV cameras
- Integration with Caltrans TMC

This project's interactive/integrated transportation management and information system will be based on real-time, computer assisted transportation management and communications.

Implementing partners include, the City/ County Association of Governments (C/CAG), Caltrans District 4, County of San Mateo, City of Belmont, City of Burlingame, City of Millbrae, City of Redwood City, City of San Bruno, City of San Carlos, City of San Mateo, Metropolitan Transportation Commission (MTC), and San Mateo County Transportation Authority (SMCTA).

Although they are not funded for ITS equipment deployment at this time, additional partner agencies, involved in the development of the project (Con Ops), include the Town of Atherton, City of South San Francisco, City of Menlo Park, and City of East Palo Alto.

The project's funding partners include C/CAG, SMCTA, and MTC. The Smart Corridors total project budget is approximately 25 million dollars in State and Federal funding.

Completed Items of Work

The following items of work are either completed or are in the process of being completed and can be used as references:

- Design of local arterial portion of the project.
- Project Study Report
- Project Report
- Environmental Document
- Concept of Operations
- Alternate Routes for Traffic Incident (ARTI) Guide

SCOPE OF WORK

Attend technical meeting and other meetings as directed.

- Attend project team meetings
- Work with regulatory agencies, Caltrans, and local agencies to remove delivery obstacles as directed.

Obtain written documentation and technical buyoff from the Cities and (email response, signed memo, or signature) other local agencies. Examples include but are not limited to:

- Obtaining written concurrence on right of way, construction, and integration documents.
- Facilitate agreements between Caltrans and the stakeholder Cities to execute detailed operation memorandums or agreements.
- Obtaining memorandums of concurrence containing local agency signatures.
- Obtaining buyoff or concurrence of technical decisions/ designs from local agencies in the form of an email response from the agency.
- Obtaining necessary project permits.

Facilitate agency and project team staff in the review and concurrence of Project deliverables to ensure timely comment input and responses:

- Track local deliverables against the Traffic Light Synchronization Program (TLSP) baseline agreement schedule.
- Ensure delivery of integration deliverables and documentation.

Manage consultant contracts:

- Ensure that design consultant contracts stay within their respective scope, schedule, and budget.
- Track and report on consultant expenditures on a regular basis as directed.
- Act as a liaison between the construction administrators (County of San Mateo) and the consultants, where necessary.

Make recommendations to the C/CAG Executive Director, C/CAG staff, Steering Committee, and C/CAG Board relative to the Project, in terms of corrective action plans to keep the project on track.

- Bring major Project decisions and changes regarding design, maintenance, and operations, to the attention of the C/CAG Executive Director.

- Inform C/CAG Executive Director and staff of technical issues and decisions made by Caltrans.
- Inform C/CAG Executive Director and staff of decisions that need to be made on the behalf of C/CAG or local agencies.
- Track Project expenses up to construction, including integration phase.
- Properly document and process any changes to the project's integration scope, schedule, and budget.

Schedule and organize coordination meetings, Project development team (PDT) meeting, Steering committee meetings, Stakeholder meetings, and any other Project meeting needed to facilitate project progress, as directed.

The Consultant will continue to report directly to the C/CAG Executive Director and will provide other unspecified project related services as directed.

Deliverables:

- Provide weekly verbal Project updates to C/CAG Executive Director and staff.
- Document meeting attendance and Project activities monthly.
- Document major project decisions made at team meeting.
- Deliver concurrence signatures on Project documents, described above, from partner agencies.
- Provide an updated spreadsheet of Project budget and expenditures on a regular basis as directed.
- Provide other deliverables as requested by the C/CAG Executive Director.
- Provide draft and final relevant Project data and paper documentation for filing. (electronic information to John Hoang and paper documentation to Jean Higaki).
- Provide other support to complete the project as needed and as directed.

FEE SCHEDULE

In consideration of the services provided by Consultant above, the City/ County Association of Governments (C/CAG) shall pay the Consultant based on the following fee schedule:

Project Manager \$160/hour
 And direct material costs as approved by C/CAG

In no event shall the total payment to Consultant under agreement exceed the maximum obligation of \$100,000.

C/CAG AGENDA REPORT

Date: January 13, 2011

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

From: Richard Napier, C/CAG Executive Director, TEL: 650/599-1420

Subject: Review and Approval of C/CAG No.11-1 Authorizing the C/CAG Chair to Execute an Agreement (Memorandum of Understanding) Between C/CAG and the San Francisco Airport Commission for Partial Funding for the Preparation of an Update of the Comprehensive Airport Land Use Compatibility Plan (CLUP) for the Environs of San Francisco International Airport and Related C/CAG Staff Costs in the Amount of \$100,000 to be Paid to the C/CAG Board in FY 2010/2011.

RECOMMENDATION

Review and approve C/CAG Resolution No.11-1 a resolution to authorize the C/CAG Chair to execute an agreement (Memorandum of Understanding (MOU)) between C/CAG and the San Francisco Airport Commission for partial funding to prepare an update of the comprehensive airport land use compatibility plan (CLUP) for the environs of San Francisco International Airport and related C/CAG staff costs in the amount of \$100,000, to be paid to the C/CAG Board in FY 2010/2011.

FISCAL IMPACT

Receipt of \$100,000 from the San Francisco Airport Commission for the above-referenced purpose.

BACKGROUND

In 2006, the C/CAG Board received a federal grant (\$300,000) to prepare an update of the comprehensive airport land use compatibility plan (CLUP) for the environs of San Francisco International Airport. The consultant team retained by the Board has now completed a draft document, per direction from C/CAG Staff and in coordination with SFO staff, FAA staff, and key planning staff from cities near the Airport. However, further work on the draft CLUP update process is in needed (i.e., environmental review, public outreach, etc.). C/CAG staff expects the final draft document and related environmental review process to be completed in 2011.

DISCUSSION

In the fall of 2009, the San Francisco Airport Commission and C/CAG mutually adopted a Memorandum of Understanding (MOU) that provided C/CAG with \$100,000 in FY 2009/2010 to fund a portion of the preparation of the CLUP update document and related CCAG staff costs. The Airport Commission has agreed to a second MOU to provide C/CAG with an additional \$100,000 for FY 2010/2011 to continue the preparation, coordination, and outreach efforts to complete the CLUP update for the environs of San Francisco International Airport, per the terms in the attached MOU document.

ATTACHMENTS

Attachment No. 1: C/CAG Resolution No. 11-1
Attachment No. 2: Memorandum of Understanding (MOU) Regarding Comprehensive Airport Land Use Compatibility Plan

ITEM 5.5

RESOLUTION NO. 11-1

* * * * *

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) AUTHORIZING THE C/CAG CHAIR TO EXECUTE AN AGREEMENT (MEMORANDUM OF UNDERSTANDING (MOU)) BETWEEN C/CAG AND THE SAN FRANCISCO AIRPORT COMMISSION FOR PARTIAL FUNDING FOR THE PREPARATION OF AN UPDATE OF THE COMPREHENSIVE AIRPORT LAND USE COMPATIBILITY PLAN (CLUP) FOR THE ENVIRONS OF SAN FRANCISCO INTERNATIONAL AIRPORT AND RELATED C/CAG STAFF COSTS IN THE AMOUNT OF \$100,000 TO BE PAID TO THE C/CAG BOARD IN FY 2010/2011

* * * * *

WHEREAS, the C/CAG Board of Directors serves as the Airport Land Use Commission for San Mateo County and therefore, is responsible for preparing and updating a comprehensive airport land use compatibility plan (CLUP) for the environs of all three airports located in San Mateo County, and

WHEREAS, San Francisco International Airport (SFO) is located in San Mateo County and is governed by the San Francisco Airport Commission, and

WHEREAS, the C/CAG Board is currently preparing an update of the comprehensive airport land use compatibility plan (CLUP) for the environs of San Francisco International Airport, and

WHEREAS, the San Francisco Airport Commission has agreed to provide a second round of funding to C/CAG to prepare an update of the CLUP document for the environs of SFO and to cover related C/CAG staff costs;

NOW THEREFORE BE IT RESOLVED, that the Chair of the C/CAG Board of Directors is hereby authorized to execute a funding agreement (Memorandum of Understanding (MOU)) with the San Francisco Airport Commission for the preparation of the CLUP update document for the environs of San Francisco International Airport (SFO) and for related C/CAG staff costs in the amount of \$100,000 to be paid by the San Francisco Airport Commission to the C/CAG Board in FY 2010/2011 per the terms of the MOU.

PASSED, APPROVED, ADOPTED THIS 13TH DAY OF JANUARY 2011.

Thomas M. Kasten, Chairperson, C/CAG Board of Directors

**MEMORANDUM OF UNDERSTANDING
REGARDING
COMPREHENSIVE AIRPORT LAND USE COMPATIBILITY PLAN**

This MEMORANDUM OF UNDERSTANDING ("MOU") is entered into as of July 1, 2010, by and between the CITY AND COUNTY OF SAN FRANCISCO ("City") acting by and through its AIRPORT COMMISSION ("Commission") and the CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY ("C/CAG") to memorialize the agreement between the Commission and C/CAG regarding the matters set forth herein and to outline the parameters under which the parties will cooperate to provide the services listed below during Fiscal Year ("FY") 2010/2011.

RECITALS

- The Commission operates the San Francisco International Airport ("SFO" or "Airport") which is located in San Mateo County ("County").
- California law, including Public Utilities Code Section 21670 et seq., requires every county in which is located an airport that is served by a scheduled airline, to establish an airport land use commission ("ALUC") in order to draft an airport land use compatibility plan ("CLUP").
- The County has established C/CAG to serve as the County's ALUC, and C/CAG has drafted and is now finalizing the CLUP relating to SFO.
- C/CAG has received a \$300,000 Federal Aviation Administration ("FAA") grant for 80% of the cost of updating the SFO CLUP and has received \$75,000 from the Commission to pay the 20% local share of the CLUP in FY 2009/2010.
- The Commission also provided C/CAG \$25,000 for FY 2009/2010 for C/CAG staff time to provide outreach to its membership to address SFO's concerns with respect to CLUP compatibility issues pertaining to noise, safety and air space.
- C/CAG has requested that the Commission provide an amount not to exceed \$100,000 in FY 2010/2011 to fund implementation and administration of the environmental review process required under the California Environmental Quality Act (CEQA) and for training and outreach for CLUP implementation.
- Airport staff has discussed with the local FAA Airport District Office ("ADO") the appropriateness of providing the requested funding under the FAA's Final Policy and Procedures Concerning the Use of Airport Revenue ("Revenue Diversion Policy") and has received informal approval.

SUBJECT TO THE TERMS SET FORTH IN THIS MOU AND IN RECOGNITION OF THE FAA'S REVENUE DIVERSION POLICY, THE COMMISSION AND C/CAG AGREE AS FOLLOWS:

SERVICES AND FUNDING

1. Services to be provided by C/CAG.

- C/CAG will provide staff for administering the environmental review process, including the preparation of an appropriate-level CEQA document for certification by the C/CAG Board, and provide staff support for the public review of the environmental review.
- C/CAG will provide staff for training and outreach to C/CAG member organizations regarding the CLUP implementation and to address issues of concerns raised by SFO.
- C/CAG will provide these services during FY 2010/2011.

2. Budgeted MOU Amount: not to exceed \$100,000.

The Commission will pay to C/CAG during FY 2010/2011:

- Up to \$50,000 for C/CAG internal staff time to administer the environmental review required under the California Environmental Quality Act (CEQA) and prepare the appropriate environmental documentation for required certification by the C/CAG Board and to provide support for the public review and coordination with the airport environs cities and SFO staff regarding the CLUP environmental review process.
- Up to \$50,000 for C/CAG internal staff time to provide training and outreach to airport environs cities and coordination with SFO staff for CLUP implementation and to host workshops with ALUC and C/CAG Board to assist in CLUP implementation.

Unless the Airport and the C/CAG agree otherwise by written amendment to this MOU, the budget for the services to be provided under this MOU is not to exceed \$100,000 in FY 2010/2011.

3. Documentation Verifying Actual Costs of Direct Services: Payments will not be made without a signed MOU and proper documentation verifying the actual cost of services provided. C/CAG will not charge the Airport for any indirect services or overhead without prior approval from the Airport. C/CAG will invoice the Commission for the services rendered, which invoices will be accompanied by the following supporting documentation:

- Personnel Costs (\$100,000)
 - a) Hourly rate = salary + mandatory fringe benefits. The billing rate should reflect the actual pay rate of the employees.
 - b) Hours worked on outreach efforts relating to the SFO CLUP.
 - c) Classification number of position & title.
 - d) Identify tasks performed.

Upon review of the invoices and supporting documentation, the Commission will pay each invoice for internal staff time related to (1) preparation of a CEQA document for the CLUP update; (2) CEQA document public review and comment; and (3) outreach to C/CAG membership relating to the SFO CLUP update, up to the maximum budgeted amount.

4. Billing Procedures: The Commission will reimburse C/CAG for the services described above within 30 days from receipt and approval of each properly documented invoice.

CITY CONTRACTING PROVISIONS

5. Certification of Funds; Budget and Fiscal Provisions; Termination in the Event of Non-Appropriation. This MOU is subject to the budget and fiscal provisions of the City's Charter. Charges will accrue only after prior written authorization certified by the City's Controller, and the amount of the City's obligation hereunder shall not at any time exceed the amount certified for the purpose and period stated in such advance authorization. This MOU will terminate without penalty, liability or expense of any kind to the City at the end of any fiscal year if funds are not appropriated for the next succeeding fiscal year. If funds are appropriated for a portion of the fiscal year, this MOU will terminate, without penalty, liability or expense of any kind at the end of the term for which funds are appropriated. The City has no obligation to make appropriations for this MOU in lieu of appropriations for new or other agreements. City budget decisions are subject to the discretion of the Mayor and the Board of Supervisors. C/CAG's assumption of risk of possible non-appropriation is part of the consideration for this MOU. THIS SECTION CONTROLS AGAINST ANY AND ALL OTHER PROVISIONS OF THIS MOU.

6. Limited Liability. The obligations and liabilities of the Commission hereunder are limited obligations of the Commission payable solely from Airport revenues. Neither the Commissioners, the officers or employees of the Commission, nor any person executing this MOU shall be liable personally for the obligations of the Commission hereunder or be subject to any personal liability or accountability by reason of the execution hereof. Neither of the faith and credit nor the taxing power of the State of California or any political subdivision thereof, including the City, is pledged to the obligations of the Commission hereunder. The City's payment obligations under this MOU shall be limited to the payment of the budgeted amounts provided for above. Notwithstanding any other provision of this MOU, in no event shall the City be liable, regardless of whether any claim is based on contract or tort, for any special, consequential, indirect or incidental damages, including, but not limited to, lost profits, arising out of or in connection with this MOU or the services performed in connection with this MOU.
7. Submitting False Claims; Monetary Penalties. Pursuant to San Francisco Administrative Code §21.35, any contractor, subcontractor or consultant who submits a false claim shall be liable to the City for the statutory penalties set forth in that section. The text of Section 21.35, along with the entire San Francisco Administrative Code is available on the web at <http://www.municode.com/Library/clientCodePage.aspx?clientID=4201>. A contractor, subcontractor or consultant will be deemed to have submitted a false claim to the City if the contractor, subcontractor or consultant: (a) knowingly presents or causes to be presented to an officer or employee of the City a false claim or request for payment or approval; (b) knowingly makes, uses, or causes to be made or used a false record or statement to get a false claim paid or approved by the City; (c) conspires to defraud the City by getting a false claim allowed or paid by the City; (d) knowingly makes, uses, or causes to be made or used a false record or statement to conceal, avoid, or decrease an obligation to pay or transmit money or property to the City; or (e) is a beneficiary of an inadvertent submission of a false claim to the City, subsequently discovers the falsity of the claim, and fails to disclose the false claim to the City within a reasonable time after discovery of the false claim.
8. Nondiscrimination; Penalties.
 - (a) C/CAG Shall Not Discriminate. In the performance of this MOU, C/CAG agrees not to discriminate against any employee, City employee working with C/CAG or a subcontractor, applicant for employment with C/CAG or a subcontractor, or against any person seeking accommodations, advantages, facilities, privileges, services, or membership in all business, social, or other establishments or organizations, on the basis of the fact or perception of a person's race, color, creed, religion, national origin, ancestry, age, height, weight, sex, sexual orientation, gender identity, domestic partner status, marital status, disability or Acquired Immune Deficiency Syndrome or HIV status (AIDS/HIV status), or association with members of such protected classes, or in retaliation for opposition to discrimination against such classes.
 - (b) Subcontracts. C/CAG shall incorporate by reference in all subcontracts executed after the date hereof the provisions of §§12B.2(a), 12B.2(c)-(k), and 12C.3 of the San Francisco Administrative Code and shall require all subcontractors to comply with such provisions. C/CAG's failure to comply with the obligations in this subsection shall constitute a material breach of this MOU.
 - (c) Nondiscrimination in Benefits. C/CAG does not as of the date of this MOU and will not during the term of this MOU, in any of its operations in San Francisco, on real property owned by San Francisco, or where work is being performed for the City elsewhere in the United States, discriminate in the provision of bereavement leave, family medical leave, health benefits, membership or membership discounts, moving expenses, pension and retirement benefits or travel benefits, as well as any benefits other than the benefits

specified above, between employees with domestic partners and employees with spouses, and/or between the domestic partners and spouses of such employees, where the domestic partnership has been registered with a governmental entity pursuant to state or local law authorizing such registration, subject to the conditions set forth in §12B.2(b) of the San Francisco Administrative Code.

- (d) Incorporation of Administrative Code Provisions by Reference. The provisions of Chapters 12B and 12C of the San Francisco Administrative Code are incorporated in this Section by reference and made a part of this MOU as though fully set forth herein. C/CAG shall comply fully with and be bound by all of the provisions that apply to this MOU under such chapters, including but not limited to the remedies provided in such chapters. Without limiting the foregoing, C/CAG understands that pursuant to §§12B.2(h) and 12C.3(g) of the San Francisco Administrative Code, a penalty of \$50 for each person for each calendar day during which such person was discriminated against in violation of the provisions of this MOU may be assessed against C/CAG and/or deducted from any payments due C/CAG.
9. Airport Intellectual Property. Pursuant to Resolution No. 01-0118, adopted by the Airport Commission on April 18, 2001, the Commission affirmed that it will not tolerate the unauthorized use of its intellectual property, including the SFO logo, CADD designs, and copyrighted publications. All proposers, bidders, contractors, tenants, permittees, and others doing business with or at the Airport (including subcontractors and subtenants) may not use the Airport intellectual property, or any intellectual property confusingly similar to the Airport intellectual property, without the Airport Director's prior consent.
10. Tropical Hardwood and Virgin Redwood Ban. Pursuant to §804(b) of the San Francisco Environment Code, the City urges contractors not to import, purchase, obtain, or use for any purpose, any tropical hardwood, tropical hardwood wood product, virgin redwood or virgin redwood wood product.
11. Resource Conservation. Chapter 5 of the San Francisco Environment Code is incorporated herein by reference. Failure by C/CAG to comply with any of the applicable requirements of Chapter 5 will be deemed a material breach of this MOU.
12. Compliance with Americans with Disabilities Act. C/CAG acknowledges that, pursuant to the Americans with Disabilities Act (ADA), programs, services and other activities provided by a public entity to the public, whether directly or through a contractor, must be accessible to the disabled public. C/CAG shall provide the services specified in this MOU in a manner that complies with the ADA and any and all other applicable federal, state and local disability rights legislation. C/CAG agrees not to discriminate against disabled persons in the provision of services, benefits or activities provided under this MOU and further agrees that any violation of this prohibition on the part of C/CAG, its employees, agents or assigns will constitute a material breach of this MOU.
13. Audit and Inspection of Records. C/CAG agrees to maintain and make available to the City, during regular business hours, accurate books and accounting records relating to its work under this MOU. C/CAG will permit the City to audit, examine and make excerpts and transcripts from such books and records, and to make audits of all invoices, materials, payrolls, records or personnel and other data related to all other matters covered by this MOU, whether funded in whole or in part under this MOU. C/CAG shall maintain such data and records in an accessible location and condition for a period of not less than five years after final payment under this MOU or until after final audit has been resolved, whichever is later. The State of California or any federal agency having an interest in the subject matter of this MOU shall have the same rights conferred upon the City by this Section.

14. Assignment. Neither this MOU nor any duties or obligations hereunder may be assigned or delegated by C/CAG unless first approved by the City by written instrument executed and approved in the same manner as this MOU.
15. Invalid Provisions and Severability. In the event any covenant, condition or provision herein contained is held to be invalid or unenforceable by a court of competent jurisdiction, the invalidity or unenforceability of any such covenant, condition or provision shall in no way affect any other covenant, condition or provision herein contained, provided the invalidity or unenforceability of any such covenant, condition or provision does not materially prejudice either the Commission or C/CAG in their respective rights and obligations contained in the valid covenants, conditions and provisions of this MOU.
16. Counterparts. This MOU may be executed in several counterparts, which together shall constitute one and the same instrument.

This MOU has been entered into in triplicate on the date(s) below.

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

 Thomas M. Kasten
 C/CAG Chairperson

 Date

AIRPORT COMMISSION OF THE CITY AND COUNTY OF SAN FRANCISCO

Date: _____

By: _____
 John L. Martin
 Airport Director

APPROVED AS TO FORM:

AUTHORIZED BY AIRPORT COMMISSION
 CITY AND COUNTY OF SAN FRANCISCO

DENNIS J. HERRERA
 City Attorney

Resolution No: _____
 Adopted: _____

By: _____
 Melba Yee
 Deputy City Attorney

ATTEST: _____
 Jean Caramatti
 Commission Secretary

C/CAG AGENDA REPORT

Date: February 10, 2011
TO: C/CAG Board of Directors
From: Richard Napier - C/CAG Executive Director
Subject: Review and accept the Abandoned Vehicle Abatement Fund Financial Statements (Audit) for the Year Ended June 30, 2010

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

Recommendation:

Review and accept the Abandoned Vehicle Abatement Fund Financial Statements (Audit) for the Year Ended June 30, 2010 in accordance with the staff recommendation.

Fiscal Impact:

None.

Revenue Source:

\$4 Motor Vehicle Fee(Statewide) for the Abandoned Vehicle Abatement Program.

Background/ Discussion:

A separate independent audit was performed on the Abandoned Vehicle Abatement Fund for the year ended June 30, 2010. No issues were identified that required correction. The complete audit is provided in the packet separately.

Attachment:

Abandoned Vehicle Abatement Fund Balance Sheet

Abandoned Vehicle Abatement Fund Statement of Revenues, Expenditures, and Changes in Fund Balance

Abandoned Vehicle Abatement Fund Financial Statements (Complete Audit) for the Year Ended June 30, 2010 - Provided separately

Alternatives:

- 1- Review and accept the Abandoned Vehicle Abatement Fund Financial Statements (Audit) for the Year Ended June 30, 2010 in accordance with the staff recommendation.

ITEM 5.6.1

- 2- Review and accept the Abandoned Vehicle Abatement Fund Financial Statements (Audit) for the Year Ended June 30, 2010 in accordance with the staff recommendation with modifications.
- 3- No Action.

CITY/COUNTY ASSOCIATION
OF GOVERNMENTS OF SAN MATEO COUNTY

ABANDONED VEHICLE ABATEMENT FUND
BALANCE SHEET
JUNE 30, 2010

ASSETS:

Cash and investments	\$602,451
Accounts receivable	<u>179,488</u>
Total Assets	<u><u>\$781,939</u></u>

LIABILITIES:

Accounts payable	<u>\$166,416</u>
Total Liabilities	<u>166,416</u>

FUND BALANCE:

Unreserved, undesignated:	<u>615,523</u>
Total Fund Balance	<u>615,523</u>
Total Liabilities and Fund Balances	<u><u>\$781,939</u></u>

See accompanying notes to financial statements.

CITY/COUNTY ASSOCIATION
 OF GOVERNMENTS OF SAN MATEO COUNTY
 ABANDONED VEHICLE ABATEMENT FUND
 STATEMENT OF REVENUES, EXPENDITURES
 AND CHANGES IN FUND BALANCE
 FOR THE FISCAL YEAR ENDED JUNE 30, 2010

REVENUES

Abandoned vehicle program	\$676,295
Investment income	<u>3,889</u>
Total Revenues	<u>680,184</u>

EXPENDITURES

Professional services	400
Distributions	<u>671,764</u>
Total Expenditures	<u>672,164</u>

NET CHANGE IN FUND BALANCES	<u>8,020</u>
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Fund balances at beginning of year	<u>607,503</u>
------------------------------------	----------------

Fund balances at end of year	<u><u>\$615,523</u></u>
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See accompanying notes to financial statements

Abandoned Vehicle Abatement Fund Financial Statements (Complete Audit) for the
~~Year Ended June 30, 2010 – Provided separately~~

C/CAG AGENDA REPORT

Date: February 10, 2011
TO: C/CAG Board of Directors
From: Richard Napier - C/CAG Executive Director
Subject: Review and accept the C/CAG Basic Financial Statements (Audit) for the Year Ended June 30, 2010

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

Recommendation:

Review and accept the C/CAG Basic Financial Statements (Audit) for the Year Ended June 30, 2010 in accordance with the staff recommendation.

Fiscal Impact:

None.

Revenue Source:

Member assessments, parcel fee, motor vehicle fee (AVA/ TFCA/ AB1546) and State/ Federal Transportation Funds.

Background/ Discussion:

An independent audit was performed on C/CAG for the year ended June 30, 2010. No issues were identified that required correction. Management's Discussion and Analysis is attached and included in the audit. The complete audit is provided in the packet separately.

Attachment:

Management's Discussion and Analysis for the Basic Financial Statements (Audit) for the Year Ended June 30, 2010

C/CAG Basic Financial Statements (Complete Audit) for the Year Ended June 30, 2010 - Provided separately

Alternatives:

- 1- Review and accept the C/CAG Basic Financial Statements (Audit) for the Year Ended June 30, 2010 in accordance with the staff recommendation.

ITEM 5.6.2

- 2- Review and accept the C/CAG Basic Financial Statements (Audit) for the Year Ended June 30, 2010 in accordance with the staff recommendation with modifications.
- 3- No Action.

Management's Discussion and Analysis for the Basic Financial Statements (Audit) for the
Year Ended June 30, 2010

MANAGEMENT'S DISCUSSION AND ANALYSIS

The information presented in the "Management's Discussion and Analysis" is intended to be a narrative overview of the City/County Association of Governments of San Mateo County (C/CAG) financial activities for the fiscal year ended June 30, 2010. We encourage readers to consider this information in conjunction with the accompanying financial statements, notes, supplementary and statistical information located herein.

In June 1999, the Governmental Accounting Standards Board (GASB), which sets the financial reporting rules, "Generally Accepted Accounting Principles" (GAAP) for all State and Local Governments, established a new framework for financial reporting. This new framework represents the biggest single change in the history of governmental accounting. These changes, which are collectively known as *GASB Statement #34: Basic Financial Statement – and Management's Discussion and Analysis – for State and Local Governments*, were required to be implemented by June 30, 2003.

The changes to the financial statements in the Government-wide section now provide reporting that is similar to private sector companies by showing financial statements with a "Net Assets" bottom line approach. However, government agencies are mandated to account for certain resources and activities separately, thereby necessitating a fund-by-fund financial format as shown in the Fund Financial Statements section. The presentation of these two different types of statements together in one report requires the inclusion of two reconciliations to better assist the reader.

FINANCIAL STATEMENT OVERVIEW

This discussion and analysis is intended to serve as an introduction to the C/CAG Annual Financial Report. The C/CAG basic financial statements are comprised of three components: 1) Government-wide Financial Statements, 2) Fund Financial Statements, and 3) Notes to the Financial Statements.

Government-wide Financial Statements: The *Government-wide Financial Statements* are designed to provide readers with a broad overview of the C/CAG finances. These statements include *all* assets and liabilities, using the full *accrual basis of accounting*, which is similar to the accounting used by most private-sector companies. All revenues and expenses related to the current fiscal year are included regardless of when the funds are received or paid.

- The *Statement of Net Assets* presents all of the C/CAG assets and liabilities, with the difference reported as *net assets*. Over time, increases or decreases in net assets may serve as a useful indicator to determine whether the financial position of the Agency is improving or deteriorating.
- The *Statement of Activities* presents information showing how the C/CAG net assets changed during the fiscal year. All changes in net assets (revenues and expenses) are reported when the underlying event giving rise to the change occurs, regardless of the

MANAGEMENT'S DISCUSSION AND ANALYSIS

timing of the related cash flows. Accordingly, revenues and expenses are reported in this statement for items that will result in cash flows in future fiscal periods (e.g., uncollected tax revenues, and accrued but unpaid interest expenses).

The services of the Agency are considered to be governmental activities including General and special purpose Government. All Agency activities are financed with investment income, City/County fees, State/Federal/Regional grants, Motor Vehicle Fees, and County discretionary State/Federal Transportation funds. The Government-wide Financial Statements can be found on page 16-17 of this report.

Fund Financial Statements: A fund is a grouping of related accounts that are used to maintain control over resources that have been segregated for specific activities or objectives. The Agency used fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All of the C/CAG activities are reported in governmental funds. These funds are reported using modified accrual accounting, which measures cash and all other financial assets that can readily be converted to cash. The governmental Fund Financial Statements provide a detailed view of the C/CAG operations. Governmental fund information helps to determine the amount of financial resources used to finance the C/CAG programs.

Notes to the Financial Statements: The notes provide additional information that is essential for a full understanding of the data provided in the Government-wide and Fund Financial Statements.

FINANCIAL HIGHLIGHTS

- CCAG total assets increased by \$138,212
- CCAG total liabilities decreased by \$999,783
- The combined C/CAG revenues were \$11,291,132
- The combined C/CAG expenditures were \$10,153,137
- C/CAG total net assets increased by \$1,137,995
- The Transportation/Environmental Program (AB 1546) uses a \$4 motor vehicle fee to fund programs to address the congestion and environmental impacts (water quality) caused by motor vehicles. The \$4 motor vehicle fee is only for vehicles in San Mateo County and is dedicated and controlled by C/CAG. This program provided \$2,480,547 for the fiscal year and will expire 1/01/13 unless renewed.

MANAGEMENT'S DISCUSSION AND ANALYSIS

- The San Mateo Congestion Relief Program uses an assessment to the cities and County to address the impact of their economic development. The revenues are used to fund countywide transportation solutions such as shuttles, ramp metering, and Intelligent Transportation System solutions. This program provided \$1,850,000 for the fiscal year and will expire 6/30/2011 if not reauthorized by the C/CAG board.

PROGRAM HIGHLIGHTS

- Implementation of the Local Government Partnership (LGP) between C/CAG and PG&E is underway. The objective of the LGP is to provide incentive funding to encourage projects that will result in ongoing energy savings. Over the three year period funding of \$3.5M will be provided to San Mateo County agencies with \$500K to C/CAG for marketing and administration.
- C/CAG provided technical support and oversight for delivery of \$17.7M in projects as part of the American Recovery and Reinvestment Act (ARRA).
- The design of the Smart Corridor Project is underway. This project will provide signal coordinated corridors on El Camino Real between I- 380 and Whipple Ave and on major arterials between El Camino Real and US 101. A communications and monitoring system is included that will allow monitoring and operation from the Caltrans Traffic Management Center. State transportation funding of \$20M has been committed to the project. In FY 09-10 \$1,042,961 was spent on the detailed design.
- Annual implementation of the Congestion Management Program (Congestion Management and Congestion Relief), NPDES Water Pollution Prevention Program (WPPP), Abandoned Vehicle Abatement Program (AVA), Transportation Fund for Clear Air County (TFCA) Program, Transportation/ Environmental Program (AB 1546), TDA Article 3 Program, Airport Land Use Commission, and State Legislative Program.
- The C/CAG Motor Vehicle Fee Program provided \$1,368,093 to the cities and County for congestion management and water pollution projects. The remaining funds (\$674,639) were used for administration and countywide programs such as green streets, Smart Corridor Design, Intelligent Transportation Solutions projects, and water pollution prevention projects. Since the funds expire on 1/01/13 unless renewed, the funds were used only for projects that need one time funding so as not to create a future obligation potentially without funding.
- The cost of the Municipal Regional Permit (MRP) for the Water Pollution Prevention Program (WPPP) is projected to significantly increase. To minimize the cost of the MRP an appeal has been filed with the State Water Resources Control Board and a claim filed with the Commission on State Mandates.

MANAGEMENT'S DISCUSSION AND ANALYSIS

GOVERNMENT-WIDE FINANCIAL ANALYSIS

The government-wide analysis focuses on the net assets (Table 1) and changes in net assets (Table 2) for the C/CAG governmental activities.

**Statement of Net Assets
Year Ended June 30, 2010**

Table 1

	Governmental			
	Activities			
	2009	2010	\$ Change	% Change
Assets				
Cash and investments (note 2)	9,815,715	9,777,532	(38,183)	-0.4%
Accounts receivable	1,212,146	1,388,541	176,395	14.6%
Total Assets	11,027,861	11,166,073	138,212	1.3%
Liabilities				
Accounts payable	2,728,667	1,170,444	(1,558,223)	-57.1%
Accrued payable	63,244	621,684	558,440	883.0%
Total Liabilities	2,791,911	1,792,128	(999,783)	-35.8%
Net Assets				
Restricted for:				
Congestion management	1,866,632	2,243,261	376,629	20.2%
NPDES	1,398,119	1,551,379	153,260	11.0%
AB 1546	4,320,778	4,890,918	570,140	13.2%
Air quality (BAAQMD)	(2,898)	11,282	14,180	-489.3%
Abandoned vehicle	607,503	615,523	8,020	1.3%
Unrestricted	45,816	61,582	15,766	34.4%
Total Net Assets	8,235,950	9,373,945	1,137,995	13.8%

Statement of Net Assets (Table 1) Change Analysis:

Assets

- Cash and investments totaling \$9.7 million. This amount includes \$6.1 million held with Local Agency Investment Fund, \$2.6 million in San Mateo County Investment Pool, and \$1 million of cash in bank.
- Accounts receivable - increased \$176,395 or 14.6% primarily due to the timing of payments for accrued revenue.

Liabilities

- Total liabilities decreased \$999,783 or 36% due to delay of reimbursement request, delay of invoice submission from members, and staff monitoring the accounts payable invoice process closely.

MANAGEMENT'S DISCUSSION AND ANALYSIS

Net Assets

- AB 1546 - Increased \$570,140 or 13% due to delay in implementation of the AB 1546 Countywide Projects. Transferred \$300,000 to Congestion Management for Smart Corridor design.
- Congestion Management - Increased \$376,629 or 20 % due to cost reimbursement of \$300,000 from AB 1546 for design of the Smart Corridors Project.
- NPDES – Increased \$153,261 or 11% primarily due to delay in implementation of the new NPDES Storm-water permit.

Remaining categories were within the normal variations.

Statement of Activities with
Changes in Net Assets
Year Ended June 30, 2010

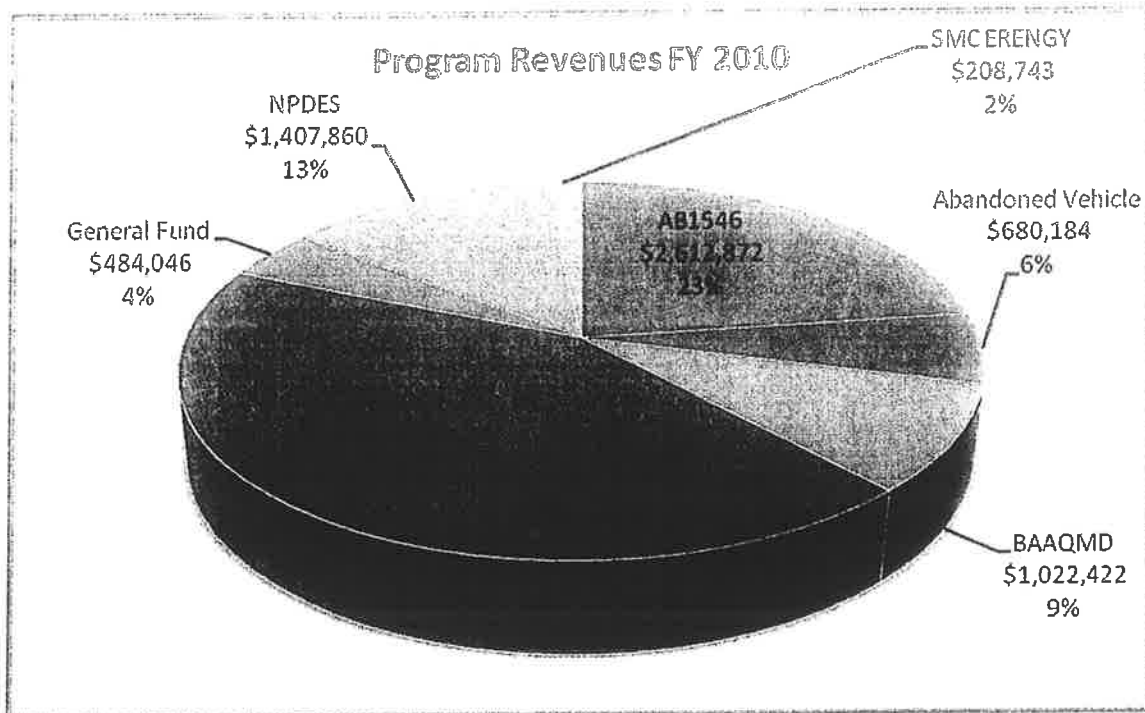
Table 2

	Governmental Activities		\$ Change	% Change
	2009	2010		
Revenues				
Program Revenues:				
Charges for services	2,517,350	3,808,465	1,291,115	51.3%
Operating grants and contributions	3,855,857	3,120,357	(735,500)	-19.1%
General Revenues:				
Abandoned vehicle program	681,557	676,295	(5,262)	-0.8%
AB 434 DMV fees	1,015,701	1,020,885	5,184	0.5%
AB 1546 fees	2,474,882	2,580,549	105,667	4.3%
Other general revenues	14,789	84,581	69,792	471.9%
Total Revenues	10,560,136	11,291,132	730,996	6.9%
Expenses				
General government	461,512	594,161	132,649	28.7%
Congestion management	4,396,156	4,596,281	200,125	4.6%
Air quality	1,172,444	1,005,965	(166,479)	-14.2%
NPDES stormwater	1,352,657	1,250,882	(101,775)	-7.5%
Abandoned vehicle abatement	678,378	672,164	(6,214)	-0.9%
AB 1546	3,358,924	1,739,758	(1,619,166)	-48.2%
SMC Energy		293,926	293,926	n/a
Total Expenses	11,420,071	10,153,137	(1,266,934)	-11.1%
Incr (Decr) in Net Assets	(859,935)	1,137,995	1,997,930	232.3%
Beginning Net Assets	9,095,885	8,235,950	(859,935)	-9.5%
Ending Net Assets	8,235,950	9,373,945	1,137,995	13.8%

Statement of Activities with Changes in Net Assets (Table 2) Change Analysis:

Revenues

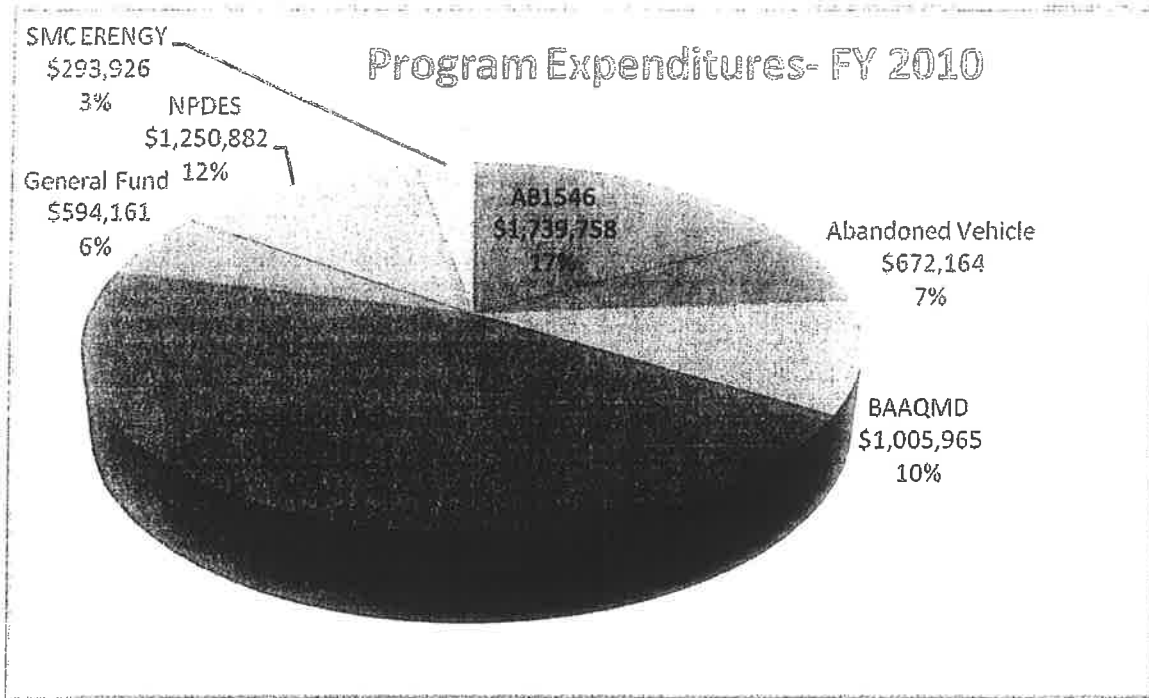
- Program Revenues:
 - Charges for Service increased \$1,291,115 or 51% mainly due to the \$800,000 in State Transportation Improvement Program funds for the Smart Corridor Project, \$250,000 for Gateway 2020 Phase 2, and miscellaneous charges for service.
 - Operating grants & contribution decreased \$735,500 or 19% due to less funding from the Metropolitan Transportation Commission (MTC) for transportation planning and lower cost reimbursement from funding partners of joint projects for this year.
- General Revenues:
 - AB 1546 Fees increased \$105,667 or 4% compared to prior year due to the increase of receipt of motor vehicle fees from the State of California.
 - Other general revenues increased \$69,792, the increase in interest earning from investment accounts due to the write-off caused by the Lehman Brothers in FY 09.
- Total revenues increased \$730,996 or 7% compared to FY 2009 due to the State Transportation Improvement Program funds for the Smart Corridor Project and new program of Energy Local Government Partnership with PG&E for the San Mateo County Energy Watch.



MANAGEMENT'S DISCUSSION AND ANALYSIS

Expenses

- General expenses increased \$132,649 or 29% due to increase in professional services for the Comprehensive Land Use Plan for San Francisco International Airport.
- Congestion Management increased \$200,125 or 5% due to the Smart Corridor project implementation.
- Implementation of the SMC Energy Program caused an increase in expenditures.
- Change in Abandoned Vehicle Abatement is within the normal variances from year to year.
- NPDES storm water decreased \$101,775 or 8% which is within the normal variance.
- Air Quality program decreased \$166,479 or 14% due to decrease of member distribution caused by reduced motor vehicle fee revenues.
- AB 1546 decreased \$1,619,166 or 48% due to the delay of the implementation of the countywide program and the lack of receipt of invoice for cost reimbursement of projects underway or completed.
- The total expenses decreased 11% or \$1,266,934 compared to FY 2009. This is primarily due to the AB 1546 program decreases as discussed above.



MANAGEMENT'S DISCUSSION AND ANALYSIS

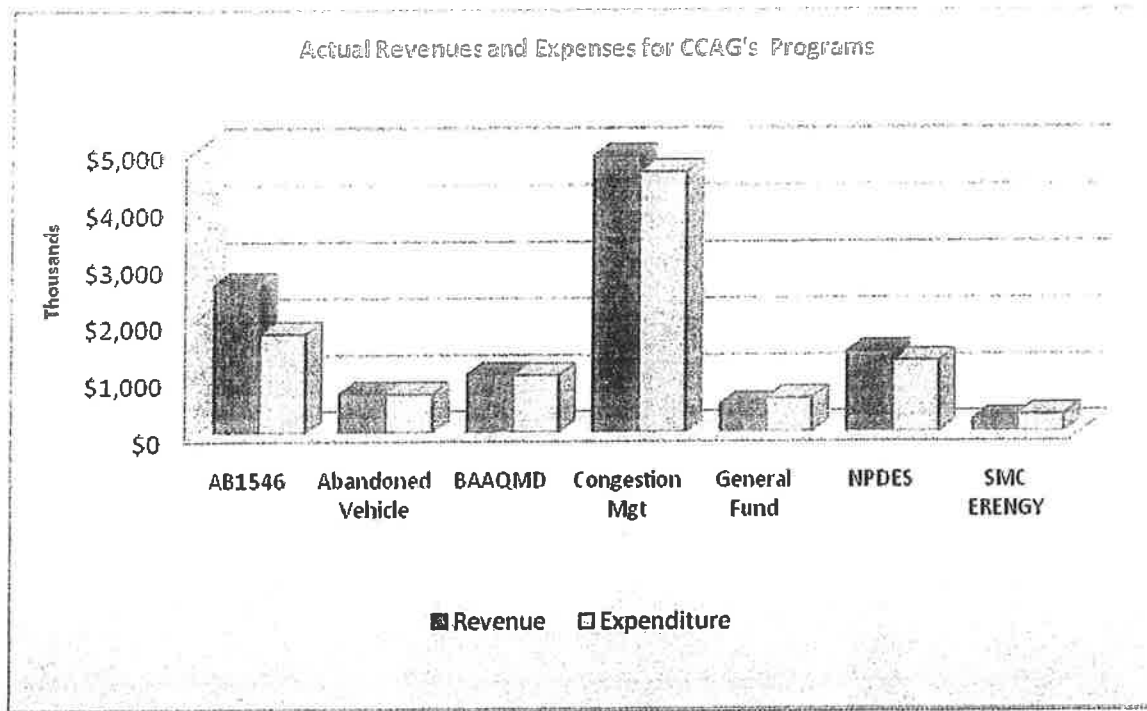
C/CAG FUND FINANCIAL STATEMENTS

At year-end the C/CAG governmental funds reported combined fund balances of \$9,373,945.

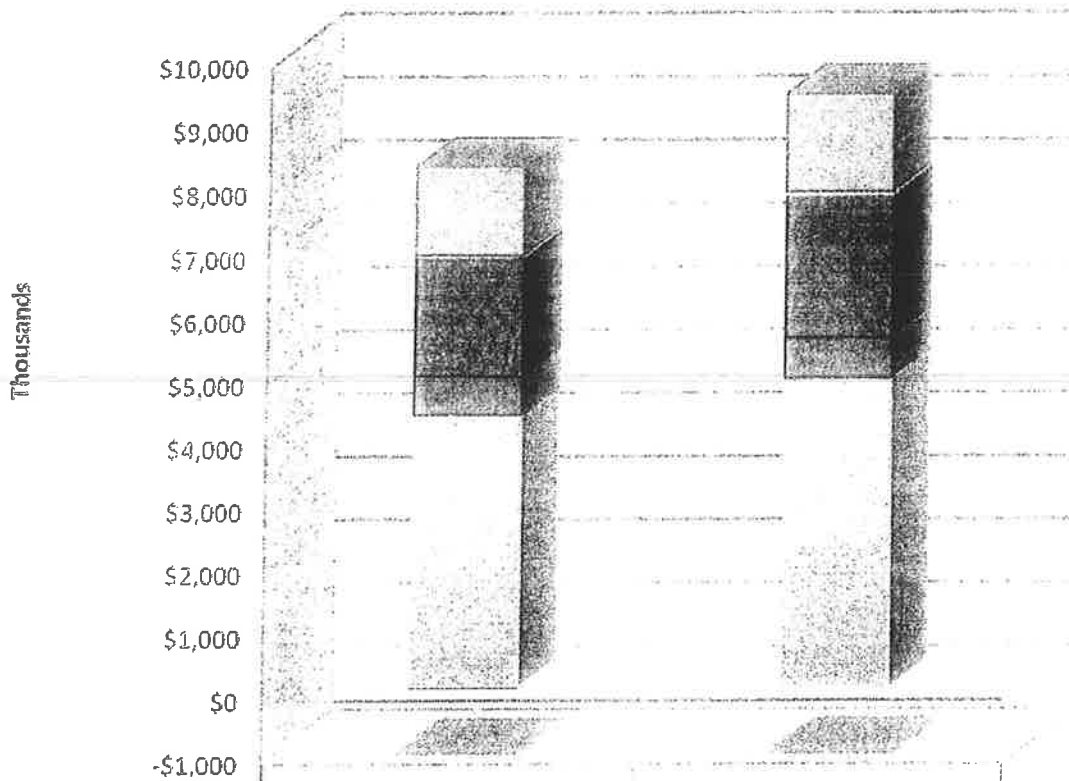
C/CAG Combined Highlights

- The combined C/CAG revenues were \$11,291,132 (actual) versus \$10,712,024 (budget) or \$579,108 over the budget. The increase was primarily related to the increase in State Transportation Improvement Program funds for the Smart Corridor Project.
- The combined C/CAG expenditures were \$10,153,137 (actual) versus \$11,543,532 (budget) or \$1,390,395 under the budget. The decrease was due to delays in implementation of the Congestion Management (Congestion Management and Congestion Relief Programs) and AB1546 Countywide program.
- The combined C/CAG Fund ending balance was \$9,373,945 (actual). This is \$1,137,995 higher than the prior year, primarily due to the NPDES revenues increase \$156,978 and the AB 1546 program's revenue exceeding expenditures \$873,114, an increase in Congestion Management \$278,724.

Financial Analysis of the C/CAG's Programs



Total Net Assets



	2009	2010
NPDES	\$1,398,119	\$1,551,380
General Fund	\$45,816	\$61,583
Congestion Mgt	\$1,866,632	\$2,243,260
BAAQMD	\$(2,898)	\$11,282
Abandoned Vehicle	\$607,503	\$615,523
AB1546	\$4,320,778	\$4,890,917

MANAGEMENT'S DISCUSSION AND ANALYSIS

General Fund

- At the year end expenditures exceeded revenues due to the Board approved revenue sharing from the other funds not being included. When counted as revenue then revenues slightly exceed expenditures.
- Revenues increased \$149,620 or 45% mainly due to receive funding from San Francisco International Airport for support of Airport Land Use Commission activities. An increasing in the intergovernmental reimbursement also contributed to the increase.
- Expenditures increased \$132,649 or 29% mainly due to increase in cost for the San Francisco International Airport Comprehensive Land Use Plan.
- Fund Balance increased \$15,949 or 35% due to transfer in from other funds to cover the administrative expenditures and receiving funding from intergovernmental.
- Investment interest is received into the General Fund and then proportionately allocated to each fund quarterly.
- A policy was adopted by the C/CAG Board to share certain General Fund costs with the other funds. This is shown by the Transfer in to the General Fund.
- Revenue includes member contributions of \$250,024 same as in FY09.

Congestion Management

- Consists of Congestion Management, Congestion Relief Program, and Smart Corridor Project.
- Revenues increased by \$209,529 or 5% due to funding for the Smart Corridors Project.
- Expenditures increased by \$200,125 or 5% due to spending related to the Smart Corridor Project implementation and other congestion management projects..
- Fund Balance increased \$376,629 or 20% due to Congestion Relief Program revenue increase (\$373,715) due to transfer from AB 1546 of \$300,000 for Smart Corridor Design reimbursement.
- Revenue includes member contributions of \$2,240,906 and intergovernmental reimbursement of \$1,049,810 and cost reimbursement of \$1,567,458. Remaining revenues are interest and other revenue.
- Implementation is underway for the Smart Corridor Project that provides an Intelligent Transportation System for incident and event management.
- Congestion Relief studies and implementation are underway. These include the 2020 Gateway Study (implementation), Highway 280 Ramp Metering Study (implementation), Intelligent Transportation System Study (implementation), and the Smart Corridor Project (implementation). Other studies initiated or underway include US 101 High Occupancy Vehicle (HOV) Conversion Analysis, and Highway 92 and US 101 Area Study.

NPDES

- Minimal change in revenues, \$15,220 or 1.1% was up from prior year.

MANAGEMENT'S DISCUSSION AND ANALYSIS

- Expenditures decreased \$101,775 or 8% mainly due to decrease of professional services which were caused by reduced initial scope of work for the new Municipal Regional Permit.
- Revenue includes NPDES fees of \$1,289,484.
- Fund balance increased \$153,260 or 11% from \$1,398,119 (beginning) to \$1,551,379 (ending) primarily due to reduction of expenditures and increase of investment income.

Bay Area Air Quality Management District

- Minimal change in revenues, \$6,941 or 0.7% was up from prior year.
- Expenditures decreased by \$166,479 or 14% due to decreases totaling \$148,000 in fund distribution to members and \$18,000 in professional services. The expenditures were lowered to match the revenues received.
- Fund Balance increased \$14,180 due to the revenues exceeding the expenditures.
- Revenues received are completely disbursed to participating agencies and the administrator.

Abandoned Vehicle Abatement Program

- Revenues received are completely disbursed to participating agencies and the administrator. Therefore revenues and expenditures had minimal change compared to prior year.
- Fund balance increased \$8,020 or 1.3% from \$607,503 to \$615,523 which resulted from the investment interest allocation and revenues exceeding expenditures.

AB 1546

- Revenues increased \$141,853 or 6% due to increase in investment income and intergovernmental reimbursement (motor vehicle fees).
- Expenditures decreased \$1,619,166 or 48% due to delay in cost reimbursement of Countywide Projects programmed.
- Fund Balance increased \$570,140 or 13%. This is due to the decrease of fund distribution to members for Countywide Projects programmed and increase of investment income.
- This was the fifth year of the AB 1546 Program which provides a \$4 motor vehicle fee for C/CAG for congestion and environmental impacts caused by motor vehicles. This program provided \$2,580,549 for the fiscal year and will expire 1/01/13 unless renewed.

SMC Energy

- New program ramped up in FY 09-10.
- Revenue of \$208,743 cost reimbursement received from PG&E for the Energy Local Government Partnership.

MANAGEMENT'S DISCUSSION AND ANALYSIS

- Total expenses for the year were \$293,926, mainly \$213,280 was the pass through to County for implementing the program and \$65,000 was the incentive paid to cities and county. Remaining costs of \$15,646 was for Executive Director and administrative support.
- Transferred \$85,000 from Congestion Relief Program to cover the incentive paid to cities and county. Since the incentive program was approved to be fully paid for by the Congestion Relief Program it required the funds to be transferred.

CONTACTING THE C/CAG FINANCIAL MANAGEMENT

This financial report is designed to provide our citizens, taxpayers, and creditors with a general overview of the C/CAG finances. If you have any questions about this report or need additional information, please contact the Executive Director of the City/County Association of Governments of San Mateo County at 555 County Center Fifth Floor, Redwood City, CA 94063 or the C/CAG Financial Agent which is the Finance Department at the City of San Carlos, 600 Elm Street, San Carlos, CA 94070.

C/CAG Basic Financial Statements (Complete Audit) for the
Year Ended June 30, 2010 - Provided separately

C/CAG AGENDA REPORT

Date: February 10, 2011
TO: C/CAG Board of Directors
From: Richard Napier - C/CAG Executive Director
Subject: Review and accept the AB 1546 Fund Financial Statements (Audit) for the Year Ended June 30, 2010

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

Recommendation:

Review and accept the AB 1546 Fund Financial Statements (Audit) for the Year Ended June 30, 2010 in accordance with the staff recommendation.

Fiscal Impact:

None.

Revenue Source:

Dedicated Motor Vehicle Fee.

Background/ Discussion:

A separate independent audit was performed on the AB 1546 Fund for the year ended June 30, 2010. No issues were identified that required correction. The complete audit is provided in the packet separately.

Attachment:

AB 1546 Fund Balance Sheet

AB 1546 Fund Statement of Revenues, Expenditures, and Changes in Fund Balance

AB 1546 Fund Financial Statements (Complete Audit) for the Year Ended June 30, 2010 - Provided separately

Alternatives:

- 1- Review and accept the AB 1546 Fund Financial Statements (Audit) for the Year Ended June 30, 2010 in accordance with the staff recommendation.

ITEM 5.6.3

- 2- Review and accept the AB 1546 Fund Financial Statements (Audit) for the Year Ended June 30, 2010 in accordance with the staff recommendation with modifications.
- 3- No Action.

CITY/COUNTY ASSOCIATION OF GOVERNMENTS
OF SAN MATEO COUNTY
AB 1546 FUND
BALANCE SHEET
JUNE 30, 2010

ASSETS

Cash (Note 2)	\$4,704,483
Accounts receivable	<u>228,474</u>
Total Assets	<u><u>\$4,932,957</u></u>

LIABILITIES

Accounts payable	\$27,435
Accrued liabilities	<u>14,604</u>
Total Liabilities	<u>42,039</u>

FUND BALANCE

Unreserved, undesignated	<u>4,890,918</u>
Total Liabilities and Fund Balance	<u><u>\$4,932,957</u></u>

See accompanying notes to financial statements.

CITY/COUNTY ASSOCIATION OF GOVERNMENTS
 OF SAN MATEO COUNTY
 AB 1546 FUND
 STATEMENT OF REVENUES, EXPENDITURES
 AND CHANGES IN FUND BALANCE
 FOR THE FISCAL YEAR ENDED JUNE 30, 2010

REVENUES

From other agencies	\$2,580,549
Investment income	<u>32,323</u>
 Total Revenues	 <u>2,612,872</u>

EXPENDITURES

Professional services	352,382
Conferences and meetings	19,283
Distributions	1,368,093
Transfer out	<u>302,974</u>
 Total Expenditures	 <u>2,042,732</u>

NET CHANGE IN FUND BALANCE	570,140
 FUND BALANCE AT BEGINNING OF YEAR	 <u>4,320,778</u>
 FUND BALANCE AT END OF YEAR	 <u><u>\$4,890,918</u></u>

See accompanying notes to financial statements.

AB 1546 Fund Financial Statements (Complete Audit) for the
Year Ended June 30, 2010 - Provided separately

- 2- Review and accept the Memorandum on Internal Control and Required Communications for the Year Ended June 30, 2010.
- 3- No Action.

Memorandum on Internal Control and Required Communications for the
Year Ended June 30, 2010

C/CAG AGENDA REPORT

Date: February 10, 2011

TO: C/CAG Board of Directors

From: Richard Napier - C/CAG Executive Director

Subject: Request the Finance Committee to evaluate the performance of the City/ County Association of Governments of San Mateo County (C/CAG) and to make a recommendation to the Board on reauthorization

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

Recommendation:

Request the Finance Committee to evaluate the performance of the City/ County Association of Governments of San Mateo County (C/CAG) and to make a recommendation to the Board on reauthorization in accordance with the staff recommendation.

Fiscal Impact:

None.

Revenue Source:

Member assessments, parcel fee, motor vehicle fee (AVA/ TFCA/ AB1546) and State/ Federal Transportation Funds.

Background/ Discussion:

The current authorization of C/CAG expires on 12/1/11. In the past the Finance Committee has been assigned the task to evaluate the performance of the City/ County Association of Governments of San Mateo County (C/CAG) and to make a recommendation to the Board on reauthorization. Therefore, it is requested that this task be assigned to the Finance Committee.

Finance Committee:

The following are members of the Finance Committee.

Thomas M. Kasten	C/CAG Chair
Bob Grassilli	C/CAG Vice Chair
Carole Groom	C/CAG Vice Chair
Irene O'Connell	C/CAG Board Member
Sepi Richardson	C/CAG Board Member
Jeff Maltbie	San Carlos City Manager (C/CAG Financial Agent)

ITEM 5.7

Attachment:

None

Alternatives:

- 1- Request the Finance Committee to evaluate the performance of the City/ County Association of Governments of San Mateo County (C/CAG) and to make a recommendation to the Board on reauthorization in accordance with the staff recommendation.
- 2- Request the Finance Committee to evaluate the performance of the City/ County Association of Governments of San Mateo County (C/CAG) and to make a recommendation to the Board on reauthorization in accordance with the staff recommendation with modifications.
- 3- No Action.

C/CAG AGENDA REPORT

Date: February 10, 2011
To: City/County Association of Governments Board of Directors
From: Richard Napier, Executive Director
Subject: Review and approval the Joint Call for Projects for the San Mateo County Bicycle and Pedestrian Program for FY 2012 and FY 2013

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

RECOMMENDATION

That the C/CAG Board review and approve the Joint Call For Projects for the San Mateo County Bicycle and Pedestrian Program FY 2012 and 2013.

FISCAL IMPACT

The Transportation Development Act (TDA) Article 3 Bicycle and Pedestrian project funding cycle for FY 2011 and 2012 is estimated to be \$900,000. The Measure A funding cycle for FY 2011 and 2012 is estimated to be \$3,000,000. Total combined funding available is estimated at \$3,900,000.

SOURCE OF FUNDS

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

BACKGROUND/DISCUSSION

The C/CAG managed TDA Article 3 funds are allocated to San Mateo County each fiscal year for bicycle and pedestrian related projects by the Metropolitan Transportation Commission (MTC). For each TDA Article 3 program funding cycle, C/CAG typically issues a “call for projects” requesting local San Mateo County jurisdictions to submit applications for pedestrian and bicycle related projects. At the January 2010 meeting, the Board approved combining the FY 2011 and FY 2012 cycles together due to the small amount of funds available in FY 2011. The Board, at the May 2010 meeting, later approved an allocation of \$100,000 from the FY 2011 cycle for development of the San Mateo County Comprehensive Bicycle and Pedestrian Plan.

The San Mateo County Transportation Authority (TA) administers the Measure A funds. The 2004 Expenditure Plan authorized that three percent (3 %) of the Measure A sales tax revenues be set aside annually for the Pedestrian and Bicycle Program.

ITEM 5.8

The purpose of the proposed Joint Call for Projects for the San Mateo County Bicycle and Pedestrian Program is to combine the two separate funding sources into one coordinated and efficient process for soliciting for projects. The issuance of a joint call for project, which is planned as a biennial process, utilizes one application and one scoring criteria to facilitate the application submittal process, making it easier for the project sponsors. Each fund source has different conditions that project sponsors will need to comply with in regards to restrictions on use of funds, project eligibility, project material submittals, reporting requirements, fund expirations, and reimbursement processes. There will be no limit on the amount of funds a jurisdiction can apply for.

With regards to the project selection, the TA and C/CAG will independently score all applications using two parallel processes. The TA will assemble a selection panel composed of individuals from a variety of public agencies knowledgeable with bicycle and pedestrian facilities. C/CAG will continue to utilize the Bicycle and Pedestrian Committee (BPAC) to evaluate, rank, and make recommendations for projects to be funded. The combined results of both evaluation processes will be reconciled between the TA and C/CAG. Projects will be assigned the appropriate funds (either Measure A or TDA Art. 3) based on project type, fund type requested, and available funds from each funding sources. Projects will be awarded either Measure A or TDA Art. 3 fund but not a combination of both.

The BPAC recommends that there should be a limit of three (3) applications per jurisdiction. The BPAC also recommends that TA selection panel be invited to attend two BPAC meetings, the project presentation (project sponsors present their respective project) and the project scoring (BPAC members scores and ranks the project applications) meetings. Staff, in concurrence with the TA staff, recommends that there should not be a limit on the number of applications due to the amount of funds available for this biennial call for projects.

ATTACHMENTS

- Joint Call for Projects, Application and Scoring Sheet

JOINT CALL FOR PROJECTS

SAN MATEO COUNTY BICYCLE AND PEDESTRIAN PROGRAM FISCAL YEAR 2012 and 2013 APPLICATION

SAN MATEO COUNTY TRANSPORTATION AUTHORITY (TA) AND CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG)

February 14, 2011

The San Mateo County Transportation Authority (TA) and City/County Association of Governments of San Mateo County (C/CAG) are pleased to announce a joint call for projects for the San Mateo County Bicycle and Pedestrian Program.

The goal of the San Mateo County Bicycle and Pedestrian Program is to fund specific projects that encourage and improve bicycling and walking conditions in San Mateo County. Bicycling and walking are sustainable forms of transportation and contribute to the overall goals of the **Measure A Program and Transportation Development Act (TDA) Article 3** to reduce commute corridor congestion, make regional connections, enhance safety, and meet local mobility needs.

A total of **\$3.9 million** is available in this solicitation covering FY 2012 (fiscal year 2012 begins July 1, 2011 and ends June 30, 2012) and FY 2013 (fiscal year 2013 begins July 1, 2012 and ends June 30, 2013). The 20 cities and County are invited to submit applications for bicycle and pedestrian related projects. The Call for Projects, which is scheduled biennially, is funded by a combination of \$3,000,000 in the Measure A Program and \$900,000 in TDA Article 3 Program.

Each fund source has different conditions with which project sponsors will need to comply regarding restrictions on use of funds, project eligibility, project materials submittals, reporting requirements, fund expirations, and reimbursement processes. Additional information is provided in the Application Instructions section.

A workshop will be held on **March 8, 2011**, to provide information for all potential project sponsors. Since this is a new Call for Project process that involves two funding sources and new information, attendance at the workshop is strongly encouraged.

Applicants must submit **22 bound copies and one (1) unbound copy** of the completed joint application along with all the required materials. All completed applications must be received at the C/CAG office by **Thursday, March 17, 2011 at 4:00 p.m.** Please submit applications to:

C/CAG - TA
Pedestrian and Bicycle Joint Call For Project
555 County Center, 5th Floor
Redwood City, CA 94063
Attention: John Hoang

Electronic versions of the Application Instructions, Application Form, and Scoring Sheet can be found at the TA's Website at http://www.smcta.com/pedestrian_and_bicycle_program.html. Applications are required to stay within the prescribed format, and where relevant, on the forms provided, so that there is uniformity for purpose of review.

The overall application format requirements are:

- Applications are to be stapled together, not bound in any other way.
- Narrative pages may only be written on 8.5" x 11" paper. Graphics, photos and maps may be printed only on 8.5"x11" or 11"x17" paper.
- Submit 1 original signed application and 22 copies of each application. E-mailed applications are not acceptable. We encourage applicants to provide double sided applications, if possible.

Submit 1 compact disc with a PDF of the application, including support materials. Scanned images are acceptable in the PDF file.

The proposed schedule for the San Mateo County Bicycle and Pedestrian Program Call for Projects is as follows:

Event	Date*
Call for Projects Issued	February 14, 2011
Application Workshop	March 8, 2011
Project Applications Due 4:00 p.m.	March 17, 2011
Project Presentations for C/CAG BPAC	March 24, 2011
Project Site Visit	April 9, 2011
C/CAG BPAC Application Review & Recommendation	April 28, 2011
C/CAG Board Approval	June 9, 2011
TA Board Approval	July 7, 2011

* Dates may be adjusted as necessary

Please direct any questions regarding the Pedestrian and Bicycle Funding Program or the application process to the TA or C/CAG staff listed below:

Information	TA	C/CAG
Name	Jason Nesdahl	John Hoang
Title	Program Manager	Program Manager
Phone	650-508-6450	650-363-4105
Email	callforprojects@smcta.com	jhoang@co.sanmateo.ca.us

SAN MATEO COUNTY PEDESTRIAN AND BICYCLE PROGRAM

Application Instructions and Project Selection Guidance

The San Mateo County Pedestrian and Bicycle Program is competitive and subject to a call for projects. This joint call for projects combines two different funding sources, the TA administered Measure A funds and the C/CAG administered TDA Article 3 funds. The issuance of a joint call for bicycle and pedestrian project utilizing one application and scoring criteria will make it easier for project sponsors.

A. MEASURE A OVERVIEW

In 2004, San Mateo County voters reauthorized the Measure A program (Measure A), with the accompanying 2004 Transportation Expenditure Plan, for an additional 25 years (2009 – 2033). The 2004 Expenditure Plan authorized 3 percent of the Measure A sales tax revenues to be set aside annually for the Pedestrian and Bicycle Program. The Pedestrian and Bicycle Program category provides funding for the construction of facilities for bicyclists and pedestrians projects that encourage and improve bicycling and walking conditions in San Mateo County. Bicycling and walking are sustainable forms of transportation, and contribute to the overall goals of the Measure A Program to reduce commute corridor congestion, make regional connections, enhance safety and meet local mobility needs.

The 2004 Expenditure Plan also outlines restrictions in the use of Measure A funds to target funding to transportation projects in San Mateo County and to maximize the leverage of other funding. The restrictions include:

- Measure A funds may not be used to replace or supplant existing funds and resources.
- Measure A funds may only be used for transportation facilities and services
- Measure A funds may only be used for projects within San Mateo County, with the exception of the systemwide costs for Caltrain improvements that are shared with the other two member agencies of the Peninsula Corridor Joint Powers Board (JPB) that manages Caltrain, and for projects in the highway category that minimally extend into adjacent counties to connect with existing infrastructure in those counties.

The Pedestrian and Bicycle Program call for projects is conducted every two years, with a total of \$3.0 million available in this first Call for Projects, reflecting funding for FY2012 and FY2013. There is no maximum funding award per project. However, the TA is interested in spreading the Measure A funds as broadly as possible throughout the county, and thus may limit the size of awards if demand exceeds available funding. Additionally, the TA reserves the right to award less than the \$3.0 million available, as well as to fund projects in a program category other than the one for which it was submitted. All project applications may not receive funding.

Projects identified as candidate projects are listed in the 2004 Expenditure Plan. Projects not listed as candidate projects may also be submitted during this call for projects. Eligible projects include but are not limited to:

- Paths
- Trails
- Bridges over roads and highways
- Class I, Class II and Class III bike facilities.

B. TRANSPORTATION DEVELOPMENT ACT (TDA) ARTICLE 3 OVERVIEW

The Metropolitan Transportation Commission (MTC) directly administers the TDA Article 3 funds and has adopted MTC Resolution No. 875 entitled "Transportation Development Act, Article 3, Pedestrian/Bicycle Projects", that delineates procedures and criteria for submission of claims for TDA Article 3 funding for bicycle and pedestrian facilities. Per Resolution 875, C/CAG, as the County Congestion Management Agency (CMA), is responsible for developing a process to: solicit for projects from the local jurisdictions, encourage submission of project applications, evaluate and prioritize projects, and establish a process for prioritization in order to prepare an annual program of projects recommended for funding.

To be considered for TDA Article 3 funds, your application should show how the proposed project could demonstrate one or more of the 12 objectives established by MTC. These objectives are detailed on pages 6 and 7 of MTC Resolution 875. A summary of the objectives is as follows:

- Elimination or improvement of an identified problem area.
- A continuous interconnected route to activity centers where it did not previously exist.
- Secure bicycle parking facilities.
- Provisions that facilitate bicycle/transit trips.
- Maintenance of Class I bikeways or restriping Class II bicycle lanes.
- Projects identified in a comprehensive local bicycle or pedestrian plan.
- Enhancing bicycle or pedestrian commuting.
- Supporting jurisdictions that promote safety, information, and facility maintenance.
- Local support for bicycle and pedestrian projects.
- Regional continuity.
- Bicycle safety education.
- Signage to identify bicycle routes.

Some important factors, developed by the C/CAG Bicycle and Pedestrian Committee over the years, which have been taken into consideration for evaluating projects, include the following:

- Participation of a local jurisdiction's Bicycle/Pedestrian Advisory Committee, Council, and/or other organizations in the proposed project. Committees that include actual consumers are strongly encouraged.
- Assurance that at least one staff or board member of the sponsoring jurisdiction has personally biked and/or walked the proposed project route in order to gain first hand knowledge of the potential hazards and challenges that might exist for the potential users
- Extent of local match provided.
- The extent to which the project provides access to high use activity centers.
- The extent to which the project addresses an important safety issue.
- The extent to which the project addresses a priority in the San Mateo County Comprehensive Bicycle and Pedestrian Plan or a comparable local plans.

These factors have been incorporated into the joint call for projects process.

TDA Article 3 funds are derived from:

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

diesel fuel.

C/CAG receives approximately \$500,000 annually in TDA Article funds from MTC for bicycle and pedestrian projects. TDA Article 3 funds expire three (3) years after allocations are made by MTC. Unused funds are returned back into the County fund estimate and made available for future funding allocations. TDA Article 3 FY 2011 and FY 2012 funding is programmed for this joint call for projects.

C. GENERAL CRITERIA

All applicants must submit a standard joint application form and any requested attachments. Projects are evaluated based on the criteria in Table 1. Projects will be scored and ranked based on the weighting factors and scoring guidance found in the scoring sheet, located at the end of the application.

TABLE 1 Bicycle and Pedestrian

PROJECT SCREENING / BASIC ELIGIBILITY (MEASURE A & TDA ARTICLE 3)	
<ol style="list-style-type: none"> 1. Sponsor is San Mateo County or a City in San Mateo County 2. Project is located in San Mateo County 3. Project encourages walking and/or bicycling 4. Funding is for project development and/or construction of facilities 5. Funding request does not substitute existing funds 6. Meets Caltrans Standards, if applicable 	
MEASURE A ELIGIBILITY & REQUIREMENTS	
Eligibility: Specific project development (i.e. planning, environmental clearance, design and construction. General countywide or citywide bicycle or pedestrian planning is not eligible in this category.	
TDA ARTICLE 3 ELIGIBILITY & REQUIREMENTS	
Eligibility: Construction projects	
Requirements: Environmental clearance.	
PROJECT PRIORITIZATION CRITERIA (MEASURE A & TDA ARTICLE 3)	
PROJECT NEED	<ul style="list-style-type: none"> • Meets commuter and/or recreational purpose • Enhances bicycle and/or pedestrian safety • Provides geographic balance within program
POLICY CONSISTENCY	<ul style="list-style-type: none"> • TA 2004 Expenditure Plan • Countywide Transportation Plan • County Bike Plan • City Bike or Pedestrian Plan • City General Plan, Specific Plan, other local plans • Grand Boulevard Initiative Guiding Principles • MTC Regional Priority Development Area (PDA) • Americans with Disabilities Act
READINESS	<ul style="list-style-type: none"> • Results from a public planning process • Demonstrates stakeholder support • Has a solid funding plan
EFFECTIVENESS	<ul style="list-style-type: none"> • Connects to transit service • Provides connectivity to bicycle or pedestrian system • Closes gap in countywide bike or pedestrian network • Enhances connectivity to schools, transit stations, and other activity centers • Total TA funding share/ Meets matching fund target • Safety
SUSTAINABILITY	<p><u>Environmental</u></p> <ul style="list-style-type: none"> • Preserves open space and natural habitat • Reduces emissions; improves air quality <p><u>Transit Oriented Development</u></p> <ul style="list-style-type: none"> • Improves walk and/or bike access to TOD • Supports livable, walkable and healthy communities <p><u>Economic Development</u></p> <ol style="list-style-type: none"> A. Creates jobs B. Spurs private investment <ul style="list-style-type: none"> • Supports jobs and housing growth

D. APPLICATION INSTRUCTIONS

Projects will be scored, ranked and compared against other projects submitted in the Call for Projects based on the criteria outlined below. The project sponsor must justify the project based on these criteria, and should provide as much information as possible on the application form to make the best case for the project. Where appropriate, evaluations of current activities, prior studies, plans or other documents should be cited. Projects will be scored based on overall response to each major section of the criteria. Projects do not necessarily need to meet every individual component of the criteria, but projects that meet a higher number of criteria or are more relevant to the criteria guidelines will receive a higher score.

Additional information and explanation for the questions within each of the eight sections of the applications can be found in the specific section, below.

I. PROJECT NAME AND FUNDING REQUEST

a. Agency / Sponsor

Indicate the name of the organization that is the project sponsor. The project sponsor must be the County of San Mateo County or a city within San Mateo County. Project advocates that are not the County or a city within San Mateo County must seek sponsorship of a project by the County or a city for implementation.

b. Project Name

Indicate the name or title of the project. It should be the name or title used in official documents or other publicly available information.

c. Funding Preference

Indicate the preference of funding for this project: Measure A, TDA Article 3, or no preference on the source of funding. Only one box may be checked. See Section B, Table 1 that outlines the eligibility and requirement differences between the Measure A and TDA Article 3 funding sources. See the Selection Process Section (E) for further information on funding allocation.

d. Funds Requested

Indicate the total project funding request.

e. Application Checklist/Attachments:

Attachments		Application Question	Content Description
<input type="checkbox"/>	Project Location Map(s)	III (a)	Provide one or two maps indicating project location.
<input type="checkbox"/>	Policy Consistency Documentation	V (a)	Policy documentation or resolutions which detail responsibilities and contributions towards the project
<input type="checkbox"/>	Letters of Support	VI (c)	Letters indicating stakeholder support.

II. PROJECT SCREENING / BASIC ELIGIBILITY

a. *Project Sponsor*

The project sponsor must be the San Mateo County or a City in San Mateo County (the answer must be "Yes" to continue). Additionally, the project must be located within and primarily benefit San Mateo County. If it extends beyond the County borders, you must find non TDA Article 3 or Measure A funding to fund that part of the project. Projects connecting at a county line should be coordinated with existing or planned improvements in the adjoining county.

b. *Caltrans Standards*

Measure A: Design does not have to be completed to be eligible for Measure A funding. If the project is not yet in the design phase, check the "Yes or N/A" box.

TDA Article 3: design must be completed and meet Caltrans standards to be eligible for funding.

c. *California Environmental Quality Act (CEQA) Approval*

Measure A: CEQA environmental clearance is **not** required for the project to be eligible for Measure A funding. If the project does not yet have CEQA environmental clearance, check the "Yes or N/A" box.

TDA Article 3: requires that California Environmental Quality Act (CEQA) be completed prior to receiving funding. Attach CEQA clearance document.

III. GENERAL INFORMATION

a. *Project Description:*

1. *Project Description; include a map*

The project must be a pedestrian or bicycle facility. Indicate the type of project (for example: class I bicycle facility, sidewalk improvement, etc.). Indicate the size of the project. Depending on the type of project, this could be its scope, its length, volume of activities, or its actual physical size. The purpose of the project must be to encourage or facilitate walking and/or bicycling.

For Measure A funding, project development costs specifically related to the implementation of a construction project are eligible in this category. Project development may include project planning, environmental clearance or design work. General countywide or citywide bicycle or pedestrian planning is not eligible in this category.

2. *Design Status*

See explanation for II (b)

b. *Project Schedule*

Indicate the anticipated beginning and end date for each phase of the project.
TDA Article 3: construction is the only eligible phase for funding; use "N/A" for all other phases.

Measure A: project development phases (pre-project planning, environmental/preliminary engineering, engineering/design and right of way (ROW) acquisition and utilities) are eligible for funding.

c. *Permitting, Agreements and Environmental Clearance*

1. *Right of Way (ROW) Certification*

Right of way certification ensures all ROW was acquired in accordance with State, and if applicable Federal, Laws. ROW certification also includes the completion of all required utility coordination and cooperative agreements with applicable parties.

2. *Permits, Agreements*

List all permits and agreements needed for the project. For each permit or agreement, please list its status (i.e. needed, pending, approved).

Environmental Clearance

Indicate the environmental clearance status of the project, including whether or not environmental clearance is required, what type is required (CEQA and NEPA), and the status of that clearance process. Also, see explanation II (c)

IV. PROJECT NEED

a. *Meets commuter and/or recreational purpose*

Projects that are targeted at commuter biking, recreational biking and walking are eligible. Discuss what the need for the project is, how that need was determined, and how the project will address the need. Cite relevant data collection, studies or observations.

b. *Enhances Safety*

Does the project address a current safety concern? Discuss how the safety issue was identified, what the scale of the safety problem is, and how the project will address the safety issue. If there is a problem that has resulted in an accident, injury or fatality history, cite actual accident data from the location as part of the description of the project need.

V. POLICY CONSISTENCY

Projects should be consistent with local and countywide planning policies, processes and documents. Please list all of the relevant policy documents with which this project is consistent. For each document or policy directive cited, list the name of the document and the publication date. Projects that are listed specifically in any relevant planning documents should be noted with reference to the page number. If your project is not specifically named in any of these documents, sponsors should note how the project is consistent with or supports specific policies in the relevant planning documents. The primary documents that the project may need to be consistent with include, but not limited to:

- TA 2004 Expenditure Plan
- Countywide Transportation Plan
- County Bike Plan
- City Bike or Pedestrian Plan
- City General Plan, Specific Plan, other local plans
- Grand Boulevard Initiative Guiding Principles (for projects along the El Camino Real corridor)
- MTC Regional Priority Development Area (PDA)
- Americans with Disabilities Act

VI. STATE OF READINESS

Projects should be ready to proceed into the next phase of project development. For projects at different stages of development, this will mean that varying levels of readiness will be appropriate. The following elements should be discussed in relation to project readiness:

a. *Planning Process*

Projects should have the appropriate level of planning review and approval to proceed with project development. The project should have been developed in a public process, with appropriate levels of local-agency approvals and environmental clearance, depending on the stage of the project. Sponsors should briefly describe the planning process for the project.

b. *San Mateo County Comprehensive Bicycle and Pedestrian Plan (Plan) "Priority Project"*

The Plan can be found on the C/CAG website: http://www.ccag.ca.gov/plans_reports.html

c. *Stakeholder Support*

Support from stakeholders should be demonstrated, with letters of support or resolutions supporting the project attached. Support may be from such groups as advocacy groups, citizens' advisory committees, merchant groups, neighborhood associations, commissions, city councils, the County Board of Supervisors, transit agency boards, or any other relevant groups.

d. *Funding Plan (Questions VI d,e,f)*

The sponsor should discuss any potential or actual funding shortfalls, and how they will be addressed. In addition, discuss any funding sources that are considered risky. Also please discuss how the project can and would be scaled to address funding shortfalls, existing or future. Finally, in the table provided, indicate the amounts and percentages of funding that are Planned, Programmed, and Allocated, as defined in the instructions to question 10.

VII. EFFECTIVENESS

The TA and C/CAG desire to fund the most effective projects possible, and thus the effectiveness criteria have the highest overall weight in the selection criteria. There are two areas of importance: transportation effectiveness (countywide network gap closure and connections to activity centers) and effective use of funds.

The transportation effectiveness criteria will evaluate the transportation benefits of the project against its costs. Projects that are fulfilling a vital need and serving larger numbers of users may score highest.

a. *Closes gap in countywide bike or pedestrian network*

Gap closure projects are particularly important for bicycle and pedestrian projects. Describe how the project provides a unique connection between disconnected elements of the network. Describe what is required to negotiate the gap if the project is not built, including the length of the trip necessary and the setting and environment on the alternate route.

Provides connectivity to bicycle or pedestrian system

Describe the relationship of the project to the overall pedestrian or bicycle network, and how the project improves the connectivity of the overall network, such as by providing pedestrian "short cuts" in areas with a circuitous street and pedestrian network. Projects that connect to existing bicycle or pedestrian facilities on at least one end will score higher than projects that are isolated.

b. *Access to high use activity centers*

• Enhances connectivity to schools, transit stations, and other activity centers

Describe if the project enhances bike or pedestrian access to schools, transit stations or other activity centers such as downtown or neighborhood shopping districts, employment centers, entertainment venues or recreational facilities. Describe the level of access available currently and how the project creates options or connectivity that are not currently available.

• Connects to transit service

The sponsor should be certain that the map(s) provided in response to question 7 shows the project's relationship to local transit services and note how the project connects to transit services, including Caltrain, BART, SamTrans, or other local operators. Sponsor should note the relative ease or difficulty of connecting to transit without the project.

c. *Effective use of funds (Questions VII c, d)*

The funding effectiveness criteria will evaluate the benefit of leveraging funds to maximize the use of other funding sources. Projects that have the highest percentage of funds from outside sources in their funding plans may receive higher priority.

Indicate each anticipated funding source for the project, including the total Measure A or TDA Article 3 funding request and the total project cost. Indicate the percentage that is planned, programmed or allocated. If a source has not been identified, indicate "to be determined." Definitions are provided below.

Please note that Measure A or TDA Article 3 funds may **not** be used to replace existing funds or resources. The requesting organization must certify that the funding requested in this application does not substitute for existing funds.

Status	Definition
Planned	Funding that appears in an approved planning document, or other official documents, indicating an official future financial commitment to the specific project, where funding is not yet available. This funding is part of a long-term time horizon.
Programmed	Funding that appears in an approved or official document indicating specific dollars have been committed to a project through governing body action. It demonstrates that funding exists or is available to be programmed to specific projects. This funding is part of a mid-term time horizon.
Allocated	Based on planned or programmed funding, an allocation action approves a specific dollar amount for use on a specific scope/phase of the project, through governing board action. It is assumed that, pending specific requirements, such as a funding agreement, this cash is readily available and can be drawn down by the project. Allocation amounts can be less than the programmed/planned funding for the project. This funding is part of a short-term time horizon.

VIII. Sustainability

This TA and C/CAG joint call for projects seeks to fund projects that will have a beneficial effect on the environment, and to encourage sponsors to seek the most sustainable solutions in designing projects. Not all of the criteria will be applicable to every project. Sponsors should address as many of the Sustainability criteria as are applicable to the project in the application.

a. *Environmental benefits*

Note how the project (1) contributes to the preservation of open space and natural habitat and/or (2) improves air quality. These can be direct or indirect benefits. Direct benefits could include the construction of a bicycle or pedestrian project instead of a more environmentally damaging project or substituting bicycle and or walking trips for single-occupant vehicle (SOV) trips. Indirect benefits could include an instance where the bicycle or pedestrian project allows potential future trips to be made by biking or walking instead of driving, which could lead to a reduced need for an environmentally-damaging highway widening and reduced emissions in the future.

If available, regional travel demand modeling data should be used to support the project benefits. Many small projects may not have the level of regional travel-demand modeling available to answer this question, in which case a qualitative assessment should be made.

b. *Access to Transit Oriented Development (TOD)*

- Improves walk and/or bike access to TOD – Describe how the project is connected to any local TOD and how it will improve walking or bicycle access to the TOD. Particular attention should be paid to access between the TOD and

adjacent transit stations, and nearby downtown or neighborhood commercial districts.

- Supports livable communities – Describe how the project supports livable communities, including enhancing the pedestrian streetscape environment, provision of mixed-use developments, and enhancing the ability to live and travel in the area without access to an automobile.
 - Supports walkable and healthy communities – Describe how the project supports walkable and healthy communities.
- c. Does the project support economic development (i.e. create jobs or support jobs and housing growth)?
- Creates jobs – Describe how the project could lead to the creation of jobs, both for the project’s design and construction and for long term operation and maintenance.
 - Spurs private investment – Describe how the project could spur private investment in the area of the project, such as by enhancing property values through the creation of more livable communities.
 - Supports jobs and housing growth – Describe how the project contributes to the growth of jobs and housing in San Mateo County, such as by creating access to employment or housing locations that are not currently readily accessible, or where current auto congestion and lack of pedestrian or bicycle access is keeping employment or housing from locating in the area.

E. SELECTION PROCESS

All applications submitted as part of this joint call for projects will be independently scored by the TA and C/CAG. The result of the evaluation process will be a final list of recommended projects to receive funding. TA and C/CAG staff will then meet to reconcile these lists taking into consideration factors such as project type (i.e. project development or construction), fund type requested by the project sponsor and available funds from each funding source. This reconciliation is designed to optimize both Measure A and TDA Article 3 funds for each project and San Mateo County. Generally, projects will either be awarded Measure A or TDA Article 3 funds, but not a combination of both.

The TA will assemble a selection panel that will be composed of individuals with knowledge in the subject area from a variety of public agencies. Transportation Authority staff will be on each panel, as well as staff from SamTrans, Caltrain, C/CAG, and/or other agencies and technical experts in the field, as appropriate.

C/CAG will utilize the C/CAG Bicycle and Pedestrian Committee (BPAC) to evaluate recommended projects for funding. The C/CAG BPAC consists of eight (8) C/CAG representatives appointed by C/CAG and seven (7) public members appointed by C/CAG. The Committee serves in an advisory capacity on bicycle and pedestrian issues to the C/CAG Board of Directors. It has no independent duties or authority to take actions that bind the C/CAG Board. A key role of the Committee is making recommendations to C/CAG on bicycle and pedestrian projects to be funded with Transportation Development Act (TDA) funds.

The TA and C/CAG reserve the right to fund less than the amount reserved for each program category in a given funding cycle, as well as to fund projects in a program category other than the one for which it was submitted. The TA and C/CAG also reserve the right to fund a grant at a lower amount than requested.

F. REPORTING REQUIREMENTS/ PERFORMANCE INDICATORS

Projects that are awarded Measure A funds under this category will be required to report performance on a quarterly basis. Data required to be submitted in the Pedestrian and Bicycle category is listed below:

- Scope
- Schedule
- Budget
- Funding Plan
- Risk Register

For each fiscal year of the Transportation Development Act (TDA) Article 3 Program, project sponsors are required to submit a fiscal and compliance audit within 180 days after the close of the fiscal year for each ongoing project.

Compliance with reporting requirements and performance measures may be considered in making future grant awards.

G. IMPLEMENTATION

After the TA has awarded a grant, project sponsors will be asked to follow these requirements:

- Request an Allocation from the TA or C/CAG Board prior to expending funds;
- Sign a funding agreement (between the sponsor and the TA) or a resolution (between the sponsor and MTC);
- Agree to provide the reporting and monitoring data outlined above in Section H.

Successful applicants that receive TDA Article 3 funds will be required to submit the required MTC TDA Article 3 information. This information will be embodied in a resolution from your governing body that includes certain findings by the local jurisdiction. Instructions plus a sample model resolution for claimants are available from the MTC website at <http://www.mtc.ca.gov/funding/STA-TDA/index.htm>.

H. ATTACHMENTS

Application and Scoring Sheet

**JOINT CALL FOR PROJECTS
SAN MATEO COUNTY TRANSPORTATION AUTHORITY (SMCTA)
AND
MEASURE A AND CITY/COUNTY ASSOCIATION OF GOVERNMENTS
(C/CAG) TDA ARTICLE 3**

**PEDESTRIAN AND BICYCLE PROGRAM
FISCAL YEAR 2012 and/or 2013 APPLICATION**

I. PROJECT FUNDING REQUEST

- a. AGENCY / SPONSOR:
- b. PROJECT NAME:
- c. PREFERENCE OF FUNDS: SMCTA TDA ARTICLE 3 (C/CAG)
 No Preference
- d. TOTAL FUNDS REQUESTED: \$
- e. APPLICATION CHECKLIST:
 Project Location Map (Question III(a))
 Policy Consistency Documentation (Question V(a))
 Letters of Support (Question VII(c))

Fill out all questions in the application. You may refer to the Instructions and Guidance Document for further explanation.

II. PROJECT SCREENING / BASIC ELIGIBILITY

- a. Is the Project Sponsor the San Mateo County or a City in San Mateo County?
Answer must be "Yes" to continue. Yes No
- b. Does design meet Caltrans Standards? Yes or N/A No
- c. CEQA approval? Yes or N/A No

Note: CEQA document must be submitted with the application (required for TDA Article 3 funding).

III. General Project Information

a. Project Description

1. Describe the project (location, length, scope, size of project); please include a map:
Explain:

Is a map included? Yes No

2. Comment on the status of design of the project, and indicate the percentage of design completed.

b. Project Schedule

Indicate the anticipated beginning and end date for each phase of the project. If a phase has been completed or is not applicable for this application, write "N/A".

Phase	Month and Year	
	Phase Start	Phase End
Pre-project Planning		
Environmental/Preliminary Engineering		
Engineering/Design		
ROW Acquisition and Utilities		
Construction and Procurement		

c. Permitting, Agreements and Environmental Clearance

1. ROW certification completed? Yes or N/A No

Comments:

2. Permits, Agreements and/or Environmental Clearance approved?
 Yes No N/A

List all permits, agreements and environmental clearance (both CEQA and NEPA) approved and/or needed, to date:

Permit/Agreements/Environmental Clearance	Status; Date Approved

Comments:

IV. PROJECT NEED

a. Does the project meet commuter and/or recreational purposes?
 Yes No

Explain:

b. Is bicycle and/or pedestrian safety improved because of the project?
 Yes No

Explain:

V. POLICY CONSISTENCY

- a. Demonstrate the project is consistent with policy documents. List each document or policy, the publication date and the page upon which the project can be found. Attach relevant pages. See Instruction and Guidance Document for a list of example documents.

Document or Policy	Publication Date	Page

VI. STATE OF READINESS

- a. Discuss the public planning process that resulted (or will result) in project development:

Explain:

- b. Listed as a "priority project" in the C/CAG San Mateo County Comprehensive Bicycle and Pedestrian Plan? Yes No

Identified in local Bicycle and Pedestrian Plan? Yes No

Page number:

- c. Comment on level of support. As appropriate, attach documents of support and show composition of relevant committee. (examples: letters, meeting minutes, etc)

Explain:

- d. Discuss any potential funding shortfalls or funding sources that are considered risky, and how they will be addressed.

Explain:

e. Can the project be partially funded? Yes No

If "Yes", how much?

Explain:

f. Can the project be divided into phases? Yes No

If "Yes", describe the different phases and cost associated with each phase.

Explain:

VII. EFFECTIVENESS

a. What is the relationship of the project to bicycle or pedestrian routes/facilities (i.e. does it provide access to, or close a gap in the countywide bicycle or pedestrian network)?

Explain:

b. Does the project provide access to bicycle and/or pedestrian facilities in high use activity centers (schools, transit stations and other activity centers)?

Yes No

Explain:

c. Using the table below, indicate the sources of funding as well as the percentage that is either planned, programmed or allocated (see instructions for further instructions). Add rows as needed.

Funding Source	Status	Total	Percentage
		\$	%
		\$	%
		\$	%
		\$	%
Total		\$	%

Preference will be given to projects with at least 50% matching funds available.

d. Funds requested: \$
Matching Funds to be provided: \$
Total Project costs \$

$$\text{Local match percentage} = \frac{\text{Other Matching Funds provided}}{\text{Total Project Cost}} = \quad = \quad \%$$

VIII. SUSTAINABILITY

a. What are the environmental benefits of the project (i.e. preserving open space, reducing emissions and improving air quality)?

Explain:

b. Does the project provide or improve facilities to or at Transit Oriented Development (TOD)?

Explain:

c. Does the project support economic development (i.e. create jobs or support jobs and housing growth)?

Explain:

PROJECT CONTACT INFORMATION

Primary Contact Person:

Telephone Number:

Email address:

Secondary Contact Person:

Telephone Number:

Email address:

**Fiscal Years 2012 and/or 2013
San Mateo County Transportation Authority Measure A Sales Tax Program and/or
TDA Article 3 Bicycle and Pedestrian Program**

Non-Supplantation of Funds Certification

This certification, which is a required component of the sponsor's grant application, affirms that San Mateo County Transportation Authority Measure A and/or TDA Article 3 Bicycle Pedestrian Program funds will be used to **supplement** (add to) existing funds, and will not **supplant** (replace) existing funds that have been appropriated for the same purpose. Potential supplantation will be examined in the application review as well as in the pre-award review and post award monitoring.

Funding may be suspended or terminated for filing a false certification in this application or other reports or documents as part of this program.

Certification Statement:

I certify that any funds awarded under the FY2012 and/or FY2013 San Mateo County Transportation Authority Measure A and/or the TDA Article 3 Bicycle and Pedestrian Program will be used to supplement existing funds for program activities, and will not replace existing funds or resources.

Project Name: _____

Sponsor: _____

PRINT NAME

TITLE*

SIGNATURE

DATE

* This certification shall be signed by the Executive Director, Chief Executive Officer, President or other such top-ranking official of the Sponsor's organization

**JOINT CALL FOR PROJECTS
SMCTA MEASURE A AND C/CAG TDA ARTICLE 3
BICYCLE AND PEDESTRIAN PROGRAM
FISCAL YEAR 2012 and/or 2013 SCORING SHEET**

I. PROJECT NAME AND FUNDING REQUEST	
a. AGENCY / SPONSOR:	RATER:
b. PROJECT NAME:	
c. FUNDING PREFERENCE: <input type="checkbox"/> SMCTA <input type="checkbox"/> TDA ARTICLE 3 (C/CAG) <input type="checkbox"/> No Preference	
d. TOTAL FUNDS REQUESTED:	

II. PROJECT SCREENING / BASIC ELIGIBILITY			
a. Project Sponsor is San Mateo Co. or City	Yes <input type="checkbox"/> No <input type="checkbox"/> (No disqualifies project)		
b. Design meets CALTRANS standards?	Yes or N/A <input type="checkbox"/> No <input type="checkbox"/> ("No" disqualifies project)		
c. CEQA approval	Yes or N/A <input type="checkbox"/> No* <input type="checkbox"/> ("No" Disqualifies project for TDA Article 3 funding)		
Evaluation Criteria (Parts II – IV)	Scale	Max Points	Points Assigned

III. GENERAL INFORMATION			
Clear and complete proposal	0 or 4 (A zero score disqualifies project.)	4	
c(1). Right-of-Way Certification complete	0 – No 3 – Yes (Completed or N/A)	3	
c(2). Permits, Agreements and/or Environmental Clearance obtained?	0 – No 3 – Yes (or N/A)	3	
Subtotal		10	

IV. PROJECT NEED			
a. Does the project meet commuter and/or recreational purpose?	0 - No 10 - Yes	10	
b. Improves Safety	0 -None 3 - Little 5 - Moderate 7 – Substantial 10 - Significant	10	
Subtotal		20	

V. POLICY CONSISTENCY			
a. Is the project consistent with approved policy documents?	0 - None 5 - Moderate 10 - Significant	10	
Subtotal		10	

VI. STATE OF READINESS			
a. Project is (or will be) a result of a public planning process?	0 - No 3 - Yes	3	
b. Listed as a "priority project" on the C/CAG adopted Comprehensive Bicycle/Pedestrian Plan or identified in a local Bicycle/Pedestrian Plan?	0 - None 4 - Local Project 7 - C/CAG Project	7	
c. Is there demonstrated local support; letters attached?	0 - None 2 - Little 5 - Moderate 7 - Strong	7	
d - f. Plan for funding shortfall, including partial funding or phasing?	0 - No 3 - Yes	3	
Subtotal		20	
VII. EFFECTIVENESS			
a. How well does the proposed project complement the existing bicycle and pedestrian facilities?	0 – Does Not 5 – Moderately 10 – Substantially	10	
b. Does the project provide access to bicycle and/or pedestrian facilities in high use activity centers?	0 – No 10 - Yes	10	
c & d. Leveraging of funds (Local Match as % of total requested funds)	0 - 0% match 2 - 10% match 4 - 20% match 6 - 30% match 8 - 40% match 10 - 50% match	10	
Subtotal		30	
VIII. SUSTAINABILITY			
a. Does the project provide an environmental benefit?	0 -No 3 - Yes	3	
b. Does the project provide or improve facilities to or at TOD?	0 - No 4 - Yes	4	
c. Does the project support economic development?	0 -No 3 - Yes	3	
Subtotal		10	
TOTAL SCORE		100	

C/CAG AGENDA REPORT

Date: February 10, 2011

TO: C/CAG Board of Directors

From: Richard Napier - C/CAG Executive Director

Subject: Review and approval of Resolution 11-07 Authorizing the Chair to Execute an Agreement with Joint Venture Silicon Valley Network for \$75,000 for ongoing direct support and assistance services to local governments.

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

Recommendation:

Review and approval of Resolution 11-07 authorizing the Chair to execute an agreement with Joint Venture Silicon Valley Network for \$75,000 for ongoing direct support and assistance services to local governments in accordance with the staff recommendation.

Fiscal Impact:

\$75,000. Included in the adopted C/CAG FY 10-11 Budget.

Revenue Source:

San Mateo Congestion Relief Fund

Background/ Discussion:

C/CAG has partnered in the past with Joint Venture Silicon Valley Network. Both the Municipal and Community-wide inventories were completed for all the cities and the County as a result of a past partnership. Currently many cities are participating in the Public Sector Climate Protection Task Force facilitated by Joint Venture Silicon Valley Network. The C/CAG Board included funding of \$75,000 for Joint Venture Silicon Valley Network in the adopted budget and requested that the contract come back to the Board for approval. This item is the Joint Venture Silicon Valley Network contract for Board approval. The scope of services include four to six regular task force meetings, two workshops on Local Government Operations Inventory for 2010, and activities to reduce Green House Gas (GHG) emissions.

Attachment:

Resolution 11-07
Agreement between C/CAG and Joint Venture Silicon Valley Network

ITEM 5.9

Alternatives:

- 1- Review and approval of Resolution 11-07 authorizing the Chair to execute an agreement with Joint Venture Silicon Valley Network for \$75,000 for ongoing direct support and assistance services to local governments in accordance with the staff recommendation.
 - 2- Review and approval of Resolution 11-07 authorizing the Chair to execute an agreement with Joint Venture Silicon Valley Network for \$75,000 for ongoing direct support and assistance services to local governments in accordance with the staff recommendation with modifications.
 - 3- No Action.
-

RESOLUTION 11-07

**RESOLUTION AUTHORIZING THE CHAIR TO EXECUTE AN AGREEMENT WITH
JOINT VENTURE SILICON VALLEY NETWORK FOR \$75,000 FOR ONGOING
DIRECT SUPPORT AND ASSISTANCE SERVICES TO LOCAL GOVERNMENTS.**

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

WHEREAS, C/CAG has formed a Local Government Partnership with PG&E that addresses both energy conservation and climate protection; and

WHEREAS, C/CAG is in the process of updating the Countywide Transportation Plan to also include climate protection; and

WHEREAS, C/CAG is developing climate protection services and tools for the cities and the County; and

WHEREAS, C/CAG successfully partnered with Joint Venture Silicon Valley Network to complete Municipal and Community-wide Green House Gas (GHG) emissions inventories for all the cities and the County; and

WHEREAS, C/CAG would like to develop additional partnerships with the Joint Venture Silicon Valley Network to provide ongoing direct support and assistance services to local governments;

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 an Agreement between C/CAG and Joint Venture Silicon Valley Network for a cost of \$75,000. The draft agreement is attached hereto and the final agreement will be reviewed and approved by C/CAG Legal Counsel as to form.

PASSED, APPROVED, AND ADOPTED THIS 10TH DAY OF FEBRUARY 2011.

Thomas M. Kasten, Chair

AGREEMENT BETWEEN
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
AND
JOINT VENTURE SILICON VALLEY NETWORK

This Agreement entered this ____ day of _____, 2010, by and between the City/County Association of Governments of San Mateo County, a joint powers agency, hereinafter called "C/CAG" and Joint Venture Silicon Valley Network, hereinafter called "Contractor."

W I T N E S S E T H

~~WHEREAS, C/CAG has formed a Local Government Partnership with PG&E that addresses both energy conservation and climate protection; and~~

WHEREAS, C/CAG is in the process of updating the Countywide Transportation Plan to also include climate protection; and

WHEREAS, C/CAG is developing climate protection services and tools for the cities and the County; and

WHEREAS, C/CAG successfully partnered with Joint Venture Silicon Valley Network to complete Municipal and Community-wide Green House Gas (GHG) emissions inventories for all the cities and the County; and

WHEREAS, C/CAG would like to develop additional partnerships with the Joint Venture Silicon Valley Network to provide ongoing direct support and assistance services to local governments; 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 professional services as set forth in Exhibit A to provide ongoing direct support and assistance services to local governments. The scope of services include four to six regular task force meetings, two workshops on Local Government Operations Inventory for 2010, and activities to reduce Green House Gas (GHG) emissions All Services are to be performed and completed in FY 10-11.

2. Payments. In consideration of Contractor providing the Services, C/CAG shall reimburse Contractor seventy five thousand dollars (\$75,000) for Services provided during the Contract Term as set forth below. Payments shall be made to contractor on a task completion basis as shown in Exhibit A. The invoice submitted by contractor must identify expenditures and describe 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. Non-Assignability. Contractor shall not assign this Agreement or any portion thereof to a third party.
5. Contract Term. This Agreement shall be in effect as of July 1, 2010 and shall terminate on June 30, 2011; 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.
6. 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.

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

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

Employer Liability Insurance providing full statutory coverage.

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

Required insurance shall include:

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

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

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

8. Non-discrimination. The Contractor and any subcontractors performing the services on behalf of the Contractor shall not discriminate or permit discrimination against any person or group of persons on the basis or race, color, religion, national origin or ancestry, age, sex, sexual orientation, marital status, pregnancy, childbirth or related conditions, medical condition, mental or physical disability or veteran's status, or in any manner prohibited by federal, state or local laws.
9. Compliance with All Laws. Contractor shall at all times comply with all applicable laws and regulations, including without limitation those regarding services to disabled persons, including any requirements of Section 504 of the Rehabilitation Act of 1973.

10. Substitutions: If particular people are identified in this Agreement are providing services under this Agreement, the Contractor will not assign others to work in their place without written permission from C/CAG. Any substitution shall be with a person of commensurate experience and knowledge.
11. 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.
12. Access to Records. C/CAG, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the Contractor which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcriptions.

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

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

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

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

Joint Venture Silicon Valley Network (Russell Hancock)
100 West San Fernando, Suite 310
San Jose, CA 95113
Attention: Russell Hancock

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

Joint Venture Silicon Valley Network (Russell Hancock) (Contractor)

By _____ Date _____

City/County Association of Governments (C/CAG)

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

C/CAG Legal Counsel

By _____

EXHIBIT A

Summary Page
Scope of Services
Payments to Joint Venture and Reporting

SUMMARY PAGE

Agency:	Joint Venture Silicon Valley Network
Project:	FY 2010-2011 Agreement
Description:	Joint Venture: Silicon Valley Network promotes and facilitates greater cooperation and understanding within the region's public and private sectors through initiatives, forums and subcommittees. Through this agreement Joint Venture assists the County of San Mateo and its cities by holding Public Sector Climate Protection Task Force meetings and workshops and providing data and staff assistance to those agencies to support their sustainability goals.

Contract Not to Exceed: \$75,000

Payment Terms: See Exhibit D

Agreement Term: Start Date: 7/1/2010 End Date: 6/30/2011

PARTIES TO AGREEMENT:

	Service Provider	Local Government Agency
Agency Name:	Joint Venture: Silicon Valley Network	City/County Association of Governments of San Mateo County (C/CAG)
Address:	100 W. San Fernando, Suite 310	555 County Center, 5 th Floor
City/State/Zip Code:	San Jose, CA 95113	Redwood City, CA 94063
Attention:	Russell Hancock, Chief Executive Officer	Richard Napier, Executive Director
Email Address:	hancock@jointventure.org	rnapier@co.sanmateo.ca.us
Telephone No.:	408-298-9330	650-599-1406
Taxpayer ID	77-0332854	
Type of Entity:	California non-profit corporation	

SCOPE OF SERVICES

Base Program Services

C/CAG will initiate a payment to Joint Venture upon execution of this Agreement in the amount of \$15,000 for ongoing direct support and assistance services to local governments.

Performance Based Program Services

C/CAG will initiate milestone payments to Joint Venture upon completion of tasks and receipt of invoices for same. Performance based grant funds will not exceed \$60,000 during the term of this agreement. Funds for performance-based services will be paid as follows:

1. Regular Task Force meetings: 4-6 regular meetings will be held for attendees from all San Mateo County cities and County staff. Billing to occur after 2nd and 4th meeting for \$20,000 total.
2. Workshops: 2 Local Government Operations Inventory workshops shall be held to support C/CAG members in preparing for and conducting their 2010 government emissions inventories. Billing to occur after 1st and 2nd workshop for \$20,000 total.
3. Activities to reduce GHG emissions:
 - a. Staff support for Renewable Energy Procurement project to assist local governments in the adoption of renewable energy generation technologies through a power purchase agreement. Milestones: completion of Phase I contracting and conducting Phase II informational meeting; \$10,000 total.
 - b. Staff support for contractual vehicles and funding of energy efficiency products and services for municipal buildings. Milestone: meeting with San Mateo County Energy Watch and local governments to discuss strategies; \$10,000 total.

PAYMENTS TO JOINT VENTURE AND REPORTING

Base Grant Program Services

Joint Venture shall provide support to the cities and county of San Mateo in their pursuit of environmental sustainability and their efforts to reduce greenhouse gas emissions.

Performance Based Services

Joint Venture will report all performance based services in milestone reports to C/CAG.

Performance based services shall include those items listed in the Scope of Services.

C/CAG AGENDA REPORT

Date: February 10, 2011
To: City/County Association of Governments Board of Directors
From: Richard Napier, Executive Director
Subject: Approval of Appointments to Fill Two Vacant Stakeholder Seats on the Resource Management and Climate Protection Committee

(For further information or questions contact Kim Springer at 650-599-1412 or Richard Napier at 650-599-1420)

RECOMMENDATION

That the Board approve appointments to fill two vacant stakeholder seats on the Resource Management and Climate Protection (RMCP) Committee from the -candidates listed below:

FISCAL IMPACT

None.

BACKGROUND/DISCUSSION

The RMCP Committee provides advice and recommendations to the Congestion Management and Environmental Quality (CMEQ) Committee and the full C/CAG Board on matters related to energy and water use and climate change efforts in San Mateo County. The RMCP 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 opportunities related to the RMCP Committee's efforts.

The RCMP Committee is composed of thirteen members, including six elected official seats and seven stakeholder seats. The seven stakeholder seats include representation from: Energy, Water, Utility, Nonprofit, Large Business, Small Business, and the Chamber of Commerce.

Currently, there are three open stakeholder seats on the RMCP Committee: Energy, Chamber of Commerce, and Large Business. Former Committee member, Brian Kimball, vacated the Energy stakeholder seat, the C/CAG Board (at its August 12, 2010 meeting) added a new Chamber of Commerce stakeholder seat to the RMCP Committee (not yet filled), and Lori Duvall vacated the Large Business stakeholder seat.

This agenda item proposes to fill two of the three vacant stakeholder seats as follows:

- 1) Chamber of Commerce:
Jorge Jamarillo, President, San Mateo County Hispanic Chamber of Commerce
- 2) Energy:
Noelle Bell, Assistant Program Manager, Energy Efficiency, Ecology Action, Santa Cruz

ITEM 5.10

Staff recruited candidates based on suggestions made by RMCP Committee members and searched for

additional candidates before bringing these recommendations to the C/CAG Board. Staff continues to recruit for the remaining Large Business stakeholder seat.

This item was placed on the consent agenda because there are two letters of interest, one for each of two open stakeholder seats. The letters of interest are attached to this staff report for your review.

ATTACHMENTS

- Current Roster for the RMCP Committee dated August 2010
- Letter of Interest from Jorge Jamarillo
- Letter of Interest from Noelle Bell

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

Resource Management and Climate Protection Committee (August 2010)	
Elected Officials (6)	
Deborah Gordon – Committee Chair Former Mayor/Councilwoman Woodside dcgordon@stanford.edu Work (650) 725-6501	Carole Groom Supervisor County of San Mateo cgroom@co.sanmateo.ca.us Work (650) 363-4568
Barbara Pierce Former Mayor/Councilwoman Redwood City barbara@barbarapierce.org Cell (650) 208-9828 Home (650) 368-6246	Sepi Richardson Former Mayor/Councilwoman Brisbane sepirichardson@sbcglobal.net Home (415) 467-6409
Maryann Moise Derwin – Vice-Chair Former Mayor/Councilwoman Portola Valley mderwin@portolavalley.net Home (650) 851-8074 Cell (650) 279-7251	Pedro Gonzalez Former Mayor, Councilman, S.San Francisco pedro.gonzalez@ssf.net Work (650) 877-8500
Stakeholder Representatives (7)	
<u>Energy</u>	Currently Vacant
<u>Water</u>	Nicole Sandkulla, P.E. Senior Water Resources Engineer BAWSCA nsandkulla@bawsca.org (650) 349-3000
<u>Utility</u>	Kathy Lavezzo Account Manager PG&E KOL1@pge.com (650) 598-7267 cell (650) 279-3864
<u>Nonprofit</u>	Robert Cormia Professor, Foothill - De Anza Community College rdcormia@earthlink.net (650) 747-1588

Resource Management and Climate Protection Committee
(August 2010)

<u>Large Business</u>	Currently Vacant
<u>Small Business</u>	Eric Sevim Shop Manager A+ Japanese Auto Repair, Inc. apluseric@gmail.com (650) 595-CARS
<u>Chamber of Commerce</u>	Currently Vacant
<u>Committee Staff (3)</u>	
<u>C/CAG:</u> Richard Napier Executive Director rnapier@co.sanmateo.ca.us (650) 599-1420	
<u>County of San Mateo, RecycleWorks:</u>	
Alexis Petru Resource Conservation Specialist II apetru@co.sanmateo.ca.us (650) 599-1403	Kim Springer Resource Conservation Programs Mgr. kspringer@co.sanmateo.ca.us (650) 599-1412

November 30, 2010

Kim Springer
County of San Mateo, DPW
555 County Center – 5th Floor, DPW 155
Redwood City, CA 94063

RE: Letter of Interest for RMCP Committee

Dear Mr. Springer:

I am contacting you to express my interest in joining the City/County Association of Governments (C/CAG) Resource Management and Climate Protection (RMCP) Committee representing the Chamber of Commerce committee member position.

I currently serve as the President of the San Mateo County Hispanic Chamber of Commerce, where one of our key issues is promoting green and sustainable practices among businesses and in the community. While we are a Hispanic Chamber, we have membership across all ethnicities.

Our Chamber's mission is to promote economic development throughout San Mateo County. Through our initiatives supporting the region's diversity and enabling growth, our Chamber has built and maintained strong relationships and alliances with other local organizations, civic leaders and government officials.

In addition, I also serve as the Vice Chair of the San Mateo County Workforce Investment Board (WIB). One of the objectives of the WIB is to advocate for employment creation and training focused on the emerging Green Jobs sector. Developing a strong Green Jobs sector is considered vital to our region's competitive edge and a strategy to augment opportunities for our labor force.

As I mentioned in our discussion, in some instances the WIB meetings overlap with the RMCP meetings, however this is not the case for every month.

My experiences leading the Chamber and in leadership roles in the public and private sector, as well as my personal commitment towards sustainable practices, make me well suited to serve on the RMCP.

Thank you for your time and consideration, and I look forward to the opportunity to contribute toward the RMCP efforts to develop and provide advice and recommendations around efficient management of our natural resources.

Sincerely yours,


Jorge Jaramillo
President
San Mateo County Hispanic Chamber of Commerce

San Mateo County Hispanic Chamber of Commerce, a 501(c)6 organization | Tax ID: 94-3360209
Tel: 650-490-4071 x101 | Email: info@smchcc.com | www.smchcc.com



December 7, 2010

C/CAG

City/ County Association of Governments of San Mateo County
Resource Management and Climate Protection Committee (RMCP)
555 County Center, Fifth Floor
Redwood City, CA 94063

To Whom it May Concern:

Ecology Action has been enjoying its partnership with C/CAG and PG&E in San Mateo County Energy Watch for the last two years. Through its RightLights program, Ecology Action, is the rebate administrator and direct install implementer for San Mateo County Energy Watch, providing energy efficiency audits of lighting and refrigeration measures to non-profits, municipalities and special districts. In 2010 alone, this program has saved municipalities and non-profit organizations in the County over \$2.3 million kilowatt hours and provided over \$260,000 in rebate for energy efficiency projects. RightLights has also had great successes providing energy efficiency savings to small and medium sized commercial businesses in San Mateo County.

Sustainability has been the foremost issue driving my interests and career. For six years, I devoted myself to zero waste and recycling work in the Midwest. For the last two years, I have worked in energy efficiency for Ecology Action in the Monterey Bay and Peninsula regions. Supporting San Mateo County's sustainability efforts is an important undertaking. I would appreciate the opportunity to bring my experience and provide my perspective to the Committee on Resource Management and Climate Protection.

I have enclosed a copy of my resume along with this letter that contains detailed information about my work experience and skills.

Thank you for your consideration.

Yours sincerely,

Noelle Bell
Ecology Action

C/CAG AGENDA REPORT

Date: February 10, 2011
TO: C/CAG Board of Directors
From: Richard Napier - C/CAG Executive Director
Subject: Review and approval of co-sponsoring the Silicon Valley Leadership Group efforts to Save Caltrain and provide \$3,000 for outreach meetings and polling.

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

Recommendation:

Review and approval of co-sponsoring the Silicon Valley Leadership Group efforts to Save Caltrain and provide \$3,000 for outreach meetings and polling in accordance with the staff recommendation.

Fiscal Impact:

\$3,000.

Revenue Source:

General Fund or San Mateo Congestion Relief Fund

Background/ Discussion:

On January 21, 2011 the Silicon Valley Leadership Group held a meeting to discuss potential solutions to provide funding for Caltrain. The objective is to identify short and long term solutions to address Caltrain funding. The effort will include outreach to every community along the Caltrain line and future polling to see what is acceptable. Staff recommends that C/CAG co-sponsor the effort and provide \$3,000 funding towards the effort. Since there is nothing proposed or on the ballot at this time public funds can be used for the outreach/ education.

Attachment:

Caltrain seeks answers to funding crisis

Alternatives:

- 1- Review and approval of co-sponsoring the Silicon Valley Leadership Group efforts to Save Caltrain and provide \$3,000 for outreach meetings and polling in accordance with the staff recommendation.

ITEM 5.11

- 2- Review and approval of co-sponsoring the Silicon Valley Leadership Group efforts to Save Caltrain and provide \$3,000 for outreach meetings and polling in accordance with the staff recommendation with modifications.
 - 3- No Action.
-

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Caltrain seeks answers to funding crisis

Michael Cabanatuan, Chronicle Staff Writer
Friday, January 21, 2011

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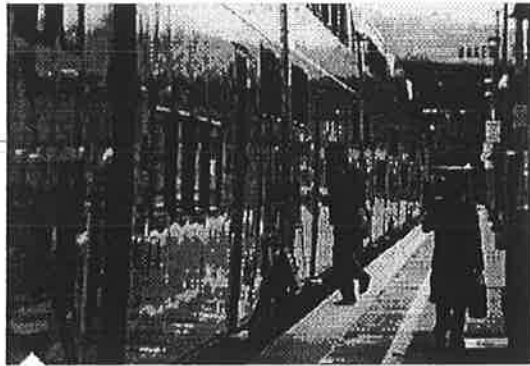


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Paul Chinn / The Chronicle
Caltrain officials say service may be cut back to commute hours only.

With Caltrain facing a \$30 million deficit - and, some fear, the end of the line - community groups and transportation officials are rallying to help the 148-year-old commuter railroad survive by finding a stable source of funding.

This morning, the Silicon Valley Leadership Group is convening a Caltrain summit at Stanford to start building a coalition to save the train system. On Jan. 29, Friends of Caltrain, a community group, will stage its own summit at the railroad's offices. The groups are working with each other, and Caltrain, to come up with proposals that could range from enticing new riders to putting tax measures before voters.

"We want to create a groundswell of support for Caltrain that cuts across all three counties," said Yoriko Kishimoto, a former Palo Alto mayor and leader of Friends of Caltrain. "Caltrain is an essential service, and it's only going to become more essential."

All 28 Bay Area transit systems, and most across the country, are mired in budget troubles, but Caltrain faces a particularly difficult situation. The railroad, run by a joint powers agency with members from San Francisco, San Mateo and Santa Clara counties, has no dedicated source of operating funds - no state or federal assistance, no sales or property tax revenue - and is forced to rely on whatever Muni, SamTrans and the Santa Clara Valley Transportation Authority can afford to chip in. These days, that's not much.

"It's sort of like being everyone's second choice for the prom," said Carl Guardino, chief executive officer of the Leadership Group, a technology trade association that's been involved in transportation issues.

All three transit agencies, struggling to balance their own budgets, have cut their contributions to Caltrain, and the expectation for the coming fiscal year, which begins July 1, is for further reductions.

Caltrain's projections call for a \$30.3 million gap in its \$102.9 million budget. That leaves enough money for the agency to keep running commute-hour service - but



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FROM OUR HOMEPAGE



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nothing else. Caltrain currently operates 86 weekday trains that run late into the night, plus weekend service and special trains to events including San Francisco Giants games. The trains carry an average of 40,000 riders a day.

Without an infusion of cash, Caltrain would have to slash its service to 48 weekday trains running only during the morning and evening commute hours.

It's not something the agency wants to do, said Christine Dunn, a Caltrain spokeswoman, but after raising fares and trimming service, the agency is left with few, if any, other choices.

"It's really disheartening to have built the service up as we have over the past few years, only to have to cut it," she said. "To look at something this drastic is devastating."

Participants in both summits will try to find a range of funding options, Guardino and Kishimoto said. In addition to the traditional approaches of raising fares or cutting service, it will also consider whether adding free Wi-Fi or more bike capacity would make a difference, and if changes in employer-provided transit passes could help.

Other approaches could involve selling or leasing Caltrain property or entering into joint development efforts with private parties. Finally, there's the possibility of seeking funding that would require approval from voters or the Legislature: sales, property or transfer taxes; gas taxes; vehicle registration fees; regional transit taxes; or bridge or highway tolls.

"Caltrain is one of those services that you can take for granted, but if we take it for granted we'll be in trouble," Kishimoto said. "The time has come for us to come together and do what we need to do to keep Caltrain going."

Guardino agrees.

"This is a call to action," he said.

Saving Caltrain

Today's meeting is by invitation only. A second meeting is open to the public but requires registration. It will be held from 8:30 a.m. to 2:30 p.m. on Jan. 29 at the SamTrans auditorium, 1250 San Carlos Ave., San Carlos. Registration: www.friendsofcaltrain.com. The event is sponsored by Friends of Caltrain.

E-mail Michael Cabanatuan at mcabanatuan@sfgchronicle.com

This article appeared on page C - 2 of the San Francisco Chronicle

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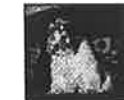
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C/CAG AGENDA REPORT

Date: February 10, 2011

To: City/County Association of Governments Board of Directors

From: Richard Napier, C/CAG Executive Director

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

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

RECOMMENDATIONS

Oppose the provision in Governor Brown's budget to eliminate redevelopment agencies in California. Add as a Legislative priority opposition to Governor Brown's proposal to eliminate redevelopment agencies in California. Receive and discuss the attached written Monthly legislative Report as well as an oral report from our State legislative advocates.

LEGISLATIVE PRIORITY

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

BACKGROUND/DISCUSSION

Governor Brown's budget proposes to eliminate redevelopment agencies as part of a package of budget cuts to address the State's \$25.4 billion budget deficit. The league of California Cities has described this proposal as providing very little budgetary relief, while moving the state further away from important land use and infill development goals and in the process costing thousands of jobs. Many of the mayors of California cities have joined in the opposition to this proposal (Attachment A).

The C/CAG Board receives monthly written reports and oral briefings from the C/CAG State legislative advocates. This month's report (Attachment B) and oral presentation focus on State budget issues. Our State legislative advocates have also provided a C/CAG Bill Matrix (Attachment C) that summarizes the status of State legislation of concern to C/CAG, as well as

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ITEM 6.1

materials on the Gas Tax Swap Re-enactment (Attachment D). In addition, they have submitted documents (Attachment E) pertaining to a comprehensive fix to address both Proposition 22 & 26, as well as the March 2010 Transportation Tax Swap.

ATTACHMENTS

- A. League of California Cities Material on Proposed Elimination of Re-development Agencies
- B. C/CAG Sacramento Legislative Advocate's Monthly Report
- C. C/CAG Bills Matrix
- D. Materials on Gas Tax Swap Re-Enactment
- E. Materials on Comprehensive Fix of Proposition 22 & 26 and Gas Tax Swap Re-enactment

ATTACHMENT A

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Governor's Budget Eliminates Redevelopment Agencies, Enterprise [<PRINTER-FRIENDLY PAGE>](#)
Zones and Realigns State Services to Local Governments

Gov. Jerry Brown has released his FY 2011-12 state budget proposal and, as expected, the state's financial situation continues to be bleak with a \$25.4 billion deficit. The Governor's budget proposes \$26.4 billion in solutions, allowing for \$1 billion reserve. The proposal includes the elimination of redevelopment agencies and enterprise zones to save \$1.7 billion and \$924 million respectively, as well as the realignment of state services such as fire, court security, community-based corrections, mental health services, foster care and adult protective services to local government.

While the Governor said he recognized some of the positive results of redevelopment, he made it clear in his remarks that shifting increased property taxes resulting from redevelopment back to the schools was a priority.

From a policy standpoint, such a radical proposal makes no sense in a state with unemployment rate of more than 12 percent, a monstrous infrastructure deficit and recently passed policies championing more infill development. Redevelopment, which has been around since the 1950s, is a tool for building things. It builds and improves communities, spurs job growth and taxes and is the most significant provider of infrastructure, urban development and affordable housing in the state. Enterprise zones are one of the few economic development tools that cities and counties have to bring jobs to depressed areas.

This proposal will hurt our underserved and distressed cities and communities. It will cost California thousands of jobs. The reality is that the plan to eliminate redevelopment agencies will bring very little financial benefit to the state and will actually move the state backward in terms of land use and infill development. In addition, the League is reviewing the constitutionality of the realignment proposal under Proposition 22, and other constitutional provisions.

Just a mere two months ago, California voters picked their way through a crowded ballot and approved Prop. 22 by 61 percent, a measure designed to protect various local revenues - including redevelopment - from state raids. The voters' position on this issue was no surprise because repeatedly they have voted to protect local revenue from the state - take for example Prop. 1A of 2004, which passed by more than 80 percent. Moreover, poll after poll demonstrates that voters view their local governments as much more accountable and trustworthy than the state.

While other states, and even the federal government, are working to stabilize and revitalize our economy, the proposal to eliminate enterprise zones and redevelopment agencies move California in the opposite direction.

The budget proposal assumes that voters will approve a five-year extension of taxes sun-setting this year - a 1 percent sales tax and 0.5 percent vehicle license fee that they previously rejected. The revenues of these taxes will maintain the current level of funding for K-12 schools and COPS (Citizens' Option for Public Safety)/Booking Fees as well as support the realignment proposal. The Governor believes that after five years the economy will have recovered enough the state can resume funding, but there has been no indication as to how.

The Governor described the realignment proposal as "vast and historical," and this is an apt description. The proposal will have major impacts for both local and state government. While much has been said about the importance of local government in recent days, the practice by the state of not bothering to consult local governments while devising such concepts continues.

Tomorrow, Tuesday, Jan. 11, the League will host Department of Finance Chief Deputy Director for Budgets Michael Cohen who will present further details on the Governor's plan. However, staff has prepared a preliminary analysis of issues of importance to cities below.

Public Safety

Public safety programs and funding, including law enforcement, corrections, and emergency response, are a major piece in the realignment of services and programs from state to local agencies.

COPS/Booking Fees. The Governor's budget supports the critical importance of local public safety programs provided by police and sheriff departments and provides a direct allocation to COPS, Booking Fee remediation, and specific county level programs. It proposes to provide these programs \$420 million in General Fund dollars that will be backfilled with realignment plan funding - if approved by voters. Funding would include:

- \$107 million for COPS programs, under the current distribution formula based on population and with a \$100,000 minimum for each police department; and
- \$35 million for booking fee subventions, meeting the minimum threshold required to eliminate the need for sheriffs to charge police departments for booking arrestees in county facilities.

Emergency Response/Fire Suppression Services. The Governor's plan also shifts certain emergency response services for areas currently served by the California Department of Forestry and Fire Protection (CAL Fire) to the adjacent local agencies, stating that the increased urbanization state responsibility areas (also known as SRA's) distracts the core mission of CAL Fire's duty to suppress wildland fires. In this transition of duties, CAL Fire is charged with assessing which areas should be transferred to local

jurisdictions (primarily counties) for fire suppression and emergency medical response services.

Corrections. Also proposed is a major shift of corrections programs from the state to the county level, in three areas: incarceration of short term, low level offenders and parole violators; adult parolee supervision; and all remaining state-level Department of Juvenile Justice wards. The state would maintain funding responsibilities through a direct allocation to counties, but authorize county probation and sheriff departments to determine how those dollars should be spent.

The start date for corrections realignment is not yet set and would impact prospective inmates only and allow time for county facilities and administration systems to prepare for the additional population. Moving the specified inmates and parolee populations to county supervision is intended to coincide with other proposed state-to-county shifts, which would provide for rehabilitation type services including substance abuse and mental health treatment.

Environment

State Parks. The Governor proposes to reduce funding to state parks by \$11 million which will result in partially or fully closing some state park units and reducing expenditures at the State Parks Department headquarters in Sacramento.

Basin Plan Funding. The Governor also proposes to shift \$12.8 million from the General Fund to fee based funding. Basin Plans, developed by the state's nine regional water quality control boards provide the water quality information upon which Waste Discharge Permits are based. Under the Governor's proposal, future Basin Plans will be funded through Waste Discharge Permit Fee revenues.

Community Services

Public Libraries. State funding for the Public Library Foundation (PLF), Transaction Based Reimbursement (TBR) and the California Library Literacy and English Acquisition Service (literacy program) would be eliminated. This amount totals \$30.4 million (\$12.9 million cut to the PLF, \$12.9 million cut to the TBR and \$4.6 million cut to the literacy program).

Transportation

Reenactment of the Gas Tax Swap. The Governor proposes to reenact the Gas Tax Swap, approved March 2010, as required by Prop.n 26 (2010). This action will ensure the continuation of transportation funding as well as provide state General Fund relief.

Truck Weight Fees. Shifts weight fees from the State Highway Account to pay for transportation-related debt service and to provide state General Fund relief. This was previously being accomplished using Highway Users Tax Account revenues which is now prohibited by Proposition 22.

Public Contracting. Proposes to shift \$7.2 million in costs to local agencies for developing CalTrans Project Initiation Documents for local projects.

Proposition 1B. Appropriates \$2.3 billion for capital funding of bond projects, including \$22 million for local bridge seismic safety and \$200 million for state-local partnership programs.

Transit. In an effort to bring the level of transit funding in line with what is required by Prop. 22, appropriates additional funding to ensure local transit agencies receive the equivalent of 75 percent of diesel sales tax revenues.

last updated : 1/13/2011



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Big City Mayors Hold News Conference Following Meeting with Governor Stressing the Economic Peril of Eliminating Redevelopment [<PRINTER-FRIENDLY PAGE>](#)

Moments after leaving a meeting this afternoon with Gov. Jerry Brown, nine of California's 10 big city mayors gathered on the west steps of the State Capitol to brief the news media on the Administration's proposal to abolish redevelopment agencies.

Los Angeles Mayor Antonio Villaraigosa, Sacramento Mayor Kevin Johnson, San Francisco Mayor Edwin Lee, Santa Ana Mayor Miguel Pulido, Oakland Mayor Jean Quan, San Jose Mayor Chuck Reed, San Diego Mayor Jerry Sanders, Fresno Mayor Ashley Swearengin and Anaheim Mayor Tom Tait communicated the profound negative impacts their communities would face if redevelopment is eliminated.

Mayor Villaraigosa was the first in the string of mayors to speak saying, "These are rough waters and every one of us has to participate in shouldering the responsibility to balance the budget that has been out of whack for a very, very long time." Mayor Villaraigosa stressed the importance of jobs created by redevelopment and listed examples of job loss in the city of Los Angeles. Those losses include cutting 4,000 people from the city general fund payroll over the last three years, facing deficits of almost 25 percent of our general fund budget and furloughing employees anywhere from 16 to 26 days a year.

Mayor Villaraigosa continued, "This is the wrong time to move away from job creation." The Los Angeles mayor also shared that the Governor has agreed to a working group with cities and that the meeting today was a good start and an important opportunity for cities to be at the table.

Similar effects of redevelopment were presented by Sacramento Mayor Kevin Johnson. He cited specific examples of redevelopment, including the Sheraton Hotel, and projects along the J, K and L

Street corridor in downtown Sacramento which have generated 400 construction jobs and 400 permanent jobs. Mayor Johnson pointed out that the projects, just blocks away from the State Capitol, would not come to fruition had it not been for redevelopment. "It's a terrible idea to abolish redevelopment," he said.

San Francisco Mayor Edwin Lee took the podium to talk about cities' support for the Governor and the want to work with him as partners on balancing this budget and also in realigning state services to local governments with a sustainable funding source.

Fresno Mayor Ashley Swearengin delivered a strong message when she touched on constitutional boundaries, reminding the press that less than three months ago, 61 percent of the electorate passed Proposition 22 to prevent state raids of local government funds, including redevelopment funding.

Santa Ana Mayor Miguel Pulido expressed how significant it was for the Governor to meet with the big city mayors today. Pulido spoke about the Governor being a former mayor appreciating the benefits of redevelopment and listening to cities' concerns about the elimination of redevelopment.

Oakland Mayor Jean Quan, League of California Cities board of director, represents a city with 18 percent unemployment rate. Mayor Quan focused on the fact that redevelopment dollars are almost the only dollars cities have had to keep people employed. She also shared one of the messages that the Governor brought to the table today, "People don't know what redevelopment does and it's not so popular." Mayor Quan continued, "It makes no sense in the world to pit immediate programs for kids against the hopes and dreams for kids. I try to remind the former mayor about some of the dreams he had? He adores his art school and the theater and those are projects that are funded by redevelopment dollars."

San Jose Mayor Chuck Reed conveyed the importance of redevelopment to the vitality of not only his city but the entire state saying "Collectively, we all rely on those tools to get jobs in difficult areas and to keep jobs in California." Talking about the struggles to get business to stay in the Silicon Valley, he added, "Take away those tools and we're going to lose more jobs."

San Diego Mayor Jerry Sanders expressed major concerns with the elimination of redevelopment as his city has been greatly transformed due to redevelopment funding. Through redevelopment, San Diego has been able to completely revitalize their urban core. He noted that redevelopment has created tens of thousands of jobs, billions in economic activity, and lured jobs and investments to the city, which in turn, has sparked private sector investments that generate more tax revenues, funding better schools, stronger police and fire services, and enhanced city services.

Anaheim Mayor Tom Tait reminded the crowd that redevelopment exists to revive struggling neighborhoods, reduce gangs and crime, lift people out of poverty and put people to work and thrust the economy in motion, adding that it would not be a good move to deprive communities of this restoration.

Los Angeles Mayor Villaraigosa wrapped up the event, expressing appreciation on behalf of the big city mayor group, realizing that the Governor is facing some difficult choices to balance this budget.

Photos of this event have been posted on the League's [Facebook page](#).

last updated : 1/26/2011

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ATTACHMENT B



ADVOCATION



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

February 1, 2011

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

RE: STATE LEGISLATIVE UPDATE- JANUARY

On January 10, Governor Brown released his FY 2011-12 State Budget. Describing an 18-month \$25.4 billion General Fund deficit, which includes a current year (FY 10-11) shortfall of \$8.2 billion, and a budget year (FY 11-12) shortfall of \$17.2 billion, the governor cites unrealistic assumptions, including the reliance on federal funds which have not materialized, the sunset of tax extensions, one-time solutions, and a stagnant housing market and economy in general as reasons for the shortfall. As a result, Governor Brown proposes \$12.5 billion in cuts, \$12 billion in revenues, and \$1.8 billion in shifts to close the deficit and provide a \$1 billion reserve.

The proposed reductions include cuts to most major programs such as \$1.7 billion to Medi-Cal, \$1.5 billion to California's welfare-to-work program, \$1 billion to the University of California and California State University, \$750 million to the Department of Developmental Services, \$580 million to state operations and employee compensation, and the elimination of redevelopment agencies (\$1.7 billion).

With respect to revenues, the Governor proposes extending existing tax rates for the next five years upon voter approval on the June ballot for the following items:

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- **Personal Income Tax (PIT) Rate Surcharge:** Effective for tax years on or after January 1, 2011 but before January 1, 2016, maintain the .25% surcharge for PIT tax rate and the Alternative Minimum Tax Rate. If extended, this proposal is expected to generate revenues of \$1.187 billion in FY 10-11 and \$2.077 billion in FY 11-12.
- **PIT Dependent Exemption Credit:** Maintain the dependent exemption credit in effect in 2009 until 2015. If extended, this proposal is expected to generate revenues of \$725 million in FY 10-11 and \$1.248 billion in FY 11-12.
- **Sales & Use Tax:** Effective July 1, 2011, the 6-cent sales and use tax would continue for 5 years. The rate would sunset on June 30th to 5-cents without voter approval. If extended, the proposal is expected to generate \$4.549 billion in FY 11-12 and \$5.5 billion in FY 14-15.
- **Vehicle License Fee (VLF):** Effective July 1, the 1.15% VLF rate would continue for five years. Of the 1.15% rate, 0.5% would be used to fund local programs including public safety. If extended, this proposal is expected to generate \$1.382 billion in FY 11-12 and nearly \$1.7 billion in FY 14-15.

Realignment

In addition, the Governor's budget proposes a major shift in the state-local partnership by proposing to realign control and budget authority of certain governmental services such as fire and emergency response activities, court security, mental health services, the transfer of low-level offenders to county jails, substance treatment programs, and foster care to the locals, among other things. When fully implemented, this proposal will restructure how and where more than \$10 billion in a wide range of services are delivered. The first phase of the proposal will be a \$5.9 billion transfer of programs from the state to counties funded by maintaining the current 1-percent sales tax and the .50-percent Vehicle License Fee (VLF) that are currently set to expire on June 30, 2011. As mentioned above, the Governor proposes to make these revenue streams available to funds programs if they are approved by the voters in June.

Impact on Transportation

The Governor's Budget acknowledges the passage of Proposition 26 threatens the transportation and transit revenues enacted in last March's "gas tax swap" and that the passage of Proposition 22 makes it harder for the state to use excise tax on gasoline revenue for purposes of paying transportation bond debt service (a method used in the gas tax swap to achieve General Fund savings).

In response, the Governor proposes to use truck weight fees from the State Highway Account (SHA) – which may not be as restricted by Proposition 22 – to pay remaining FY 2010-11 and

new FY 11-12 bond debt service; additionally, remaining truck weight fees are proposed to be loaned to the General Fund. Truck weight fees generate roughly \$800 to \$900 million annually.

He would also use certain other SHA revenues not restricted by Article XIX to pay for Proposition 116 (rail transit) bond debt service.

Gas Tax Swap Reenactment

The Governor also proposes to “reenact” the gas tax swap, with the new 2/3 vote threshold as required by Proposition 26 to pass a tax increase by the legislature. Despite the fact that the gas tax swap was passed as a revenue-neutral package, several legal minds have opined that while the legislature can reduce taxes with a majority vote, increasing a tax necessitates a 2/3 vote.

Governor Brown recommends pursuing budget trailer bill language to clear the ambiguity associated with complying with Proposition 26. This suggests reenactment of the excise tax increases for highways and streets & roads, as well as the sales tax on diesel fuel for public transit. While we have yet to see language, we presume that the same spending priorities as in the original swap are being contemplated, with the addition that some of the new excise gas tax would be used to backfill the SHA (i.e. for its loss of the truck weight fees for bond debt service and General Fund loans) in the event that weight fees cannot cover the debt service.

If both the reenactment of the gas tax swap and weight fee proposal is approved, the net impact of the package would result in a nearly identical amount of transportation/ transit spending and General Fund relief to pay down bond debt service as originally contemplated in the gas tax swap.

Impact on Transit Funding

The Governor also acknowledges the impact on local public transit spending of the passage of Proposition 22; namely, that Proposition 22 would require all sales tax on diesel fuel revenues to be split 50% between the State Transit Assistance (STA) program (local transit grants) and 50% for non-STA state transit priorities, such as the intercity rail program. He notes that the gas tax swap created a 75% / 25% split, favoring the STA program, so he proposes trailer bill language appropriating additional funds from the Public Transportation Account (PTA) fund balance to ensure that local transit agencies continue the equivalent of 75% of the sales tax on diesel fuel, plus the \$23 million in FY 11-12 and \$12 million in FY 12-13 that local transit agencies were to have received from non-Article XIX revenues as a part of the 2010 gas tax swap. This is expected to offset the effect on local transit of shifting of \$77.5 million in non-Article XIX revenues to fund debt service in FY11-12.

Given lower diesel sales revenues, the total amount of state funding for local transit agencies from PTA resources – i.e. the STA program – is estimated to be \$329.6 million for FY 11-12.

Proposition 1A Funding

The total amount of funding available, including state bond and federal funds, for state operations and capital outlay in FY 10-11 is \$220.9 million and \$192 million in FY 11-12. These funds are for continued project management, environmental and engineering work.

The Governor states that while the High-speed Rail Authority has been awarded billions of dollars in federal funding for construction, details of the grants have not been finalized and appropriation of these funds may not be needed until FY 12-13. Therefore, only \$89.7 million in federal funds for partial design and environmental work is reflected in the budget, with the same amount in bond funds for the state match.

Proposition 1B Funding

An appropriation of \$2.3 billion for capital funding of bond projects is made available for the following programs within Proposition 1B:

- \$631.2 million for the Corridor Mobility Improvement Account
- \$972.3 million for the Trade Corridors Improvement Fund
- \$117 million for the Public Transportation Modernization, Improvement, and Service Enhancement Account
- \$200 million for the State and Local Partnership Program
- \$22 million for the Local Bridge Seismic Retrofit Program
- \$391.9 million for State Route 99

Department of Finance Director Ana Matasantos mentioned during the Governor's press conference that the state will not have a Spring bond sale for the first time since 1988 meaning that allocations for bond programs will be delayed even further.

Planning Program Project initiation Document (PID) Workload Justification

The Governor proposes an increase of \$2.4 million and 18 positions to complete PIDs for state and locally funded projects on the state highway system. This includes a decrease of \$4.9 million in SHA resources and an increase of \$7.2 million in reimbursements from locals to complete PIDS on locally funded projects.

Board Action Requested

We have been working with a broad coalition of stakeholders including the League of Cities, California State Association of Counties, California alliance for Jobs, and California Transit Association, among others, to push for the reenactment of the gas tax swap. Please see the attached material to the board packet to view materials that have been distributed by the coalition. It would be helpful for the C/CAG Board to support the coalition's efforts so that we can communicate this to our legislative delegation.

ATTACHMENT C

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**C/CAG Bill Matrix
as of 1/31/2011**

Bill ID/Topic	Location	Summary	Position
<p><u>AB 16</u> <u>Perea D</u></p> <p>High-Speed Rail Authority.</p>	<p>ASSEMBLY PRINT 12/7/2010 - From printer. May be heard in committee January 6.</p>	<p>Existing law creates the High-Speed Rail Authority with specified powers and duties relating to the development and implementation of an intercity high-speed rail system. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, authorizes \$9.95 billion in general obligation bonds for high-speed rail development and other related purposes. The federal American Recovery and Reinvestment Act of 2009 (ARRA) provides funding for allocation nationally to high-speed rail projects. This bill would require the authority to make every effort to purchase high-speed train rolling stock and related equipment that are manufactured in California, consistent with federal and state laws.</p>	
<p><u>AB 31</u> <u>Beall D</u></p> <p>Land use: high-speed rail: local master plan.</p>	<p>ASSEMBLY PRINT 12/7/2010 - From printer. May be heard in committee January 6.</p>	<p>The California High-Speed Rail Act establishes the High-Speed Rail Authority to develop and implement an intercity high-speed rail system in the state, exclusively grants to the authority the responsibility for planning, construction, and operation of that system, and confers upon the authority specified powers and duties relating to that system. This bill would establish the High-Speed Rail Local Master Plan Pilot Program, applicable to specified cities and counties, and would require each of those jurisdictions to prepare and adopt, by ordinance, a master plan for development in the areas surrounding the high-speed rail system in each jurisdiction. The bill would require the master plan to include incentives for encouraging investment and coherent growth in the areas surrounding the high-speed rail system in each participating jurisdiction. The bill would also require the participating jurisdictions to collaborate with the State Air Resources Board to develop incentives to encourage development while concurrently reducing greenhouse gas emissions, consistent with or pursuant to the California Global Warming Solutions Act of 2006. The bill would require the master plan to be consistent with the jurisdiction's general plan and the regional sustainable communities strategy. By adding to the duties of local government officials, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>	
<p><u>AB 41</u> <u>Hill D</u></p> <p>Conflicts of interest: disqualification.</p>	<p>ASSEMBLY PRINT 12/7/2010 - From printer. May be heard in committee January 6.</p>	<p>Existing provisions of the Political Reform Act of 1974 prohibit a public official at any level of state or local government from making, participating in making, or attempting to use his or her official position to influence a governmental decision in which he or she knows or has reason to know that he or she has a financial interest, as defined. Existing law also requires specified elected and appointed officers at the state and local level of government to disclose specified financial interests by filing periodic statements of economic interests. Existing law further requires public officials who hold specified offices and who have a financial interest in a decision within the meaning of the Political Reform Act of 1974 to publicly identify the financial interest giving rise to the conflict of interest or potential conflict of interest, recuse themselves from discussing and voting on the matter, and leave the room until after the discussion, vote, and other disposition of the matter is concluded, except as specified. This bill would add members of the High-Speed Rail Authority to those specified offices who must publicly identify a financial interest giving rise to a conflict of interest or potential conflict of interest, and recuse themselves accordingly. This bill contains other related provisions and other existing laws.</p>	

<p>AB 57 Beall D</p> <p>Transportation planning.</p>	<p>ASSEMBLY PRINT 12/7/2010 - From printer. May be heard in committee January 6.</p>	<p>Existing law requires the Department of Transportation to engage in various transportation planning activities, including long-term state highway system planning to identify future highway improvements in consultation with transportation planning agencies, county transportation commissions, counties, and cities. This bill would also require those activities to be done in consultation with metropolitan planning organizations.</p>	
<p>AB 58 Galgiani D</p> <p>High-speed rail.</p>	<p>ASSEMBLY PRINT 12/7/2010 - From printer. May be heard in committee January 6.</p>	<p>Existing law, the California High-Speed Rail Act, creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, approved by the voters as Proposition 1A at the November 4, 2008, general election, provides for the issuance of \$9.95 billion in general obligation bonds for high-speed rail and related purposes. Existing law provides for appointment of an executive director by the authority, who is exempt from civil service and serves at the pleasure of the authority. This bill would authorize the Governor to appoint up to 5 deputy directors exempt from civil service who would serve at the pleasure of the executive director. This bill contains other related provisions and other existing laws.</p>	
<p>AB 76 Harkey R</p> <p>High-speed rail.</p>	<p>ASSEMBLY PRINT 1/3/2011 - Read first time.</p>	<p>Existing law, the California High-Speed Rail Act, creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, approved by the voters as Proposition 1A at the November 4, 2008, general election, provides for the issuance of \$9.95 billion in general obligation bonds for high-speed rail and related purposes. Article XVI of the California Constitution authorizes the Legislature, at any time after the approval of a general obligation bond act by the people, to reduce the amount of the indebtedness authorized by the act to an amount not less than the amount contracted at the time of the reduction or to repeal the act if no debt has been contracted. This bill would reduce the amount of general obligation debt authorized pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century to the amount contracted as of January 1, 2012.</p>	
<p>SB 22 La Malfa R</p> <p>High-speed rail.</p>	<p>SENATE PRINT 12/7/2010 - From printer. May be acted upon on or after January 6.</p>	<p>Existing law, the California High-Speed Rail Act, creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, provides for the issuance of \$9.95 billion in general obligation bonds for high-speed rail and related purposes. This bill would state the intent of the Legislature to reexamine the bond funding mechanism of the authority relative to the authority's high-speed rail project.</p>	
<p>SB 46 Correa (D)</p>	<p>SENATE PRINT 12/10/10-From printer. May be acted upon on or after January 9.</p>	<p>Existing law provides for the compensation of local government officers and employees, as specified. This bill would require filers, as defined, to annually file a compensation disclosure form, as specified. This bill would require the Secretary of State to develop the form, which would provide for the disclosure of, among other things, salaries and stipends, automobile and equipment allowances, and incentive and bonus payments. This bill would also require a county, city, city and county, school district, special district, or joint powers agency that maintains an Internet Web site to post the information contained on the filed form on that Internet Web site, as specified. The bill would authorize a district attorney or any interested person to commence an action by mandamus to enforce the provisions of the bill, as specified. The duties imposed on local departmental agencies by the bill would create a state-mandated local program. The bill would express a legislative finding and declaration that, to ensure the statewide integrity of local government, disclosure of compensation paid filers is an issue of statewide concern and not a municipal affair and that, therefore, all cities, including charter cities, would be subject to the provisions of the bill. The California Constitution requires the state to reimburse local agencies and school</p>	

		districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.	
<u>SB 50</u> <u>Correa (D)</u>	SENATE PRINT 12/16/10- From printer. May be acted upon on or after January 15.	Existing provisions of the Political Reform Act of 1974 prohibit a public official at any level of state or local government from making, participating in making, or attempting to use his or her official position to influence a governmental decision in which he or she knows or has reason to know that he or she has a financial interest, as defined. Existing law also requires specified elected and appointed officers at the state and local level of government to disclose specified financial interests by filing periodic statements of economic interests. Existing law further requires public officials who hold specified offices and who have a financial interest in a decision within the meaning of the Political Reform Act of 1974 to publicly identify the financial interest giving rise to the conflict of interest or potential conflict of interest, recuse themselves from discussing and voting on the matter, and leave the room until after the discussion, vote, and other disposition of the matter is concluded, except as specified. This bill would add members of the High-Speed Rail Authority to those specified offices who must publicly identify a financial interest giving rise to a conflict of interest or potential conflict of interest, and recuse themselves accordingly. Existing law makes a violation of the Political Reform Act of 1974 subject to administrative, civil, and criminal penalties. This bill would impose a state-mandated local program by exposing these members to potential criminal penalties for failing to make the disclosures and recuse themselves where required by this bill. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason. The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a 2/3 vote of each house and compliance with specified procedural requirements. This bill would declare that it furthers the purposes of the act	
<u>SB 125</u> <u>Emmerson (R)</u>	SENATE PRINT 1/27/11-From printer. May be acted upon on or after February 26.	Existing law makes it unlawful for a person to evade or attempt to evade the payment of tolls or other charges on any vehicular crossing or toll highway and imposes a civil penalty for violation of this law. This bill would authorize a local authority, by ordinance or resolution, to implement a specified program under which the local authority may attach a wheel boot to, and in some cases impound, a vehicle registered to a "chronic evader of toll payments," as defined.	
<u>SB 126</u> <u>Steinberg (D)</u>	SENATE PRINT 1/28/11-From printer. May be acted upon on or after February 27.	Existing law generally provides for programming and allocation of state and federal funds available for transportation capital improvement projects by the California Transportation Commission (CTC), pursuant to various requirements. Existing law authorizes the CTC, in certain cases, to adopt guidelines relative to its programming and allocation policies and procedures. Existing law, the Administrative Procedure Act, generally governs the procedure for the adoption, amendment, or repeal of regulations by state agencies and for the review of those regulatory actions by the Office of Administrative Law. Existing law, in certain instances, exempts state agencies from these requirements. This bill would establish specified procedures that the CTC would be required to utilize when it adopts guidelines, except as specified, and would exempt the adoption of those guidelines from the requirements of the Administrative Procedure Act.	

ATTACHMENT D

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



CALIFORNIA STATE
ASSOCIATION OF COUNTIES



LEAGUE OF CALIFORNIA CITIES



REGIONAL COUNCIL OF RURAL
COUNTIES



ASSOCIATED GENERAL
CONTRACTORS (AGC)



January 4, 2011

To: Members of the Legislature

From: Associated General Contractors
California Alliance for Jobs
California State Association of Counties
California Transit Association
League of California Cities
Regional Council of Rural Counties
Transportation California

Re: **Comprehensive Fix to Address Propositions 22 & 26 and the March 2010
Transportation Tax Swap**

The Problem

The passage of Proposition 22 and Proposition 26 have many implications for the Transportation Tax Swap (AB 8X 6: Tax Provisions and AB 8X 9: Allocation Formulas) enacted in March 2010. Recall, the swap made the following major changes:

1. Eliminated the sales tax on gas and replaced it with a 17.3-cent excise tax increase on gasoline, indexed to keep pace with what the sales tax on gasoline would have generated in a given fiscal year to ensure true revenue neutrality. Revenues are allocated as follows:
 - 44% State Transportation Improvement Program (STIP)
 - 44% Local Streets and Roads
 - 12% State Highway Operation and Protection Program (SHOPP)
2. Reduced the excise tax on diesel to 13.6-cents and replaced it with an increase in the sales tax rate on diesel by 1.75 percent, and provided an exemption to hold harmless entities that would be impacted from the change (SB 70).

A primary reason for enacting the swap was to remove transportation funding from the general fund and the annual budget debate. Equally important is the state general fund savings estimated at approximately \$1 billion annually from the replacement 17.3-cent excise tax or Highway User Tax Account (HUTA) dedicated to transportation bond debt service.

However, Prop 22 limits the use of HUTA funds for bond debt and general fund relief as required in the swap. Further, Proposition 26 invalidates the replacement taxes contained in AB 8X 6 within 12-months of its passage and is self-executing in November 2011.

The Solution

In order to address these issues with the Transportation Tax Swap, we urge the Legislature to enact a comprehensive solution that addresses state general fund, state and local transportation, and transit concerns. The comprehensive package should:

1. Validate the replacement tax provisions as contained in AB 8X 6 with a 2/3rds vote of the Legislature (Prop 26 fix);
2. Approve the transfer of Transportation Weight Fees from the State Highway Account (SHA) to a fund to provide the General Fund relief and backfill any losses to the SHA with a portion of the replacement 17.3-cent excise tax (Prop 22 fix); and
3. Reenact a revised AB 8X 9 (Allocations Formulas) that allows the new 17.3-cent gas excise tax and 1.75 percent sales tax rate increase on diesel to be allocated for its intended uses and achieves the same fiscal results anticipated in March 2010 (Prop 22 fix). This includes:
 - a. Language to allocate the new Section 2103 Highway User Tax Account (HUTA) funds for the STIP, SHOPP, and Local Streets and Roads; and
 - b. Language to achieve something closer to the originally-intended split of Public Transportation Account revenues that recognized the importance of funding local transit operations.

The Imperative

The loss of \$2.5 billion in revenue jeopardizes transportation projects across California, threatens thousands of jobs, and negatively impacts the overall economic wellbeing of the State given the multiplier effects from infrastructure investment. This loss of transportation revenue would be devastating to California's transportation programs effecting state, regional and local projects across all systems and modes.

The most effective path to provide certainty and avoid the risk of losing these transportation funds and provide the State this much needed and promised general fund relief is to pass a comprehensive package to fix the issues with the Transportation Tax Swap from Propositions 22 and 26.

Contact Information

Dave Ackerman, Associated General Contractors – dackerman@theapexgroup.net or (916) 444-9601

Jim Earp, California Alliance for Jobs – jearp@rebuildca.org or (916) 446-2259

DeAnn Baker, California State Association of Counties – dbaker@counties.org or (916) 650-8104

Josh Shaw, California Transit Association – josh@caltransit.org or (916) 446-4656

Jennifer Whiting, League of California Cities – jwhiting@cacities.org or (916) 658-8249

Paul Smith, Regional Council of Rural Counties – psmith@rcrcnet.org or (916) 445-4806

Mark Watts, Transportation California – mwatts@smithwattsco.com or (916) 446-5508

cc: The Honorable Jerry Brown, Governor, State of California
Anna Manasantos, Director, Department of Finance
Mark Hill, Program Budget Manager, Department of Finance

Gas Tax Swap Re-enactment Q&A

1. Why was the gas tax swap enacted?

In October 2009, the California Supreme Court upheld a lower court ruling in the *Shaw v. Chiang* case that annual raids on transit funding, which diverted billions of dollars of sales tax revenue for General Fund purposes, was illegal. As a result, the legislature enacted the gas tax swap proposal in order to acquire General Fund relief to pay down bond debt service by converting the sources of state funding for state highway and local streets and roads programs to rely on an increase in the excise tax, while eliminating the sales tax on gasoline. Essentially, Proposition 42 was traded for a 17.3 increase in the excise tax.

2. What is the impact of the gas tax swap?

The gas tax swap allowed the legislature to acquire a dedicated, ongoing source of revenue to pay down General Obligation (G.O.) debt service on transportation bonds, essentially converting G.O. bonds into revenue bonds. In addition, funding for highways, transit, and local streets and roads was increased over historic allocations.

3. Why is reenactment of the gas tax swap necessary?

The passage of Proposition 26 has called into question the legality of gas tax swap due to the requirement that taxes and fee increases be passed by a 2/3 vote. Despite the fact that the gas tax swap was passed as a revenue-neutral package in one bill (AB 6, Chapter 11, Statutes of the 2009-10 8th Extraordinary Session) several legal minds have opined that while the legislature can reduce taxes with a majority vote (elimination of sales tax on gas), increasing a tax (excise tax) necessitates a 2/3 vote. The swap was approved by the legislature on a majority vote.

4. Why is enactment of the proposal to dedicate weight fees to bond debt service necessary?

Proposition 22 restricts the legislature's ability to utilize excise tax revenues for bond debt service. The dedication of weight fees (\$800 to \$900 million annually) for bond debt service would help alleviate the pressure caused by the restriction imposed by Proposition 22.

5. Does the gas tax swap need to be reenacted in tandem with the weight fee proposal?

Yes. Both proposals need to be enacted as a package in order to maintain the integrity of the gas tax swap package as approved last March.

6. Why can't the weight fee proposal be adopted alone?

Weight fees are intended to pay for bond debt service that accrues when the state is able to sell bonds. Therefore, the proposal would create capacity for bond debt service which was intended to provide *supplemental* funding for the state's transportation infrastructure needs but it does not protect the historic sources of funding which are necessary in many cases to fully fund projects.

Without swift action, \$2.5 billion in traditional funding for transportation programs would be in severe jeopardy, compromising over 40,000 jobs, adding to the state's 12% unemployment rate, and eroding the tax base to fund vital programs such as education and public safety, while potentially exposing the state and local jurisdictions to liability claims by contractors.

7. What happens to transit funding without reenactment of the gas tax swap?

It shrinks considerably. The gas tax swap retained the sales tax on diesel (at an increased rate) as the only source of state funding for transit operations and capital through the State Transit Assistance (STA) program. Proposition 22 splits revenues 50/50, while the gas tax swap split revenues 75/25 to favor STA. Without the reenactment of the swap, fewer resources would be available to maintain current local transit service.

Comprehensive Transportation Tax Swap Proposal

The Solution

In order to address issues with the Transportation Tax Swap enacted in March 2010 (AB 8X 6: Tax Provisions and AB 8X 9: Allocation Formulas) resulting from the passage of Proposition 22 and Proposition 26, the Legislature should pass a comprehensive solution that addresses state general fund, state and local transportation, and transit concerns. The comprehensive package should:

1. Validate the tax provisions as contained in AB 8X 6 with a 2/3rds vote of the Legislature;
2. Approve the transfer of Transportation Weight Fees from the State Highway Account to the General Fund; and
3. Reenact a revised AB 8X 9 (Allocations Formulas) that allows the new 17.3-cent gas excise tax and 1.75 percent sales tax rate increase on diesel to be allocated for its intended uses and achieves the same fiscal results anticipated in March. This includes:
 - a) Language to allocate the new Section 2103 Highway User Tax Account (HUTA) funds for the STIP, SHOPP, and Local Streets and Roads; and
 - b) Language to achieve something closer to the originally-intended split of Public Transportation Account revenues that recognized the importance of funding local transit operations.

The Problem

The Transportation Tax Swap did the following:

1. Eliminated the sales tax on gas and replaced it with a 17.3-cent excise tax increase on gasoline, indexed to keep pace with what the sales tax on gasoline would have generated in a given fiscal year to ensure true revenue neutrality.
2. Increased the sales tax rate on diesel by 1.75 percent, reduced the excise tax on diesel to 13.6 cents, and provided an exemption to hold harmless entities that would be impacted from the change (SB 70).

A primary reason for enacting the swap was to remove transportation funding from the general fund and the annual budget debate. Equally important is the State General Fund savings realized under the deal - \$761.1 million in revenue from the new 17.3-cent excise tax increase in FY 2010-11 is dedicated to transportation bond debt service and even greater amounts into the future.

However, Prop 22 limits the use of HUTA for bond debt only under certain circumstances and makes invalid the allocation provisions and formula for the new 17.3-cent excise tax that provides general fund relief. Proposition 26 invalidates the tax provisions contained in AB 8X 6 within 12-months of its passage and is self-executing in November 2011.

The Imperative

The loss of \$2.5 billion in revenue jeopardizes transportation projects across California, threatens thousands of jobs, and negatively impacts the overall economic wellbeing of the State given the multiplier effects from infrastructure investment.

The most effective path to provide certainty and avoid the risk of losing these transportation funds and provide the State this much needed and promised general fund relief is to pass a comprehensive package to fix the issues with the transportation tax swap from Propositions 22 and 26.

ATTACHMENT E

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



CALIFORNIA STATE
ASSOCIATION OF COUNTIES



LEAGUE OF CALIFORNIA CITIES



REGIONAL COUNCIL OF RURAL
COUNTIES

January 25, 2011

To: Assembly Budget Subcommittee No. 3

From: Associated General Contractors
California Alliance for Jobs
California State Association of Counties
California Transit Association
League of California Cities
Mobility 21
Regional Council of Rural Counties
Self-Help Counties Coalition
Transportation California

Re: **Comprehensive Fix to Address Propositions 22 & 26 and the
March 2010 Transportation Tax Swap**



The above Associations strongly urge the Legislature to act to save billions of dollars of transportation investment critical to retain jobs by supporting Governor Brown's budget proposal on the transportation tax swap. This action will prevent the loss of \$2.5 to 3.5 billion in funding essential to the survival of state, regional, and local transportation programs.



ASSOCIATED GENERAL
CONTRACTORS (AGC)

Proposition 26 approved by the voters in the November 2010 election will invalidate 17.3-cents of gas taxes and a 1.75 percent sales tax rate on diesel, both of which were enacted to replace Proposition 42 revenues eliminated in the gas tax swap adopted by the Legislature and signed by the Governor back in March of 2010. Further, Proposition 22 limits the use of gas taxes or Highway User Tax Account (HUTA) funds for bond debt and general fund relief as agreed to in the swap.



California's transportation stakeholders are in unanimous agreement on a comprehensive solution that will retain these replacement revenues of \$2.5 billion annually and also provide nearly \$1 billion in state general fund relief.

Passage of these two elements together is critical, not only to maintain the parameters of the agreement in the transportation swap, but to preserve a bare bones revenue stream that is already meeting less than half of annual state and local maintenance and safety improvement project needs.



We as a coalition support the proposal to provide at least \$1 billion of general fund relief by paying the transportation related bond debt from truck weight fees. However, separating this measure from the re-validation of the replacement 17.3-cent gasoline excise tax and 1.75 percent sales tax on diesel could potentially leave the transportation program \$3.5 billion in the hole.

This scenario would eviscerate 63,000 jobs and severely impact the state's economic recovery. We urge you to support this comprehensive fix, which includes validating the replacement taxes at no additional cost to the taxpayer and shifting the truck weight fees for general fund relief.

Contact Information

Dave Ackerman, Associated General Contractors – (916) 444-9601
Jim Earp, California Alliance for Jobs – (916) 446-2259
DeAnn Baker, California State Association of Counties – (916) 650-8104
Josh Shaw, California Transit Association – (916) 446-4656
Jennifer Whiting, League of California Cities – (916) 658-8249
Paul Smith, Regional Council of Rural Counties – (916) 445-4806
Keith Dunn, Self-Help Counties Coalition – (916) 290-2900
Mark Watts, Transportation California & Mobility 21 – (916) 446-5508

cc: The Honorable Jerry Brown, Governor, State of California
Anna Manasantos, Director, Department of Finance
Mark Hill, Program Budget Manager, Department of Finance

C/CAG AGENDA REPORT

Date: February 10, 2011
To: Board of Directors
From: Richard Napier, C/CAG Executive Director
Subject: Review and approval of Resolution 11-05 authorizing the C/CAG Chair to execute an agreement with Advocation to provide State legislative advocacy services for an amount not to exceed \$72,000 annually for two years or a total of \$144,000

(For further information contact Joseph Kott at 599-1412)

RECOMMENDATION

That the C/CAG Board:

1. Approve Resolution 11-5 authorizing the C/CAG Chair to execute an agreement with Advocation for a total amount not to exceed \$72,000, and
2. Direct Advocation to continue working with the Legislative Committee and staff to identify those items currently being considered by the California Legislature that will have a negative impact on C/CAG's member agencies, and develop a strategy for advocating for C/CAG on these items, and
3. Direct Advocation to immediately focus attention on addressing the negative impacts to C/CAG member agencies that may result from the current State budget deliberations.

FISCAL IMPACT

The cost of the outside lobbyist will not exceed \$72,000 per year for an initial year and two additional years, subject to approval of the C/CAG Board and Advocation.

SOURCE OF FUNDS

Funds for legislative advocacy are programmed into the C/CAG Fiscal Year 2010-2011 budget.

BACKGROUND/DISCUSSION

A Request for Qualifications/Proposals for State legislative advocacy (Attachment A) was sent to eight Sacramento legislative advocates (Attachment B). One response was received: a Statement of Qualifications from Advocation in conjunction with Shaw/Yoder/Antwith, Inc. This

ITEM 6.1.2

respondent proposed to provide professional State advocacy services for the amount of \$72,000. Their Statement of Qualifications was submitted prior to the response deadline and was responsive to all of the Submittal Requirements made in the Request for Proposals/Qualifications.

Advocation and Shaw/Yoder/Antwith, Inc. are C/CAG's current State legislative advocates. Staff has found their work to be well informed, timely, thorough, and effective. In addition, they have shown sensitivity to the budgetary issues facing local government by proposing to provide State legislative advocacy services for \$72,000 per year, compared to the current \$76,000 they now receive. Therefore it is recommended that C/CAG enter into a contract with Advocation to continue their work with C/CAG staff, the C/CAG Legislative Committee, and the C/CAG Board.

ATTACHMENTS

- A. Request for Proposals/Qualifications for Providing Legislative Advocacy (Lobbying Services) to the City/County Association of Governments of San Mateo County of San Mateo.
- B. State Legislative Advocate Requestor Proposals/Qualifications Distribution List
- C. Resolution 11-05
- D. Scope of Work to be Included as Exhibit A to the Contract with Advocation

ATTACHMENT A

*Request for
Proposals/Qualifications
For Providing Legislative
Advocacy (Lobbying) Services*

City/County Association of Governments of San Mateo County

555 County Center, 5th Floor

Redwood City, CA 94063

Submittal Due Date:

Wednesday, December 29, 2010

Request For Proposals/Qualifications
For Providing Legislative Advocacy Services For The
City/County Association of Governments
Of San Mateo County.

The City/County Association of Governments (C/CAG), a Joint Powers Agency composed of the County of San Mateo and all twenty cities located within the County, invites you to submit a proposal detailing qualifications and costs for providing legislative advocacy services. The firm/individual selected will represent C/CAG's legislative policy interests with the State of California Legislature and with individual State officials.

Proposals/letters of qualifications must be received in the C/CAG Office **NO LATER THAN 5:00 P.M., Wednesday, December 29, 2010**. One copy of the proposal should be mailed or delivered to:

City/County Association of Governments
555 County Center, 5th Floor
Redwood City, CA 94063

Attention: Joseph Kott
Phone: 650 599-1453 Fax: 650 361-8227
jkott@co.sanmateo.ca.us

History and Overview of C/CAG

Background

The City/County Association of Governments of San Mateo County (C/CAG) was created by a Joint Powers Agreement (JPA) in the fall of 1990, to address diverse issues that transcend political boundaries within San Mateo County. All twenty of San Mateo's cities joined the County to establish the JPA. Currently, C/CAG's primary purpose is to prepare, adopt, monitor, and enforce the following programs:

Congestion Management Agency

In 1990, as a result of the passage of Propositions 108 and 111 by the voters and the enactment of enabling laws by the California Legislature, every urbanized county in California was required to designate a Congestion Management Agency (CMA). This Agency is responsible for preparing, implementing, and biennially updating a Congestion Management Program (CMP). All of the cities in San Mateo County joined together with the County to form the City/County Association of Governments (C/CAG) and established it as the CMA. The primary purposes of a CMP are to: provide alternative transportation strategies; safe bicycle and pedestrian travel options; shuttle services; encourage travel behavioral changes; develop procedures to alleviate or control anticipated increases in roadway congestion; ensure that government together with business, private, and environmental interests develop and implement comprehensive strategies to address future congestion problems; make available funding to local jurisdictions that result from the increase in the gas tax.

As the CMA for San Mateo County, C/CAG is responsible for allocating the State Transportation Improvement Program (STIP) funds and the Federal Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users (SAFETA-LU)

Transportation Fund for Clean Air Program Manager

AB 434 is legislation that authorizes the Bay Area Air Quality Management District (BAAQMD) to impose a fee on motor vehicles to fund city, county, transit district, or other public agency transportation control projects that most effectively achieve emissions reductions from motor vehicles. The monies collected become the Transportation Fund for Clean Air. Forty percent of the fee revenues generated in San Mateo County are allocated to C/CAG to fund projects within the County. The annual allocation is approximately one million dollars. Generally the funds are used for shuttle programs and Countywide transportation demand management programs.

Integrated Solid Waste Management

The California Integrated Waste Management Act of 1989, more commonly known as AB 939, requires each county in California to have a Local Task Force (LTF) with specific responsibilities in the area of waste management. C/CAG is the designated LTF in San Mateo County and the Solid Waste Advisory Committee (SWAC) is an advisory committee to the C/CAG/LTF.

Airport Land Use

C/CAG is the designated Airport Land Use Commission for San Mateo County. State law requires the Commission to prepare, adopt, and implement a comprehensive Airport Land Use Compatibility Plan for each public use airport in the County. The C/CAG Airport Land Use Committee (ALUC) makes recommendations to the Commission (C/CAG), related to the administration and implementation of the Airport Land Use Plan (e.g. consistency reviews of proposed local agency land use policy actions, Plan amendments, etc.).

Hazardous Waste Management

In accordance with a 1986 State law, the San Mateo County Hazardous Waste Management Plan was prepared to promote countywide waste reduction efforts, and identify appropriate locations for hazardous waste treatment and storage facilities when needed in the County. The plan (1) analyzes the hazardous waste stream within San Mateo County, (2) determines the need for hazardous waste management facilities within the County, (3) identifies areas in the County suitable for new facilities, (4) evaluates the potential for waste reduction, and (5) identifies the opportunities to better manage hazardous waste generated by small businesses and households.

Storm Water Management (NPDES)

C/CAG is the administrative and policy-making authority responsible for providing technical support and compliance assistance for federal and state stormwater management requirements. All municipalities in San Mateo County are copermittees under the Municipal Regional Stormwater Permit issued by the San Francisco Bay Regional Water Quality Control Board. These requirements mandate municipal action to control pollutant discharges to receiving water bodies from storm drain systems, and include provisions regarding municipal maintenance operations, new and redevelopment with a particular focus on Low Impact Development, commercial and industrial site controls, illicit discharge detection and elimination, construction site controls, public information and outreach, water quality monitoring, pesticide toxicity control, trash load reduction, mercury, polychlorinated biphenyl (PCB), copper, polybrominated diphenyl ether (PBDE), legacy pesticides, and selenium controls, and exempted and conditionally exempted discharges. C/CAG has established the San Mateo Countywide Water Pollution Prevention Program as the primary means of assisting its member agencies with meeting these requirements. In addition to a Technical Advisory Committee that provides recommendations to the C/CAG Board, the program includes seven subcommittees focused on the different provisions of the Municipal Regional Stormwater Permit. Funding for this program is generated through property tax assessments and vehicle registration fees. Increases in program revenue are subject to Proposition 218 requirements.

Abandoned Vehicle Abatement (AVA)

As the Abandoned Vehicle Abatement Authority for San Mateo County, C/CAG distributes the \$1 surcharge on each registered vehicle that is collected by the State to support this activity. Every jurisdiction in San Mateo County is eligible to receive its share of these funds based on the number of abandoned vehicles and parts that are removed from that jurisdiction's streets and other properties.

Transportation Development Act (TDA)

C/CAG is responsible for evaluating and recommending those projects to be funded by Transportation Development Act Article 3 revenues. Primarily, these projects are related to bicycle and pedestrian improvements.

AB1546/SB 348 - \$4 Motor Vehicle Registration Fee for Congestion Management and Storm Water Pollution Management

AB 1546 was adopted by the Legislature and signed into law by the Governor on September 29, 2004, and authorized by the C/CAG Board to impose an annual fee of \$4 on vehicles registered in San Mateo County between from July 1, 2005 through January 1, 2009. Pursuant to California Government Code 65089.11- 65089.15, the fee would help fund programs for managing traffic congestion and storm water pollution. SB 348 allowed the C/CAG Board to reauthorize the annual \$4 fee for a period of four years until January 1, 2013.

SB 83 (Measure M) - \$10 Vehicle Registration Fee for Transportation-related Projects and Programs

Pursuant of California Government Code 65089.20, C/CAG placed a measure on the November 2, 2010 ballot seeking voter approval of the imposition of an annual fee of then dollars (\$10) on motor vehicles registered in San Mateo County. The passage of the measure will enable C/CAG to generate approximately \$6.7 million annually for the next 25 years to help provide funding for local congestion mitigation programs and water pollution prevention programs as well as countywide transportation programs in San Mateo County.

Energy Efficiency and Climate Action

In recent years, C/CAG has expanded into programs related to energy efficiency and climate action through a number of specific activities. C/CAG has established a local government partnership with Pacific Gas and Electric Company called the San Mateo County Energy Watch (SMCEW). The SMCEW (www.smcenergywatch.com) provides energy efficiency audits, installation, rebates as incentives and programmatic coordination to municipalities, nonprofits and special districts, businesses and residents in San Mateo County. C/CAG is also leveraging grant opportunities through the Bay Area Air Quality Management District (Air District). Air District funds have been used to complete greenhouse gas emission inventories, drive acceptance of a countywide energy strategy ([http://www.ccag.ca.gov/pdf/USTF/reports/Draft County Energy Strategy.pdf](http://www.ccag.ca.gov/pdf/USTF/reports/Draft%20County%20Energy%20Strategy.pdf)) and, currently, are being used to develop a climate action planning template and tool set for the cities in San Mateo County. C/CAG has also recently established a Resource Management and Climate Protection Committee (RMCP). The RMCP committee (<http://www.ccag.ca.gov/ustf.html>) provides direction to staff on efforts related to energy, water and climate protection and provides direction to both the C/CAG Congestion Management and Environmental Quality Committee and the C/CAG Board on similar matters.

Joint Powers Agreement (JPA)

C/CAG was created by a JPA that prescribes the composition, purposes and activities of the Board of Directors, voting procedures, budgeting and financing processes, and staffing arrangements. The C/CAG Board consists of one Councilmember from each participating City and one member of the Board of Supervisors. In addition, there are two non-voting ex-officio members: a member of the San Mateo County Transit District Board and a member of the San Mateo County Transportation Authority.

C/CAG Legislative Priorities

C/CAG's current Legislative priorities are as follows:

- *Protect against the diversion of local revenues including the protection of redevelopment funds and programs.*
- *Protect against increased local costs resulting from State action without 100% State reimbursement for the added costs.*
- *Secure stable funding to pay for increased NPDES mandates.*
- *Support lowering the 2/3rd super majority vote for local special purpose taxes.*
- *Encourage the State to protect transportation funding and develop an equitable cost-sharing arrangement to pay for any cost overruns on the construction of the Bay Bridge.*

- *Advocate for revenue solutions to address State budget issues that are also beneficial to Cities/ Counties.*
- *Support reasonable climate action/Greenhouse Gas legislation.*
- *Support energy conservation.*

SCOPE OF SERVICES

The purpose of this contract is to retain a part-time consultant to 1) monitor and review a limited number of pending legislation, policies, and regulations, and 2) advocate C/CAG's interests with the California Legislature and its members and other parties as appropriate. The bills tracked by the consultant and the C/CAG Legislative Committee may include any subject matter that is of concern to C/CAG member agencies (20 cities and County). During the active legislative session the consultant will be directed to focus attention on a few specific bills (5 to 10 bills) that will be identified by C/CAG and its Legislative Committee as being high priority. Some of the typical activities that could be performed by the consultant may include:

1. General

- a. Assist in the development of strategies for advancing actions at the State level that are beneficial to C/CAG and its member agencies.
- b. Represent and advocate on behalf of C/CAG in its dealings with relevant State agencies and related interest groups including but not limited to 1) California Legislature, 2) Governor's Office, 3) Individual Legislators and their staff members.

2. Facilitate Communication

- a. Develop and maintain contact with members of the Legislature and state agencies in order to facilitate regular communication with and about C/CAG.
- b. Meet with State representatives on a regular basis to provide briefings on issues of interest or concern to C/CAG.
- c. Solicit input from State representatives on issues of concern to C/CAG and report it to C/CAG on a regular basis.
- d. Arrange appointments with Legislators and other State representatives to meet with C/CAG representatives.
- e. Coordinate with legislative advocates for other public agencies such as the League of California Cities, California State Association of Counties, Metropolitan Transportation Commission, etc.

3. Monitor and Evaluate
 - a. Identify and evaluate the potential impact of proposed legislation, policies, and regulations on C/CAG and its member agencies.
 - b. Work with State representatives to identify and amend bills and other proposed legislative or regulatory language in order to meet C/CAG concerns.
 - c. Advocate C/CAG's position to appropriate State legislative, executive, and administrative committees, board, and commissions.
4. Initiate and Advocate
 - a. Advise C/CAG on opportunities to pursue C/CAG objectives through the Legislature and various State agencies.
 - b. Assist in drafting legislation on behalf of C/CAG.
 - c. Formulate and manage strategies to achieve passage of C/CAG's legislative initiatives (if any).
 - d. Make presentations to and testify on behalf of C/CAG before legislative and administrative bodies.
5. Report and Respond
 - a. Provide regular reports summarizing the Consultant's activities under the contract with C/CAG.
 - b. Appear before the C/CAG Board and/or Legislative Committee to provide an overview and summary of current and future activities or to report on a particular item of concern to C/CAG.
 - c. Respond to C/CAG's requests for information about pending State legislation, regulations, or policies.

SUBMITTAL REQUIREMENTS

Each proposal must include the following information. This information should be confined to **no more than ten pages** excluding resumes of staff members. Please submit ten copies of your proposal.

1. Firm name, business address, telephone and fax numbers, e-mail address.
2. Date of establishment of business.
3. Type of organization (individual, partnership, or corporation).
4. Description of firm's experience with local government agencies, if any.
5. Description of firm's experience with other types of clients.
6. List of current clients and contact information.
7. Names of individuals who would be directly engaged in performance of work under this solicitation. For each of the individuals please submit:
 - a. Number of years experience in legislative advocacy services
 - b. List of references and contact information
 - c. Brief description of work performed for these references or relationship to these references
8. Describe any particular areas of specialty that your firm has (such as type of client and/or subject matter and/or other).
9. Cost proposal – C/CAG has budgeted approximately \$76,000 per year. Provide a description of the services that will be performed for this amount of money or a lesser amount of funds. Include the number of legislative bills that might be addressed and how your firm would promote C/CAG's position on these bills.
10. Describe what you would do in a situation where two or more of your clients have conflicting views and/or positions on an item you have been requested to work on.

Proposers should refrain from including unnecessary general marketing and promotional material. Evaluation of the proposals will be based solely on how well the proposer responds to the information requested in this solicitation and the qualifications of the staff to be designated to perform the tasks requested.

EVALUATION AND SELECTION PROCEDURE

Staff will prescreen all applications. Approximately three to five firms will be invited to an oral. This will likely occur the week of January 3, 2011. Staff will recommend the selection of a firm to the C/CAG Board at its meeting on January 13, 2011. It is anticipated that a draft contract will also be presented at that time so that the services can begin immediately.

ATTACHMENT B

STATE LEGISLATIVE ADVOCATE REQUEST FOR PROPOSALS/QUALIFICATION DISTRIBUTION LIST

The Gualco Group, Inc.
Sacramento, CA

Chuck Cole, President
Advocation, Inc.
Sacramento, CA

Kevin Sloat, Principal
Sloat Higgins Jensen and Associates
Sacramento, CA

Mel Assagai, Owner
Advocacy Group
Sacramento, CA

John E. Arriaga
Sacramento, CA

Scott Wetch
Sacramento, CA

Camden McEfee
Sacramento, CA

Paul Yoder
Sacramento, CA

ATTACHMENT C

RESOLUTION 11-05

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) AUTHORIZING THE C/CAG CHAIR TO EXECUTE AN AGREEMENT WITH ADVOCATION FOR STATE LEGISLATIVE ADVOCACY SERVICES FOR A TWO (2) YEAR TERM IN AN AMOUNT NOT TO EXCEED \$72,000 ANNUALLY FOR TWO YEARS OR A TOTAL OF \$144,000

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

WHEREAS, C/CAG is a joint powers agency representing all twenty-one local jurisdictions in San Mateo County; and

WHEREAS, the C/CAG Board has determined that it is vital and necessary that its interests be actively advocated for with the California Legislature and Administration; and

WHEREAS, C/CAG has determined that outside lobbying services would be the most appropriate method to ensure that C/CAG is adequately represented in the legislative and administrative processes in the capitol of the State of California; and

WHEREAS, ADVOCATION has competed through a request for proposals/ qualifications and C/CAG has selected ADVOCATION to provide these services; and

WHEREAS, ADVOCATION has verified that it is qualified and properly licensed to provide these services.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the C/CAG Chair is authorized to execute an agreement with Advocation for State legislative advocacy services for a two-year term in an amount not to exceed \$72, 000 per year or a total of \$144,000. Final agreement will be negotiated by C/CAG Executive Director, with approval as to form by C/CAG Legal Counsel, prior to execution by C/CAG Chair.

PASSED, APPROVED, AND ADOPTED THIS 10TH DAY OF FEBRUARY 2011.

Thomas M. Kasten, Chair

ATTACHMENT D

SCOPE OF SERVICES

The purpose of this contract is to retain a part-time consultant to 1) monitor and review a limited number of pending legislation, policies, and regulations, and 2) advocate C/CAG's interests with the California Legislature and its members and other parties as appropriate. The bills tracked by the consultant and the C/CAG Legislative Committee may include any subject matter that is of concern to C/CAG member agencies (20 cities and County). During the active legislative session the consultant will be directed to focus attention on a few specific bills (5 to 10 bills) that will be identified by C/CAG and its Legislative Committee as being high priority. Some of the typical activities that could be performed by the consultant may include:

1. General
 - a. Assist in the development of strategies for advancing actions at the State level that are beneficial to C/CAG and its member agencies.
 - b. Represent and advocate on behalf of C/CAG in its dealings with relevant State agencies and related interest groups including but not limited to 1) California Legislature, 2) Governor's Office, 3) Individual Legislators and their staff members.
2. Facilitate Communication
 - a. Develop and maintain contact with members of the Legislature and state agencies in order to facilitate regular communication with and about C/CAG.
 - b. Meet with State representatives on a regular basis to provide briefings on issues of interest or concern to C/CAG.
 - c. Solicit input from State representatives on issues of concern to C/CAG and report it to C/CAG on a regular basis.
 - d. Arrange appointments with Legislators and other State representatives to meet with C/CAG representatives.

- e. Coordinate with legislative advocates for other public agencies such as the League of California Cities, California State Association of Counties, Metropolitan Transportation Commission, etc.
3. Monitor and Evaluate
- a. Identify and evaluate the potential impact of proposed legislation, policies, and regulations on C/CAG and its member agencies.
 - b. Work with State representatives to identify and amend bills and other proposed legislative or regulatory language in order to meet C/CAG concerns.
 - c. Advocate C/CAG's position to appropriate State legislative, executive, and administrative committees, board, and commissions.
4. Initiate and Advocate
- a. Advise C/CAG on opportunities to pursue C/CAG objectives through the Legislature and various State agencies.
 - b. Assist in drafting legislation on behalf of C/CAG.
 - c. Formulate and manage strategies to achieve passage of C/CAG's legislative initiatives (if any).
 - d. Make presentations to and testify on behalf of C/CAG before legislative and administrative bodies.
5. Report and Respond
- a. Provide regular reports summarizing the Consultant's activities under the contract with C/CAG.
 - b. Appear before the C/CAG Board and/or Legislative Committee to provide an overview and summary of current and future activities or to report on a particular item of concern to C/CAG.
 - c. Respond to C/CAG's requests for information about pending State legislation, regulations, or policies.

C/CAG AGENDA REPORT

Date: February 10, 2011

To: City/County Association of Governments Board of Directors

From: Richard Napier, C/CAG Executive Director

Subject: Review and approval of Resolution 11-08 authorizing the C/CAG Chair to execute an agreement with the San Mateo County Superintendent of Schools to administer and manage the Countywide Safe Routes to School Program in an amount not to exceed \$2,000,000

(For further information contact John Hoang 363-4105)

RECOMMENDATION

That the C/CAG Board review and approve of Resolution 11-08 authorizing the C/CAG Chair to execute an agreement with the San Mateo County Superintendent of School to administer and manage the Countywide Safe Routes to Schools Program in an amount not to exceed \$2,000,000

FISCAL IMPACT

Up to \$2,000,000

SOURCE OF FUNDS

\$1,429,000 in Surface Transportation Program/Congestion Management and Air Quality (STP/CMAQ) funds is available to San Mateo County jurisdictions for the FY 09/10 to FY 11/12. Local match up to \$571,000 to be provided from Measure M (\$10 Vehicle Registration Fee)

BACKGROUND/DISSION

The Safe Routes to Schools (SR2S) program for San Mateo County is an element of the Metropolitan Transportation Commissions' (MTC) Climate Initiatives Program. The overall goal of the SR2S program is to enable and encourage children to walk or bicycle to schools by implementing projects and activities to improve health and safety, and also reduce traffic congestion due to school-related travels.

C/CAG, as the congestion management agency, is the designated agency for San Mateo County that receives the STP/CMAQ funds from MTC will administer the SR2S funding for the county, serving as the fiscal agent for the Program. C/CAG, in partnership with the San Mateo County Health System, took the lead in facilitating the development and preparation of the San Mateo

ITEM 6.2

County SR2S Strategic Plan. The development of the program, which began in February 2010 and continued through October 2010, has been performed by a Working Group and overseen by a Task Force consisting of schools, PTAs, law enforcement, public works, cities, and health officials. Among the participants in the Task Force has been the San Mateo County Office of Education, also referred to as the San Mateo County Superintendent of Schools.

In November 2010, the Superintendent of Schools presented C/CAG a proposal to serve as the lead for implementing the San Mateo County SR2S Program. The SR2S Task Force was presented with the draft scope of work describing the implementation approach, strategies and budget, which includes providing the SR2S Toolkit of Programs (currently in development) to schools as a resource to apply best practices focusing on education, encouragement, enforcement, and evaluation components. The proposal includes the establishment of a County SR2S Project Coordinator, SR2S Specialists, and the formation of two Advisory Committees (Policy and Operations) to guide the Superintendent of Schools.

The general input from the Task Force was that it was logical for the Superintendent of Schools to be the lead agency for the SR2S Program since the Superintendent has established relationships with the school districts and individual schools within the County that would help facilitate the program implementation. In addition, Task Force members also stressed the importance that the majority of the funds be distributed to the schools for programs and projects identified in the Toolkit and related services that could be provided by the network of SR2S Specialists. It was also recognized that in addition to providing funds to the schools, the success of the program would require that the SR2S Specialist and local volunteer efforts at the schools work closely together.

The development and implementation of the San Mateo County SR2S Program is estimated for a 30-month period, beginning approximately in January/February 2011 and ending approximately in June/July 2013. This initial countywide SR2S Program for San Mateo County would be considered a pilot program and would be evaluated annually with a comprehensive review at the end of the 30-month period.

ATTACHMENT

- Resolution 11-08
- Agreement between C/CAG and the San Mateo County Superintendent of Schools

RESOLUTION 11-08

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG CHAIR TO EXECUTE AN AGREEMENT WITH THE SAN MATEO COUNTY SUPERINTENDENT OF SCHOOLS TO ADMINISTER AND MANAGE THE COUNTYWIDE SAFE ROUTES TO SCHOOLS PROGRAM IN AN AMOUNT NOT TO EXCEED \$2,000,000

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

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

WHEREAS, C/CAG was provided \$1,429,000 in funding from the federal Surface Transportation Program (STP) and/or Congestion Mitigation and Air Quality Improvement (CMAQ) program by the Metropolitan Transportation Commission (MTC) for the San Mateo County Safe Routes to School (SR2S) Program; and

WHEREAS, the overall goal of the SR2S Program is to enable and encourage children to walk or bicycle to schools by implementing projects and activities to improve health and safety; and

WHEREAS, as the CMA for San Mateo County, C/CAG will administer the SR2S funding for the county, serving as the fiscal agent for the Program; and

WHEREAS, C/CAG has determined that the San Mateo County Superintendent of Schools will serve as the lead agency to implement the SR2S program for San Mateo County.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the Chair is authorized to execute a funding agreement with the San Mateo County Superintendent of Schools in the amount not to exceed \$2,000,000. This agreement is attached hereto and is in a form that has been approved by C/CAG Legal Counsel.

PASSED, APPROVED, AND ADOPTED THIS 10TH DAY OF FEBRUARY 2011.

Thomas M. Kasten, Chair

**FUNDING AGREEMENT
BETWEEN
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
AND
SAN MATEO COUNTY SUPERINTENDENT OF SCHOOLS
FOR
SAFE ROUTES TO SCHOOL PROGRAM**

THIS AGREEMENT, entered into this _____ day of _____ 2011, by and between the City/County Association of Governments of San Mateo County, a Joint Powers Agency, hereinafter called "C/CAG" and the San Mateo County Superintendent of Schools, hereinafter called "SUPERINTENDENT".

WITNESSETH

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

WHEREAS, the SUPERINTENDENT provides leadership and support to public schools in San Mateo County through its three Divisions: Instructional Services, Fiscal and Operational Services, and Student Services.

WHEREAS, C/CAG received \$1,429,000 in Surface Transportation Program / Congestion Mitigation and Air Quality (STP/CMAQ) funds from the Metropolitan Transportation Commission Climate Initiative Program for the development and implementation of a Safe Routes to School Program (SR2S) in San Mateo County (the "Program"); and

WHEREAS, the total cost of the Program is estimated to be \$2,000,000, including the C/CAG matching funds in the amount of \$571,000; and

WHEREAS, the overall goal of the Program is to enable and encourage children to walk or bicycle to schools by implementing projects and activities to improve health and safety, and also reduce traffic congestion due to school-related travels; and

WHEREAS, C/CAG has determined that the SUPERINTENDENT will serve as the Lead Educational Agency (LEA) to implement the Program; and

WHEREAS, C/CAG and SUPERINTENDENT desire to enter into a formal agreement to specify the work scope for the SR2S Program that agree that C/CAG shall provide funds for the development of the Program.

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

1. SCOPE OF SERVICES

SUPERINTENDENT shall serve as the lead agency for implementation of the Program in San Mateo County. The Scope of Work to be performed by the SUPERINTENDENT is described in Exhibit A attached hereto.

2. TIME OF PERFORMANCE

The services funded by this agreement shall commence on or after full execution of this agreement and after C/CAG receive an "Authorization to Proceed", a federal authorization of funds, and shall be terminated by October 1, 2013. Either party may terminate the Agreement without cause by providing sixty (60) days advance written notice to the other party.

3. FUNDING AND METHOD OF PAYMENT

- a) C/CAG agrees to reimburse SUPERINTENDENT up to \$2,000,000 for the development and implementation of the SR2S Program in San Mateo County.
- b) SUPERINTENDENT shall submit billings, on a monthly basis, accompanied by the activity reports and paid invoices issued by consultants or progress payments as proof that services were incurred or rendered and paid for by the SUPERINTENDENT. Upon receipt of the invoice and its accompanying documentation, C/CAG shall pay the amount claimed under each invoice, up to the maximum amount described by this agreement, within thirty (30) days of receipt of the invoice, delivered or mailed to C/CAG as follows:

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

- c) Subject to duly executed amendments, it is expressly understood and agreed that in no event will the total funding commitment under this agreement exceed \$2,000,000, unless revised in writing and approved by C/CAG and SUPERINTENDENT.

4. AMENDMENTS

Any changes in the services to be performed under this Agreement shall be incorporated in written amendments, which shall specify the changes in work performed and any adjustments in compensation and schedule. All amendments shall be executed by C/CAG and SUPERINTENDENT. No claim for additional compensation or extension of time shall be recognized unless contained in a duly executed amendment.

5. NOTICES

All notices or other communications to either party by the other shall be deemed given

when made in writing and delivered or mailed to such party at their respective addresses as follows:

To C/CAG: Attention: John Hoang, Program Manager
City/County Association of Governments
555 County Center, 5th Floor
Redwood City, CA 94063

To SUPERINTENDENT: Attention: Peter Burchyns,
Special Advisor to the Board and Superintendent
San Mateo County Office of Education
101 Twin Dolphin Drive
Redwood City, CA 94065-1064

6. INDEPENDENT CONTRACTOR

SUPERINTENDENT and its employees, agents and consultants shall be deemed independent contractors of C/CAG. Nothing herein shall be deemed to create any joint venture or partnership arrangement between the C/CAG and SUPERINTENDENT.

7. HOLD HARMLESS

SUPERINTENDENT agrees to indemnify and defend C/CAG from any and all claims, damages and liability in any way occasioned by or arising out of the negligence of SUPERINTENDENT, or its employees, contractors, consultants or agents in the performance of this Agreement.

IN WITNESS WHEREOF, the Agreement has been executed by the parties hereto as of the day and year first written above.

SAN MATEO COUNTY
SUPERINTENDENT OF SCHOOLS

CITY/COUNTY ASSOCIATION OF
GOVERNMENT OF SAN MATEO COUNTY

Anne E. Campbell,
County Superintendent of Schools

Thomas M. Kasten, C/CAG Chair

Approved as to form:

SUPERINTENDENT Attorney

Counsel for C/CAG

EXHIBIT A

SCOPE OF WORK

Purpose of the Partnership

The San Mateo County Office of Education, also referred to as the San Mateo County Superintendent of Schools (SUPERINTENDENT) will serve as the Lead Educational Agency (LEA) for the implementation of a Safe Routes to Schools (SR2S) Program in San Mateo County.

The City/County Association of Governments (C/CAG) of San Mateo will provide the funding for the project and will hold the San Mateo County Office of Education accountable for carrying out the activities described in this Scope of Work.

C/CAG and SUPERINTENDENT have a joint interest in ensuring that the project integrates effectively and smoothly with schools and community agencies, thus enabling them to use the Federal Surface Transportation Program and Congestion Mitigation & Air Quality Improvement (STP/CMAQ) Program funds productively on behalf of students and the community.

Goal

The overall goal of the project will be to make San Mateo County a healthier, safer, more sustainable, environmentally sound community with better air quality, less traffic congestion, more physically fit students and adults who are well-served by schools and other agencies working collaboratively.

Guiding Principles

In carrying out its responsibilities, the County Office of Education will adhere to the following guiding principles:

- The SUPERINTENDENT will work collaboratively with C/CAG, schools, cities and all partner agencies.
- The project will recognize the important role of volunteers (such as PTA members and others) in SR2S and will support and promote their involvement.
- The project will build upon existing successful models and programs and provide schools with a range of alternatives they can implement, based on their needs and interests.
- Schools will be provided with sufficient resources and support to implement site-based programs successfully.
- Participating schools will be provided clear directions and parameters so that they can operate their programs according to the funding regulations.
- The SUPERINTENDENT will use data to guide program planning and evaluation.

- The SUPERINTENDENT will maintain on-going communication and outreach, to ensure that interested parties have the opportunity to be involved and to have their voices heard during implementation.

Outcomes

The specific measurable outcomes of the project will include but are not limited to:

- Improved knowledge about and more positive attitudes toward walking and biking to school, on the part of students, parents and volunteers.
- Increased numbers of students walking and biking to school.
- High levels of student, parent and volunteer participation in educational activities related to healthy and environmentally sound lifestyles.
- Decreased traffic and congestion around schools, one byproduct of which will be increased air quality.
- Reduced obesity and better health habits among students.
- Increased partnerships among schools, community agencies, parents and volunteers.
- Improved community safety.

Implementation Approach

The County Office of Education's approach is to combine three elements: centralized leadership and technical assistance; networks of collaboration and support; and services delivered to school sites in support of program activities that meet local needs and priorities.

Centralized Leadership and Technical Assistance

The SUPERINTENDENT will provide overall direction, timelines and implementation regulations; be responsible for fiscal management and monitoring; and conduct the project evaluation. It will use its existing relationships with school district personnel and its established administrative systems to establish and implement the SR2S project. In addition, it will also use its regional and statewide contacts with other County Offices of Education to share resources and best practices with other agencies that are implementing county SR2S projects.

Networks of Collaboration and Support

Networks of collaboration will be developed among school sites and other agencies such as city governments, the County Health System and community organizations and volunteers. The networks could be based upon either schools in geographic proximity to each other or upon groups of schools with a common interest in a particular programmatic approach, such as Walking School Buses, Bicycle Safety, etc. These partners will be encouraged to build "learning communities" that: share common values, cultures and norms; engage in common professional development and technical training; and share successful practices.

The SUPERINTENDENT plans to create 5-7 networks that would each have 5 to 10 schools; these will be supported by SR2S Specialists (part-time) who deliver technical assistance and other services to school sites.

The SR2S Specialists' would provide communications, information, trainings, meetings, workshops, technical support, planning assistance, and other resources in support of SR2S to promote the development of successful school site-based SR2S programs; provide consultation and technical assistance to principals, teachers, parents, trainers and others concerning SR2S; enhance interagency cooperation with cities, the San Mateo County Health System and other agencies to promote healthy environments and active walking and biking behaviors that reduce the likelihood of illness and injury, increase the probability of personal fitness and safety for students and adults and support the development of environmentally sustainable communities.

Each school participating in the project will have a Site Team that plans and carries out the implementation activities. These Site Teams would include representatives from the school community and other agencies. The assumption is that volunteers from organizations such as Site Councils and PTAs will have large roles in site activities.

Local Services

Local school sites, through engagement with staff, Site Councils, PTAs and similar groups, will design, schedule and implement the specific activities that meet the needs of their students and families and help to achieve the overall goals of the project. Site support services will be delivered either by project staff (SR2S Specialists) or by school staff or consultants, funded by the project.

Governance

The SUPERINTENDENT will be accountable to C/CAG for achieving the goals and outcomes of the project, developing detailed annual action plans and line item budgets, meeting timelines and operating within the budget.

The SUPERINTENDENT will hire staff to manage the project and its budget, be responsible for implementation and submit timely reports. The SUPERINTENDENT will also subcontract with schools to provide them the resources to carry out their action plans.

Alternatively, at the request of schools, the SUPERINTENDENT could hire consultants or other staff who would provide specific services at the site that had been requested by the school; it could also purchase training and other materials for the school's use.

The SUPERINTENDENT will convene two Advisory Committees (Policy and Operations) to help ensure that the SUPERINTENDENT receives guidance, input and feedback from a cross-section of the entire community on whose behalf the initiative is being implemented.

The Policy Advisory Committee will advise C/CAG and the SUPERINTENDENT on the direction of the project and on related infrastructure grants and strategic issues, thus helping to create a community-wide, holistic approach to a healthier, safer, more sustainable San Mateo County. Members of the Policy Advisory Committee will include elected officials; people who have leadership positions with various partner agencies, such as: C/CAG; the San Mateo Health System; the Metropolitan Transportation Commission; municipal government; law enforcement; other community leaders; etc.

The SR2S Operations Committee will provide a means of internal communication among service providers and the clients served at school sites and to offer input and feedback on program activities. Members of the Operations Committee will be individuals close to local school sites who are involved with local activities, such as: school staff; PTA members and other school volunteers; local police officers; staff members from city departments such as Planning or Recreation; and other community agencies such as Boys and Girls Clubs.

Staffing

The SUPERINTENDENT will staff the project with a County SR2S Project Coordinator, a part-time administrative assistant and part-time SR2S Specialists whose responsibilities will be to deliver services to the Networks and school sites. The budget will also include funds for program consultants who work on specialized tasks or provides services to schools at their request, and an evaluator.

Implementation Strategies

Outlined below are the implementation strategies that the SUPERINTENDENT will use in the various phases of the project.

Start-Up Phase: January – June 2011

- Execute formal agreement between CCAG-SUPERINTENDENT.
- Complete detailed action plan and budget for the start-up phase.
- Work with C/CAG consultant to complete and distribute the SR2S Toolkit.
- Develop job descriptions, recruit and hire the Project Coordinator and assistant.
- Begin marketing/outreach/orientation via activities such as E-letters to schools and PTAs; presentations at local and regional sites; orientation and technical assistance meetings for interested parties.
- Make contacts with schools that have existing Safe Routes or similar programs to develop a cadre of “early implementers.”
- Conduct public information activities that involve media releases and the development of a Safe Routes web page on the County Office’s Web site.
- Develop collaborative networks.
- Develop measurable outcomes upon which evaluations will be based.
- Make progress reports to CCAG.

Planning Phase: July 2011 – December 2011

- Hire SR2S Specialists.
- Develop detailed action plan and for FY 2011.
- Conduct needs assessments, using a variety of techniques such as surveys, focus groups, technical assistance meetings, etc.
- Design data collection tools and evaluation instruments.
- Plan and deliver project training, based upon the needs of participants.

- Conduct research into model programs that have been successfully implemented elsewhere, and develop a menu of recommended programs from which local schools can select for adoption/adaptation. (Note: schools will not be limited to these and will be encouraged to develop or continue other programs that are aligned to the SR2S goals.)
- Create and implement a system for regional and site planning grants, using a Request for Proposal format.
- Develop networks and sites action plans.
- Approve and fund action plans for implementation.
- Conduct 2011 annual evaluation and submit report to C/CAG.

Implementation Phase: January 2012 – June 2013

- Make project modifications, as needed.
- Develop detailed action plan and budget for FY 2012-13.
- Implement network and site plans and bring additional schools into the project.
- Conduct evaluations.
- Conduct research into possible sources of future funding and develop applications for funding to sustain SR2S activities beyond this funding cycle.
- Develop County, regional and site sustainability plans.

Budget

Estimated Income

The funding model is based on an estimated budget of \$2,000,000 that includes \$1,429,000 of STP/CMAQ funds and an additional \$571,000 of local funds provided by C/CAG.

Timeframe

The development and implementation of the San Mateo SR2S Program is planned for an approximate 30-month period (January 2011 – June 2013).

Annual Expenditures

The annual expenditure estimates over the 30-month life of the project (January 2011 – June 2013) are summarized below. These expenditures are organized on a July 1 – June 30 Fiscal Year basis that matches the budget cycles of both County agencies and school districts (including the County Office of Education). Once the formal contract is signed, the County Office of Education will develop an itemized line item budget for approval by C/CAG.

San Mateo County Superintendent of Schools

Proposed SR2S Program Budget

PHASE	Start Up*	Planning / Implementation	Implementation	TOTAL	%
Fiscal Year	2010/11	2011/12	2012/13		
EXPENDITURES					
Administrative					
Project Coordinator	\$ 19,000	\$ 120,000	\$ 125,000		
Administrative Assistance	\$ 10,500	\$ 34,000	\$ 36,000		
Operating Expenses (est)	\$ 5,000	\$ 25,000	\$ 25,000		
Indirect Cost (10.15%)	\$ 3,500	\$ 18,170	\$ 18,877		
Sub-total	\$ 38,000	\$ 197,170	\$ 204,877	\$ 440,047	22%
School Programs					
SR2S Specialists		\$ 173,000	\$ 190,000		
Site Grants (average \$12,000 each)**		\$ 300,000	\$ 600,000		
Consultant and Operating Expenses		\$ 75,000	\$ 75,000		
Indirect Cost (10.15%)		\$ 55,620	\$ 87,800		
Sub-total		\$ 603,620	\$ 952,800	\$ 1,556,420	78%
Total	\$ 38,000	\$ 800,790	\$ 1,157,677	\$ 1,996,467	
<i>Note:</i>					
* Estimate for two (2) months					
** Estimate 25 grants in FY 2012 and 50 grants in FY 2013; Range could be from \$5,000 to \$20,000)					

C/CAG AGENDA REPORT

Date: February 10, 2011
To: City/County Association of Governments Board of Directors
From: Richard Napier, C/CAG Executive Director
Subject: Review and approval of Resolution 11-06 accepting the North Central San Mateo (City) Community-Based Transportation Plan and recommending implementation of the identified strategies.

(For further information contact Jean Higaki at 599-1562)

RECOMMENDATION

Review and approval of Resolution 11-06 accepting the North Central San Mateo (City) Community-Based Transportation Plan and recommending implementation of the identified strategies.

FISCAL IMPACT

The C/CAG board approved funding the study at the May 14, 2009 board meeting. Funds consist of \$17,000 from C/CAG Congestion Relief funds plus \$60,000 from MTC, for a total of \$77,000.

SOURCE OF FUNDS

Per agreements executed in May 2009, the MTC Community Based Transportation Planning (CBTP) Program is providing \$60,000 and C/CAG is providing \$17,000 in Congestion Relief funds to prepare a CBTP for North Central San Mateo community of concern.

BACKGROUND/DISCUSSION

In 2001, the Metropolitan Transportation Commission (MTC) developed a region wide Community Based planning program that identified several "Communities of Concern" within San Mateo County, in parts of Daly City, South San Francisco / San Bruno, North Central San Mateo, and East Palo Alto/ North Fair Oaks. MTC delegated the local level planning efforts to the Congestion Management Agency (C/CAG) and the local transit operator (SamTrans).

MTC Guidelines specify that local level CBTPs are to utilize community outreach to identify, assess, and develop strategies to bridge gaps in the transportation needs of these disadvantaged

communities. The CBTP is a planning tool, designed to influence funding decisions of the MTC Lifeline Transportation Program, with the objective to fund strategies developed in the CBTPs.

C/CAG utilized SamTrans as consultants, in preparing the North Central San Mateo CBTPs, based upon their successful development of the East Palo Alto and Daly City/ Bayshore CBTPs, their key knowledge of the existing transit system, and their ability to confirm transit gaps identified during the CBTP process.

Both the Daly City (Bayshore) and East Palo Alto have received MTC Lifeline Program funds to implement projects identified in their CBTPs including:

- Bayshore shuttle service
- Bayshore bus stop improvement project
- East Palo Alto youth shuttle, mobility manager, and bus stop improvement project
- Distribute transit passes and taxi vouchers to low income clients participating in self sufficiency and family strengthening activities (implemented by San Mateo Human Services Agency)

The ten transportation strategies emerging from North Central San Mateo outreach process includes:

1. Improve Existing School Bus Service
2. Augment Existing Transportation Service to Better Serve Key Destinations
3. Increase Frequency of Existing Transit Service
4. Reinstate the San Mateo Medical Center Shuttle Program
5. Establish Local Safe Routes to School Program
6. Improve Transit Stop Amenities
7. Improve Pedestrian Amenities
8. Improve Bicycle Amenities
9. Improve Affordability of Public Transit for Low-Income Users
10. Increase Public Access to Information about Transportation Options

The North Central San Mateo City CBTP is a concept level document intended to be used as a tool by potential implementing agencies. It does not commit any agency to implement a project however it does make an effort to identify agencies in the best position to implement listed strategies.

It should be understood that many of the concept level strategies proposed by the community would need to be vetted through a project analysis and development process prior to implementation. It should also be noted that the plan recognizes the fiscal and resource constraints faced by potential implementing agencies for many of the strategies. These limitations and constraints were reflected in a feasibility matrix associated with each strategy.

Projects emerging from strategies listed on the CBTP are at an advantage when seeking funds through the MTC Lifeline program or other funding programs, as there is a well documented

planning process used to identify projects and there is documented community support for projects that support the listed strategies.

The North Central San Mateo City CBTP was presented to the San Mateo City Council on January 3, 2011. The City of San Mateo has already confirmed that they will be incorporating relevant strategies and findings in the City's Bicycle and Pedestrian Master Plan as well as other long-range planning documents. It is hoped that the potential implementing agencies, identified in the CBTP, will apply for Lifeline Program funds to implement projects that support the strategies identified in this plan.

A copy of the North Central San Mateo (City) CBTP will be sent to MTC after acceptance by the C/CAG Board. SamTrans will also present this CBTP to their Board.

ATTACHMENTS

- Resolution 11-06
- North Central San Mateo CBTP (Copies are provided to board members only. Other interested parties may download an electronic copy at <http://www.ccag.ca.gov/studies.html>)

RESOLUTION 11-06

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) ACCEPTING THE NORTH CENTRAL SAN MATEO (CITY) COMMUNITY-BASED TRANSPORTATION PLAN AND RECOMMENDING IMPLEMENTATION OF THE IDENTIFIED STRATEGIES.

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

WHEREAS, the Metropolitan Transportation Commission has implemented the Community Based Transportation Planning Program to look at transportation needs in economically disadvantaged communities, and

WHEREAS, the Metropolitan Transportation Commission delegated local level planning efforts to the Congestion Management Agency (C/CAG) and the local transit operator (SamTrans), and

WHEREAS, C/CAG and San Mateo Transit District (SamTrans) have worked with the City of San Mateo and community stakeholders to develop a Community Based Transportation Plan for the North Central San Mateo Community of Concern.

NOW, THEREFORE, BE IT RESOLVED that the Chair of the Board of Directors of C/CAG is hereby authorized to accept the North Central San Mateo Community-Based Transportation Plan and recommend implementation of the identified strategies.

PASSED, APPROVED, AND ADOPTED THIS 10 DAY OF FEBRUARY 2011.

Thomas M. Kasten, C/CAG Chair

C/CAG AGENDA REPORT

Date: February 10, 2011

To: City/County Association of Governments Board of Directors

From: Richard Napier, C/CAG Executive Director

Subject: Review and Approval of Resolution 11-03 Authorizing Submittal of an Application for \$1.5 Million in Grant Funds Under the U.S. Environmental Protection Agency's San Francisco Bay Water Quality Improvement Fund and Authorizing the Executive Director to Commit \$500,000 in Matching Funds and \$1 Million in Leveraged Funds for Focused Green Street Project Implementation to Address Polychlorinated Biphenyl (PCB) Pollution in San Carlos and Development of a Countywide Green Streets Implementation Plan

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

RECOMMENDATION

The C/CAG Board review and approve Resolution 11-3 authorizing submittal of an application for \$1.5 million in grant funds under the U.S. Environmental Protection Agency's San Francisco Bay Water Quality Improvement Fund and authorizing the Executive Director to commit \$500,000 in matching funds and \$1 Million in leveraged funds for focused green street projects to address polychlorinated biphenyl (PCB) pollution in San Carlos and development of a Countywide Green Streets Implementation Plan. Since the grant application was due on January 28, 2011, and the C/CAG Board did not have a meeting in January, staff is requesting after-the-fact approval of the application submission and authorization of the Executive Director to commit to providing the matching and leveraged funds.

FISCAL IMPACT

If approved for funding, C/CAG would receive \$1.5 million in grant funds to construct green street treatment measures in San Carlos and prepare a countywide green street plan. The grant requires 25% of total project cost to be provided in matching funds, so C/CAG would commit \$500,000 for a total project cost of \$2 million. In addition, staff is proposing committing \$1 million in additional leveraged funds for a total grant/match/leveraged project cost of \$3 million. U.S. EPA has \$2 million to distribute, and grant funding requests are required to be between \$500,000 and \$1.5 million.

SOURCE OF FUNDS

The proposed grant-funded projects are an extension of C/CAG's existing Green Streets and Parking Lots Program administered through the San Mateo Countywide Water Pollution Prevention Program (Countywide Program) and are related to providing stormwater treatment measures for runoff from transportation infrastructure, so matching and leveraged funds would come from the Countywide Program's portion of stormwater-related vehicle registration fees. Existing unencumbered stormwater-related vehicle registration funds and ongoing revenue from the existing \$4 registration fee are sufficient to cover the matching and leveraged fund commitments.

BACKGROUND/DISCUSSION

ITEM 6.4

U.S. EPA issued a call for proposals under its San Francisco Bay Water Quality Improvement Fund (WQIF), with grant applications due on January 28, 2011. A total of \$2 million is available for distribution under the current round of WQIF funding, and EPA requested project proposals between \$500,000 and \$1.5 million. Grantees are required to provide matching funding of at least 25% of the total project costs. The Countywide Program submitted an application on January 28 requesting \$1.5 million in grant funding for a project consisting of two main components: 1) focused green street project implementation in a PCB-impacted watershed in the City of San Carlos, and 2) development of a countywide green streets implementation plan to create institutional capacity for further green street and parking lot projects.

The projects included in the proposed grant application will help address two requirements of the Municipal Regional Permit (MRP), as well as expand upon C/CAG's existing Sustainable Green Streets and Parking Lots Program. The MRP requires implementation of pilot treatment retrofit projects to address mercury and PCB pollution as well as construction of at least two pilot green street projects in San Mateo County, so the grant proposal is intended to address both of these requirements. The proposed countywide green streets planning effort will take the first steps toward identifying and prioritizing green street projects throughout the county, which will be beneficial for 1) distributing ongoing Measure M revenue to construct green street and parking lot projects to address stormwater pollution impacts of vehicles and transportation infrastructure, 2) pursuing other funding opportunities for green street implementation, either by an individual municipality or through a countywide effort, and 3) creating an "alternative compliance program" that would enable entities (including municipalities, private developers, Caltrans, etc.) to pay in-lieu fees to provide offsite stormwater treatment for new and redevelopment projects, as allowed under the MRP.

The grant proposal includes a commitment for C/CAG to provide \$500,000 in matching funds (for a total project cost of \$2 million) and an additional \$1 million in leveraged funding to construct green street projects that are identified through the countywide planning process. The matching and leveraged funds would be from existing and future vehicle registration revenues, and the commitment to use \$1 million in leveraged funds for constructing green street projects is consistent with C/CAG's prior approval under Resolution 08-11 to issue a second call for projects following the initial round of demonstration project funding under the Sustainable Green Streets and Parking Lots Program.

More specific details on the grant proposal are included in Attachment A.

ATTACHMENTS

- Resolution 11-3
- Attachment A – Summary of Grant Proposal

ALTERNATIVES

- 1- C/CAG Board approve Resolution 11-3 authorizing submittal of an application for \$1.5 million in grant funds under the U.S. Environmental Protection Agency's San Francisco Bay Water Quality Improvement Fund and committing \$500,000 in matching funds and \$1 Million in leveraged funds for focused green street projects to address polychlorinated biphenyl (PCB) pollution in San Carlos and development of a Countywide Green Streets Implementation Plan.
- 2- C/CAG Board not approve Resolution 11-3 and direct staff to withdraw the submitted application.

RESOLUTION NO. 11-3

AUTHORIZING SUBMITTAL OF AN APPLICATION FOR \$1.5 MILLION IN GRANT FUNDS UNDER THE U.S. ENVIRONMENTAL PROTECTION AGENCY'S SAN FRANCISCO BAY WATER QUALITY IMPROVEMENT FUND AND AUTHORIZING THE EXECUTIVE DIRECTOR TO COMMIT \$500,000 IN MATCHING FUNDS AND \$1 MILLION IN LEVERAGED FUNDS FOR FOCUSED GREEN STREET PROJECT IMPLEMENTATION TO ADDRESS POLYCHLORINATED BIPHENYL (PCB) POLLUTION IN SAN CARLOS AND DEVELOPMENT OF A COUNTYWIDE GREEN STREETS IMPLEMENTATION PLAN

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

WHEREAS, U.S. EPA is soliciting applications for grant funding for projects that address pollution issues associated with San Francisco Bay under its Water Quality Improvement Fund; and

WHEREAS, the Countywide Water Pollution Prevention Program has established a Sustainable Green Streets and Parking Lots Program; and

WHEREAS, implementation of the proposed grant-funded project would assist C/CAG member agencies in meeting permit requirements in the Municipal Regional Permit; and

WHEREAS, sufficient revenues under the vehicle registration fee program exist to fund the proposed matching and leveraged funds;

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

1. Approves the filing of an application for the U.S. Environmental Protection Agency's Water Quality Improvement Fund; and
2. Authorizes the Executive Director to commit to providing up to \$500,000 in matching funds and up to \$1 million in leveraged funds.

PASSED, APPROVED, AND ADOPTED THIS 10TH DAY OF FEBRUARY, 2011.

Thomas M. Kasten, Chair

ATTACHMENT A – Summary of Grant Proposal

The process of urbanization creates a variety of impervious surfaces that prevent the natural infiltration and runoff patterns of undeveloped landscapes. This results in numerous water quantity and quality issues, including hydromodification impacts in creeks caused by increased runoff volumes and velocities and increased pollutant loading to receiving water bodies as pollutants that collect on impervious surfaces are washed away with urban runoff. Pollutants of concern include heavy metals, petroleum hydrocarbons, pathogens, pesticides, trash, and excessive nutrient and sediment loads. Although new developments are increasingly required to incorporate stormwater treatment into project designs, municipalities are faced with retrofitting public infrastructure to reduce water quality and quantity issues associated with urban runoff.

San Francisco Bay's water quality and beneficial uses are currently impacted by some of these pollutants; urban stormwater runoff has been identified as a primary contributor of PCBs, mercury, and other sediment-bound pollutants, which have been found in Bay water, sediment, and biota. Concentrations of PCBs and mercury in certain Bay fish exceed target levels and may pose a health risk to people who consume fish caught in the Bay, especially local subsistence fishers and their families. The Bay has been designated an impaired water body on the Clean Water Act "303(d) list" due to PCBs and mercury. Water quality sampling in San Mateo County has identified elevated levels of PCBs in municipal stormwater discharges, with some of the highest concentrations found in a highly industrialized watershed in the City of San Carlos (the "Pulgas Creek Pump Station Watershed"). PCBs have been detected at levels exceeding 10 parts per million (ppm) in storm drain and creek sediment samples collected from this drainage area. Investigations to date suggest multiple potential unidentified sources of PCBs in the study area, given the widespread spatial distribution of PCBs in storm drain sediments.

In order to address both the focused issue of PCB pollution in San Carlos and the more general issues associated with urban runoff, the San Mateo Countywide Water Pollution Prevention Program (Countywide Program)'s grant proposal includes two main components: 1) Focused construction of "green street" treatment measures within the Pulgas Creek Pump Station Watershed, and 2) Development of a Countywide Green Streets and Parking Lots Implementation Plan to build institutional capacity, policies, and funding distribution mechanisms for future green street and parking lot construction within San Mateo County. Leveraged funds would be used to subsequently fund construction of high priority green street projects identified through the countywide planning effort.

Green Street Construction in San Carlos

To address elevated PCB concentrations in San Carlos, the Countywide Program is proposing construction of green street treatments in two separate locations within the Pulgas Creek Pump Station Watershed. Both locations are in areas where elevated PCBs were detected in storm drain sediments and would include construction of vegetated curb extensions and permeable pavement to infiltrate stormwater runoff. Construction of green street measures in San Carlos would help the Countywide Program in meeting two important requirements of the Municipal Regional Permit: 1) a requirement to construct pilot treatment retrofit projects to address PCBs, and 2) a requirement to construct two pilot green street projects in San Mateo County.

Construction of green street treatment measures within public rights-of-way in the target watershed in San Carlos is expected to remove a wide range of pollutants, including PCBs. Preliminary results of water quality monitoring at one of the C/CAG-funded Green Street Demonstration Projects (the Serramonte Library parking lot in Daly City) indicate contaminant load reductions of up to 50% for PCBs. Preliminary results from this study suggest that landscape-based areas can be effective in reducing PCBs from stormwater runoff.

Green Streets Implementation Plan

To address the overall water quality and quantity issues created by impervious surfaces in urbanized areas, the Countywide Program is proposing to develop a Countywide Green Streets and Parking Lots Implementation Plan (Green Streets Implementation Plan) that would identify specific projects within the 21 towns/cities/county for future implementation, helping to remove institutional barriers to facilitate the systematic implementation of LID. The Green Streets Implementation Plan would build upon the Countywide Program's existing Sustainable Green Streets and Parking Lots Program and build institutional capacity by 1) creating a mechanism for ongoing distribution of funding by the Countywide Program for project construction, 2) creating a plan that can be used individually or collectively by jurisdictions to pursue other funding opportunities for project construction, and 3) creating an alternative compliance program under which new or redevelopment projects could fund in-lieu green street or parking lot projects instead of constructing stormwater treatment measures on-site. Each of these aspects is described below.

Creating a Funding Mechanism for Ongoing Project Implementation. In addition to the current vehicle registration revenues that were used by the Countywide Program to create its existing Green Streets Program, San Mateo County voters approved in November 2010 Measure M to continue assessing vehicle registration fees for stormwater and congestion management purposes for the ensuing 25 years. An important part of capacity building is the availability of local funding. Revenues from the countywide vehicle registration fee will provide funding to address water quality and congestion impacts of motor vehicles for the next 25 years. The proposed Green Streets Implementation Plan will include development of policies and procedures for ongoing allocation of vehicle registration fee revenues for green streets and parking lots projects. The Countywide Program will further develop institutional capacity for implementing green streets and parking lots by integrating the funding procedures for allocation of vehicle license fee revenues with procedures for allocating other countywide transportation funds implemented by C/CAG, such as congestion management and bicycle/ pedestrian improvements.

Creating a Plan for Use in Pursuing Other Funds for Implementation. One of the main obstacles for municipalities in pursuing grant funding for green street projects is a lack of existing funding to develop conceptual plans suitable for determining project feasibility and costs for inclusion in a grant proposal. Preparation of the Green Streets Implementation Plan will help position jurisdictions for submitting future grant applications, such as under Proposition 84 or through the Integrated Regional Water Management Plan process, to request implementation funding, or to pursue other sources of funding such as through development impact fees or local assessments.

Creating an Alternative Compliance Program. The proposed project will help local municipalities to develop capacity to fund green streets and parking lots with "in lieu" fees from private development projects that are constrained from implementing onsite stormwater treatment facilities. As allowed under the Municipal Regional Permit, municipalities may develop alternative compliance programs that would enable development or redevelopment project proponents to pay for equivalent off-site stormwater treatment measures rather than constructing them on their own site. This would enable projects in challenging areas, such as downtown redevelopment of lot line-to-lot line parcels where space for stormwater treatment is limited, to either pay fees for construction of green street projects identified in the Green Streets Implementation Plan, or to buy treatment "credits" from a jurisdiction for projects within the plan that were already constructed using other funding sources.

C/CAG AGENDA REPORT

Date: February 10, 2011
To: C/CAG Board of Directors
From: Richard Napier, C/CAG Executive Director
Subject: Review and provide input on the draft San Mateo Countywide Transportation Plan 2035 (CTP 2035) Visions, Goals, and Objectives
(For further information contact Joseph Kott at 599-1453)

RECOMMENDATION

That the C/CAG Board review and provide input on the draft San Mateo Countywide Transportation Plan 2035 (CTP 2035) Visions, Goals, and Objectives.

FISCAL IMPACT

The Countywide Transportation Plan 2035(CTP 2035) Update is already included in the C/CAG staff work program.

SOURCE OF FUNDS

Funding for CTP 2035 preparation comes from C/CAG transportation funds and is included in the adopted C/CAG budget for FY 10-11.

BACKGROUND/DISCUSSION

The CTP 2035 is intended to provide San Mateo County with a long-range, comprehensive transportation planning document that sets forth a coordinated planning framework and establishes a systematic transportation planning process for identifying and resolving key transportation issues. CTP 2035 will articulate clear transportation planning objectives and priorities and to promote consistency and compatibility among all transportation plans and programs within San Mateo County. CTP 2035 will establish the broad long-range strategies for all transportation modes, land use, and climate; whereas, the Congestion Management Program establishes short-range objectives for the roadway Congestion Management Network.

The last Countywide Transportation Plan was adopted by the C/CAG Board on January 18, 2001. Since that time, BART has been extended to SFO and Millbrae, the Caltrain Baby Bullet has come into service, and San Mateo County has experienced significant changes in economic conditions. In addition, interest in planning for a sustainable transportation system has increased with concerns about greenhouse gas emissions, global warming, and climate change. An important part of the CTP 2035 work will be to address the policy objectives of Senate Bill 375 regarding better integration of transportation and land use.

Staff has convened an informal Working Group (see Attachment A for list of members), which has advised staff in developing an Outline (see Attachment B) and a draft overall Vision Statement, along with a draft Vision Statement, Goals, Policies, and Objectives for each of the

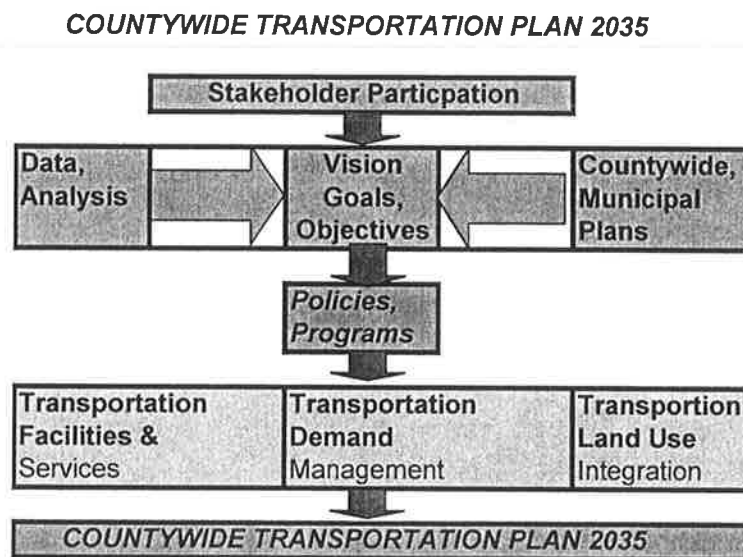
ITEM 6.5

policy sectors to be addressed in CTP 2035 (see Attachment C). The Working Group’s consensus Vision Statement for the San Mateo Countywide Transportation Plan 2035 is as follows:

An integrated transportation system for San Mateo County that is cost-effective, sustainable, and equitable. The means to realize this Vision are by providing travel choices, enhancing community livability, preserving environmental quality, and promoting travel safety.

The CTP 2035 will include transportation policies and programs that are informed by reference to existing and ongoing plans on the municipal, County, and transit agency levels, stakeholder participation, and data analysis as shown in the Figure 1 below.

Figure 1



The effort to reduce carbon emissions in San Mateo County through better integration of land use and transportation planning will supplement on-going initiatives to reduce carbon emissions and to conserve non-renewable energy resources in the County. Attachment D shows the proposed Timeline for CTP 2035.

ATTACHMENT

ATTACHMENT A - Countywide Transportation Plan 2035 (CTP 2035) Working Group Roster

ATTACHMENT B - Countywide Transportation Plan 2035 (CTP 2035) Outline

ATTACHMENT C – Draft Countywide Transportation Plan 2035 Overall Vision Statement; Vision, Goals, Objectives, and Policies for Individual Policy Sectors within CTP 2035

ATTACHMENT D – Timeline

ATTACHMENT A

Countywide Transportation Plan 2035 (CTP 2035) Update Working Group Roster

Aaron Aknin
City of San Bruno

Duane Bay,
County of San Mateo Housing

Cathleen Baker
County of San Mateo Public Health

Melanie Choy
SMTA

Corinne Goodrich
Samtrans

Lisa Grote,
City of San Mateo

Christine Maley-Grubl
Peninsula Traffic Congestion Relief Alliance

ST Mayer
County of San Mateo Public health

Bill Meeker
City of Burlingame

Steve Monowitz
San Mateo County Planning

Tatum Mothershead
City of Daly City

Janet Stone
County of San Mateo Housing

ATTACHMENT B

Countywide Transportation Plan 2035 (CTP 2035) Outline

<u>ELEMENT</u>	<u>TITLE</u>
1	VISION STATEMENT
2	EXECUTIVE SUMMARY
3	OVERVIEW & INTRODUCTION
4	POLICY CONTEXT
5	SETTING
6	VISION/GOALS /OBJECTIVES
7	LAND USE/TRANSPORTATION LINKAGE
8	MOTOR VEHICLE TRAVEL
9	BICYCLES
10	PEDESTRIANS
11	PUBLIC TRANSIT
12	TRANSPORTATION SYSTEM/DEMAND MANAGEMENT
13	INTELLIGENT TRANSPORTATION SYSTEMS
14	PARKING
15	MODAL CONNECTIVITY
16	GOODS MOVEMENT
17	ENVIRONMENT

18

FINANCIAL

19

**IMPLEMENTATION &
EVALUATION
EVALUATION &
IMPLEMENTATION**

LIST OF TABLES AND FIGURES

APPENDIX A:

BIBLIOGRAPHY

APPENDIX B:

GLOSSARY OF ACRONYMS

ATTACHMENT C

**CTP 2035 VISION STATEMENT
AND VISION, GOALS, OBJECTIVES,
AND POLICIES BY SECTOR**

Vision Statement

"An integrated transportation system for San Mateo County that is cost-effective, sustainable, and equitable. The means to realize this Vision are by providing travel choices, enhancing community livability, preserving environmental quality, and promoting travel safety."

7: LAND USE & TRANSPORTATION LINKAGE - VISION, GOAL, OBJECTIVES, AND POLICIES

VISION:

- A San Mateo County in which access to places people wish to go is safe and convenient for all on foot, by bicycle, via public transportation, and with the automobile.

GOAL:

- *Integrate transportation and land use plans and decisions in support of a more livable and sustainable San Mateo County through a Countywide Sustainable Communities Strategy.*

LAND USE POLICIES:

7.1 *Integrate Land Use and Transportation Planning*

Integrate land use and transportation planning efforts where feasible at the local, county, and regional levels.

7.2 *Concentrate Development*

- a. Concentrate new development in urban areas within the County of San Mateo's urban/rural boundary, particularly those designated as "Priority Development Areas".
- b. Promote higher density residential, employment, and mixed-use development near transit stations and along major bus transit corridors throughout the County. to fund improved linkages between land use and transit services.
 - a. Support the redevelopment of cities along the Caltrain and BART systems as a balanced mix of retail, office, and residential centers at intensities adequate to support transit service that is competitive with the private car.
 - b. Develop a "Multimodal Connections" program as an important tool in advancing this policy.
 - e. Retain and improve C/CAG's existing TDM Guidelines as another important tool in support of this policy.

7.3 Enhance Rural Communities

- a. Ensure that rural San Mateo County has safe convenient transportation links to activity centers and services.
- b. Protect Priority Conservation Areas from growth-inducing transportation projects.

7.4 Housing Supply

- a. Promote the development of a range of housing types along a spectrum of prices within the County, especially near transit stations and along major bus transit corridors within transit corridors. Enhance the C/CAG TOD Housing Incentive Program as an important tool to implement this policy.
- b. Support creation of “compete communities” for San Mateo County’s diverse population that contain an array of housing types affordable at different income levels and a range of community services.

7.5 Development Standards

- a. Give priority to development that encourages transit use, walking, and bicycling.
- b. Minimize traffic generated by new development, both within and adjacent to San Mateo County, when the traffic impacts of such development spill out onto the San Mateo County highway network.
- c. Encourage the adoption of smart codes, form-based codes and other enhancements in the development review and regulation process to foster more walkable, bicycle-friendly, and transit-friendly land development patterns.
- d. Foster “universal design” in housing and transportation facilities so that access to both is readily available to all who work and or live in San Mateo County.

7.6 Parking Management

- a. Consider adoption of parking reforms including parking maxima instead of minima, “unbundling” parking costs from the cost of housing and commercial space, and shared parking.
- b. Support comprehensive parking management programs to optimize all parking resources, both off-street and on-street.

7.7 Quality Public Places

Implement a new C/CAG “Places for People” planning and design program to fund urban design for exemplary improvements to the public realm that foster walking as well as community livability

LAND USE AND TRANSPORTATION LINKAGE OBJECTIVES:

- ✓ **Develop a new C/CAG “Multimodal Connections” Program to be included in San Mateo County’s portion of the Metropolitan Transportation Commission’s Transportation for Livable Communities Program¹**
 - *Performance Measure: Adoption by the C/CAG Board and implementation of the “Multimodal Connections Program”*

- ✓ **Implement a new C/CAG “TOD Employment Incentive Program”**
 - *Performance Measure: Adoption by the C/CAG Board and implementation of the “TOD Employment Incentives Program”*

- ✓ **Implement the Grand Boulevard Initiative efforts to foster transit-oriented development along the El Camino Real corridor in proximity to Caltrain, BART, and prospective bus rapid transit stations. Enhance the C/CAG El Camino Real Incentive Program as an important tool in supporting this policy.**
 - *Performance Measure: Adoption by the C/CAG Board and implementation of the “TOD Employment Incentives Program”*
 - *Performance Measure: Implementation of an enhanced C/CAG El Camino Real Incentive Program*

- ✓ **Effective C/CAG review and comment on all land use plans of regional significance**
 - *Performance measure: # of all local general plans, specific plans, and area plans commented upon by C/CAG*

- ✓ **Increase C/CAG incentives for Smart Growth/Transit-Oriented Development (TOD) efforts, including the Grand Boulevard Initiative**
 - *Performance measure: # of Smart Growth/TOD projects, # of housing units, and amount of funding provided in support of these efforts from C/CAG’s El Camino Real Incentive and Transportation for Livable Communities programs and the prospective “TOD Employment Incentives” and “Multimodal Connections” programs*

- ✓ **Provide C/CAG incentives for parking standards reform**
 - *Performance measure: # of projects and amount of funding provided by C/CAG’s prospective “Parking Reduction Incentive Program”*

¹ http://www.mtc.ca.gov/planning/smart_growth/tlc_grants.htm

✓ **Enhance the quality of public spaces in San Mateo County**

- *Performance measure: # of public space design amenity projects and amount of funding provided in support of C/CAG's prospective "Places for People Planning and Design Program"*

8: MOTOR VEHICLE TRAVEL - VISION, GOAL, OBJECTIVES, AND POLICIES

VISION:

- **Motor vehicle travel that supports a sustainable San Mateo County.**

GOAL:

- ***Enhance safety and efficiency on the countywide roadway network.***

ROADS POLICIES:

8.1 ***Promote safety on roadways within San Mateo County***

Strive to make roadways in San Mateo County as safe as possible for all travel modes through engineering, enforcement, and public awareness/education.

8.2 ***Reduce Traffic Congestion and Improve Operations on roadways within San Mateo County***

Ensure that motor vehicle and bicycle movement on San Mateo County roadways is not hampered by unacceptable levels of congestion, while at the same time impediments or safety issues are not created for travel on foot, by bicycle, and via public transit. Consider “virtual capacity”, or improved efficiency through investments in electronics and communications technology, as an alternative to creating new physical capacity. Pursue a multi-pronged strategy of reducing the overall flow of motor vehicles through travel demand management while at the same implementing operational improvements to ease congestion hotspots and safety concerns.

Support the Bay Area’s Freeway Performance Monitoring System, a database on use of Bay Area freeways, including those in San Mateo County.

Foster “complete streets” in San Mateo County, roadways that make room for not only motor vehicles but also pedestrians and bicyclists.

8.3 ***Encourage use of low and zero emissions technologies for the motor vehicle fleet using the roadway network in San Mateo County***

Advocate use of cleaner motive power in personal and commercial motor vehicle travel to protect the San Mateo County environment.

8.4 ***Support implementation of congestion pricing for bridge tolls on Bay Area bridges, particularly the San Mateo Bridge and Dumbarton Bridge serving San Mateo County***

Manage and reduce peak period motor vehicle travel demand onto the San Francisco Peninsula and San Mateo County.

8.5 **Consider the feasibility of high occupancy vehicle lanes (HOV) in San Mateo County**

Increase efficiency of freeway segments and encourage more shared used travel on freeways in San Mateo County.

8.6 **Ensure adequate funding of local streets and roads**

Maintenance of local streets and roads is crucial for safe, convenient motor vehicle travel by private motor vehicles, public transit buses, bicycles, and pedestrians in San Mateo County.

MOTOR VEHICLE TRAVEL OBJECTIVES:

- ✓ **Minimize increases in travel delay on the San Mateo County roadway network**
- *Performance measure: aggregate travel delay on the San Mateo County roadway network*
- ✓ **Reduce the aggregate amount of motor vehicle travel or, at minimum, the rate of growth in motor vehicle travel in San Mateo County**
- *Motor vehicle traffic volumes in San Mateo County.*
- ✓ **Reduce the number of crashes and casualties on the San Mateo County roadway network**
- *Performance measure: number of crashes and casualties on the San Mateo County roadway network*
- ✓ **Improve the pavement condition of the San Mateo County roadway network**
- *Performance measure: pavement condition rating of San Mateo County roadway network*
- ✓ **Implement “complete streets” within San Mateo County**
- *Performance measure: number of miles of “complete streets” created on the San Mateo County roadway network*
- ✓ **Where feasible, implement time of day pricing on San Mateo County cross-Bay bridges**
- *Performance measure: number of cross-Bay bridges with time of day pricing*
- ✓ **Support high occupancy vehicle (HOV) lanes on San Mateo County freeways**
- *Performance measure: lane miles of high occupancy vehicle (HOV) lanes in San Mateo County*

✓ **Safeguard local streets and roads funding**

Performance measure: local streets and roads funding in aggregate and as a share of the overall transportation infrastructure spending in San Mateo County

9: BICYCLING – VISION, GOAL, OBJECTIVES, AND POLICIES

VISION:

- **A San Mateo County in which bicycling is safe, comfortable, and convenient.**

GOAL:

- *Provide bicyclists viable travel choices and encourage use of healthy, active transportation through a, safe, continuous, convenient, and comprehensive cycling network that reduces reliance on the automobile, especially for short trips.*

BICYCLING POLICIES:

9.1 Market Share

Increase the percentage of people biking for all trip purposes in San Mateo County from the an estimated 1.7% in 2006 to 3.0% in 2020 and 5.0% in 2035 and for trips to work from an estimated 0.75% in 2006 to 1.5% by 2020 and 3.0% in 20352.

9.2 Travel Demand

Increase the use of bicycles as a travel mode by continuing to develop a comprehensive bikeway system that effectively connects residential areas to employment centers, retail centers, transit stations, and institutions.

9.3 Performance

Continue to develop a safe, reliable, comprehensive, and convenient bikeway system competitive with the automobile for many short distance trips.

9.4 Integration

Continue to develop a bikeway system that is integrated with public transportation services and facilities.

9.5 Education and Training

Encourage education and training in safe cycling practices for all ages.

² 2006 estimates from http://www.mtc.ca.gov/planning/2035_plan/Supplementary/T2035-Travel_Forecast_Data_Summary.pdf

9.6 Safety

Enhance safety for bicyclists of all ages and skill levels.

9.7 Traffic Calming

Support efforts to calm motor vehicle traffic to enhance travel conditions for bicyclists.

9.8 New Development

Encourage all new developments, particularly employment sites, to facilitate use of bicycles by providing effective access and support facilities, including bicycle lockers and racks, as well as showers and changing rooms.

9.9 Financing

Continue to aggressively seek funding for the development of the bikeway system.

9.10 Priorities

Prioritize funding for bicycle improvements as follows:

- a. Enhance safety.
- b. Foster bicycling as a commute mode (close “gaps” in the bicycle network; extend the cycling network to serve more employment areas, etc.).
- c. Number of cyclists who will benefit by the improvement.
- d. Recreational pathways.

9.11 Bicycle Studies

Encourage local governments and other agencies to do bicycle studies and plans for their jurisdictions.

BICYCLE OBJECTIVES:

- ✓ **Increase the number of miles of Class I, II, and III bicycle facilities in San Mateo County**
- *Performance measure: # of miles of Class I, II, and III bicycle facilities added in San Mateo County*
- ✓ **Increase the number of bicycle lockers and racks in San Mateo County**
- *Performance measure: # of bicycle lockers and racks added in San Mateo County*

- ✓ **Increase bicycle safety education and training in San Mateo County**
 - *Performance measure: # of bicycle safety and education programs and # of participants in these programs in San Mateo County*
- ✓ **Establish bike sharing programs in San Mateo County**
 - *Performance measure: # of bicycle sharing programs and # of bicycles in these programs implemented in San Mateo County*

10: WALKING - VISION, GOAL, OBJECTIVES, AND POLICIES

VISION:

- **A San Mateo County in which walking for both active transportation and recreation are safe, comfortable, and convenient**

GOAL:

- ***Promote safe, convenient, and comfortable pedestrian travel that supports healthy, active communities while reducing reliance on the automobile for short trips.***

PEDESTRIAN POLICIES:

10.1 Market Share

Increase the percentage of people walking for all trip purposes in San Mateo County from an estimated 8.9 % in 2006 to 12.5% in 2020 and 15.0% in 2035 and for trips to work from an estimated 2.0% in 2006 to 3.5% by 2020 and 5.0% in 2035³.

10.2 Land Use and Urban Design

Encourage cities to promote land use patterns and developments that make walking a viable and inviting mode of transportation. Facilitate appropriate mixed use and transit-oriented development. Locate walkable destinations such as parks and markets within and near residential areas. Design residential and commercial districts with human-scaled, interesting buildings, low traffic speeds, landscaping, and pedestrian amenities such as benches. Require sidewalks in industrial districts and office parks.

10.3 Parking Lots

Encourage cities to locate parking lots behind businesses, rather than at the street front. Design parking lots with safe, attractive, and clearly marked pedestrian routes.

10.4 Barriers

Reduce barriers to pedestrian movement through enhancement of pedestrian crossings along arterials and grade-separated crossings of freeways and active rail lines.

³ 2006 estimates from http://www.mtc.ca.gov/planning/2035_plan/Supplementary/T2035-Travel_Forecast_Data_Summary.pdf

10.5 Traffic Calming

In areas with high levels of pedestrian traffic, encourage cities to implement appropriate traffic calming measures to slow approaching car speeds and thus lengthen reaction time available to both drivers and pedestrians in the event of a potential conflict.

10.6 Safety

Encourage cities to identify locations where pedestrian conditions need to be enhanced and make appropriate improvements. Focus on the following areas: wide, high-speed roadway crossings, freeway on/off ramps, potentially unsafe/inadequate railroad crossings, and similar locations that present potential safety concerns and barriers for walking.

10.7 Priorities

Prioritize funding for pedestrian improvements as follows:

- a. Increase safety.
- b. Address mobility needs of walking-dependent populations (school children, elderly, people with disabilities, etc.).
- c. Foster walking as a commute mode (through land use decisions, better urban design, closing “gaps” in pedestrian network).
- d. Number of walkers who will benefit by the improvement.
- e. Recreational pathways.

10.8 Specialists

In each city and the County, train and designate at least one individual to champion pedestrian issues. This person should review proposed projects and make recommendations and conditions of approval for improving each project’s pedestrian access and amenities.

10.9 Job Location

Encourage cities to place jobs in locations that stimulate walking. Evaluate and update land use designations to promote job growth within walking distance of transit stations and multi-family housing.

10.10 Pedestrian Studies

Encourage cities and land use agencies to do pedestrian studies and plans for their jurisdictions.

PEDESTRIAN OBJECTIVES:

- ✓ **Increase the number of pedestrian signal heads and countdown signals in San Mateo County**
 - *Performance measure: # of pedestrian signal heads added in San Mateo County*
- ✓ **Increase the number of intersections with enhanced treatments for pedestrian safety and comfort, such as raised center medians, in-pavement lights, pedestrian-activated crossing signals, and raised crosswalks appropriate to the location**
 - *Performance measure: # of intersections with enhanced pedestrian treatments added in San Mateo County*
- ✓ **Increase the sidewalk network in San Mateo County**
 - *Performance measure: linear feet of sidewalk added in San Mateo County*

11: PUBLIC TRANSIT - GOALS AND POLICIES

VISION:

- **A public transportation system in San Mateo County that is seamless, safe, and enjoyable for all to use.**

GOAL:

- ***Develop and maintain a seamless, safe and convenient public transportation system in San Mateo County.***

PUBLIC TRANSPORTATION POLICIES:

11.1 Develop improved service efficiency and cost-effectiveness to increase the utility of public transportation

11.2 Enhance Access to public transit by:

- c. Providing an appropriate balance of service frequency and coverage to improve cost effectiveness.
- d. Providing safe access to transit for all users.
- c. Improving the coordination and interface of transit services, schedules, and information among multiple providers within San Mateo County with the goal of developing a seamless network for the user.
- d. Giving transit preference in key corridors and station areas, recognizing the role of integrated, supportive land use to ensure the system is cost-effective.
- e. Improving the east-west connectivity of transportation services.
- f. Focusing on transit hubs of regional importance.
- g. Addressing the needs of special populations, including seniors, persons with disabilities, low income transit dependents and those for whom English is a second language.
- h. Focusing on amenities to enhance the transit experience and reduce travel times.

11.3 Advocate for funding opportunities to create a more stable funding base for public transit in San Mateo County

11.4 Avoid or minimize transit service duplication within target markets of the San Mateo County transit system

PUBLIC TRANSPORTATION OBEJCTIVES:

- ✓ **Increase the public transit mode share of travel to, from and within San Mateo County over a ten-year horizon**
 - *Performance measure: share of person trips to, from, and within San Mateo County*
- ✓ **Improve the competitiveness of public transit to single occupancy vehicle trips for key trips as measured by travel time, reliability and customer satisfaction**
 - *Performance measure: ratio of transit travel time to private motor vehicle travel time, share of person trips to, from, and within San Mateo County*
 - *Performance measure: transit travel time variance compared private motor vehicle travel to, from, and within San Mateo County*
 - *Performance measure: customer satisfaction survey results*
- ✓ **Reduce the cost per passenger, mile and hour for the aggregate of public transit service in the County**
 - *Performance measure: transit service costs per passenger mile and hour*
- ✓ **Improve system productivity as measured by passengers per hour and passengers per mile of service provided**
 - *Performance measure: transit passengers per hour and passengers per mile*

12: TRANSPORTATION SYSTEM (TSM) AND TRANSPORTATION DEMAND MANAGEMENT – (TDM) VISION, GOAL, OBJECTIVES, AND POLICIES

VISION:

A San Mateo County in which the transportation system is efficient, cost-effective, and environmentally responsible.

GOAL:

- *Reduce and manage travel efficiently through both supply- and demand-side measures, including land use planning.*

TDM/TSM POLICIES:

12.1 Increase efficiency on existing facilities before adding new capacity

Invest in enhanced traffic signal system capabilities, provision of center left turn pockets, improved incident detection and management, and similar traffic management measures to reduce vehicle delay on San Mateo County roadways before investment in new through lane capacity.

12.2 Focus on reducing the need to travel and the distance of travel

Encourage telecommute programs, satellite work centers, teleconferences, and other substitute for travel within San Mateo County.

12.3 Involve private and public sector employers in efforts to reduce the amount of vehicular travel

Support reduction of solo occupant vehicle use through employer-based commute alternatives incentive programs in San Mateo County. Include employee transportation coordinators and transportation management associations (TMAs) as key components of this effort.

12.4 Deploy advanced information and communications technology to manage and reduce vehicular travel

Continue investment in initiatives such as the Smart Corridor project and public transit traveler information systems that disseminate information about real-time travel conditions and options to San Mateo County travelers.

12.5 Substitute improved access to destinations by means of non-motorized modes and local shuttles for the need to travel by private motor vehicle when and where possible

Promote transit-oriented development, traditional neighborhood design, improved bicycle, pedestrian and local transit connections to activity centers and similar efforts to reduce the need to travel by private motor vehicle to, from, and among destinations within San Mateo County.

OBJECTIVES:

- ✓ **Increase the number of employers and employees within the geographic limits of San Mateo County who have access to a transportation demand management programs at work**
 - *Performance measure: # of Commute Alternative Programs in San Mateo County & number of employees participating in these programs*
- ✓ **Increase the participation in telecommuting by employees who work in San Mateo County**
 - *Performance measure: # of Employers with Telecommute Programs in San Mateo County & # of employees participating in these programs*
- ✓ **Expand participation in the Commuter Pre-Tax Benefits programs San Mateo County**
 - *Performance measure: # of Employers participating in Commuter Pre-Tax Benefits programs in San Mateo County & # of employees in these programs*
- ✓ **Where feasible, implement high occupancy vehicle (HOV) lanes on freeways in San Mateo County**
 - *Performance measure: # of miles of high occupancy vehicle lanes in San Mateo County*
- ✓ **Where feasible, deploy traffic adaptive signal control at intersections along streets and highways in San Mateo County**
 - *Performance measure: # of intersections equipped with traffic adaptive signal control in San Mateo County*

13: INTELLIGENT TRANSPORTATION SYSTEMS (ITS) – VISION, GOAL, OBJECTIVES, AND POLICIES

VISION:

- **A San Mateo County in which advances in communications and information technology make travel safer, more convenient, and more pleasant.**

GOAL:

- ***Enhance management of the transportation system through deployment of cost-effective electronic and communications systems countywide.***

INTELLIGENT TRANSPORTATION SYSTEM (ITS) POLICIES:

13.1 Encourage Deployment of Intelligent Transportation Systems within San Mateo County for Traffic Management, Public Transportation Management, Parking Management, and Traveler Information Applications

Support investments in advanced traffic detection, traffic signal systems, transit fleet tracking, real time transit, traffic, and parking conditions information dissemination, and travel route guidance throughout the transportation system in San Mateo County.

13.2 Foster ITS Innovation through Deployment of Pilot Projects

Introduce innovative communications and information technology into the San Mateo County transportation system by means of pilot projects where possible in order to increase the chances of successful larger scale deployment.

13.3 Share Resources, Risks, and Benefits of ITS Deployment

Create partnership among agencies to deploy ITS projects in travel corridors, geographic areas, and across travel modes and jurisdictional boundaries to reduce risk, share benefits, and optimize chances for successful ITS deployment.

13.4 Deploy Advanced Information and Communications Technology to Manage and Reduce Vehicular Travel

Continue investment in initiatives such as the Smart Corridor project and traveler information systems that disseminate information about real time travel conditions and options to San Mateo County travelers.

13.5 Consider ITS Deployments as both a Complement and an Alternative to new Roadway Capacity

Identify and prioritize ITS deployments that can enhance existing or planned roadway

capacity or substitute for some or all new physical capacity, especially when doing so reduces impacts on non-motorized modes of travel and/or is more cost-effective than new roadway capacity by itself.

13.6 Continuously Evaluate New Technical Solutions and Policy Approaches to Reducing Peak Period Congestion on San Mateo County Transportation System

Advances in provision and application of information of routes, congestion, and pricing to transportation systems users will assist in travel decision-making and optimize travel choices.

ITS OBJECTIVES:

- ✓ **Increase the number of route miles covered by the San Mateo County “Smart Corridors” Program.**
 - *Performance measure: # of route miles covered by the San Mateo County “Smart Corridors” Program*
- ✓ **Increase the number of intersections in San Mateo County equipped to operate in traffic adaptive mode.**
 - *Performance measure: # of intersections in San Mateo County equipped to operate in traffic adaptive mode*
- ✓ **Increase the number of corridors in San Mateo County equipped with traffic signal interconnections.**
 - *Performance measure: # of corridors in San Mateo County equipped with traffic signal interconnections*
- ✓ **Increase the number of intersections in San Mateo County equipped with emergency vehicle priority.**
 - *Performance measure: # of intersections in San Mateo County equipped with emergency vehicle priority*
- ✓ **Increase the number of intersections in San Mateo County equipped with public transit traffic signal pre-emption.**
 - *Performance measure: # of corridors in San Mateo County equipped with public transit traffic signal pre-emption*
- ✓ **Increase the number of public transit stops and stations in San Mateo County equipped with real-time transit service information.**
 - *Performance measure: # of public transit stops and stations in San Mateo County equipped with real-time transit service information*

14: PARKING - VISION, GOAL, OBJECTIVES, AND POLICIES

VISION:

- **Parking in San Mateo County that is a “right-sized” balance of supply and demand, supportive of smart growth and transit oriented development strategies, intuitive to use, and environmentally responsible.**

GOAL:

- ***Encourage innovations in parking policy and programs, including incentives for reduced parking requirements, and a comprehensive approach to parking management, in furtherance of countywide transportation system goals.***

PARKING POLICIES:

14.1 Support reduction of parking supply.

- c. Encourage adoption of parking reforms including parking maxima instead of minima and “unbundling” parking costs from the cost of housing and commercial space.
- d. Support comprehensive parking management programs to optimize all parking resources, off-street and on street.

14.2 Facilitate shared parking arrangements to increase the efficiency of parking provision and reduce the costs of parking provision.

Advocate shared parking arrangements when and where feasible.

14.3 Encourage implementation of “green” parking lot initiatives that serve to reduce storm water runoff.

Promote the San Mateo County “Green Streets and Parking Lots Program” approach of using swales, permeable pavements, “rain gardens”, landscaping to capture storm water runoff, enhance aesthetics, and mitigate the urban and suburban “heat island” effect.

14.4 Foster emplacement of solar panels on parking lots and structures to conserve energy.

Encourage projects like the County of San Mateo “Solar Genesis” project to create new sources of renewable energy above parking structures and parking lots, increasing the utility of these facilities without hampering their parking function.

14.5 Promote installation of “smart” parking meters and real-time parking information dissemination in San Mateo County public parking facilities.

Foster implementation of “smart” meter projects similar to the initiative in Redwood City to increase parking customer convenience and create opportunities for demand-responsive pricing for on-street and off-street public parking facilities.

14.6 Ensure adequate wayfinding to parking facilities in San Mateo County.

Promote implementation of programs to enhance public information about parking availability, thus decreasing the amount of traffic congestion caused by motorists searching for parking and increasing the convenience of parking customers

14.7 Encourage location of parking facilities in locations that do not disrupt pedestrian travel or create a hazard for pedestrians.

Discourage location of parking structure and lot entrances on streets that have or are planned to have a substantial flow of pedestrian traffic in order to minimize a potential safety hazard for pedestrians, increase parker convenience, and avoid creating “dead” spaces on shopping streets.

14.8 Promote adequate, secure, and safe bicycle parking at San Mateo County employers and businesses.

Ensure that clean, energy-efficient, and healthful transportation by bicycle is not frustrated by lack of safe, secure parking at the destination end of the cycling trip.

14.9 Encourage development of master parking management plans for downtowns and other activity centers in San Mateo County.

Support local government efforts to prepare parking master plans that optimize parking capacity by managing parking demand and “right-sizing” parking capacity.

PARKING OBJECTIVES:

- ✓ **Increase the number of San Mateo County communities that reduce parking requirements in the case of affordable housing projects, transit-oriented development, and proposed shared-parking arrangements**
- *Performance measure: number of communities with zoning code provisions for reduced parking requirements*
- ✓ **Implement a new C/CAG “Parking Reduction Incentive Program” as an important new tool to support this policy.**

Performance Measure: Adoption by the C/CAG Board and implementation of the “Parking Reduction Incentive Program”

- ✓ **Increase the number of “green” parking lot projects in San Mateo County**
 - *Performance measure: number of “green” parking lot projects in San Mateo County*
- ✓ **Increase the number of solar panel installations on top of parking facilities in San Mateo County**
 - *Performance measure: number of solar panel installation projects above parking facilities in San Mateo County*
- **Increase the number of “smart” parking meters in San Mateo County**
 - *Performance measure: number of “smart” parking meters in San Mateo County*
- ✓ **Increase the number of bicycle lockers and racks at offices, shops, stores, parking lots and structures, and transit stations in San Mateo County**
 - *Performance measure: number of bicycle racks and lockers installed in San Mateo County*
- ✓ **Increase the number of communities with parking management master plans in San Mateo County**
 - *Performance measure: number of parking master plans*

15: MODAL CONNECTIVITY - VISION, GOAL, OBJECTIVES, AND POLICIES

VISION:

- Seamless travel within San Mateo County.

GOAL:

- *Integrate the roadway, public transit, and non-motorized modes transportation networks to advance system efficiency, effectiveness, and convenience.*

MODAL INTEGRATION POLICIES:

15.1 Enhance electronic dissemination of information on intermodal travel opportunities within and to/from San Mateo County.

Provide timely information on connections between and among bus, rail, private automobile, and non-motorized modes of travel.

Improve wayfinding to and service information dissemination at public transit station platforms.

15.2 Remove the physical barriers to intermodal travel, including difficult intersection crossing conditions leading to San Mateo County transit stations and stops.

Encourage clean, efficient intermodal travel by making access to public transit stations safe, convenient, and comfortable for pedestrians and bicyclists.

Promote bicycle and pedestrian safety at intersections in the environs of public transit stations and stops.

15.3 Encourage efficient intermodal transit service scheduling at public transit stations and other transit transfer locations.

Decrease waiting time for public transit passengers and increase convenience of public transit travel through improved integration of bus and rail transit service schedules.

15.4 Consider satellite transit transfer hubs when and where feasible.

Transfer facilities in satellite locations for passenger interchange among line haul bus service route as well as between line haul transit services and community as well as employer shuttle buses may increase customer convenience while at the same time reduce congestion at major public transit hubs.

15.5 Ensure adequate bicycle parking conveniently located at public transit stations in San Mateo County.

Promote the clean, energy efficient access to public transit that the bicycle provides by making bicycle parking an important priority at San Mateo County transit stations and other stops.

15.6 Support “right-sized” auto parking at San Mateo County public transit stations through development of transit station area parking management plans.

Promote “right-sized” parking provision for private autos at transit stations so that there is sufficient parking for patrons. Station area parking management plans should include consideration of pricing policy for station parking facilities and either or both time zoning and pricing for nearby on-street parking.

MODAL CONNECTIVITY OBJECTIVES:

- ✓ **Improve intermodal travel information dissemination to San Mateo County transportation system users**
 - *Performance measure: proportion of respondents to a survey of San Mateo County transportation system users who rate electronic information availability on intermodal travel “Very Good” or “Excellent”.*
- ✓ **Increase the number of intermodal transit service hubs**
 - *Performance measure: number of public transit intermodal service hubs in San Mateo County*
- ✓ **Implement bicycle and pedestrian access improvements at public transit stations and stops in San Mateo County**
 - *Performance measure: number of pedestrian access improvement projects implemented at public transit stations and stops*
 - *Performance measure: number of bicycle access improvement projects implemented at public transit stations and stops*
- ✓ **Implement shuttle bus services to connect work sites and public transit stations and stops**
 - *Performance measure: number of shuttle bus service hours connecting work sites to public transit stations and stops*

16: GOODS MOVEMENT – VISION, GOAL, OBJECTIVES, AND POLICIES

VISION:

- **Goods movement that supports a sustainable San Mateo County.**

GOAL:

- ***Foster safe and efficient goods movement compatible with countywide economic development and environmental policies.***

GOODS MOVEMENT POLICIES

16.1 Enhance safety and capacity on truck routes within San Mateo County.

Ensure adequate turning radii, lane widths, and vertical clearances on designated truck routes to promote safe, efficient goods movement.

16.2 Promote use of low and zero emissions technologies for truck and rail freight in San Mateo County.

Support use cleaner motive power in goods movement to protect the San Mateo County environment.

GOODS MOVEMENT OBJECTIVES:

- ✓ **Minimize motor freight travel delay increases on the San Mateo County roadway network**
 - *Performance measure: motor freight travel delay*
- ✓ **Reduce the number of crashes involving motor freight haulers on the San Mateo County roadway network**
 - *Performance measure: number of crashes involving motor freight haulers*
- ✓ **Conserve road capacity for goods movement on truck routes in San Mateo County**
 - *Performance measure: miles of truck routes in San Mateo County designed to accommodate safe and efficient goods movement*
- ✓ **Support rail and road grade separation in San Mateo County**
 - *Performance measure: number of road and rail grade separation projects*

17: ENVIRONMENT - VISION, GOAL, OBJECTIVES, AND POLICIES

VISION:

- **A Clean and Green Transportation System for San Mateo County.**

GOAL:

- ***Develop cost-effective and innovative solutions to manage the energy, environmental, greenhouse gases, and climate change impacts of the transportation system.***

ENVIRONMENT POLICIES:

17.1 Promote more energy efficient transportation in San Mateo County.

Reduce energy consumption in travel by encouraging a shift to more energy-efficient motive power for cars, light trucks, commercial trucks, and both rail passenger and rail freight services.

Enable a shift to more use of non-motorized modes of travel in San Mateo County.

17.2 Encourage cleaner transportation in San Mateo County.

Advocate a shift to low or no emission motor vehicles in the automobile, light truck, commercial truck, and passenger bus and shuttle fleets in San Mateo County.

Support electrification of Caltrain.

Facilitate a shift to more use of non-motorized modes of travel in San Mateo County.

17.3 Prepare for needed adaptation of the transportation system in response to climate change effects.

Encourage planning to relocate transportation facilities subject to inundation due to future sea level rise.

Discourage transportation facility investments in areas subject to inundation due to future sea level rise.

17.4 Take action to reduce greenhouse gas emissions that are attributable to the transportation system as well as to transportation and land use interactions.

Ensure that San Mateo County contributes to achievement of the Bay Area target for greenhouse gas emissions.

ENVIRONMENT OBJECTIVES:

- ✓ **Implement the San Mateo County Energy Policy**
 - *Performance measure: number of San Mateo County Energy Policies implemented pertaining to transportation*

- ✓ **Plan for and implement in San Mateo County the Sustainable Communities provisions of SB 375**
 - *Performance measure: adoption of a San Mateo County Sustainable Communities Plan*
 - *Performance measure: implementation of a San Mateo County Sustainable Communities Plan*

- ✓ **Increase the number of alternative fuels re-fueling facilities in San Mateo County**
 - *Performance measure: number of alternative fuels re-fueling facilities in San Mateo County*

- ✓ **Increase the number of electric re-charge facilities in San Mateo County**
 - *Performance measure: number of electric vehicle re-charge facilities in San Mateo County*

- ✓ **Increase use of non-motorized modes of travel in San Mateo County of San Mateo**
 - *Performance measure: share of person trips in San Mateo County taken by walking and bicycling*

ATTACHMENT D

CTP 2035 Timeline

First Draft by May 2011

Revised (Second) Draft by September 2011

Anticipated Board adoption by October 2011

C/CAG AGENDA REPORT

DATE: February 10, 2011

TO: C/CAG Board of Directors

FROM: Richard Napier, Executive Director

SUBJECT: Nominations for C/CAG Chair and Vice Chair (2) for the March Election of Officers

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

RECOMMENDATION:

That the C/CAG Board of Directors make nominations for Chair and Vice Chair (2) for the March Election of Officers in accordance with the C/CAG By-Laws.

FISCAL IMPACT:

None.

REVENUE SOURCE:

None.

BACKGROUND/DISCUSSION:

At the June 2004 C/CAG Board meeting the By-Laws were changed to create a second Vice Chairperson and change the date of the election to March of each year.

The revised By-Laws established a process to have nominations at a prior meeting (February) and then have voting at the following meeting (March). The objective was to provide the Board Members with background information to assist them in casting their vote. Nominations shall only be made by voting members of the Board of Directors. The Chairperson and Vice Chairpersons shall be voting members of the Board as well. Nominations do not require a second or vote to be a candidate. Nominations should be taken for the Chair and both Vice Chair positions. Nominations for officers of the Board of Directors shall be made from the floor only at the regular February Board meeting. Nominations and election of the Chairperson shall precede nominations and election of the Vice Chairpersons.

All candidates should provide background information in advance of the March Board meeting such that the material can be included in the packet for the Board's consideration. For those candidates nominated, please provide the background information to Nancy Blair (nblair@co.sanmateo.ca.us) by February 25, 2011.

ITEM 6.6

CURRENT OFFICERS:

Tom Kasten has served two terms as Chair and is not eligible to serve as Chair. Tom Kasten has served two terms as Vice Chair and is not eligible to serve as Vice Chair.

Carole Groom has served two terms as Vice Chair and is not eligible to serve as the Vice Chair. Carole Groom is eligible to serve as Chair.

Bob Grassilli has served two terms as Vice Chair and is not eligible to serve as the Vice Chair. Bob Grassilli is eligible to serve as Chair.

ATTACHMENTS:

1. Article IV of the Bylaws related to Officers.
2. Cover sheet for nominees to submit background information

ALTERNATIVES:

- 1 - That the C/CAG Board of Directors make nominations for Chair and Vice Chair (2) for the March Election of Officers in accordance with the C/CAG By-Laws.
- 2 - No action.

EXCERPT FROM THE
BYLAWS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS
OF SAN MATEO COUNTY

As Amended 6/10/04

ARTICLE IV. OFFICERS

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

Section 2. The Chairperson and Vice Chairpersons 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 terms as the Chairperson, and not more than two terms as a 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 each Vice Chairperson must be a regularly designated, voting member (eg., 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 Chairpersons. 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(s), in the order of their seniority, shall exercise all of the powers and perform all of the duties of the Chairperson. The seniority of the Vice Chairpersons shall alternate monthly such that one Vice Chairperson shall have seniority over the other during April, June, August, October, December and February; and the other Vice Chairperson shall have such seniority during May, July, September, November, January and March. Each 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 any Vice Chairperson is unable to serve a full term of office.

Section 9. All officers shall serve without compensation.

Section 10. The Chairperson or any 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. All Vice Chairpersons shall be members of the Administrators' Advisory Committee.

If nominated,
please attach
candidate background material
and return a copy to
C/CAG
C/O Nancy Blair
555 County Center, 5th Floor
Redwood City, CA 94063

By
February 25, 2011
For mailing in the March package

C/CAG

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January 4, 2011

Hon Jeff Ira, Mayor
City of Redwood City
1017 Middlefield Road
Redwood City, CA 94063

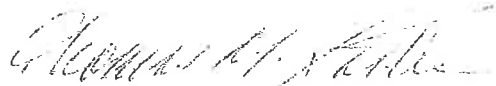
Dear Mayor Ira:

RE: C/CAG Board Review/Action on the City of Redwood City *Downtown Precise Plan Public Review Draft 8/31/10*

At its Regular Meeting on December 9, 2010, the C/CAG Board of Directors, acting as the Airport Land Use Commission, unanimously determined that the relevant content of the City of Redwood City *Downtown Precise Plan Public Review Draft 8/31/10* document is consistent with the applicable airport/land use compatibility criteria contained in the *San Mateo County Comprehensive Airport Land Use Plan December 1996*, as amended, for the environs of San Carlos Airport and with relevant state law. The action is based on inclusion of the revised text in Section i.1.5 of the *Downtown Precise Plan* document, as shown in Attachment No. 5 to the C/CAG Agenda Report, dated December 9, 2010 (see attachment to this letter). This determination only applies to the portion of the *Downtown Precise Plan* that falls within Airport Influence Area B for San Carlos Airport.

Our thanks to Daniel Zack and Tom Passanisi of your Planning staff for their assistance to C/CAG staff, regarding this review. Thank you for your agency's participation and cooperation in the state-mandated airport land use compatibility review process.

Sincerely,



Thomas M. Kasten, C/CAG Chairperson

cc: C/CAG Board Members
Daniel Zack, Tom Passanisi, City of Redwood City Planning Staff
David F. Carbone, C/CAG Staff

Attachment: Attachment No. 5 to C/CAG Agenda Report, dated December 9, 2010,
RE: City of Redwood City *Downtown Precise Plan Public Review Draft 8/31/10*
Section i.1.5 Conformance to the Airport Land Use Plan – Final draft revised text
(per C/CAG Staff collaboration with Redwood City Planning Staff)

ITEM 9.1

ccagACTIONLETTERRWDCITYDPP1210.doc

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

www.ccag.ca.gov
-265-

C/CAG

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January 4, 2011

Carole Groom, Supervisor/Vice-President
County of San Mateo Board of Supervisors
400 County Center, First Floor
Redwood City, CA 94063

Dear Supervisor Groom:

RE: C/CAG Board Review/Action on the *San Mateo County 2007-2014 Draft Housing Element*

At its Regular Meeting on December 9, 2010, the CCAG Board of Directors, acting as the Airport Land Use Commission, unanimously determined that the relevant content of the *San Mateo County 2007-2014 Draft Housing Element* document is consistent with the applicable airport/land use compatibility criteria contained in the *San Mateo County Comprehensive Airport Land Use Plan December 1996*, as amended, for the environs of all three airports in the County (Half Moon Bay Airport, San Carlos Airport, and San Francisco International Airport) and with relevant state law, based on the following minor change to the text in Chapter 1:

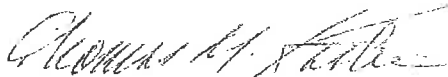
Revise the text in Chapter 1 "Introduction", on the bottom of p.4 of the draft document, to read as follows:

"Consistency With the Relevant Airport/land Use Compatibility Criteria in the San Mateo County Comprehensive Airport Land Use Plan December 1996, as Amended

Government Code Section 65302.3 requires that a local agency general plan/general plan amendment and/or any affected specific plan/specific plan amendment must be consistent with the applicable airport/land use compatibility criteria contained in the relevant adopted comprehensive airport land use plan (CLUP). Adoption of this document will amend the County General Plan. The housing policies, goals, programs, and any other provisions to accommodate future housing development, as specified herein, are consistent with and do not conflict with the relevant airport/land use compatibility criteria contained in the *San Mateo County Comprehensive Airport Land Use Plan December 1996*, as amended, for the environs of all three airports located in the County (Half Moon Bay Airport, San Carlos Airport, and San Francisco International Airport)."

Our thanks to Will Gibson and Steve Monowitz of the County Planning and Building Department for their assistance to C/CAG staff regarding this review. Thank you for your agency's participation and cooperation in the state-mandated airport land use compatibility review process.

Sincerely,



Thomas M. Kastan, C/CAG Chairperson

cc: C/CAG Board Members
Steve Monowitz, Will Gibson, San Mateo County Planning and Building Department Staff
David F. Carbone, C/CAG Staff

ITEM 9.2

ccagACTIONLETTERSANMATEOCOhousingelement1210.doc

C/CAG

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January 11, 2011

--City Manager Marker--
--City Manager Marker--

Re: Test Claim for Unfunded Mandates Relating to California Water Quality Control Board, San Francisco Bay Region, Permit No. CAS612008, issued as Order No. R2-2009-0074 (October 14, 2009)

Dear --City Manager Marker--:

We at C/CAG staff understand that you, along with every other filer in San Mateo County except the City of Brisbane, have received a November 17, 2010, Notice of Return of Filing (copy enclosed as Attachment A) in connection with the above-captioned test claim filed by you in October.

As you may be aware, the C/CAG Board has authorized its staff and Executive Director to continue support for the test claims filed by C/CAG's member agencies and has authorized the Executive Director to serve, for each member agency making such a request in writing, as the contact person to act as the resource for information as set forth in the Notice.

We have been in communication with the staff for the Commission on State Mandates regarding the Notice and the process for a permittee/claimant to be recognized as a co-claimant to the Brisbane Test claim as described therein. To that end we have been informed that the following process should be followed if you wish to be such a co-claimant:

Step 1:

You should first determine/confirm, internally, that your test claim issues either mirror or are a subset of the issues raised by Brisbane. To assist you in that determination we have enclosed as Attachment B a copy of the two pages of the Table of Contents to Brisbane's test claim, which pages describe the issues raised by Brisbane. If you are satisfied that your test claim issues are all included among the Brisbane issues, you should proceed to Step 2. It is our understanding that all San Mateo County Permittees used the model test claim documents as provided by C/CAG and that no Permittee's test claim raised any issues other than those contained in the model documents and submitted by Brisbane. If your filing did seek to raise other issues, then please notify the undersigned and we will explore what needs to be done to include those issues as part of the test claim.

ITEM 9.3

Step 2:

You will need to complete another Test Claim Form (blank form enclosed as Attachment C). The Enclosed Form already has all of the required information (as we were instructed by the Commission) except that you will need to complete the Claimant Information (Section 2) using the same information as provide in your original filing and you will need to execute the Claim Certification (Section 8). Sections 5, 6 and 7 are not required. C/CAG will accept your completion of this form and delivery to Brisbane (as set forth in Step 3, below) as your written request to have the C/CAG Executive Director serve as your representative and resource for information before the State Commission on Mandates regarding this test claim.

Step 3:

Send or deliver the completed Test Claim Form to Brisbane by having it delivered to:
City of Brisbane, Attn: Matthew Fabry, 50 Park Place, Brisbane, Ca. 94005.

Brisbane and C/CAG will then work together to see that your claim is properly submitted and that you are formally identified as a co-claimant.

A prompt response from everyone would be much appreciated. The Commission is looking to receive just one package from Brisbane for all Permittees that wish to be co-claimants, and we have scheduled February 1, 2011 as the date for delivering that package. Please submit your claim forms to Brisbane by January 28, 2011 so that we can meet that target.

While it will not affect the above described claim form submittal timeline, I want to share with you some considerations as we move forward with the unfunded mandate claims.

I want you to be aware that it is likely that over the next several weeks, we will seek the assistance of an attorney or law firm, experienced in unfunded mandate claims, to assist and represent C/CAG and the individual Permittees in these efforts. Because C/CAG is not itself a Permittee, each Permittee jurisdiction would likely need to enter into its own legal services agreement with the selected lawyer or law firm in order to establish its own separate and direct attorney-client relationship. Each such agreement, consistent with authorizations and financial commitment already made by the C/CAG Board, would specify that C/CAG, not the local jurisdiction, would be paying for the services provided. With all Permittees and C/CAG using the same representative counsel, we would likely then substitute in that common counsel as the replacement for me as the group spokesperson and representative before the Commission. Such an arrangement would also make it easier and more efficient for us to partner with other Claimants from other Counties, when and if appropriate, in order to achieve further cost savings through greater cost sharing.

If you have any questions, please do not hesitate to call me at 650-599-1420; Matt Fabry at 415-508-2134; or Lee Thompson at 650-363-4697.

Sincerely,

Richard Napier
Executive Director, C/CAG

Attachments

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

www.ccag.ca.gov

DEPARTMENT OF TRANSPORTATION

111 GRAND AVENUE
P.O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-5900
FAX (510) 286-5903
TTY 711



*Flex your power!
Be energy efficient!*

January 26, 2011

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

Dear ^{Richard} Mr. Napier:

This is in response to your recent letters supporting the inclusion of the Route 101/Candlestick Point Interchange Modification Project Study Report (PSR) and the Route 101/Holly Street Interchange PSR in the Project Initiation Document Reimbursement Pilot Program.

We are pleased to inform you that these projects have been included in the program. We are currently proceeding with the preparation of cooperative agreements with the City of Brisbane and the City San Carlos for reimbursement and anticipate the execution of these agreements by February 2011, after which work on the PSRs can resume.

We look forward to working with the City of Brisbane and the City of San Carlos to facilitate the approval process for these PSRs. If you have questions, please do not hesitate to contact Patrick Pang, Chief of Advance Planning, at (510) 286-5566.

Sincerely,


BIJAN SARTIPI
District Director

- c: R. Weil – City of San Carlos
R. Breault – City of Brisbane
J. Hurley – San Mateo County Transportation Authority
J. L. Moscovich/T. Chang/C. Fung – San Francisco County Transportation Authority

ITEM 9.4

"Caltrans improves mobility across California"