

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. 227

- DATE:** Thursday, August 12, 2010
- TIME:** **6:30 P.M. Board Meeting**
- PLACE:** San Mateo County Transit District Office
1250 San Carlos Avenue, Second Floor Auditorium
San Carlos, CA
- PARKING:** Available adjacent to and behind building.
Please note the underground parking garage is no longer open.
- PUBLIC TRANSIT:** SamTrans Bus: Lines 261, 295, 297, 390, 391, 397, PX, KX.
CalTrain: San Carlos Station.
Trip Planner: <http://transit.511.org>

- 1.0 CALL TO ORDER/ ROLL CALL
- 2.0 PLEDGE OF ALLEGIANCE
- 3.0 PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA
Note: Public comment is limited to two minutes per speaker.
- 3.1. Presentation on High Speed Rail
- 4.0 RESOLUTIONS OF APPRECIATION / PRESENTATIONS/ ANNOUNCEMENTS
- 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. 225 dated June 10, 2010 and Special Meeting No. 226 dated July 10, 2010. ACTION p. 1

- 5.2 Review the attendance reports for the 2010 C/CAG Board and Committees.
INFORMATION p. 11
- 5.3 Review and approval of Resolution 10-45 authorizing the C/CAG Chair to execute the agreement between C/CAG and the City of San Carlos to provide financial services to C/CAG for an amount not to exceed \$70,600 for FY 10-11. ACTION p. 23
- 5.4 Review and approval of the Abandoned Vehicle Abatement (AVA) Program Report for the Third Quarter ending March 31, 2010. INFORMATION p. 43
- 5.5 Review and accept the C/CAG Single Audit Report for the year ended June 30, 2009. ACTION p. 55
- 5.6 Review and approval of the Transportation Fund for Clean Air (TFCA) Program Manager Fund Audit for specified projects for the period July 1, 2006 through June 30, 2008. ACTION p. 69
- 5.7 Review and accept the Quarterly Investment Report ending March 31, 2010. ACTION p. 85
- 5.8 Review and approval of the FY 2010/2011 Transportation Fund for Clean Air (TFCA) Program for San Mateo County.
- 5.8.1 Review and approval of Resolution 10-38 authorizing the C/CAG Chair to execute the Program Manager Funding Agreement with the Bay Area Air Quality Management District (BAAQMD) for the 2010/2011 Transportation Fund for Clean Air (TFCA) (40%) Program for San Mateo County for an amount up to \$1,004,153. ACTION p. 91
- 5.8.2 Review and approval of Resolution 10-40 authorizing the C/CAG Chair to execute the Funding Agreement between C/CAG and the San Mateo County Transit District (SamTrans) in the amount of \$536,000 under the 2010/2011 Transportation Fund for Clean Air (TFCA) Program to provide shuttle services. ACTION p. 105
- 5.9 Receive the San Mateo County Safe Routes to School Program Workscope. INFORMATION p. 109
- 5.10 Review and approval of Resolution 10-42 authorizing the filing of an application for federal Surface Transportation Program (STP) and/or Congestion Mitigation and Air Quality Improvement (CMAQ) funding and committing the necessary non-federal match and stating the assurance to complete the Countywide Safe Routes to School project. ACTION p. 117
- 5.11 Review and approval of an additional, Chamber of Commerce, position on the Resource Management and Climate Protection Committee (RMCP). ACTION p. 123
- 5.12 Review and approval of Resolution 10-46 authorizing the C/CAG Chair to execute a funding agreement with the San Mateo County Transportation Authority (SMCTA) to receive a maximum amount of \$650,000 for joint and/ or co-sponsored programs for FY 2010/11. ACTION p. 127

- 5.13 Review and approval of Resolution 10-48 authorizing the C/CAG Chair to execute amendments to the agreements with various cities and the Alliance, Resolution 10-50 authorizing the C/CAG Chair to execute the funding agreement with the City of Daly City, and Resolution 10-51 authorizing the C/CAG Chair to execute the funding agreement with the City of Millbrae for the provision of Congestion Relief Program shuttle services for a total cost not to exceed \$742,515 from July 1, 2010 through June 30, 2011. ACTION p. 131
- 5.14 Biennial review of the C/CAG Conflict of Interest Code (COI). INFORMATION p. 171

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

6.0 REGULAR AGENDA

- 6.1 Review and approval of C/CAG Legislative priorities, positions, and Legislative update. (A position may be taken on any legislation, including legislation not previously identified.) ACTION p. 181
- 6.2 Establishment of a C/CAG contract and resolutions with the Public Employee Retirement System (PERS) that creates benefits equivalent to the City of Redwood City that currently covers C/CAG's direct employees.
 - 6.2.1 Review and adoption of Resolution 10-43: Resolution of Intention to Approve a Contract between the Board of Administration California Public Employees Retirement System and the Board of Directors City/ County Association of Governments of San Mateo County (C/CAG). ACTION p. 201
 - 6.2.2 Review and adoption of Resolution 10-44 of the City/ County Association of Governments of San Mateo County (C/CAG) for Paying and Reporting the Value of Employer Paid Member Contributions. ACTION p. 213
 - 6.2.3 Review and Adoption of Resolution 10-47 of the City/ County Association of Governments of San Mateo County (C/CAG) to Tax Defer Member Paid Contributions - IRC 414(H)(2) Employer Pick-Up. ACTION p. 217
 - 6.2.4 Review and adoption of Resolution 10-49: Employer Pickup Resolution Pre-Tax Payroll Deduction Plan For Service Credit Purchases (Contribution Code 14). ACTION p. 221
- 6.3 Quarterly update on the implementation of the San Mateo County Smart Corridor project. INFORMATION p. 227
- 6.4 Presentation from the Peninsula Traffic Congestion Relief Alliance (Alliance) on the Countywide Voluntary Trip Reduction Program.
 - 6.4.1 Review and approval of Resolution 10-41 authorizing the C/CAG Chair to execute an agreement between the City/County Association of Governments (C/CAG) of San Mateo County and the Peninsula Traffic Congestion Relief Alliance in the amount of \$512,000 from the Congestion Relief Plan to provide the Countywide Voluntary Trip Reduction Program for FY 2010/2011. ACTION p. 229

- 6.4.2 Review and approval of Resolution 10-39 authorizing the C/CAG Chair to execute a Funding Agreement between C/CAG and the Peninsula Traffic Congestion Relief Alliance (Alliance) in the amount of \$421,000 under the 2010/2011 Transportation Fund for Clean Air (TFCA) Program to provide the County-wide Voluntary Trip Reduction Program. ACTION p. 247
- 6.5 Executive Director Presentation on C/CAG's FY 09-10 Performance. INFORMATION p. 251
- 7.0 COMMITTEE REPORTS
 - 7.1 Committee Reports (oral reports).
 - 7.2 Chairperson's Report.
 - 7.3 Boardmembers Report
- 8.0 EXECUTIVE DIRECTOR'S REPORT
- 9.0 COMMUNICATIONS - Information Only
 - 9.1 Letter from Richard Napier, Executive Director C/CAG, to Honorable Felipe Fuentes, Chair Assembly Appropriations Committee, dated 7/27/10. Re: SB 346 (Kehoe) – Source Control of Copper Water Pollution – Support As Amended August 2. p. 253
 - 9.2 News Release: California High-Speed Rail Authority, dated 7/27/10. Re: Survey Finds Strong Support for High-Speed Rail, *Findings Bolster Effort to Attract Federal and Private Investment*. p. 255
 - 9.3 Letter from Richard Napier, Executive Director C/CAG, to California Energy Commission, dated 7/16/10. Re: Support for the San Francisco International Airport application for supplemental funding to launch a hydrogen station that will serve the entire County. p. 257
 - 9.4 News Release, Cit of East Palo Alto and City of Menlo Park, dated 7/07/10. Re: Cities Seek Public Input to Improve Traffic Conditions on Willow Road, University Avenue. p. 259
 - 9.5 Letter from Richard Napier, Executive Director C/CAG, to Ms. Cynthia Bryant, Chair, California Strategic Growth Council, dated 6/22/10. Re: Support for the California Climate Data Integration Pilot Project. p. 261
 - 9.6 Letter from Thomas M. Kasten, Chair, to Honorable Pedro Nava, Chair, Assembly committee on Environmental Safety & Toxic Materials, dated 6/09/10. Re: SB 346 (Kehoe) – Source Control of Copper Water Pollution – Support As Proposed To Be Amended. p. 263
- 10.0 ADJOURN

Next scheduled meeting: September 16*, 2010 Regular Board Meeting.

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

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

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

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

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

FUTURE MEETINGS

August 12, 2010	Legislative Committee - SamTrans 2 nd Floor Auditorium - 5:30 p.m.
August 12, 2010	C/CAG Board - SamTrans 2 nd Floor Auditorium - 6:30 p.m.
August 17, 2010	NPDES Technical Advisory Committee - to be determined - 10:00 a.m.
August 19, 2010	Resource Management and Climate Protection Committee (RMCP)
August 19, 2010	CMP Technical Advisory Committee - SamTrans 2 nd Floor Auditorium – 3:00 p.m.
August 26, 2010	Bicycle and Pedestrian Advisory Committee (BPAC) - San Mateo City Hall - Conference Room C - 7:00 p.m.
August 26, 2010	Airport Land Use Commission - Burlingame City Hall - Council Chambers – 4:00 P.M.
August 23, 2010	Administrators' Advisory Committee - 555 County Center, 5 th Fl, Redwood City – Noon
August 30, 2010	CMEQ Committee - San Mateo City Hall - Conference Room C - 3:00 p.m.

*Please note – this is the third Thursday of the month. Due to a religious holiday, C/CAG will have their Board meeting on the 3rd Thursday of the month, instead of the 2nd Thursday.

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Meeting No. 225

June 10, 2010

1.0 CALL TO ORDER/ROLL CALL

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

Jerry Carlson - Atherton
Coralin Feierbach - Belmont (6:55)
Sepi Richardson - Brisbane
Terry Nagel - Burlingame
David Canepa - Daly City
Carlos Romero - East Palo Alto
Linda Koelling - Foster City
Tom Kasten - Hillsborough (6:37)
Kelly Fergusson - Menlo Park (7:51)
Paul Seto - Millbrae
Sue Digre - Pacifica
Maryann Moise Derwin - Portola Valley
Ian Bain - Redwood City
Irene O'Connell - San Bruno
Bob Grassilli - San Carlos
Brandt Grotte - San Mateo
Carole Groom - San Mateo County
Karyl Matsumoto - South San Francisco, San Mateo County Transit District
Deborah Gordon - Town of Woodside

Absent:

Colma
Half Moon Bay

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
Matt Fabry, C/CAG Staff

Kim Springer, County of San Mateo
Joe La Mariana, County of San Mateo
Jim Bigelow, Redwood City/San Mateo County Chamber, CMEQ Member
Onnalee Trapp, CMAQ Committee, League of Women Voters of San Mateo County
Seamus Murphy, SamTrans

5.0 CONSENT AGENDA

Board Member O'Connell MOVED approval of the Consent Items. Board Member Gordon SECONDED. **MOTION CARRIED** 17-0.

- 5.1 Approval of the Minutes of Regular Business Meeting No. 224 dated May 13, 2010. APPROVED
- 5.2 Review and approval of Resolution 10-27 to adopt the Federal Cycle 1 Transportation for Livable Communities (TLC) Program. APPROVED
- 5.3 Review and approval of Resolution 10-28 to adopt the Federal Cycle 1 Regional Bicycle Program (RBP). APPROVED
- 5.4 Review and approval of Resolution 10-29 to adopt the Federal Cycle 1 San Mateo County Local Streets & Roads (LS&R) Program. APPROVED
- 5.5 Review and approval of the appointment of Marge Colapietro to the Bicycle and Pedestrian Advisory Committee (BPAC). APPROVED
- 5.6 Review and approval of the appointment of Mary Ann Nihard, Mayor Pro-Tem, Pacifica and Council Member David Lim, City of San Mateo to the Legislative Committee. APPROVED
- 5.7 Adopt Resolution 10-35 providing comments on the updated Multi-Jurisdictional Non-Disposal Facility Element. APPROVED
- 5.8 Update on Use of Funds for Climate Change Related Programs. INFORMATION
- 5.9 Review and approval of Resolution 10-31 authorizing the C/CAG Chair to execute a technical consultant contract with San Mateo County for a cost of \$299,956 for support of the Countywide Water Pollution Prevention Program in Fiscal Year 2010-11. APPROVED
- 5.10 Review and approval of Resolution 10-32 authorizing the C/CAG Chair to execute a one year extension to the technical consultant contract with Eisenberg, Olivieri, and Associates, Inc., for a cost not to exceed \$731,994 for support of the Countywide Water Pollution Prevention Program in Fiscal Year 2010-11. APPROVED
- 5.11 Review and approval of Resolution 10-33 authorizing the C/CAG Chair to execute a 12 month extension to the technical consultant contract with the City of Brisbane for a cost not to exceed \$60,000 for coordinator services for the Countywide Water Pollution Prevention Program in Fiscal Year 2010-11. APPROVED

- 5.12 Receive an update on the 2010 State Transportation Improvement Program (STIP) for San Mateo County. APPROVED
- 5.13 Review and approval of the Resolution 10-36 authorizing the C/CAG Chair to execute a funding agreement with the Metropolitan Transportation Commission (MTC) in an amount not to exceed \$150,000 for technical analysis of the US 101/SR 92 interchange improvement options. APPROVED

6.0 REGULAR AGENDA

- 6.1 Review and approval of the revised C/CAG Procurement Policy. APPROVED

Board Member O’Connell MOVED approval of Item 6.1. Board Member Richardson SECONDED. **MOTION CARRIED** 18-0.

- 6.2 Review and approval of the revised C/CAG Investment Policy. APPROVED

Board Member Richardson MOVED approval of Item 6.2. Board Member Grotte SECONDED. **MOTION CARRIED** 18-0.

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

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

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

Board Member Richardson MOVED in accordance with staff recommendation to support Senate Bills 1333 and 1141. Board Member Grotte SECONDED. **MOTION CARRIED** 18-0.

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

Board Member Nagel MOVED to support SB 965 if language is amended into the bill to meet the following intent: It would allow Caltrain early access to American Recovery and Reinvestment Act (ARRA) funds for improvements on Caltrain and other commuter rail lines in California. Support for this legislation does not necessarily mean or imply support for any High Speed rail alignment or other configuration (undergrounding, elevation, or at-grade). Board Member Matsumoto SECONDED. **MOTION CARRIED** 18-0.

- 6.3.1 Presentation from Advocation. INFORMATION

Gus F. Khouri, Legislative Advocate, provided an overview of the State Budget, and activities in Sacramento, and answered questions

- 6.4 Review and approval of Resolution 10-25 approving the C/CAG 2010-11 Program Budget and Fees. (Special voting procedures apply.) APPROVED

Board Member Gordon MOVED approval of Item 6.4. Board Member Koelling SECONDED. **MOTION CARRIED** 19-0.

A Super Majority Vote was taken by roll call. **MOTION CARRIED** 19-0. Results: 19 Agencies approving. This represents 90% of the Agencies representing 94% of the population.

- 6.5 Review and approval of Resolution 10-34 authorizing the C/CAG Chair to execute the agreement between C/CAG and the County of San Mateo Department of Public Works for construction of Smart Corridor North and South Segments Project (Project 4), in an amount not to exceed \$7,150,000. APPROVED

Board Member Grotte MOVED approval of Item 6.5. Board Member Groom SECONDED. **MOTION CARRIED** 19-0.

- 6.6 Receive results from the public opinion survey to determine the feasibility of placing a measure on the November 2010 ballot to impose a \$10 fee increase on motor vehicles registered in San Mateo County and make a determination on the adoption of Resolution 10-30 to support placing a ballot measure on the November 2010 for the \$10 fee increase. APPROVED

A special Board meeting will be held in July for further discussion and a Board vote on this item.

Board Member Richardson MOVED approval of Item 6.6. Board Member Grotte SECONDED. **MOTION CARRIED** 19-0.

7.0 COMMITTEE REPORTS

- 7.1 Committee Reports (oral reports).

None.

- 7.2 Chairperson's Report.

None.

- 7.3 Board Members Report

The Foster City Council approved continuation of the Foster City Shuttle.

8.0 EXECUTIVE DIRECTOR'S REPORT

None.

9.0 COMMUNICATIONS - Information Only

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

- 9.1 Letter from Richard Napier, Executive Director C/CAG, to Mr. Tom Stefan, Stefan/ George Associates, dated 5/27/10. Re: Support for the Grand Boulevard Initiative's application for the APA California's 2010 Award for Distinguished Leadership of an Organization.
- 9.2 Letter from Richard Napier, Executive Director C/CAG, to Cindy Nichol, Cindy Nichol, Finance Director, San Francisco International Airport, dated 5/5/10. Re: Request for Funding Assistance for FY 2010/2011 to Complete an Update of the Comprehensive Airport Land Use Plan (CLUP) for the Environs of San Francisco International Airport (SFO).

10.0 ADJOURN

The meeting adjourned at 9:03 p.m.

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Meeting No. 226
July 8, 2010

1.0 CALL TO ORDER/ROLL CALL

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

Jerry Carlson - Atherton
Coralin Feierbach - Belmont
Terry Nagel - Burlingame
Joe Silva - Colma
David Canepa - Daly City
Carlos Romero - East Palo Alto
Linda Koelling - Foster City
Naomi Patridge - Half Moon Bay
Rich Cline - Menlo Park
Paul Seto - Millbrae
Julie Lancelle - Pacifica
Maryann Moise Derwin - Portola Valley
Alicia Aguirre - Redwood City
Irene O'Connell - San Bruno
Bob Grassilli - San Carlos
Jack Mathews - San Mateo
Karyl Matsumoto - South San Francisco, San Mateo County Transit District

Absent:

Brisbane
Hillsborough
San Mateo County
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
Jean Higaki, C/CAG Staff
Joe Kott, C/CAG Staff
Corinne Goodrich, SamTrans
Pat Bell, San Carlos
Pat Dixon, SMCTA - CAC

4.0 REGULAR AGENDA

4.1 Public Hearing to consider the adoption of a \$10 Vehicle Registration Fee Expenditure Plan; a budget modification; and a resolution authorizing and placing on the ballot a Vehicle Registration Fee addition as prescribed under California Government Code 65089.20.

4.1.1 Consideration of the San Mateo County Vehicle Registration Fee for Local Traffic Improvements Expenditure Plan. (Special Voting Requirement) APPROVED

Board Member Romero MOVED to close the public hearing.

Board Member O'Connell MOVED to approve the distribution formula for a minimum guaranteed amount of \$75,000. Board Member Canepa SECONDED. **MOTION CARRIED** 17-0.

A Super Majority Vote was taken by roll call. **MOTION CARRIED** 13-4. Board Members Romero, Seto, Derwin, and Mathews opposing. Results: 13 Agencies approving, with 4 Agencies Opposing. This represents 62% of the Agencies representing 68% of the population.

Board Member Seto MOVED to approve the distribution formula for a minimum guaranteed amount of \$100,000. Board Member Romero SECONDED. **MOTION FAILED** 6-11. Board Members Feierbach, Silva, Canepa, Koelling, Patridge, Lancelle, Aguirre, O'Connell, Grassilli, Mathews, and Matsumoto opposing.

4.1.2 Consideration of an amendment to the FY 10-11 C/CAG Budget to provide funding for the San Mateo County Vehicle Registration Fee for Local Traffic Improvements election cost up to \$950,000 and authorize payment of the election cost to the County of San Mateo. APPROVED

Board Member Koelling MOVED to approve item 4.1.2. Board Member Aguirre SECONDED. Vote was taken by roll call. **MOTION CARRIED** 17-0.

4.1.3 Consideration of Resolution 10-37 authorizing the imposition of a \$10 Vehicle Registration Fee to be collected on Vehicles Registered in San Mateo County by placing a Measure on the November 2, 2010 Ballot. APPROVED

Board Member Cline MOVED to approve with the starting date to begin six months after the vote passes. Board Member Aguirre SECONDED. Vote was taken by roll call. **MOTION CARRIED** 17-0.

Board Member Aguirre moved to have a 25-year sunset. Board Member Canepa SECONDED. **MOTION CARRIED** 16-1. Board Member Grassilli opposed.

Board Member O'Connell MOVED approval of Resolution 10-37 in accordance with the above changes and authorize staff to take the necessary actions to place it on the November 2, 2010 ballot. Board Member Aguirre SECONDED. Vote was taken by roll call. **MOTION CARRIED** 17-0.

5.0 ADJOURN

Meeting adjourned at 8:25 p.m.

C/CAG AGENDA REPORT

Date: August 12, 2010
To: City/County Association of Governments Board of Directors
From: Richard Napier, Executive Director
Subject: Review the attendance reports for the 2010 C/CAG Board and Committees.
(For further information or questions contact Richard Napier at 599-1420)

RECOMMENDATION

That the C/CAG Board review and accept the attendance reports for the 2010 C/CAG Board and Committees.

FISCAL IMPACT

None.

SOURCE OF FUNDS

Not applicable.

BACKGROUND/DISCUSSION

Periodically throughout the year the C/CAG Board receives reports of the attendance for the Board and its standing committees. There is no attendance requirement for the C/CAG Board because there is one seat designated for every member jurisdiction. However the C/CAG adopted attendance policy for its standing committees is as follows:

“During any consecutive twelve month period, members will be expected to attend at least 75% of the scheduled meetings and not have more than three consecutive absences. If the number of absences exceed these limits, the seat may be declared vacant by the C/CAG Chair.”

ATTACHMENTS

Calendar year 2010 attendance reports for the following:

- C/CAG Board
- Congestion Management & Environmental Quality (CMEQ)
- The Airport Land Use Committee (ALUC).
- Bicycle and Pedestrian Advisory Committee (BPAC)
- Congestion Management Program Technical Advisory Committee (TAC)
- National Pollutant Discharge Elimination System Technical Advisory Committee (NPDES TAC)
- Legislative Committee Attendance Report
- Resource Management & Climate Protection Committee (RMCP) Attendance Report

ITEM 5.2

C/CAG Attendance Report 2010

Agency	Representative / Alternate	1/14/10	2/11/10	3/11/10	Retreat	5/13/10	6/10/10	7/08/10 ^b
Atherton	Jerry Carlson	X	X			X	X	X
	Kathy McKeithen							
Belmont	Christine Wozniak (Rep) ¹	X	X					
	Coralin Feierbach (Rep)			X		X	X	X
	Dave Warden							
Brisbane	Sepi Richardson	X		X		X	X	
Burlingame	Terry Nagel	X	X	X		X	X	X
	Michael Brownrigg							
Colma	Joseph Silva	X	X	X		X		X
	Diana Colvin							
Daly City	David Canepa	X		X		X	X	X
	Carol Klatt							
East Palo Alto	Carlos Romero	X	X	X			X	X
	Ruben Abrica							
Foster City	Linda Koelling	X	X			X	X	X
	Art Kiesel			X				
Half Moon Bay	Naomi Patridge	X	X	X				X
	Marina Fraser							
	John Muller					X		
Hillsborough	Tom Kasten	X	X	X		X	X	
	Christine Krolik							
Menlo Park	Kelly Fergusson		X			X	X	
	Andrew Cohen ² (Alt)	X						
	Rich Cline (Alt)							X
Millbrae	Paul Seto	X	X	X		X	X	X
	Daniel F. Quigg							
Pacifica	Julie Lancelle	X	X			X		X
	Sue Digre						X	
Portola Valley	Maryann Moise Derwin		X			X	X	X
	John Richards							
Redwood City	Rosanne Foust	X	X	X ³			X ³	
	Alicia Aguirre					X		X
San Bruno	Irene O'Connell	X	X	X			X	X
	Jim Ruane							
San Carlos	Bob Grassilli	X	X	X		X	X	X
	Omar Ahmad							
San Mateo	Brandt Grotte	X	X	X		X	X	
	Jack Matthews							X
San Mateo County	Carole Groom	X	X	X		X	X	
	Richard Gordon							
South San Francisco	Karyl Matsumoto	X		X		X	X	X
	Kevin Mullin		X					
Woodside	Deborah Gordon	X	X	X			X	
SMCTA	Rosanne Foust	X	X					
SamTrans	Karyl Matsumoto	X		X		X	X	

¹C. Wozniak Rep. Jan-Feb 2010, Coralin Feierbach Rep. 3/11/10.

²A. Cohen Alternate, R. Cline became Alternate later.

³John Seybert

⁴Ian Bain

^bSpecial meeting

CMEQ 2010 Attendance Record					
Name	Jan 25	Mar 29	May 24	Jun 28	July (no mtg)
Arthur Lloyd	Yes	Yes	Yes	Yes	
Barbara Pierce	Yes		Yes	Yes	
Daniel Quigg	Yes	Yes	Yes		
Gina Papan	Yes	Yes	Yes	Yes	
Heyward Robinson			Yes	Yes	
Irene O'Connell			Yes		
Jim Bigelow	Yes	Yes	Yes		
Lennie Roberts	Yes		Yes	Yes	
Linda Koelling	Yes	Yes		Yes	
Naomi Patridge	Yes	Yes			
Onnolee Trapp	Yes	Yes		Yes	
Richard Garbarino	Yes	Yes	Yes	Yes	
Sepi Richardson	Yes	Yes	Yes	Yes	
Steve Dworetzky	Yes	Yes		Yes	
Sue Lempert	Yes		Yes	Yes	
Zoe Kersteen- Tucker	Yes	Yes		Yes	

July 14, 2010

TO: Richard Napier, C/CAG Executive Director
FROM: David F. Carbone, C/CAG Airport Land Use Committee (ALUC) Staff
SUBJECT: Requested C/CAG Airport Land Use Committee (ALUC) Attendance Report for January to June 2010

Three C/CAG Airport Land Use Committee (ALUC) meetings are scheduled for this calendar year (2010) but the Committee has not met yet so far this year. Therefore, I do not have an Airport Land Use Committee (ALUC) attendance report to submit at this time.

BPAC 2010 ATTENDANCE REPORT

Name	January 28	April 22	May 27	July 22	August 26	October 28
Matt Grocott	Yes	Yes	Yes	Yes		
Cathy Baylock	Yes	Yes	No	No		
Karyl Matsumoto	Yes	Yes	Yes	Yes		
Ian Bain	No	Yes	No	No		
Ken Ibarra	Yes	Yes	Yes	No		
Judi Mosqueda	Yes	Yes	Yes	Yes		
Julie Lancelle	No	Yes	Yes	Yes		
Naomi Patridge	Yes	Yes	Yes	No		
Cory Roay	Yes	Yes	Yes	Yes		
Joel Slavit	Yes	Yes	Yes	Yes		
Lucy Wicks	Yes	Yes	Yes	Yes		
Steve Schmidt	Yes	Yes	Yes	Yes		
Frank Markowitz	Yes	Yes	Yes	Yes		
Paul Grantham	Yes	Yes	No	Yes		
Marge Colapietro	NA	NA	NA	Yes		

Quorum = 8 + 4 elected officials

2010 TAC Roster and Attendance

Member	Agency	Jan	Mar	May	Jun
Jim Porter (Co-Chair)	San Mateo County Engineering	x			x
Joseph Hurley (Co-Chair)	SMCTA	x	x	x	x
Duncan Jones	Atherton Engineering		x	x	x
Randy Breault	Brisbane Engineering		x	x	
Syed Murtuza	Burlingame Engineering	x	x	x	x
Bill Meeker	Burlingame Planning				
Sandy Wong	C/CAG	x	x	x	x
Gene Gonzalo	Caltrans				
Robert Ovadia	Daly City Engineering	x	x	x	x
Tatum Mothershead	Daly City Planning	x	x		x
Ray Towne	Foster City Engineering	x	x	x	
Mo Sharma	Half Moon Bay	n/a	n/a	n/a	n/a
Chip Taylor	Menlo Park Engineering	x	x	x	x
Ron Popp	Millbrae Engineering	x	x	x	x
Van Ocampo	Pacifica Engineering	x	x	x	x
Peter Vorametsanti	Redwood City Engineering	x	x	x	x
Klara Fabry	San Bruno Engineering	n/a	x	x	x
Robert Weil	San Carlos Engineering		x	x	x
Larry Patterson	San Mateo Engineering	x	x	x	
Bob Beyer	San Mateo Planning				
Steve Monowitz	San Mateo County Planning	x			
Dennis Chuck	So. San Francisco Engineering	x	x	x	x
Kenneth Folan	MTC				

2010 NPDES TAC Attendance Record		Page 1											
AGENCY AND NAME	Telephone #	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
SMCWPPP/Brisbane													
Matt Fabry	415-508-2134	X		X	X	X							
EOA, Inc.													
Fred Jarvis	510 832-2852 x111	X		X	X	X							
Regional Board													
Sue Ma	510-622-2386												
Atherton			N				N						
Steve Tyler	752-0570	X	O	X	X	X	O						
Belmont													
Gilbert Yau	595-7425		M	X	X	X	M						
Leticia Alvarez	595-7469		E		X	X	E						
Dalia Corpus	595-7465		E				E						
Burlingame			T				T						
Phil Monaghan	558-7230		I				I						
Eva Justimbaste	333-4626		N				N						
Victor Voong	558-7230	X	G	X	X	X	G						
Kiley Kinnon	342-3727	X		X	X	X							
Colma													
Muneer Ahmed	757-8888			X	X	X							
Daly City													
Cynthia Royer	991-8203	X			X								
Ward Donnelly	991-8208												
Patrick Sweetland	991-8200												
Mike Peterson	991-5752												
East Palo Alto													
Jaime Camacho	853-3189												
Lucy Chen	853-3191	X		X									
John Latu	853-3165				X								
Foster City													
Norm Dorais	286-3279	X		X									
Allan Shu	286-3271												
Half Moon Bay													
Charlie Voos	726-8299												
Muneer Ahmed				X	X	X							
Hillsborough													
Dave Bishop	375-7488												
Jen Chen	375-7488	X		X	X								
Menlo Park													
Jennifer Ng	330-6740												
Virginia Parks	330-6752	X		X	X								
Nathan Scribner	330-6740					X							
Millbrae													
Khee Lim	259-2347	X		X	X	X							
Florian Ebo	259-2337												
Pacifica													
Raymund Donguines	738-3768			X	X								
Kathryn Farbstein													
Elizabeth Claycomb	738-7361				X								

2010 NPDES TAC Attendance Record		Page 2											
AGENCY AND NAME	Telephone #	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Portola Valley													
Howard Young	851-1700x214				X								
Redwood City													
Marilyn Harang	780-7477	X		X	X								
San Bruno													
Nader Dahu	616-7065	X	N	X			N						
Jim Shannon	616-7065		O				O						
Robert Howard	616-7179					X							
San Carlos							M						
Gavin Moynahan			M				E						
Robert Weil	650-802-4202	X	E	X	X	X	E						
San Mateo, City			E				T						
Vern Bessey	522-7342	X	T	X	X	X	I						
Martin Quan	522-7330		I				N						
San Mateo, County			N				G						
Ann Stillman	599-1417		G										
Mark Chow	599-1489												
Dermot Casey	372-6257	X			X	X							
Camille Leung	363-1826												
Julie Casagrande	599-1457	X		X	X								
Sarah Pratt	372-6245												
Mary Bell Austin	372-6259												
Carole Foster	599-1219												
So.Bayside Sys Auth													
Ken Kaufman	594-8411x128												
So. San Francisco													
Cassie Prudhel	829-3840			X		X							
Daniel Fulford													
Rob Lecel	829-3882	X			X								
Woodside													
Gratien Etchebehere	851-6790				X								
C/CAG													
Richard Napier	599-1406	X		X									
Caltrans													
John Michels	510-622-5996				X								
Guests/Public													
John Balobeck, MACTEC	510-628-3234												
Geoff Brosseau, CASQA													
Kim Springer, SM County													
Danielle Lee, SM County													
Jon Komman, EOA	510-832-2852 X108			X									
Sachi Itagaki, Kennedy Jenks	650-852-2817				X	X							
Attendance		19		21	26	17							

Legislative Committee 2010 Attendance Record

Name	14-Jan		10_Jun	
Deborah Gordon	Yes		Yes	
Thomas Kasten	Yes		No	
Jerry Carlson	Yes		Yes	
Irene O'Connell	Yes		Yes	
Andrew Cohen	Yes		Yes	
Linda Koelling	Yes		Yes	
Kevin Mullin	Yes		Yes	
Gina Papan	Yes		Yes	
Sepi Richardson	Yes		Yes	
Carole Groom	Yes		Yes	

RMCP 2010 ATTENDANCE REPORT

* = Voting member

Quorum = 4 voting members

Blank space = Did not attend.

NA = Not a member during that time.

X = Meeting cancelled.

Alt = Alternate sent to meeting.

Vacant = Committee position is currently vacant.

Name	Jan 21	Feb 18	Mar 18	Apr 15 X	May 20 X	Jun 17	Jul 15	Aug 19	Sept16	Oct 21	Nov 18	Dec 16
Robert Cormia			Yes	X	X	Yes						
Maryann Moise Derwin*	Yes		Yes	X	X	Yes						
Lori Duvall		Vacant	Vacant	X	X	Vacant						
Pedro Gonzalez*	Yes	Yes	Yes	X	X	Yes						
Deborah Gordon*		Yes		X	X	Yes						
Carole Groom*	Yes	Yes	Alt	X	X	Yes						
Brian Kimball	Yes	Alt		X	X	Yes						
Kathy Lavezzo		Yes		X	X							
Barbara Pierce* (Chair)	Yes		Yes	X	X	Yes						
Sepi Richardson*	Yes	Yes	Yes	X	X	Yes						
Nicole Sandkulla				X	X							
Eric Sevim	Yes			X	X							

C/CAG AGENDA REPORT

Date: August 12, 2010

TO: C/CAG Board of Directors

From: Richard Napier - C/CAG

Subject: Review and approval of Resolution 10-45 authorizing the C/CAG Chair to execute the agreement between C/CAG and the City of San Carlos to provide financial services to C/CAG for an amount not to exceed \$70,600 for FY 10-11.
(For further information or response to question's, contact Richard Napier at 650 599-1420)

Recommendation:

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

Fiscal Impact:

A total of \$70,600 for FY 10-11.

Revenue Source:

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

Background/ Discussion:

The City of San Carlos is the Financial Agent for C/CAG. C/CAG annually negotiates a fee for these services. The City of San Carlos has prepared an agreement to reflect the scope of services and the agreed upon fee for these services for FY 10-11 - \$70,600. There has been very little change in this cost for the past three years: FY 08-09 \$70,500, FY 09-10 \$70,600, and FY 10-11 - \$70,600. The cost for bank fees, storage, postage, and audit are billed separately. The projected cost for the audit is \$9,445. This cost is included in the adopted C/CAG Budget.

A high level of service has been achieved by the City of San Carlos. All reports were provided on a timely basis. Additionally the City of San Carlos staff have been very responsive to requests from C/CAG staff.

C/CAG staff recommends that the Board approve this agreement between C/CAG and the City of San Carlos.

ITEM 5.3

Attachment:

Resolution 10-45

City of San Carlos Financial Services Agreement - Agreement for Services

Alternatives:

- 1- Review and approval of Resolution 10-45 authorizing the C/CAG Chair to execute the agreement between C/CAG and the City of San Carlos to provide financial services to C/CAG for an amount not to exceed \$70,600 for FY 10-11 in accordance with the staff recommendation.
- 2- Review and approval of Resolution 10-45 authorizing the C/CAG Chair to execute the agreement between C/CAG and the City of San Carlos to provide financial services to C/CAG for an amount not to exceed \$70,600 for FY 10-11 in accordance with the staff recommendation with modifications.
- 3- No Action.

RESOLUTION 10-45

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG CHAIR TO EXECUTE THE AGREEMENT BETWEEN C/CAG AND THE CITY OF SAN CARLOS TO PROVIDE FINANCIAL SERVICES TO C/CAG FOR A TOTAL OF \$70,600 FOR FY 10-11

WHEREAS, the City/County Association of Governments (C/CAG) of San Mateo County is a Joint Powers Authority created by the Cities and the County; and,

WHEREAS, C/CAG utilizes the services of its member agencies in order to minimize staff and cost; and,

WHEREAS, the City of San Carlos has been designated as the C/CAG Financial Agent; and,

WHEREAS, the City of San Carlos has proposed a cost for the financial services; and,

WHEREAS, C/CAG and the City of San Carlos wish to set forth the terms and conditions, funding, and scope of work for the financial services.

THEREFORE BE IT RESOLVED NOW, by the Board of Directors of the City/County Association of Governments of San Mateo County authorizing the Chair to execute the Financial Service Agreement between the City of San Carlos and C/CAG in an amount not to exceed \$70,600.

PASSED, APPROVED, AND ADOPTED THIS 12TH DAY OF AUGUST 2010.

Thomas M. Kasten, C/CAG Chair

AGREEMENT FOR PROFESSIONAL SERVICES

This Agreement is made and entered into as of the _____ day of _____, 2010 by and between the City of San Carlos hereinafter called "CITY" and City County Association of Governments hereinafter called "C/CAG".

RECITALS

This Agreement is entered into with reference to the following facts and circumstances:

- A. C/CAG is a joint powers authority established under Government Code 6500 et seq.
- B. That C/CAG desires to engage CITY to render certain financial services to C/CAG related to carrying on the day to day financial operations of C/CAG;
- C. That CITY is qualified to provide such services to C/CAG and;

THEREFORE, C/CAG has elected to engage the services of CITY upon the terms and conditions as hereinafter set forth.

1. Services. The services to be performed by CITY under this Agreement shall include those services set forth in Exhibit A, which is, by this reference, incorporated herein and made a part hereof as though it were fully set forth herein.

Performance of the work specified in said Exhibit is hereby made an obligation of CITY under this Agreement, subject to any changes that may be made subsequently hereto upon the mutual written agreement of the said parties.

Where in conflict, the terms of this Agreement supersede and prevail over any terms set forth in Exhibit A.

2. Term; Termination. (a) The term of this Agreement shall commence upon the date hereinabove written and shall expire upon completion of performance of services hereunder by CITY. (b) Notwithstanding the provisions of (a) above, either party may terminate this Agreement without cause by giving written notice not less than thirty (30) days prior to the effective date of termination, which date shall be included in said notice. In the event of such termination, C/CAG shall compensate CITY for services rendered, and reimburse CITY for costs and expenses incurred, to the date of termination, calculated in accordance with the provisions of paragraph 3. In ascertaining the services actually rendered to the date of termination, consideration shall be given both to completed work and work in process of completion. Nothing herein contained shall be deemed a

limitation upon the right of C/CAG to terminate this Agreement for cause, or otherwise to exercise such rights or pursue such remedies as may accrue to C/CAG hereunder.

3. Compensation; Expenses; Payment. C/CAG shall compensate CITY for all services performed by CITY hereunder in an amount based upon terms set forth in Exhibit A and Exhibit B.

Compensation and reimbursement of costs and expenses hereunder shall be payable upon quarterly billing therefore by CITY to C/CAG.

4. Additional Services. In the event C/CAG desires the performance of additional services not otherwise included within the services described in Exhibit A, such services shall be authorized in advance of the performance thereof by C/CAG's Executive Director (for contracts less than \$50,000 or authorized by C/CAG Board action for contracts \$50,000 or more by motion duly made and carried). Such amendment to this Agreement shall include a description of the services to be performed thereunder, the maximum compensation and reimbursement of costs and expenses payable therefor, the time of performance thereof, and such other matters as the parties deem appropriate for the accomplishment of such services. Any additional services causing the total contract price to exceed \$50,000, shall require approval by the C/CAG Board. Except to the extent modified by written amendment, all other terms and conditions of this Agreement shall be deemed incorporated in each such amendment.
5. Records. CITY shall keep and maintain accurate records of all time expended and costs and expenses incurred relating to services to be performed by CITY hereunder. Said records shall be available to C/CAG for review and copying during regular business hours at CITY's place of business or as otherwise agreed upon by the parties.
6. Authorization. This Agreement becomes effective when endorsed by both parties in the space provided below.
7. Reliance on Professional Skill of CITY. CITY represents that it has the necessary professional skills to perform the services required and C/CAG shall rely on such skills of the CITY to do and perform the work. In performing services hereunder CITY shall adhere to the standards generally prevailing for the performance of expert consulting services similar to those to be performed by CITY hereunder. CITY acknowledges the importance to C/CAG of the skill, competency, ability to appropriately work with C/CAG staff and expertise of individual staff assigned to the

project, and accordingly the individuals assigned to the Project must be acceptable to C/CAG.

8. Documents. All documents, plans, drawings, renderings, and other papers, or copies thereof, as finally rendered, prepared by CITY pursuant to the terms of this Agreement, shall, upon preparation and delivery to C/CAG, become the property of C/CAG.
9. Relationship of Parties. It is understood that the relationship of CITY to C/CAG is that of an independent contractor and all persons working for or under the direction of CITY are its agents or employees and not agents or employees of C/CAG.
10. Schedule. CITY shall adhere to the schedule set forth in Exhibit A; provided, that C/CAG shall grant reasonable extensions of time for the performance of such services occasioned by governmental reviews of CITY's work product or other unavoidable delays; provided, further, that such unavoidable delay shall not include strikes, lockouts, work stoppages, or other labor disturbances conducted by, or on behalf of, CITY's officers or employees.

CITY acknowledges the importance to C/CAG of C/CAG's Project schedule and agrees to put forth its best professional efforts to perform its services under this Agreement in a manner consistent with that schedule.

11. Indemnity. CITY hereby agrees to defend, indemnify, and save harmless C/CAG, its boards, commissions, officers, attorneys, employees and agents, from and against any and all claims, suits, actions liability, loss, damage, expense, cost (including, without limitation, costs of litigation and attorneys fees) of every nature, kind or description, which may be brought against, or suffered or sustained by, C/CAG, its boards, commissions, officers, attorneys, employees or agents arising or resulting directly or indirectly from any act or omission of CITY, its officers, employees or agents in the performance of any services or work pursuant to this Agreement.

The duty of CITY 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; provided, however, that nothing herein contained shall be construed to require CITY to indemnify C/CAG, its boards, commissions, officers, employees and agents against any responsibility or liability in contravention of Section 2782 of the California Civil Code.

12. Insurance. CITY shall acquire and maintain Workers' Compensation, employer's liability, commercial general liability, owned and non-owned and hired automobile liability, and professional liability insurance covering

risks relating to CITY's services to be performed hereunder in form subject to the approval of the Authority's Attorney and/or Authority's Risk Manager. The minimum amounts of coverage corresponding to the aforesaid categories of insurance per insurable event, shall be as follows:

<u>Insurance Category</u>	<u>Minimum Limits</u>
Workers' Compensation	statutory minimum
Employer's Liability	\$1,000,000 per accident for bodily injury or disease
Commercial General Liability	\$1,000,000 per occurrence and \$2,000,000 aggregate for bodily injury, personal injury and property damage
Automobile Liability	\$1,000,000 per accident for bodily injury and property damage (coverage required to the extent applicable to CITY's vehicle usage in performing services hereunder)
¹ Professional Liability	\$1,000,000 per claim and \$2,000,000 aggregate

Concurrently with the execution of this Agreement, CITY shall, on the Insurance Coverage form provided in Exhibit C, furnish C/CAG with certificates and copies of information or declaration pages of the insurance required hereunder and, with respect to evidence of commercial general liability and automobile liability insurance coverage, original endorsements:

- (a) Precluding cancellation or **reduction in per occurrence limits** before the expiration of thirty (30) days (10 days for nonpayment) after C/CAG shall have received written notification of cancellation in coverage or **reduction in per occurrence limits** by first class mail;
- (b) Naming the City/County Association of Government its officers, boards, commissions, attorneys, employees, and agents, as additional insureds; and

¹ Note: Professional liability insurance coverage is not required if the contractor/vendor/consultant is not providing a service regulated by the state. (Examples of service providers regulated by the state are insurance agents, professional engineers, doctors, certified public accountants, lawyers, etc.) Please check and initial the following if professional liability is **NOT** required for this agreement. Recommended _____ [Project Manager] Approved _____ [Risk Manager]

- (c) Providing that CITY's insurance coverage shall be primary insurance with respect to C/CAG, its officers, boards, commissions, attorneys, employees, and agents, and any insurance or self-insurance maintained by C/CAG for itself, its officers, boards, commissions, employees, or agents shall be in excess of CITY's insurance and not contributory with it.

Claims Made Policies

If any of the required policies provide claims-made coverage:

1. The Retroactive Date must be shown, and must be before the date of the contract or the beginning of contract work.
2. Insurance must be maintained and evidence of insurance must be provided for at least five (5) years after completion of the contract of work.
3. If coverage is canceled or non-renewed, and not replaced with another claims-made policy form with a Retroactive Date prior to the contract effective date, the City must purchase "extended reporting" coverage for a minimum of five (5) years after completion of contract work.

Verification of Coverage

CITY shall furnish the C/CAG with original certificates and amendatory endorsements effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the C/CAG before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive the CITY's obligation to provide them. The C/CAG reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.

Waiver of Subrogation

CITY hereby grants to C/CAG a waiver of any right to subrogation which any insurer of said Consultant may acquire against C/CAG by virtue of the payment of any loss under such insurance. This provision applies regardless of whether or not C/CAG has requested or received a waiver of subrogation endorsement from the insurer.

Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII, unless otherwise acceptable to C/CAG.

Special Risks or Circumstances

C/CAG reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.

13. WORKERS' COMPENSATION. CITY certifies that he is aware of the provisions of the Labor Code of the State of California which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that Code, and CITY certifies that he will comply with such provisions before commencing the performance of the work of this agreement.

14. NON-DISCRIMINATION. The CITY will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The CITY will take affirmative action to insure that applicants are employed and the employees are treated during employment without regard to their race, color, religion, sex or national origin. Such action shall include, but not be limited to the following: employment, advancement, demotion, transfer, recruitment, or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The CITY shall at all times be in compliance with the requirements of the Federal Americans With Disabilities Act (Public Law 101-336) which prohibits discrimination on the basis of disability by public entities. The CITY agrees to post in conspicuous places available to employees and applicants for employment any notices provided by the SBWMA setting forth the provisions of this non-discrimination clause.

15. Notice. All notices required by this Agreement shall be given to C/CAG and CITY in writing, by first class mail, postage prepaid, addressed as follows:

C/CAG: City/County Association of Governments
 County Office Building
 555 County Center
 Fifth Floor
 Redwood City, California 94063
 Attention: Richard Napier

CITY: City of San Carlos
 600 Elm Street
 San Carlos, CA 94070
 Attention: Jeff Maltbie

16. Non-Assignment. This Agreement is not assignable either in whole or in part.

17. Amendments. This Agreement may be amended or modified only by written agreement signed by both parties.

18. Validity. The invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of any other provision of this Agreement.

19. Governing Law. This Agreement shall be governed by the laws of the State of California and any suit or action initiated by either party shall be brought in the County of San Mateo, California. In the event of litigation between the parties hereto to enforce any provision of the Agreement, the unsuccessful party will pay the reasonable attorney's fees and expenses of litigation of the successful party.

20. Mediation. Should any dispute arise out of this Agreement, the parties shall meet in mediation and attempt to reach a resolution with the assistance of a mutually acceptable mediator. Neither party shall be permitted to file legal action without first meeting in mediation and making a good faith attempt to reach a mediated resolution. The costs of the mediator, if any, shall be paid equally by the parties. If a mediated settlement is reached neither party shall be deemed the prevailing party for purposes of the settlement and each party shall bear its own legal costs. If a party refuses or fails to participate in mediation in good faith prior to filing a lawsuit, then that party shall be barred from recovery of attorneys fees and costs of suit.

21. Entire Agreement. This Agreement, including Exhibits A and B comprise the entire Agreement between the C/CAG and CITY.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the date first above written by their respective officers duly authorized in that behalf.

CITY OF SAN CARLOS

Dated: _____

Mark Weiss, City Manager

C/CAG

Dated: _____

Richard Napier, Executive Director

APPROVED AS TO FORM

Dated: _____

Gregory J. Rubens, City Attorney

APPROVED AS TO FORM

Dated: _____

C/CAG Legal Counsel

EXHIBIT A

SCOPE OF WORK AND SCHEDULE AND FEES

A. SCOPE OF SERVICES

1. The City will perform Financial Services for the C/CAG, including establishing and maintaining bank and investment accounts; financial system set up; establishing and implementing internal financial controls, financial policies and procedures and investment policies; paying vendors; managing receivables; investing surplus cash; reporting fiscal year financial results; managing the year-end audit process; budgeting and performing those tasks necessary to implement these services.

2. In performing the Services under this Agreement, the City employees assigned to provide C/CAG services shall comply with C/CAG's Bylaws and other rules, principles, and laws applicable specifically to C/CAG, including without limitation, C/CAG's Financial Policy and Procedures, as may be amended from time to time.

3. Nothing herein shall prohibit or otherwise limit C/CAG's right to enter into further agency agreements and/or work order arrangements with other public agencies for the provision of these or other services.

B. COMPENSATION

1. C/CAG agrees to pay to City the full cost of providing financial services as shown in this Exhibit A, as the same may be amended from time to time by agreement between the Parties.

2. C/CAG and City acknowledge and agree that compensation paid by C/CAG to City under this Agreement is based upon City's cost of providing the services required hereunder, including salaries and benefits of employees.

3. C/CAG agrees to reimburse the City for Financial Services. Direct external costs are borne by C/CAG. Financial services costs are those expenses necessary to administer this Agreement and are included in the fixed rate. City will provide these services for a fixed annual fee for FY 2011 (July 1, 2010 to June 30, 2011) of \$70,600. This fixed rate will be adjusted on an annual basis.

4. Terms of Payment. The City shall submit invoices quarterly for the prior quarter's services. Invoices shall be submitted 30 days prior to the end of the first quarter and shall be delinquent if not paid within 30 days of receipt. Each invoice will detail the quarterly cost of services and prior quarter's direct external costs. Delinquent payments will be subject to a late payment carrying charge computed at a periodic rate

of 1% per month, which is an annual percentage rate of 12%, which will be applied to any unpaid balance owed commencing seven (7) days after the payment due date.

6. Charges for other services and special projects requested of the City will be at a rate of \$99/hour not including expenses. External vendor charges, such as independent auditor, postage, storage and legal fees, will be paid directly by the C/CAG or reimbursed by the C/CAG if paid by the City, and be without City overhead fees. The City will manage the outside audit process (and C/CAG's costs for this management service are included in the annual Administrative Charge).

EXHIBIT B
CITY'S FEE SCHEDULE

C/CAG FINANCIAL SERVICES ESTIMATE

Scope of Financial Services to include:	<u>FY 2011</u>
Daily Cash	\$1,100.00
Administrative Services	1,000.00
Accounts Payable	30,000.00
Billing	2,100.00
Cash Receipts	2,100.00
GL (monthly reconciliations, journals)	11,000.00
Financial and budget reporting	7,500.00
Audit, CAFR and Year-end Activities	<u>16,000.00</u>
Total to be performed by City of San Carlos	<u><u>\$70,800.00</u></u>

Charges for other services requested of the City will be at a rate of \$99/hour per NBS Cost Schedule

Other Charges to be billed separately

Maze & Associates Audit Fees **	per Engagement Letter
Storage costs	pass-thru
Postage costs	pass-thru

EXHIBIT C

INSURANCE FORMS

CONSULTANT shall provide, in addition to the Certificates of Insurance, original Endorsement affecting the coverages specified in Section 11 - INSURANCE of the Agreement on the attached form. No substitute form will be accepted.

ATTACHED

1. Insurance Coverage Form

This INSURANCE COVERAGE FORM modifies or documents insurance provided under the following:

Named Insured: _____

Effective Work Date(s): _____

Description of Work/Locations/Vehicles: _____

ADDITIONAL INSURED: **City of San Carlos**
600 Elm Street, San Carlos, CA 94070
Attention: _____
Contract Administrator

Endorsement and Certificates of Insurance Required

The Additional Insured, its elected or appointed officers, officials, employees and volunteers are included as insureds with regard to damages and defense of claims arising from: (Check all that apply)

- General Liability:** (a) activities performed by or on behalf of the Named Insured, (b) products and completed operations of the Named Insured, (c) premises owned, leased occupied or used by the Named Insured, and/or (d) permits issued for operations performed by the Named Insured. {Note: MEETS OR EXCEEDS ISO Form # CG 20 10 11 85}
- Auto Liability:** the ownership, operation, maintenance, use, loading or unloading of any auto owned, leased, hired or borrowed by the Named Insured, regardless of whether liability is attributable to the Named Insured or a combination of the Named Insured and the Additional Insured, its elected or appointed officers, officials, employees or volunteers.
- Other:**

	Insurer	Policy No.
<input type="checkbox"/> General Liability: (a) activities performed by or on behalf of the Named Insured, (b) products and completed operations of the Named Insured, (c) premises owned, leased occupied or used by the Named Insured, and/or (d) permits issued for operations performed by the Named Insured. {Note: MEETS OR EXCEEDS ISO Form # CG 20 10 11 85}		
<input type="checkbox"/> Auto Liability: the ownership, operation, maintenance, use, loading or unloading of any auto owned, leased, hired or borrowed by the Named Insured, regardless of whether liability is attributable to the Named Insured or a combination of the Named Insured and the Additional Insured, its elected or appointed officers, officials, employees or volunteers.		
<input type="checkbox"/> Other:		

Certificates of Insurance Required (no endorsement needed) (Check all that apply)

- Workers Compensation:**
- Professional Liability:**

	Insurer	Policy No.
<input type="checkbox"/> Workers Compensation:		
<input type="checkbox"/> Professional Liability:		

PRIMARY/NON-CONTRIBUTORY: This insurance is primary and is not additional to or contributing with any other insurance carried by or for the benefit of Additional Insureds.

SEVERABILITY OF INTEREST: The insurance afforded by this policy applies separately to each insured who is seeking coverage or against whom a claim is made or a suit is brought, except with respect to the insurer's limit of liability.

PROVISIONS REGARDING THE INSURED'S DUTIES AFTER ACCIDENT OR LOSS: Any failure to comply with reporting provisions of the policy shall not affect coverage provided to the Additional Insured, its elected or appointed officers, officials, employees, or volunteers.

CANCELLATION NOTICE: The insurance afforded by this policy shall not be suspended, voided, canceled, reduced in coverage or in limits except after thirty (30) days' prior written notice (ten (10) days if canceled due to non-payment) by regular mail has been given to the Additional Insured. Such notice shall be addressed as shown above.

WAIVER OF SUBROGATION: The insurer(s) named above agree to waive all rights of subrogation against the CITY/District, its elected or appointed officers, officials, agents, volunteers and employees for losses paid under the terms of this policy which arise from work performed by the Named Insured for the CITY/District.

Nothing herein contained shall vary, alter or extend any provision or condition of the Policy other than as above stated.

SIGNATURE OF INSURER OR AUTHORIZED REPRESENTATIVE OF THE INSURER

I, _____ (print/type name), warrant that I have authority to bind the above-named insurance company and by my signature hereon do so bind this company.

 SIGNATURE OF AUTHORIZED REPRESENTATIVE (original signature required)

ORGANIZATION:

TITLE:

ADDRESS: _____

TELEPHONE: () _____

DATE ISSUED: _____

C/CAG AGENDA REPORT

Date: August 12, 2010
TO: C/CAG Board of Directors
From: Richard Napier, Executive Director - C/CAG
Subject: Review and approval of the Abandoned Vehicle Abatement (AVA) Program Report for the Third Quarter ending March 31, 2010

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

Recommendation:

Review and approval of the Abandoned Vehicle Abatement (AVA) Program Report for the Third Quarter ending March 31, 2010 in accordance with the staff recommendation.

Fiscal Impact:

None.

Revenue Source:

Department of Motor Vehicle Fees that are provided to the County for Abandoned Vehicle Abatement.

Background/Discussion:

C/CAG acts as the San Mateo County AVA Service Authority. The objective of the program is the abatement of abandoned vehicles. Reimbursement is provided to the agencies through revenues provided from vehicle registration fees. The revenues are disbursed to participating agencies 50% based on population and 50% based on the proportionate share of the abatements in the County. If a participating agency does not perform any abatements then that agency's population share is returned to the State.

FY 09-10 Performance:

For the Third Quarter FY 09-10 5,273 vehicles were abated with a cumulative of 16,169 for the year. All revenues received less administration costs were disbursed to the participating agencies. In accordance with the C/CAG Board-approved program, major purchases of \$0.00 were made which came from the established reserves. Agency disbursement for the Third Quarter was \$163,890.26 and a cumulative of \$480,062.88 for the year. Administrative cost for the Third Quarter was \$2,525.40 and a cumulative of \$7,599.27 for the year. This is an Administrative Rate of 1.56%. A summary report for the year is provided for the Board.

ITEM 5.4

Attachment

AVA Program Summary FY 2009-10

Abandoned Vehicle Abatement (AVA) Program Report for the Third Quarter FY 2009-10 ending on March 31, 2010 for San Mateo County

Alternatives:

- 1- Review and approval of the Abandoned Vehicle Abatement (AVA) Program Report for the Third Quarter ending March 31, 2010 in accordance with the staff recommendation.
- 2- Review and approval of the Abandoned Vehicle Abatement (AVA) Program Report for the Third Quarter ending March 31, 2010 in accordance with the staff recommendation with modifications.
- 3- No action.

AVA PROGRAM SUMMARY FY 2009-10

646	First Quarter	Second Quarter	Third Quarter	Fourth Quarter	Fiscal Year Total
Revenues					
Registration Fees	\$168,197.16	\$153,049.33	\$166,415.66		\$487,662.15
Interest					\$0.00
Total	\$168,197.16	\$153,049.33	\$166,415.66	\$0.00	\$487,662.15
Costs					
Administration					
C/CAG	\$2,525.40	\$2,548.47	\$2,525.40		\$7,599.27
Personnel					\$0.00
Service&Supplies					\$0.00
Total Administration	\$2,525.40	\$2,548.47	\$2,525.40	\$0.00	\$7,599.27
Disbursement	\$165,671.76	\$150,500.86	\$163,890.26		\$480,062.88
Unexpended Revenues					\$0.00
Funds Returned					\$0.00
Miscellaneous					\$0.00
Major Purchases					\$0.00
Total Disbursed	\$165,671.76	\$150,500.86	\$163,890.26	\$0.00	\$480,062.88
Disbursed Cum YTD	\$165,671.76	\$316,172.62	\$480,062.88	\$480,062.88	
Total Admin+Disbursed	\$168,197.16	\$153,049.33	\$166,415.66	\$0.00	\$487,662.15
RESERVE					
Beginning	\$183,288.30	\$183,288.30	\$183,288.30	\$183,288.30	\$183,288.30
Transfer In	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Reserve	\$183,288.30	\$183,288.30	\$183,288.30	\$183,288.30	\$183,288.30
Administration Rate	1.50%	1.67%	1.52%	0.00%	1.56%
Vehicles Abated					
Voluntary Abatements	5039	4588	4658		14285
Tows(Abatements)	623	646	615		1884
Total Abatements	5662	5234	5273	0	16169

Abandoned Vehicle Abatement (AVA) Program Report for the Third Quarter FY 2009-10 ending
on March 31, 2010 for San Mateo County

CITY OF SAN CARLOS

CITY HALL
600 Elm Street
San Carlos, CA 94070



POLICE DEPARTMENT
Telephone (650) 802-4277
FAX (650) 595-3049
<http://www.cityofsancarlos.org>

June 9, 2010

Mr. Richard Napier
Executive Director
C/CAG
555 County Center (5th Floor)
Redwood City, CA 94063

Dear Mr. Napier:

The City of San Carlos received payment from the State Controller's Office for the third quarter of the county's Abandoned Vehicle Abatement Program. Enclosed you will find a copy of the FY 09/10 Payment Report from the State Controller's Office (SCO), and the reimbursements spreadsheet for each participating city in San Mateo County for the third quarter that ended on March 31, 2010.

I have also enclosed the payment authorizations which need your signature. Please return the signed authorizations to the San Carlos Finance Department, Attention: Rebecca Mendenhall, for processing at your earliest convenience.

Please let me know if you have any questions.


Sincerely,

Melissa Mortz
Administrative Assistant

Enclosures

SAN MATEO COUNTY ABANDONED VEHICLE AUTHORITY
3RD QUARTER ENDING 03/31/10

CITIES	POPULATION TOTAL	% POPULATION	50% FUNDS BY POPULATION BASE (P)	TOWED			VOLUNTARY ABATED			TOTAL ABATED	% ABATED	50% FUNDS BY % ABATED (A)	TOTAL REIMBURS. THIS QTR (P+A)	AVA FUNDS TO DISBURSE THIS QTR \$163,890.26
				Public	Private	Total	Public	Private	Total					
Belmont	25,648	3.64%	\$ 2,984.13	14	0	14	83	0	83	97	1.84%	\$ 1,507.43	\$ 4,491.56	
Brisbane	3,744	0.53%	\$ 435.61	2	0	2	66	0	66	68	1.29%	\$ 1,056.75	\$ 1,492.37	
Burlingame	28,322	4.02%	\$ 3,295.25	20	0	20	182	0	182	202	3.83%	\$ 3,139.18	\$ 6,434.43	
Daly City	104,820	14.88%	\$ 12,195.75	70	2	72	245	21	266	338	6.41%	\$ 5,252.69	\$ 17,448.44	
East Palo Alto	32,083	4.56%	\$ 3,732.84	108	0	108	124	0	124	232	4.40%	\$ 3,605.40	\$ 7,338.24	
Foster City	29,900	4.25%	\$ 3,478.85	4	0	4	306	0	306	310	5.88%	\$ 4,817.56	\$ 8,296.41	
Half Moon Bay	12,739	1.81%	\$ 1,482.18	5	0	5	29	0	29	34	0.64%	\$ 528.38	\$ 2,010.55	
Menlo Park	30,750	4.37%	\$ 3,577.74	6	0	6	25	0	25	31	0.59%	\$ 481.76	\$ 4,059.50	
Millbrae	20,735	2.94%	\$ 2,412.51	6	0	6	103	0	103	109	2.07%	\$ 1,693.92	\$ 4,106.42	
Pacifica	38,739	5.50%	\$ 4,507.26	11	0	11	305	0	305	316	5.99%	\$ 4,910.80	\$ 9,418.06	
Portola Valley	4,553	0.65%	\$ 529.74	0	0	0	1	1	2	2	0.04%	\$ 31.08	\$ 560.82	
Redwood City	76,087	10.80%	\$ 8,852.68	117	0	117	511	0	511	628	11.91%	\$ 9,759.44	\$ 18,612.12	
San Bruno	41,515	5.89%	\$ 4,830.25	66	2	68	378	29	407	475	9.01%	\$ 7,381.74	\$ 12,211.99	
San Carlos	28,265	4.01%	\$ 3,288.62	4	0	4	78	0	78	82	1.56%	\$ 1,274.32	\$ 4,562.94	
San Mateo	94,315	13.39%	\$ 10,973.50	61	0	61	1240	0	1240	1301	24.67%	\$ 20,218.21	\$ 31,191.70	
San Mateo County	64,756	9.19%	\$ 7,534.32	47	0	47	328	0	328	375	7.11%	\$ 5,827.69	\$ 13,362.02	
San Francisco	61,824	8.78%	\$ 7,193.19	70	0	70	600	1	601	671	12.73%	\$ 10,427.68	\$ 17,620.87	
Woodside	5,507	0.78%	\$ 640.74	0	0	0	2	0	2	2	0.04%	\$ 31.08	\$ 671.82	
TOTAL	704,302	100%	\$ 81,945.13	611	4	615	4606	52	4658	5273	100.00%	\$ 81,945.13	\$ 163,890.26	


Gregory P. Rothaus, Chief of Police


Date

State Controller's Office
 Division Of Accounting And Reporting
 Abandoned Vehicle Abatement
 Payment Report for Fiscal Year 2009/2010

	Paid 11/13/2009	Paid 02/08/2010	Correct 02/08/2010	Paid 05/12/2010	Year To Date
ALAMEDA COUNTY	312,461.07	276,137.89		300,505.15	889,104.11
AMADOR COUNTY	11,766.45	10,249.40		11,632.40	33,648.25
BUTTE COUNTY	50,847.23	44,488.05		48,702.08	144,037.36
CALAVERAS COUNTY	15,337.63	13,396.74		14,793.51	43,527.88
CONTRA COSTA COUNTY	227,683.55	199,400.28		218,318.21	645,402.04
DEL NORTE COUNTY	5,895.49	5,194.18		5,802.14	16,891.81
EL DORADO COUNTY	49,206.84	42,337.06		45,810.19	137,354.09
FRESNO COUNTY	176,273.01	155,734.30		172,082.17	504,089.48
GLENN COUNTY	7,307.12	6,908.84		7,104.40	21,320.36
HUMBOLDT COUNTY	33,848.54	29,750.15		31,656.69	95,255.38
IMPERIAL COUNTY	36,104.51	34,300.73		38,318.55	108,723.79
KINGS COUNTY	24,965.42	21,945.43		24,456.60	71,367.45
LAKE COUNTY	18,618.48	16,809.03		18,611.69	54,039.20
LASSEN COUNTY	7,611.21	6,504.92		7,168.59	21,284.72
MADERA COUNTY	29,749.16	26,509.24		28,711.18	84,969.58
MARIN COUNTY	60,174.20	52,870.04		56,192.10	169,236.34
MENDOCINO COUNTY	25,137.02	22,869.24		24,137.33	72,143.59
MONTEREY COUNTY	87,227.45	75,680.73		82,521.64	245,429.82
NAPA COUNTY	33,497.01	28,722.58		31,640.30	93,859.89
NEVADA COUNTY	29,104.41	25,344.59		26,374.09	80,823.09
ORANGE CO TRANS AUTH	643,087.85	574,971.53		614,103.20	1,832,162.58
PLUMAS COUNTY	7,285.86	6,422.70		6,872.97	20,581.53
REDDING	47,621.40	46,515.58	41,614.60	45,668.56	134,904.56
RIVERSIDE COUNTY	414,569.29	332,067.34	373,535.80	421,986.68	1,210,091.77
SACRAMENTO COUNTY	285,732.45	165,151.47	248,979.44	278,007.40	812,719.29
SAN BENITO COUNTY	12,954.97	211,324.06	11,446.77	12,706.59	37,108.33
SAN DIEGO CITY TREAS	663,316.53	420,831.98	585,968.99	652,311.32	1,901,596.84
SAN FRANCISCO CO	125,681.17	112,073.94	109,834.39	117,327.75	352,843.31
SAN JOAQUIN COUNTY	137,206.39	134,406.74	121,774.75	134,795.41	393,776.55
SAN MATEO COUNTY	168,197.16	212,070.54	153,049.33	166,415.66	487,662.15
SANTA CLARA COUNTY	381,470.27	238,838.06	334,224.30	362,859.64	1,078,554.21
SANTA CRUZ COUNTY	60,369.18	48,882.32	52,623.57	56,752.58	169,745.33
SOLANO TRANSP AUTH	91,789.25	79,382.23		88,491.68	259,663.16
SONOMA COUNTY	118,667.35	104,501.08		112,331.49	335,499.92
STANISLAUS COUNTY	105,934.96	94,334.52		105,059.15	305,328.63
TEHAMA COUNTY	14,411.55	13,215.26		14,379.00	42,005.81
TRINITY COUNTY	4,301.54	3,830.04		4,179.20	12,310.78
TULARE COUNTY	81,986.12	73,679.98		82,378.30	238,044.40
TUOLUMNE COUNTY	16,444.01	14,169.81		15,790.47	46,404.29
YUBA COUNTY	15,213.61	13,255.54		15,154.43	43,623.58
Total	4,639,056.71	2,072,916.11	2,033,051.94	4,502,110.49	13,247,135.25

SAN MATEO COUNTY ABANDONED VEHICLE ABATEMENT PROGRAM
DETAIL FOR QUARTERLY REPORT ENDING 03/31/10

OFFICE OF THE CHIEF OF POLICE/FINANCE DEPARTMENT
(ADMINISTRATION COSTS)

Personnel Costs - Police/Admin.

** 2 hours @ \$138.72/hr	\$277.44
** 4 hours @ \$46.13	\$184.52

Personnel Costs - Finance

** Finance Dept. Personnel	\$1,663.44
Finance Dept. Supplies	\$400.00

TOTAL EXPENSES	\$2,525.40
-----------------------	-------------------



Gregory P. Rothaus, CHIEF OF POLICE

6/8/10
Date

**All personnel costs include benefits

Expenditures

	<u>Admin. Costs</u>	<u>Disbursements</u>	<u>Total FY 08/09</u>
1st Quarter	\$ 2,525.40	\$ 165,671.76	\$ 168,197.16
2nd Quarter	\$ 2,548.47	\$ 150,500.86	\$ 153,049.33
3rd Quarter	\$ 2,525.40	\$ 163,890.26	\$ 166,415.66
4th Quarter			
FY 09/10	\$ 7,599.27	\$ 480,062.88	\$ 487,662.15

Vehicles Abated

1st Quarter	5,662
2nd Quarter	5,234
3rd Quarter	5,273
4th Quarter	
FY 09/10	16,169

C/CAG AGENDA REPORT

Date: August 12, 2010
To: City/County Association of Governments Board of Directors
From: Richard Napier, Executive Director
Subject: Review and accept the C/CAG Single Audit Report for the year ended June 30, 2009
(For further information or questions contact Sandy Wong at 599-1409)

RECOMMENDATION

That the C/CAG Board review and accept the C/CAG Single Audit Report for the year ended June 30, 2009.

FISCAL IMPACT

None

SOURCE OF FUNDS

This audit pertains to Federal funds expended by C/CAG, including US-DOT Transportation Planning, Programming, and Transportation/Land Use Coordination grant, Regional Rideshare Program grant, and Airport Improvement Program grant.

BACKGROUND/DISCUSSION

An independent audit was performed on C/CAG for the year ended June 30, 2009. No issues were identified that required correction. The audit did not disclose any significant deficiencies, or material weaknesses or instances of noncompliance material to the basic financial statements. The audit also did not disclose any findings or questioned costs required to be reported in accordance with section 510(a) of OMB Circular A-133.

ATTACHMENT

C/CAG Single Audit Report For The Year Ended June 30, 2009

**CITY/COUNTY ASSOCIATION
OF GOVERNMENTS
OF SAN MATEO COUNTY
SINGLE AUDIT REPORT
FOR THE YEAR ENDED JUNE 30, 2009**

**CITY/COUNTY ASSOCIATION
OF GOVERNMENTS
OF SAN MATEO COUNTY**

**SINGLE AUDIT REPORT
For The Year Ended June 30, 2009**

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**CITY/COUNTY ASSOCIATION
OF GOVERNMENTS
OF SAN MATEO COUNTY**

**SCHEDULE OF FINDINGS AND QUESTIONED COSTS
For The Year Ended June 30, 2009**

SECTION I—SUMMARY OF AUDITOR’S RESULTS

Financial Statements

Type of auditor’s report issued:	<u>Unqualified</u>			
Internal control over financial reporting:				
• Material weakness(es) identified?	<u> </u> Yes	<u> X </u>	<u> </u> No	
• Significant deficiency(ies) identified that are not considered to be material weaknesses?	<u> </u> Yes	<u> X </u>	<u> </u> None Reported	
Noncompliance material to financial statements noted?	<u> </u> Yes	<u> X </u>	<u> </u> No	

Federal Awards

Type of auditor’s report issued on compliance for major programs:	<u>Unqualified</u>			
Internal control over major programs:				
• Material weakness(es) identified?	<u> </u> Yes	<u> X </u>	<u> </u> No	
• Significant deficiency(ies) identified that are not considered to be material weaknesses?	<u> </u> Yes	<u> X </u>	<u> </u> None Reported	
Any audit findings disclosed that are required to be reported in accordance with section 510(a) of OMB Circular A-133?	<u> </u> Yes	<u> X </u>	<u> </u> No	

Identification of major programs:

<u>CFDA#(s)</u>	<u>Name of Federal Program or Cluster</u>
<u>20.205</u>	<u>Department of Transportation - Highway Planning and Construction</u>

Dollar threshold used to distinguish between type A and type B programs: \$300,000

Auditee qualified as low-risk auditee? Yes X No

SECTION II – FINANCIAL STATEMENT FINDINGS

Our audit did not disclose any significant deficiencies, or material weaknesses or instances of noncompliance material to the basic financial statements. We have also issued a separate Memorandum on Internal Control dated October 19, 2009 which is an integral part of our audits and should be read in conjunction with this report.

SECTION III – FEDERAL AWARD FINDINGS AND QUESTIONED COSTS

Our audit did not disclose any findings or questioned costs required to be reported in accordance with section 510(a) of OMB Circular A-133

SECTION IV - STATUS OF PRIOR YEAR FINDINGS AND QUESTIONED COSTS – Prepared by Management

Financial Statement Prior Year Findings

There were no prior year Financial Statement Findings reported.

Federal Award Prior Year Findings and Questioned Costs

There were no prior year Federal Award Findings and Questioned Costs reported.

**CITY/COUNTY ASSOCIATION OF
GOVERNMENTS OF SAN MATEO COUNTY**

**SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
For the Fiscal Year Ended June 30, 2009**

<u>Grantor Agency and Award Title</u>	<u>Identifying Pass-Through Grant #</u>	<u>Catalog of Federal Domestic Assistance Number</u>	<u>Program Expenditures</u>
U.S. Department of Transportation Pass-Through Programs from:			
Metropolitan Transportation Commission Highway Planning and Construction Grant Transportation Planning, Programming, and Transportation /Land Use Coordination	6084(138)	20.205	\$548,262
Regional Rideshare Program	STPCML-6084(137)	20.Unknown	<u>70,000</u>
Subtotal Department of Transportation Pass-Through Programs			<u>618,262</u>
U.S. Department of Transportation Direct Programs			
Airport Improvement Program Grant		20.106	<u>\$72,275</u>
Total Expenditures of Federal Awards			<u><u>\$690,537</u></u>

See Accompanying Notes to Schedule of Expenditures of Federal Awards

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**CITY/COUNTY ASSOCIATION
OF GOVERNMENTS
OF SAN MATEO COUNTY**

**NOTES TO THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
For The Year Ended June 30, 2009**

NOTE 1-REPORTING ENTITY

The Schedule of Expenditure of Federal Awards (the Schedule) includes expenditures of federal awards for the City/County Association of Governments of San Mateo County (C/CAG), California.

NOTE 2-BASIS OF ACCOUNTING

Basis of accounting refers to *when* revenues and expenditures or expenses are recognized in the accounts and reported in the financial statements, regardless of the measurement focus applied. All governmental funds are accounted for using the modified accrual basis of accounting. Expenditures of Federal Awards reported on the Schedule are recognized when incurred.

NOTE 3-DIRECT AND INDIRECT (PASS-THROUGH) FEDERAL AWARDS

Federal awards may be granted directly to the City by a federal granting agency or may be granted to other government agencies which pass-through federal awards to the City. The Schedule includes both of these types of Federal award programs when they occur.

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ACCOUNTANCY CORPORATION
3478 Buskirk Ave. - Suite 215
Pleasant Hill, California 94523
(925) 930-0902 • FAX (925) 930-0135
maze@mazeassociates.com
www.mazeassociates.com

**REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE
AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED
IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

Honorable Governing Board
of the City/County Association of Governments of San Mateo County
Redwood City, California

We have audited the financial statements of the City/County Association of Governments of San Mateo County (C/CAG) as of and for the year ended June 30, 2009, and have issued our report thereon dated October 19, 2009. We conducted our audit in accordance with generally accepted auditing standards in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Internal Control over Financial Reporting

In planning and performing our audit, we considered the C/CAG's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the C/CAG's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the C/CAG's internal control over financial reporting.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the C/CAG's ability to initiate, authorize, record, process or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of the C/CAG's financial statements that is more than inconsequential will not be prevented or detected by the C/CAG's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the C/CAG's internal control.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the C/CAG's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance and other matters that are required to be reported under *Government Auditing Standards*.

We have also issued a separate Memorandum on Internal Control October 19, 2009 which is an integral part of our audits and should be read in conjunction with this report.

This report is intended solely for the information and use of C/CAG's Governing Board, management, and federal awarding agencies and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

Mare & Associates

October 19, 2009

ACCOUNTANCY CORPORATION
3478 Buskirk Ave. - Suite 215
Pleasant Hill, California 94523
(925) 930-0902 • FAX (925) 930-0135
maze@mazeassociates.com
www.mazeassociates.com

**REPORT ON COMPLIANCE WITH REQUIREMENTS APPLICABLE TO
EACH MAJOR PROGRAM AND ON INTERNAL CONTROL OVER COMPLIANCE IN
ACCORDANCE WITH OMB CIRCULAR A-133**

Honorable Governing Board
of the C/CAG/County Association of Governments of San Mateo County
Redwood C/CAG, California

Compliance

We have audited the compliance of the City/County Association of Governments of San Mateo County (C/CAG) with the types of compliance requirements described in the OMB Circular A-133 *Compliance Supplement* that are applicable to each of its major federal programs for the year ended June 30, 2009. The C/CAG's major federal programs are identified in Section I - Summary of Auditor's Results included in the accompanying Schedule of Findings and Questioned Costs. Compliance with the requirements of laws, regulations, contracts and grants applicable to each of its major federal programs is the responsibility of the C/CAG's management. Our responsibility is to express an opinion on the C/CAG's compliance based on our audit.

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the C/CAG's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination on the C/CAG's compliance with those requirements.

In our opinion, the C/CAG complied, in all material respects, with the requirements referred to above that are applicable to each of its major federal programs for the year ended June 30, 2009.

Internal Control over Compliance

The management of the C/CAG is responsible for establishing and maintaining effective internal controls over compliance with the requirements of laws, regulations, contracts, and grants applicable to federal programs. In planning and performing our audit, we considered the C/CAG's internal control over compliance with the requirements that could have a direct and material effect on a major federal program in order to determine our auditing procedures for the purpose of expressing our opinion on compliance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of C/CAG's internal control over compliance.

A *control deficiency* in the C/CAG's internal control over compliance exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect noncompliance with a type of compliance requirement of a federal program on a timely basis. A *significant deficiency* is a control deficiency, or combination of control deficiencies, that adversely affects the C/CAG's ability to administer a federal program such that there is more than a remote likelihood that noncompliance with a type of compliance requirement of a federal program that is more than inconsequential will not be prevented or detected by the C/CAG's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that material noncompliance with a type of compliance requirement of a federal program will not be prevented or detected by the C/CAG's internal control.

Our consideration of the internal control over compliance was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in the internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over compliance that we consider material weaknesses, as defined above.

Schedule of Expenditures of Federal Awards

We have audited the financial statements of the C/CAG as of and for the year ended June 30, 2009, and have issued our report thereon dated October 19, 2009. Our audit was performed for the purpose of forming opinions on the financial statements. The accompanying schedule of expenditures of federal awards is presented for the purposes of additional analysis as required by OMB Circular A-133 and is not a required part of the financial statements. Such information has been subjected to the auditing procedures applied in the audit of the financial statements and, in our opinion, is fairly stated, in all material respects, in relation to the financial statements taken as a whole.

This report is intended solely for the information and use of C/CAG's Governing Board, management, and federal awarding agencies and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

Mare & Associates

May 27, 2010

C/CAG AGENDA REPORT

Date: August 12, 2010
To: C/CAG Board of Directors
From: Richard Napier
Subject: Review and approval of the Transportation Fund for Clean Air (TFCA) Program Manager Fund Audit for specified projects for the period July 1, 2006 through June 30, 2008.

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

RECOMMENDATION

That the C/CAG Board review and approve the Transportation Fund for Clean Air (TFCA) Program Manager Fund Audit for specified projects for the period July 1, 2006 through June 30, 2008.

FISCAL IMPACT

None

SOURCE OF FUNDS

The Bay Area Air Quality Management District (Air District) is authorized under Health and Safety code Section 44223 and 44225 to levy a fee on motor vehicles. Funds generated by the fee are referred to as the Transportation Fund for Clean Air (TFCA) funds and are used to implement projects to reduce air pollution from motor vehicles. Health and Safety Code Section 44241(d) stipulates that forty percent (40%) of funds generated within a county where the fee is in effect shall be allocated by the Air District to one or more public agencies designated to receive the funds, and for San Mateo County, C/CAG has been designated as the overall Program Manager to receive the funds.

BACKGROUND/DISCUSSION

As the Program Manager for the San Mateo County TFCA funds, C/CAG is responsible for the management and oversight of the funds at the County level. As a result, C/CAG goes through periodic independent audits to confirm that the oversight and management has been satisfactory. C/CAG recently completed an audit and the findings of that audit are presented in the attached Independent Auditor's Reports and Schedule of Expenditures of Program Manager Fund Projects. The audit was conducted for specified projects for the period from July 1, 2006 through June 30, 2008.

ITEM 5.6

There were no findings reported in the audit.

The audit did list information in relation to the Status of Prior Audit Findings and Recommendations. The information was in relation to the Annual Report that is required by the Bay Area Air Quality Management District. In fiscal year 2002/2003 the annual report was submitted three days late. It should be noted that this finding was discovered and reported during the audit in 2004. C/CAG recognized this finding during the 2004 audit and has since taken steps ensure that it does not happen again.

ATTACHMENTS

- TFCA Independent Auditor's Reports and Schedule of Expenditures of Program Manager Fund Projects

**CITY/COUNTY ASSOCIATION OF GOVERNMENTS
OF SAN MATEO COUNTY**

**Transportation Fund for Clean Air Program
Manager Fund**

Independent Auditor's Reports and
Schedule of Expenditures of Program Manager Fund Projects

For Specified Projects Conducted for the Period from
July 1, 2006 through June 30, 2008

**MAZE &
ASSOCIATES**

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**CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
TRANSPORTATION FUND FOR CLEAN AIR PROGRAM MANAGER FUND
For Specified Projects Conducted for the Period from
July 1, 2006 through June 30, 2008**

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INDEPENDENT AUDITOR'S REPORT

ACCOUNTANCY CORPORATION
3478 Buskirk Ave. - Suite 215
Pleasant Hill, California 94523
(925) 930-0902 • FAX (925) 930-0135
maze@mazeassociates.com
www.mazeassociates.com

Board of Directors of
City/County Association of Governments of San Mateo County
Redwood City, California

Board of Directors
Bay Area Air Quality Management District
San Francisco, California

We have audited the accompanying schedule of expenditures of Program Manager Fund projects (financial schedule) of the City/County Association of Governments of San Mateo County's (C/CAG) Transportation Fund for Clean Air (TFCA) Program for specified projects conducted for the period from July 1, 2006 through June 30, 2008. This financial schedule is the responsibility of C/CAG's management. Our responsibility is to express an opinion on this financial schedule based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in the *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial schedule is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial schedule. An audit includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of C/CAG's internal control over reporting as it pertains to the TFCA Program. Accordingly, we express no such opinion. An audit also includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial schedule, assessing the accounting principles used and the significant estimates made by management, as well as evaluating the overall financial schedule presentation. We believe that our audit provides a reasonable basis for our opinion.

The financial schedule was prepared to present the activities of C/CAG's TFCA Program, as described in Note 1, and does not purport to, and does not, present fairly the changes in the C/CAG's financial position for the period from July 1, 2006 through June 30, 2008 in conformity with accounting principles generally accepted in the United States of America.

In our opinion, the financial schedule referred to in the first paragraph presents fairly, in all material respects, the expenditures of Program Manager Fund projects of C/CAG's TFCA Program for specified projects conducted for the period from July 1, 2006 through June 30, 2008, in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report, starting on page 5, dated January 16, 2009, on our consideration of C/CAG's internal control over financial reporting pertaining to the TFCA Program and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.

Maze & Associates

January 16, 2009

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
Transportation Fund for Clean Air Program Manager Fund
Schedule of Expenditures of Program Manager Fund Projects
For Specified Projects Conducted for the Period from
July 1, 2006 through June 30, 2008

Sponsor Project Description	Project Number	Project Allocation (Original)	Project Allocation (Final)	Project Expenditures	Project Status	Project Completion Date
C/CAG						
Program Administration	05SM00	\$16,317	\$16,317	\$16,317	Completed	6/30/2006
TFCA FY 2006-2007 Program Management	06SM00	31,661	31,661	31,661	Completed	6/30/2007
Financial Database Correction	06SM00	0	0	0	Cancelled	N/A
TFCA FY 2007-2008 Program Management	07SM00	49,099	49,099	38,635	Completed	6/30/2008
City of Menlo Park						
Menlo Park Mid-day & Shoppers' Shuttle	05SM01	40,000	40,000	40,000	Completed	6/30/2006
Menlo Park Mid-day & Shoppers' Shuttle	06SM01	45,000	45,000	45,000	Completed	6/30/2007
Peninsula Congestion Relief Alliance						
TDM/TSM Program	05SM02	143,333	143,333	143,333	Completed	6/30/2006
TDM/TSM Program	05SM02	286,667	286,667	286,667	Completed	6/30/2006
TDM/TSM Program	06SM02	75,000	75,000	75,000	Completed	6/30/2007
TDM/TSM Program	06SM02	375,000	375,000	375,000	Completed	6/30/2007
TDM/TSM Program	07SM02	453,000	453,000	453,000	Completed	6/30/2008
SamTrans Shuttle Bus Program						
SamTrans Shuttle Bus Service	05SM03	605,000	605,000	605,000	Completed	6/30/2006
SamTrans Shuttle Bus Service	06SM03	638,000	638,000	638,000	Completed	6/30/2007
SamTrans Shuttle Bus Service	07SM03	576,000	576,000	576,000	Completed	6/30/2008
Total		<u>\$3,334,077</u>	<u>\$3,334,077</u>	<u>\$3,323,613</u>		

See accompanying Notes to the Schedule of Expenditures of Program Manager Fund

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

Transportation Fund for Clean Air Program Manager Fund

Notes to the Schedule of Expenditures of Program Manager Fund Projects
For Specified Conducted for the Period from July 1, 2006 through June 30, 2008

NOTE 1 – PROGRAM DESCRIPTION

The California Health and Safety Code Sections 44223 and 44225 authorize a surcharge on the motor vehicle registration fee (surcharge) to be used by the Bay Area Air Quality Management District (Air District) and local governments specifically for programs to reduce air pollution from motor vehicles. The Department of Motor Vehicles collects the surcharge and subvenes the amounts to the Air District. The Air District administers these funds through the Transportation Fund for Clean Air (TFCA) Program. Under the TFCA Program, money is allocated to two funds: (1) 60% is placed in the Regional Fund and allocated to entities on a competitive basis by the Air District and (2) 40 % is placed in the Program Manager Fund and allocated to designated agencies (known as Program Managers). Program Managers are responsible for allocating funds to eligible entities within a specific geographic area. For the subject period, allowable projects under Health and Safety Code Section 44241 included the following:

- Ridesharing programs
- Purchase or lease of clean fuel buses for school and transit operators
- Feeder or shuttle bus service to rail and ferry stations and airports
- Arterial traffic management
- Demonstrations in congestion pricing of highways, bridges and public transit
- Rail-bus integration and regional transit information systems
- Low-emission vehicle based projects
- Bicycle facility improvement projects
- Physical improvements that support "Smart Growth" projects

A. Relationship to the C/CAG's Basic Financial Statements

The City/County Association of Governments of San Mateo County (C/CAG) is the designated Program Manager for the C/CAG of San Mateo and maintains a sub-ledger within a special revenue fund to account for activities of the TFCA Program. Accordingly, the TFCA Program is included in a special revenue fund of C/CAG's basic financial statements.

The schedule of expenditures of Program Manager Fund projects (Schedule) represents only the activities of C/CAG's TFCA Program and is not intended to present fairly the financial position and changes in financial position of C/CAG in conformity with accounting principles generally accepted in the United States of America.

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

Transportation Fund for Clean Air Program Manager Fund

Notes to the Schedule of Expenditures of Program Manager Fund Projects
For Specified Conducted for the Period from July 1, 2006 through June 30, 2008

NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The accounting policies mentioned below reflect accounting policies and practices unique to either state and local governments or C/CAG's TFCA Program Manager Fund.

A. Program Manager Projects

The Schedule reports on certain TFCA projects selected by the Air District for audit. The Schedule covers TFCA Program expenditures for specified projects conducted for the period from July 1, 2006 through June 30, 2008.

B. Basis of Accounting

The expenditures of the TFCA Program are accounted for in a special revenue fund using the modified accrual basis of accounting. Under this basis of accounting, revenues are recorded when susceptible to accrual (i.e. measurable and available). Measurable means the amount of the transaction can be determined and available means collectible within the current period or soon enough thereafter to be used to pay liabilities of the current period. Expenditures are recorded when the related fund liability is incurred.

C. Investment Pool

C/CAG's Investment Policy allows it to invest in the state's Local Agency Investment Fund (LAIF) and the San Mateo County Investment Fund (SMCIF). LAIF is regulated by California Government Code Section 16429 under the oversight of the Treasurer of the State of California. SMCIF is regulated by California Government Code Section 5600 under the oversight of the treasurer of the County of San Mateo. The relative shares in each pool are guided through the process outlined in the C/CAG Investment Policy. Day to day management of C/CAG's portfolio is conducted by the C/CAG Fiscal Agent Administrative Services Director and Finance Officer. The C/CAG Fiscal Agent has an Investment Committee that meets as necessary to discuss changes to the investment strategy.

ACCOUNTANCY CORPORATION
3478 Buskirk Ave. - Suite 215
Pleasant Hill, California 94523
(925) 930-0902 • FAX (925) 930-0135
maze@mazeassociates.com
www.mazeassociates.com

**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL
OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS
BASED ON AN AUDIT OF A FINANCIAL SCHEDULE PERFORMED IN ACCORDANCE WITH
GOVERNMENT AUDITING STANDARDS AND REQUIREMENTS OF SECTION 44241
OF THE CALIFORNIA HEALTH AND SAFETY CODE**

Board of Directors of
City/County Association of Governments of San Mateo County
Redwood City, California

Board of Directors
Bay Area Air Quality Management District
San Francisco, California

We have audited the schedule of expenditures of Program Manager fund projects (financial schedule) of the City/County Association of Governments of San Mateo County's (C/CAG's) Transportation Fund for Clean Air (TFCA) Program for the specified projects conducted for the period from July 1, 2006 through June 30, 2008, and have issued our report thereon dated January 16, 2009. We conducted our audit in accordance with generally accepted auditing standards in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Internal Control over Financial Reporting

In planning and performing our audit, we considered C/CAG's internal control over the TFCA Program's financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial schedule, but not for the purpose of expressing an opinion on the effectiveness of the C/CAG's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the C/CAG's internal control over financial reporting.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects C/CAG's ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of C/CAG's financial schedule that is more than inconsequential will not be prevented or detected by the C/CAG's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial schedule will not be prevented or detected by the C/CAG's internal control.

Our consideration of internal control over financial reporting was for the limited purpose described in the second paragraph and would not necessarily identify all deficiencies in internal control over financial reporting that might be significant deficiencies or material weaknesses.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the financial schedule is free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial schedule amounts. Our audit included tests of compliance with provisions of Section 44241 of the California Health and Safety Code. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance that are required to be reported under *Government Auditing Standards*.

This report is intended for the information of the Board of Directors and management of Bay Area Air Quality Management District and C/CAG and is not intended to be and should not be used by anyone other than the above parties.

Maze & Associates

January 16, 2009

**CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
TRANSPORTATION FUND FOR CLEAN AIR PROGRAM MANAGER FUND**

Schedule of Findings and Recommendations

For Specified Projects Conducted from July 1, 2006 through June 30, 2008

None reported.

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**CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
TRANSPORTATION FUND FOR CLEAN AIR PROGRAM MANAGER FUND**

Status of Prior Audit Findings and Recommendations

For Specified Projects Conducted from July 1, 2000 through June 30, 2006

2006-1

Condition:

According to the funding agreement between the Bay Area Air Quality Management District (the Air District) and C/CAG, C/CAG is required to submit a report to the Air District within four months of the end of each fiscal year. During the previous audit, it was noted that the annual report for fiscal year 2002-03 was submitted three days late.

Status:

Recent annual reports (annual reports for years 2006/07 and 2007/08) were submitted to the Air District within four months of the end of each fiscal year.

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C/CAG AGENDA REPORT

Date: August 12, 2010
To: C/CAG Board of Directors
From: Richard Napier, Executive Director - C/CAG
Subject: Review and accept the Quarterly Investment Report ending March 31, 2010
(For further information or response to questions, contact Richard Napier at 650 599-1420)

Recommendation:

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

Fiscal Impact:

None.

Revenue Source:

All C/CAG revenue sources.

Background:

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

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

Attachments:

Quarterly Investment Report as of March 31, 2010

Alternatives:

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

ITEM 5.7

From: "Rebecca Mendenhall" <RMendenhall@cityofsancarlos.org>
To: "Nancy Blair" <nblair@co.sanmateo.ca.us>, "Napier, Richard" <rnapi@co....>
Date: 5/14/2010 9:44 AM
Subject: Quarterly Investment Reports as of 3/31/10
Attachments: CCAG Quarterly Investment Report 03-31-10.pdf; CCAG Quarterly Investment Report 03-31-10.doc

Attached are the quarterly investment reports as of 3/31/10. These have been reviewed/approved by the City's Investment Committee.

Thanks

Rebecca

Rebecca Mendenhall

Finance Officer

City of San Carlos 600 Elm Street San Carlos, CA

(650) 802-4221 - direct (650) 595-6767 - fax

rmendenhall@cityofsancarlos.org <mailto:rmendenhall@cityofsancarlos.org>

CITY AND COUNTY ASSOCIATION OF GOVERNMENTS

Board of Directors Agenda Report

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

SUBJECT: Quarterly Investment Report as of March 31, 2010

RECOMMENDATION:

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

ANALYSIS

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

Below is a summary of the changes in the portfolio:

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

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

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

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

Attachments

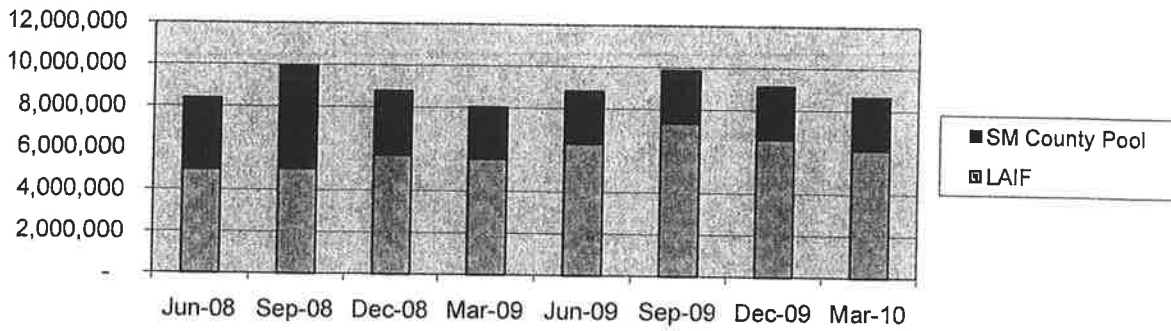
- 1 – Investment Portfolio Summary for the Quarter Ended March 31, 2010
- 2 – Historical Summary of Investment Portfolio

CITY & COUNTY ASSOCIATION OF GOVERNMENTS

SUMMARY OF ALL INVESTMENTS
For Quarter Ending March 31, 2010

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

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



City/County Association of Governments Investment Portfolio

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

C/CAG AGENDA REPORT

DATE: August 12, 2010

TO: City/County Association of Governments Board of Directors

FROM: Richard Napier, Executive Director

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

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

RECOMMENDATION

That the C/CAG Board review and approve Resolution 10-38 authorizing the C/CAG Chair to execute the Program Manager Funding Agreement with the Bay Area Air Quality Management District (BAAQMD) for the 2010/2011 Transportation Fund for Clean Air (TFCA) (40%) Program for San Mateo County for an amount up to \$1,004,153 in accordance with staff recommendation.

FISCAL IMPACT

This agreement provides up to \$1,004,153 in TFCA funding for FY 2010/2011. Included in this amount is \$47,153 to cover the administrative costs of the program.

SOURCE OF FUNDS

The Bay Area Air Quality Management District (BAAQMD) is authorized under Health and Safety code Section 44223 and 44225 to levy a fee on motor vehicles. Funds generated by the fee are referred to as the Transportation Fund for Clean Air (TFCA) funds and are used to implement projects to reduce air pollution from motor vehicles. Health and Safety Code Section 44241(d) stipulates that forty percent (40%) of funds generated within a county where the fee is in effect shall be allocated by the Air District to one or more public agencies designated to receive the funds, and for San Mateo County, C/CAG has been designated as the overall Program Manager to receive the funds.

BACKGROUND/ DISCUSSION

C/CAG acts as the Program Manager for the Transportation Fund for Clean Air (TFCA) Program in San Mateo County. This program distributes Transportation Fund for Clean Air funds to qualifying projects that reduce emissions in the air. At the March 11, 2010 C/CAG Board meeting the Board approved the projects to be funded as part of the TFCA Program. The projects that were approved include:

ITEM 5.8.1

C/CAG	Administration	\$47,153
SamTrans	Shuttle Bus Program	\$536,000
Peninsula Traffic Congestion Relief Alliance	County-wide Voluntary Trip Reduction Program	\$421,000
TOTAL		\$1,004,153

The attached funding agreement between C/CAG and the Bay Area Air Quality Management District is for the receipt of the FY 10/11 TFCA County Program Manager funds.

ATTACHMENTS

- Resolution 10-38
- Funding agreement with the Bay Area Air Quality Management District

RESOLUTION 10-38

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG CHAIR TO EXECUTE THE PROGRAM MANAGER FUNDING AGREEMENT WITH THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT (BAAQMD) FOR THE 2010/2011 TRANSPORTATION FUND FOR CLEAN AIR (TFCA) (40%) PROGRAM FOR SAN MATEO COUNTY FOR AN AMOUNT UP TO \$1,004,153.

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

WHEREAS, the Board of Directors of the City/County Association of Governments at its March 11, 2010 meeting approved certain projects and programs for funding through San Mateo County's 40 percent local share of Transportation Fund for Clean Air (TFCA) revenues; and,

WHEREAS, the City/County Association of Governments will act as the Program Manager for \$1,004,153 of TFCA funded projects; and,

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that on behalf of C/CAG the Chair is authorized to enter into an agreement with the Bay Area Air Quality Management District for the 2010/2011 Transportation Fund for Clean Air (TFCA) San Mateo County Program.

PASSED, APPROVED, AND ADOPTED THIS 12TH DAY OF AUGUST 2010.

Thomas M. Kasten, Chair

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

10-SM

This Funding Agreement (Agreement) is entered into between the City/County Association of Governments, hereinafter referred to as "Program Manager," and the Bay Area Air Quality Management District, hereinafter referred to as "Air District," hereinafter referred to jointly as "Parties." This Agreement includes Attachment A, which specifies the funding allocated under this Agreement, and Attachment B, which pertains to insurance requirements.

SECTION I

RECITALS:

- 1) The Air District is authorized under Health and Safety Code Sections 44223 and 44225 to levy a fee on motor vehicles registered within its jurisdiction ("Motor Vehicle Fees"). Funds generated by the fee are referred to as the Transportation Fund for Clean Air (TFCA) and are used to implement projects to reduce air pollution from motor vehicles.
- 2) Health and Safety Code Section 44241 limits expenditure of collected revenues to specified transportation control measures included in the plan adopted pursuant to Health and Safety Code Sections 40233 and 40717 and prescribes the allocation of the funds to entities within the Air District's jurisdiction.
- 3) Health and Safety Code Section 44241(d) stipulates that forty (40) percent of funds generated within a county where the fee is in effect shall be allocated by the Air District to one or more public agencies designated to receive the funds to implement the Air District's TFCA Program Manager program ("Program").
- 4) The Air District has been notified, in a communication dated July 29, 1992, that the Program Manager is the duly authorized recipient of forty (40) percent of the funds collected in San Mateo County, and has been so designated by resolution(s) adopted by the San Mateo County Board of Supervisors and by the City Councils of a majority of the cities representing a majority of the population in the incorporated area of the county. The resolution(s) specify the terms and conditions for the expenditure of funds by the Program Manager.
- 5) On February 3, 2010, the Air District Board of Directors ("Board of Directors") approved TFCA County Program Manager Fund Policies for Fiscal Year ("FY") 2010/2011 ("Policies"). The Policies set forth requirements, including eligibility and cost-effectiveness requirements, for projects funded by FY 2010/2011 TFCA funds. The Policies are incorporated as Appendix C and made a part of the "County Program Manager Fund Expenditure Plan Guidance for Fiscal Year 2010/2011, February 8, 2010," and are incorporated herein and made a part hereof by this reference as if fully set forth herein.
- 6) On or about March 22, 2010, the Program Manager submitted an Expenditure Plan Application to the Air District, which specified interest income earned by the Program

Manager and TFCA funds from previously funded TFCA projects available for reprogramming to other projects.

- 7) On June 2, 2010, the Board of Directors approved an FY 2010/2011 estimated funding allocation of \$1,004,153.13 for the City/County Association of Governments (“Total Available TFCA Funds”).
- 8) The Air District and the Program Manager, pursuant to Health and Safety Code Section 44241, hereby enter into this funding agreement to implement the Program within San Mateo County; to select and fund projects that improve air quality in the San Francisco Bay Area Air Basin and comply with the Policies; and to oversee such funded projects to assure that they meet, and are implemented in accordance with, the Policies and the terms of this funding agreement (“Agreement”). This Agreement covers the funding allocation set forth in Paragraph 7 above.

SECTION II

PROGRAM MANAGER AGREES:

- 1) To implement the FY 2010/2011 Program within San Mateo County in accordance with this Agreement and the Policies.
- 2) To select and fund projects that improve air quality in the San Francisco Bay Area Air Basin and that comply with the Policies and the terms of this Agreement (“Program Projects”). Recipients of Total Available TFCA Funds may include the Program Manager, which undertakes its own County projects, and other entities (“Sub-awardees”). The Program Manager will designate the Program Projects as FY 2010/2011 Program Projects for administrative purposes.
- 3) Except in the case where the Program Manager is the Sub-awardee, to enter into a binding agreement with each Sub-awardee that sets forth the maximum amount of Total Available TFCA Funds awarded for each Program Project, and requires each Sub-awardee to comply with the terms of this Agreement and the Policies and to implement the Program Projects as approved by the Program Manager. The Program Manager shall maintain copies of the Program Manager’s written agreements with Sub-awardees and any amendments thereto with Sub-awardees to carry out the Program Projects.
- 4) To encumber and expend all Total Available TFCA Funds within two (2) years of receipt. The Program Manager may extend this time limit for up to an additional two (2) years if, pursuant to the provisions of the Health and Safety Code Section 44242:
 - a) The project completion schedule of a Program Project, as proposed and approved, will exceed two (2) years from the date the Program Manager receives the Total Available TFCA Funds, or
 - b) The Program Manager finds that, despite significant progress, the Sub-awardee requires additional time to implement a Program Project.
- 5) To return to the Air District any Total Available TFCA Funds and associated interest unexpended as per Section II, Paragraph 4 unless either:

- a) The Program Manager has approved an extension of up to two (2) years for a Sub-awardee to complete its Program Project(s), or
 - b) The Air District and the Program Manager have amended this Agreement to provide for further extensions of time to expend such funds.
- 6) To maintain, at all times during the term of this Agreement, a separate account or sub-ledger for all Total Available TFCA Funds and to withdraw funds from this separate account only for the reimbursement of costs to implement Program Projects. Failure to comply with this paragraph shall constitute grounds for termination pursuant to Section IV, Paragraph 2 below.
 - 7) To maintain, or cause to be maintained, adequate records to document and demonstrate to Air District staff and auditors the receipt, interest accrual, and expenditures of Air District funds to implement the Program.
 - 8) To track and report to the Air District all interest accrued from Total Available TFCA Funds.
 - a) The Program Manager shall not use interest from Total Available TFCA Funds for administration purposes.
 - b) The Program Manager's distribution of any interest funds shall be at the discretion of the Program Manager, after consultation with the Air District and shall be in accordance with the Policies and applicable State law.
 - 9) To track and report to the Air District any funds and associated interest unencumbered at the time of completion or termination of a Program Project. The distribution of any such funds and associated interest shall be at the discretion of the Program Manager, after consultation with the Air District.
 - 10) To limit administrative costs to conduct the Program to no more than five percent (5%) of the Total Available TFCA Funds received.
 - 11) To allow, and to require the Sub-awardees to allow, the Air District's staff, its authorized representatives, and its independent auditors, during the term of this Agreement and for three (3) years following completion of each Program Project, to conduct performance and financial audits of the County's Program and Program Projects and to inspect the Program Projects. During audits, the Program Manager will make available to the Air District in a timely manner all records relating to the Program Manager's implementation of the Program and of Sub-awardees' expenses and performance of their Program Projects. During inspections, the Program Manager will provide, at the request of the Air District, access to inspect a Sub-awardee's Program Projects and related records.
 - 12) To keep, and to require Sub-awardees to keep, all financial and Program Project implementation records necessary to demonstrate compliance with this Agreement and the Program. Such records include the reports and those records required to comply with Section II, Paragraphs 8, 9, 10, 12, and 15. Such records shall include documentation that demonstrates significant progress made for those Program Projects seeking extensions to the completion date. The Program Manager shall keep such documents in a central location for a period of three (3) years following completion of the projects and shall require each Sub-awardee to keep its necessary records at a central Sub-awardee location.

- 13) To maintain, and to require that each Sub-awardee maintain, employee time sheets documenting those hourly labor costs incurred in the implementation of this Agreement, including both administrative and Program Project implementation costs, or to establish an alternative method to document staff costs charged to the funded project.
- 14) To distribute Total Available TFCA Funds allocated to a Sub-awardee only as reimbursement for documented Program Project costs that are eligible and approvable under the Policies.
- 15) To prepare and submit reports to the Air District as follows:
 - a) Semi-annual Funding Status Report: Beginning October 31, 2010, the Program Manager shall submit a report on May 31 and October 31 of each year until all Program Projects are completed that specifies a) the Program Projects that have been cancelled, completed, and completed at a cost less than the allocation during the previous six-month period and if completed at a lesser cost, the amount of associated unexpended funds; and b) the Program Projects for which the Program Manager has extended any deadlines and, for those projects, the revised completion date and documentation of the Program Manager's certification that, pursuant to Health and Safety Code Section 44242(d), the Sub-awardee had made significant progress.
 - b) Final Reports: Beginning May 31, 2011, the Program Manager shall submit each May 31 and October 31, until all Program Projects are completed, a Final Report for each completed Program Project, which itemizes (a) the expenditure of the Total Available TFCA Funds, and (b) the results of the monitoring of the performance of each Program Project on Air District-approved report forms.
 - c) Interim Project Reports: Beginning October 31, 2011, the Program Manager shall submit each October 31 an Interim Project Report for each Program Project that has not been completed and which itemizes (a) the expenditure of the Total Available TFCA Funds, and (b) the status of each Program Project's implementation on Air District-approved report forms.
- 16) To require all Sub-awardees to acknowledge the Air District as a Program Project's funding source during the implementation of a Program Project and to use the Air District's approved logo as specified below:
 - a) The logo will be used on signs posted at the site of any Program Project construction.
 - b) The logo will be displayed on any vehicles or equipment operated or obtained as part of a Program Project.
 - c) The logo will be used on any public information material relating to a Program Project, such as websites and printed materials, including transit schedules, brochures, handbooks, maps and other promotional materials.
 - d) The Program Manager will retain documentation, such as photographs of vehicles and copies of press releases, demonstrating that Air District logos are used and displayed as required.
- 17) To assure that all Total Available TFCA Funds received under this Agreement are expended only in accordance with all applicable provisions of law for projects that are implemented

directly by the Program Manager, and to require Sub-awardees to expend the funds only in accordance with all applicable provisions of law.

- 18) To require that Sub-awardees return to the Program Manager all Total Available TFCA Funds that are not expended in accordance with applicable provisions of law.
- 19) To the extent not otherwise prohibited by law, and to the extent required by the California Public Records Act (California Government Code section 6250 *et seq.*), to place, and to require that Sub-awardees place, in the public domain any software, written document, or other product developed with Total Available TFCA Funds.
- 20) To require that Sub-awardees receiving Total Available TFCA Funds for the purchase of any vehicles return to the Program Manager any funds realized from the sale of any vehicles purchased with Total Available TFCA Funds if such reuse or sale occurs within five (5) years from the date of purchase of the vehicles. The amount of funds returned to the Program Manager shall be proportional to the percentage of Total Available TFCA Funds originally used to purchase the vehicles. Any such funds returned to the Program Manager shall be reallocated to eligible Program Projects.
- 21) To obtain and maintain, and to require that each Sub-awardee obtain and maintain, throughout the Term of this Agreement, the insurance coverage specified in "Insurance Requirements," Attachment B, and to comply with all insurance requirements set forth therein, including the provision of documentation of said insurance coverage. Failure to obtain and maintain the insurance coverage and to comply with all insurance requirements shall be deemed a breach of this Agreement.

SECTION III

AIR DISTRICT AGREES:

- 1) To pay the Total Available TFCA funds, the amount of which is estimated on Attachment A, Summary Information, Line 8 and calculated as set forth in Section III, Paragraphs 1a and 1b below, for Program Projects that are consistent with the Policies and this Agreement, in two payments. Payments will be made after this Agreement has been signed by both the Program Manager and the Air District. Notwithstanding the above, the Air District is only obligated to pay that portion of the Total Available TFCA Funds that are received by the Air District and are available to the Program Manager from the calendar year 2010 Motor Vehicle Fees received from the California Department of Motor Vehicles ("DMV"). To the extent the Total Available TFCA Funds exceed the Motor Vehicle Fees that are received by the Air District and are available to the Program Manager, the Program Manager understands and agrees that the Air District will not pay the difference between the Motor Vehicle Fees available and the Total Available TFCA Funds.
 - a) The first payment will be forwarded within thirty (30) working days of the Air District receiving from the DMV all the revenues that comprise the payment. The first payment will represent forty (40) percent of the revenues generated from motor vehicles registering in San Mateo County between January 1, 2010, and June 30, 2010, less Air District's administrative and audit costs.

- b) The second payment will represent forty (40) percent of the revenues generated from motor vehicles registering in San Mateo County between July 1, 2010, and December 31, 2010, less Air District's administrative and audit costs. The second payment will be forwarded within thirty (30) working days of the Air District receiving from the DMV all the revenues that comprise the payment.
- 2) To provide timely notice prior to conducting an audit.
- 3) To provide the Program Manager, and any other requesting party, a copy of the fiscal and performance audits as specified in Section 44242 of the Health and Safety Code.
- 4) To provide the Program Manager with all Air District-approved Program Manager reporting forms required for the Program Manager to submit pursuant to this Agreement, including the reports required pursuant to Section II, Paragraph 15 above.
- 5) To provide a copy of the Air District logo to the Program Manager.

SECTION IV

IT IS MUTUALLY AGREED:

- 1) **Term:** The term of this Agreement shall be from the Effective Date of this Agreement until the end of the fourth year from the date of Air District Board of Directors approval of the funding allocation (June 2, 2014) ("Term"), unless it is terminated or amended as provided for herein or in Paragraphs 2 and 8 below.

If the Program Manager seeks to extend the Term in order to provide a Sub-awardee additional time to complete its Program Project(s) beyond the two-year extension already provided by the Program Manager, the Program Manager shall submit that request to the Air District no later than 60 days prior to the end of the Term.

- 2) **Termination:** Either Party may terminate this Agreement at any time by giving written notice of termination to the other Party which shall specify the effective date thereof. Notice of termination under this paragraph shall be given at least ninety (90) days before the effective date of such termination, unless the parties mutually agree to an earlier termination date. This Agreement shall also terminate at the end of the fiscal year during which the City/County Association of Governments loses its designation as Program Manager for San Mateo County.
- 3) **Indemnity:** The Program Manager shall indemnify and hold harmless the Air District, its employees, agents, representatives, and successors-in-interest against any and all liability, loss, expense, including reasonable attorneys' fees, or claims for injury or damages arising out of the performance by the Program Manager of its duties under this Agreement and shall require Sub-awardees to indemnify and hold harmless the Air District, its employees, agents, representatives, and successors-in-interest against any and all liability, loss, expense, including reasonable attorneys' fees, or claims for injury or damages arising out of their performance of the project or operation or use of the equipment that is subject to this Agreement.

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

Executive Director
City/County Association of Governments
555 County Center, 5th Fl.
Redwood City, CA 94063

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

- 5) Program Liaison: Within thirty (30) days from the Effective Date of this Agreement, the Program Manager shall notify the Air District of the Program Manager's Program Liaison and of the Liaison's address, telephone number, and email address. The Program Liaison shall be the liaison to the Air District pertaining to implementation of this Agreement and shall be the contact for information about the Program and Program Projects. The Program Manager shall notify the Air District of the change of Program Liaison or of the Liaison's contact information in writing no later than thirty (30) days from the date of any change.
- 6) Additional Provisions and Additional Acts and Documents: Each Party agrees to do all such things and take all such actions, and to make, execute and deliver such other documents that are reasonably required to carry out the provisions, intent and purpose of this Agreement. All attachments to this Agreement are expressly incorporated herein by this reference and made a part hereof as though fully set forth.
- 7) Integration: This Agreement, including all attachments hereto, represents the final, complete, and exclusive statement of the agreement between the Air District and the Program Manager related to the Parties' rights and obligations and subject matter described in this Agreement, and supersedes all prior and other contemporaneous understandings and agreements of the parties. No Party has been induced to enter into this Agreement by, nor is any Party relying upon, any representation or warranty outside those expressly set forth herein.
- 8) Amendment: This Agreement may not be modified except in writing, signed by both Parties hereto, and any attempt at oral modification of this Agreement shall be void and of no effect.
- 9) Independent Contractor: Neither the Program Manager nor its officers, employees, agents, or representative shall be considered employees or agents of the Air District.
- 10) Assignment: Neither Party shall assign, sell, license, or otherwise transfer any rights or obligations under this Agreement without the prior written consent of the other Party.
- 11) Waiver: No waiver of a breach, of failure of any condition, or of any right or remedy contained in or granted by the provisions of this Agreement shall be effective unless it is in writing and signed by the Party waiving the breach, failure, right, or remedy. No waiver of any breach, failure, right, or remedy shall be deemed a waiver of any other breach, whether

or not similar, nor shall any waiver constitute a continuing waiver unless the writing so specifies. Further, the failure of a Party to enforce performance by the other Party of any term, covenant, or condition of this Agreement, and the failure of a Party to exercise any rights or remedies hereunder, shall not be deemed a waiver or relinquishment by that Party to enforce future performance of any such terms, covenants, or conditions, or to exercise any future rights or remedies.

- 12) Severability: If a court of competent jurisdiction holds any provision of this Agreement to be illegal, unenforceable or invalid in whole or in part for any reason, the validity and enforceability of the remaining provisions, or portions of them will not be affected.
- 13) Force Majeure: Neither the Air District nor the Program Manager shall be liable for or deemed to be in default for any delay or failure in performance under this Agreement or interruption of services resulting, directly or indirectly, from acts of God, enemy or hostile governmental action, civil commotion, strikes, lockouts, labor disputes, fire or other casualty, judicial orders, governmental controls, regulations or restrictions, inability to obtain labor or materials or reasonable substitutes for labor or materials necessary for performance of this Agreement, or other causes, except financial that are beyond the reasonable control of the Air District or the Program Manager.
- 14) Governing Law: Any dispute that arises under or relates to this Agreement shall be governed by California law, excluding any laws that direct the application of another jurisdiction's laws. Venue for resolution of any dispute that arises under or relates to this Agreement, including mediation, shall be San Francisco, California.
- 15) Effective Date: The effective date of this Agreement is the date the Air District Executive Officer/Air Pollution Control Officer executes the Agreement.
- 16) Survival of Terms: Any terms of this Agreement that by their nature extend beyond the term (or termination) of this Agreement shall remain in effect until fulfilled, and shall apply to both parties' respective successors and assigns. Such terms include, but may not be limited to, the auditing requirements set forth in Paragraph II, Paragraph 11.

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

FOR PROGRAM MANAGER:

by: _____
Thomas M. Kasten, Chair, Board of Directors
City/County Association of Governments

Approved as to legal form (optional):

by: _____
City/County Association of Governments

FOR AIR DISTRICT:

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

Approved as to legal form:

by: _____
Brian C. Bunger, District Counsel
Bay Area Air Quality Management District

SUMMARY INFORMATION

Program Manager Agency Name: City/County Association of Governments

Address: 555 County Center, 5th Fl., Redwood City, California 94063

PART A: NEW TFCA FUNDS

1. Estimated FY10/11 DMV revenues (based on projected CY2009 revenues):	Line 1:	\$1,007,271.00
2. Difference between prior-year estimate and actual revenue:	Line 2:	\$-49,988.87
a. Actual FY08/09 DMV revenues (based on CY2008):		\$1,015,701.13
b. Estimated FY08/09 DMV revenues (based on CY2008):		\$1,065,690.00
<i>('a' minus 'b' equals Line 2.)</i>		
3. Estimated New Allocation (Sum of Lines 1 and 2):	Line 3:	\$957,282.13
4. Interest income. List interest earned on TFCA funds in calendar year 2009.	Line 4:	\$- 220.00
5. Estimated TFCA funds budgeted for administration: ¹	Line 5:	\$47,153.00
<i>(Note: This amount may not exceed 5% of Line 3.)</i>		
6. Total new TFCA funds available in FY10/11 for projects and administration	Line 6:	\$957,062.13
<i>(Add Lines 3 and 4. These funds are subject to the six-month allocation deadline.)</i>		

PART B: TFCA FUNDS AVAILABLE FOR REPROGRAMMING

7. Total amount from previously funded projects available for reprogramming to other projects. (Enter zero (0) if none.)	Line 7:	\$47,091.00
<i>(Note: Reprogrammed funds originating from pre-2006 projects are not subject to the six-month allocation deadline.)</i>		

PART C: TOTAL AVAILABLE TFCA FUNDS

8. Total Available TFCA Funds (Sum of Lines 6 and 7)	Line 8:	\$1,004,153.13
9. Total TFCA funds available for projects (Line 8 minus Line 5)	Line 9:	\$957,000.13

¹ The "Estimated TFCA funds budgeted for administration" amount is listed for informational purposes only. Per California Health and Safety Code Section 44233, Program Managers must limit their administrative costs to no more than 5% of the actual total revenue received from the Air District.

INSURANCE REQUIREMENTS

Verification of Coverage

The Program Manager shall obtain and maintain certificates and/or other evidence of the insurance coverage required below. The Air District reserves the right to require the Program Manager to provide complete, certified copies of any insurance offered in compliance with these specifications. Certificates, policies and other evidence provided shall specify that the Air District shall receive 30 days advanced notice of cancellation from the insurers.

Minimum Scope of Insurance

Throughout the Term as defined in Section IV of the Agreement, the Program Manager shall obtain and maintain in full force and effect the Liability Insurance as set forth below, and shall require each Sub-awardee to obtain and maintain in full force and effect the Liability Insurance and Property Insurance as set forth below:

1. **Liability Insurance** with a limit of not less than \$1,000,000 per occurrence. Such insurance shall be of the type usual and customary to the business of the Program Manager and Sub-awardee, and to the operation of the vehicles, vessels, engines or equipment operated by the Sub-awardee.
2. **Property Insurance** in an amount of not less than the insurable value of Sub-awardee's vehicles, vessels, engines or equipment funded under the Agreement, and covering all risks of loss, damage or destruction of such vehicles, vessels, engines or equipment.

Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A: VII. The Air District may, at its sole discretion, waive or alter this requirement or accept self-insurance in lieu of any required policy of insurance.

C/CAG AGENDA REPORT

DATE: August 12, 2010

TO: City/County Association of Governments Board of Directors

FROM: Richard Napier, Executive Director

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

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

RECOMMENDATION:

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

FISCAL IMPACT:

Under the TFCA Program there is a total allocation of \$1,004,153 of which \$536,000 is designated for the SamTrans Shuttle Bus Program in FY 2010/2011.

SOURCE OF FUNDS:

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

BACKGROUND/ DISCUSSION:

C/CAG acts as the Program Manager for the Transportation Fund for Clean Air (TFCA) Program in San Mateo County. This program distributes TFCA monies to projects whose primary objective is to reduce emissions in the air. At the March 11, 2010 C/CAG Board meeting the Board approved the projects to be funded with the 2010/2011 allocation. The agreement is with SamTrans to operate nine employer based shuttle bus programs that will connect major employment centers in Daly City, South San Francisco, Brisbane, Millbrae and San Bruno with BART stations.

The funding agreement shall be in a form to be approved by C/CAG Legal Counsel.

ATTACHMENTS:

- Resolution 10-40

ITEM 5.8.2

RESOLUTION 10-40

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG CHAIR TO EXECUTE THE FUNDING AGREEMENT BETWEEN C/CAG AND THE SAN MATEO COUNTY TRANSIT DISTRICT (SAMTRANS) IN THE AMOUNT OF \$536,000 UNDER THE 2010/2011 TRANSPORTATION FUND FOR CLEAN AIR (TFCA) PROGRAM TO PROVIDE SHUTTLE SERVICES.

WHEREAS, the Board of Directors of the City/County Association of Governments at its March 11, 2010 meeting approved certain projects and programs for funding through San Mateo County's local share of Transportation Fund for Clean Air (TFCA) revenues; and,

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the Chair is authorized to enter into an agreement with the San Mateo County Transit District for \$536,000 under the Transportation Fund for Clean Air (TFCA) Program. Be it further 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 C/CAG Legal Counsel.

PASSED, APPROVED, AND ADOPTED THIS 12TH DAY OF AUGUST 2010.

Thomas M. Kasten, Chair

C/CAG AGENDA REPORT

Date: August 12, 2010
To: City/County Association of Governments Board of Directors
From: Richard Napier, C/CAG Executive Director
Subject: Receive the San Mateo County Safe Routes to School Program Workscope
(For further information contact John Hoang 363-4105)

RECOMMENDATION

That the C/CAG Board receives the San Mateo County Safe Routes to School Program Workscope.

FISCAL IMPACT

\$1,429,000 in STP/CMAQ funds is available to San Mateo County jurisdictions for the FY 09/10 to FY 11/12. (Requires minimum 11.47% local match of \$185,142). Total program cost is \$1,614,142.

SOURCE OF FUNDS

New Federal Transportation Act funding for Cycle 1 is from the Federal STP/CMAQ (Surface Transportation Program/Congestion Mitigation and Air Quality) funds; Local Match from Congestion Management funds and/or project sponsors (including cities, schools, and other eligible agencies)

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 for the New Federal Transportation Act Cycle 1 STP/CMAQ funding program. The purpose of the new program for San Mateo County is to apply SR2S region-wide with the overall goal of enabling and encouraging children to walk and bicycle to school, implementing projects and activities to improve safety, and reducing traffic and emissions related to school-related travel.

Development

C/CAG, in partnership with the San Mateo County Health System, is facilitating the development and preparation of the San Mateo County SR2S Strategic Plan. The Plan will outline the SR2S program's goal and objective, project/program components, recommendations, and schedule. Development of the program is currently being performed by a Working Group and overseen by

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a Task Force consisting of schools, law enforcement, public works, cities, and health officials. This development process began in February 2010 and should be completed in the next several months. The Strategic Plan, once finalized, will be presented to the C/CAG Board for approval prior to implementation of the program.

Workscope

For the purposes of programming STP/CMAQ funds for the San Mateo County SR2S program, MTC required that C/CAG provide a detailed SR2S Workscope that includes countywide program approach, project description, scope of work and schedule, approach to project evaluation, and a budget/cost/funding breakdown outlining how the SR2S funding would be used in San Mateo County. The San Mateo County SR2S Workscope, which essentially included information from the draft Strategic Plan, was submitted to MTC on August 2, 2010 to meet the deadline requirement. The Workscope is attached for your information.

ATTACHMENT

San Mateo County Safe Routes to School Workscope

San Mateo County Safe Routes to School (SR2S) Program Workscope

July 2010

PROJECT DESCRIPTION

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 well-being, safety, and also reduce traffic congestion due to school-related travels. The focus of the program will be on elementary and middle schools

Project Title

San Mateo County Safe Routes to Schools Program

Project Manager

John Hoang

City/County Association of Governments of San Mateo County (C/CAG)

650-363-4105

jhoang@co.sanmateo.ca.us

Key Partner

San Mateo County Health Department

Countywide Vision

Develop and implement a countywide SR2S plan establishing modularized programs and projects that recognizes the County's diverse communities and schools, and focuses on the education, encouragement, and enforcement components.

- **Goal:** To increase the % of children in San Mateo County who walk and bike to school as their primary mode of to/from school transportation.
- **Objective:** To create a San Mateo County SR2S Program that supports current walking/biking to school activities and encourages new activities.

Organizational Structure

As the Congestion Management Agency for San Mateo County, C/CAG will administer the funding for the county, serving as the fiscal agent for the Program. C/CAG will lead in facilitating the development and preparation of the new San Mateo County SR2S Program. Implementation activities will be conducted by 1) individual school/community grant recipients and 2) education and technical consultants.

The proposed organization and input structure to create the SR2S Program, which would be in place through the allocation of funds and prior to implementation, are indicated below:

- **The San Mateo County Task Force** is made-up of individuals representing the following organizational perspectives: schools, law enforcement, public works, cities,

health, community-based, active transportation and others. The Task Force will meet as needed to review and comment on program development and implementation proposals put forth by the Technical Workgroup. The Task Force serves as an advisory body to ensure the San Mateo County SR2S Program is developed as thoughtfully and comprehensively as possible and that ongoing changes are made over time.

- **The Technical Workgroup** is a subgroup of the Task Force and is made-up of 4-6 individuals. The Technical Workgroup conducts research, drafts working papers and creates program and Call for Proposal guidelines for review and comment by the Task Force. The Technical Workgroup works with MTC (funder) for clarification regarding program requirements, funding timelines, reporting requirements etc... The Technical Workgroup should consider themselves the “worker bees” in developing the program. The Technical Workgroup may become the Call for Proposal Selection Committee.
- **The School Wellness Policy Committee** is a group that is convened monthly by the San Mateo County Health System to strengthen and support the implementation of school wellness policies. The SWPC is made-up of school wellness representatives. The SCWPC will review the Call for Proposals, champion applications from local schools/collaboratives and advise on the Toolkit development. This committee will serve as “eyes and ears” with the schools and ensure that guidelines and support is realistic and maximizes opportunities for local success.

SCOPE OF WORK AND SCHEDULE

Program Approach

C/CAG will be utilizing consultant assistance to develop a San Mateo County SR2S Toolkit and implementation strategies. The Toolkit will be applicable for individual schools as well as countywide programs and will provide a comprehensive overview of safe routes to school best practices in education, encouragement, enforcement and evaluation. The intent of the Toolkit is to serve as a resource for those interested in learning about SR2S and implementing projects and programs in San Mateo County. The Toolkit will include strategies and cost information on how a program can be established and maintained, with assistance from consultant, staff, or community groups to provide leadership and guidance.

Program Components

The program will focus on the following key components:

- **Education** - traffic/pedestrian safety, workshops/lesson that incorporates health/environment, crossing guard training
- **Encouragement** - outreach, brochures, events, contest (examples include Walking School Bus, Walk and Roll to School Days, Bike Train, Helmet Giveaways, Walk to School Wednesday, Walk to School Week, etc)

- **Enforcement** - look at rules of the roads, speeding, partner with law enforcement, increase presence around schools

Many cities and schools have already implemented various safe routes to school programs associated with education, encouragement, and enforcement over the years. Potential programs and projects that are under considerations include, but are not limited to, the following:

<i>Project/Program</i>	<i>Description</i>
Walking School Bus	Volunteers escort group of children walking to school
Walk to School Day	Wednesday, Walk and Roll Fridays, International Walk to School Day
Walk to School Week	Same as Walk to School Day but weeklong event
Walk Audits*	Walkabout out in the field to identify potential safety issues and solutions. To be performed during the drop-of or pick-up periods
Operation Lifesaver	Focuses on crossings at railroad tracks
Bike Train	Escorted group of children bicycling to school
Classroom Lessons	Helmet Safety, Rules of the Roads for bicycling, Health benefits of walking/biking
Helmet Giveaways	Provide free helmets to school children bicycling to school
SR2S Parent Survey	Collects information from parents (e.g., distance between home/school, mode of travel, routes, safety concerns)
School Pool Program	Groups of parents who takes turns carpooling and dropping off their children at the same school
Pedestrian and Bicycle Safety Education	Pedestrian and bicycle safety curriculum
School Surveys	Evaluate existing conditions for schools (help identify school for pilot project implementation)
Parent Surveys	Collects information from parents (e.g., distance between home/school, mode of travel, routes, safety concerns)
<i>Others</i>	<i>To be determined</i>

* *STP funds only*

These programs and projects descriptions will be expanded upon and will include additional information such as lead agency, partners, and cost associated with implementation.

Further strategies will be defined to coordinate with cities and schools in developing eligible infrastructure type projects (improvement of pathways, sidewalks, crosswalks, signals, speed signs, traffic calming, ramps) to compete for federal and state Safe Routes to School funding.

Implementation

The Cycle 1 SR2S Program will be implemented over two years, the initial Pilot Project for selected schools and full countywide implementation for all schools. C/CAG would issue a

Call for Projects/Letter of Interest for the Pilot Project for FY 2010/11. Schools interested in implementing SR2S programs would submit an application indicating which project(s) from the Toolkit they are interested in. Applications would then be evaluated using a set of criteria (to be established). Depending on the type of project, C/CAG would award funds directly to the schools for implementation of projects and/or through a technical assistance program concept, assign pre-qualified consultants/contractors (contracted with C/CAG) to individual schools to provide specific services requested. Pilot projects will be evaluated for performance and impacts. The Full Implementation call for projects would be issued for FY 2011/12.

Actions/Tasks

- Established SR2S coordinators (main, regional, city, school districts and/or school levels) or community coalitions (stakeholders include key partners, schools, elected officials, local government, law enforcement, public health, parents, residents)
- Develop a “Toolkit” that identifies a list of projects/programs that can be implemented in various schools and establish priorities for funding. (Coordinate with the City of Menlo Park and the San Mateo County Health Department)
- Request a letter of interest from schools to identify existing programs currently being implemented. Based on the participation, interest, and results, schools may be identified to participate in the Pilot Project
- Hold workshop(s) to provide information to potential applications regarding the County’s SR2S Plan and process
- Perform outreach to students and PTAs
- Implement the SR2S Program in phases with the initial phase referred to as the Pilot project for a limited number of projects for a small but representative number of schools.
- Develop an evaluation process to measure a project’s performance and success taking into account cost to implement, resources required, effectiveness, sustainability, etc
- Evaluate effectiveness of Pilot program/projects and measure impacts and performance prior to full countywide implementation

Schedule

C/CAG will continue developing the San Mateo County SR2S Program over the next several months and anticipate finalizing the implementation plan in the second half of 2010. Based on the Plan’s recommendations, C/CAG plan to issue a “Call for Projects” for the FY 2010/11 funding cycle for the Pilot Project. A tentative schedule is provided below:

<i>Timeframe</i>	<i>Activity/Work Product Overview</i>	<i>Primary Responsible Group</i>
June – October, 2010	Development of a “Tool Kit” that identifies a list of projects/programs that can be implemented as components of a SR2S program; developed with consultant expertise.	School Wellness Policy Committee and CCAG

May – October, 2010	Determine evaluation strategy and hire consultant/contractor if determined necessary.	Technical Workgroup
July - September, 2010	Determine centralized technical assistance and educational activities and consultant/contractor requirements and process as determined necessary.	Technical Workgroup
August /September, 2010	Draft call for proposal documents	Technical Workgroup
September/October, 2010	Release call for projects/Letter of Interest; individual outreach to contacts/drum-up interest and support.	Task Force
October/November, 2010	Hold information convening/Q&A Session for interested applicants	Task Force
October, 2010	Due date for interest forms.	
November, 2010	Notification of selection.	Task Force
October 2010– February 2011	Content finalization for contractor/consultant pool.	Technical Workgroup/Task Force/School Wellness Policy Committee
Spring, 2011 and Fall 2011	Begin implementation of first year projects.	ALL Awardees

PROGRAM EVALUATION APPROACH

C/CAG has not developed an evaluation approach to assess the SR2S program and projects that will be implemented in San Mateo County. As identified in the tasks listed above, C/CAG will be developing an evaluation process to measure project performance and success taking into account cost to implement, resources required, effectiveness, sustainability, and other factors. C/CAG may also consider using the evaluation metrics developed by MTC, as applicable.

PROJECT COST AND FUNDING

San Mateo County will receive \$1,429,000 in STP/CMAQ funds in the first cycle for the region-wide SR2S program. Combined with an 11.47% local match in the amount of \$185,142, the total project cost would be \$1,614,142.

C/CAG will obligate all program funds and will disperse funds to individual recipients on a project-by-project basis. Local match may be provided by the specific project sponsors including cities, schools, and other eligible agencies, or by C/CAG or a combination thereof. C/CAG will assure that the appropriate project sponsors meet the necessary local match requirements and that projects are completed in a timely manner.

The proposed implementation strategy includes a phased approach starting with a Pilot Program that targets selected schools and projects. The completed projects will then be evaluated to determine whether the project was successful or not and improvements would be made prior to full implementation. At this time, the cost for “program evaluation” is not yet determined and therefore is assumed to be included in the total program cost. The proposed options are as follows:

- **Option 1**
Pilot Project in FY 2010/11 (\$429,000) and Full Implementation in FY 2011/12 (\$1.0M) and local match
- **Option 2** (if obligation authority is available in FY 2009/10)
Planning activities (Toolkit development) in FY 2009/10 (\$29,000), Pilot Project in FY 2010/11 (\$400,000) and Full Implementation in FY 2011/12 (\$1.0M) and local match

C/CAG requests STP funds in the amounts of \$50,000 in FY 2010/11 and \$100,000 in FY 2011/12 for potential Walk Audits projects.

Funding Summary
Option 1

Description	Amount	Fund Source	FY 10/11	FY 11/12
Pilot Project	\$484,581	STP CMAQ Local	\$ 50,000 \$ 379,000 \$ 55,581	
Full Implementation	\$1,129,561	STP CMAQ Local		\$ 100,000 \$ 900,000 \$ 129,561
TOTAL	\$1,614,142		\$ 484,581	\$1,129,561

Option 2 (if obligation authority is available in FY 2009/10)

Description	Amount	Fund Source	FY 09/10	FY 10/11	FY 11/12
Toolkit Development	\$ 32,757	STP Local	\$ 29,000 \$ 3,757		
Pilot Project	\$451,824	STP CMAQ Local		\$ 50,000 \$ 350,000 \$ 51,824	
Full Implementation	\$1,129,561	STP CMAQ Local			\$ 100,000 \$ 900,000 \$ 129,561
TOTAL	\$1,614,142		\$ 32,757	\$ 451,824	\$1,129,561

C/CAG AGENDA REPORT

Date: August 12, 2010

To: City/County Association of Governments Board of Directors

From: Richard Napier, C/CAG Executive Director

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

(For further information contact John Hoang 363-4105)

RECOMMENDATION

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

FISCAL IMPACT

\$1,429,000 in STP/CMAQ funds is available to San Mateo County jurisdictions for the FY 09/10 to FY 11/12. (Requires minimum 11.47% local match of \$185,142). Total program cost is \$1,614,142.

SOURCE OF FUNDS

New Federal Transportation Act funding for Cycle 1 is from the Federal STP/CMAQ (Surface Transportation Program/Congestion Mitigation and Air Quality) funds; Local Match from Congestion Management funds and/or project sponsors (including cities, schools, and other eligible agencies)

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 for the New Federal Transportation Act Cycle 1 STP/CMAQ funding program. The purpose of the new program for San Mateo County is to apply SR2S region-wide with the overall goal of enabling and encouraging children to walk and bicycle to school, implementing projects and activities to improve safety, and reducing traffic and emissions related to school-related travel.

ITEM 5.10

Administration

C/CAG, as the Congestion Management Agency (CMA), is the designated agency that will administer the SR2S funds for San Mateo County. San Mateo County will receive \$1,429,000 in STP/CMAQ funds in the first cycle for the region-wide SR2S program. Since this is federal money a local match of at least 11.47% (\$185,142) will be required. Local match may be provided by the specific project sponsors including cities, schools, and other eligible agencies, or by C/CAG or a combination thereof. C/CAG will assure that the appropriate project sponsors meet the necessary local match requirements and that projects are completed in a timely manner.

Development

C/CAG, in partnership with the San Mateo County Health System, is facilitating the development and preparation of the new San Mateo County SR2S Strategic Plan. Development of the program is currently being performed by a Working Group and overseen by a Task Force consisting of schools, law enforcement, public works, cities, and health officials. This development process began in February 2010 and should be completed in the next several months. The completed Strategic Plan will be presented to the C/CAG Board for approval prior to implementation.

Implementation

It is anticipated that the SR2S Program will be begin in the Fall 2010, using a phased approach starting with a Pilot Program targeting selected schools and projects in the first year followed by a full implementation the second year. Implementation and activities will be conducted by 1) individual school and community grant recipients and 2) education and technical consultants. To correspond with this phased approach, C/CAG has programmed the STP/CMAQ funds as follows: \$429,000 in FY 10/11 for the Pilot Program, and \$1,000,000 in FY 11/12 for the full implementation.

As of this writing, MTC has indicated that there may be STP obligation authority still available in FY 09/10 for SR2S planning activities. If MTC confirms that the funds are available, C/CAG staff would propose modifying the programming as follows: \$29,000 in FY 09/10 for planning activities (development of the "Toolkit"); \$400,000 in FY 10/11 for the Pilot Program, and \$1,000,000 in FY 11/12 for the full implementation.

ATTACHMENT

Resolution 10-42

RESOLUTION 10-42

AUTHORIZING THE FILING OF AN APPLICATION FOR FEDERAL SURFACE TRANSPORTATION PROGRAM (STP) AND/OR CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT (CMAQ) FUNDING AND COMMITTING THE NECESSARY NON-FEDERAL MATCH AND STATING THE ASSURANCE TO COMPLETE THE COUNTYWIDE SAFE ROUTES TO SCHOOL PROJECT

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

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

WHEREAS, C/CAG (herein referred to as APPLICANT) is submitting an application to the Metropolitan Transportation Commission (MTC) for \$1,429,000 in funding from the federal Surface Transportation Program (STP) and/or Congestion Mitigation and Air Quality Improvement (CMAQ) program for the San Mateo County Safe Routes to School Project (herein referred to as PROJECT) for the MTC Resolution, No. 3925, New Federal Surface Transportation Act (FY 2009-10, FY 2010-11 and FY 2011-12) Cycle 1 STP/CMAQ Program: Project Selection Criteria, Policy, Procedures and Programming (herein referred to as PROGRAM); and

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA) (Public Law 109-59, August 10, 2005) authorized the Surface Transportation Program (23 U.S.C. § 133) and the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149) through September 30, 2009; and

WHEREAS, SAFETEA has been extended through December 31, 2010 pursuant to Public Law 111-147, March 18, 2010 and may be subsequently extended pending enactment of successor legislation for continued funding; and

WHEREAS, pursuant to SAFETEA, and the regulations promulgated thereunder, eligible project sponsors wishing to receive federal Surface Transportation Program and/or Congestion Mitigation and Air Quality Improvement Program (STP/CMAQ) funds for a project shall submit an application first with the appropriate Metropolitan Planning Organization (MPO), for review and inclusion in the MPO's Transportation Improvement Program (TIP); and

WHEREAS, the Metropolitan Transportation Commission (MTC) is the MPO for the nine counties of the San Francisco Bay region; and

WHEREAS, MTC has adopted a Regional Project Funding Delivery Policy (MTC

Resolution No. 3606, revised) that sets out procedures governing the application and use of STP/CMAQ funds; and

WHEREAS, APPLICANT is an eligible project sponsor for STP/CMAQ funds; and

WHEREAS, as part of the application for STP/CMAQ funding, MTC requires a resolution adopted by the responsible implementing agency stating the following:

- 1) The commitment of necessary local matching funds of at least 11.47%; and
- 2) That the sponsor understands that the STP/CMAQ funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional STP/CMAQ funds; and
- 3) That the project will comply with the procedures specified in Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and
- 4) The assurance of the sponsor to complete the project as described in the application, and if approved, as included in MTC's TIP; and
- 5) That the project will comply with all the project-specific requirements as set forth in the PROGRAM; and
- 6) That the project (transit only) will comply with MTC Resolution No. 3866, which sets forth the requirements of MTC's Transit Coordination Implementation Plan to more efficiently deliver transit projects in the region.

NOW, THEREFORE, BE IT RESOLVED that the APPLICANT is authorized to execute and file an application for funding for the PROJECT under the Surface Transportation Program (STP) and Congestion Mitigation and Air Quality Improvement Program (CMAQ) of SAFETEA, any extensions of SAFETEA or any successor legislation for continued funding; and be it further

RESOLVED that the APPLICANT by adopting this resolution does hereby state that:

1. APPLICANT will provide \$185,142 in non-federal matching funds; and
2. APPLICANT understands that the STP/CMAQ funding for the project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the APPLICANT from other funds, and that APPLICANT does not expect any cost increases to be funded with additional STP/CMAQ funding; and
3. APPLICANT understands the funding deadlines associated with these funds and will comply with the provisions and requirements of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, as revised); and
4. PROJECT will be implemented as described in the complete application and in this resolution and, if approved, for the amount programmed in the MTC federal TIP; and
5. APPLICANT (for a transit project only) agrees to comply with the requirements of MTC's Transit Coordination Implementation Plan as set forth in MTC Resolution 3866; and
6. APPLICANT and the PROJECT will comply with the requirements as set forth in the program; and therefore be it further

RESOLVED that APPLICANT is an eligible sponsor of STP/CMAQ funded projects; and be it further

RESOLVED that APPLICANT is authorized to submit an application for STP/CMAQ funds for the PROJECT; and be it further

RESOLVED that there is no legal impediment to APPLICANT making applications for the funds; and be it further

RESOLVED that there is no pending or threatened litigation that might in any way adversely affect the proposed PROJECT, or the ability of APPLICANT to deliver such PROJECT; and be it further

RESOLVED that APPLICANT authorizes its Executive Director, General Manager, or designee to execute and file an application with MTC for STP/CMAQ funding for the PROJECT as referenced in this resolution; and be it further

RESOLVED that a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application; and be it further

RESOLVED that the MTC is requested to support the application for the PROJECT described in the resolution and to include the PROJECT, if approved, in MTC's TIP.

PASSED, APPROVED, AND ADOPTED THIS 12TH DAY OF AUGUST 2010.

Thomas M. Kasten, Chair

C/CAG AGENDA REPORT

Date: August 12, 2010
To: City/County Association of Governments Board of Directors
From: Richard Napier, Executive Director
Subject: Review and approval of an additional, Chamber of Commerce, position on the Resource Management and Climate Protection Committee (RMCP)

(For further information or questions contact Kim Springer at 650-599-1412 or Richard Napier at 650-5991420)

RECOMMENDATION

That the Board review and approve of an additional, Chamber of Commerce, position on the Resource Management and Climate Protection Committee (RMCP).

FISCAL IMPACT

None.

BACKGROUND/DISCUSSION

The RMCP Committee provides advice and recommendations to 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 and develops and promotes actions on the same. The RMCP also reports on the San Mateo County Energy Watch (SMCEW) and promotes the goals outlined in the San Mateo County Energy Strategy, including: energy, water, collaboration between cities and the utilities, leadership and economic opportunities related to the RMCP committee's efforts.

The RMCP Committee currently has 12 committee positions: six elected officials, and one stakeholder representative from each of the following sectors: energy, water, utility, nonprofit, large business and small business.

The RMCP committee recently discussed replacing the currently vacant large business committee position with someone from Google, Oracle, etc. However, the RMCP committee also feels it would be valuable to include a Chamber of Commerce stakeholder perspective to the committee.

C/CAG Board approval of this additional Chamber of Commerce committee position would increase the number of committee positions from twelve to thirteen and allow the RMCP to gain stakeholder input from a representative of the chamber of commerce community *and* from a large business stakeholder representative.

ATTACHMENTS

- Current Roster for the RMCP Committee

ITEM 5.11

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

(June 2010)

Elected Officials (6)

Deborah Gordon
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 - **Committee Chair**
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
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 (6)

Energy

Brian Kimball
Energy Program Manager
Ecology Action
(408) 355-5633
bkimball@ecoact.org

Water

Nicole Sandkulla, P.E.
Senior Water Resources Engineer, Bay Area Water Supply and Conservation Agency
nsandkulla@bawwsca.org
(650) 349-3000

Utility

Kathy Lavezzo
Account Manager, PG&E
KOL1@pge.com
(650) 598-7267 cell (650) 279-3864

Nonprofit

Robert Cormia
Volunteer, Sustainable Silicon Valley
Professor, Foothill - De Anza Community College
rdcormia@earthlink.net
(650) 747-1588

Business

Large Business:
Currently Open

Small Business:
Eric Sevim
Shop Manager
A+ Japanese Auto Repair, Inc.
apluseric@gmail.com
(650) 595-CARS

Committee Staff

C/CAG:
Richard Napier
Executive Director
rnapiet@co.sanmateo.ca.us
(650) 599-1420

San Mateo County, RecycleWorks:
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

C/CAG AGENDA REPORT

Date: August 12, 2010

To: City/County Association of Governments Board of Directors

From: Richard Napier, Executive Director

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

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

RECOMMENDATION

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

FISCAL IMPACT

A maximum amount of \$650,000 may be received from the San Mateo County Transportation Authority represents matching funds for joint funded projects in FY 2010/11.

SOURCE OF FUNDS

The San Mateo County Transportation Authority (SMCTA) matching funds will come from the Measure "A" Sales Tax program.

BACKGROUND/DISCUSSION

C/CAG and the San Mateo County Transportation Authority (SMCTA) have collaborated and co-funded many transportation programs in the past. This partnership has enabled both agencies to achieve their goals, utilize each other's funding as matching funds to attract other outside grants, and to ensure that there is no duplication of effort. This cooperative effort was one of the major premises under which the Congestion Relief Plan and the Countywide Transportation Plan were adopted by C/CAG.

On September 7, 2006, the first formal funding agreement between C/CAG and SMCTA was established, followed by Amendment No.1 entered on August 24, 2007, Amendment No. 2 approved by C/CAG Board on October 9, 2008, and Amendment No. 3 approved by C/CAG Board on October 8, 2009. That agreement along with its amendments set forth many of the cooperative funding arrangements contemplated by the two agencies.

ITEM 5.12

Instead of adding an amendment to the original agreement each year, it is decided to establish a new agreement to incorporate new provisions.

It is requested that the C/CAG Board approve Resolution 10-46 authorizing the C/CAG Chair to execute a funding agreement with SMCTA to receive a maximum amount of \$650,000 matching funds for the following joint and/ or co-sponsored programs for FY 2010/11:

- 1) \$300,000 for the local transportation services (local shuttle program);
- 2) \$150,000 for Travel Demand Forecast Modeling services;
- 3) \$100,000 for Countywide Ramp Metering implementation;
- 4) \$100,000 for Countywide Comprehensive Bicycle and Pedestrian Plan development.

The actual funding agreement is being reviewed by both agencies' staff and legal counsels prior to execution by the C/CAG Chair.

ATTACHMENT

- Resolution 10-46

RESOLUTION 10-46

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) AUTHORIZING THE C/CAG CHAIR TO EXECUTE AN AGREEMENT WITH THE SAN MATEO COUNTY TRANSPORTATION AUTHORITY (SMCTA) TO RECEIVE A MAXIMUM AMOUNT OF \$650,000 FOR JOINT AND/ OR CO-SPONSORED PROGRAMS, FOR FY 2010/11

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

WHEREAS, C/CAG and the San Mateo County Transportation Authority (SMCTA) have determined that through the joint sponsorship and funding of certain programs the achievement of the goals of both agencies can be enhanced; and

WHEREAS, a funding agreement between SMCTA and C/CAG was executed on September 7, 2006 for SMCTA to provide matching funds from the “Measure A” half-cent Transportation Sales Tax Program for certain joint funded programs; and

WHEREAS, the September 7, 2006 agreement has been amended with Amendments 1, 2, and 3 on Aug 24, 2007, October 9, 2008, October 8, 2009, respectively; and

WHEREAS, both C/CAG and SMCTA have determined to enter into a new funding agreement for C/CAG to receive matching funds from SMCTA in an amount not to exceed \$650,000 for joint funded programs for fiscal year 2010/11; and

NOW, THEREFORE, BE IT RESOLVED that the C/CAG Chair is hereby authorized to execute a funding agreement with the San Mateo County Transportation Authority (SMCTA) for fiscal year 2010/11 for joint funding of specific transportation programs as follows, and subject to approval by legal counsel:

Receive matching funds from SMCTA as follows:

- 1) \$300,000 for the local transportation services (local shuttle program);
- 2) \$150,000 for Travel Demand Forecast Modeling services;
- 3) \$100,000 for Countywide Ramp Metering implementation;
- 4) \$100,000 for Countywide Comprehensive Bicycle and Pedestrian Plan development.

PASSED, APPROVED, AND ADOPTED THIS 12TH DAY OF AUGUST 2010.

Thomas M. Kasten, Chair

C/CAG AGENDA REPORT

Date: August 12, 2010

To: City/County Association of Governments Board of Directors

From: Richard Napier, Executive Director

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

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

RECOMMENDATION

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

FISCAL IMPACT

The total additional funding obligated through the extensions will not exceed \$742,515 in order to continue services through June 30, 2011.

SOURCE OF FUNDS

Funding to support the shuttle programs will be derived from the Congestion Relief Plan adopted by C/CAG and included in the Fiscal Year 10/11 budget. The San Mateo County Transportation Authority (TA) is providing matching funds of up to \$300,000.

BACKGROUND/DISCUSSION

The C/CAG Shuttle Program was developed out of the Congestion Relief Plan. In connection with the Congestion Management Program, individual cities do not have to prepare deficiency plans on a biannual basis, instead C/CAG took on the responsibility by setting up the Congestion Relief Plan. One of the measures in the Congestion Relief Plan is the local shuttle program. The objective of the Congestion Relief Plan is to absolve cities from the responsibility of preparing a deficiency plan.

C/CAG issued a Call for Projects for the Shuttle Program on May 21st and applications were due on June 11th. There are nine jurisdictions with shuttles applications and all are for continuations **ITEM 5.13**

of existing shuttle services with the exception of the Millbrae and Daly City shuttles. The Millbrae and Daly City shuttles are new applications for shuttles that did not exist last year. The Millbrae Shuttle is a new on demand (door-to-door) shuttle that will now serve the Millbrae Intermodal Station and will serve an area that recently lost service due to the elimination of

SamTrans Route 342 in Millbrae. The Day City shuttle will serve an area identified with need for transportation services as a priority project in the C/CAG sponsored Bayshore Community-Based Transportation Plan.

A Shuttle Review Committee was convened and has recommended the shuttles be funded at the amounts listed in the table below. The Shuttle Review Committee asked staff to obtain more information on the East Palo Alto shuttle program before the committee was comfortable making a recommendation to fund the East Palo Alto request. Staff has worked with East Palo Alto to clarify their request. Staff recommendation is now to fund the East Palo Alto request which includes \$23,000 worth of funds for the East Palo Alto Transit Pass Subsidy program.

City	Requested Funding for FY 10/11	FY 09/10 Grant Amount	Funding Recommendation for FY 10/11
Brisbane / Daly City	\$94,012	\$97,546	\$94,012
Burlingame	\$52,313	\$52,825	\$52,313
Daly City	\$77,450	NA	\$77,450
East Palo Alto	\$214,395	\$140,486	\$151,325
Foster City	\$106,868	\$155,000	\$53,434 (1)
Menlo Park	\$105,267	\$130,541	\$105,267
Millbrae	\$25,714	NA	\$25,714
Redwood City	\$100,000	\$90,000	\$63,000 (2)
South San Francisco	\$120,000	\$120,000	\$120,000
Total	\$896,019	\$786,398	\$742,515

- 1) Staff recommendation is that the amount to be contracted for Foster City should be \$53,436 due to the approved grant for Foster City from the San Mateo County Transportation Authority (TA) Local Shuttle Program. The C/CAG grant along with the TA grant will provide the required funding for the Foster City shuttle program for FY 10/11.
- 2) Staff recommendation is that the amount to be contracted for Redwood City should be \$63,000 due to the approved grant for Redwood City from the San Mateo County Transportation Authority (TA) Local Shuttle Program. The C/CAG grant along with the TA grant will provide the required funding for the Redwood City shuttle program for FY 10/11.

C/CAG’s budget for Local Service Programs for FY 10/11 is \$500,000 plus \$300,000 in matching funds from the San Mateo County Transportation Authority. Each of the existing shuttles will require an amendment to the existing funding agreement for an increase of funds and extension of time. Daly City and Millbrae will require separate funding agreements for the new shuttle services.

Please see the table below to view the operating cost per passenger for each of the shuttles. The C/CAG benchmark for the operating cost per passenger as a performance standard is \$6.00 per passenger for fixed route shuttles and \$15.00 per passenger for door-to-door shuttles. If the

benchmark standard were to be adjusted by utilizing the Consumer Price Index (CPI) for inflation the benchmarks would be at \$6.70 and \$16.76 in 2010 since the standards were developed in 2005.

C/CAG Shuttle Monitoring for 12 months

(Quarter 4 of FY 08/09 through Quarter 3 of FY 09/10)

Shuttle	Operating Cost/Passenger
Brisbane/Daly City Senior (door-to-door)	\$11.33 (Q1-Q3)*
Brisbane/Daly City Commuter	\$8.66
Burlingame	\$7.53
Daly City (<i>new service</i>)	\$13.13 (estimated)
East Palo Alto Weekend	\$5.19
East Palo Alto Senior/Shopper	\$13.04
East Palo Alto Weekday	\$2.43 (Q1-Q3)*
Foster City Connection Blue	\$4.32
Foster City Connection Red	\$4.04
Menlo Park Marsh	\$3.68
Menlo Park Willow	\$4.31
Menlo Park Midday	\$4.49
Millbrae (door-to-door, <i>new service</i>)	\$23.81 (estimated)
Redwood City Mid Point Employer	\$5.10
Redwood City Community (door-to-door)	\$17.63
South San Francisco OP BART	\$6.35
South San Francisco UG BART	\$8.43
South San Francisco OP Caltrain	\$6.74
South San Francisco UG Caltrain	\$8.92

* Calculation is for Quarter 1 through Quarter 3 of Fiscal Year 2009/2010

ATTACHMENTS

- Resolution 10-48
- Resolution 10-50
- Resolution 10-51
- 7 shuttle agreement amendments
- Shuttle Program Agreement with the City of Daly City
- Shuttle Program Agreement with the City of Millbrae

RESOLUTION 10-48

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 AMENDMENTS TO THE AGREEMENTS WITH VARIOUS CITIES AND THE PENINSULA TRAFFIC CONGESTION RELIEF ALLIANCE TO EXTEND THE PROVISION OF LOCAL AND EMPLOYER BASED SHUTTLE SERVICES FOR A TOTAL ADDITIONAL COST NOT TO EXCEED \$639,351 FROM JULY 1, 2010 THROUGH JUNE 30, 2011. THESE FUNDS ARE DERIVED FROM THE CONGESTION RELIEF PROGRAM WITH SOME MATCHING FUNDS FROM THE TRANSPORTATION AUTHORITY.

WHEREAS, the Board of Directors of the City/County Association of Governments at its February 14, 2002 meeting approved the Countywide Traffic Congestion Relief Plan; and,

WHEREAS, one component of that Plan was support for the Local and Employer Based Shuttle Programs; and,

WHEREAS, on June 9, 2005 the C/CAG Board selected through a request for proposals process, six programs to be funded through June 30, 2006; and

WHEREAS, on August 10, 2006 the C/CAG Board approved an agreement with the Peninsula Traffic Congestion Relief Alliance for the support of an employer-based shuttle program in the City of South San Francisco; and

WHEREAS, on June 14, 2007 the C/CAG Board approved an agreement for the Redwood City shuttle program; and

WHEREAS, all of these programs have been successfully operating and the C/CAG Board desires to extend these services for an additional year; and

WHEREAS, C/CAG has determined that the added cost of these extensions shall not cumulatively exceed six hundred thirty-nine thousand three hundred and fifty-one dollars (\$639,351); and

WHEREAS, the following agencies and programs shall be covered by this extension.

<u>Agency</u>	<u>Increase in Funding</u>
Cities of Brisbane and Daly City	\$94,012
City of Burlingame	\$52,313
City of East Palo Alto	\$151,325
City of Foster City	\$53,434
City of Menlo Park	\$105,267
Redwood City	\$63,000
South San Francisco and the Alliance	\$120,000
Total	\$639,351

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that on behalf of C/CAG the Chair is authorized to execute amendments to these agreements with the aforementioned agencies increasing the funding by the amounts listed above and extending the contract period through June 30, 2011. The amendments shall be in a form approved by C/CAG Legal Counsel. In accordance with C/CAG adopted policy, the C/CAG Chair may administratively authorize up to an additional 5% of the original total contract amount in the event that there are unforeseen costs associated with the project.

PASSED, APPROVED, AND ADOPTED THIS 12TH DAY OF AUGUST 2010.

Thomas M. Kasten, Chair

RESOLUTION 10-50

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE CHAIR TO EXECUTE AN AGREEMENT WITH THE CITY OF DALY CITY FOR A LOCAL SERVICE SHUTTLE PROGRAM FOR A MAXIMUM AMOUNT OF \$77,450.

WHEREAS, the Board of Directors of the City/County Association of Governments at its February 14, 2002 meeting approved the Countywide Traffic Congestion Relief Plan; and,

WHEREAS, one component of that Plan was support for the Local Service Shuttle Program; and,

WHEREAS, the City of Daly City has applied for local service shuttle funding; and,

WHEREAS, the C/CAG Board has reviewed the request for funding by the City of Daly City and has determined that it is consistent with the Plan; and,

WHEREAS, the Board of Directors of the City/County Association of Governments at its August 12, 2010 meeting approved an agreement with the City of Daly City for the local service shuttle program for a maximum amount of \$77,450.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the Chair is authorized to execute an agreement with the City of Daly City for a maximum amount of \$77,450. This agreement shall be in a form to be approved by C/CAG Legal Counsel.

PASSED, APPROVED, AND ADOPTED THIS 12TH DAY OF AUGUST 2010.

Thomas M. Kasten, Chair

RESOLUTION 10-51

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE CHAIR TO EXECUTE AN AGREEMENT WITH THE CITY OF MILLBRAE FOR A LOCAL SERVICE SHUTTLE PROGRAM FOR A MAXIMUM AMOUNT OF \$25,714.

WHEREAS, the Board of Directors of the City/County Association of Governments at its February 14, 2002 meeting approved the Countywide Traffic Congestion Relief Plan; and,

WHEREAS, one component of that Plan was support for the Local Service Shuttle Program; and,

WHEREAS, the City of Millbrae has applied for local service shuttle funding; and,

WHEREAS, the C/CAG Board has reviewed the request for funding by the City of Millbrae and has determined that it is consistent with the Plan; and,

WHEREAS, the Board of Directors of the City/County Association of Governments at its August 12, 2010 meeting approved an agreement with the City of Millbrae for the local service shuttle program for a maximum amount of \$25,714.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the Chair is authorized to execute an agreement with the City of Millbrae for a maximum amount of \$25,714. This agreement shall be in a form to be approved by C/CAG Legal Counsel.

PASSED, APPROVED, AND ADOPTED THIS 12TH DAY OF AUGUST 2010.

Thomas M. Kasten, Chair

**CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF
SAN MATEO COUNTY
FOURTH AMENDMENT TO AGREEMENT WITH
THE PENINSULA TRAFFIC CONGESTION RELIEF ALLIANCE**

WHEREAS, the City/County Association of Governments (hereinafter referred to as C/CAG), and the Peninsula Traffic Congestion Relief Alliance (hereinafter referred to as the Alliance) are parties to an Agreement dated August 10, 2006, regarding the Local Transportation Services component of the County-wide Congestion Relief Plan (the "Original Agreement"); and

WHEREAS, the Original Agreement was amended in 2007, 2008, and again in 2009 (the "Original Agreement as Amended"); and

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

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

1. This fourth amendment shall be to provide additional funding and an extension of time in order for the Alliance to continue the provision of locally based shuttle services and the Original Agreement as Amended is hereby further amended as set forth herein.

2. The added funding provided to the Alliance by C/CAG under this fourth amendment will be one hundred twenty thousand dollars (\$120,000), thereby making the new total contract maximum amount five hundred ninety thousand dollars (\$590,000). This fourth amendment shall be in effect as of July 1, 2010. The maximum amount available pursuant to this fourth amendment for Fiscal Year 2010/2011 will be one hundred twenty thousand dollars (\$120,000). The additional funds will be paid based upon the receipt of invoices for the actual costs.

3. The Alliance shall be required to provide a dollar for dollar match for the C/CAG funds provided under this fourth amendment.

4. The Contract Term, as specified in section 5 of the Original Agreement as Amended, shall terminate on June 30, 2011.

5. All other provisions of the Original Agreement as Amended shall remain in full force and effect.

For C/CAG:

For the Alliance:

Thomas M. Kasten, Chair

Linda Koelling, Chair

Date: _____

Date: _____

Approved as to form:

C/CAG Legal Counsel

The Alliance Legal Counsel

**CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF
SAN MATEO COUNTY
FIFTH AMENDMENT TO AGREEMENT WITH
THE CITY OF BURLINGAME**

WHEREAS, the City/County Association of Governments (hereinafter referred to as C/CAG), and the City of Burlingame (hereinafter referred to as City) are parties to an Agreement dated June 9, 2005, regarding the Local Transportation Services component of the County-wide Congestion Relief Plan (the "Original Agreement"); and

WHEREAS, the Original Agreement was amended in 2006, 2007, 2008, and again in 2009 (the "Original Agreement as Amended"); and

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

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

1. This fifth amendment shall be to provide additional funding and an extension of time in order for the City to continue the provision of locally based shuttle services and the Original Agreement as Amended is hereby further amended as set forth herein.

2. The added funding provided to City by C/CAG under this fifth amendment will be fifty two thousand, three hundred thirteen dollars (\$52,313), thereby making the new total contract maximum amount two hundred forty-nine thousand, seven hundred seventy-five dollars (\$302,088). This fifth amendment shall be in effect as of July 1, 2010. The maximum amount available pursuant to this fifth amendment for Fiscal Year 2010/2011 will be fifty two thousand, three hundred thirteen dollars (\$52,313). The additional funds will be paid based upon the receipt of invoices for the actual costs.

3. City shall be required to provide a dollar for dollar match for the C/CAG funds provided under this fifth amendment.

4. The Contract Term, as specified in section 9 (Contract Term) of the Original Agreement as Amended, shall terminate on June 30, 2011.

5. All other provisions of the Original Agreement as Amended shall remain in full force and effect.

For C/CAG:

For City:

Thomas M. Kasten, Chair

Date: _____

Approved as to form:

C/CAG Legal Counsel

Date: _____

City Legal Counsel

**CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF
SAN MATEO COUNTY
FIFTH AMENDMENT TO AGREEMENT WITH
THE CITY OF FOSTER CITY**

WHEREAS, the City/County Association of Governments (hereinafter referred to as C/CAG), and the City of Foster City (hereinafter referred to as City) are parties to an Agreement dated June 9, 2005, regarding the Local Transportation Services component of the County-wide Congestion Relief Plan (the "Original Agreement"); and

WHEREAS, the Original Agreement was amended in 2006, 2007, 2008 and again in 2009 (the "Original Agreement as Amended"); and

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

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

1. This fifth amendment shall be to provide additional funding and an extension of time in order for the City to continue the provision of locally based shuttle services and the Original Agreement as Amended is hereby further amended as set forth herein.

2. The added funding provided to City by C/CAG under this fifth amendment will be fifty three thousand, four hundred thirty four dollars (\$53,434), thereby making the new total contract maximum amount five hundred ninety thousand, five hundred thirty four dollars (\$590,534). This fifth amendment shall be in effect as of July 1, 2010. The maximum amount available pursuant to this fifth amendment for Fiscal Year 2010/2011 will be fifty three thousand, four hundred thirty four (\$53,434). The additional funds will be paid based upon the receipt of invoices for the actual costs.

3. City shall be required to provide a dollar for dollar match for the C/CAG funds provided under this fifth amendment.

4. The Contract Term, as specified in section 7 (Contract Term) of the Original Agreement as Amended, shall terminate on June 30, 2011.

5. All other provisions of the Original Agreement as Amended shall remain in full force and effect.

For C/CAG:

For City:

Thomas M. Kasten, Chair

Date: _____

Approved as to form:

C/CAG Legal Counsel

Date: _____

City Legal Counsel

**CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF
SAN MATEO COUNTY
FIFTH AMENDMENT TO AGREEMENT WITH
THE CITY OF EAST PALO ALTO**

WHEREAS, the City/County Association of Governments (hereinafter referred to as C/CAG), and the City of East Palo Alto (hereinafter referred to as City) are parties to an Agreement dated June 9, 2005, regarding the Local Transportation Services component of the County-wide Congestion Relief Plan (the "Original Agreement"); and

WHEREAS, the Original Agreement was amended in 2006, 2007, 2008, and again in 2009 (the "Original Agreement as Amended"); and

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

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

1. This fifth amendment shall be to provide additional funding and an extension of time in order for the City to continue the provision of locally based shuttle services and the Original Agreement as Amended is hereby further amended as set forth herein.

2. The added funding provided to City by C/CAG under this fifth amendment will be one hundred fifty one thousand, three hundred twenty-five dollars (\$151,325), thereby making the new total contract maximum amount five hundred eighty thousand, five hundred seventy-two dollars (\$580,572). This fifth amendment shall be in effect as of July 1, 2010. The maximum amount available pursuant to this fifth amendment for Fiscal Year 2010/2011 will be one hundred fifty one thousand, three hundred twenty-five dollars (\$151,325). The additional funds will be paid based upon the receipt of invoices for the actual costs.

3. City shall be required to provide a dollar for dollar match for the C/CAG funds provided under this fifth amendment

4. The Contract Term, as specified in section 11 (Contract Term) of the Original Agreement as Amended, shall terminate on June 30, 2011.

5. All other provisions of the Original Agreement as Amended shall remain in full force and effect.

For C/CAG:

For City:

Thomas M. Kasten, Chair

Date: _____

Approved as to form:

C/CAG Legal Counsel

Date: _____

City Legal Counsel

**CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF
SAN MATEO COUNTY
SIXTH AMENDMENT TO AGREEMENT WITH
THE CITY OF MENLO PARK**

WHEREAS, the City/County Association of Governments (hereinafter referred to as C/CAG), and the City of Menlo Park (hereinafter referred to as City) are parties to an Agreement dated June 9, 2005, regarding the Local Transportation Services component of the County-wide Congestion Relief Plan (the "Original Agreement"); and

WHEREAS, the Original Agreement was amended in 2006, twice in 2007, 2008, and again in 2009 (the "Original Agreement as Amended"); and

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

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

1. This sixth amendment shall be to provide additional funding and an extension of time in order for the City to continue the provision of locally based shuttle services and the Original Agreement as Amended is hereby further amended as set forth herein.

2. The added funding provided to City by C/CAG under this sixth amendment will be one hundred five thousand, two hundred sixty-seven dollars (\$105,267), thereby making the new total contract maximum amount six hundred six thousand, nine hundred thirty-five dollars (\$606,935). This sixth amendment shall be in effect as of July 1, 2010. The maximum amount available pursuant to this sixth amendment for Fiscal Year 2010/2011 will be one hundred five thousand, two hundred sixty-seven dollars (\$105,267). The additional funds will be paid based upon the receipt of invoices for the actual costs.

3. City shall be required to provide a dollar for dollar match for the C/CAG funds provided under this sixth amendment.

4. The Contract Term, as specified in section 5 of the Original Agreement as Amended, shall terminate on June 30, 2011.

5. All other provisions of the Original Agreement as Amended shall remain in full force and effect.

For C/CAG:

For City:

Thomas M. Kasten, Chair

Date: _____

Approved as to form:

C/CAG Legal Counsel

Date: _____

City Legal Counsel

**CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF
SAN MATEO COUNTY
FIFTH AMENDMENT TO AGREEMENT WITH
THE CITIES OF BRISBANE AND DALY CITY**

WHEREAS, the City/County Association of Governments (hereinafter referred to as C/CAG), and the City of Daly City (hereinafter referred to as City) are parties to an Agreement dated June 9, 2005, regarding the Local Transportation Services component of the County-wide Congestion Relief Plan (the "Original Agreement"); and

WHEREAS, the Original Agreement was amended in 2006, 2007, 2008, and again in 2009 (the "Original Agreement as Amended"); and

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

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

1. This fifth amendment shall be to provide additional funding and an extension of time in order for the Cities to continue the provision of locally based shuttle services and the Original Agreement as Amended is hereby further amended as set forth herein.

2. The added funding provided to Cities by C/CAG under this fifth amendment will be ninety-four thousand, twelve dollars (\$94,012), thereby making the new total contract maximum amount four hundred fifty-five thousand, six hundred ninety-five dollars fifty cents (\$455,695.50). This fifth amendment shall be in effect as of July 1, 2010. The maximum amount available pursuant to this fifth amendment for Fiscal Year 2010/2011 will be ninety-four thousand, twelve dollars (\$94,012). The additional funds will be paid based upon the receipt of invoices for the actual costs.

3. Cities shall be required to provide a dollar for dollar match for the C/CAG funds provided under this fifth amendment.

4. The Contract Term, as specified in section 15 of the Original Agreement as Amended, shall terminate on June 30, 2011.

5. All other provisions of the Original Agreement as Amended shall remain in full force and effect.

For C/CAG:

For Brisbane:

For Daly City:

Thomas M. Kasten, Chair

Date: _____

Approved as to form:

C/CAG Legal Counsel

Date: _____

City Legal Counsel

Date: _____

City Legal Counsel

**CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF
SAN MATEO COUNTY
THIRD AMENDMENT TO AGREEMENT WITH
THE CITY OF REDWOOD CITY**

WHEREAS, the City/County Association of Governments (hereinafter referred to as C/CAG), and the City of Redwood City (hereinafter referred to as City) are parties to an Agreement dated June 14, 2007, regarding the Local Transportation Services component of the County-wide Congestion Relief Plan (the "Original Agreement"); and

WHEREAS, the Original Agreement was amended in 2008 and again in 2009 (the "Original Agreement as Amended"); and

WHEREAS, the parties now desire to enter into this third amendment

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

1. This third amendment shall be to provide additional funding and an extension of time in order for the City to continue the provision of locally based shuttle services and the Original Agreement as Amended is hereby further amended as set forth herein.
2. The added funding provided to the City by C/CAG under this third amendment will be sixty three thousand dollars (\$63,000), thereby making the new total contract maximum amount three hundred ten thousand, four hundred dollars (\$310,400). This third amendment shall be in effect as of July 1, 2010. The maximum amount available pursuant to this third amendment for Fiscal Year 2010/2011 will be sixty three thousand dollars (\$63,000). The additional funds will be paid based upon the receipt of invoices for the actual costs.
3. City shall be required to provide a dollar for dollar match for the C/CAG funds provided under this third amendment.
4. The Contract Term, as specified in section 5 of the Original Agreement as Amended, shall terminate on June 30, 2011.
5. All other provisions of the Original Agreement shall remain in full force and effect.

For C/CAG:

For City:

Thomas M. Kasten, Chair

Date: _____

Approved as to form:

C/CAG Legal Counsel

Date: _____

City Legal Counsel

**SHUTTLE PROGRAM AGREEMENT BETWEEN
CITY/COUNTY ASSOCIATION OF GOVERNMENTS AND THE CITY OF
DALY CITY**

This Agreement entered this 12th Day of August 2010, by and between the CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY, a joint powers agency formed for the purpose of preparation, adoption and monitoring of a variety of county-wide state-mandated plans, hereinafter called "C/CAG" and the City of Daly City, hereinafter called "CITY."

W I T N E S S E T H

WHEREAS, C/CAG is prepared to award funding for the implementation of shuttle programs under the "Local Services Shuttle Program" component of the Congestion Relief Plan; and

WHEREAS, The purpose of the Local Services Shuttle Program is to increase the use of public transit by individuals whose place of employment is within San Mateo County, thereby reducing regional and local congestion; and

WHEREAS, The C/CAG Board has reviewed the City of Daly City request for funding and has determined that it is consistent with the Plan; and

WHEREAS, The parties wish to obligate the first cycle of funding and the CITY will match the C/CAG contribution on a dollar for dollar basis; and

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

1. Services to be provided by CITY. In consideration of the payments hereinafter set forth, the CITY shall provide services in accordance with the terms, conditions and specifications set forth herein and in Exhibit A attached hereto and by this reference made a part hereof.
2. Payments. In consideration of the services rendered in accordance with all terms, conditions and specifications set forth herein and in Exhibit A, C/CAG shall make payment to CITY in the manner specified herein and in Exhibit A in an amount not to exceed seventy seven thousand and four hundred fifty dollars (\$77,450). In the event that C/CAG makes any advance payments, CITY agrees to refund any amounts in excess of the amount owed by C/CAG at the time of termination of this Agreement
3. Relationship of the Parties. It is understood that this is an Agreement by and between Independent Contractor(s) and is not intended to, and shall not be construed to, create the relationship of agent, servant, employee, partnership, joint venture or association, or any other relationship whatsoever other than that of Independent Contractor.
4. Non-Assignability. CITY shall not assign this Agreement or any portion thereof to a third party without the prior written consent of C/CAG, and any attempted assignment without such prior written consent in violation of this Section automatically shall terminate this Agreement.

5. Contract Term. This Agreement shall be in effect as of 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 CITY. Termination to be effective on the date specified in the notice. In the event of termination under this paragraph, CITY shall be paid for all services provided to the date of termination.
6. Hold Harmless/ Indemnity: CITY shall indemnify and save harmless C/CAG from all claims, suits or actions resulting from the performance by CITY of its duties under this Agreement. C/CAG shall indemnify and save harmless CITY from all claims, suits or actions resulting from the performance by C/CAG of its duties 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: CITY or its subcontractors performing the services on behalf of CITY 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. CITY 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 CITY's coverage to include the contractual liability assumed by CITY 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.

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

Liability Insurance: CITY shall take out and maintain during the life of this Agreement such Bodily Injury Liability and Property Damage Liability Insurance as shall protect CITY, 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 CITY 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. CITY and its subcontractors performing the services on behalf of CITY shall not discriminate or permit discrimination against any person or group of persons on the basis of race, color, religion, national origin or ancestry, age, sex, sexual orientation, marital status, pregnancy, childbirth or related conditions, medical condition, mental or physical disability or veteran's status, or in any manner prohibited by federal, state or local laws.
9. Compliance with All Laws. CITY 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. Sole Property of C/CAG: Any system or documents developed, produced or provided under this Agreement shall become the sole property of C/CAG.
11. Access to Records. C/CAG, or any of its duly authorized representatives, shall have access to any books, documents, papers, and records of CITY which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcriptions.

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

12. Merger Clause. This Agreement 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.

13. Governing Law. This Agreement shall be governed by the laws of the State of California and any suit or action initiated by either party shall be brought in the County of San Mateo, California.

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

City of Daly City

By _____

Date

City of Daly City Legal Counsel

By _____

City/County Association of Governments (C/CAG)

By _____

C/CAG Chair

Date

C/CAG Legal Counsel

By _____

Exhibit A

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*

Local Transportation Services Shuttle Program Fiscal Year 2010/2011

Jurisdiction or shuttle route location: Daly City

Amount of funding requested: \$77,450

For funding requests that include more than one shuttle, list each shuttle route separately as a separate shuttle and detail all funding sources for each particular shuttle. Please provide this data in a table format to be inserted here.

Amount and source of matching funds: \$368,929, State Transit Assistance Funding for Lifeline Transportation (three years)

Contact person: Joseph Curran, Assistant to the City Manager

Phone: (650) 991-8126

Email: jcurran@dalycity.org

Shuttle project summary:

This project is the implementation of a circulator shuttle service connecting the Bayshore neighborhood in Daly City with transit and important destinations in the western portion of Daly City. The shuttle would be free for passengers and would operate for ten hours on weekdays, expanding in the second year to add 6 hours of service on weekends.

Providing a circulator shuttle service would improve the mobility of Bayshore residents to transit and important destinations. Potential circulator service shuttle stops are: the T-Line stop at Sunnydale Avenue, stops within the Bayshore neighborhood, Balboa Park BART, Top of the Hill (SamTrans and Muni connections), Daly City BART station, and Colma BART station. These stops would provide access to BART, Muni, and many SamTrans bus lines that connect with BART stations.

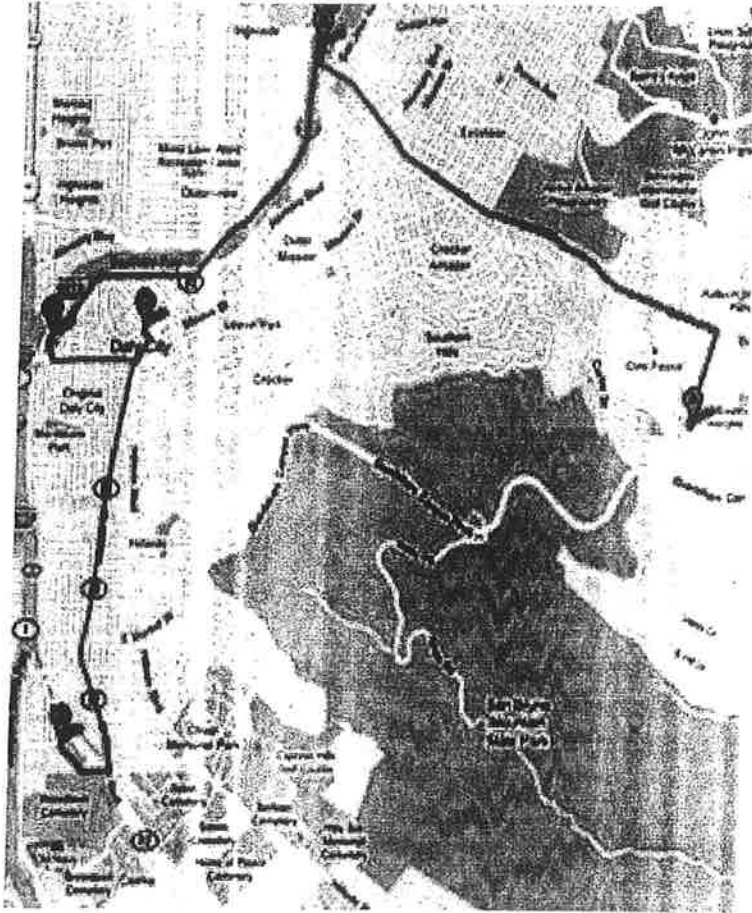
Attach a shuttle route map for each fixed route shuttle that is being considered for funding.

555 County Center, 5th Floor, Redwood City, CA 94063 PHONE: 650.599.1460 FAX: 650.361.8227

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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APPLICATION FOR NEW PROJECTS – BAYSHORE TRANSIT CONNECTOR

A. Projected Ridership and Performance (up to 50 points)

The shuttle could potentially serve 50 or more riders per day.

Project the following data for the first 12 months of service based on the definitions provided. A Microsoft Excel Quarterly Report Form template is attached for providing the information for the calculations for questions 1 through 3. As a footnote to the chart, explain the methodology for your projection of the number of passengers for each proposed route:

1. Operating cost per passenger for first 12 months (up to 15 points).
 - a. This measure is calculated by dividing all operating costs by total passengers. This includes contract costs (if applicable), maintenance, insurance, fuel and administrative costs to the service. Operating costs and passenger data should be provided separately for each route.

Projected Operating Cost Per Passenger: \$16.70 to \$15.66

2. Operating cost per revenue hour for first 12 months (up to 15 points).
 - a. This measure is calculated by dividing all operating costs (as defined above) by the total number of vehicle service hours (defined as time when the vehicle is actually in passenger service). Operating cost per revenue hour measures service efficiency. The data should be provided separately for each route.

\$83.50

3. Passengers per revenue hour for prior 12 months (up to 20 points).
 - a. Passengers per revenue hour is calculated by dividing the total number of passengers by the total number of vehicle service hours. Passengers per revenue hour should be calculated for each route.

5.0 – 5.3

B. Service Plan and Budget (up to 50 points)

1. Describe how the service will be delivered for the first 12 months of service including:

- a. Service area (show routes, if applicable, and destinations served)

Providing a circulator shuttle service would improve the mobility of Bayshore residents to important destinations. Potential circulator service shuttle stops are: the T-Line stop at Sunnydale Avenue, stops within the Bayshore neighborhood, Balboa Park BART, Top of

the Hill (SamTrans and Muni connections), Daly City BART station, and Colma BART station. These stops would provide access to BART, Muni, and many SamTrans bus lines that connect with BART stations. The shuttle could share the existing bus stops and additional bus stops would be considered within the neighborhood. Prior to implementation of the shuttle service, Daly City would work with SamTrans staff to develop a final service plan.

Potential Shuttle Route:

One possible shuttle route would start at the intersection of Geneva Avenue and Bayshore Boulevard and enter the project area heading south on Schwerin Street, continue up the hill to Bay Ridge Drive and exit the project area by way of Rio Verde Street back to Geneva Avenue. The shuttle would then head northwest on Geneva Avenue towards Balboa Park BART station. From there the shuttle would head south on Alemany Boulevard to Daly City BART station, Top of the Hill, and then south to Colma BART station. Following Colma BART station the shuttle would head back towards the project area by way of Guadalupe Canyon Parkway to minimize travel time. This route would take approximately one hour to complete and is approximately 13 miles in length, including 5 to 7 stops within the project area and five stops outside of the project area.

Potential Shuttle Stops:

Many of the destinations that the shuttle would serve, if the residents were to instead use regular fixed-route transit, would start with catching the muni9X outbound at the northwest corner of Santos Street and Geneva Avenue. The outreach process revealed that many Bayshore residents find the walk to this stop difficult given various barriers such as crime, impaired mobility, young children, and heavy parcels. Additionally, the average distance a person is willing to walk to access public transit generally accepted as about 1.4 mile. Assuming the average walking speed of a fully ambulatory person is 3 miles per hour, the walk from the farthest potential shuttle stop to Santos Street and Geneva Avenue would take approximately 18 minutes and is .9 miles away. The closest potential shuttle stop is at Rio Verde Street and Geneva Avenue. This stop would be .25 miles, about a five minute walk, from the 9X stop at Santos Street and Geneva Avenue. The average distance from the most densely populated areas of the project area is .5 miles, or a 10 minute walk. The following shuttle shows an analysis of potential shuttle stops and their relation to secondary destinations.

- b. Does the shuttle serve a Caltrain station?

This shuttle *could* provide service to the Bayshore Caltrain Station. However, the Bayshore/Brisbane Shuttle already provides a connection to the Caltrain Station.

- c. Schedule (days, times, frequency)

The shuttle would potentially run Monday through Friday, from 7:00 a.m. to 5:00 p.m. The entire route, including stops at the T-Line Sunnydale stop, would take approximately

1 hour.

- d. Marketing (advertising, signage, schedules, etc.)

The shuttle would be advertised, with schedules, via the City's newsletter, government access cable television channel, website, Parks and Recreation Department activities guide, Brown Bag lunch food distribution program, Bayshore and Robertson Schools, Bayshore Boys and Girls Club, Bayshore Library, and the Bayshore Residents Association, and Midway Village.

- e. Service provider

SamTrans or the Peninsula Traffic Congestion Relief Alliance

- f. Administration and oversight

SamTrans or the Peninsula Traffic Congestion Relief Alliance

- g. Monitoring (performance data, complaints/complements, surveys)

SamTrans or the Peninsula Traffic Congestion Relief Alliance

C. Bonus Points (up to 40 points)

- 1. Use of clean fuel vehicles (up to 5 points)

The vehicle would meet all clean air regulatory standards.

- 2. Special accommodations to serve transit dependents or other special needs populations such as the elderly or disabled (up to 5 points)

The Bayshore neighborhood is located in the far eastern part of Daly City to the north of Brisbane (see Project Area Map). The northern border of the project area lies on the border between San Mateo County and San Francisco. The study area for this plan was defined in consultation with the City of Daly City and includes U.S. Census Tract 6002.

The population of the Bayshore neighborhood is approximately 4,000 people. The racial ethnic breakdown of the neighborhood is 57% Asian, 24% Hispanic/Latino, 10% African American, and 7% Caucasian.

Twenty-eight percent of Bayshore's 973 households (according to the 2000 U.S. Census) are considered linguistically isolated. The U.S. Census defines a linguistically isolated household as one in which no one 14 years or older speaks English "well" or "very well." Of the 436 households that speak primarily an Asian or Pacific Island language, 44% (192) do not include anyone over the age of 14 who can communicate comfortably in English. Only 10% of Asian and Pacific Islander households speak English as their primary language. There are also 182 households in the project area that speak primarily

Spanish. Of these Spanish-speaking households, 40% (72) do not include anyone over age 14 who can speak English comfortably.

The Bayshore neighborhood has a higher percentage of households living in poverty than Daly City and San Mateo County. Ten percent (266) of Bayshore households are below the poverty line, as compared to 7% of households in Daly City and 6% of households in San Mateo County.

About one quarter of the households in the Bayshore neighborhood have annual incomes between \$50,000 and \$75,000. The percentage of households with incomes less than \$50,000 annually is slightly higher in the Bayshore area (39%) than in Daly City (37%) and San Mateo County (33%). Twelve percent (12%) of Bayshore households have annual incomes under \$15,000, as compared to 9% and 7% of households in the City and County respectively.

3. Provides transportation to vital services that are not otherwise served by transit (up to 5 points)

The shuttle service would connect Bayshore residents with shopping, grocery, and medical destinations in Daly City, San Francisco, and other areas of the peninsula by serving areas within the Bayshore neighborhood and then stopping at Muni stops, SamTrans stops, BART stations, which include several SamTrans stops, and the Top of the Hill area.

Many of the destinations that the shuttle would serve, if the residents were to instead use regular fixed-route transit, would start with catching the Muni 9X outbound at the northwest corner of Santos Street and Geneva Avenue. The outreach process revealed that many Bayshore residents find the walk to this stop difficult given various barriers such as crime, impaired mobility, young children, and heavy parcels. Additionally, the average distance a person is willing to walk to access public transit is generally accepted as about 1.4 mile. Assuming the average walking speed of a fully ambulatory person is 3 miles per hour, the walk from the farthest potential shuttle stop to Santos Street and Geneva Avenue would take approximately 18 minutes and is .9 miles away. The closest potential shuttle stop is at Rio Verde Street and Geneva Avenue. This stop would be .25 miles, about a five minute walk, from the 9X stop at Santos Street and Geneva Avenue. The average distance from the most densely populated areas of the project area is .5 miles, or a 10 minute walk.

4. Service results in an increase to fixed route transit ridership (up to 5 points)

The shuttle would quite likely result in increased ridership of fixed route transit – including SamTrans, Muni, and BART.

5. Service results in a decreased demand for SamTrans Redi-Wheels service (up to 5

points)

Unknown.

6. Service has private sector financial contribution (up to 10 points)

No private sector financing has been identified.

7. Partnership with a social service agency (up to 5 points)

The City would utilize its Community Service Center staff as partners for this shuttle, encouraging Bayshore neighborhood clients to use the shuttle as a means to pursue employment opportunities and other social services outside of the immediate area.

D. Minimum Requirements

Each program must meet the following minimum requirements in order to be considered for funding. Failure to meet 100% of these requirements will exclude the project from further consideration or cause funding to be withdrawn. Ideally this means that you will have a joint meeting with SamTrans and Alliance staff.

1. Evidence of coordination with SamTrans and the Alliance. Evidence means confirmation of the coordination in writing by these two agencies. Shuttle routes shall not duplicate SamTrans service.
2. Any change to the proposed service prior to implementation or during the funding period must be approved by C/CAG with the concurrence of SamTrans and the Alliance.
3. Service schedules must be designed to ensure timed transfers between routes and with regional carriers such as SamTrans, CalTrain, and BART.
4. To qualify for funding a project must have a minimum overall score of 50 points in order to be considered.

Standard Report Template

<u>Operating Data</u>	<u>First Quarter</u>		<u>Cumulative YTD</u>
	<u>Shuttle #1</u>	<u>Shuttle #2</u>	
Total Operating Costs	\$50,100	\$0	\$50,100
Contractor Cost	\$44,000		\$44,000
In House Cost	\$0		\$0
Maintenance Cost	\$0		\$0
Fuel	\$0		\$0
Insurance	\$0		\$0
Administrative Costs (Personnel expenses)	\$1,100		\$1,100
Other Direct Costs (printing marketing materials, promotions, etc)	\$5,000		\$5,000
Vehicle Service Hours	600		600
Passengers	3,000		3,000
<u>Performance Indicators</u>			
Operating Cost/Passenger	\$16.70	#DIV/0!	\$16.70
Operating Cost/Hour	\$83.50	#DIV/0!	\$83.50
Passengers/Revenue Hour	5.0	#DIV/0!	5.0

Ridership is conservatively estimated at 5 to 5.3 boardings per hour. The midday Bayshore/Brisbane Shuttle averages 6 boardings per hour. On an average weekday, 15,567 riders enter Balboa Park Station. 46% of the BART riders boarding at Balboa Park arrive via other transit modes. The proposed shuttle would likely result in an increase in total riders and the number of riders arriving at the station by way of another public transit means.

**SHUTTLE PROGRAM AGREEMENT BETWEEN
CITY/COUNTY ASSOCIATION OF GOVERNMENTS AND THE CITY OF
MILLBRAE**

This Agreement entered this 12th Day of **August 2010**, by and between the CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY, a joint powers agency formed for the purpose of preparation, adoption and monitoring of a variety of county-wide state-mandated plans, hereinafter called "C/CAG" and the City of Millbrae, hereinafter called "CITY."

W I T N E S S E T H

WHEREAS, C/CAG is prepared to award funding for the implementation of shuttle programs under the "Local Services Shuttle Program" component of the Congestion Relief Plan; and

WHEREAS, The purpose of the Local Services Shuttle Program is to increase the use of public transit by individuals whose place of employment is within San Mateo County, thereby reducing regional and local congestion; and

WHEREAS, The C/CAG Board has reviewed the City of Millbrae request for funding and has determined that it is consistent with the Plan; and

WHEREAS, The parties wish to obligate the first cycle of funding and the CITY will match the C/CAG contribution on a dollar for dollar basis; and

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

1. Services to be provided by CITY. In consideration of the payments hereinafter set forth, the CITY shall provide services in accordance with the terms, conditions and specifications set forth herein and in Exhibit A attached hereto and by this reference made a part hereof.
2. Payments. In consideration of the services rendered in accordance with all terms, conditions and specifications set forth herein and in Exhibit A, C/CAG shall make payment to CITY in the manner specified herein and in Exhibit A in an amount not to exceed twenty five thousand and seven hundred fourteen dollars (\$25,714). In the event that C/CAG makes any advance payments, CITY agrees to refund any amounts in excess of the amount owed by C/CAG at the time of termination of this Agreement
3. Relationship of the Parties. It is understood that this is an Agreement by and between Independent Contractor(s) and is not intended to, and shall not be construed to, create the relationship of agent, servant, employee, partnership, joint venture or association, or any other relationship whatsoever other than that of Independent Contractor.
4. Non-Assignability. CITY shall not assign this Agreement or any portion thereof to a third party without the prior written consent of C/CAG, and any attempted assignment without such prior written consent in violation of this Section automatically shall terminate this Agreement.

5. Contract Term. This Agreement shall be in effect as of 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 CITY. Termination to be effective on the date specified in the notice. In the event of termination under this paragraph, CITY shall be paid for all services provided to the date of termination.
6. Hold Harmless/ Indemnity: CITY shall indemnify and save harmless C/CAG from all claims, suits or actions resulting from the performance by CITY of its duties under this Agreement. C/CAG shall indemnify and save harmless CITY from all claims, suits or actions resulting from the performance by C/CAG of its duties 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: CITY or its subcontractors performing the services on behalf of CITY 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. CITY 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 CITY's coverage to include the contractual liability assumed by CITY 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.

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

Liability Insurance: CITY shall take out and maintain during the life of this Agreement such Bodily Injury Liability and Property Damage Liability Insurance as shall protect CITY, 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 CITY 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. CITY and its subcontractors performing the services on behalf of CITY 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. CITY 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. Sole Property of C/CAG: Any system or documents developed, produced or provided under this Agreement shall become the sole property of C/CAG.
11. Access to Records. C/CAG, or any of its duly authorized representatives, shall have access to any books, documents, papers, and records of CITY which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcriptions.

CITY shall maintain all required records for three years after C/CAG makes final payments and all other pending matters are closed.
12. Merger Clause. This Agreement 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.

13. Governing Law. This Agreement shall be governed by the laws of the State of California and any suit or action initiated by either party shall be brought in the County of San Mateo, California.

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

City of Millbrae

By _____

_____ Date

City of Millbrae Legal Counsel

By _____

City/County Association of Governments (C/CAG)

By _____
C/CAG Chair

_____ Date

C/CAG Legal Counsel

By _____

Exhibit A

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS
OF SAN MATEO COUNTY

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Local Transportation Services Shuttle Program Fiscal Year 2010/2011

Jurisdiction or shuttle route location: City of Millbrae

Amount of funding requested: \$25,714

For funding requests that include more than one shuttle, list each shuttle route separately as a separate shuttle and detail all funding sources for each particular shuttle. Please provide this data in a table format to be inserted here.

Amount and source of matching funds: Transportation Authority - \$25,714
City of Millbrae - \$5,713

Contact person: Mike Wride

Phone: (650) 259-2364

Email: mwride@ci.millbrae.ca.us

Shuttle project summary:

The Millbrae On Demand Shuttle will provide local transportation services to residents, by appointment, to the El Camino Real corridor and the Millbrae Intermodal Station so that riders can take advantage of other modes of mass public transit. This service will provide a much needed means of transportation by providing alternate transportation to the recently eliminated SamTrans Bus Route 342, which used to provide local public transit services for Millbrae residents. Due to the elimination of Route 342 there are currently no other transit options for Millbrae residents to get to the El Camino Real corridor where they can access the BART Intermodal Station, SamTrans Bus Routes 390 and 391, or Caltrain services. The proposed On Demand Shuttle service will encourage the use of public transportation, reduce traffic congestion and reduce green house gases.

The proposed shuttle service area would be primarily within the Millbrae city limits but would also provide services to the Mills Peninsula Hospital and surrounding medical offices.

The Millbrae Shuttle is expected to:

- Provide access to major transit hubs and transit services
- Provide access to neighborhoods and neighborhood services
- Fill a much needed gap in the bus network

The program will target commuters, the elderly, disabled persons, caregivers for the homebound and isolated individuals who relied on SAMTRANS Route 342 to get to and from work. SamTrans does not have plans to reinstate Route 342 which served an average 119 passengers a day.

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The service will be advertised on the City of Millbrae's website, Senior Newsletter, Recreation Brochure, City's Electronic Newsletter, Millbrae Community Television, posted flyers and press releases to encourage use of this service. The outreach will also be published in Chinese language to reach out to the large Chinese community in the City of Millbrae. In addition, the City will work with the Peninsula Traffic Congestion Relief Alliance (Alliance) in coordinating outreach efforts for promoting commute alternative programs, including the new shuttle. These efforts may include the design and printing of flyers, newspaper ads and press releases, publications and/or online advertising. Outreach efforts would include tabling at community events such the Millbrae Art & Wine Festival. Millbrae would also work with Alliance staff to schedule one-on-one meetings with employers to promote commute alternative programs, small employer lunch programs (providing commute alternative information to employers of 20 employees or less) and outreach opportunities through the Millbrae Chamber of Commerce.

In the first year of the program, it is estimated there will be a reduction of 2,568 vehicle miles traveled. The methodology used to determine this estimate was that half of the passengers would find another form of transportation to get to their destination, i.e. family members, cab, or other forms of transportation. We then divided the total mileage for the year (5,145) by the number of passengers (2,400), which equals 2.14 miles per trip. Staff then multiplied 2.14 x 1,200 passengers for a total of 2,568 vehicle miles reduced.

To fund the On Demand Shuttle service the City of Millbrae is requesting 45% of the total cost from the C/CAG Local Transportation Grant, 45% from the San Mateo Transportation Authority, and 10% funding by a local match from the City of Millbrae. If one of the funding sources is not granted, the On Demand Shuttle service hours would be adjusted to meet the funding level.

Budget

Expenditures

Driver	\$45,158
Gas (105 miles a week divided by 7 mile gal x 3.25 gal x 49 weeks)	2,389
Maintenance (Quarterly Bus Inspection & Repair)	3,000
Marketing (Publicity in Brochure, Senior Newsletter, Flyers, Papers)	750
Cell Phone (\$45 per month x 12 months)	540
Administration	4,304
Miscellaneous	1,000
Total	\$57,141

Revenue

Transportation Authority Local Shuttle Grant	25,714
C/CAG Local Transportation Grant	25,714
City Cash Match	5,713
Total	\$57,141

Sustainability

The City's Sustainable Millbrae Programs provide for a healthy community and environment. The programs cover Health & Well Being, Community Connections, Safety, Environment, and Affordable Housing. For the environment there are a variety of measures to reduce greenhouse gas emissions and improve air quality under the Energy Conservation and Climate Protection Programs for City facilities, residents, businesses and schools.

The Commuter Options and Incentives Program was started in 2008 for City employees to provide outreach and education on alternative transportation options for traveling to and from work to reduce single car occupancy travel. Since then the program has expanded to include outreach to the larger community on alternative transportation

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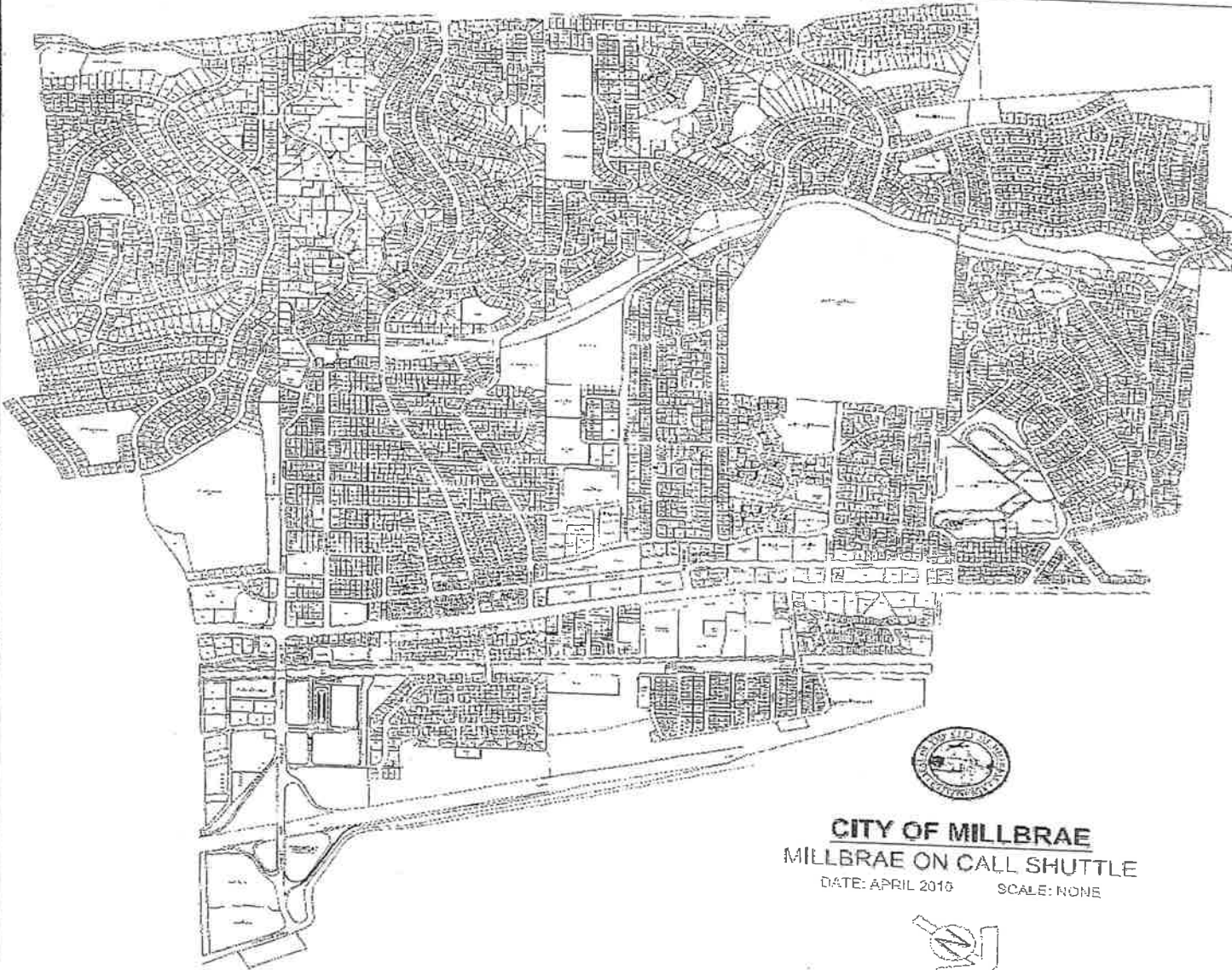
C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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options such as public transportation, carpooling, bicycling and other methods in order to reduce emissions, improve air quality and overall health. Outreach includes brochures, public service announcements, displays at City Hall and the Library, and workshops.

Attach a shuttle route map for each fixed route shuttle that is being considered for funding.



CITY OF MILLBRAE
MILLBRAE ON CALL SHUTTLE

DATE: APRIL 2010 SCALE: NONE



Standard Report Template

Operating Data	First Quarter		Cumulative YTD
	Shuttle #1	Shuttle #2	
Total Operating Costs	\$57,141	\$0	\$57,141
Contractor Cost			\$0
In House Cost	\$45,158		\$45,158
Maintenance Cost	\$3,000		\$3,000
Fuel	\$2,389		\$2,389
Insurance			\$0
Administrative Costs (Personnel expenses)	\$4,304		\$4,304
Other Direct Costs (printing marketing materials, promotions, etc)	\$2,290		\$2,290
Vehicle Service Hours	1,500		1,500
Passengers	2,400		2,400
Performance Indicators			
Operating Cost/Passenger	\$23.81	#DIV/0!	\$23.81
Operating Cost/Hour	\$38.09	#DIV/0!	\$38.09
Passengers/Revenue Hour	1.6	#DIV/0!	1.6

C/CAG AGENDA REPORT

Date: August 12, 2010
To: City/County Association of Governments Board of Directors
From: Richard Napier, Executive Director
Subject: Biennial review of the C/CAG Conflict of Interest Code (COI).
(For further information or questions contact Richard Napier at 599-1420)

RECOMMENDATION

That the C/CAG Board accept the biennial review of the C/CAG Conflict of Interest Code (COI).

FISCAL IMPACT

None.

SOURCE OF FUNDS

Not applicable.

BACKGROUND/DISCUSSION

Per Government Code §87306.5, all local agencies are to review their Conflict of Interest Code biennially to determine if it is accurate or if their code must be amended. The biennial review must be returned to the San Mateo County Assessors – County Clerk - Recorders Office by September 1st.

The current information for C/CAG is accurate and there is no change required in the agency's code.

ATTACHMENTS

- Conflict of Interest Code City/County Association of Governments of San Mateo County
- Conflict of Interest Code (COI) Biennial Review Notice
- 2010 Local Agency Biennial Notice
- How to Review a Conflict-of-Interest Code
- How to Amend a Conflict-of-Interest Code



COUNTY OF SAN MATEO INTERDEPARTMENTAL CORRESPONDENCE

To: Honorable Board of Directors, CCAG
From: Miruni Soosaipillai, Deputy County Counsel
Subject: Proposed Amendment of Conflict of Interest Code
For Consideration at August 12, 2004 Meeting
Date: July 23, 2004

The Political Reform Act of 1974 (Government Code Sections 81000 et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. Every two years, the County Clerk conducts a review of the various agencies' codes. Prompted by the request of the County Clerk, I have reviewed the CCAG Conflict of Interest Code and concluded that it would be appropriate to adopt the changes discussed below. Any changes must be adopted by your Board and submitted to the County Clerk by September 1, 2004. The changes would become effective upon adoption by the County Board of Supervisors.

As it currently stands, the CCAG conflict of interest code requires the following Board members and employees to file the annual Statement of Economic Interests (also known as Form 700): Member, Board of Supervisors; Member, City Council; Executive Director; and certain Consultants.

The proposed amended code would require that the following persons file the statement: Member, Alternate Member, Ex Officio Member, Executive Director, and certain Consultants. The changes will make it clearer that Alternate and Ex Officio Members are required to file Form 700.

THOMAS F. CASEY III, COUNTY COUNSEL

By: _____

Miruni Soosaipillai, Deputy

Attachment

cc: Richard Napier, Executive Director, CCAG

TFC:MS/

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ITEM 4.3

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

The purposes of this Conflict of Interest Code are to provide for the disclosure of investments, real property, income and business positions of designated City/County Association of Governments of San Mateo County (hereinafter referred to as "C/CAG") officials and employees that may be materially affected by their official actions and to provide for the disqualification of designated officials and employees from participation in C/CAG decisions in which they may have a financial interest.

Background

The Political Reform Act of 1974 (Government Code Sections 81000 et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation, California Code of Regulations Section 18730, which contains the terms of a standard conflict of interest code. This regulation and any amendments thereto may be incorporated by reference by local agencies and, together with the designation of employees and disclosure categories, meets the requirements of the Political Reform Act.

Adoption of Conflict of Interest Code

The terms of Title 2 California Code of Regulations Section 18730 are hereby incorporated by reference and, along with the attached Appendix in which officials and employees are designated and disclosure categories are set forth, constitute the Conflict of Interest Code of the City/County Association of Governments of San Mateo County.

Pursuant to the Political Reform Act and its regulations, all designated officials and employees shall file statements of economic interests with C/CAG, which shall retain a copy and forward the originals to the San Mateo County Clerk, which shall be the filing officer. The San Mateo County Board of Supervisors shall be the code reviewing body.

Subsequent amendments to Title 2 California Code of Regulations Section 18730 duly adopted by the Fair Political Practices Commission, after public notice and hearings, are also incorporated by reference unless C/CAG, within 90 days after the date on which an amendment to Section 18730 becomes effective, adopts a resolution providing that the amendment is not to be incorporated into this Code.

City/County Association of Governments of San Mateo County (C/CAG)
Conflict of Interest Code

List of Designated C/CAG Board Members and Employees,
Description of Financial Disclosure Categories

Each person holding any position listed below must file statements disclosing the kinds of financial interest shown for the identified position. Statements must be filed at the times and on the forms prescribed by law. Failure to file statements on time may result in penalties including but not limited to late fines.

<u>Designated Members or Employee</u>	<u>Disclosure Category</u>
Member	1, 2, 3, 4
Alternate Member	1, 2, 3, 4
Ex Officio Member	1, 2, 3, 4
Executive Director	1, 2, 3, 4
Consultants*	1, 2, 3, 4

*Those consultants who, within the meaning of 2 Ca. Code of Regulations 18701(a)(2) are required to file statements of economic interests, shall do so. During each calendar year, C/CAG shall maintain a list of such consultants for public inspection in the same manner and location as this Conflict of Interest Code. Nothing herein excuses any consultant from any other provision of the Conflict of Interest Code, specifically those dealing with disqualification.

Disclosure Categories

Category 1. A designated official or employee assigned to Category 1 is required to disclose direct or indirect investments in any business entity that may foreseeably be affected materially by any decision made or participated in by the designated official or employee by virtue of his or her position.

Category 2. A designated official or employee assigned to Category 2 is required to disclose interests in any real property that may foreseeably be affected materially by any decision made or participated in by the designated official or employee by virtue of his or her position.

Category 3. A designated official or employee assigned to Category 3 is required to disclose any source of income that may foreseeably be affected materially by any decision made or participated in by the designated official or employee by virtue of his or her position.

Category 4. A designated official or employee assigned to Category 4 is required to disclose any business entity in which the designated official or employee is a director, officer, partner, trustee, employee or holds any position of management that may foreseeably be affected materially by any decision made or participated in by the designated official or employee by virtue of his or her position.



DATE: July 1, 2010
TO: All Filing Officials
FROM: Warren Slocum, Assessor-County Clerk-Recorder
SUBJECT: **Conflict of Interest Code (COI) Biennial Review Notice**

This is to remind you that Government Code §87306.5 requires all local agencies to review their Conflict of Interest Codes biennially to determine if it is accurate or, alternatively, that the code must be amended. To assist you in making that determination, please review the attached "How to amend a Conflict of Interest Code" and "How to review a Conflict of Interest Code" documents. The attached "2010 Local Biennial Notice" form must be **returned to our office no later than September 1st**. Your agency must review its conflict of interest code and *submit a completed notice to:*

Juliet Fernandez
San Mateo County Clerk's Office
555 County Center
Redwood City, CA 94063

Our office will then submit the completed notice to the code reviewing body for approval. ***Please note that your agency's amended code is not effective until it has been approved.***

Accordingly, we request your agency to:

- a) **Review** its Conflict of Interest Code and, if a change in the agency's code is necessitated by changed circumstances (events such as organizational changes, changes in staff duties and/or titles, the use of consultants and/or interim staff members), **indicate the changes on the notice and return the notice to us no later than September 1st**.
- b) **If a change in the agency's code is necessary**, submit the amended code adopted by your Board to our offices within 90 days of the date of the completed notice.
- c) **If no change** in the agency's code is required, indicate this on the notice form and forward it to our office no later than September 1st.

Our office would also like to request at this time that your agency send a ***copy of your most current Conflict of Interest Code*** so that the County of San Mateo might update its files.

If you have any questions please do not hesitate to contact me at (650) 363-4988.

2010 Local Agency Biennial Notice

Name of Agency: _____

Mailing Address: _____

Contact Person: _____ Office Phone No: _____

E-mail: _____ Fax No: _____

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. This agency has reviewed its conflict-of-interest code and has determined that (*Check one box*):

An amendment is required. The following amendments are necessary:
(*Mark all that apply.*)

- Include new positions (including consultants) that must be designated.
- Delete positions that manage public investments from the list of designated positions.
- Revise disclosure categories.
- Revise the titles of existing positions.
- Delete titles of positions that have been abolished.
- Other (*describe*) _____

No amendment is required.

Verification

The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer

Date

Complete this notice regardless of how recently your code was approved or amended.
Please return this notice no later than **October 1, 2010**, to:

(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

How to Review a Conflict-of-Interest Code¹

Who is a Designated Employee?



Designate these Positions:

High level positions that have authority to vote on a matter, appoint a person, obligate or commit his or her agency to a course of action, or enter into any contractual agreement on behalf of his or her agency.

Mid-Level positions that have authority to negotiate decisions on behalf of the agency, without significant substantive review; or

Employees that advise or make recommendations to the decision-maker by conducting research or an investigation, preparing or presenting a report, analysis or opinion that requires the exercise of judgment on the part of the employee and the employee is attempting to influence the decision.

Who Should Not be Designated?



A designated employee is an officer, employee, member, or consultant of an agency whose position is designated in the code because the position entails the making or participation in the making of governmental decisions that may foreseeably have a material effect on his or her financial interest. (*Government Code Section 82019.*)

Do Not Designate these Positions:

- Board of Supervisors
- Chief Administrative Officers
- District Attorneys
- County Counsels
- County Treasurers
- Planning Commissioners
- City Council Members
- Mayors
- City Managers
- City Attorneys
- City Treasurers
- Other city, county, and local agency public officials who manage public investments
- Solely clerical, ministerial, or manual positions
- Unsalariated members of boards or commissions that are solely advisory

Review:

First, eliminate positions outlined above that are not designated employees.

Second, evaluate the remaining employees, committees, officers, or consultants. Top level management personnel are normally broad policy makers and should be designated. Beyond that, read duty statements and talk to supervisors. Each position should be analyzed to determine if it makes decisions. Be sure all positions that have authority to authorize contracts are designated.

Next, review the disclosure categories. Employees should only disclose economic interests that relate to their job. Do not assign the same disclosure to every position as jobs are different. The disclosure category assignments must adequately differentiate between positions.

Contact other counties for examples and guidance. The FPPC also posts model disclosure categories on its website.

Check Duty Statements Review Disclosure Categories



¹ This information sheet should not be used to determine whether an agency is required to adopt a conflict-of-interest code. Contact the FPPC for assistance in making that determination.

How to Amend a Conflict-of-Interest Code

The following are the FPPC's guidelines of the steps necessary to amend a conflict-of-interest code. Additional information may be required depending on the specific amendment. The FPPC's website, www.fppc.ca.gov, has available all of the necessary forms and documents to prepare an amendment. When the code reviewing body is a City Council or Board of Supervisors, contact the local code reviewing body concerning their code amendment procedures.

Non-Substantive Amendments

1. Provide a letter or memorandum describing the positions that have been deleted or renamed.
2. Include a copy of the entire code showing the changes in strikeout/underscore format.
3. Include a declaration by the chief executive officer.

Substantive Amendments

1. Prepare the proposed amendment using strikeout/underscore format.
2. Prepare a Notice of Intention and conduct a public comment period. Multi-county agencies must have a 45-day comment period. Other local agencies must follow the city's or county's requirements. Provide a copy of the notice to:
 - a. Members of the public and to each employee affected by the proposed amendment.
 - b. Multi-county agencies should also forward the notice to the FPPC.
3. Submit to the code reviewing body the proposed code amendment in strikeout/underscore format. Multi-county agencies must provide the following:
 - a. A declaration by the Chief Executive Officer
 - b. A summary of any hearing, including the names and addresses of any participants
 - c. Copies of all written comments
 - d. Written justification for all changes
 - e. The most current organizational chart of the agency
 - f. Job descriptions of all positions being added or whose disclosure category is being changed
 - g. Minutes of the last two agency board meetings, if applicable.

Example strikeout/underscore format

III. PUBLIC WORKS OFFICE	
<u>MAINTENANCE DIVISION</u>	
1. Maintenance Superintendent.....	2
<u>2. Maintenance Supervisor.....</u>	<u>2</u>
2. Asst. Maintenance Superintendent.....	2
3. Senior Equipment Technician.....	3
3. Equipment Services Technician.....	3
<ul style="list-style-type: none">• The Public Works Office became the Maintenance Division.• The Asst. Maintenance Superintendent was reclassified to Maintenance Supervisor.• The Equipment Services Technician position has been deleted.	

C/CAG AGENDA REPORT

Date: August 12, 2010
To: C/CAG Board
From: Richard Napier, Executive Director
Subject: Approval of C/CAG Legislative priorities, positions, and legislative update.
(A position may be taken on any legislation, including legislation not previously identified.)

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

RECOMMENDATION

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

The C/CAG “**Support**” recommendations include the following:

SB 346 (Kehoe and Simitian) – Goal is to reduce the amount of copper in vehicle brake pads. It is currently in Assembly Appropriations awaiting a State Budget.

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

SB 1333 – Establishes a process and timing for air space (“avigation”) safety easements. It is currently in Assembly Appropriations awaiting a State Budget.

SB 1141 – which facilitates formation and operations of countywide airport land use commissions. It is currently in Assembly Appropriations awaiting a State Budget.

Advocation has been directed to work these bills on C/CAG’s behalf.

FISCAL IMPACT

Not applicable.

SOURCE OF FUNDS

Not applicable.

LEGISLATIVE PRIORITY

“Support” List

BACKGROUND/DISCUSSION

Each year the C/CAG Board takes positions on pending State legislation t establishes as well as periodically updates “Support” and “Watch” lists for legislation. Board decisions on pending legislation guide the actions of C/CAG staff and the C/CAG lobbyist in Sacramento.

ATTACHMENTS

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

C/CAG LEGISLATION "SUPPORT" AND "WATCH" LIST STATUS

SUPPORT LIST

BILL: SB 965

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

AUTHOR: DeSaulnier (D)

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

SUBJECT: High-speed rail**STATUS:**

6/29/2010 From committee: Do pass, but first be re-referred to Com. on APPR. (Ayes 14. Noes 0.) Re-referred to Com. on APPR. (Heard in committee on June 28.)

SUMMARY:

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

Last Amended on 6/21/ 2010

C/CAG POSITION: SUPPORT

BILL: SB 1333

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

AUTHOR: Lee (D)

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

SUBJECT: Airport Avigation Easements

STATUS:

7/1/2010 From committee: Do pass, but first be re-referred to Com. on APPR. (Ayes 5. Noes 3.)
Re-referred to Com. on APPR. (Heard in committee on June 30.)

SUMMARY:

The State Aeronautics Act governs the creation and operation of airports in this state. The act provides for the establishment of county airport land use commissions to carry out various requirements, including the formulation of a comprehensive land use compatibility plan to provide for the orderly growth of the airport and the area surrounding the airport within the jurisdiction of the commission, and to safeguard the general welfare of the inhabitants within the vicinity of the airport and the public in general. The act authorizes any person authorized to exercise the power of eminent domain for airport purposes to acquire by purchase, gift, devise, lease, condemnation, or otherwise airspace or an easement in airspace above the surface of property where necessary to permit imposition upon the property of excessive noise, vibration, discomfort, inconvenience, interference with use and enjoyment, and any consequent reduction in market value, due to the operation of aircraft to and from the airport. This bill would provide that if a political subdivision, as defined, conditions approval of a noise-sensitive project, as defined, upon the grant of an avigation easement, as defined, to the owner or operator of an airport, the avigation easement shall be required to be granted to the owner or operator of the airport prior to the issuance of the building permit that allows construction or reconstruction of the noise-sensitive project. The bill would require that the avigation easement include a termination clause that operates to terminate the avigation easement if the noise-sensitive project is not built and the permit or any permit extension authorizing construction or reconstruction has expired or has been revoked. The bill would require the political subdivision that issued the permit to notify the owner or operator of the airport of the expiration or revocation of the permit within 30 days of its expiration or revocation. The bill would require the owner or operator of the airport to record a notice of termination with the county recorder of the county where the property is located within 90 days after receipt of the notice from the political subdivision, and to provide

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the political subdivision with proof of filing of the notice of termination within 30 days of it being recorded. By requiring a political subdivision to provide notice of the expiration or revocation of the permit to the owner or operator of an airport and by requiring the recording of a notice of termination, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

C/CAG POSITION: SUPPORT

BILL: SB 1141

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

AUTHOR: Negrete McLeon (D)

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

SUBJECT: Airport s: Land Use Commissions

STATUS:

7/1/2010 From committee: Do pass, but first be re-referred to Com. on APPR. (Ayes 5. Noes 3.)
Re-referred to Com. on APPR. (Heard in committee on June 30.)

SUMMARY:

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

C/CAG POSITION: SUPPORT

BILL: SB 346

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

AUTHOR: Kehoe (D)

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

SUBJECT: Hazardous materials: motor vehicle brake friction materials.

STATUS:

8/2/2010 From committee with author's amendments. Read second time. Amended. Re-referred to Com. on APPR.

SUMMARY:

Existing law establishes the Department of Toxic Substances Control in the California Environmental Protection Agency, with powers and duties regarding the management of hazardous waste. Existing law, administered by the department, prohibits the management of hazardous waste except in accordance with the hazardous waste control laws, including laws governing the removal of any mercury-containing vehicle light switch from a vehicle, and the regulations adopted by the department. A violation of the hazardous waste control laws is a crime. The bill, commencing on January 1, 2014, would prohibit the sale of any motor vehicle brake friction materials containing specified constituents in amounts that exceed certain concentrations. The bill, commencing on January 1, 2021, would prohibit motor vehicle brake friction materials containing more than 5% copper by weight from being sold in California, and, commencing on January 1, 2025, would prohibit motor vehicle brake friction materials exceeding 0.5% copper by weight from being sold in California. The bill, commencing on January 1, 2014, would require all manufacturers of motor vehicle brake friction materials that are sold in this state to obtain a certification of compliance with these requirements from a 3rd-party testing certification agency, and to mark proof of certification on the friction materials. The bill would require a manufacturer of brake friction materials to file a copy of the 3rd-party certification with the department and to pay a filing fee. A violation of these provisions would be subject to a civil fine of up to \$10,000 per violation. The bill would create the Brake Friction Materials Water Pollution Fund in the State Treasury, and would require those fines to be deposited in the fund. The moneys in the fund would be available, upon appropriation in the annual Budget Act, to implement the bill's requirements. Because a violation of these provisions also would be a crime pursuant to the hazardous waste control laws, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

C/CAG POSITION: SUPPORT

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WATCH LIST

BILL: AB 744

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

AUTHOR: Torrico (D)

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

SUBJECT: Transportation: toll lanes: Express Lane Network

STATUS:

APPR. SUSPENSE FILE

8/27/2009

SUMMARY:

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

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authority would be required to create. The bill would authorize the authority to issue revenue bonds for the express lane program. The bill would specify the use of revenues in the account, including the net revenues remaining after expenses and obligations, including revenue bond obligations, for the express lane program are satisfied. The bill would provide for certain payments by the authority to the Department of Transportation and the Department of the California Highway Patrol relative to their responsibilities with regard to the express lane program, and would continuously appropriate the amount of those payments to those agencies for those purposes. The bill would require the Sunol Smart Carpool Lane Joint Powers Authority, the Alameda County Congestion Management Agency, and the Santa Clara Valley Transportation Authority to enter into agreements with the Bay Area Toll Authority by January 1, 2011, to provide for the transfer of their rights and obligations relative to HOT lane projects to the Bay Area Toll Authority. The bill would enact other related provisions. This bill contains other related provisions and other existing laws.

C/CAG POSITION: WATCH

BILL: AB 2703

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

AUTHOR: Perez (D)

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

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

STATUS:

7/15/2010 To Senate Appropriations

SUMMARY:

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

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the Legislature for the State Highway Operation and Protection Program.

CCAG POSITION: WATCH

BILL: SB 1061

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

AUTHOR: Hancock (D)

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

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

STATUS:

8/04/2010 ASM APPR.

SUMMARY:

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

C/CAG RECOMMENDATION: WATCH

BILL: SB 1245

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

AUTHOR: Simitian (D)

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

SUBJECT: High-occupancy vehicle lanes.

STATUS:

6//21/2010 – ASM APPR.

SUMMARY:

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

C/CAG RECOMMENDATION: WATCH

BILL: SB 1299

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

AUTHOR: Lowenthal (D)

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

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

5/27/2010 – SEN APPR. Suspense File

SUMMARY:

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

C/CAGRECOMMENDATION: WATCH

BILL: SB 1320

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

AUTHOR: Hancock (D)

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

SUBJECT:

Transit fare evasion and passenger misconduct: administrative adjudication.

STATUS:

8/02/2010 ASM TRANSPORTATION

SUMMARY:

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

C/CAG RECOMMENDATION: WATCH

BILL: SB 1371

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

AUTHOR: Lowenthal (D)

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

SUBJECT:

Federal transportation economic stimulus funds: 2nd round.

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STATUS:

7/28/2010 ASM APPR

SUMMARY:

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

C/CAG RECOMMENDATION: WATCH**BILL: SB 1418**

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

AUTHOR: Wiggins (D)

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

SUBJECT: Transportation: motorist aid services.

STATUS:

7/02/2010 ASM TRANSPORTATION

SUMMARY:

Existing law authorizes the establishment of a service authority for freeway emergencies in any county if the board of supervisors of the county and the city councils of a majority of the cities within the county adopt resolutions providing for the establishment of the service authority. Existing law authorizes the Metropolitan Transportation Commission to function as the service

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authority for freeway emergencies in the San Francisco Bay area counties upon adoption of a resolution, as specified. Existing law authorizes a service authority to impose a fee of \$1 per year on vehicles registered in the counties served by the service authority. Existing law requires moneys received by a service authority to be used for the implementation, maintenance, and operation of a motorist aid system of call boxes and authorizes moneys received by a service authority in excess of what is needed for that system to be used for additional motorist aid services, including, among other things, changeable message signs and lighting for call boxes. Existing law requires any plan or amendment to a plan for a motorist aid system of call boxes for any state highway route to be approved by the Department of Transportation and the Department of the California Highway Patrol. This bill would authorize those service authorities to be established for freeway and expressway services, instead of only freeway emergencies and would delete the provisions authorizing only excess moneys to be used for additional motorist aid services and would instead authorize moneys from the service authority fee on vehicles to be used for the implementation, maintenance, and operation of systems, projects, and programs to aid and assist motorists, including, among other things, a call box system, freeway service patrol, mobile roadside assistance systems, intelligent transportation systems, and traveler information systems. The bill would authorize the Metropolitan Transportation Commission to place call boxes to assist motorists in specified parking or roadway areas in mutually agreed upon state and federal parks. The bill would authorize a service authority to impose a fee of up to \$2 per year on vehicles registered in the counties served by the service authority. The bill would provide that any amendment to an existing plan for a motorist aid network of call boxes adopted by a service authority shall be deemed to be approved by the Department of Transportation and the Department of the California Highway Patrol unless rejected within 120 days of receipt of the amendment.

C/CAG RECOMMENDATION: WATCH

BILL: SCA 5

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

AUTHOR: Hancock (D)

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

SUBJECT: State budget.

STATUS:

7/28/2010 #81 SENATE APPROPRIATIONS

SUMMARY:

The California Constitution requires the Governor to submit to the Legislature by January 10 of each year a budget for the ensuing fiscal year, accompanied by a Budget Bill itemizing recommended expenditures. The Constitution requires specified bills, including a bill making a change in state taxes for the purpose of raising revenue, a bill containing an urgency clause, and a bill, including the Budget Bill, that makes certain appropriations from the General Fund, to be passed in each house of the Legislature by a 2/3 vote. This measure would exempt General Fund appropriations in the Budget Bill from the 2/3 vote requirement. This bill contains other related provisions and other existing laws.

C/CAG RECOMMENDATION: WATCH

BILL: SCA 9

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

AUTHOR: Ducheny (D)

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

SUBJECT: Finance: state budget: taxes.

STATUS:

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

SUMMARY:

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

C/CAG RECOMMENDATION: WATCH

BILL: SCA 15

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

AUTHOR: Calderon (D)

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

SUBJECT: State budget.

STATUS:

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

SUMMARY:

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

C/CAG RECOMMENDATION: WATCH



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



ADVOCATION

July 28, 2010

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

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

RE: STATE LEGISLATIVE UPDATE- JUNE

On May 14th, the Governor released his May Revision to the Governor's 2010-11 State Budget. The Governor estimates that the state's budget gap is \$19.1 billion (only \$800 million less than what the Governor stated in January), which includes a current year (FY 09-10) shortfall of \$7.7 billion, a budget year (FY 10-11) shortfall of \$10.2 billion and a modest reserve of \$1.2 billion. Citing lower than anticipated revenues, the Governor proposes to eliminate the California Work Opportunity and Responsibility to Kids Program, (CalWORKs) program, and to reduce funding for local mental health services by approximately 60 percent to help balance the budget. In addition, the Governor proposes to borrow \$650 million from the excise tax on gasoline (additional revenue generated from gas tax swap that was to be divided between STIP, SHOPP, and cities/counties), and account for \$3.4 billion in federal funding. Spending reductions account for \$12.4 billion of his proposed solutions.

The Senate Democrats have entertained delaying corporate tax breaks, increasing the vehicle license fee rate (1.15% to 1.5%), increasing the alcohol tax (1 to 2 cents per bottle), and retaining a .25% personal income tax surcharge and reduction in dependent tax credits to balance the budget.

The Assembly Democrats countered with a proposal to securitize against the California Beverage Recycling Fund and impose an oil severance tax.

Status of the State Budget

The Budget Conference Committee has been meeting in an attempt to reconcile the various proposals between Senate and Assembly proposals. Many of the tough decisions will be left up to the Big 5 (Governor, Speaker of the Assembly, President pro Tempore of the Senate, Senate Republican Leader, Assembly Republican Leader) to ultimately decide. Given that transportation was addressed in the March Special Session, there is little to be concerned about at this point.

The constitutional deadline for the legislature to submit a budget to the Governor was June 15th. While legislators have stated that they will work through the Summer Recess (July 2nd through

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August 2nd), it appears unlikely that a budget agreement will be reached prior to the end of August.

The most recent developments suggest however that there may be agreement in principle on \$11 billion out of the \$19 billion problem. While details are scant, the solutions seems to revolve around delaying \$2.1 billion in corporate tax breaks, \$3.7 billion in cuts to schools and the reserve, and \$1.4 billion in adjusted projections by the Legislative Analyst's Office.

Democrats are also pushing for another tax swap which would broaden the tax base by slightly flattening the personal income tax. Tax rates would increase by one percentage point except at the top bracket, where it would remain the same (9.55%). In return, the state sales tax would be cut by 1.5 cents on the dollar (6 cents to 4.5 cents). The plan is estimated to generate anywhere from \$2 to \$3 billion.

Impact on Transportation

In March, the legislature adopted the "gas tax swap" which eliminated the sales tax on gasoline (Proposition 42) and replace it with a 17.3 cent increase in excise tax revenue. This new increment provided an additional \$650 million to what the sales tax generated as was to be split 44/44/12 between the State Transportation Improvement Program (STIP), and cities and counties, and State Highway Operation and Protection Program (SHOPP), respectively.

The Governor proposes to borrow this amount and repay it in 2013. This funding is available on a one-time only basis, as specified in Chapter 12, Statutes of 2010, of the recently enacted excise gas tax swap legislation.

Impact on Transit

In March, the legislature captured a total of \$1.586 billion in traditional sources of funding through the "gas tax swap" from public transportation for FY 10-11. Public transportation received a \$400 million appropriation to the State Transit Assistance program from the balance created from the *Shaw v. Chiang* lawsuit. The intercity rail program received a \$129 million appropriation from that balance as well for FY 10-11 and is expected to receive a like amount for FY 11-12. Beginning in FY 11-12, local transit operators are expected to receive \$348 million as a result of the 75% allocation to the State Transit Assistance program from the sales tax on diesel. The remaining 25% is dedicated primarily to the intercity rail program as well as the other traditional expenditures of the Public Transportation Account (CPUC, CTC, ITS). Non-article XIX funds which are derived from the sale of documents and miscellaneous services to the public were also dedicated to the intercity rail program to ensure full funding.

The May Revise proposes to transfer the \$72.2 million of Non-Article XIX funds that have materialized for FY 10-11 from the Motor Vehicle Account to the General Fund. This should not have an impact on the intercity rail program in the budget year.

Additional proposals include:

- Extending the repayment date for \$230 million in loans from the State Highway Account and other transportation funds from June 2011 to June 2012. The projects planned for

2010 do not require this cash.

- Loaning up to \$250 million from the Motor Vehicle Account to the General Fund. • This funding depends in large part on the adoption of reductions in state staffing costs as proposed in the Governor's Budget.

High-Speed Rail

Proposition 1A is the Safe, Reliable High-speed Passenger Train Bonds Act of 2008. Proposition 1A is a \$9.95 billion bond measure that includes \$950 million for capital projects on other passenger rail lines to provide connectivity to the high-speed train system and for capacity enhancements and safety improvements to those lines. The adopted program of projects includes the intercity rail services run by Caltrans in cooperation with Amtrak, as well as regional-run rail services around the state.

The California Transportation Commission (CTC) recently approved and then immediately rescinded allocations from the \$950 million pot. Many systems intend to use their apportionment to comply with federal regulations to implement positive train control or institute service efficiencies by electrifying their system, among others things.

The allocations were rescinded because CTC staff has determined that the CTC cannot make an allocation of Proposition 1A funding unless the legislature appropriates money from this funding this category of Proposition 1A. In fact, the CTC decided that they do not have sufficient authority to allocate Proposition 1A funding. The initial recommendation from CTC staff was to pursue emergency legislation to appropriate Prop 1A funding in August.

As a result, AB 2703 was introduced by Speaker John Pérez in order to allow eligible transit systems to utilize the letter of no prejudice (LONP) process for the \$950 million pot of money that is dedicated for capital projects on existing passenger rail lines to provide connectivity to the high-speed train system. The LONP process will enable agencies to use their own funds and contract out for Proposition 1A eligible projects and to be reimbursed for those funds once bond money becomes available.

PTA-STIP

Caltrans recently reported to the CTC that because of the recent "gas tax swap" package enacted by the legislature earlier this year (ABx8 6 and ABx8 9), the CTC will only be able to allocate \$225 million in STIP transit projects since gas tax funds cannot be used on transit projects.

In order for the CTC to be able to allocate the additional \$33 million in STIP funds programmed to transit projects this year, Caltrans needs to be given budget authority to spend federal and state highway transit funds on the STIP.

In recent years, the STIP was made up of a combination of revenues including the sales tax on gasoline (Proposition 42), Proposition 1B bonds, PTA, and SHA funds. With the recent gas tax swap and preliminary budget proposal, there is insufficient budget authority to allow more than PTA funds to be released to transit projects, though SHA, federal highway trust funds, and Proposition 1B funds could all be used on transit projects, if sufficient budget authority existed.

A simple insertion of a line item of \$1000 in the budget creates the type of authority needed for "intraschedule" borrowing, to allow for movement of existing budget authority to that item as needed. This proposal does not have any associated costs. The proposal does not have any associated costs.

Without this fix, Caltrain's \$19 million programming request to construct grade separations along San Bruno Avenue in San Bruno will be compromised, which would protract safety concerns along the fourth worst rated intersection in the state.

C/CAG AGENDA REPORT

Date: August 12, 2010

TO: C/CAG Board of Directors

From: Richard Napier, Executive Director - C/CAG

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

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

Recommendation:

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

Fiscal Impact:

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

Source of Revenue:

All C/CAG revenue sources.

Background/ Discussion:

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

C/CAG Board Action:

The only issue for the Board is authorization to approve the necessary documents with PERS. These documents include:

ITEM 6.2.1

Resolution 10-43	Declaring C/CAG's intent to contract with PERS
Resolution 10-44	Paying and Reporting the Value of Employer Paid Contributions
Resolution 10-47	Tax Defer Member Paid Contributions (Employer Pickup)
Resolution 10-49	Pre-Tax Payroll Deduction Plan for Service Credit Purchases

Execution of these Resolutions will provide equivalent benefits to what is currently provided by the City of Redwood City. The final contract with PERS will be on the September Board Agenda.

Resolution 10-43 provides PERS retirement benefits equal to what is currently offered by Redwood City. C/CAG staff recommends approval of Resolution 10-43 as presented.

Future Annual Costs:

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

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

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

Attachment:

Resolution 10-43

Alternatives:

- 1- Review and adoption of Resolution 10-43: Resolution of Intention to Approve a Contract between the Board of Administration California Public Employees Retirement System and the Board of Directors City/ County Association of Governments of San Mateo County (C/CAG) in accordance with the staff recommendation.
- 2- No action.

RESOLUTION 10-43

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

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

WHEREAS, the Public Employees' Retirement Law permits the participation of public agencies in the Public Employees' Retirement System, making their employees members of said System, and sets forth the procedure by which participation may be accomplished; and

WHEREAS, one of the steps required in the procedure is the adoption by the governing body of the of the public agency of a resolution giving notice of intention to approve a contract for such participation of said agency in the Public Employees' Retirement System, which resolution shall contain a summary of the major provisions of the proposed retirement plan; and

WHEREAS, attached is a summary of the major provisions of the proposed plan;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the above agency gives, and it does hereby give notice of intention to approve a contract between said governing body and the Board of Administration of the Public Employees' Retirement System, providing for participation of said agency in said retirement system, a copy of said contract and a copy of the major provisions of the proposed plan being attached hereto, as an "Exhibit", and by this reference made a part hereof.

BY:

Thomas M. Kasten

Presiding Officer

Chair

Title

Date adopted and approved



EXHIBIT

California
Public Employees' Retirement System



CONTRACT

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



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

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

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

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

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

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

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

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

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

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

BY _____
PRESIDING OFFICER

Witness Date

Attest:

Clerk

CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

Actuarial and Employer Services Branch
Public Agency Contract Services
(888) CalPERS (225-7377)

SUMMARY OF MAJOR PROVISIONS

2.7% @ 55 Formula (Section 21354.5)
Local Miscellaneous Members

SERVICE RETIREMENT

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

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

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

DISABILITY RETIREMENT

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

INDUSTRIAL DISABILITY RETIREMENT

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

PRE-RETIREMENT DEATH BENEFITS

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

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

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

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

COST-OF-LIVING ADJUSTMENTS

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

DEATH AFTER RETIREMENT

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

TERMINATION OF EMPLOYMENT

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

EMPLOYEE CONTRIBUTIONS

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

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

C/CAG AGENDA REPORT

Date: August 12, 2010

TO: C/CAG Board of Directors

From: Richard Napier, Executive Director - C/CAG

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

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

Recommendation:

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

Fiscal Impact:

Employee cost included in the adopted FY 2010-11 Budget. No increase over current cost and budget.

Source of Revenue:

All C/CAG revenue sources.

Background/ Discussion:

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

ITEM 6.2.2

C/CAG Board Action:

The only issue for the Board is authorization to approve the necessary documents with PERS. These documents include:

Resolution 10-43	Declaring C/CAG's intent to contract with PERS
Resolution 10-44	Paying and Reporting the Value of Employer Paid Contributions
Resolution 10-47	Tax Defer Member Paid Contributions (Employer Pickup)
Resolution 10-49	Pre-Tax Payroll Deduction Plan for Service Credit Purchases

Execution of these Resolutions will provide equivalent benefits to what is currently provided by the City of Redwood City. The final contract with PERS will be on the September Board Agenda.

Resolution 10-44 adds the employer paid member contribution of 7 percent consistent with Redwood City. C/CAG staff recommends approval of Resolution 10-44 as presented.

Future Annual Costs:

The proposed PERS - C/CAG contract cost is 7 percent, out of a total member cost of 8 percent, which is to be paid by the employer with the employee paying the remaining one percent.

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

Attachment:

Resolution 10-44

Alternatives:

- 1- Review and adoption of Resolution 10-44 of the City/ County Association of Governments of San Mateo County (C/CAG) for Paying and Reporting the Value of Employer Paid Member Contributions in accordance with the staff recommendation.
- 2- No action.

RESOLUTION 10-44
OF THE CITY/ COUNTY ASSOCIATION OF GOVERNMENTS OF SAN
MATEO COUNTY (C/CAG) FOR PAYING AND REPORTING THE VALUE OF
EMPLOYER PAID MEMBER CONTRIBUTIONS

WHEREAS, the governing body of the City/ County Association of Governments of San Mateo County - C/CAG (Name of Agency) has the authority to implement Government Code Section 20636(c) (4) pursuant to Section 20691 through the City of Redwood City;

WHEREAS, the governing body of the City/ County Association of Governments of San Mateo County - C/CAG (Name of Agency) has a written labor policy or agreement which specifically provides for the normal member contributions to be paid by the employer, and reported as additional compensation;

WHEREAS, one of the steps in the procedures to implement Section 20691 is the adoption by the governing body of the City/ County Association of Governments of San Mateo County - C/CAG (Name of Agency) of a Resolution to commence paying and reporting the value of said Employer Paid Member Contributions (EPMC);

WHEREAS, the governing body of the City/ County Association of Governments of San Mateo County - C/CAG (Name of Agency) has identified the following conditions for the purpose of its election to pay EPMC;

- **This benefit shall apply to all employees of City/ County Association of Governments of San Mateo County - C/CAG (Membership Category OR Group or Class).**
- **This benefit shall consist of paying seven (Percent) of the normal contributions as EPMC, and reporting the same percent (value) of compensation earnable** {excluding Government Code Section 20636(c)(4)} as additional compensation.**
- **The effective date of this Resolution shall be 10/11/10 (Date).**

NOW, THEREFORE, BE IT RESOLVED that the governing body of the City/ County Association of Governments of San Mateo County - C/CAG (Name of Agency) elects to pay and report the value of EPMC, as set forth above.

BY

Thomas M. Kasten

Chair

(Date adopted and approved)

(Title of Official)

* Note: Payment of EPMC and reporting the value of EPMC on compensation earnable is on pay rate and special compensation except special compensation delineated in Government Code Section 20636(c)(4) which is the monetary value of EPMC on compensation earnable.

C/CAG AGENDA REPORT

Date: August 12, 2010

TO: C/CAG Board of Directors

From: Richard Napier, Executive Director - C/CAG

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

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

Recommendation:

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

Fiscal Impact:

Employee cost included in the adopted FY 2010-11 Budget. No increase over current cost and budget.

Source of Revenue:

All C/CAG revenue sources.

Background/ Discussion:

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

ITEM 6.2.3

C/CAG Board Action:

The only issue for the Board is authorization to approve the necessary documents with PERS. These documents include:

Resolution 10-43	Declaring C/CAG's intent to contract with PERS
Resolution 10-44	Paying and Reporting the Value of Employer Paid Contributions
Resolution 10-47	Tax Defer Member Paid Contributions (Employer Pickup)
Resolution 10-49	Pre-Tax Payroll Deduction Plan for Service Credit Purchases

Execution of these Resolutions will provide equivalent benefits to what is currently provided by the City of Redwood City. The final contract with PERS will be on the September Board Agenda.

Resolution 10-47 tax defers the member paid contributions to PERS consistent with Redwood City. C/CAG staff recommends approval of Resolution 10-47 as presented.

Attachment:

Resolution 10-47

Alternatives:

- 1- Review and Adoption of Resolution 10-47 of the City/ County Association of Governments of San Mateo County (C/CAG) to Tax Defer Member Paid Contributions - IRC 414(H)(2) Employer Pick-Up in accordance with the staff recommendation.
- 2- No action.

RESOLUTION 10-47
OF THE CITY/ COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO
COUNTY (C/CAG) TO TAX DEFER MEMBER PAID CONTRIBUTIONS –
IRC 414(H)(2) EMPLOYER PICK-UP

WHEREAS, the governing body of the City/ County Association of Governments of San Mateo County - C/CAG (Name of Agency) has the authority to implement the provisions of section 414(h)(2) of the Internal Revenue Code (IRC) through the City of Redwood City; and

WHEREAS, the City/ County Association of Governments of San Mateo County - C/CAG (Name of Agency) has determined that even though the implementation of the provisions of section 414(h)(2) IRC is not required by law, the tax benefit offered by section 414(h)(2) IRC should be provided to the City/ County Association of Governments of San Mateo County - C/CAG (All Employees, or All Employees In A Recognized Group or Class of Employment) who are members of the California Public Employees' Retirement System:

NOW, THEREFORE, BE IT RESOLVED:

- I. That the City/ County Association of Governments of San Mateo County - C/CAG (Name of Agency) will implement the provisions of section 414(h)(2) Internal Revenue Code by making employee contributions pursuant to California Government Code Section 20691 to the California Public Employees' Retirement System on behalf of all its employees or all its employees in a recognized group or class of employment who are members of the California Public Employees Retirement System. "Employee contributions" shall mean those contributions to the Public Employees' Retirement System which are deducted from the salary of employees and are credited to individual employee's accounts pursuant to California Government Code section 20691.
- II. That the contributions made by the City/ County Association of Governments of San Mateo County - C/CAG (Name of Agency) to the California Public Employees' Retirement System, although designated as employee contributions, are being paid by the City/ County Association of Governments of San Mateo County - C/CAG (Name of Agency) in lieu of contributions by the employees who are members of the California Public Employees' Retirement System.
- III. That employees shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by the City/ County Association of Governments of San Mateo County - C/CAG (Name of Agency) to the California Public Employees' Retirement System.
- IV. That the City/ County Association of Governments of San Mateo County - C/CAG (Name of Agency) shall pay to the California Public Employees' Retirement System the contributions designated as employee contributions from the same source of funds as used in paying salary.
- V. That the amount of the contributions designated as employee contributions and paid by the City/ County Association of Governments of San Mateo County - C/CAG (Name of Agency) to the California Public Employees' Retirement System on behalf of an

employee shall be the entire contribution required of the employee by the California Public Employees' Retirement Law (California Government Code Sections 20000, et seq.).

- VI. That the contributions designated as employee contributions made by City/ County Association of Governments of San Mateo County - C/CAG (Name of Agency) to the California Public Employees' Retirement System shall be treated for all purposes, other than taxation, in the same way that member contributions are treated by the California Public Employees' Retirement System.

PASSED AND ADOPTED by the governing body of the City/ County Association of Governments of San Mateo County - C/CAG (Name of Agency)

this day of 12th of August, 2010.

BY

Thomas M. Kasten

Chair

(Title of Official)

RETURN ADDRESS:

City/ County Association of Governments of San Mateo County
555 County Center Fifth Floor
Redwood City, CA 94063
650 599-1420

FOR CALPERS USE ONLY

RESOLUTION TO TAX DEFER MEMBER PAID CONTRIBUTIONS - IRC 414(h)(2)

Approved by: _____

Title: _____

C/CAG AGENDA REPORT

Date: August 12, 2010

TO: C/CAG Board of Directors

From: Richard Napier, Executive Director - C/CAG

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

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

Recommendation:

Review and adoption of Resolution 10-49 Employer Pickup Resolution Pre-Tax Payroll Deduction Plan For Service Credit Purchases (Contribution Code 14) in accordance with the staff recommendation.

Fiscal Impact:

Cost to employer is limited to the set up of the payroll system for the specific employee for payroll deduction and payment to California Public Employees Retirement System (PERS). The cost of the service credit purchase is paid by the employee not the employer.

Source of Revenue:

Not applicable.

Background/ Discussion:

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

C/CAG Board Action:

The only issue for the Board is authorization to approve the necessary documents with PERS. These documents include:

ITEM 6.2.4

Resolution 10-43	Declaring C/CAG's intent to contract with PERS
Resolution 10-44	Paying and Reporting the Value of Employer Paid Contributions
Resolution 10-47	Tax Defer Member Paid Contributions (Employer Pickup)
Resolution 10-49	Pre-Tax Payroll Deduction Plan for Service Credit Purchases

Execution of these Resolutions will provide equivalent benefits to what is currently provided by the City of Redwood City. The final contract with PERS will be on the September Board Agenda.

Resolution 10-49 establishes a Pre-Tax Payroll Deduction Plan for Service Credit Purchases consistent with Redwood City. C/CAG staff recommends approval of Resolution 10-49 as presented.

Attachment:

Resolution 10-49

Alternatives:

- 1- Review and adoption of Resolution 10-49 Employer Pickup Resolution Pre-Tax Payroll Deduction Plan For Service Credit Purchases (Contribution Code 14) in accordance with the staff recommendation.
- 2- No action.

RESOLUTION 10-49

City/ County Association of Governments of San Mateo County

Standard California Public Employee Retirement System (PERS) Resolution
Form for Pre-Tax Payroll Deduction Service Credit Purchase

EMPLOYER PICKUP RESOLUTION
PRE-TAX PAYROLL DEDUCTION PLAN
FOR SERVICE CREDIT PURCHASES
(CONTRIBUTION CODE 14)

Employer code: TBD

**EMPLOYER PICKUP RESOLUTION
PRE-TAX PAYROLL DEDUCTION PLAN
FOR SERVICE CREDIT PURCHASES
(CONTRIBUTION CODE 14)**

WHEREAS, the Board of Administration of the California Public Employees' Retirement System (CalPERS) at the April 1996 meeting approved a pre-tax payroll deduction plan for service credit purchases under Internal Revenue Code (IRC) section 414(h)(2); and

WHEREAS, the City/ County Association of Governments of San Mateo County has the authority to implement the provisions of IRC section 414(h)(2) and has determined that even though implementation is not required by law, the tax benefit offered by this section should be provided to those employees who are members of CalPERS; and

WHEREAS, the City/ County Association of Governments of San Mateo County elects to participate in the pre-tax payroll deduction plan for all employees in the following CalPERS Coverage Group(s):

All Miscellaneous

NOW, THEREFORE, BE IT RESOLVED:

I. That the City/ County Association of Governments of San Mateo County will implement the provisions of IRC section 414(h)(2) by making employee contributions for service credit purchases pursuant to the California State Government Code on behalf of its employees who are members of CalPERS and who have made a binding irrevocable election to participate in the pre-tax payroll deduction plan. "Employee contributions" shall mean those contributions reported to CalPERS which are deducted from the salary of employees and are credited to individual employee accounts for service credit purchases, thereby resulting in tax deferral of employee contributions.

II. That the contributions made by the City/ County Association of Governments of San Mateo County to CalPERS, although designated as employee contributions, are being paid by the City/ County Association of Governments of San Mateo County in lieu of contributions by the employees who are members of CalPERS.

- III. That the employees shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by the City/ County Association of Governments of San Mateo County to CalPERS.
- IV. That the City/ County Association of Governments of San Mateo County shall pay to CalPERS the contributions designated as employee contributions from the same source of funds as used in paying salary, thereby resulting in tax deferral of employee contributions.
- V. That the effective date for commencement of the pre-tax payroll deduction plan cannot be any earlier than the date the completed resolution is received and approved by CalPERS.
- VI. That the governing body of the City/ County Association of Governments of San Mateo County shall participate in and adhere to requirements and restrictions of the pre-tax payroll deduction plan by reporting pre-tax payroll deductions when authorized by CalPERS for those employees of the above stated Coverage Group(s) who have elected to participate in this plan.

PASSED AND ADOPTED by the governing body of the City/ County Association of Governments of San Mateo County

this 12th day of August, 2010

BY _____
(Signature of Official)

(Title of Official)

RETURN ADDRESS:

City/ County Association of Governments of San Mateo County
555 County Center Fifth Floor
Redwood City, CA 94063
650 599-1420

FOR CALPERS USE ONLY
Pre-tax payroll deduction plan effective date: _____
Approved By: _____ Title: _____
MEMBER SERVICES DIVISION, Service credit section-Unit 830

C/CAG AGENDA REPORT

Date: August 12, 2010
To: City/County Association of Governments Board of Directors
From: Richard Napier, Executive Director
Subject: Quarterly update on the implementation of the San Mateo County Smart Corridor project

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

RECOMENDATION

That the C/CAG Board receives the quarterly update on the implementation of the San Mateo County Smart Corridor project.

FISCAL IMPACT

The initial estimated total cost of the project was \$25,000,000 and the sources of funds were as follows:

State Transportation Improvement Program (STIP)	\$11,000,000
Traffic Light Synchronization Program (TLSP)	\$ 10,000,000
San Mateo County Transportation Authority	\$ 3,000,000
C/CAG	<u>\$ 1,000,000</u>
Total	\$25,000,000

C/CAG staff working with Metropolitan Transportation Commission (MTC) was successful in obtaining another \$1,000,000 from Federal funds to go to the City of San Mateo for project 1. That brings the total available funds to \$26,000,000. \$3,000,000 of these total funds was approved for design, therefore, the total funds available for construction is \$23,000,000.

STATUS UPDATE

As it has been reported previously, the present Smart Corridor project limits are along El Camino Real from Highway 380 on the north to Whipple Avenue on the south and include all major arterials connecting Highway 101 to El Camino Real. The construction portion of the entire project has been divided into the following three projects:

- Project No. 1 consists of El Camino Real and other major streets in the City of San Mateo from Hillsdale Boulevard to Highway 92 (**The Pilot project**)
- Project No. 3 includes El Camino Real and all other locations within the State right-of-way (**State portion**)
- Project No. 4 consists of all local arterials and streets (**Local portion**)

ITEM 6.3

There is also a Project No. 5 that involves procuring software for the Signal System and integration of the entire project.

Project No. 1 (Pilot project):

The City of San Mateo called for bids and the bid opening was scheduled for July 29th. The following four bids were received and publicly opened at 2:00 P.M.

St. Francis Electric:	\$2,177,288.00
MBI	\$2,257,969.00
Tennison Electric	\$2,394,468.50
Steiny and Company	\$2,413,020.00
Engineer's Estimate	\$2,150,000.00

The amount of low bid is within the estimated budget and the City will award the contract on August 16th with the construction starting by mid-September. To add some contingency to the low bid, the construction cost of this project will be rounded up to \$2,200,000. The estimated construction management cost is \$300,000 therefore the total amount of project will be \$2,500,000. This project will be funded by \$1,000,000 Federal funds, \$1,000,000 TLSP and \$500,000 local funds.

Project No. 3 (State portion):

Since Project No. 3 is all within the State right-of-way, it has been decided that Caltrans design the project and prepare all required construction documents and proceed with Construction Management and complete the project. According to Caltrans schedule, the 100% Plans and Specifications must be completed by mid-October. Following completion of construction documents, the entire design package must go to Caltrans Headquarter for review and approval and it is anticipated that approval will be accomplished by mid-January and project can go out to bid. The estimated construction cost of this project is \$10,200,000 and the construction support cost is \$1,530,000 for total amount of \$11,730,000. The total construction cost of this project will be funded by \$9,000,000 TLSP and \$2,730,000 from STIP.

Project No. 4 (Local portion):

The two design firms for the north and south segments completed and delivered 100% Plans, Specifications and Estimate (PS&E) on June 17, 2010, which was the date of delivery specified in the contracts. The estimated construction cost of this project is \$5,700,000 and the construction support cost is \$800,000 for total amount of \$6,500,000. This project will be funded by \$5,270,000 STIP funds and \$1,230,000 local funds.

Project No. 5:

The estimated cost of this project is \$1,600,000, which will be financed by local funds.

Based on the entire amount shown for each project, the total construction and construction support cost estimate for the entire Smart Corridor Project is \$22,330,000, which is \$670,000 below budget.

ATTACHMENT

None.

C/CAG AGENDA REPORT

DATE: August 12, 2010

TO: City/County Association of Governments Board of Directors

FROM: Richard Napier, Executive Director

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

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

RECOMMENDATION:

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

FISCAL IMPACT:

There is up to \$550,000 budgeted for the Countywide Voluntary Trip Reduction Program under the Congestion Relief Plan.

SOURCE OF FUNDS:

The funds under the Congestion Relief Plan are derived from C/CAG Member Agency assessments.

BACKGROUND/ DISCUSSION:

At the March 11, 2010 C/CAG Board meeting the Board approved the Congestion Relief Plan funding for the Alliance in the amount of \$512,000 for FY 2010/2011 for the County-wide Voluntary Trip Reduction Program. The attached agreement is with the Peninsula Traffic Congestion Relief Alliance (the Alliance) to operate the County-wide Voluntary Trip Reduction Program to assist private and public sectors to connect their employees and customers with transportation systems that provide an alternative to driving single occupant vehicles. This program is being jointly funded with revenues under the Transportation Fund for Clean Air Program and the Countywide Congestion Relief Plan.

ITEM 6.4.1

ATTACHMENTS:

- Resolution 10-41
- Congestion Relief Plan Funding Agreement with the Peninsula Traffic Congestion Relief Alliance

RESOLUTION 10-41

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 BETWEEN THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS (C/CAG) OF SAN MATEO COUNTY AND THE PENINSULA TRAFFIC CONGESTION RELIEF ALLIANCE IN THE AMOUNT OF \$512,000 FROM THE CONGESTION RELIEF PLAN TO PROVIDE THE COUNTYWIDE VOLUNTARY TRIP REDUCTION PROGRAM FOR FY 2010/2011.

WHEREAS, the Board of Directors of the City/County Association of Governments at its March 11, 2010 meeting approved programs for funding through San Mateo County's local share of Transportation Fund for Clean Air (TFCA) revenues; and

WHEREAS, one of these programs is to provide a Countywide Voluntary Trip Reduction Program which is sponsored by the Peninsula Traffic Congestion Relief Alliance; and

WHEREAS, there were insufficient funds under the TFCA program to fully fund this program and supplemental funding was approved by the Board of Directors under the Countywide Congestion Relief Plan; and

WHEREAS, it is necessary for C/CAG to enter into a funding agreement with the Peninsula Traffic Congestion Relief Alliance for Congestion Relief Plan funding, setting forth the responsibilities of each party.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that on behalf of C/CAG the Chair is authorized to enter into a funding agreement with the Peninsula Traffic Congestion Relief Alliance in the amount of \$512,000 from the Congestion Relief Plan. This agreement shall be in a form approved by C/CAG Legal Counsel.

PASSED, APPROVED, AND ADOPTED THIS 12TH DAY OF AUGUST 2010.

Thomas M. Kasten, Chair

**AGREEMENT BETWEEN
CITY/COUNTY ASSOCIATION OF GOVERNMENTS AND PENINSULA
TRAFFIC CONGESTION RELIEF ALLIANCE FOR THE COUNTYWIDE
VOLUNTARY TRIP REDUCTION PROGRAM**

This Agreement, effective **July 1 2010**, by and between CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY, a joint powers agency formed for the purpose of preparation, adoption and monitoring of a variety of county-wide state-mandated plans, hereinafter called "C/CAG" and Peninsula Traffic Congestion Relief Alliance, hereinafter called "the Alliance."

W I T N E S S E T H

WHEREAS, it is necessary and desirable that the Alliance be engaged by C/CAG for the purpose of performing services hereinafter described:

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

1. **Services to be provided by the Alliance.** In consideration of the payments hereinafter set forth, the Alliance shall provide services in accordance with the terms, conditions and specifications set forth herein and in Exhibit A attached hereto and by this reference made a part hereof.
2. **Payments.** In consideration of the services rendered in accordance with all terms, conditions and specifications set forth herein and in Exhibit A, C/CAG shall make payment to the Alliance as follows. Alliance shall submit to C/CAG monthly invoices in a total contract amount not to exceed five hundred twelve thousand dollars (\$512,000). Payments shall be made within 30 days after receipt and approval of the monthly invoice from the Alliance. In the event that C/CAG makes any advance payments, the Alliance agrees to refund any amounts in excess of the amount owed by C/CAG at the time of termination of this Agreement.
3. **Relationship of the Parties.** It is understood that this is an Agreement by and between Independent Contractor(s) and is not intended to, and shall not be construed to, create the relationship of agent, servant, employee, partnership, joint venture or association, or any other relationship whatsoever other than that of Independent Contractor.
4. **Non-Assignability.** The Alliance shall not assign this Agreement or any portion thereof to a third party without the prior written consent of C/CAG, and any attempted assignment without such prior written consent in violation of this Section automatically shall terminate this Agreement.
5. **Contract Term.** This Agreement shall be in effect as of 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 the Alliance. Termination to be effective on the date specified in the notice. In the event of termination under this paragraph, the Alliance shall be paid for all services provided to the date of termination.

6. **Hold Harmless/Indemnity.** The Alliance shall indemnify and save harmless C/CAG, its officers, directors, employees, and servants from all claims, suits, damages or actions of every name, kind, and description, arising from the Alliance's performance, or failure to perform under this Agreement.

(a) The duty of the Alliance 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.

(b) The obligations set forth in this section shall continue beyond the term of this Agreement as to any act or omission which occurred during or under this Agreement."

7. **Insurance.** The Alliance or its subcontractors performing the services on behalf of the Alliance 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. The Alliance 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 Alliance's coverage to include the contractual liability assumed by the Alliance 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.

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

Liability Insurance. The Alliance shall take out and maintain during the life of this Agreement such Bodily Injury Liability and Property Damage Liability Insurance as shall protect the Alliance, 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 Alliance 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, C/CAG, at its option, may, notwithstanding any other provision of this Agreement to the contrary, immediately declare a material breach of this Agreement and suspend all further work pursuant to this Agreement.

8. **Non-discrimination.** The Alliance and its subcontractors performing the services on behalf of the Alliance shall not discriminate or permit discrimination against any person or group of persons on the basis or race, color, religion, national origin or ancestry, age, sex, sexual orientation, marital status, pregnancy, childbirth or related conditions, medical condition, mental or physical disability or veteran's status, or in any manner prohibited by federal, state or local laws.
9. **Accessibility of Services to Disabled Persons.** The Alliance, not C/CAG, shall be responsible for compliance with all applicable requirements regarding services to disabled persons, including any requirements of Section 504 of the Rehabilitation Act of 1973.
10. **Substitutions.** If particular people are identified in Exhibit A as working on this Agreement, the Alliance 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.** As between C/CAG and the Alliance 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 their duly authorized representatives, shall have access to any books, documents, papers, and records of the Alliance which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcriptions.

The Alliance 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. Any prior agreement, promises, negotiations or representations between the parties not expressly stated in this document are not binding.

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.

IN WITNESS WHEREOF, the parties hereto have affixed their hands to this agreement for the Countywide Voluntary Trip Reduction Program on the day and year as indicated below.

Peninsula Traffic Congestion Relief Alliance

By _____

Date

Peninsula Traffic Congestion Relief Alliance Legal Counsel

By _____

City/County Association of Governments (C/CAG)

By _____
Thomas M. Kasten
C/CAG Chair

Date

C/CAG Legal Counsel

By _____
C/CAG Legal Counsel

Exhibit A

Scope of Work

1) Program Area 1 – Working directly with employers to reduce peak period commute trips

1. Employer Outreach
2. Employer Based Shuttle program development and management
3. Employer Support Services
4. School Pool and Carpool to College

Employer Outreach

Goal: Increase the market penetration of Alliance commute alternative programs in San Mateo County.

Objective: Increase the number of employers participating in Alliance programs by 10,000 additional employees or 3% per year.

FY 2010/2011 Action Items:

- 1) Alliance will participate in mobility needs assessment and Comprehensive Operations Analysis meetings with SamTrans and C/CAG staff.
- 2) Alliance will determine an approach to conduct market research of employers who do not currently participate in Alliance programs and why they do not currently do so. Research will be completed in FY 2010-2011. Results of research will be carried out in following fiscal year.
- 3) Alliance programs/outreach staff will generate 240 sales calls per representative per quarter (or 20 calls per week) to contact prospective employers who do not currently work with the Alliance or contact current employers who work with the Alliance to take on new Alliance programs. At least 40% of these calls will be to prospective employers to increase the total number of employees who utilize Alliance programs by 10,000 or 3% in FY 2010/2011.
- 4) Alliance Programs and outreach staff will conduct targeted campaigns to small employers in downtown areas. Each programs representative will target at least one area in their territory, for a total of 3 in FY 2010-2011. The small employer lunch program can be utilized for employers of 20 employees or less.
- 5) Alliance Programs and Outreach staff will add new employee orientations as a new approach to reach employers and their employees about Alliance programs available to them.

Measures of effectiveness: a) continue to compare mode splits of employers who offer Alliance assistance versus employers who do not offer assistance; b) annually calculate peak period auto trips reduced, annual emissions reduced and participation in commuter alternative programs by employers participating in Alliance programs.

Current employer outreach measures of effectiveness from MTC for employer outreach
1 Alliance Agreement - Countywide Voluntary Trip Reduction Program FY 10/11

funding include: a minimum of 275 Active Employers (employers who actively participate in commute alternative programs for their employees) and a total (quality) database minimum size of 3,000 employer records. MTC Goal for FY 10/11 has remained the same. Other MTC performance targets include obtaining 550 matchlist requests (through the Alliance's database to the 511 RRP ridematching tool); participation in a minimum of 25 employer events or fairs; and producing a minimum of 60 vanpool leads.

Employer Based Shuttle Program Development and Management

Goal: a) continue to provide safe and reliable employer based shuttle services between employment sites and Caltrain and BART stations; b) continue to work with existing and potential new employer consortiums to attract and retain additional ridership; c) maximize satisfaction of employer representatives in shuttle consortiums and their employees; d) provide employer based shuttle services that are financially sustainable in a cost effective manner that do not duplicate existing fixed route services.

Objectives: a) expand employer participation in consortium routes by 5% annually to reduce costs to other participating employers; b) increase ridership through employer promotion on existing shuttle routes and potential new shuttle routes to build ridership on SamTrans, Caltrain and BART by an average of 5% annually over a three-year period.

FY 2010-2011 Action Items:

- 1) Alliance will participate in SamTrans Comprehensive Operations Analysis and potentially the Mobility Management Plan for SamTrans to discuss Alliance and SamTrans roles in shuttle program management. The purpose being to determine what is the most effective and efficient methods to provide shuttle service from fixed route transit. These meetings will also include a discussion of a single set of performance standards for employer-based shuttles.
- 2) Based on feedback and outcome from #1, Alliance will realign staffing functions and resources to better meet the coordination objectives. This will likely happen in FY 2011-2012.
- 3) Alliance Annual Report and the FY 2010-2011 Alliance Budget will include segregated costs and performance of employer-based and community-based shuttles.
- 4) Alliance will develop a marketing campaign for shuttle routes that do not achieve minimum standards. Campaign will be implemented in Spring 2011.
- 5) Annual rider quality of service survey will be conducted of shuttle riders during the fiscal year.
- 6) Decaling of remaining shuttle vehicles that do not have current decals will be completed as well as shuttle stop signs will be installed if needed during the fiscal year.
- 7) Alliance will encourage expansion of employer participation in consortium routes by 5% annually. The campaign to target shuttles routes as noted in #4 will help encourage additional shuttle participation as well as sales calls and meetings with employers to encourage shuttle ridership in order to ensure sustainability of shuttle program.

Measures of Effectiveness: a) achieve a minimum of 20% equivalent farebox ratio and a target equivalent farebox ratio of 25% or more; b) achieve a cost per passenger of \$7.00 or less

with a target of \$4.00 or less for employer-based shuttles; c) attain high satisfaction rates in annual customer surveys; d) total cost per ton of emission reduced should be below \$90,000 per ton.

Employer Support Services

Goal: Provide employer support services, including the County-wide Emergency Ride Home Program, Bicycle Rack and Locker program and bicycle safety and training workshops. These programs are provided to overcome barriers to utilize commute alternative programs.

Objective: Increase employer participation in Alliance support services by 5% annually.

FY 2010-2011 Action Items:

- 1) Increase the number of employers participating in the Emergency Ride Home Program by actively engaging employers as a part of the program offerings one-on-one meetings with employers by the Alliance Transportation Program Manager and outreach team. The goal would be to secure 5% additional participants or a minimum of three additional participants in FY 2010-2011.
- 2) Increase the number of employers participating in the bicycle rack and locker incentive program, providing a 50% reimbursement (up to \$500 each) for employers including schools which install bicycle lockers and racks. The goal is to provide the number of bike racks and lockers to utilize \$30,000 in subsidy provided in the Alliance's FY 2010-2011 Budget.
- 3) Coordinate at least 5 bicycle safety and training workshops (a 5% increase over the previous year's goal) conducted free to employers at their worksites by a certified bicycle safety instructor to provide rules of the road for cyclists, tips on buying a bicycle and bicycle maintenance instruction.

Measures of Effectiveness: a) employer satisfaction with program delivery; b) annual feedback from employer participants. Increased participation in above programs by 5% annually.

School-Based Employer Efforts

Goal: Increase the market penetration of schools participating in the School Pool and Carpool to College Program.

Objective: Increase the number of schools participating by 5% annually with a focus on Alliance cities that do not have significant employment centers.

FY 2010-2011 Action Items:

- 1) Alliance to encourage school districts to utilize School Pool Incentive Program, which is a \$25 gas card for transporting at least two children from two different households to one school a minimum of two days per week. Goal is to increase the number of schools participating by 5% annually, or at least two additional schools in 2010-2011. Focus

- efforts on cities that do not have employment centers.
- 2) Alliance Transportation Programs Manager and team will also encourage the San Mateo Community College District to promote the Carpool to College Program, which is a \$20 gas card for students carpooling to college a minimum of 2 days per week during a consecutive 8 week period. The Goal is to increase usage in the program by 5%.
 - 3) Alliance to research potential database applications for school districts to utilize for ridematching purposes.

Measures of Effectiveness: Annually calculate peak period commute trips reduced, annual emissions reduced, and participation in commute alternatives by schools participating in Alliance programs. Strive to increase participation in program by 5%.

2) Program Area 2 - Working with Commuters to Explore Utilize Alternative Transportation

1. Direct marketing and communication with commuters
2. Vanpool and carpool incentive program
3. Try Transit Incentive Program
4. Bike to Work Day Promotions

Direct marketing and communication with commuters

Goals: Provide commute alternative information directly to San Mateo County commuters so that they can make informed choices on commute options.

Objectives: a) increase awareness of Alliance and its programs by commuters from 25% to 33% over a three-year period; b) increase website usage a minimum of 10% annually; c) achieve 90% satisfaction rate in follow-up surveys to program participants.

FY 2010-2011 Action Items:

- 1) Alliance will develop a Marketing Plan to enhance effectiveness in directly reaching commuters. Marketing Plan will be completed for FY 2011 and FY 2012, after market research has been completed (in FY 2010-2011).
- 2) Plan and implement media campaigns to broaden awareness of the Alliance and its programs. Collaborate with SamTrans, to likely implement an Earth Day Campaign in 2011. In addition, the Alliance has an annual Media Plan to reach commuters and has \$40,000 included in the FY 2010-2011 Budget for advertising through a variety of media outlets.
- 3) The Alliance will develop protocols for determining which events to participate in during the year. This will be developed in the spring 2011 once current schedule of fairs has been completed and can be evaluated.

Measures of Effectiveness: a) gauge awareness of Alliance and its programs in periodic general public surveys; b) 33% of employed residents should be aware of Alliance efforts in random survey conducted at the end of the 3-year period of the Strategic Plan 2010-2013.

Carpool and Vanpool Incentive Programs

Goal: Provide commuters with a direct incentive to try a carpool or vanpool.

Objectives: a) Increase the number of carpool and vanpool incentive participants by 10% each annually; b) have a minimum of 70% of program participants continue to use the carpool or vanpool mode after utilizing the incentive.

FY 2010-2011 Action Items:

- 1) Executive Director attends quarterly Regional Rideshare Program TAC Meetings and Transportation Programs Manager and/or team attend Regional Rideshare Program marketing meetings to coordinate efforts.
- 2) Alliance promotes Carpool Incentive Program providing gas card incentive of \$60 per passenger as a one-time incentive to carpool at least two days per week for eight weeks. This is promoted through employers (through the employee transportation coordinator – ETC) and directly to commuters at employer and community fairs and on the Alliance website.
- 3) Alliance promotes the Vanpool Incentive Program providing \$500 for vanpool driver who drives a vanpool for six months and three month subsidy for vanpool passenger costs up to \$100 per month for those who ride in a vanpool for three months.
- 4) Work with 511.org to fill vacant seats in currently running vanpools.
- 5) Alliance promotes Commuter Tax Benefit (additional) Incentive to assist employers with the initial cost of setting up the Commuter Tax Benefit (currently \$230 per month per employee, pre-tax) for their employees.

Try Transit Incentive Program

Goal: Increase ridership on Caltrain, SamTrans, BART, AC Transit M Line and VTA.

Objectives: a) increase the number of participants in Try Transit by 10% annually; b) retain 70% or more of Try Transit Program participants in their use of public transportation.

FY 2010-2011 Action Items:

- 1) Alliance promotes Try Transit Program to potential riders who currently drive. Provide program information to employer ETC and directly to commuters at employer fairs and community events. Increase participation in Try Transit program by 10%.
- 2) Alliance produces annual report to transit agencies and secure new tickets to continue program with partnering agencies.

Measure of Effectiveness for Incentive Programs: a) track the annual number of program participants by program with a goal of a 10% annual increase; b) continue follow-up surveys to measure changes in travel behavior and annually track reduction in peak period commute trips, vehicle miles travelled and emissions reduction.

Bike to Work Day

Goal: Participate in Bay Area wide event to promote the use of bicycling as a convenient form of commuting.

Objective: Increase the number of Bike to Work Day participants by 10% from the previous year.

FY 2010-2011 Action Items:

1) Transportation Programs Manager is the county-wide coordinator for Bike to Work Day. This manager will work in collaboration with the Silicon Valley Bicycle Coalition staff to put the San Mateo County program together.

2) Transportation Programs Manager and team will promote Bike to Work Day to employers in San Mateo County with a goal of increasing participation in the program by 10%. Promotion of Bike to Work Day will include the Alliance's program to encourage new bicycle riders, "Let's Roll San Mateo County." Advertising, as part of the Alliance's annual Media Plan, will be conducted through print, local cable TV and through Chambers of Commerce for their members.

Measures of Effectiveness: Results are developed at the regional level. Alliance will include the San Mateo County results in their Annual Report. Alliance strives for 10% increase in participation from previous year.

3) Program Area 3 - Working with Public and Private Partners to Collaboratively Develop New Resources and Tools to Expand Transportation Alternatives

1. Funding and Resource Development
2. Development of Community-Based Mobility Services
3. Community Facilitation of Transportation Alternatives

Funding and Resource Development

Goals: a) Retain existing funding sources through successful project delivery; b) seek additional funding to address identified needs and plans developed in collaboration with SMCTD and C/CAG.

Objectives: a) work with partners to ensure 100% sustainability of existing funding; b) expand funding to meet identified needs and priorities.

FY 2010-2011 Action Items:

- 1) Alliance to participate in mobility needs assessment meetings with SMCTD and C/CAG staff. An Advocacy Plan to be produced as a result of these meetings and discussions.
- 2) New FY 2010-2011 Budget based upon current sustainable funding sources. Staffing for current programming is segregated in new budget. Determine staffing resources needed for finding, coordinating and implementing grant submissions for new funding resources for Alliance general operations, shuttle program operations and possibly special city-defined projects.
- 3) Alliance to participate in discussions with SMCTD and C/CAG regarding implementation of AB 32 and SB 375 and how to most effectively implement and

encourage San Mateo County employers and community stakeholders to meet the goals of this legislation.

Measures of Effectiveness: a) sustainability of existing funding resources; b) amount of additional new financial and other resources generated each year.

Development of Community-Based Mobility Services

Goal: Implementation of future community-based shuttles should be based on direct collaboration with SMCTD and a prioritized needs assessment.

Objective: The SMCTD Comprehensive Operations Analysis (SMCTD COA) should provide guidance to the cities and the Alliance on planning for future community-based shuttles that do not duplicate SamTrans local routes.

FY 2010-2011 Action Items:

- 1) As roles and responsibilities of the county-wide shuttle program are defined for the Alliance and SMCTD, a policy will be discussed to cover administrative time for community-based shuttles.
- 2) As roles and responsibilities of the county-wide shuttle program are defined for the Alliance, a policy regarding City-specific projects should be defined to confirm the Alliance's role and responsibility.

Measures of Effectiveness: C/CAG's efficiency standards for fixed-route service are cost per passenger of < \$6, and > 10 riders per service hour. For door-to-door services the benchmark goals are: cost per passenger of < \$15, and > two riders per service hour.

Community Facilitation of Transportation Alternatives

Goal: Continue to expand exposure of Alliance programs in San Mateo County in a cost-effective manner.

FY 2010-2011 Action Items:

- 1) Alliance to review current schedule of community fairs and events and develop a protocol for determining which fairs and events are the most cost effective and efficient for the Alliance to participate in during the fiscal year.
- 2) Develop tracking method to measure effectiveness. This may include stamping a code on materials to be distributed as one example.

Measures of Effectiveness: If cost effective, provide a means of tracking actual participation in Alliance programs.

4) Program Area 4 - Strengthening the Organization Capacity of the Alliance to Achieve Its Goals

1. Finance and Budget
2. Governance
3. Administration and Business Practices
4. Communication

Finance and Budget

Goal: Ensure the integrity of the financial reporting and budgeting process and increase operational efficiencies.

FY 2010-2011 Action Items:

- 1) FY 2010-2011 Alliance Budget reorganized to reflect direct and indirect costs per program area.
- 2) Develop new performance measurements to be presented to Board and included in Alliance Annual Report.
- 3) Based on performance measurements adopted, review all activities and programs to determine those that are most effective and those that are underutilized.
- 4) As roles and responsibilities of the county-wide shuttle program are defined for the Alliance and SMCTD, the Alliance budget will be adjusted to define shuttle direct, indirect costs and in-kind contributions that are to be included.
- 5) As roles and responsibilities of the county-wide shuttle program are defined for the Alliance, City-specific shuttle projects and the budget related to the Alliance role in the project needs to be confirmed.

Governance

Goals: a) Ensure meaningful participation by each key constituency of the Alliance including employers, riders and public and private partners; b) continue to ensure that all new Board members receive full orientation to Alliance mission and goals, as soon as they are appointed to the Board; c) ensure that the Strategic Plan is monitored and updated on a regular basis.

FY 2010-2011 Action Items:

- 1) Board Orientation for new Board members conducted following the first Board meeting after new Board members have been appointed (likely at the December or February Board meeting).
- 2) Strategic Plan updates to be provided to Alliance Board periodically.
- 3) Ongoing communication with employers by Alliance Transportation Program Manager and outreach team. Annual mode-shift survey of employers to be conducted. Survey will include questions regarding awareness of Alliance and opportunity to provide feedback to the Alliance about Alliance programs.

Administration and Business Practices

Goals: a) Ensure adoption of new Alliance mission and assess all new programs and activities to maintain adherence to new mission; b) attract and retain quality employees; c) foster a culture of

environmental stewardship and sustainability.

FY 2010-2011 Action Items:

- 1) During FY 2010-2011 adopt performance measurements, then utilize prioritization framework and recommend adoption of Resolution by Board for formal policies and criteria to evaluate new opportunities that emerge to develop or manage programs and initiatives.
- 2) Executive Director to review with legal counsel Alliance Personnel Policy to determine if any updates may be needed.
- 3) Annual Work Plan is updated to reflect recommendations from new Strategic Plan.
- 4) Alliance to review/update employee wellness program, leadership development and succession plan and potential opportunities to develop grant applications that have an environmental or energy technology component.

Communication

Goals: a) heighten awareness of the Alliance and create more powerful, compelling communications; b) increase employer participation in transportation demand management programs through communication efforts directly to San Mateo County employers to reach their employees.

FY 2010-2011 Action Items:

- 1) Alliance website has been redesigned to reflect new mission and defined program areas for employers and commuters to easily find program information. Website will continue to be updated frequently with new information.
- 2) Alliance Media Plan utilizing media buyer to recommend and purchase advertising using different media to most cost effectively get the message about the Alliance out to the general public to build awareness of the Alliance.
- 3) Annual Report will be reorganized to reflect identified Performance Measures that the Board of Directors will review and/or adopt.

FY 2010-2011 – Other Action Items per Strategic Plan

- 1) Reformulate priorities on annual basis based on currently available information.
- 2) Receive concurrence on annual priorities from key funding partners.
- 3) Consider using benefit cost analysis to compare the relative effectiveness of the array of Alliance mobility programs. If not feasible, calculate the cost-effectiveness of individual Alliance programs.
- 4) Once the Alliance Board adopts performance measures, the Alliance will utilize them for all programs. Board will review and/or adopt during FY 2010-2011.

C/CAG AGENDA REPORT

DATE: August 12, 2010

TO: City/County Association of Governments Board of Directors

FROM: Richard Napier, Executive Director

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

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

RECOMMENDATION:

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

FISCAL IMPACT:

Under the TFCA Program there is a total allocation of \$1,004,153 of which \$421,000 is designated for the Alliance in FY 2010/2011.

SOURCE OF FUNDS:

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

BACKGROUND/ DISCUSSION:

C/CAG acts as the Program Manager for the Transportation Fund for Clean Air (TFCA) Program in San Mateo County. This program distributes TFCA monies to projects whose primary objective is to reduce emissions in the air. At the March 11, 2010 C/CAG Board meeting the Board approved the Expenditure Plan for projects to be funded with the 2010/2011 allocation. The agreement is with the Peninsula Traffic Congestion Relief Alliance to operate the County-wide Voluntary Trip Reduction Program to assist private and public sectors to connect their employees and customers with transportation systems that provide an alternative to driving single occupant vehicles. The County-wide Voluntary Trip Reduction Program is funded by various

ITEM 6.4.2

sources through C/CAG, including the Countywide Congestion Relief Plan as well as the San Mateo County share of the Regional Rideshare Program funds made available through the Metropolitan Transportation Commission (MTC).

The funding agreement shall be in a form to be approved by C/CAG Legal Counsel.

ATTACHMENTS:

- Resolution 10-39

RESOLUTION 10-39

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 A FUNDING AGREEMENT WITH THE PENINSULA TRAFFIC CONGESTION RELIEF ALLIANCE IN THE AMOUNT OF \$421,000 UNDER THE TRANSPORTATION FUND FOR CLEAN AIR (TFCA) PROGRAM TO PROVIDE THE COUNTY-WIDE VOLUNTARY TRIP REDUCTION PROGRAM

WHEREAS, the Board of Directors of the City/County Association of Governments at its March 11, 2010 meeting approved certain projects and programs for funding through San Mateo County's local share of Transportation Fund for Clean Air (TFCA) revenues; and,

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

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

WHEREAS, one of these programs is to provide a County-wide Voluntary Trip Reduction Program and is sponsored by the Peninsula Traffic Congestion Relief Alliance.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the Chair is authorized to enter into a funding agreement with the Peninsula Traffic Congestion Relief Alliance for \$421,000 under the Transportation Fund for Clean Air (TFCA) Program. Be it further 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 C/CAG Legal Counsel.

PASSED, APPROVED, AND ADOPTED THIS 12TH DAY OF AUGUST 2010.

Thomas M. Kasten, Chair

C/CAG AGENDA REPORT

Date: August 12, 2010

To: City/ County Association of Governments of San Mateo County

From: Richard Napier, Executive Director

Subject: Executive Director Presentation on C/CAG's FY 09-10 Performance.

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

A verbal report will be provided at the meeting.

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C/CAG

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July 27, 2010

The Honorable Felipe Fuentes
Chair, Assembly Appropriations Committee
State Capitol, Room 2114
Sacramento, CA 95814

RE: SB 346 (Kehoe) – Source Control of Copper Water Pollution – Support As Amended August 2

Assemblymember Fuentes:

The City/County Association of Governments of San Mateo County (C/CAG)¹ supports SB 346 (Kehoe), which will provide California's cities and counties with the tool they need to comply with stringent federal and state water quality mandates and avoid billions of dollars in costs and penalties. SB 346 requires that copper, an extremely significant aquatic pollutant, be reduced to a *de minimis* 0.5% by weight in vehicle brake pads sold in California by 2025. Peer-reviewed scientific studies have established that by far the most significant source of copper in urban watersheds is the fine dust generated from the use of brake pads.

Pursuant to the requirements of the federal Clean Water Act, the Regional Water Quality Control Boards in Los Angeles and San Diego have already imposed severe copper Total Maximum Daily Loads (TMDLs). Similar TMDLs are expected to be imposed on other urban watersheds across the state in the near future. The only technically and economically feasible way for municipalities to comply with these looming deadlines is to eliminate copper pollution at its source – vehicle brake pads – no later than 2025. Any attempt to try and remove copper already dissolved in stormwater in highly urbanized areas would most likely require condemnation of large tracts of land and construction of elaborate infrastructure. This could easily cost already fiscally strapped local governments billions of dollars statewide with no guarantee that these methods would actually succeed.

Two days of constructive and productive meetings with industry, environmental, and local government representatives earlier this month resulted in amendments that accept nearly all of industry's requests in their entirety and are supported by environmental and local government representatives. SB 346 provides industry with a generous timeline within which to develop and distribute safe and effective copper-free brake friction materials while also giving cities and counties the ability to demonstrate that they will meet their copper TMDLs in a timely manner without having to spend billions of dollars to do so. C/CAG is pleased to support SB 346.

Sincerely,



Richard Napier, Executive Director
City/County Association of Governments of San Mateo County

cc: Senator Christine Kehoe, Assembly Appropriations Committee Members

¹ C/CAG is a joint powers authority representing the cities, towns, and unincorporated areas in San Mateo County. C/CAG manages the San Mateo Countywide Water Pollution Prevention Program, which assists C/CAG's 21 member agencies with compliance with the requirements of municipal separate storm sewer system (MS4) National Pollutant Discharge Elimination System (NPDES) permits issued by the San Francisco Bay Regional Water Quality Control Board.

ITEM 9.1



FOR IMMEDIATE RELEASE
July 27, 2010

SURVEY FINDS STRONG SUPPORT FOR HIGH-SPEED RAIL
Findings Bolster Effort to Attract Federal and Private Investment

SACRAMENTO - In the first gauge of public opinion since voters approved a 2008 bond measure, a survey released today shows that clear majority of Californians support the state's high-speed train project, with more than three-quarters saying they would like the project to be built.

Some 76 percent of Californians indicated support for the project, with 34 percent saying they would like to see the project move forward "as quickly as possible," 42 percent saying they would like to see the high-speed trains built despite some concerns over cost and timing, and only 13 percent indicating opposition to the project.

"Californians are telling us loudly and clearly that they support the state's high-speed rail project, and that's the message we will be delivering in Washington this week to the Administration and the Congressional leadership," said Curt Pringle, Chairman of the California High Speed Rail Authority.

The survey, carried out in May as part of the project's outreach efforts by two California research firms, Fairbank, Maslin, Maullin, Metz & Associates and Public Opinion Strategies, included telephone interviews with 800 registered voters in California. The results have a margin of sampling error of +/- 3.5 percent.

The survey also found that a large majority of Californians who travel long-distance would prefer to travel by high-speed train. More than seven out of ten long-distance travelers said they would prefer to take the high-speed rail line after being informed that a trip between San Francisco and Los Angeles was likely to cost less than an airline ticket or than travel by car, while being more environmentally friendly.

Though challenges will accompany any project of this magnitude, voters don't see them as a reason to delay the project. Nearly twice as many voters indicated that the benefits of the train make it worth moving forward with the investment now, as opposed to delaying based on uncertainties about costs, ridership or environmental benefits.

The findings were presented in a detailed report by the two firms. Authority officials will share the survey's findings with federal officials and Congressional leaders over the next few days of meetings starting Wednesday.

"It's critical that we be able to show federal officials - as well as our potential partners in the private sector - that Californians remain firmly in support of the high-speed train project," Pringle said. "These results demonstrate that support, and show that the more Californians know about this project, the stronger their commitment to

ITEM 9.2

it. That's gratifying to see - and it underscores the importance of ensuring that every Californian remains informed about this historic project."

[View research](#)

##

Contact:

Rachel Wall
rwall@hsr.ca.gov

This message was sent from California High-Speed Rail Authority to nblair@co.sanmateo.ca.us. It was sent from: California High-Speed Rail Authority, 925 L Street, Suite 1425, Sacramento, California 95814. You can modify/update your subscription via the link below.

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C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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July 16, 2010

California Energy Commission
Grants and Loans Office
Attn: PON-09-608 Hydrogen
1516 Ninth Street, MS-1
Sacramento, CA 95814

To Whom It May Concern

The City/ County Association of Governments of San Mateo County (C/CAG) would like to offer its support for the San Francisco International Airport application for supplemental funding to launch a hydrogen station that will serve the entire County. C/CAG entered into a Memorandum of Understanding with the airport to develop a hydrogen fueling station and has been working with the airport to develop this capability for several years. This is a high profile location with a significant commitment of usage to support the shuttles at the airport. This will also offer significant educational opportunities. C/CAG has committed \$200,000 to the Hythane Company to develop the infrastructure at SFO.

Accordingly, we strongly endorse the Airport's application for supplemental funding to launch a hydrogen station that will serve the whole county. We hope the California Energy Commission will join a long list of supporters for the facility.

Your consideration of this request is appreciated. If there are any questions please contact Richard Napier at 650 599-1420.

Sincerely,



Richard Napier
Executive Director
City/ County Association of Governments of San Mateo County

ITEM 9.3

NEWS RELEASE



Date: July 7, 2010
Contact: Richard Napier, Executive Director of C/CAG of San Mateo County
(650) 599-1420
rnapier@co.sanmateo.ca.us

FOR IMMEDIATE RELEASE

Cities Seek Public Input to Improve Traffic Conditions on Willow Road, University Avenue

Community Meetings in Menlo Park and East Palo Alto Scheduled for July 14 and 21

SAN MATEO, Calif. (July 7, 2010) – Residents and members of the public concerned about traffic on segments of Willow Road and University Avenue between US 101 and Bayfront Expressway are invited to learn more about a study designed to identify issues and provide potential improvement options: the Willow Road/University Avenue Traffic Study. The City/County Association of Governments of San Mateo County (C/CAG), in cooperation with the City of East Palo Alto and the City of Menlo Park, will be holding two community meetings on July 14 and July 21 to provide participants with the opportunity to share input on potential improvement options that have been identified in the study.

About the Traffic Study

The study will evaluate traffic operation improvement options on the segments of Willow Road and University Avenue located between US 101 and the Bayfront Expressway. The purpose of the traffic study is to assess existing traffic conditions and operations, establish operational improvement strategies and make recommendations to address congestion and safety issues within the study area.

Potential improvement options being considered include optimizing traffic signal timing and synchronization, and coordination with Caltrans signals; crosswalk warning lights at unsignalized locations; additional traffic lane capacity on eastbound Willow Road between the northbound US 101 off-ramp and Newbridge Street, and for right turns to Bayfront Expressway; left turn arrow signals on University Avenue at Runnymede and Bell Streets; additional traffic lane capacity on Donohoe Street from Capitol Avenue to University Avenue, and photo enforcement of red signal violations at both intersections; and other methods to improve the safety of drivers, pedestrians and bicyclists.

Input from the two upcoming community meetings will be considered in the study on existing traffic issues and potential improvements on Willow Road and University Avenue, as well as potential impacts on parallel streets and neighborhoods.

Community Meeting Details

Both meetings will discuss the same topics and information. At each meeting, attendees will be invited to review technical findings presented in the Willow Road/University Ave Traffic Study, provide input on proposed improvement options under consideration, and learn about next steps in the study process and implementation for proposed improvement options.

- **Menlo Park: Wednesday, July 14, 2010**
6:30 - 7:00 p.m.: Open House
7:00 p.m.: Transportation Commission Meeting (*study is first item on agenda*)
Menlo Park City Council Chambers, 801 Laurel Street, Menlo Park, CA
For more information: Chip Taylor at (650) 330-6770 or CWTaylor@menlopark.org
- **East Palo Alto: Wednesday, July 21, 2010**
7:30 p.m.: Public Works/Transportation Commission Meeting (*study is first item on agenda*)
East Palo Alto City Hall, Community Room, 2415 University Avenue, East Palo Alto, CA
For more information: Kamal Fallaha, (650) 853-3189 or kfallaha@cityofepa.org

For more information, please contact the appropriate city staff member at the phone number listed above. Meeting facilities are accessible to persons with disabilities. For translation services requests or other special accommodations, please contact city staff at least five days in advance of the meeting.

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ITEM 9.4

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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June 22, 2010

Ms. Cynthia Bryant, Chair
California Strategic Growth Council
1400 10th Street – P.O. Box 3044
Sacramento, California 95812
Cynthia.Bryant@dof.ca.gov

Dear Chair Bryant,

This is a letter of support for the California Climate Data Integration Pilot Project and to inform you that the City/County Association of Governments of San Mateo County (C/CAG) intends to participate, and that our organization sees both the need and the benefit of such an effort.

C/CAG continues to be instrumental in the development of and funding for energy reduction programs and climate action efforts for the twenty, mostly small cities and the County in San Mateo County. C/CAG also recognizes the staffing and budget issues that our cities face at the same time that progress on climate action efforts are needed.

With all the government operations and communitywide emissions inventories completed in San Mateo County, C/CAG is embarking on a project to develop an integrated climate action template and forecasting and calculation tool set to both simplify and demystify the climate action planning process for the cities.

After meeting with members of the project team, it is clear to us that the California Climate Data Integration Pilot Project, along with California Energy Initiatives tool, is like-minded in its approach to some of the issues related to reducing the complexities of: developing inventories, standardizing calculation methodologies, and targeting a reduced “set” of measures for local, regional and the State government under AB 32. We believe that this effort could significantly propel climate action efforts at all levels of government in our State.

If you have any questions, please contact me at 650-599-1420

Sincerely,



Richard Napier
Executive Director

City and County Association of Governments of San Mateo County

Cc: Bob Fisher bob@piscesinc.com
Gregg Albright gregg.albright@bth.ca.gov
Julia Lave Johnston julia.johnston@opr.ca.gov
Jessica Pearson jessica.pearson@resources.ca.gov
Andrew Altevogt aaltevogt@calepa.ca.gov
Ryan Arba rarba@chhs.ca.gov
Anna Marie Young annamarie.young@opr.ca.gov

ITEM 9.5

C/CAG

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June 9, 2010

The Honorable Pedro Nava
Chair, Assembly Committee on Environmental Safety & Toxic Materials
State Capitol, Room 2148
Sacramento, CA 95814

RE: SB 346 (Kehoe) – Source Control of Copper Water Pollution – Support As Proposed To Be Amended

Assemblymember Nava:

The City/County Association of Governments of San Mateo County (C/CAG)¹ supports SB 346 (Kehoe), which will provide California's cities and counties with the tool they need to comply with stringent federal and state water quality mandates and avoid billions of dollars in costs and penalties. SB 346 requires that copper, an extremely significant aquatic pollutant, be reduced to a *de minimis* 0.5% by weight in vehicle brake pads sold in California by 2025. Peer-reviewed scientific studies have established that by far the most significant source of copper in urban watersheds is the fine dust generated from the use of brake pads.

Pursuant to the requirements of the federal Clean Water Act, the Regional Water Quality Control Boards in Los Angeles and San Diego have already imposed severe copper Total Maximum Daily Loads (TMDLs). Similar TMDLs are expected to be imposed on other urban watersheds across the state in the near future. The only technically and economically feasible way for municipalities to comply with these looming deadlines is to eliminate copper pollution at its source – vehicle brake pads – no later than 2025. Any attempt to try and remove copper already dissolved in stormwater in highly urbanized areas would most likely require condemnation of large tracts of land and construction of elaborate infrastructure. This could easily cost already fiscally strapped local governments billions of dollars statewide with no guarantee that these methods would actually succeed.

SB 346 provides industry with a generous timeline within which to develop and distribute safe and effective copper-free brake friction materials while also giving cities and counties the ability to demonstrate that they will meet their copper TMDLs in a timely manner without having to spend billions of dollars to do so. C/CAG is pleased to support SB 346.

Sincerely,



Thomas M. Kasten, Chair
City/County Association of Governments of San Mateo County

cc: Senator Christine Kehoe
Assemblymember Ira Ruskin

¹ C/CAG is a joint powers authority representing the cities, towns, and unincorporated areas in San Mateo County. C/CAG manages the San Mateo Countywide Water Pollution Prevention Program, which assists C/CAG's 21 member agencies with compliance with the requirements of municipal separate storm sewer system (MS4) National Pollutant Discharge Elimination System (NPDES) permits issued by the San Francisco Bay Regional Water Quality Control Board.

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

www.ccag.ca.gov

