

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. 217

- DATE:** Thursday, October 8, 2009
- TIME:** 7:00 P.M. Board Meeting
- PLACE:** San Mateo County Transit District Office
1250 San Carlos Avenue, Second Floor Auditorium
San Carlos, CA
- PARKING:** Available adjacent to and behind building.
Please note the underground parking garage is no longer open.
- PUBLIC TRANSIT:** SamTrans Bus: Lines 261, 295, 297, 390, 391, 397, PX, KX.
CalTrain: San Carlos Station.
Trip Planner: <http://transit.511.org>

- 1.0 CALL TO ORDER/ ROLL CALL
- 2.0 PLEDGE OF ALLEGIANCE
- 3.0 PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA
Note: Public comment is limited to two minutes per speaker.
- 4.0 RESOLUTIONS OF APPRECIATION / PRESENTATIONS/ ANNOUNCEMENTS
- 4.1 Presentation on American Planning Association Chapter Awards for the San Mateo County Sustainable Green Streets and Parking Lots Design Guidebook.
- 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 Review and approval of the Minutes of Regular Business Meeting No. 216 dated September 10, 2009. ACTION p. 1
- 5.2 Review and approval of projects for funding and call for projects for the Metropolitan Transportation Commission's (MTC) Lifeline Transportation Program.
- 5.2.1 Review and approval of Resolution 09-48 recommending Tier 2 projects to the Lifeline Transportation Program for \$533,072. ACTION p. 7
- 5.2.2 Review and approval of Resolution 09-52 modifying project funding for previously approved Tier 1 projects to be consistent with additional funds proposed by the Metropolitan Transportation Commission (MTC) under the Lifeline Transportation Program for adding \$272,847 for a new total of \$2,825,381. ACTION p. 17
- 5.2.3 Review and approval of an additional Call for Projects for the remaining balance of \$599,783 in the Metropolitan Transportation Commission (MTC) Lifeline Transportation Program Cycle 2. ACTION p. 27
- 5.3 Review and approval of Resolution 09-38 authorizing the C/CAG Chair to execute amendment (No. 3) to the funding agreement with the San Mateo County Transportation Authority (SMCTA) to receive maximum amount of \$300,000 for joint and/or co-sponsored programs for FY 2009-10. ACTION p. 41
- 5.4 Review and approval of Resolution 09-51 authorizing the C/CAG Chair to execute an agreement with TJKM for an amount not to exceed \$170,000 for the Traffic Study on Willow Road and University Avenue as part of the 2020 Peninsula Gateway Corridor Study – Phase 2. ACTION p. 47
- 5.5 Review and Approval of a Comprehensive Airport Land Use Compatibility Plan (CLUP) Consistency Review of a Referral from the City of Daly City, Re: General Plan Amendment: *Draft Housing Element August 2009*. ACTION p. 63
- 5.6 Review and Approval of a Comprehensive Airport Land Use Compatibility Plan (CLUP) Consistency Review of a Referral from the City of San Bruno, Re: General Plan Amendment: *Draft Housing Element 2009 – 2014*. ACTION p. 81
- 5.7 Review and Approval of Resolution No. 09-54 Authorizing the C/CAG Chair to Execute an Agreement (Memorandum of Understanding) between C/CAG and the San Francisco Airport Commission for Preparation of an Update of the Comprehensive Airport Land Use Compatibility Plan (CLUP) for the Environs of San Francisco International Airport and Related C/CAG Staff Costs in the Amount of \$100,000 for FY 2009/2010. ACTION p. 103
- 5.8 Review and Approval of Resolution 09-53, Authorizing the C/CAG Chair to Execute a Four-Month No-Cost Extension to the Agreement with the City of Daly City to Construct a Sustainable Green Street and Parking Lot Demonstration Project. ACTION p. 113

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. 121

6.2 Progress update on the San Mateo Countywide Transportation Plan 2035 (CTP 2035).
INFORMATION p. 125

6.3 Review and approval of Resolution 09-50 adopting the Final 2009 Congestion Management Program (CMP) for San Mateo County. (Special voting procedures apply.) ACTION p. 137

6.4 Approval of Resolution 09-37, providing up to \$90,000 to the County of San Mateo to support countywide climate change related programs. ACTION p. 141

7.0 COMMITTEE REPORTS

7.1 Committee Reports (oral reports).

7.2 Chairperson's Report.

8.0 EXECUTIVE DIRECTOR'S REPORT

9.0 COMMUNICATIONS - Information only

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

9.1 Letter from Honorable Keith Bohr, Mayor, City of Huntington Beach, to Honorable Jim Silva, California State Assembly, dated 9/08/09. RE: SB 88 (De Saunier) - Municipal Bankruptcy - Oppose. p. 149

9.2 Letters from Richard Napier, Executive Director C/CAG, to Honorable Jerry Hill, California State Assembly, 19th District, Honorable Fiona Ma, California State Assembly, 12th District, Honorable Ira Ruskin, California State Assembly, 21st District, Honorable Joseph Simitian, California State Senate, 11th Senate District, Honorable Leland Yee, California State Senate, 8th Senate District, dated 9/11/09. RE: C/CAG Opposition to SB 88 (DE Saunier) - Municipal Bankruptcy. p. 151

9.3 Letter from Richard Napier, Executive Director, C/CAG, to Ms. Andrea J. Ouse, City Planner, Colma, CA, dated 9/21/09. Re: Thank you. p. 157

10.0 MEMBER COMMUNICATIONS

11.0 ADJOURN

Next scheduled meeting: November 12, 2009 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

October 8, 2009	Legislative Committee - SamTrans 2 nd Floor Auditorium - 5:30 p.m.
October 8, 2009	C/CAG Board - SamTrans 2 nd Floor Auditorium - 7:00 p.m.
October 20, 2009	NPDES Technical Advisory Committee - TBD - cancelled.
October 15, 2009	CMP Technical Advisory Committee - SamTrans 2 nd Floor Auditorium - 1:15 p.m.
October 26, 2009	CMEQ Committee - San Mateo City Hall - Conference Room C - 3:00 p.m.
October 22, 2009	Bicycle and Pedestrian Advisory Committee (BPAC) - San Mateo City Hall - Conference Room C - 7:00 p.m. .
TBD	Resource Management and Climate Protection Committee -555 County Center, Redwood City, CA - 3:00 p.m.
November 2, 2009	Administrators' Advisory Committee - 555 County Center, 5 th Fl, Redwood City - Noon

C/CAG

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Meeting No. 216
September 10, 2009

1.0 CALL TO ORDER/ROLL CALL

Chair Kasten called the meeting to order at 7:00 p.m. Roll Call was taken.

Jerry Carlson - Atherton

Sepi Richardson - Brisbane

Rosalie O'Mahony - Burlingame, San Mateo County Transportation Authority

Carlos Romero - East Palo Alto

Linda Koelling - Foster City

Tom Kasten - Hillsborough

Kelly Fergusson - Menlo Park

Gina Papan - Millbrae

Julie Lancelle - Pacifica (7:11)

Maryann Moise Derwin - Portola Valley (7:03)

Diane Howard - Redwood City

Bob Grassilli - San Carlos

Brandt Grotte - San Mateo

Carole Groom - San Mateo County

Karyl Matsumoto - South San Francisco, San Mateo County Transit District (7:06)

Deborah Gordon - Woodside

Absent:

Belmont

Colma

Daly City

Half Moon Bay

San Bruno

Others:

Richard Napier, Executive Director - C/CAG

Nancy Blair, C/CAG Staff

Sandy Wong, Deputy Director - C/CAG

Lee Thompson, C/CAG - Legal Counsel

Tom Madalena, C/CAG Staff

John Hoang, C/CAG Staff

Jean Higaki, C/CAG Staff

Joe Kott, C/CAG Staff

Dave Carbone, C/CAG Staff

Kim Springer, County of San Mateo

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Parviz Mokhtari, C/CAG Staff
Jerry Grace, San Lorenzo, CA

2.0 PLEDGE OF ALLEGIANCE

3.0 PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

None.

4.0 RESOLUTIONS OF APPRECIATION / PRESENTATIONS/ ANNOUNCEMENTS

4.1 RESOLUTIONS OF APPRECIATION

4.1.1 Review and approval of Resolution 09-45 expressing appreciation to William Dickenson, Councilmember City of Belmont, for his dedicated service on the Utilities and Sustainability Task Force (USTF). APPROVED

4.1.2 Review and approval of Resolution 09-46 expressing appreciation to Terry Nagel, Councilmember City of Burlingame, for her dedicated service on the Utilities and Sustainability Task Force (USTF). APPROVED

Board Member Gordon MOVED approval of Resolution 09-45 and Resolution 09-46. Board Member O'Mahony SECONDED. **MOTION CARRIED** 14-0.

5.0 CONSENT AGENDA

Board Member Richardson MOVED to approve the Consent Agenda. Board Member Gordon SECONDED. **MOTION CARRIED** 16-0.

5.1 Review and approval of the Minutes of Regular Business Meeting No. 215 dated August 13, 2009. APPROVED

5.2 Status Report on the Hydrogen Shuttle for Fourth Quarter and Total FY 08-09. APPROVED

5.3 Review and approval of Memorandum of Understanding between C/CAG, City of East Palo Alto, and City of Menlo Park for the Traffic Study to evaluate traffic operations on Willow Road and University Avenue. APPROVED

5.4 Consideration/ Approval of a recommendation from the C/CAG Airport Land Use Committee (ALUC), Re: Referral from the City of Foster City, Re: Airport Land Use Compatibility Plan (CLUP) consistency review of a General Plan Amendment: *Draft Housing Element (2009)*. APPROVED

5.5 Consideration/ Approval of a recommendation from the C/CAG Airport Land Use Committee (ALUC) Re: Referral from the City of San Carlos, Re: Airport Land Use Compatibility Plan (CLUP) consistency review of the *City of San Carlos 2030 Draft General Plan and Housing Element*. APPROVED

- 5.6 Consideration/ Approval of a recommendation from the C/CAG Airport Land Use Committee (ALUC), Re: Referral from the City of Redwood City, Re: Airport Land Use Compatibility Plan (CLUP) consistency review of the *City of Redwood City New General Plan*.

APPROVED

- 5.7 Review and approval of Resolution 09-49 authorizing the C/CAG Chair to sign two letters, one to the County and one to the California Integrated Waste Management Board (CIWMB) staff expressing a need for review of the Countywide Integrated Waste Management Plan (CIWMP).

APPROVED

6.0 REGULAR AGENDA

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

APPROVED

The Legislative Committee recommends that C/CAG send a letter to the legislatures encouraging them to oppose Senate Bill 88. Senate Bill 88 would make it more difficult for local governments to be able to declare bankruptcy.

Board Member O'Mahony MOVED that C/CAG forward a letter to the legislatures urging them to oppose SB 88, with the understanding that if SB 88 does pass the legislature, a follow-up letter will be sent to the Governor encouraging him to Veto this bill. Board Member Papan SECONDED. **MOTION CARRIED** 16-0.

- 6.2 Review and approval of the starting time for the C/CAG Board Meeting, and the 2010 C/CAG Board Calendar.

APPROVED

A correction was made to the proposed 2010 C/CAG Board calendar, changing the date from September 10, 2010 to September 16, 2010.

Board Member Richardson MOVED to start the official C/CAG Board meeting at 6:30 p.m. Board Member Grotte SECONDED. **MOTION CARRIED** 15-0-1. Board Member Howard abstained.

Board Member Koelling MOVED the meeting will end at 9:00 p.m. Board Member O'Mahony SECONDED. MOTION OPPOSED 6-9-1. Board Member Howard abstained.

Board Member Richardson MOVED that no new items be introduced after 9:15 p.m. Board Member Grotte SECONDED. **MOTION CARRIED** 11-4-1. Board Member Howard abstained.

Board Member Grotte MOVED to approve the 2010 C/CAG Board calendar. Board Member Lancelle SECONDED. **MOTION CARRIED** 15-0-1. Board Member Howard abstained.

- 6.3 Review and approval of Resolution 09-47 authorizing the C/CAG Chair to execute the First Amendment to Memorandum of Understanding for the implementation of the Grand Boulevard Multimodal Transportation Corridor Plan. APPROVED

Board Member O'Mahony MOTIONED to approve Resolution 09-47. Board Member Koelling SECONDED. **MOTION CARRIED** 16-0.

- 6.4 Status update and implementation of the San Mateo County Smart Corridors Project. INFORMATION
Staff provided a quarterly report on the project, and answered questions.

Summary:

- Project is on budget.
- Project is on time for overall project.
- Working with cities to make sure everyone is brought in on the way.

- 6.5 Review and approve Study Item: FY09-10 Workplan for Activities Related to Addressing Housing Supply Shortfall Identified in C/CAG's Housing Needs Study. ACTION

The purpose of this study item is to provide an overview of the workplan for a year.

Board Member Matsumoto distributed a handout with her city's comments to the Workplan.

No action was taken.

7.0 COMMITTEE REPORTS

- 7.1 Committee Reports (oral reports).

Board Member O'Mahoney reported the Transportation Authority (TA) Board voted \$600,000 be programmed and approved for the Belmont Bicycle and Pedestrian project. This money comes from the new Measure A component that has been designated for Bicycle and Pedestrian projects. This money, along with the monies from the American Recovery and Reinvestment Act (ARRA), brings a total of \$9.2M for this project, which is what was needed to fund the project.

- 7.2 Chairperson's Report.

Chair Kasten reminded the Board that the performance evaluations for the Executive Director are due.

8.0 EXECUTIVE DIRECTOR'S REPORT

On 9/10/09, a question was raised about the San Carlos Finance contract. There was \$21,000, in the \$72,000 contract, that talked about audits. There was a separate cost of \$9,000. Basically, the \$21,000 is for audit support, required from the San Carlos staff, once the auditors arrive. The \$9,000 is for the audit itself by Maze and Associates.

9.0 COMMUNICATIONS - Information Only

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- 9.1 Letter from Richard Napier, Executive Director C/CAG, to John L. Martin, Director, San Francisco International Airport, dated 8/11/09. Re: Airport Response to a C/CAG Request for Airport Funding Assistance to Prepare an Update of the Comprehensive Airport/Land Use Compatibility Plan (CLUP) for the Environs of San Francisco International Airport and for the San Mateo Smart Corridors Project.
- 9.2 Letter from Thomas M. Kasten, C/CAG Chair, to All Councilpersons of San Mateo County Cities and Members of the Board of Supervisors, dated 8/27/09. Re: Vacancy on the Resource Management and Climate Protection Committee.
- 9.3 Letters from Thomas M. Kasten, C/CAG Chair, to Mr. Paul D. Thayer, Executive Officer, California State Lands Commission, Mr. Bill Sandoval, Chief of Project Implementation - North, Division of Local Assistance, Mr. Bijan Sartipi, District Director, Caltrans District 4, and Mr. Bruce Wolfe, Executive Officer, San Francisco Bay Regional Water Quality Control Board, dated 8/31/09. Re: Thank You - City of Belmont Bicycle Pedestrian Bridge Project.
- 9.4 Statement from Mehdi Morshed, Executive Director, California High-Speed Rail Authority, dated 8/26/09. Re: Statement from High-Speed Rail Authority on Court Ruling on Environmental Analysis for San Jose to San Francisco Section.

10.0 MEMBER COMMUNICATIONS

There is a vacancy on the Resource Management and Climate Protection Committee. Those who are interested in applying for the position need to reply by October 1, 2009.

11.0 ADJOURN

The meeting adjourned at 7:53 p.m.



C/CAG AGENDA REPORT

Date: October 8, 2009
To: City/County Association of Governments Board of Directors
From: Congestion Management and Environmental Quality Committee (CMEQ)
Subject: Review and approval of Resolution 09-48 recommending Tier 2 projects to the Lifeline Transportation Program for \$533,072.

(For further information please contact Jean Higaki at 650-599-1462)

RECOMMENDATION

That the C/CAG Board review and approve of Resolution 09-48 recommending Tier 2 projects to the Lifeline Transportation Program for \$533,072.

FISCAL IMPACT

This program has approximately \$744,251 in Proposition 1B (Prop 1B) available for San Mateo County for the Tier 2 Program starting in fiscal year 2009-10 through fiscal year 2009-2011. The Tier 2 program will receive additional State Transit Assistance (STA) that shall be directed towards SamTrans administration of these projects.

SOURCE OF FUNDS

The two State-funding sources are Proposition 1B Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) funds (Prop 1B) and State Transit Assistance (STA). Federal funding source is Job Access Reverse Commute (JARC). All funding is from the MTC Lifeline Transportation Program.

BACKGROUND/DISCUSSION

The purpose of the program is to fund community-based transportation projects that improve the mobility of low-income residents. This is an MTC program that C/CAG will administer for San Mateo County.

This program requires a 20% local match and the recipient must either be eligible to receive state transit funds or must partner with a sponsor agency that is able to receive transit funds.

Tier 2 Project Selection

A call for projects was issued on May 20, 2009 and applications were due on June 30, 2009. At the time of this call only Proposition 1B fund source was available which limited projects to transit capital improvements. For this Tier 2 call, four applications were received. The program was under subscribed with \$509,072 (\$533,072 including SamTrans administrative cost) being requested and \$744,251 available.

ITEM 5.2.1

For the selection of projects, C/CAG staff organized a selection committee composed of Juda Tolmasoff from the County Legislative office, Joe Hurley from San Mateo Transportation Authority, William Allen from the MTC Minority Citizens Advisory Committee, Therese Trivedi from MTC, and Tom Madalena from C/CAG. This committee convened on July 8, 2008 to finalize scoring of the applications.

All four projects appeared eligible for some amount of funding however additional information was requested by the selection committee for all projects. The selection committee recommended funding all four of the projects, contingent on the receipt of SamTrans concurrence of sponsorship and additional information from project sponsors. The funding recommendations were presented at the September 17, 2009 Technical Advisory Committee and the Congestion Management and Environmental Quality Committee (CMEQ) on September 21, 2009. Both committees supported the recommendations.

ATTACHMENT

- Resolution 09-48
- Lifeline Transportation Program Funding Recommendation Attachment A
- Lifeline Transportation Program Funding Recommendation Attachment B
- Lifeline Transportation Program Funding Recommendation Attachment C

RESOLUTION 09-48

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY RECOMMENDING TIER 2 PROJECTS TO THE LIFELINE TRANSPORTATION PROGRAM FOR \$533,072

WHEREAS, C/CAG is the designated program administrator of the Second-Cycle Lifeline Transportation Program funded by Metropolitan Transportation Commission (MTC); and

WHEREAS, the Board of Directors of the City/County Association of Governments at its May14, 2009 meeting reviewed information on the Lifeline Transportation Program; and,

WHEREAS, on June 30, 2009 C/CAG staff received four applications through a call for projects process; and,

WHEREAS, on July 8, 2009, all four of the applications were reviewed by the Lifeline Transportation Program selection committee; and,

WHEREAS, approximately \$6,000 in State Transit Assistance (STA) for each project will be directed to the San Mateo County Transit District (SamTrans) for Prop 1B pass through administration cost; and,

WHEREAS, the selection committee recommended funding the four applicants as follows and as listed in attached "Lifeline Transportation Program Funding Recommendation."

<u>Agency</u>	<u>Funding Awarded</u>
Senior Service Bus Purchase (Pacifica)	\$56,221
Belle Air Parking Lot Modification (San Bruno)	\$151,251
Senior Service Bus Purchase (San Bruno)	\$100,000
Sidewalk, Solar Bus Shelters, Curb Ramps (San Bruno)	\$201,600
STA for SamTrans pass through administration cost	\$24,000
 Total	 \$533,072

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the list of projects is approved for the Lifeline Transportation Program in ATTACHMENT C to be forwarded to the Metropolitan Transportation Commission (MTC).

PASSED, APPROVED, AND ADOPTED THIS 8TH DAY OF OCTOBER 2009.

Thomas M. Kasten, Chair

**Lifeline Transportation Program Funding Recommendation For Tier 1
As Approved By The C/CAG Board On March 12, 2009**

Agency	Project	STA funds	1B funds	JARC funds	Total \$ To Be Funded	Total \$ Requested	Comments/ Concerns
Samtrans	Fixed Route 280	415,935	0	0	415,935	500,000	Off the top non competitive
Samtrans	Fixed Route 17	356,393	0	0	356,393	428,423	Off the top non competitive
Samtrans	Fixed Route 17 (bus procurement)	0	900,000	0	900,000	900,000	2nd Call for 1B
Daly City	Bayshore Shuttle Service	368,929	0	0	368,929	481,014	
City of East Palo Alto	EPA Youth Shuttle, Manager, Bus shelters, Shuttle Operatations	207,454	72,000	139,393	418,847	499,759	
SamTrans	Transit Awareness Option	0	0	0	0	100,080	
Shelter Network	Van purchase and operations for shelter resident transportation	0	28,000	64,430	92,430	100,250	

Available Source \$	1,348,711	1,145,565	203,823	2,698,099
Sum of awarded funds	1,348,711	1,000,000	203,823	2,552,534
Left over \$	0	145,565	0	145,565

**Recommended change to State Transit Assistance (STA) Funding
for Lifeline Transportation Program**

Project Receiving STA funds	November STA Funding Recommendation	Percent of STA received	New STA (New STA total X % of STA)
SamTrans fixed Route 280 (East Palo Alto)	\$500,000	31%	\$415,935
SamTrans fixed Route 17 (Coastside)	\$428,423	26%	\$356,393
Daly City Bayshore Shuttle Service	\$443,493	27%	\$368,929
City of East Palo Alto (Shuttles/ Bus Shelters)	\$249,382	15%	\$207,454
Total of STA funds	\$1,621,298	100%	\$1,348,711

Lifeline Transportation Program Funding Recommendation - Additional Tier 2 Funding added to Tier 1 Projects

Agency	Project	STA funds	1B funds	JARC funds	New \$ To Be Added	Previous funding	New Funding***
Samtrans	Fixed Route 280				0	415,935	415,935
Samtrans	Fixed Route 17	72,030			72,030	356,393	428,423
Samtrans	Fixed Route 17 (bus procurement)				0	900,000	900,000
Daly City	Bayshore Shuttle Service	-19,841		131,926	112,085	368,929	481,014
City of East Palo Alto	EPA Youth Shuttle, Manager, Bus shelters, Shuttle Operatations			80,912	80,912	418,847	499,759
Shelter Network	Van purchase and operations for shelter resident transportation			7,820	7,820	92,430	100,250

Available Source \$	295,228		220,658	515,886
Sum of awarded funds	52,189		220,658	272,847
Left over \$**	243,039		0	243,039

** \$24,000 of left over STA to pay for SamTrans administrative cost (see Tier 2 attachment)

*** SamTrans administrative cost incorporated in project applicant submittals. All Tier 1 applicants awarded funds will receive their requested amounts.

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Lifeline Transportation Program Funding Recommendation Tier 2

Agency	Project	STA funds for SamTrans Admin Cost***	1B funds	Total \$ To Be Funded	Total Requested \$	Comments/ Concerns
Pacifica	Senior Service bus/ van purchase	\$6,000	\$56,221	\$56,221	\$56,221	
San Bruno	Belle Air Parking Lot modification	\$6,000	\$151,251	\$151,251	\$151,251	
San Bruno	Senior Shuttle bus	\$6,000	\$100,000	\$100,000	\$100,000	
San Bruno	Sidewalks, solar bus shelters, curb ramps	\$6,000	\$201,600	\$201,600	\$252,000	City requested 100%. Only \$201,600 (80% of total expenditure) is eligible

Available Source \$	\$24,000	\$744,251	\$768,251
Sum of awarded funds	\$24,000	\$509,072	\$533,072

Left over \$**	\$0	\$235,179
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** \$24,000 from left over (\$243,039) additional STA to pay for SamTrans administrative cost (see Tier 1 attachment)

Left Over Proposition 1B Funding from Tier 1 and Tier 2

Proposition 1B funds left from Tier 1	\$145,565
Proposition 1B funds left from Tier 2	\$235,179
Total Proposition 1B funds left	\$380,744

Left over STA funds from Tier 2 (\$243,039-\$24,000) \$219,039

Total left over funds to go to another Call for Projects **\$599,783**

C/CAG AGENDA REPORT

Date: October 8, 2009

To: City/County Association of Governments Board of Directors

From: Congestion Management and Environmental Quality Committee (CMEQ)

Subject: Review and approval of Resolution 09-52 modifying project funding for previously approved Tier 1 projects to be consistent with additional funds proposed by the Metropolitan Transportation Commission (MTC) under the Lifeline Transportation Program for adding \$272,847 for a new total of \$2,825,381.

(For further information please contact Jean Higaki at 650-599-1462)

RECOMMENDATION

That the C/CAG Board review and approve of Resolution 09-52 modifying project funding for previously approved Tier 1 projects to be consistent with additional funds proposed by the Metropolitan Transportation Commission (MTC) under the Lifeline Transportation Program for adding \$272,847 for a new total of \$2,825,381.

FISCAL IMPACT

The Tier 2 program will receive an additional \$515,886 in Job Access Reverse Commute (JARC) and State Transit Assistance (STA) that shall be directed to Tier 1 projects.

SOURCE OF FUNDS

The two State-funding sources are Proposition 1B Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) funds (Prop 1B) and State Transit Assistance (STA). Federal funding source is Job Access Reverse Commute (JARC). All funding is from the MTC Lifeline Transportation Program.

BACKGROUND/DISCUSSION

The purpose of the program is to fund community-based transportation projects that improve the mobility of low-income residents. This is an MTC program that C/CAG will administer for San Mateo County.

This program requires a 20% local match and the recipient must either be eligible to receive state transit funds or must partner with a sponsor agency that is able to receive transit funds.

Additional STA and JARC Funding

On November 13, 2008 the C/CAG board approved that five projects be recommended for funding by MTC. On February 26, 2008, MTC notified all program administrators that the STA

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funding was cut and requested a revision to the November the funding recommendation. On March 12, 2009, the C/CAG board approved a revised list of projects to be funding with Tier 1 funds.

On August 27, 2009 MTC notified staff that \$295,228 in STA and \$220,658 in JARC would be added to the Tier 2 program. MTC extended the Tier 2 submittal deadline from September 30th to October 30th. MTC realized that this was not enough time to send another call for projects and recommended that program administrators (C/CAG) backfill the funding reduced from the Tier 1 program in March 12, 2009.

Staff increased funding on all projects awarded funds under the Tier 1 call for projects. All projects except fixed route 280 will receive their original requested funding levels. Service on fixed route 280 is being reduced so it is difficult to justify augmentation of lifeline funds to this project. After fully funding the remaining projects, \$243,039 in STA remains.

All applicants must obtain sponsorship from the San Mateo County Transit District (SamTrans) for access to the Prop 1B and STA funds. It is estimated that SamTrans will incur up to approximately \$24,000 (~\$6,000 per project) in administrative cost acting as Prop 1B sponsor and STA pass through agency. Of the remaining \$243,039 in STA, \$24,000 will be directed to SamTrans for administration of the Tier 2 projects funded by Prop 1B, since Prop 1B funds cannot be used for administration cost. All Tier 1 applicants had already accounted for SamTrans administrative cost in their applications.

The Tier 1 funding revisions were presented and approved at the September 17, 2009 Technical Advisory Committee and the Congestion Management and Environmental Quality Committee (CMEQ) on September 21, 2009.

Upon adoption by the C/CAG board, the recommendation for both Tier 1 revisions and Tier 2 projects will be sent to MTC for adoption. Project sponsors will then be directed to work with SamTrans to fill out the PTMISEA Prop 1B funding applications to forward to MTC. MTC will process the PTMISEA applications and funding will pass back through SamTrans to each project sponsor under a SamTrans funding agreement. For STA funds, SamTrans will enter into a funding agreement with each project sponsor to pass through STA funds. MTC will issue a funding agreement directly with each project sponsor to pass through JARC funds.

ATTACHMENT

- Resolution 09-52
- Lifeline Transportation Program Funding Recommendation Attachment A
- Lifeline Transportation Program Funding Recommendation Attachment B
- Lifeline Transportation Program Funding Recommendation Attachment C

RESOLUTION 09-52

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY MODIFYING PROJECT FUNDING FOR PREVIOUSLY APPROVED TIER 1 PROJECTS TO BE CONSISTENT WITH ADDITIONAL FUNDS PROPOSED BY THE METROPOLITAN TRANSPORTATION COMMISSION (MTC) UNDER THE LIFELINE TRANSPORTATION PROGRAM FOR ADDING \$272,847 FOR A NEW TOTAL OF \$2,825,381.

WHEREAS, C/CAG is the designated program administrator of the Second-Cycle Lifeline Transportation Program funded by Metropolitan Transportation Commission (MTC); and,

WHEREAS, the Board of Directors of the City/County Association of Governments at its November 13, 2008 the Board of Directors approved the list of five projects to be forwarded to the Metropolitan Transportation Commission (MTC) for funding; and,

WHEREAS, on March 12, 2009 the Board of Directors approved the revised list of five projects to be forwarded to the Metropolitan Transportation Commission (MTC) for funding, due to State Transit Assistance (STA) cuts; and,

WHEREAS, on August 27, 2009 MTC will add STA and Job Access Reverse Commute (JARC) funds to this program, and requests that the previously approved recommendation for Tier 1 be modified to reflect this new funding; and,

WHEREAS, staff recommends an increase in funding of Tier 1 applicants based on the original recommendation of the selection committee and based on the previous board approvals.

<u>Agency</u>	<u>Est. Revised Total Funding</u>
SamTrans fixed Route 280 (East Palo Alto)	\$415,935
SamTrans fixed Route 17 (Coastside)	\$428,423
SamTrans fixed Route 17 (New Prop1B Bus purchase)	\$900,000
Daly City Bayshore Shuttle Service	\$481,014
City of East Palo Alto (Shuttles/ Bus Shelters)	\$499,759
Shelter Network (Van purchase and operations)	\$100,250
Total	\$2,825,381

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the revised list of projects as shown on ATTACHMENT B is approved for the Lifeline Transportation Program to be forwarded to the Metropolitan Transportation Commission (MTC) and that further modification of project funding for previously approved projects be consistent with availability of funds by the MTC under the Lifeline Transportation Program.

PASSED, APPROVED, AND ADOPTED THIS 8TH DAY OF OCTOBER 2009.

Thomas M. Kasten, Chair

**Lifeline Transportation Program Funding Recommendation For Tier 1
As Approved By The C/CAG Board On March 12, 2009**

Agency	Project	STA funds	1B funds	JARC funds	Total \$ To Be Funded	Total \$ Requested	Comments/ Concerns
Samtrans	Fixed Route 280	415,935	0	0	415,935	500,000	Off the top non competitive
Samtrans	Fixed Route 17	356,393	0	0	356,393	428,423	Off the top non competitive
Samtrans	Fixed Route 17 (bus procurement)	0	900,000	0	900,000	900,000	2nd Call for 1B
Daly City	Bayshore Shuttle Service	368,929	0	0	368,929	481,014	
City of East Palo Alto	EPA Youth Shuttle, Manager, Bus shelters, Shuttle Operatations	207,454	72,000	139,393	418,847	499,759	
SamTrans	Transit Awareness Option	0	0	0	0	100,080	
Shelter Network	Van purchase and operations for shelter resident transportation	0	28,000	64,430	92,430	100,250	

Available Source \$	1,348,711	1,145,565	203,823	2,698,099
Sum of awarded funds	1,348,711	1,000,000	203,823	2,552,534
Left over \$	0	145,565	0	145,565

**Recommended change to State Transit Assistance (STA) Funding
for Lifeline Transportation Program**

Project Receiving STA funds	November STA Funding Recommendation	Percent of STA received	New STA (New STA total X % of STA)
SamTrans fixed Route 280 (East Palo Alto)	\$500,000	31%	\$415,935
SamTrans fixed Route 17 (Coastside)	\$428,423	26%	\$356,393
Daly City Bayshore Shuttle Service	\$443,493	27%	\$368,929
City of East Palo Alto (Shuttles/ Bus Shelters)	\$249,382	15%	\$207,454
Total of STA funds	\$1,621,298	100%	\$1,348,711

Lifeline Transportation Program Funding Recommendation - Additional Tier 2 Funding added to Tier 1 Projects

Agency	Project	STA funds	1B funds	JARC funds	New \$ To Be Added	Previous funding	New Funding***
Samtrans	Fixed Route 280				0	415,935	415,935
Samtrans	Fixed Route 17	72,030			72,030	356,393	428,423
Samtrans	Fixed Route 17 (bus procurement)				0	900,000	900,000
Daly City	Bayshore Shuttle Service	-19,841		131,926	112,085	368,929	481,014
City of East Palo Alto	EPA Youth Shuttle, Manager, Bus shelters, Shuttle Operatations			80,912	80,912	418,847	499,759
Shelter Network	Van purchase and operations for shelter resident transportation			7,820	7,820	92,430	100,250

Available Source \$	295,228		220,658	515,886
Sum of awarded funds	52,189		220,658	272,847
Left over \$**	243,039		0	243,039

** \$24,000 of left over STA to pay for SamTrans administrative cost (see Tier 2 attachment)

*** SamTrans administrative cost incorporated in project applicant submittals. All Tier 1 applicants awarded funds will receive their requested amounts.

Lifeline Transportation Program Funding Recommendation Tier 2

Agency	Project	STA funds for SamTrans Admin Cost***	1B funds	Total \$ To Be Funded	Total Requested \$	Comments/ Concerns
Pacifica	Senior Service bus/ van purchase	\$6,000	\$56,221	\$56,221	\$56,221	
San Bruno	Belle Air Parking Lot modification	\$6,000	\$151,251	\$151,251	\$151,251	
San Bruno	Senior Shuttle bus	\$6,000	\$100,000	\$100,000	\$100,000	
San Bruno	Sidewalks, solar bus shelters, curb ramps	\$6,000	\$201,600	\$201,600	\$252,000	City requested 100%. Only \$201,600 (80% of total expenditure) is eligible

Available Source \$	\$24,000	\$744,251	\$768,251
Sum of awarded funds	\$24,000	\$509,072	\$533,072

Left over \$**	\$0	\$235,179
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** \$24,000 from left over (\$243,039) additional STA to pay for SamTrans administrative cost (see Tier 1 attachment)

Left Over Proposition 1B Funding from Tier 1 and Tier 2

Proposition 1B funds left from Tier 1	\$145,565
Proposition 1B funds left from Tier 2	\$235,179
Total Proposition 1B funds left	\$380,744

Left over STA funds from Tier 2 (\$243,039-\$24,000) \$219,039

Total left over funds to go to another Call for Projects **\$599,783**

C/CAG AGENDA REPORT

Date: October 8, 2009
To: City/County Association of Governments Board of Directors
From: Congestion Management and Environmental Quality Committee (CMEQ)
Subject: Review and approval of an additional Call for Projects for the remaining balance of \$599,783 in the Metropolitan Transportation Commission (MTC) Lifeline Transportation Program Cycle 2.

(For further information please contact Jean Higaki at 650-599-1462)

RECOMMENDATION

That the C/CAG Board review and approve of an additional Call for Projects for the remaining balance of \$599,783 in the Metropolitan Transportation Commission (MTC) Lifeline Transportation Program Cycle 2.

FISCAL IMPACT

This program has \$380,744 left in Proposition 1B (Prop 1B) and \$219,039 in State Transit Assistance (STA) available for San Mateo County for the in fiscal year 2009-10 through fiscal year 2009-2011.

SOURCE OF FUNDS

The two State-funding sources are Proposition 1B Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) funds (Prop 1B) and State Transit Assistance (STA). All funding is from the MTC Lifeline Transportation Program.

BACKGROUND/DISCUSSION

The purpose of the program is to fund community-based transportation projects that improve the mobility of low-income residents. This is an MTC program that C/CAG will administer for San Mateo County.

This program requires a 20% local match and the recipient must either be eligible to receive state transit funds or must partner with a sponsor agency that is able to receive transit funds.

Call for Projects

Funding left from both Tier 1 and Tier 2 Call for Projects, and from the addition of Tier 2 money is shown below:

ITEM 5.2.3

Left over Proposition 1B funds and STA funds from Tier 1 and Tier 2

Proposition 1B funds left from Tier 1	\$145,565
Proposition 1B funds left from Tier 2	\$235,179
Left over STA funds from Tier 2 (\$243,039-\$24,000)	<u>\$219,039</u>
Total left over funds to go out for another Call for Projects	\$599,783

Staff exhausted the JARC over the STA with the anticipation that more organizations would be able to meet the 20% match requirement over the 50% match requirement specific to JARC funding. It is recommended that another Call for Projects be sent out as there have been some inquiries from past project sponsors looking for additional operational funding. Staff has also heard of some interest for capital improvement funds.

ATTACHMENT

- Proposed Schedule for Call for Projects
- Proposed Call for Projects

**Proposed Schedule for Lifeline Transportation Program
Cycle 2, Tier 2 - Second Call for Projects**

Action	Date
Call for Projects approved by the Board	October 8, 2009
Call for Projects Issued to Agencies/ Public	October 16, 2009
Application due date	December 2, 2009
Host review committee	December 15, 2009
Present proposed project list to TAC	TBD
Present proposed project list to CMEQ	TBD
Present proposed project list to the Board	January or February
Proposed projects are due to MTC	TBD
MTC commission approves program projects	TBD
1B funds start claims or enter agreements	TBD

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

Lifeline Transportation Program Call for Projects

The City/County Association Governments (C/CAG) is pleased to announce the call for projects for the San Mateo County Lifeline Transportation Program (LTP). This program is designed to help low-income residents by funding transportation projects that will improve their mobility within the community. Public agencies including transit agencies, county social service agencies, cities and counties are encouraged to apply. Please see the attached general program information, application, and guiding principles for information on project eligibility, funding requirements and scoring criteria.

1. There is approximately \$600,000 funding available for the San Mateo County Lifeline Transportation Tier 2 Program starting in fiscal year 2009/2010 through 2010/2011. Project award minimum is set at \$100,000.
2. Approximately \$200,000 is available for operations (STA) and approximately \$400,000 is available for Transit capital improvements (Proposition 1B).
3. Five hard copies and one electronic version of the application is due to C/CAG no later than 5:00 p.m. on Wednesday, December 2, 2009. Deliver to:

Attn: Jean Higaki
C/CAG of San Mateo County
555 County Center, 5th Floor
Redwood City, CA 94063

4. If your agency is not a transit operator, recognized by the Federal Transit Administration, you must obtain sponsorship through an eligible Transit agency (SamTrans). A letter from SamTrans must be attached to your application. Please contact:

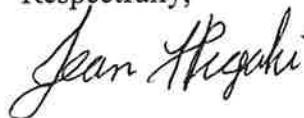
Corinne Goodrich, Strategic Development Manager
San Mateo County Transit District
Planning & Development
1250 San Carlos Avenue
P.O. Box 3006
San Carlos, CA 94070-1306
(650) 508-6369 tel

CALL FOR PROJECTS 4TH CALL

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5. Please go to the following website for application forms, selection criteria, maps and additional information about the program:
http://www.ccag.ca.gov/TDA_Call_for_Projects.html
6. Please contact Jean Higaki at 650.599.1462 or jhigaki@co.sanmateo.ca.us for questions regarding the program or application process.

Respectfully,



Jean Higaki, P.E.
Transportation System Coordinator

I. General Program Information

On July 23, 2008, MTC adopted Resolution 3860, which includes a fund estimate and second cycle Lifeline Transportation Program (LTP) Guidelines for fiscal years 2009-2011. The resolution is attached as Attachment A.

The following provides general information about the program.

Program Goals

The Lifeline Transportation Program is intended to fund projects that result in improved mobility for low-income residents of the nine San Francisco Bay Area counties, and are expected to carry out the following regional Lifeline Program goals:

The Lifeline Program supports community-based transportation projects that:

- Are developed through a collaborative and inclusive planning process that includes broad partnerships among a variety of stakeholders such as public agencies, transit operators, community-based organizations and other community stakeholders, and outreach to underrepresented stakeholders.
- Address transportation gaps and/or barriers identified in Community-Based Transportation Plans (CBTP). While preference will be given to CBTP priorities, strategies emerging from countywide or regional welfare-to-work transportation plans, the Coordinated Public Transit-Human Services Transportation Plan or other documented assessment of need within the designated communities of concern (Attachment B) will also be considered. Findings emerging from one or more CBTPs or other relevant planning efforts may also be applied to other low-income areas, or otherwise be directed to serve low-income constituencies within the county, as applicable.
- Improve a range of transportation choices by adding a variety of new or expanded services including but not limited to: enhanced fixed route transit services,

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shuttles, children’s programs, taxi voucher programs, improved access to autos, capital improvement projects. Transportation needs specific to elderly and disabled residents of low-income communities may also be considered when funding projects. Existing transportation services may also be eligible for funding.

Program Administration

The Lifeline Program will be administered by county congestion management agencies (CMAs) or other designated county-wide agencies, or Lifeline Program Administrators, as follows:

County	Lifeline Program Administrator
Alameda	Alameda County Congestion Management Agency
Contra Costa	Contra Costa Transportation Authority
Marin	Transportation Authority of Marin
Napa	Napa County Transportation Planning Agency
San Francisco	San Francisco County Transportation Authority
San Mateo	City/County Association of Governments
Santa Clara	Santa Clara Valley Transportation Authority and Santa Clara County
Solano	Solano Transportation Authority
Sonoma	Sonoma County Transportation Authority

Funding Sources

The Lifeline Transportation Program is funded with a combination of three funding sources: State Transit Assistance (STA), Proposition 1B Transit funds and Job Access and Reverse Commute (JARC) funds. Projects must meet eligibility requirements of the funding sources in order to receive funds.

See Attachment B – Funding Source Information, for details about each of the three funding sources.

Match Requirement

The Lifeline Program requires a minimum local match of 20% of the total project cost; new Lifeline Transportation Program funds may cover a maximum of 80% of the total project cost.

There are two exceptions to the 20% match requirement.

- (1) JARC operating projects require a 50% match. Lifeline Program Administrators may use STA funds to cover the 30% difference for projects that are eligible for **both** JARC and STA funds.
- (2) All auto-related projects require a 50% match.

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Project sponsors may use federal or local funding sources (Transportation Development Act, operator controlled State Transit Assistance, local sales tax revenue, etc.) to meet the match requirement. The match may include a non-cash component such as donations, volunteer services, or in-kind contributions as long as the value of each is documented and supported, represents a cost that would otherwise be eligible under the program and is included in the net project costs in the project budget.

For JARC projects, if using federal funds, the local match must be from *non*-Department of Transportation (DOT) funds. Non-DOT federal funds may be eligible sources of local match and may include: Temporary Assistance to Needy Families (TANF), Community Services Block Grants (CSBG) and Social Services Block Grants (SSBG) administered by the US Department of Health and Human Services, Community Development Block grants (CDBG) and HOPE VI grants administered by the US Department of Housing and Urban Development (HUD). Grant funds from private foundations and other local sources may also be used to meet the match requirement.

Eligible Applicants

Public agencies, including transit agencies, county social service agencies, cities and counties, and private operators of public transportation services are eligible applicants.

Non-profit entities are directly eligible for JARC funds. In order to be eligible for STA funds, a non-profit entity would need to partner with an eligible STA recipient to receive funds (see Attachment B for eligible STA recipients). STA funds can be used for project administration of eligible projects and could be budgeted into project costs to facilitate a fiscal partnership with an eligible STA recipient.

An eligible project sponsor must be identified at the time that the project application for funding is submitted in order to receive funds.

Eligible Use of Program Funds

Lifeline Transportation Program funds are intended to fund innovative and flexible programs that address transportation barriers that low-income residents in the region face, many of whom are transit dependent. Therefore, it is expected that LTP funds be directed to meet these needs by funding new programs or services, or to continue existing programs that are otherwise at risk of being discontinued. The project must supplement, not supplant, existing funds. The project must not duplicate existing services, must coordinate with existing services to the extent feasible and demonstrate that no other funding sources are available to fund it.

Multi-year Programming/Funding Amounts

The second-cycle Lifeline Transportation Program will cover a three-year programming cycle. Funding amounts are estimated for each county as outlined in Table A.

Tier I Program: The Tier I Program covers the first two years of funding. Funding for the second year is expected to be known with approval of the FY 2009 state budget, or by September 2008.

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Tier I projects are due to MTC by November 30, 2008¹, and are scheduled to be presented to the Commission for adoption in January 2009. Lifeline Program Administrators are strongly encouraged to program the full amount of the Tier I county targets illustrated in Table A. Any remaining amounts not submitted by November 2008 may be programmed under Tier II. However, it should be noted that due to the timing of federal deadlines associated with JARC and state deadlines associated with Proposition 1B funds, any projects for these funding sources submitted after the November 2008 deadline will experience a delay in receipt of funds of up to one year.

Tier II Program: The Tier II Program would cover the third year of funding, which is expected to be known with approval of the FY 2010 state budget, or by September 2009. Tier II projects will be due to MTC by September 30, 2009.

At their discretion, Lifeline Program Administrators may conduct a consolidated competitive selection process for both Tiers, selecting the Tier II projects at the same time as the Tier I projects. However, funding for Tier II projects will not be available until after they are presented to the Commission for adoption in December 2009.

¹CALL FOR PROJECTS 4TH CALL

¹ Small Urbanized Area JARC projects will be due to MTC in September 2008.

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**Table A – Lifeline Transportation Program
Second Cycle Funding
FY 2009 – FY 2011**

COUNTY & POVERTY POPULATION ¹	Tier I Program				Tier II Program			Total
	STA ⁵	Prop 1B	JARC ⁴	Subtotal	STA	Prop 1B	Subtotal	
Alameda - Available 27.40%	\$ 8,030,213	\$ -	\$ 786,582	\$ 8,816,794	\$ 3,222,862	\$ 2,821,177	\$ 6,044,039	\$ 14,866,474
Alameda - Advanced ⁵	\$ -	\$ 5,098,588	\$ -	\$ 5,098,588	\$ -	\$ -	\$ -	\$ 5,098,588
Contra Costa 12.50%	\$ 3,908,046	\$ 2,081,370	\$ 358,800	\$ 6,348,216	\$ 4,192,844	\$ 2,760,000	\$ 6,952,844	\$ 9,108,150
Marin 2.70%	\$ 844,100	\$ 449,576	\$ 1,500	\$ 1,295,176	\$ 881,000	\$ 555,000	\$ 1,436,000	\$ 1,967,360
Napa 1.70%	\$ 531,494	\$ 1,000	\$ 4,000	\$ 536,494	\$ 1,059,000	\$ 1,386,000	\$ 2,445,000	\$ 2,981,494
San Francisco 5.10%	\$ 4,720,920	\$ 2,500,000	\$ 1,400,000	\$ 8,620,920	\$ 1,776,103	\$ 1,557,845	\$ 3,333,948	\$ 11,002,646
San Mateo 7.10%	\$ 2,219,770	\$ 1,100,000	\$ 33,825	\$ 3,605,812	\$ 835,121	\$ 732,496	\$ 1,567,618	\$ 5,173,429
Santa Clara 1.70%	\$ 6,784,368	\$ 3,613,259	\$ 632,276	\$ 11,029,903	\$ 2,552,413	\$ 2,238,757	\$ 4,791,170	\$ 15,821,073
Solano 5.50%	\$ 1,719,540	\$ 915,803	\$ 416,834	\$ 3,052,178	\$ 646,925	\$ 567,427	\$ 1,214,352	\$ 4,266,529
Sonoma 6.30%	\$ 1,969,655	\$ 1,049,011	\$ 181,331	\$ 3,199,997	\$ 741,023	\$ 649,962	\$ 1,390,985	\$ 4,590,982
Means-Based Fare Pilot ⁶	\$ -	\$ -	\$ -	\$ -	\$ 1,500,000	\$ -	\$ 1,500,000	\$ 1,500,000
TOTAL 100.00%	\$ 30,728,144	\$ 17,187,188	\$ 3,175,177	\$ 51,090,509	\$ 13,262,271	\$ 10,316,852	\$ 23,579,123	\$ 74,669,632

This Table is Void

Notes:

Estimates intended for planning purposes only. Actual allotment of funds may differ than those indicated above.

¹ Poverty percentages by county are based on federal poverty levels reported in 2000 US Census.

² The Tier I Program is due to MTC on November 30, 2008.

³ The Tier II Program is due to MTC on September 30, 2009.

⁴ JARC estimates include small urbanized area funds administered by Caltrans. The small urbanized areas in the region include Livermore, Gilroy, Petaluma, Fairfield, Vacaville, Vallejo and Napa. These funds are subject to Caltrans requirements.

⁵ The Alameda County – Advanced total reflects \$5.1 million in Prop. 1B programmed in advance under MTC Resolution 3834. Alameda County's share of Tier I Prop. 1B funds was \$4.7 million. The difference of \$389,299 is repaid from Alameda County's share of Tier I STA, which is distributed proportionately to the remaining counties.

⁶ Reserved by MTC for a means-based fare assistance pilot program. Scope of the program to be developed.

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Eligible Projects:

Eligible operating projects, consistent with requirements of funding sources, may include (but are not limited to) new or enhanced fixed route transit services, restoration of lifeline-related transit services eliminated due to budget shortfalls, shuttles, children's transportation programs, taxi voucher programs, improved access to autos, etc. See Attachment C for additional details about eligibility by funding source.

Eligible capital projects, consistent with requirements of funding sources, include (but are not limited to) purchase of vehicles; bus stop enhancements, including the provision of bus shelters, benches, lighting or sidewalk improvements at or near transit stops, rehabilitation, safety or modernization improvements, etc.; or other enhancements to improve transportation access for residents of low-income communities. See Attachment C for additional details about eligibility by funding source.

Inter-county projects may also be funded if two or more counties wish to jointly plan for and fund such a project. Interested project sponsors or CMA staff should contact MTC to facilitate coordination.

Transportation needs specific to elderly and disabled residents of low-income communities may also be considered when funding Lifeline projects.

Grant Funding Period

Projects may be funded for up to three years.

Grant Funding Amounts

Lifeline Program Administrators will establish a minimum and maximum grant amount for any one project over the three-year funding period (FY 09 to FY 11). Multi-year projects are allowed as long as the total Lifeline amount does not exceed the threshold established at the local level, and the project sponsor has clearly identified the funding match for each year of the project period.

Link to Community-based Planning

Preference will be given to projects identified in Community-Based Transportation Plans (CBTP) and located within the communities in which the plans were completed. While preference will be given to CBTP priorities, strategies emerging from countywide or regional welfare-to-work transportation plans, the Coordinated Public Transit-Human Services Transportation Plan or other documented assessment of need within the designated communities of concern will also be considered. Findings emerging from one or more CBTPs or other relevant planning efforts may also be applied to other low-income areas, or otherwise be directed to serve low-income constituencies within the county, as applicable.

Project Performance/Monitoring

Project applicants are responsible for identifying performance measures to track the effectiveness of the service in meeting the identified goals. At a minimum, performance measures for service-related projects would include: documentation of new "units" of service provided with the funding (e.g. number of trips, service hours, workshops held, car loans provided, etc.), cost per unit of service, and a quantitative summary of service delivery procedures employed for the

project. For capital-related projects, project sponsor is responsible to establish milestones and report on the status of project delivery.

Applicants should describe a plan for ongoing monitoring and evaluation of the service, as well as steps to be taken if original goals are not achieved. Project sponsors receiving JARC funds are subject to program reporting requirements as defined in those program guidelines.

II. Grant Application Submittal Requirements

To ensure a streamlined application process for project sponsors throughout the region, a universal grant application form is attached (Attachment D). This application may be modified as appropriate by the Lifeline Program Administrator for inclusion of county-specific grant requirements, with review and approval from MTC.

III. Grant Application Review and Evaluation Process

Lifeline Program Administrators are responsible for determining whether proposals meet the minimum Lifeline Program eligibility criteria (whether eligible fiscal agents are identified, and whether projects meet fund source eligibility requirements) and assigning appropriate fund sources to each project.

Lifeline Program Administrators will evaluate all eligible proposals. Each county will appoint a local review team of CMA staff, a local representative from MTC's Minority Citizens Advisory Committee (if available), as well as representatives of local stakeholders, such as, transit operators or other transportation providers, community-based organizations, social service agencies, and local jurisdictions, to score and select projects. Project evaluations will be based on the rating criteria described in Attachment E. Efforts will be made to avoid a conflict of interest, or the appearance of a conflict of interest, in selecting projects.

Standard evaluation criteria will be used to assess and select projects. The six criteria include (1) project need/stated goals and objectives, (2) community-based transportation plan (CBTP) priority (3) implementation plan, (4) project budget/sustainability, (5) coordination and program outreach, and (6) cost-effectiveness and performance indicators. Lifeline Program Administrators may establish the weight to be assigned for each criterion in the assessment process.

Additional criteria may be added to a county program but should not replace or supplant the regional criteria. MTC staff will review the proposed county program criteria to ensure consistency and to facilitate coordination among county programs.

Based on the evaluation criteria, and funding availability as assigned by county, Lifeline Program Administrators will make funding recommendations to their respective policy boards for approval, and will then submit the list of recommended projects to MTC.

CALL FOR PROJECTS 4TH CALL

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MTC will confirm that projects meet fund source eligibility requirements, and will allocate funds to each project by including submitted projects in a Program of Projects for the Commission's approval.

Lifeline Program Administrators are responsible for entering eligible JARC projects into the Transportation Improvement Plan (TIP). If STA funds are used, MTC will allocate funds directly to a transit operator or other eligible entity. See Attachment B for additional details related to the estimated availability of funds to project sponsors.

IV. Grant Award and Receipt of Funds

Following project award and prior to receipt of funds, project sponsors must submit a resolution of local support to MTC committing to project delivery, as well as providing the required local matching funds.

For projects receiving STA funds:

Transit operators and eligible cities and counties can initiate claims immediately following MTC approval of program of projects for current fiscal year funds.

For other entities, the eligible recipient acting as fiscal agent will initiate a funding agreement following MTC approval of program of projects. Funds will be available on a reimbursement basis following execution of the agreement.

For projects receiving Proposition 1B funds:

Project sponsors must submit a Proposition 1B application to MTC for submittal to Caltrans. The estimated due date is November 2008 (or February 2009) (Tier I) and November 2009 (or February 2010) (Tier II). Disbursement is estimated to occur within 3 months of receipt of the application.

For projects receiving JARC funds:

Following MTC approval of program of projects, there will be a 6-12 month process of securing the grant from FTA (adjusting funding depending on actual Congressional appropriation, entering projects in the TIP, applying for the FTA grant, FTA review and approval) and MTC entering into funding agreements with the project sponsors. Funds will be available on a reimbursement basis after execution of the agreement.

C/CAG AGENDA REPORT

Date: October 8, 2009
To: City/County Association of Governments Board of Directors
From: Richard Napier, Executive Director
Subject: Review and approval of Resolution 09-38 authorizing the C/CAG Chair to execute Amendment (No. 3) to the Funding Agreement with the San Mateo County Transportation Authority (SMCTA) to receive a maximum amount of \$300,000 for joint and/ or co-sponsored programs for FY 2009-10.

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

RECOMMENDATION

That the C/CAG Board review and approve Resolution 09-38 authorizing the C/CAG Chair to execute Amendment (No. 3) to the funding agreement with the San Mateo County Transportation Authority (SMCTA) to receive an additional maximum amount of \$300,000 for joint and/or co-sponsored programs for FY 2009-10.

FISCAL IMPACT

The maximum amount of \$300,000 additional funding to be received from the San Mateo County Transportation Authority represents matching funds for the Local Transportation Services (Local Shuttles).

SOURCE OF FUNDS

The maximum of \$300,000 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.

The September 7, 2006 funding agreement, along with Amendment No.1 entered on August 24, 2007, and Amendment No. 2 approved by C/CAG Board on October 9, 2008 between SMCTA and C/CAG set forth many of the cooperative funding arrangements contemplated in the Congestion Relief Plan and other joint efforts. Said funding agreement and amendments included specific matching fund amounts from SMCTA to C/CAG for various programs/projects available

for use in FYs 2006/07, 2007/08, and 2008/09. SMCTA also allows unused funds be rollover to the following years with the exception of the Local Shuttle funds. Amendment No. 3 will add \$300,000 for Local Shuttles.

ATTACHMENTS

- Resolution 09-38.
- Amendment (No.3) to Funding Agreement with the San Mateo County Transportation Authority.

RESOLUTION 09-38

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 AMENDMENT (No. 3) TO THE FUNDING AGREEMENT WITH THE SAN MATEO COUNTY TRANSPORTATION AUTHORITY TO RECEIVE AN ADDITIONAL MAXIMUM AMOUNT OF \$300,000 FOR JOINT AND/ OR CO-SPONSORED PROGRAMS, FOR FY 2009/10

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

WHEREAS, a funding agreement between the San Mateo County Transportation Authority (Authority) and the City/County Association of Governments (C/CAG) of San Mateo County was executed on September 7, 2007, for the Authority to provide matching funds from the "Measure A" half-cent Transportation Sales Tax Program for certain programs; and

WHEREAS, Amendment No. 1 for said agreement was entered on Aug 24, 2007; and

WHEREAS, C/CAG Resolution 08-49 authorizing the C/CAG Chair to execute Amendment No. 2 for said agreement was approved on October 9, 2008; and

WHEREAS, C/CAG and the Authority 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, both the Authority and C/CAG have determined that the programs defined in said funding agreement are needed and that the completion date shall be extended to June 30, 2010; and

WHEREAS, up to an additional three hundred thousand dollars (\$300,000) may be required for programs and projects are needed; and

NOW, THEREFORE, BE IT RESOLVED that the Chair is hereby authorized to sign an amendment to the funding agreement with the San Mateo County Transportation Authority for the joint funding of specific transportation programs as follows, and subject to approval by legal counsel:

Receive matching funds from the Authority as follows:

- 1) An additional maximum amount of \$300,000 for the purpose of funding the local transportation services (residential shuttle program).

And the funding agreement completion date be amended to June 30, 2010.

In accordance with C/CAG established policy, the Chair may administratively authorize up to an additional 5% of the total contract amount in the event that there are unforeseen costs associated with the project.

PASSED, APPROVED, AND ADOPTED THIS 9TH DAY OF OCTOBER 2008.

Thomas M. Kasten, Chair

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**AMENDMENT No. 3 TO THE FUNDING AGREEMENT BETWEEN
SAN MATEO COUNTY TRANSPORTATION AUTHORITY
AND CITY/COUNTY ASSOCIATION OF GOVERNMENTS
FOR SUPPORT/CONSULTING SERVICES**

THIS AGREEMENT is entered into as of the ____ day of _____, 2009, by and between the San Mateo County Transportation Authority, a public agency (Authority) and the City/County Association of Governments (C/CAG), a public joint powers agency.

WHEREAS, a funding agreement (Agreement) between the Authority and C/CAG was executed on September 7, 2006 for the Authority to provide matching funds from Measure A for certain programs; and

WHEREAS, Amendment No. 1 to said agreement was entered on August 24, 2007; and

WHEREAS, Amendment No. 2 to said agreement was authorized by the Authority on August 7, 2008 and C/CAG on October 9, 2008; and

WHEREAS, both the Authority and C/CAG have determined that the programs defined in said agreement are needed and that the completion date shall be extended to June 30, 2010; and

WHEREAS, up to an additional three hundred thousand dollars (\$300,000) may be required for additional and new services in fiscal year 2010 as follows:

- 1) An additional amount of up to \$300,000 for the purpose of funding the local transportation services (residential shuttle program) included in paragraph 3.a. of the Agreement;

WHEREAS, the Authority, by Resolution 2009-____, approved the FY 10 allocation; and

WHEREAS, C/CAG, by Resolution 09-38, approved executing this amendment with the Authority,

NOW, THEREFORE, in consideration of the foregoing, the parties agree as follows:

1. The added funding provided by the Authority to C/CAG under this amendment will be no more than three hundred thousand dollars (\$300,000), thereby making the new maximum total amount two million three hundred thousand dollars (\$2,300,000) and the end date for the Agreement is hereby extended to June 30, 2010; and

2. All other provisions of the original Agreement, Amendment No. 1, and Amendment No. 2 between the Authority and C/CAG shall remain in full force and effect.

IN WITNESS WHEREOF, the Agreement has been executed by the parties hereto as of the day and year first written above.

CITY/COUNTY ASSOCIATION OF
GOVERNMENTS

SAN MATEO COUNTY TRANSPORTATION
AUTHORITY

Thomas M. Kasten, C/CAG Chair

Michael Scanlon, Executive Director

Approved as to form:

C/CAG Attorney

Authority Attorney

C/CAG AGENDA REPORT

Date: October 8, 2009

To: City/County Association of Governments Board of Directors

From: Richard Napier, Executive Director

Subject: Review and approval of Resolution 09-51 authorizing the C/CAG Chair to execute an agreement with TJKM for an amount not to exceed \$170,000 for the Traffic Study on Willow Road and University Avenue as part of the 2020 Peninsula Gateway Corridor Study – Phase 2

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

RECOMMENDATION

That the C/CAG Board review and approve Resolution 09-51 authorizing the C/CAG Chair to execute an agreement with TJKM for an amount not to exceed \$170,000 for the Traffic Study on Willow Road and University Avenue as part of the 2020 Peninsula Gateway Corridor Study – Phase 2 in accordance with staff recommendation.

FISCAL IMPACT

The total amount of this agreement will be for an amount not to exceed \$170,000.

SOURCE OF FUNDS

Funds provided by the Metropolitan Transportation Commission (MTC) for the 2020 Peninsula Gateway Corridor Study – Phase 2

BACKGROUND/DISCUSSION

The 2020 Peninsula Gateway Corridor Study, completed in July 2008, evaluated potential traffic improvements and identified near, medium and long-term options for addressing congestion issues relating to the approaches to the Dumbarton Bridge and Highway 101 between Routes 84 and 85. Phase 2 of the Study focuses on implementing near-term projects, one of which is a traffic study on Willow Road and University Avenue, located between US 101 and Bayfront Expressway within the cities of East Palo Alto and Menlo Park.

At the September 10, 2009 meeting, the Board approved a Memorandum of Understanding (MOU) between C/CAG, City of East Palo Alto, and City of Menlo Park to conduct a traffic study on Willow Road and University Avenue together to evaluate traffic operations, address the

ITEM 5.4

congestion issues, and establish operational improvement strategies and recommendations.

In accordance with C/CAG's policy, a Request for Proposal (RFP) was released on August 10, 2009, seeking a consultant to perform a traffic study. Six (6) proposals were received by the deadline of August 25, 2009. Consultants submitting proposals included DKS Associates, Fehr & Peers, Hexagon, Kimley-Horn and Associates, TJKM Transportation Consultants, and URS Corporation.

On September 9, 2009, a proposal review panel consisting of Kamal Fallaha (City of East Palo Alto), Chip Taylor (City of Menlo Park), Sandy Wong (C/CAG), and John Hoang (C/CAG) evaluated and scored the proposals based on the consultants' understanding of project objectives and requirements, technical project approach, project management, and capabilities and experience. Cost was not considered. The consultant with the highest combined total score was TJKM.

Based on the scoring results and overall quality of the proposal, the panel recommended that TJKM be awarded the contract. The final budget was negotiated down to \$170,000 from the original consultant proposal. For comparison, the average of the top five proposed cost was approximately \$160,000.

C/CAG staff will administer the consultant contract, provide general project management and coordinate with city staff. Staff from the City of East Palo Alto and City of Menlo Park will actively participate in the Study, including reviewing work products and providing final approval of the preferred traffic improvement alternatives.

ATTACHMENTS

- Resolution 09-51
- Agreement with TJKM Transportation Consultants

RESOLUTION 09-51

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 TJKM FOR AN AMOUNT NOT TO EXCEED \$170,000 FOR THE TRAFFIC STUDY ON WILLOW ROAD AND UNIVERSITY AVENUE AS PART OF THE 2020 PENINSULA GATEWAY CORRIDOR STUDY – PHASE 2

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

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

WHEREAS, the 2020 Peninsula Gateway Corridor Study – Phase 2 focuses on “Near-term improvement” projects and include the traffic study on Willow Road and University Avenue including intersections between US 101 and Bayfront Expressway, located in the cities of Menlo Park and East Palo Alto; and

WHEREAS, C/CAG has determined that outside consulting services are needed to perform the traffic study; and

WHEREAS, C/CAG has selected TJKM Transportation Consultants to provide these services.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the Chair is authorized to execute an agreement with TJKM for a maximum amount of \$170,000. In accordance with C/CAG established policy, the Chair may administratively authorize up to an additional 5% of the total contract amount in the event that there are unforeseen costs associated with the project. This agreement is attached hereto and is in a form that has been approved by C/CAG Legal Counsel.

PASSED, APPROVED, AND ADOPTED THIS 8TH DAY OF OCTOBER 2009.

Thomas M. Kasten, Chair



**AGREEMENT BETWEEN
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
AND
TJKM TRANSPORTATION CONSULTANTS**

This Agreement entered this ____ day of _____, 2009, by and between the City/County Association of Governments of San Mateo County, a joint powers agency, hereinafter called "C/CAG" and TJKM Transportation Consultants, hereinafter called "Contractor."

W I T N E S S E T H

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

WHEREAS, C/CAG is prepared to award funding for a traffic study to evaluate traffic operations on Willow Road and University Avenue; and

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

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

1. Services to be provided by Contractor. In consideration of the payments hereinafter set forth, Contractor agrees to perform the services described in Exhibit A, attached hereto (the "Services"). All Services are to be performed and completed by August 30, 2010.
2. Payments. In consideration of Contractor providing the Services, C/CAG shall reimburse Consultant based on the cost rates set forth in Exhibit A up to a maximum amount of one hundred seventy thousand dollars (\$170,000) for Services provided during the Contract Term as set forth below.
3. Relationship of the Parties. It is understood that Contractor is an Independent Contractor and this Agreement is not intended to, and shall not be construed to, create the relationship of agent, servant, employee, partnership, joint venture or association, or any other relationship whatsoever other than that of Independent Contractor.
4. Non-Assignability. Contractor shall not assign this Agreement or any portion thereof to a third party.
5. Contract Term. This Agreement shall be in effect as of _____ and shall

terminate on August 30, 2010; provided, however, C/CAG may terminate this Agreement at any time for any reason by providing 30 days' notice to Contractor. Termination to be effective on the date specified in the notice. In the event of termination under this paragraph, Contractor shall be paid for all Services provided to the date of termination.

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

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

Nothing herein contained in this Section or in this Agreement shall be construed to require Contractor to indemnify Indemnified Parties (Indemnitees) against any responsibility or liability in contravention of California Civil Code Section 2782.8.

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

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

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

Staff.

Required insurance shall include:

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

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

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

8. Non-discrimination. The Contractor and any subcontractors performing the services on behalf of the Contractor shall not discriminate or permit discrimination against any person or group of persons on the basis 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. Contractor shall at all times comply with all applicable laws and regulations, including without limitation those regarding services to disabled persons, including any requirements of Section 504 of the Rehabilitation Act of 1973.
10. Substitutions: If particular people are identified in this Agreement are providing services under this Agreement, the Contractor will not assign others to work in their place without written permission from C/CAG. Any substitution shall be with a person of commensurate experience and knowledge.
11. Sole Property of C/CAG. Work products of Contractor which are delivered under this Agreement or which are developed, produced and paid for under this Agreement, shall be and become the property of C/CAG. Contractor shall not be liable for C/CAG's use, modification or re-use of products without Contractor's participation or for purpose other

than those specifically intended pursuant to this Agreement.

12. Access to Records. C/CAG, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the Contractor which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcriptions.

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

13. Merger Clause. This Agreement, including Exhibit A attached hereto and incorporated herein by reference, constitutes the sole agreement of the parties hereto with regard to the matters covered in this Agreement, and correctly states the rights, duties and obligations of each party as of the document's date. Any prior agreement, promises, negotiations or representations between the parties not expressly stated in this document are not binding. Any subsequent modifications must be in writing and signed by the parties. In the event of a conflict between the terms, conditions or specifications set forth herein and those in Exhibit A attached hereto, the terms, conditions or specifications set forth herein shall prevail.

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

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

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

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

TJKM Transportation Consultants
3875 Hopyard Road, Suite 200
Pleasanton, CA 94588
Attention: Rich Haygood

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

TJKM Transportation Consultants (Contractor)

By _____

Date

City/County Association of Governments (C/CAG)

By _____

Thomas M. Kasten, C/CAG Chair

Date

C/CAG Legal Counsel

By _____

EXHIBIT A

SCOPE OF SERVICES

Task 1: Project Initiation, Work Plan, and Management

At the earliest convenience of C/CAG and City representatives following notice to proceed, TJKM will meet with them to review and refine the project scope of work, schedule and budget, as well as project objectives, process, and deliverables. Some of the key considerations may include: schedule constraints for conducting representative traffic counts; scope and extent of data collection and analysis of local street traffic; availability of pertinent traffic data maintained by the Cities or Caltrans; accounting for near-term traffic projections from pending development; appropriate process and contacts for Caltrans involvement; notifications and mailing lists for public outreach and meetings; and, schedule availability of public outreach meeting facilities and City Councils.

TJKM expects to schedule a number of project meetings with C/CAG and City representatives in conjunction with specific project milestones and deliverables for each task, as indicated below, when progress reports will be provided. Regarding project management, TJKM staff meets weekly to review project status and personnel assignments, assuring budget and schedule compliance.

Deliverables: Refined work plan

Project meetings (as specified per each task and in schedule below)

Ongoing project management

Task 2: Collect Data, Analyze and Document Existing Conditions and Needs

TJKM will obtain the following for Willow Road and University Avenue between US 101 and Bayfront Expressway: traffic signal phasing and timing data; roadway widths and lane configurations, including bicycle, pedestrian, and transit facilities; and, transit routes and schedules. The cities or C/CAG are expected to provide existing relevant documents, plans, reports, studies, traffic data including volumes, speed, and vehicle classification, accident records, and roadway as-built drawings, which TJKM will review and summarize as needed.

TJKM will conduct new a.m. and p.m. peak hour vehicle turning movement, pedestrian, and bicycle counts at the following 16 study intersections:

- Willow Road and:
 - Newbridge Street
 - Alberni Street
 - O'Brien Drive
 - Ivy Drive
 - Hamilton Avenue

- University Avenue and:
 - Donohoe Street
 - Bell Street
 - Runnymede Street
 - Bay Road
 - Michigan Avenue
 - Kavanaugh Drive
 - Notre Dame Avenue
 - O'Brien Drive
 - Adams Drive
 - Purdue Avenue
- Capitol Avenue/Donohoe Street

TJKM will also conduct weekday 24-hour vehicle traffic volume and speed counts at the following locations:

- Willow Road north of US 101 Ramps
- Willow Road south of Bayfront Expressway
- University Avenue north of Donohoe Street
- University Avenue south of Bayfront Expressway
- Up to 12 local parallel or cross streets, to be determined at Task 1 project refinement meeting with the Cities

TJKM will develop a traffic analysis network using Synchro software to analyze existing weekday a.m. and p.m. peak hour traffic operations on Willow Road and University Avenue between US 101 and Bayfront Expressway. Peak hour level of service (LOS), delay, and critical queue lengths will be considered in evaluating existing needs. The 24-hour traffic volume and speed data on local parallel and cross streets will be used to assess existing traffic patterns and conditions on those neighborhood streets.

TJKM will use accident data provided by the Cities or C/CAG to evaluate the accident rates at the study intersections and along Willow Road and University Avenue between US 101 and Bayfront Expressway, which will be compared with statewide average accident rates for similar roadways. These accident rates, along with any notable patterns of accident types at specific locations, will be considered in evaluating existing needs.

TJKM will document and summarize existing conditions and needs in a Technical Memorandum, based on the data, analysis, and findings outlined above. After delivery of the Technical Memorandum, TJKM will meet with City and C/CAG representatives to review it.

Deliverables: *Technical Memorandum: Existing Conditions and Needs*
Project meeting to review Technical Memorandum

Task 3: Develop Potential Improvements and Identify Impacts

TJKM will use the findings from Task 2 to develop three alternatives for potential improvements on Willow Road and University Avenue between US 101 and Bayfront Expressway that could meet the Project Objectives identified above, including reduced delays and queues for vehicle traffic and transit and enhanced safety for pedestrians and bicyclists. Potential improvements to be considered might include: peak hour left turn prohibitions; addition of right-turn storage, deceleration, or acceleration lanes; extension of existing turn storage lane lengths; modified lane configurations; revised traffic signal phase sequence; etc. Synchro will be used to develop new optimal signal timing plans as appropriate with the potential improvement alternatives.

For each alternative that includes turn prohibitions, TJKM will re-assign the subject turn volumes to the most likely alternative routes. TJKM will then evaluate the potential impacts of each alternative on vehicle traffic, pedestrians, bicyclists, transit, and on neighboring local streets. Synchro will be used to analyze the benefits of each alternative to vehicle traffic LOS, delay, and queuing. If an alternative has the potential for negative impacts on pedestrians, bicyclists, transit, or local streets, TJKM will propose solutions to mitigate such impacts. TJKM will develop conceptual designs and cost estimates for two alternatives.

TJKM will meet with City and C/CAG staff to coordinate development of appropriate performance measures for the potential improvement alternatives, and to review the alternatives being considered before finalizing a Technical Memorandum.

*Deliverables: Project meeting: develop performance measures; review alternatives developed
Technical Memorandum: Three potential improvement alternatives, impacts analysis, performance measures, and conceptual designs and cost estimates*

Task 4: Public Outreach Plan and Meetings

TJKM's subconsultant, CirclePoint, in close coordination with C/CAG and the Cities, will develop a brief outreach plan to serve as a framework for the project. The primary outreach activity will be to conduct four (4) public meetings, two in each city (Menlo Park and East Palo Alto). The first round of meetings will focus on existing conditions and problem identification, building on the findings of Tasks 2 and 3. The second series of meetings will present the two preferred alternatives developed in Task 5 and solicit targeted feedback. CirclePoint's activities will include development of meeting notification materials, meeting materials, logistics, attendance, facilitation and documentation of the four meetings. TJKM's Project Manager is expected to present the study findings and proposed improvement alternatives as appropriate to each meeting series and answer questions from the public, with assistance from at least one other TJKM project team member. Documentation will be provided in such a way as to inform the development of preferred alternatives and to be included in the Draft and Final Report (as indicated in Task 7). We assume the mailing/contact list will be developed by each city and existing city email or newsletter will be utilized, in addition to post card notices, to notice the meeting.

Deliverables: Public Outreach Plan

Four Public Meetings: Meeting notification materials, meeting materials, logistics, attendance, facilitation and documentation

Task 5: Develop Preferred Alternatives

In coordination with C/CAG and the Cities, TJKM will synthesize the input received at the Task 4 public meetings to develop preferred improvement alternatives. We will meet with City and C/CAG staff following each of the two series of public meetings to assure our mutual understanding of the direction suggested by the communities' input. TJKM will summarize the findings regarding the preferred alternatives and include conceptual plans and preliminary cost estimates in a Technical Memorandum.

*Deliverables: Project meetings (2) to coordinate direction following public meetings
Technical Memorandum: Preferred Improvement Alternative*

Task 6: Presentation to City Councils

TJKM will coordinate with C/CAG and the Cities' staffs to present the final preferred improvement alternative to the City Councils of East Palo Alto and Menlo Park for approval. TJKM's Project Manager is expected to take the lead role in the presentations and answer questions from the Councils. CirclePoint will assist the team in preparing materials for the City Council meetings. The presentation to each City Council will focus on the preferred improvements located within each respective jurisdiction.

*Deliverables: East Palo Alto City Council presentation
Menlo Park City Council presentation*

Task 7: Draft and Final Reports

TJKM will document and summarize the findings of the preceding tasks in a Draft Report, including existing conditions and needs, process for developing potential improvements and preferred alternatives, conceptual plans, and preliminary cost estimates. We will meet with City and C/CAG staff following the Task 6 City Council presentations to assure our mutual understanding of any further direction before finalizing the Draft Report.

The Draft Report will be circulated among the project stakeholders for review and comment. TJKM will meet with City and C/CAG staff to review stakeholder comments before finalizing the Final Report to incorporate those comments.

*Deliverables: Project meetings (2) prior to finalizing Draft and Final Reports
Draft Report
Final Report*

COST RATE SCHEDULE

TJKM

Title	Name	Billing Rates
Principal	C. Kinzel	\$220.00
Sr. Associate	R. Haygood	\$190.00
Sr. Associate	J. Bhattacharya	\$190.00
Associate	D. Mahama	\$160.00
Associate	S.Au	\$160.00
Trans. Eng.	V. Gandluru	\$130.00
Asst. Eng.	J. Lacap	\$115.00
Asst. Eng.	T. Richards	\$115.00
Graphics	G. Foley	\$100.00
Admin	M. Plaff	\$80.00

Circle Point

Title	Name	Billing Rates
Principal	S. L. Wallace	\$240.00
Proj. Mgr.	C. Colwick	\$140.00
Associate	M. Daniels	\$95.00
Coordinator	Borden	\$75.00
Graphics		\$80.00

C/CAG AGENDA REPORT

DATE: October 8, 2009

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

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

SUBJECT: Review and Approval of a Comprehensive Airport Land Use Compatibility Plan (CLUP) Consistency Review of a Referral from the City of Daly City, RE: General Plan Amendment: *Draft Housing Element August 2009*

RECOMMENDATION

That the C/CAG Board, acting as the Airport Land Use Commission, determine that the content of the City of Daly City proposed general plan amendment, *Draft Housing Element August 2009*, is consistent with (1) the relevant guidance in the *California Airport Land Use Planning Handbook January 2002*, (2) the text in the relevant Sections of California Public Utilities Code Division 9, Part 1, Chapter 4, Article 3.5, and (3) the applicable airport/land use compatibility criteria, as contained in the *San Mateo County Comprehensive Airport Land Use Plan*, as amended, for the environs of San Francisco International Airport, based on the following condition:

California Government Code 65302.3, Re: General Plan Consistency With Comprehensive Airport Land Use Compatibility Plan (CLUP). Include the following text in the Daly City City Council resolution to adopt the *Draft Housing Element August 2009* document, to address state-mandated consistency with the relevant airport/land use compatibility criteria contained in the *San Mateo County Comprehensive Airport Land Use Plan (CLUP)*, as amended, for the environs of San Francisco International Airport:

The goals, polices, and other relevant content contained in the *Draft Housing Element August 2009* document are consistent with and do not conflict with the applicable airport/land use compatibility criteria contained in the *San Mateo County Comprehensive Airport Land Use Plan*, as amended, for the environs of San Francisco International Airport.

FISCAL IMPACT

None.

BACKGROUND

I. C/CAG Airport Land Use Committee (ALUC) Review/Action

The C/CAG Airport Land Use Committee (ALUC) is scheduled to meet three to four times per year on the fourth Thursday of the specified month, beginning in February. This referral was received after the last scheduled ALUC Regular Meeting was held (August 27, 2009). No other ALUC Regular meetings are scheduled in 2009 and a holding a Special ALUC Meeting was not feasible. Therefore, this referral was not reviewed by the ALUC. It has been scheduled for direct C/CAG Board review/action, in its role as the Airport Land Use Commission.

ITEM 5.5

II. Housing Element Overview

The Housing Element is one of seven state-mandated elements of a local agency General Plan. An update of the Housing Element is a General Plan amendment. The City of Daly City has referred its *Draft Housing Element August 2009* document to the C/CAG Board of Directors, acting as the Airport Land Use Commission, for a determination of the consistency of the content of the document with the relevant airport/land use compatibility policies and criteria contained in the *San Mateo County Comprehensive Airport Land Use Plan*, as amended for the environs of San Francisco International Airport (see Attachment No. 1). The concept of "consistency" is described below. The *Draft Housing Element August 2009* document is subject to C/CAG review, pursuant to PUC Section 21676 (b). The 60-day state-mandated review period will expire on November 3, 2009.

The City of Daly City *Draft Housing Element August 2009* is a policy document that identifies goals, policies, programs, and other city actions to address existing and projected housing needs in the city. The Association of Bay Area Governments (ABAG) projected regional housing needs allocation (RHNA) requires the City of Daly City to plan for the construction 1,207 new dwelling units between 2009 and 2014 (source: p. HE-37, City of Daly City *Draft Housing Element August 2009*). A map of the potential housing sites in Daly City is shown in Attachment No. 2.

II. The Concept of Consistency With the Relevant Provisions in the Comprehensive Airport Land Use Plan (CLUP) and Compliance With Government Code Section 65302.3

- A. The Concept of Consistency.** The *California Airport Land Use Planning Handbook January 2002* provides guidance to the C/CAG Board, acting as the Airport Land Use Commission and to C/CAG Staff, regarding the concept of "consistency" between a proposed local agency land use policy action (i.e. general plan amendment) and the relevant content of an airport land use compatibility plan (CLUP). The *Handbook* guidance states the following:

"As widely applied in airport land use planning, consistency does not require being identical. It means only that the concepts, standards, physical characteristics, and resulting consequences of a proposed action must not conflict with the intent of the law or the compatibility plan to which the comparison is being made."

Source: *California Airport Land Use Planning Handbook January 2002*, p. 5-3

- B. Compliance with California Government Code Section 65302.3.** This Code Section states that a local agency general plan and/or any affected specific plan must be consistent with the relevant airport/land use compatibility criteria in the adopted airport land use compatibility plan (CLUP). To make the consistency connection, the Daly City City Council resolution to adopt the *Draft Housing Element August 2009* document should include appropriate text that indicates the goals, objectives, policies, and programs contained in the *Draft Housing Element August 2009* document are consistent with and do not conflict with the relevant airport/land use compatibility policies and criteria contained in the *San Mateo County Comprehensive Airport Land Use Plan* (CLUP), as amended, for the environs of San Francisco International Airport.

III. Airport Influence Area (AIA) Boundaries

State law (PUC Section 21675(c) requires airport land use commissions to adopt planning area boundaries, also known as airport influence area (AIA) boundaries. The AIA boundary defines the geographic area within which relevant airport/land use compatibility policies and criteria apply to proposed local agency land use policy actions and related development.

The C/CAG Board of Directors, acting as the airport land use commission, has adopted the concept of a two-part AIA boundary. Area A defines a geographic area within which state-mandated real estate disclosure of potential airport/aircraft impacts is required, as part of the sale of real property within the boundary. Area B defines a geographic area within which (1) state mandated real estate disclosure is required and (2) proposed local agency land use policy actions, that affect land within Area B, must be referred to C/CAG for a formal CLUP consistency review/action.

The AIA boundaries for SFO are currently being developed, as part of an update of the comprehensive airport land use compatibility plan (CLUP) for the environs of SFO. The configuration of the preliminary AIA boundaries for SFO indicates that all of City of Daly City is located within the Area A portion of the AIA boundary. A small portion of the City (Serramonte area) is located within Area B (see Attachment No. 3). Based on this last criterion, the C/CAG Board has the opportunity to review the City of Daly City *Draft Housing Element August 2009* document.

DISCUSSION

I. Airport/Land Use Compatibility Issues

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

A. Height of Structures/Airspace Protection

The C/CAG Board, acting as the Airport Land Use Commission, has adopted the provisions in Federal Aviation Regulations FAR Part 77, "Objects Affecting Navigable Airspace," as amended, to establish airspace protection parameters and federal notification requirements for projects and project sponsors, related to proposed development within the FAR Part 77 airspace boundaries for San Francisco Airport. The City of Daly City *Draft Housing Element August 2009* is a policy document that does not specify any new housing development in the City. Therefore, the height of structures/airspace protection issue for new housing units in Daly City is not addressed here. However, it would be addressed in future C/CAG reviews of proposed land use actions that include specific housing development proposals in Daly City that require a land use change and/or zoning change, or as part of a specific plan in the City that includes land within the AIA Area B boundary.

B. Aircraft Noise Impacts

The 65 dB CNEL (Community Noise Equivalent Level) noise level defines the federal threshold for aircraft noise impacts and the boundary on which noise mitigation actions are based. This threshold level is also used by the State of California to define airport/land use compatibility criteria for noise-sensitive land uses. The aircraft noise threshold for San Francisco International Airport (SFO) is defined by the 65 dB CNEL aircraft noise contour.

A small portion of Daly City (Serramonte area) is located within the 65 dB CNEL aircraft noise contour, as shown on the most recent (2001) federal aircraft noise exposure map (NEM) for San Francisco International Airport (see Attachments No. 4A and 4B.). The *City of Daly City Draft Housing Element August 2009* document includes the following policy to address new housing development within the 65 dB CNEL aircraft noise contour:

“Policy HE-4: Assure that standards for new housing construction comply with appropriate aircraft noise abatement requirements

Task: HE 4.1: All new housing development within the 65 dB CNEL aircraft noise contour, as shown on the most recent FAA accepted San Francisco International Airport Noise Exposure Map, shall be constructed to achieve an interior noise level of 45 dB CNEL or less, based on aircraft noise events.

Task HE 4.2: For all development proposals within the 65 dB CNEL noise contour, the City shall require a noise study that identifies the proposed project’s compliance with requirement of Task 4.1 above. If the project qualifies for review under the California Environmental Quality Act (CEQA), the city shall incorporate the noise study and any mitigation measures into the CEQA document and shall adopt findings that the project, as conditioned, complies with the interior noise level requirement.

Task HE 4.3: The City shall incorporate compliance with this policy into adopted CEQA compliance guidelines. The guidelines shall identify detailed compliance requirements, such as the methods of acceptable noise mitigation (insulation, windows, etc.).”

C. Safety Criteria

1. Safety Zones

The closest Daly City city limit line to any runway at San Francisco International Airport (SFO) is several miles away from the nearest runway end (threshold ends for Runways 10). Therefore, the City of Daly City is not affected by any runway safety zone criteria for SFO.

2. Land Uses

Certain types of land uses are recognized by the Airport Land Use Commission (C/CAG Board) as hazards to air navigation in the vicinity of San Francisco International Airport. These land uses include the following:

- * Any use that would direct a steady or flashing light of white, red, green, or amber color toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a final approach for landing, other than an FAA-approved navigational lights.
- * Any use that would cause sunlight to be reflected toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a final approach for landing.
- * Any use that would attract concentrations of birds within approach/climbout areas
- * Any use that would generate electrical interference that may affect aircraft communications or aircraft instrumentation.

It is highly unlikely that any future housing development in Daly City would include any of the above-referenced parameters that would be a safety issue for aircraft in flight. Such land use characteristics should be addressed in the Land Use Element and/or in the Safety Element of the Daly City General Plan.

Guidance From the *California Airport Land Use Planning Handbook January 2002*

C/CAG Staff reviewed the relevant content of the *California Airport Land Use Planning Handbook January 2002* to prepare this report. The staff analysis and recommendation contained herein are consistent with and guided by the relevant content of the *Handbook*.

ATTACHMENTS

- Attachment No. 1:** Letter to David Carbone, C/CAG Staff, from Michael Van Lonkhuyzen, Senior Planner, City of Daly City, dated September 3, 2009; Re: ALUC Review of the Draft Daly City Housing Element
- Attachment No. 2:** Figure HE-29: Potential Housing Sites (p. HE-55)
Source: City of Daly City *Draft Housing Element August 2009*,
- Attachment No. 3:** Graphic: Preliminary Airport Influence Area (AIA) Boundary for San Francisco International Airport (not an adopted boundary)
Source: City/County Association of Governments of San Mateo County (C/CAG)
- Attachment No. 4A:** Graphic: San Francisco International Airport FAR Part 150 Noise Exposure and Land Use Compatibility Program 2001 Noise Exposure Map (NEM)
Source: San Francisco International Airport
- Attachment No. 4B:** Graphic: Enlargement of the San Francisco International Airport FAR Part 150 Noise Exposure and Land Use Compatibility Program 2001 Noise Exposure Map (MAP) for the southern Daly City area
Source: San Francisco International Airport CCAGAgendaReportDalyCityHousingElement1009.doc

(1)

(2)

(3)



CITY OF DALY CITY

333-90TH STREET

DALY CITY, CA 94015-1895

PHONE: (650) 991-8000

September 3, 2009

Mr. David Carbone
Senior Planner
City/County Association of Governments
Airport Land Use Committee
555 County Center, Fifth Floor
Redwood City, CA 94063

Re: ALUC Review of the Draft Daly City Housing Element

Dear Mr. Carbone:

On behalf of the City of Daly City, please find enclosed the City's Draft Housing Element for Airport Land Use Committee (ALUC) review and comment. References to the San Francisco International Airport Noise Exposure Map can be found within Policy HE-4 on Page HE-63 of the document. As we are aware that the Draft Housing Element document must be reviewed by the ALUC, please contact me with the potential date for this review at (650) 991-8158 or should you need any additional information.

For your convenience, we have enclosed three copies of the Draft Housing Element with this letter. We can provide additional copies at your request. Also, electronic copies of the document can be found at the City's General Plan update website located at www.plandalycity.org. We look forward to work with you and the ALUC on the Draft Housing Element review.

Sincerely,

Michael Van Lonkhuysen
Senior Planner

ec: Tatum Mothershead, Planning Manager
Richard Berger, Director of Economic and Community Development

SAN FRANCISCO COUNTY PLANNING COMMISSION

2009 SEP - 8 A 10: 50

RECEIVED



City of Daly City

Draft Housing Element

Department of Economic and Community Development
Planning Division

August 2009

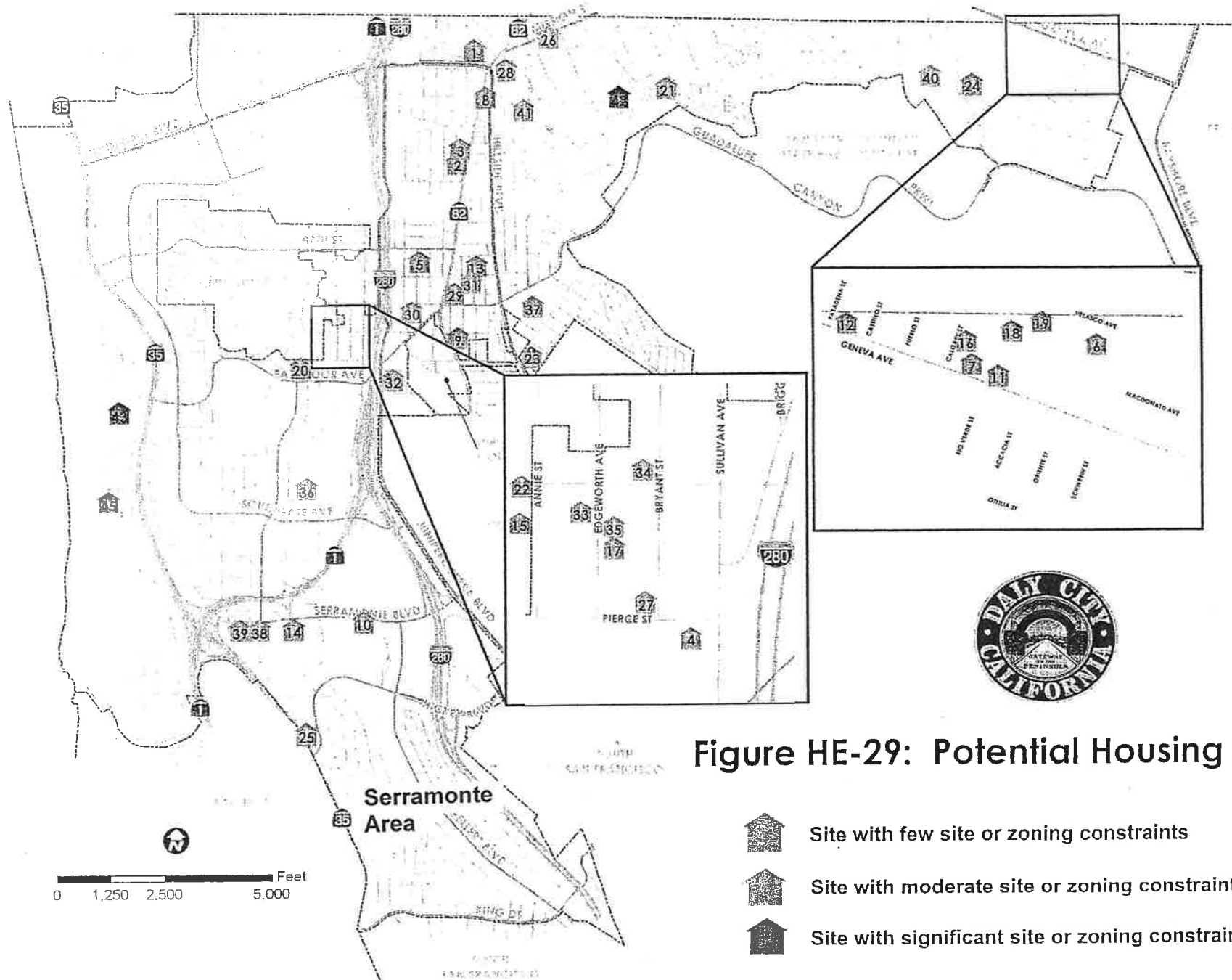





Figure HE-29: Potential Housing Sites

-  Site with few site or zoning constraints
-  Site with moderate site or zoning constraints
-  Site with significant site or zoning constraints

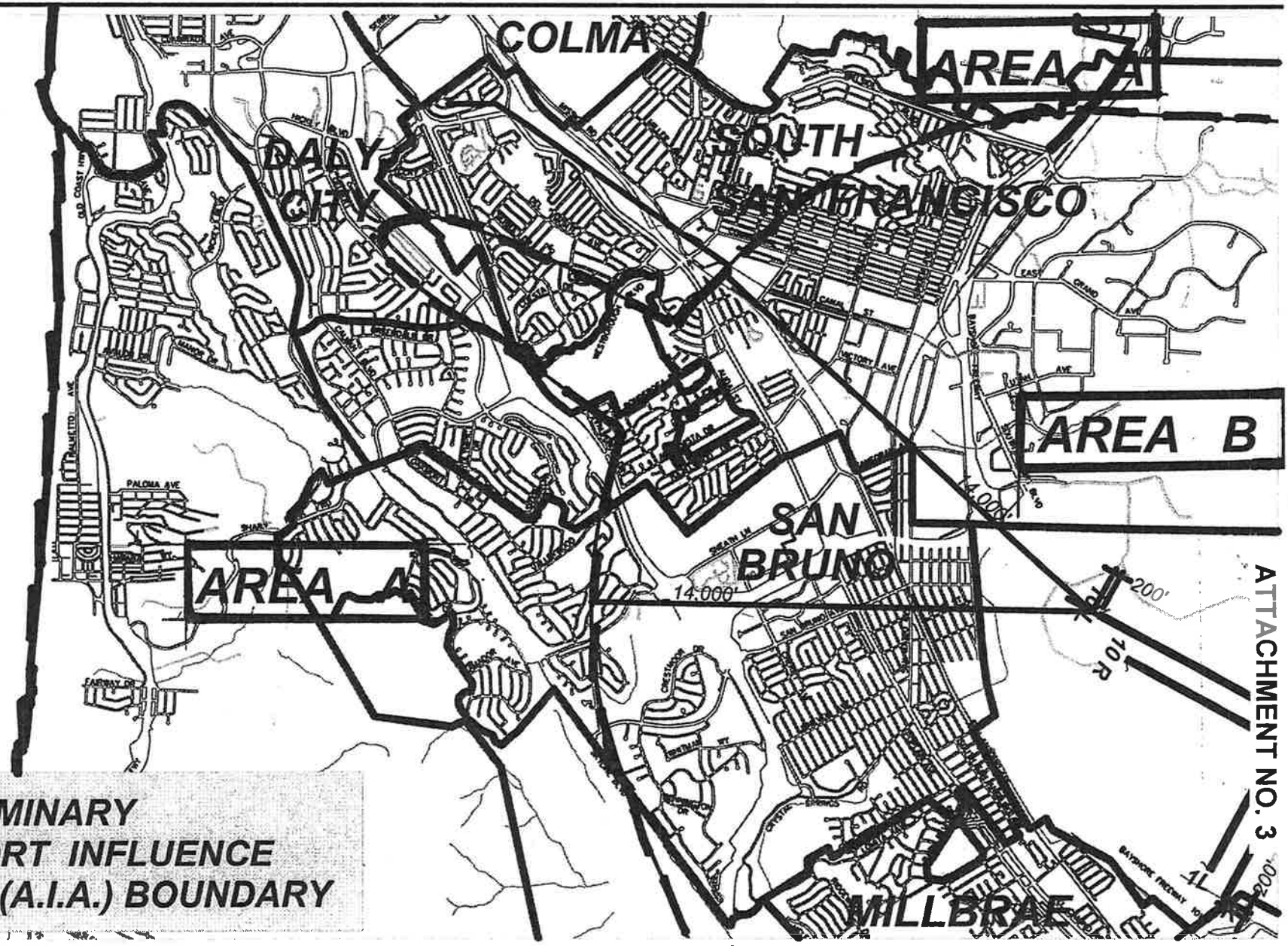
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PACIFIC OCEAN

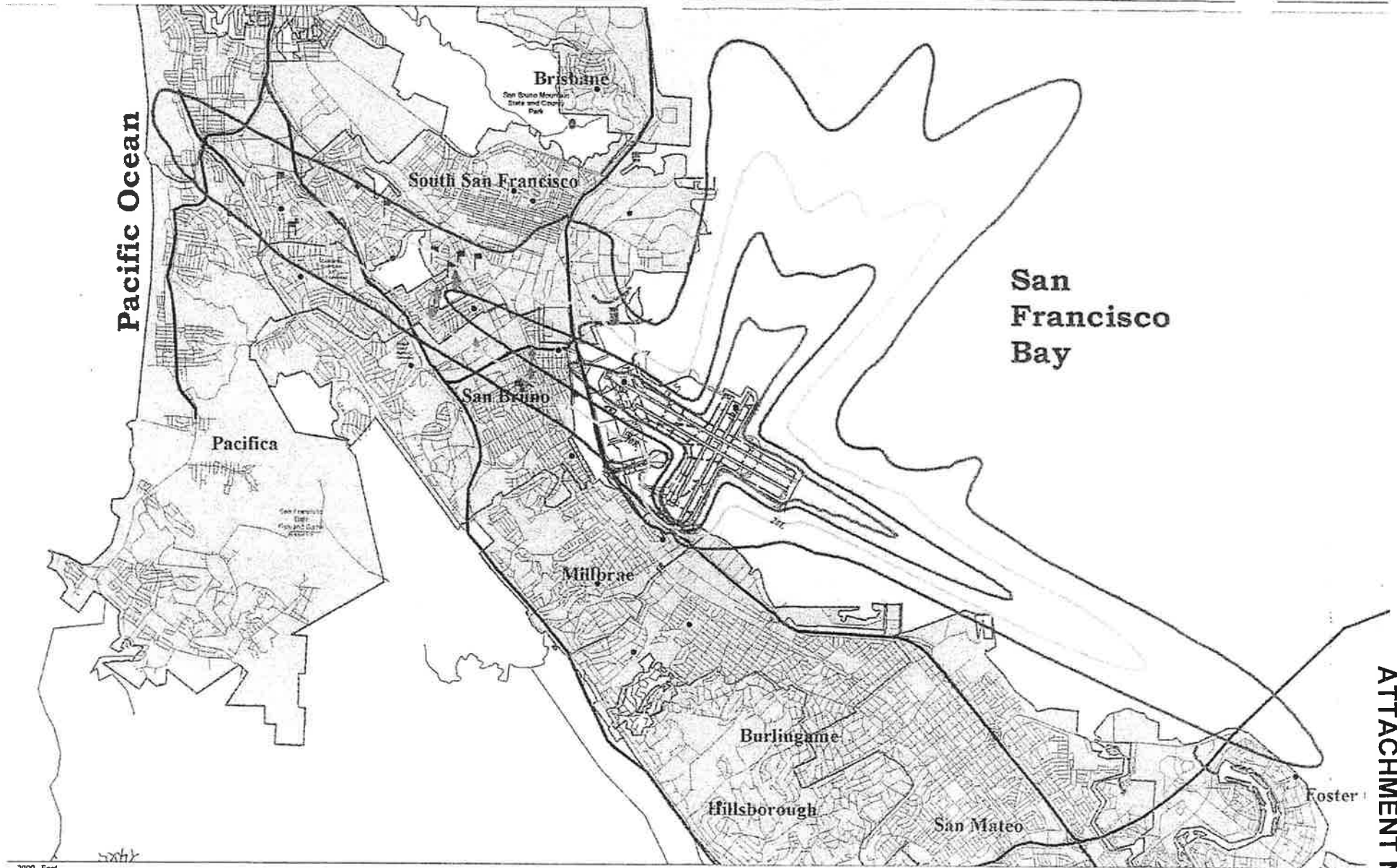


**PRELIMINARY
AIRPORT INFLUENCE
AREA (A.I.A.) BOUNDARY**

ATTACHMENT NO. 3

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

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



noise Exposure, 2001

150 dBA Contour
 140 dBA Contour
 130 dBA Contour
 120 dBA Contour

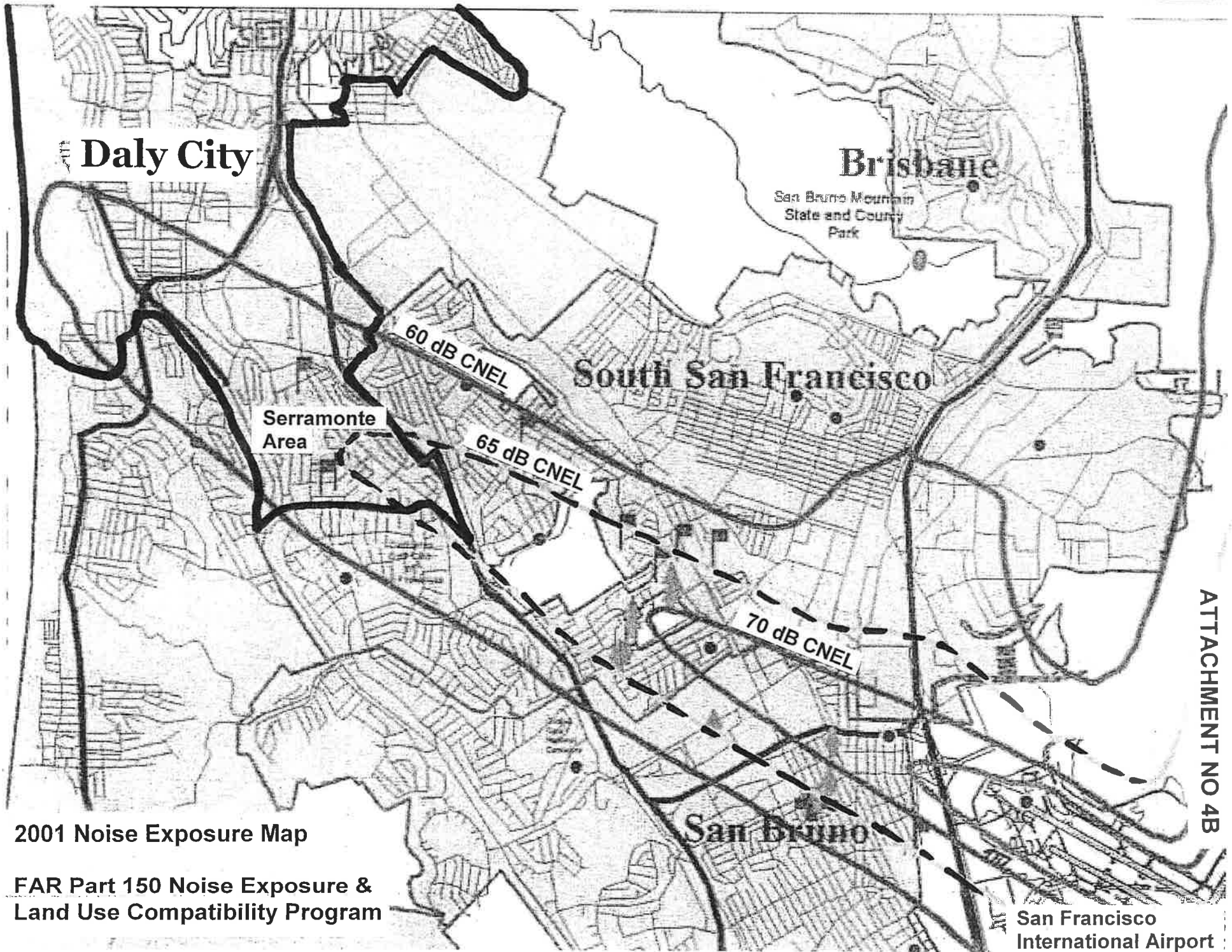
City
 Lines

2001 Noise Exposure Map

Signed _____

Dated _____

Far Part 150 Noise Exposure & Land Use Compatibility Program



Daly City

Brisbane

San Bruno Mountain
State and County
Park

South San Francisco

Serramonte
Area

60 dB CNEL

65 dB CNEL

70 dB CNEL

San Bruno

San Francisco
International Airport

-79-

ATTACHMENT NO 4B

2001 Noise Exposure Map

FAR Part 150 Noise Exposure &
Land Use Compatibility Program

C/CAG AGENDA REPORT

DATE: October 8, 2009

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

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

SUBJECT: Review and Approval of a Comprehensive Airport Land Use Compatibility Plan (CLUP) Consistency Review of a Referral from the City of San Bruno, RE: General Plan Amendment: *Draft Housing Element 2009-2014*

RECOMMENDATION

That the C/CAG Board, acting as the Airport Land Use Commission, determine that the content of the City of San Bruno proposed general plan amendment, *Draft Housing Element 2009-2014*, is consistent with (1) the relevant guidance in the *California Airport Land Use Planning Handbook January 2002*, (2) the text in the relevant Sections of California Public Utilities Code Division 9, Part 1, Chapter 4, Article 3.5, and (3) the applicable airport/land use compatibility criteria, as contained in the *San Mateo County Comprehensive Airport Land Use Plan*, as amended, for the environs of San Francisco International Airport (SFO), based on the following condition:

California Government Code 65302.3, Re: General Plan Consistency With Comprehensive Airport Land Use Compatibility Plan (CLUP). Include the following text in the San Bruno City Council resolution to adopt the *San Bruno Housing Element 2009-2014* document, to address state-mandated consistency with the relevant airport/land use compatibility criteria contained in the *San Mateo County Comprehensive Airport Land Use Plan (CLUP)*, as amended, for the environs of San Francisco International Airport (SFO):

The goals, polices, and other relevant content contained in the *San Bruno Housing Element 2009-2014* document are consistent with and do not conflict with the applicable airport/land use compatibility policies and criteria contained in the *San Mateo County Comprehensive Airport Land Use Plan*, as amended, for the environs of San Francisco International Airport.

FISCAL IMPACT

None.

BACKGROUND

I. C/CAG Airport Land Use Committee (ALUC) Review/Action

The C/CAG Airport Land Use Committee (ALUC) is scheduled to meet three to four times per year on the fourth Thursday of the specified month beginning in February. This referral was received after the last scheduled ALUC Regular Meeting was held (August 27, 2009). No other ALUC Regular meetings are scheduled in 2009 and a holding a Special ALUC Meeting was not feasible. Therefore, this referral was not reviewed by the ALUC. It has been scheduled for direct C/CAG Board review/action, in its role as the Airport Land Use Commission.

ITEM 5.6

II. Housing Element Overview

The Housing Element is one of seven state-mandated elements of a local agency General Plan. An update of the Housing Element is a General Plan amendment. The City of San Bruno has referred its *San Bruno Housing Element 2009-2014* document to the C/CAG Board of Directors, acting as the Airport Land Use Commission, for a determination of the consistency of the content of the document with the relevant airport/land use compatibility policies and criteria contained in the *San Mateo County Comprehensive Airport Land Use Plan*, as amended for the environs of San Francisco International Airport (see Attachment No. 1). The concept of "consistency" is described below. The *San Bruno Housing Element 2009-2014* document is subject to C/CAG review, pursuant to PUC Section 21676 (b). The 60-day state-mandated review period will expire on November 3, 2009.

The *San Bruno Housing Element 2009-2014* is a policy document that identifies goals, policies, programs, and other city actions to address existing and projected housing needs in the city. The Association of Bay Area Governments (ABAG) projected regional housing needs allocation (RHNA) requires the City of San Bruno to plan for the construction 973 new dwelling units between 2009 and 2014 (source: p.2-33, *San Bruno Housing Element 2009-2014*). A map of potential housing sites in San Bruno is shown in Attachment No. 2.

II. The Concept of Consistency With the Relevant Provisions in the Comprehensive Airport Land Use Plan (CLUP) and Compliance With Government Code Section 65302.3

- A. The Concept of Consistency.** The *California Airport Land Use Planning Handbook January 2002* provides guidance to the C/CAG Board, acting as the Airport Land Use Commission and to C/CAG Staff, regarding the concept of "consistency" between a proposed local agency land use policy action (i.e. general plan amendment) and the relevant content of an airport land use compatibility plan (CLUP). The *Handbook* guidance states the following:

"As widely applied in airport land use planning, consistency does not require being identical. It means only that the concepts, standards, physical characteristics, and resulting consequences of a proposed action must not conflict with the intent of the law or the compatibility plan to which the comparison is being made."

Source: *California Airport Land Use Planning Handbook January 2002*, p. 5-3

- B. Compliance with California Government Code Section 65302.3.** This Code Section states that a local agency general plan and/or any affected specific plan must be consistent with the relevant airport/land use compatibility criteria in the adopted airport land use compatibility plan (CLUP). To make the consistency connection, the San Bruno City Council resolution to adopt the *San Bruno Housing Element 2009-2014* document should include appropriate text that indicates the goals, objectives, policies, and programs contained in the document are consistent with and do not conflict with the relevant airport/land use compatibility policies and criteria contained in the *San Mateo County Comprehensive Airport Land Use Plan (CLUP)*, as amended, for the environs of San Francisco International Airport.

III. Airport Influence Area (AIA) Boundaries

State law (PUC Section 21675(c)) requires airport land use commissions to adopt planning area boundaries, also known as airport influence area (AIA) boundaries. The AIA boundary defines the geographic area within which relevant airport/land use compatibility policies and criteria apply to proposed local agency land use policy actions and related development.

The C/CAG Board of Directors, acting as the airport land use commission, has adopted the concept of a two-part AIA boundary. Area A defines a geographic area within which state-mandated real estate disclosure of potential airport/aircraft impacts is required, as part of the sale of real property within the boundary. Area B defines a geographic area within which (1) state mandated real estate disclosure is required and (2) proposed local agency land use policy actions, that affect land within Area B, must be referred to C/CAG for a formal CLUP consistency review/action.

The AIA boundaries for SFO are currently being developed, as part of an update of the comprehensive airport land use compatibility plan (CLUP) for the environs of SFO. The preliminary configuration of the AIA boundaries for SFO indicates that all of the City of San Bruno is located within the Area A portion of the AIA boundary. Most of the City is located within Area B (see Attachment No. 3). Based on this last criterion, the C/CAG Board has the opportunity to review the *San Bruno Housing Element 2009-2014* document.

DISCUSSION

I. Airport/Land Use Compatibility Issues

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

A. Height of Structures/Airspace Protection

The C/CAG Board, acting as the Airport Land Use Commission, has adopted the provisions in Federal Aviation Regulations FAR Part 77, "Objects Affecting Navigable Airspace," as amended, to establish airspace protection parameters and federal notification requirements for projects and project sponsors, related to proposed development within the FAR Part 77 airspace boundaries for San Francisco Airport.

The *San Bruno Housing Element 2009-2014* document includes a section on governmental constraints to future housing development in the city. That section includes the following text, regarding height limits on future development:

“ORDINANCE 1284 HEIGHT AND DENSITY LIMITS

“Permits and approvals cannot be issued to allow construction of the following types of buildings, unless approved by a majority of voters at a regular or special election:

- Buildings or other structures exceeding 50 feet in height;
- Buildings or other structures exceeding three stories in height;
- Multi-story parking structures

The full text of this section is shown in Attachment No. 4.

B. Aircraft Noise Impacts

The 65 dB CNEL (Community Noise Equivalent Level) noise level defines the federal threshold for aircraft noise impacts. This threshold level is also used by the State of California to define airport/land use compatibility criteria for noise-sensitive land uses. The aircraft noise threshold for San Francisco International Airport (SFO) is defined by the 65 dB CNEL aircraft noise contour.

The northeastern corner of the City of San Bruno is affected by the 65 dB and 70 dB CNEL aircraft noise contours. Airport noise is addressed in Chapter 3 of the *San Bruno Housing Element 2009-2014* document on pp. 3-5 and 3-25. The text on p. 3-5 states the following:

“Airport Noise and Land Use Regulations”

San Francisco International Airport (SFO) is located just east of San Bruno in unincorporated San Mateo County, and is a major source of noise in some areas of the city. The San Bruno 2025 General Plan contains policies designed to reduce the impact of airport noise on new residential development in particular, by establishing higher noise insulation standards for some noise-impacted areas, and by prohibiting new residential uses in lost airport noise-impacted areas. While this is a governmental constraint in that the City is imposing these regulations on new development, this issue is described in more detail under Environmental Constraints later in this chapter.”

The text on p. 3-25, “Airport Noise”, is shown in Attachment No. 5. A key portion of that text states the following:

“At a noise level of 65-69 dB CNEL, new residential development is required to have noise reduction analysis and noise insulation as needed. At 70 dB CNEL and above, new residential development is prohibited, which essentially means that new residential development and/or redevelopment cannot be allowed in the areas surrounding the BART and Caltrain stations, as well as in portions of the Belle Air Park neighborhood. None of the sites identified in this Housing Element fall within the 70 dB CNEL airport noise contour; however, several are within the 65 dB contour.”

The *San Bruno Housing Element 2009-2014* document contains one program to address airport noise-related noise insulation efforts. The text at the top of p. 5-19 states the following:

“Program 4-C: Facilitate noise insulation retrofits. Continue to pursue funding for noise insulation from San Francisco International Airport and educate residents about the program benefits.”

The full text of this program is shown in Attachment No. 6.

C. Safety Criteria

1. Safety Zones

The safety zones for the runway ends at San Francisco International Airport are currently being developed as part of an update of the comprehensive airport land use compatibility plan (CLUP) for the environs of San Francisco International Airport. The preliminary configuration of the safety zones for the west end of Runway 10L-28R and 10R-28L do not include any potential housing sites, as shown in Figure 4.4-1 in the *San Bruno Housing Element 2009-2014* document.

2. Land Uses

Certain types of land uses are recognized by the Airport Land Use Commission (C/CAG Board) as hazards to air navigation in the vicinity of San Francisco International Airport. These land uses include the following:

- * Any use that would direct a steady or flashing light of white, red, green, or amber color toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a final approach for landing, other than an FAA-approved navigational lights.
- * Any use that would cause sunlight to be reflected toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a final approach for landing.
- * Any use that would attract concentrations of birds within approach/climbout areas
- * Any use that would generate electrical interference that may affect aircraft communications or aircraft instrumentation.

It is highly unlikely that any future housing development in San Bruno would include any of the above-referenced parameters that would be a safety issue for aircraft in flight. Such land use characteristics should be addressed in the Land Use Element and/or in the Safety Element of the San Bruno General Plan.

Guidance From the *California Airport Land Use Planning Handbook January 2002*

CCAG Staff reviewed the relevant content of the *California Airport Land Use Planning Handbook January 2002* to prepare this report. The staff analysis and recommendation contained herein are consistent with and guided by the relevant content of the *Handbook*.

ATTACHMENTS

- Attachment No. 1:** Letter to David Carbone, C/CAG Staff, from Mark Sullivan, Housing & Redevelopment Manager, City of San Bruno, dated September 1, 2009;
Re: ALUC Review of the *San Bruno Housing Element 2009-2014*
- Attachment No. 2:** Graphic: Figure 4.4-1: Housing Opportunity Sites and Production Underway
Source: *San Bruno Housing Element 2009-2014*
- Attachment No. 3:** Graphic: Preliminary Airport Influence Area (AIA) Boundary for San Francisco International Airport (not an adopted boundary)
Source: City/County Association of Governments of San Mateo County (C/CAG)
- Attachment No. 4:** Text: pp. 3-9 to 3-11, re: Ordinance 1284 and Density Limits
Source: *San Bruno Housing Element 2009-2014*
- Attachment No. 5:** Text: p. 3-25, re: Airport Noise
Source: *San Bruno Housing Element 2009-2014*
- Attachment No. 6:** Text: p. 5-19, re: Program 4-C: Noise Insulation
Source: *San Bruno Housing Element 2009-2014*



ATTACHMENT NO. 1

CITY OF SAN BRUNO
COMMUNITY DEVELOPMENT DEPARTMENT

September 1, 2009

Mr. David Carbone
Senior Planner
C/CAG Airport Land Use Committee (ALUC)
555 County Center, 5th Floor
Redwood City, CA 94063

RE: ALUC and C/CAG Review of San Bruno's New Housing Element (2009-2014)

Dear Mr. Carbone,

We are submitting the attached Draft 2007-2014 Housing Element on behalf of the City of San Bruno for review.

As you know, San Bruno adopted a new 2025 General Plan in March 2009, which the ALUC reviewed and found to be consistent with the San Mateo County Airport Land Use Plan. The current Housing Element update has been drafted to be consistent with the new General Plan. Most of the references to the San Francisco International Airport (SFO) can be found in Chapter 3, Housing Constraints and Resources on pages 3-5 and 3-25, and on page 5-19, Program 4-C.

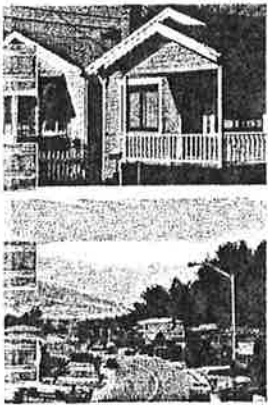
Please do not hesitate to contact me at (650) 616-7053 (msullivan@sanbruno.ca.gov) or Lisa Sanders, the City's contract planner at (650) 616-7059 (lsanders@sanbruno.ca.gov) if you have any questions. In addition, you may contact Melissa McMahon at (415) 956-4300 x 24 (melissa@dyyettandbhatia.com) of the consulting firm of Dyett & Bhatia, which was hired to undertake the technical update of the Housing Element.

We look forward to receiving your comments on San Bruno's draft Housing Element.

Sincerely,

Mark Sullivan
Housing & Redevelopment Manager

San Bruno Housing Element



2009-2014

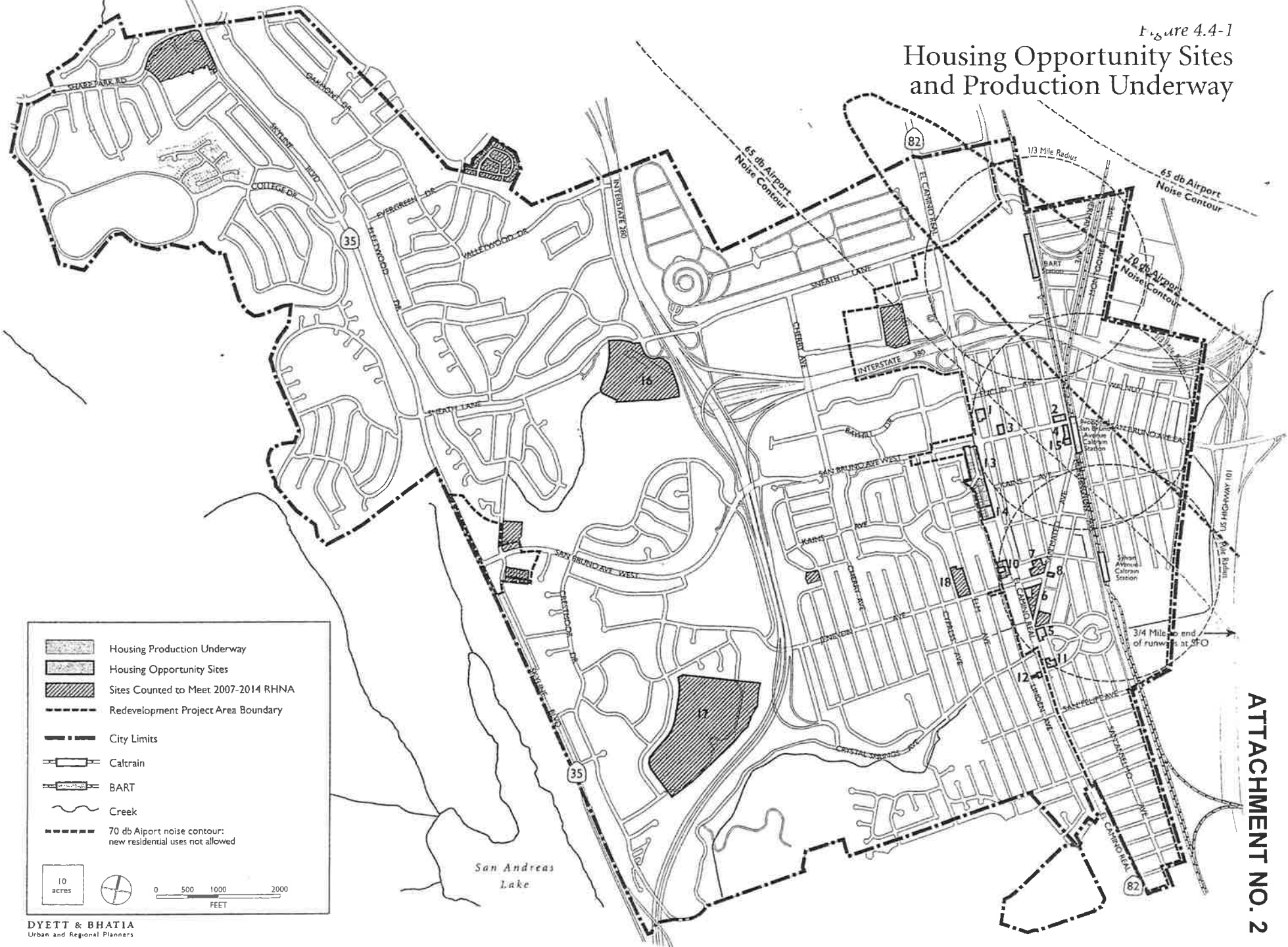
HCD REVIEW DRAFT
SEPTEMBER 2009

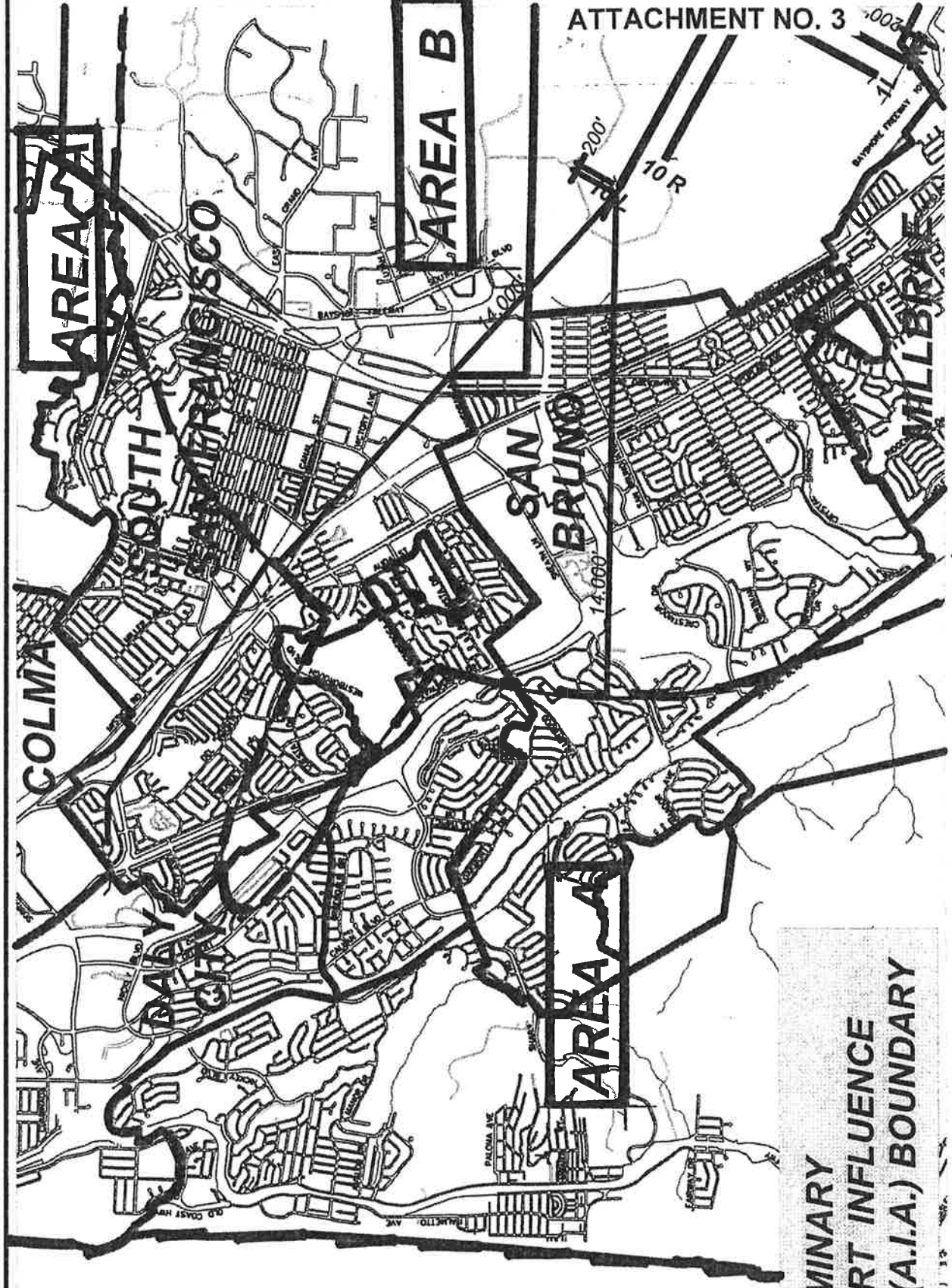
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Figure 4.4-1
 Housing Opportunity Sites
 and Production Underway





**PRELIMINARY
AIRPORT INFLUENCE
AREA (A.I.A.) BOUNDARY**

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

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

OTHER EFFORTS TO FACILITATE AFFORDABLE AND ACCESSIBLE HOUSING

Other housing programs address special incentives for housing projects designed and constructed for disabled persons. In the last Housing Element cycle, the City expedited permit review and waived planning, building, and licensing fees for affordable housing development—including units designed for persons with disabilities—at The Crossing (U.S. Navy Site), and **Program 5-G** directs the City to continue this policy throughout the community by providing expedited review and fee waivers for affordable housing, and housing for seniors and persons with disabilities. The City has also worked to facilitate affordable residential development in more areas of the city. In accordance with recommendations in the last Housing Element, which suggested the City modify development regulations in appropriate districts to encourage housing for special needs groups, the City adopted two new General Plan land use classifications² that encourage residential development in accessible central locations, Transit Oriented Development and Multi-Use Residential Focus, as well as amended the Zoning Ordinance to allow residential lofts in commercial zones. **Program 5-H** represents the continuation of the program to consider modifications to development regulations to encourage affordable housing through smaller-sized units and other approaches to reduce construction costs. **Program 5-F** represents the continuation of the program to encourage development of units designed for large families.

ORDINANCE 1284 HEIGHT AND DENSITY LIMITS

As a result of a voter initiative, Ordinance 1284 was adopted by City Council in June 1977. The Ordinance was intended to preserve the existing character of San Bruno by requiring voter approval for high-rise developments, increased density in existing neighborhoods, and projects encroaching upon scenic corridors and open spaces. Permits and approvals cannot be issued to allow construction of the following types of buildings, unless approved by a majority of voters at a regular or special election:

- Buildings or other structures exceeding 50 feet in height;
- Buildings or other structures exceeding three stories in height;
- Buildings or other structures, modifications or redevelopment thereof in residential districts which increase the number of dwelling units per acre or occupancy, within each acre or portion thereof, in excess of limits permitted on October 10, 1974, under the then existing Zoning Chapter of the City of San Bruno;
- Multi-story parking structures or buildings; or
- Buildings or other structures, modifications or redevelopment thereof which encroach upon, modify, widen, or realign the following streets hereby designated as scenic corridors:
 - Crystal Springs Road between Oak Avenue and Junipero Serra Freeway, or
 - Sneath Lane from El Camino Real to existing westerly City limits.

² The Updated General Plan, including the land use classifications, was adopted March 2009.

For any development for which the restrictions of Ordinance 1284 apply, the Ordinance also requires “Town Hall” type meetings in order that the public is fully informed before voting.

Each of the five restrictions under Ordinance 1284 may limit residential development within the city. However, the City has built considerable amount of housing since the adoption of the last Housing Element in 2003 (see Chapter 4) while Ordinance 1284 has been in place. Furthermore, during the last Housing Element cycle, the City took steps to address the constraints posed by Ordinance 1284 and performed a legal analysis of the applicability of the Ordinance in the Redevelopment Plan Area in 2005. The analysis revealed two types of projects that, *in the Redevelopment Area*, would not need voter approval: residential projects that are at a higher density than permitted in 1974 (because the residential density restriction only applied to residential zones that existed at that time), and projects that encroach upon or modify certain public streets. Additionally, the analysis concluded that while the ordinance limits the number of stories in a building to three, it does not specifically define a story. Consequently, the City Council amended the Zoning Ordinance to define a “loft floor” which opens to the space below separately from a “story” which does not, thus allowing extra living space to be developed within the confines of the 50-foot height limit.

Overall, Ordinance 1284 is most restrictive to existing residential neighborhoods because of the prohibition on increased densities on existing residentially zoned parcels (See below for a description of the treatment of second units specifically). This is because the ordinance was designed as a preservation measure. Ordinance 1284 is not viewed as a major constraint to affordable housing development in this Housing Element, however, because most of the identified housing opportunity sites are located in the corridors and in the downtown area and were previously zoned for commercial use. Height limits still apply, but in general the provisions of the ordinance are limited in scope and applicability for these parcels. For instance, Ordinance 1284 does not prohibit any of the following along the target corridors:

- Rezoning areas from commercial use to residential use at any residential density standard;
- Permitting mixed-use development on commercially zoned properties at any residential density standard;
- Residential redevelopment on former school sites, consistent with zoning;
- Below ground (more than 50 percent below grade) parking facilities; and
- Proposed development regulated under State laws, such as density bonuses, etc.

Due to the built-out nature of San Bruno, the ability to construct multi-story parking structures is limited less by this ordinance than by available parcel size. Most likely candidates are areas where development sites have the potential for consolidation, such as the Citibank site adjacent to an existing City parking lot. Likewise, potential constraints to housing development as a direct result of declaring Crystal Springs Road and Sneath Lane as scenic corridors are also minimal. Major adjacent properties include the Golden Gate National Cemetery, City Park, Junipero Serra County Park, and interstate highway rights-of-way, all of which are already inappropriate locations for housing development. Moreover, the designation of these two roadways does not prohibit development, but merely the widening of the roadways themselves.

Although high densities are permitted by the General Plan along major corridors (with allowable densities in the Transit Oriented District that can reach up to 64 units per acre³), some development professionals have indicated that the building height limit of Ordinance 1284 is a potential constraint on the feasibility of developing high-density housing along commercial corridors in San Bruno. As an adopted City ordinance that has been in place for over three decades, it is unlikely that Ordinance 1284 will be lifted during the Housing Element timeframe. However, the Downtown and Transit Corridors Planning process will analyze the economics of developing mixed-use housing over retail, including an evaluation of increasing the height limit in certain areas, such as at key intersections. A few comments were received on this subject at the Community Open House on the Draft Housing Element; some supported keeping the height limit, while others supported considering a change in certain areas where it is compatible with other nearby heights. If, with further study, increased height limits are shown to be necessary to encourage desirable development, and the idea receives a positive response from the community, increased height limits in some areas could be presented to voters for approval. Such a proposal would require public education and dialog to discuss the benefits of high density housing near transit, such as increased transit ridership, reduced car use, reduced greenhouse gas emissions, and more affordable housing.

In the meantime, policies proposed in this Housing Element attempt to make affordable housing development feasible whether or not Ordinance 1284 remains unchanged: through financial and logistical support for lot consolidation (**Program 2-E**), reduced parking requirements (**Program 3-I**), density bonus incentives (**Program 5-B**), fee waivers (**Program 5-G**), modified development standards (**Program 5-H**), and other financing/subsidy strategies (e.g. **Program 5-E**).

SECOND UNITS: ORDINANCE 1421 AND AB 1866

Ordinance 1421, adopted by City Council in 1983, was intended to preserve the existing scale and character in established residential neighborhoods. Under the ordinance, only second units constructed prior to June 1977 were permitted within the city due to safety, traffic congestion, parking, and infrastructure concerns. However, the passage of AB 1866 in the California State Assembly in 2002 conflicted with Ordinance 1421; AB 1866 mandates that as of July 1, 2003, second unit applications are to be considered through ministerial process, without discretionary review or hearing, according to an adopted City ordinance. AB 1866 stipulates that a City ordinance may include "requirements relating to height, setback, lot coverage, architectural review, site plan review, fees, charges, and other zoning requirements generally applicable to residential construction in the zone in which the property is located" (California Government Code 65852.2(b)(1)(G)). In other words, if all applicable zoning standards and procedures are met, second units are to be ministerially approved in some residential areas of the City. Therefore, in July 2003, San Bruno adopted a Second Dwelling Unit Ordinance pursuant to California Government Code 65852.2. The ordinance, found in Section 12.92.031 of the City's Municipal Code, applies AB 1866 and sets standards for the development of second dwelling units so as to increase the supply of smaller and affordable housing units while maintaining compatibility with existing neighborhoods.

Permission to construct second units helps to ensure availability of affordable housing stock in San Bruno while maintaining current zoning standards in residential districts and preventing

³ Base 40 units/acre + max. affordable housing bonus 14 (40 x 0.35) + offsite improvements 10 = 64 units/acre.

floodplains, wildfire hazards, geologic hazards, and other natural resource constraints to development throughout the city. None of the housing opportunity sites fall in a flood or wildfire hazard zone, and none of the sites were found to contain special status wildlife species or their habitat. Redevelopment of these corridors as mixed-use and transit-oriented development was analyzed at a programmatic level in the EIR on the General Plan Update. A summary of pertinent findings is included below.

AIRPORT NOISE

Ambient noise is a major concern in San Bruno due to the proximity of three freeways (Highway 101, and interstates 380 and 280), Caltrain and BART tracks, and the flight paths of SFO. The eastern portions of the city closest to SFO are most affected by noise from overhead flight patterns. Average noise levels are measured by decibels (dB) and community noise equivalent levels (CNEL). At a noise level of 65-69 dB CNEL, new residential development is required to have noise reduction analysis and noise insulation as needed. At 70 dB CNEL and above, new residential development is prohibited, which essentially means that new residential development and/or redevelopment cannot be allowed in the areas surrounding the BART and Caltrain stations, as well as in portions of the Belle Air Park North neighborhood. None of the sites identified in this Housing Element fall within the 70 dB airport noise contour; however, several are within the 65 dB contour, meaning that noise insulation on new housing construction will be held to the higher standards defined for those areas in the San Bruno 2025 General Plan. This additional noise insulation may incur somewhat higher costs for development relative to development on adjacent parcels outside the 65 dB CNEL area.

GEOLOGIC AND SEISMIC HAZARDS

Geologic hazards, including landslides, mudslides, and erosion, can be related to seismic activity but can also occur independently. The potential for future landslides is low east of Interstate 280 and west of Skyline Boulevard, and is low to moderate (with some pockets of high potential) in the Crestmoor and Rollingwood/Monte Verde neighborhoods. Areas of the highest potential for landslides are in Junipero Serra County Park and along the Park's eastern edge.

The active San Andreas Fault runs in a northwesterly-southeasterly direction through western San Bruno, roughly along Skyline Boulevard. Two inactive faults—Serra and San Bruno—are also present in the western and eastern portions of the city. Because of its active status, surface rupture potential is considered moderate to high along the San Andreas Fault and in western San Bruno. A strong earthquake along the Fault could result in moderate to severe damage of nearby structures. Soils and subsurface materials east of Skyline Boulevard have good earthquake stability. Soils in the vicinity of Pacific Heights, Skyline College, and parts of the Crestmoor neighborhood have poor to good earthquake stability. Eastern portions of the city that are located on filled marsh lands may experience damage from soil liquefaction in the event of an earthquake.

The San Andreas Fault Special Studies Zone runs roughly along either side of Skyline Boulevard. State law requires cities and counties to regulate development within such zones and precludes construction of a structure for human occupancy, except certain wood-frame single-family dwellings, on an active fault trace or within 50 feet of an active fault. This is not considered to be a constraint, because none of the housing opportunity sites in this Housing Element are in earthquake zones.

Program 4-C: Facilitate noise insulation retrofits. Continue to pursue funding for noise insulation from the San Francisco International Airport and educate residents about program benefits.

Actions:

- Continue to seek funds through the Federal Aviation Administration's Aircraft Noise Insulation Program.
- Facilitate the upgrading of 154 existing homes in San Bruno that still qualify for aircraft noise insulation retrofits.
- Educate targeted homeowners on the benefits of participation in the program.
- Provide technical assistance necessary to help qualifying homeowners apply for the funding and implement the insulation retrofits.
- Encourage adoption of noise insulation standards by San Francisco International Airport to mitigate impacts from airplane backblast, and expand the CNEL threshold level for insulation from 65 CNEL to 60 CNEL.

Responsibility: Community Development Dept

Funding Source: Federal Aviation Administration's Aircraft Noise Insulation Program

Timeframe: Within 4 years after adoption of the Housing Element, ongoing

*** Program 4-D: Ensure adequate water and sewer service and reduce water waste. Work with the San Francisco Public Utilities Commission (SFPUC) and local departments to ensure that there are adequate water and sewer services for new development, affordable housing receives priority for these services, and new development uses best management practices to reduce water waste.**

Actions:

- Deliver a copy of the adopted Housing Element to the SFPUC and the Public Works Department's water and waste water divisions within one month after adoption.
- Adopt procedures to ensure that affordable housing developments are granted priority for service allocations.
- In accordance with General Plan policies ERC-19 through ERC-24 and PFS-19, work with developers and residents on an on-going basis to minimize the surface water run-off and pollution, increase water conservation during construction and operation phases of new residential development, and make recycled water available for appropriate uses.

Responsibility: Community Development Dept; Public Works

Funding Sources: Staff time

Timeframe: Within 1 month to 1 year after adoption of the Housing Element; ongoing

C/CAG AGENDA REPORT

Date: October 8, 2009

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

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

Subject: Review and Approval of Resolution No. 09-54 Authorizing the C/CAG Chair to Execute an Agreement (Memorandum of Understanding) Between C/CAG and the San Francisco Airport Commission for Preparation of an Update of the Comprehensive Airport Land Use Compatibility Plan (CLUP) for the Environs of San Francisco International Airport and Related C/CAG Staff Costs in the Amount of \$100,000 for FY 2009/2010

RECOMMENDATION

Review and approve Resolution No. 09-54 to authorize the C/CAG Chair to execute an agreement (Memorandum of Understanding (MOU)) between C/CAG and the San Francisco Airport Commission for partial funding to prepare an update of the comprehensive airport land use compatibility plan (CLUP) for the environs of San Francisco International Airport and related C/CAG staff costs in the amount of \$100,000 for FY 2009/2010.

FISCAL IMPACT

Additional funding of \$100,000 to the adopted C/CAG Budget for FY 09-10.

SOURCE OF FUNDS

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

BACKGROUND/DISCUSSION

In 2006, the C/CAG Board, in its role as the Airport Land Use Commission for the County, received a federal grant (\$300,000) to prepare an update of the comprehensive airport land use compatibility plan (CLUP) for the environs of San Francisco International Airport (SFO). The CLUP update effort is in progress. A consultant team is preparing the draft document, per direction from C/CAG Staff, and in coordination with SFO staff, FAA staff, and key planning staff from cities near the Airport. C/CAG staff expects the final draft document to be completed by the end of this fiscal year (June 30, 2010).

This past summer, C/CAG staff met with John Martin, San Francisco International Airport Director and his Finance Department staff to discuss the need for additional funding assistance to complete the CLUP update and to offset C/CAG staff costs related to the project. Mr. Martin agreed that additional funding from the Airport was appropriate to assist C/CAG in the CLUP update effort. Based on the outcome of that meeting, Airport staff prepared the attached draft MOU document. The funding provisions in the MOU state that C/CAG will receive up to \$100,000 from the San Francisco Airport Commission in FY 2009/2010 to fund a portion of the consultant costs to prepare an update of the CLUP document for the environs of San Francisco International Airport and related C/CAG staff costs.

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ATTACHMENTS

Attachment No. 1: Resolution No. 09-54

Attachment No. 2: Draft Memorandum of Understanding Regarding Comprehensive Airport Land Use Compatibility Plan

CCAGAgendaReportSFOCLUPFunding1009.doc

RESOLUTION NO. 09-54

* * * * *

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) AUTHORIZING THE C/CAG CHAIR TO EXECUTE AN AGREEMENT (MEMORANDUM OF UNDERSTANDING (MOU)) BETWEEN C/CAG AND THE SAN FRANCISCO AIRPORT COMMISSION FOR PARTIAL FUNDING FOR THE PREPARATION OF AN UPDATE OF THE COMPREHENSIVE AIRPORT LAND USE COMPATIBILITY PLAN (CLUP) FOR THE ENVIRONS OF SAN FRANCISCO INTERNATIONAL AIRPORT AND RELATED C/CAG STAFF COSTS IN THE AMOUNT OF \$100,000 TO BE PAID IN FY 2009/2010

* * * * *

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

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

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

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

NOW THEREFORE BE IT RESOLVED, that the Chair of the C/CAG Board of Directors is authorized to execute a funding agreement (Memorandum of Understanding (MOU)) with the San Francisco Airport Commission for the preparation of the CLUP update document for the environs of San Francisco International Airport (SFO) and for related C/CAG staff costs in the amount of \$100,000 to be paid in FY 2009/2010.

PASSED, APPROVED, ADOPTED THIS 8TH DAY OF OCTOBER 2009.

Thomas M. Kasten, C/CAG Chair

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

This MEMORANDUM OF UNDERSTANDING ("MOU") is entered into as of July 1, 2009, by and between the CITY AND COUNTY OF SAN FRANCISCO ("City") acting by and through its AIRPORT COMMISSION ("Commission") and the CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY ("C/CAG") to memorialize the agreement between the Commission and C/CAG regarding the matters set forth herein and to outline the parameters under which the parties will cooperate to provide the services listed below during Fiscal Year ("FY") 2009/2010.

RECITALS

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

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

SERVICES AND FUNDING

1. Services to be provided by C/CAG.

- C/CAG will retain consultants for the update of the Comprehensive Airport Land Use Compatibility Plan for SFO.
- C/CAG will provide staff for outreach to C/CAG member organizations regarding the CLUP and to address issues of concerns raised by SFO.

- C/CAG will provide these services during FY 2009/2010.

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

The Commission will pay to C/CAG during FY 2009/2010:

- Up to \$75,000 for the 20% local match share to fund the CLUP update by external consultants.
- Up to \$25,000 for C/CAG staff time for CLUP update outreach to C/CAG membership.

Unless the Airport and the C/CAG agree otherwise by written amendment to this MOU, the budget for the services to be provided under this MOU is not to exceed \$100,000 in FY 2009/2010.

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

- Consulting Services (\$75,000)
 - a) Invoices from the outside consultant to C/CAG.
 - b) Consultant hours worked on SFO CLUP.
 - c) Services provided by consultant.

Upon review of the invoices and supporting documentation, the Commission will reimburse C/CAG for the amount of each invoice for consulting services to update the SFO CLUP, up to the maximum budgeted amount.

- Personnel Costs (\$25,000)
 - a) Hourly rate = salary + mandatory fringe benefits. The billing rate should reflect the actual pay rate of the employees.
 - b) Hours worked on outreach efforts relating to the SFO CLUP.
 - c) Classification number of position & title.
 - d) Identify tasks performed.

Upon review of the invoices and supporting documentation, the Commission will pay each invoice for staff time to provide outreach to C/CAG membership relating to the SFO CLUP update, up to the maximum budgeted amount.

4. Billing Procedures

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

CITY CONTRACTING PROVISIONS

5. Certification of Funds; Budget and Fiscal Provisions; Termination in the Event of Non-Appropriation. This MOU is subject to the budget and fiscal provisions of the City's Charter. Charges will accrue only after prior written authorization certified by the City's Controller, and the amount of the City's obligation hereunder shall not at any time exceed the amount certified for the purpose and period stated in such advance authorization. This MOU will terminate without penalty, liability or expense of any kind to the City at the end of any fiscal year if funds are not appropriated for the next succeeding fiscal year. If funds are appropriated for a portion of the fiscal year, this MOU will terminate, without penalty, liability or expense of any kind at the end of the term for which funds are appropriated. The City has no obligation to make appropriations for this MOU in lieu of appropriations for new or other agreements. City budget decisions are subject to the discretion of the Mayor and the Board of Supervisors. C/CAG's assumption of risk of possible non-appropriation is part of the consideration for this MOU. THIS SECTION CONTROLS AGAINST ANY AND ALL OTHER PROVISIONS OF THIS MOU.
6. Limited Liability. The obligations and liabilities of the Commission hereunder are limited obligations of the Commission payable solely from Airport revenues. Neither the Commissioners, the officers or employees of the Commission, nor any person executing this MOU shall be liable personally for the obligations of the Commission hereunder or be subject to any personal liability or accountability by reason of the execution hereof. Neither of the faith and credit nor the taxing power of the State of California or any political subdivision thereof, including the City, is pledged to the obligations of the Commission hereunder. The City's payment obligations under this MOU shall be limited to the payment of the budgeted amounts provided for above. Notwithstanding any other provision of this MOU, in no event shall the City be liable, regardless of whether any claim is based on contract or tort, for any special, consequential, indirect or incidental damages, including, but not limited to, lost profits, arising out of or in connection with this MOU or the services performed in connection with this MOU.
7. Submitting False Claims; Monetary Penalties. Pursuant to San Francisco Administrative Code §21.35, any contractor, subcontractor or consultant who submits a false claim shall be liable to the City for three times the amount of damages which the City sustains because of the false claim. A contractor, subcontractor or consultant who submits a false claim shall also be liable to the City for the costs, including attorneys' fees, of a civil action brought to recover any of those penalties or damages, and may be liable to the City for a civil penalty of up to \$10,000 for each false claim. A contractor, subcontractor or consultant will be deemed to have submitted a false claim to the City if the contractor, subcontractor or consultant: (a) knowingly presents or causes to be presented to an officer or employee of the City a false claim or request for payment or approval; (b) knowingly makes, uses, or causes to be made or used a false record or statement to get a false claim paid or approved by the City; (c) conspires to defraud the City by getting a false claim allowed or paid by the City; (d) knowingly makes, uses, or causes to be made or used a false record or statement to conceal, avoid, or decrease an obligation to pay or transmit money or property to the City; or (e) is a beneficiary of an inadvertent submission of a false claim to the City, subsequently discovers the falsity of the claim, and fails to disclose the false claim to the City within a reasonable time after discovery of the false claim.

8. Nondiscrimination; Penalties.

- (a) C/CAG Shall Not Discriminate. In the performance of this MOU, C/CAG agrees not to discriminate against any employee, City employee working with C/CAG or a subcontractor, applicant for employment with C/CAG or a subcontractor, or against any person seeking accommodations, advantages, facilities, privileges, services, or membership in all business, social, or other establishments or organizations, on the basis of the fact or perception of a person's race, color, creed, religion, national origin, ancestry, age, height, weight, sex, sexual orientation, gender identity, domestic partner status, marital status, disability or Acquired Immune Deficiency Syndrome or HIV status (AIDS/HIV status), or association with members of such protected classes, or in retaliation for opposition to discrimination against such classes.
- (b) Subcontracts. C/CAG shall incorporate by reference in all subcontracts the provisions of §§12B.2(a), 12B.2(c)-(k), and 12C.3 of the San Francisco Administrative Code and shall require all subcontractors to comply with such provisions. C/CAG's failure to comply with the obligations in this subsection shall constitute a material breach of this MOU.
- (c) Nondiscrimination in Benefits. C/CAG does not as of the date of this MOU and will not during the term of this MOU, in any of its operations in San Francisco, on real property owned by San Francisco, or where work is being performed for the City elsewhere in the United States, discriminate in the provision of bereavement leave, family medical leave, health benefits, membership or membership discounts, moving expenses, pension and retirement benefits or travel benefits, as well as any benefits other than the benefits specified above, between employees with domestic partners and employees with spouses, and/or between the domestic partners and spouses of such employees, where the domestic partnership has been registered with a governmental entity pursuant to state or local law authorizing such registration, subject to the conditions set forth in §12B.2(b) of the San Francisco Administrative Code.
- (d) Incorporation of Administrative Code Provisions by Reference. The provisions of Chapters 12B and 12C of the San Francisco Administrative Code are incorporated in this Section by reference and made a part of this MOU as though fully set forth herein. C/CAG shall comply fully with and be bound by all of the provisions that apply to this MOU under such chapters, including but not limited to the remedies provided in such chapters. Without limiting the foregoing, C/CAG understands that pursuant to §§12B.2(h) and 12C.3(g) of the San Francisco Administrative Code, a penalty of \$50 for each person for each calendar day during which such person was discriminated against in violation of the provisions of this MOU may be assessed against C/CAG and/or deducted from any payments due C/CAG.

9. Airport Intellectual Property. Pursuant to Resolution No. 01-0118, adopted by the Airport Commission on April 18, 2001, the Commission affirmed that it will not tolerate the unauthorized use of its intellectual property, including the SFO logo, CADD designs, and copyrighted publications. All proposers, bidders, contractors, tenants, permittees, and others doing business with or at the Airport (including subcontractors and subtenants) may not use the Airport intellectual property, or any intellectual property confusingly similar to the Airport intellectual property, without the Airport Director's prior consent.

10. Tropical Hardwood and Virgin Redwood Ban. Pursuant to §804(b) of the San Francisco Environment Code, the City urges contractors not to import, purchase, obtain, or use for any purpose, any tropical hardwood, tropical hardwood wood product, virgin redwood or virgin redwood wood product.
11. Resource Conservation. Chapter 5 of the San Francisco Environment Code is incorporated herein by reference. Failure by C/CAG to comply with any of the applicable requirements of Chapter 5 will be deemed a material breach of this MOU.
12. Compliance with Americans with Disabilities Act. C/CAG acknowledges that, pursuant to the Americans with Disabilities Act (ADA), programs, services and other activities provided by a public entity to the public, whether directly or through a contractor, must be accessible to the disabled public. C/CAG shall provide the services specified in this MOU in a manner that complies with the ADA and any and all other applicable federal, state and local disability rights legislation. C/CAG agrees not to discriminate against disabled persons in the provision of services, benefits or activities provided under this MOU and further agrees that any violation of this prohibition on the part of C/CAG, its employees, agents or assigns will constitute a material breach of this MOU.
13. Audit and Inspection of Records. C/CAG agrees to maintain and make available to the City, during regular business hours, accurate books and accounting records relating to this MOU. C/CAG will permit the City to audit, examine and make excerpts and transcripts from such books and records, and to make audits of all invoices, materials, payrolls, records or personnel and other data related to all other matters covered by this MOU, whether funded in whole or in part under this MOU. C/CAG shall maintain such data and records in an accessible location and condition for a period of not less than five years after final payment under this MOU or until after final audit has been resolved, whichever is later. The State of California or any federal agency having an interest in the subject matter of this MOU shall have the same rights conferred upon the City by this Section.
14. Assignment. Neither this MOU nor any duties or obligations hereunder may be assigned or delegated by C/CAG unless first approved by the City by written instrument executed and approved in the same manner as this MOU.
15. Invalid Provisions and Severability. In the event any covenant, condition or provision herein contained is held to be invalid or unenforceable by a court of competent jurisdiction, the invalidity or unenforceability of any such covenant, condition or provision shall in no way affect any other covenant, condition or provision herein contained, provided the invalidity or unenforceability of any such covenant, condition or provision does not materially prejudice either the Commission or C/CAG in their respective rights and obligations contained in the valid covenants, conditions and provisions of this MOU.
16. Counterparts. This MOU may be executed in several counterparts, which together shall constitute one and the same instrument.

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

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

Richard Napier
Executive Director

Date

AIRPORT COMMISSION OF THE CITY AND COUNTY OF SAN FRANCISCO

Date: _____

By: _____
John L. Martin
Airport Director

APPROVED AS TO FORM:

AUTHORIZED BY AIRPORT COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

DENNIS J. HERRERA
City Attorney

Resolution No: _____
Adopted: _____

By: _____
Melba Yee
Deputy City Attorney

ATTEST: _____
Jean Caramatti
Commission Secretary

C/CAG AGENDA REPORT

Date: October 8, 2009

To: City/County Association of Governments Board of Directors

From: Richard Napier, C/CAG Executive Director

Subject: Review and Approval of Resolution 09-53, Authorizing the C/CAG Chair to Execute a Four-Month No-Cost Extension to the Agreement with the City of Daly City to Construct a Sustainable Green Street and Parking Lot Demonstration Project

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

RECOMMENDATION

Review and approval of Resolution 09-53, authorizing the C/CAG chair to execute a Four-month no-cost extension to the agreement with the City of Daly City to construct a Sustainable Green Street and Parking Lot Demonstration Project in accordance with the staff recommendation.

FISCAL IMPACT

None

SOURCE OF FUNDS

This project is funded through vehicle license fee revenue collected under the DMV Fee program. The proposed amendment is a no-cost extension and will not require any additional funding.

BACKGROUND/DISCUSSION

C/CAG previously awarded the City of Daly City \$250,000 to design and construct a demonstration project under the San Mateo Countywide Water Pollution Prevention Program's (DMV Fee Countywide Program) Sustainable, Green Streets and Parking Lots Program. The City of Daly City originally anticipated project completion by October 31, 2009, which was included as the termination date in C/CAG's adopted funding agreement. The demonstration project consists of vegetated stormwater treatment measures at the Serramonte Library/Gellert Park Parking Lot. The City of Daly City has encountered some delays during the construction phase of the project. As such, the City expects the project will be substantially complete by November 15, 2009, punch-list items completed by December 31, 2009, and project closeout including a reimbursement request to C/CAG by February 28, 2010. The City of Daly City requested in a September 22, 2009 letter an extension of their funding agreement to

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accommodate this schedule. The proposed no-cost extension would extend the existing funding agreement for Four months, until February 28, 2010.

ATTACHMENTS

- Resolution 09-53
- Amendment (No. 1) to Agreement Between C/CAG and City of Daly City
- September 22, 2009 letter from City of Daly City

ALTERNATIVES

- 1- Review and approval of Resolution 09-53, authorizing the C/CAG Chair to execute a four-month no-cost extension to the agreement with the City of Daly City to construct a Sustainable Green Street and Parking Lot Demonstration Project in accordance with the staff recommendation.
- 2- Review and approval of Resolution 09-53, authorizing the C/CAG Chair to execute a four-month no-cost extension to the agreement with the City of Daly City to construct a Sustainable Green Street and Parking Lot Demonstration Project in accordance with the staff recommendation with modifications.
- 3- No action.

RESOLUTION 09-53

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) AUTHORIZING THE C/CAG CHAIR TO EXECUTE A FOUR-MONTH NO-COST EXTENSION TO THE AGREEMENT WITH THE CITY OF DALY CITY TO CONSTRUCT A SUSTAINABLE GREEN STREETS AND PARKING LOT DEMONSTRATION PROJECT

WHEREAS, the City/County Association of Governments (C/CAG) manages the Countywide Water Pollution Prevention Program (SMCWPPP), which implemented a Sustainable Green Streets and Parking Lots Program to address vehicle-related pollution impacts from street and parking lot runoff; and,

WHEREAS, the City/County Association of Governments for San Mateo County (hereinafter referred to as C/CAG) has entered into an agreement with the City of Daly City (hereinafter referred to as City) on May 8, 2008 for design and construction of a Sustainable Green Street and Parking Lot demonstration project; and,

WHEREAS, the agreement between C/CAG and the City terminates October 31, 2009; and

WHEREAS, the City requires additional time to complete the grant-funded project;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the C/CAG Chair be authorized to execute a no-cost amendment to the funding agreement with the City of Daly City to extend the agreement termination date to February 28, 2010.

APPROVED AND ADOPTED THIS 8TH DAY OF OCTOBER, 2009.

Thomas M. Kasten., Chair

**AMENDMENT (No. 1) TO THE AGREEMENT BETWEEN THE CITY/COUNTY
ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AND THE CITY OF
DALY CITY**

WHEREAS, the City/County Association of Governments for San Mateo County (C/CAG) manages the Countywide Water Pollution Prevention Program (SMCWPPP), which implemented a Sustainable Green Streets and Parking Lots Program to address vehicle-related pollution impacts from street and parking lot runoff; and,

WHEREAS, C/CAG has entered into an agreement with the City of Daly City (hereinafter referred to as City) on May 8, 2008 for design and construction of a Sustainable Green Street and Parking Lot demonstration project (the "Original Agreement"); and,

WHEREAS, the Original Agreement terminates October 31, 2009; and

WHEREAS, the City requires additional time to complete the grant-funded project;

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

1. The Original Agreement is modified to include a Contract Termination date of February 28, 2010 (instead of October 31, 2009).
2. All other provisions of the Original Agreement shall remain in full force and effect; and
3. This amendment to the Original Agreement shall take effect upon signature by both parties.

For C/CAG Chair:

Thomas M. Kasten, Chair

Date: _____

Approved as to form:

C/CAG Legal Counsel

For City of Daly City:

Signature

By: _____

Date: _____



CITY OF DALY CITY

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

PHONE: (650) 991-8000

September 22, 2009

Mr. Matthew Fabry, P.E.
Program Coordinator
San Mateo Countywide Water Pollution Prevention Program
50 Park Place
Brisbane, CA 94005-1310

**SUBJECT: Funding Agreement for Serramonte Library/Gellert Park Parking Lot
Demonstration Project Grant for Sustainable, Green Streets and Parking Lots**

Dear Mr. Fabry:

The subject funding agreement dated May 8, 2008, requires the City of Daly City to complete the construction of Serramonte Library/Gellert Park Parking Lot Demonstration Project by October 31, 2009. The City has encountered some delays during the construction phase of the project. The City, therefore, respectfully requests an extension of the completion date to March 31, 2010. The following is the current estimated project construction schedule:

- Project substantially complete by November 15, 2009.
- Punch-list items complete by December 31, 2009.
- Project acceptance by City Council by January 31, 2010.
- Project close-out and reimbursement completion by February 28, 2010.

With the above stated construction and administrative activities schedule, your consideration in approving the requested funding agreement extension date would be much appreciated.

Sincerely,


Raj P. Motipara
Civil Engineering Associate

RM/aa

C/CAG AGENDA REPORT

Date: October 8, 2009
To: City/County Association of Governments Board of Directors
From: Richard Napier, Executive Director
Subject: Legislative update.
(A position may be taken on any legislation, including legislation not previously identified.)

(For further information please contact Joe Kott at 650-599-1453)

RECOMMENDATIONS

Information only: an update on the following bills: SB 406.

FISCAL IMPACT

Not applicable.

SOURCE OF FUNDS

Not applicable.

LEGISLATIVE PRIORITY

To be discussed at this meeting.

BACKGROUND/DISCUSSION

As of the date this report was prepared, only one bill has been sent to the Governor for signature or veto, SB 406 (De Saulnier). Other bills tracked by C/CAG this session have been continued as two-year bills to be acted upon next session.

ATTACHMENT

- Bills Tracked By C/CAG That Have Been Sent to the Governor

ITEM 6.1

ATTACHMENT

BILLS TRACKED BY C/CAG THAT HAVE BEEN SENT TO THE GOVERNOR

SB 406 (De Saulnier) Land use: environmental quality.

Introduced: 02/26/2009

Status: Enrolled, 9/28/09

Summary: Would change the designated membership, as specified, of the Planning Advisory and Assistance Council and would require that the council work with the Strategic Growth Council, regional agencies, and cities and counties to facilitate the implementation of regional blueprint plans. The bill would also require the council to develop and propose recommendations to specified state agencies to facilitate coordination between regional blueprint plans, state growth and infrastructure funding plans, and programs that facilitate the implementation of regional blueprint plans. The bill would further require the council to report to the Legislature on regional performance measures, as specified, and on the manner in which state agencies are implementing the 5-year infrastructure plan. The bill would require the council to begin to perform the above functions and duties when sufficient funding, as determined by the council, exists from the revenue transmitted to it by metropolitan planning organizations, councils of governments, or county transportation commissions and subregional councils of governments jointly preparing subregional sustainable communities strategies. This bill contains other related provisions.

Laws: An act to amend Section 65040.6 of, and to add Section 65083 to, the Government Code, to amend Section 75125 of the Public Resources Code, and to add Section 9250.6 to the Vehicle Code, relating to land use.

League of California Cities Position: Watch

California State Association of Counties Position: Watch

Metropolitan Transportation Commission Position: Support

C/CAG Position: Watch

C/CAG AGENDA REPORT

Date: October 8, 2009
To: C/CAG Board of Directors
From: Richard Napier, Executive Director
Subject: Progress Update on the San Mateo Countywide Transportation Plan 2035 (CTP 2035)

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

RECOMMENDATION

This item is presented for information only. Please advise staff if you would like further information or follow-up.

FISCAL IMPACT

The Countywide Transportation Plan 2035(CTP 2035) Update is already included in the C/CAG staff work program.

SOURCE OF FUNDS

Funding for CTP 2035 preparation comes from C/CAG transportation funds and is included in the adopted C/CAG budget for FY 09-10.

BACKGROUND/DISCUSSION

The CTP 2035 is intended to provide San Mateo County with a long-range, comprehensive transportation planning document that sets forth a coordinated planning framework and establishes a systematic transportation planning process for identifying and resolving key transportation issues. CTP 2035 will articulate clear transportation planning objectives and priorities and to promote consistency and compatibility among all transportation plans and programs within San Mateo County. CTP 2035 will establish the broad long-range strategies for all transportation modes, land use, and climate; whereas, the Congestion Management Program establishes short-range objectives for the roadway Congestion Management Network.

The last Countywide Transportation Plan was adopted by the C/CAG Board on January 18, 2001. Since that time, BART has been extended to SFO and Millbrae, the Caltrain Baby Bullet has come into service, and San Mateo County has experienced significant

ITEM 6.2

changes in economic conditions. In addition, interest in planning for a sustainable transportation system has increased with concerns about greenhouse gas emissions, global warming, and climate change. An important part of the CTP 2035 work will be to address the requirements of Senate Bill 375 regarding creation of a Sustainable Communities Strategy (SCS).

Staff has convened an informal CTP 2035 Working Group (see Attachment A for list of members), which has advised staff in developing a CTP 2035 Outline, provisional Vision Statement, Goals, and Objectives, and a Timeline. The Working Group's consensus Vision Statement for the San Mateo Countywide Transportation Plan 2035 is as follows:

"Promote an integrated transportation system that is cost-effective, sustainable, and equitable by providing travel choices, enhancing community livability, preserving environmental quality, and promoting travel safety."

Attachment B shows the CTP 2035 Outline and Attachment C the CTP 2035 Timeline.

ATTACHMENTS

ATTACHMENT A - Countywide Transportation Plan 2035 (CTP 2035) Working Group Roster

ATTACHMENT B - Countywide Transportation Plan 2035 (CTP 2035) Outline

ATTACHMENT C - Countywide Transportation Plan 2035 (CTP 2035) Provisional Schedule of Work

ATTACHMENT A

Countywide Transportation Plan 2035 (CTP 2035) Update Working Group Roster

Bob Beyer,
City of San Mateo

April Chan
Samtrans

Melanie Choy
SMTA

Marisa Espinosa
Samtrans

Bill Meeker
City of Burlingame

Steve Monowitz
San Mateo County

Tatum Mothershead
City of Daly City

Marian Lee
Samtrans

ATTACHMENT B

Countywide Transportation Plan 2035 (CTP 2035) Outline

<u>SECTION</u>	<u>TITLE</u>
I	VISION STATEMENT
II	EXECUTIVE SUMMARY
III	OVERVIEW <ul style="list-style-type: none">A. <i>Introduction</i>B. <i>Purpose</i>C. <i>Relationship to Other Transportation Plans</i>
IV	POLICY CONTEXT <ul style="list-style-type: none">A. <i>Regional Transportation Plan</i>B. <i>Climate Change/Greenhouse Gasses legislation</i>C. <i>Smart Growth</i>
V	SETTING
VI	GOALS AND OBJECTIVES
VII	LAND USE/TRANSPORTATION LINKAGE <ul style="list-style-type: none">A. <i>Background</i>B. <i>Issues</i>C. <i>Policies</i>D. <i>Programs/Projects/Studies</i><ul style="list-style-type: none">1. TOD Incentive Program2. Regional Housing Needs Allocation3. San Mateo County Housing Needs Analysis4. The Grand Boulevard Initiative
VIII	ROADS <ul style="list-style-type: none">A. <i>Background</i>B. <i>Issues</i>C. <i>Policies</i>D. <i>Programs/Projects/Studies</i><ul style="list-style-type: none">1. 2020 Peninsula Gateway Corridor Study2. 101 HOV/HOT Study

3. Bi-County Transportation Study

4. Projects

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BIKEWAYS

A. Background

B. Issues

C. Policies

D. Programs/Projects/Studies

1. San Mateo County Comprehensive
Bicycle Route Plan Update

2. Projects

X

PEDESTRIANS

A. Background

B. Issues

C. Policies

D. Programs/Projects/Studies

XI

PUBLIC TRANSIT

A. Background

B. Issues

C. Policies

D. Samtrans

1. Programs/Projects/Studies
(includes BRT, TOD projects, and Strategic
Plan)

E. Caltrain

1. Programs/Projects/Studies (includes
Strategic Plan, Baby Bullet and
Electrification)

F. Dumbarton Rail

G. BART

1. Programs/Projects/Studies (includes
Millbrae Extension)

H. Shuttles

I. Ferries

*J. High Speed Rail (includes passage of High
Speed Rail Bond)*

XII

**TRANSPORTATION SYSTEM/DEMAND
MANAGEMENT**

A. Background

B. Issues

C. Policies

D. Peninsula Traffic Congestion Relief Alliance

E. Programs/Projects/Studies

- XIII** **INTELLIGENT TRANSPORTATION SYSTEMS**
A. Background
B. Issues
C. Policies
D. Programs/Projects/Studies (includes Alternate Route Project for San Mateo County, San Mateo County Smart Corridors Program, San Mateo County Intelligent Transportation Systems Strategic Plan)
- XIV** **PARKING**
A. Background
B. Issues
C. Policies
- XV** **AUTO USE PRICING**
A. Background
B. Issues
C. Policies
D. Programs/Projects/Studies (includes 101 HOT lanes feasibility study)
- XVI** **MODAL INTEGRATION**
A. Background
B. Issues
C. Policies
- XVII** **GOODS MOVEMENT**
A. Background
B. Issues
C. Policies
- XVIII** **ENERGY/ENVIRONMENT/GREENHOUSE GASSES/CLIMATE CHANGE**
A. Background
B. Issues
C. Policies
D. Programs/Projects/Studies (includes San Mateo County Energy Watch program)
- XIX** **FINANCIAL**
A. Introduction

- B. Analysis*
- C. Facts and Findings*

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IMPLEMENTATION & EVALUATION

- A. Implementation Plan/ Matrix*
- B. Evaluation Plan/Matrix*
- C. Findings*

LIST OF TABLES AND FIGURES

APPENDIX A:
APPENDIX B:

BIBLIOGRAPHY
GLOSSARY OF ACRONYMS

ATTACHMENT C

Countywide Transportation Plan 2035 (CTP 2035)
Provisional Schedule of Work

**ATTACHMENT C
COUNTYWIDE TRANSPORTATION PLAN UPDATE: REVISED SCHEDULE OF WORK**

Work Task	Month/Year																							
	09												10											
	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep				
WG Meeting	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
Data Collection	[Shaded]																							
CTP Web Site													[Shaded]											
Online Public Survey													[Shaded]											
Tech Memo #1: Existing Conditions													[Shaded]											
Determine Future Scenarios (3)													[Shaded]											
Transportation Forecasting													[Shaded]											
Tech Memo #2: Future Conditions													[Shaded]											
TAC/CMEQ/CCAG Board Presentation													[Shaded]											
Public Workshop #1													[Shaded]											
Set Goals/Objectives	[Shaded]																							
Draft Land Use/Transportation Chapter													[Shaded]											
Draft Roads Chapter													[Shaded]											
Draft Bikeways Chapter													[Shaded]											
Draft Pedestrian Chapter													[Shaded]											
Draft Public Transit Chapter													[Shaded]											
Draft TDM/TSM Chapter													[Shaded]											
Draft ITS Chapter													[Shaded]											
Draft Parking Chapter													[Shaded]											
Draft Pricing Chapter													[Shaded]											
Draft Sustain. Communities Chapter													[Shaded]											
Draft Energy & Environment Chapter													[Shaded]											
Draft Financial Chapter													[Shaded]											
Prepare Administration Draft of CTP													[Shaded]											
TAC/CMEQ/CCAG Board Presentation													[Shaded]											
Public Workshop #2													[Shaded]											
Draft Eval./Implementation Chapter													[Shaded]											
Prepare Revised Draft CTP													[Shaded]											
TAC/CMEQ/CCAG Board Adoption													[Shaded]											
Publication of Final CTP													[Shaded]											

Key:
X = Meeting; T = Technical Memorandum; CTP = Countywide Transportation Plan

C/CAG AGENDA REPORT

Date: October 8, 2009
To: City/County Association of Governments Board of Directors
From: Richard Napier, Executive Director
Subject: Review and approval of Resolution 09-50 adopting the Final 2009 Congestion Management Program (CMP) for San Mateo County

(For further information contact John Hoang 363-4105)

RECOMMENDATION

That the C/CAG Board:

- Conduct a Public Hearing and consider comments on the Final 2009 Congestion Management Program (CMP) for San Mateo County.
- Approve Resolution 09-50 adopting the Final 2009 CMP for San Mateo County

FISCAL IMPACT

Adopting the CMP in itself will not have any fiscal impact.

SOURCE OF FUNDS

Not applicable.

BACKGROUND/DISSION

Every two years, C/CAG as the Congestion Management Agency for San Mateo County, is required to prepare and adopt a Congestion Management Program (CMP). The role of a CMP includes: identifying specific near term projects to implement the longer-range vision established in a countywide plan; addressing the transportation investment priorities in a countywide context; and establishing a link between local land use decision making and the transportation planning process.

The Draft 2009 Congestion Management Program (CMP) and the notices of its availability for review were issued to all interested parties on August 17, 2009. Staff finalized the 2009 CMP based on comments received from City of East Palo Alto, the TAC and CMEQ Committees and the Board. In addition to minor editorial changes, the following updates were incorporated in the Final 2009 CMP:

ITEM 6.3

- Added Executive Summary
- Chapter 3 – page 3-18: under “Level of Service Issues for Future CMPs”, added item #5 to take into consideration different severity levels within the LOS F designation.
- Chapter 5 – page 5-11: under “Other Local TSM/TDM Programs”, updated program information for SFO and the City of East Palo Alto.
- Appendix G – updated “Status of Capital Improvement Projects”
- Appendix F – Included Final 2009 CMP Monitoring Report with updates to “Table 3 – Average Travel Time” to include expanded footnote #5 for Caltrain travel time and updated “Table 4 - Transit Ridership” with final fiscal year totals.

The CMP TAC and CMEQ Committees have accepted the responses and updates to the Final 2009 CMP for San Mateo County and recommends adoption of the document.

Once adopted by the C/CAG Board, the Final 2009 CMP will be submitted to the Metropolitan Transportation Commission (MTC) by December 1, 2009, for a consistency review with the Regional Transportation Plan (RTP).

ATTACHMENT

- Resolution 09-50
- Final 2009 Congestion Management Program (CMP) for San Mateo County (Report only)

(Provided for C/CAG Board and Alternate members only and submitted separately. Other interested parties may contact John Hoang at 650-363-4105 for copies)

RESOLUTION NO. 09-50

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) ADOPTING THE FINAL 2009 CONGESTION MANAGEMENT PROGRAM (CMP) FOR SAN MATEO COUNTY

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

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

WHEREAS, C/CAG has developed a Congestion Management Program for 2009 and has circulated it for comment to local jurisdictions and other interested parties; and

WHEREAS, C/CAG has conducted a Public Hearing in compliance with the requirements for adoption of a Congestion Management Program; and

WHEREAS, C/CAG has considered the comments received in writing and at the Public Hearing; and

WHEREAS, C/CAG has voted to adopt the 2009 Congestion Management Program for San Mateo County;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of C/CAG hereby adopts the 2009 Congestion Management Program for San Mateo County.

PASSED, APPROVED, AND ADOPTED THIS 8TH DAY OF OCTOBER 2009.

Thomas M. Kasten, Chair

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C/CAG AGENDA REPORT

Date: October 8, 2009
To: C/CAG Board of Directors
From: Richard Napier, C/CAG Executive Director
Subject: Approval of resolution 09-37, providing up to \$90,000 to the County of San Mateo to support countywide climate change related programs

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

RECOMMENDATION

Staff recommends approval of Resolution 09-37 providing up to \$90,000 to the County of San Mateo to support countywide climate change related programs.

FISCAL IMPACT

Up to \$90,000 with funds coming from several C/CAG funding sources. Funds will primarily cover FY 09-10 but may also go into FY 10-11.

SOURCE OF FUNDS

As shown in the table below, funds will come from several sources.

Amount	Revenue Source	Project
\$20,000	NPDES Fund	Green Business Program
\$25,000	Transportation (Congestion Relief)	Green Business Program
\$20,000	General Fund	Resource Conservation and Climate Protection Committee (RMCP) Solid Waste Program Support
\$25,000	San Mateo County Energy Watch (SMCEW)	Green Building Program

Staff presented to the NPDES TAC on September 15th and received sufficient support for a one-time contribution to the Green Business program. The Green Business Program has a strong nexus in its various certification sections to the objectives of both the NPDES and Transportation (San Mateo Congestion Relief Fund).

Staffing by the County for the RMCP committee and for some Solid Waste programs will come from the General Fund.

The San Mateo County Energy Watch (SMCEW) partnership between C/CAG and PG&E can financially support the efforts of the County's Green Building Program.

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BACKGROUND/DISCUSSION

This resolution, 09-37, was brought to the C/CAG Board in September and County staff was asked to bring this item back in October after addressing the following issues: history about the programs, the nexus between the programs and the funding, a description of the goals by which progress will be measured, what would happen to the programs if funding was not provided, and what the various C/CAG committees can expect for reporting.

PROPOSAL FOR COUNTYWIDE SUPPORT

The County of San Mateo, Department of Public Works, RecycleWorks has been operating countywide programs for years. Recently, some of these efforts have been expanding due to the parallel expansion of “green” programs in all of our communities and, in some cases, the natural growth of a specific program.

The following descriptions provide some history on the specific programs and the last line in italics explains what will happen without funding.

RMCP Committee

The former Utilities and Sustainability Task Force (USTF) completed the San Mateo County Energy Strategy work in December 2008, and the C/CAG Board adopted a resolution to convert this committee into the Resource Management and Climate Protection (RMCP), a permanent C/CAG committee. The County has been asked to provide staff support for this new committee. The County believes that funding for staff time should follow the decision to continue this C/CAG committee. *Without funding, the County cannot provide staff for this committee.*

Green Building Program

The County has been operating a Green Building Program for several years. For almost a year, the County has been providing support to all the jurisdictions in San Mateo County by holding educational workshops and training to city staff to support them through the process of developing Green Building ordinances. Development of Green Building policy and education for the jurisdictions in San Mateo County was expressed as a priority at the 2008 C/CAG Board Retreat. Since the County was just starting to explore this effort as a project, the County decided to expand their efforts to include all the cities in the County. Almost every city has taken part in the workshops and efforts to design a mandatory Green Building Ordinance for their city. *Funding for this program will come from the Local Government Partnership (LGP) contract between PG&E and C/CAG. The county will continue to support Green Building Ordinance and other efforts on behalf of the cities under the LGP contract.*

Solid Waste Regional Planning Support

The C/CAG Board is the designated Local Task Force (LTF) to the California Integrated Waste Management Board (CIWMB). County staff have been supporting the LTF and providing support to all of the jurisdictions in San Mateo County via the Countywide Recycling Committee. County staff has been heading up the Countywide Integrated Waste Management Plan (CIWMP) project in support of the LTF. In addition, the County has been developing and printing outreach literature, and has been operating a Countywide call-in hotline and website for many years, under the RecycleWorks program. You can visit the program at www.RecycleWorks.org. *Without funding, RecycleWorks will continue to*

generate outreach literature, but will begin charging cities for the materials to offset costs.

Green Business Program

A new program is the San Mateo County Green Business Program. Ten cities are currently participating in the program, which requires considerable city staff time to administer. Due to changes in the statewide program, which include a statewide database and measurement, a web-based solution that tracks businesses as they progress through the Green Business certification process, the County of San Mateo is seeking funding partners to expand the program throughout all 21 jurisdictions within the County of San Mateo. The San Mateo County Green Business program will likely become the model program to commercial businesses, countywide, to address, energy, waster, waste and pollution prevention measures. *Without funding from C/CAG and other potential sources, the County will not be able to expand the program countywide or to all the cities that have expressed interest in the program or those that lack the staff time to operate the program.*

FINANCIAL LEVERAGE

The following chart shows the financial support from the County Solid Waste Fund (SWF) for the various programs for which funding is being requested. In the chart, additional funding from C/CAG and other organizations is in **bold**, along with the status of those requests.

Program	Organization	Amount*	Description/Status
RMCP (USTF)	County (SWF)	\$34,000	Coordination of meetings, minutes writing, staff work between meetings
	Gen Fund	\$10,000	Pending Adoption of Resolution 09-37
Green Building Program	County (SWF)	\$112,000	Entire Green Building Program charges, not specifically to the Green Building Ordinance development program, but all efforts are countywide.
	PG&E Funds	\$25,000	Pending Adoption of Resolution 09-37
Solid Waste Program Support	County (SWF)	\$18,000	Countywide Recycling Committee
	C/CAG (SWF)	\$1,000	Countywide Recycling Committee – Refreshments at Meetings
	County (SWF)	\$61,000	RecycleWorks Hotline
	County (SWF)	\$14,000	RecycleWorks Database and Literature Updates
	County (SWF)	\$11,000	RecycleWorks Website and Maintenance Contract
	County (SWF)	\$80,000	Countywide Outreach Staff and Contracts
	Gen Fund	\$10,000	Pending Adoption of Resolution 09-37
Green Business Program	County (SWF)	\$108,000	Current Green Business Program Staffing and Contracts**
	BAWSCA	\$30,000	Request made in writing per BAWSCA's request
	SBWMA	\$15,000	Set in SBWMA Budget for Solid Waste Audits for cities
	SFO	\$20,000	Verbal with SFO to pay contractor for audits directly
	NPDES Fund	\$20,000	Pending Adoption of Resolution 09-37
	Transp. Fund	\$25,000	Pending Adoption of Resolution 09-37

* All County numbers are rounded to the nearest \$1000 and are from the 2008/09 fiscal year.

County's SWF has a structural deficit and is projected to become insolvent in FY 11/12.

** The County intends to reduce staff time by hiring a contractor to take over some interactions with customers and to complete audits for the program. The hope is to reduce the County contribution to this program to approximately \$70,000 per year.

BENEFITS TO THE CITIES

These various programs benefit all cities in San Mateo County, large and small. For small cities that have limited staff to operate programs, these efforts will help reduce the need for staff time in order to participate and grow new programs. For larger cities that already have the staff they need, RecycleWorks provides shared resources, expertise and guidance. RecycleWorks regularly fields requests for ideas and resources from all the cities in San Mateo County; from residents, businesses, and city staff.

PERFORMANCE GOALS AND REPORTING

The following table explains the use of the program funding, the goals and the reporting that C/CAG committees can expect.

Revenue/Fund	Goals	Reporting
<p>\$20,000/ NPDES</p>	<ol style="list-style-type: none"> 1) Expand the Green Business Program Countywide. 2) Provide training to all jurisdictions so that they can choose to participate. 3) Share NPDES provided literature and links, to all businesses undergoing the certification process. 4) Track all NPPDES related initiatives undertaken by newly certified businesses. 	<p>Report to NPDES TAC December 2010 on NPDES program outcomes in 2010.</p>
<p>\$25,000/Congestion Relief Fund</p>	<ol style="list-style-type: none"> 1) Expand the Green Business Program Countywide. 2) Provide training to all jurisdictions so that they can choose to participate. 3) Share 511.org literature and links, to all businesses undergoing the certification process. 4) Track all Congestion Relief related initiatives undertaken by newly certified businesses. 	<p>Report to CMEQ and C/CAG Board, June 2010 and December 2010 on Congestion Relief related outcomes in 2010.</p>
<p>\$20,000/General Fund</p>	<ol style="list-style-type: none"> 1) Provide four Countywide Recycling Committee meetings in 2010. 2) Provide reports to all jurisdictions in San Mateo County containing all the County efforts that can be reported on electronic annual reports to the CIWMB 3) Provide staffing for a minimum of 8 RMCP meeting in 2010. 4) Provide staff support to the LTF. 	<p>Report to CMEQ and C/CAG Board, June 2010 and December 2010 on RMCP and Solid Waste related outcomes in 2010.</p>
<p>\$25,000/SMCEW</p>	<ol style="list-style-type: none"> 1) Continue to provide support to all of the jurisdictions in San Mateo County to help move them to Green Building Ordinance requirement. 	<p>Report to CMEQ and C/CAG Board, June 2010 and December 2010 on Green Building related outcomes in 2010.</p>

ATTACHMENT

Resolution 09-37

RESOLUTION NO. 09-37

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 COUNTY OF SAN MATEO FOR STAFF TIME TO PROVIDE PROFESSIONAL AND SUPPORT SERVICES FOR CLIMATE CHANGE RELATED PROGRAMS FOR A NOT TO EXCEED AMOUNT OF \$90,000.

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

WHEREAS, C/CAG desires to obtain services from the COUNTY OF SAN MATEO to serve as the primary staff support function for the Countywide Recycling Committee and to provide other Solid Waste support services for C/CAG and the cities in San Mateo County; and

WHEREAS, C/CAG desires to obtain services from the COUNTY OF SAN MATEO to serve as the primary staff support function for the Resource Management and Climate Protection Committee; and

WHEREAS, C/CAG desires to support the COUNTY OF SAN MATEO - countywide expansion of the Green Business Program; and

WHEREAS, C/CAG desires to support the COUNTY OF SAN MATEO's efforts to promote green building outreach and ordinances for cities countywide;

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 County of San Mateo for staff time to provide professional and support services for climate change related programs for a not-to-exceed amount of \$90,000.

The C/CAG Board also authorizes the following:

- 1- Authorize the C/CAG Executive Director and Legal Counsel to negotiate the final agreement.
- 2- The final agreement to be reported back to the Board.

PASSED, APPROVED, AND ADOPTED THIS 8TH DAY OF OCTOBER 2009.

Thomas M. Kasten, Chair



City of Huntington Beach

P.O. BOX 190 2000 Main Street California 92648

MAYOR
Keith Bohr

MAYOR PRO
TEMPORE
Cathy Green

COUNCIL MEMBERS
Joe Carchilo
Gil Cooper
Destin Dwyer
Don Hansen
Jill Hardy

September 8, 2009

The Honorable Jim Silva
California State Assembly
State Capitol, Room 2170
Sacramento, CA 95814

RE: SB 88 (DeSaulnier) - Municipal Bankruptcy - OPPOSE

Dear Assemblyman Silva:

The Huntington Beach City Council unanimously opposed AB 155. We understand this bill has been resurrected in Senate Bill 88. If approved, this bill would prohibit a local public entity from filing for bankruptcy under federal bankruptcy law unless they had approval from the California Debt and Investment Advisory Commission.

The record clearly indicates that cities will use all means available to them to avoid bankruptcy. Since adoption of Chapter 9 of the state Bankruptcy Code in 1949, only two cities have petitioned for its use. Municipal bankruptcy is not an attractive alternative for local communities, nor is it an easy process. In fact, it is one of the last options that a local agency would choose because it is difficult and certainly unpopular with local voters.

SB 88 would do nothing to address the factors affecting the state's credit rating. Instead, it will insert state officials into what is fundamentally a local decision, and substitute the judgment of those state officials for that of the local officials elected by the community.

Because of these concerns, we strongly urge you to oppose SB 88 in its current form.

Sincerely,

Keith Bohr, Mayor

Xc: Senator Tom Harman
Senator Mark DeSaulnier
City Council
League of California Cities
Chuck Cole, Advocacion, Inc.
Shari Freidenrich, City Treasurer

C/CAG

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September 11, 2009

California State Assembly
19th Assembly District
State Capitol
P.O. Box 942849
Sacramento, CA 94249-0019

Attention: Honorable Jerry Hill, Assembly Member

Subject: C/CAG Opposition to SB 88 (De Saunier) - Municipal Bankruptcy

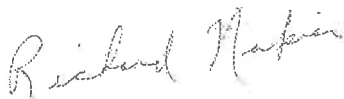
Honorable Jerry Hill:

The City/ County Association of Governments of San Mateo County (C/CAG) includes the 20 cities and the County in San Mateo County. The C/CAG Board has taken a position of opposition to SB 88 (De Saunier) - Municipal Bankruptcy. If approved, this bill would prohibit a local entity from filing for bankruptcy under the federal bankruptcy law unless approved by the California Debt and Investment Advisory Commission.

The record clearly shows that cities will do everything possible to avoid bankruptcy. Since adoption of Chapter 9 of the state Bankruptcy Code in 1949, only two cities in the State have petitioned for its use. SB 88 would insert control by state officials, that have no local fiduciary responsibility, into what is fundamentally a local decision. The bankruptcy decision and responsibility should rest solely with the local officials elected by the community that have the local fiduciary responsibility.

The C/CAG Board would strongly urge you to oppose SB 88. Please contact me at 650 599-1420 if there are any questions. Your consideration of this requested is appreciated.

Sincerely,



Richard Napier
Executive Director
C/CAG

ITEM 9.2

C/CAG

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September 11, 2009

California State Assembly
12th Assembly District
State Capitol
P.O. Box 942849
Sacramento, CA 94249-0012

Attention: Honorable Fiona Ma, Assembly Member

Subject: C/CAG Opposition to SB 88 (De Saunier) - Municipal Bankruptcy

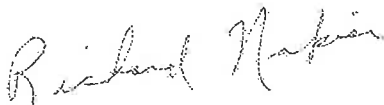
Honorable Fiona Ma:

The City/ County Association of Governments of San Mateo County (C/CAG) includes the 20 cities and the County in San Mateo County. The C/CAG Board has taken a position of opposition to SB 88 (De Saunier) - Municipal Bankruptcy. If approved, this bill would prohibit a local entity from filing for bankruptcy under the federal bankruptcy law unless approved by the California Debt and Investment Advisory Commission.

The record clearly shows that cities will do everything possible to avoid bankruptcy. Since adoption of Chapter 9 of the state Bankruptcy Code in 1949, only two cities in the State have petitioned for its use. SB 88 would insert control by state officials, that have no local fiduciary responsibility, into what is fundamentally a local decision. The bankruptcy decision and responsibility should rest solely with the local officials elected by the community that have the local fiduciary responsibility.

The C/CAG Board would strongly urge you to oppose SB 88. Please contact me at 650 599-1420 if there are any questions. Your consideration of this requested is appreciated.

Sincerely,



Richard Napier
Executive Director
C/CAG

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September 11, 2009

California State Assembly
21st Assembly District
State Capitol
P.O. Box 942849
Sacramento, CA 94249-0021

Attention: Honorable Ira Ruskin, Assembly Member

Subject: C/CAG Opposition to SB 88 (De Saunier) - Municipal Bankruptcy

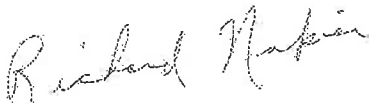
Honorable Ira Ruskin:

The City/ County Association of Governments of San Mateo County (C/CAG) includes the 20 cities and the County in San Mateo County. The C/CAG Board has taken a position of opposition to SB 88 (De Saunier) - Municipal Bankruptcy. If approved, this bill would prohibit a local entity from filing for bankruptcy under the federal bankruptcy law unless approved by the California Debt and Investment Advisory Commission.

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The C/CAG Board would strongly urge you to oppose SB 88. Please contact me at 650 599-1420 if there are any questions. Your consideration of this requested is appreciated.

Sincerely,



Richard Napier
Executive Director
C/CAG

C/CAG

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September 11, 2009

California State Senate
11th Senate District
State Capitol, Room 2080
Sacramento, CA 95814

Attention: Honorable Joseph Simitian, Senator

Subject: C/CAG Opposition to SB 88 (De Saunier) - Municipal Bankruptcy

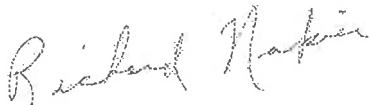
Honorable Joseph Simitian:

The City/ County Association of Governments of San Mateo County (C/CAG) includes the 20 cities and the County in San Mateo County. The C/CAG Board has taken a position of opposition to SB 88 (De Saunier) - Municipal Bankruptcy. If approved, this bill would prohibit a local entity from filing for bankruptcy under the federal bankruptcy law unless approved by the California Debt and Investment Advisory Commission.

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The C/CAG Board would strongly urge you to oppose SB 88. Please contact me at 650 599-1420 if there are any questions. Your consideration of this requested is appreciated.

Sincerely,



Richard Napier
Executive Director
C/CAG

C/CAG

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September 11, 2009

California State Senate
8th Senate District
State Capitol, Room 4074
Sacramento, CA 95814

Attention: Honorable Leland Yee, Senator

Subject: C/CAG Opposition to SB 88 (De Saunier) - Municipal Bankruptcy

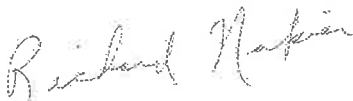
Honorable Leland Yee:

The City/ County Association of Governments of San Mateo County (C/CAG) includes the 20 cities and the County in San Mateo County. The C/CAG Board has taken a position of opposition to SB 88 (De Saunier) - Municipal Bankruptcy. If approved, this bill would prohibit a local entity from filing for bankruptcy under the federal bankruptcy law unless approved by the California Debt and Investment Advisory Commission.

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The C/CAG Board would strongly urge you to oppose SB 88. Please contact me at 650 599-1420 if there are any questions. Your consideration of this requested is appreciated.

Sincerely,



Richard Napier
Executive Director
C/CAG

C/CAG

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Andrea J. Ouse, City Planner
Town of Colma
1190 El Camino Real
Colma, CA 94014

September 21, 2009

Dear Ms. Ouse,

Thank you for releasing your utility data to the City/County Association of Governments (C/CAG) of San Mateo County for the purposes of tracking greenhouse gas emissions countywide and for raising issues about the Energy Strategy and its energy reduction goals.

The main objective of the San Mateo County Energy Strategy is to bring together the cities in the county to work collaboratively on energy, water and climate change issues and to provide resources. Collaboration has many advantages: cities can save time and resources, share best practices and take advantage of staff support, training and bulk purchasing opportunities.

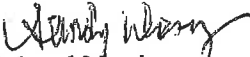
Your letter raises concerns about the Energy Strategy's goal of reducing countywide power purchases from utilities by 25%. Because of Colma's small size, a small development constructed in the future may result in an increase of overall city energy use. You suggest that a non-percentage-based goal would prevent this issue, and, as we develop the Energy Strategy's reporting process, we will work with you to find other ways to represent the data, such as per capita energy use.

Also, please note that the goal of the Energy Strategy is not for each city to reduce energy use by 25% - the goal is countywide. Therefore, a small development built in Colma would not increase overall energy use countywide.

Your letter also raises the issue of entering Colma's utility data into the public record when you release it to C/CAG. Your town is concerned that this may open up the possibility of an agency reviewing the data and claiming that Colma is not meeting its energy reduction goals. There are no penalties for not reaching the Energy Strategy's goals; they are goals around which cities can organize their coordination and collaboration.

We hope that this response will convince you to take the San Mateo County Energy Strategy to the Colma City Council for adoption. Please contact me if you would like to discuss these issues further.

Sincerely,

 FOR
Richard Napier
Executive Director

