

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. 258

- DATE:** Thursday, June 13, 2013
- TIME:** 6:30 P.M.
- PLACE:** San Mateo County Transit District Office
1250 San Carlos Avenue, Second Floor Auditorium
San Carlos, CA
- PARKING:** Available adjacent to and behind building.
Please note the underground parking garage is no longer open.
- PUBLIC TRANSIT:** SamTrans
Caltrain: San Carlos Station.
Trip Planner: <http://transit.511.org>

- 1.0 CALL TO ORDER/ ROLL CALL
- 2.0 PLEDGE OF ALLEGIANCE
- 3.0 PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA
Note: Public comment is limited to two minutes per speaker.
- 4.0 PRESENTATIONS/ ANNOUNCEMENTS
 - 4.1 The San Francisco Bay Restoration Authority – Protecting and Restoring the Bay
- 5.0 CONSENT AGENDA

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

- 5.1 Approval of the minutes of regular business meeting No. 257 dated May 9, 2013. ACTION p. 1
- 5.2 Review and approval of Resolution 13-15, authorizing the C/CAG Chair to execute Amendment #8 with Eisenberg, Olivieri, and Associates, Inc., to continue providing technical support to the Countywide Water Pollution Prevention Program, extending the term through December 2014 for an additional cost not to exceed \$2,689,602. ACTION p. 7
- 5.3 Review and approval of Resolution 13-16 authorizing the C/CAG Chair to execute Amendment #1 to the agreement between C/CAG and the City of San Carlos to provide financial services to C/CAG for an amount not to exceed \$75,366 for FY 2013-14. ACTION p. 21
- 5.4 Review and accept Quarterly Invest Report as of March 31, 2013. ACTION p. 25
- 5.5 Receive copy of an Agreement approved by the C/CAG Chair in accordance with C/CAG Procurement Policy:
- 5.5.1 Receive a copy of an executed agreement with Ricondo & Associates, Inc. for an amount not to exceed \$30,000 for development and delivery of a training workshop on the implementation of the Airport Land Use Compatibility Plan (ALUCP) for the environs of San Francisco International Airport (SFO), as approved by the C/CAG Chair in accordance with the C/CAG Procurement Policy. INFORMATION p. 31
- 5.6 Review and approval of Resolution 13-20 authorizing the C/CAG Chair to execute the Program Manager Funding Agreement with the Bay Area Air Quality Management District (BAAQMD) for the 2013/2014 Transportation Fund for Clean Air (TFCA) (40%) Program for San Mateo County for an amount up to \$1,063,526.42. ACTION p. 53
- 5.7 Review and approval of Resolution 13-21 authorizing the C/CAG Chair to execute a Funding Agreement between C/CAG and the Peninsula Traffic Congestion Relief Alliance (Alliance) in the amount of \$445,000 under the 2013/2014 Transportation Fund for Clean Air (TFCA) Program to provide the Countywide Voluntary Trip Reduction Program. ACTION p. 57
- 5.8 Review and approval of Resolution 13-22 authorizing the C/CAG Chair to execute a Funding Agreement between C/CAG and the San Mateo County Transit District (SamTrans) in the amount of \$566,000 under the 2013/2014 Transportation Fund for Clean Air (TFCA) Program to provide shuttle services. ACTION p. 61
- 5.9 Review and approval of Resolution 13-23 authorizing the C/CAG Chair to execute an agreement between the City/County Association of Governments (C/CAG) of San Mateo County and the Peninsula Traffic Congestion Relief Alliance in the amount of \$510,000 from the Congestion Relief Plan to provide the Countywide Voluntary Trip Reduction Program for FY 2013/2014. ACTION p. 65
- 5.10 Review and approval of Resolution 13-24 authorizing the C/CAG Chair to execute an agreement with Joint Powers Board (JPB) in amount not to exceed \$398,010 for JPB to perform a portion of Smart Corridor Construction as part of the San Bruno Grade Separation project and authorize the C/CAG Executive Director to issue an "Authorization to Proceed" to JPB for said work in advance of execution of said agreement. ACTION p. 69

- 5.11 Review and approval of Resolution 13-25 authorizing the C/CAG Chair to execute an agreement between C/CAG and the County of San Mateo, Department of Public Works for an amount not to exceed \$50,000 for staff services for the Resource Management and Climate Protection Committee and for C/CAG as the Local Task Force for FY 2013-14. ACTION p. 73
- 5.12 Confirm approval of prior commitment of \$45,000 C/CAG contribution to the San Mateo County Green Business Program as approved by C/CAG Resolution 09-37. ACTION p. 77

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

6.0 REGULAR AGENDA

- 6.1 Review and approval of C/CAG Legislative policies, priorities, positions, and legislative update.
(A position may be taken on any legislation, including legislation not previously identified.)
ACTION p. 79
- 6.2 Receive a presentation on the draft Airport Land Use Compatibility Plan (ALUCP) for the Environ of the Half Moon Bay Airport. INFORMATION p. 85
- 6.3 Review and approval of the Measure M Fiscal Year 2012-13 Annual Performance Report.
ACTION p. 87
- 6.4 Review and approval of Resolution 13-18 authorizing the C/CAG Chair to execute a funding agreement between C/CAG and SamTrans for the Allocation of Measure M Funding in the amount of \$1,400,000 annually for Fiscal Year 2013-14 and Fiscal Year 2014-15.
ACTION p. 95
- 6.5 Review and approval of Resolution 13-19 authorizing the C/CAG Chair to execute an agreement with the San Mateo County Superintendent of Schools to implement the San Mateo County Safe Routes to School Program in an amount not to exceed \$2,992,000 for FY 2013/14 through FY 2014/15.
ACTION p. 105
- 6.6 Receive information on proposal for Highway Relinquishment Study for SR 82 El Camino Real/Mission Street. INFORMATION p. 131
- 6.7 Review and approval of Resolution 13-17 adopting the C/CAG 2013/14 Program Budget and Fees. (Special Voting procedures apply.) ACTION p. 139
- 7.0 COMMITTEE REPORTS
- 7.1 Committee Reports (oral reports).
- 7.2 Chairperson's Report

7.3 Boardmembers Report

8.0 EXECUTIVE DIRECTOR'S REPORT

9.0 COMMUNICATIONS - Information Only

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

9.1 Letter from Brandt Grotte, C/CAG Chair, to Councilpersons of San Mateo County Cities and Members of the Board of Supervisors, dated 5/20/13. RE: C/CAG Committee Vacancies for Elected Officials. p. 163

9.2 Letter from Sandy Wong, Executive Director C/CAG, to Steve Heminger, Executive Director, Metropolitan Transportation Commission, and Ezra Rapport, Executive Director, Association of Bay Area Governments, dated 5/16/13. RE: Thank you for the opportunity to participate in the development of Plan Bay Area, and to offer comments. p. 165

9.3 Letter from Brandt Grotte, C/CAG Chair, to Honorable Toni Atkins, California State Assembly, dated 5/9/13. RE: AB 1229 (Atkins) – Inclusionary Housing – SUPPORT. p. 167

9.4 Letter from Sandy Wong, Executive Director C/CAG, to Grant Officer, Department of Transportation – 2013 TIGER Discretionary Grants, dated 6/3/13. RE: Bay Area Air Quality Management District's Application to the U.S. Department of Transportation 2013 TIGER Discretionary Grants – Regional Bike Sharing. p. 169

10.0 ADJOURN

Next scheduled meeting: August 8, 2013 Regular Board Meeting.

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

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

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

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

Executive Director: Sandy Wong 650 599-1409

Administrative Assistant: Nancy Blair 650 599-1406

FUTURE MEETINGS

June 13, 2013	Legislative Committee - SamTrans 2 nd Floor Auditorium - 5:30 p.m.
June 13, 2013	C/CAG Board - SamTrans 2 nd Floor Auditorium - 6:30 p.m.
June 19, 2013	Resource Management and Climate Protection Committee (RMCP)
June 24, 2013	CMEQ Committee - San Mateo City Hall - Conference Room C - 3:00 p.m.

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 MINUTES

Meeting No. 257
May 9, 2013

1.0 CALL TO ORDER/ROLL CALL

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

Jerry Carlson - Atherton
Clarke Conway – Brisbane
Terry Nagel – Burlingame, San Mateo County Transportation Authority
Joseph Silva – Colma
David Canepa - Daly City
Larry Moody - East Palo Alto (6:42)
Art Kiesel – Foster City
Rick Kowalczyk - Half Moon Bay
Jay Benton - Hillsborough
Kirsten Keith - Menlo Park
Gina Papan - Millbrae
Mary Ann Nihart - Pacifica
Maryann Moise Derwin – Portola Valley (6:35)
Alicia Aguirre - Redwood City
Irene O’Connell - San Bruno
Bob Grassilli - San Carlos
Brandt Grotte - San Mateo
Karyl Matsumoto - South San Francisco, San Mateo County Transit District
Don Horsley - San Mateo County

Absent,
Belmont
Woodside

Others:
Sandy Wong, Executive Director C/CAG
Nancy Blair, C/CAG Staff
Lee Thompson, C/CAG Legal Counsel
Tom Madalena, C/CAG Staff
John Hoang, C/CAG Staff
Jean Higaki, C/CAG Staff

ITEM 5.1

Matt Fabry, C/CAG Staff
Kim Springer, San Mateo County
Joe LaMariana, San Mateo County
Susan Wright, San Mateo County
Shelly Sharp, PG&E
Scott Hart and Jennifer Stuart, PG&E
Onnolee Trapp, CMEQ, Committee, League of Women Voters of San Mateo County
Jim Bigelow, Redwood City/San Mateo County Chamber, CMEQ Member
John Bliss, SCI Consulting Group

3.0 PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

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

4.0 PRESENTATIONS/ ANNOUNCEMENTS

4.1 Certificate of Appreciation to Bob Grassilli, past Chair of C/CAG Board, for his service as C/CAG Chair for two years.

4.2 Presentation from the Peninsula Traffic Congestion Relief Alliance (Alliance)

4.3 Update from PG&E.

5.0 CONSENT AGENDA

Board Member Conway MOVED approval of Items 5.1, 5.2, and 5.3. Board Member Matsumoto SECONDED. **MOTION CARRIED** 19-0.

5.1 Approval of the minutes of regular business meeting No. 255 dated April 11, 2013.

ACTION

5.2 Review and approve the Appointments of Brad Underwood from Foster City and Paul Willis from Hillsborough to fill seats on the Congestion Management Program Technical Advisory Committee (CMP TAC).

ACTION

5.3 Review and approval of Transportation Development Act (TDA) Article 3 Fund Financial Statements (Audit) for the Year Ended June 30, 2012

ACTION

6.0 REGULAR AGENDA

6.1.1 Review and approval of C/CAG Legislative policies, priorities, positions, and legislative update.

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

ACTION

The following are the highlights from the May 9, 2013 Legislative Committee:

- Legislative Committee added SB557 (High Speed Rail) to the watch list of legislation that is being tracked and monitored.
- Several bills are described as two years bills, this gives C/CAG time to monitor without taking action right away.
- Recommends that C/CAG pursue state legislation, enabling C/CAG to sponsor potential countywide funding initiative for stormwater compliance.
- It is recommended that C/CAG send a letter of support for AB 1229, which essentially says that jurisdictions will have an inclusionary housing ordinance that is not in conflict with rent control law.

Board Member Papan MOVED to support AB 1229. Board Member Carlson SECONDED. **MOTION CARRIED** 19-0.

- 6.1.2 Review and approve pursuing state legislation to enable C/CAG to sponsor a potential Countywide Funding Initiative for stormwater compliance activities. ACTION

Board Member Conway MOVED to approve Item 6.1.2. Board Member O'Connell SECONDED. **MOTION CARRIED** 19-0.

- 6.2 Receive update on public opinion research strategy and approach for the proposed Countywide Funding Initiative for stormwater compliance activities. INFORMATION

Staff and consultants from the SCI Consulting Group provided the general strategy and framework for doing the public opinion research associated with the potential countywide funding initiative.

- 6.3 Review and approval of the San Mateo County Priority Development Area (PDA) Investment and Growth Strategy. ACTION

Staff brought this report back from the April meeting. Three changes were made to the former report. The comments came from the April CMP TAC meeting.

1. Incorrect numbers in the report were corrected.
2. Continue to raise concerns with MTC regarding the adverse funding impacts to local streets and roads maintenance as a result of the PDA investment and growth strategy.
3. The ability to achieve the housing growth projections in the Jobs Housing Connection Scenario seems questionable. This table was moved to Appendix C for information only.

Board Member Canepa MOVED to approve Item 6.3. Board Member Aguirre SECONDED. **MOTION CARRIED** 19-0.

- 6.4 Review and approval of Resolution 13-13 to adopt the Federal Cycle 2 OneBayArea Grant (OBAG) Program list of projects for submission to Metropolitan Transportation Commission (MTC). ACTION

Board Member Nihart MOVED to approve Item 6.4. Board Member Aguirre SECONDED.
MOTION CARRIED 19-0.

- 6.5 Review and approval of Resolution 13-12 approving the funding contributions from cities and county for the San Mateo County Green Business Program for FY 2013/14. INFORMATION

Staff recommends changing this item from an ACTION item to an INFORMATION item. The contribution from each of the member agencies is not a C/CAG Member fee. It is a contribution to this specific project. It is a County of San Mateo sponsored project, and the County is putting their own money into the program. They are asking for each of the cities to contribute to the Program on a voluntary basis. C/CAG staff and County staff have gone to City Managers' groups to discuss this, and have worked out the dollar amount structures. Although they have most of the City Managers' support, they are continuing to do last minute changes. That is why there is no action requested tonight.

Staff provided a presentation on the Green Business Program and answered questions. More information about the program can be found at <http://www.recycleworks.org>

- 6.6 Presentation on the San Mateo County Energy Watch and comprehensive energy recommendations program for San Mateo County cities. INFORMATION

Staff provided a presentation and answered questions from the Board.

- 6.7 Initial draft, assumptions, and input on the C/CAG 2013-14 Program Budget and Fees. ACTION

Staff made a presentation on the Draft Budget and Fees. Since C/CAG member fees have been flat for many years, staff advised the Board that an increase is needed for fiscal year 2014/15. Board members directed staff to provide advance notice to City/County Managers regarding future increase.

Board Member Nihart MOVED to approve Item 6.7. Board Member Aguirre SECONDED.
MOTION CARRIED 19-0.

- 6.8 Review and accept the Actuarial Valuation of Other Post-Employment Benefit (OPEB) for C/CAG as of July 1, 2012. ACTION

Staff made a brief presentation on the actuarial valuation which shows the C/CAG liability on Other Post-Employment Benefit. Board members requested staff to come back with analysis on options to prefund OPEB.

Board Member O'Connell MOVED to approve the option to pay as you go for this year. Board Member Kowalczyk SECONDED. **MOTION CARRIED** 19-0.

7.0 COMMITTEE REPORTS

7.1 Committee Reports (oral reports).

None.

7.2 Chairperson's Report

None

7.3 Boardmembers Report

8.0 EXECUTIVE DIRECTOR'S REPORT

None.

9.0 COMMUNICATIONS - Information Only

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

9.1 Letter from Sandy Wong, Executive Director C/CAG, to Ezra Rapport, Executive Director, Association of Bay Area Governments, dated 4/12/13 RE: Regional Housing Needs Allocation - San Mateo County Subregion Final Allocation.

9.2 Letter from Sandy Wong, Executive Director C/CAG, to Planning Directors/Managers, dated 4/11/13. RE: Invitation to a Training Workshop Regarding Implementation of the Adopted Airport Land Use Compatibility Plan (ALUCP) for the Environs of San Francisco International Airport (SFO).

10.0 ADJOURN

Meeting adjourned at 9:06.

(13)

(14)

(15)

C/CAG AGENDA REPORT

Date: June 13, 2013

To: City/County Association of Governments Board of Directors

From: Sandy Wong, C/CAG Executive Director

Subject: Review and approval of Resolution 13-15, authorizing the C/CAG Chair to execute Amendment #8 with Eisenberg, Olivieri, and Associates, Inc., to continue providing technical support to the Countywide Water Pollution Prevention Program, extending the term through December 2014 for an additional cost not to exceed \$2,689,602.

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

RECOMMENDATION

The C/CAG Board review and approve Resolution 13-15 authorizing the C/CAG Chair to amend the technical consultant contract with Eisenberg, Olivieri, and Associates, Inc. (EOA), extending the term of the contract through December 2014 (18 months) for an additional cost not to exceed \$2,689,602.

FISCAL IMPACT

The cost for EOA's services in Fiscal Year 2013-14 is \$1,892,407. The cost for the first half of Fiscal Year 2014-15 is \$797,195, for a total cost of \$2,689,602. Sufficient funding is included in the proposed 2013-14 C/CAG budget to cover EOA's costs, and staff is budgeting sufficient funds for Fiscal Year 2014-15, although the C/CAG Board will not consider approving the budget for that time period until May/June 2014.

SOURCE OF FUNDS

The Countywide Program is funded through the NPDES Stormwater Fund (annual property tax assessments) and the Measure M Fund (\$10 vehicle registration fees). Consultant costs are being split evenly between stormwater funds and vehicle registration funds. Sufficient revenue exists between these two sources, in addition to existing fund balances, to pay for the proposed costs.

BACKGROUND/DISCUSSION

C/CAG previously approved Resolution 07-19 awarding a three year technical consultant contract to EOA, which included a provision for up to three one-year extensions. The final extension was awarded in June 2012. In March 2013, C/CAG approved staff's request for a waiver of the Request for Proposals process normally required under the Procurement Policy to allow EOA's contract to be extended through the final year and a half of the current five-year term of the Municipal Regional Permit (MRP). This would ensure uninterrupted compliance support services during a crucial time period when multiple regional and countywide compliance efforts will be culminating in comprehensive technical submittals to the Regional Water Quality Control Board.

ITEM 5.2

The cost estimates are generally consistent with previous years' consulting costs but reflect the annual changing nature of compliance requirements within the MRP, which, by design, gradually increase in scope and cost over the five-year permit term. In addition to technical support for ongoing compliance activities, EOA's costs for 2013-14 include comprehensive reporting efforts detailing all of the water quality monitoring activities performed over the course of the MRP term and preparation of an application for permit reissuance, due to the Regional Water Board six months in advance of the permit's expiration date of November 30, 2014. Notable costs for 2014-15 include technical support for final annual reporting efforts in September and anticipated negotiations around permit reissuance. Hourly rates remain unchanged from current (2012-13) rates.

The proposed amendment will authorize up to \$2,689,602 in additional costs and extend the agreement through the end December, 2014. The amendment also requires that services to be provided in Fiscal Year 2014-15 are subject to written Notice to Proceed by C/CAG staff and inclusion of sufficient funds in the approved C/CAG budget.

ATTACHMENTS

- Resolution 13-15
- Proposed Contract Amendment #8 (also at <http://www.ccag.ca.gov/ccag.html>)
- Exhibit A – EOA's Proposed 2013-14 and 2014-15 Budgets
- Exhibit B – EOA's Proposed 2013-14 and 2014-15 Scopes of Work (due to size, only at <http://www.ccag.ca.gov/ccag.html>)

RESOLUTION NO. 13-15

**AUTHORIZING THE C/CAG CHAIR TO EXECUTE AMENDMENT NO. 8 TO THE
~~TECHNICAL CONSULTANT CONTRACT BETWEEN THE CITY/COUNTY~~
ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) AND
EISENBERG, OLIVIERI, & ASSOCIATES, INC. (EOA, INC.), EXTENDING THE TERM
OF THE CONTRACT THROUGH DECEMBER 2014 AT A COST NOT TO EXCEED
\$2,689,602**

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 agency responsible for the development and implementation of the Water Pollution Prevention Program for San Mateo County; and

WHEREAS, C/CAG determined outside consulting services are needed to provide technical assistance through the end of calendar year 2014; and

WHEREAS, C/CAG previously approved Resolution 07-19 authorizing a three-year contract with the option for up to three one-year extensions with EOA, Inc., for technical consulting services to the Countywide Water Pollution Prevention Program; and

WHEREAS, C/CAG authorized waiving a Request for Proposals process and extending EOA, Inc.'s contract to provide uninterrupted compliance support services for the final 18 months of the term of the Municipal Regional Permit issued by the San Francisco Bay Regional Water Quality Control Board; and

WHEREAS, EOA has prepared a scope of work and budget for providing technical support through December 2014;

NOW, THEREFORE, BE IT RESOLVED that C/CAG hereby authorizes the C/CAG Chair to execute an extension to the existing contract with Eisenberg, Olivieri, and Associates, Inc., extending the term through December 2014 at a cost not to exceed \$2,689,602 to provide continued technical support the Countywide Water Pollution Prevention Program. Be it further resolved that the C/CAG Executive Director is authorized to negotiate the final terms of said agreement prior to its execution by the C/CAG Chair, subject to approval as to form by C/CAG Legal Counsel.

PASSED, APPROVED, AND ADOPTED THIS 13TH DAY OF JUNE, 2013.

Brandt Grotte, Chair

(1)

(2)

(3)

**AMENDMENT (No. 8) TO THE AGREEMENT BETWEEN THE CITY/COUNTY
ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AND EISENBERG,
OLIVIERI, ASSOCIATES, INC.**

WHEREAS, the Board of Directors of the City/County Association of Governments for San Mateo County (hereinafter referred to as C/CAG) and Eisenberg, Olivieri, and Associates, Inc. (hereinafter referred to as Consultant) are parties to an agreement for consulting services dated June 14, 2007, with subsequent amendments dated August 9, 2007, June 12, 2008, May 14, 2009, February 11, 2010, June 10, 2010, June 9, 2011, and June 14, 2012 (the "Existing Agreement"); and

WHEREAS, C/CAG desires ongoing consulting services to meet requirements in the Municipal Regional Permit; and

WHEREAS, Consultant submitted scopes of work and budgets of \$1,892,407 and \$797,195 for services it will provide under an extension and amendment of the Existing Agreement during Fiscal Year 2013-14 and the first half of Fiscal Year 2014-15 (through December 31, 2014); and

WHEREAS, Consultant has reviewed and accepted this amendment to the Existing Agreement;

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

1. Consultant will provide the consulting services described in the attached Exhibit A (the "Extended Scope of Work") under the terms and conditions of the Existing Agreement, as amended hereby.
2. The funding provided to Consultant by C/CAG for the Extended Scope of Work will be no more than \$1,892,407.00 for Fiscal Year 2013-14 and \$797,195 for Fiscal Year 2014-15 (through December 2014).
3. The term of the Existing Agreement is extended to December 31, 2014. Services to be provided during the 2014-15 fiscal year are subject to written Notice to Proceed is provided by C/CAG staff and contingent upon inclusion of sufficient funding in C/CAG's 2014-15 budget.
4. Payment for services for the Extended Scope of Work shall be on a time and materials basis, based upon the receipt of invoices for the actual costs, and with services to be performed only upon the request of C/CAG staff after review of specific work plans for individual tasks.
5. All other provisions of the Existing Agreement shall remain in full force and effect.
6. The terms hereof amending the Existing Agreement shall take effect upon signature by both parties.

For C/CAG:

For Consultant:

Brandt Grotte, Chair

Signature

Date: June 13, 2013

By: _____

Approved as to form:

Date: _____

C/CAG Legal Counsel

62

63

64

EXHIBIT A

EOA Inc.'s Budgets
FY 2013/14
&
First Half FY 2014/15

Technical Assistance to the
San Mateo Countywide Water Pollution Prevention Program

(Also available at www.ccag.ca.gov/ccag.html)



Table 1 - 2013/14 Municipal Stormwater NPDES Permit Compliance Assistance

SUB-TASK	DESCRIPTION	Manager			Senior			Associate		Tech	Admin	Sub-contractors & Expenses	Total Budget
		Hourly Rate:	III	II	I	III	II	I	II	I	84		
All Provisions - Miscellaneous Compliance													
SM31.01	Overall Coordination and Regulatory Compliance	356	64	0	0	0	0	24	0	48	88	\$800	\$96,344
SM31.02	Maintain Regulatory Tracking Table (e.g., CASQA)	16	0	0	16	0	0	0	0	0	0	\$0	\$5,808
SM31.03	Conduct Annual Report Training Workshop	8	32	0	48	0	0	32	0	0	20	\$2,300	\$22,940
SM31.04	Assist with Coordination with BASMAA	144	0	0	0	0	0	0	0	0	0	\$0	\$28,800
SM31.05	Assist with Participation in the Permit Renewal Process	96	96	0	96	0	0	0	0	0	0	\$300	\$53,196
		620	192	0	160	0	0	56	0	48	108	\$3,400	\$207,088
Provision C.2 - Municipal Operations													
SM32.01	Coordination and Regulatory Compliance	0	120	0	0	0	0	0	0	0	0	\$400	\$22,960
SM32.02	Assist Municipalities to Implement BMPs	0	120	0	0	0	0	0	0	0	0	\$0	\$22,560
SM32.03	Conduct Training Workshop	0	24	0	0	0	0	0	8	0	20	\$5,000	\$11,536
		0	264	0	0	0	0	0	8	0	20	\$5,400	\$57,056
Provisions C.3, 6, & 13.a - New Development, Construction Site Controls, C.13.a Architectural Copper, & C.7.a Marking of Storm Drain Inlets in New Private Streets													
SM33.01	Coordination and Regulatory Compliance	200	0	0	0	0	0	8	0	0	8	\$400	\$41,880
SM33.02	Participate in BASMAA Development Committee	100	0	0	0	0	0	3	0	0	8	\$150	\$21,005
SM33.03	C.3 Flyers, Checklists; Coordinate with Soil & Roof Vendors	40	0	0	0	40	0	40	0	0	24	\$100	\$20,540
SM33.04	Update C.3 Technical Guidance	40	0	0	0	24	0	12	0	0	28	\$1,000	\$15,780
SM33.05	Training on Provisions C.3, C.7.a, C.13.a	48	0	40	0	16	0	0	0	0	64	\$8,000	\$30,920
SM33.06	Update C.6 Flyers, ERP, Inspection Checklist	20	0	20	0	20	0	40	0	0	8	\$1,100	\$17,120
SM33.07	Training on Provisions C.6, C.7.a, C.13.a	20	0	44	0	20	0	26	0	0	46	\$4,400	\$25,198
		468	0	104	0	120	0	129	0	0	186	\$15,150	\$172,443
Provisions C.4, 5, 12.a., 13 & 15 - Industrial/Illicit Discharge Cntrls, Conditionally Exempted Discharges, PCB Inspections, & Cu Controls (Except C.13.a, c, and e)													
SM34.01	Coordination and Regulatory Compliance	0	164	0	0	0	0	0	0	0	0	\$400	\$31,232
SM34.02	Assist Munis to Impl. Business Insp. & IDDE Programs	0	192	0	0	0	0	0	0	0	0	\$0	\$36,096
SM34.03	Stormwater Inspector Training Workshop	0	46	0	40	0	0	8	0	0	20	\$2,300	\$19,668
SM34.04	Participate in BASMAA Municipal Operations Committee	0	48	0	0	0	0	0	0	0	0	\$0	\$9,024
SM34.05	Assist Munis to Impl. Conditionally Exempt Discharge Progra	0	104	0	0	0	0	0	0	0	0	\$0	\$19,552
		0	554	0	40	0	0	8	0	0	20	\$2,700	\$115,572
Provision C.8 - Water Quality Monitoring													
SM35.01	Coordination and Regulatory Compliance	0	0	0	96	0	0	0	0	0	0	\$150	\$15,798
SM35.02	Participate in B^ SMAA Activities	0	0	0	192	0	0	0	0	0	0	\$150	\$31,446
SM35.03	BASMAA Regional Project - Pollutant Loading Station	16	0	0	0	0	54	0	0	0	0	\$5,600	\$16,144
SM35.04	Pollutant Loading Station - KLI Subcontractor	0	0	0	0	0	0	0	0	0	0	\$139,372	\$139,372
SM35.05	Participate in Regional Monitoring Program	0	0	0	72	0	0	0	0	0	0	\$300	\$12,036
SM35.06	Creek Status Monitoring	40	0	0	202	376	0	20	469	68	30	\$64,656	\$220,301
SM35.07	Stressor/Source ID Monitoring Projects	24	0	0	200	0	0	0	40	0	0	\$8,480	\$50,000
SM35.08	BMP Effectiveness Study	0	0	0	48	0	0	0	40	0	0	\$27,034	\$38,978
SM35.09	Geomorphic Project	0	0	0	72	0	0	0	24	0	0	\$800	\$15,008
SM35.10	Citizen Monitoring and Participation	0	0	0	48	0	0	0	0	0	0	\$150	\$7,974
SM35.11	Reporting	32	8	0	50	120	0	6	60	0	10	\$0	\$41,584

-15-

SUB-TASK	DESCRIPTION	Manager			Senior			Associate		Tech	Admin	Subcontractors & Expenses	Total Budget
		III	II	I	III	II	I	II	I	84	60		
	Hourly Rate:	200	188	177	163	150	136	125	103	84	60		
		112	8	0	980	496	54	26	633	68	40	\$246,692	\$588,641
Provision C.9 - Pesticides Toxicity Control (Except C.9.h Public Outreach)													
SM36.01	Coordination and Regulatory Compliance	32	0	0	0	118	0	0	0	0	0	\$300	\$24,400
SM36.02	Assist with Implementation of Municipal IPM Programs	96	0	0	0	0	0	0	0	0	0	\$0	\$19,200
SM36.03	Two IPM Training Workshops (Landscape and Structural)	40	0	0	0	80	0	24	0	0	32	\$4,600	\$29,520
SM36.04	Pesticide Source Control Evaluation	8	0	0	0	24	0	0	0	0	4	\$0	\$5,440
		176	0	0	0	222	0	24	0	0	36	\$4,900	\$78,560
Provision C.10 - Trash Load Reduction													
SM37.01	Trash Committee Coordination	32	0	0	32	0	0	0	16	0	8	\$700	\$14,444
SM37.02	Participate in BASMAA Activities	40	0	0	8	0	0	0	0	0	0	\$200	\$9,504
SM37.03	Trash Load Reduction Assessment Program	20	0	0	100	0	0	0	120	0	8	\$1,000	\$34,140
SM37.04	BASMAA Regional Project - Full Capture O&M Program	20	0	0	16	0	0	0	10	0	8	\$132	\$8,250
SM37.05	Trash Hot Spot Cleanup Tracking	16	0	0	40	0	0	40	0	0	0	\$100	\$14,820
SM37.06	Long-Term Trash Load Reduction Plan Development	80	0	0	240	0	0	80	240	0	40	\$2,000	\$94,240
SM37.07	Web-based Trash Management Reporting Tool	24	0	0	80	0	0	100	100	0	16	\$600	\$42,200
SM37.08	Workshops with Municipal Solid Waste/Recycling Haulers and	60	0	0	80	0	0	0	80	0	0	\$2,500	\$35,780
SM37.09	Compliance Reporting	16	0	0	60	0	0	0	0	0	8	\$2,500	\$15,960
		308	0	0	656	0	0	220	566	0	88	\$9,732	\$269,338
Provisions C.11, 12 - Mercury and PCBs (Except C.12.a PCBs into Business Inspections) and Lower Priority Pollutants of Concern (C.13.c, C.13.e, and C.14)													
SM38.01	Coordination and Regulatory Compliance	64	0	0	0	0	0	0	0	0	0	\$150	\$12,950
SM38.02	Participate in BASMAA Activities	144	0	0	0	0	0	0	0	0	0	\$0	\$28,800
SM38.03	BASMAA Regional Projects - Integrated Monitoring Report	80	0	0	0	0	240	0	0	0	0	\$1,360	\$50,000
SM38.04	Report Estimated Mercury Mass Collected	4	0	0	32	0	0	0	0	0	0	\$0	\$6,016
SM38.05	Assist with Participation in CW4CB	40	0	0	120	0	240	0	0	0	0	\$0	\$60,200
SM38.06	Implement Pump Station Diversion and Monitoring Study	60	0	0	0	0	268	30	0	0	4	\$88,569	\$141,007
		392	0	0	152	0	748	30	0	0	4	\$90,079	\$298,973
Contingency Items													
SM39.01	Assist Apply for Grant Funding	40	0	0	0	0	280	0	16	0	8	\$0	\$48,208
SM39.02	Assist Comment on Selected Regulatory Actions	60	0	0	0	0	80	0	16	0	0	\$0	\$24,528
SM39.03	Litigation Support	160	0	0	0	0	0	0	0	0	0	\$0	\$32,000
		260	0	0	0	0	360	0	32	0	8	\$0	\$104,736

Total Budget:	\$378,053	\$1,892,407
----------------------	------------------	--------------------

Notes:
Labor hours are based upon the approximate level of effort for each task.
Subcontractors and expenses are planning-level estimates.
Actual distribution of hours and subcontractors/expenses within and among tasks may vary.
Total budget will not be exceeded and contingency item budgets will not be utilized without C/CAG's authorization.

Table 1 - First Half of FY 2014/15 Municipal Stormwater NPDES Permit Compliance Assistance

TASK NO.	TASK DESCRIPTION	Manager			Senior			Associate		Tech	Admin	Subcontractors & Expenses	Total Budget
		III	II	I	III	II	I	II	I				
	Hourly Rate:	200	188	177	163	150	136	125	103	84	60		
All Provisions - Miscellaneous Compliance													
SM41.01	Overall Coordination and Regulatory Compliance	178	32	0	0	0	0	12	0	24	44	\$400	\$48,172
SM41.02	Maintain Regulatory Tracking Table	8	0	0	8	0	0	0	0	0	0	\$0	\$2,904
SM41.03	Conduct Annual Report Training Workshop	8	32	0	48	0	0	32	0	0	20	\$2,300	\$22,940
SM41.04	Assist with Coordination with BASMAA	72	0	0	0	0	0	0	0	0	0	\$0	\$14,400
SM41.05	Assist with Participation in the Permit Renewal Process	48	48	0	48	0	0	0	0	0	0	\$150	\$26,598
		314	112	0	104	0	0	44	0	24	64	\$2,850	\$115,014
Provision C.2 - Municipal Operations													
SM42.01	Coordination and Regulatory Compliance	0	72	0	0	0	0	0	0	0	0	\$400	\$13,936
SM42.02	Assist Municipalities to Implement BMPs	0	60	0	0	0	0	0	0	0	0	\$0	\$11,280
		0	132	0	0	0	0	0	0	0	0	\$400	\$25,216
Provisions C.3, 6, & 13.a - New Development, Construction Site Controls, C.13.a Architectural Copper, & C.7.a Marking of Storm Drain Inlets in New Private Streets													
SM43.01	Coordination and Regulatory Compliance	140	0	0	0	0	0	8	0	0	8	\$400	\$29,880
SM43.02	Participate in BASMAA Development Committee	40	0	0	0	0	0	3	0	0	8	\$150	\$9,005
SM43.03	C.3 Flyers, Checklists; Coordinate with Soil & Roof Vendors	20	0	0	0	30	0	20	0	0	12	\$100	\$11,820
SM43.04	Training on Provisions C.3, C.7.a, C.13.a	20	0	20	0	20	0	0	0	0	24	\$3,500	\$15,480
SM43.05	Update C.6 Flyers, ERP, Inspection Checklist	12	0	12	0	16	0	24	0	0	8	\$1,100	\$11,504
SM43.06	Training on Provisions C.6, C.7.a, C.13.a	20	0	32	0	20	0	0	0	0	24	\$3,500	\$17,604
		252	0	64	0	86	0	55	0	0	84	\$8,750	\$95,293
Provisions C.4, 5, 12.a., 13 & 15 - Industrial/Illicit Discharge Cntrls, Conditionally Exempted Discharges, PCB Inspections, & Cu Controls (Except C.13.a, c, and e)													
SM44.01	Coordination and Regulatory Compliance	0	120	0	0	0	0	0	0	0	0	\$400	\$22,960
SM44.02	Assist Munis to Impl. Business Insp. & IDDE Programs	0	96	0	0	0	0	0	0	0	0	\$0	\$18,048
SM44.03	Stormwater Inspector Focused Training	0	25	0	0	0	0	0	0	0	8	\$2,300	\$7,480
SM44.04	Participate in BASMAA Municipal Operations Committee	0	24	0	0	0	0	0	0	0	0	\$0	\$4,512
SM44.05	Assist Munis to Impl. Conditionally Exempt Discharge Progra	0	64	0	0	0	0	0	0	0	0	\$0	\$12,032
		0	329	0	0	0	0	0	0	0	8	\$2,700	\$65,032
Provision C.8 - Water Quality Monitoring													
SM45.01	Coordination and Regulatory Compliance	0	0	0	48	0	0	0	0	0	0	\$50	\$7,874
SM45.02	Participate in BASMAA Activities	0	0	0	96	0	0	0	0	0	0	\$75	\$15,723
SM45.03	BASMAA Regional Project - Pollutant Loading Station	16	0	0	0	0	54	0	0	0	0	\$5,600	\$16,144
SM45.04	Pollutant Loading Station - KLI Subcontractor	0	0	0	0	0	0	0	0	0	0	\$106,240	\$106,240
SM45.05	Participate in Regional Monitoring Program	0	0	0	36	0	0	0	0	0	0	\$150	\$6,018
SM45.06	Creek Status Monitoring	16	0	0	0	0	40	0	0	0	0	\$10,000	\$18,640
SM45.07	Stressor/Source ID Monitoring Projects	12	0	0	100	0	0	0	20	0	0	\$4,240	\$25,000
SM45.08	Citizen Monitoring and Participation	0	0	0	24	0	0	0	0	0	0	\$75	\$3,987
SM45.09	Reporting	16	8	0	0	40	0	0	0	0	4	\$0	\$10,944
		60	8	0	304	40	94	0	20	0	4	\$126,430	\$210,570
Provision C.9 - Pesticides Toxicity Control (Except C.9.h Public Outreach)													
SM46.01	Coordination and Regulatory Compliance	16	0	0	0	84	0	0	0	0	0	\$300	\$16,100
SM46.02	Assist with Implementation of Municipal IPM Programs	48	0	0	0	0	0	0	0	0	0	\$0	\$9,600
		64	0	0	0	84	0	0	0	0	0	\$300	\$25,700
Provision C.10 - Trash Load Reduction													
SM47.01	Trash Committee Coordination	16	0	0	16	0	0	0	8	0	4	\$700	\$7,572
SM47.02	Participate in BASMAA Activities	20	0	0	4	0	0	0	0	0	0	\$200	\$4,852

-17-

TASK NO.	TASK DESCRIPTION	Manager			Senior			Associate		Tech	Admin	Subcontractors & Expenses	Total Budget
		III	II	I	III	II	I	II	I	84	60		
	Hourly Rate:	200	188	177	163	150	136	125	103				
SM47.03	Trash Load Reduction Assessment Program	40	0	0	80	0	0	0	140	0	8	\$1,000	\$36,940
SM47.04	Trash Hot Spot Cleanup Tracking	16	0	0	40	0	0	40	0	0	0	\$100	\$14,820
SM47.05	Long-Term Trash Load Reduction Plan Assistance	40	0	0	40	0	0	24	40	0	8	\$2,000	\$24,120
SM47.06	Web-based Trash Management Reporting Tool	24	0	0	60	0	0	60	24	0	8	\$600	\$25,632
SM47.07	Workshops with Municipal Solid Waste/Recycling Haulers and	40	0	0	40	0	0	0	40	0	0	\$2,500	\$21,140
SM47.08	Compliance Reporting	16	0	0	60	0	0	0	0	0	8	\$2,500	\$15,960
		212	0	0	340	0	0	124	252	0	36	\$9,600	\$151,036
Provisions C.11, 12 - Mercury and PCBs (Except C.12.a PCBs into Business Inspections) and Lower Priority Pollutants of Concern (C.13.c, C.13.e, and C.14)													
SM48.01	Coordination and Regulatory Compliance	32	0	0	0	0	0	0	0	0	0	\$50	\$6,450
SM48.02	Participate in BASMAA Activities	72	0	0	0	0	0	0	0	0	0	\$0	\$14,400
SM48.03	Report Estimated Mercury Mass Collected	4	0	0	32	0	0	0	0	0	0	\$0	\$6,016
SM48.04	Assist with Participation in CW4CB	20	0	0	60	0	120	0	0	0	0	\$0	\$30,100
		128	0	0	92	0	120	0	0	0	0	\$50	\$56,966
Contingency Items													
SM49.01	Assist Apply for Grant Funding	20	0	0	0	0	140	0	8	0	4	\$0	\$24,104
SM49.02	Assist Comment on Selected Regulatory Actions	30	0	0	0	0	40	0	8	0	0	\$0	\$12,264
SM49.03	Litigation Support	80	0	0	0	0	0	0	0	0	0	\$0	\$16,000
		130	0	0	0	0	180	0	16	0	4	\$0	\$52,368

Total Budget:	\$151,080	\$797,195
----------------------	------------------	------------------

Notes:
Labor hours are based upon the approximate level of effort for each task.
Subcontractors and expenses are planning-level estimates.
Actual distribution of hours and subcontractors/expenses within and among tasks may vary.
Total budget will not be exceeded and contingency item budgets will not be utilized without C/CAG's authorization.

-18-

Exhibit B

**EOA's Scopes of Work
FY 2013/14
&
First Half FY 2014/15**

**Technical Assistance to the
San Mateo Countywide Water Pollution Prevention Program**

(Only available at www.ccag.ca.gov/ccag.html)



C/CAG AGENDA REPORT

Date: June 13, 2013

TO: C/CAG Board of Directors

From: Sandy Wong, Executive Director

Subject: Review and approval of Resolution 13-16 authorizing the C/CAG Chair to execute Amendment #1 to the agreement between C/CAG and the City of San Carlos to provide financial services to C/CAG for an amount not to exceed \$75,366 for FY 2013-14

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

RECOMMENDATION:

Review and approval of Resolution 13-16 authorizing the C/CAG Chair to execute Amendment #1 to the agreement between C/CAG and the City of San Carlos to provide financial services to C/CAG for an amount not to exceed \$75,366 for FY 2013-14.

FISCAL IMPACT:

A total of \$75,366 for FY 2013-14. It is included in the proposed C/CAG budget for FY 13-14.

REVENUE SOURCE:

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

BACKGROUND/ DISCUSSION:

The City of San Carlos is the Financial Agent for C/CAG. C/CAG annually negotiates a fee for these services. On June 14, 2012, C/CAG Board approved Resolution 12-42 authorizing the Chair to execute the agreement between C/CAG and City of San Carlos to provide financial services to C/CAG in an amount of \$73,600 for fiscal year 2012-13. A high level of service has been achieved by the City of San Carlos. All reports were provided on a timely basis. Additionally, the City of San Carlos staff has been very responsive to requests from C/CAG staff.

The City of San Carlos has proposed to increase the fee by 2.4% over last year's fee. The proposal is reasonable. The cost for bank fees, storage, postage, as well as costs for audit services are billed separately. Amendment #1 is currently under development. It will include the new fee of \$75,366, extend the end date to June 30, 2014, as well as the addition of new language regarding background check for Management personnel. It will be provided to C/CAG Chair for execution upon final approval by legal counsels.

ATTACHMENT:

- Resolution 13-16

ITEM 5.3

- Resolution 13-16



RESOLUTION 13-16

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY
ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE
C/CAG CHAIR TO EXECUTE AMENDMENT NO. 1 TO THE AGREEMENT BETWEEN
C/CAG AND THE CITY OF SAN CARLOS TO PROVIDE FINANCIAL SERVICES TO
C/CAG FOR A TOTAL OF \$75,366 FOR FY 2013-14**

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

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

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

WHEREAS, C/CAG Resolution 12-42 (June 14, 2012) authorized the Chair to execute an agreement between C/CAG and City of San Carlos to provide financial services to C/CAG in an amount of \$73,000 for fiscal year 2012-13; and,

WHEREAS, the City of San Carlos has proposed a fee \$75,366 for the financial services for fiscal year 2013-14; and,

WHEREAS, C/CAG and the City of San Carlos wish to set forth the terms and conditions, funding, and scope of work for the financial services as provided in Amendment #1.

THEREFORE BE IT RESOLVED NOW, by the Board of Directors of the City/County Association of Governments of San Mateo County authorizing the Chair to execute Amendment No. 1 to the Financial Service Agreement for fiscal year 2013-14 between the City of San Carlos and C/CAG in an amount not to exceed **\$75,366**.

PASSED, APPROVED, AND ADOPTED THIS 13TH DAY OF JUNE 2013.

Brandt Grotte, C/CAG Chair



C/CAG AGENDA REPORT

Date: June 13, 2013

To: C/CAG Board of Directors

From: Sandy Wong, Executive Director - C/CAG

Subject: Review and accept the Quarterly Investment Report as of March 31, 2013

(For further information, contact Sandy Wong at 650 599-1409)

RECOMMENDATION:

That the C/CAG Board of Directors review and accept the Quarterly Investment Report as of March 31, 2013.

FISCAL IMPACT:

None.

REVENUE SOURCE:

All C/CAG revenue sources.

BACKGROUND:

C/CAG's financial agent (City of San Carlos) provides a quarterly report of investments. Attached is the Quarterly Investment Report as of March 31, 2013. The total portfolio value is \$18,179,727 producing a weighted average yield of 0.34%. The total portfolio value decreased primarily from the transfer of funds from the LAIF investment portfolio account to the checking account for operating disbursements. There was no Lehman recovery payment received in the quarter. The County will be making the next distribution of the Lehman recovery payment in the fourth quarter of FY 2012-13. Of the total Lehman investment loss of \$222,171 in 2009, \$21,935 (or 9.9%) has been recovered to-date.

ATTACHMENT:

Quarterly Investment Report as of March 31, 2013

(1)

(2)

(3)

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

Board of Directors Agenda Report

To: Sandy Wong, Executive Director
From: Tracy Kwok, Financial Services Manager
Date: April 30, 2013

SUBJECT: Quarterly Investment Report as of March 31, 2013

RECOMMENDATION:

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

ANALYSIS:

The attached investment report indicates that on March 31, 2013, funds in the amount of \$18,179,727 were invested producing a weighted average yield of 0.34%. Accrued interest earnings for this quarter totaled \$15,365.

Below is a summary of the changes in the portfolio:

	Qtr Ended 3/31/13	Qtr Ended 12/31/12	Increase (Decrease)
Total Portfolio	\$ 18,179,727	\$ 18,961,215	\$ (781,488)
Wgtd Avg Yield	0.34%	0.39%	-0.05%
Interest Earnings	\$ 15,365	\$ 18,512	\$ (3,147)
Lehman Recovery Pymt	\$ -	\$ 8,528	\$ (8,528)

The total portfolio value decreased primarily from the transfer of funds from the LAIF investment portfolio account to the checking account for operating disbursements. With the decrease in the total portfolio value and in the weighted average yield, the accrued interest earnings for this quarter has decreased slightly. While no Lehman recovery payment was received in this quarter, a second Lehman recovery payment of \$8,528 was received in October 2012. Of the total Lehman investment loss of \$222,171 in 2009, \$ 21,935 or 9.9% has been recovered to-date. The County will be making the next distribution of the Lehman recovery payment in the fourth quarter of FY 2012-13.

Historical cash flow trends are compared to current cash flow requirements on an ongoing basis to ensure that C/CAG's investment portfolio will remain sufficiently liquid to meet all reasonably anticipated operating requirements. As of March 31, 2013, the portfolio contains enough liquidity to meet the next six months of expected expenditures by C/CAG. All investments are in compliance with the Investment Policy. Attachment 2 shows a historical comparison of the portfolio for the past nine quarters.

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

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

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

Attachments

- 1 – Investment Portfolio Summary for the Quarter Ended March 31, 2013
 - 2 – Historical Summary of Investment Portfolio
-

CITY & COUNTY ASSOCIATION OF GOVERNMENTS

SUMMARY OF ALL INVESTMENTS

For Quarter Ending March 31, 2013

Category	Weighted Average Interest Rate	HISTORICAL Book Value	GASB 31 ADJ Market Value
----------	---	--------------------------	-----------------------------

Liquid Investments:

Local Agency Investment Fund (LAIF)	0.28%	15,532,855	15,548,676
San Mateo County Investment Pool (COPOOL)	0.66%	2,646,873	2,658,096

Agency Securities

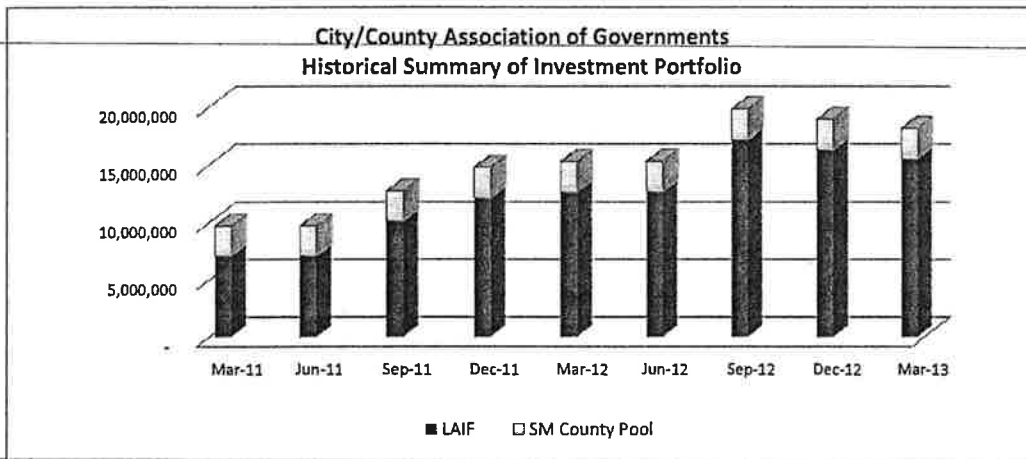
none

Total - Investments	0.34%	18,179,727	18,206,772
----------------------------	--------------	-------------------	-------------------

GRAND TOTAL OF PORTFOLIO	0.34%	\$ 18,179,727	\$ 18,206,772
---------------------------------	--------------	----------------------	----------------------

Total Accrued Interest this Quarter	15,365
Total Interest Earned (Loss) Fiscal-Year-to-Date	50,937

**C/CAG Investment Report
March 31, 2013**



City/County Association of Governments Investment Portfolio

	Mar-11	Jun-11	Sep-11	Dec-11	Mar-12	Jun-12	Sep-12	Dec-12	Mar-13
LAIF	7,149,659	7,158,604	10,167,100	12,174,722	12,685,059	12,696,529	17,207,806	16,319,895	15,532,855
SM County Pool	2,574,079	2,580,462	2,588,438	2,596,189	2,602,633	2,621,911	2,627,815	2,641,320	2,646,873
Total	\$ 9,723,738	\$ 9,739,066	\$ 12,755,537	\$ 14,770,911	15,287,692	15,318,440	19,835,621	18,961,215	18,179,727

C/CAG AGENDA REPORT

Date: June 13, 2013

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

From: Sandy Wong, Executive Director

Subject: Receive a copy of an executed agreement with Ricondo & Associates, Inc. for an amount not to exceed \$30,000 for development and delivery of a training workshop on the implementation of the Airport Land Use Compatibility Plan (ALUCP) for the environs of San Francisco International Airport (SFO), as approved by the C/CAG Chair in accordance with the C/CAG Procurement Policy

RECOMMENDATION

That the C/CAG Board receive a copy of an executed agreement with Ricondo & Associates, Inc. for an amount not to exceed \$30,000 for development and delivery of a training workshop on the implementation of the Airport Land Use Compatibility Plan (ALUCP) for the environs of San Francisco International Airport (SFO), as approved by the C/CAG Chair in accordance with the C/CAG Procurement Policy.

FISCAL IMPACT

Up to \$30,000.

SOURCE OF FUNDS

Funding for this effort comes from the San Francisco International Airport (per agreement approved by C/CAG Board Resolution No. 13-07).

BACKGROUND/DISCUSSION

At its Regular Meeting on November 8, 2012, the C/CAG Board, in its designated role as the Airport Land Use Commission, adopted the state-mandated Airport Land Use Compatibility Plan (ALUCP) for the environs of San Francisco International Airport (SFO). Ricondo & Associates prepared the Plan as directed by C/CAG staff, SFO staff, and other stakeholders. The relevant provisions in the *California Airport Land Use Planning Handbook October 2011* guided the content of the Plan. The Plan contains policies and criteria that address height of structures/airspace protection, aircraft noise impacts, and runway end safety

ITEM 5.5.1

compatibility within a defined Airport Influence Area (AIA) boundary for policy implementation. The AIA boundary affects 10 cities and unincorporated county territory in the northern part of the county. Due to the complexity of the Plan and the number of affected jurisdictions, C/CAG staff and SFO staff suggested that C/CAG sponsor a training workshop to educate local planners from the affected jurisdiction about the details of the SFO ALUCP and its implementation.

In selecting Ricondo & Associates to develop and deliver the SFO ALUCP training workshop, staff followed the C/CAG Procurement Policy. Since the contract amount is between \$25,001 and \$49,999, a formal request for proposal (RFP) was not required. Furthermore, staff selected Ricondo & Associates based on the following criteria: 1) Ricondo & Associates prepared the SFO ALUCP that was adopted by the C/CAG Board and therefore, has unique qualifications and experience to develop and deliver the training workshop, 2) the added time required for another consulting firm or individual to acquire the required knowledge for the needed services would create an unacceptable delay in the development and delivery of the training workshop, and 3) SFO in providing funding for the training workshop and currently retains Ricondo & Associates for on-going airport planning projects.

ATTACHMENT

Executed Agreement with Ricondo & Associates.

2013 4

AGREEMENT BETWEEN
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
AND RICONDO & ASSOCIATES, INC..

This Agreement entered this 30 day of May, 2013, by and between the City/County Association of Governments of San Mateo County, a joint powers agency, hereinafter called "C/CAG" and RICONDO & ASSOCIATES, INC., hereinafter called "Contractor."

WITNESSETH

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

WHEREAS, C/CAG is prepared to award funding for development and delivery of a training program for local city and county planning staff, regarding implementation of the adopted Airport Land Use Compatibility Plan (ALUCP) for the environs of San Francisco International Airport ; 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 December 31, 2013.
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 thirty thousand dollars (\$30,000) for Services provided during the Contract Term as set forth below. Payments shall be made to contractor monthly based on an invoice submitted by contractor that identifies expenditures and describes services performed in accordance with the agreement. C/CAG shall have the right to receive, upon request, documentation substantiating charges billed to C/CAG.
3. Relationship of the Parties. It is understood that Contractor is an Independent Contractor and this Agreement is not intended to, and shall not be construed to, create the relationship of agent, servant, employee, partnership, joint venture or association, or any other relationship whatsoever other than that of Independent Contractor.
4. Non-Assignability. Contractor shall not assign this Agreement or any portion thereof to a third party.

5. Contract Term. This Agreement shall be in effect as of April 22, 2013 and shall terminate on December 31, 2013; 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. In turn, C/CAG shall indemnify and save harmless Contractor, its agents, officers and employees from all claims, suits or actions to the extent caused by the negligence, errors, acts or omissions of C/CAG, its agents, officers or employees related to or resulting from C/CAG's performance, or non-performance under this Agreement.

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

7. Insurance: 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. Compliance with Memorandum of Understanding (MOU) between C/CAG and the City and County of San Francisco, via its Airport Commission, dated July 1, 2012. Contractor shall comply with all applicable provisions in the document entitled "Memorandum of Understanding Regarding the Preparation and Distribution of the Update to the Airport Land Use Compatibility Plan (ALUCP) for the Environs of San Francisco International Airport", dated July 1, 2012, incorporated herein, by reference, and attached hereto (the "MOU"). Contractor specifically acknowledges and agrees to the provisions of Section 8(b) of the MOU and that the provisions of §§12B.2(a), 12B.2(c)-(k), and 12C.3 of the San Francisco Administrative Code are incorporated herein and shall be complied with by Contractor.

11. 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.

12. 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.

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

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

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

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

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

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

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

Ricondo & Associates, Inc.
1917 Palomar Oaks Way, Suite 350
Carlsbad, CA 92008
ATTN: Joseph A. Huy

With copy to: Ricondo & Associates, Inc.
20 North Clark Street, Suite 1500
Chicago, IL 60602
ATTN: Ramon Ricondo

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

RICONDO & ASSOCIATES, INC. (Contractor)

By 


5-13-13
Date

City/County Association of Governments (C/CAG)

By 
Brandt Grotte, C/CAG Chair

30-MAY 2013
Date

C/CAG Legal Counsel

By  (as to form)

Attachments: Exhibit A Scope of Work

Memorandum of Understanding Regarding the Preparation and Distribution of the Update of the Airport Land Use Compatibility Plan (ALUCP) for the Environs of San Francisco International Airport, dated July 1, 2012

FINALRICONDOtrainingcontract0413.docx



EXHIBIT A

**To Agreement Between City/County Association of Governments of San Mateo County
and Ricondo & Associates**

**RE: Scope of Work: Training for implementation and administration of the
updated Comprehensive Airport Land Use Compatibility Plan (ALUCP)
for San Francisco International Airport**



(2)

(2)

SCOPE OF WORK

TRAINING FOR IMPLEMENTATION AND ADMINISTRATION OF THE UPDATED COMPREHENSIVE AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) FOR SAN FRANCISCO INTERNATIONAL AIRPORT

Ricondo & Associates, Inc.

April 15, 2013

This Scope of Work describes the tasks to be undertaken by Ricondo & Associates, Inc. (the Consultant) to support the City/County Association of Governments of San Mateo County (C/CAG) in training local planning officials in the implementation and administration of the updated ALUCP for San Francisco International Airport.

TASK 1.0 GENERAL TRAINING PROGRAM

1.1 Detailed Scope and Session Outline

The Consultant will coordinate with C/CAG staff in preparing a detailed scope, agenda, and outline for a general training seminar of approximately four hours duration. The scope is anticipated to cover the following items:

- Overview of updated ALUCP.
- Statutory responsibility of local governments to make land use plans and regulations consistent with updated ALUCP.
- Local government responsibilities prior to making local plans and regulations consistent with ALUCP.
- Local government responsibilities after making local plans and regulations consistent with ALUCP.
- Guidelines for the review of projects for consistency with ALUCP.
- Workshop on SFO iALP tool for airspace analysis. (SFO planning staff would be invited to facilitate this workshop.)

The Consultant also will coordinate with C/CAG in identifying agencies and staff members to invite to the training seminar. Invited agencies are expected to include the planning departments of all municipalities within Area B of the Airport Influence Area, San Mateo County, and the Airport.

Responsibilities: The Consultant will prepare draft and final scopes, agendas, and session outlines for the training seminar. C/CAG's project manager will review and approve the scope, agenda, and session outline. C/CAG will send invitations to requested seminar participants.

Deliverable: Memorandum describing the detailed scope, agenda, session outline, and format of a four-hour training seminar for local planning officials for review and approval by C/CAG's project manager.

1.2 Handouts, Exercises and PPT Presentation

Based on the approved training program scope, agenda, and session outline, the Consultant will prepare materials for the training seminar. These are anticipated to include handouts, worksheets, checklists, and a PowerPoint presentation. Before preparing final versions of the materials, the Consultant will prepare draft versions for review and approval by C/CAG's project manager.

Responsibilities: The Consultant will prepare draft and final versions of presentation materials and handouts.

Deliverables: Electronic versions of draft and final presentation materials.

1.3 On-Site Session Attendance and Facilitation

The Consultant will attend and, in cooperation with C/CAG staff, facilitate the training seminar. The seminar is anticipated to last no longer than approximately four hours. It is anticipated that the seminar format will include a combination of lecture-style presentations, question and answer sessions, and interactive workshops or break-out sessions. One trip by the Consultant is budgeted for a session in May 2013.

Responsibilities: The Consultant and C/CAG staff will attend and coordinate in facilitating the training session. C/CAG will be responsible for inviting all participants. C/CAG will also be responsible for securing the meeting location, providing audiovisual equipment, printing handouts, providing miscellaneous supplies (such as folders, notepads, pens and pencils), and refreshments.

Deliverable: Consultant's attendance at and facilitation of training session.

TASK 2.0 TRAINING SUPPORT SERVICES

2.1 Training Support Services

The Consultant will provide support to C/CAG staff, as requested, in providing additional training services and responding to questions from various implementing agencies. Among the groups that C/CAG anticipates assisting and training are the following:

- San Mateo County Association of Realtors
- School Districts

-
- Community College District
 - Special Districts
-

Responsibilities: The Consultant will provide services as specifically requested and authorized by C/CAG's project manager.

Deliverables: Services as requested by C/CAG project manager.

Airport Land Use Compatibility Planning Support Services for City/County Association of Governments of San Mateo County

Training for Implementation and Administration of
 Updated Comprehensive Airport Land Use Compatibility Plan (ALUCP)
 for San Francisco International Airport
 Ricondo & Associates, Inc.
 April 15, 2013

Task	Description	Hours by Labor Category												Direct Costs			Total	
		\$315		\$271		\$225		\$185		\$147		\$118		Person-Trips	Cost	Other Direct Costs	Hours	Cost
		Officer		Director		Managing Consultant/Manager		Sr. Consultant/Tech Specialist II		Consultant/Tech Specialist I		Tech Specialist/Support						
		Hours	Cost	Hours	Cost	Hours	Cost	Hours	Costs	Hours	Cost	Hours	Cost					
1.0	General Training Program	2	\$630	48	\$13,008	0	\$0	16	\$2,960	8	\$1,176	8	\$944	1	\$1,660	\$0	82	\$20,378
1.1	Detailed scope and session outline	1	\$315	16	\$4,336	0	\$0	0	\$0	0	\$0	4	\$472	0	\$0	\$0	21	\$5,123
1.2	Handouts, exercises and PPT presentation	1	\$315	16	\$4,336	0	\$0	16	\$2,960	8	\$1,176	4	\$472	0	\$0	\$0	45	\$9,259
1.3	On-site session attendance and facilitation	0	\$0	16	\$4,336	0	\$0	0	\$0	0	\$0	0	\$0	1	\$1,660	\$0	16	\$5,996
2.0	Training Support Services	0	\$0	18	\$4,878	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	\$0	18	\$4,878
2.1	Training Support Services	0	\$0	18	\$4,878	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	\$0	18	\$4,878
	TOTAL	2	\$630	66	\$17,886	0	\$0	16	\$2,960	8	\$1,176	8	\$944	1	\$1,660	\$0	100	\$25,256

ATTACHMENT

**MEMORANDUM OF UNDERSTANDING REGARDING THE PREPARATION
AND DISTRIBUTION OF THE UPDATE TO THE AIRPORT LAND USE
COMPATIBILITY PLAN (ALUCP) FOR THE ENVIRONS OF
SAN FRANCISCO INTERNATIONAL AIRPORT
DATED JULY 1, 2012**

(S)

(S)

(S)

**MEMORANDUM OF UNDERSTANDING
REGARDING PREPARATION AND DISTRIBUTION OF THE UPDATE TO THE
AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP)
FOR THE ENVIRONS OF SAN FRANCISCO INTERNATIONAL AIRPORT**

This MEMORANDUM OF UNDERSTANDING ("MOU") is entered into as of July 1, 2012, 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 Years ("FY") 2012/2013 and 2013/2014.

RECITALS

- The Commission operates the San Francisco International Airport ("SFO" or "Airport") which is located in San Mateo County ("County").
- California law (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"). The ALUC must prepare an Airport Land Use Compatibility Plan ("ALUCP") for the environs of each airport within its jurisdiction.
- C/CAG has been designated to serve as San Mateo County's ALUC, and has finalized the ALUCP Update regarding the environs of SFO.
- C/CAG has received a \$300,000 Federal Aviation Administration ("FAA") grant for 80% of the cost of updating the ALUCP and has received \$75,000 from the Commission to pay the 20% local share of the ALUCP in FY 2009/2010 and funding for outreach to its membership.
- C/CAG received \$100,000 from the Commission in FY 2010/2011 to fund implementation and administration of the environmental review process required under the California Environmental Quality Act (CEQA).
- C/CAG received an additional \$100,000 in FY 2011/2012 to fund the following: (1) a technical review of the Draft ALUCP Update and preparation of revisions as need related to the content of the final version of the new Caltrans Airport Land Use Compatibility Planning Handbook; and (2) preparation of revisions to the Draft ALUCP update to be consistent with the parameters of the Airport's Runway Safety Area Program (RSA).
- C/CAG has requested that the Commission provide an amount not to exceed \$60,000 in FY 2012/2013 and FY 2013-2014 to provide implementation training, report preparation, and document distribution of the comprehensive ALUCP.
- 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 staff or a consultant retained by C/CAG will conduct training sessions on the San Francisco International Airport ALUCP implementation.
- The training sessions will include both general implementation trainings and one on one training sessions for affected stakeholders, including, but not limited to the Cities of Burlingame, Millbrae, San Bruno, South San Francisco, Daly City, Colma, Hillsborough, San Mateo, Foster City and Pacifica.
- C/CAG staff will provide printing and distribution of the ALUCP update. The printing and distribution will include no less than 60 copies of the ALUCP and 100 CD/DVDs or flash drives that include the ALUCP, distribution of hard copies to stakeholders, and posting the ALUCP on the C/CAG website.
- C/CAG will provide these services during calendar year 2013.

2. Budgeted MOU Amount:

The Commission will pay to C/CAG a total amount not to exceed \$60,000 during FY 2012/2013 and FY 2013/14 for the services listed in Section 1 above.

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 \$60,000 in FY 2012/2013 and FY 2013/14.

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. C/CAG will invoice the Commission for the direct services rendered, which invoices will be accompanied by the following supporting documentation:

- Consulting Services
 - a) Invoices from the outside consultant to C/CAG.
 - b) Consultant hours worked on ALUCP Training Sessions.
 - c) Consultant hourly rates.
 - d) Direct services provided by consultant.
- C/CAG Staff
 - a) Functional timesheet of individual C/CAG staff including hours worked, hourly rate and a description of services provided.
 - b) Printing and other material costs associated with ALUCP distribution.

Upon review of the invoices and supporting documentation, the Commission will reimburse C/CAG for the amount of each invoice for consulting services and staff to provide the services described above, 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, but C/CAG shall not be required to perform or provide services if it is not to be reimbursed for those services. THIS SECTION CONTROLS AGAINST ANY AND ALL OTHER PROVISIONS OF THIS MOU.

6. Limited Liability. The obligations and liabilities of the Commission hereunder are limited obligations of the Commission payable solely from Airport revenues. Neither the Commissioners, the officers or employees of the Commission, nor any person executing this MOU shall be liable personally for the obligations of the Commission hereunder or be subject to any personal liability or accountability by reason of the execution hereof. Neither of the faith and credit nor the taxing power of the State of California or any political subdivision thereof, including the City, is pledged to the obligations of the Commission hereunder. The City's payment obligations under this MOU shall be limited to the payment of the budgeted amounts provided for above. Notwithstanding any other provision of this MOU, in no event shall the City be liable, regardless of whether any claim is based on contract or tort, for any special, consequential, indirect or incidental damages, including, but not limited to, lost profits, arising out of or in connection with this MOU or the services performed in connection with this MOU.

7. Submitting False Claims; Monetary Penalties. Pursuant to San Francisco Administrative Code §21.35, any contractor, subcontractor or consultant who submits a false claim shall be liable to the City for the statutory penalties set forth in that section. The text of Section 21.35, along with the entire San Francisco Administrative Code is available on the web at <http://www.municode.com/Library/clientCodePage.aspx?clientID=4201>. A contractor, subcontractor or consultant will be deemed to have submitted a false claim to the City if the contractor, subcontractor or consultant: (a) knowingly presents or causes to be presented to an officer or employee of the City a false claim or request for payment or approval; (b) knowingly

makes, uses, or causes to be made or used a false record or statement to get a false claim paid or approved by the City; (c) conspires to defraud the City by getting a false claim allowed or paid by the City; (d) knowingly makes, uses, or causes to be made or used a false record or statement to conceal, avoid, or decrease an obligation to pay or transmit money or property to the City; or (e) is a beneficiary of an inadvertent submission of a false claim to the City, subsequently discovers the falsity of the claim, and fails to disclose the false claim to the City within a reasonable time after discovery of the false claim.

8. Nondiscrimination; Penalties.

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

in violation of the provisions of this MOU may be assessed against C/CAG and/or deducted from any payments due C/CAG.


9. Airport Intellectual Property. Pursuant to Resolution No. 01-0118, adopted by the Airport Commission on April 18, 2001, the Commission affirmed that it will not tolerate the unauthorized use of its intellectual property, including the SFO logo, CADD designs, and copyrighted publications. All proposers, bidders, contractors, tenants, permittees, and others doing business with or at the Airport (including subcontractors and subtenants) may not use the Airport intellectual property, or any intellectual property confusingly similar to the Airport intellectual property, without the Airport Director's prior consent.
10. Tropical Hardwood and Virgin Redwood Ban. Pursuant to §804(b) of the San Francisco Environment Code, the City urges contractors not to import, purchase, obtain, or use for any purpose, any tropical hardwood, tropical hardwood wood product, virgin redwood or virgin redwood wood product.
11. Resource Conservation. Chapter 5 of the San Francisco Environment Code is incorporated herein by reference. Failure by C/CAG to comply with any of the applicable requirements of Chapter 5 will be deemed a material breach of this MOU.
12. Compliance with Americans with Disabilities Act. C/CAG acknowledges that, pursuant to the Americans with Disabilities Act (ADA), programs, services and other activities provided by a public entity to the public, whether directly or through a contractor, must be accessible to the disabled public. C/CAG shall provide the services specified in this MOU in a manner that complies with the ADA and any and all other applicable federal, state and local disability rights legislation. C/CAG agrees not to discriminate against disabled persons in the provision of services, benefits or activities provided under this MOU and further agrees that any violation of this prohibition on the part of C/CAG, its employees, agents or assigns will constitute a material breach of this MOU.
13. Audit and Inspection of Records. C/CAG agrees to maintain and make available to the City, during regular business hours, accurate books and accounting records relating to its work under this MOU. C/CAG will permit the City to audit, examine and make excerpts and transcripts from such books and records, and to make audits of all invoices, materials, payrolls, records or personnel and other data related to all other matters covered by this MOU, whether funded in whole or in part under this MOU. C/CAG shall maintain such data and records in an accessible location and condition for a period of not less than five years after final payment under this MOU or until after final audit has been resolved, whichever is later. The State of California or any federal agency having an interest in the subject matter of this MOU shall have the same rights conferred upon the City by this Section.
14. Assignment. Neither this MOU nor any duties or obligations hereunder may be assigned or delegated by C/CAG unless first approved by the City by written instrument executed and approved in the same manner as this MOU.
15. Invalid Provisions and Severability. In the event any covenant, condition or provision herein contained is held to be invalid or unenforceable by a court of competent jurisdiction, the invalidity or unenforceability of any such covenant, condition or provision shall in no way affect any other covenant, condition or provision herein contained, provided the invalidity or unenforceability of any such covenant, condition or provision does not materially prejudice either the Commission or C/CAG

in their respective rights and obligations contained in the valid covenants, conditions and provisions of this MOU.

16. Counterparts. This MOU may be executed in several counterparts, which together shall constitute one and the same instrument.

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

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY



Bob Grassilli
C/CAG Chair

3/14/13
Date




C/CAG Legal Counsel

3-11-13
Date

AIRPORT COMMISSION OF THE CITY AND COUNTY OF SAN FRANCISCO

Date: _____

By: 

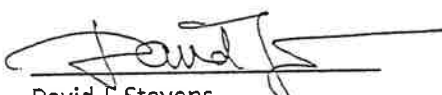
John L. Martin
Airport Director

APPROVED AS TO FORM:

DENNIS J. HERRERA
City Attorney

AUTHORIZED BY AIRPORT COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

Resolution No: 13-0051
Adopted: MAR. 4, 2013

By: 

David J. Stevens
Deputy City Attorney

ATTEST: 

Jean Caramatti
Commission Secretary

C/CAG AGENDA REPORT

DATE: June 13, 2013

TO: City/County Association of Governments Board of Directors

FROM: Sandy Wong, Executive Director

SUBJECT: Review and approval of Resolution 13-20 authorizing the C/CAG Chair to execute the Program Manager Funding Agreement with the Bay Area Air Quality Management District (BAAQMD) for the Fiscal Year 2013/14 Transportation Fund for Clean Air (TFCA) (40%) Program for San Mateo County for an amount up to \$1,063,526.42

(For further information please contact John Hoang at 650-363-4105)

RECOMMENDATION

That the C/CAG Board review and approve Resolution 13-20 authorizing the C/CAG Chair to execute the Program Manager Funding Agreement with the Bay Area Air Quality Management District (BAAQMD) for the Fiscal Year 2013/14 Transportation Fund for Clean Air (TFCA) (40%) Program for San Mateo County for an amount up to \$1,063,526.42.

FISCAL IMPACT

This agreement provides up to \$1,063,526.42 in TFCA funding for FY 2013/14. Included in this amount is \$52,526.42 for administrative costs of the program.

SOURCE OF FUNDS

TFCA funds are derived from a Vehicle Registration Fee surcharge provided to C/CAG by the BAAQMD.

BACKGROUND/ DISCUSSION

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

C/CAG, as the Program Manager for the TFCA Program in San Mateo County, distributes funds to qualifying projects that reduce air pollution, greenhouse gas emissions, and traffic congestion by **ITEM 5.6**

improving transportation options. On February 14, 2014, the C/CAG Board approved the projects to be funded as part of the FY 2013/14 TFCA Program, as follows:

Agency	Project Description	Amount
C/CAG	Program Administration	\$52,526.42
SamTrans	Employer Based Shuttle Projects	\$566,000.00
Peninsula Traffic Congestion Relief Alliance	Countywide Voluntary Trip Reduction Program	\$445,000.00
Total		\$1,063,526.42

The funding agreement between C/CAG and the BAAQMD is for the receipt of the FY 2013/14 TFCA County Program Manager funds.

ATTACHMENTS

- Resolution 13-20
- Funding Agreement between C/CAG and BAAQMD for FY 2013/14 (*Available for review and download at www.ccag.ca.gov/ccag.html*)

RESOLUTION 31-20

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG CHAIR TO EXECUTE THE PROGRAM MANAGER FUNDING AGREEMENT WITH THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT (BAAQMD) FOR THE FISCAL YEAR 2013/14 TRANSPORTATION FUND FOR CLEAN AIR (TFCA) (40%) PROGRAM FOR SAN MATEO COUNTY FOR AN AMOUNT UP TO \$1,063,526.42

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

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

WHEREAS, the Board of Directors of the City/County Association of Governments at its February 14, 2013 meeting approved certain projects and programs for funding through San Mateo County's 40 percent local share of Transportation Fund for Clean Air (TFCA) revenues; and

WHEREAS, C/CAG will act as the Program Manager for \$1,063,526.42 of TFCA funded projects; and

WHEREAS, it is necessary for C/CAG to enter into a Program Manager Agreement with the Bay Area Air Quality Management District (BAAQMD) setting forth the responsibilities of each party.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that on behalf of C/CAG the Chair is authorized to enter into an agreement with the Bay Area Air Quality Management District for the Fiscal Year 2013/14 Transportation Fund for Clean Air (TFCA) Program for San Mateo County for an amount up to \$1,063,526.42. This agreement is attached hereto and is in a form that has been approved by C/CAG legal counsel.

PASSED, APPROVED, AND ADOPTED THIS 13TH DAY OF JUNE 2013.

Brandt Grotte, Chair

C/CAG AGENDA REPORT

DATE: June 13, 2013

TO: City/County Association of Governments Board of Directors

FROM: Sandy Wong, Executive Director

SUBJECT: Review and approval of Resolution 13-21 authorizing the C/CAG Chair to execute a Funding Agreement between C/CAG and the Peninsula Traffic Congestion Relief Alliance (Alliance) in the amount of \$445,000 under the Fiscal Year 2013/14 Transportation Fund for Clean Air (TFCA) Program to provide the Countywide Voluntary Trip Reduction Program

(For further information please contact John Hoang at 650-363-4105)

RECOMMENDATION

That the C/CAG Board review and approve Resolution 13-21 authorizing the C/CAG Chair to execute a Funding Agreement between C/CAG and the Peninsula Traffic Congestion Relief Alliance (Alliance) in the amount of \$445,000 under the Fiscal Year 2013/14 Transportation Fund for Clean Air (TFCA) Program to provide the Countywide Voluntary Trip Reduction Program.

FISCAL IMPACT

Under the FY 2013/14 TFCA Program there is a total allocation of \$1,063,526.42 of which \$445,000 is designated for the Alliance Countywide Voluntary Trip Reduction Program.

SOURCE OF FUNDS

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

BACKGROUND/ DISCUSSION

C/CAG acts as the Program Manager for the TFCA Program in San Mateo County. This program distributes TFCA fund to projects whose primary objective is to reduce air pollution, greenhouse gas emissions, and traffic congestion by improving transportation options. On February 14, 2013, the C/CAG Board approved the Expenditure Plan for projects to be funded as part of the FY 2013/14 TFCA Program, which includes the Alliance's Countywide Voluntary Trip Reduction Program. This Program assists private and public sectors to connect their employees and customers with transportation systems that provide an alternative to driving single

ITEM 5.7

occupant vehicles. The Countywide Voluntary Trip Reduction Program is funded by various sources through C/CAG, including the Countywide Congestion Relief Plan as well as the San Mateo County share of the Regional Ridesharing and Bicycling Program funds made available through the Metropolitan Transportation Commission (MTC).

ATTACHMENTS

- Resolution 13-21
- Funding Agreement between C/CAG and Alliance for the FY 2013/14 TFCA Program
(Available for review and download at www.ccag.ca.gov/ccag.html)

RESOLUTION 13-21

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG CHAIR TO EXECUTE THE FUNDING AGREEMENT BETWEEN C/CAG AND THE PENINSULA TRAFFIC CONGESTION RELIEF ALLIANCE (ALLIANCE) IN THE AMOUNT OF \$445,000 UNDER THE FISCAL YEAR 2013/14 TRANSPORTATION FUND FOR CLEAN AIR (TFCA) PROGRAM TO PROVIDE THE COUNTYWIDE VOLUNTARY TRIP REDUCTION PROGRAM

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

WHEREAS, the Board of Directors of the City/County Association of Governments at its February 14, 2013 meeting approved certain projects and programs for funding through San Mateo County's local share of Transportation Fund for Clean Air (TFCA) revenues; and,

WHEREAS, the agencies implementing these projects, the scope of the work and the specified amount of TFCA funding, have been identified and approved by the Board of Directors; and,

WHEREAS, the Peninsula Traffic Congestion Relief Alliance (Alliance) is designated to receive TFCA funds for the Countywide Voluntary Trip Reduction Program which assists private and public sectors to connect their employees and customers with transportation systems that provide an alternative to driving single occupant vehicles; and

WHEREAS, it is necessary for C/CAG to enter into Project Sponsor agreements with the individual agencies receiving TFCA project funding, setting forth the responsibilities of each party.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the Chair is authorized to enter into an agreement with the Alliance for \$445,000 under the Transportation Fund for Clean Air (TFCA) Program. Be it further resolved that the C/CAG Executive Director is authorized to negotiate the final terms of said agreement prior to its execution by the C/CAG Chair, subject to approval as to form by C/CAG Legal Counsel.

PASSED, APPROVED, AND ADOPTED THIS 13TH DAY OF JUNE 2013.

Brandt Grotte, Chair



C/CAG AGENDA REPORT

DATE: June 13, 2013

TO: City/County Association of Governments Board of Directors

FROM: Sandy Wong, Executive Director

SUBJECT: Review and approval of Resolution 13-22 authorizing the C/CAG Chair to execute a Funding Agreement between C/CAG and the San Mateo County Transit District (SamTrans) in the amount of \$566,000 under the Fiscal Year 2013/14 Transportation Fund for Clean Air (TFCA) Program to provide shuttle services

(For further information please contact John Hoang at 650-363-4105)

RECOMMENDATION

That the C/CAG Board review and approve Resolution 13-22 authorizing the C/CAG Chair to execute a Funding Agreement between C/CAG and the San Mateo County Transit District (SamTrans) in the amount of \$566,000 under the Fiscal Year 2013/14 Transportation Fund for Clean Air (TFCA) Program to provide shuttle services.

FISCAL IMPACT

Under the FY 2013/14 TFCA Program there is a total allocation of \$1,063,526.42 of which \$566,000 is designated for the SamTrans Shuttle Bus Program.

SOURCE OF FUNDS

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

BACKGROUND/ DISCUSSION

C/CAG acts as the Program Manager for the TFCA Program in San Mateo County. This program distributes fund to projects whose primary objective is to reduce air pollution, greenhouse gas emissions, and traffic congestion by improving transportation options. On February 14, 2013, the C/CAG Board approved the Expenditure Plan for projects to be funded as part of the FY 2013/14 TFCA Program, which includes the SamTrans Shuttle Bus Program. This Program is a peak commute period shuttle bus service for nine (9) employer based shuttle routes connecting major employment centers in San Mateo, Daly City, South San Francisco, Brisbane, Millbrae, Foster City and San Bruno with BART stations.

ITEM 5.8

ATTACHMENTS

- Resolution 13-22
- Funding Agreement between C/CAG and SamTrans for the FY 2013/14 TFCA Program
(Available for review and download at www.ccag.ca.gov/html)

RESOLUTION 13-22

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG CHAIR TO EXECUTE A FUNDING AGREEMENT BETWEEN C/CAG AND THE SAN MATEO COUNTY TRANSIT DISTRICT (SAMTRANS) IN THE AMOUNT OF \$566,000 UNDER THE FISCAL YEAR 2013/14 TRANSPORTATION FUND FOR CLEAN AIR (TFCA) PROGRAM TO PROVIDE SHUTTLE SERVICES

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

WHEREAS, the Board of Directors of the City/County Association of Governments at its February 14, 2013 meeting approved certain projects and programs for funding through San Mateo County's local share of Transportation Fund for Clean Air (TFCA) revenues; and,

WHEREAS, the agencies implementing these projects, the scope of the work and the specified amount of TFCA funding, have been identified and approved by the Board of Directors; and,

WHEREAS, the San Mateo County Transit District (SamTrans) is designated to receive TFCA funds for the SamTrans Shuttle Bus Program which provides nine shuttle services between various employment centers and BART stations; and

WHEREAS, it is necessary for C/CAG to enter into Project Sponsor agreements with the individual agencies receiving TFCA project funding, setting forth the responsibilities of each party.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the Chair is authorized to enter into an agreement with the San Mateo County Transit District for \$566,000 under the Transportation Fund for Clean Air (TFCA) Program. Be it further resolved that the C/CAG Executive Director is authorized to negotiate the final terms of said agreement prior to its execution by the C/CAG Chair, subject to approval as to form by C/CAG Legal Counsel.

PASSED, APPROVED, AND ADOPTED THIS 13TH DAY OF JUNE 2013.

Brandt Grotte, Chair



C/CAG AGENDA REPORT

DATE: June 13, 2013

TO: City/County Association of Governments Board of Directors

FROM: Sandy Wong, Executive Director

SUBJECT: Review and approval of Resolution 13-23 authorizing the C/CAG Chair to execute an agreement between the City/County Association of Governments (C/CAG) of San Mateo County and the Peninsula Traffic Congestion Relief Alliance in the amount of \$510,000 from the Congestion Relief Plan to provide the Countywide Voluntary Trip Reduction Program for FY 2013/2014.

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

RECOMMENDATION

That the Board review and approve Resolution 13-23 authorizing the C/CAG Chair to execute an agreement between the City/County Association of Governments (C/CAG) of San Mateo County and the Peninsula Traffic Congestion Relief Alliance in the amount of \$510,000 from the Congestion Relief Plan to provide the Countywide Voluntary Trip Reduction Program for FY 2013/2014.

FISCAL IMPACT

There is up to \$550,000 budgeted for the Countywide Voluntary Trip Reduction Program under the Congestion Relief Plan.

SOURCE OF FUNDS

The funds under the Congestion Relief Plan are derived from C/CAG Member Agency assessments.

BACKGROUND/ DISCUSSION

At the February 14, 2013 C/CAG Board meeting the Board approved the Congestion Relief Plan funding for the Alliance in the amount of \$510,000 for FY 2013/2014 for the Countywide Voluntary Trip Reduction Program. The Peninsula Traffic Congestion Relief Alliance (Alliance) operates the Countywide Voluntary Trip Reduction Program to assist private and public sectors with connecting their employees and customers with transportation systems that provide an alternative to driving single occupant vehicles. This program is being jointly funded with revenues under the Transportation Fund for Clean Air Program, Countywide Congestion Relief Plan and the San Mateo County share of the Regional Ridesharing and Bicycling Program funds made available through the Metropolitan Transportation Commission (MTC).

The funding agreement shall be in a form to be approved by C/CAG Legal Counsel and is available for review at www.ccag.ca.gov/ccag.html.

ITEM 5.9

ATTACHMENTS

- Resolution 13-23
- Agreement between City/County Association of Governments and Peninsula Traffic Congestion Relief Alliance for the Countywide Voluntary Trip Reduction Program (available for review and download at www.ccag.ca.gov/ccag.html)

RESOLUTION 13-23

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG CHAIR TO EXECUTE AN AGREEMENT BETWEEN THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS (C/CAG) OF SAN MATEO COUNTY AND THE PENINSULA TRAFFIC CONGESTION RELIEF ALLIANCE IN THE AMOUNT OF \$510,000 FROM THE CONGESTION RELIEF PLAN TO PROVIDE THE COUNTYWIDE VOLUNTARY TRIP REDUCTION PROGRAM FOR FY 2013/2014.

WHEREAS, the Board of Directors of the City/County Association of Governments at its February 14, 2013 meeting approved programs for funding including the Countywide Voluntary Trip Reduction Program under the Congestion Relief Plan; and

WHEREAS, the Countywide Voluntary Trip Reduction Program is sponsored by the Peninsula Traffic Congestion Relief Alliance; and

WHEREAS, it is necessary for C/CAG to enter into a funding agreement with the Peninsula Traffic Congestion Relief Alliance for Congestion Relief Plan funding, setting forth the responsibilities of each party.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that on behalf of C/CAG the Chair is authorized to enter into a funding agreement with the Peninsula Traffic Congestion Relief Alliance in the amount of \$510,000 from the Congestion Relief Plan. This agreement shall be in a form approved by C/CAG Legal Counsel.

PASSED, APPROVED, AND ADOPTED THIS 13TH DAY OF JUNE 2013.

Brandt Grotte, Chair

(2)

(2)

(2)

C/CAG AGENDA REPORT

Date: June 13, 2012

To: City/County Association of Governments Board of Directors

From: Sandy Wong, Executive Director

Subject: Review and approval of Resolution 13-24 authorizing the C/CAG Chair to execute an agreement with Peninsula Corridor Joint Powers Board (JPB) in an amount not to exceed \$398,010 for JPB to perform a portion of the Smart Corridor construction as part of the San Bruno Grade Separation project and authorize the C/CAG Executive Director to issue an "Authorization to Proceed" to JPB for said work in advance of execution of said agreement

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

RECOMENDATION

Review and approval of Resolution 13-24 authorizing the C/CAG Chair to execute an agreement with the Peninsula Corridor Joint Powers Board (JPB) in an amount not to exceed \$398,010 for JPB to perform a portion of the Smart Corridor construction as part of the San Bruno Grade Separation project and authorize the C/CAG Executive Director to issue an "Authorization to Proceed" to JPB for said work in advance of execution of said agreement.

FISCAL IMPACT

This portion of the Smart Corridor project will be funded by Vehicle License fee.

BACKGROUND

The Smart Corridor project includes El Camino Real and selected east-west arterials connecting Highway 101 to El Camino Real. A portion of San Bruno Avenue is one of the selected east-west arterials. The original design of the Smart Corridor project included all the required elements and equipment to be installed on San Bruno Avenue. However, before the Smart Corridor project was ready to go out to bid, the Peninsula Corridor Joint Powers Board (JPB) awarded the contract for the San Bruno Avenue Grade Separation project that is currently under construction.

That portion of the Smart Corridor project falls within the same right-of-way as the Grade Separation construction area. Given that the Grade Separation project is under construction ahead of the Smart Corridor project, C/CAG removed all elements of the Smart Corridor project that were proposed within the limits of the Grade Separation project. The reason is because two contractors cannot be working in the same construction area in the duration of a construction contract.

ITEM 5.10

In addition, the Grade Separation project will lower a portion of San Bruno Avenue and pave the street when the project is completed. In order not to excavate and trench through the new pavement, the best alternative is to have the Grade Separation contractor install all Smart Corridor elements and equipment before paving the street. Staff provided plans and specifications to JPB staff and requested that they obtain a cost proposal from the contractor, including the cost of project management and inspection services for the installation of Smart Corridor equipment. The total cost submitted by JPB is \$398,010.

According to the Grade Separation project manager, the contractor will be installing Smart Corridor elements and equipment in July 2013. In order for the contractor to do the work in July, he must order all required materials as soon as possible.

At the present time, staff from both agencies, including the respective legal counsels, are in the process of developing and negotiating a written agreement between C/CAG and JPB. It is anticipated the formal legal review of the agreement may delay the contractor for ordering of the Smart Corridor equipment materials. Therefore, staff recommend the C/CAG Board authorize the C/CAG Executive Director to issue "Authorization to Proceed" to JPB in advance of execution of the agreement, if necessary.

ATTACHMENT

Resolution 13-24

RESOLUTION 13-24

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) AUTHORIZING THE CHAIR TO EXECUTE AN AGREEMENT WITH THE PENINSULA CORRIDOR JOINT POWERS BOARD (JPB) IN AN AMOUNT NOT TO EXCEED \$398,010 FOR JPB TO PERFORM A PORTION OF SMART CORRIDOR CONSTRUCTION AS PART OF THE SAN BRUNO AVE GRADE SEPARATION PROJECT AND AUTHORIZE THE C/CAG EXECUTIVE DIRECTOR TO ISSUE AN "AUTHORIZATION TO PROCEED" TO JPB FOR SAID WORK IN ADVANCE OF EXECUTION OF SAID AGREEMENT

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

WHEREAS, the C/CAG sponsored Smart Corridor project includes installing equipment on San Bruno Ave; and

WHEREAS, that portion of San Bruno Ave is currently under construction by the Peninsula Corridor Joint Powers Board (JPB) sponsored the Grade Separation project; and

WHEREAS, C/CAG desires to install Smart Corridor equipment on San Bruno Ave through the JPB Grade Separation contractor; and

WHEREAS, C/CAG accepts the JPB proposal of total cost of \$398,010 including the costs for construction, inspection, project management, and all necessary overhead; and

WHEREAS, that Smart Corridor equipment installation construction work is scheduled to begin in July 2013 and the contractor must order materials ahead of construction schedule.

NOW, THEREFORE, BE IT RESOLVED that the C/CAG Chair is hereby authorized to execute an agreement with the Peninsula Corridor Joint Powers Board (JPB) in an amount not to exceed \$398,010 for JPB to perform the agreed upon Smart Corridor construction as part of the San Bruno Ave Grade Separation project and the C/CAG Executive Director is hereby authorize to issue an "Authorization to Proceed" to JPB in advance of execution of said agreement.

PASSED, APPROVED, AND ADOPTED THIS 13TH DAY OF JUNE, 2013.

Brandt Grotte, Chair



C/CAG AGENDA REPORT

Date: June 13, 2013
To: City/County Association of Governments Board of Directors
From: Sandy Wong, Executive Director
Subject: Review and approval of Resolution 13-25 authorizing the C/CAG Chair to execute an agreement between C/CAG and the County of San Mateo for an amount not to exceed \$50,000 for staff services for the Resource Management and Climate Protection Committee and the Local Task Force for FY 2013-14.

For further information contact Sandy Wong at (650)599-1409 or Kim Springer at (650)599-1412.

RECOMMENDATION

Adopt Resolution 13-25 authorizing the C/CAG Chair to execute an agreement between C/CAG and the County of San Mateo (Department of Public Works) for an amount not to exceed \$50,000 for staff services for the Resource Management and Climate Protection (RMCP) Committee and the Local Task Force for FY 2013-14.

FISCAL IMPACT

\$50,000 (budgeted for FY 2013-14)

SOURCE OF FUNDS

The Congestion Relief Fund is the source of funds for the staffing of the RMCP Committee and the General fund is the source of funds for the staff work related to the Local Task Force.

BACKGROUND/DISCUSSION

The RMCP Committee provides advice and recommendations to the Congestion Management and Environmental Quality (CMEQ) Committee and the full C/CAG Board on matters related to energy and water and climate action/adaptation efforts in San Mateo County. The RMCP also reports on the San Mateo County Energy Watch (SMCEW) and updates, supports and promotes the goals and data outlined in the San Mateo County Energy Strategy, including: energy, water, collaboration between cities and the utilities, leadership and economic opportunities related to the RMCP committee's efforts.

Payment to the County of San Mateo is on a reimbursable basis. For fiscal year 2012-13, through the third quarter, the County invoiced C/CAG for \$19,163.80 for staff support to the RMCP Committee and its projects. No funding has been used for solid waste planning in FY 2012-13 as there have been no changes in solid waste facility permitting and no solid waste planning requiring review by the Local Task Force. However, funding for these staff services have been maintained in the proposed 2013-14 agreement for \$50,000.

ATTACHMENTS

Resolution 13-25
Agreement between C/CAG and County of SM (Available at: <http://www.ccag.ca.gov/ccag.html>)

ITEM 5.11



RESOLUTION NO. 13-25

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 BETWEEN C/CAG AND THE COUNTY OF SAN MATEO FOR AN AMOUNT NOT TO EXCEED \$50,000 FOR STAFF SERVICES FOR THE RESOURCE MANAGEMENT AND CLIMATE PROTECTION COMMITTEE AND THE LOCAL TASK FORCE FOR FISCAL YEAR 2013-14.

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, Department of Public Works (County) to serve as the primary technical staff support function for the Resource Management and Climate Protection Committee on matters related to energy, water, and greenhouse gas emission reduction strategies; and

WHEREAS, C/CAG desires to obtain services from the County to serve as staff to the Local Task Force on matters related to solid waste; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the Chair is authorized to execute an agreement with the County of San Mateo for staff services for the Resource Management and Climate Protection Committee and the Local Task Force for fiscal year 2013-14.

PASSED, APPROVED, AND ADOPTED THIS 13TH DAY OF JUNE 2013.

Brandt Grotte, Chair



C/CAG AGENDA REPORT

Date: June 13, 2013
To: C/CAG Board of Directors
From: Kim Springer, County Staff to C/CAG
Subject: Confirm approval of prior commitment of \$45,000 C/CAG contribution to the San Mateo County Green Business Program as approved by C/CAG Resolution 09-37
(For further information contact Sandy Wong at (650) 599-1409 or Kim Springer at (650) 599-1412)

RECOMMENDATION

That the C/CAG Board of Directors confirm its prior approval of \$45,000 C/CAG contribution to the San Mateo County Green Business Program as approved by C/CAG Resolution 09-37.

FISCAL IMPACT

\$45,000 budgeted in FY 2013-14

BACKGROUND/DISCUSSION

On October 8, 2009, the C/CAG Board approved Resolution 09-37 providing up to \$90,000 to the County of San Mateo, Department of Public Works (County) to support four countywide climate change-related programs. \$45,000 of the funding was designated for the San Mateo County Green Business Program. The funds were intended to be spent in FY 2009-10 and FY 2010-11.

The funding designated for the Green Business Program under Resolution 09-37 was never used due to concerns that the program was likely to be suspended due to an imminent change in source of funds for the program that could only support the solid waste portion of the program, and because the funding was approved with an understanding that it would be used to expand the program countywide. With its own funding concerns, the County chose not to expand the program. The County of San Mateo, Department of Public Works used other funding to support the program through July 2011, at which time the program was suspended.

County staff presented the program and funding challenges to the C/CAG RMCP and CMEQ committees and received agreement that the program was worthwhile and that an attempt to establish permanent funding to support the program should be made.

On February 1, 2013, the County re-launched the program for one year (through January 31, 2014) and hired a contractor to coordinate the program on a countywide basis. The funding from C/CAG will be used to pay for the non-solid waste portion of the contract.

ITEM 5.12

As a separate effort, on May 9, 2013, county staff presented a proposed city fee schedule to the C/CAG Board as part of the process of establishing a sustainable funding source for the program. This \$45,000 C/CAG contribution is a separate contribution from the individual city fees.

As part of the MOU or Agreement, County staff will present updates to the C/CAG Board and committees upon request by C/CAG staff.

ATTACHMENT

October 8, 2009 Staff Report for Resolution 09-37

C/CAG AGENDA REPORT

Date: June 13, 2013
To: C/CAG Legislative Committee
From: Sandy Wong, Executive Director
Subject: Review and approval of C/CAG legislative policies, priorities, positions, and legislative update (A position may be taken on any legislation, including legislation not previously identified)

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

RECOMMENDATION

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

FISCAL IMPACT

Unknown.

SOURCE OF FUNDS

NA.

BACKGROUND/DISCUSSION

On May 9, 2013, the Legislative Committee moved to add SB 557 to the bill matrix and monitor legislation without taking positions at this time. C/CAG Legislative Committee also receives monthly written reports and oral briefings from the C/CAG's State legislative advocates.

In May, C/CAG staff received a request to present AB 188 to the Legislative Committee for review and discussion. AB 188 revises the circumstances under which a "change in ownership" of real property owned by a legal entity is deemed to have occurred. This affects the triggering of a reassessment of property for tax purposes. The introduced bill is discussed in the attached report from C/CAG's State legislative advocates.

ATTACHMENTS

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

ITEM 6.1.1

(1)

(2)

(3)



ADVOCATION



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

May 30, 2013

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

RE: STATE LEGISLATIVE UPDATE- MAY

Legislative Deadlines

May has been an active month for the State Legislature. Deadlines have required legislators to move their bills through the legislative process in order for them to be enacted this year. The deadline to pass all bills with fiscal implications recently passed on May 25th and we are in the midst of the May 31st deadline for bills to pass out of their house origin.

On May 24th, the Senate Appropriations committee heard 257 bills and passed 185 of them while the Assembly Appropriations shelved many more bills, passing 184 out of the 328 bills which were heard in Committee on Friday the 25th. The bills which did not pass will be designated as “two-year” bills and begin the process over again in January 2014.

Bills which managed to pass the fiscal legislative deadline are up against another deadline this week as May 31st marks the final day for bills to be passed out of their house of origin. As a result, Legislators are working feverishly to move their measures out of the first house before the end of this month in order to avoid those measures becoming two-year bills. By early next week, we will be able to obtain a much clearer picture of the bills that are truly viable measures for 2013.

May Revise

In addition to the legislative deadlines, the State Legislature has also been working through the Governor’s May Revision of the State Budget, originally released in January. Both the Senate and the Assembly Budget Committees have adopted their respective budget proposals. The two committees will be convening a “conference committee” on May 31st to reconcile the differences between their respective Budget proposals.

It is important to note that the Senate and the Assembly don’t have many “major” differences in their respective proposals. Much debate is expected however with regards to the fact that both the Senate and the Assembly use the Legislative Analyst’s Office (LAO) Revenue Projections for their proposals. The LAO projections significantly exceed the projections used by the Governor’s Department of Finance (DOF) in the May Revision. This sets up a debate between the Legislature and the Governor on just how much California has to spend and where any additional dollars should be directed.

Cap and Trade

The Governor has proposed to borrow \$500 million from the Greenhouse Gas Reduction Fund to the General Fund and proposes to delay any additional appropriations of Cap and Trade Funding until the January 2014-15 Budget. The Governor contends that this loan would be short-term and would not interfere with the objectives of AB 32. However, upon hearing considerable testimony opposing the loan, the Assembly Budget Committee adopted a separate proposal to reduce the loan by \$100 million, which ostensibly frees up funds raised by recent auctions in the upcoming fiscal year. It is unclear how this \$100 million would be appropriated (or if it will remain in the final budget).

Additionally, we saw two bills that sought to implement a transportation and local government funding framework for the state Cap and Trade program fall victim to the recent Appropriations Committee deadline; AB 416 (Gordon) and AB 574 (Lowenthal). Both of these bills were supported by broad coalitions hoping to direct Cap and Trade funding to sustainable land use and clean transportation projects. The coalitions behind these bills will continue to work towards creating a structure which supports appropriating Cap and Trade funding for the purposes laid out in AB 416 and AB 574.

In the meantime, the Department of Finance and the California Air Resources Board released the Final Cap and Trade Investment Plan for fiscal years 2013-2014 through 2015-2016, as required by law. The plan prioritizes spending on Sustainable Communities Strategies and Clean Transportation options such as:

- Rail Modernization and system integration, expanded transit and ridership opportunities, transit oriented development and active transportation programs
- Low-carbon freight equipment, zero emission passenger transportation and fueling/charging infrastructure

The full investment plan can be seen here –

http://www.arb.ca.gov/cc/capandtrade/auctionproceeds/final_investment_plan.pdf

Bills of Interest

AB 188 (Ammiano)

AB 188 would revise the definition of “change of ownership” for the purposes of property tax assessment. The California Constitution requires properties to be reassessed upon a change of ownership, with certain exceptions. That event is easily defined when one entity purchases real property from another entity. However, it is less clear when properties are owned by corporations that are themselves owned by a number of shareholders change hands.

AB 188 would specify that if the entire ownership interest in a legal entity is sold or transferred in a single transaction, then the real property owned by that entity has changed ownership. The bill would also increase penalties for failing to report changes in ownership to the Board of Equalization (BOE) and require a deed to be recorded with the county recorder upon changes in ownership interest like those described above.

The author’s stated goal is to provide greater clarity about changes in ownership, improve reporting and enforcement, and heighten transparency of ownership patterns through the filing of deeds.

Impact on Cities: AB 188 could lead to greater revenues for local jurisdictions that receive property tax, including cities, counties and special districts, to the extent that those local jurisdictions have properties within their boundaries that would be subject to reassessment more frequently, based on the expanded change of ownership definition proposed by this bill. Older, well established cities have more properties which fall under the pre 1975 rate, which in turn creates a greater disparity from assessed value and market rate value. These properties stand to be assessed a significantly greater increase than newer properties which may have more recently changed owners and, as a result, those assessments may more closely resemble the market value.

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

Update on Stormwater Funding Proposal

Advocation and Shaw/Yoder/Antwih, Inc. has been working with legislative offices in the C/CAG legislative delegation to make the case in Sacramento that enabling legislation is necessary in order for C/CAG to pursue a Stormwater Funding Initiative. Key legislative staff in the Senate Governance and Finance Committee have indicated their belief that, as a joint powers agency, C/CAG has sufficient authority under current law to pursue the initiative without any changes in statute. After sharing our concerns, staff in the Senate Governance and Finance Committee requested that we go back to the State Legislative Counsel's Office and secure a fully written, legal opinion indicating that new legislation is necessary. We have been working to secure that written legal opinion and it should be completed by early July.

Assuming Legislative Counsel produces a written opinion that confirms the need for legislation, we will work with the Senate Governance and Finance Committee identify potential authors willing to amend an existing bill to incorporate the proposed legislation. We will use the legal opinion as background to support our request for legislation late in the legislative process.

The State Senate and State Assembly have adopted legislative calendars that differ slightly. Both houses begin their Summer Recess on July 12, but the Senate reconvenes on August 12th and the Assembly reconvenes slightly earlier, on August 5th. We hope to secure the legal opinion and introduce legislation prior to the Summer Recess and then work to move the legislation through the process in the remaining weeks in the 2013 legislative year which ends on September 13th.



C/CAG AGENDA REPORT

Date: June 13, 2013

TO: C/CAG Board of Directors

From: Sandy Wong, Executive Director

Subject: Receive a presentation on the draft Airport Land Use Compatibility Plan (ALUCP) for the Environs of Half Moon Bay Airport

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

RECOMMENDATION:

That the C/CAG Board receive a presentation on the draft Airport Land Use Compatibility Plan (ALUCP) for the Environs of Half Moon Bay Airport.

FISCAL IMPACT:

The cost to prepare the Airport Land Use Compatibility Plan (ALUCP) for the Environs of Half Moon Bay Airport by Coffman Associates is at \$171,000.

REVENUE SOURCES:

C/CAG Resolution 12-62 (October 11, 2012) approved the spending. Revenue will come from California Department of Transportation (Caltrans) Division of Aeronautics; the County of San Mateo Department of Public Works; as well as C/CAG member fee.

BACKGROUND/ DISCUSSION:

Half Moon Bay Airport (HAF) is a single-runway general aviation airport that is owned and operated by the County of San Mateo. The 323-acre facility is located west of California Highway 1, approximately four miles north of the City of Half Moon Bay. Unincorporated communities near the Airport include Moss Beach, El Granda, Montara, and Princeton-by-the-Sea. Runway 12-30 is 5,000 feet long and 150 feet wide. Typical aircraft that operate at the Airport include small jets, single-engine, and twin-engine piston-driven propeller aircraft, and small turbo-prop aircraft. All of these aircraft are limited to a maximum weight of 12,500 pounds, per an administrative limit imposed by the County. Heavier aircraft may operate at the Airport with pre-approval from the County Airport Manager.

The current HAF ALUCP was last updated in 1996. Since then, several actions have occurred that together, have created an opportunity to update the state-mandated ALUCP. These actions include that the following: preparation of an update of the federally required HAF Airport Layout Plan (ALP), preparation of updated aviation forecasts for HAF, Caltrans publication of a new version of the California Airport Land Use Planning Handbook, and preparation of updated aircraft noise contours for

ITEM 6.2

HAF. In addition to these actions, C/CAG received a state grant to fund the preparation of a comprehensive update of the ALUCP for HAF.

The draft content of the HAF ALUCP update was guided by the relevant provisions in the *California Airport Land Use Planning Handbook, October 2011*. The updated ALUCP includes policies and criteria that address height of structures/airspace protection, aircraft noise impacts, and safety compatibility criteria near the ends of the runway. The Plan is focused on future land use development within a defined Airport Influence Area (AIA) boundary. It does not apply to existing land uses, with minor exceptions.

The development of this draft ALUCP has been guided by a Project Advisory Team (PAT). PAT membership was approved by the C/CAG ALUC committee. This draft ALUCP has been presented to the PAT on May 22, 2013, the Midcoast Community Council on May 22, 2013, the Airport Land Use Committee (ALUC) on May 23, 2013, and the public via a Public Information Workshop on May 23, 2013.

ATTACHMENT

Draft Airport Land Use Compatibility Plan (ALUCP) for the Environs of Half Moon Bay Airport
(Paper copy provided to C/CAG Board Members only, separately.
Also available at: <http://halfmoonbayalucp.airportstudy.com/alucp/>)

C/CAG AGENDA REPORT

Date: June 13, 2013
To: City/County Association of Governments Board of Directors
From: Sandy Wong, Executive Director
Subject: Review and Approval of the Measure M Fiscal Year 2012-13 Annual Performance Report

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

RECOMMENDATION

That the C/CAG Board review and approve the Measure M Fiscal Year 2012-13 Annual Performance Report.

FISCAL IMPACT

Approximately \$6.7 million annually

SOURCE OF FUNDS

Measure M - \$10 Vehicle Registration Fee (VRF)

BACKGROUND/DISCUSSION

The C/CAG sponsored Measure M, approved by the voters of San Mateo County in 2010, impose an annual fee of ten dollars (\$10) on motor vehicles registered in San Mateo County for transportation-related traffic congestion and water pollution mitigation programs. The revenue is estimated at \$6.7 million annually over a 25 year period. Per the Expenditure Plan, 50% of the net proceeds will be allocated to cities/County for local streets and roads and 50% will be used for countywide transportation programs such as transit operations, regional traffic congestion management, water pollution prevention, and safe routes to school.

A 5-Year Implementation Plan, approved by the C/CAG Board on March 10, 2011 and amended May 10, 2012, established the percentage breakdown and estimated revenue for the respective categories and programs as follows:

ITEM 6.3

Category / Programs	Allocation	Annual Revenue (Million)	5-Year Revenue (Million)
▪ Program Administration	5%	\$0.34	\$1.70
▪ Local Streets and Roads	50% of net revenue	\$3.18	\$15.90
▪ Transit Operations and/or Senior Transportation*	22%	\$1.40	\$7.00
▪ Intelligent Transportation System (ITS) and Smart Corridors*	10%	\$0.64	\$3.18
▪ Safe Routes to Schools (SR2S)*	6%	\$0.38	\$1.90
▪ National Pollutant Discharge Elimination System (NPDES) and Municipal Regional Permit (MRP)*	12%	\$0.76	\$3.82
Total		\$6.70	\$33.50

* *Countywide Transportation Programs (50% of net revenue)*

Based on actual revenue received to date, the annual revenue is approximately \$6.5 million.

The allocations for the Countywide Transportation Programs are derived based on anticipated needs and estimated implementation cost to fund each respective programs and projects, annually and over the 5-Year implementation period. It is the intent that each Countywide Transportation programs and projects will be evaluated at the end of each year to determine whether the initial funding level (allocations) was adequate or whether it requires adjustments based on the actual expenditures incurred during the previous year.

The Measure M Annual Performance Report for Fiscal Year 2012-13 is attached.

ATTACHMENTS

- Measure M Fiscal Year 2013 Annual Performance Report (May 2013)

MEASURE M - \$10 VEHICLE REGISTRATION FEE

FISCAL YEAR 2012-13 ANNUAL PERFORMANCE REPORT

May 2013

REVENUE

Collection of the \$10 Vehicle Registration Fee (VRF) commenced in May 2011. The annual program budget estimates about \$6.5 million in revenue (originally \$6.7 million). For the Fiscal Year (FY) 2012-13, the average monthly revenue is approximately \$540,000. The following table summarizes the revenue collected as of May 6, 2013, and distribution amounts to the various program categories.

REVENUE		Total to Date	FY 2011-12	FY 2012-13 (as of 5/6/13)
Total VRF Collected		\$ 12,313,711.76	\$7,981,295.73	\$4,332,416.03
DMV fees		\$ (61,228.95)	(\$59,062.75)	(\$2,166.20)
To C/CAG		\$ 12,252,482.81	\$7,922,232.98	\$4,330,249.83
DISTRIBUTION				
Program Administration	5%	\$ 612,624.14	\$ 396,111.65	\$ 216,512.49
County Assessors Election Costs		\$ 549,527.25	\$ 549,527.25	
Net Available		\$11,090,331.42	\$ 6,976,594.08	\$ 4,113,737.34
Local Streets and Roads	50%	\$ 5,545,165.71	\$ 3,488,297.04	\$ 2,056,868.67
Traffic Congestion				
Stormwater Pollution Prevention				
Countywide Transportation Programs	50%	\$ 5,545,165.71	\$ 3,488,297.04	\$ 2,056,868.67
Transit Operations/Senior Programs	22%	\$ 2,439,872.91	\$ 1,534,850.70	\$ 905,022.21
ITS / Smart Corridors	10%	\$ 1,109,033.14	\$ 697,659.41	\$ 411,373.73
Safe Routes to School	6%	\$ 665,419.89	\$ 418,595.64	\$ 246,824.24
NPDES and MRP admin and projects	12%	\$ 1,330,839.77	\$ 837,191.29	\$ 493,648.48
Total		\$11,090,331.42	\$ 6,976,594.08	\$ 4,113,737.34

FY 2011-12 Revenue includes fees collected in May and June 2011.

The total revenue indicated above is for vehicle registration fees collected only and does not include any interest income that has accrued during this period. The DMV fees, which are recurring administration fees, include the initial \$55,072.30 set-up cost.

DISTRIBUTION

Program Administration

Funds allocated for administration pays for program management and administration activities. For FY 2011-12, there were nominal cost applied to Measure M since the cost to administer the overall vehicle registration fee programs were included in the \$4 Vehicle Registration Fee program cost. The County Assessors cost of elections in the amount of \$549, 527.25 was also taken off the top in FY 2011-12. For FY 2012-13, there will be nominal administration cost. Unexpended allocation for program administration will be reallocated to the countywide programs in future years.

Local Streets and Roads

Funds for local streets and roads are allocated to jurisdictions to reimburse expenditures related to traffic congestion management or stormwater pollution prevention related activities. Allocations are issued biennially for funds collected from July to December and from January to June of each fiscal year. For FY 2011-12, a total amount of \$3,488,297.04 was allocated with \$3,378,018.38 reimbursed to the local jurisdictions to date. Approximately 70% of the total allocation has been spent on street resurfacing and congestion management projects with the remaining 30% used to reimburse street sweeping, storm drain inlet cleaning, Municipal Regional Permit (MRP) compliance and other activities.

In March 2013, C/CAG issued an allocation in the amount of \$1,504,407.85 (funds collected during the first half of FY 2012-13. The second allocation for FY 2012-13 will be issued in September 2013.

Countywide Transportation Programs

Transit Operations/Senior Mobility Programs

Funds for this category are currently used for paratransit (disabled and senior) service including Senior Mobility programs. C/CAG entered into a two-year funding agreement with the San Mateo Transit District (SamTrans) for FY 2011-12 and FY 2012-13 in an amount of \$1.4 million annually to partially fund the RediWheels and Senior Mobility programs. SamTrans' annual paratransit service budget is approximately \$14 million.

The Senior Mobility Program provides the following services:

- Community Transit – promote/coordinate community shuttles
- Community-Based Transportation – provide rides through a network of coordinated transportation providers and maximize existing vehicle resources
- Encouraging Use of Transit – provide through volunteer Mobility Ambassadors
- Information and Assistance – provide guides, mobility assessments and trip planning, and older driver safety programs
- Taxicab Services – promote acquisition of accessible taxi vehicles
- Walking – promote improvements to remove barriers to pedestrian activities by older adults

Due to delays associated with the development and implementation of program component, no work will be performed for FY 2011-12 and FY 2012-13. Funds set aside for this program, approximated \$125,000, will be applied to the RediWheels program.

The RediWheels program is a fixed-route paratransit service for persons with disabilities who cannot independently use regular SamTrans bus service. The RediWheels service is provided on the bayside of the County (RediCoast on the coast side). SamTrans offers paratransit customers a financial incentive to use the services by allowing ADA (American with Disabilities Act) certified customers and personal care attendants to ride all regular fixed-route SamTrans trip without paying a fare.

Performance measures to assess effectiveness of the Redi-Wheels program regarding ridership and contractor performance to date are provided below as quarterly averages (July 2011 through March 2013):

Shuttle Service

- Revenue Hours = 12,583
- Ridership (one way trips) = 22,117
- Individual Riding (number of enrolled individual RediWheels users who rode) = 1,975
- Cost Per Rider = \$46.34

Contractor

- Productivity (Passengers per hour) = 1.76 (1.7 Standard)
- On Time Performance = 89.1% (90%)
- Complaints per thousand riders = 0.65 (2.5)
- Telephone hold time (minutes) = 0.9 (1.5)

Intelligent Transportation System (ITS)/Smart Corridors

Funds are being accumulated under this program category to be used for the San Mateo County Smart Corridors project construction and maintenance in addition to funding other countywide ITS projects. The Smart Corridors project deploys and integrates ITS elements, including communication network, signal system upgrade, signage and close circuit cameras along state routes (El Camino Real) and major local streets enabling Caltrans and local cities to implement strategies to manage recurring and non-recurring traffic congestion to reduce delays and improve mobility. The project is located from I-380 to the Santa Clara County line and includes local arterials connecting US 101 and SR 82 (El Camino Real).

Of the \$36 million budget for the remaining construction phases, approximately \$3.5 million is budgeted as local funds, which is provided through a combination of AB1546 (\$4 VRF) and Measure M. The major construction phase of the Smart Corridors commenced in October 2012 and is expected to be completed in 2014. An annual maintenance program will be developed for the Smart Corridors.

For other ITS projects in the County, an assessment will be performed before the end of the fiscal year to prioritize needs for ITS for San Mateo County for the next year and beyond.

Safe Routes to School (SR2S)

The San Mateo County SR2S program is a countywide effort to promote activities that increase the number of students walking, biking and carpooling to schools as ways of promoting students' health and

fitness, in addition to reducing traffic congestion around schools and improving air quality. The program focuses on non-infrastructure project outreach activities such as education, encouragement, and evaluation.

The current San Mateo County SR2S Program is a 2-Year (FY 11-12 to FY 12-13) \$2 million program, funded by \$1.42 million STP/CMAQ with the remaining from Measure M. The San Mateo County Office of Education (COE) is managing the San Mateo County SR2S program on behalf of C/CAG. Work on the program officially commenced in July 2011. Two committees, the Policy Advisory Committee and Operations Committee, have been established to oversee and guide the development of the SR2S Program.

The first two years of the SR2S program is established as a non-competitive grant program. Individual schools are eligible up to \$15,000 with a maximum of \$75,000 to the district. Over \$1.3 million have been awarded to schools. To date, 105 schools (K-8) have participated in the SR2S program totaling over 40,000 students. Typical projects include walking and bicycle audits and student education such as bike rodeos, safety assemblies, pedestrian safety, and development of educational videos. Schools are also implementing walking school buses, bike trains/carpools, and parking lot management. Encouragement events include Walk and Roll Wednesdays/Fresh Air Fridays, Bike to School Day, Walk to School Day, and various contests.

Student hand tallies conducted in September 2012 regarding school travels (based on 109,341 total trips at 72 elementary schools) indicated the following mode split: Family vehicle (57%), Walk (22%), Carpool (8%), School Bus (5%), Transit (4%), Bike (3%), and Other (1%). Results of parent surveys, also conducted in September 2012, indicated that parents were not aware of the SR2S program at the time of the survey. The survey results show that a large percentage of children who live a mile or more from school are driven and a significant percentage of children who live a half mile or less from school are also being driven to school on a daily basis. The survey results also indicated that most parents are primarily concerned about driver behaviors and student safety.

National Pollutant Discharge Elimination System (NPDES)/Municipal Regional Permit (MRP)

Funds accumulating under this program category are designated for pollution mitigation programs and projects, as allowed under Measure M's authorizing legislation, Government Code Section 65089.20. The C/CAG Board authorized unrestricted use of these funds for Municipal Regional Permit compliance activities in May 2012. C/CAG staff is working with legal counsel to develop a revised Expenditure Plan for C/CAG Board consideration that would allow unrestricted use of this category of funds for all mandated compliance activities in the Municipal Regional Permit (MRP). This represents a significant change from the \$4 VRF, which was more restricted by its authorizing legislation to programs and projects that directly addressed the pollution impacts from vehicles and transportation infrastructure. Should the C/CAG Board adopt a revised Expenditure Plan allowing unrestricted use of these funds for MRP compliance, As such, these funds are being would be directed toward countywide compliance activities through C/CAG's Countywide Water Pollution Prevention Program, primarily for technical consultant costs for regulatory compliance support programs. Staff anticipates utilizing approximately \$1 million for compliance support in Fiscal Year 2012-13 and \$1.2 million in FY 2013-14.

Approval of unrestricted use of these funds for MRP compliance activities also allows the local jurisdictions to use any portion of their annual allocations under the Local Streets and Roads portion of

funding for MRP-related efforts compliance activities, rather than just specific activities such as street sweeping or catch basin inlet cleaning, as was allowed is the current practice with the \$4 VRF.

In the event there is an accumulation of Measure M funds in this program category that are not needed for MRP compliance activities, C/CAG staff anticipates using the funds to either further expand C/CAG's Green Streets and Parking Lots Program or to assist local jurisdictions with MRP compliance efforts, such as providing funding for trash capture devices. Determining whether surplus funds are available will likely not be possible until the MRP is reissued and C/CAG can estimate countywide compliance costs for the next five-year permit term. C/CAG staff anticipates, however, using accumulated \$4 VRF for these types of programs where a clear nexus to pollution impacts from vehicles and transportation infrastructure can be shown.

(1)

(2)

(3)

C/CAG AGENDA REPORT

Date: June 13, 2013

To: City/County Association of Governments Board of Directors

From: Sandy Wong, C/CAG Executive Director

Subject: Review and Approval of Resolution 13-18 authorizing the C/CAG Chair to execute a funding agreement between C/CAG and SamTrans for the Allocation of Measure M Funding in the amount of \$1,400,000 annually for Fiscal Year 2013-14 and Fiscal Year 2014-15

(For further information contact John Hoang at 650-363-4105)

RECOMMENDATION

That the C/CAG Board review and approve Resolution 13-18 authorizing the C/CAG Chair to execute a funding agreement between C/CAG and SamTrans for the Allocation of Measure M Funding in the amount of \$1,400,000 annually for Fiscal Year 2013-14 and Fiscal Year 2014-15

FISCAL IMPACT

FY 2013-14: \$1,400,000, FY 2014-15: \$1,400,000 (or up to a maximum of 22% of the net revenue collected)

SOURCE OF FUNDS

Measure M - \$10 Vehicle Registration Fee

BACKGROUND/DISCUSSION

The C/CAG sponsored Measure M, which was approved by the voters of San Mateo County in 2010; impose an annual fee of ten dollars (\$10) on motor vehicles registered in San Mateo County for transportation-related traffic congestion and water pollution mitigation programs. The estimated revenue of \$6.7 million annually (\$167 million over the next 25 years) help fund various transportation programs for the 20 cities and the County. Per the Expenditure Plan, 50% of the net proceeds will be allocated to cities/County for local streets and roads and 50% will be used for countywide transportation programs such as transit operations, regional traffic congestion management, water pollution prevention, and safe routes to school.

The 5-Year Implementation Plan, approved by the C/CAG Board on March 10, 2011, and amended May 10, 2012, allocates 22% of the net revenue collected, approximately \$1,400,000

ITEM 6.4

annually, to the Transit Operations/Senior Transportation programs. C/CAG entered into a 2-Year funding agreement with the San Mateo County Transit District (SamTrans) for Fiscal Years FY 2011-12 and 2012-13 to help fund paratransit services for RediWheels and the Senior Mobility Program. The SamTrans annual budget for paratransit is approximately \$14 million. The two programs are described as follows:

- The RediWheels program is a fixed-route paratransit service for persons with disabilities who cannot independently use regular SamTrans bus service. The RediWheels service is provided on the bayside of the County (RediCoast on the coast side). SamTrans offers paratransit customers a financial incentive to use the services by allowing ADA (American with Disabilities Act) certified customers and personal care attendants to ride all regular fixed-route SamTrans trip without paying a fare.

Measures of performance include hours of service provided by shuttles and taxis, number of customers served, number of trips, and other measures as feasible. Additional performance measures applied to the RediWheels contractors include: miles between preventable accidents, productivity (passengers per hour), service-related complaints, incoming call wait time, and on-time performance.

- The Senior Mobility Program provides the following services: Community Transit, Community-Based Transportation, Encouraging Use of Transit, Information and Assistance, Taxicab Services, and Promote Walking by older adults. (Expanded program descriptions can be found in the attached Funding Agreement Scope of Work)

Measures of performance to determine effectiveness of the services include number of organizations outreached, number of individuals participated, frequency and number of community meetings held, type of collateral distributed or made available to seniors, and other measures as needed.

Program performances will be reviewed annually and after the two year funding agreement period and adjustments to the program, scope of work, and funding levels will be made if necessary.

It is recommended that C/CAG continue to provide SamTrans up to \$1.4 million annually to help fund the RediWheels and Senior Mobility Programs for Fiscal Years 2013-14 and 2014-15.

ATTACHMENTS

- Resolution 13-18
- Funding Agreement between C/CAG and SamTrans for Allocation of Measure M Funding for FY 2013-14 & FY 2014-15

RESOLUTION 13-18

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/ COUNTY
ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
AUTHORIZING THE EXECUTION OF A FUNDING AGREEMENT
BETWEEN C/CAG AND SAMTRANS FOR THE ALLOCATION OF
MEASURE M FUNDING IN THE AMOUNT OF \$1,400,000 ANNUALLY FOR
FISCAL YEAR 2013-14 AND FISCAL YEAR 2014-15**

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 for San Mateo County responsible for the development and implementation of the Congestion Management Program for San Mateo County; and

WHEREAS, on November 2, 2010, the San Mateo County voters approved Measure M, which imposes an additional \$10 VRF on each motor vehicles registered within the county, effective May 2011 and continuing for a period of 25 years; and

WHEREAS, the 5-Year Measure M Implementation Plan approved by the C/CAG Board in March 2011 and amended in May 2012, stipulates that twenty-two percent (22%) of the net revenue collected, approximately \$1,400,000 annually, is allocated to the Countywide Transit Operations and Senior Transportation Programs (the "Program"); and

WHEREAS, SamTrans is designated as the agency that will receive the annual funding allocation, on a reimbursement basis, for implementation of the Program, which consists of the Senior Mobility Program and RediWheels; and

WHEREAS, C/CAG and SamTrans the District desire to enter into a funding agreement for the allocation of Measure M funds for the Program.

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 SamTrans for an amount up to \$1,400,000 annually for FY 2013-14 and FY 2014-15 in a form that has been approved by C/CAG Legal Counsel.

PASSED, APPROVED, AND ADOPTED, THIS 13TH DAY OF JUNE 2013.

Brandt Grotte, Chair



FUNDING AGREEMENT
BETWEEN
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
AND
SAN MATEO COUNTY TRANSIT DISTRICT
FOR
ALLOCATION OF MEASURE M FUNDS

THIS AGREEMENT, entered into this _____ day of _____ 2013, by and between the CITY/COUNTY ASSOCIATION OF GOVERNMENTS, a Joint Powers Agency within the County of San Mateo, hereinafter called "C/CAG" and the SAN MATEO COUNTY TRANSIT DISTRICT, a public agency, hereinafter called "District."

WITNESSETH

WHEREAS, California Government Code Section 65089.20 authorized C/CAG to impose an additional vehicle registration fee of up to ten dollars (\$10) (the "\$10 VRF") on each motor vehicles registered within the county, to be used for transportation-related congestion and pollution mitigation programs and projects; and

WHEREAS, on November 2, 2010, the San Mateo County voters approved Measure M, which imposes an additional \$10 VRF on each motor vehicles registered within the county, effective May 2011 and continuing for a period of 25 years; and

WHEREAS, the 5-Year Measure M Implementation Plan approved by the C/CAG Board in March 2011, and amended May 10, 2012, stipulates that twenty-two percent (22%) of the net revenue collected, approximately \$1,400,000 annually, is allocated to the Countywide Transit Operations and Senior Transportation Program (the "Program"); and

WHEREAS, the District is designated as the agency that will receive the annual funding allocation, on a reimbursement basis, for implementation of the Program; and

WHEREAS, C/CAG and the District desire to enter into a formal funding agreement for the allocation of Measure M funds for the Program.

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

1. SCOPE OF SERVICES

The District shall serve as the lead agency for implementing the Program, which is further described in Exhibit A attached hereto and incorporated herein.

2. TIME OF PERFORMANCE

This Agreement is effective for two (2) years, and shall become effective starting in Fiscal Year 2013-14, on July 1, 2013, and shall terminate in Fiscal Year 2014-15, on June 30, 2015. Either party may terminate the Agreement without cause by providing thirty (30) days advance written notice to the other party.

3. FUNDING AND METHOD OF PAYMENT

- a) C/CAG agrees to pay the District, on a reimbursement basis, an amount up to 22% of the net Measure M revenue collected, estimated at approximately \$1,400,000 per fiscal year, for the Program.
- b) C/CAG shall provide the District the actual allocation amount annually once all Measure M revenue is collected for the applicable fiscal year.
- c) The District shall submit billings on a quarterly basis accompanied by the activity reports and paid invoices issued by the District's contractor or District's progress payments as proof that Program services were rendered and paid for by the District, delivered or mailed to C/CAG as follows:

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

- d) Upon receipt of the invoice and its accompanying documentation, C/CAG shall pay the amount claimed under each invoice, up to the maximum amount available pursuant to this Agreement, within thirty (30) days of receipt of the invoice.
- e) Subject to duly executed amendments, it is expressly understood and agreed that in no event will the total funding commitment under this agreement exceed 22% of the net Measure M revenue, estimated at approximately \$1,400,000 per fiscal year, unless revised in writing and approved by C/CAG and the District.

4. AMENDMENTS

Any changes in the services to be performed under this Agreement shall be incorporated in written amendments, which shall specify the changes in work performed and any adjustments in compensation and schedule. All amendments shall be executed by C/CAG and the District. No claim for additional compensation or extension of time shall be recognized unless contained in a duly executed amendment.

5. NOTICES

All notices or other communications to either party by the other shall be deemed given when made in writing and delivered or mailed to such party at their respective addresses as follows:

To C/CAG: City/County Association of Governments
 555 County Center, 5th Floor
 Redwood City, CA 94063
 Attention: John Hoang

To The District: San Mateo Transit District

1250 San Carlos Avenue
San Carlos, CA 94907
Attention: Joel Slavit

6. INDEPENDENT CONTRACTOR

The parties agree and understand that the work/services performed by either of the parties or any consultant retained by either of the parties under this Agreement are performed as independent contractors and not as employees or agents of the other party. Nothing herein shall be deemed to create any joint venture or partnership arrangement between the District and C/CAG.

7. MUTUAL HOLD HARMLESS

- a. The District shall defend, save harmless and indemnify C/CAG, and its directors, officers, agents and employees from any and all claims for injuries or damage to persons and/or property which arise out of the terms and conditions of this Agreement and which result from the negligent acts or omissions of The District , its directors, officers, agents and/or employees.
- b. C/CAG shall defend, save harmless, and indemnify The District , and its directors, officers, agents and employees from any and all claims for injuries or damage to persons and/or property which arise out of the terms and conditions of this Agreement and which result from the negligent acts or omissions of C/CAG, its directors, officers, agents and/or employees.
- c. In the event of concurrent negligence of SamTrans, its directors, officers, agents and/or employees, and C/CAG, its directors, officers, agents and/or employees, then the liability for any and all claims for injuries or damage to persons and/or property which arise out of terms and conditions of this Agreement shall be apportioned according to the California theory of comparative negligence.

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

SAN MATEO COUNTY
TRANSIT DISTRICT

CITY/COUNTY ASSOCIATION OF
GOVERNMENTS

Michael Scanlon, Executive Director

Brandt Grotte, C/CAG Chair

Approved as to form:

Attorney for the District

Counsel for C/CAG

EXHIBIT A

SCOPE OF WORK

Countywide Transit / Senior Mobility Programs

I. SAMTRANS PARATRANSIT SERVICE

The San Mateo County Transit District (SamTrans) is proposing to use Measure M funding to cover costs related to paratransit (disabled and senior) service provided by SamTrans.

For FY12, the total paratransit budget is \$14M. Passenger fares cover approximately 6 percent of the costs while the use of sales tax covers 39 percent, or \$5.5M. Other sources of revenue are ADA operating subsidy grants from the Federal Transit Administration, San Mateo County Transportation Authority (SMCTA) Measure A funds, and interest income. Proposed Measure M funds will help offset the use of sales tax and possibly increases in future costs to the paratransit service due to increased demand.

Background

Paratransit is for persons with disabilities who cannot independently use regular SamTrans bus service some of the time or all of the time. SamTrans provides paratransit using Redi-Wheels on the byside of the County and RediCoast on the coastside. Trips must be prearranged.

All of SamTrans' buses are accessible, and many persons with disabilities are able to use the regular fixed-route bus service. The entire fleet of fixed-route buses is equipped with wheelchair lifts or ramps and kneeling feature to make boarding easier.

SamTrans offers paratransit customers a financial incentive to use fixed-route services. Redi-Wheels and RediCoast ADA Certified customers and their Personal Care Attendants who possess a valid Redi-Wheels or RediCoast ADA identification card are allowed to ride all regular fixed-route SamTrans trips without paying a fare. Personal care attendants accompanying Redi-Wheels or RediCoast ADA customers also are allowed to ride all regular fixed-route SamTrans trips without paying a fare.

The Americans with Disabilities Act of 1990, better known as ADA, is federal legislation that guarantees persons with disabilities full and equal access to the same services and accommodations that are available to people without disabilities. The ADA requires public transit operators to provide paratransit service to persons with disabilities that is comparable to the level of fixed-route service provided. Persons with disabilities who cannot independently ride fixed-route transit may be eligible for paratransit service.

Statistics

In fiscal year 2011, Redi-Wheels and RediCoast vehicles and contracted taxis provided approximately 200,000 hours of service to 316,000 customers.

Redi-Wheels alone carried 277,000 customer trips in fiscal year 2011. Of these, 96,000 trips were made by seniors 65 years of age or older. A number of these trips were made by lift-equipped vehicles. However, some 70,000 trips were made by ambulatory seniors who can ride

in a regular sedan and do not require special equipment. These trips could be carried by ~~alternative mobility methods such as volunteer drivers.~~

Measures of Effectiveness

SamTrans will provide C/CAG with performance measure criteria to assess the effectiveness of the Redi-Wheels program including but not limited to: a) hours of service per month, b) number of trips per month, and number of individuals who ride in a given month, c) cost per passenger. The Redi-Wheels program includes sub-contracted taxi services.

In addition, SamTrans will also provide C/CAG performance measures applied to the RediWheels contractors which include: a) Miles between preventable accidents: 70,000 miles between preventable accidents, b) Productivity (passengers per hour): 1.70 passengers per hour, c) Service-related complaints per thousand customers: 2.5 complaints per thousand customers d) Incoming call wait time: 1.5 minutes or less, and e) On time performance: 90%.

II. SENIOR MOBILITY PROGRAM

SamTrans' annual Senior Mobility Program is founded on the San Mateo County Senior Mobility Action Plan (2006) that includes the following "Senior Transportation" service strategies.

1. Community Transit Services
 - Promote and coordinate community shuttles and human service transportation services
2. Community-Based Transportation
 - Provide rides through a network of coordinated transportation providers
 - Create a volunteer driver program
 - Maximize existing vehicle resources in the County through the facilitation of vehicle sharing partnerships among agencies
3. Encouraging Use of Transit
 - Encourage the use of public transit through volunteer Mobility Ambassadors
4. Information and Assistance
 - Provide a printed and web-based Senior Mobility Guide to existing transportation services
 - Establish a One-Call Center to provide mobility assessments, trip planning, and information about available transportation services
 - Provide information in a variety of different languages and mediums
5. Safe Driving
 - Promote older driver safety programs
6. Taxicab Services
 - Support the acquisition of accessible taxi vehicles
 - Support countywide taxi regulation
7. Walking
 - Promote improvements that remove barriers to pedestrian activity by older adults

The Senior Mobility Program is supported by the following County and regional planning documents:

- The Metropolitan Transportation Commission Coordinated Public Transit/Human Services Transportation Plan recommends county-wide mobility management,