

# 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*

### **C/CAG BOARD MEETING NOTICE and SAN MATEO COUNTY AIRPORT LAND USE COMMISSION MEETING NOTICE**

Meeting No. 308

- DATE:** Thursday, May 10, 2018
- 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>

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- 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  
  
None
- 5.0 CONSENT AGENDA

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

- 5.1 Review and approval of Resolution 18-21 determining that the proposed project at 111 San Bruno Avenue, San Bruno, including related rezoning, is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport. ACTION p. 1
- 6.0 REGULAR AGENDA
- 6.1 Review and approval of the project list for funding under the Joint C/CAG and San Mateo County Transportation Authority Shuttle Program for FY 2018/2019 and FY 2019/2020, and approval of Resolution 18-20 authorizing the C/CAG Chair to execute a funding agreement with the City of Menlo Park in an amount not to exceed \$1,004,135 for the two year period. ACTION p. 17
- 6.2 Review and approval of Resolution 18-22 approving the Grant Writing Technical Assistance Program (GW-TAP) and authorizing the C/CAG Chair to execute agreements with Dudek, Grant Management Associates, and Gray-Bowen-Scott to provide on-call grant writing services for the Technical Assistance Program to assist C/CAG and its 21 member agencies for two-year terms in a cumulative amount not to exceed \$200,000. ACTION p. 27
- 10.0 ADJOURNMENT

Next scheduled meeting June 14, 2018

**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 Mima Guilles 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: Mima Guilles (650) 599-1406*

## MEETINGS

- |              |  |
|--------------|--|
| May 10, 2018 | C/CAG Board – SamTrans, 2nd Flr Auditorium – 6:30 p.m.                                       |
| May 10, 2018 | Legislative Committee - SamTrans 2nd Flr Auditorium – 5:30 p.m.                              |
| May 16, 2018 | RMCP Committee – 555 County Center, 5th Flr, Conf. Rm 1 – 2 p.m                              |
| May 16, 2018 | San Mateo County Water Coordination Committee – San Mateo City Hall – Conf. Rm C – 7:30 a.m. |
| May 17, 2018 | CMP Technical Advisory Committee – SamTrans, 2nd Flr Auditorium – 1:15 p.m.                  |
| May 17, 2018 | Stormwater Committee – SamTrans, 2nd Flr Auditorium – 2:30 p.m.                              |
| May 21, 2018 | CMEQ Committee – San Mateo City Hall – Conf. Rm C – 3 p.m.                                   |
| May 24, 2018 | Airport Land Use Committee – 501 Primrose Rd, Burlingame, CA – Council Chambers 4p.m.        |
| May 24, 2017 | BPAC Committee - San Mateo City Hall – Conference Room – 7:00 p.m.                           |
| May 29, 2018 | Administrators’ Advisory Committee – 555 County Center, 5th Flr, Redwood City – 12 p.m.      |

## C/CAG AGENDA REPORT

Date: May 10, 2018

To: City/County Association of Governments of San Mateo County Board of Directors

From: Sandy Wong, Executive Director

Subject: Review and approval of Resolution 18-21 determining that the proposed project at 111 San Bruno Avenue, San Bruno, including related rezoning, is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport

(For further information or response to questions, contact Susy Kalkin at 650-599-1467 or [kkalkin@smcgov.org](mailto:kkalkin@smcgov.org))

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### RECOMMENDATION

That the C/CAG Board of Directors, acting as the Airport Land Use Commission, adopt Resolution 18-21 determining that the 111 San Bruno Avenue Mixed-Use project, including the related rezoning, is consistent with the applicable airport/land use policies and criteria contained in the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (SFO ALUCP), subject to the following conditions:

1. *Prior to issuance of a building permit, the City of San Bruno shall require the developer/owner of the subject property to grant an avigation easement, as presented in Appendix G of the SFO ALUCP, to the City and County of San Francisco, as the proprietor of SFO.*
2. *The project construction shall include sound insulation sufficient to reduce interior noise levels from exterior sources to CNEL 45 dB or lower.*
3. *Because the ultimate tenancy of the commercial space is unknown, a condition shall be included to prohibit children's schools, large child day care centers (facilities serving 15 or more children) and other uses identified in Table IV-2 of the SFO ALUCP as incompatible in Safety Zone 3.*
4. *Appropriate text shall be included in the project approval to indicate that the site is located within Airport Influence Area A for San Francisco International Airport, the area where the real estate disclosure requirements of California Business and Professions Code Section 11010 apply, and to require that the real estate disclosure clearly note that the site is located within the 65 dB CNEL Airport Noise Contour.*

## **BACKGROUND**

California Government Code Section 65302.3 states that a local agency General Plan, Zoning Ordinance and/or any affected specific plan must be consistent with the applicable airport/land use criteria in the relevant adopted Airport Land Use Compatibility Plan (ALUCP), and requires all land use policy amendments that affect property within Area B of an Airport Influence Area (AIA) be submitted for a determination of compatibility with the ALUCP. In addition, for cities that have not yet updated their local plans to be compatible with the latest ALUCP, individual development plans within Area B of the AIA must also be submitted for a consistency determination.

Accordingly, the City of San Bruno has referred the subject Development Project and Rezoning, which is located within AIA B for SFO, for a determination of consistency with the SFO ALUCP.

### Project Description

The proposal involves demolition of an existing vacant commercial building at 111 San Bruno Avenue and an adjacent commercial shopping center at 761 – 767 Huntington Avenue, and construction of a five-story mixed-use building comprised of 62 dwelling units and approximately 8,500 sf of ground floor commercial space. The project also includes rezoning the development site to Planned Development.

### ***Airport/Land Use Compatibility Issues***

Each airport/land use compatibility plan (ALUCP) is required to contain policies and criteria to address three key issues: (a) aircraft noise impacts; (b) safety compatibility criteria; and (c) height of structures/airspace protection.

#### (a) Aircraft Noise Impacts

The 65 dB CNEL (Community Noise Equivalent Level) aircraft noise contour defines the threshold for airport noise impacts established in the SFO ALUCP. As shown on Attachment 3, the subject property lies within the 65-70dB. In accordance with the Noise/Land Use Compatibility Criteria shown in Table IV-1 of the SFO ALUCP, multi-family residential use is conditionally compatible within this area provided: 1) that sound insulation is included to reduce interior noise levels from exterior sources to CNEL 45 dB or lower; and, 2) that an avigation easement is granted to the City and County of San Francisco as operator of SFO. Subject to these conditions, the project would be consistent with the SFO ALUCP noise policies and criteria.

#### (b) Safety Compatibility

The SFO ALUCP includes five safety zones and related land use compatibility policies and criteria. As shown on the Attachment 4, the Project is located within Safety Zone 3, the Inner Turning Zone. The land use compatibility criteria for safety are established in Table IV-2 of the SFO ALUCP. Neither multi-family residential nor general commercial development are listed as either an incompatible use or use that should be avoided in the Zone. However, because the ultimate tenancy of the commercial space is unknown, a condition is recommended to prohibit children's schools, large child day care centers (facilities serving 15 or more children) and other uses identified as incompatible in Safety Zone 3. Subject to this condition, the project would be consistent with the safety zone policies of the SFO ALUCP.

(c) Height of Structures/Airspace Protection

To be deemed consistent with the SFO ALUCP, the maximum height of a new building must be the lower of (1) the height shown on the airspace protection surfaces map or (2) the maximum height determined not to be a “hazard to air navigation” by the FAA in an aeronautical study prepared pursuant to the filing of Form 7460-1. The proposed project is 62 feet tall and, as shown on the Attachment 5, is located in an area that requires FAA notification. Accordingly, the project sponsor has submitted the required application to the FAA and has received the attached “Determination of No Hazard to Air Navigation” (Attachment 6). Therefore, the project is found to be consistent with the airspace protection policies of the SFO ALUCP.

***Airport Land Use Committee***

The Airport Land Use Committee considered this item at its April 26, 2018 meeting, and voted unanimously to find the project conditionally compatible with the SFO ALUCP, subject to an additional condition regarding Real Estate Disclosure requirements associated with the proximity of the site to the San Francisco International Airport.

Section 11010 of the California Business and Professions Code requires people offering subdivided property for sale or lease to disclose the presence of all existing and planned airports within two miles of the property. The law requires that, if the property is within an “airport influence area” designated by the Airport Land Use Commission, the following statement must be included in the notice of intention to offer the property for sale:

“Notice of Airport in Vicinity

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine if they are acceptable to you.”

The ALUC recommended that this disclosure requirement be included in the conditions, and that the language also reference the fact that the project site is located within the 65 dB CNEL Airport Noise Contour.

**ATTACHMENTS**

1. Resolution 18-21
2. Project Plan Excerpts
3. Exhibit IV-6 Noise Compatibility Zones
4. Exhibit IV-8 Safety Compatibility Zones
5. Exhibit IV-11 FAA Notification Requirements
6. FAA Determination of No Hazard to Air Navigation

## **RESOLUTION 18-21**

### **RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY, ACTING AS THE SAN MATEO COUNTY AIRPORT LAND USE COMMISSION, DETERMINING THAT THE PROPOSED MIXED-USE PROJECT AT 111 SAN BRUNO AVENUE, SAN BRUNO, INCLUDING RELATED REZONING, IS CONDITIONALLY CONSISTENT WITH THE COMPREHENSIVE AIRPORT LAND USE COMPATIBILITY PLAN FOR THE ENVIRONS OF SAN FRANCISCO INTERNATIONAL AIRPORT**

**RESOLVED**, by the Board of Directors of the City/County Association of Governments of San Mateo County (C/CAG), acting as the San Mateo County Airport Land Use Commission (ALUC); that,

**WHEREAS**, California Public Utilities Code Section 21676(b) requires that prior to the amendment of a general plan or specific plan, or the adoption or approval of a zoning ordinance, a local agency shall first refer the proposed action to the Airport Land Use Commission for a determination of consistency with the applicable Airport Land Use Plan; and,

**WHEREAS**, the City of San Bruno has submitted its proposed mixed-use project at 111 San Bruno Avenue, including the related rezoning (the "Project"), to the C/CAG Board, acting as the San Mateo County Airport Land Use Commission, for a determination of consistency with the Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (SFO ALUCP); and

**WHEREAS**, the Project is located within Airport Influence Area B of San Francisco International Airport, the area subject to formal CCAG/ALUC Review; and

**WHEREAS**, three sets of airport/land use compatibility policies and criteria in the SFO ALUCP relate to the Project: (a) aircraft noise impacts; (b) safety compatibility criteria; and (c) height of structures/airspace protection, as discussed below:

- (a) Aircraft Noise Impacts - The 65 dB CNEL (Community Noise Equivalent Level) aircraft noise contour defines the threshold for airport noise impacts established in the SFO ALUCP. The Project is located within the 65-70dB Airport Noise Contour. In accordance with the Noise/Land Use Compatibility Criteria shown in Table IV-1 of the SFO ALUCP, multi-family residential use is conditionally compatible within this area provided: 1) that sound insulation is included to reduce interior noise levels from exterior sources to CNEL 45 dB or lower; and, 2) that an aviation easement is granted to the City and County of San Francisco as operator of SFO. Subject to these conditions, the project is determined to be consistent with the SFO ALUCP noise policies and criteria.
- (b) Safety Compatibility - The SFO ALUCP identifies five safety zones. The Project is located within Safety Zone 3, the Inner Turning Zone. The land use compatibility criteria for safety are established in Table IV-2 of the SFO ALUCP. Neither multi-family residential nor general commercial development are listed as either an

incompatible use or a use that should be avoided in the Zone. However, because the ultimate tenancy of the commercial space is unknown, a condition is included to prohibit children's schools, large child day care centers (facilities serving 15 or more children) and other uses identified as incompatible in Safety Zone 3. Subject to this condition, the project is determined to be consistent with the safety zone policies of the SFO ALUCP.

- (c) **Airspace Protection** - The SFO ALUCP incorporates the provisions in Title 14 of the Code of Federal Regulations Part 77 (FAR Part 77), "Safe, Efficient Use and Preservation of the Navigable Airspace", which establishes the standards for determining obstructions to air navigation, and with the federal notification requirements related to proposed development within the 14 CFR boundaries. To be deemed consistent with the ALUCP, the maximum height of a new building must be the lower of (1) the height shown on the airspace protection surfaces map or (2) the maximum height determined not to be a "hazard to air navigation" by the FAA in an aeronautical study prepared pursuant to the filing of Form 7460-1.

The proposed project is 62 feet tall and is located in an area that requires FAA notification. Accordingly, the project sponsor has submitted the required application to the FAA and has received a "Determination of No Hazard to Air Navigation". Therefore, the project is found to be consistent with the airspace protection policies of the SFO ALUCP.

**WHEREAS**, the Project is located within Airport Influence Area (AIA) A for San Francisco International Airport, where the State real estate disclosure requirements of Section 11010 of the Business and Professions Code apply. The Project does not currently reflect this requirement, but it is included herein as a condition of approval; and

**WHEREAS**, at its April 26, 2018 meeting, and based on the factors and conditions listed above, the Airport Land Use Committee recommended that the C/CAG Board of Directors, acting as the Airport Land Use Commission, determine that the proposed mixed-use project at 111 San Bruno Avenue, San Bruno, is consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport; and,

**NOW THEREFORE BE IT RESOLVED**, by the Board of Directors of the City/County Association of Governments of San Mateo County, acting as the San Mateo County Airport Land Use Commission, that subject to the conditions contained in Exhibit A, attached, the City of San Bruno's proposed mixed-use project at 111 San Bruno Avenue, including the related rezoning, is deemed to be consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport.

**PASSED, APPROVED, AND ADOPTED, THIS 10TH DAY OF MAY 2018.**

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*Maryann Moise Derwin, Chair*

**Resolution 18-21 – Conditions of Approval:**

1. Prior to issuance of a building permit, the City of San Bruno shall require the developer/owner of the subject property to grant an avigation easement, as presented in Appendix G of the SFO ALUCP, to the City and County of San Francisco, as the proprietor of SFO.
2. The project construction shall include sound insulation sufficient to reduce interior noise levels from exterior sources to CNEL 45 dB or lower.
3. Because the ultimate tenancy of the commercial space is unknown, a condition shall be included to prohibit children's schools, large child day care centers (facilities serving 15 or more children) and other uses identified in Table IV-2 of the SFO ALUCP as incompatible in Safety Zone 3.
4. Appropriate text shall be included in the project approval to indicate that the site is located within Airport Influence Area A for San Francisco International Airport, the area where the real estate disclosure requirements of California Business and Professions Code Section 11010 apply, and to require that the real estate disclosure clearly note that the site is located within the 65 dB CNEL Airport Noise Contour.





San Mateo County Airport and IS Commission

City of San Bruno			
111 San Bruno Ave. and 761-767 Huntington Ave.			
567 El Camino Real		020-276-290, 020-293-040	
San Bruno	CA	94066	
Michael Smith	650-616-7062	msmith@sanbruno.ca.gov	
New construction of a 5 story, mixed-use building with 62 dwelling units, approx. 8,500 sq. ft. of ground floor commercial space, and 86 parking spaces (78 of which are in mechanical parking devices).			
See attached project narrative.			

For General Plan, Specific Plan or Zoning Amendments and Development Projects:

A copy of the relevant amended sections, maps, etc., together with a detailed description of the proposed changes, sufficient to provide the following:

1. Adequate information to establish the relationship of the project to the three areas of Airport Land Use compatibility concern (ex. a summary of the planning documents and/or project development materials describing how ALUCP compatibility issues are addressed):
  - a) Noise: Location of project/plan area in relation to the noise contours identified in the applicable ALUCP.
    - Identify any relevant citations/discussion included in the project/plan addressing compliance with ALUCP noise policies.
  - b) Safety: Location of project/plan area in relation to the safety zones identified in the applicable ALUCP.
    - Include any relevant citations/discussion included in the project/plan addressing compliance with ALUCP safety policies.
  - c) Airspace Protection:
    - Include relevant citations/discussion of allowable heights in relation to the protected airspace/proximity to airport, as well as addressment of any land uses or design features that may cause visual, electronic, navigational, or wildlife hazards, particularly bird strike hazards.

- If applicable, identify how property owners are advised of the need to submit Form 7460-1, *Notice of Proposed /Construction or Alteration* with the FAA.

2. Real Estate Disclosure requirements related to airport proximity
3. Any related environmental documentation (electronic copy preferred)
4. Other documentation as may be required (ex. related staff reports, etc.)

Additional information For Development Projects:

1. 25 sets of scaled plans, no larger than 11" x 17"
2. Latitude and longitude of development site
3. Building heights relative to mean sea level (MSL)

ALUCP Plans can be accessed at <http://ccag.ca.gov/plansreportslibrary/airport-land-use/>

Please contact C/CAG staff at 650 599-1467 with any questions.

<b><i>For C/CAG Staff Use Only</i></b>
<b><i>Date Application Received</i></b>
<b><i>Date Application Deemed Complete</i></b>
<b><i>Tentative Hearing Dates:</i></b>
- <b><i>Airport Land Use Committee</i></b>
- <b><i>C/CAG ALUC</i></b>

111 San Bruno Ave. (project narrative continued)

The project site is located within the Transit Corridors Plan (TCP) Specific Plan area and project site is Catalytic Opportunity Site #2 within the plan area. The height limit for the subject property is 65 feet/5 floors. The proposed building would measure 62 feet/5 floors in height.

The subject property is approximately 28,180 square-feet in area and is located directly across the street from the San Bruno Caltrain Station at the northern entrance San Bruno's central business district. The project site is currently zoned C (General Commercial) but would be rezoned, as part of the comprehensive zoning code update, to a Transit Oriented District (TOD) that permits high-density, mixed-use buildings within close proximity to transit.

The site consist of two parcels. The corner parcel, 111 San Bruno Avenue, is developed with a vacant bank building and surface parking lot. The southernmost parcel, 761 – 767 Huntington Avenue, is developed with a commercial shopping center and surface parking lot.

A Program Environmental Impact Report (EIR) and Mitigation Monitoring and Reporting Program was prepared for the Transit Corridors Plan (TCP) and was adopted by the City Council on February 12, 2013. The environmental review for this proposed project is being evaluated for conformance with the previously certified TCP EIR. Therefore, site specific, individual projects, such as the proposed project, can be evaluated using the TCP EIR to decide if all potentially significant environmental impacts of the individual project:

- ) Have been previously identified (are not new) and are not substantially more severe than those identified in the TCP EIR;
- ) Will be avoided or mitigated to the extent feasible as a result of the EIR; and
- ) Have been examined in the EIR, site-specific project revisions, or the implementation of standards development standard regulations.

To determine if the above conditions are met, an Initial Study/Environmental Checklist will be prepared for the proposed project. The analysis will determine whether the proposed project is within the scope of the previous EIR, or whether an additional environmental document is required, in accordance with California Environmental Quality Act (CEQA) Guidelines. The Initial Study/Environmental Checklist for the project is being developed.

The subject property is located within Area B of the Airport Influence Area (AIA) for San Francisco International Airport (SFO), which requires review by the Airport Land Use Commission (C/CAG Board).

The longitude and latitude coordinates for the project are: 37.6300020,-122.411933.

The ground elevation is 20' above mean sea level (MSL) and the proposed building would measure approximately 85' above MSL.

# 111 SAN BRUNO AVE

SAN BRUNO, CA

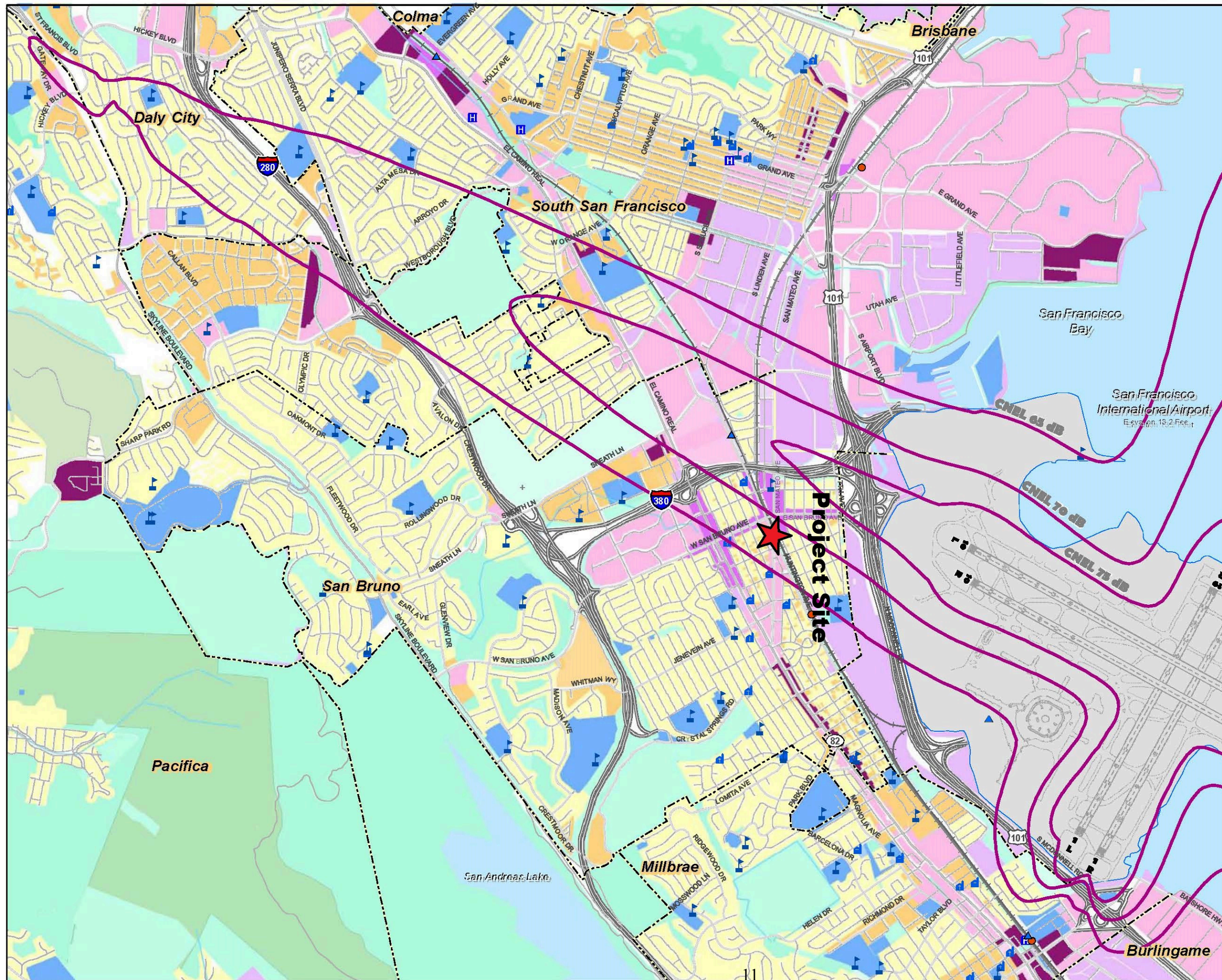
**DINAR**  
& ASSOCIATES  
architecture planning • interiors  
P. O. BOX 70601  
O A K L A N D  
CALIFORNIA 94612  
TEL. 510.893.8300  
FAX. 510.893.8305



VIEW FROM CORNER OF SAN BRUNO AVE & HUNTINGTON AVE

NOT FOR CONSTRUCTION

PLANNING  
COMMENT  
RESPONSE  
6-12-2017  
03-03-2018/3



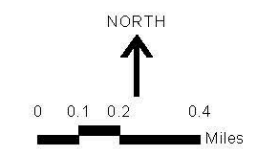
**LEGEND**

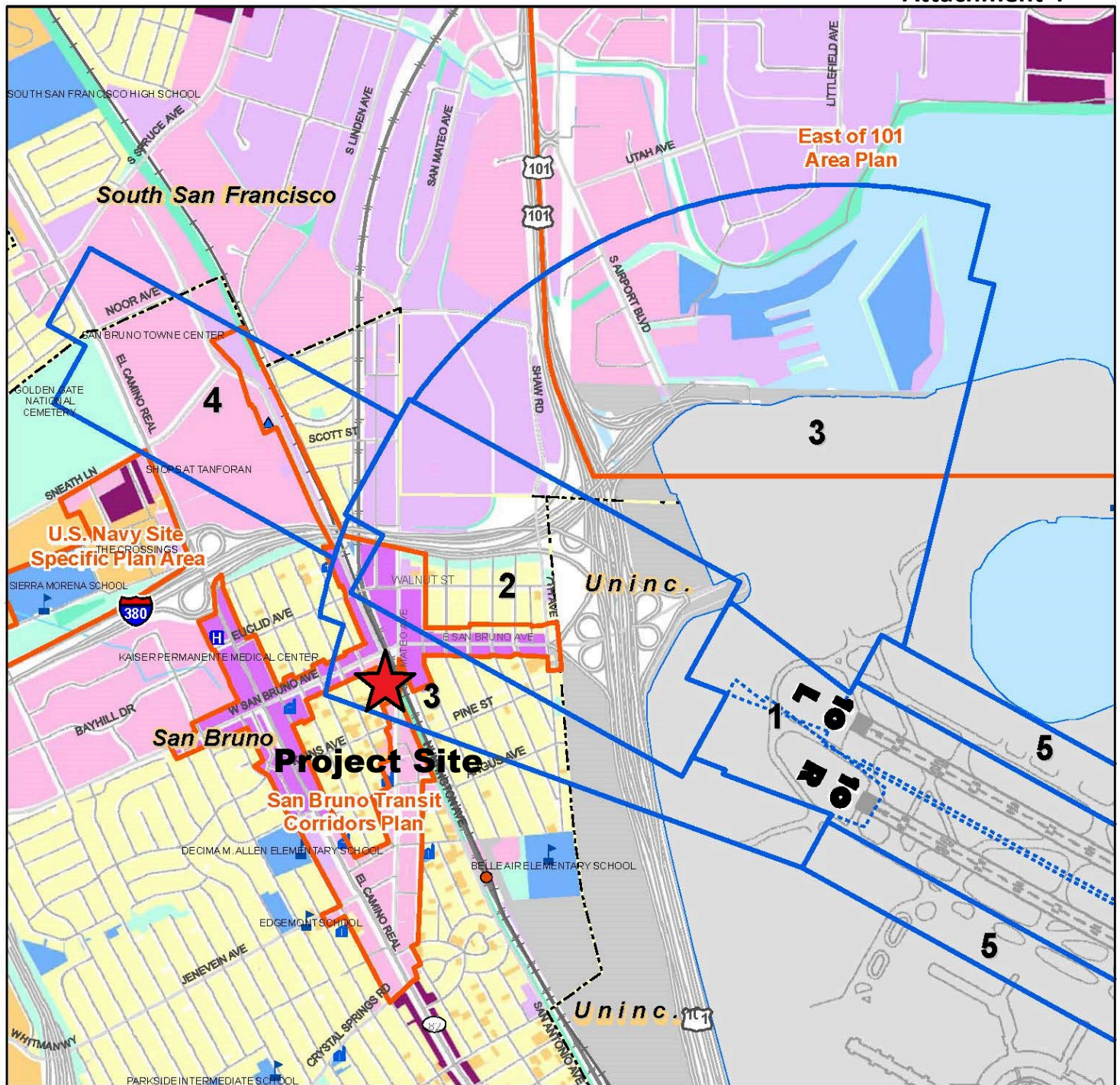
- CNEL Contour, 2020 Forecast
- Airport Property
- ▲ BART Station
- CALTRAIN Station
- ▲ School
- ▲ Place of Worship
- H Hospital
- Municipal Boundary
- Railroad
- Freeway
- Road

**Planned Land Use Per General Plans:**

- Public
- Multi-Family Residential
- Single Family Residential
- Mixed Use
- Transit Oriented Development
- Commercial
- Industrial, Transportation, and Utilities
- Local Park, Golf Course, Cemetery
- Regional Park or Recreation Area
- Open Space
- Planned use not mapped

- Sources:**
- Noise Contour Data:  
 - Draft Environmental Assessment, Proposed Runway Safety Area Program, San Francisco International Airport. URS Corporation and BridgeNet International, June 2011
- County Base Maps:  
 - San Mateo County Planning & Building Department, 2007
- Local Plans:  
 - Burlingame Bayfront Specific Area Plan, August 2006  
 - Burlingame Downtown Specific Plan, January 2009  
 - Burlingame General Map, September 1984  
 - North Burlingame/Rollins Road Specific Plan, February 2007  
 - Colma Municipal Code Zoning Maps, December 2003  
 - Daly City General Plan Land Use Map, 1987  
 - Hillsborough General Plan, March 2005  
 - Millbrae Land Use Plan, November 1998  
 - Pacifica General Plan, August 1996  
 - San Bruno General Plan, December 2008  
 - San Mateo City Land Use Plan, March 2007  
 - San Mateo County Zoning Map, 1992  
 - South San Francisco General Plan, 1998





**LEGEND**

**Safety Compatibility Zones**

- 1 - Runway Protection Zone-Object Free Area
- 2 - Inner Approach/Departure Zone
- 3 - Inner Turning Zone
- 4 - Outer Approach/Departure Zone
- 5 - Sideline Zones
- Internal boundaries of ALP-defined areas
- Specific Plan Area
- Airport Property
- ▲ BART Station
- CALTRAIN Station
- ▲ School
- ▲ Place of Worship
- H Hospital
- Municipal Boundary
- Railroad
- Freeway
- Major Road
- Road

**Planned Land Use Per General Plans**

- Public
- Multi-Family Residential
- Single Family Residential
- Mixed Use
- Transit Oriented Development
- Commercial
- Industrial, Transportation, and Utilities
- Local Park, Golf Course, Cemetery
- Regional Park or Recreation Area
- Open Space

**Sources:**

- Local Plans:**
- San Bruno General Plan, December 2008
  - South San Francisco General Plan, 1998

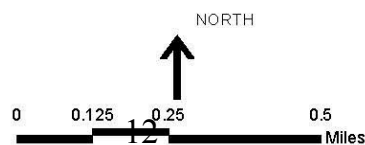


Exhibit IV-8  
**SAFETY COMPATIBILITY ZONES  
 IN THE CITIES OF SOUTH SAN FRANCISCO  
 AND SAN BRUNO**  
 Comprehensive Airport Land Use Plan  
 for the Environs of San Francisco International Airport  
**C/CAG**  
 City/County Association of Governments  
 of San Mateo County, California

A structure proponent must file FAA Form 7460-1, Notice of proposed Construction or Alteration, for any proposed construction or alteration that meets any of the following Notification Criteria described in 14 CFR part 77.9:

§77.9(a) - A height more than 200 feet above ground level (AGL) at its site;

§77.9(b) - within 20,000 feet of a runway more than 3,200 feet in length, and exceeding a 100:1 slope imaginary surface (i.e., a surface rising 1 foot vertically for every 100 feet horizontally) from the nearest point of the nearest runway. The 100:1 surface is shown as follows:

- 20,000 Feet Limit From Nearest Runway
- 100 — Elevation Above Mean Sea Level

**Heights of 100:1 Surface Above Ground (AGL)**

- Terrain penetrations of Airspace Surface
- Less than 30
- 30-65
- 65-100
- 100-150
- 150-200
- 200 and more

§77.9(c) - Roadways, railroads, and waterways are evaluated based on heights above surface providing for vehicles; by specified amounts or by the height of the highest mobile object normally traversing the transportation corridor;

§77.9(d) - Any construction or alteration on any public-use or military airport (or heliport).

Structure proponents or their representatives may file via traditional paper forms via US mail, or online at the FAA's oE/AAA website, <http://oeaaa.faa.gov>

**LEGEND**

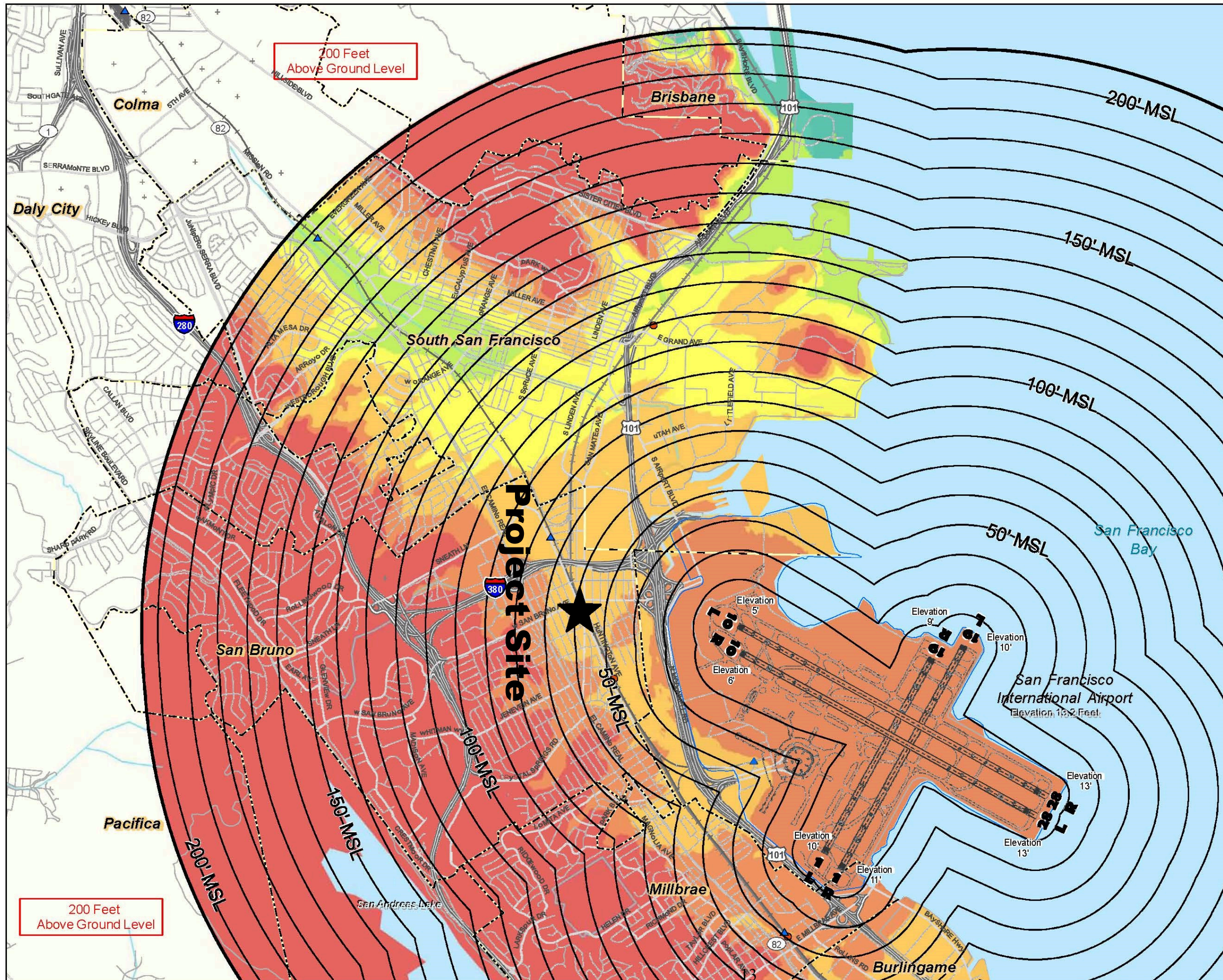
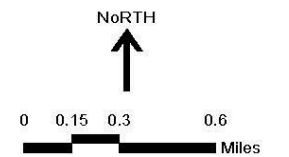
- BART Station
- CALTRAIN Station
- Municipal Boundary
- Railroad
- Freeway
- Road

**Note:**

per 14 CFR part 77, developers proposing structures taller than the indicated elevations must file Form 7460-1 with the FAA at least 30 days before the proposed construction. However, due to local requirements for a favorable FAA determination as a contingency for project approval, it is advisable to file the Form 7460-1 as soon as possible because the FAA can take several months to undertake aeronautical reviews.

**Source:**

Ricondo & Associates, Inc. and Jacobs Consultancy, based on 14 CFR part 77, Subpart B, Section 77.9.





Mail Processing Center  
 Federal Aviation Administration  
 Southwest Regional Office  
 Obstruction Evaluation Group  
 10101 Hillwood Parkway  
 Fort Worth, TX 76177

Issued Date: 12/22/2017

Moshe Dinar  
 Architect Owner's Representative  
 1034 Trestle Glen Road  
 Oakland, CA 94610

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Building 111 San Bruno  
 Location: San Bruno, CA  
 Latitude: 37-37-49.77N NAD 83  
 Longitude: 122-24-39.90W  
 Heights: 20 feet site elevation (SE)  
 65 feet above ground level (AGL)  
 85 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 L Change 1.

This determination expires on 06/22/2019 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.



NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

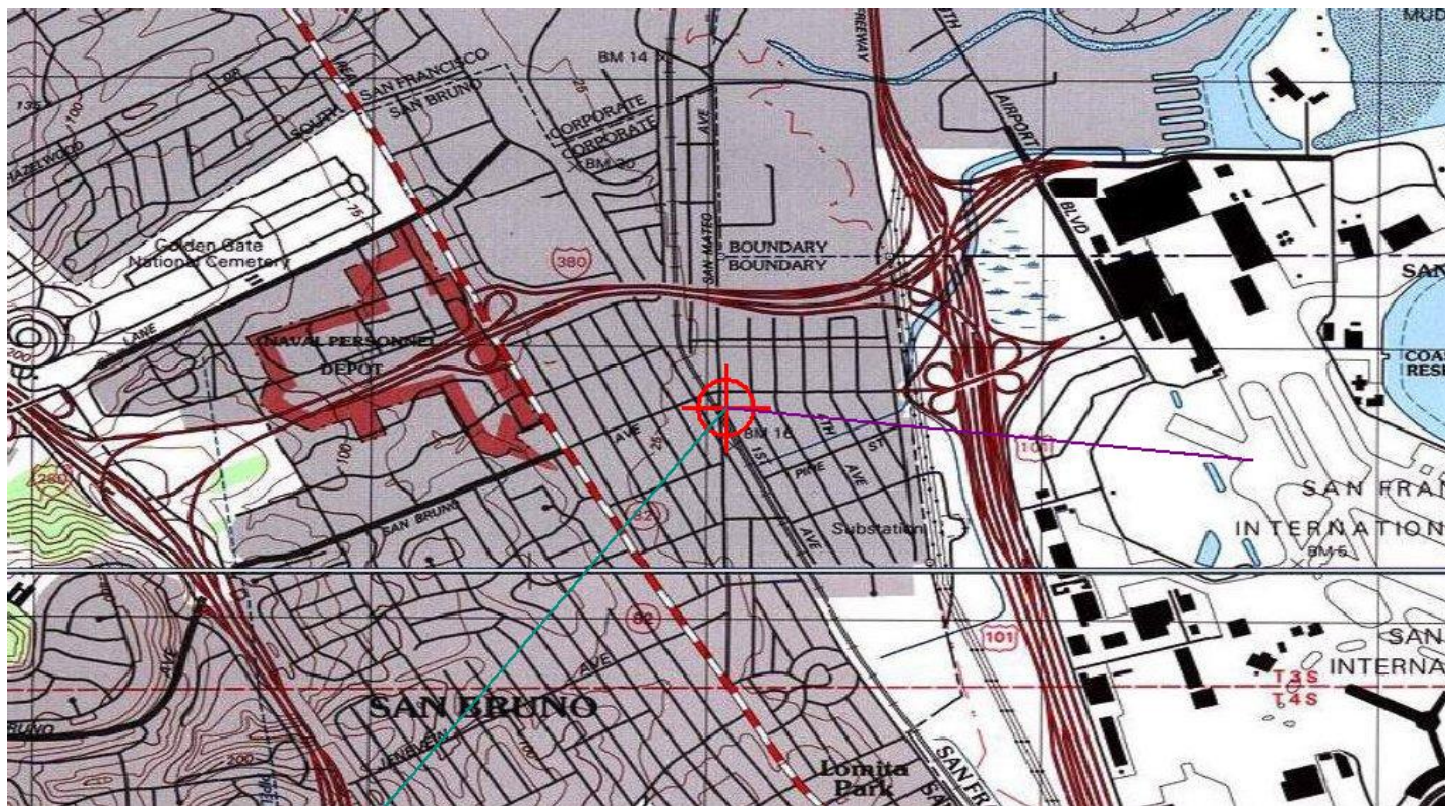
If we can be of further assistance, please contact our office at (310) 725-6558, or [ladonna.james@faa.gov](mailto:ladonna.james@faa.gov). On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2017-AWP-11777-OE.

**Signature Control No: 348469320-351790280**

( DNE )

LaDonna James  
Technician

Attachment(s)  
Map(s)



## C/CAG AGENDA REPORT

Date: May 10, 2018

To: C/CAG Board of Directors

From: Sandy Wong, Executive Director

Subject: Review and approval of the project list for funding under the Joint C/CAG and San Mateo County Transportation Authority Shuttle Program for FY 2018/2019 and FY 2019/2020, and approval of Resolution 18-20 authorizing the C/CAG Chair to execute a funding agreement with the City of Menlo Park for an amount not to exceed \$1,004,135 for the two year period.

(For further information or response to questions, contact Susy Kalkin at 650-599-1467)

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### RECOMMENDATION

That the C/CAG Board: 1) review and approve the project list for funding under the Joint C/CAG and San Mateo County Transportation Authority Shuttle Program for FY 2018/2019 and FY 2019/2020; and 2) approve Resolution 18-20 authorizing the C/CAG Chair to execute a funding agreement with the City of Menlo Park in an amount not to exceed \$1,004,135 for the two year period.

### FISCAL IMPACT

For the FY 18/19 and FY 19/20 funding cycle there is up to \$1,004,135 available from C/CAG.

### SOURCE OF FUNDS

C/CAG Funding to support the shuttle programs will be derived from the Congestion Relief Plan adopted by C/CAG and includes \$1,004,134 in funding (\$502,067.50 for FY 18/19 and \$502,067.50 for FY 19/20). The San Mateo County Transportation Authority (TA) Measure A Program will provide approximately \$9,000,000 for the two-year funding cycle. The C/CAG funding will be predicated upon the C/CAG Board of Directors approving the above noted amounts for shuttle funding in each fiscal year through the annual budget adoption process.

### BACKGROUND

For the FY 2018/2019 and FY 2019/2020 cycle the San Mateo County Transportation Authority (TA) and C/CAG created a joint call for projects that combines two years of funding for shuttles in an amount up to \$10,000,000 from both agencies.

In November 2017, the Technical Advisory Committee (TAC) and the Congestion Management and Environmental Quality Committee (CMEQ) each reviewed, and in December 2017 the C/CAG Board approved, the joint C/CAG & TA shuttle call for projects, including the application materials and program evaluation criteria. Subsequently, staff issued the joint call for projects on December 18, 2017, with applications due on February 9, 2018. C/CAG and TA staff held an application workshop in December to answer questions about the program and to guide project sponsors through the application process.

## DISCUSSION

Applications were received from 9 sponsors for 38 different shuttles. Thirty-seven of the proposed shuttles met the program requirements and are under consideration for funding. The total eligible sponsor request is for approximately \$11.1 million, exceeding the \$10 million in funds available for the program. The shuttle program project review committee met on March 15, 2018 to evaluate and score the submitted applications. The committee was composed of staff from the TA, C/CAG, the San Mateo County Transit District (SamTrans), the San Francisco Municipal Transportation Agency (SFMTA) and Stanford Parking and Transportation Services. The draft funding recommendations from the shuttle project review committee are provided in Attachment 1, and include 35 shuttles.

The SamTrans SFOX, a proposed new shuttle service from the Millbrae Caltrain Station to San Francisco International Airport and the existing Menlo Park Shopper, a door to door service, did not score high enough to be recommended for funding. Additionally, the Burlingame Shuttle was not scored due to its application being deemed incomplete.

The funding recommendations were reviewed by the TAC on April 19, 2018 and by the CMEQ committee on April 30, 2018. Both committees recommended approval of the funding, however, the CMEQ committee requested follow-up information on the evaluation criteria be presented at their next meeting to better inform a discussion about possible adjustments for future funding calls, given the fact that demand for the program funding has been increasing, and as a result, the calls are likely to become more competitive in the future.

<b>Upcoming Milestones</b>	<b>Date</b>
TA Board Action	May 3, 2018
C/CAG Board Action	May 10, 2018

### Menlo Park Shuttles

Consistent with past practice, C/CAG and TA staffs have worked to issue only one source of funds (C/CAG or TA) for each program sponsor. Menlo Park has two shuttles that are recommended for funding by C/CAG, which total \$1,004,135 for the two-year funding cycle, just slightly more than the \$1M that had initially been identified in the Call for Projects. Staff is recommending that the C/CAG Board approve the attached resolution authorizing the C/CAG Chair to execute a funding agreement with the City of Menlo Park in an amount not to exceed \$1,004,135 to fund these shuttles, with the understanding that funding is predicated upon the C/CAG Board of Directors approving the requisite shuttle funding in each fiscal year through the annual budget adoption process.

## ATTACHMENTS

1. Recommendations for FY 2018/2019 & FY 2019/2020 Funding for San Mateo County Shuttle Program
2. Resolution 18-20
3. Shuttle Program Agreement between C/CAG and the City of Menlo Park
4. San Mateo County Shuttle Program Criteria (For background information only)

San Mateo County Shuttle Program Funding Recommendations for FY2019 and FY2020

Score	Sponsor	Shuttle Name	Primary Service Area	New or Existing	Service Type	Total Submitted Cost	Requested Funding	Total Matching Funds	Percent Matching Funds	Private Sector Match	Recommended Allocation	Proposed Fund Source
84	San Mateo Community College District	Skyline College Express	San Bruno	Existing	Commuter	\$597,222	\$298,611	\$298,611	50%	none	\$298,611	Measure A
83	Commute.org <sup>(1)</sup>	Redwood City Midpoint Caltrain	Redwood City	Existing	Commuter	\$420,632	\$270,796	\$149,836	36%	36%	\$257,999	Measure A
82	Commute.org <sup>(1)</sup>	Seaport Centre Caltrain	Redwood City	Existing	Commuter	\$276,846	\$138,423	\$138,423	50%	50%	\$131,908	Measure A
81	Commute.org <sup>(1)</sup>	North Burlingame	Burlingame	Existing	Commuter	\$287,300	\$143,650	\$143,650	50%	50%	\$136,886	Measure A
80	Commute.org <sup>(1)</sup>	North Foster City	Foster City	Existing	Commuter	\$550,491	\$336,868	\$213,623	39%	25%	\$320,920	Measure A
79	Commute.org <sup>(1)</sup>	Bayshore Technology Park	Redwood Shores	Existing	Commuter	\$287,370	\$143,685	\$143,685	50%	50%	\$136,919	Measure A
78	Commute.org <sup>(1)</sup>	Brisbane/Crocker Park	Brisbane/Daly City	Existing	Commuter	\$838,354	\$552,766	\$285,588	34%	25%	\$526,544	Measure A
78	Peninsula Corridor Joint Power Board	Burlingame Bayside BART/Caltrain	Burlingame	Existing	Commuter	\$456,300	\$342,300	\$114,000	25%	24%	\$342,300	Measure A
78	Peninsula Corridor Joint Power Board	Pacific Shores	Redwood City	Existing	Commuter	\$674,100	\$505,700	\$168,400	25%	24%	\$505,700	Measure A
78	SamTrans	Sierra Point - Balboa Park BART	Brisbane	Existing	Commuter	\$615,200	\$190,000	\$425,200	69%	69%	\$190,000	Measure A
77	Commute.org <sup>(1)</sup>	South San Francisco BART	South San Francisco	Existing	Commuter	\$1,131,967	\$756,975	\$374,992	33%	25%	\$721,030	Measure A
77	South San Francisco	South City	South San Francisco	Existing	Community	\$1,115,300	\$836,000	\$279,000	25%	none	\$836,000	Measure A
76	Peninsula Corridor Joint Power Board	Broadway/Millbrae	Burlingame	Existing	Commuter	\$306,900	\$230,200	\$76,700	25%	none	\$230,200	Measure A
75	Peninsula Corridor Joint Power Board	Mariners Island	San Mateo/Foster City	Existing	Commuter	\$302,700	\$227,100	\$75,600	25%	24%	\$227,100	Measure A
75	Menlo Park	Willow Road	Menlo Park	Existing	Commuter	\$306,622	\$229,967	\$76,655	25%	21%	\$229,967	C/CAG
74	Commute.org <sup>(1)</sup>	South San Francisco Caltrain	South San Francisco	Existing	Commuter	\$586,574	\$439,930	\$146,644	25%	25%	\$419,095	Measure A
74	Peninsula Corridor Joint Power Board	Lincoln Centre	San Mateo/Foster City	Existing	Commuter	\$298,300	\$223,800	\$74,500	25%	24%	\$223,800	Measure A
74	SamTrans	Bayhill - San Bruno BART	San Bruno	Existing	Commuter	\$237,600	\$178,200	\$59,400	25%	25%	\$178,200	Measure A
73	Peninsula Corridor Joint Power Board	Electronic Arts (EA)	Redwood Shores	Existing	Commuter	\$508,000	\$150,000	\$358,000	70%	70%	\$150,000	Measure A
72	SamTrans	Seton Medical - BART Daly City	Daly City	Existing	Commuter	\$231,400	\$150,000	\$81,400	35%	35%	\$150,000	Measure A
71	Commute.org <sup>(1)</sup>	South San Francisco Ferry	South San Francisco	Existing	Commuter	\$456,112	\$273,667	\$182,445	40%	15%	\$260,727	Measure A
71	Peninsula Corridor Joint Power Board	Bayshore/Brisbane Commute	Brisbane/Daly City	Existing	Commuter	\$225,000	\$168,800	\$56,200	25%	none	\$168,800	Measure A
71	Peninsula Corridor Joint Power Board	Oracle	Redwood Shores	Existing	Commuter	\$888,400	\$160,000	\$728,400	82%	82%	\$160,000	Measure A
71	Menlo Park	Marsh Road	Menlo Park	Existing	Commuter	\$552,480	\$414,360	\$138,120	25%	12%	\$414,360	Measure A
71	SamTrans	San Carlos Community	San Carlos	Existing	Community	\$338,126	\$169,063	\$169,063	50%	50%	\$169,063	Measure A
70	Commute.org <sup>(1)</sup>	Genesis Towers	South San Francisco	Existing	Commuter	\$270,830	\$135,415	\$135,415	50%	50%	\$129,043	Measure A
70	Peninsula Corridor Joint Power Board	Campus Drive	San Mateo	Existing	Commuter	\$240,400	\$180,400	\$60,000	25%	24%	\$180,400	Measure A
70	Peninsula Corridor Joint Power Board	Norfolk	San Mateo	Existing	Commuter	\$240,400	\$180,400	\$60,000	25%	24%	\$180,400	Measure A
68	Daly City	Daly City Bayshore	Daly City	Existing	Commuter/Community	\$545,000	\$245,000	\$300,000	55%	none	\$245,000	Measure A
68	Peninsula Corridor Joint Power Board	Sierra Point Millbrae	South San Francisco/	Existing	Commuter	\$362,000	\$100,000	\$262,000	72%	72%	\$100,000	Measure A
66	San Carlos	San Carlos Commuter	San Carlos	Existing	Commuter	\$249,415	\$187,061	\$62,354	25%	20%	\$187,061	Measure A
64	Peninsula Corridor Joint Power Board	Twin Dolphin	Redwood Shores	Existing	Commuter	\$592,500	\$444,500	\$148,000	25%	24%	\$444,500	Measure A
63	SamTrans	Bayshore Brisbane Senior	Brisbane/Daly City	Existing	Door to door	\$255,200	\$191,400	\$63,800	25%	none	\$191,400	Measure A
58	Peninsula Corridor Joint Power Board	Belmont/Hillsdale	Belmont	Existing	Commuter	\$242,500	\$181,900	\$60,600	25%	none	\$181,900	Measure A
58	Menlo Park <sup>(2)</sup>	M1 Crosstown	Menlo Park	Existing	Community	\$1,167,708	\$875,781	\$291,927	25%	none	\$774,168	C/CAG
55	SamTrans	SFOX	Millbrae	New	Commuter/Community	\$1,100,901	\$825,676	\$275,225	25%	none	not recommended	NA
43	Menlo Park	Shoppers	Menlo Park	Existing	Door to door	\$119,223	\$59,612	\$59,611	50%	none	not recommended	NA
NA	Burlingame	Burlingame East-West	Burlingame	New	Community	\$340,000	\$255,000	\$85,000	25%	none	not recommended	NA
<b>Subtotals:</b>						\$18,215,373	\$11,393,006	\$6,822,067	37%		\$10,000,000	

**TA Measure A Local Shuttle Program Allocation: \$8,995,865**  
**C/CAG Local Transportation Services Shuttle Program Allocation: \$1,004,135**  
**Total TA-C/CAG Shuttle Funding Allocation: \$10,000,000**  
**Total Funding Available for FY2019 & FY2020 Shuttle Call for Projects: \$10,000,000**  
**Total Sponsor Funding Requests: \$11,393,006**

**Footnotes:**

- 1) The funding request for Commute.org's 10 shuttles include \$151,105 of administrative costs, which are not recommended for funding from the Measure A Shuttle Program. Commute.org has historically received Measure A support to help fund its administrative costs through annual allocations from the Alternative Congestion Relief (ACR) Program. Commute.org's proposed administrative costs to support their shuttle program will be considered as part of their annual ACR funding request.
- 2) The original proposal for the Menlo Park Crosstown Shuttle combines existing mid-day shuttle service, west of El Camino Real, with existing all-day service, east of El Camino Real, and expands existing west side service from mid-day to all-day service. The draft recommendation is to help underwrite a revised request from Menlo Park for the continuation of existing mid-day service, west of El Camino Real, and existing all-day service, east of El Camino Real. Total cost of the revised request is \$1,037,963.
- 3) The Burlingame East-West Community Shuttle did not meet the following program screening criteria: It didn't receive a Letter of Concurrence from SamTrans due to concerns regarding duplication of SamTrans fixed route service, and it didn't participate in the required shuttle technical assistance program, which is a requirement for all new shuttle sponsors.

**RESOLUTION 18-20**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG CHAIR TO EXECUTE A FUNDING AGREEMENT WITH THE CITY OF MENLO PARK FOR AN AMOUNT NOT TO EXCEED \$1,004,135**

**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, 2002 meeting approved the Congestion Relief Plan and subsequently reauthorized the Congestion Relief Plan in 2007, 2010 and 2015; and

**WHEREAS**, one component of the Congestion Relief Plan is support for the Local and Employer Based Shuttle Programs; and

**WHEREAS**, on December 14, 2017, the C/CAG Board of Directors approved the process for the Joint San Mateo County Transportation Authority and C/CAG San Mateo County Shuttle Program; and

**WHEREAS**, on December 18, 2017, C/CAG and the San Mateo County Transportation Authority issued a call for projects for the FY 2018/19 & FY 2019/20 San Mateo County Shuttle Program; and

**WHEREAS**, a list of eligible projects, as presented in Attachment 1, has been recommended for funding by the Congestion Management Program Technical Advisory Committee and the Congestion Management and Environmental Quality Committee; and

**WHEREAS**, as presented in Attachment 1, C/CAG will allocate funding for two shuttle routes sponsored by the City of Menlo Park sufficient to fund 75% of the shuttle costs, in an amount not to exceed \$1,004,135.

**NOW THEREFORE BE IT RESOLVED** by the Board of Directors of the City/County Association of Governments of San Mateo County, that on behalf of C/CAG the Chair is authorized to execute an agreement with the City of Menlo Park for an amount not to exceed \$1,004,135. The agreement shall be in a form approved by C/CAG Legal Counsel.

**PASSED, APPROVED, AND ADOPTED, THIS 10TH DAY OF MAY 2018.**

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*Maryann Moise Derwin, Chair*

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

This Agreement entered this **10<sup>th</sup>** Day of **May 2018**, by and between the CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY, a joint powers agency formed for the purpose of preparation, adoption and monitoring of a variety of county-wide state-mandated plans, hereinafter called “C/CAG” and the City of Menlo Park, hereinafter called “CITY”.

**W I T N E S S E T H**

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

WHEREAS, the purpose of the Local Services Shuttle Program is to increase the use of public transit by individuals whose place of residence and/or employment is within San Mateo County by funding projects that reduce local and regional congestion, make regional connections, enhance safety and meet local mobility needs; and

WHEREAS, the C/CAG Board has reviewed the CITY request for funding and has determined that it is consistent with the Congestion Relief Plan; and

WHEREAS, the CITY will pay a portion of costs incurred, as detailed below in Section 2; and

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

1. Services to be provided by CITY. In consideration of the payments hereinafter set forth, the CITY shall provide services in accordance with the terms, conditions and specifications set forth herein and in Exhibit A and Exhibit B attached hereto and by this reference made a part hereof.
2. Payments. In consideration of the services rendered in accordance with all terms, conditions and specifications set forth herein C/CAG shall make payment to CITY in an amount not to exceed one million four thousand one hundred thirty-five dollars (\$1,004,135) over the two year funding cycle, and not to exceed \$502,067.50 per year. Payments shall be made on a cost reimbursement basis and the funds will be paid based upon the receipt of quarterly invoices for the actual costs incurred by the CITY for the Shuttle Program. Invoices shall be reimbursed in the amount of seventy five percent (75%) of the actual costs reflected in the invoices submitted by CITY. The CITY shall be required to provide a twenty five percent (25%) match for the C/CAG funds. Documentation such as invoices for shuttle services as well as proof of payment by CITY must accompany all requests for reimbursement. In the event that C/CAG makes any advance payments, CITY agrees to refund any amounts in excess of the amount owed by C/CAG at the time of termination of this Agreement. The Parties understand that funding is predicated upon the C/CAG Board of Directors approving the requisite shuttle funding in each fiscal year through the annual budget adoption process.
3. Relationship of the Parties. It is understood that this is an Agreement by and between Independent Contractor(s) and is not intended to, and shall not be construed to, create the relationship of agent, servant, employee, partnership, joint venture or association, or any other relationship whatsoever other than that of Independent Contractor.

4. Non-Assignability. CITY shall not assign this Agreement or any portion thereof to a third party without the prior written consent of C/CAG, and any attempted assignment without such prior written consent in violation of this Section automatically shall terminate this Agreement.
5. Contract Term. This Agreement shall be in effect as of July 1, 2018 and shall terminate on June 30, 2020; provided, however, C/CAG may terminate this Agreement at any time for any reason by providing 30 days' notice to CITY. Termination to be effective on the date specified in the notice. In the event of termination under this paragraph, CITY shall be paid for all services provided to the date of termination.
6. Quarterly Progress Reports. CITY shall prepare and submit to C/CAG quarterly progress reports by January 31, April 30, July 31 and October 31 of each year during the entire term of the project. Reports shall be presented in the form provided as Exhibit B, "Quarterly/Annual Shuttle Program Progress Report Form," which is attached to this Agreement and incorporated herein by this reference. The reports shall describe project performance and expenditures during the previous quarter.

The reports shall include a description of the actions expected to be taken and any projected changes in the service plan during the next quarter, and any other information requested by C/CAG. Additionally, each progress report shall include information on any potential issues that may impact any of the performance measures set forth in Exhibit B as well as the ability of CITY to meet the conditions outlined in this Agreement.

7. Annual Report. By October 1 of each year, CITY shall provide C/CAG with an annual report summarizing the quarterly reports from the prior fiscal year and detailing information including, but not limited to, the following:
  - a) Total costs for the project, including an accounting of all C/CAG funds expended in connection with the project, and reflecting any unexpended C/CAG funds that may remain.
  - b) A compilation of data collected during the project, and changes/additions to the scope of the project.

8. Hold Harmless/ Indemnity: CITY shall indemnify and save harmless C/CAG from all claims, suits or actions resulting from the performance by CITY of its duties under this Agreement. C/CAG shall indemnify and save harmless CITY from all claims, suits or actions resulting from the performance by C/CAG of its duties under this Agreement.

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

9. The C/CAG logo shall be displayed on any vehicles or equipment operated or obtained through funds made available through this Agreement.
10. Insurance: CITY or its subcontractors performing the services on behalf of CITY shall not commence work under this Agreement until all Insurance required under this section has been obtained and such insurance has been approved by the C/CAG Staff. CITY shall



furnish the C/CAG Staff with Certificates of Insurance evidencing the required coverage and there shall be a specific contractual liability endorsement extending the CITY coverage to include the contractual liability assumed by CITY pursuant to this Agreement. These Certificates shall specify or be endorsed to provide that thirty (30) days notice must be given, in writing, to C/CAG of any pending change in the limits of liability or of non-renewal, cancellation, or modification of the policy.

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

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

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

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

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

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

including any requirements of Section 504 of the Rehabilitation Act of 1973.

- 13. Sole Property of C/CAG: Any system or documents developed, produced or provided under this Agreement shall become the sole property of C/CAG.
- 14. Access to Records. C/CAG, or any of its duly authorized representatives, shall have access to any books, documents, papers, and records of CITY which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcriptions.  
  
CITY shall maintain all required records for three years after C/CAG makes final payments and all other pending matters are closed.
- 15. Merger Clause. This Agreement constitutes the sole agreement of the parties hereto with regard to the matters covered in this Agreement, and correctly states the rights, duties and obligations of each party as of the document's date. Any prior agreement, promises, negotiations or representations between the parties not expressly stated in this document are not binding.
- 16. Governing Law. This Agreement shall be governed by the laws of the State of California and any suit or action initiated by either party shall be brought in the County of San Mateo, California.

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

City of Menlo Park

By \_\_\_\_\_ Date \_\_\_\_\_

City of Menlo Park Legal Counsel

By \_\_\_\_\_

City/County Association of Governments (C/CAG)

By \_\_\_\_\_ Date \_\_\_\_\_  
C/CAG Chair

C/CAG Legal Counsel

By \_\_\_\_\_

## San Mateo County Shuttle Program Criteria

Eligibility Criteria		San Mateo County Shuttle Program Call for Projects FY 18/19 & FY 19/20									
<b>Minimum Local Match</b>	<ul style="list-style-type: none"> <li>- 25% funding match for: 1) existing shuttles that do not exceed the applicable operating cost/passenger benchmark by more than 50% and 2) all new shuttles and existing shuttles that have been in operation for less than two years <sup>1</sup></li> <li>- 50% funding match for existing shuttles in operation for 2 years or more that fail to meet the applicable operating cost per passenger benchmark by 50% or more based on FY16/17 performance data. (More recent performance data covering a full 12 months may be applied if available at the time the application is submitted.)</li> </ul>										
<b>Local Match</b>	<ul style="list-style-type: none"> <li>- Measure A Local Streets and Transportation funds may be used.</li> <li>- C/CAG or Measure A funds from programs other than Local Streets and Transportation cannot be used as the local match for either funding agency.</li> </ul>										
<b>Program Purpose</b>	- Provide local shuttle services for residents and employees to travel within or to connect with regional transportation/transit service within San Mateo County.										
<b>Eligible Applicants</b>	<ul style="list-style-type: none"> <li>- Local jurisdictions and/or public agencies are eligible applicants for the funds; however, they must obtain a letter of concurrence/sponsorship from SamTrans. They may partner with other public, non-profit or private entities to co-sponsor shuttles.</li> <li>- Grant applicants may also contract with other public, non-profit or private entities to manage and/or operate the shuttle service.</li> </ul>										
<b>Eligible Costs</b>	<ul style="list-style-type: none"> <li>- Costs directly tied to the shuttle service, such as operations, marketing and outreach, and staff time directly associated with shuttle administration are eligible.</li> <li>- Leasing of vehicles is an eligible expense; vehicle purchase is not.</li> <li>- Overhead, indirect or other staff costs are not eligible.</li> </ul>										
<b>Minimum Requirements</b>	<ul style="list-style-type: none"> <li>- Project is located in San Mateo County</li> <li>- Project is a shuttle service that meets local mobility needs and/or provides access to regional transit.</li> <li>- Funding is for operations open to the general public</li> <li>- Shuttles must be compliant with the Americans with Disabilities Act(ADA).</li> </ul>										
<b>Other Requirements</b>	- Any change to the proposed service prior to implementation or during the funding period must be approved by the funding agency (TA or C/CAG) with the concurrence of SamTrans.										
Screening Criteria		Existing Shuttles	New Shuttles								
<b>Non-Supplantation Certification</b>	Funding request does not substitute for existing funds.		Funding request does not substitute for existing funds.								
<b>Letter of Concurrence/Sponsorship</b>	Evidence of coordination with SamTrans, through a letter of concurrence from SamTrans, that shuttle routes do not duplicate SamTrans fixed-route or other public shuttle service, is required. If there are proposed route and/or schedule changes to existing shuttle service, applicant shall provide a letter of concurrence from SamTrans regarding the proposed changes.		Evidence of coordination with SamTrans, through a letter of concurrence from SamTrans, that proposed shuttle routes does not duplicate SamTrans fixed route or other public shuttle service, is required.								
<b>Governing Board Resolution</b>	A governing board resolution in support of the project is required.										
<b>Technical Assistance</b>	Sponsors of new as well as existing shuttles that have not met the established cost/passenger and passengers/service hour benchmarks, from FY 16/17, are required to consult with SamTrans operations planning staff for community serving shuttles and Commute.org for commuter shuttles prior to the submission of a funding application for guidance on how to best provide cost effective service to meet the identified need. If SamTrans and/or Commute.org apply as sponsors to receive funding from the San Mateo County Shuttle program, they must document the actions that will be taken to improve performance for any of their existing shuttles that do not meet the applicable cost/passenger and passengers/service hour benchmarks.										
Scoring Criteria		Existing Shuttles	New Shuttles								
<b>Need &amp; Readiness</b>	<p><b>Need – 20 points</b></p> <ul style="list-style-type: none"> <li>-Provides service to an area underserved by other public transit</li> <li>-Provides congestion relief in San Mateo County</li> <li>-Provides transportation services to special populations (e.g. low income/transit dependent, seniors, disabled, other) and connects to the services used by these populations</li> <li>-Letters of support from stakeholders</li> </ul> <p><b>Readiness – 20 points</b></p> <p>Solid service plan in place describing how the shuttle service will be delivered for the 2-year funding period including:</p> <ol style="list-style-type: none"> <li>Service area (routes/maps, destinations served)</li> <li>Specific rail stations, ferry or major SamTrans transit centers served</li> <li>Schedule (days, times, frequency) - show coordination with scheduled transit service</li> <li>Marketing plan/activities (advertising, outreach, signage, etc.)</li> <li>Service Provider</li> <li>Administration and oversight (whom?)</li> <li>Monitoring/evaluation plan/activities (performance data, complaints/compliments, surveys)</li> <li>Co-sponsors/stakeholders (roles?)</li> <li>Ridership characteristics: e.g. commuter/ employees, seniors, students, etc</li> <li>Any significant changes to existing service</li> <li>Incorporation of any changes to the service plan as a result of the required technical assistance consultation with SamTrans operations planning or Commute.org staff for existing underperforming shuttles</li> </ol> <p><b>Solid funding plan with budgeted line items for:</b></p> <ol style="list-style-type: none"> <li>Contractor (operator/vendor) cost. (inc. fuel surcharge if applicable)</li> <li>Administrative (Staff oversight)</li> <li>Other direct costs (e.g. marketing)</li> <li>Total operating cost</li> <li>Notes/exceptions (e.g. if there are projected differences between the 1st and 2nd year costs)</li> </ol>		<p><b>Need – 25 points</b></p> <ul style="list-style-type: none"> <li>-Provides service to an area underserved by other public transit</li> <li>-Provides congestion relief in San Mateo County</li> <li>-Provides transportation services to special populations (e.g. low income/transit dependent, seniors, disabled, other) and connects to the services used by these populations</li> <li>-Letters of support from stakeholders</li> </ul> <p><b>Readiness – 25 points</b></p> <p>Solid service plan in place describing how the shuttle service will be delivered for the 2-year funding period including:</p> <ol style="list-style-type: none"> <li>Service area (routes/maps, destinations served)</li> <li>Service plan development</li> <li>Specific rail stations, ferry or major SamTrans transit centers served</li> <li>Schedule (days, times, frequency) - show coordination with scheduled transit service</li> <li>Marketing plan/activities (advertising, outreach, signage, etc.)</li> <li>Service Provider</li> <li>Administration and oversight (whom?)</li> <li>Monitoring/evaluation plan/activities (performance data, complaints/compliments, surveys)</li> <li>Co-sponsors/stakeholders (roles?)</li> <li>Ridership characteristics: e.g. commuter/ employees, seniors, students, etc</li> <li>Planning process for shuttles, including actions taken as a result of the required technical assistance consultation with SamTrans operations planning or Commute.org staff for new shuttles</li> </ol> <p><b>Solid funding plan with budgeted line items for:</b></p> <ol style="list-style-type: none"> <li>Contractor (operator/vendor) cost (inc. fuel surcharge if applicable)</li> <li>Administrative (Staff oversight)</li> <li>Other direct costs (e.g. marketing)</li> <li>Total operating cost</li> <li>Notes/exceptions (e.g. if there are projected differences between the 1st and 2nd year costs)</li> </ol>								
<b>Effectiveness</b>	<p><b>Effectiveness – 25 points</b></p> <ul style="list-style-type: none"> <li>- Annual average operating cost per passenger for the prior 12 months</li> <li>- Annual average passengers per revenue vehicle hour of service for the prior 12 months</li> <li>- Service links with other fixed route transit (more points for higher ridership routes)</li> <li>- Improves access from transit oriented development to major activity nodes</li> <li>- Reduces single occupant vehicle (SOV) trips and vehicle miles traveled (VMT), state assumptions and methodology used for any calculations</li> </ul>		<p><b>Effectiveness - 15 points</b></p> <ul style="list-style-type: none"> <li>- Projected ridership, operating costs, and revenue vehicle hours of shuttle service to be provided in the first and second years of shuttle service.</li> <li>- State assumptions and document justification where possible</li> <li>- Proposed service links with other fixed route transit (more points for higher ridership routes)</li> <li>- Proposed service improves access from transit oriented development to major activity nodes</li> <li>- Proposed service reduces single occupant vehicle (SOV) trips and vehicle miles traveled (VMT), state assumptions and methodology used for any calculations</li> </ul>								
<b>Funding Leverage – 20 points</b>	<p><b>Percentage of matching funds contribution:</b></p> <table border="0"> <tr> <td><u>Shuttles w/ min. 25% match reqmt.</u></td> <td><u>Shuttles w/ min. 50% match reqmt.</u></td> </tr> <tr> <td>25 to &lt; 50% - 5 to 10 points</td> <td>50 to &lt; 75% - 5 to 15 points</td> </tr> <tr> <td>50 to &lt; 75% - 10 to 15 points</td> <td>75 to &lt; 99% - 15 to 18 points</td> </tr> <tr> <td>75 to &lt; 99% - 15 to 18 points</td> <td></td> </tr> </table> <p>Private sector funding proposed (supports less public subsidy) – 2 points</p>		<u>Shuttles w/ min. 25% match reqmt.</u>	<u>Shuttles w/ min. 50% match reqmt.</u>	25 to < 50% - 5 to 10 points	50 to < 75% - 5 to 15 points	50 to < 75% - 10 to 15 points	75 to < 99% - 15 to 18 points	75 to < 99% - 15 to 18 points		<p><b>Percentage of matching funds contribution:</b></p> <p>25 to &lt; 50% - up to 10 points</p> <p>50 to &lt; 75% - up to 15 points</p> <p>75 to &lt; 99% - up to 18 points</p> <p>Private sector funding proposed (supports less public subsidy) – 2 points</p>
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25 to < 50% - 5 to 10 points	50 to < 75% - 5 to 15 points										
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75 to < 99% - 15 to 18 points											
<b>Policy Consistency &amp; Sustainability – 15 points</b>	<ul style="list-style-type: none"> <li>- Proposed shuttle is included in an adopted local, special area, county or regional plan (e.g. community-based transportation plan, general plan, Grand Blvd. Initiative, MTC Priority Development Area, etc.)</li> <li>- Supports jobs and housing growth/economic development</li> <li>- Use of clean fuel vehicle(s) for service</li> <li>- Shuttle accommodates bicycles</li> </ul>		<ul style="list-style-type: none"> <li>- Proposed shuttle is included in an adopted local, special area, county or regional plan (e.g. community-based transportation plan, general plan, Grand Blvd. Initiative, MTC Priority Development Area, etc.)</li> <li>- Supports jobs and housing growth/economic development</li> <li>- Use of clean fuel vehicle(s) for service</li> <li>- Shuttle accommodates bicycles</li> </ul>								
	<b>Maximum Point Total - 100</b>		<b>Maximum Point Total - 100</b>								

<sup>1</sup> See Tables 1 & 2, next page, for details on Shuttle Operation Benchmarks and parameters for 50% match

Table 1 – FY 2018/19 & 2019/20 Shuttle Operation Benchmarks

Shuttle Type	Op. Cost/Passenger FY18/19 & 19/20	Passengers Per Service Hour FY18/19 & 19/20 (Current CFP)
Commuter	\$8/passenger	15
Community	\$10/passenger	10
Door to Door	\$20/passenger	2

Table 2 - The following table shows how the 50% match would be applied for shuttles that fail to meet the applicable operating cost per passenger benchmark by 50% or more after 2 full years of operation:

Shuttle Type	Op. Cost/Passenger FY18/19 & 19/20 (Current CFP)	Benchmark missed by 50% or more
Commuter	\$8/passenger	≥\$12/passenger
Community	\$10/passenger	≥\$15/passenger
Door to Door	\$20/passenger	≥\$30/passenger

## C/CAG AGENDA REPORT

Date: May 10, 2018

To: City/County Association of Governments of San Mateo County Board of Directors

From: Sandy Wong, Executive Director

Subject: Review and approval of Resolution 18-22 approving the Grant Writing Technical Assistance Program (GW-TAP) and authorizing the C/CAG Chair to execute agreements with Dudek, Grant Management Associates, and Gray-Bowen-Scott to provide on-call grant writing services for the Technical Assistance Program to assist C/CAG and its 21 member agencies for two-year terms in a cumulative amount not to exceed \$200,000.

(For further information or questions, contact Sara Muse at 650-599-1460)

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### RECOMMENDATION

That the C/CAG Board review and approve Resolution 18-22 approving the Grant Writing Technical Assistance Program (GW-TAP) and authorizing the C/CAG Chair to execute agreements with Dudek, Grant Management Associates, and Gray-Bowen-Scott to provide on-call grant writing services for the Technical Assistance Program to assist C/CAG and its 21 member agencies for two-year terms in a cumulative amount not to exceed \$200,000.

### FISCAL IMPACT

It is requested to authorize three on-call agreements for an aggregated amount of up to \$200,000 over a two (2) year term. Actual expenditures will be approved by individual task orders over the two-year term.

### SOURCE OF FUNDS

C/CAG Congestion Management Fund, Congestion Relief Fund, and NPDES Fund as appropriate.

### BACKGROUND

Over the years, there have been numerous transportation and other funding opportunities offered at the state, federal, or regional levels on a competitive basis. However, projects sponsored by San Mateo County jurisdictions have not been as competitive due to various reasons, one of which is the lack of availability of staff resources needed to understand and comply with grant application requirements, as well as to prepare grant applications.

### The Proposed Grant Writing Technical Assistance Program

The purpose of the Grant Writing Technical Assistance Program (GW-TAP) is to assist C/CAG and its member agencies in applying for competitive federal, state, and regional grants. Applicable

planning and capital grants at the federal, state, and regional level pertaining to primarily transportation, and may include energy, housing, and stormwater, as needed.

Local funds administered by San Mateo County Transit District (SamTrans), San Mateo County Transportation Authority, and C/CAG are ineligible for the GW-TAP.

Upon approval of Resolution 18-22 by the C/CAG Board, staff will identify grant opportunities appropriate for the GW-TAP on an on-going basis. Each time, when an appropriate grant opportunity is identified, staff will develop and issue a Call for Interest to member agencies. Project sponsors will be asked to prepare a letter of interest to inform C/CAG on the proposed project and demonstrate the need for technical assistance. Staff will review letters of interest for eligibility and competitiveness. Staff will match each recommended project with an on-call consultant based on the proposed scope of work and the consultant's cost proposal and area of expertise. Final recommendations will be forwarded to C/CAG Board for approval prior to Task Orders being issued to on-call consultants to deliver grant writing services.

Staff further recommend a maximum of \$35,000 over the two-year term will be made available to any jurisdiction under the GW-TAP.

### Consultant Selection

To assist C/CAG and its member agencies with applying for grants, C/CAG issued a request for qualifications (RFQ) on March 30, 2018 soliciting for grant writing services. C/CAG received four statement of qualifications (SOQs) from California Consulting, Dudek, Grant Management Associates, and Gray-Bowen-Scott. The review panel evaluated and scored SOQs based on the quality of the firm, key staff, and consultant's understanding of the program objectives and requirements. The panel recommended retaining Dudek, Grant Management Associates, and Gray-Bowen-Scott.

C/CAG staff is requesting that on-call agreements be executed with Dudek, Grant Management Associates, and Gray-Bowen-Scott, the three highest ranking firms recommended by the panel. Based on specified areas of expertise, the on-call agreements will be for grant writing services for the following program areas:

- Grant Management Associates – transportation, infrastructure, energy, and housing.
- Gray-Bowen-Scott – transportation and infrastructure.
- Dudek – climate mitigation, stormwater, and integrated water management.

### **ATTACHMENTS**

1. Resolution 18-22
2. Draft Agreements between C/CAG and Dudek, Grant Management Associates, and Gray-Bowen-Scott *(The document will be available for download at the C/CAG website at: <http://ccag.ca.gov/committees/board-of-directors/> )*

**RESOLUTION 18-22**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) APPROVING THE GRANT WRITING TECHNICAL ASSISTANCE PROGRAM (GW-TAP) AND AUTHORIZING THE C/CAG CHAIR TO EXECUTE AGREEMENTS WITH DUDEK, GRANT MANAGEMENT ASSOCIATES, AND GRAY-BOWEN-SCOTT TO PROVIDE ON-CALL GRANT WRITING SERVICES FOR THE TECHNICAL ASSISTANCE PROGRAM TO ASSIST C/CAG AND ITS 21 MEMBER AGENCIES FOR TWO-YEAR TERMS IN A CUMULATIVE AMOUNT NOT TO EXCEED \$200,000**

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

**WHEREAS**, C/CAG is the Congestion Management Agency for San Mateo County; and

**WHEREAS**, the purpose of the Grant Writing Technical Assistance Program (GW-TAP) is to assist C/CAG and its 21 member agencies with support in applying for competitive federal, state, and regional grants; and

**WHEREAS**, C/CAG staff has issued a Request for Qualifications soliciting consultant grant writing on-call services and has received and evaluated consultant qualifications based on proposals submitted; and

**WHEREAS**, C/CAG has determined that Dudek, Grant Management Associates, and Gray-Bowen-Scott are best qualified to perform this work; and

**WHEREAS**, the total amount available between Dudek, Grant Management Associates, and Gray-Bowen-Scott is not to exceed \$200,000; and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the City/County Association of Governments of San Mateo County that the C/CAG approve the Grant Writing Technical Assistance Program (GW-TAP) and authorize the C/CAG Chair to execute agreements with Dudek, Grant Management Associates, and Gray-Bowen-Scott to provide on-call grant writing services for the Technical Assistance Program to assist C/CAG and its 21 member agencies for two-year terms, in a cumulative amount not to exceed \$200,000, and further authorizing the C/CAG Executive Director to negotiate final terms, subject to legal counsel review prior to execution by the C/CAG Chair.

**PASSED, APPROVED, AND ADOPTED THIS 10<sup>H</sup> DAY OF MAY, 2018.**

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*Maryann Moise Derwin, Chair*