

RESOLUTION 10-37

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE IMPOSITION OF A \$10 VEHICLE REGISTRATION FEE TO BE COLLECTED ON VEHICLES REGISTERED IN SAN MATEO COUNTY BY PLACING A MEASURE ON THE NOVEMBER 2, 2010 BALLOT

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 (the “CMA”) created pursuant to Chapter 2.6, of Division 1, of Title 7, of the California Government Code, responsible for the development and implementation of the Congestion Management Program for San Mateo County; and

WHEREAS, as defined in Government Code section 65089.20 (the “Act”), the countywide transportation planning agency means the congestion management agency, and therefore C/CAG is the County of San Mateo’s countywide transportation planning agency, and may therefore be referred to herein as either the countywide transportation planning agency or the CMA; and

WHEREAS, C/CAG manages the countywide water pollution prevention program (WPPP) that includes programs to address pollutants from motor vehicles; and

WHEREAS, the Act authorizes the CMA to impose an additional fee of up to ten dollars (\$10) on each motor vehicle registered within the county by a majority vote ballot measure, to be used for transportation-related congestion and pollution mitigation programs and projects; and

WHEREAS, the C/CAG Board proposes that a fee of \$10 per motor vehicle registered in San Mateo County be imposed to fund the congestion and pollution mitigation programs and projects set out in the Expenditure Plan (Attachment A) and that a special election be called on whether such resolution should be approved, and consolidate the election on such measure with any other election being conducted in the jurisdiction of San Mateo County on November 2, 2010, the date of the statewide general election; and

WHEREAS, the regional transportation plan is the Transportation 2035 Plan for the San Francisco Bay Area and includes projects and programs for San Mateo County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the City/County Association of Governments of San Mateo County, acting as the CMA, on July 8, 2010 at a noticed public hearing, by a majority vote of the Board, hereby acts, resolves and finds as follows:

1. Call a special election on November 2, 2010 for the approval of a measure (the “Measure”) imposing an additional fee of \$10 on each motor vehicle registered in San Mateo County for 25 years herein referred to as the “Vehicle Registration Fee” or “VRF”.
2. Makes the following finding of fact:
 - a. The projects and programs to be funded by the VRF are consistent with the regional transportation plan (as set forth in Attachment B), and
 - b. The projects and programs to be funded by the VRF have a relationship or benefit to the persons paying the VRF (as set forth in Attachment B)
3. The CMA will administer the proceeds of the fee to carry out the purposes described in the Expenditure Plan.
4. The proceeds of the VRF shall be used solely for the programs and purposes set forth in the Expenditure Plan and for the administration thereof, as well as the cost of the election and the cost to develop the plan (as referenced in Sections 10 and 11 below).
5. Pursuant to the Act, up to five percent (5%) of the proceeds will be allocated to the administration of the programs including the development and amendment to the Implementation Plan (which Implementation Plan is further described in section 7 below and in Attachment A hereto), with the net revenue used to fund the Expenditure Plan.

6. The Expenditure Plan for the VRF allocates fifty percent (50%) of the net revenue to the 20 cities and the County for local streets and roads and 50% towards countywide transportation programs, as indicated in Attachment A.
7. An Implementation Plan describing the detailed programs and projects will be adopted by the CMA and updated every five years.
8. Pursuant to California Vehicle Code section 9250.4, the initial setup and programming costs identified by the Department of Motor Vehicles to collect the fee upon registration or renewal of registration of a motor vehicle shall be advanced by the CMA and repaid from the fee. Any such contract payment shall be repaid to the CMA as part of the initial revenue available for distribution. The costs deducted pursuant to this paragraph shall not be counted against the five percent administrative cost limit specified in the Act.
9. The proceeds of the VRF shall be spent for projects and programs only inside the geographical limits of San Mateo County. None of the proceeds, with the exception of the costs incurred by the Department of Motor Vehicles to collect the fee, or any routine license fees, permit fees or taxes, shall be available to, or taken by, the State of California.
10. The costs of placing the Measure authorizing imposition of the VRF on the ballot as advanced by the CMA, including payments to the County Registrar of Voters and payments for the printing of the portions of the ballot pamphlet relating to the Measure, up to a maximum of \$950,000, advanced by the CMA, shall be paid from the proceeds of the VRF, and shall not be counted towards the 5% limit on administrative costs. At the discretion of the CMA, these costs may be amortized over a period of years.
11. The costs of preparing the Expenditure Plan and associated activities, up to a maximum of \$100,000, as advanced by the CMA, shall be paid from the proceeds of the VRF subject to the 5% limit on administrative costs. At the discretion of the CMA, these costs may be amortized over a period of years.

- 12. If any provision of this resolution or the application thereof to any persons or circumstance is held invalid, the remainder of the resolution and the application of such provision to other persons or circumstances shall not be affected. If any proposed expenditure based on this resolution or the Expenditure Plan is held invalid, those funds shall be redistributed proportionately to other expenditures in accordance with the Expenditure Plan.
- 13. The authorization granted by this Resolution shall become effective at the close of polls on the Election Day it is approved by a majority of the electors voting on the Measure. Notwithstanding the effective date of this authorization, the first collection of the VRF shall occur at the earliest time as permitted under the Act.
- 14. The Title of the Measure shall be “Local Transportation Improvements In San Mateo County”.
- 15. This Resolution is intended to govern the imposition and collection in San Mateo County of an additional ten dollar (\$10) fee for transportation-related programs and projects that provide a benefit to or otherwise have a relationship with the persons who will be paying the fee. The additional fee authorized by this Resolution shall be imposed on each original motor vehicle registration, and on each renewal of registration with an expiration date, occurring on or after six months following the adoption of the Measure, unless terminated by the voters of San Mateo County.
- 16. The proposed ballot question shall be submitted to the voters on the ballot in the following form:

<p>To help maintain neighborhood streets, fix potholes, provide transportation options, improve traffic circulation, provide transit options including senior and disabled services, reduce congestion, reduce water pollution from oil and gas runoff, and provide safe routes to schools, shall the Congestion Management Agency for San Mateo County levy a \$10 registration fee, for 25 years, on vehicles registered in San Mateo County, requiring annual audits and all funds be spent for programs and projects in San Mateo County?</p>	<p>Yes</p> <p>No</p>
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17. Officers of the Board and C/CAG's Executive Director, Legal Counsel and staff are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to proceed with the Measure and otherwise carry out, give effect to and comply with the terms and intent of this Resolution. Such actions heretofore taken by such officers, officials and staff are hereby ratified, confirmed and approved.

PASSED, APPROVED, AND ADOPTED THIS 8TH DAY OF JULY 2010.

/s/ Bob Grassilli, Vice-Chair

ATTACHMENT A

LOCAL TRANSPORTATION IMPROVEMENTS IN SAN MATEO COUNTY

Vehicle Registration Fee for Local Transportation Improvements in San Mateo County

The City/County Association of Governments of San Mateo County, the Congestion Management Agency for San Mateo County (CMA), is requesting an additional \$10 motor vehicle registration fee for congestion and pollution mitigation. The fee will be imposed for a period of 25 years. San Mateo County has significant unfunded transportation needs, and this money would help fund some of those needs. All funds will be spent for programs and projects in San Mateo County.

Expenditure Plan

The Expenditure Plan includes two categories: Local Streets and Roads and Countywide Transportation Programs. Up to 5% of the proceeds will be allocated to the administration of the programs with the net revenue used to fund the Expenditure Plan. Unused administration funds will be distributed to the Local Streets and Roads and Countywide Transportation Programs.

Fifty percent (50%) of the net revenue collected under the \$10 Vehicle

Registration Fee (VRF) will be allocated to local jurisdictions for local streets and roads using the distribution formula described in Table 1 on a cost reimbursement basis. Jurisdictions have the flexibility on how to use the funds for congestion mitigation and pollution mitigation programs and projects. The distribution formula for the Local Streets and Roads category shall be based on 50% population and 50% road miles for each jurisdiction modified for a minimum guaranteed amount of \$75,000 for each jurisdiction. The formula shall be updated every five years based on population updates provided by the State of California Department of Finance and road miles updates provided by the jurisdictions. The other 50% will be allocated to Countywide Transportation Programs.

A summary table of the Local Transportation Improvements In San Mateo County Expenditure Plan, based on an estimated \$6.7 million annual revenue, is shown below:

Local Transportation Improvements In San Mateo County Expenditure Plan		
Category	Local Streets and Roads	Countywide Transportation Programs
Administration	Up to 5% (estimated \$335,000)	
Net Annual Allocation	50% (estimated \$3.18 million)	50% (estimated \$3.18 million)
Programs	<ul style="list-style-type: none"> - Congestion Mitigation Programs (Roadway maintenance, pothole repairs, and traffic congestion management) - Pollution Mitigation Program (Water Pollution Prevention) 	<ul style="list-style-type: none"> - Transit Operations including Senior and Disabled Services - Safe Routes to School - Regional Traffic Congestion Management - Water Pollution Prevention Program
Benefits	<ul style="list-style-type: none"> - Maintains neighborhood streets and roads - Reduces traffic congestion and delays - Reduces air pollution - Reduces water pollution from oil and gas runoff 	<ul style="list-style-type: none"> - Provides transit service and local mobility options - Reduces vehicle trips to schools - Improves countywide traffic circulation - Reduces impacts of transportation on the environment

Implementation Plan Updated Every 5 Years

A detailed Implementation Plan to carry out the Local Streets and Roads and Countywide Transportation Programs will be adopted by the CMA and will then be updated every five years. The Implementation Plan will include detailed project information for each program and for the Countywide Transportation Program specify percentages of the funds allocated to each program and project.

Annual Independent Audit

The CMA will have an annual independent audit performed on the Local Transportation Improvements In San Mateo County Program.

Local Streets and Roads – 50% of net revenue

Allocated to local jurisdictions for local congestion mitigation and pollution mitigation programs using the distribution formula described in Table 1. Allocations will be on a cost reimbursement basis. Jurisdictions have the flexibility on how to use the funds for congestion mitigation and pollution mitigation programs and projects.

- Congestion Mitigation Program (Roadway Maintenance, Pothole Repair, and Traffic Congestion Management)
Maintains optimal roadway conditions, facilitates the efficient movement of vehicles, bicycles, and pedestrians, and improves traffic safety. Typical projects include:
 - Roadway (pavement resurfacing, rehabilitation)
 - Pothole repair
 - Signage and striping
 - Traffic signal system (replace/upgrade hardware and software; signal timing, interconnect, and coordinate, detection systems)
 - Intelligent Transportation System (ITS)
 - Local shuttles/transportation

- Pollution Mitigation Program (Water Pollution Prevention)
Addresses the negative impact on creeks, streams, bays, and the ocean caused by motor vehicles and the infrastructure supporting motor vehicle travel. Typical projects include:
 - Street sweeping
 - Roadway storm inlet cleaning
 - Street side runoff treatment

Countywide Transportation Programs – 50% of net revenue

Programmed by the CMA to various transportation-related and pollution mitigation programs with countywide significance as listed below:

- Transit Operations including Senior and Disabled Services (Caltrain and Samtrans)
- Safe Routes to School
- Regional Traffic Congestion Management (ITS and Smart Corridor)
- Water Pollution Prevention Program

TABLE 1

Local Transportation Improvements In San Mateo County Local Streets and Roads Allocation

The distribution formula for the Local Streets and Roads category shall be based on 50% population and 50% road miles for each jurisdiction modified for a minimum guaranteed amount of \$75,000 for each jurisdiction. The formula shall be updated every five years based on population updates provided by the State of California Department of Finance and road miles updates provided by the jurisdictions.

The table below provides an estimated annual distribution based on the above formula with net revenue of \$3,182,500 for Local Streets and Roads and a minimum guaranteed amount of \$75,000 for each jurisdiction.

Jurisdiction	% of Total Allocation	Estimated Net Annual Revenue
San Mateo County	12.15%	\$ 386,806
San Mateo	11.02%	\$ 350,562
Daly City	9.62%	\$ 305,999
Redwood City	8.82%	\$ 280,747
South SF	7.17%	\$ 228,162
Pacifica	4.84%	\$ 153,891
San Bruno	4.76%	\$ 151,514
Menlo Park	4.50%	\$ 143,095
San Carlos	4.03%	\$ 128,341
Burlingame	3.95%	\$ 125,668
Belmont	3.29%	\$ 104,574
Foster City	3.12%	\$ 99,227
East Palo Alto	3.06%	\$ 97,444
Hillsborough	2.81%	\$ 89,423
Millbrae	2.74%	\$ 87,046
Atherton	2.36%	\$ 75,000
Woodside	2.36%	\$ 75,000
Half Moon Bay	2.36%	\$ 75,000
Portola Valley	2.36%	\$ 75,000
Brisbane	2.36%	\$ 75,000
Colma	2.36%	\$ 75,000
Total	100%	\$ 3,182,500

ATTACHMENT B

LOCAL TRANSPORTATION IMPROVEMENTS IN SAN MATEO

COUNTY

FINDINGS OF FACT

CONSISTENCY WITH REGIONAL TRANSPORTATION PLAN

The Transportation 2035 Plan for the San Francisco Bay Area, which is the current regional transportation plan adopted by the Metropolitan Transportation Commission (MTC), represents the policy and vision of the region's transportation needs over the next 25 years. The Plan, which can be found at www.mtc.ca.gov, encourages and promotes the safe and efficient management, operation and development of a regional inter-modal transportation system focusing on the following principles:

- Economy (includes maintenance and safety, reliability, security and emergency management);
- Environmental (includes clean air and climate protection); and
- Equity (access and livable communities)

The City/County Association of Governments of San Mateo County, the Congestion Management Agency for San Mateo County (CMA) has determined that the programs and projects identified in the Expenditure Plan are consistent with the Transportation 2035 Plan and that the Expenditure Plan supports the following:

- Maintaining local streets and roads pavement in good condition
- Reducing injuries and fatalities from motor vehicle and non-motorized vehicles
- Enhancing traffic mobility by implementing transportation systems management to improve local and regional operations
- Implementing traffic operations systems to manage traffic flow and reduce delay and congestion on roadways
- Mitigating negative air and water pollution impacts caused by motor vehicles
- Reducing motor vehicle discharges such as oil, gas, metals, and other chemicals on the streets and roads infrastructure that eventually end up in the water
- Sustaining transit services and improving access to transit to increase mobility contributing to reduction in motor vehicles
- Reducing the impact of transportation on the environment

The CMA has requested the MTC to make an independent finding that the

Expenditure Plan is consistent with the Transportation 2035 Plan (regional transportation plan).

FINDINGS OF FACT

The findings of fact for the projects and programs identified in the Expenditure Plan indicates that the fee payers have a relationship with, or benefit by:

- Having roadways maintained and operating safely and efficiently
- Maintaining and expanding effective and efficient transit services
- Reducing vehicle trips for “at risk” drivers (seniors and disabled) by providing local alternative transportation options and improve safety for all on the roads
- Reducing vehicle trips to schools by implementing safe routes to school programs enabling school children to walk and bike to schools safely
- Regular street sweeping programs to prevent debris and trash from accumulating on the side of the road that may potentially block storm inlets during periods of rain and flooding the roadway
- Proper cleaning and maintenance of roadway storm inlet to reduce the likelihood of the drains being clogged during rain periods and flooding the roadway
- Reducing, diverting or treating water pollution from oil and gas runoff caused by motor vehicle leakage

BENEFIT AND RELATIONSHIP ANALYSIS

The benefit and relationship analysis confirms the eligibility of the programs and projects identified in the Expenditure Plan. The Analysis describes the programs and projects in more technical detail, addressing the relationship or benefit of the programs and projects to the persons who will be paying the fees as intended by California Government Code section 65089.20.

Local Streets and Roads

Congestion Mitigation Programs

Maintains optimal roadway conditions, facilitates the efficient movement of vehicles, bicycles, and pedestrian, and improves traffic safety.

- ***Roadway (pavement resurfacing, rehabilitation) and Pothole Repair***
Streets and roadway maintenance such as pavement overlays and rehabilitation and pothole repairs are on going activities that keeps

pavement and the travel ways in good condition enabling safe and efficient vehicle travels including automobiles (cars and trucks), transit (bus and shuttles).

- ***Signage and Striping / Traffic Signal System***

Traffic congestion management involves making sure that traffic signal systems are properly maintained and operational including replacing and upgrading hardware and software, performing signal timing, interconnect, coordination, synchronization and installing detection. Proper signal operations contribute to efficient traffic flows, minimizes unnecessary vehicle stops and braking, reduces local traffic congestion, and maximizes traffic operations. Properly maintained signage and pavement striping effectively regulates, guides, and informs drivers, bicyclists and pedestrians assuring the safety for all travelers.

- ***Intelligent Transportation System (ITS)***

ITS efficiently use the transportation system and includes elements to improve transportation mobility, provide efficiency and safety, manage traffic incidents and provide timely multi-modal transportation information to transportation agencies and the public to increase throughput, mitigate traffic congestion, and reduce air pollution.

- ***Local shuttles/transportation***

Local shuttle services meet local mobility needs and provide access to regional transit, therefore, reduces the number of vehicles on the roadway.

Pollution Mitigation Program (Water Pollution Prevention)

Address the negative impacts of pollutants runoff caused by oil, gas, and residue from motor vehicle parts (i.e., brake pads) and control trash generated by the vehicles on transportation infrastructure by cleaning roadway storm inlet and street side runoff.

- ***Street sweeping / Roadway storm inlet cleaning / Street side runoff treatment***

Trash and debris are major sources of pollutant in the waterways and accumulation of these pollutants on the side of the road may potentially block storm drain facilities during periods of rain and cause localized flooding on the roadway. Regular street sweeping,

cleaning of storm drain inlets cleaning, and treating of street side runoff removes debris from streets which otherwise would enter storm drain inlets before discharging into the waterways. In addition, these regular maintenance activities will keep the roadways clear of water during periods of rain improving safety for the motorists and pedestrians.

Countywide Transportation Programs

Transit Operations including Senior and Disabled Services

Expanding and preserving public transit services such as Caltrain and Samtrans for regionwide commute and local shuttles and paratransit provides traffic congestion relief by reducing the numbers of motorized vehicles on the road. Providing targeted transportation services for individuals that have special mobility needs such as seniors and disabled and accessible services for individuals who would otherwise drive, therefore reducing the aggregate congestion and air pollution.

Safe Routes to School

Providing safe access to schools enables and encourage children to walk or bicycle to schools, which would reduce number of trips to schools resulting in less traffic congestion due to school-related travels.

Regional Traffic Congestion Management

Providing operations and maintenance for the San Mateo County Smart Corridors, the countywide advanced traffic management system, including signal system hardware and software, signage, cameras, communication equipments and devices, and vehicle detection system. The Smart Corridor improves transportation mobility, provides efficiency and safety, manage traffic, and provide congestion relief and timely multi-modal transportation traveler information. Developing projects to reduce traffic congestion.

Water Pollution Prevention Program

Implementing projects that meet the requirements of the Municipal Regional Stormwater Permit (MRP) to help mitigate the impacts of water pollution runoffs caused by motor vehicles. Motor vehicles generate by-products that can be discharged direct into and pollutes storm drains, streams and waterways within San Mateo County and the Bay, which affects water quality. Developing and applying best management practices to control and reduce non-stormwater discharges mitigates pollutant discharges caused by runoffs from streets and roads infrastructure into waterways.