

# 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 MEETING NOTICE

Meeting No. 354

**Date:** Thursday, June 9, 2022

**Time:** 6:30 P.M.

On September 16, 2021, the Governor signed AB 361, which amended certain provisions of the Ralph M. Brown Act in order to allow for local legislative bodies to conduct their meetings remotely via telephonically or by other electronic means under specified circumstances. Thus, pursuant to Government Code section 54953(e), the C/CAG Board meeting will be conducted via remote conferencing. Members of the public may observe or participate in the meeting remotely via one of the options below.

**Join by Zoom:** <https://us02web.zoom.us/j/84394696307?pwd=-SrVxp7K1Kom-eh0R31FiCfkU0Cm0B.1>

**Meeting ID:** 843 9469 6307

**Password:** 060922

**Join by Phone:** (669) 900-6833

Persons who wish to address the C/CAG Board on an item to be considered at this meeting, or on items not on this agenda, are asked to submit written comments to [mcrume@smcgov.org](mailto:mcrume@smcgov.org). Spoken public comments will also be accepted during the meeting through Zoom. Please see instructions for written and spoken public comments at the end of this agenda.

1.0 CALL TO ORDER/ ROLL CALL

2.0 BRIEF OVERVIEW OF TELECONFERENCE MEETING PROCEDURES

3.0 PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Note: Public comment is limited to two minutes per speaker. Please refer to the instructions at the end of this agenda for details regarding how to provide public comments during a videoconference meeting.

4.0 PRESENTATIONS/ ANNOUNCEMENTS

4.1 Receive an update on the San Mateo County Safe Routes to School Program Annual Report for FY 2020-2021.

p. 1

## 5.0 ACTION TO SET AGENDA AND APPROVE CONSENT AGENDA ITEMS

This item is to set the final consent and regular agenda, and to approve the items listed on the consent agenda. All items on the consent agenda are approved by one action. There will be no separate discussion on these items unless members of the Board, staff or public request specific items to be removed for separate action.

- 5.1 Approval of the minutes of regular business meeting No. 353 dated May 12, 2022.  
ACTION p. 3
- 5.2 Review and approval of Resolution 22-36 finding that, as a result of the continuing COVID-19 pandemic state of emergency, meeting in person would present imminent risks to the health or safety of attendees, and that the state of emergency continues to directly impact the ability of members of the Board of Directors and C/CAG legislative bodies to meet safely in person.  
ACTION p. 11
- 5.3 Review and approval of Resolution 22-37 authorizing the C/CAG Chair to execute Amendment No. 10 to the agreement between C/CAG and the City of San Carlos to provide financial services to C/CAG for an amount not to exceed \$100,500 for Fiscal Year 2022-23.  
ACTION p. 16
- 5.4 Review and accept the Finance Committee's recommendation of no change to the investment portfolio and accept the Quarterly Investment Report as of March 31, 2022.  
ACTION p. 22
- 5.5 Review and approval of Resolution 22-38 authorizing the C/CAG Chair to execute an agreement between C/CAG and the County Office of Sustainability for staff support for the Regionally Integrated Climate Action Planning Suite program in an amount of \$25,000 for fiscal year 2022-23.  
ACTION p. 30
- 5.6 Review and approval of Resolution 22-39 authorizing the C/CAG Chair to execute a Cooperative Agreement with the San Mateo County Department of Housing for a Joint Workplan for Housing-Related Activities for FY 2022-23 in an amount not to exceed \$150,000.  
ACTION p. 40
- 5.7 Review and approval of Resolution 22-40 authorizing the C/CAG Chair to execute Amendment No. 8 to the Agreement with the Bay Area Water Supply and Conservation Agency for the Rain Barrel and Rain Garden Rebate Program, extending the term to June 30, 2023 and adding an amount not to exceed \$25,000 for Fiscal Year 2022-23, for a new total contract amount not to exceed \$135,000.  
ACTION p. 52
- 5.8 Review and approval of Resolution 22-41 authorizing the C/CAG Chair to execute Amendment No. 2 to Task Order EOA-13 with Eisenberg, Olivieri, and Associates, Inc., adding an amount not to exceed \$82,676 for Fiscal Year 2022-23, with a new total amount not to exceed \$1,164,663, for general support to the Countywide Stormwater Program including 2021-22 Annual Reporting and additional on-call support.  
ACTION p. 58
- 5.9 Review and approval of Resolution 22-42 authorizing the C/CAG Chair to execute Amendment No. 2 to Task Order LWA-07 with Larry Walker Associates extending the Task Order to September 30, 2022 for green infrastructure and pollutants of concern

- load reduction technical support services to the Countywide Stormwater Program for no additional cost. ACTION p. 63
- 5.10 Review and approval of Resolution 22-43 authorizing the C/CAG Chair to execute Amendment No. 1 to Task Order SGA-07 with S. Groner Associates, extending the Task Order to September 30, 2022 and adding an amount not to exceed \$10,000 for Fiscal Year 2022-23, with a new total amount not to exceed \$270,000, for public outreach support to the Countywide Stormwater Program on 2021-22 Annual Reporting and web maintenance. ACTION p. 68
- 5.11 Review and approval of Resolution 22-44 authorizing the C/CAG Executive Director to execute Amendment No. 1 to Task Order URD-03 with Urban Rain Design for green infrastructure outreach technical support services to the Countywide Stormwater Program, extending the Task Order to September 30, 2022 for no additional cost. ACTION p. 73
- 5.12 Review and approval of Resolution 22-45 waiving the Request for Proposals process, consistent with C/CAG's procurement policy, and authorizing the C/CAG Chair to execute a license agreement with Engineering Data Software, Inc. to provide annual property fee assessment support to the Countywide Stormwater Program for an annual amount not to exceed \$25,000 and a total amount not to exceed \$125,000 for the license agreement term set to expire December 31, 2027. ACTION p. 77
- 5.13 Review and approval of Resolution 22-46 authorizing the C/CAG Chair to execute Amendment No. 2 to the Agreement with Steer for the implementation of the Measure M Strategic Plan, and extending the contract term to December 31, 2022 at no additional cost. ACTION p. 88
- 5.14 Review and approval of Resolution 22-47 authorizing the C/CAG Chair to execute Amendment No. 2 to the Agreement with Gray Bowen Scott for on-call consultant services for Federal and State funded project coordination and grant administration, extending the contract term to December 31, 2022 for no additional cost. ACTION p. 94
- 5.15 Fiscal Year 2022/23 Transportation Fund for Clean Air (TFCA) (40%) Program for San Mateo County:
- 5.15.1 Approval of Resolution 22-48 authorizing the C/CAG Chair to execute a Program Manager Funding Agreement with the Bay Area Air Quality Management District (BAAQMD) for the Fiscal Year 2022/23 Transportation Fund for Clean Air (TFCA) Program in an amount up to \$1,095,304. ACTION p. 100
- 5.15.2 Approval of Resolution 22-49 authorizing the C/CAG Chair to execute a funding agreement with Commute.org in an amount up to \$600,000 under the Fiscal Year 2022/23 Transportation Fund for Clean Air (TFCA) Program to provide services related to the Countywide Voluntary Trip Reduction Program. ACTION p. 103
- 5.15.3 Approval of Resolution 22-50 authorizing the C/CAG Chair to execute a funding agreement with Commute.org in an amount up to \$136,000 using Fiscal Year 2022/23 Transportation Fund for Clean Air (TFCA) Program fund for the BART Shuttle Program. ACTION p. 106

- 5.16 Review and approval of Resolution 22-51 authorizing the C/CAG Chair to execute an agreement with the Commute.org in the amount of \$510,000 to provide services related to the FY 2022/23 Countywide Voluntary Trip Reduction Program. ACTION p. 109
- 5.17 Review and approval of Resolution 22-52 authorizing the C/CAG Chair to execute Amendment No. 2 to the Agreement with the City of South San Francisco for fiber conduit purchase of the Smart Corridor Extension Project, extending the contract term to December 31, 2022 at no additional cost. ACTION p. 111
- 5.18 Approval of the request for reallocation of Transportation Development Act (TDA) Article 3 FY 2019/20 funds for the City of San Mateo's TOD Pedestrian Access Plan (\$75,117.35). ACTION p. 115
- 5.19 Review and approval of Resolution 22-53 supporting the submittal of a joint application on the development of a San Mateo Countywide Autonomous Vehicle Strategic Plan, in partnership with the San Mateo County Transportation Authority, for Measure A Alternative Congestion Relief And Measure W Transportation Demand Management program funding, and authorize a local match of \$20,000. ACTION p. 119
- 5.20 Review and approval of Resolution 22-56 for the third year subscription to StreetLight Data Services and authorizing the C/CAG Chair to execute a second amended and restated Memorandum of Understanding (MOU) with participating agencies for one year beginning September 1, 2022 in the amount of \$363,000. ACTION p. 123
- 5.21 Approval of the final composition of the evaluation panel for the One Bay Area Grant 3 (OBAG 3) County & Local Program Call for Projects. ACTION p. 128
- 5.22 Review and approval of Resolution 22-57 authorizing the C/CAG Chair to execute the Second Amendment to the Cooperative Funding Agreement (Operating Loan) with the San Mateo County Express Lanes Joint Powers Authority (SMCEL-JPA) in the amount of \$1,350,000 to partially fund the Fiscal Year 2022-23 operations of the SMCEL-JPA. ACTION p. 131
- 5.23 Review and approval of Resolution 22-58 authorizing the prefunding of OPEB in an amount of \$20,823 for Fiscal Year 2021-22 through the California Employers' Retiree Benefit Trust Program (CERBT) of CalPERS. ACTION p. 139

## 6.0 REGULAR AGENDA

- 6.1 Review and approval of Resolution 22-55 adopting the C/CAG Fiscal Year 2022-23 Program Budget and Member Fees. (Special voting procedures apply). ACTION p. 143
- 6.2 Review legislative update and, if appropriate, recommend approval of C/CAG legislative policies, priorities, or positions. (A position may be taken on any legislation, including legislation not previously identified in the legislative update. Action is only necessary if recommending approval of a policy, priority, or position.) POSSIBLE ACTION p. 151
- 6.3 Receive a presentation on the adoption of the reissued Municipal Regional Stormwater Permit. INFORMATION p. 156

6.4 Receive an update on the results of an Intelligent Transit Signal Priority project in City of East Palo Alto. INFORMATION p. 159

6.5 Receive a presentation on the OBAG 3 Call for Projects. INFORMATION p. 161

## 7.0 COMMITTEE REPORTS

7.1 Committee Reports (oral reports)

7.2 Chairperson's Report

7.3 Board Members Report/Communication

## 8.0 EXECUTIVE DIRECTOR'S REPORT

9.0 COMMUNICATIONS - Information Only. p. 163

9.1 Written Communication - 6 Letters (written communications are available on the C/CAG Website: <http://ccag.ca.gov/committees/board-of-directors/>)

## 10.0 ADJOURNMENT

Next scheduled meeting July 14, 2022

**PUBLIC NOTICING:** All notices of C/CAG regular Board meetings, standing committee meetings, and special meetings will be posted at the San Mateo County Court Yard, 555 County Center, Redwood City, CA, and on C/CAG's website at: <http://www.ccag.ca.gov>.

**PUBLIC RECORDS:** Public records that relate to any item on the open session agenda for a regular Board meeting, standing committee meeting, or special meeting are available for public inspection. Those public records that are distributed less than 72 hours prior to a regular Board 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 public records available for inspection. Such public records are also available on C/CAG's website at: <http://www.ccag.ca.gov>. Please note that C/CAG's office is temporarily closed to the public; please contact Mima Crume at (650) 599-1406 to arrange for inspection of public records.

**PUBLIC PARTICIPATION DURING VIDEOCONFERENCE MEETINGS:** Persons with disabilities who require auxiliary aids or services to participate in this meeting should contact Mima Crume at (650) 599-1406, five working days prior to the meeting date.

Written comments should be emailed in advance of the meeting. Please read the following instructions carefully:

1. Your written comment should be emailed to [mcrume@smcgov.org](mailto:mcrume@smcgov.org).
2. Your email should include the specific agenda item on which you are commenting or note that your comment concerns an item that is not on the agenda.
3. Members of the public are limited to one comment per agenda item.
4. If your emailed comment is received at least 2 hours prior to the meeting, it will be provided to the C/CAG Board members, made publicly available on the C/CAG website along with the agenda. Emails received less than 2 hours before the meeting will be provided to the C/CAG Board members and included in the administrative record of the meeting as soon as practicable.

Spoken comments will be accepted during the meeting through Zoom. Please read the following instructions carefully:

1. The C/CAG Board meeting may be accessed through Zoom at the online location indicated at the top of this agenda.
2. You may download the Zoom client or connect to the meeting using an internet browser. If using your browser,

make sure you are using a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer.

3. You will be asked to enter an email address and name. We request that you identify yourself by your name as this will be visible online and will be used to notify you that it is your turn to speak.
4. When the C/CAG Clerk or Chair call for the item on which you wish to speak, click on “raise hand.” The Clerk will activate and unmute speakers in turn. Speakers will be notified shortly before they are called on to speak.
5. When called, please limit your remarks to the time allotted.

If you have any questions about this agenda, please contact C/CAG staff:

Executive Director: Sean Charpentier (650) 599-1409

Clerk of the Board: Mima Crume (650) 599-1406

**C/CAG AGENDA REPORT**

Date: June 09, 2022  
To: City/County Association of Governments of San Mateo County Board of Directors  
From: Sean Charpentier, Executive Director  
Subject: Receive an update on the San Mateo County Safe Routes to School Program Annual Report for FY 2020-2021

(For further information, contact Eva Gaye at [egaye@smcgov.org](mailto:egaye@smcgov.org))

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**RECOMMENDATION**

That the C/CAG Board receive an update on the San Mateo County Safe Routes to School Program Annual Report for FY 2020-2021.

**FISCAL IMPACT**

None.

**SOURCE OF FUNDS**

The San Mateo County Safe Routes to School (SRTS) Program is funded using a combination of federal Congestion Mitigation and Air Quality Improvement (CMAQ) funds from the One Bay Area Grant (OBAG) Program and local Measure M funding, which is the \$10 vehicle registration fee levied in San Mateo County.

**BACKGROUND**

Since 2010, The County/Association of Governments (C/CAG) has contracted with San Mateo County Office of Education (SMCOE) to administer the Safe Routes to School Program. Program activities include bike and pedestrian rodeos, walk and roll to school days, Safe Routes to School Summit and more. As part of SMCOE reporting requirements to C/CAG, SMCOE prepares an annual report summarizing activities conducted within the fiscal year and outlining the projected goals for the following year. At the May C/CAG Board meeting, Theresa Vallez-Kelly, Program Coordinator of the Safe Routes to School Program from SMCOE, will present the FY 2020-2021 annual report to the Committee. Due to the COVID-19 pandemic, many activities of the Safe Routes to School program transitioned from in person to online. Ms. Vallez-Kelly will describe the changes that were made and report on program performance.

## ATTACHMENTS

1. FY 2020-2021 Safe Routes to School Annual Report (*will be available online at:*  
<http://ccag.ca.gov/committees/board-of-directors/>)



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### C/CAG BOARD

### MINUTES

Meeting No. 353

May 12, 2022

On March 17, 2020, the Governor issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow for local legislative bodies to conduct their meetings telephonically or by other electronic means. On June 11, 2021, the Governor issued Executive Order N-08-21 extending the suspension of these provisions to September 30, 2021. Thus, pursuant to Executive Order N-08-21, C/CAG Board meetings will be conducted via remote conferencing. Members of the public may observe or participate in the meeting remotely via one of the options below.

#### 1.0 CALL TO ORDER/ ROLL CALL

Vice Chair Ricardo Ortiz called the meeting to order at 6:30p.m. Roll call was taken.

Atherton	– Diane Hawkins
Brisbane	– Karen Cunningham
Burlingame	– Ricardo Ortiz
Colma	– John Goodwin
Daly City	– Pamela DiGiovanni
Foster City	– Richa Aswathi (arrive 6:41 p.m.)
Hillsborough	– Marie Chuang
Menlo Park	– Cecilia Taylor
Millbrae	– Gina Papan
Pacifica	– Sue Vaterlaus
Portola Valley	– Maryann Moise Derwin
Redwood City	– Diana Reddy
San Bruno	– Michael Salazar
San Carlos	– Adam Rak (departed – 7:19 p.m.)
San Mateo	– Diane Papan
South San Francisco	– Mark Nagales (departed – 7:43 p.m.)
Woodside	– Dick Brown
SMCTA (Non-Voting)	– Rico Medina

Absent:

Belmont  
East Palo Alto  
Half Moon Bay

San Mateo County  
SMCTD (Non-Voting)

Others:

Sean Charpentier	– C/CAG Executive Director
Mima Crume	– C/CAG Clerk of the Board
Melissa Adrikopolous	– C/CAG Legal Counsel
Kaki Cheung	– C/CAG Staff
Van Ocampo	– C/CAG Staff
Jeff Lacap	– C/CAG Staff
Reid Bogert	– C/CAG Staff
Susy Kalkin	– C/CAG Staff
Kim Wever	– C/CAG Staff
Kim Springer	– C/CAG Staff
Eva Gaye	– C/CAG Staff
Audrey Shiramiza	– C/CAG Staff
Leo Scott	– Gray-Bowen-Scott
Kara Vuicich	– MTC
Libby Nachman	– Alta Planning
Audrey Park	– Public Member
Chris DiPrima	– Public Member

Other members of the public attended.

2.0 BRIEF OVERVIEW OF TELECONFERENCE MEETING PROCEDURES

Clerk Crume gave an overview of the teleconference meeting procedures.

3.0 PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

*Note: Public comment is limited to two minutes per speaker. Please refer to the instructions at the end of this agenda for details regarding how to provide public comments during a videoconference meeting.*

Clerk Crume announced that there were no public comments.

4.0 PRESENTATIONS/ ANNOUNCEMENTS

4.1 Update on the Construction of San Mateo 101 Express Lanes Project. INFORMATION

The Board received a presentation update from Leo Scott on the Construction of San Mateo 101 Express Lanes Project. The work within the southern segment is totally complete and toll operations began on February 11, 2022, together with the VTA segment. Toll commencement for the northern segment is scheduled for the end of 2022.

4.2 Receive a presentation on the MTC’s draft Transit Oriented Communities policy. INFORMATION

The Board received a presentation on the MTC’s draft Transit Oriented Communities policy. The proposed TOC Policy will replace the 2005 Transit-Oriented Development (TOD) Policy included in the Regional Transit Expansion Program (MTC Resolution No.

3434). The Transit Oriented Communities (TOC) Policy will ensure that major regional investments in transit will be combined with land uses that are supportive of generating transit ridership, reducing GHG, and supporting equity. The MTC released an initial draft in January, and has significantly updated the draft TOC Policy in response to input from MTC Commissioners and regional stakeholders. The MTC intends to approve an updated TOC Policy this summer.

Board Member G. Papan asked if the menu would be tied to funding. Kara said the tie to funding is an overall TOC policy compliance and linked to eligibility for that 70% set aside for county investments as part of the future OBAG cycles. She has also asked to explain prevention of displacement from substandard conditions and code enforcement. Kara explained that the policies, programs for procedures designed to minimize the risk of displacement caused by substandard conditions, including through local Code enforcement activities this may include, but not be limited to, proactive rental inspection programs, assistance to landlords or property improvement in exchange for anti-displacement commitments and enhanced relocation assistance requirements for temporary displacement due to substandard conditions that pose an immediate threat to help at safety.

D. Papan commented that most of what's in the protection column has already been provided for in the state level.

Vice Chair Ortiz comments if we're all governed by the stabilization by the state, that would not count on the protection as one of them, unless we have additional City ordinance with the protections. Kara said that was correct and for example, rent stabilization, the description that's in the policy is that it would restrict annual rent increases based upon a measure of inflation or other metric with provisions exceeding those established by AB 1482.

Board Member Cunningham agrees with Board Member D. Papan. And has asked to explain the mobile home rent stabilization and tenant relocation assistance. Kara described that it restricts annual rent increases on mobile home residents based upon a measure of inflation or rather a metric. And the description of tenant relocation is policy or program that grants in legal protection from unreasonable, abusive or course of landlord behavior.

Board Member Taylor commented that she is actually on the other side of this. If these protections existed in the City of Menlo Park, her district probably would not have had the highest level of displacement city over the past seven years since the general plan has been adopted. These policies do not work unless the city is supporting them. She adds if there is data in keeping track of vacancy rates. She thinks we need data to back this up so we can substantiate why this needs to exist. She will continue to look at these policies/protection more in depth. Secondly, on the PDA, she has an area that is being developed that is formerly industrial that has zero transit, yet the city has approved 3335 units to be built under SB330. How would this program OBAG be able to address this non transit areas.

Kara said that OBAG is much more focused on infrastructure as opposed to transit service, but there are other opportunities to look at improving transit service to locations where additional growth is happening where there may not be transit right now. SamTrans may be a good place to reach out to.

Sean Charpentier chimed in and said it would be helpful to have a map of where this impacts in the San Mateo County in particular the BRT along El Camino, will this include any transit in the Dumbarton corridor.

Kara responded and said it's hard to say exactly which locations are going to be affected since it is kind of a station-based policy.

Board Member Vaterlaus commented that the cities that don't have transportation are always left out of the funding. They would like transportation but don't have any on the coast. Also, various cities have voted against rent control by 70% and her city has voted against rent control as well. None of these items would work for lowering rent and getting rents lowered and keeping people in their properties.

Board Member G. Papan thanked her colleagues for sharing their questions because it helps her at MTC. And a follow-up on Board Member Taylor's comments, a lot of these protections listed cost money which many jurisdictions don't have. If that were related to state, that would be helpful, but to establish any one of these would be costly and not sure if that has been a part of the analysis or the data collection.

Vice Chair Ortiz asked who can they reach out if there are other comments. Board Member G. Papan suggested that letters from cities to MTC help her in the process.

Public member, Chris DiPrima, Airport Planner at San Francisco International Airport made a comment as they support the provision of housing and especially affordable housing within the county, this housing shouldn't compromise the diligent work that airports and communities that performed over the past half century to prevent these sorts of incompatible land uses. They are encouraging MTC not to privilege these new policies over these long-standing successful state laws governing airport land uses. SFO airport planning and environmental affairs would be happy to assist in the efforts and reach out separately to request a briefing.

Public member, Audrey Park, has echoed Chris DiPrima of the intent and the potential effects of these policies if adopted. And while it is great overall, there are unique local issues that they encourage MTC to explore and reach out to local cities, especially those around airport environments such as San Bruno, South San Francisco, Millbrae and Burlingame, to really understand their unique situations. The cities, the airport and the county has worked for decades trying to prevent developments that are incompatible with aircraft operations as it pertains to noise, aerospace and a public safety.

Board Member G. Papan asked the airport representatives to send a letter to MTC with specifics.

Kara has clarified that the policy is not specifying that a city plan or zone for particular land use, all its specifying that is if the city has decided that they want to allow residential uses on a particular parcel then it's only specifying the density of those residential uses.

Vice Chair Ortiz added if the airport restrictions make it such that they can't meet the requirements on those lists, then that's where the conflict arises.

## 5.0 ACTION TO SET AGENDA AND APPROVE CONSENT AGENDA ITEMS

This item is to set the final consent and regular agenda, and to approve the items listed on the

consent agenda. All items on the consent agenda are approved by one action. There will be no separate discussion on these items unless members of the Board, staff or public request specific items to be removed for separate action.

- 5.1 Approval of the minutes of regular business meeting No. 352 dated April 14, 2022. APPROVED
- 5.2 Review and approval of Resolution 22-28 finding that, as a result of the continuing COVID-19 pandemic state of emergency, meeting in person would present imminent risks to the health or safety of attendees, and that the state of emergency continues to directly impact the ability of members of the Board of Directors and C/CAG legislative bodies to meet safely in person. APPROVED
- 5.3 Review and approval of Resolution 22-29 authorizing the C/CAG Executive Director to execute an agreement between C/CAG and the California Department of Transportation for FY2022-23 Sustainable Communities Planning Grant funding for development of a Vehicle Miles Traveled/Greenhouse Gas Model Mitigation Program in an amount of \$531,180. APPROVED
- 5.4 Review and approval of Resolution 22-30 determining that the proposed Gateway of Pacific Phase 4 Density Transfer Project, including General Plan, Specific Plan and Zoning Amendments for property located at 900 Gateway Boulevard, South San Francisco, is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport. APPROVED
- 5.5 Review and approval of Resolution 22-31 determining that the proposed Southline Specific Plan, including General Plan, Specific Plan and Zoning Amendments for a 28.5-acre site located the intersection of South Maple and Tanforan Avenues, South San Francisco, is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport. APPROVED
- 5.6 Review and approval of Resolution 22-32 authorizing the C/CAG Executive Director to execute a one-year funding extension with the City of Menlo Park for funding of two shuttles previously approved under the Joint C/CAG and San Mateo County Transportation Authority Shuttle Program for FY 2020/2021 and FY 2021/2022 in an amount not to exceed \$394,980, utilizing surplus allocation from the existing program. APPROVED
- 5.7 Review and approval of Resolution 22-33 authorizing the C/CAG Chair to execute Amendment No. 5 of the Iteris, Inc. Smart Corridor ITS Network Monitoring and Maintenance Support Agreement to add \$200,000 at a new not to exceed amount of \$720,484, and to extend the contract end date to June 30, 2023. APPROVED
- 5.8 Review and approval of Resolution 22-24 authorizing the C/CAG Chair to execute the Agreement with the San Mateo County Office of Education for the San Mateo County Safe Routes to School Program in an amount not to exceed \$425,386 for Fiscal Year 2022-23. APPROVED
- 5.9 Review and approval of Resolution 22-34 authorizing the C/CAG Chair to execute

Amendment No.3 to the Agreement with the City of East Palo Alto for the Addison Avenue Safe Routes to School and Green Streets Infrastructure Pilot Project, extending the contract term to June 30, 2023 for no additional cost. APPROVED

5.10 Review and approval of Resolution 22-35 authorizing the C/CAG Chair to execute Amendment No.2 to the funding agreement with Commute.org for the Carpool 2020 program, extending project completion date to June 30, 2023 at no additional cost. APPROVED

5.11 Approval of additional criteria to be added to the C/CAG Guidelines and process for the MTC One Bay Area Grant Cycle 3 (OBAG 3) County & Local Program. APPROVED

5.12 Review and approval of the appointment of Lissette Espinoza-Garnica, Councilmember of Redwood City, to fill a vacant elected member seat on the C/CAG Bicycle and Pedestrian Advisory Committee (BPAC). APPROVED

Board Member D. Papan (San Mateo) MOVED to approve the consent agenda items 5.1 through 5.12. Board Member Salazar SECONDED. Roll call was taken. **MOTION CARRIED 16-0-0** (San Carlos departed 7:19 p.m.)

## 6.0 REGULAR AGENDA

6.1 Review the initial draft, assumptions, and input on the C/CAG Fiscal Year 2022/23 Program Budget and Member Fees. APPROVED

The Board received a presentation from Executive Director, Sean Charpentier on the initial draft, assumptions, and input on the C/CAG Fiscal Year 2022/23 Program Budget and Member Fees.

Board Member Chuang MOVED to approve item 6.1. Board Member Cunningham SECONDED. Roll call was taken. **MOTION CARRIED 15-0-0.** (SSF departed 7:43 p.m.)

6.2 Review legislative update and, if appropriate, recommend approval of C/CAG legislative policies, priorities, or positions. (A position may be taken on any legislation, including legislation not previously identified in the legislative update. Action is only necessary if recommending approval of a policy, priority, or position.) APPROVED

C/CAG staff to the Legislative Committee, Kim Springer, gave an overview of items discussed at the Legislative Committee meeting, which met prior to the Board meeting. Springer mentioned that the Governor's May Revised Budget, specifically the anticipated surplus due out the following day may be as much as twice or more the amount originally projected, that the gas tax relief plan is also due to be released and will have additions. Springer reiterated the Committee and Board April position on the Plan: the \$400 per vehicle rebate up to two per household, the support for a means-based test for that rebate, additional funding for active transportation, free transit passes, and that the Committee also suggested an eventual letter include funding for affordable housing and stormwater. Springer shared pieces of legislation that were discussed: SB 922: (Wiener) CEQA Exemption for Clean Transportation Projects with Tate Hanna from the Senator's Office, and that the Committee voted to change their position to Support with Amendment, AB 2011 (Wicks) Ministerial Housing Approval in Commercial Zones: which the Committee

voted to Oppose.

Committee members discussed the gas credit item and suggested that the eventual letter support more than two cars. Springer reminded the Board that the letter was to include a means-based test and that could be considered as the “test” for the rebate with less concern on the number of vehicles. Board Member Brown suggested the Legislative Committee add an item related to C/CAG possible pushing back on RHNA numbers at a future meeting. There were no public comments.

For the gas tax rebate letter, a motion was made to support a \$400 per vehicle rebate base on means with no per household cap, additional funding for active transportation, free transit passes, and that there would be added dollars for both affordable housing and stormwater projects, on SB 922 a change to Support with Amendment to not define housing specifically as affordable, and on AB 2011 to Oppose.

Board Member Salazar MOVED to approve item 6.2. Board Member Vaterlaus SECONDED. Roll call was taken. **MOTION CARRIED 15-0-0.**

6.3 Receive an update on the San Mateo County Shared Micromobility Feasibility Study and Implementation Plan. INFORMATION

The Board received an update presentation on the San Mateo County Shared Micromobility Feasibility Study and Implementation Plan. Micromobility is a network of shared vehicles i.e., bicycle, e-bicycle, e-scooter or seated scooter. The purpose of using shared micromobility is to provide a quick and convenient option for short, one-way trips (usually 15-45 minutes). E-dvices give an electric “assist” to help new and experienced bike riders get around more easily.

Clerk Crume reported that there were no public comments.

Board of Director DiGiovanni asked if there were any other mechanism that do not have access who do not have access to internet. Kim Wever said as of right now we only have it online. Director DiGiovanni mentioned that a lot in the Bayshore area do not have internet.

Board of Director Taylor commented on the slide on equity focus areas, parts of Menlo Park is shaded but Menlo park isn’t listed as one of the area that’s included.

Libby Nachman responded and said that this is not a comprehensive and will adjust it. The comprehensive list is with the C/CAG BPAC.

Sean Charpentier added that the equity focus area is based on income and other demographics and it does pull in Belhaven. It does include the Belhaven neighborhood in Menlo Park.

## 7.0 COMMITTEE REPORTS

### 7.1 Committee Reports (oral reports)

None.

7.2 Chairperson's Report

None.

7.3 Board Members Report/Communication

MTC Commissioner G. Papan reported out that MTC has special meetings this month on megaprojects. She has complimented all the cities for submitting projects through C/CAG, more projects the better. And thanked everyone's participation on comments on the MTC report.

8.0 EXECUTIVE DIRECTOR'S REPORT

Sean Charpentier reported out that we recently released the call for projects for the OBAG3 cycle. It'll total about \$32M. We anticipate that the most successful projects will have a significant active transportation component. The call for projects was released yesterday and distributed to city staff and will continue to do marketing and outreach on this. It is a little bit of a tight turn around and the call for projects ends on July 1st at 12pm. We wanted to give sponsors as much time as possible to put together really regionally competitive projects. The second item is that C/CAC spent continuing its regional leadership on the stormwater issue, and in particular the MRP update and the regional update. The regional Board held their hearings yesterday and Reid Bogert was there to represent San Mateo County, but also represented pretty much every other permittee jurisdiction. There was about 85 that he was providing consolidated comments for. Throughout the MRP process, C/CAG, and staff have been very strategic and unified. And while we didn't get everything we wanted out of the permit, we think that they heard from us and we are one of the more active and unified entities. It was that was a success.

9.0 COMMUNICATIONS - Information Only

None

10.0 ADJOURNMENT – 8:40 p.m.



## C/CAG AGENDA REPORT

Date: June 9, 2022

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 22-36 finding that, as a result of the continuing COVID-19 pandemic state of emergency, meeting in person would present imminent risks to the health or safety of attendees, and that the state of emergency continues to directly impact the ability of members of the Board of Directors and C/CAG legislative bodies to meet safely in person.

(For further information, contact Melissa Andrikopoulos at [mandrikopoulos@smcgov.org](mailto:mandrikopoulos@smcgov.org))

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### RECOMMENDATION

Approval of Resolution 22-36 finding that, as a result of the continuing COVID-19 pandemic state of emergency, meeting in person for meetings of the C/CAG Board of Directors and all other C/CAG legislative bodies would present imminent risks to the health or safety of attendees, and that the state of emergency continues to directly impact the ability of members of the Board of Directors and C/CAG legislative bodies to meet safely in person.

### FISCAL IMPACT

There is no fiscal impact.

### SOURCE OF FUNDS

Not applicable

### BACKGROUND

On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which rescinded his prior Executive Order N-29-20 and set a date of October 1, 2021 for public agencies to transition back to public meetings held in full compliance with the Brown Act. The original Executive Order provided that all provisions of the Brown Act that required the physical presence of members or other personnel as a condition of participation or as a quorum for a public meeting were waived for public health reasons. If these waivers fully sunset on October 1, 2021, legislative bodies subject to the Brown Act would have to contend with a sudden return to full compliance with in-person meeting requirements as they existed prior to March 2020, including the requirement for full physical public access to all teleconference locations from which board members were participating.

On September 16, 2021, the Governor signed AB 361, a bill that formalizes and modifies the teleconference procedures implemented by California public agencies in response to the Governor's Executive Orders addressing Brown Act compliance during the COVID-19 emergency. AB 361 allows a local agency legislative body to continue to use teleconferencing under the same basic rules as provided

in the Executive Orders when certain circumstances occur or when certain findings have been made and adopted by the legislative body.

AB 361 provides that Brown Act legislative bodies must return to in-person meetings on October 1, 2021, unless they choose to continue with fully teleconferenced meetings because a specific declaration of a state or local health emergency is appropriately made. AB 361 allows legislative bodies to continue to conduct virtual meetings as long as there is a gubernatorially-proclaimed public emergency in combination with (1) local health official recommendations for social distancing or (2) adopted findings that meeting in person would present an imminent risk to health or safety. AB 361 is effective immediately as urgency legislation and will sunset on January 1, 2024.

AB 361 also requires that, if the state of emergency remains active for more than 30 days, the legislative body must make findings by majority vote every 30 days to continue using the bill's exemption to the Brown Act teleconferencing rules. Specifically, the legislative body must find that the need for teleconferencing persists due to risks posed by the ongoing state of emergency. Effectively, this means that local agencies must either agendaize a Brown Act meeting once every thirty days to make these findings, or, if a local agency has not made such findings within the prior 30 days, the local agency must re-adopt the initial findings if it wishes to conduct a remote meeting.

Public agencies that wish to continue with the option for remote meetings due to the COVID-19 emergency have and are continuing to make the required AB 361 findings. The San Mateo County Board of Supervisors approved a similar resolution at its September 28, 2021 meeting, and has continued to renew the findings since then.

At its October 14, 2021 meeting, the C/CAG Board adopted Resolution 21-79, making the findings necessary to continue remote meetings for both the C/CAG Board and standing C/CAG Committees for 30 days; the Board has subsequently adopted similar resolutions making findings to continue remote meetings.

## **DISCUSSION**

The County's high vaccination rate successfully implemented local health measures (such as indoor masking), and best practices by the public (such as voluntary social distancing) have proven effective, in combination, at controlling the local spread of COVID-19.

However, reducing the circumstances under which people come into close contact remains a vital component of the County's COVID-19 response strategy. While local agency public meetings are an essential government function, the last 18 months have demonstrated that conducting such meetings virtually is feasible.

Public meetings pose high risks for COVID-19 spread for several reasons. These meetings bring together people from throughout a geographic region, increasing the opportunity for COVID-19 transmission. Further, the open nature of public meetings makes it difficult to enforce compliance with vaccination, physical distancing, masking, cough and sneeze etiquette, or other safety measures. Moreover, some of the safety measures used by private businesses to control these risks may be less effective for public agencies.

These factors combine to make in-person public meetings imminently risky to health and safety.

We recommend that the Board avail itself of the provisions of AB 361 allowing continuation of remote meetings by adopting findings to the effect that conducting in-person meetings would present an imminent risk to the health and safety of attendees and that the state of emergency continues to directly impact the ability of members to meet safely in person. A resolution to that effect, and directing staff to take such other necessary or appropriate actions to implement the intent and purposes of the resolution, is attached hereto.

**ATTACHMENT**

1. Resolution 22-36

## RESOLUTION 22-36

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY FINDING THAT, AS A RESULT OF THE CONTINUING COVID-19 PANDEMIC STATE OF EMERGENCY, MEETING IN PERSON FOR MEETINGS OF THE C/CAG BOARD OF DIRECTORS AND ALL OTHER C/CAG LEGISLATIVE BODIES WOULD PRESENT IMMINENT RISKS TO THE HEALTH OR SAFETY OF ATTENDEES, AND THAT THE STATE OF EMERGENCY CONTINUES TO DIRECTLY IMPACT THE ABILITY OF MEMBERS OF THE BOARD OF DIRECTORS AND C/CAG LEGISLATIVE BODIES TO MEET SAFELY IN PERSON.**

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

**WHEREAS**, on March 4, 2020, pursuant to California Government Code section 8550, *et seq.*, Governor Newsom proclaimed a state of emergency related to the COVID-19 novel coronavirus, and subsequently, the San Mateo County Board of Supervisors declared a local emergency related to COVID-19, and the proclamation by the Governor and declaration by the Board of Supervisors remain in effect; and

**WHEREAS**, on March 17, 2020, Governor Newsom issued Executive Order N-29-20, which suspended certain provisions in the California Open Meeting law, Government Code section 54950 *et seq.* (the “Brown Act”), related to teleconferencing by local agency legislative bodies, provided certain requirements were met and followed; and

**WHEREAS**, on June 11, 2021, the Governor issued Executive Order N-08-21, which extended provisions of Executive Order N-29-20 that waive otherwise-applicable Brown Act requirements related to remote/teleconference meetings by local agency legislative bodies through September 30, 2021; and

**WHEREAS**, on September 16, 2021, Governor Newsom signed AB 361 into law, and AB 361 provides that a local agency legislative body subject to the Brown Act may continue to meet without complying with the otherwise-applicable requirements in the Brown Act related to remote/teleconference meetings by local agency legislative bodies, provided that a state of emergency has been declared and the legislative body determines that meeting in person would present imminent risks to the health or safety of attendees, and provided that the legislative body makes such findings at least every thirty (30) days during the term of the declared emergency; and

**WHEREAS**, the C/CAG Board of Directors concludes that there is a continuing threat of COVID-19 to the community, and that Board meetings have characteristics that give rise to risks to health and safety of meeting participants (such as the increased mixing associated with bringing together people from across the community, the need to enable those who are immunocompromised or unvaccinated to be able to safely continue to participate fully in public governmental meetings, and the challenges with fully ascertaining and ensuring compliance with vaccination and other safety recommendations at such meetings); and

**WHEREAS**, the C/CAG Board of Directors has an important governmental interest in protecting the health and safety of those who participate in its meetings; and

**WHEREAS**, on October 14, 2021, the C/CAG Board of Directors approved Resolution 21-79

making the findings necessary to continue holding remote meetings of the C/CAG Board of Directors and all other C/CAG legislative bodies; and

**WHEREAS**, at subsequent meetings, the C/CAG Board of Directors adopted resolutions making the findings necessary to continue remote meetings for both the C/CAG Board of Directors and all other C/CAG legislative bodies; and

**WHEREAS**, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, the C/CAG Board of Directors deems it necessary to find that meeting in person would present imminent risks to the health or safety of attendees, and that the COVID-19 state of emergency continues to directly impact the ability of members of the Board of Directors and all other C/CAG legislative bodies to meet safely in person, and thus intends to continue to invoke the provisions of AB 361 related to teleconferencing;

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that**

1. The recitals set forth above are true and correct.
2. The C/CAG Board of Directors has reconsidered the circumstances of the state of emergency caused by the spread of COVID-19.
3. The C/CAG Board of Directors finds that the state of emergency caused by the spread of COVID-19 continues to directly impact the ability of members of the Board of Directors and all other C/CAG legislative bodies to meet safely in person.
4. The C/CAG Board of Directors further finds that holding meetings of the C/CAG Board Directors and all other C/CAG legislative bodies in person would present imminent risks to the health or safety of attendees.
5. Staff is directed to take such other necessary or appropriate actions to implement the intent and purposes of this resolution.

**PASSED, APPROVED, AND ADOPTED, THIS 9TH DAY OF JUNE 2022.**

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*Davina Hurt, Chair*

## C/CAG AGENDA REPORT

Date: June 9, 2022

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 22-37 authorizing the C/CAG Chair to execute Amendment No. 10 to the agreement between C/CAG and the City of San Carlos to provide financial services to C/CAG for an amount not to exceed \$100,500 for Fiscal Year 2022-23

(For further information or questions, contact Sean Charpentier, at [scharpentier@smcgov.org](mailto:scharpentier@smcgov.org))

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### RECOMMENDATION

That the C/CAG Board of Directors review and approve Resolution 22-37 authorizing the C/CAG Chair to execute Amendment No. 10 to the agreement between C/CAG and the City of San Carlos to provide financial services to C/CAG for an amount not to exceed \$100,500 for FY 2022-23.

### FISCAL IMPACT

A total of \$100,500 for FY 2022-23. It is included in the proposed C/CAG budget for FY 2022-23.

### SOURCE OF FUNDS

Member assessments, parcel fee, motor vehicle fee, and State/ Federal Transportation Funds.

### BACKGROUND

The City of San Carlos is the Financial Agent for C/CAG. C/CAG annually negotiates a fee for these services. On June 14, 2012, C/CAG Board approved Resolution 12-42 authorizing the Chair to execute the agreement between C/CAG and City of San Carlos to provide financial services to C/CAG in an amount of \$73,600 for fiscal year 2012-13.

On June 13, 2013, C/CAG Board approved Resolution 13-16 authorizing the Chair to execute Amendment No. 1 to said agreement in an amount of \$75,366 for fiscal year 2013-14. Amendment No. 1 also included additional language regarding background check for Management personnel.

Since then, the C/CAG Board has authorized annual amendment to said agreement each fiscal year for City of San Carlos to provide financial services to C/CAG. Rates were adjusted each year approximately by the CPI. For fiscal year 2015-16, Amendment No. 3 included the additional effort to implement Government Accounting Standards Board (GASB) Statement No. 68, *Accounting and Financial Reporting for Pensions*.

Financial services include activities such as maintaining bank and investment accounts, implementing internal financial controls, paying vendors and project sponsors, managing receivables, investing surplus cash, reporting, managing audit processes, attending Finance Committee meetings, etc. A high level of service has been achieved by the City of San Carlos. All reports were provided on a timely basis. Additionally, the City of San Carlos staff has been very responsive to requests from C/CAG staff.

City of San Carlos has updated the annual cost to ensure full recovery of cost for services, including an adjustment of hourly rate, and added hours for the preparation of the State Controller's Annual Financial Transaction report, and hours for the Program Audits. It is proposed, as part of Amendment No. 10, the fee for regular financial services for fiscal year 2022-23 be \$100,500. In addition, City will be reimbursed by C/CAG for other services and special projects, as requested by C/CAG, at the fully burdened hourly rate of \$193 per hour.

The cost for bank fees, storage, postage, as well as costs for audit services are not included in the original agreement or any amendment. Those costs are billed separately.

#### **ATTACHMENTS**

1. Resolution 22-37
2. Amendment No. 10 to the agreement between C/CAG and the City of San Carlos to provide financial services.

## **RESOLUTION 22-37**

### **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG CHAIR TO EXECUTE AMENDMENT NO. 10 TO THE AGREEMENT BETWEEN C/CAG AND THE CITY OF SAN CARLOS TO PROVIDE FINANCIAL SERVICES TO C/CAG FOR A TOTAL OF \$100,500 FOR FY 2022-23**

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

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

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

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

**WHEREAS**, C/CAG has executed the following amendments to said agreement for City of San Carlos to provide financial services to C/CAG; and

Amendment No. 1, \$75,366 for FY 13-14, approved by Resolution 13-16 (June 13, 2013); and  
Amendment No. 2, \$77,700 for FY 14-15, approved by Resolution 14-10 (May 8, 2014); and  
Amendment No. 3, \$80,430 for FY 15-16, approved by Resolution 15-18 (May 14, 2015); and  
Amendment No. 4, \$82,440 for FY 16-17, approved by Resolution 16-06 (May 12, 2016); and  
Amendment No. 5, \$85,000 for FY 17-18, approved by Resolution 17-25 (June 7, 2017); and  
Amendment No. 6, \$88,200 for FY 18-19, approved by Resolution 18-35 (June 14, 2018); and  
Amendment No. 7, \$93,000 for FY 19-20, approved by Resolution 19-27 (May 9, 2019); and  
Amendment No. 8, \$95,300 for FY 20-21, approved by Resolution 20-38 (June 11, 2020); and  
Amendment No. 9, \$97,000 for FY 21-22, approved by Resolution 21-24 (May 13, 2021); and

**WHEREAS**, the City of San Carlos has proposed a fee of \$100,500 for the financial services for fiscal year 2022-23; and,

**WHEREAS**, C/CAG and the City of San Carlos wish to set forth the terms and conditions, funding, and scope of work for the financial services as provided in Amendment No. 10.

**THEREFORE BE IT RESOLVED NOW**, by the Board of Directors of the City/County Association of Governments of San Mateo County authorizing the C/CAG Chair to execute Amendment No. 10 to the Financial Service Agreement for fiscal year 2022-23 between the City of San Carlos and C/CAG in an amount not to exceed \$100,500; and further authorize the C/CAG Executive Director to negotiate the final terms prior to its execution, subject to approval as to form by C/CAG Legal Counsel.

**PASSED, APPROVED, AND ADOPTED, THIS 9<sup>TH</sup> DAY OF JUNE 2022.**

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*Davina Hurt, Chair*



## AMENDMENT No. 10

### AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF SAN CARLOS AND CITY/COUNTY ASSOCIATION of GOVERNMENTS OF SAN MATEO COUNTY

This Ninth Amendment to the Agreement for Professional Services is made and entered into as of July 1, 2022, by and between the City of San Carlos, hereinafter referred to as "CITY" and the City/County Association of Governments of San Mateo County, hereinafter referred to as "C/CAG".

#### WITNESSETH:

**WHEREAS**, on June 14, 2012, the City and C/CAG entered into an agreement for the performance of the agreed financial services by the City's Administrative Services Department through the Finance Division (the "Original Agreement"); and

**WHEREAS**, on July 1, 2013, the City and C/CAG executed Amendment One to the Agreement which adjusted the compensation, added background check requirement for certain City employees providing financial services to C/CAG, amended scope of services to include City serving as C/CAG's Controller with duties limited to making or contracting for an annual audit, and amending Notice delivery to Sandy Wong; and

**WHEREAS**, on July 1, 2014, the City and C/CAG executed Amendment Two to the Agreement which adjusted the compensation; and

**WHEREAS**, on July 1, 2015, the City and C/CAG executed Amendment Three to the Agreement which adjusted the compensation; and

**WHEREAS**, on July 1, 2016, the City and C/CAG executed Amendment Four to the Agreement which adjusted the compensation; and

**WHEREAS**, on July 1, 2017, the City and C/CAG executed Amendment Five to the Agreement which adjusted the compensation; and

**WHEREAS**, on July 1, 2018, the City and C/CAG executed Amendment Sixth to the Agreement which adjusted the compensation; and

**WHEREAS**, on July 1, 2019, the City and C/CAG executed Amendment Seventh to the Agreement which adjusted the compensation; and

**WHEREAS**, on July 1, 2020, the City and C/CAG executed Amendment Eighth to the Agreement which adjusted the compensation; and

**WHEREAS**, on July 1, 2021, the City and C/CAG executed Amendment Ninth to the Agreement which adjusted the compensation; and

**WHEREAS**, pursuant to Section B.3 set forth in Exhibit A of the Original Agreement, the City will provide financial services to C/CAG for a fixed annual fee and this fixed fee will be adjusted on an annual basis; and

**WHEREAS**, pursuant to Section B.6 set forth in Exhibit A of the Original Agreement, the City will bill an hourly rate excluding expenses for other services and special projects, and this rate should be adjusted annually based on the fully burdened hourly rate set for the fiscal year; and

**WHEREAS**, both parties now wish to amend Sections B.3 and B.6 of the Original Agreement.

**NOW, THEREFORE, IT IS HEREBY AGREED BY THE PARTIES HERETO AS FOLLOWS:**

1. C/CAG agrees to reimburse CITY for Financial Services. The fixed annual fee for FY 2023 (July 1, 2022 to June 30, 2023) will be adjusted from \$97,000 to \$100,500.
2. C/CAG agrees to reimburse CITY for other services and special projects. The fully burdened hourly rate for FY 2023 (July 1, 2022 to June 30, 2023) will be adjusted to \$193 per hour. Expenses are excluded from this rate and will be billed separately.
3. All other terms of the Original Agreement and Amendment One remain in full force and effect.

**IN WITNESS WHEREOF**, the parties hereto have caused this amendment to the Original Agreement between C/CAG and the City of San Carlos to be executed effective as of the date first above written.

CITY OF SAN CARLOS

DATE: \_\_\_\_\_

\_\_\_\_\_

Jeff Maltbie, City Manager

C/CAG

DATE: \_\_\_\_\_

\_\_\_\_\_

Davina Hurt, C/CAG Chair

APPROVED AS TO FORM

DATE: \_\_\_\_\_

\_\_\_\_\_

Gregory J Rubens, City Attorney

APPROVED AS TO FORM

DATE: \_\_\_\_\_

\_\_\_\_\_

C/CAG Legal Counsel

## C/CAG AGENDA REPORT

Date: June 9, 2022

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of the Finance Committee’s recommendation of no change to the investment portfolio and accept the Quarterly Investment Report as of March 31, 2022.

(For further information contact Kim Wever at [kwever@smcgov.org](mailto:kwever@smcgov.org))

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### RECOMMENDATION

That the C/CAG Board review and approve the Finance Committee’s recommendation of no change to the investment portfolio and accept the Quarterly Investment Report as of March 31, 2022.

### FISCAL IMPACT

Potential for higher or lower yields and risk associated with C/CAG investments.

### SOURCE OF FUNDS

The Investment portfolio includes all C/CAG funds held by the C/CAG Financial Agent (City of San Carlos).

### BACKGROUND

According to the C/CAG Investment Policy adopted on September 10, 2020:

*“The portfolio should be analyzed not less than quarterly by the C/CAG Finance Committee, and modified as appropriate periodically as recommended by the Finance Committee and approved by the C/CAG Board, to respond to changing circumstances in order to achieve the Safety of Principal.”*

The Finance Committee will seek to provide a balance between the various investments and maturities in order to give C/CAG the optimum combination of Safety of Principal, necessary liquidity, and optimal yield based on cash flow projections.

The LAIF Quarter Ending 3/31/22 net interest earning rate is 0.29%  
 San Mateo County Pool Quarter Ending 3/31/22 net interest earning rate is 0.87%

On November 14, 2013 the C/CAG Board approved the C/CAG investment portfolio as follows:

Local Agency Investment Fund (LAIF)	50% to 70%
San Mateo County Investment Pool (COPOOL)	30% to 50%

During the quarterly review on December 2, 2020, the Finance Committee reviewed the investment portfolio and noted the increasing gap between the quarterly interest rate and the net of administrative fees of the LAIF and the COPOOL, with LAIF lagging behind the COPOOL. The Finance Committee recommended no change to the investment portfolio, but guided staff to target LAIF investments to 60% allocation and increase COPOOL investments to 40% allocation dependent upon the changes of the interest rate. On December 10, 2020, the C/CAG Board approved of no change to the range of limits to the C/CAG investment portfolio and approved the Finance Committee's recommendation for staff to target LAIF investments to 60% allocation and increase COPOOL investments to 40% allocation dependent upon the changes of the interest rate.

**Investment allocation between LAIF and COPOOL:**

	C/CAG BOARD APPROVED IN 2013	AS OF 9/30/2020	FINANCE COMMITTEE GUIDANCE ON 12/2/2020
LAIF	50% to 70%	69%	60%
COPOOL	30% to 50%	31%	40%

On May 11, 2022, the Finance Committee reviewed the investment portfolio and recommend no change to portfolio, but guided staff to continue monitoring the interest rates.

The investment portfolio as of March 31, 2022 is as follows:

	12/31/2021		3/31/2022	
	Amount	Percent	Amount	Percent
LAIF	\$14,754,699	59.9%	\$15,263,178	59.9%
COPOOL	\$9,881,688	40.1%	\$10,203,262	40.1%
Total	\$24,636,367	100%	\$25,466,440	100%

Staff recommends the C/CAG Board to review and approve the Finance Committee's recommendation of no change to the investment portfolio and accept the Quarterly Investment Reports as of March 31, 2022 (Attachment 1). Attachment 2 is an information only summary report that provides an overview on the market and investment statements.

**ATTACHMENT**

1. Quarterly Investment Report as of March 31, 2022 from San Carlos Financial Services Manager
2. C/CAG Investment Portfolio Performance and Composition 1Q 2022

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

**Board of Directors Agenda Report**

**To: Sean Charpentier, Executive Director**  
**From: Tammy Mak, Senior Accountant**  
**Date: May 12, 2022**

**SUBJECT: Quarterly Investment Report as of March 31, 2022**

**RECOMMENDATION:**

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

**ANALYSIS:**

The attached investment report indicates that on March 31, 2022, funds in the amount of \$25,466,440 were invested producing a weighted average yield of 0.52%. Of the total investment portfolio, 59.9% of funds were invested in the Local Agency Investment Fund (LAIF) and 40.1% in the San Mateo County Investment Pool (COPOOL). On December 2, 2020, the Finance Committee reviewed the investment portfolio and noted the increasing gap between the quarterly interest rate, net of administrative fees, of LAIF and the COPOOL, with LAIF lagging behind the COPOOL. The Finance Committee recommended no change to the investment portfolio, but guided Staff to target LAIF investments to 60% allocation and increase COPOOL investments to 40% allocation dependent upon the changes of the interest rate. These percentages are within the range specified by the C/CAG Board. The portfolio mix reflects the Board approved percentage invested in the County Investment Pool and LAIF. Accrued interest earnings for this quarter totaled \$33,547.

Below is a summary of the changes from the prior quarter:

	<b>Qtr Ended 3/31/22</b>	<b>Qtr Ended 12/31/21</b>	<b>Increase (Decrease)</b>
Total Portfolio	\$ 25,466,440	\$ 24,636,367	\$ 830,073
Weighted Average Yield	0.52%	0.47%	0.05%
Accrued Interest Earnings	\$ 33,547	\$ 30,073	\$ 3,474

There was an increase of \$0.8 million in the portfolio balance this quarter compared to the previous quarter mostly due to the receipt of interest income in the investment accounts and the receipt of Measure M funds. The slightly higher quarterly interest rate and slightly higher portfolio balance resulted in slightly higher interest earnings for this quarter.

Historical cash flow trends are compared to current cash flow requirements on an ongoing basis to ensure that C/CAG's investment portfolio will remain sufficiently liquid to meet all reasonably anticipated operating requirements. As of March 31, 2022, the portfolio contains sufficient liquidity to meet the next six months of expected expenditures by C/CAG. All investments are in compliance with the Investment Policy. Attachment 2 shows a historical comparison of the portfolio for the past nine quarters.

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

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

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

Attachments

- 1 – Investment Portfolio Summary for the Quarter March 31, 2022
- 2 – Historical Summary of Investment Portfolio

**CITY & COUNTY ASSOCIATION OF GOVERNMENTS**

**SUMMARY OF ALL INVESTMENTS**

For Quarter Ending March 31, 2022

Category	Quarterly Interest Rate**	Historical Book Value	% of Portfolio	GASB 31 ADJ Market Value
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**Liquid Investments:**

Local Agency Investment Fund (LAIF)	0.29%	15,263,178	59.9%	15,091,521
San Mateo County Investment Pool (COPOOL)	0.87%	10,203,262	40.1%	10,203,262

**Agency Securities**

none

<b>Total - Investments</b>	<b>0.52%</b>	<b>25,466,440</b>	<b>100%</b>	<b>25,294,784</b>
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<b>GRAND TOTAL OF PORTFOLIO</b>	<b>0.52%</b>	<b>\$ 25,466,440</b>	<b>100%</b>	<b>\$ 25,294,784</b>
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<b>Total Interest Earned This Quarter</b>	<b>33,547</b>
<b>Total Interest Earned (Loss) Fiscal Year-to-Date</b>	<b>97,127</b>

**Note: CCAG Board approved the following investment portfolio mix at its November 14, 2013 meeting:**

LAIF - 50% to 70%

COPOOL - 30% to 50%

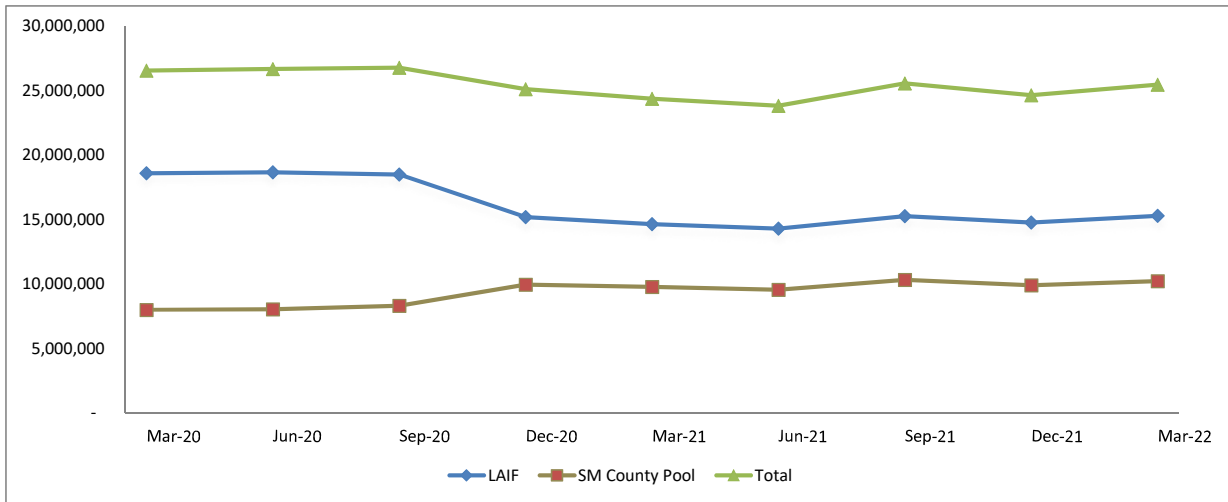
*On December 2, 2020, the Finance Committee reviewed the investment portfolio and noted the increasing gap between the quarterly interest rate, net of administrative fees, of LAIF and the COPOOL, with LAIF lagging behind the COPOOL.*

*The Finance Committee recommended no change to the investment portfolio, but guided Staff to target LAIF investments to 60% allocation and increase COPOOL investments to 40% allocation dependent upon the changes of the interest rate.*

\*Difference in value between Historical Value and Market Value may be due to timing of purchase. Investments in the investment pools may have been purchased when interest rates were lower or higher than the end date of this report. As interest rates increase or decrease, the value of the investment pools will decrease or increase accordingly. However, interest rate fluctuations does not have any impact to CCAG's balance in the investment pools. The market values are presented as a reference only.  
\*\*Presented net of administrative fees



**City and County Association of Governments  
Historical Summary of Investment Portfolio  
March 31, 2022**



*Note: The chart type has been changed from Column to Line after receiving feedback from CCAG's Finance Committee*

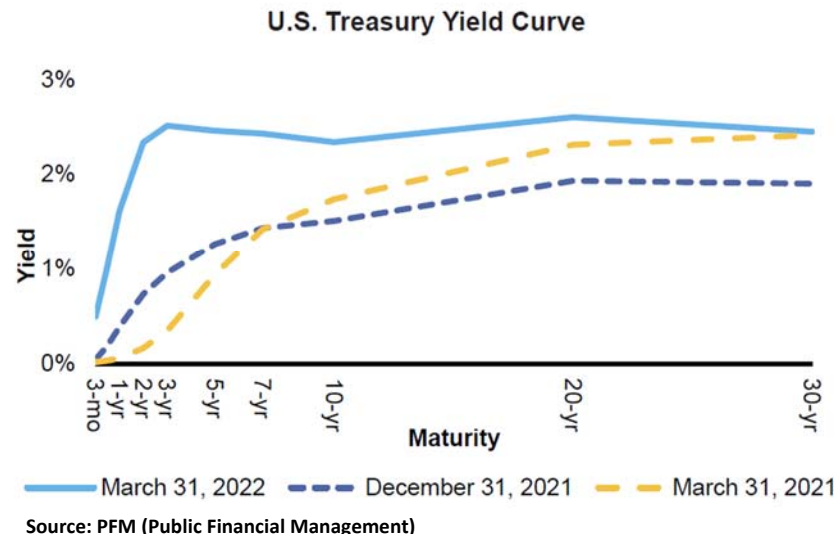
**City/County Association of Governments Investment Portfolio**

	<b>Mar-20</b>	<b>Jun-20</b>	<b>Sep-20</b>	<b>Dec-20</b>	<b>Mar-21</b>	<b>Jun-21</b>	<b>Sep-21</b>	<b>Dec-21</b>	<b>Mar-22</b>
LAIF	18,568,498	18,659,231	18,477,316	15,165,848	14,617,426	14,283,843	15,245,744	14,754,699	15,263,178
SM County Pool	7,981,001	8,017,078	8,299,255	9,931,903	9,756,355	9,532,812	10,307,116	9,881,668	10,203,262
<b>Total</b>	<b>26,549,499</b>	<b>26,676,309</b>	<b>26,776,571</b>	<b>25,097,751</b>	<b>24,373,781</b>	<b>23,816,655</b>	<b>25,552,860</b>	<b>24,636,367</b>	<b>25,466,440</b>

## C/CAG Investment Portfolio Performance and Composition 1Q 2022 Report Created for Finance Committee Meeting May 11, 2022

### Capital Markets Summary 1Q 2022

The Russian invasion of the Ukraine in February of 2022 sent global markets into shock with US equities declining in the first quarter of 2022 by nearly 5% as measured by the S&P 500 Index. The invasion amplified existing concerns over inflation pressures, particularly through food and energy, although US economic data otherwise remained stable. The US unemployment rate dropped from 3.8% in February to 3.6% in March. Wages continue to rise, but have not yet matched the rate of headline inflation. The annual US inflation rate, as measured by the consumer price index, rose to 8.5% year-on-year ending in March 2022.



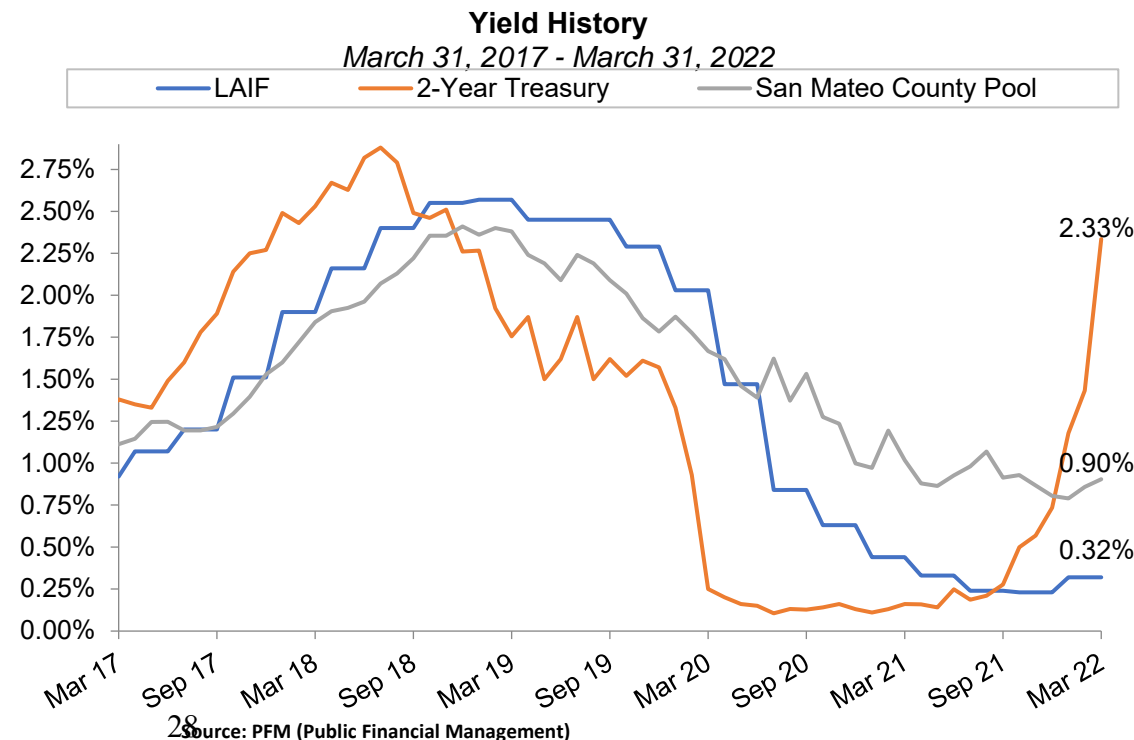
#### U.S. Treasury Yields

Maturity	Mar '22	Dec '21	Change over Quarter	Mar '21	Change over Year
3-Month	0.50%	0.04%	0.46%	0.02%	0.48%
1-Year	1.61%	0.38%	1.23%	0.06%	1.55%
2-Year	2.34%	0.73%	1.61%	0.16%	2.18%
5-Year	2.46%	1.26%	1.20%	0.94%	1.52%
10-Year	2.34%	1.51%	0.83%	1.74%	0.60%
30-Year	2.45%	1.90%	0.55%	2.41%	0.04%

Source: Bloomberg.

### US Treasury Yield Curve and US Treasury Yields Over Time

The Federal Reserve (Fed) raised interest rates by 0.25%, with calls from within for more aggressive tightening. Further hikes are expected through the rest of 2022. Yields on the benchmark 10 Year Treasury were up 81 basis points this quarter and hit the highest level since May of 2019. This couple with the sharp rise in two to three year maturities manifest in a briefly inverted yield curve and negative returns on the short end of the market, but also suggesting that markets are factoring in an ease in inflation over the long-term. As a result of the sharply higher Treasury yields, fixed income markets posted some of their largest total return declines in over 40 years with the benchmarked ICE BofA 1 and 5 year US Treasury indexes down -0.73% a -4.92%, respectively.



## Portfolio Performance 1Q 2022

The C/CAG investment portfolio returns for the first quarter of 2022 were 0.29% for LAIF and 0.87% for the CoPool Fund. Although every fixed-income sector was impacted by rising rates, the LAIFs higher allocation to US Treasuries which experienced a sharp increase in yield and thus a lower overall return resulted in a more conservative performance compared to the CoPool with its diversified portfolio. During the quarter, net flows to the LAIF fund were \$500,000 and to the CoPool Fund were \$300,000 to pay for program needs and to rebalance the portfolio. The total C/CAG portfolio asset allocation at the end of the third quarter was 59.9% to LAIF and 40.1% to the CoPool Fund, which is within the stated investment policy allocation ranges.

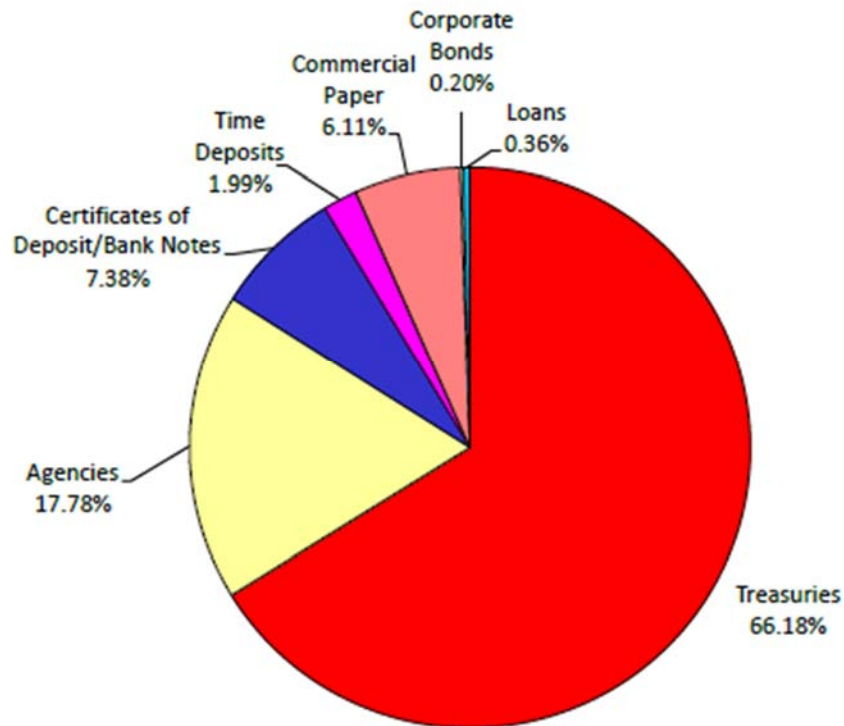
### LAIF

PMIA Average Monthly Effective Yields:

January 2022	0.234
February 2022	0.278
March 2022	0.365

PMIA Quarter to Date: 0.29%

Portfolio Composition Pie Chart:



Source: PMIA/LAIF Performance Report as of 4/15/2022

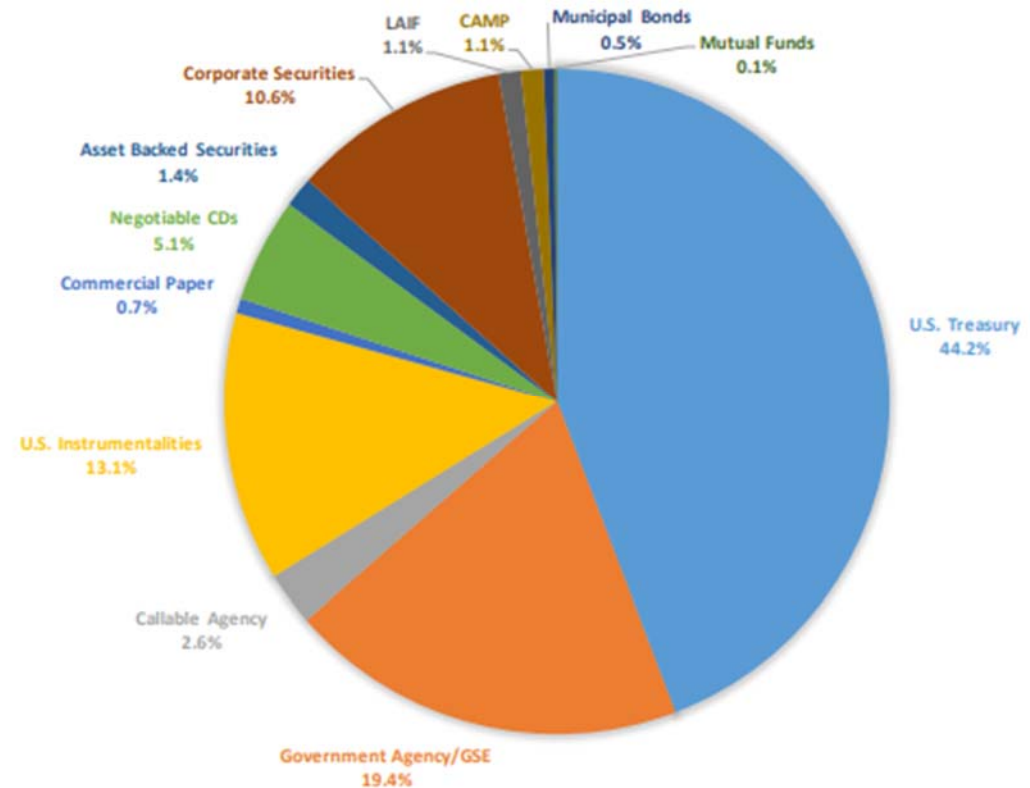
### COPOOL

PMIA Average Monthly Effective Yields:

January 2022	0.790
February 2022	0.858
March 2022	0.904

PMIA Quarter to Date: 0.872%

Portfolio Composition Pie Chart:



Source: San Mateo County Investment Portfolio Compliance Report March 2022

## C/CAG AGENDA REPORT

Date: June 9, 2022

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 22-38 authorizing the C/CAG Chair to execute an agreement between C/CAG and the County of San Mateo Office of Sustainability for staff services to support the Regionally Integrated Climate Action Planning Suite (RICAPS) program in an amount not to exceed \$25,000 for fiscal year 2022/23.

(For further information, contact Kim Springer at [kspringer@smcgov.org](mailto:kspringer@smcgov.org))

### RECOMMENDATION

That the C/CAG Board review and approve Resolution 22-38 authorizing the C/CAG Chair to execute an agreement between C/CAG and the County of San Mateo Office of Sustainability for staff services to support the Regionally Integrated Climate Action Planning Suite (RICAPS) program in an amount not to exceed \$25,000 for fiscal year 2022/23.

### FISCAL IMPACT

Up to \$25,000.

### SOURCE OF FUNDS

Congestion Relief funds in the amount of \$25,000 as included in the FY 2022-23 budget.

### BACKGROUND

On September 16, 2010 the C/CAG Board adopted Resolution 10-53 authorizing the C/CAG Chair to execute an agreement with the BAAQMD to receive a \$50,000 grant, launching the C/CAG Climate Action Plan Template and Tool project. On March 7, 2011, the C/CAG Board adopted Resolution No. 11-11 for a PG&E Contract Work Authorization No. 2500458103 between C/CAG and PG&E for \$125,000. The total grant funding for Climate Action Plan Template was \$175,000, and with C/CAG's commitment to match funds, the total project budget was \$350,000 through calendar year 2012. The project eventually came to be known as the Regionally Integrated Climate Action Planning Suite (RICAPS).

C/CAG began contracting with the County of San Mateo to provide staff services for RICAPS for \$60,000 in 2012, \$50,000 in 2013, and subsequently every year through 2018 in an annual amount of \$40,000. For 2019 and 2020, that amount was increased to \$50,000 due to a 55% reduction in funding from PG&E for these types of services to cities. Because approximately \$18,000 remained unspent at the end of calendar year 2020, the Executive Director extended the existing agreement through the

current end date of June 30, 2021. The extension aligned the cycle of the new agreement with the fiscal year. For fiscal year 2021/22, the County Office of Sustainability requested funding for staff services to continue this program at a reduced amount of \$25,000. The reduction was due to C/CAG hiring staff from the County Office of Sustainability, who will partially support the program as C/CAG staff.

For fiscal year 2022/23, C/CAG will continue to fund the County Office of Sustainability at an amount of \$25,000.

C/CAG funding for staff services comes from Congestion Relief Funds, serving as a match to the PG&E Local Government Partnership grant. Since climate action planning support covers all sectors of GHG emissions: energy, transportation, solid waste and other emissions, the funding will support RICAPS efforts not necessarily related to energy. Resolution 22-38 and the Staff Services Agreement for RICAPS are provided as attachments to this staff report.

The goal of RICAPS is for every city in San Mateo County and the County to have adopted plans to reduce greenhouse gas emissions, a means to track individual jurisdiction and countywide progress through greenhouse gas emission inventories, and to provide ongoing implementation and technical support. In fiscal year 2022-23, C/CAG, the County, and Peninsula Clean Energy may work to establish a plan for eventual electrification and carbon neutrality countywide.

#### **ATTACHMENTS**

1. Resolution 22-38
2. Staff Services Agreement between C/CAG and County of San Mateo - Available on-line at: <http://ccag.ca.gov/committees/board-of-directors/>

**RESOLUTION NO. 22-38**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) AUTHORIZING THE C/CAG CHAIR TO EXECUTE AN AGREEMENT BETWEEN C/CAG AND THE COUNTY OF SAN MATEO OFFICE OF SUSTAINABILITY FOR STAFF SERVICES TO SUPPORT THE REGIONALLY INTEGRATED CLIMATE ACTION PLANNING SUITE (RICAPS) PROGRAM IN AN AMOUNT NOT TO EXCEED \$25,000 FOR FISCAL YEAR 2022/23**

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

**WHEREAS**, C/CAG, by action of the Board, entered into grant agreements with the Bay Area Air Quality Management District and PG&E to fund Climate Action Planning starting in September 2010 and has continued to receive funding from PG&E to support climate action efforts countywide through Contract Work Authorizations (CWAs) in 2010- 2012, 2013-2014, 2015, 2016-18, 2019, 2020, July 1, 2020 through June 30, 2023 and, most recently, fiscal year 2021/22; and

**WHEREAS**, C/CAG-provide matching funds allows for development of climate action plans and other efforts for emissions generated outside of energy-related sectors under the San Mateo County Energy Watch Local Government Partnership with PGE&; and

**WHEREAS**, progress continues to be made and deliverables continue to be completed by C/CAG staff and County of San Mateo through an existing staffing agreement that expires on June 30, 2022; and

**WHEREAS**, C/CAG desires to continue the RICAPS program to support all member agencies, and for County of San Mateo staff to continue work on the Program and explore additional grant funding for Climate Planning for San Mateo County cities.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the City/County Association of Governments of San Mateo County that the C/CAG Chair is authorized to execute an Agreement between C/CAG and the County of San Mateo Office of Sustainability for staff services for the Regionally Integrated Climate Action Planning Suite (RICAPS) program in an amount not to exceed \$25,000 for fiscal year 2022/23, and further authorize the Executive Director to negotiate final terms of the agreement prior to execution by the Chair, subject to C/CAG legal counsel approval as to form.

**PASSED, APPROVED, AND ADOPTED THIS 9TH DAY OF JUNE, 2022.**

---

*Davina Hurt, Chair*

**AGREEMENT BETWEEN  
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO  
COUNTY (C/CAG) AND THE COUNTY OF SAN MATEO TO PROVIDE  
STAFF SERVICES FOR THE REGIONALLY INTEGRATED CLIMATE  
ACTION PLANNING SUITE (RICAPS) PROGRAM**

This Agreement entered this 9<sup>th</sup> Day of June, 2022, 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 COUNTY OF SAN MATEO, hereinafter called “COUNTY.”

**WITNESSETH**

WHEREAS, C/CAG is committed to working with the cities in San Mateo County on issues related to solid waste, resource conservation and climate protection; and

WHEREAS, C/CAG desires to obtain services from COUNTY to provide staff services for the Regionally Integrated Climate Action Planning Suite (RICAPS) program; and

WHEREAS, COUNTY is committed to providing staff services to support the RICAPS program through its Office of Sustainability;

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

1. **Services to be provided by COUNTY.** COUNTY shall provide services as described in Exhibit A, attached hereto and incorporated by reference herein.
2. **Payments.** In consideration of the services rendered in accordance with all terms, conditions and specifications set forth herein and in Exhibit A, C/CAG shall reimburse COUNTY for eligible costs as set forth in Exhibit A. Payments shall be made within 60 days after receipt and approval of quarterly invoices from COUNTY. The total cost reimbursement under this agreement for work completed from July 1, 2022, through June 30, 2023 shall not exceed \$25,000.
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.** COUNTY shall not assign this Agreement or any portion thereof to a third party without the prior written consent of the C/CAG Executive Director, 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, 2022, and shall terminate on June 30, 2023; provided, however, C/CAG may terminate this Agreement at any time for any reason by providing 30 days' written notice to COUNTY, and COUNTY may terminate this Agreement at any time for any reason by providing 30 days' written notice to C/CAG, and termination will be effective on the date specified in the notice. In the event of termination under this paragraph, COUNTY shall be paid for all services provided to the date of termination.

6. **Hold Harmless/ Indemnity.** COUNTY shall defend, indemnify, and save harmless C/CAG and its member agencies and their employees, agents, and officers from all claims, suits, damages, or actions arising from COUNTY's performance under this Agreement.

C/CAG shall defend, indemnify, and save harmless COUNTY, and its employees, agents, and officers from all claims, suits, damages or actions arising from C/CAG's performance under this Agreement.

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

7. **Workers' Compensation Coverage.** Statutory Workers' Compensation Insurance and Employer's Liability Insurance will be provided by COUNTY with limits of not less than one million dollars (\$1,000,000) for any and all persons employed directly or indirectly by COUNTY. In the alternative, COUNTY may rely on a self-insurance program to meet these requirements so long as the program of self-insurance complies fully with the provisions of the California Labor Code. In such case, excess Workers' Compensation Insurance with statutory limits shall be maintained. The insurer, if insurance is provided, and the COUNTY, if a program of self-insurance is provided, shall waive all rights of subrogation against C/CAG for loss arising from worker injuries sustained under this Agreement.

8. **Liability Insurance.** COUNTY shall maintain during the life of this Agreement, in an amount not less than one million dollars (\$1,000,000), such Bodily Injury Liability and Property Damage Liability Insurance as shall protect COUNTY, 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 COUNTY or by any sub-contractor or by anyone directly or indirectly employed by either of them. In the alternative, COUNTY may rely on a self-insurance program to meet these requirements so long as the program of self-insurance complies fully with all applicable laws.

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



work pursuant to this Agreement.

9. **Non-discrimination.** COUNTY and its subcontractors performing the services on behalf of C/CAG 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.
10. **Accessibility of Services to Disabled Persons.** COUNTY, not C/CAG, shall be responsible for compliance with all applicable requirements regarding services to disabled persons, including any requirements of Section 504 of the Rehabilitation Act of 1973.
11. **Substitutions.** Particular staff and/or classifications are providing services under this Agreement. COUNTY will not assign others to work in their place without the prior written consent of the C/CAG Executive Director. Whether or not particular staff and/or classifications are identified in Exhibit A, any substitution in staffing or classification shall be with a person of commensurate experience and knowledge.
12. **Joint Property.** As between C/CAG and COUNTY any system or documents developed, produced or provided under this Agreement shall become the joint property of C/CAG and the COUNTY.
13. **Access to Records.** COUNTY shall retain, for a period of no less than five years after final payment by C/CAG, all books, documents, papers, and records which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcriptions, and shall provide C/CAG, its member agencies, and or their auditors with access to said books and records.
14. **Merger Clause.** This Agreement constitutes the sole agreement of the parties hereto with regard to the matters covered in this Agreement. Any prior agreement, promises, negotiations or representations between the parties not expressly stated in this document are not binding.
15. **Amendments.** Any changes in the services to be performed under this Agreement shall be incorporated in written amendments, which shall specify the changes in work performed and any adjustments in compensation and schedule. All amendments shall be executed by C/CAG Executive Director and the County of San Mateo's Director of the Office of Sustainability or his/her designated representative. No claim for additional compensation or extension of time shall be recognized unless contained in a duly executed amendment.
16. **Electronic Signature.** Both C/CAG and County wish to permit this Agreement and future documents relating to this Agreement to be digitally signed in accordance with California law. Any party to this Agreement may revoke such agreement to permit electronic signatures at any time in relation to all future documents by providing notice pursuant to this Agreement.

17. **Governing Law.** This Agreement shall be governed by the laws of the State of California, without regard to its choice of law rules, and any suit or action initiated by either party shall be brought in the County of San Mateo, California.

DRAFT

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

County of San Mateo (County)

By \_\_\_\_\_  
Carolyn Bloede  
County Office of Sustainability - Director  
Date \_\_\_\_\_

Approved as to Form By \_\_\_\_\_  
County Counsel  
Date \_\_\_\_\_

City/County Association of Governments (C/CAG)

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

Approved as to Form By \_\_\_\_\_  
C/CAG Legal Counsel  
Date \_\_\_\_\_

## Exhibit A

### **REGIONALLY INTEGRATED CLIMATE ACTION PLANNING SUITE (RICAPS) Fiscal Year 2022/23 SCOPE OF WORK**

- 1.0 Introduction - The City/ County Association of Governments of San Mateo County (C/CAG) is committed to working with the cities in San Mateo County on issues related to solid waste, resource conservation and climate protection. C/CAG desires to contract with the County of San Mateo (County) to provide staff services for the administration and project management of C/CAG's RICAPS Program (Program) pursuant to this Scope of Work.
- 2.0 Management and Staffing Oversight - County shall provide staff support to C/CAG to accomplish deliverables as provided in the current PG&E Specific Conditions (Contract Work Authorization) for Climate Action Planning Support to the cities in San Mateo County and the County for fiscal year 2022/23. With these funds, the County shall provide additional necessary project administration and project management, such as: coordinating working group of city staff, contracting and managing consultants, reviewing and commenting on consultant submittals, preparing and submitting required grant reports, and managing the Program in accordance with the stipulated timelines to ensure the progress of the Program.
- 3.1 Scope of Work – the County shall:
  - 3.2 Support the work of the Program scope, for which C/CAG has been funded through the PG&E Local Government Partnership grant agreement for technical support in fiscal year 2022/23, up to a maximum amount of \$25,000, pursuant to this Agreement.
  - 3.3 Explore planning and funding options for climate action planning and implementation for the cities in San Mateo County.
- 4.0 Reporting - The County shall report to the C/CAG Board and other C/CAG committees and staff on activities and Project progress related to this scope of work upon request during the term of this Agreement.
- 5.0 Power of C/CAG Representation - County of San Mateo staff is granted the authority to represent C/CAG and the Local Government Partnership relative to implementation of the San Mateo Energy Watch, RICAPS Program with approval of the C/CAG Executive Director. However, any and all changes to the Scope of Work or local government partnership contracts must be approved and executed by C/CAG.
- 6.0 Payments - The County shall submit quarterly invoices for staff services provided along with supporting documentation based on actual fully-loaded labor rates. C/CAG shall pay invoices within 60 days of receipt and approval of such invoices.

7.0 To retain the experience and knowledge gained by staff over the years, the parties understand and agree that those staff assigned to perform services under this Agreement shall be from the County of San Mateo, Office of Sustainability, and may be substituted by the County of San Mateo, subject to the provisions of Section 11 of this Agreement. Notwithstanding any other provision of this Agreement, if County of San Mateo changes the staff or classification assigned to perform services under this Agreement from those staff or classifications that are assigned as of the date of execution of this Agreement, and such change is unsatisfactory to C/CAG, C/CAG may immediately terminate this Agreement.

DRAFT

## C/CAG AGENDA REPORT

Date: June 9, 2022

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 22-39 authorizing the C/CAG Chair to execute a Cooperative Agreement with the San Mateo County Department of Housing for a Joint Workplan for Housing-Related Activities for FY 2022-23 in an amount not to exceed \$150,000.

(For further information or questions, contact Susy Kalkin at [kkalkin@smcgov.org](mailto:kkalkin@smcgov.org))

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### RECOMMENDATION

That the C/CAG Board review and approve Resolution 22-39 authorizing the C/CAG Chair to execute a Cooperative Agreement with the San Mateo County Department of Housing for a Joint Workplan for Housing-Related Activities for FY 2022-23, in an amount not to exceed \$150,000.

### FISCAL IMPACT

\$150,000 has been included in the proposed FY 2022-23 C/CAG Budget.

### SOURCE OF FUNDS

The funding source for this program is C/CAG Congestion Relief Plan Funds – Linking Housing with Transportation.

### DISCUSSION

Beginning in FY2005-06, C/CAG has programmed funds to support various activities that address the linkage between housing and transportation. Over these years, the Board has reviewed and approved housing/transportation-related activities in four broad areas: policy leadership; promotion of housing in transit corridors; cost-effective responses to State regulatory mandates; and local funding to meet housing goals. The intent of all the proposed programs is to provide tools, technical support and financial incentives to help member jurisdictions plan and produce housing of types and densities that support frequent mass transit and reduce climate impact while strengthening local neighborhoods and the regional economy.

Since 2008, C/CAG and the County Department of Housing (DOH) have co-sponsored the 21 Elements collaboration, staffed by Baird & Driskell Community Planning, through which all jurisdictions in San Mateo County cooperate to update their respective Housing Elements and share information on housing policies and programs. 21 Elements has proceeded through several funding cycles, with the following major accomplishments:

- Assisted all the jurisdictions in San Mateo County in achieving State-certified housing elements for both the RHNA 4 planning period, 2007-2014, and the RHNA 5 planning period, 2015-2023;
- Facilitated implementation of a countywide nexus study to establish legally defensible development impact fees and regulations;
- Conducted meetings, developed related technical and educational materials, provided best practices and undertaken other tasks to assist jurisdictions on housing issues related to accessory dwelling units (ADUs), short-term vacation rentals, tenant displacement, linkage fees, etc.
- Assisted with the development of San Mateo County PDA Investment & Growth Strategy update
- Organized bi-monthly Planning and Community Directors’ meetings, in addition to the work involved in normal 21 Elements meetings and other outreach and collaboration; and
- Conducted Planning Commissioner Trainings since 2019.

Each year C/CAG and DOH have been parties to a cooperative agreement whereby they share in the funding 21 Elements work. Last year Baird & Driskell provided a Scope of Work to C/CAG and the DOH covering two fiscal years – 2021-22 and 2022-23, which is included as Attachment 2.

### ***Work Plan***

While the highest priority work for 21 Elements in the coming year continues to be assisting jurisdictions with their Housing Element updates, the work plan also includes the following generalized topics, many of which are on-going:

- A. Housing Elements** – Support cities as they update their Housing Elements, with the goal being to facilitate production of high-quality Housing Elements as cost efficiently as possible.
- B. New Laws** - Assist jurisdictions with new state laws.
- C. ADUs** - Support the growth of Accessory Dwelling Units including reducing friction for homeowners.
- D. New Housing** - Promote new housing including support for PDAs and density bonus.
- E. Affordable Housing** – Encourage the development and better management of affordable housing including the Doorway/DAHLIA system.
- F. Meetings, Trainings and Organizational Development** Conduct trainings, meetings and organizational development, and public C/CAG meetings, particularly in the context of new housing laws and proposals.

### ***Budget***

As was the case last year, the overall budget for 21 Elements for FY 2022-23 is significantly higher than in the past due to the level of assistance being provided to local jurisdictions related to the Housing Element Update. Fortunately, resources have been made available through the State Regional Early Action Planning Grant Program (REAP) to help complete the Housing Elements, so the C/CAG contribution will remain at \$150,000, as in the past. Below is a summary of the budget:

<b>FY 2022-2023 Total Budget</b>	<b>\$1,074,695</b>
<i>C/CAG Contribution</i>	<i>\$150,000</i>
<i>DoH Contribution</i>	<i>\$160,272</i>
<i>Cities Contribution - 21 Elements (Dues)</i>	<i>\$45,600</i>
<i>Cities Housing Element - Supplemental<sup>1</sup></i>	<i>\$403,750</i>
<i>REAP Funding<sup>2</sup></i>	<i>\$315,073</i>

Through the years, the 21 Elements collaboration has provided a cost-effective countywide work program that has successfully assisted San Mateo County jurisdictions to develop certified Housing Elements and develop effective on-going housing implementation policies and programs and is already proving to be a very important resource for the upcoming RHNA cycle.

C/CAG and the San Mateo County Department of Housing (DoH) have been co-funding 21 Elements, with DoH acting as the lead agency in managing the consultant contract. Staff recommends the continuation of this cooperative partnership to support the 21 Elements collaboration in FY 2022-23 including a contribution by C/CAG of a not to exceed amount of \$150,000.

**ATTACHMENTS**

1. Resolution 22-39
2. 21 Elements Workplan for FY 21-22 & 22-23
3. Summary of FY2021-2022 Accomplishments

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<sup>1</sup> City Housing Element contributions are funded through a cooperative agreement with DoH. This contract is already signed and shown here for reference.

<sup>2</sup> REAP funding come from the State of California through ABAG



## **RESOLUTION 22-39**

**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 COOPERATIVE AGREEMENT WITH THE SAN MATEO COUNTY DEPARTMENT OF HOUSING FOR A JOINT WORKPLAN FOR HOUSING-RELATED ACTIVITIES FOR FY 2022-2023 IN AN AMOUNT NOT TO EXCEED \$150,000.**

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

**WHEREAS**, C/CAG has taken a leadership role in conducting or sponsoring countywide projects related to the housing/transportation/land-use; and

**WHEREAS**, C/CAG and the San Mateo County Department of Housing (DoH) have coordinated workplans on various housing-related activities, and DoH has served as project manager for the 21 Elements collaboration; and

**WHEREAS**, the 21 Elements project will enable C/CAG's member jurisdictions to meet State Housing Element annual reporting requirements in a more timely and cost-effective manner; and

**WHEREAS**, C/CAG has budgeted \$150,000 in funds to continue to sponsor the 21 Elements effort in FY2022-23 to assist all member jurisdictions to implement Housing Elements and develop effective on-going housing implementation policies and programs, and to continue collaboration with County of San Mateo Department of Housing on a cost-saving countywide cooperative work program.

**NOW THEREFORE BE IT RESOLVED**, by the Board of Directors of the City/County Association of Governments of San Mateo County to authorize the C/CAG Chair to execute a Cooperative Agreement with the San Mateo County Department of Housing for a Joint Workplan for Housing-Related Activities for FY 2022-23 in an amount not to exceed \$150,000, subject to approval of C/CAG FY 2022-23 Annual Budget; and further authorize the Executive Director to negotiate final terms prior to execution, subject to legal counsel approval as to form.

**PASSED, APPROVED, AND ADOPTED, THIS 9<sup>TH</sup> DAY OF JUNE 2022.**

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*Davina Hurt, Chair*

## 21 Elements – Baird & Driskell

### Summary of FY 2021-2022 Accomplishments

For the past year, the main focus of 21 Elements has been assisting jurisdictions as they prepare their Housing Elements. Our priority has been to lower the cost for jurisdictions as well as improve the quality of Housing Elements. We have had a particular focus on tasks related to equity and fair housing. Jurisdictions could opt-in to receive various products, so some of the products listed below do not apply to all municipalities.

#### Overview

- Prepared sample timeline, slide deck and staff report about Housing Element requirements. Additionally, prepared flyers that can be adapted by jurisdictions.
- Produced material summarizing the success (or lack thereof) of jurisdictions in Southern California and other regions with earlier deadlines, as well as material about the consequences of not being certified.

#### Housing Needs

- Developed a [Countywide Housing Needs Summary](#) that provides an overview of the current housing needs in San Mateo County. Written for easy inclusion into a jurisdiction's housing element and provided in Word and PDF.
- Using the Housing Needs Data Report provided by ABAG for each jurisdiction and information collected during our RHNA 5 evaluation, we developed a bulleted list for each jurisdiction summarizing key facts, which can be found [here](#).

#### Review and Revise

- Met with all jurisdictions to review their RHNA 5 Housing Element and identify successes and shortcomings. Produced detailed matrix of accomplishments and overview of previous work.

#### Outreach and Let's Talk Housing

- Developed a [Community Outreach Summary template](#) with instructions on how to customize it for inclusion in the Housing Element. Includes details on all outreach efforts.
- Developed [Let's Talk Housing](#) (LTH), a countywide website available in five languages with accessibility features. Launched initial site in two weeks, including a detailed timeline, activities and dedicated pages for each jurisdiction. As of May 2022, the website has been visited more than 19,000 times, with 19% from mobile devices.
- Let's Talk Housing [Facebook](#), [Instagram](#), [Twitter](#) and [YouTube](#) accounts were also created and maintained to keep people informed about upcoming or past event.
- Developed two videos—[What is a Housing Element and How it Works](#) and [Countywide Trends and Why Housing Elements Matter](#)—in Arabic, Chinese, English, Spanish, and Tagalog. They were made available on the Let's Talk Housing YouTube channel and website and shared on social media.

- Developed and held a series of meetings. Meeting materials and/or recording can be found the LTH [Past Events webpage](#):
  - **Introduction to the Housing Element** – A housing element overview with breakout discussion rooms that was part of a series of introductory meetings
  - **Introduction to the Housing Element in Spanish** – Co-hosted by El Comité with English interpretation so non-Spanish speaking staff could participate.
  - **All About RHNA webinar** – An in-depth dive into sites methodology
  - **Stakeholder Listening Sessions** – Four meetings where jurisdictions could listen to and interact with stakeholder groups arranged by topic. More than 30 groups participated including fair housing organizations, housing advocates, builders/developers (affordable and market-rate), and service providers
  - **Creating an Affordable Future webinars** – A four-part series to help educate community members about local housing issues, including Why Affordability Matters, Housing and Racial Equity, Housing in a Climate of Change and Putting it All Together for a Better Future.
- Developed a [Demographic Outreach Tool Template](#) for jurisdictions to add public meeting attendance and demographic information. Totals are automatically tallied and compared to existing Census data, and tables/charts are auto-generated.
- Formed an Equity Advisory Group (EAG) consisting of 15 organizations across the county that are advancing equity and affordable housing. EAG members have facilitated and hosted community meetings in partnership with 21 Elements, collected community housing stories to put a face to housing needs, advised on messaging, and amplified events to their communities. Organizations are featured on the LTH [website](#).
- Collected stories and quotes from community members across the county and developed an [Our Stories: Housing in San Mateo County](#) for jurisdictions to use in their communities and/or include in Housing Elements.
- Partnered one on one with jurisdictions to plan and staff public meetings.

## AFFH

- Hired Root Policy to update the previous countywide fair housing assessment and develop jurisdiction-specific AFFH data summaries, narratives and related materials. These can be found in the jurisdiction-specific folders [here](#).
- Under their contract, Root Policy also:
  - Conducted a countywide resident survey to provide input on fair housing issues and inform AFFH analyses and actions. In addition to a countywide summary of the nearly 2400 responses, break-downs by jurisdiction for each city with 50+ responses were also provided and can be found [here](#).
  - Developed additional AFFH resources, all of which can be found [here](#), including a Fair Housing Action Plan template to help jurisdictions develop AFFH policies and programs in accordance with HCD's format requirements; an analysis of Disparate Access to Educational Opportunities across the county, a key aspect of AFFH; and a two-page summary of State Fair Housing Laws.
  - Met with each jurisdiction to review AFFH analysis results and provide guidance on AFFH policies and programs, all of which are [tracked on this sheet](#), and

provided [a guidance memo](#) to help local staff compile the provided resources in their draft Housing Element and supplement with required local information.

- In addition to the resources developed by Root Policy, provided a comprehensive [AFFH resources page](#) on the 21 Elements website and conducted trainings and Q&A about AFFH requirements at multiple 21 Elements meetings.

### **Constraints**

- Surveyed twenty one jurisdictions of San Mateo County and produced [summary data](#) comparing governmental housing fees across jurisdictions.
- Provided a [report](#) on land costs and the cost to develop housing across San Mateo County.

### **Sites**

- Worked with the urban economics firm ECONorthwest to utilize their MapCraft modeling tool early in the update process so that jurisdictions could test the likely market responses to potential changes in zoning and development standards. Each jurisdiction could test up to 10 scenarios, including rezoning, upzoning, changes to parking standards, changes to inclusionary zoning and changes to fees. Jurisdiction-specific results were provided directly; preparation materials and an overview of analysis results can be found on the 21 Elements sites page, [here](#).
- Provided training on the sites inventory requirements and created guidance memos and tools, including guidance on projecting ADUs and allocating by income category; guidance related to SB9; guidance on rezoning requirements; and more. All of these resources and training materials can be found [here](#).
- Met one-on-one with each jurisdiction to review their draft site inventory, answer questions and provide guidance on strategies for filling remaining gaps and strengthening the inventory overall.
- Wrote memos on counting ADUs and their affordability, counting proposed and under construction housing developments, and other topics.

### **Policies and Programs**

- Created a “housing policy bot” tool ([PBot](#)) to suggest policies and programs for jurisdictions to consider, based on a series of questions.
- Met with jurisdictions and provided a short list of suggested new policies and programs.
- Organized sessions for the Equity Advisory Group to provide feedback on jurisdictions’ proposed Housing Element policies and programs.

### **HCD**

- Hosted meet your reviewer meetings with jurisdictions and State HCD staff
- Organized an in person tour where jurisdiction staff could orient HCD reviewers and show off development sites.
- Hosted an in-person lunch with HCD staff, as well as a meeting where advocates could present their priorities.

- Arranged for HCD to make a presentation on the most common pitfalls seen in Housing Elements.

## **Non Housing Element Activities**

### **Missing Middle Housing Workgroup and Products**

In conjunction with the region-wide work group on Missing Middle Housing, developed a set of resources and tools to help jurisdictions understand, strategize and implement missing middle housing policies and programs. All of these resources, enabled by regional REAP funding, can be found [here](#). Due to funding from 21 Elements, the level of geographic specificity on cost and rent data in the Interactive Tool is much greater for SMC jurisdictions (the tool is [here](#); password: MiddleInteractive), enabling much higher confidence in the tool's feasibility analysis results.

### **Farmworker Housing**

- Summarized tips and available resources to appropriately address [farmworker housing](#) needs in San Mateo County.

### **Doorway**

- Continue to partner to roll out the affordable housing locator website.

### **Housing Trust Fund**

- Provided customized memos and guidance on how to best deploy growing Housing Trust Fund balances for interested jurisdictions.

### **Shared Staff Person**

- Started developing an opt-in concept for jurisdictions that want to share a housing staff person.

# 2021-2023 Workplan

## Overview

The current highest priority work for 21 Elements is assisting jurisdictions with their Housing Elements as detailed below. The goal is to support jurisdictions in producing high quality Housing Elements as cost efficiently as possible. The work takes advantage of significant efficiencies associated with cooperation. The original budget for this work assumed a contribution to the 2019/2021 cycle, so much of the 21 Elements budget is going to this task. Additionally, we will continue to support a full range of 21 Elements activities including highlighting best practices, summarizing new housing laws, holding a tri annual Planning Commissioners meeting and a bi-monthly Community Development Directors/Planning Directors meeting and many other tasks as outlined in the work plan. Several significant new work items are identified for this cycle including helping cities spend their housing trust fund money, promoting best practices for the management of affordable units, and a new round of work promoting ADUs.

The work plan focuses on six major task areas:

- A. Housing Elements** – Support cities as they update their Housing Elements.
- B. New Laws** - Assist jurisdictions with new state laws.
- C. ADUs** - Support the growth of Accessory Dwelling Units including reducing friction for homeowners.
- D. New Housing** - Promote new housing including support for PDAs and density bonus.
- E. Affordable Housing** – Encourage the development and better management of affordable housing including the Doorway/DAHLIA system.
- F. Meetings, Trainings and Organizational Development** Conduct trainings, meetings and organizational development, and public C/CAG meetings, particularly in the context of new housing laws and proposals.

The reason this document proposes using the majority of the budget for Housing Elements is because of their importance as well as the experience helping jurisdictions so far. One of the challenges that 21 Elements has identified is limited staff time. The original budget for the Housing Element scope of work had jurisdictions completing significant sections of their Housing Elements with assistance from 21 Elements. For example, jurisdiction staff were scheduled to write the review of the previous Housing Element. Instead, 21 Elements staff completed a first draft. Similarly, we anticipate having to take a more active role in other parts of the Housing Elements.

**Site Inventory:** In particular, we anticipate needing to spend significant more hours assisting jurisdictions with the Site Inventory. We are budgeting an extra 950 hours to support this work (45 hours per jurisdiction). (Primarily for the 18 jurisdictions that signed up for the Getting Started Package), for a total of \$145,350 plus direct costs. Baird + Driskell will be assisted in this work by EcoNorthwest, which does geospatial proforma analysis of development propensity. Direct costs may include purchasing data.

**Outreach:** The top priority of jurisdictions was additional assistance with equity outreach for the Housing Element. We have already started this work by assembling an Equity Advisory Group with paid stipends of \$1,500 per group (\$25,000 total). We are budgeting \$75,000 to allow jurisdictions to partner with nonprofits for outreach. We also are budgeting an additional 580 hours of Baird + Driskell time to support this effort (\$88,740). The budget includes both working with the nonprofits and launching a series of follow up meetings to the initial round of Let's Talk Housing Housing Element kickoff meetings. The follow up meetings will be topic based, such as Missing Middle (duplexes, triplexes, quads, etc.).

**Other One on One Assistance:** 21 Elements has been doing Council Presentations and other work with jurisdictions to assist with the Housing Elements, beyond what was envisioned in the original scope of work. This budget includes an additional 38 hours per jurisdiction for assistance for a total additional budget of \$122,400 (800 hours).

This document also proposes several significant non Housing Element related projects.

**Affordable Housing Trust Funds** - Work with jurisdictions to prioritize spending for their Affordable Housing Trust funds. One priorities are identified, work with jurisdictions to release the money. The budget for this task is 240 hours or \$36,720. This project will likely be led by a third party subject matter expert.

**Affordable Housing Management** – Work with jurisdictions to improve the management of affordable housing. We will review past document to find affordable units that are being rented out at market price. We will then identify key best practices for jurisdictions to follow and look for opportunities to coordinate on these tasks. This is an important project and we are budgeting 350 hours or \$53,550 plus up to \$40,000 in direct costs to start to implement ideas generated by the group. This project will likely be co-led by a third party subject matter expert.

**Expanded ADU work** – By 2023, the ADU material we produced will be five years old. We are budgeting an additional 440 hours to renew and expand this material, for a total of \$67,320 plus direct costs. This will be done in close coordination with Home for All and the Second Units Center.

A number of the tasks below will be completed by subject matter experts hired as sub consultants by Baird + Driskell. For example, the outreach efforts will be more equitable and ultimately more successful if nonprofit groups are brought on as partners. In other cases, projects will benefit from specific subject experts. The hours of these groups/individuals are included in the overall budget.

#### **A. Housing Elements and RHNA**

##### **A1. Assist jurisdictions in completing Housing Elements as identified in the existing Supplemental Scope of Work.**

This will continue to be the main focus for 21 Elements through late 2022. Rather than reprinting the scope of work here, it summarized in its entirety below.

**A2. Assist with Sites Inventory** – Expand one on one work with jurisdictions to analyze available sites. This includes a mix of one on one meetings, individual work for jurisdictions and production of material that is applicable to all jurisdictions. Direct budget includes access to data or sub consultants.

**A3. Additional Housing Element Outreach** – Expand on the Let’s Talk Housing outreach effort to include an additional series of meetings and grants to nonprofits. The grants will be closely coordinated with jurisdiction staff.

**A4. General Assistance with Housing Element** – Additional hours to assist jurisdictions with Housing Element needs. This might include council presentations, one on one meetings or additional analysis about select topics.

**A5. Assist Jurisdictions on Housing Element Annual Progress Reports (APRs)** — Assist jurisdictions in compiling information and completing their APRs that are due to HCD by April 1 of each year. Completion of APRs is essential for receiving funding and to comply with other State requirements. Assistance may include trainings, memos, useful definitions, data sources, etc.

## **B. Assist Jurisdictions with New State Laws and Requirements**

**B1. Assist Jurisdictions with SB 35 and Housing Accountability Act (HAA) Implementation** — Assist jurisdictions with implementing SB 35 (Streamlined Ministerial Approval Process) and HAA requirements; including summary memos, sample staff reports, presentations, objective development standards, processing questions, etc. Assistance may take the form of written materials, training and presentations.

**B2. Assist Jurisdictions and C/CAG with New State Laws** — Assist jurisdictions with analysis and implementation of any new State laws related to land use, housing and other inter-related items. Assistance may take the form of written materials, training and presentations. This includes a summary of new laws and bills. Participate in C/CAG and DOH staff and public meetings, particularly in the context of new housing laws and proposals.

## **C. Accessory Dwelling Units**

**C1. Improve ADU Approval Process** — Work with up to four jurisdictions to identify and reduce friction points between homeowners/designers/builders and City rules, materials, regulations and interactions during the ADU information gathering, review, approval, construction and final occupancy process.

**C2. Conduct Outreach to Promote New ADUs** — Work with Home for All, HEART, 21 Elements jurisdictions and others to promote new ADUs. This may include coordination, meetings, preparation of materials, tours, workshops, presentations and participation in other actions and activities.

**C3. Develop ADU Amnesty Implementation Materials** — Based on the San Mateo County program, produce detailed material that will allow jurisdictions to understand the key steps and regulatory options for developing an ADU Amnesty program.

**C4. Conduct Additional ADU Tasks/Products** — 21 Elements will undertake a number of other tasks to support the creation of ADUs, potentially including refresh of the ADU workbook and website.

## **D. Promoting New Housing**

**D1. Collect Countywide Data** — Produce a summary of housing and transportation trends in the county. Information will include housing units produced or proposed, impact fee collected and new policies passed. This task also includes an update of the parking standards survey.

**D2. Assist C/CAG with Updating the PDA Strategy** — Assist C/CAG as needed in coordinating with MTC on updating the San Mateo County Priority Development Area (PDA) Investment & Growth Strategy to respond to new requirements. Tasks will be limited because MTC will be taking on a larger role in the update, but may include, among items identified by C/CAG staff, data collection, written materials, presentation materials and attendance and presentations at C/CAG meetings.

**D3. Prepare Materials to Increase Community Understanding** — Produce materials to address community concerns and acceptance of affordable housing opportunities and new State laws related to density and development approvals. Build on and coordinate with Home for All.

## **E. Promoting Affordable Housing**

**E1. Assist Jurisdictions with Accessing Funding Sources** — Assist with the preparation of materials and coordination efforts to better position the county to receive funding related to transportation, housing and land use, including SB2. This work may be completed by a topic specialist sub-consultant.



**E2. Impact Fees and Inclusionary** – Produce material to help cities complete five-year reports and assist jurisdictions in completing annual reports. Update 21 Elements’ summary of inclusionary zoning and impact fee policies for San Mateo.

**E3. Support Doorway/DAHLIA Implementation** — Support the San Mateo County rollout and implementation of Doorway. This includes facilitating meetings, interviews with stakeholders, potentially raising money, etc.

**E4. Affirmatively Furthering Fair Housing** — Produce material to help cities understand the new state law regarding Affirmatively Furthering Fair Housing.

**E5. Launch Workgroup on Affordable Housing Management Best Practices** – Work with jurisdictions to identify key affordable housing management best practices and identify opportunities to better manage the existing and future stock of affordable housing. Conduct a document search to try to find affordable units that are currently being rented at market prices. This will likely be co-run by a subject matter expert sub-consultant.

**E6. Assist with Housing Trust Fund Management** – Work with jurisdictions and the Department of Housing to help cities prioritize and spend their affordable housing trust fund dollars. This will likely be run by a subject matter expert sub-consultant.

## **F. Meetings, Coordination and Organizational Development**

**F1. Support Planning Commissioner Trainings and Planning Directors Meetings**— Host 2-3 Planning Commissioner Trainings, including one on housing and one on transportation. Potentially write a Planning Commissioners Manual. Continue to support a regular meeting of Community Development Directors to discuss housing and related topics.

### **F2. Trainings and Other Meetings**

As issues arise, prepare and implement materials for webinar training and information sharing, similar to what has been done in the past through 21 Elements. Host three peer learning events and three 21 Elements meetings, topics to be determined.

**F3. Coordinate with Others** - As appropriate, attend and participate in Home for All Work Group and Steering Committee meetings, C/CAG meetings, etc. This will include continuing participation in ADU implementation coordination meetings.

**F4. Respond to Cities Requests** - Provide easy and direct access for jurisdictions to ask questions, distribute information, query other jurisdictions, obtain updated information on State laws and particular items of importance, etc.

**F5. Organizational Development** - Maintain the 21 Elements website, including linkages with other county and city initiatives, updates to contact list, managing day-to-day operations, etc.

## C/CAG AGENDA REPORT

Date: June 9, 2022

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 22-40 authorizing the C/CAG Chair to execute Amendment No. 8 to the Agreement with the Bay Area Water Supply and Conservation Agency for the Rain Barrel and Rain Garden Rebate Program, extending the term to June 30, 2023 and adding an amount not to exceed \$25,000 for Fiscal Year 2022-23, for a new total contract amount not to exceed \$135,000.

(For further information or questions contact Reid Bogert at [rbogert@smcgov.org](mailto:rbogert@smcgov.org))

### RECOMMENDATION

That the C/CAG Board review and approve Resolution 22-40 authorizing the C/CAG Chair to execute Amendment No. 8 to the Agreement with the Bay Area Water Supply and Conservation Agency for the Rain Barrel and Rain Garden Rebate Program, extending the term to June 30, 2023 and adding an amount not to exceed \$25,000 for Fiscal Year 2022-23, for a new total contract amount not to exceed \$135,000.

### FISCAL IMPACT

Not to exceed \$25,000 for Fiscal Year 2022-23, for a new total amount not to exceed of \$135,000.

### SOURCE OF FUNDS

NPDES Fund.

### BACKGROUND

Pursuant to Resolution 14-36, C/CAG collaborates with the Bay Area Water Supply and Conservation Agency (BAWSCA) to implement a rain barrel rebate program in San Mateo County since Fiscal Year 2014-15. Rain barrels capture stormwater runoff from roofs that can then be used to water landscaping or gardens. Capturing stormwater in this fashion has multiple benefits: reducing the amount of runoff and pollutants from individual properties that reach municipal storm drain systems, reducing potable water usage for outdoor irrigation needs, and educating the public regarding the importance of managing stormwater as a resource.

C/CAG provided \$25,000 annually to BAWSCA for the first three fiscal years since the pilot program began, for a total of \$75,000. Due to lower rebate numbers starting in Fiscal Year 2016-17 coinciding with the end of the multi-year drought, C/CAG and BAWSCA continued to implement the program through Fiscal Year 2020-21 without C/CAG adding any additional funds to the agreement.

Pursuant to Resolution 20-27 C/CAG and BAWSCA revised the program terms to pilot additional rebate amounts and categories for larger rain barrels and cisterns and an incentive on rain garden installations as part of BAWSCA's Lawn Be Gone! turf replacement rebate program. The intention of expanding the rebate program was to further incentivize additional green stormwater management practices for residential and

commercial properties to support C/CAG's Countywide Stormwater Program's (the Program) public education and green infrastructure implementation goals, and to create additional flexibility in the rebate process, which was updated in 2020 with BAWSCA's new online rebate platform. The following rebate amounts were adopted as part of this program expansion:

- Small rain barrels between 50-99 gallons – up to \$100 rebate (\$50 from participating agencies, \$50 from C/CAG)
- Large rain barrels or daisy-chained barrels between 100-199 gallons – up to \$150 rebate (\$50 from participating agencies, \$100 from C/CAG)
- Cisterns larger than 200 gallons – up to \$200 rebate (\$50 from participating agencies, \$150 from C/CAG)
- Rain gardens as part of a turf/lawn replacement rebate application – up to \$300 additional incentive for installing a rain garden while replacing a lawn with drought tolerant plants under BAWSCA's existing Lawn-be-Gone! turf replacement rebate program.

Based on the current program structure, C/CAG provides the above specified rebate amounts for installed barrels/cisterns or rain gardens, with a maximum of two barrels/cisterns and one rain garden per residential property and four rainwater harvesting system or rain garden rebates for commercial, industrial, or institutional properties. As detailed above, in areas of the county where BAWSCA member agencies participate in the program, rebates are matched by the water agencies with an additional \$50 on each tier of the rain barrel/cistern rebates. The following San Mateo County agencies currently participate in the pilot program:

- Town of Atherton
- City of Brisbane
- City of Burlingame
- City of Daly City
- Mid-Peninsula Water District (Belmont, portions of San Carlos and unincorporated county)
- Menlo Park Municipal Water
- City of Millbrae
- North Coast County Water District (Pacifica)
- City of Redwood City
- City of San Mateo

The rain barrel rebate program launched in October of 2014, and to date, well over 2,000 barrels have been installed within the county under the rebate program. Generally, customer participation in the rebate program is between two to three time greater in locations where participating water agencies match C/CAG's rebates, indicating that larger rebates and local outreach likely increase program participation. Since the expansion of the program in 2020 to include larger incentives for larger rainwater harvesting systems and coinciding with drier conditions, there has been a significant uptick in rain barrel rebate participation. During the current program year during which a bulk-order rebate campaign and two bulk order distribution events were held late 2021 and winter of 2022, over 700 barrels were pre-ordered and distributed to residents throughout the county. The second was unplanned at the outset of the fiscal year but was pursued due to the significant success and a large waitlist associated with the first event. To ensure sufficient program funds to provide rebates associated with the two bulk-order distribution events and any remaining rebates throughout the program year, following the C/CAG Board approval of Resolution 21-39, authorizing Amendment No. 6 to the Agreement with BAWSCA and adding a not to exceed amount of \$10,000 for Fiscal Year 2022-23, the C/CAG Board approved Resolution 22-03 at its January 2022 meeting authorizing Amendment No. 7 to the Agreement, adding \$25,000 for a new total amount not to exceed \$110,000 during Fiscal Year 2021-22.

During the first two years of the rain garden incentive pilot, only a few applications and one successful rain

garden incentive project were completed (in Redwood City); however, staff plan to make several revisions to the rain garden program early next fiscal year with the hope of increasing participation, or at least verifying potential demand for the rain garden incentive. Planned modifications include creating a separate application and rebate process just for rain garden projects, rather than tying the incentive to Lawn-Be-Gone! projects only, which creates additional restrictions on rain garden projects and limits the applicable rebate areas to only those BAWSCA agencies who participate in the Lawn-Be-Gone! program. The Countywide Program promotes the rebate program each year, in conjunction with BAWSCA and participating water agencies.

Program expenditures to date are detailed in the following table (note, expenditures include payment of rebates and program administration costs):

Fiscal Year	Expenditures
2014-15	\$21,700
2015-16	\$17,444
2016-17	\$3,450
2017-18	\$8,089
2018-19	\$3,120
2019-20	\$1,318
2020-21	\$7,028
2021-22 (est.)	\$35,000

This leaves approximately \$18,000 of unspent funds from the current \$110,000 provided by C/CAG to-date. For Fiscal Year 2022-23 C/CAG staff recommends continuing the rain barrel/rain garden rebate/incentive program with an additional \$25,000 to maintain the program funds at the current level of demand given the established nature and relative success of the program and the ongoing drought conditions throughout the Bay Area. C/CAG and BAWSCA staff continue to seek improvements in program design and implementation, including streamlining the online application and project rebate process, collecting more information on motivations and challenges on the rebate program, improved communications and promotional tools, and additional supporting guidance and training resources for residents and other property owners. BAWSCA staff also engage member agencies each year in June to seek renewed and additional subscriptions to the rebate programs.

Funds will be expended only for rebate applications received and approved, so unused funds will remain in C/CAG’s stormwater program budget.

Resolution 22-40 authorizes the C/CAG Chair to execute Amendment No. 8 to the funding agreement with BAWSCA, extending the term through June 30, 2023, for an additional amount not to exceed \$25,000 for Fiscal Year 2022-23 and a new total amount not to exceed \$135,000. The proposed amendment is subject to approval as to form by C/CAG’s legal counsel prior to execution by the C/CAG Chair.

**ATTACHMENTS**

1. Resolution 22-40
2. Amendment No. 8 to the Agreement with the Bay Area Water Supply and Conservation Agency

## **RESOLUTION 22-40**

### **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG CHAIR TO EXECUTE AMENDMENT NO. 8 TO THE AGREEMENT WITH THE BAY AREA WATER SUPPLY AND CONSERVATION AGENCY, EXTENDING THE TERM TO JUNE 30, 2023 AND ADDING AN AMOUNT NOT TO EXCEED \$25,000 FOR FISCAL YEAR 2022-23, FOR A NEW TOTAL AMOUNT NOT TO EXCEED \$135,000.**

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

**WHEREAS**, C/CAG's Countywide Water Pollution Prevention Program works with all 21 member agencies on programs to help keep pollution out of storm drains and subsequently impacting local creeks, the San Francisco Bay, and the Pacific Ocean, and

**WHEREAS**, capturing rainwater via rain barrels has both pollution prevention and water conservation benefits by reducing runoff volume and pollutants reaching municipal storm drain systems and offsetting potable water usage for outdoor landscape watering needs, and

**WHEREAS**, C/CAG approved Resolution 14-36, authorizing an Agreement with BAWSCA at a cost not to exceed \$25,000 for a Pilot Rain Barrel Rebate Program (Program) in San Mateo County in Fiscal Year 2014-15, and

**WHEREAS**, C/CAG approved Resolution 15-17, authorizing Amendment No. 1 to the Agreement with BAWSCA, extending the term of the Program through June 30, 2016 at an additional cost not to exceed \$25,000, and

**WHEREAS**, C/CAG approved Resolution 16-15, authorizing Amendment No. 2 to the Agreement with BAWSCA, extending the term of the Program through June 30, 2017 at an additional cost not to exceed \$25,000, and

**WHEREAS**, C/CAG approved Resolution 17-17, authorizing Amendment No. 3 to the Agreement with BAWSCA, extending the term of the Program through June 30, 2018 at no additional cost and adding the City of San Mateo as a participating agency in the Program, and

**WHEREAS**, C/CAG approved Resolution 19-41, authorizing Amendment No. 4 to the Agreement with BAWSCA, extending the term of the Program through June 30, 2020 at no additional cost, and

**WHEREAS**, C/CAG approved Resolution 20-27, authorizing Amendment No. 5 to the Agreement with BAWSCA, extending the term of the Program through June 30, 2021 at no additional cost and revising the terms and conditions to provide additional pilot incentives for additional rebates for larger volume rain barrels and cisterns and rain gardens in conjunction with the existing lawn replacement rebate program, and

**WHEREAS**, C/CAG approved Resolution 21-39, authorizing Amendment No. 6 to the Agreement with BAWSCA, extending the term of the Program through June 30, 2022, adding an amount not to exceed \$10,000 for the continued pilot incentives for rain harvesting systems and rain gardens, including funds for a pilot bulk-order campaign for a countywide rain barrel distribution event, and

**WHEREAS**, the first round of bulk-orders far exceeded expectations, with 330 barrels pre-ordered and delivered during the November 7, 2021 bulk-order rain barrel distribution event at the City of San Mateo Corps Yard, with an additional 220 individuals signed up for a waitlist, and

**WHEREAS**, in January C/CAG approved Resolution 22-03, authorizing Amendment No. 7 to the Agreement, adding an amount not to exceed \$25,000 in Fiscal Year 2021-22 to provide sufficient program budget to host a second bulk-order distribution event and continue funding rebates throughout the remainder of the Fiscal Year; and

**WHEREAS**, C/CAG and BAWSCA jointly wish to continue partnering on the Program in Fiscal Year 2022-23, given the ongoing success and potential for additional reach of the Program.

**NOW THEREFORE BE IT RESOLVED**, the C/CAG Chair is authorized to execute Amendment No. 8 to the Agreement with the Bay Area Water Supply and Conservation Agency, extending the term to June 30, 2023 and adding an amount not to exceed \$25,000 for Fiscal Year 2022-23, for a new total amount not to exceed \$135,000, subject to approval of the C/CAG Fiscal Year 2022-23 budget. Be it further resolved that the C/CAG Executive Director is authorized to negotiate the final terms of said amendment prior to its execution by the C/CAG Chair, subject to approval as to form by C/CAG Legal Counsel.

**PASSED, APPROVED, AND ADOPTED, THIS 9TH DAY OF JUNE, 2022.**

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*Davina Hurt, Chair*

**AMENDMENT (No. 8) TO THE AGREEMENT BETWEEN THE CITY/COUNTY  
ASSOCIATION OF  
GOVERNMENTS OF SAN MATEO COUNTY AND THE BAY AREA WATER SUPPLY AND  
CONSERVATION AGENCY (BAWSCA).**

**WHEREAS**, the Board of Directors of the City/County Association of Governments for San Mateo County (hereinafter referred to as "C/CAG") and the Bay Area Water Supply and Conservation Agency (hereinafter referred to as "BAWSCA") are parties to an agreement for a rain barrel rebate program in San Mateo County dated October 10, 2014 (the "Existing Agreement"); and

**WHEREAS**, in January C/CAG approved Resolution 22-03, authorizing Amendment No. 7 to the Agreement, adding an amount not to exceed \$25,000 in Fiscal Year 2021-22 to provide sufficient program budget to host a second bulk-order distribution event and continue funding rebates throughout the remainder of the Fiscal Year; and

**WHEREAS**, C/CAG and BAWSCA jointly wish to continue partnering on the Program in Fiscal Year 2022-23 and desire to amend the Existing Agreement as set forth herein.

**IT IS HEREBY AGREED** by C/CAG and BAWSCA as follows:

1. Section 2 of the Agreement is revised to reflect a new contract termination date of June 30, 2023.
2. Section 3 of the Existing Agreement is revised to reflect an additional \$25,000 and a new total agreement amount not to exceed \$135,000.
3. Except as expressly amended herein and in Amendments No. 1 through 6 to the Existing Agreement, all other provisions of the Existing Agreement shall remain in full force and effect.
4. This amendment shall take effect upon on full execution by both parties.

City/County Association of Governments (C/CAG)

Bay Area Water Supply and Conservation Agency  
(BAWSCA)

\_\_\_\_\_  
Davina Hurt, C/CAG Chair

\_\_\_\_\_  
By  
Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
Legal Counsel for C/CAG

Attachments:

None.

## C/CAG AGENDA REPORT

Date: June 9, 2022

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 22-41 authorizing the C/CAG Chair to execute Amendment No. 2 to Task Order EOA-13 with Eisenberg, Olivieri, and Associates, Inc., adding an amount not to exceed \$82,676 for Fiscal Year 2022-23, with a new total amount not to exceed \$1,164,663, for general support to the Countywide Stormwater Program including 2021-22 Annual Reporting and additional on-call support.

(For further information or questions, contact Reid Bogert at [rbogert@smcgov.org](mailto:rbogert@smcgov.org))

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### RECOMMENDATION

That the C/CAG Board review and approve Resolution 22-41 authorizing the C/CAG Chair to execute Amendment No. 2 to Task Order EOA-13 with Eisenberg, Olivieri, and Associates, Inc., adding an amount not to exceed \$82,676 for Fiscal Year 2022-23, with a new total amount not to exceed \$1,164,663, for general support to the Countywide Stormwater Program including 2021-22 Annual Reporting and additional on-call support.

### FISCAL IMPACT

Not to exceed \$82,676 in Fiscal Year 2022-23, as included in the proposed C/CAG budget for the Countywide Stormwater Program.

### SOURCE OF FUNDS

NPDES and Measure M Stormwater funds

### BACKGROUND

In August 2015, C/CAG approved Resolution 15-21, authorizing on-call contracts with Eisenberg, Olivieri, & Associates (EOA), Larry Walker Associates (LWA), S. Groner Associates (SGA), and Urban Rain Design for technical support to the Countywide Water Pollution Prevention Program (the Program). The on-call agreements were for a three-year duration, ending in August 2018. In February 2018, C/CAG approved Resolution 18-02 authorizing Amendment No. 1 to extend the term of existing on-call contracts through September 2021. In May 2021, C/CAG approved Resolution 21-25 extending on-call contracts through September 30, 2022 in response to the San Francisco Bay Regional Water Quality Control Board delaying reissuance of the Municipal Regional Permit for 18 months. As part of the on-call agreements, the C/CAG Board of Directors



annually authorizes the Executive Director to execute task orders specifying the scopes of work and budgets for each fiscal year. As authorized by C/CAG Resolutions 16-04, 16-16, 17-29, 18-26, 19-36, 20-24, and 21-40 the Executive Director executed multiple task orders with EOA in Fiscal Years 2015-16 through 2021-22.

Pursuant to C/CAG approved Resolution 21-40, C/CAG's Executive Director executed EOA-13 with EOA for an amount not to exceed \$828,694 to provide General Support services in Fiscal Year 2021-22. In September 2021, C/CAG approved Resolution 21-66 authorizing the C/CAG Executive Director to execute Amendment No. 1 to Task Order EOA-13 adding an additional amount not to exceed \$265,263, for Fiscal Year 2021-22 with \$165,518 specified for program management transitional support and \$87,745 for enhanced trash capture opportunity analyses, resulting in a new total Task Order amount not to exceed of \$1,081,957 for Fiscal Year 2021-22.

The task orders issued in June of 2021 comprise the final task orders for technical support to the Countywide Program under the current five-year permit term of the Municipal Regional Stormwater Permit (MRP). Coinciding with the reissuance of the MRP, C/CAG has released a solicitation for technical support services to the Countywide Program for the duration of the next five-year permit term. The scope of work included in the Request for Proposals for technical support services, however, does not include support for Annual Report submittals under the last year of the current permit, which are due September 30, 2022. Typically, Annual Report tasks are included in the scope and budget for the fiscal year following the current annual report period, which aligns with the fiscal year (July 1-June 30). As a result of the delayed release of the Request for Proposals by one month to provide additional internal review and following the desire to contain the scope of work in the Request for Proposals with the requirements under the next iteration of the MRP ("MRP 3.0"), the Annual Report support tasks for Fiscal Year 2021-22 were not included in the scope of services attached to the Request for Proposals. C/CAG staff recommend leveraging existing task orders and on-call contracts with EOA, LWA and SGA to provide Annual Report support services for the current fiscal year reporting.

Staff recommend approving Resolution 22-41, authorizing the C/CAG Chair to execute Amendment No. 2 to Task Order EOA-13 with Eisenberg, Olivieri, and Associates, Inc., adding an amount not to exceed \$82,676 for Fiscal Year 2022-23, with a new total amount not to exceed \$1,154,957, for general support to the Countywide Stormwater Program including 2021-22 Annual Reporting and additional on-call support.

#### **ATTACHMENTS**

1. Resolution 22-41
2. Amendment No. 2 to Task Order EOA-13
3. Amended Scope of Work for Task Order EOA-13 (available on-line only, as part of the June 9, 2022 Additional Meeting Materials, at: <http://ccag.ca.gov/committees/board-of-directors/>)

## **RESOLUTION 22-41**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG CHAIR TO EXECUTE AMENDMENT NO. 2 TO TASK ORDER EOA-13 WITH EISENBERG, OLIVIERI, AND ASSOCIATES, INC., ADDING AN AMOUNT NOT TO EXCEED \$82,676 FOR FISCAL YEAR 2022-23, WITH A NEW TOTAL AMOUNT NOT TO EXCEED \$1,164,663, FOR GENERAL SUPPORT SERVICES TO THE COUNTYWIDE STORMWATER PROGRAM INCLUDING 2021-22 ANNUAL REPORTING AND ADDITIONAL ON-CALL SUPPORT.**

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

**WHEREAS**, C/CAG administers the San Mateo Countywide Water Pollution Prevention Program to assist its member agencies in meeting mandated requirements of the San Francisco Bay Regional Water Quality Control Board's Municipal Regional Permit (MRP); and

**WHEREAS**, C/CAG and its member agencies recognize and support the need to implement pollution prevention programs to minimize the discharge of pollutants from municipal storm drain systems and C/CAG requires support from technical consultants in assisting its member agencies with meeting MRP requirements; and

**WHEREAS**, in August 2015, C/CAG approved Resolution 15-21, approving on-call contracts with qualified technical consultants, including Eisenberg, Olivieri, and Associates, Inc. (EOA), for a three-year term through August 2018; and

**WHEREAS**, in February 2018, C/CAG approved Resolution 18-02 authorizing Amendment No. 1 to extend the term of the contract with EOA for three additional years through September 30, 2021 and Resolution 21-25 further extending the term through September 30, 2022; and

**WHEREAS**, in June 2021, C/CAG approved Resolution 21-40, authorizing the C/CAG Executive Director to execute EOA-13 with EOA for an amount not to exceed \$828,694 for General Support services in Fiscal Year 2021-22, and in September 2021 approved Resolution 21-66 authorizing Amendment No. 1 to Task Order EOA-13 adding an additional amount not to exceed \$265,263, for Fiscal Year 2021-22 with \$165,518 specified for program management transitional support and \$87,745 for enhanced trash capture opportunity analyses, resulting in a new total Task Order amount not to exceed of \$1,081,957 for Fiscal Year 2021-22; and

**WHEREAS**, Annual Reports under the Municipal Regional Stormwater Permit are due September 30 of each year and C/CAG staff have identified the need to amend existing on-call technical support contracts to provide Annual Report technical support services for Fiscal Year 2021-22, due to the timing of C/CAG's current solicitation for technical support services to the Countywide Stormwater Program during the next five-year permit term.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Directors of the City/County Association of Governments of San Mateo County, that the C/CAG Chair is authorized to execute

Amendment No. 2 to Task Order EOA-13 with Eisenberg, Olivieri, and Associates, Inc. adding an amount not to exceed \$82,676 for Fiscal Year 2022-23, with a new total amount not to exceed \$1,164,663, for general support to the Countywide Stormwater Program including 2021-22 Annual Reporting and additional on-call support, subject to approval of C/CAG Fiscal Year 2022-23 Annual Budget. Be it further resolved that the C/CAG Executive Director is authorized to negotiate the final terms of said amendment prior to its execution by the C/CAG Chair, subject to approval as to form by C/CAG Legal Counsel.

**PASSED, APPROVED, AND ADOPTED, THIS 9TH DAY OF JUNE, 2022.**

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*Davina Hurt, Chair*

# 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

### TASK ORDER FORM

(Amendment No. 2 – June 9, 2022)

(Amendments ~~Strikethrough~~ and Underlined)

**Date/Start Date:** July 1, 2021

**Consultant Name:** EOA, Inc.

**Contract:** Countywide Water Pollution Prevention Program Technical Support – On-Call Contracts

**Task Order No.:** EOA-13

**Task Order Name:** Municipal Stormwater NPDES Permit Compliance Assistance

**Scope of Work:** General Technical Support, Subcommittee Support, Training, Annual Reporting, Trash, Mercury & PCBs. See attached scope of work.

**Deliverables:** ~~See attached scopes of work.~~  
See attached amended scope of work.

**Budgeted Cost:** ~~Per the attached amended Fiscal Year 2021-22 scope of work, not to exceed \$1,081,957, with additional funds added via Amendment No. 1 totaling \$165,518.~~  
Per the attached amended Fiscal Year 2021-22 scope of work, not to exceed \$82,676, with additional funds added via Amendment No. 2 totaling 1,164,663 for general support services on 2021-22 Annual Reporting and on-call support in July 2022.

**Completion Date:** September 30, 2022

*The parties indicated herein agree to execute this amended Task Order per the scope indicated above. No payment will be made for any work performed prior to the execution of this Task Order. Unless otherwise indicated, receipt of this executed Task Order is your Notice to Proceed with the work specified herein.*

C/CAG

EOA, Inc.

\_\_\_\_\_  
Davina Hurt, C/CAG Chair

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

## C/CAG AGENDA REPORT

Date: June 9, 2022

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 22-42 authorizing the C/CAG Chair to execute Amendment No. 2 to Task Order LWA-07 with Larry Walker Associates extending the Task Order to September 30, 2022 for green infrastructure and pollutants of concern load reduction technical support services to the Countywide Stormwater Program for no additional cost.

(For further information or questions, contact Reid Bogert at [rbogert@smcgov.org](mailto:rbogert@smcgov.org))

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### RECOMMENDATION

That the C/CAG Board review and approve Resolution 22-42 authorizing the C/CAG Chair to execute Amendment No. 2 to Task Order LWA-07 with Larry Walker Associates extending the Task Order to September 30, 2022 for green infrastructure and pollutants of concern load reduction technical support services to the Countywide Stormwater Program for no additional cost.

### FISCAL IMPACT

N/A.

### SOURCE OF FUNDS

N/A.

### BACKGROUND

In August 2015, C/CAG approved Resolution 15-21, authorizing on-call contracts with Eisenberg, Olivieri, & Associates (EOA), Larry Walker Associates, S. Groner Associates, and Urban Rain Design for technical support to the Countywide Water Pollution Prevention Program (the Program). The on-call agreements were for a three-year duration, ending in August 2018. In February 2018, C/CAG approved Resolution 18-02 authorizing Amendment No. 1 to extend the term of existing on-call contracts through September 2021. In May 2021, C/CAG approved Resolution 21-25 extending on-call contracts through September 30, 2022 in response to the San Francisco Bay Regional Water Quality Control Board delaying reissuance of the Municipal Regional Permit for 18 months. As part of the on-call agreements, the C/CAG Board of Directors annually authorizes the Executive Director to execute task orders specifying the scopes of work and budgets for each fiscal year. As authorized by C/CAG Resolutions 16-04, 16-16, 17-29, 18-

26, 19-36, 20-24, and 21-41 the Executive Director executed multiple task orders with LWA in Fiscal Years 2015-16 through 2021-22.

In June 2022, C/CAG approved Resolution 21-41 authorizing the C/CAG Executive Director to execute Task Order LWA-07 with LWA for an amount not to exceed \$250,000 in Fiscal year 2021-22 for green infrastructure and pollutants of concern load reduction technical support services to the Countywide Stormwater Program. Pursuant to Resolution 21-84, C/CAG authorized execution of Amendment No. 1 to LWA-07 with LWA, adding an amount not to exceed \$50,000 for additional on-call general support services as needed in Fiscal Year 2021-22 to support Program staff transition, resulting in a new total Task Order amount not to exceed \$300,000. As to date these additional funds have not been expended.

The task orders issued in June of 2021 comprise the final task orders for technical support to the Program under the current five-year permit term of the Municipal Regional Stormwater Permit (MRP). Coinciding with the reissuance of the MRP, C/CAG has released a solicitation for technical support services to the Program for the duration of the next five-year permit term. The scope of work included in the Request for Proposals for technical support services, however, does not include support for Annual Report submittals under the last year of the current permit, which are due September 30, 2022. Typically, Annual Report tasks are included in the scope and budget for the fiscal year following the current annual report period, which aligns with the fiscal year (July 1-June 30). As a result of the delayed release of the Request for Proposals by one month to provide additional internal review and following the desire to contain the scope of work in the Request for Proposals with the requirements under the next iteration of the MRP (“MRP 3.0”), the Annual Report support tasks for Fiscal Year 2021-22 were not included in the scope of services attached to the Request for Proposals. C/CAG staff recommend leveraging existing task orders and on-call contracts with EOA, LWA and SGA to provide Annual Report support services for the current fiscal year reporting. Additionally, part of the current Fiscal Year scope of work under LWA-07 (Tasks 5.9.a. – Analysis of Impacts of GI Scenarios and 9.6.b. – Establish Watershed-based Framework for Quantifying GI Effectiveness) require additional time beyond June 30 to complete. No additional funds are necessary to complete the planned scope of work under LWA-07, and staff recommend leveraging the existing available budget under the amended Task Order to complete the Fiscal Year 2021-22 Annual Report requirements related to green infrastructure and pollutants of concern load reduction.

Staff recommend approving Resolution 22-42, authorizing the C/CAG Chair to execute Amendment No. 2 to Task Order LWA-07 extending the Task Order to September 30, 2022 to provide green infrastructure and pollutants of concern load reduction support services to the Countywide Stormwater Program related to 2021-22 Annual Reporting and to complete the Fiscal Year 2021-22 scope of work, for no additional cost.

#### **ATTACHMENTS**

1. Resolution 22-42
2. Amendment No. 2 to Task Order LWA-07

## **RESOLUTION 22-42**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING  
THE C/CAG CHAIR TO EXECUTE AMENDMENT NO. 2 TO TASK ORDER LWA-07 WITH  
LARRY WALKER ASSOCIATES EXTENDING THE TASK ORDER TO SEPTEMBER 30, 2022 FOR  
GREEN INFRASTRUCTURE AND POLLUTANTS OF CONCERNS LOAD REDUCTION TECHNICAL  
SUPPORT SERVICES TO THE COUNTYWIDE STORMWATER PROGRAM IN 2022-223 FOR NO  
ADDITIONAL COST.**

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

**WHEREAS**, C/CAG administers the San Mateo Countywide Water Pollution Prevention Program to assist its member agencies in meeting mandated requirements of the San Francisco Bay Regional Water Quality Control Board's Municipal Regional Permit (MRP); and

**WHEREAS**, C/CAG and its member agencies recognize and support the need to implement pollution prevention programs to minimize the discharge of pollutants from municipal storm drain systems and C/CAG requires support from technical consultants in assisting its member agencies with meeting MRP requirements; and

**WHEREAS**, in August 2015, C/CAG approved Resolution 15-21, approving on-call contracts with qualified technical consultants, including Larry Walker Associates (LWA), for a three-year term; and

**WHEREAS**, in February 2018, C/CAG approved Resolution 18-02 authorizing Amendment No. 1 to extend the term of the contract with LWA for three additional years through September 30, 2021 and Resolution 21-25 further extending the term through September 30, 2022; and

**WHEREAS**, in June 2021, C/CAG approved Resolution 21-41, authorizing the C/CAG Chair to execute LWA-07 with LWA for an amount not to exceed \$250,000 for green infrastructure and pollutants of concern load reduction services in Fiscal Year 2021-22, and in November 2021 approved Resolution 21-84 authorizing Amendment No. 1 to Task Order LWA-07 adding an amount not to exceed \$50,000, for Fiscal Year 2021-22, for a new total Task Order amount not to exceed of \$300,000, to provide additional on-call general support services to the Countywide Program as needed for staff transition support; and

**WHEREAS**, Annual Reports under the Municipal Regional Stormwater Permit are due September 30 of each year and C/CAG staff have identified the need to amend existing on-call technical support contracts to provide Annual Report technical support services for Fiscal Year 2021-22, due to the timing of C/CAG's current solicitation for technical support services to the Countywide Stormwater Program during the next five-year permit term; and

**WHEREAS**, C/CAG staff recognizes additional time is needed to complete two subtasks planned for Fiscal Year 2021-22 regarding conducting alternative green infrastructure modeling

scenarios and developing a watershed-based framework for quantifying green infrastructure effectiveness.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Directors of the City/County Association of Governments of San Mateo County, that the C/CAG Chair is authorized to execute Amendment No. 2 to Task Order LWA-07 with Larry Walker Associates extending the Task Order to September 30, 2022 for no additional cost, subject to approval as to form by C/CAG Legal Counsel.

**PASSED, APPROVED, AND ADOPTED, THIS 9TH DAY OF JUNE, 2022.**

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*Davina Hurt, Chair*



# C/CAG

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

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Millbrae • Pacifica • Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County • South San Francisco • Woodside

### TASK ORDER FORM

(Amendment No. 2 – June 9, 2022)

(Amendments ~~Strikethrough~~ and Underlined)

**Date/Start Date:** July 1, 2021

**Consultant Name:** Larry Walker Associates

**Contract:** Countywide Water Pollution Prevention Program Technical Support

**Task Order No.:** LWA-07

**Task Order Name:** Municipal Stormwater NPDES Permit Compliance Assistance

**Scope of Work:** Green Infrastructure, Modeling, and Mercury & PCBs (see attached scope)

**Deliverables:** See attached scope of work

**Budgeted Cost:** Per the attached amended Fiscal Year 2021-22 scope of work, not to exceed, \$300,000, with additional funds via Amendment No. 1 not to exceed \$50,000 for additional program management transitional support as needed.

**Completion Date:** ~~June 30, 2022~~  
September 30, 2022

*The parties indicated herein agree to execute this amended Task Order per the scope indicated above. No payment will be made for any work performed prior to the execution of this Task Order. Unless otherwise indicated, receipt of this amended Task Order is your Notice to Proceed with the work specified herein.*

C/CAG

LWA

\_\_\_\_\_  
Davina Hurt, C/CAG Chair

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

## C/CAG AGENDA REPORT

Date: June 9, 2022

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 22-43 authorizing the C/CAG Chair to execute Amendment No. 1 to Task Order SGA-07 with S. Groner Associates, extending the Task Order to September 30, 2022 and adding an amount not to exceed \$10,000, for Fiscal Year 2022-23, with a new total amount not to exceed \$270,000, for public outreach support to the Countywide Stormwater Program on 2021-22 Annual Reporting and web maintenance.

(For further information or questions, contact Reid Bogert at [rbogert@smcgov.org](mailto:rbogert@smcgov.org))

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### RECOMMENDATION

That the C/CAG Board review and approve Resolution 22-43 authorizing the C/CAG Chair to execute Amendment No. 1 to Task Order SGA-07 with S. Groner Associates, extending the Task Order to September 30, 2022 and adding an amount not to exceed \$10,000, for Fiscal Year 2022-23, with a new total amount not to exceed \$270,000, for public outreach support to the Countywide Stormwater Program on 2021-22 Annual Reporting and web maintenance.

### FISCAL IMPACT

Not to exceed \$10,000 in Fiscal Year 2022-23, as included in the proposed C/CAG budget.

### SOURCE OF FUNDS

NPDES Stormwater and Measure M funds.

### BACKGROUND

In August 2015, C/CAG approved Resolution 15-21, authorizing on-call contracts for technical support to the Countywide Water Pollution Prevention Program (the Program). The on-call agreements were for a three-year duration, ending in August 2018. In February 2018, C/CAG approved Resolution 18-02 authorizing Amendment No. 1 to extend the term of existing on-call contracts with Eisenberg, Olivieri, & Associates, Larry Walker Associates, S. Groner Associates (SGA), and Urban Rain Design for technical support to the Program through September 2021. In May 2021, C/CAG approved Resolution 21-25 extending on-call contracts through September 30, 2022 in response to the San Francisco Bay Regional Water Quality Control Board delaying reissuance of the Municipal Regional Permit for 18 months. As part of the on-call agreements, the C/CAG Board of Directors annually authorizes the Executive Director to execute task orders

specifying the scopes of work and budgets for each fiscal year. As authorized by C/CAG Resolutions 16-04, 16-16, 17-29, 18-28, 19-38, 20-26, and 21-42 the Executive Director executed Task Orders to SGA in Fiscal Years 2015-16 through 2021-22.

Pursuant to C/CAG approved Resolution 21-42, C/CAG's Executive Director executed SGA-07 with SGA for an amount not to exceed \$260,000 to provide public education and outreach services in Fiscal Year 2021-22.

The task orders issued in June of 2021 comprise the final task orders for technical support to the Countywide Program under the current five-year permit term of the Municipal Regional Stormwater Permit (MRP). Coinciding with the reissuance of the MRP, C/CAG has released a solicitation for technical support services to the Countywide Program for the duration of the next five-year permit term. The scope of work included in the Request for Proposals for technical support services, however, does not include support for Annual Report submittals under the last year of the current permit, which are due September 30, 2022. Typically, Annual Report tasks are included in the scope and budget for the fiscal year following the current annual report period, which aligns with the fiscal year (July 1-June 30). As a result of the delayed release of the Request for Proposals by one month to provide additional internal review and following the desire to contain the scope of work in the Request for Proposals with the requirements under the next iteration of the MRP ("MRP 3.0"), the Annual Report support tasks for Fiscal Year 2021-22 were not included in the scope of services attached to the Request for Proposals. C/CAG staff recommend leveraging existing task orders and on-call contracts with EOA, LWA and SGA to provide Annual Report support services for the current fiscal year reporting. Also as a result of the delay in releasing the Request for Proposals for consultant support to the Countywide Program, C/CAG staff recommend providing additional funds sufficient to maintain the [www.flowstobay.org](http://www.flowstobay.org) website for the month of July, during which there will be a gap in technical support to the Program.

Staff recommend approving Resolution 22-43, authorizing the C/CAG Executive Director to execute Amendment No. 1 to Task Order SGA-07 with S. Groner Associates, extending the Task Order to September 30, 2022 and adding an amount not to exceed \$10,000, for Fiscal Year 2022-23, with a new total amount not to exceed \$270,000, for public outreach support to the Countywide Stormwater Program on 2021-22 Annual Reporting and web maintenance.

#### **ATTACHMENTS**

1. Resolution 22-43
2. Amendment No. 2 to Task Order LWA-07
3. Amended Scope of Work for Task Order SGA-07 (available on-line only, as part of the June 9, 2022 Additional Meeting Materials, at: <http://ccag.ca.gov/committees/board-of-directors/>)

## **RESOLUTION 22-43**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG CHAIR TO EXECUTE AMENDMENT NO. 1 TO TASK ORDER SGA-07 WITH S. GRONER ASSOCIATES EXTENDING THE TASK ORDER TO SEPTEMBER 30, 2022 AND ADDING AN AMOUNT NOT TO EXCEED \$10,000 FOR FISCAL YEAR 2022-23, WITH A NEW TOTAL AMOUNT NOT TO EXCEED \$270,000, FOR PUBLIC OUTREACH SERVICES TO THE COUNTYWIDE STORMWATER PROGRAM ON 2021-22 ANNUAL REPORTING AND WEB MAINTENANCE.**

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

**WHEREAS**, C/CAG administers the San Mateo Countywide Water Pollution Prevention Program (the Program) to assist its member agencies in meeting mandated requirements of the San Francisco Bay Regional Water Quality Control Board's Municipal Regional Permit (MRP); and

**WHEREAS**, C/CAG and its member agencies recognize and support the need to implement pollution prevention programs to minimize the discharge of pollutants from municipal storm drain systems and C/CAG requires support from technical consultants in assisting its member agencies with meeting MRP requirements; and

**WHEREAS**, in August 2015, C/CAG approved Resolution 15-21, approving on-call contracts with qualified technical consultants, including S. Groner Associates (SGA), for a three-year term; and

**WHEREAS**, in February 2018, C/CAG approved Resolution 18-02 authorizing Amendment No. 1 to extend the term of the contract with SGA for three additional years through September 30, 2021 and Resolution 21-25 further extending the term through September 30, 2022; and

**WHEREAS**, in June 2021, C/CAG approved Resolution 21-42 authorizing the C/CAG Executive Director to execute Task Order SGA-07 with SGA for an amount not to exceed \$260,000 to provide public outreach technical support services to the Program for Fiscal Year 2021-22; and

**WHEREAS**, Annual Reports under the Municipal Regional Stormwater Permit are due September 30 of each year and C/CAG staff have identified the need to amend existing on-call technical support contracts to provide Annual Report technical support services for Fiscal Year 2021-22, due to the timing of C/CAG's current solicitation for technical support services to the Program during the next five-year permit term; further as a result of the timing of the current solicitation for technical support services to the Program, there is a need for ongoing website maintenance for the public outreach webpage [www.flowstobay.org](http://www.flowstobay.org), currently managed by SGA, for the month of July.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Directors of the City/County Association of Governments of San Mateo County, that the C/CAG Chair is authorized to execute Amendment No. 1 to Task Order SGA-07 with S. Groner Associates extending the Task Order to September 30, 2022 and adding an amount not to exceed \$10,000 for Fiscal Year 2022-23, with a new total amount not to exceed \$270,000, for public outreach services to the Countywide Stormwater Program on 2021-22 Annual Reporting and web maintenance, subject to approval of C/CAG Fiscal Year 2022-23 Annual Budget. Be it further resolved that the C/CAG Executive Director is authorized to negotiate the final terms of said amendment prior to its execution by the C/CAG Chair, subject to approval as to form by C/CAG Legal Counsel.

**PASSED, APPROVED, AND ADOPTED, THIS 9TH DAY OF JUNE, 2022.**

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*Davina Hurt, Chair*

# 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

### TASK ORDER FORM

(Amendment No. 1 – June 9, 2022)

(Amendments ~~Strikethrough~~ and Underlined)

**Start Date:** July 1, 2021

**Consultant Name:** S. Groner Associates

**Contract:** Countywide Water Pollution Prevention Program Technical Support

**Task Order No.:** SGA-07

**Task Order Name:** Municipal Stormwater NPDES Permit Compliance Assistance

**Scope of Work:** Public Education and Outreach

**Deliverables:** ~~See attached scope of work~~  
See attached amended scope of work.

**Budgeted Cost:** ~~Per attached Fiscal Year 2021-22 scope of work, not to exceed \$260,000~~  
Per attached amended Fiscal Year 2021-22 scope of work, not to exceed \$10,000, with additional funds via Amendment No. 1 totaling \$270,000 for outreach support related to 2021-22 Annual Reporting and website maintenance.

**Completion Date:** ~~June 30, 2022~~  
September 30, 2022

*The parties indicated herein agree to execute this Task Order per the scope indicated above. No payment will be made for any work performed prior to the start date of this Task Order. Unless otherwise indicated, receipt of this executed Task Order is your Notice to Proceed with the work specified herein.*

C/CAG

SGA

\_\_\_\_\_  
Davina Hurt, C/CAG Chair

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

## C/CAG AGENDA REPORT

Date: June 9, 2022

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 22-44 authorizing the C/CAG Executive Director to execute Amendment No. 1 to Task Order URD-03 with Urban Rain Design for green infrastructure outreach technical support services to the Countywide Stormwater Program, extending the Task Order to September 30, 2022 for no additional cost.

(For further information or questions, contact Reid Bogert at [rbogert@smcgov.org](mailto:rbogert@smcgov.org))

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### RECOMMENDATION

That the C/CAG Board review and approve Resolution 22-44 authorizing the C/CAG Executive Director to execute Amendment No. 1 to Task Order URD-03 with Urban Rain Design for green infrastructure outreach technical support services to the Countywide Stormwater Program, extending the Task Order to September 30, 2022 for no additional cost.

### FISCAL IMPACT

N/A.

### SOURCE OF FUNDS

N/A.

### BACKGROUND

In August 2015, C/CAG approved Resolution 15-21, authorizing on-call contracts with Eisenberg, Olivieri, & Associates (EOA), Larry Walker Associates, S. Groner Associates, and Urban Rain Design for technical support to the Countywide Water Pollution Prevention Program (the Program). The on-call agreements were for a three-year duration, ending in August 2018. In February 2018, C/CAG approved Resolution 18-02 authorizing Amendment No. 1 to extend the term of existing on-call contracts through September 2021. In May 2021, C/CAG approved Resolution 21-25 extending on-call contracts through September 30, 2022 in response to the San Francisco Bay Regional Water Quality Control Board delaying reissuance of the Municipal Regional Permit for 18 months. As part of the on-call agreements, the C/CAG Board of Directors annually authorizes the Executive Director to execute task orders specifying the scopes of work and budgets for each fiscal year.

As authorized by prior C/CAG Resolution 18-59, 19-39, and 21-43 and under the Executive Director's own authority per C/CAG's Procurement Policy, the Executive Director executed Task Orders to Urban Rain Design in Fiscal Years 2016-17 through 2021-22 to provide green infrastructure outreach technical support services to the Countywide Program.

Pursuant to C/CAG approved Resolution 21-43, C/CAG's Executive Director executed Task Order URD-03 with Urban Rain Design in an amount not to exceed \$25,000 for support on green infrastructure outreach under the Municipal Regional Stormwater Permit in Fiscal Year 2021-22

Due to the need for additional time to complete Task 5 under URD-03 to produce a short instructional video focused on providing a broad array of facilities maintenance staff guidance on properly operating and maintaining green stormwater infrastructure, staff recommends the Board approve Resolution 22-44, authorizing the C/CAG Executive Director to execute Amendment No. 1 to Task Order URD-03 with Urban Rain Design, extending the Task Order to September 30, 2022 for no additional cost.

#### **ATTACHMENTS**

1. Resolution 22-44
2. Amendment No. 1 to Task Order URD-03
3. Scope of Work for Task Order URD-03 (available on-line only, as part of the June 9, 2022 Additional Meeting Materials, at: <http://ccag.ca.gov/committees/board-of-directors/>)



## **RESOLUTION 22-44**

### **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG CHAIR TO EXECUTE AMENDMENT NO. 1 TO TASK ORDER URD-03 WITH URBAN RAIN DESIGN FOR GREEN INFRASTRUCTURE OUTREACH TECHNICAL SUPPORT SERVICES EXTENDING THE TASK ORDER TO SEPTEMBER 30, 2022 FOR NO ADDITIONAL COST.**

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

**WHEREAS**, C/CAG administers the San Mateo Countywide Water Pollution Prevention Program to assist its member agencies in meeting mandated requirements of the San Francisco Bay Regional Water Quality Control Board's Municipal Regional Permit (MRP); and

**WHEREAS**, C/CAG and its member agencies recognize and support the need to implement pollution prevention programs to minimize the discharge of pollutants from municipal storm drain systems and C/CAG requires support from technical consultants in assisting its member agencies with meeting MRP requirements; and

**WHEREAS**, in August 2015, C/CAG approved Resolution 15-21, approving on-call contracts with qualified technical consultants, including Urban Rain Design (URD), for a three-year term; and

**WHEREAS**, in February 2018, C/CAG approved Resolution 18-02 authorizing Amendment No. 1 to extend the term of the contract with URD for three additional years through September 30, 2021 and Resolution 21-25 further extending the term through September 30, 2022; and

**WHEREAS**, in June 2022, C/CAG approved Resolution 21-43, authorizing the C/CAG Executive Director to execute Task Order URD-03 with Urban Rain Design to provide green infrastructure outreach technical support services to the Countywide Stormwater Program for Fiscal Year 2021-22; and

**WHEREAS**, additional time is required to complete Task 5 of URD-03 specified to develop a green infrastructure operations and maintenance instructional video.

**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 Executive Director is authorized to execute Amendment No. 1 to Task Order URD-03 with Urban Rain Design, extending the Task Order to September 30, 2022 for no additional cost, subject to approval as to form by C/CAG legal counsel.

**PASSED, APPROVED, AND ADOPTED, THIS 9 DAY OF JUNE, 2022.**

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*Davina Hurt, Chair*



## C/CAG AGENDA REPORT

Date: June 9, 2022

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 22-45, waiving the Request for Proposals process, consistent with C/CAG's procurement policy, and authorizing the C/CAG Chair to execute a license agreement with Engineering Data Software, Inc. to provide annual property fee assessment support to the Countywide Stormwater Program for an annual amount not to exceed \$25,000 and a total amount not to exceed \$125,000 for the license agreement term set to expire December 31, 2027.

(For further information or questions, contact Reid Bogert at [rbogert@smcgov.org](mailto:rbogert@smcgov.org))

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### RECOMMENDATION

That the C/CAG Board review and approve Resolution 22-45, waiving the Request for Proposals process, consistent with C/CAG's procurement policy, and authorizing the C/CAG Chair to execute a license agreement with Engineering Data Software, Inc. to provide annual property fee assessment support to the Countywide Stormwater Program for an annual amount not to exceed \$25,000 and a total amount not to exceed \$125,000 for the license agreement term set to expire December 31, 2027.

### FISCAL IMPACT

Not to exceed \$25,000 in Fiscal Year 2022-23, as included in the proposed C/CAG budget, and not to exceed \$125,000 over five years, coinciding with the term of the next iteration of the Municipal Regional Stormwater Permit.

### SOURCE OF FUNDS

NPDES Stormwater funds.

### BACKGROUND

The U.S. Environmental Protection Agency under the amendments to the 1987 Federal Clean Water Act, imposed regulations that mandate local governments to control and reduce the amount of stormwater pollutant runoff into receiving waters. Under authority of the California Porter-Cologne Water Quality Act, the State Water Resources Control Board has delegated authority to its regional boards to invoke permitting requirements upon counties and cities. One of the City/County Association of Government's (C/CAG) key functions since the San Francisco Bay Regional Water Quality Control Board (Regional Water Board) issued the first National Pollutant

Discharge Elimination System (NPDES) Permit for municipalities in San Mateo County in May 1993, has been to implement the San Mateo Countywide Water Pollution Prevention Program (the Program) and to support C/CAG's 21 member agencies comply with state mandated municipal stormwater permit requirements as new regulations and permits are adopted. The current permit is a Regional Municipal Stormwater Permit (MRP), administered by the San Francisco Bay Regional Water Quality Control Board, under which all municipalities in San Mateo County are co-permittees.

In July 1993 the San Mateo County Board of Supervisors, acting as the Governing Board of the former County Flood Control District, approved by Resolution the creation of Flood Zone One for the purpose of carrying out pollution control requirements related to municipal stormwater management and to fund related activities. Subsequently, the San Mateo County Stormwater Management Plan (the Plan) was adopted as a Flood Zone One project and C/CAG was authorized to assume responsibility for countywide compliance with the NPDES requirements through the Plan.

In 1995, the County Board of Supervisors set tiered charge rates for specified parcel types and associated square-footage for stormwater pollution control services in Flood Zone One. The initial countywide NPDES fees, referred to as "the basic fees," do not include a Consumer Price Index (CPI) adjustment and are assessed each year through countywide property tax bills. In 2001, at the request of C/CAG, the Flood Control District imposed additional fees, referred to as "the additional fee" in Flood Zone One to comply with increasing stormwater pollution control requirements mandated by the Regional Water Board. The "additional fees," also levied via the countywide property tax bills, do include an annual CPI adjustment for each parcel-based fee in the tiered structure. All cities within the County, except Woodside, have passed resolutions endorsing the proposed program and the rates and charges to be imposed within their respective jurisdictions. Brisbane, Colma, and San Mateo have requested that only the basic fees as originally approved in 1995, and not the additional fees approved in 2001 be included in the property tax bills within these jurisdictions. C/CAG bills these three cities directly for the additional fee component. Woodside opted to not have either of the fees placed on the tax rolls and C/CAG bills Woodside directly for both fees.

Since 1995, the former Flood Control District adopted annual resolutions (a) approving the Charges Reports based on the adopted rates for Flood Zone One, and (b) authorizing the filing of the Charges Reports with the County Controller so that the charges could be placed on, and collected through, countywide property tax bills. The Flood Zone One charges are ongoing charges that were previously imposed pursuant to an individually noticed public hearing prior to the enactment of Proposition 218 and, therefore, are not subject to the Proposition 218 requirement of sending a separate notice to each individual property owner.

Pursuant to Assembly Bill 825, the San Mateo County Flood and Sea Level Rise Resiliency District (District) was given expanded authorities to address countywide issues related to sea level rise, coastal erosion, flood protection and stormwater management, while maintaining the prior Flood Control District's existing flood control and fee collection authorities, including the those pertaining to the countywide NPDES fees associated with Flood Zone One. Annually, C/CAG coordinates with the District, the County and C/CAG's technical consultant to develop charge

reports and present proposed fees for adoption by the District Board of Directors in alignment with the County Controller’s and Assessor’s Offices timelines for placing charges on the countywide property tax roll.

The table below shows the two NPDES fees that were adopted by the District on May 23, 2022 via Resolution 2021-07-22-A for inclusion in the Fiscal Year 2022-23 property tax roll.

<b>Parcel Description</b>	<b>Basic Fees (Rate Established in 1995)</b>	<b>Additional Fees (established in 2001)*</b>	<b>Total Combined (rounded to nearest cent)</b>
Single Family Resident	\$3.44/Parcel	\$4.16/Parcel	\$7.60/Parcel
Condominium Units, Vacant Land, Agriculture, Misc.	\$1.72/Parcel	\$2.08/Parcel	\$3.80/Parcel
Commercial, Retail, Manufacturing, Industrial	\$3.44/Parcel plus 0.3127/1,000 s.f. for parcels over 11,000 s.f.	\$4.16/Parcel plus 0.3780/1,000 s.f. for parcels over 11,000 s.f.	\$7.60/Parcel plus 0.6907/1,000 s.f. for parcels over 11,000 s.f.

\* The additional fees have been adjusted by the change in the Consumer Price Index as provided for in the County Ordinance No. 04054.

Annually, since the creation of Flood Zone One and the established basic and additional NPDES fees, C/CAG has paid a license subscription fee to Engineering Data Software, Inc. (EDS) for use of their proprietary software in calculating the applicable parcel-based fee assessments to be placed on the County tax roll (or billed separately to the agencies opting out of having their portions of the countywide fees included in the County tax roll). C/CAG staff provide the Charge Reports developed by EDS to the County Controller’s Office, which develops the tax roll set by the Assessor’s Office in August of each year. Due to the specific application of the parcel assessment software used to support the NPDES fee collection process in San Mateo County, along with the consistently accurate and timely analysis provided by EDS through the use of their software, C/CAG staff have continued to enlist EDS’s services to support the annual fee assessment process year to year. This approach is consistent with C/CAG’s procurement policy, in terms of a “sole source” procurement based on the nature of the work, the express need for the use of the parcel assessment software to ensure accurate fee assessments, and the annual software license fee amount being under \$25,000, and there has not been a recognized need to issue a Request for Qualifications or Request for Proposals to solicit technical support for this task in prior years. This approach has provided C/CAG the confidence that annual Charge Reports and the associated parcel fees will be delivered accurately and on time. Beyond C/CAG, EDS has extensive experience providing use of their software to local agencies in San Mateo County with similar fee and tax assessment needs (see Attachment 3 for a list of EDS’s current agency clientele in San Mateo County).

This year, however, coincidentally aligns with the reissuance of the third iteration of the Municipal Regional Stormwater Permit (MRP 3.0) under which the County, the 20 cities and towns within the County, and the District are all co-permittees, along with municipalities and flood control

districts in the Counties of Santa Clara, Alameda, Contra Costa and Solano. The Regional Water Board adopted the Revised Tentative Order of the next five-year permit with minor amendments on May 11, 2022, and the permit has an effective date of July 1, 2022. C/CAG's contracts with its current on-call technical support services consultants to the Program will expire in September 2022. C/CAG staff have issued a Request for Proposals to provide on-call technical support services to the Program during MRP 3.0. For the reasons provided above, however, C/CAG staff have not included the annual tax assessment services in prior solicitations (including the current Request for Proposals). To ensure quality and consistent fee assessment support and integration with the County tax roll process during this transition period into the reissued MRP, staff recommend maintaining the existing fee assessment software license agreement with EDS for at least the duration of next permit term. Staff further recommend explicitly waiving the Request for Proposals process and seeking a five-year license agreement term with EDS to complete the annual fee support services accordingly. At the end of the five-year permit period, C/CAG staff will explore re-evaluating its fee assessment process and software license with EDS to consider potential alternative services.

Staff recommend the C/CAG Board review and approve Resolution 22-45, waiving the Request for Proposals process, consistent with C/CAG's procurement policy, and authorizing the C/CAG Chair to execute a license agreement with Engineering Data Software, Inc. to provide annual property fee technical support services to the Countywide Stormwater Program for an annual amount not to exceed \$25,000, and a total amount not to exceed \$125,000 for the license agreement term set to expire December 31, 2027.

#### **ATTACHMENTS**

1. Resolution 22-45
2. License Agreement with Engineering Data Software, Inc.
3. Existing Engineering Data Software, Inc. clientele in San Mateo County

## **RESOLUTION 22-45**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY WAIVING THE  
REQUEST FOR PROPOSALS PROCESS AND AUTHORIZING THE C/CAG CHAIR TO EXECUTE  
A LICENSE AGREEMENT WITH ENGINEERING DATA SOFTWARE, INC. TO PROVIDE ANNUAL  
PROPERTY FEE ASSESSMENT SUPPORT TO THE COUNTYWIDE STORMWATER PROGRAM  
FOR AN ANNUAL AMOUNT NOT TO EXCEED \$25,000 AND A TOTAL AMOUNT NOT TO  
EXCEED \$125,000 FOR THE LICENSE AGREEMENT TERM SET TO EXPIRE DECEMBER 31,  
2027.**

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

**WHEREAS**, C/CAG administers the San Mateo Countywide Water Pollution Prevention Program (the Program) to assist its member agencies in meeting mandated requirements of the San Francisco Bay Regional Water Quality Control Board’s Municipal Regional Permit (MRP); and

**WHEREAS**, in July 1993, the San Mateo County Board of Supervisors, acting as the Governing Board of the former County Flood Control District, approved by Resolution the creation of Flood Zone One, representing the entire geography of San Mateo County, for the purpose of carrying out pollution control requirements related to municipal stormwater management and to fund related activities; and

**WHEREAS**, in July 1995, pursuant to Resolution 57324, the San Mateo County Board of Supervisors adopted the initial countywide National Pollutant Discharge Elimination System (NPDES) parcel-based fees (“basic fees”) to be included on the County tax roll for the purpose of funding stormwater compliance activities under the MRP; and in July 2001, pursuant to Emergency Ordinance 04054, adopted the “additional” charge rates for Flood Zone One to support increasing MRP requirements; and

**WHEREAS**, since the establishment of Flood Zone One and the adopted NPDES “basic” and “additional” fees, C/CAG has worked with the San Mateo Flood Control District (now the San Mateo County Flood and Sea Level Resiliency District, pursuant to Assembly Bill 825) to establish annual fee amounts and projected annual revenue for Flood Zone One; and

**WHEREAS**, C/CAG has paid a license fee to Engineering Data Software, Inc. (EDS) for use of their parcel fee assessment software on an annual basis since the creation of Flood Zone One and adopted parcel-based fees to fund municipal stormwater compliance activities under the NPDES permitting system in San Mateo County, consistent with C/CAG procurement policy, for the purpose of placing the NPDES fees on the County property tax roll each year; and

**WHEREAS**, C/CAG staff recognize the unique nature of the annual fee assessment process in San Mateo County and the express need for ongoing timely, reliable, and accurate fee assessment data for at least the duration of the next five-year term of the MRP, effective July 1, 2022; and

**WHEREAS**, C/CAG staff will explore options for alternative parcel assessment software companies and associated support services at the end of the five-year permit term as may be deemed warranted.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Directors of the City/County Association of Governments of San Mateo County, that Request for Proposals process is hereby waived, consistent with C/CAG's procurement policy, and that the C/CAG Chair is Authorized to execute a License Agreement with Engineering Data Software, Inc. to provide annual NPDES property fee assessment support for an annual amount not to exceed \$25,000, and a total amount not to exceed \$125,000 for the License Agreement term set to expire December 31, 2027, subject to approval of C/CAG Fiscal Year 2022-23 Annual Budget. Be it further resolved that the C/CAG Executive Director is authorized to negotiate the final terms of said License Agreement prior to its execution by the C/CAG Chair, subject to approval as to form by C/CAG Legal Counsel.

**PASSED, APPROVED, AND ADOPTED, THIS 9TH DAY OF JUNE, 2022.**

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*Davina Hurt, Chair*



## EDS LICENSE AND SERVICE AGREEMENT

Between: Engineering Data Software Corporation  
4 Somers Drive  
P.O. Box 366  
Crystal Bay, NV 89402, USA

(hereinafter called “EDS”)

And

City/County Association of Governments of San Mateo County  
555 County Center, 5<sup>th</sup> Floor  
Redwood City, CA 94063

(hereinafter called “C/CAG”)

### RECITAL:

EDS provides a Parcel Management System (PMS) which produces reports and facilitates the submission of tax roll billing records, as described in the user’s guide attached as Appendix “B”. C/CAG desires to use the EDS software for its needs regarding billing records and tax submissions.

### AGREED:

1. License. EDS shall grant and C/CAG shall accept upon the following terms and conditions a nonexclusive license to use the EDS Parcel Management System. C/CAG’s rights hereunder are those of a licensed user only and EDS software and associated database shall at all times remain the property of EDS.
2. Term. This license agreement (herein after called “agreement”) shall be in effect as of July 1, 2022 and shall terminate on December 31, 2027; provided, however, the C/CAG Chairperson may terminate this agreement at any time for any reason by providing 30 days’ notice to EDS. Termination will be effective on the date specified in the notice. In the event of termination under this paragraph, EDS shall be paid for all services provided to the date of termination, subject to availability of funding. Such payment shall be that prorated portion of the full payment determined by comparing the work actually completed to the work required by the agreement. In the event of termination, C/CAG agrees to abide by the provisions of paragraph 5 of this agreement.
3. Charges.  
In consideration of the Services rendered with all terms, conditions, and specifications set forth herein, C/CAG shall reimburse EDS upon receipt of an invoice identifying the services provided during the invoice period. EDS will invoice C/CAG by no later than August 1 each year for Services rendered each tax year (July 1 to June 30), and C/CAG shall pay EDS by no later than August 31 of each year for the Services provided for the prior tax year. Annual payments for the Services set forth in this

agreement shall not exceed \$25,000, and in no event shall the total amount of payment by C/CAG exceed \$125,000 for Services provided during the agreement Term set forth above.

The charges set forth do not include any federal, state, or local taxes levied with respect to such charges, and such taxes shall be added to the charges payable by C/CAG where EDS has the legal obligation to collect and/or pay the same. As of May 27, 2022 no such taxes are known by EDS to exist.

4. Permission to Copy. C/CAG may copy any machine-readable materials supplied by EDS for use on any computer used by C/CAG.
5. Discontinuance. Within sixty days after the date of discontinuance of the license furnished hereunder C/CAG will discontinue its use of EDS software for new work, but may retain a copy for archival use.
6. Service obligations of EDS. EDS will provide C/CAG with data from the San Mateo County assessor's secured tax roll without charge to C/CAG. A preliminary roll will be provided in late spring, typically April 15<sup>th</sup>. The final roll will be provided within 10 days of its availability from the San Mateo County Assessor's Office. This will be in early July. EDS may supply C/CAG with the county data by email or in person. EDS will use C/CAG's data to submit the tax charges to the assessor's office 10 days before end of July. EDS will also supply C/CAG with a printed list of all parcels and their billed amounts.
7. Service obligations of C/CAG. C/CAG will provide EDS with desired parcel classification changes and needed land areas. C/CAG will verify the correctness of the tax roll submission by examination of the spreadsheet produced by the county before end of July.
8. Training obligations of EDS. EDS will provide, without charge, support for its software either by telephone or in person at C/CAG's offices.
9. Warranty and Disclaimer. EDS does not warrant that the functions contained in the software system will meet C/CAG's requirements, or that the operation of the programs in the system will be uninterrupted or error free. EDS hereby disclaims any warranties of fitness. However, EDS does agree to correct any deficiencies in EDS software so as to bring it into conformity with its demonstrated specifications, subject to the following condition: while C/CAG maintains a current license, EDS will, at no charge to C/CAG, promptly correct any verifiable and reproducible program errors which are brought to our attention, and will promptly supply C/CAG with modified or updated versions of the software.
10. Limitation of Liability. The foregoing warranty is in lieu of all other warranties, expressed or implied. In no event will EDS be liable for consequential damages arising out of its software or any service it provides.

EDS's liability under this agreement for damages, regardless of the form of action, shall not exceed the total amount paid for its license to use EDS software for the current year. This shall be C/CAG's exclusive remedy. C/CAG further agrees that EDS shall not be liable for any expenses nor for any claim or demand against C/CAG by any other party.

11. This agreement will be governed by the laws of the State of California. If any of the provisions or portions thereof, of this agreement are invalid under any applicable statute or rule of law, they are to that extent to be deemed omitted.
12. EDS shall keep all information it obtains, or that C/CAG provides, completely confidential and shall not release any such information without the express written consent of the C/CAG. EDS understands that the information that it may acquire pursuant to this Agreement is confidential. EDS further understands that C/CAG is subject to the California Public Records Act and is bound by certain state and federal privacy laws and EDS agrees to protect all information from unauthorized disclosure

For City/County Association of Governments of San Mateo County

By: \_\_\_\_\_

Title:

Date: \_\_\_\_\_

For Engineering Data Software Corporation:

By: \_\_\_\_\_  
Tom Barker

Title: President

Date: \_\_\_\_\_

Engineering Data Software, Inc. Clientele List in San Mateo County 2022

Bayshore Sanitary District
Belmont-Redwood Shores School District
Brisbane Elementary School District
City of Brisbane
Coastside Fire Protection District
Colma Fire Protection District
Town of Colma
City of East Palo Alto
East Palo Alto Sanitary District
Hillsborough Elementary School District
Town of Hillsborough
Las Lomas Elementary School District
Menlo Park City School District
Montara Water and Sanitary District
City of Pacifica
Point Montara Fire Protection District
City of San Bruno
San Carlos Elementary School District
City of South San Francisco
Woodside School District

## C/CAG AGENDA REPORT

Date: June 9, 2022

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 22-46 authorizing the C/CAG Chair to execute Amendment No. 2 to the Agreement with Steer for the implementation of the Measure M Strategic Plan, and extending the contract term to December 31, 2022 at no additional cost.

(For further information, contact Kim Wever at [kwever@smcgov.org](mailto:kwever@smcgov.org))

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### RECOMMENDATION

That the C/CAG Board reviews and approves Resolution 22-46 authorizing the C/CAG Chair to execute Amendment No. 2 to the Agreement with Steer for the implementation of the Measure M Strategic Plan, and extending the contract term to December 31, 2022 at no additional cost.

### FISCAL IMPACT

There is no new financial impact. The awarded contract amount to Steer is up to \$158,846. As of May 2022, Steer has a contract balance of approximately \$35,000.

### SOURCE OF FUNDS

Measure M (\$10 vehicle registration fee), specifically the Program Administration category

### BACKGROUND

Approved by the voters of San Mateo County in 2010, C/CAG sponsors and manages Measure M, the annual ten dollars (\$10) vehicle registration fee in San Mateo County for transportation-related congestion and water pollution mitigation programs. It was estimated that Measure M would generate approximately \$6.7 million annually and \$167 million total over the 25-year period between May 2011 and May 2036. Per the Measure M Expenditure Plan approved by the voters, 50% of the net proceeds will be allocated to cities/County for local streets and roads. The remaining 50% will be used for Countywide Transportation Programs and water pollution mitigation programs. The Measure M legislation states that a program implementation plan is to be adopted every five years, determining how funding would be allocated to the various programs. The current implementation plan, covering Fiscal Years 2016/17 to 2020/21, funds the following programs: transit operations/senior mobility, intelligent transportation system (ITS)/Smart Corridor, safe routes to school (SRTS), and stormwater pollution prevention.

C/CAG determined assistance was needed to develop a strategic plan for the next Measure M five-year implementation plan for Fiscal Years 2021/22 to 2025/26. In July 2020, C/CAG Board approved Resolution 20-44 authorizing the C/CAG Chair to execute an agreement with the selected consultant

team, Steer. C/CAG and Steer entered into an Agreement on July 17, 2020 and the Agreement was set to terminate on June 30, 2021. In June 2021, C/CAG approved Resolution 21-34 authorizing the C/CAG Chair to execute Amendment No.1 to Agreement, adding \$65,042 for a new total amount of \$158,846 to implement recommendations from the Measure M Strategic Implementation Plan, and extending the contract term to June 30, 2022.

Amendment No. 1 amended the scope for Steer to assist on implementing the following recommended actions from the Measure M Strategic Implementation Plan:

- Task 6A: Measure M Performance Report FY2016/17 – 2020/21
- Task 6B: Support for Pilot Program Development
- Task 6C: Data Collection and Impact-based Allocation
- Task 6D: Develop Measure M Online Dashboard

As of May 2022, Steer has completed Task 6A and 6C. Task 6D will be finished in June. Steer has begun working on Task 6B. C/CAG and Steer determine that additional time is needed to conduct research and collaborate with County Program Managers. Both parties desire to extend the contract term to December 31, 2022

### ***Recommendations***

Staff recommends that the Board approves Resolution 22-46, authorizing the C/CAG Chair to execute Amendment No. 2 to the Agreement with Steer, for the implementation of tasks outlined in the Measure M Strategic Plan, and extending the contract term to December 31, 2022 at no additional cost.

### **ATTACHMENTS**

1. Resolution 21-46
2. Draft Amendment No. 2 to the Agreement with Steer for the preparation of the Measure M Strategic Plan (will be available online at <https://ccag.ca.gov/committees/board-of-directors-2/>)

## **RESOLUTION 22-46**

### **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG CHAIR TO EXECUTE AMENDMENT NO. 2 TO THE AGREEMENT WITH STEER FOR THE IMPLEMENTATION OF THE MEASURE M STRATEGIC PLAN, EXTENDING THE PROJECT COMPLETION DATE TO DECEMBER 31, 2022 AT NO ADDITIONAL COST.**

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

**WHEREAS**, the C/CAG Measure M funds are derived from the imposition of ten dollars (\$10) Vehicle Registration Fee (VRF) annually on each motor vehicle registered in San Mateo County pursuant of California Government Code 65089.20; and

**WHEREAS**, Measure M was approved by the voters of San Mateo County on November 2, 2010, enabling C/CAG to generate an estimated \$6.7 million annually (May 2011 – April 2036) to help fund to fund transportation-related congestion mitigation and water pollution mitigation programs and projects for the 20 cities and the County; and

**WHEREAS**, C/CAG has determined the need for outside consultant services to develop a strategic plan for the next five year period from fiscal year 2022 through fiscal year 2026; and

**WHEREAS**, on July 17<sup>th</sup>, 2020 the C/CAG Chair and Steer entered into an Agreement for the preparation of the Measure M Strategic Plan (the Project); and

**WHEREAS**, the funding agreement was set to terminate on June 30, 2021; and

**WHEREAS**, in June 2021, C/CAG Chair executed Amendment No. 1 with Steer for the Measure 5-Year Strategic Implementation Plan, adding \$65,042 for a new total not to exceed amount of \$158,846 to implement recommendations from the Strategic Plan, and extending the contract term to June 30, 2022; and

**WHEREAS**, C/CAG and Steer have determined that additional time needed to complete the recommended actions outlined in the Strategic Plan; and

**WHEREAS**, Steer is committed to complete implementation of recommendations from the Strategic Plan by December 31, 2022; and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the City/County Association of Governments of San Mateo County that the Chair is authorized to execute Amendment No. 2 to the Agreement with Steer for the implementation of the Measure M Strategic Plan. The amendment extends the project completion date to December 31, 2022 at



no additional cost. Be it further resolved that the C/CAG Executive Director is authorized to negotiate the final terms of said amendment prior to its execution by the C/CAG Chair, subject to approval as to form by C/CAG Legal Counsel.

**PASSED, APPROVED, AND ADOPTED THIS 9TH DAY OF JUNE 2022.**

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*Davina Hurt, Chair*

**AMENDMENT NO. 2 TO THE AGREEMENT  
BETWEEN  
THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY  
AND  
STEER DAVIES & GLEAVE INC.**

WHEREAS, the City/County Association of Governments of San Mateo County (hereinafter referred to as “C/CAG”) and Steer Davies & Gleave Inc. (hereinafter referred as “Consultant”) are parties an Agreement originally dated July 17, 2020, for development of the Measure M Strategic Plan (the “Project”); and

WHEREAS, the Agreement had an initial completion date of June 30, 2021; and

WHEREAS, C/CAG and Consultant executed Amendment No.1 to the Agreement, extending the term to June 30, 2022, amending the scope, and adding \$65,042 to the project budget for a new total not-to-exceed amount of \$158,846; and

WHEREAS, due to the need for additional research and collaboration with the Measure M County Program Managers for Task 6B: Support for Pilot Program Development, C/CAG and Consultant have determined that additional time is needed to complete the Project and desire to extend the Agreement to December 31, 2022 at no additional cost; and

WHEREAS, C/CAG and Consultant desire to amend the Agreement as set forth herein.

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

1. The term of the Agreement, as provided in Section 7 “Contract Term/Termination,” shall be replaced with the following:  
  
“This Agreement shall be in effect as of July 17, 2020 and shall terminate on December 31, 2022; provided, however, the C/CAG Chair may terminate this Agreement at any time for any reason by providing 30 days’ notice to Consultant. Termination will be effective on the date specified in the notice. In the event of termination under this paragraph, Consultant shall be paid for all services provided to the date of termination, subject to availability of funding. Such payment shall be that prorated portion of the full payment determined by comparing the work completed to the work required by the Agreement.”
2. Except as expressly amended herein, all other provisions of the Agreement shall remain full force and effect.

Except as expressly amended herein, all other provisions of the Agreement shall remain in full force and effect. This amendment shall take effect upon the date of execution by both parties.

Signatures on the following page

City/County Association of Governments  
(C/CAG)

Steer Davies & Gleave Inc

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Davina Hurt, C/CAG Chair

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Alasdair Dawson, Director

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to form:

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Melissa Andrikopoulos  
Legal Counsel for C/CAG

DRAFT

## C/CAG AGENDA REPORT

Date: June 9, 2022

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

From: Sean Charpentier, C/CAG Executive Director

Subject: Review and approval of Resolution 22-47, authorizing the C/CAG Chair to execute Amendment No. 2 to the Agreement with Gray Bowen Scott for on-call consultant services for Federal and State funded project coordination and grant administration, extending the contract term to December 31, 2022 for no additional cost.

(For further information or questions, contact Jeff Lacap at [jlacap@smcgov.org](mailto:jlacap@smcgov.org))

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### RECOMMENDATION

That the C/CAG Board review and approve Resolution 22-47, authorizing the C/CAG Chair to execute Amendment No. 2 to the Agreement with Gray Bowen Scott for on-call consultant services for Federal and State funded project coordination and grant administration, extending the contract term to December 31, 2022 for no additional cost.

### FISCAL IMPACT

None. There is no fiscal impact. The requested action is a time extension only.

### SOURCE OF FUNDS

Funding will come from C/CAG's allocated share of the Metropolitan Transportation Commission (MTC) planning and programming funds, from State Transportation Improvement Program Planning Programming and Monitoring (STIP PPM) funds, and C/CAG member contributions.

### BACKGROUND

C/CAG, acting as the County Transportation Agency (CTA), is the MTC delegated agency responsible for the planning, project selection, programming, and monitoring of certain County's share of federal and state transportation funding.

CTA's are delegated program administration of programming policies adopted by MTC for both Federal and State funding. CTA's are involved with ensuring that outreach requirements are met, that project sponsors meet minimum eligibility requirement, and that proposed projects are consistent with federal, state, and regional program requirements.

C/CAG is responsible for planning and programming the overall delivery of this county's federal transportation funds as well as monitoring of Caltrans administered programs (highway bridge program and local safety program). C/CAG staff must take corrective action when projects are at risk of not delivering within the regional and state deadlines. C/CAG also monitors the invoicing activity

of project sponsors to ensure that transportation funds are not rescinded due to inactivity.

C/CAG is also responsible for programming and facilitating the delivery of projects associated with the State Transportation Improvement Program (STIP). This involves working with Caltrans and stakeholders on developing and delivering major state highway improvement projects.

On July 13, 2017, the C/CAG Board approved a three year on-call contract for project coordination services with Gray Bowen Scott (GBS), expiring on August 31, 2020. The original agreement with GBS specified on-call services on a task order basis in an amount not to exceed \$400,000 total for a three-year term. On July 9, 2020 the C/CAG Board approved Resolution 20-47 authorizing Amendment No. 1 for a two-year time extension only.

Amendment No. 2 will extend the agreement with Gray Bowen Scott until December 31, 2022 to assist C/CAG staff with the performance of CTA delegated responsibilities. In fall 2022, C/CAG staff proposes to enter into a new agreement for on-call consultant services for Federal and State funded project coordination and grant administration and plans to issue a RFQ to prior to the expiration of Amendment No. 2 in December 2022

#### **ATTACHMENTS**

1. Resolution 22-47
2. Amendment No. 2 to the Agreement with Gray Bowen Scott for on-call consultant services for Federal and State funded project coordination and grant administration (The document is available for download at the C/CAG website at: <http://ccag.ca.gov/committees/board-of-directors/>)

## RESOLUTION 22-47

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG CHAIR TO EXECUTE AMENDMENT NO. 1 WITH GRAY BOWEN SCOTT FOR ON-CALL CONSULTANT SERVICES FOR FEDERAL AND STATE FUNDED PROJECT COORDINATION, EXTENDING THE CONTRACT TERM TO DECEMBER 31, 2022 FOR NO ADDITIONAL COST**

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

**WHEREAS**, C/CAG is a joint powers agency designated by the Metropolitan Transportation Commission (MTC) as the County Transportation Agency (CTA) for San Mateo County; and

**WHEREAS**, C/CAG, acting as the CTA is responsible for project selection, programming, and overall program delivery of federal aid and state transportation funds received by the County; and

**WHEREAS**, at its July 13, 2017 meeting, the C/CAG Board approved Resolution 17-32 authorizing the agreement between C/CAG and Gray Bowen Scott (GBS) for on-call consultant services to assist C/CAG staff with the performance of CTA delegated responsibilities; and

**WHEREAS**, on July 9, 2020, the C/CAG Board approved Resolution 20-47 approving Amendment No. 1 authorizing a two-year time extension of the agreement; and

**WHEREAS**, C/CAG has determined that continued Services are required beyond the contract termination date of June 30, 2022; and

**WHEREAS**, C/CAG has determined that adequate funds remain on the contract and no additional cost is needed to continue Services; and

**WHEREAS**, C/CAG and Consultant desire to extend term of the Agreement to December 31, 2022.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the City/County Association of Governments of San Mateo County that the C/CAG Chair is authorized to execute Amendment No. 1 to the agreement with Gray Bowen Scott for on-call consultant services for Federal and State funded project coordination and grant administration for a no-cost time extension until December 31, 2022. Be it further resolved that the C/CAG Executive Director is authorized to negotiate the final scope and terms of the Agreement and related materials prior to execution by both parties, subject to legal counsel approval as to form.

**PASSED, APPROVED, AND ADOPTED, THIS 9<sup>TH</sup> DAY OF JUNE 2022.**

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*Davina Hurt, Chair*

**AMENDMENT NO. 2 TO THE AGREEMENT  
BETWEEN THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF  
SAN MATEO COUNTY AND GRAY BOWEN SCOTT FOR ON CALL CONSULTANT  
SERVICES FOR FEDERAL AND STATE FUNDED PROJECT COORDINATION AND  
GRANT ADMINISTRATION FOR A TIME EXTENSION UNTIL DECEMBER 31, 2022  
WITH NO ADDITIONAL COST**

This Amendment No. 1 to the Agreement between the City/County Association of Governments of San Mateo County and William R. Gray and Company, dba Gray Bowen Scott (“Agreement”) is entered into by and between the City/County Association of Governments of San Mateo County, a joint powers agency designated by the Metropolitan Transportation Commission (MTC) as the County Transportation Agency (CTA) for San Mateo County (“C/CAG”) and Gray Bowen Scott (“Consultant”), referred to as “LOCAL AGENCY” and “CONSULTANT” in the Agreement. C/CAG and Consultant shall be known as the Parties.

**WITNESSETH**

**WHEREAS**, C/CAG and Consultant entered into the Agreement on September 1, 2017 for a term extending to August 31, 2020, and an amount not-to-exceed \$400,000; and

**WHEREAS**, the Agreement provides that Consultant will provide on call project coordination services (“Services”) as needed to assist staff with CTA delegated responsibilities and the delivery of programs and projects that utilize federal and/ or state funds received by the County; and

**WHEREAS**, on July 9, 2020, the C/CAG Board approved Resolution 20-47 approving Amendment No. 1 authorizing a two-year time extension of the agreement; and

**WHEREAS**, C/CAG has determined that continued Services are required beyond the contract termination date of June 30, 2022; and

**WHEREAS**, C/CAG has determined that adequate funds remain on the contract and no additional cost is needed to continue Services; and

**WHEREAS**, C/CAG and Consultant desire to extend term of the Agreement to December 31, 2022

**WHEREAS**, the Consultant has reviewed and accepted this Amendment.

NOW, THEREFORE, IT IS HEREBY AGREED by the C/CAG and Consultant that:

1. Article IV Performance Period shall be amended as follows (additions in *italics*, deletions in ~~striketrough~~):
  - A. This contract shall go into effect on September 1, 2017, contingent upon approval by LOCAL AGENCY, and CONSULTANT shall commence work after notification to proceed by LOCAL AGENCY'S Contract Administrator. The contract shall end on ~~June 30, 2022~~ **December 31, 2022**, unless extended by contract amendment.
2. Full Force and Effect. All other provisions of the Agreement shall remain in full force and effect.
3. Effective Date. This Amendment shall take effect upon signature by both Parties.

IN WITNESS WHEREOF, C/CAG and CONSULTANT, by their duly authorized representatives, have affixed their hands.

*Signatures of parties on following page.*



Gray Bowen Scott (Consultant)

\_\_\_\_\_  
By: Leo Scott

\_\_\_\_\_  
Date:

City/County Association of Governments (C/CAG)

\_\_\_\_\_  
By: Davina Hurt, C/CAG Chair

\_\_\_\_\_  
Date:

C/CAG Legal Counsel

\_\_\_\_\_  
By: Melissa Andrikopoulos

## C/CAG AGENDA REPORT

Date: June 9, 2022

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 22-48 authorizing the C/CAG Chair to execute a Program Manager Funding Agreement with the Bay Area Air Quality Management District (BAAQMD) for the Fiscal Year 2022/23 Transportation Fund for Clean Air (TFCA) Program in an amount up to \$1,095,304.

(For further information please contact Kim Wever at [kwever@smcgov.org](mailto:kwever@smcgov.org))

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### RECOMMENDATION

That the C/CAG Board review and approve Resolution 22-48 authorizing the C/CAG Chair to execute a Program Manager Funding Agreement with the Bay Area Air Quality Management District (BAAQMD) for the Fiscal Year 2022/23 Transportation Fund for Clean Air (TFCA) Program in an amount up to \$1,095,304.

### FISCAL IMPACT

Upon execution, this agreement will provide up to \$1,094,304 in TFCA funding to C/CAG for Fiscal Year 2022/23. Due to a rounding error, the BAAQMD's Board of Directors approved an estimated total funding amount of \$1,095,377, which is listed under Section I.7 in the draft Funding Agreement (Attachment 2). The Air District staff acknowledges the difference in numbers, and confirmed that C/CAG will receive up to \$1,094,304 in funding listed under Attachment A in the draft Funding Agreement (Attachment 2).

### SOURCE OF FUNDS

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

### BACKGROUND

C/CAG, as the Program Manager for the TFCA Program in San Mateo County, distributes funds to qualifying projects that reduce air pollution, greenhouse gas emissions, and traffic congestion by improving transportation options. The funding agreement to be executed between C/CAG and the Air District is for the receipt of the FY 2022/23 TFCA County Program Manager funds.

On March 10, 2022, the C/CAG Board adopted Resolution 22-15 approving the FY 2022/23 Expenditure Plan. The following projects are to be funded as part of the FY 2022/23 TFCA Program:

	Estimated <b>FY 2022/23</b> TFCA Funds
Administration	\$68,456
Commute.org - Countywide Voluntary Trip Reduction	\$600,000
Commute.org - BART Shuttle	\$136,000
Other Projects to be determined	\$290,848
<b>Total</b>	<b>\$1,095,304</b>

Funding agreements with project sponsor, Commute.org, are presented to the C/CAG Board for approval under subsequent Agenda Items 5.15.2 and 5.15.3, respectively. Detailed project scopes for “Other Projects” will be brought back to the C/CAG Board for approval at a later date upon development and review by committees.

**ATTACHMENTS**

1. Resolution 22-48
2. Draft Funding Agreement between C/CAG and BAAQMD for FY 2022/23 (*Will be available for review and download at <https://www.ccag.ca.gov/committees/board-of-directors/> )*

## RESOLUTION 22-48

### **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG CHAIR TO EXECUTE THE PROGRAM MANAGER FUNDING AGREEMENT WITH THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT (BAAQMD) FOR THE FISCAL YEAR 2022/23 TRANSPORTATION FUND FOR CLEAN AIR (TFCA) PROGRAM FOR AN AMOUNT UP TO \$1,095,304**

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

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

**WHEREAS**, the Board of Directors of the City/County Association of Governments at its March 10, 2022 meeting approved the Fiscal Year 2022/23 Expenditure Plan, which detailed projects and programs to be funded through the San Mateo County local share of Transportation Fund for Clean Air (TFCA) revenues; and

**WHEREAS**, C/CAG will act as the Program Manager for \$1,095,304 of TFCA funding; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the City/County Association of Governments of San Mateo County that on behalf of C/CAG, the Chair is authorized to enter into an agreement with the Bay Area Air Quality Management District for the Fiscal Year 2022/23 Transportation Fund for Clean Air (TFCA) Program for an amount up to \$1,095,304, subject to approval of C/CAG Fiscal Year 2022/23 annual budget. Be it further resolved that the Executive Director is authorized to negotiate final terms of the agreement prior to execution by the Chair, subject to legal counsel approval as to form.

**PASSED, APPROVED, AND ADOPTED THIS 9TH DAY OF JUNE 2022.**

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*Davina Hurt, Chair*

## C/CAG AGENDA REPORT

Date: June 9, 2022

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 22-49 authorizing the C/CAG Chair to execute a funding agreement with Commute.org in an amount up to \$600,000 under the Fiscal Year 2022/23 Transportation Fund for Clean Air (TFCA) Program to provide services related to the Countywide Voluntary Trip Reduction Program

(For further information, contact Kim Wever at [kwever@smcgov.org](mailto:kwever@smcgov.org))

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### RECOMMENDATION

That the C/CAG Board review and approve Resolution 22-49 authorizing the C/CAG Chair to execute a funding agreement with Commute.org in an amount up to \$600,000 under the Fiscal Year 2022/23 Transportation Fund for Clean Air (TFCA) Program to provide services related to the Countywide Voluntary Trip Reduction Program.

### FISCAL IMPACT

Under the FY 2022/23 TFCA Program, the Bay Area Air Quality Management District allocated C/CAG a total funding of \$1,095,304. Per C/CAG Resolution 22-49, up to \$600,000 is designated for the Commute.org Countywide Voluntary Trip Reduction Program. The total project cost for the Countywide Voluntary Trip Reduction Program is \$1,596,000, with up to \$600,000 coming from the TFCA funding. This allocation is subject to the approval of the FY2022/23 C/CAG budget.

### SOURCE OF FUNDS

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

## **BACKGROUND**

On March 10, 2022, per Resolution 22-15, the C/CAG Board approved the Expenditure Plan for projects to be funded as part of the FY 2022/23 TFCA Program. The FY2022/23 Program includes up to \$600,000 for the Countywide Voluntary Trip Reduction Program managed by Peninsula Traffic Congestion Relief Alliance (also known as Commute.org). This Program assists private and public sectors to connect their employees and customers with transportation options that provide alternatives to driving alone. Commute.org provides these transportation demand management (TDM) services in collaboration and partnership with the Bay Area Carpool Program, 511 Contra Costa, San Francisco's Office of the Environment, Solano Napa Commuter Information, MTC and various transportation agencies in the Bay Area. The goal is to encourage use of transportation alternatives, such as carpools, vanpools, telework and transit. Efforts are targeted primarily at commute trips that originate or terminate in San Mateo County. Program components are detailed in Attachment A. Project Information of the draft funding agreement, included as Attachment 2.

The Countywide Voluntary Trip Reduction Program also receives funding from C/CAG's Countywide Congestion Relief Plan. Commute.org is the project sponsor and is responsible to meet the TFCA cost-effectiveness criteria and all other funding requirements.

## **ATTACHMENTS**

1. Resolution 22-49
2. Draft Funding Agreement with Commute.org for the FY 2022/23 TFCA Program (*Will be available for review and download at <https://www.ccag.ca.gov/committees/board-of-directors/>*)

## **RESOLUTION 22-49**

### **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG CHAIR TO EXECUTE A FUNDING AGREEMENT WITH COMMUTE.ORG IN AN AMOUNT UP TO \$600,000 UNDER THE FISCAL YEAR 2022/23 TRANSPORTATION FUND FOR CLEAN AIR (TFCA) PROGRAM TO PROVIDE SERVICES RELATED TO THE COUNTYWIDE VOLUNTARY TRIP REDUCTION PROGRAM**

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

**WHEREAS**, the Board of Directors of the City/County Association of Governments at its March 10, 2022 meeting approved an expenditure plan for certain projects and programs to be funded through San Mateo County's local share of Transportation Fund for Clean Air (TFCA) revenues; and

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

**WHEREAS**, Commute.org is designated to receive TFCA funds for the Countywide Voluntary Trip Reduction Program. The program assists private and public sectors to connect their employees and customers with transportation options that provide alternatives to driving alone; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the City/County Association of Governments of San Mateo County that the Chair is authorized to enter into an agreement with Commute.org for up to \$600,000 under the Transportation Fund for Clean Air (TFCA) Program for Fiscal Year 2022/23, subject to approval of C/CAG Fiscal Year 2022/23 Annual Budget. Be it further resolved that the Executive Director is authorized to negotiate final terms of the agreement prior to execution by the Chair, subject to legal counsel approval as to form.

**PASSED, APPROVED, AND ADOPTED THIS 9TH DAY OF JUNE 2022.**

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*Davina Hurt, Chair*

## C/CAG AGENDA REPORT

Date: June 9, 2022

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 22-50 authorizing the C/CAG Chair to execute a funding agreement with Commute.org in an amount up to \$136,000 using Fiscal Year 2022/23 Transportation Fund for Clean Air (TFCA) Program fund for the BART Shuttle Program

(For further information, contact Kim Wever at [kwever@smcgov.org](mailto:kwever@smcgov.org))

### RECOMMENDATION

That the C/CAG Board reviews and approves Resolution 22-50 authorizing the C/CAG Chair to execute a funding agreement with Commute.org in an amount up to \$136,000 using Fiscal Year 2022/23 Transportation Fund for Clean Air (TFCA) Program fund for the BART Shuttle Program.

### FISCAL IMPACT

Under the FY 2022/23 TFCA Program, the Bay Area Air Quality Management District allocated C/CAG a total of \$1,095,304. The total cost of the BART Shuttle Program is \$596,800, and the TFCA funding contribution is \$136,000. This allocation is subject to the approval of the FY2022/23 C/CAG agency budget.

### SOURCE OF FUNDS

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

### BACKGROUND

On March 10, 2022, the C/CAG Board approved the Expenditure Plan for projects to be funded as part of the FY 2022/23 TFCA Program under Resolution 22-15. The FY2022/23 Program includes up to \$136,000 for the BART Shuttle Program. The Program will support three (3) routes of the Commute.org Shuttle Program, providing peak commute period shuttle bus service from public transit stations to major employment sites in San Mateo County. BART stations served include Balboa Park and South San Francisco. Program components are detailed in Attachment A, Project Information, of the draft Funding Agreement (Attachment 2).



Commute.org is the project sponsor and is responsible to meet the TFCA cost-effectiveness criteria and all funding requirements. Historically, funds were provided to SamTrans to help fund the BART Shuttle Program. In an effort to better streamline operation, a recent shuttle study conducted by SamTrans recommended that Commute.org should manage the BART shuttles. Effective in Fiscal Year 2022 to 2023, Commute.org will be the new project sponsor.

**ATTACHMENTS**

1. Resolution 22-50
2. Draft Funding Agreement between C/CAG and Commute.org for the FY 2022/23 TFCA Program (*Will be available for review and download at <https://www.ccag.ca.gov/committees/board-of-directors/>*)

## **RESOLUTION 22-50**

### **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG CHAIR TO EXECUTE A FUNDING AGREEMENT WITH COMMUTE.ORG IN AN AMOUNT UP TO \$136,000 USING THE FISCAL YEAR 2022/23 TRANSPORTATION FUND FOR CLEAN AIR (TFCA) PROGRAM FUND FOR THE BART SHUTTLE PROGRAM**

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

**WHEREAS**, the Board of Directors of the City/County Association of Governments at its March 10, 2022 meeting approved an expenditure plan for certain projects and programs for funding through San Mateo County's local share of Transportation Fund for Clean Air (TFCA) revenues; and

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

**WHEREAS**, the Commute.org is designated to receive TFCA funds for the BART Shuttle Program; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the City/County Association of Governments of San Mateo County that the Chair is authorized to enter into an agreement with Commute.org for up to \$136,000 under the Fiscal Year 2022/23 Transportation Fund for Clean Air (TFCA) Program, subject to approval of C/CAG Fiscal Year 2022/23 Annual Budget. Be it further resolved that the Executive Director is authorized to negotiate final terms of the agreement prior to execution by the Chair, subject to legal counsel approval as to form.

**PASSED, APPROVED, AND ADOPTED THIS 9TH DAY OF JUNE 2022.**

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*Davina Hurt, Chair*

## C/CAG AGENDA REPORT

Date: June 9, 2022

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 22-51 authorizing the C/CAG Chair to execute an agreement with the Commute.org in the amount of \$510,000 to provide services related to the FY 2022/23 Countywide Voluntary Trip Reduction Program.

(For further information, contact Kim Wever at [kwever@smcgov.org](mailto:kwever@smcgov.org))

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### RECOMMENDATION

That the C/CAG Board review and approve Resolution 22-51 authorizing the C/CAG Chair to execute an agreement with Commute.org in an amount of \$510,000 to provide services related to the FY 2022/23 Countywide Voluntary Trip Reduction Program.

### FISCAL IMPACT

Staff recommends providing an amount not to exceed \$510,000 to Commute.org for the implementation of FY 2022/23 Countywide Voluntary Trip Reduction Program. This item is subject to the approval of the FY2022/23 Agency budget.

### SOURCE OF FUNDS

Program funding comes from the C/CAG Congestion Relief Plan.

### BACKGROUND

The Peninsula Traffic Congestion Relief Alliance, also known as Commute.org, manages the Countywide Voluntary Trip Reduction Program. The program provides private and public sectors with Transportation Demand Management (TDM) tools and strategies, connecting their employees and customers with transportation options that offer alternatives to driving alone. This program is jointly funded with revenues from C/CAG under the Countywide Congestion Relief Plan and Transportation Fund for Clean Air Program (TFCA).

Staff recommends approving Resolution 22-51, authorizing the C/CAG Chair to execute an agreement with Commute.org in the amount of \$510,000 to provide services related to the FY 2022/23 Countywide Voluntary Trip Reduction Program.

### ATTACHMENTS

1. Resolution 22-51
2. Draft Agreement with Commute.org for the Countywide Voluntary Trip Reduction Program and Scope of Work (*Available for review and download at <https://www.ccag.ca.gov/committees/board-of-directors/>*)

## **RESOLUTION 22-51**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG CHAIR TO EXECUTE AN AGREEMENT BETWEEN C/CAG AND COMMUTE.ORG IN THE AMOUNT OF \$510,000 TO PROVIDE SERVICES RELATED TO THE COUNTYWIDE VOLUNTARY TRIP REDUCTION PROGRAM FOR FISCAL YEAR 2022/23**

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

**WHEREAS**, C/CAG approved providing funds for the Countywide Transportation Demand Management (TDM) program under the Congestion Relief Plan (July 1, 2019 to June 30, 2023), and

**WHEREAS**, the Countywide Voluntary Trip Reduction Program is sponsored by the Commute.org (Peninsula Traffic Congestion Relief Alliance), and

**WHEREAS**, C/CAG desires to enter into a funding agreement with Commute.org ( Peninsula Traffic Congestion Relief Alliance) to implement Countywide TDM programs using Congestion Relief Plan funding. The funding agreement sets forth the responsibilities of each party.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Directors of the City/County Association of Governments of San Mateo County, on behalf of C/CAG, the Chair is authorized to enter into a funding agreement with Commute.org in an amount up to \$510,000 to provide services related to the Countywide Voluntary Trip Reduction Program for Fiscal Year 2022/23. Be it further resolved that the C/CAG Executive Director is authorized to negotiate the final scope and terms of the Agreement and related materials prior to execution by both parties, subject to approval of C/CAG Fiscal Year 2022/23 Annual Budget and legal counsel approval as to form.

**PASSED, APPROVED, AND ADOPTED THIS 9TH DAY OF JUNE 2022.**

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*Davina Hurt, Chair*

## C/CAG AGENDA REPORT

ITEM 5.17

Date: June 9, 2022

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 22-52 authorizing the C/CAG Chair to execute Amendment No. 2 to the Agreement with the City of South San Francisco for fiber conduit purchase of the Smart Corridor Extension Project, extending the contract term to December 31, 2022 at no additional cost.

(For further information or questions, contact Kaki Cheung at [kcheung1@smcgov.org](mailto:kcheung1@smcgov.org))

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### RECOMMENDATION

That the C/CAG Board reviews and approves Resolution 22-52 authorizing the C/CAG Chair to execute Amendment No. 2 to the Agreement with the City of South San Francisco for fiber conduit purchase of the Smart Corridor Extension Project, extending the contract term to December 31, 2022 at no additional cost.

### FISCAL IMPACT

There is not any financial impact associated with this item.

### SOURCE OF FUNDS

Funding for the fiber conduit purchase came from Measure M, the annual ten dollars (\$10) vehicle registration fee program, specifically the intelligent transportation system (ITS)/Smart Corridor program category.

### BACKGROUND

The San Mateo County Smart Corridor project has been a longstanding Agency priority. It is designed to improve mobility of local arterial streets by installing Intelligent Transportation System (ITS) equipment, such as an interconnected traffic signal system, close circuit television (CCTV) cameras, dynamic message signs, and vehicle detection system, on predefined designated local streets and state routes. The ITS infrastructure provides local cities and Caltrans with day-to-day traffic management capabilities to address recurring and non-recurring traffic congestion.

The South San Francisco expansion is the next segment of the Smart Corridor project. C/CAG has been partnering with the City of South San Francisco in the environmental study and the design phases. The project is now in the construction phase, with funding from State Transportation Improvement Program (STIP), the Traffic Light Synchronization Program (TLSP), and C/CAG Measure M program.

In order for the Smart Corridor devices to communicate with the Transportation Management Center, fiber optic communication infrastructure plays a critical role. The fiber communications network enables the sharing of data, supports coordinated and interoperable transportation systems across multiple jurisdictions, and facilitates technology-based transportation management strategies. The City of South San Francisco was offered by a third party an opportunity to purchase underground conduits

through the City's Dig Once policy. The policy is the City's effort to allow parties to collaborate on telecommunications construction projects in the City's Right-of-Way to reduce near and long-term impacts of construction and excavation work. A portion of the routes proposed for telecommunications installation by a third party overlaps with the Smart Corridor project alignment.

In June of 2020, C/CAG entered into a funding agreement with the City to purchase the underground conduit. The purchase is anticipated to save C/CAG \$1 Million in construction costs for the Smart Corridor project. To date, a majority of the conduits have been installed. The funding agreement was amended in June of 2021 to provide additional time to address unexpected utilities conflicts and allow for additional coordination required with the San Mateo County Flood and Sea Level Rise Resiliency District.

Due to supply chain challenges, which resulted in delays with the Union Pacific Railroad permitting, the City is seeking a six month time extension to the funding agreement to enable successful project completion.

Staff recommends that the C/CAG Board reviews and approves Resolution 22-52 authorizing the C/CAG Chair to execute Amendment No. 2 to the Agreement with the City of South San Francisco for fiber conduit purchase of the Smart Corridor Extension Project, extending the contract term to December 31, 2022 at no additional cost.

#### **ATTACHMENTS**

1. Resolution 22-52
2. Draft funding agreement amendment

## **RESOLUTION 22-52**

### **RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO AUTHORIZING THE C/CAG CHAIR TO EXECUTE AMENDMENT NO.2 TO THE AGREEMENT WITH THE CITY OF SOUTH SAN FRANCISCO FOR FIBER CONDUIT PURCHASE OF THE SMART CORRIDOR EXTENSION PROJECT, EXTENDING THE CONTRACT TERM TO DECEMBER 31, 2022 AT NO ADDITIONAL COST**

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

**WHEREAS**, the C/CAG sponsored San Mateo County Smart Corridor Project (Smart Corridor) is an Intelligent Transportation System (ITS) project that extends along El Camino Real and major local streets connecting to US-101, and enables cities and the California Department of Transportation (Caltrans) to proactively manage daily traffic and non-recurring traffic congestion cause by naturally diverted traffic due to major incidents on the freeway; and

**WHEREAS**, C/CAG, City of South San Francisco, and Caltrans desire to extend the Smart Corridor into the City of South San Francisco which includes the installation of fiber optic communication network as well as deployment of an interconnected traffic signal system, close circuit video cameras, trailblazer/arterial dynamic message signs, and vehicle detection systems; and

**WHEREAS**, C/CAG was the Lead Agency for the Project Study Report and Project Approval and Environmental Document phases; and the City of South San Francisco is designated as the Lead Agency for Design and Construction Phases; and

**WHEREAS**, partnering with the City to purchase conduit would significantly reduce the future construction costs; and

**WHEREAS**, C/CAG and the City of San Francisco entered into a funding agreement for the purchase of Smart Corridor fiber conduit in an amount up to \$300,000 in June of 2020; and

**WHEREAS**, C/CAG and the City of San Francisco entered into agreement amendment No. 1 in June 2021 to address unexpected utilities conflicts and allow for additional coordination required with the San Mateo County Flood and Sea Level Rise Resiliency District; and

**WHEREAS**, C/CAG and the City of San Francisco desire to enter into agreement amendment No. 2 to resolve permitting issues with the Union Pacific Railroad;

**NOW THEREFORE BE IT RESOLVED**, by the Board of Directors of the City/County Association of Governments of San Mateo County that the C/CAG Chair is authorized to execute amendment No. 2 with the City of South San Francisco for fiber conduit purchase of the Smart extension project, extending the contract term to December 31, 2022 at no additional cost; and further authorize the Executive Director to negotiate final terms prior to execution, subject to review by Legal Counsel.

**PASSED, APPROVED, AND ADOPTED, THIS 9TH DAY OF JUNE 2022.**

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*Davina Hurt, Chair*

**AMENDMENT NO. 2 TO THE AGREEMENT  
BETWEEN  
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY  
AND  
THE CITY OF SOUTH SAN FRANCISCO**

WHEREAS, the City/County Association of Governments for San Mateo County (hereinafter referred to as “C/CAG”) and the City of South San Francisco (hereinafter referred to as “the City”) are parties to a Funding Agreement (the “Agreement”) originally dated October 28, 2020, for purchase and installation of conduits for the Smart Corridor Extension Project (the “Project”); and

WHEREAS, the City and C/CAG executed amendment No. 1 on July 1, 2021 to address unexpected utilities challenges and provide additional time to coordinate with the San Mateo County Flood and Sea Level Rise Resiliency District to advance the Project, and

WHEREAS, C/CAG and the City have determined that additional time is needed to resolve permitting issues with the Union Pacific Railroad; and

WHEREAS, C/CAG and the City desire to amend the Agreement as set forth herein.

IT IS HEREBY AGREED by C/CAG and the City as follows:

1. The term of the Agreement, as provided in Section 3 “Time of Performance,” shall be extended through December 31, 2022.
2. Except as expressly amended herein, all other provisions of the Agreement shall remain in full force and effect.
3. This amendment shall take effect on July 1, 2022.

City/County Association of Governments (C/CAG)

City of South San Francisco

\_\_\_\_\_  
Davina Hurt  
C/CAG Chair

\_\_\_\_\_  
By

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
Melissa Andrikopoulos  
Legal Counsel for C/CAG



## C/CAG AGENDA REPORT

Date: June 9, 2022

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

From: Sean Charpentier, Executive Director

Subject: Review and recommend approval of a request for reallocation of Transportation Development Act (TDA) Article 3 FY 2019/20 funds for the City of San Mateo's Transit-Oriented Development (TOD) Pedestrian Access Plan (\$75,117.35).

(For further information, contact Audrey Shiramizu at [ashiramizu@smcgov.org](mailto:ashiramizu@smcgov.org))

### RECOMMENDATION

That the C/CAG Board of Directors review and recommend approval of a request for reallocation for FY 2019/20 Transportation Development Act Article 3 (TDA 3) funds for the City of San Mateo's Transit-Oriented Development (TOD) Pedestrian Access Plan (\$75,117.35).

### FISCAL IMPACT

In FY 2019/20, the C/CAG Board awarded \$ 75,117.35 of TDA Article 3 funds to the City of San Mateo for the development of a TOD Pedestrian Access Plan. The full grant amount still remains.

### SOURCE OF FUNDS

TDA Article 3 funds are derived from Local Transportation Funds and the State Transit Assistance Fund. Local Transportation Funds (LTF) are derived from a ¼ cent of the general sales tax collected statewide.

### BACKGROUND

The TOD Pedestrian Access Plan (the Plan) will improve pedestrian conditions within a one-half mile radius of the City's Caltrain stations and high-quality transit stops in order to meet the goals of the City's General Plan 2030 and related master plans. Improvements include pedestrian countdown signals, curb extensions, improved lighting and wayfinding, ADA compliant curb ramps, and wider sidewalks. The outcome will be an actionable Plan with a prioritized list of improvements that will provide a safe, connected, and comfortable path of travel to transit, decreasing single-occupancy vehicles on the road and encouraging those who live and work in the City's transit-oriented development areas to walk to transit.

The City of San Mateo received a total of \$75,117.35 in TDA Article 3 grant for the project. The project has not expended any of the \$75,117.35 in TDA Article 3 grant.

The City and consultant team are in the process of developing the draft Plan, priority project list, and planning-level cost estimates for the priority projects. The community outreach and engagement phase were extended to conduct focus group meetings with additional local community partners. This process provides additional time to collect feedback from elected and appointed officials. Due to COVID-19 conditions, community group meetings were either postponed or the groups met less frequently. As a result, opportunities to engage were more limited. Extending the outreach period enabled additional focus group meetings to be conducted and allowed additional time for the public to participate in the online survey and interactive mapping activity.

The City of San Mateo would like to request an extension of the TDA Article 3 grant fund from June 30, 2022 to February 1, 2023. The draft Plan is expected to be presented to the City's Sustainability and Infrastructure Commission, acting as the City's Bicycle and Pedestrian Advisory Committee, in September 2022. Staff anticipate adoption of the Plan by the City Council in November 2022. These dates are reflected in the below revised schedule. The City is requesting additional time after the final adoption of the Plan to allow for invoice processing and close-out reporting.

At the May 26, 2022 Bicycle and Pedestrian Advisory Committee (BPAC) meeting, the committee voted to approve this request for an extension. This action, if approved by the C/CAG Board, would extend the project completion timeline to June 30, 2025.

#### **ATTACHMENT**

1. Memorandum from Nicolette Chan, City of San Mateo



CITY OF SAN MATEO  
PUBLIC WORKS DEPARTMENT

330 W. 20<sup>th</sup> Avenue  
San Mateo, CA 94403  
www.cityofsanmateo.org  
(650) 522-7000

Kaki Cheung  
Program Director  
City/County Association of Governments San Mateo County

Subject: BPAC Request for Reallocation  
TDA Article 3 Grant Funding Extension  
City of San Mateo TOD Pedestrian Access Plan

Dear Ms. Cheung,

The Transit-Oriented Development Pedestrian Access Plan (the Plan) will improve pedestrian conditions within a one-half mile radius to the City's Caltrain stations and high-quality transit stops to meet the goals of the City's General Plan 2030 and related master plans. Improvements include pedestrian countdown signals, curb extensions, improved lighting and wayfinding, ADA compliant curb ramps, and wider sidewalks. The outcome will be an actionable Plan with a prioritized list of improvements that will provide a safe, connected, and comfortable path of travel to transit to decrease single-occupancy vehicles on the road and encourage those who live and work in the City's transit-oriented development areas to walk to transit.

The City of San Mateo received a \$75,117.35 TDA Article 3 grant for development of the Transit-Oriented Development Pedestrian Access Plan and is requesting an extension for the grant fund deadline from June 30, 2022 to February 1, 2023. The community outreach and engagement phase was extended to conduct focus group meetings with additional local community groups and provide additional time to collect feedback from elected and appointed officials. Due to COVID-19 conditions, community groups postponed or met less frequently, and opportunities to engage were more limited and required additional time to plan. Extending the outreach period enabled additional focus group meetings to be conducted and allowed additional time for the public to participate in the online survey and interactive mapping activity.

The City and consultant team are in the process of developing the draft Plan, priority project list, and planning-level cost estimates for priority projects. The draft Plan is expected to be presented to the City's Sustainability and Infrastructure Commission, acting as the City's Bicycle and Pedestrian Advisory Committee, in September 2022. Staff anticipate adoption of the Plan by the City Council in November 2022. These dates are reflected in the below revised schedule. The City is requesting additional time after the final adoption of the Plan to allow for invoice processing and close-out reporting.

Revised Schedule from Grant Application:

Major Milestone	Milestone Task	Anticipated Date	Revised Date
1. Draft Plan Review	Sustainability and Infrastructure Commission Review	March 2022	September 2022
2. Plan Adoption	City Council Adoption	June 2022	November 2022
3. Environmental Document	CEQA Documentation Finalized	June 2022	November 2022

Thank you for your consideration, please contact me directly at (650) 522-7326 or by email at [nchan@cityofsanmateo.org](mailto:nchan@cityofsanmateo.org) if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Nicolette Chan". The signature is written in a cursive style with a small heart symbol above the letter 'i' in "Nicolette".

Nicolette Chan  
Assistant Transportation Planner  
Public Works Department

## C/CAG AGENDA REPORT

Date: June 9, 2022

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 22-53 supporting the submittal of a joint application on the development of a San Mateo Countywide Autonomous Vehicle Strategic Plan, in partnership with the San Mateo County Transportation Authority, for Measure A Alternative Congestion Relief And Measure W Transportation Demand Management program funding, and authorizing a local match of \$20,000.

(For further information, contact Audrey Shiramizu at ashiramizu@smcgov.org)

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### RECOMMENDATION

That the C/CAG Board reviews and approves Resolution 22-53 supporting the submittal of a joint application on the development of a San Mateo Countywide Autonomous Vehicle Strategic Plan, in partnership with the San Mateo County Transportation Authority, for Measure A Alternative Congestion Relief And Measure W Transportation Demand Management (ACR/TDM) program funding, and authorizing a local match of \$20,000.

### FISCAL IMPACT

If awarded, C/CAG will provide a local match of \$20,000. As a project sponsor, C/CAG staff may also devote staff time during the project.

### SOURCE OF FUNDS

The local match would come from the Congestion Relief Program.

### BACKGROUND

The proposed Countywide Shared, Connected, and Autonomous Vehicles Strategic Plan (Countywide AV Strategic Plan) builds on a virtual workshop that was held on November 17, 2021. The workshop was jointly sponsored by the San Mateo Transportation Authority (TA) and SamTrans. It focused on bringing attention to the advent of Autonomous Vehicles (AVs) to San Mateo County communities, and to help the County better understand the impact AVs may have on our local roads and streets. One of the key next steps identified by stakeholders at the workshop was to develop a Countywide AV Strategic Plan.

The Countywide AV Strategic Plan represents a joint effort by C/CAG and the TA to identify the current state of AVs in San Mateo County, establish a shared-vision for AV deployment, identify opportunities for AV pilots and other AV-related projects, and to develop an AV action plan. The TA is the leading project sponsor and will act as the implementing agency. C/CAG will provide the local match for the project and act as a key advisor. The proposed project will be advised by a project panel comprised of the C/CAG Technical Advisory Committee (TAC) and other interested stakeholders, including transportation, social justice, and housing advocates. The final deliverable is an AV Strategic Plan, including a prioritized list of strategies and recommendations.

This scope of work was designed to approximately fit a total budget of \$220,000 (\$20,000 from C/CAG's local matching funds and \$200,000 from the ACR/TDM grant award).

Staff recommends approving Resolution 22-53, supporting the submittal of a joint application on the development of a San Mateo Countywide AV Strategic Plan, in partnership with the San Mateo County Transportation Authority, for Measure A Alternative Congestion Relief And Measure W Transportation Demand Management program funding, and authorizing C/CAG to provide a local match of \$20,000.

**ATTACHMENT**

1. Resolution 22-53

## **RESOLUTION 22-53**

### **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) SUPPORTING THE SUBMITTAL OF A JOINT APPLICATION ON THE DEVELOPMENT OF A SAN MATEO COUNTYWIDE AUTONOMOUS VEHICLE STRATEGIC PLAN, IN PARTNERSHIP WITH THE SAN MATEO COUNTY TRANSPORTATION AUTHORITY, FOR MEASURE A ALTERNATIVE CONGESTION RELIEF AND MEASURE W TRANSPORTATION DEMAND MANAGEMENT PROGRAM FUNDING, AND AUTHORIZING A LOCAL MATCH OF \$20,000.**

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

**WHEREAS**, C/CAG has identified the need to begin planning for a future with safe, equitable, and supportive shared, connected, and autonomous vehicle deployments in San Mateo County, and

**WHEREAS**, in partnership with the San Mateo County Transportation Authority (TA), C/CAG has developed the Countywide Shared, Connected, and Autonomous Vehicles Strategic Plan (Project) to identify ways that planning, funding, and implementation opportunities for these new technology-driven solutions can be integrated into our existing transportation network, and

**WHEREAS**, it is estimated to cost \$220,000 to implement the Project scope, and

**WHEREAS**, the San Mateo County Transportation Authority (TA) issued a Call for Projects for the Measure A Alternative Congestion Relief & Measure W Transportation Demand Management (ACR/TDM) Program on April 7, 2022, and

**WHEREAS**, the TA has agreed to be the implementing agency to lead the project in partnership with C/CAG,

**WHEREAS**, the TA requires a resolution from C/CAG's governing body:

1. Supporting the Project and application for \$200,000 in TA ACR/TDM Program funds for Project, and
2. Committing to the completion of the Project, including providing matching funds in the

amount of \$20,000 needed for implementation, and

3. Certifying that any funds awarded by the San Mateo County Transportation Authority will be used to supplement existing funds for program activities, and will not replace existing funds or resources, and
4. Authorizing the Executive Director, or his designee, to sign a funding agreement with the TA, if funds are awarded, for TA ACR/TDM Program funding for the Project and to take any other actions necessary to give effect to this resolution, and
5. Authorizing the TA to act as the implementing agency to commence work on the Project in partnership with C/CAG, if awarded, within one year of the TA Board of Directors allocating 2022 ACR/TDM Program funding.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the City/County Association of Governments of San Mateo County that C/CAG:

1. Directs staff to support the submittal of an application for TA ACR/TDM Program funds in the amount of \$200,000 for the Countywide Shared, Connected, and Autonomous Vehicles Strategic Plan.
2. Authorizes the Executive Director, or his/her designee, to execute a funding agreement with the TA to encumber any ACR/TDM Program funds awarded and implement the Project.
3. Commits to the completion of the Project, including the providing \$20,000 of matching funds needed for implementation, if awarded the requested TA funds.
4. Certifies that any funds awarded by the TA will be used to supplement existing funds for the Project, and will not replace existing funds or resources.
5. Authorizes the TA to act as the implementing agency in partnership with C/CAG and to commencing work on the Project, if awarded, within one year of the TA Board of Directors allocating the 2022 ACR/TDM Program funds.
6. Authorizes the Executive Director to take any other actions necessary to give effect to this resolution.

**PASSED, APPROVED, AND ADOPTED THIS 9<sup>th</sup> DAY OF JUNE 2022.**

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***Davina Hurt, Chair***



## C/CAG AGENDA REPORT

Date: June 9, 2022

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 22-56 for the third year subscription to StreetLight Data Services and authorizing the C/CAG Chair to execute a second amended and restated Memorandum of Understanding (MOU) with participating agencies for one year beginning September 1, 2022 in the amount of \$363,000.

(For further information, contact Audrey Shiramizu at [ashiramizu@smcgov.org](mailto:ashiramizu@smcgov.org))

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### RECOMMENDATION

That the C/CAG Board reviews and approves Resolution 22-56 for the third year subscription to StreetLight Data Services and authorizing the C/CAG Chair to execute a second amended and restated Memorandum of Understanding (MOU) with participating agencies for one year beginning September 1, 2022 in the amount of \$363,000.

### FISCAL IMPACT

The cost to subscribe to StreetLight Data service for a third year is \$363,000, which will be funded with a combination of the following:

- \$50,000 from C/CAG;
- \$25,000 from San Mateo County Transportation Authority (SMCTA);
- \$25,000 from San Mateo County Transit District (SMCTD); and
- \$263,000 in aggregate amount from 14 participating member agencies, pending some city council confirmations

### SOURCE OF FUNDS

- SMCTA Measure A Funds
- SMCTD Funds
- C/CAG Measure M (\$10 Vehicle Registration Fee)
- Member Agency Funds

### BACKGROUND

At the April 2020 C/CAG Board meeting, the C/CAG Board approved a joint countywide subscription service to the StreetLight Data platform. StreetLight data is a data analytics platform that allows local jurisdiction staff to perform robust transportation analyses. Subsequently, C/CAG

entered into a three-year agreement with StreetLight Data. The agreement is subject to annual renewal. At the May 2021 C/CAG Board meeting, the C/CAG Board approved renewing the subscription for the second year. Program participants in the year 2021-2022 included 15 cities/towns, the County of San Mateo, C/CAG, the San Mateo County Transportation Authority, and the San Mateo County Transit District/SamTrans. As of April 14, 2022, 295 total analyses have been conducted between September 1, 2021 and April 14, 2022, including vehicle miles traveled and origin and destination studies. There are currently 39 active users on the StreetLight Data platform.

In April 2022, C/CAG and StreetLight met with the StreetLight single points of contact (SPOCs) at participating jurisdictions. StreetLight provided an annual usage summary and platform updates, and the SPOCs offered input and feedback on the platform. C/CAG shared this feedback with StreetLight.

As the subscription renewal date approaches, in addition to the San Mateo County Transportation Authority, and the San Mateo County Transit District/SamTrans, 14 of the 15 participating cities/towns confirmed that they are interested in continuing the subscription for a third year.

Per the three-year agreement executed with StreetLight Data, the subscription cost for the third year is \$363,000. The third year will begin on September 1, 2022. The subscription fees are calculated based on population sizes. Table 1 below shows the actual second year (2021) cost, and the estimated rates for the third year (2022). The estimated rates for 2022 are slightly higher than 2021 due to one of the cities deciding to not renew for the upcoming year. The cost per jurisdiction may change if additional local agencies decide to join.

**Table 1: StreetLight Subscription Costs**

<b>Jurisdiction Size</b>	<b>Actual 2021 Subscription Cost</b>	<b>Estimated 2022 Subscription Cost</b>
C/CAG	\$50,000	\$50,000
SMCTD	\$25,000	\$25,000
SMCTA	\$25,000	\$25,000
Large Cities (>60k pop.)	\$29,222	\$31,403
Medium Cities (15k-60k pop.)	\$18,264	\$19,626.90
Small Cities (<15k pop.)	\$7,305.50	\$7,850.75

The fourteen jurisdictions have confirmed interest in renewal and are reviewing the second amended and restated MOU and estimated 2022 subscription costs.

At the June 9<sup>th</sup> Board meeting, staff requests that the Board reviews and approves Resolution 22-56 for the third year subscription to StreetLight Data services, and to authorize the Executive

Director to execute a second amended and restated Memorandum of Understanding (MOU) with participating agencies for one year beginning September 1, 2022, in the amount of \$363,000.

**ATTACHMENT**

1. Resolution 22-56
2. Second Amended and Restated Memorandum of Understanding (*available online at <https://ccag.ca.gov/committees/board-of-directors-2/>*)

## **RESOLUTION 22-56**

### **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) APPROVING THE THIRD YEAR SUBSCRIPTION TO STREETLIGHT DATA SERVICE AND AUTHORIZING THE C/CAG CHAIR TO ENTER INTO THE SECOND AMENDED AND RESTATED MEMORANDUM OF UNDERSTANDING WITH PARTICIPATING AGENCIES FOR ONE YEAR IN THE AMOUNT OF \$363,000.**

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

**WHEREAS**, StreetLight Data is a transportation data analytics platform that allows local jurisdiction staff to perform robust transportation analyses; and

**WHEREAS**, the San Mateo County Transportation Authority (SMCTA) and San Mateo County Transit District (SMCTD) wish to participate in the subscription to StreetLight Data; and

**WHEREAS**, 14 C/CAG Member Agencies also wish to participate in the subscription to StreetLight Data and such participants are hereby collectively referred to as “JURISDICTIONS”; and

**WHEREAS**, C/CAG, SMCTA, SMCTD and JURISDICTIONS wish to partner together to jointly fund the one-year subscription to StreetLight Data; and

**WHEREAS**, the one-year cost of subscription for Year 3 is \$363,000, of which C/CAG will provide \$50,000, the SMCTA will provide \$25,000, SMCTD will provide \$25,000, and the JURISDICTIONS will jointly provide the remaining \$263,000 with an estimated cost breakdown as follows:

- \$31,403 for a one-year subscription for participating agencies with populations over 50,000
- \$19,626.90 for a one-year subscription for participating agencies with populations between 15,000 and 50,000
- \$7,850.75 for a one-year subscription for participating agencies with populations below 15,000; and

**WHEREAS**, C/CAG has received confirmation of interest from its member JURISDICTIONS to participate in the subscription and cost sharing; and

**WHEREAS**, C/CAG will subscribe to StreetLight Data for one year with the SMCTA, SMCTD, and JURISDICTIONS as Named Users to access the agreement and subscription; and

**WHEREAS**, C/CAG desires to enter into a Second Amended and Restated Memorandum of Understanding (MOU) with the SMCTA and SMCTD to provide an amount of \$25,000 each respectively for a one-year subscription, and SMCTA and SMCTD are listed as a named user to access the subscription; and

**WHEREAS**, C/CAG desires to enter into a Second Amended and Restated MOU with JURISDICTIONS to provide an amount not to exceed the JURISDICTIONS's share based on its population as stated above at an aggregate total of \$263,000 for a one-year subscription, and JURISDICTIONS will be named as users to access the subscription; and

**WHEREAS**, C/CAG staff is continuing to work with the JURISDICTIONS, the SMCTA, and SMCTD on the Second Amended and Restated MOU. Such documents shall be reviewed and approved by C/CAG legal counsel prior to C/CAG Chair's signature; 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 Chair is authorized to enter into the Second Amended and Restated Memorandum of Understanding in the amount of \$363,000 with the participating agencies for StreetLight Data Services. Be it further resolved that the C/CAG Executive Director is authorized to negotiate the final scope and terms of said materials prior to execution by all parties, subject to legal counsel approval.

**PASSED, APPROVED, AND ADOPTED THIS 9<sup>th</sup> DAY OF JUNE 2022.**

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*Davina Hurt, Chair*

## C/CAG AGENDA REPORT

Date: June 9, 2022

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

From: Sean Charpentier, Executive Director

Subject: Approval of the final composition of the evaluation panel for the MTC One Bay Area Grant 3 (OBAG 3) County & Local Program Call for Projects

(For further information or questions contact Jeff Lacap at [jlacap@smcgov.org](mailto:jlacap@smcgov.org))

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### RECOMMENDATION

That the C/CAG Board review and approve the final composition of the evaluation panel for the MTC One Bay Area Grant 3 (OBAG 3) County & Local Program Call for Projects

### FISCAL IMPACT

Other than staff time, there is not any direct fiscal impact to C/CAG at this time. Upon C/CAG and MTC approval, the OBAG 3 County & Local Program funds will be allocated to project sponsors directly.

### SOURCE OF FUNDS

Federal funds are allocated by MTC via the OBAG 3 County & Local Program, including Congestion Mitigation and Air Quality (CMAQ) funds and Surface Transportation Program (STP) funds.

### BACKGROUND

The One Bay Area Grant (OBAG) program is the policy and programming framework for investing federal Surface Transportation Block Grant Program (STP), Congestion Mitigation and Air Quality Improvement (CMAQ), and other fund programs throughout the San Francisco Bay Area. The Metropolitan Transportation Commission (MTC) established the OBAG program in 2013 to strengthen the connection between transportation investments and regional goals for focused growth in Priority Development Areas (PDAs), places near public transit that are planned for new homes, jobs, and community amenities.

On January 26, 2022, MTC adopted Resolution 4505 outlining and approving the OBAG Cycle 3 (OBAG 3) Grant Program. A total of \$750 million will be available in the region, with a 50/50 funding split between the Regional and County & Local Programs. This funding will be available over a four-year horizon, from FY 2022-23 through FY 2025-26. The OBAG 3 policy considerations includes focusing investments in PDAs and incorporating recent policy initiatives such as regional safety/vision zero policies and other strategies from Plan Bay Area 2050, and addresses federal programming requirements. MTC will directly administer the Regional Program and C/CAG, as the County Transportation Agency (CTA) for San Mateo County, will assist MTC in administering the County & Local Program. In addition to the evaluation criteria prescribed by MTC, CTAs may include other local criteria into their prioritization processes but must be approved by both MTC staff and the C/CAG Board. General highlights of the adopted OBAG 3 program guidelines and jurisdictional

eligibility requirements can be found in Attachment 1.

*OBAG 3 County & Local Program –San Mateo County Framework*

At the April 14<sup>th</sup>, 2022 C/CAG Board meeting, the C/CAG Guidelines and process for the MTC One Bay Area Grant Cycle 3 (OBAG 3) County & Local Program were approved. A summary of the C/CAG guidelines added to the MTC guidelines can be found below:

<b>C/CAG OBAG 3 Guidelines</b>	
Project Phase Eligibility	<ul style="list-style-type: none"> <li>Projects eligible for OBAG 3 cannot be a design only project. Project funds may cover some design cost, but project must include a fully funded construction phase.</li> </ul>
Local Match	<ul style="list-style-type: none"> <li>11.47% local match for projects wholly or mostly within an Equity Priority Community or C/CAG Comprehensive Bicycle and Pedestrian Plan_Equity Focus Areas with a score of 8 or higher.</li> <li>20% local match for all other projects.</li> </ul>
Minimum/Maximum Grant Size	Required minimum grant size of \$500,000 and place a maximum grant size at \$5,000,000.
C/CAG Comprehensive Bicycle and Pedestrian Plan Equity Focus Areas	C/CAG staff proposes to award additional points to a project located in an Equity Focus Area identified in the 2021 Comprehensive Bicycle and Pedestrian Plan with a score of 8 or greater.
Evaluation Panel	Staff recommends a 9-member ad hoc evaluation panel with the following composition. <ol style="list-style-type: none"> <li>3 BPAC Members</li> <li>2 CMEQ Members</li> <li>4 Others (C/CAG and TA/SamTrans Staff, potential stakeholder group such as Commute.org; Equity Representative or other Transportation agency staff from other county)</li> </ol>
Proposed Set Asides	\$300,000 - Countywide LRSP \$2,120,000 - Safe Routes to School \$2,000,000 – C/CAG Countywide Planning, Programming and Administrative Support
Addition of C/CAG Measure M Safe Routes to School Funding	An additional \$900,000 in Measure M funding for eligible SRTS projects within ½ mile of school

Following the approval of the aforementioned guidelines and process, staff proposes to revise an existing guideline:

Evaluation Panel

At the May 23, 2022 C/CAG Congestion Management and Environmental Quality meeting, staff presented the scoring criteria, application, and updated information on the composition of the evaluation panel. Given the broad scope of eligible projects to be funded under OBAG 3, the Committee recommended that an additional CMEQ Committee member be added to the hybrid panel and there be a reduction in the “Others” category resulting in a final composition as the following:

- 3 BPAC Members
- 3 CMEQ Members
- 3 Others (C/CAG or SMCTA Staff, potential stakeholder group such as Commute.org, Equity representative or other Transportation agency staff from another county)

C/CAG staff requests that the C/CAG Board review and approve final composition of the evaluation panel for the MTC One Bay Area Grant Cycle 3 (OBAG 3) County & Local Program.

#### **ATTACHMENTS**

1. April 14, 2022 C/CAG Board Staff Report – Item 7.3: Review and approval of the proposed C/CAG Guidelines and process for the MTC One Bay Area Grant Cycle 3 (OBAG 3) County & Local Program (*Can be viewed at: <https://ccag.ca.gov/wp-content/uploads/2022/04/041422-CCAG-Board-Agenda-Revised.pdf>*)



## C/CAG AGENDA REPORT

Date: June 9, 2022

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 22-57 authorizing the C/CAG Chair to execute the Third Amendment to the Cooperative Funding Agreement (Operating Loan) with the San Mateo County Express Lanes Joint Powers Authority (SMCEL-JPA) in the amount of \$1,350,000 to partially fund the Fiscal Year 2022-23 operations of the SMCEL-JPA.

(For further information, contact Kaki Cheung at [kcheung1@smcgov.org](mailto:kcheung1@smcgov.org))

### RECOMMENDATION

That the C/CAG Board review and approve Resolution 22-57 authorizing the C/CAG Chair to execute the Third Amendment to the Cooperative Funding Agreement (Operating Loan) with the San Mateo County Express Lanes Joint Powers Authority (SMCEL-JPA) in the amount of \$1,350,000, to partially fund the Fiscal Year 2022-23 operations of the SMCEL-JPA.

### FISCAL IMPACT

Fiscal impact will be in the amount of \$1,350,000.

### SOURCE OF FUNDS

The proposed C/CAG FY 2022-23 Budget, recommended for adoption on June 9, 2022, includes the \$1,350,000 for the SMCEL-JPA expenses. The Operating Loan will be repaid from future revenue from the SMCEL-JPA US 101 Express Lanes Project (Project).

### BACKGROUND

The SMCEL-JPA was created as a Joint Powers Authority by C/CAG and SMCTA effective June 1, 2019. As an agency with no current operating revenue, SMCEL-JPA must rely on funding from its member agencies (C/CAG and the SMCTA) to initially pay for its operating costs until sufficient toll revenue is generated from the Project. Currently, the section between Santa Clara County line and Whipple Ave. is in operation since February 2022, and the section between Whipple Ave. and I-380 is projected to open in winter of 2022.

To date, C/CAG has approved the following operating loans for the SMCEL-JPA.

FY 19-20: \$872,456

FY 20-21: \$917,244

FY 21-22: \$1,314,045

The Operating Loan interest accrues monthly at the County Investment Pool interest rate. Calculation for the monthly paydown on the principal of the Operating loan is based on a term of 5 years payback period after the initiation of the toll revenue collection on the Project. The description below provides more detail of the other commitments.

The Project required a \$100 million loan (Capital Loan) from the SMCTA for construction costs. In August 2020, the SMCTA and the SMCEL-JPA executed a \$100 million Capital Loan Agreement for the SMCEL-JPA to repay the SMCTA up to \$100 million with toll revenues. The Operating Loan and the Capital Loan will both be paid back from the same revenue stream from the Project toll revenues. Toll revenues will be used to make payments in the following order of priorities:

1. Operating and Administrative payments for the SMCEL-JPA and the Project.
2. \$600,000 annual for an Equity Program.
3. Interest payments for the Operating Loans.
4. Interest payments for the Capital Loan.
5. Project reserves.
6. Revenue Sharing Fund- (excess net revenue) 85% of the remaining funds for repayment of the Operating and Capital Loans and 15% to the SMCEL-JPA for any lawful purpose.

The revenue and expense structure of the SMCEL-JPA changed considerably in FY 2021-22. The southern segment between the Santa Clara County line and Whipple Ave. opened for tolling revenue in February 2022, and the San Mateo County Express Lanes Community Benefit Program (equity program), which is administered by Samaritan House, began distributing FasTrak Transponders or Clipper cards preloaded with \$100 to eligible San Mateo County residents.

As a result, operating, maintenance, and Community Benefit Program expenses have increased considerably; and there is toll revenue to offset some of the operating and maintenance expenses.

However, given the reduced traffic levels and the limited length of the southern segment, toll revenue is not yet sufficient to fully fund the entire SMCEL-JPA budget of approximately \$9.5 million. It is anticipated that toll revenue and other equity program funding sources will generate approximately \$5.6 million. The remaining approximately \$3.8 million will be funded through operating loans from the SMCTA and C/CAG.

In the past, the operating loans have been divided equally between C/CAG and SMCTA, with each agency covering approximately half of the outstanding operating costs. This year, staff are recommending that the C/CAG loan be approximately \$1.35 million, which is about 35% of the operating loan necessary to fund the deficit; and the SMCTA loan be approximately \$2.5 million, which is 65% of the operating loan.

Staff are recommending this division because of C/CAG's smaller overall budget and the large operating loan size relative to the overall size of the C/CAG's operating budget. A \$1.35 million operating loan represents about 10% of C/CAG's annual operating budget (after distributions or pass throughs are removed).

The execution of the operating loans requires the approval of all three parties (C/CAG, the SMCTA,

and the SMCEL-JPA). In addition, the C/CAG authorizing resolution provides authority to continue to negotiate the language of the Third Amendment, subject to legal counsel's approval.

With the anticipated opening of the northern segment between Whipple and I-380 in the winter, the hope is that sufficient toll revenue will be generated, and that this is the last year of operating loans from the two agencies. The draft Third Amendment to Cooperative Funding (Operating Loan) Agreement between C/CAG and SMCEL-JPA is included as Attachment 2.

Staff recommends that the C/CAG Board reviews and approves Resolution 22-57, authorizing the C/CAG Chair to execute the Third Amendment to the Cooperative Funding Agreement (Operating Loan) with the San Mateo County Express Lanes Joint Powers Authority (SMCEL-JPA) in the amount of \$1,350,000 to partially fund the Fiscal Year 2022-23 operations of the SMCEL-JPA.

#### **ATTACHMENTS**

1. Resolution 22-57
2. Draft Third Amendment to Cooperative Funding (Operating Loan) Agreement between C/CAG and SMCEL-JPA
3. Proposed SMCEL-JPA Fiscal Year 2022-23 Budget (*Will be available for review and download at <https://www.ccag.ca.gov/committees/board-of-directors/>*)

## **RESOLUTION 22-57**

### **RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) AUTHORIZING THE C/CAG CHAIR TO EXECUTE THE THIRD AMENDMENT TO THE COOPERATIVE FUNDING AGREEMENT WITH THE SAN MATEO COUNTY EXPRESS LANES JOINT POWERS AUTHORITY (SMCEL-JPA) IN THE AMOUNT OF \$1,350,000**

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

**WHEREAS**, C/CAG and the San Mateo County Transportation Authority (SMCTA) approved, on April 11, 2019 and May 2, 2019, respectively, the Joint Exercise of Powers Agreement for the San Mateo County Express Lanes, which created the JPA pursuant to the California Joint Exercise of Powers Act to oversee the operations and administration of the San Mateo 101 Express Lanes Project, and to jointly exercise ownership rights over the Project, and

**WHEREAS**, C/CAG and SMCTA approved the First Amended and Restated Joint Exercise of Powers Agreement for the San Mateo County Express Lanes (SMCEL-JPA Agreement) to specify the title of San Mateo County Express Lanes Joint Powers Authority (SMCEL-JPA) effective June 13, 2019, and

**WHEREAS**, C/CAG and SMCTA are co-sponsors of the US-101 Express Lanes Project (Project) and are member agencies of the SMCEL-JPA, and

**WHEREAS**, pursuant to Section 5.3 of the SMCEL-JPA Joint Exercise of Powers Agreement, C/CAG and SMCTA acknowledged that SMCEL-JPA will likely incur indebtedness for contractual and administrative expenses before and after express lanes are operational; and

**WHEREAS**, SMCEL-JPA, as an agency with no current revenue for operating budget, will have to rely on loans from its member agencies to initially pay for its operating costs until such time as toll revenue is generated from the Project, which SMCEL-JPA will own; and

**WHEREAS**, on July 12, 2019 the SMCEL-JPA Board adopted an operating budget for FY 2019-20 in the amount of \$1,744,911; and

**WHEREAS**, on November 8, 2019, the SMCEL-JPA Board adopted Resolutions 19-06 and 19-07 approving separate operating loan agreements with C/CAG and the SMCTA for \$872,456 each; and

**WHEREAS**, on November 14, 2019, the C/CAG Board of Directors approved Resolution 19-71 to loan the SMCEL-JPA half of the SMCEL-JPA FY 2019-20 Budget in the amount of \$872,456; and

**WHEREAS**, on June 12, 2020, the SMCEL- JPA Board of Directors approved Resolution SMCEL 20-09, adopting the Fiscal Year 2020-21 Budget of \$2,187,707; and

**WHEREAS**, the SMCEL-JPA, SMCTA, and C/CAG approved the First Amendment to the Cooperative Funding Agreement Amendment for funding the SMCEL-JPA 2020-21 Operating Budget; and

**WHEREAS**, the SMCTA portion of SMCEL-JPA’s Fiscal Year Budget 2020-21 was \$1,270,463, and that of C/CAG was \$917,244; and

**WHEREAS**, on July 9, 2020 the C/CAG Board of Directors Board adopted Resolution 20-49 approving the First Amendment to the operating loan agreement for \$917,244; and

**WHEREAS**, on July 17, 2020 the SMCEL-JPA Board adopted Resolutions SMCEL 20-12 and 20-13 approving separate First Amendments to the operating loan agreements with C/CAG and the SMCTA for \$917,244 and \$1,270,463, respectively; and

**WHEREAS**, on June 10, 2021 the C/CAG Board of Directors Board adopted Resolution 21-44 approving the Second Amendment to the operating loan agreement for \$1,314,045; and

**WHEREAS**, the SMCEL-JPA, SMCTA, and C/CAG desire to approve the Third Amendment to the Cooperative Funding Agreement Amendment for funding a portion of the SMCEL-JPA 2022-23 Operating Budget; and

**WHEREAS**, the C/CAG portion is \$1,350,000.

**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 Board review and approve Resolution 22-57 authorizing the C/CAG Chair to execute the Third Amendment to the Cooperative Funding Agreement (Operating Loan) with San Mateo County Express Lanes Joint Powers Authority (SMCEL-JPA) in the amount of \$1,350,000, to partially fund the Fiscal Year 2022-23 operations of the SMCEL-JPA, subject to approval of C/CAG FY 2022-23 Annual Budget; and further authorize the C/CAG Executive Director to negotiate the final terms prior to its execution by the C/CAG Chair, subject to approval as to form by C/CAG Legal Counsel.

**PASSED, APPROVED, AND ADOPTED, THIS 9TH DAY OF JUNE, 2022.**

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*Davina Hurt, Chair*

DRAFT

~~SECOND-THIRD~~ AMENDMENT TO COOPERATIVE FUNDING AGREEMENT  
BETWEEN

THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY  
AND THE SAN MATEO COUNTY EXPRESS LANES JOINT POWERS AUTHORITY

This ~~Second—Third~~ Amendment is entered into on the \_\_\_\_\_ day of \_\_\_\_\_, 202~~4~~<sup>2</sup>, by and between the San Mateo County Express Lanes Joint Powers Authority (“JPA”) and the City/County Association of Governments of San Mateo County (“C/CAG”), both California public agencies (each a “Party,”; and collectively, the “Parties”).

RECITALS

A. The JPA was formed to exercise joint rights of (i) the San Mateo County Transportation Authority (“Authority”) and (ii) C/CAG to own, administer and manage the San Mateo County 101 Express Lanes Project (the “Project”).

B. The Parties, on November 14, 2019, entered into a Cooperative Funding Agreement (the “Original Agreement”) for C/CAG to fund one half of the JPA’s Fiscal Year 2019-2020 budget, with the understanding that C/CAG would be repaid under the terms of such Original Agreement.

C. The Parties, on July 17, 2020, entered into the First Amendment to the Original Agreement for C/CAG to fund a portion of the JPA’s Fiscal Year 2020-2021 budget, with the understanding that the C/CAG would be repaid under the terms of the Original Agreement.

D. The Parties, on July 9, 2021, entered into the Second Amendment to the Original Agreement for C/CAG to fund a portion of the JPA’s Fiscal Year 2021-2022 budget, with the understanding that the C/CAG would be repaid under the terms of the Original Agreement.

D. The Parties now wish to further amend the Original Agreement to provide for additional loan advances by C/CAG for up to a maximum amount of \$1,~~350,000~~<sup>314,045</sup>, to support a portion of the JPA’s Fiscal Year 202~~4~~<sup>2</sup>-2~~2~~<sup>3</sup> budget, with a separate portion (~~\$2,537,852~~<sup>11,475,764</sup>) to be loaned to the JPA by the Authority.

IN WITNESS WHEREOF, this ~~Second—Third~~ Amendment has been executed and delivered by the parties hereto on the date first above written.

1. Amendments.

(a) There is added to the end of Section 1.A. of the Original Agreement the new paragraph below:

The C/CAG agrees to loan to the JPA, and the JPA agrees to accept, up to One million three hundred ~~fiftyfourteen~~ thousand ~~forty five~~ dollars (US \$1,3~~50,000~~~~14,045~~) to fund a portion of the JPA's Fiscal Year 202~~12~~-202~~23~~ expenses, consistent with budgeted commitments in the JPA's Fiscal Year 202~~12~~-202~~23~~ Budget. The loan under this paragraph shall be in addition to the other loans under the first and second paragraphs under this Section 1.A., and together they shall comprise the "Loan Amount," notwithstanding the definition of such term above.

(b) The first sentence of Section 1.B. of the Original Agreement is deleted and replaced with the following:

Thereafter through July 31, 202~~12~~, the JPA can request, no more than once each month, additional installments of the portion of the Loan Amount described in the second paragraph of Section 1.A. Through July 31, 202~~23~~, the JPA can request, no more than once each month, additional installments of the portion of the Loan Amount described in the third paragraph of Section 1.A. Each such additional installment is an "Advance Request." The JPA shall adjust the Advance Request form in Exhibit A to reflect the loan proportions to be made by the Authority and C/CAG for fiscal year 202~~12~~-202~~23~~.

2. No Other Amendments. Except as expressly amended by the First Amendment and hereby, the Original Agreement remains in full force and effect.

3. Counterparts. This Second Amendment may be executed simultaneously or in counterparts, each of which is to be deemed to be an original, but all of which shall constitute one and the same Second Amendment.

4. Warranty of Authority to Execute Agreement. Each Party to this Second Amendment represents and warrants that each person whose signature appears hereon has been duly authorized and has the full authority to execute this Second Amendment on behalf of the entity that is a Party to this Second Amendment.

SAN MATEO COUNTY EXPRESS  
LANES JOINT POWERS AUTHORITY

CITY/COUNTY ASSOCIATION OF  
GOVERNMENTS OF SAN MATEO  
COUNTY

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
  
Date: \_\_\_\_\_

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

ATTESTED BY:

By: \_\_\_\_\_  
JPA Secretary

Date: \_\_\_\_\_

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Attorney for the JPA

Date: \_\_\_\_\_

Date: \_\_\_\_\_

ATTESTED BY:

By: \_\_\_\_\_  
C/CAG Secretary

Date: \_\_\_\_\_

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Attorney for C/CAG

Date: \_\_\_\_\_



## C/CAG AGENDA REPORT

Date: June 9, 2022

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 22-58 authorizing the prefunding of OPEB in an amount of \$20,823 for Fiscal Year 2021-22 through the California Employers' Retiree Benefit Trust Program (CERBT) of CalPERS.

(For further information or questions, contact Sean Charpentier at [scharpentier@smcgov.org](mailto:scharpentier@smcgov.org))

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### RECOMMENDATION:

That the C/CAG Board review and approve Resolution 22-58 authorizing the prefunding of OPEB in an amount of \$20,823 for Fiscal Year 2021-22 through the California Employers' Retiree Benefit Trust Program (CERBT) of CalPERS.

### FISCAL IMPACT:

Prefunding OPEB for fiscal year 2021-22 at \$20,823.

### SOURCE OF FUNDS:

Funding sources for C/CAG OPEB comes from various C/CAG funds similar to those funds for C/CAG employee salaries and benefits.

### BACKGROUND:

Governmental Accounting Standards Board (GASB) Statement No. 75, Accounting and Financial Reporting for Post-Employment Benefits Other Than Pensions (OPEB), addresses accounting and financial reporting for OPEB that provides to employees of state and local governmental employers. It establishes standards for recognizing and measuring such liabilities.

C/CAG provides post-employment benefit in the form of health insurance for retirees. In August 2021, in response to GASB 75, staff engaged MacLeod Watts prepared the following document.

*A) Actuarial Valuation of Other Post-Employment Benefit Programs (OPEB) of as of June 30, 2021.*

C/CAG received a copy of the report at its September 9, 2021 meeting. Said report stated the Actuarially Determined Contribution (ADC) for fiscal year 2021-22 be \$50,016. The contribution to the trust for fiscal year 2021-22 is \$20,823, determined as: \$20,823 = \$50,016 (ADC)- \$19,488 (Paid Benefits) - \$9,705 (Implicit Subsidy)) in the CERBT Trust to prefund its ADC OPEB liability.

**Trust - California Employers' Retiree Benefit Trust Program (CERBT) of CalPERS:**

On June 11, 2015, the C/CAG Board adopted Resolution 15-33 authorizing an agreement and election of C/CAG to prefund OPEB through CalPERS – California Employers' Retiree Benefit Trust Program (CERBT). At that meeting, the C/CAG Board also approved a funding policy in an amount of \$30,000 to cover the Annual Required Contribution (ARC) as initial investment into the CERBT trust and selected Asset Allocation Strategy 2 for FY 2014-15.

In June 2016, C/CAG Board adopted Resolution 16-21 authorizing the prefunding of OPEB through CalPERS in an amount of \$27,000 for FY 2015-16.

In June 2017, C/CAG Board adopted Resolution 17-26 authorizing the prefunding of OPEB through CalPERS in an amount of \$25,000 for FY 2016-17.

In June 2018, C/CAG Board adopted Resolution 18-37 authorizing the prefunding of OPEB through CalPERS in an amount of \$44,631 for FY 2017-18.

In June 2019, C/CAG Board adopted Resolution 19-34 authorizing the prefunding of OPEB through CalPERS in an amount of \$42,802 for FY 2018-19.

In June 2020, C/CAG Board adopted Resolution 20-39 authorizing the prefunding of OPEB through CalPERS in an amount of \$48,452 for FY 2019-20.

**In June 2021, C/CAG Board adopted 21-26 authorizing the prefunding of OPEB in an amount of \$40,244 for Fiscal Year 2020-21.**

Fiscal year ending	6/30/2017	6/30/2018	6/30/2019	6/30/2020	6/30/2021	<b>6/30/2022</b>
Actuarially Determined Contribution (ADC)	\$51,348	\$54,162	\$54,899	\$55,709	49,312	<b>\$50,016</b>
Employer paid benefit in that year	\$17,714	\$8,927	\$10,668	\$9,024	\$9,068	<b>\$19,488</b>
Current year's implicit subsidy credit	\$9,382	\$604	\$1,429	\$0	\$0	<b>\$9,705</b>
Adjustment				\$1,767 make-up for FY 18-19		
Contribution to OPEB Trust	\$25,000	\$44,631	\$42,802	\$48,452	\$40,244	<b>\$20,823</b>

**Definition:** Actuarially Determined Contribution (ADC), formerly known as Annually Required Contribution (ARC).

The CERBT Fund of CalPERS is a multiple-employer OPEB trust fund and has a fiduciary responsibility for financial reporting in accordance to the Governmental Accounting Standards Statement (GASB) No. 74. C/CAG is required to submit a renewal OPEB Valuation to update the financial status of OPEB every two years.

Funds deposited into an irrevocable trust may only be used to pay retiree medical benefits. However, should C/CAG stop prefunding retiree medical benefits, it may withdraw funds from the trust, as needed, to pay retiree medical benefits. Also, if C/CAG were ever able to completely extinguish its retiree medical liability, any funds remaining in the trust would be returned to C/CAG.

**ATTACHMENT**

Resolution 22-58.

**RESOLUTION 22-58**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) AUTHORIZING THE PREFUNDING OF OTHER POST EMPLOYMENT BENEFITS (OPEB) THROUGH THE CALIFORNIA EMPLOYERS' RETIREE BENEFIT TRUST PROGRAM (CERBT) OF CALPERS FOR FISCAL YEAR 2020-21 IN AN AMOUNT OF \$20,823**

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

**WHEREAS**, CalPERS, C/CAG's retirement system, has a trust program to receive and invest contributions made to fund other post-employment benefits (OPEB); and

**WHEREAS**, C/CAG has established an OPEB trust via the California Employers' Retiree Benefit Trust Program (CERBT) of CalPERS for retiree medical benefits, approved by C/CAG Resolution 15-33 on June 11, 2015; and

**WHEREAS**, C/CAG has deposited \$30,000 in the CalPERS trust (CERBT) in June 2015; and

**WHEREAS**, C/CAG adopted Resolution 16-21 and has deposited \$27,000 in the CalPERS trust (CERBT) in June 2016; and

**WHEREAS**, C/CAG adopted Resolution 17-26 and has deposited \$25,000 in the CalPERS trust (CERBT) in June 2017; and

**WHEREAS**, C/CAG adopted Resolution 18-37 and has deposited \$44,631 in the CalPERS trust (CERBT) in June 2018; and

**WHEREAS**, C/CAG adopted Resolution 19-34 and has deposited \$42,802 in the CalPERS trust (CERBT) in June 2019; and

**WHEREAS**, C/CAG adopted Resolution 20-39 and has deposited \$48,452 in the CalPERS trust (CERBT) in June 2020; and

**WHEREAS**, C/CAG adopted Resolution 21-26 and has deposited \$40,244 in the CalPERS trust (CERBT) in June 2021.

**WHEREAS**, C/CAG is interested in prefunding the calculated Actuarially Determined Contribution (ADC) for fiscal year 2021-22 in the amount of \$20,823 in the CalPERS trust.

**NOW, THEREFORE, BE IT RESOLVED** that the City/County Association of Governments of San Mateo County (C/CAG) Board of Directors authorize prefunding its Other Post Employment Benefits (OPEB) for fiscal year 2021-22 through CERBT of CalPERS in an amount of \$20,823.

**PASSED, APPROVED, AND ADOPTED, THIS 9TH DAY OF JUNE 2022.**

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**Davina Hurt, Chair**

## C/CAG AGENDA REPORT

Date: June 9, 2022

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 22-55 adopting the C/CAG Fiscal Year 2022-23 Program Budget and Member Fees (Special voting procedures apply).

(For further information or questions contact Sean Charpentier at [scharpentier@smcgov.org](mailto:scharpentier@smcgov.org))

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### RECOMMENDATION

That the C/CAG Board of Directors review and approve Resolution 22-55 adopting the C/CAG Fiscal Year 2022-23 Program Budget and Member Fees (Special voting procedures apply).

### FISCAL IMPACT

In accordance with the proposed C/CAG 2022-23 Program Budget.

### SOURCE OF FUNDS

Funding sources for C/CAG include member assessments, cost reimbursement from partners, grants, regional - State - Federal transportation and other funds, property tax/fee, Department of Motor Vehicle fees, State - Federal earmarks, and interest.

### BACKGROUND

Each year, the C/CAG Board reviews the draft annual budget and member fees in the month of May and approves the final version in June.

At the February 10, 2022 meeting, the C/CAG Board approved Resolution 22-06 approving the population data to be used by C/CAG. The FY 2022-23 C/CAG member fees are based on the population data adopted by said Resolution. For budgeting purposes, the draft member fees for each individual member agency were sent to City and County Managers on March 22, 2022.

On May 11, 2022, the Finance Committee reviewed the initial draft and assumptions for the FY 2022-23 Program Budget and Member Fees.

On May 12, 2022, the C/CAG Board reviewed the initial draft and assumptions for the C/CAG Fiscal Year 2022-23 Program Budget and Member Fees.

As proposed in the Draft Fiscal Year 2022-23 Budget, the proposed total member fees and assessments are as follows:

- Member Fees (including General Fund and Gas Tax Fees) – Pursuant to Budget Guidance approved in the C/CAG Resolution 22-04, a 5% increase will take effect this year. The budget guidance also linked member fees in future years to the regional Consumer Price Index, with a ceiling of 3%.
- Congestion Relief Program Assessment – Same amount as FY 2021/22. This assessment is authorized by the C/CAG Board every four years. The current annual countywide total is \$1,850,000.

Based on input from the C/CAG Board and the Finance Committee when the Draft Budget was presented, staff has updated the Final Budget to account for the more up-to-date information available, as well as included minor corrections. Updates included lower projected interest earning in FY 2021/22, new information on projected revenues/expenditures for various projects, and modifications to better align projects with funding sources for multi-funded projects. Table 1 has the updated budget summary.

Table 1: Updated Budget Summary

	<b>Expenditures</b>	<b>Revenues</b>	<b>Ending Balance</b>
Adopted 2021/22	\$22,451,444	\$16,597,381	\$18,767,141
Projected 2021/22	\$15,857,214	\$15,646,767	\$25,237,362
Draft 2022/23	\$26,673,837	\$16,153,905	\$14,764,443

Major Organizational Updates:

C/CAG saw significant personnel changes, with the transition of an Executive Director, and the successful recruitment of a Transportation Systems Coordinator and two Transportation Program Specialists. In addition, C/CAG developed strategies on address the Other Post Employment Benefits (OPEB) liability and approved a set of budget planning guidance for Member fees.

Assumptions and Highlights on Draft FY 2022/23 Budget:

C/CAG manages its funds by grouping related revenues and expenditures into 10 specific Program Funds. This includes General Fund, Transportation Fund, Smart Corridor Fund, Stormwater (NPDES) Fund, Measure M (\$10 Vehicle Registration Fee) Fund, and etc. Detailed description for each of the Program Funds are provided in Attachment 4.

The General Fund is set up to cover C/CAG general overhead related revenues/expenditures. The allowable expenses, such as legal and accounting fees and printing costs, are shared by the other C/CAG program funds prorated based on the proportionate share. Airport/Land Use (ALUC) related expenses are fully funded by the General Fund.

**Revenues** - Primary sources of funds:

1. Member fees – As described on the previous page, assessments for this year reflect a 5% increase.
2. Vehicle registration fees and property taxes – The Department of Motor Vehicle levies a \$10 fee on motor vehicles registered in San Mateo County for transportation and stormwater runoff programs. C/CAG also receives certain property tax for the stormwater program. In addition, C/CAG receives a portion of the Air District levied vehicle registration fee to fund projects that result in the reduction of motor vehicle emissions. For the FY 2022-23 budget,

it is assumed the overall revenues will be substantially the same as last year.

3. Grants – C/CAG receives two types of grants:
  - a. On-going planning grants: MTC provides a five-year grant for various transportation planning and programming related activities and projects, allocated on an annual basis. Any unspent amount can be rollover. Revenue is on a reimbursable basis.
  - b. Project specific grants: This type of grant is for a specific project, typically on a reimbursable basis.

**Expenditures** – various:

Staffing costs: “Administrative Services” and Professional Services” line items

The stormwater manager position held by Matt Fabry is being transitioned from a position with City of Brisbane to the County. C/CAG paid for all the costs when the position was contracted through Brisbane, so there is not anticipated to be a fiscal impact. Upon approval of the budget, staff will begin the recruitment process for this position.

To address the increasing workload, staff is planning to fund a Deputy Director position. This will require a separate action by the County after the approval of the C/CAG budget.

Consultant Services:

A majority of the expenditures are for consultants. The term “new” denotes consulting costs that were not included in the current year budget.

The major consultant costs include:

1. C/CAG Equity Study
2. Caltrans Sustainable Planning Grant for Greenhouse Gas (GHG) Mitigation Program
3. New- Dumbarton Roadway Project Initiation Document (study to connect express lanes to the Dumbarton Bridge). This funding is provided by the SMCTA with a local match from SAMCEDA.
4. Smart Corridor: This will fund the construction costs of the South San Francisco segment. In addition, funding is set aside to complete project design and pay for initial construction related expenses for the Northern Cities segment, covering the cities of Daly City, Brisbane and Town of Colma.
5. New- Finance Consultant/Extra Help: C/CAG does not have dedicated finance staff. The budget includes \$150,000 for a finance consultant to assist C/CAG in financial activities, such as indirect cost rate development, and identifying its finance needs.
6. New- Funding for additional audio-visual services for services and/or equipment to assist C/CAG Board and Committees with the provision of audio-visual services for “room with a zoom” options.

Distributions

This line item is typically for transfers of funding to other organizations such as Commute.org. It includes \$3.9M for the Smart Corridor program, which includes committed funding for construction of the South San Francisco Smart Corridor Project (pursuant to C/CAG Board approved funding agreements), and anticipated funding required to purchase fiber conduits for the Northern Cities segment and other upcoming construction expenses.

## Express Lane JPA

For three years, C/CAG has provided start up operating loans to the San Mateo County Express Lane JPA. It is anticipated that a fourth loan will be necessary for Fiscal Year 2022/23. The terms and assumptions will remain the same (the rate consistent with the County pool to be repaid from future toll revenue). The draft budget includes a placeholder amount from last year.

The southern segment (between Santa Clara County line and Whipple Ave) opened in February, and the northern segment (between Whipple Ave. and I-380) will open towards the end of this calendar year. The tolls are set in response to the congestion level. The higher the traffic or congestion, the higher the tolls. Traffic has not returned to the levels experienced before the pandemic. Correspondingly, the toll revenue on the southern segment is not sufficient to fully fund the SMCEL-JPA Budget, and another operating loan from both C/CAG and the SMCTA is necessary.

Staff is recommending including in the budget an operating loan of \$1.35 million from C/CAG, and have included the operating loan as item 5.22 on the consent calendar (contingent upon approval of the recommended budget).

## Other

There is currently approximately Other Post-Employment Benefits (OPEB) Unfunded Accrued Liability (UAL) of approximately \$600,000. OPEB benefits are typically for retiree health coverage. At the October 18, 2021 Finance Committee, the Committee recommended a goal of amortizing the UAL in a period of 10 years. Staff do not recommend making an amortizing payment at the June 2022 Budget adoption, but suggests using the proposed financial consultant to prepare a C/CAG budget projection that would inform the recommended amortization amounts and timeframe, as well as a possible indirect cost allocation to distribute the costs among all relevant C/CAG funds. The budget includes \$55,000 for OPEB contribution next fiscal year to provide the flexibility of making an amortizing payment at some point during the fiscal year.

## **ATTACHMENTS**

1. Resolution 22-55.
2. Proposed C/CAG Member Fee for Fiscal Year 2022-23.
3. C/CAG Projected Statement of Revenues, Expenditures, and Changes in Fund Balance FY 2021-22.
4. C/CAG Program Budget: Revenues, Expenditures, and Changes in Fund Balance for FY 2022-23.
5. Entire Budget Book is provided under separate cover, available on-line at:  
<http://ccag.ca.gov/committees/board-of-directors/>



## **RESOLUTION 22-55**

### **RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY ADOPTING THE C/CAG 2022-23 PROGRAM BUDGET AND MEMBER FEES**

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

**WHEREAS** the C/CAG is authorized as a Joint Powers Agency to provide services for member agencies; and

**WHEREAS** the C/CAG is required to adopt a program budget and establish fees annually; and

**WHEREAS** on February 10, 2022, C/CAG has adopted Resolution 22-06 approving the population data to be used by C/CAG programs; and

**WHEREAS** on May 11, 2022, the C/CAG Finance Committee has recommended the initial draft and assumptions for the FY 2022-23 C/CAG Program Budget and Member Fees; and

**WHEREAS** on May 12, 2022, the C/CAG reviewed the initial draft and assumptions for the FY 2022-23 C/CAG Program Budget and Member Fees; 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 Board adopts the 2022-23 Program Budget and Member Fees, subject to special voting procedures.

**PASSED, APPROVED, AND ADOPTED, THIS 9TH DAY OF JUNE 2022.**

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*Davina Hurt, Chair*

**Draft C/CAG Member Fees - FY 2022-2023**

Agency	Population	Percent of Population	General Fund Fee	Gas Tax Fee	Total Fee
Atherton	6,896	0.901%	\$ 2,608	\$ 3,884	\$ 6,492
Belmont	26,470	3.459%	\$ 10,012	\$ 14,908	\$ 24,919
Brisbane	4,579	0.598%	\$ 1,732	\$ 2,579	\$ 4,311
Burlingame	29,746	3.887%	\$ 11,251	\$ 16,753	\$ 28,003
Colma	1,659	0.217%	\$ 627	\$ 934	\$ 1,562
Daly City	108,599	14.191%	\$ 41,075	\$ 61,161	\$ 102,236
East Palo Alto	30,350	3.966%	\$ 11,479	\$ 17,093	\$ 28,572
Foster City	32,842	4.292%	\$ 12,422	\$ 18,496	\$ 30,918
Half Moon Bay	12,309	1.609%	\$ 4,656	\$ 6,932	\$ 11,588
Hillsborough	11,391	1.489%	\$ 4,308	\$ 6,415	\$ 10,724
Menlo Park	34,825	4.551%	\$ 13,172	\$ 19,613	\$ 32,785
Millbrae	22,509	2.941%	\$ 8,513	\$ 12,677	\$ 21,190
Pacifica	37,890	4.951%	\$ 14,331	\$ 21,339	\$ 35,670
Portola Valley	4,560	0.596%	\$ 1,725	\$ 2,568	\$ 4,293
Redwood City	85,182	11.131%	\$ 32,218	\$ 47,973	\$ 80,191
San Bruno	44,936	5.872%	\$ 16,996	\$ 25,307	\$ 42,303
San Carlos	29,814	3.896%	\$ 11,276	\$ 16,791	\$ 28,067
San Mateo	103,045	13.466%	\$ 38,974	\$ 58,033	\$ 97,007
South San Francisco	67,135	8.773%	\$ 25,392	\$ 37,809	\$ 63,201
Woodside	5,628	0.735%	\$ 2,129	\$ 3,170	\$ 5,298
San Mateo County	64,880	8.478%	\$ 24,539	\$ 36,539	\$ 61,079
<b>TOTAL</b>	<b>765,245</b>	<b>100.000%</b>	<b>\$ 289,433</b>	<b>\$ 430,975</b>	<b>\$ 720,408</b>

**NOTES:**  
 1. C/CAG member fees are comprised of two portions: General Fund and Gas Tax.  
 2. For FY 2022-23, C/CAG member fees for General Fund portion is proposed a one-time increase by 5% (\$13,783 countywide, from \$275,651 to \$289,433). For FY 2022-23 C/CAG member fee for the Gas Tax portion is proposed a one-time increase by 5% (\$20,523 countywide, from \$410,452 to \$430,975). Adopted by C/CAG Resolution 22-04.  
 3. Individual jurisdiction's share is based on new population data from Dept of Finance, 1/1/2021, adopted by C/CAG Resolution 22-06.

**Congestion Relief Program (CRP) Assessment - FY 2022-2023**

Agency	Percent of Population	Total Trips	% of Trips	Congestion Relief
Atherton	0.901%	45,201	0.89132%	\$ 16,580
Belmont	3.459%	156,279	3.08167%	\$ 60,501
Brisbane	0.598%	39,066	0.77034%	\$ 12,661
Burlingame	3.887%	278,460	5.49096%	\$ 86,747
Colma	0.217%	42,332	0.83475%	\$ 9,727
Daly City	14.191%	514,686	10.14910%	\$ 225,150
East Palo Alto	3.966%	109,433	2.15791%	\$ 56,647
Foster City	4.292%	202,400	3.99113%	\$ 76,616
Half Moon Bay	1.609%	89,658	1.76797%	\$ 31,232
Hillsborough	1.489%	54,917	1.08291%	\$ 23,786
Menlo Park	4.551%	275,259	5.42784%	\$ 92,303
Millbrae	2.941%	147,546	2.90946%	\$ 54,121
Pacifica	4.951%	206,200	4.06606%	\$ 83,411
Portola Valley	0.596%	29,645	0.58457%	\$ 10,919
Redwood City	11.131%	639,969	12.61956%	\$ 219,696
San Bruno	5.872%	294,349	5.80427%	\$ 108,006
San Carlos	3.896%	212,462	4.18954%	\$ 74,791
San Mateo	13.466%	784,576	15.47106%	\$ 267,664
South San Francisco	8.773%	442,379	8.72328%	\$ 161,841
Woodside	0.735%	39,034	0.76971%	\$ 13,923
San Mateo County	8.478%	467,397	9.21661%	\$ 163,678
<b>TOTAL</b>	<b>100.000%</b>	<b>5,071,248</b>	<b>100.00000%</b>	<b>\$ 1,850,000</b>

**NOTES:**  
 1- Total CRP (countywide total) is the same as prior years at \$1,850,000.  
 2- Congestion Relief Fee is calculated based on population and trips generated, 50% each, respectively.

**NPDES Member Fee - Estimate Only (not actual)**

Agency	NPDES Basic (1)	NPDES	TOTAL NPDES
Atherton			
Belmont			
Brisbane	\$0	\$ 11,281	\$ 11,281
Burlingame			
Colma	\$0	\$ 3,852	\$ 3,852
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	\$0	\$ 118,256	\$ 118,256
South San Francisco			
Woodside	\$ 8,789	\$ 10,115	\$ 18,904
San Mateo County			
<b>TOTAL</b>			

**NOTES:**  
 1. NPDES assessments shown above are for INFO ONLY.  
 2- Agencies not listed are collected by the Flood Control Dist.  
 3- Basic fees for Brisbane, Colma, San Mateo are collected by the Flood Control District.  
 4. NPDES assessments are based on total parcels in each jurisdiction.

C/CAG PROJECTED STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE											
											FY 2021-22
	Administrative Program (General Fund)	Transportation Programs	EL-JPA	SMCRP Program	Smart Corridor	LGP Energy Watch	TFCA	NPDES	DMV Fee (\$4) Program	Measure M (DMV Fee \$10)	Total
<b>BEGINNING BALANCE</b>	<b>919,605</b>	<b>2,497,664</b>	<b>1,825,900</b>	<b>3,552,305</b>	<b>516,193</b>	<b>376,442</b>	<b>1,316,804</b>	<b>1,585,221</b>	<b>752,353</b>	<b>12,264,482</b>	<b>25,606,969</b>
<b>PROJECTED REVENUES</b>											
Interest Earnings	5,217	14,662	19,892	22,074	1,478	1,742	7,714	9,338	2,928	58,824	143,869
Member Contribution	275,651	410,452	0	2,131,357	0	0	0	145,203	0	313,000	3,275,663
Cost Reimbursements	0	0	0	0	0	0	0	0	0	0	0
MTC/ Federal Funding	0	1,276,288	0	0	0	0	0	0	0	734,384	2,010,672
Grants	0	240,000	0	0	120,000	350,000	0	109,372	0	0	819,372
DMV Fee	0	0	0	0	0	0	1,059,606	0	422	6,615,939	7,675,967
NPDES Fee	0	0	0	0	0	0	0	1,502,170	0	0	1,502,170
TA Cost Share	0	0	0	0	0	0	0	0	0	0	0
Miscellaneous/ SFIA	0	0	0	0	0	0	0	0	0	0	0
Street Repair Funding	0	0	0	0	0	0	0	0	0	0	0
PPM-STIP	0	219,054	0	0	0	0	0	0	0	0	219,054
Assessment	0	0	0	0	0	0	0	0	0	0	0
TLSP	0	0	0	0	0	0	0	0	0	0	0
<b>Total Revenues</b>	<b>280,868</b>	<b>2,160,456</b>	<b>19,892</b>	<b>2,161,359</b>	<b>121,478</b>	<b>352,000</b>	<b>1,067,320</b>	<b>1,766,083</b>	<b>3,350</b>	<b>7,722,147</b>	<b>15,646,767</b>
<b>TOTAL SOURCES OF FUNDS</b>	<b>1,200,473</b>	<b>4,658,120</b>	<b>1,845,792</b>	<b>5,713,664</b>	<b>637,671</b>	<b>728,442</b>	<b>2,384,124</b>	<b>3,351,304</b>	<b>755,703</b>	<b>19,986,629</b>	<b>41,261,922</b>
<b>PROJECTED EXPENDITURES</b>											
Administration Services	89,700	179,900	129,000	60,000	78,000	14,000	1,000	32,000	0	42,000	625,600
Professional Services	298,000	1,080,000	122,000	71,000	0	267,000	40,000	203,000	0	124,000	2,205,000
Consulting Services	24,630	372,864	0	271,858	720,000	132,500	120,000	1,181,040	204,221	2,289,232	5,316,345
Supplies	6,000	2,000	0	0	0	0	0	0	0	0	8,000
Prof. Dues & Memberships	1,750	3,550	0	4,000	0	0	0	17,380	0	500	27,180
Conferences & Meetings	15,500	6,000	0	1,000	1,000	10,000	0	0	0	3,500	37,000
Printing/ Postage	5,000	6,000	0	0	0	0	0	0	0	0	11,000
Publications	4,500	3,000	0	0	0	0	0	0	0	0	7,500
Distributions	0	0	0	819,276	164,000	0	1,001,685	40,000	4,133	4,505,495	6,534,589
OPEB Trust	21,000	0	0	0	0	0	0	0	0	0	21,000
Miscellaneous	9,500	1,000	0	1,000	0	0	0	0	0	0	11,500
Bank Fee	3,500	0	0	0	0	0	0	0	0	0	3,500
Audit Services	22,500	0	0	0	0	0	0	0	0	2,500	25,000
Loan to SMCEL JPA	0	0	1,024,000	0	0	0	0	0	0	0	1,024,000
<b>Total Expenditures</b>	<b>501,580</b>	<b>1,654,314</b>	<b>1,275,000</b>	<b>1,228,134</b>	<b>963,000</b>	<b>423,500</b>	<b>1,162,685</b>	<b>1,473,420</b>	<b>208,354</b>	<b>6,967,227</b>	<b>15,857,214</b>
<b>TRANSFERS</b>											
Transfers In	0	0	1,050,000	0	800,000	150,000	0	40,000	0	0	2,040,000
Transfers Out	0	0	0	2,000,000	0	0	0	0	0	204,000	2,204,000
Administrative Allocation	-322,758	192,366	0	20,002	0	42,904	6,260	35,881	0	25,345	0
<b>Total Transfers</b>	<b>-322,758</b>	<b>192,366</b>	<b>-1,050,000</b>	<b>2,020,002</b>	<b>-800,000</b>	<b>-107,096</b>	<b>6,260</b>	<b>-4,119</b>	<b>0</b>	<b>229,345</b>	<b>164,000</b>
<b>NET CHANGE</b>	<b>102,046</b>	<b>313,776</b>	<b>-205,108</b>	<b>-1,086,777</b>	<b>-41,522</b>	<b>35,596</b>	<b>-101,625</b>	<b>296,782</b>	<b>-205,004</b>	<b>525,575</b>	<b>(374,446)</b>
<b>TRANSFER TO RESERVES</b>	<b>3,346</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3,346</b>
<b>TOTAL USE OF FUNDS</b>	<b>182,168</b>	<b>1,846,680</b>	<b>225,000</b>	<b>3,248,136</b>	<b>163,000</b>	<b>316,404</b>	<b>1,168,945</b>	<b>1,469,301</b>	<b>208,354</b>	<b>7,196,572</b>	<b>16,024,560</b>
<b>ENDING FUND BALANCE</b>	<b>1,018,305</b>	<b>2,811,440</b>	<b>1,620,792</b>	<b>2,465,528</b>	<b>474,671</b>	<b>412,038</b>	<b>1,215,179</b>	<b>1,882,003</b>	<b>547,349</b>	<b>12,790,057</b>	<b>25,237,362</b>
<b>RESERVE FUND</b>											
Beginning Reserve Balance	40,000	400,000	0	300,000	0	0	0	120,000	0	340,000	1,200,000
Reserve Transfers In	0	0	0	0	0	0	0	0	0	0	0
Reserve Transfers Out	0	0	0	0	0	0	0	0	0	0	0
<b>Ending Reserve Balance</b>	<b>40,000</b>	<b>400,000</b>	<b>0</b>	<b>300,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>120,000</b>	<b>0</b>	<b>340,000</b>	<b>1,200,000</b>

Note: 1- Beginning/ Ending Reserve Fund Balance is not included in Beginning/ Ending Fund Balance.  
2- See individual fund summaries and fiscal year comments for details on Miscellaneous expenses.  
3- SMCRP - San Mateo Congestion Relief Program; TFCA - Transportation Fund For Clean Air; NPDES - National Pollutant Discharge Elimination System; Abatement.  
AVA - Abandoned Vehicle Abatement; DMV - Department of Motor Vehicles.

06/03/22	C/CAG PROGRAM BUDGET: REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE										
	FY 2022-23										
	Administrative	Transportation	EL-JPA	SMCRP	Smart	LGP Energy	TFCA	NPDES	DMV Fee (\$4)	Measure M	Total
	Program	Programs		Program	Corridor	Watch			Program	(DMV Fee \$10)	
	(General Fund)										
<b>BEGINNING BALANCE</b>	<b>1,018,305</b>	<b>2,811,440</b>	<b>1,620,792</b>	<b>2,465,528</b>	<b>474,671</b>	<b>412,038</b>	<b>1,215,592</b>	<b>1,882,003</b>	<b>547,349</b>	<b>12,790,057</b>	<b>25,237,775</b>
<b>PROJECTED REVENUES</b>											
Interest Earnings	5,000	5,000	10,000	30,000	1,000	2,000	7,000	12,000	2,500	80,000	154,500
Member Contribution	289,433	430,975	0	1,850,000	0	0	0	152,295	0	263,000	2,985,703
Cost Reimbursements	0	0	0	0	0	0	0	0	0	0	0
MTC/ Federal Funding	0	1,362,500	0	0	0	0	0	0	0	626,241	1,988,741
Grants	0	465,740	0	0	230,000	490,000	0	0	0	200,000	1,385,740
DMV Fee	0	0	0	0	0	0	1,045,400	0	0	6,768,000	7,813,400
NPDES Fee	0	0	0	0	0	0	0	1,540,821	0	0	1,540,821
TA Cost Share	0	0	0	0	0	0	0	0	0	50,000	50,000
Miscellaneous/ SFIA	0	0	0	0	0	0	0	0	0	0	0
Street Repair Funding	0	0	0	0	0	0	0	0	0	0	0
PPM-STIP	0	235,000	0	0	0	0	0	0	0	0	235,000
Assessment	0	0	0	0	0	0	0	0	0	0	0
TLSP	0	0	0	0	0	0	0	0	0	0	0
<b>Total Revenues</b>	<b>294,433</b>	<b>2,499,215</b>	<b>10,000</b>	<b>1,880,000</b>	<b>231,000</b>	<b>492,000</b>	<b>1,114,000</b>	<b>1,705,116</b>	<b>2,500</b>	<b>7,987,241</b>	<b>16,153,905</b>
<b>TOTAL SOURCES OF FUNDS</b>	<b>1,312,738</b>	<b>5,310,655</b>	<b>1,630,792</b>	<b>4,345,528</b>	<b>705,671</b>	<b>904,038</b>	<b>2,329,592</b>	<b>3,587,119</b>	<b>549,849</b>	<b>20,777,298</b>	<b>41,453,280</b>
<b>PROJECTED EXPENDITURES</b>											
Administration Services	106,000	199,000	111,218	66,000	86,000	16,000	2,000	36,000	0	47,000	669,218
Professional Services	169,000	1,373,000	263,833	149,000	0	61,000	65,000	488,000	0	198,000	2,766,833
Consulting Services	483,000	2,250,000	0	336,000	1,280,000	647,500	108,000	1,872,422	404,000	2,331,000	9,711,922
Supplies	11,000	2,000	0	0	0	0	0	0	0	0	13,000
Prof. Dues & Memberships	1,750	22,000	0	3,000	0	0	0	22,465	0	500	49,715
Conferences & Meetings/Trainings	15,500	5,000	0	1,000	1,000	10,000	0	6,000	0	7,000	45,500
Printing/ Postage	10,000	6,000	0	0	0	0	0	0	0	0	16,000
Publications	4,000	3,000	0	0	0	0	0	0	0	0	7,000
Distributions	0	0	0	860,000	3,917,000	0	1,511,000	40,000	125,000	5,864,000	12,317,000
OPEB Trust	55,000	0	0	0	0	0	0	0	0	0	55,000
Miscellaneous	13,700	1,000	0	1,000	0	0	0	1,000	0	0	16,700
Bank Fee	3,500	0	0	0	0	0	0	0	0	0	3,500
Audit Services	22,500	0	0	0	0	0	0	0	2,500	2,500	27,500
Loan to SMCEL JPA	0	0	974,949	0	0	0	0	0	0	0	974,949
<b>Total Expenditures</b>	<b>894,950</b>	<b>3,861,000</b>	<b>1,350,000</b>	<b>1,416,000</b>	<b>5,284,000</b>	<b>734,500</b>	<b>1,686,000</b>	<b>2,465,887</b>	<b>531,500</b>	<b>8,450,000</b>	<b>26,673,837</b>
<b>TRANSFERS</b>											
Transfers In	0	0	1,050,000	0	4,767,000	150,000	0	40,000	0	0	6,007,000
Transfers Out	0	0	0	1,965,000	0	0	0	0	0	4,057,000	6,022,000
Administrative Allocation	-638,108	371,521	0	50,812	0	18,198	15,835	123,840	0	57,902	0
<b>Total Transfers</b>	<b>-638,108</b>	<b>371,521</b>	<b>-1,050,000</b>	<b>2,015,812</b>	<b>-4,767,000</b>	<b>-131,802</b>	<b>15,835</b>	<b>83,840</b>	<b>0</b>	<b>4,114,902</b>	<b>15,000</b>
<b>NET CHANGE</b>	<b>37,591</b>	<b>-1,733,306</b>	<b>-290,000</b>	<b>-1,551,812</b>	<b>-286,000</b>	<b>-110,698</b>	<b>-587,835</b>	<b>-844,611</b>	<b>-529,000</b>	<b>-4,577,661</b>	<b>-10,534,932</b>
<b>TRANSFER TO RESERVES</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL USE OF FUNDS</b>	<b>256,842</b>	<b>4,232,521</b>	<b>300,000</b>	<b>3,431,812</b>	<b>517,000</b>	<b>602,698</b>	<b>1,701,835</b>	<b>2,549,727</b>	<b>531,500</b>	<b>12,564,902</b>	<b>26,688,837</b>
<b>ENDING FUND BALANCE</b>	<b>1,055,896</b>	<b>1,078,134</b>	<b>1,330,792</b>	<b>913,716</b>	<b>188,671</b>	<b>301,340</b>	<b>627,757</b>	<b>1,037,392</b>	<b>18,349</b>	<b>8,212,396</b>	<b>14,764,443</b>
<b>Restricted Fund Balance</b>	<b>0</b>	<b>1,078,134</b>		<b>913,716</b>	<b>188,671</b>	<b>301,340</b>	<b>0</b>	<b>1,037,392</b>	<b>18,349</b>	<b>8,212,396</b>	<b>11,749,998</b>
<b>RESERVE FUND</b>											
Beginning Reserve Balance	40,000	800,000	0	300,000	0	0	0	120,000	0	340,000	1,600,000
Reserve Transfers In	0	0	0	0	0	0	0	0	0	0	0
Reserve Transfers Out	0	0	0	0	0	0	0	0	0	0	0
Ending Reserve Balance	40,000	800,000	0	300,000	0	0	0	120,000	0	340,000	1,600,000
<b>Note: 1- Beginning/ Ending Reserve Fund Balance is not included in Beginning/ Ending Fund Balance.</b> <b>2- See individual fund summaries and fiscal year comments for details on Miscellaneous expenses.</b> <b>3- SMCRP - San Mateo Congestion Relief Program; TFCA - Transportation Fund For Clean Air; NPDES - National Pollutant Discharge Elimination System; Abatement.</b> <b>EL-JPA - SMC Express Lanes JPA; DMV - Department of Motor Vehicles.</b>											

## C/CAG AGENDA REPORT

Date: June 9, 2022

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

From: Sean Charpentier, Executive Director

Subject: Review legislative update and, if appropriate, recommend approval of C/CAG legislative policies, priorities, or positions. (A position may be taken on any legislation, including legislation not previously identified in the legislative update. Action is only necessary if recommending approval of a policy, priority, or position.)

(For further information, contact Kim Springer at [kspringer@smcgov.org](mailto:kspringer@smcgov.org))

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### RECOMMENDATION

That the C/CAG Board of Directors review the legislative update and, if appropriate, recommend approval of C/CAG legislative policies, priorities, or positions. (A position may be taken on any legislation, including legislation not previously identified in the legislative update. Action is only necessary if recommending approval of a policy, priority, or position.)

C/CAG staff does not have specific recommended legislative actions with respect to this month's legislative update.

### FISCAL IMPACT

N/A

### SOURCE OF FUNDS

N/A

### BACKGROUND

The C/CAG Legislative Committee receives monthly written reports and oral briefings from C/CAG's State legislative advocates. Important or interesting issues and positions taken by vote that arise out of the Committee meeting are reported to the Board verbally under this item.

The attached report from Shaw Yoder Antwih Schmelzer & Lange, C/CAG's legislative consultant, may include updates from Sacramento with respect to the State Budget process, State grant programs, recent committee hearings, and bill progress of interest to C/CAG since the last C/CAG Board meeting.

C/CAG continues to pursue budget funding requests with members of the delegation for two projects benefitting San Mateo County. C/CAG leadership and staff, joined by staff from the San Mateo County Transportation Authority, met with Senator Becker and Assembly Member Mullin's Offices

in mid-March to present the requests and respond to questions from the delegates. One request for \$10 million is for the construction phase of the US 101/SR 92 Interchange Area Improvements project. The other is a dual-purpose request for \$10 million for a stormwater project at Red Morton Community Park in Redwood City and for completing design work with Caltrans on a stormwater project in San Bruno, near the Hwy 380-280 interchange.

For additional information with respect to what the Metropolitan Transportation Commission/Association of Bay Area Governments Joint Legislative Committee, California League of Cities, California State Association of Counties (CSAC), and California Association of Councils of Government (CALCOG) are tracking, staff has included informational links to the relevant bill tracking websites, as well as the full legislative information for the State Legislature and the 2021 calendar of legislative deadlines. Lastly, staff have also included links to the 2022 legislation websites for the San Mateo County delegates for information only.

#### **ATTACHMENTS**

1. C/CAG Legislative Update, May 31, 2022 from Shaw Yoder Antwih Schmelzer & Lange

Below are informational links:

2. [Recent Joint ABAG MTC Legislation Committee Agendas](#)
3. [California State Association of Counties \(CSAC\) 2021 bill positions and tracking](#)
4. [California Associations of Councils of Government \(CALCOG\) 2021 bill tracking](#)
5. Full Legislative information is available for specific bills at <http://leginfo.legislature.ca.gov/>
6. [2022 California State Calendar of Legislative Deadlines](#)
7. [San Mateo County Delegation Sponsored Legislation 2021](#)
  - [2022 Legislation from Assemblymember Marc Berman](#)
  - [2021 Legislation from Assemblymember Kevin Mullin](#)
  - [2022 Legislation from Assemblymember Phil Ting](#)
  - [2021 Legislation from Senator Josh Becker](#)
  - [2022 Legislation Senator Scott Wiener](#)
8. Current client roster for Shaw Yoder Antwih Schmelzer & Lange - <https://syaslparkers.com/clients/>



May 31, 2022

TO: Board of Directors, City/County Association of Governments of San Mateo County

FM: Matt Robinson & Andrew Antwih, Shaw Yoder Antwih Schmelzer & Lange

RE: **STATE LEGISLATIVE UPDATE – June 2022**

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***Legislative Update***

On May 13, Governor Newsom released his [update of the Fiscal Year 2022-23 budget](#), otherwise known as the May Revision, based on the latest economic forecasts available to the Governor and the Department of Finance. The May Revision reflects a \$49.2 billion discretionary surplus and includes historic investments in the Administration’s top priorities, including women’s and LGBTQ+ rights, healthcare, pandemic relief, education access, transportation infrastructure, clean energy, combatting climate change, wildfires, emergency response, and drought. The Legislature is required to send the Governor a budget by June 15. The Senate, Assembly, and Administration will work to find agreement on their differences in the weeks ahead to meet the deadline. The state fiscal year begins July 1. C/CAG has sent a letter outlining some of its main priorities for the budget, in addition to the requests outlined below.

***Budget Requests***

As you are aware, C/CAG is pursuing budget funding requests with members of our delegation for two projects benefitting San Mateo County. C/CAG staff, joined by staff from the San Mateo County Transportation Authority, met with staff from Senator Becker and Assembly Member Mullin’s Offices in mid-January to brief them on our asks. As a reminder, one is a request for \$10 million for the construction phase of the US 101/SR 92 Interchange Area Improvements project. The other is a dual-purpose request for \$10 million for a stormwater project at Red Morton Community Park in Redwood City and for completing design work with Caltrans on a stormwater project in San Bruno.

***Bills With Positions***

**SB 852 (Dodd) Climate Resilience Districts – *SUPPORT IF AMENDED***

Existing law authorizes certain local agencies to form a community revitalization authority (authority) within a community revitalization and investment area to carry out provisions of the Community Redevelopment Law in that area for purposes related to, among other things, infrastructure, affordable housing, and economic revitalization. [This bill](#) would authorize a city, county, city and county, special district, or a combination of any of those entities to form a climate resilience district for the purposes of raising and allocating funding for eligible projects and would define “eligible project” as projects that address sea level rise, extreme heat, extreme cold, the risk of wildfire, drought, and the risk of flooding.

The bill would authorize the district to provide property tax increment revenues to the district, and/or other tax revenues, levying a benefit assessment, special tax, property-related fee, or other service charge or fee consistent with the requirements of the California Constitution.

**SB 917 (Becker) Seamless Bay Area – *SUPPORT IN CONCEPT***

[This bill](#) would require the Metropolitan Transportation Commission (MTC) to develop and adopt a Connected Network Plan, adopt an integrated transit fare structure, develop a comprehensive, standardized regional transit mapping and wayfinding system, develop an implementation and maintenance strategy and funding plan, and establish open data standards to support a more integrated public transportation network in the nine-county San Francisco Bay Area. This bill would also require the region's transit agencies to comply with those established integrated fare structure, regional transit mapping and wayfinding system, implementation and maintenance strategy and funding plan, and open data standards.

**SB 922 (Wiener) CEQA Exemptions for Transit – *SUPPORT IF AMENDED***

[This bill](#) would extend, until January 1, 2030, statutory exemptions from the requirement of the California Environmental Quality Act for clean transportation projects that make streets safer for walking and biking; speed up bus service on streets and improve its on-time performance; support faster bus service on state highways; expand carpooling; and improve wayfinding for people using transit, biking, or walking. This bill would also extend exemptions for the construction of infrastructure of facilities to charge or refuel zero-emission transit vehicles; active transportation and roadway improvements; and the building of new bus and light rail stations or terminals until January 1, 2030. C/CAG is requesting an amendment to prohibit any loss of housing from a project constructed under this bill's provisions.

**SB 1067 (Portantino) Parking Requirements – *OPPOSE***

[This bill](#) would prohibit a city, county, or city and county from imposing minimum automobile parking requirements on a housing development located within one-half mile of public transit and either dedicates 25 percent of the total units to very low, low-, and moderate-income households, students, the elderly, or persons with disabilities, or the developer demonstrates that the development would not have a negative impact on the local agency's ability to meet specified housing needs and would not have a negative impact on existing residential or commercial parking within one-half mile of the project.

**AB 1817 (Ting) PFAS Ban in Textiles – *SUPPORT***

Beginning January 1, 2023, existing law prohibits any food packaging that contains regulated perfluoroalkyl and polyfluoroalkyl substances or PFAS and requires a manufacturer to use the least toxic alternative when replacing regulated PFAS in food packaging. Existing law will also prohibit the sale and distribution of any new juvenile product that contains regulated PFAS chemicals. [This bill](#) would prohibit, beginning January 1, 2024, any person from selling or distributing any textile articles that contain regulated PFAS, and requires a manufacturer to use the least toxic alternative when replacing regulated PFAS in textile articles to comply with these provisions.

**AB 1944 (Lee) Brown Act Changes – *SUPPORT IF AMENDED***

[This bill](#) would make changes to the Brown Act to clarify that if a member of a legislative body elects to teleconference from a location that is not public, the address does not need to be identified in the



notice and agenda or be accessible to the public. This bill would also require all public meetings of a legislative body using teleconferencing to provide a video stream accessible to members of the public and an option for members of the public to address the body remotely during the public comment period through an audio-visual or call-in option. We suggest the author amend this bill to include an urgency clause so that it would take effect immediately.

**AB 2011 (Wicks) Ministerial Housing Approvals in Commercial Zones – *OPPOSE***

This bill would create a ministerial (by-right) pathway for affordable and mixed-income housing development in commercially zoned areas, if certain conditions are met. These housing developments would need to meet specified affordability and site criteria, as well as objective development standards and be within a zone where office, retail, or parking are a principally permitted use. The bill would require a developer using the process to require that certain wage and labor standards will be met, including that all construction workers shall be paid at least the general prevailing rate of wages.

**AB 2097 (Friedman) Parking Minimums – *OPPOSE***

[This bill](#) would prohibit a public agency from imposing a minimum automobile parking requirement, or enforcing a minimum automobile parking requirement, on residential, commercial, or other development if the development is located on a parcel that is within one-half mile of public transit. The bill does not preclude any requirement imposed on a new multifamily residential or nonresidential development to provide EV charging or accessible spaces.

**AB 2622 (Mullin) Sales Tax Exemption for Transit Buses – *SUPPORT***

[This bill](#) would extend the sunset date from January 1, 2024 to January 1, 2026 on the state sales and use tax exemption for zero-emission buses (ZEBs) purchased by California public transit agencies. This bill is likely to be amended to shorten the sunset.

**ACA 1 (Aguiar-Curry) Local Government Financing: Affordable Housing and Public Infrastructure: Voter Approval – *SUPPORT***

[This constitutional amendment](#) would lower the necessary voter threshold from a two-thirds supermajority to 55 percent to approve local general obligation bonds and special taxes for affordable housing and public infrastructure projects, including public transit. The C/CAG Board supported a nearly identical measure, also ACA 1 (Aguiar-Curry), in 2019.

## C/CAG AGENDA REPORT

Date: June 9, 2022

To: C/CAG Board of Directors

From: Sean Charpentier, Executive Director

Subject: Receive a presentation on the adoption of the reissued Municipal Regional Stormwater Permit.

(For further information contact Reid Bogert at [rbogert@smcgov.org](mailto:rbogert@smcgov.org))

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### RECOMMENDATION

That the C/CAG Board of Directors receive a presentation on the adoption of the reissued Municipal Regional Stormwater Permit.

### BACKGROUND/DISCUSSION

The five-year term of the Municipal Regional Stormwater Permit Order No. R2-2015-0049 (MRP 2.0) issued by the San Francisco Bay Regional Water Quality Control Board (Water Board) ended on December 31, 2020. Water Board staff administratively extended the permit until reissuance. Over the past three years, San Mateo Countywide Stormwater Program (Countywide Program) representatives and permittees, along with other countywide programs and permittees, have engaged Water Board staff through regional work groups focused on new and modified permit provisions, MRP 3.0 Steering Committee meetings and Bay Area Municipal Stormwater Collaborative Steering Committee meetings to negotiate the new permit. On February 9, 2021, Water Board staff released an Administrative Draft of “MRP 3.0” for permittee review and comment by April 8. On behalf of the San Mateo County permittees, C/CAG staff submitted a comment letter and attachments summarizing the priority issues in the Administrative Draft and detailing C/CAG’s progressive approach to cost-effective implementation of existing regulations and planning for the future. The comment letter and attachments detailed high priority concerns regarding new and modified requirements (including monitoring, green infrastructure and “Low Impact Development,” trash reduction requirements, new requirements to manage discharges associated with fire-fighting activities and unsheltered homeless populations, asset management and cost reporting) and documented requests for changes to ensure the permit is implementable and not cost-prohibitive in terms of prescribed methods, timelines and level of effort during the next five years.

On September 10, Water Board staff released the Tentative Order of MRP 3.0 with a 60-day comment period. The noticing of the Tentative Order triggered the formal public process for providing comment on the record for the draft permit before it is finalized and considered for adoption by the Water Board. As part of the public process, the Water Board held a two-day hearing on the Tentative Order on October 12 and 13, during which Water Board staff, countywide program and permittee representatives (including representatives from the Countywide Program and San Mateo County municipal representatives), as well as stakeholders

from non-governmental organizations and community-based organizations testified on the record on the Tentative Order. Water Board members directed staff to work with permittees and program representatives on key areas of the permit to address comments made during the Tentative Order hearing. Subsequently, on April 11, 2022 the Water Board staff publicly noticed the Revised Tentative Order, associated attachments and a comprehensive response to comments table addressing every public comment received during the public comment period. Though clear and explicit requests were submitted by the Countywide Program and other MRP permittee representatives throughout the Bay Area, and although these requests were refined and further expressed in additional MRP 3.0 work group meetings leading up to the release of the Revised Tentative Order, very few requested changes were incorporated into the Revised Tentative Order. Program staff and permittee representatives continued to engage Water Board staff on priority issues in preparation for the May 11, 2022 Water Board adoption hearing for the Revised Tentative Order, especially with respect to newly added requirements proposing to regulate utility trenching projects, water quality monitoring and Polychlorinated Biphenyls (PCBs) and mercury load reduction requirements. C/CAG staff also worked with select permittee representatives in San Mateo County and Water Board staff to address ongoing concerns regarding new and redevelopment requirements for single-family homes and road reconstruction/maintenance. Several aspects of the permit were still under consideration just prior to the public notice of the adoption hearing issued on May 4, which included a recently provided Errata #1 and second Errata #2, documenting mostly minor corrections to the Revised Tentative Order in addition to a more significant clarification regarding trash load reduction timelines, as well as a Supplemental documenting more significant modifications to select provisions.

As the Co-Chair of the Bay Area Municipal Stormwater Collaborative, C/CAG staff played a central role in organizing the public testimony on behalf of all 86 co-permittees under the MRP, and co-presented the collective MRP permittee presentation at the May 11 MRP 3.0 adoption hearing. During the hearing, Water Board staff heard from the collective MRP representatives, individual permittees and a variety of community stakeholders, including environmental non-governmental organizations, housing advocates, developers and the Region 9 Environmental Protection Agency. While Water Board members were responsive to permittee and program representative remarks, the final deliberation among Water Board members and staff resulted in very few changes to adopted permit. One significant outcome from the adoption hearing, was the Board Chair's request to have a progress report from Water Board staff, permittees and other stakeholders addressing implementation issues (cost, feasibility, impacts to disadvantaged communities, impacts to housing production) across several permit provisions by no later than August 2023, one year after the effective date of July 1, 2022.

Aligning with the adoption of MRP 3.0 and the expiration of existing technical consultants to the Countywide Program in September 2022, C/CAG staff are currently in the process of procuring new consultant support to fulfill C/CAG's role in implementing the Countywide Stormwater Program for the duration of the next five-year permit term. New/amended contracts and associated task orders will be presented to the C/CAG Board at its July 14 meeting.

C/CAG staff will provide a brief presentation summarizing the outcomes from the MRP 3.0 adoption hearing and next steps towards implementing the new requirements.

## ATTACHMENTS

1. Presentation summarizing outcomes from the May 11, 2022 MRP 3.0 adoption hearing – materials will be posted on C/CAG website day of meeting - <https://ccag.ca.gov/committees/board-of-directors-2/>

## C/CAG AGENDA REPORT

Date: June 9, 2022

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

From: Sean Charpentier, Executive Director

Subject: Receive a presentation on the results of an Intelligent Transit Signal Priority project in City of East Palo Alto

(For further information contact Kaki Cheung at [kcheung1@smcgov.org](mailto:kcheung1@smcgov.org))

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### RECOMMENDATION

That the C/CAG Board of Directors receive a presentation on the results of an Intelligent Transit Signal Priority pilot project in City of East Palo Alto.

### FISCAL IMPACT

The total cost of this project is \$236,700.

### SOURCE OF FUNDS

AB 1546 (\$4 Vehicle Registration Fee) – Regional Congestion Management Program.

### BACKGROUND

Sustainable Silicon Valley (SSV), a non-profit organization that collaborates with companies, cities, counties, and research and educational institutions to addresses sustainability issues, along with LYT, a traffic management platform, partnered with C/CAG on the “Intelligent Transit Signal Priority” (iTSP) pilot program in the City of East Palo Alto (EPA).

The objective of the pilot was to demonstrate the feasibility of a cloud-based, Artificial Intelligence-powered TSP system. Traditional TSP systems rely on a pre-programmed, static time of arrival. The cloud-based iTSP system used in this pilot provided more accurate time of arrival data, yielding real-time insights and mapping capabilities not offered by traditional TSP systems.

The City of East Palo Alto was selected to participate in the pilot. Sections of EPA are designated as part of an Equity Priority Community by the Metropolitan Transportation Commission (MTC). Among the demographic variables considered in this designation is the percentage of Zero-Vehicle Households, meaning those without access to a personal vehicle, making reliable transit essential to the community’s vitality.

The iTSP project was implemented along a section of University Avenue, a primary transit corridor in EPA. The pilot delivered iTSP specifically on SamTrans’ bus Route 296, and equipment was deployed on four signalized intersections along this corridor, including:

- University Ave. & Bay Rd.
- University Ave. & Runnymede St.

- University Ave. & Bell St.
- University Ave. & Donohoe St.

The pilot was launched on November 1, 2021 and completed on February 28, 2022. This six-month project utilized 40 SamTrans buses equipped with low-cost wireless GPS devices. LYT used preexisting equipment for the project. On Route 296, buses were equipped with cloud technology to coordinate priority calls at the traffic signals along the route. The LYT software dynamically adjusted the phase and timing of traffic signals to provide sufficient green clearance time, which improved transit throughput and reduced travel time, while minimally impacting cross traffic. See Figure 1 for a depiction of this route.

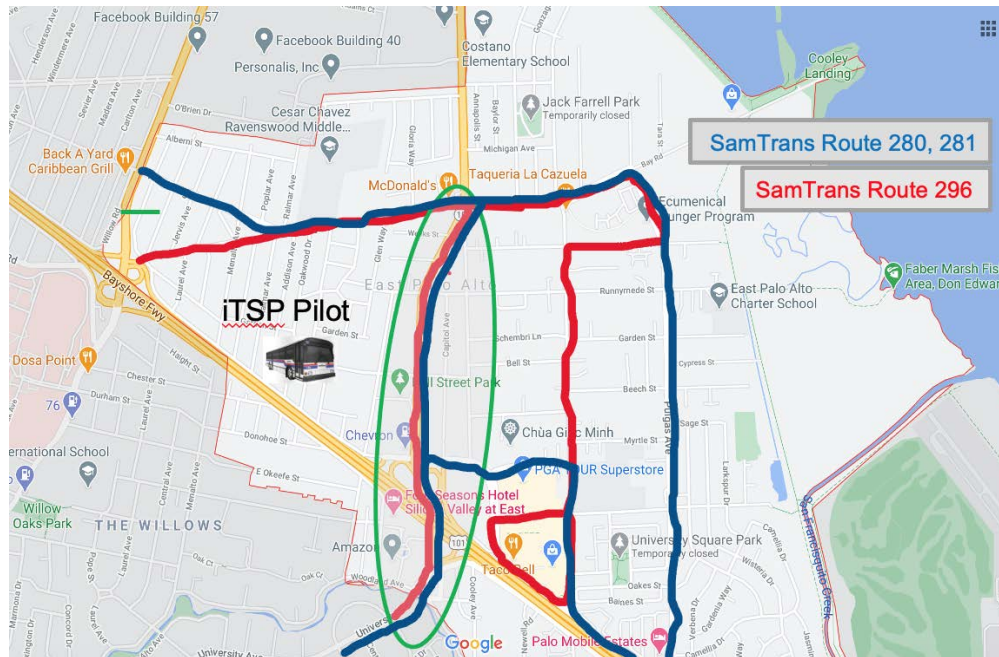


Figure 1: EPA Traffic Signals Overlaid with Routes 280, 281, and 296. The area enclosed by the green circle is the focus of the iTSP pilot and contains the 4 traffic signals controlled by the LYT system.

Key results from the pilot include:

- iTSP reduced northbound *intersection delay* for buses by 45% (40 seconds) and southbound intersection delay by 19% (7 seconds).
- These reductions translate to 18% and 7% reductions in bus *travel time* for northbound and southbound respectively.
- iTSP allowed buses to travel 11% and 4% faster along University Ave for northbound and southbound respectively.

At the June Board meeting, the project team will present on the findings and answer any questions from the Board.

## ATTACHMENTS

1. Draft iTSP Final Report (*will be available online at <https://ccag.ca.gov/committees/congestion-management-program-technical-advisory-committee/>*)

## C/CAG AGENDA REPORT

Date: June 9, 2022

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

From: Sean Charpentier, C/CAG Executive Director

Subject: Receive an update on the MTC One Bay Area Grant 3 (OBAG 3) County & Local Program

(For further information or questions contact Jeff Lacap at [jlacap@smcgov.org](mailto:jlacap@smcgov.org))

### RECOMMENDATION

That the C/CAG Board receives an update on the MTC One Bay Area Grant 3 (OBAG 3) County & Local Program.

### FISCAL IMPACT

Other than staff time, there is not any direct fiscal impact to C/CAG at this time. Upon C/CAG and MTC approval, the OBAG 3 County & Local Program funds will be allocated to project sponsors directly.

### SOURCE OF FUNDS

Federal funds are allocated by MTC via the OBAG 3 County & Local Program, including Congestion Mitigation and Air Quality (CMAQ) funds and Surface Transportation Program (STP) funds.

### BACKGROUND

The One Bay Area Grant (OBAG) program is the policy and programming framework for investing federal Surface Transportation Program (STP), Congestion Mitigation and Air Quality Improvement (CMAQ), and other fund programs throughout the San Francisco Bay Area. The Metropolitan Transportation Commission (MTC) established the OBAG program in 2013 to strengthen the connection between transportation investments and regional goals for focused growth in Priority Development Areas (PDAs), places near public transit that are planned for new homes, jobs, and community amenities.

On January 26, 2022, MTC adopted Resolution 4505 outlining and approving the OBAG Cycle 3 (OBAG 3) Grant Program. A total of \$750 million will be available in the region, with a 50/50 funding split between the Regional and County & Local Programs. This funding will be available over a four-year horizon, from FY 2022-23 through FY 2025-26. The OBAG 3 policy considerations includes focusing investments in PDAs and incorporating recent policy initiatives such as regional safety/vision zero policies and other strategies from Plan Bay Area 2050, and addresses federal programming requirements. MTC will directly administer the Regional Program and C/CAG, as the County Transportation Agency (CTA) for San Mateo County, will assist MTC in administering the County & Local Program. On May 11, 2022, C/CAG staff released the call for projects; applications are due on

Friday, July 1, 2022, at 12pm. To date, staff has held applicant workshops to provide guidance on the application process. Additionally, public workshops have been held to solicit project ideas from members of the public.

In accordance with MTC guidelines regarding public outreach, C/CAG Staff will give a presentation to the C/CAG Board on the OBAG 3 County and Local Program Call for Projects.

#### **ATTACHMENTS**

1. OBAG 3 Presentation (*Can be viewed at: <https://ccag.ca.gov/committees/board-of-directors-2/>*)



## C/CAG AGENDA REPORT

Date: June 9, 2022

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

From: Sean Charpentier, Executive Director

Subject: Communications - Information Only

(For further information, please contact Mima Crume at [mcrume@smcgove.org](mailto:mcrume@smcgove.org))

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### BACKGROUND

This item is for information only. The following written communications are available on the C/CAG Website: <http://ccag.ca.gov/committees/board-of-directors/>

**9.1.** Letter from C/CAG to Mitch Weiss, Executive Director, CTC, dated May 19, 2022; RE: Support for the City of San Carlos’s application for funding from Active Transportation Program (ATP) Cycle 6 for the Holly Street/U.S. 101 Pedestrian & Bicyclist Overcrossing Project.

**9.2.** Letter from C/CAG Chair to Honorable Anthony Portantino, Chair Senate Appropriations Committee, opposing SB 1067.

**9.3.** Letter from C/CAG Chair to Honorable Chris Holden, Chair – Assembly Appropriations Committee, supporting AB 2622.

**9.4.** Letter from C/CAG Chair to Honorable Luz Rivas, Chair – Assembly Natural Resources, supporting SB 922 if amended.

**9.5.** Letter to Therese McMillan from BACTA Members regarding Draft Transit Oriented Communities Policy

**9.6.** Letter to Honorable Toni G. Atkins; Honorable Anthony Rendon; Honorable Nancy Skinner, and Honorable Phil Ting regarding State Budget.

### ATTACHMENT

1. The written communications are available on the C/CAG Website: <http://ccag.ca.gov/committees/board-of-directors/>