Governments SANBAG Working Together

San Bernardino Associated Governments

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TRANSPORTATION MEASURE I

•San Bernardino County Transportation Commission •San Bernardino County Transportation Authority
•San Bernardino County Congestion Management Agency •Service Authority for Freeway Emergencies

AGENDA

Plans and Programs Policy Committee

July 18, 2012
12:00 p.m.

Location
SANBAG
Super Chief Conference Room
1170 West 3rd Street, 2nd Floor
San Bernardino, CA

Plans and Programs Committee Membership

Chair
L. Dennis Michael, Mayor
Rancho Cucamonga

Vice Chair
Larry McCallon, Mayor
City of Highland

East Valley Representatives
Patrick Morris, Mayor
City of San Bernardino

Dick Riddell, Mayor
City of Yucaipa

West Valley Representatives
Paul Eaton, Mayor
City of Montclair

Alan Wapner, Council Member
City of Ontario

Mountain/Desert Representatives
Rick Roelle, Council Member
Town of Apple Valley

Bill Jahn, Mayor
City of Big Bear Lake

George Huntington, Council Member
Town of Yucca Valley

San Bernardino County
Brad Mitzelfelt, Supervisor

Janice Rutherford, Supervisor

Neil Derry, Supervisor

Gary Ovitt, Supervisor

Josie Gonzales, Supervisor

San Bernardino Associated Governments (SANBAG) is a council of governments formed in 1973 by joint powers agreement of the cities and the County of San Bernardino. SANBAG is governed by a Board of Directors consisting of a mayor or designated council member from each of the twenty-four cities in San Bernardino County and the five members of the San Bernardino County Board of Supervisors.

In addition to SANBAG, the composition of the SANBAG Board of Directors also serves as the governing board for several separate legal entities listed below:

The San Bernardino County Transportation Commission, *which is responsible for short and long range transportation planning within San Bernardino County, including coordination and approval of all public mass transit service, approval of all capital development projects for public transit and highway projects, and determination of staging and scheduling of construction relative to all transportation improvement projects in the Transportation Improvement Program.*

The San Bernardino County Transportation Authority, *which is responsible for administration of the voter-approved half-cent transportation transactions and use tax levied in the County of San Bernardino.*

The Service Authority for Freeway Emergencies*, which is responsible for the administration and operation of a motorist aid system of call boxes on State freeways and highways within San Bernardino County.*

The Congestion Management Agency, *which analyzes the performance level of the regional transportation system in a manner which ensures consideration of the impacts from new development and promotes air quality through implementation of strategies in the adopted air quality plans.*

As a ***Subregional Planning Agency****, SANBAG represents the San Bernardino County subregion and assists the Southern California Association of Governments in carrying out its functions as the metropolitan planning organization. SANBAG performs studies and develops consensus relative to regional growth forecasts, regional transportation plans, and mobile source components of the air quality plans.*

Items which appear on the monthly Board of Directors agenda are subjects of one or more of the listed legal authorities. For ease of understanding and timeliness, the agenda items for all of these entities are consolidated on one agenda. Documents contained in the agenda package are clearly marked with the appropriate legal entity.

San Bernardino Associated Governments
County Transportation Commission
County Transportation Authority
Service Authority for Freeway Emergencies
County Congestion Management Agency

AGENDA

Plans and Programs Policy Committee

July 18, 2012
12:00 p.m.

LOCATION:
SANBAG
Super Chief Conference Room
1170 W. 3rd Street, 2nd Floor
San Bernardino, CA

CALL TO ORDER - 12:00 p.m.
(Meeting Chaired by Mayor Michael

I. Pledge of Allegiance
II. Attendance
III. Announcements
IV. Agenda Notices/Modifications – Mary Mayes

Notes/Action

1. Possible Conflict of Interest Issues for the SANBAG Plans and Programs Meeting of July 18, 2012 **Pg. 6**

Note agenda item contractors, subcontractors and agents which may require member abstentions due to conflict of interest and financial interests. Member abstentions shall be stated under this item for recordation on the appropriate item.

Consent Calendar

Consent Calendar items shall be adopted by a single vote unless removed by Board member request. Items pulled from the consent calendar will be brought up at the end of the agenda.

Administrative Matters

2. Plans and Programs Attendance Roster **Pg. 8**

A quorum shall consist of a majority of the membership of each SANBAG Policy Committee, except that all County Representatives shall be counted as one for the purpose of establishing a quorum.

Notes/Action

Discussion Items

Transportation Programs and Fund Administration

3. Improvement to Transit Access for Cyclists and Pedestrians **Pg. 10**

Receive presentation by Brian Gaze from Alta Planning, Inc. on the Improvement to Transit Access for Cyclists and Pedestrians Study. **Ryan Graham**

4. Estimate of Fiscal Year 2012-2013 reimbursements for Project Advancement Agreements **Pg. 12**

Receive information on estimated reimbursements for Project Advancement Agreements (PAAs) for Fiscal Year 2012-2013. **Steve Smith**

Program Support/Council of Governments

5. Contracts to Implement and Finance a Property Assessed Clean Energy (PACE) Program in San Bernardino County **Pg. 18**

That the Committee recommend the Board approve the following contracts related to the formation and on-going operation of a PACE Program and approve an exception to SANBAG Policy to allow for the terms of these contracts to exceed three-years:

1. Contract 12141 with The PFM Group to serve as Financial Advisor and Program Manager for a PACE Program for a contract term as described by Recommendation 5.

2. Contract 12245 with Best, Best and Krieger LLP to provide legal services related to the formation and on-going operation of a PACE Program for a contract term as described by Recommendation 5.

3. Contract 12247 with David Taussig & Associates to provide Special Tax Consultant and Assessment Engineering services related to the formation and on-going operation of a PACE Program for a contract term as described by Recommendation 5.

4. Contract 12248 with Westhoff, Cone & Holmstedt to provide Placement Agent services related to the formation and on-going operation of a PACE program for a term as described by Recommendation 5; and

5. Approve four-year contract terms for Contract Nos. C12141, C12245, C12247, and C12248, which exceed the three-year contract term identified in SANBAG's Procurement Policy 11000. **Duane Baker**

Comments from Committee Members

Brief Comments from Committee Members

Notes/Action

Public Comment

Brief Comments from the Public

ADJOURNMENT

Additional Information

Acronym List **Pg. 52**

Complete packages of this agenda are available for public review at the SANBAG offices. Staff reports for items may be made available upon request. For additional information, contact Mary Mayes at (909) 884-8276.

Meeting Procedures and Rules of Conduct

Meeting Procedures
The Ralph M. Brown Act is the state law which guarantees the public's right to attend and participate in meetings of local legislative bodies. These rules have been adopted by the Board of Directors in accordance with the Brown Act, Government Code 54950 et seq., and shall apply at all meetings of the Board of Directors and Policy Committees.

Accessibility
The SANBAG meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or services are needed in order to participate in the public meeting, requests should be made through the Clerk of the Board at least three (3) business days prior to the Board meeting. The Clerk's telephone number is (909) 884-8276 and office is located at 1170 W. 3rd Street, 2nd Floor, San Bernardino, CA.

Agendas – All agendas are posted at 1170 W. 3rd Street, 2nd Floor, San Bernardino at least 72 hours in advance of the meeting. Complete packages of this agenda are available for public review at the SANBAG offices and our website: www.sanbag.ca.gov. Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

Agenda Actions – Items listed on both the "Consent Calendar" and "Items for Discussion" contain suggested actions. The Board of Directors will generally consider items in the order listed on the agenda. However, items may be considered in any order. New agenda items can be added and action taken by two-thirds vote of the Board of Directors.

Closed Session Agenda Items – Consideration of closed session items *excludes* members of the public. These items include issues related to personnel, pending litigation, labor negotiations and real estate negotiations. Prior to each closed session, the Chair will announce the subject matter of the closed session. If action is taken in closed session, the Chair may report the action to the public at the conclusion of the closed session.

Public Testimony on an Item – Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Board of Directors or Policy Committee Members should complete a "Request to Speak" form, provided at the rear of the meeting room, and present it to the SANBAG Clerk prior to the Board's consideration of the item. A "Request to Speak" form must be completed for *each* item when an individual wishes to speak on. When recognized by the Chair, speakers should be prepared to step forward and announce their name and address for the record. In the interest of facilitating the business of the Board, speakers are limited to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Board at any one meeting. The Chair or a majority of the Board may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations.

The Consent Calendar is considered a single item, thus the three (3) minute rule applies. Consent Calendar items can be pulled at Board member request and will be brought up individually at the specified time in the agenda allowing further public comment on those items.

Agenda Times – The Board is concerned that discussion take place in a timely and efficient manner. Agendas may be prepared with estimated times for categorical areas and certain topics to be discussed. These times may vary according to the length of presentation and amount of resulting discussion on agenda items.

Public Comment – At the end of the agenda, an opportunity is also provided for members of the public to speak on any subject within the Board's authority. *Matters raised under "Public Comment" may not be acted upon at that meeting. The time limits established in "Public Testimony on any Item" still apply.*

Disruptive Conduct – If any meeting of the Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Chair may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive conduct includes addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, or otherwise preventing the Board from conducting its meeting in an orderly manner. *Please be aware that a NO SMOKING policy has been established for meetings. Your cooperation is appreciated!*

SANBAG General Practices for Conducting Meetings of Board of Directors and Policy Committees

Basic Agenda Item Discussion

- The Chair announces the agenda item number and states the subject.
- The Chair calls upon the appropriate staff member or Board Member to report on the item.
- The Chair asks members of the Board/Committee if they have any questions or comments on the item. General discussion ensues.
- The Chair calls for public comment based on "Request to Speak" forms which may be submitted.
- Following public comment, the Chair announces that public comment is closed and asks if there is any further discussion by members of the Board/Committee.
- The Chair calls for a motion from members of the Board/Committee.
- Upon a motion, the Chair announces the name of the member who makes the motion. Motions require a second by a member of the Board/Committee. Upon a second, the Chair announces the name of the Member who made the second, and the vote is taken.

The Vote as specified in the SANBAG Bylaws

- Each member of the Board of Directors shall have one vote. In the absence of the official representative, the alternate shall be entitled to vote. (Board of Directors only.)
- Voting may be either by voice or roll call vote. A roll call vote shall be conducted upon the demand of five official representatives present, or at the discretion of the presiding officer.

Amendment or Substitute Motion

- Occasionally a Board Member offers a substitute motion before the vote on a previous motion. In instances where there is a motion and a second, the maker of the original motion is asked if he would like to amend his motion to include the substitution or withdraw the motion on the floor. If the maker of the original motion does not want to amend or withdraw, the substitute motion is not addressed until after a vote on the first motion.
- Occasionally, a motion dies for lack of a second.

Call for the Question

- At times, a member of the Board/Committee may "Call for the Question."
- Upon a "Call for the Question," the Chair may order that the debate stop or may allow for limited further comment to provide clarity on the proceedings.
- Alternatively and at the Chair's discretion, the Chair may call for a vote of the Board/Committee to determine whether or not debate is stopped.
- The Chair re-states the motion before the Board/Committee and calls for the vote on the item.

The Chair

- At all times, meetings are conducted in accordance with the Chair's direction.
- These general practices provide guidelines for orderly conduct.
- From time-to-time circumstances require deviation from general practice.
- Deviation from general practice is at the discretion of the Board/Committee Chair.

Courtesy and Decorum

- These general practices provide for business of the Board/Committee to be conducted efficiently, fairly and with full participation.
- It is the responsibility of the Chair and Members to maintain common courtesy and decorum.

Adopted By SANBAG Board of Directors January 2008

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TRANSPORTATION MEASURE I

San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 1

Date: July 18, 2012

Subject: Information Relative to Possible Conflict of Interest

Recommendation**: Note agenda items and contractors/subcontractors which may require member abstentions due to possible conflicts of interest.

Background: In accordance with California Government Code 84308, members of the Board may not participate in any action concerning a contract where they have received a campaign contribution of more than $250 in the prior twelve months from an entity or individual. This agenda contains recommendations for action relative to the following contractors:

Item No.	Contract No.	Contractor/Agents	Subcontractors
5	C12141	The PFM Group *Michael Berwanger* *Laura Franke* *Craig Hoshijima* *Hana Hu*	N/A
5	C12245	Best Best and Krieger, LLP *Warren Diven* *John Rottschaefer*	N/A

*

Approved
Plans and Programs Committee

Date: *July 18, 2012*

Moved: *Second:*

In Favor: *Opposed:* *Abstained:*

*Witnessed:*_____

COG	X	CTC		CTA		SAFE		CMA	

Check all that apply.

PPC1207z-dab

5	C12247	David Taussig & Associates *Andrea Roess* *Donna Segura*	N/A
5	C12248	Westhoff, Cone & Holmstedt *Tony Cone* *Mark Holmstedt*	N/A

Financial Impact: This item has no direct impact on the budget.

Reviewed By: This item is prepared monthly for review by the Board of Directors and Policy Committee members.

AGENDA ITEM: 2

PLANS & PROGRAMS POLICY COMMITTEE ATTENDANCE RECORD - 2012

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Bill Jahn, Chair Big Bear Lake	X	X	X	X	X	X						
L. Dennis Michael, Vice Chair City of Rancho Cucamonga	X			X	X	X						
Rick Roelle Town of Apple Valley	X	X			X	X						
Larry McCallon City of Highland	X	X		X	X	X						
Paul Eaton City of Montclair	X	X		X	X							
Alan Wapner City of Ontario	X	X		X		X						
Patrick Morris City of San Bernardino	X	X	X	X	X	X						
Dick Riddell City of Yucaipa	X	X	X	X	X	X						
George Huntington Town of Yucca Valley	X	X	X	X	X							
Gary Ovitt Board of Supervisors	X	X	X	X		X						
Josie Gonzales Board of Supervisors	X	X	X			X						
Neil Derry Board of Supervisors	Self-Suspension 5/3/2011	X	X	X	X	X						
Janice Rutherford Board of Supervisors	X			X	X	X						
Brad Mitzelfelt Board of Supervisors	X	X	X	X		X						

X = Member attended meeting. Empty box = Member did not attend meeting Crossed out box = Not a member at the time.

AGENDA ITEM: 2

PLANS & PROGRAMS POLICY COMMITTEE ATTENDANCE RECORD - 2011

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Rick Roelle Town of Apple Valley	X	X	X	X	X		X	X	X	X	X	X
Bill Jahn Big Bear Lake	X	X	X	X	X	X	X	X	X	X	X	X
Larry McCallon City of Highland			X	X	X				X	X	X	X
Paul Eaton City of Montclair		X		X		X		X	X		X	X
Alan Wapner City of Ontario	X	X	X	X	X	X	X	X	X	X	X	X
L. Dennis Michael City of Rancho Cucamonga	~~X~~	~~X~~	X	X	X	X	X	X		X	X	X
Diane Williams City of Rancho Cucamonga		X	~~X~~	~~X~~	~~X~~	~~X~~	~~X~~	~~X~~	~~X~~	~~X~~	~~X~~	~~X~~
Patrick Morris City of San Bernardino	X	X	X	X	X		X	X	X	X	X	X
Dick Riddell City of Yucaipa	X	X	X	X	X	X	X	X	X	X	X	X
George Huntington Town of Yucca Valley	X	X	X	X	X	X	X	X	X	X	X	X
Neil Derry Board of Supervisors	X	X	X		Self Suspension as of 5/3/2011	Self Suspension as of 5/3/2011	Self Suspension as of 5/3/2011	Self Suspension as of 5/3/2011	Self Suspension as of 5/3/2011	Self Suspension as of 5/3/2011	Self Suspension as of 5/3/2011	Self Suspension as of 5/3/2011
Josie Gonzales Board of Supervisors	X		X	X	X		X	X	X			
Brad Mitzelfelt Board of Supervisors	X	X	X		X	X	X	X		X	X	
Gary Ovitt Board of Supervisors	X	X	X		X	X	X	X	X	X		X
Janice Rutherford Board of Supervisors		X	X			X	X	X	X	X	X	X

X = Member attended meeting. Empty box = Member did not attend meeting Crossed out box = Not a member at the time.

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TRANSPORTATION MEASURE I
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Minute Action

AGENDA ITEM: 3

Date: July 18, 2012

Subject: Improvement to Transit Access for Cyclists and Pedestrians

Recommendation:* Receive presentation by Brian Gaze from Alta Planning, Inc. on the Improvement to Transit Access for Cyclists and Pedestrians Study.

Background: In June 2011, the Board approved an amendment to the Continuing Cooperative Agreement with the Southern California Association of Governments (SCAG) for the preparation of a study titled, Improvements to Transit Access for Cyclists and Pedestrians Study. The study is a collaborative effort between SANBAG and SCAG using a Federal Transit Administration (FTA) 5304 planning grant that SANBAG successfully obtained through Caltrans in 2010.

The study is a one-year effort focused on improving access to and from transit stations on the San Bernardino Metrolink line and the E Street sbX specifically, but is being conducted in a manner that provides transferability to additional contexts. The primary effort of the study is to identify existing deficiencies in the pedestrian and bicycle environments of the transit station catchment areas and to identify improvements that could be reasonably implemented by jurisdictions to correct the deficiency. Secondary considerations of the study include a "best practices" guidebook for local jurisdictions as well as a manual on non-motorized funding opportunities.

*

Approved
Plans and Programs Committee

Date: *July 18, 2012*

Moved: *Second:*

In Favor: *Opposed:* *Abstained:*

Witnessed: _____

COG	X	CTC		CTA		SAFE		CMA	

Check all that apply.

PPC1207a-rpg

The Project Manager, Brian Gaze, from Alta Planning + Design will provide the Plans and Programs Committee with a presentation on the study, including information on the station catchment areas, types of improvements contemplated by the study and examples of prototypical projects that might provide the greatest improvement to the non-motorized environment for the least amount of investment. Additionally, feedback from the Committee will be incorporated into the draft final report, which is scheduled for release by the end of July 2012.

Following the completion of the study, SANBAG and its local jurisdiction partners will need to consider when and how to move forward with the implementation of appropriate improvements recommended by the consultant. This can be considered as part of the implementation of the "Active Transportation" component of the Regional Transportation Plan/Sustainable Communities Strategy approved by SCAG in April 2012. Identification and pursuit of funding will be of paramount importance as the agencies move forward.

Financial Impact: Staff activities associated with this item are funded under Task No. 0404 Subregional Transportation Planning. This item is consistent with the current adopted Fiscal Year 2012-2013 SANBAG budget.

Reviewed By: This item is scheduled for review by the Plans and Programs Committee on July 18, 2012

Responsible Staff: Ryan Graham, Transit Analyst

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TRANSPORTATION MEASURE I
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Minute Action

AGENDA ITEM: 4

Date: July 18, 2012

Subject: Estimate of Fiscal Year 2012-2013 reimbursements for Project Advancement Agreements

Recommendation:* Receive information on estimated reimbursements for Project Advancement Agreements (PAAs) for Fiscal Year 2012-2013.

Background: A strategy to advance SANBAG Nexus Study interchange, arterial, and grade separation projects to construction prior to the availability of Measure I 2010-2040 revenues was approved by the SANBAG Board of Directors in December 2005. Project Advancement Agreements with Valley jurisdictions represent a total Measure I commitment of approximately $118 million, including approximately $34 million for the Valley Freeway Interchange Program and $84 million for the Valley Major Street Program. See Attachment 1 for a complete listing of executed PAAs and associated projects for Valley programs.

The chronological process for reimbursement of Valley PAAs is stated in Measure I Strategic Plan Policy 40002/PA-11:

- *Policy 40002/PA-11: SANBAG shall administratively reimburse local jurisdictions with PAAs in the order of expenditure as established by the date of invoice received by the jurisdiction from the contractor/consultant for a PAA project. The order of expenditure shall be considered separately for the Valley Major Street and Valley Freeway Interchange Programs.*

*

Approved
Plans and Programs Committee

Date: July 18, 2012

Moved: *Second:*

In Favor: *Opposed:* *Abstained:*

Witnessed: _____

COG		CTC		CTA	X	SAFE		CMA	

Check all that apply.
PPC1207a-ss
Attachment: PPC1207a1-ss

The date of the consultant/contractor invoice or the date of the check for reimbursement to the consultant/contractor (if the invoice date is not available) is being used as the chronological reference. Policy 40002/PA-12 indicates that reimbursements are to occur on a quarterly basis.

Quarterly reimbursement for PAAs began in Fiscal Year 2010-2011. The SANBAG Board allocated $2.911 million for reimbursement in the Valley Freeway Interchange Program and $5.293 million for the Valley Major Street Program. Both of these represented 40% of the forecast revenue for those programs for Fiscal Year 2010-2011. The Board allocated $3.83 million for the Interchange Program and $6.97 million for the Major Street Program for Fiscal Year 2011-2012. The following reimbursements occurred for PAAs in Fiscal Year 2011-2012:

- Valley Freeway Interchange Program:
  - I-10/Pepper Interchange, Phase 1 (County) - $2,185,026
  - I-10/Live Oak Interchange (Yucaipa) – $1,709,908

- Valley Major Street Program (various arterial projects):
  - Chino - $629,685
  - Chino Hills - $329,825
  - Fontana - $3,881,340
  - Highland - $1,392
  - Rancho Cucamonga - $2,355,939
  - Rialto - $533,330
  - Yucaipa - $78,834

Freeway Interchange Program PAA Reimbursements for FY 2012-2013

Fiscal Year 2012-2013 will be a milestone in the Freeway Interchange portion of the PAA program as both the I-10/Pepper Interchange, Phase 1 and the I-10/Live Oak interchange will be paid off, and PAA reimbursements will begin for the I-10/Riverside interchange. In addition, the I-15/Duncan Canyon interchange has been removed from the PAA program by virtue of the project's allocation of $12 million in Proposition 1B Corridor Mobility Improvement Account (CMIA) funds by the California Transportation Commission in June, 2012. This means that the entire Freeway Interchange portion of the PAA program will likely be reimbursed by Fiscal Year 2013-2014. Once the PAAs are paid off, the allocation to other interchanges can then be increased.

The allocation of Measure I 2010-2040 funds for reimbursement of PAAs for freeway interchange projects is $4,215,200 for Fiscal Year 2012-2013. This represents 40% of the Measure I revenue forecast for the Valley Freeway

Interchange Program for the fiscal year. This plus a residual amount from Fiscal Year 2011-2012 are forecast to result in the following reimbursements for the current fiscal year:

- I-10/Pepper Interchange, Phase 1 (County) - $204,112
- I-10/Live Oak Interchange (Yucaipa) – $2,328,141
- I-10/Riverside Interchange (Rialto) - $1,697,079

The above amounts may change slightly before reimbursement begins, pending final invoice reviews.

Major Street Program Reimbursements

Approximately 2700 consultant/contractor invoices have been submitted for PAAs in the Major Street Program, representing 51 projects in the PAA Major Street Program pool. Of these, one project is a rail/highway grade separation project, and the remainder are arterial projects. The grade separation project is the crossing of Haven Avenue under the San Gabriel subdivision (Metrolink line).

The SANBAG Board has provided an allocation of $12,533,250 for Major Street Program PAA reimbursement for Fiscal Year 2012-2013. This is substantially higher than the Fiscal Year 2011-2012 because unexpended arterial allocations from Fiscal Year 2010-2011 have been added to the allocation of arterial Project Advancement Agreement (PAA) reimbursements for Fiscal Year 2012-2013. This increased the Fiscal Year 2012-2013 PAA allocation by $4,258,470 over what it would have been otherwise (assuming the normal 40% allocation of Major Street funds), and reduced the arterial allocation by a like amount. This has been accounted for in the budget for Fiscal Year 2012-2013. If in future years the arterial program requires those funds for project reimbursement, the PAA program can be under-allocated in the appropriate budgeting cycle.

All seven jurisdictions with Major Street Program PAAs are projected to receive reimbursements in Fiscal Year 2012-2013, as follows:

- Chino - $586,077
- Chino Hills - $1,198,877
- Fontana - $8,194,465
- Highland - $72,250
- Rancho Cucamonga - $882,604
- Rialto - $344,497
- Yucaipa - $1,276,465

The above amounts may change slightly before reimbursement begins pending final invoice reviews.

The Fiscal Year 2012-2013 schedule of forecast quarterly reimbursements was reviewed by the Transportation Technical Advisory Committee (TTAC) on June 25, 2012. The quarterly amounts vary by jurisdiction, depending on the invoice chronology.

Jurisdictions will be notified by SANBAG regarding the final reimbursement amounts. Jurisdictions will then respond with PAA invoices for each of four quarters, as the year progresses, and SANBAG will provide the reimbursement.

PAA reimbursements for the arterial program are considered part of each jurisdiction's equitable share for the arterial sub-program of the Valley Major Street program. Thus, any jurisdictions without PAAs will still be eligible for their fair share of Valley Major Street Program funds, as defined in the Development Mitigation Nexus Study.

Financial Impact: This item is consistent with the approved Fiscal Year 2012-2013 Budget, Task No. 61013000, Measure I 2010-2040 Project Advancement.

Reviewed By: This item will be reviewed by the Plans and Programs Committee on July 18, 2012. This information was reviewed by the SANBAG Transportation Technical Advisory Committee on June 25, 2012.

Responsible Staff: Steve Smith, Director of Planning

PPC1207a-ss
Attachment: PPC1207a1-ss

Attachment 1

MEASURE I 2010- 2040
Project Advancement Program – Project List

Valley Freeway Interchange Projects--WITH EXISTING PAA AGREEMENT

Agency	Contract No.	Board Approval	Agenda Item	Project Location	Project Description	Cost Estimate	Measure Share
Yucaipa	C07047	08/02/2006	brd0608a-abz	I-10 at Oak Glen/Live Oak	Interchange Reconstruction	$18,403,246	$6,286,672
Fontana	C07129	12/06/2006	brd0612b-abz	I-15 at Duncan Canyon Rd	Construct New Interchange	$18,000,000	$4,068,000
Rialto	C07170	04/04/2007	brd0704c-abz	I-10 at Riverside Avenue	Interchange Reconstruction	$30,400,000	$17,382,581

TOTAL MEASURE COMMITMENT TO VALLEY FREEWAY INTERCHANGE PROJECTS $27,737,253

Valley Major Street Projects --WITH EXISTING PAA AGREEMENT

Agency	Contract No.	Board Approval	Agenda Item	Project Location	Project Description	Cost Estimate	Measure Share
Chino Hills	C07022	07/05/2006	brd0607b-abz	Peyton Dr	Widen from Grand Av to Chino Hills Pkwy	$15,167,000	$8,202,776
					TOTAL MEASURE COMMITMENT TO CHINO HILLS		$8,202,776
Fontana	C07058	12/06/2006	brd0612b-abz	Baseline Ave.	Widen from Citrus Ave to 330' East of Mango Ave	$7,550,000	$5,134,000
Fontana	C07059	12/06/2006	brd0612b-abz	Cherry Ave	Widen from Jurupa Ave to Slover Ave	$3,110,000	$2,114,800
Fontana	C07060	12/06/2006	brd0612b-abz	Foothill Ave	Widen from East Ave to Hemlock Ave	$7,400,000	$5,032,000
Fontana	C07061	12/06/2006	brd0612b-abz	Sierra Ave	Widen from Baseline Ave to Walnut Ave	$7,800,000	$5,304,000
Fontana	C07062	12/06/2006	brd0612b-abz	Jurupa Ave	Widen from Etiwanda Ave to Sierra Ave	$12,000,000	$8,160,000
Fontana	C07063	12/06/2006	brd0612b-abz	Citrus Ave	Widen form Baseline Ave to So. Highland Ave	$4,000,000	$2,720,000
Fontana	C07064	12/06/2006	brd0612b-abz	Walnut Ave	Widen from Citrus Ave. to Sierra Ave	$4,200,000	$2,856,000
Fontana	C07065	12/06/2006	brd0612b-abz	So. Highland Ave	Widen from San Sevaine Rd to Citrus Ave	$4,000,000	$2,720,000
Fontana	C07066	01/10/2007	brd0701a-abz	Cypress Ave	Construct Overcrossing at I-10	$20,000,000	$10,245,502
					TOTAL MEASURE COMMITMENT TO FONTANA		$44,286,302
Highland	C08016	10/03/2007	brd0710a-abz	Greenspot Rd	Improvements (widening) from SR-30 to Boulder Ave	$2,710,000	$523,416
					TOTAL MEASURE COMMITMENT TO HIGHLAND		$523,416
R Cucamonga	C07025	08/02/2006	brd0608b-abz	Haven Ave	Construct Grade Separation	$15,910,000	$13,856,000
					TOTAL MEASURE COMMITMENT TO RANCHO CUCAMONGA		$13,856,000
Yucaipa	C07098	10/04/2006	brd0610a-abz	Yucaipa Blvd	Widen South Side from 5th St to 12th St	$2,898,400	$1,224,750
Yucaipa	C07099	10/04/2006	brd0610b-abz	Oak Glen Rd	Widen from 2nd St to Bryant	$500,000	$345,000
Yucaipa	C07100	10/04/2006	brd0610c-abz	Oak Glen Rd	Widen from Yucaipa Bl to Avenue E	$1,800,000	$1,242,000
Yucaipa	C07101	10/04/2006	brd0610d-abz	Wildwood Canyon Rd	Intersection Improvements at 5th St	$551,605	$380,880
					TOTAL MEASURE COMMITMENT TO YUCAIPA		$3,192,630

TOTAL MEASURE COMMITMENT TO VALLEY MAJOR STREET PROJECTS $70,061,124

Valley Freeway Interchange Projects-- New PAA Agreements

Agency	Contract No.	Board Approval	Agenda Item	Project Location	Project Description	Cost Estimate	Measure Share
SB County	C10092	05/05/2010	brd1005a-pc	I-10 Pepper Ave	I-10 Freeway Interchange	$10,000,000	$6,600,000

TOTAL MEASURE COMMITMENT TO VALLEY FREEWAY INTERCHANGE PROJECTS $6,600,000

PPC1207a1-ss

Attachment 1

Valley Major Street Projects-- New PAA Agreements

Agency	Contract No.	Board Approval	Agenda Item	Project Location	Project Description	Cost Estimate	Measure Share
R Cucamonga	C09182	05/05/2010	brd1005a-pc	Haven Ave	Widening from Baseline Rd to I-210 Fwy Westside	$6,000,000	$4,260,000
R Cucamonga	C09182	05/05/2010	brd1005a-pc	Church St	Widening from Archibald to Haven 2 to 4 lanes	$1,152,000	$817,920
R Cucamonga	C09182	05/05/2010	brd1005a-pc	4th and Richmond	New traffic signal	$158,000	$112,180
R Cucamonga	C09182	05/05/2010	brd1005a-pc	4th and Utica	New traffic signal (50% Ontario)	$158,000	$112,180
R Cucamonga	C09182	05/05/2010	brd1005a-pc	6th and Buffalo	New traffic signal	$158,000	$112,180
R Cucamonga	C09182	05/05/2010	brd1005a-pc	6th and Utica	New traffic signal	$158,000	$112,180
R Cucamonga	C09182	05/05/2010	brd1005a-pc	Archibald and Banyan	New traffic signal	$158,000	$112,180
R Cucamonga	C09182	05/05/2010	brd1005a-pc	Archibald and San Bernardino	New traffic signal	$158,000	$112,180
R Cucamonga	C09182	05/05/2010	brd1005a-pc	Archibald and Victoria	New traffic signal	$158,000	$112,180
R Cucamonga	C09182	05/05/2010	brd1005a-pc	Arrow and Center	New traffic signal	$158,000	$112,180
R Cucamonga	C09182	05/05/2010	brd1005a-pc	Banyan and Wardman Bullock	New traffic signal	$158,000	$112,180
R Cucamonga	C09182	05/05/2010	brd1005a-pc	Carnelian and Wilson	New traffic signal	$158,000	$112,180
R Cucamonga	C09182	05/05/2010	brd1005a-pc	Church and Elm	New traffic signal	$158,000	$112,180
R Cucamonga	C09182	05/05/2010	brd1005a-pc	Day Creek and Madrigal	New traffic signal	$158,000	$112,180
R Cucamonga	C09182	05/05/2010	brd1005a-pc	Foothill and Cornwall	New traffic signal	$158,000	$112,180
R Cucamonga	C09182	05/05/2010	brd1005a-pc	Foothill and East Ave	New Traffic signal (50% Fontana)	$158,000	$112,180
R Cucamonga	C09182	05/05/2010	brd1005a-pc	Foothill and Malachite	New traffic signal	$158,000	$112,180
R Cucamonga	C09182	05/05/2010	brd1005a-pc	Haven and Trademark	New traffic signal	$158,000	$112,180
R Cucamonga	C09182	05/05/2010	brd1005a-pc	Haven and Wilson	New traffic signal	$158,000	$112,180
R Cucamonga	C09182	05/05/2010	brd1005a-pc	Hermosa and Church	New traffic signal	$158,000	$112,180
R Cucamonga	C09182	05/05/2010	brd1005a-pc	Wilson and San Sevaine	New traffic signal	$158,000	$112,180
R Cucamonga	C09182	05/05/2010	brd1005a-pc	Wilson and Wardman Bullock	New traffic signal	$158,000	$112,180
					TOTAL MEASURE COMMITMENT TO RANCHO CUCAMONGA		**$7,321,520**
Chino	C09184	05/05/2010	brd1005a-pc	Chino Avenue	Widen from Fern to Euclid (2 to 4 lanes)	$4,565,000	$2,236,850
Chino	C09184	05/05/2010	brd1005a-pc	Kimball Ave	Widen from Euclid to Hellman (2 to 4 lanes)	$6,661,000	$3,263,890
Chino	C09184	05/05/2010	brd1005a-pc	Pine and Mill Creek	New traffic signal	$181,000	$88,690
Chino	C09184	05/05/2010	brd1005a-pc	Pine and West Preserve Loop	New traffic signal	$181,000	$88,690
Chino	C09184	05/05/2010	brd1005a-pc	Fern and Riverside Dr.	New traffic signal	$201,000	$98,490
					TOTAL MEASURE COMMITMENT TO CHINO		**$5,776,610**
Rialto	C09183	05/05/2010	brd1005a-pc	Bloomington Ave and Willow Ave	New traffic signal	$395,000	$237,000
Rialto	C09183	05/05/2010	brd1005a-pc	Merrill Ave and Willow Ave	New traffic signal	$282,000	$169,200
Rialto	C09183	05/05/2010	brd1005a-pc	Cactus Ave and Walnut Ave	New traffic signal	$282,000	$169,200
Rialto	C09183	05/05/2010	brd1005a-pc	Cactus and Randall Ave	New traffic signal	$282,000	$169,200
Rialto	C09183	05/05/2010	brd1005a-pc	Riverside Ave and Alder Ave	New traffic signal	$282,000	$169,200
					TOTAL MEASURE COMMITMENT TO RIALTO		**$913,800**
Highland	C09185	05/05/2010	brd1005a-pc	9th Street	9th Street from Cunningham Street to 192' east of Cunningham Street (South side only)	$26,587	
Highland	C09185	05/05/2010	brd1005a-pc	9th Street	9th Street from 380' east of Cunningham Street to 920' east of Cunningham Street (South side only)	$98,662	
Highland	C09185	05/05/2010	brd1005a-pc	9th Street	9th Street from Elmwood Street to Sterling Avenue (South side only)	$506,424	
					SUB TOTAL	**$631,673**	
					Safe route to school (buydown total cost)	-$317,002	
					TOTAL COST AFTER BUYDOWN (53.6%)	**$314,671**	**$168,664**
					TDA Article 3 (buydown public share)	-75970	
					TOTAL MEASURE COMMITMENT TO HIGHLAND		**$92,694**
					TOTAL MEASURE COMMITMENT TO VALLEY MAJOR STREETS PROJECTS (NEW)		**$14,104,624**
					TOTAL MEASURE COMMITMENT TO VALLEY MAJOR STREETS PROJECTS (ALL PAAs)		**$84,165,748**
					TOTAL MEASURE COMMITMENT TO VALLEY FREEWAY INTERCHANGE PROJECTS (ALL PAAs)		**$34,337,253**

PPC1207a1-ss

Governments SANBAG Working Together

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TRANSPORTATION MEASURE I

San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 5

Date: July 18, 2012

Subject: Contracts to Implement and Finance a Property Assessed Clean Energy (PACE) Program in San Bernardino County

Recommendation:* That the Committee recommend the Board approve the following contracts related to the formation and on-going operation of a PACE Program and approve an exception to SANBAG Policy to allow for the terms of these contracts to exceed three-years:

1. Contract 12141 with The PFM Group to serve as Financial Advisor and Program Manager for a PACE Program for a contract term as described by Recommendation 5.
2. Contract 12245 with Best, Best and Krieger LLP to provide legal services related to the formation and on-going operation of a PACE Program for a contract term as described by Recommendation 5.
3. Contract 12247 with David Taussig & Associates to provide Special Tax Consultant and Assessment Engineering services related to the formation and on-going operation of a PACE Program for a contract term as described by Recommendation 5.
4. Contract 12248 with Westhoff, Cone & Holmstedt to provide Placement Agent services related to the formation and on-going operation of a PACE program for a term as described by Recommendation 5; and
5. Approve four-year contract terms for Contract Nos. C12141, C12245, C12247, and C12248, which exceed the three-year contract term identified in SANBAG's Procurement Policy 11000.

*

Approved
Plans and Programs Committee

Date: July 18, 2012

Moved: *Second:*

In Favor: *Opposed:* *Abstained:*

Witnessed: _____

COG	X	CTC		CTA		SAFE		CMA	

Check all that apply.
PPC1207a-dab
Attachments: PPC1207a1-dab, C12141, C12245, C12247, C12248

Background:

On November 2, 2011, the Board of Directors directed staff to proceed with the steps necessary to create a regional energy efficiency and water conservation improvement loan program as defined by Assembly Bill (AB) 811 and AB 474 and commonly referred to as a Property Assessed Clean Energy (PACE) Program.

A PACE Program allows a jurisdiction and an interested property owner to enter into a contractual agreement to finance the installation of eligible renewable energy, energy efficiency, or water efficiency improvements that are permanently fixed to the property. The jurisdiction loans the property owner the funds for the improvement. The amount of the loan plus a fixed interest amount is repaid through an assessment on the property tax bill for the property. The term of the loan is typically 20 years.

The jurisdiction gets the funds to loan by selling bonds to private investors secured by the property tax assessments paid by the property owners

The PACE program can serve as a conduit to get millions of dollars in private investment circulating in the local economy. The program can help residential property owners lower their energy bills. The program can help commercial property owners and businesses lower their energy and water costs which could help make them more competitive. This private investment can help create jobs for contractors, installers, and suppliers of the materials used for these improvements. All of this economic benefit also directly benefits our environment by reducing greenhouse gas emissions, delaying construction of new power plants, helping the common goal of energy security, and conserving water.

On February 1, 2012, the Board of Directors authorized the release of Request for Proposal (RFP) 12141 for services to assist in the formation and implementation of financing mechanisms for a PACE Program in San Bernardino County.

A total of three proposals were received in response to the RFP. A panel consisting of staff from SANBAG, Western Riverside Council of Governments (WRCOG), and the City of San Bernardino were assembled to review the three proposals. The proposals that were received were from the following firms:

- The PFM Group
- Ygrene Energy Fund
- Figtree Energy Resource

The three proposals were evaluated by the panel based on the following criteria:

1. Overall qualifications of the firm and their experience in performing work of a similar nature.
2. Qualifications of the proposed project staff.
3. The proposed work plan and how well it reflected SANBAG's requirements.
4. The financial capability in structuring PACE Programs and their demonstrated ability to raise capital for PACE Programs.
5. The experience of the firm in the annual administration of PACE Programs such as accepting applications, marketing, working with contractors, and completing the annual report.
6. The ability of the firm to provide good customer support to property owner applicants and contractors.

After evaluating all three proposals, the evaluation panel selected The PFM Group and Ygrene Energy Fund to interview. The evaluation panel scored each proposer on information provided in their presentation and their response to questions during the question and answer session. Each of the proposers was well prepared and clearly presented their experience and the key points of their proposal. However, the panel unanimously scored the team led by The PFM Group as the highest ranked proposer that best met the needs of SANBAG. Some of the reasons cited by the panel in recommending The PFM Group are their experience with a similar program in the Inland Empire, established relationships with contractors that would make implementation and marketing easier, a program structure that would be familiar for contractors to use in both San Bernardino and Riverside Counties, an emphasis of their role as SANBAG's financial advisors and the ethical responsibility to represent our interests, and a financial commitment of $200 million to underwrite the program.

Based on the recommendation of the evaluation team, on June 20, 2012, SANBAG staff recommended to the Plans and Programs Committee that contracts with the PFM Group team be approved. At that meeting, concerns were raised by representatives of Ygrene Energy Fund that a conflict of interest existed with a member of the evaluation team that made the RFP process unfair and not in compliance with SANBAG's procurement policies. In response to this objection, the Plans and Programs Committee referred this matter to SANBAG's General Counsel for review and follow up with Ygrene's representative.

SANBAG's GENERAL COUNSEL REVIEW AND CONCLUSIONS

SANBAG's General Counsel reviewed the material submitted by Ygrene Energy Fund outlining their objections. Additionally, SANBAG's General Counsel discussed with Ygrene's attorney the legal issues raised by Ygrene, and requested that Ygrene's attorney provide any additional pertinent facts or law for SANBAG's General Counsel to consider before arriving at her conclusions. A copy of a letter dated July 9, 2012 from Ygrene's counsel is attached to this report (Attachment 1).

Ygrene's objections to the selection of The PFM Group, as set out in its June 20 memo to the Committee and its July 9 letter to SANBAG General Counsel, are categorized and subsequently analyzed as follows: 1) An alleged conflict of interest and bias by the WRCOG employee on SANBAG's evaluation panel; 2) Ygrene's purported competitive disadvantage due to the presence of the WRCOG employee on the panel; and 3) PFM's alleged conflict of interest due to PFM's contract with WRCOG; and 4) characterization of SANBAG's selection process as unfair and non-compliant with the RFP terms.

WRCOG Employee's Alleged Conflict of Interest

The basis of Ygrene Energy Fund's primary objection is that one of the evaluators on SANBAG's RFP evaluation panel is an employee of WRCOG. WRCOG has a contract with The PFM Group to administer the HERO program--WRCOG's version of the PACE program. The WRCOG staff member that was part of the SANBAG evaluation team is the Program Manager for WRCOG's HERO program. She receives no additional compensation outside of her normal WRCOG salary and derives no compensation from PFM.

Ygrene Energy Fund asserts the WRCOG staff member had a "potential bias" towards PFM, because WRCOG allegedly receives or will receive some financial payment or incentive from The PFM Group, and ostensibly SANBAG's selection of PFM was in the best interest of WRCOG, and of the WRCOG staff member. The facts do not support this contention.

Under the WRCOG HERO program, the PFM Group works for WRCOG and WRCOG receives no funds from The PFM Group. The only money that WRCOG receives in implementing its HERO program comes from closing costs generated when a property owner closes on a PACE backed financing. This is not unlike when a City forms a Community Facilities District and gets an administrative fee at the closing and sale of the bonds. At the same time the financing team retained by the City gets paid from the closing costs

as well. The City does not receive payment from the financial advisor when the bonds are sold and this is the case with the PACE Program as well.

If the SANBAG Board awards the contracts to the PFM Group team, no compensation will be provided directly by SANBAG to WRCOG or WRCOG employees, and most importantly, SANBAG staff is unaware of any arrangement for a financial payment or incentive to be made by The PFM Group or PFM Group team to WRCOG or WRCOG staff members.

Ygrene's Purported Competitive Disadvantage

Ygrene raises the issue of its inability to disclose to the RFP selection committee certain proprietary systems and materials due to the presence of an individual who works with a competing PACE service provider on the selection committee. Ygrene's concerns were that this proprietary information would compromise their competitiveness against PFM in other jurisdictions soliciting proposals from potential PACE service providers. Ygrene asserts the presence of the WRCOG employee on the selection panel precluded them presenting a program to SANBAG that would satisfy all of the terms of the RFP.

The nature of the information that was withheld by Ygrene had to do with how they structured financing for property owners that had conforming loans. Ygrene felt that they would be disclosing proprietary information to a competitor. The review panel noted this concern but did not rate Ygrene down because of the information that was withheld. The review panel took Ygrene at their word that they had a mechanism to include properties with conforming loans. If Ygrene had become the finalist, then SANBAG staff would have discussed the details of their mechanism.

SANBAG often has representatives from other government agencies serving on our consultant review panels. In most of these cases, the other government agency has business relationships with competitors of the consultants that are being interviewed. For this reason, SANBAG requires all interview panel members to sign an impartiality and confidentiality agreement. This was done with this procurement process.

PFM's Alleged Conflict of Interest

Ygrene states that because the RFP services also include identifying other sources of funds for the PACE program, such as grants, that PFM's contractual obligations to WRCOG to seek such grant funds would be in conflict with PFM's obligations to SANBAG. In other words, PFM would

represent two organizations that were both competing for the same grant funds.

While the situation of both WRCOG and SANBAG competing for the same grant funds could indeed come to pass, this is not unlike other circumstances with other government consultants. State and federal lobbyists represent multiple clients with a possibility for conflict. Consultants help agencies prepare grant applications for state and federal funding programs. In all of these cases the expectation is that the consultant will represent and assist their clients fully and professionally. The expectation is the same here.

Ygrene Characterizes the Process as Unfair and Non-compliant with the RFP

Ygrene's counsel asserts SANBAG's contracting process was unfair and non-compliant with express terms of the RFP. In support of this assertion, he states the WRCOG employee's position as HERO program manager, in conjunction with WRCOG's "desire to partner with PFM in a statewide PACE Program gave her a strong incentive to prefer PFM over other proposed contractors." He contends that if the WRCOG employee failed to recommend SANBAG's selection of PFM, she could be said to be in breach of her obligations to WRCOG.

As discussed above, neither the WRCOG employee nor WRCOG derive any financial benefit from the selection of the PFM Group as SANBAG's PACE program provider. SANBAG is not aware of any obligations the WRCOG employee had to WRCOG to select PFM. Further, the entire selection panel rated PFM above Ygrene, and unanimously recommended selection of PFM. All facts indicate the panel made their recommendation based upon merit.

Ygrene's counsel also cites to the conflict of interest provision in the SANBAG RFP that prohibits persons who assisted SANBAG in drafting the RFP from submitting proposals. SANBAG staff received no assistance in drafting the RFP from anyone who submitted a proposal and Ygrene cites no facts to the contrary.

Conclusion

Courts give great deference to contractor selection processes used by public agencies, and find the selection processes to be lawful unless they are arbitrary and capricious, or lacking a rational basis. This staff report is replete with facts evidencing staff's thoughtful, thorough selection process and supportive of the evaluation panel's recommendation to award the contracts to the PFM Group team.

After the above review and analysis, SANBAG's General Counsel has advised staff that no violations of SANBAG's procurement policies, RFP terms, or conflicts of interest laws occurred during the PACE consultant selection process, and there is no legal prohibition against SANBAG's Board approving the award of the contracts to the PFM Group team.

Based on the recommendation of the evaluation panel and the review and conclusions of SANBAG's General Counsel, SANBAG staff is recommending that the Committee recommend that the Board of Directors approve contracts for the firms that will provide services to SANBAG as part of The PFM Group team. All of these vendors were part of a single RFP response but because these firms must have a direct relationship with SANBAG to act as our advisor rather than a relationship as a subcontractor, each member of the team has their own contract. The terms for these contracts shall be for four years with an option for an additional four years. The reason for these terms is to allow the team and the investor's sufficient time to recoup their costs to justify the up-front investment.

The firms proposed to do this work and the proposed closing costs are:

1. Contract 12-141 with The PFM Group to serve as Financial Advisor and Program Manager.
2. Contract 12-245 with Best, Best and Krieger LLP to provide legal services.
3. Contract 12-247 with David Taussig & Associates to provide Special Tax Consultant and Assessment Engineering services.
4. Contract 12-248 with Westhoff, Cone & Holmstedt to provide Placement Agent services.

CLOSING COSTS

Category	Commercial Program	Residential Program
Total Closing Costs:	4.45% + $200.00 + PFM fee per schedule	4.70% + $200.00

PPC1207a-dab
Attachments: PPC1207a1-dab, C12141, C12245, C12247, C12248

Underwriting and Administration – Samas Capital	2.40%	
Underwriting and Administration – Renovate America		2.50%
Financial Advisory and Program Management – PFM Group	See schedule below[1]	$150.00
Special Tax Consultant/Assessment Engineer – David Taussig & Assoc.	0.40%	0.40%
Trustee - US bank	$200.00	$50.00
Legal – Best, Best & Krieger	1.00 %	1.00%
Placement Agent – Westhoff, Cone & Holmstedt	0.35%	0.35%
Program Sponsorship – SANBAG	0.30%	0.45%

[1] PFM Commercial Fee Schedule:

Fee per Assessment	Assessment Amount
$750	Less than or equal to $100,000
$1,500	Greater than $100,000 and less than or equal to $250,000
$3,000	Greater than $250,000 and less than or equal to $500,000
$4,500	Greater than $500,000 and less than or equal to $750,000
$7,500	Greater than $750,000

PPC1207a-dab
Attachments: PPC1207a1-dab, C12141, C12245, C12247, C12248

Financial Impact: These contracts will not have an impact on the adopted SANBAG budget. The services provided by these firms are being provided "at risk" and they will only be paid once projects are financed and then they will be paid out of the closing costs of each property owner and not by SANBAG or its member agencies. SANBAG staff time associated with this item has been budgeted in Task No. 0708 – PACE Program.

Reviewed By: This item was reviewed by the Plans and Programs Committee on June 20, 2012. At that time the Plans and Programs Committee directed SANBAG's General Counsel to review conflict of interest concerns that were raised at the meeting. General Counsel has reviewed this question and has advised SANBAG staff that no conflict of interest exists. The item will be reviewed again by the Plans and Programs Committee on July 18, 2012. SANBAG General Counsel and Contract Administrator have reviewed and approved this item and Contracts as to form.

Responsible Staff: Duane A. Baker, Director of Management Services

PPC1207a-dab
Attachments: PPC1207a1-dab, C12141, C12245, C12247, C12248

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July 9, 2012

VIA E-MAIL AND U.S. MAIL

Eileen Monaghan Teichert
General Counsel
San Bernardino Associated Governments
1170 West 3rd Street, Second Floor
San Bernardino, CA 92410-1715

Re: *Ygrene Energy Fund, Inc.*
BC File No. 7326
SANBAG RFP 12-141 (PACE Program)

Dear Ms. Teichert:

Thank you for this opportunity to submit additional information concerning the Pace Program RFP.

As you know, the substance of Ygrene's concerns were explained in its June 20 submission to the Plans and Programs Committee. A copy of that submission is enclosed here. As a result of those concerns, the mater was referred to you for a report back to the committee on July 19, 2012. I understand that your initial conclusion is that you do not believe that there has been any violation of the Fair Political Practices Act and that constitutional standards of due process do not apply. While these conclusions may be correct, they do not address the principal issues raised by Ygrene.

The issues here concern the fairness of the public contracting process and non-compliance with the explicit terms of the RFP.

Specifically, Barbara Spoonhour's role in the preparation of the RFP and on the evaluation committee created a flawed and potentially biased process. Under California law, the review of a public contracting process is deferential. "Such review is limited to an inquiry into whether the action was arbitrary, capricious or entirely lacking in evidentiary support." *Mike Moore's 24-Hour Towing v. City of San Diego*, 45 Cal. App. 4th 1294, 1303, 53 Cal. Rptr. 2d 355 (4th Dist 1996). (citations omitted). Nevertheless, the courts do consider the fairness of

the contracting process: "This test has also been formulated to add an inquiry whether the agency's decision was 'contrary' to established public policy or unlawful or procedurally unfair." *Id.* Finally an agency's interpretation of the requirements of its Request for Proposal is reviewed for rationality. *Id.* at 1309

As you know, Barbara Spoonhour is the Energy Program manager for the Western Riverside Council of Governments ("WRCOG") and is responsible for the administration of their SB 811 PACE Program known as the HERO Program. In that capacity, Spoonhour works very closely with Pacific Financial Management ("PFM"), which is a consultant to WRCOG in the administration of the HERO Program. During the same period that Spoonhour has served on the SANBAG evaluation committee, Spoonhour has been negotiating a partnership with PFM for the roll out of a statewide PACE Program through WRCOG. The purpose of the proposed statewide program is to secure a financial benefit for WRCOG. For example:

1. In her April 11, 2012 staff report to the WRCOG Administrative & Finance Committee meeting Spoonhour sought direction to expand their "HERO" program statewide: "Because the concept is that the new participants could implement their programs more quickly than if they were to start from scratch, and **WRCOG could benefit financially by serving in a broader contract administrator capacity.**" (Copy attached, emphasis added).

2. In her May 16, 2012 staff report to the WRCOG Administration & Finance committee the requested action was: "Consider recommendations from the Ad Hoc Subcommittee regarding WRCOG implementing a statewide HERO Program". The report explained: "Because of the program's success, Renovate America, which is the funding agent for the Residential HERO Program, has been examining the possibility of creating a Statewide HERO Program and has been in conversations other Statewide Financing Authorities to determine feasibility. Renovate America and the **Public Financial Management Team has indicated a preference to use WRCOG as the Statewide Financing Authority and to use WRCOG as the base for such a Program.**" (Copy attached, emphasis added).

3. In her July 11, 2012 staff report to the WRCOG Administration & Finance Committee, Spoonhour stated: "Once the WRCOG JPA has been amended and WRCOG has entered into an agreement for the California PACE Financing Authority, WRCOG staff **and its consulting team** can begin marketing the Program to other agencies in the State for their consideration. (Copy attached, emphasis added).

4. In a July 11, 2012 staff report to the WRCOG Administration & Finance Committee the Executive Director of WRCOG is proposing to review "proposed policy constructs for the allocation of surplus [Statewide HERO] Program revenues and provide direction to staff." (Copy attached.)

It is unclear whether WRCOG will receive a direct financial benefit from the SANBAG contract with FPM. My understanding is that that in explaining the proposed contract between SANBAG and FPM at the June 20 meeting, Duane Baker indicated that WRCOG would receive reimbursement for a portion of its start up costs; however, this information is not included in the staff report for the hearing and might be in error. But whether or not WRCOG will receive any direct financial benefit from the SANBAG contract with PFM, WRCOG will unquestionably benefit indirectly by enhancing the reputation and experience of PFM thereby increases the competiveness of WRCOG's statewide program with PFM.

These circumstances created a conflict of interest for Spoonhour and an unfair process for reviewing potential contractors under the RFP.[1] Spoonhour's position with WRCOG and its desire to partner with PFM in a statewide PACE Program gave her a strong incentive to prefer PFM over other proposed contractors. It fairly could be said that her failure to recommend the selection of PFM would be a breach of her obligations to WRCOG. In fact, as WRCOG is in essentially in a partnership with PFM, PFM should have been excluded as a potential contractor under the WRCOG Program under the Conflict of Interest provision of the RFP which states the following:

[1] Under the Federal Acquisition Regulations, this kind of conflict is referred to as an "Organizational Conflict of Interest." FAR Regulation § 9.5.

"Any person or firm that has assisted SANBAG in preparing any aspect of this RFP or any cost estimate associated with this procurement is prohibited from submitting a proposal in response to this RFP. Firms that received assistance from any such person or entity, or who will use the services of such person or entity in performing the services will be disqualified. The determination of a conflict of interest, direct or incidental, shall be at the sole discretion of SANBAG." (RFP 12-141, XIII, P3).

We ask that you consider the above, and Ygrene's June 20 submission, in making your report to the committee. If you have any questions, please call.

Sincerely,

Christopher G. Costin

CGC:sb
Enclosures
cc: Client

To: Plans & Programs Policy Committee, San Bernardino Associated Governments

From: Ygrene Energy Fund

Date: June 20, 2012

Re: RFP 12-141 (PACE program)

The San Bernardino Associated Governments (SANBAG) should be duly recognized for taking a leadership position in the PACE community with the formal step of issuing an RFP to solicit 'services to assist in the formation and implementation of financing mechanisms for a Property Assessed Clean Energy (PACE) program in San Bernardino County'. Ygrene Energy Fund, the only provider of a fully-funded private capital PACE solution, has welcomed the opportunity to respond and present to SANBAG, and sought to compete in a fair and open process.

Recently, wWe have been reviewing the RFP document and the interview process for the short list of bidders. As a result, we have several concerns, issues and recommendations:

- Ygrene was not able to disclose proprietary information to the evaluation panel due to the inclusion of Barbara Spoonhour, who is viewed as a competitor
  - WRCOG has an exclusive contractual relationship with PFM Group to administer their PACE program;
  - Ms. Spoonhour is WRCOGs Program Manager for the PACE program; she assisted in writing SANBAGs PACE RFP;
  - WRCOG seeks to expand their program statewide and includes a commission plan – fees paid by SANBAG to WRCOGs PACE administrator (PFM Group) would be paying WRCOGs salaries
- The process was flawed simply by having a competitor included on the evaluation panel

Issues

1. The first concern is that the interview process put our team at a competitive disadvantage that resulted in not being able to present key elements and processes of the Ygrene Proposal. The interview committee was comprised of two members from SANBAG; The third was Barbara Spoonhour who is presently employed by the Western Riverside Council of Governments (WRCOG) as the Program Manager of their PACE program The financing agent for the WRCOG PACE program is PFM Group. In that capacity, her efforts are closely linked to PFM.

   This raises a clear potential for bias. It appears Ms. Spoonhour was brought into the interview to provide specific expertise regarding PACE programs. Yet her familiarity with PACE programs appears to be limited to the model applied by PFM. This potential bias to act in the best interest of WRCOG and PFM becomes more significant in light of the interest of WRCOG in expanding their PACE program beyond the member jurisdictions.

Such an expansion would be very beneficial to WRCOG, its employees and contractors. Her participation invites a biased assessment of relative PACE program approaches and a motive to keep out other PACE programs that could impede cut into WRCOG market share. The bias thus leads to a potential conflict of interest.

A concern to avoid a conflict of interest or clouded decision is found throughout the SANBAG RFP itself. The RFP notes in Section XIV "consultant selection" that the first criteria for the selection process be "The selection process shall be fair, open, and competitive". The RFP proposals will be evaluated based on criteria identifies in the RFP, including, but not limited to, "current client list and the potential for a conflict of interest" (RFP page 9, Section 13-F).

2. In addition to the basic appearance of bias, the presence of a WRCOG employee who coordinates PACE WRCOG programs with PFM, the presence of Ms. Spoonhour put Ygrene at a significant disadvantage in terms of proprietary systems included in the Ygrene proposal. The presence of Ms. Spoonhour in the short list interview committee put Ygrene in the position of choosing between two bad options. The first was to disclose to the Committee the proprietary information and tools, knowing that highly valuable and proprietary information would be disclosed to an individual who works with a competing PACE service provider. The competitive damage from this disclosure would not only affect the SANBAG RFP, but would compromise Ygrene competiveness in other jurisdictions versus PFM.

   The alternative for Ygrene was to refuse to disclose the proprietary material, and thus undercut their ability to present a program that would satisfy all of the terms of the RFP. This collision of interests should never have happened, since Ygrene indicated in their response to the RFP that they would withhold some information from their RFP response, with the understanding that such information would be disclosed to the short list interview committee.

   Confronted with two bad options, Ygrene withheld the proprietary material. But that choice should never have been triggered by the inclusion of an employee of a "counterpart" organization who administers a PACE program overseen by the competing short- list bidder, that being PFM.

3. Another consideration regarding conflict of interest is that PFMs financial services to WRCOG are not simply dealing with bonding, but include identifying other sources of fund for the program, including the pursuit of grant funds. In light of that, consider that the SANDAG RFP includes in the Scope of Work a category of "extra work". These include identifying, aggregating, certifying and monetization of additional revenue generating incentives related to environmental benefits including Emission Reduction Credits and Renewable Energy Credit as well as "Assist in identifying other sources of grant funds for the Program."

   Competition for grants (federal, state, or private) addressing renewable energy is intense and competitive. In principle, it is a conflict for PFM to be pursuing grant funds for competing clients. This is unwise on the face of it. But Article 13 of the proposed SANDAG Contract states that "CONSULTANT agrees that it presently has no interest financial or otherwise and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of services required under this Contract." Since PFM is already contractually bound to pursue grant funding for WRCOG, they cannot comply with the terms of the SANDAG Contract that include the

pursuit of grants and also does not allow a contractor to engage in any activity that creates "any interest, direct or indirect, which would conflict in any manner or degree" with the stated Contract services.

The competitiveness of renewable energy grants is demonstrated by the failure of WRCOG to qualify for funds from the California Energy Commission. WRCOG is presently pursuing legal action against the CEC.

Recommendation

Based upon the procedural issues described above, we believe a fair and open solution would be to reverse the recommendation of PFM and instead recommend Ygrene to the Board on the basis that PFM has a clear conflicting interest with regard to pursuing grants and funding for multiple clients. A more protracted solution would be to conduct a second interview of the short-list candidates, without any members that present a potential conflict of interest with respect to the making a recommendation to the SANBAG Board. If the SANBAG interview committee has to turn to "counterpart" organizations to secure a PACE specialist, we have no objection as long as the individual has not financial or other association with any contractors of the short list respondents. The simplest solution would to use an independent party experienced with PACE program operation, acceptable to both finalists. The problem with this solution is that the conflict of interest remains as regards PFM pre-existing contracts and clients. PFM cannot simply sever their relationship with WRCOG. To the contrary, PFM and WRCOG are exploring a much larger regional PACE program to be administered by WRCOG and PFM.

We appreciate that this complication was not of your making, and look forward to working with you to complete the RFP process that satisfies the requirements and that will provide a strong PACE program for your members.

RFP Timeline

Nov 2	SANBAG Board Board authorizes PACE program RFP
Jan 18	RFP approved by SANBAG with the comment that the RFP would "follow the model recently used by Western Riverside Council of Governments.
March 14	Deadline for RFP responses
March 14	Response to RFP submitted by Ygrene
?	Creation of "short list" with Ms. Spoonhour's participation
March 27	Interview of Ygrene; Committee includes Ms. Spoonhour
?	Post interview committee meeting; including Spoonhour
April 2	WRCOG receives memo from Ms. Spoonhour re: program expansion
April 11	WRCOG Admin and Finance Committee hear expansion plan
May 15	Ygrene receives notice of selection
May 16,	Ms. Spoonhour presents expansion program p to WRCOG Admin/Finance Committee

Western Riverside Council of Governments
Administration & Finance Committee

Staff Report

Subject: AB 811 Regional Program Activities Update

Contact: Barbara Spoonhour, Program Manager (spoonhour@wrcog.cog.ca.us), (951) 955-8313

Date: April 11, 2012

Requested Action:

1. Provide direction to staff regarding WRCOG's role in an expanded AB 811 Program activities.

Residential Program: WRCOG has launched the $100 million residential portion of the WRCOG Energy Efficiency and Water Conservation Program, known as Home Energy Renovation Opportunity (HERO). The website for the program (www.wrcog.herofinancing.com) was also enabled.

As of this writing, nearly $5 million in residential financing has already been approved under the Program. To date, the website (www.wrcog.herofinancing.com) has received over 10,000 page views, including visits from 24 different states. A more concerted marketing approach for all components of the Program is being developed for Spring.

Small/Medium Commercial Program: $200 million is available for small and medium-sized commercial energy and water conservation retrofits. The launch of this component of the Program is waiting on receipt of a bond rating from DBRS, which is expected in the next few weeks. Samas has been working with commercial businesses to develop a waiting list. Samas currently has over $5 million in projects waiting for the Program to begin. The average project cost is over $600,000 per site.

Large Scale Commercial Solar Program: $25 million is available and this component of the Program is active. One application is being reviewed for final approval. Structured Finance has received lender consent for its first project, which is located in the City of Hemet. The cost of the project is estimated to be $500,000.

Program Website Consolidation: At the last WRCOG Executive Committee meeting, WRCOG staff presented to the members the idea of WRCOG creating a landing page for all three aspects of its Program. The website has been developed and is www.beaRiversideHERO.com. The site provides short summary descriptions of each funding component and then provides links to the individual sites. Staff is requesting that member jurisdictions add a link from its homepage to the www.beaRiversideHERO.com site.

HERO Program Receives Award from SCAG: WRCOG's HERO Program has been recognized for regional excellence and received the highest Compass Blueprint Award from SCAG during the SCAG General Assembly Dinner on April 4, 2012.

Potential state-wide program anchored within WRCOG: Staff will provide a conceptual proposal for consideration by the Committee that would allow future AB 811 municipality participants to join WRCOG's existing Program. Basically, the concept is that the new participants could implement their programs more quickly than if they were to start from scratch, and WRCOG could benefit financially by serving in a broader contract administrator capacity.

Prior WRCOG Action:

April 2, 2012: The WRCOG Executive Committee received report.

WRCOG Fiscal Impact:

None.

Attachment:

None.

Western Riverside Council of Governments
Administration & Finance Committee

Staff Report

Subject: Potential WRCOG Implementation of a Statewide HERO Program

Contact: Barbara Spoonhour, Program Manager (spoonhour@wrcog.cog.ca.us), (951) 955-8313

Date: May 16, 2012

Requested Action:

1. Consider recommendation from the Ad-Hoc Subcommittee regarding WRCOG implementing a Statewide HERO Program.

Potential state-wide program anchored within WRCOG: At the April 22, 2012, WRCOG Administration & Finance Committee meeting, WRCOG staff provided a conceptual proposal that would allow other agencies in the state to join WRCOG's existing Program. At that time, the Committee elected to convene an Ad-Hoc Subcommittee to examine in more detail the feasibility of implementing a Statewide HERO Program.

WRCOG's HERO Program has been successful since its launch in December 2011. Currently, WRCOG's HERO Program (residential component only) has approved nearly $9 million in financing for projects. Because of the Program's success, Renovate America, which is the funding agent for the Residential HERO Program, has been examining the possibility of creating a Statewide HERO Program and has been in conversations with other Statewide Financing Authorities to determine the feasibility. Renovate America and the Public Financial Management Team has indicated a preference to use WRCOG as the Statewide Financing Authority and use WRCOG as the base for such a Program.

The Ad-Hoc Subcommittee is scheduled to meet at 10:30 a.m. on May 16, 2012. Staff will provide an update and forward any recommendations from the Ad-Hoc Subcommittee.

Prior WRCOG Actions:

May 7, 2012: The WRCOG Executive Committee received report.
April 19, 2012: The WRCOG Technical Advisory Committee received report.

WRCOG Fiscal Impact:

None.

Attachment:

None.

DRAFT

Western Riverside Council of Governments
Annual Budget
For the Year Ending June 30, 2013

Department:	Total Energy Budget	6/30/2012 Budget	Thru 1/31/2012 Actual	Proposed 6/30/2013 Budget
	Revenues			
41201	Recycling Cooperative Grant	-	-	-
41201	Recycling - Other Grants	-	-	-
41201	DOC - Litter	-	-	-
41401	Used Oil Opportunity Grants	-	-	-
41401	Used Oil Block Grant	-	-	-
41601	SCAQMD	-	-	-
41402	Air Quality-Clean Cities	-	-	-
41402	Air Quality-Other	-	-	-
41301	SCAG	-	-	-
41901	Planning - Other Revenues	-	-	-
41701	LTF	-	-	-
42001	TUMF Revenue	-	-	-
42001	Transportation - Other Revenue	-	-	-
42003	SCE Partnership Revenue	264,000	111,870	260,000
43001	Sponsorship Revenue	-	-	-
43002	Event Registration Revenue	-	-	-
43003	Industrial	-	-	-
43004	Residential/Multi/Single	-	-	-
43005	Multi-Family	-	-	-
43021	Srvc/Comm 50% Full Fee	-	-	-
43022	Retail 50% Full Fee	-	-	-
43024	Residential/Single 50% Full Fee	-	-	-
43025	Multi-Family 50% Full Fee	-	-	-
40601	HERO Revenue	100,000	-	120,000
4XXXX	Miscellaneous Revenue	-	4,175	-
40001	Member Dues	-	-	-
42002	Misc. Dues	-	-	-
49001	Interest Revenue - Fund 110 General Fund	-	-	-
49001	Interest Revenue - Fund 210 LTF	-	-	-
49001	Interest Revenue - Recycling	-	-	-
49002	Fund Balance/Carryover	1,956,318	-	1,930,174
4XXXX	Blank Revenue GLA	-	-	-
	Total Revenues	**2,310,318**	**116,045**	**2,310,174**

		6/30/2012 Budget	Thru 1/31/2012 Actual	Proposed 6/30/2013 Budget
	Expenditures			
	Wages and Benefits			
60001	Wages & Salaries	163,091	86,787	195,044
	Fringe and Benefits	108,422	66,930	134,296
	OPEB Expense	-	-	-
	Total Wages and Benefits	271,513	153,717	329,340
	General Operations			
63000	Overhead Allocation	-	-	-
65101	General Legal Services	26,500	9,666	15,000
65401	Audit Fees	-	-	-
65505	Bank Fees	-	-	-
65507	Commissioners Per Diem	-	-	-
73001	Office Lease	-	-	-
73101	Special Mail Srvcs	-	-	-
73102	Parking Validations	-	-	-
73104	Staff Recognition	-	-	-
73105	Coffee and Supplies	-	-	-
73107	Event Support	26,000	12,014	21,000
73108	General Supplies	770	29	1,000
73109	Computer Supplies	-	-	-
73110	Computer Software	-	-	-
73111	Rent/Lease Equipment	-	-	-
73113	Membership Dues	-	-	-
73114	Subcriptions/Publications	-	-	-

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Western Riverside Council of Governments
Administration & Finance Committee

Staff Report

Subject: Potential Policy to Address Surplus Program Revenues

Contact: Rick Bishop (bishop@wrcog.cog.ca.us), (951) 955-8303

Date: July 11, 2012

Requested Action:

1. Review proposed policy constructs for the allocation of surplus program revenues and provide direction to staff.

On June 4, the WRCOG Executive Committee, in discussing the potential implementation of a Statewide HERO Program, directed WRCOG staff to work with Legal Counsel and return with a policy that would guide the allocation of potential program revenues. Legal Counsel will provide an update to the WRCOG Administration & Finance Committee, including some concepts/constructs that could be used as the foundation of such a policy.

Prior WRCOG Action:

June 4, 2012: The WRCOG Executive Committee directed WRCOG staff to work with Legal Counsel to develop a policy to address the potential receipt and distribution of surplus funds from WRCOG's administration of programs.

WRCOG Fiscal Impact:

None.

Attachment:

None.

Western Riverside Council of Governments
Administration & Finance Committee

Staff Report

Subject: Statewide HERO Program Update

Contact: Barbara Spoonhour, Program Manager (spoonhour@wrcog.cog.ca.us), (951) 955-8313

Date: July 11, 2012

Requested Action:

1. Recommend that the WRCOG Executive Committee approve the Amendment to the Joint Powers Agreement of the Western Riverside Council of Governments to Permit the Provision of PACE Services statewide.

On June 4, 2012, the WRCOG Executive Committee directed WRCOG staff to develop the constructs for a Statewide HERO Program. The first step in this process is for WRCOG member jurisdictions to adopt an amendment to the existing WRCOG Joint Powers Agreement (JPA) (attached) that would allow WRCOG to enter into an agreement with another agency to form a Statewide Financing Authority (the Executive Committee directed staff to create a separate JPA for implementing a Statewide Program).

WRCOG's objective is to implement a Statewide HERO Program by June 2013. In order to meet this objective, staff is requesting that once the amendment is approved by the WRCOG Executive Committee, member jurisdictions take formal action to adopt the amendment as expeditiously as possible. WRCOG has initiated discussions with the County of Riverside to create a new JPA for purposes of implementing / administering a Statewide HERO Program; a new JPA would need approval by the WRCOG Administration & Finance Committee and by the Executive Committee.

Once the WRCOG JPA has been amended and WRCOG has entered into an agreement for the California PACE Financing Authority, WRCOG staff and its consulting team can begin marketing the Program to other agencies in the State for their consideration.

Prior WRCOG Actions:

June 4, 2012: The WRCOG Executive Committee 1) directed WRCOG staff and its consultant team to move forward to implement a Statewide HERO Program by creating a new Joint Powers Authority between WRCOG and one of its member agencies; and 2) directed WRCOG General Legal Counsel to prepare the necessary legal framework to implement a Statewide HERO Program.

May 17, 2012: The WRCOG Technical Advisory Committee recommended 1) WRCOG staff and its consultant team to move forward to implement a Statewide HERO Program by creating a new Joint Powers Authority between WRCOG and one of its member agencies; 2) WRCOG General Legal Counsel to prepare the necessary legal framework to implement a Statewide HERO Program; and 3) staff and its consultant team to develop a detailed marketing plan for future member participants.

May 16, 2012: The WRCOG Administration & Finance Committee recommended 1) WRCOG staff and its consultant team to move forward to implement a Statewide HERO Program by creating a new Joint Powers Authority between WRCOG and one of its member agencies; 2) WRCOG General Legal Counsel to prepare the necessary legal framework to implement a Statewide HERO Program; and 3) staff and its consultant team to develop a detailed marketing plan for future member participants.

May 16, 2012: The WRCOG Administration & Finance A-Hoc recommended suggested 1) WRCOG staff and its consultant team to move forward to implement a Statewide HERO Program by creating a new Joint Powers Authority between WRCOG and one of its member agencies; 2) WRCOG General Legal Counsel to prepare the necessary legal framework to implement a Statewide HERO Program; and 3) staff and its consultant team to develop a detailed marketing plan for future member participants.

April 11, 2012: The WRCOG Administration & Finance Committee received report.

WRCOG Fiscal Impact:

Expenditures estimate of $207,000 to $269,000 to develop Statewide HERO Program legal documents and marketing

Attachment:

1. Draft Amendment to the Joint Powers Agreement of the Western Riverside Council of Governments to Permit the Provision of PACE Services.

Governments SANBAG Working Together

CONTRACT SUMMARY SHEET

Contract No. C 12141 Amendment No. _____

By and Between

San Bernardino Associated Governments and The PFM Group

Contract Description Services to assist in the formation, implementation and ongoing operation of a Property Assessed Clean Energy (PACE) Program

Board of Director's Meeting Date: July 11, 2012

Overview of BOD Action: Approve contract with PFM Group as Financial Advisor & Program Manager for a PACE Program

Is this a Sole-Source procurement? ☐ **Yes** ☒ **No**

CONTRACT OVERVIEW

Original Contract Amount	$	0.00	**Original Contingency Amount**	$	
Revised Contract Amount *Inclusive of prior amendments*	$		**Revised Contingency Amount** *Inclusive of prior amendments*	$	
Current Amendment Amount	$		**Contingency Amendment**	$	
TOTAL CONTRACT VALUE	$	0.00	**TOTAL CONTINGENCY VALUE**	$	
TOTAL BUDGET AUTHORITY ***(contract value + contingency)***				$	0.00

Contract Start Date	**Current Contract Expiration Date**	**Revised Contract Expiration Date**
July 11, 2012	June 30, 2016	

Has the contract term been amended? ☒ No ☐ Yes - please explain.

FINANCIAL INFORMATION

☐ Budget authority for this contract currently exists in Task No. 0780 (FY 12/13).

☐ A Budget Amendment is required.

How are we funding current FY?

☐ Federal Funds ☐ State Funds ☐ Local Funds ☐ TDA Funds ☐ Measure I Funds

*Provide Brief Overview of the **Overall** Funding for the duration of the Contract:*

Contractor shall be paid from proceeds from Program Bonds, application fees and closing costs.

☐ Payable ☐ Receivable

CONTRACT MANAGEMENT INFORMATION

Check all applicable boxes:

☐ Retention? If yes, indicate % _____.

☐ Disadvantaged Business Enterprise (DBE) Goal _____ % ☐ Underutilized DBE (UDBE) Goal _____ %

DIANE A. BAKER		6-13-12
Task Manager (Print Name)	Signature	Date
DIANE A. BAKER		6.13.12
Project Manager (Print Name)	Signature	Date
Jeffery Hill		6/13/12
for Contracts Manager (Print Name)	Signature	Date
WILLIAM STAWARSKI		6/13/12
Chief Financial Officer Signature (Print Name)	Signature	Date

MW 6/13/12

"SCOPE OF SERVICES"

The Consultant shall provide the following Professional Services:

FINANCIAL ADVISORY SERVICES FOR PROGRAM

- Develop a financing plan for the Program
- Make recommendations as to changes to the Program
- Recommend a method of bond sale which will result in the lowest borrowing cost for the Program
- Secure, review and evaluate funding sources and related criteria for the provision of funding for the Program
- Provide cash flow analysis and other related schedules for Program
- Perform functions to facilitate the marketing, placement and sale of Program bonds, including review of all funding agent and/or bond purchase or placement agreements for compliance and conformity with Program goals and guidelines
- Assist in the evaluation of all other consultants, including legal counsel, for the Program, including the review of such engagement agreements
- Assist in the development and preparation of bond sale documents
- Assist in the sale and closing of any bond issue for the Program
- Advise SANBAG as to the timing and terms of the bond sale including interest rate
- Attend finance team and Board meetings as needed.
- Advise SANBAG on financing alternatives, cash flow analysis, and market conditions

PROGRAM MANAGER SERVICES FOR PROGRAM

General

- Team Strategy - Assist, as necessary, with the establishment and implementation of financing mechanisms for the Program, including attendance at meetings to discuss the proposed approach, responsibilities, and timeline for forming or modifying the District.
- District Formation Documents – Assist SANBAG in forming a Contractual Assessment District (the "District"); create all necessary legal documents and resolutions required for formation; assist with any modifications required to streamline or facilitate financing, including review of legal and engineering documents circulated in connection with the Program and the preparation of timelines
- Other Consultants - Assist in obtaining consultants to assist with Program administration and Program financing; including, but not limited to: origination platform for Program administration, assessment administrator, trustee, and renewable energy/verified energy emission reduction credit broker(s).
- Participating Members - Assist with participating political subdivisions.
- Future Participation Procedures - Work with SANBAG to develop a streamlined process for future political subdivisions' participation in the Program, as may be applicable in the future.

- Application Review - In collaboration with Program Administrator(s), for each application, monitor review of the application and verifying data. Upon final approval of application, calculate the assessments and provide a repayment schedule for each Assessor's Parcel.
- Processing – In collaboration with Program Administrator(s), prepare standardized sequence of events and responsibilities related to each Contractual Assessment, including, but not limited to, petition filing, public noticing, recording of documents.
- Monitor and Coordinate Program Administration - Monitor and coordinate all components of the Program related to the development and ongoing management of the funding components as set forth in Attachment A-1.

Annual Administration

- Data Management – Review of updated automated parcel database to include all parcels within the Program. Data items will include Assessor Parcel Number and assessment amount.
- Financial Analysis – Verify Assessment Administrator's annual repayment amount calculation for each parcel within the District. Assist the Assessment Administrator with determination of the annual administrative costs to be added to the annual assessment.
- Report Review - Review of the Annual Assessment Report containing the findings of the financial analysis for the Program assessments.
- Monitoring of Submittal of Assessments to County Auditor – Monitor the submittal by the Assessment Administrator of assessments for the Program each year to the County for inclusion on the consolidated property tax bills.
- Other Tasks - Monitor Assessment Administrator's tracking of payments of assessment installments, preparation of delinquency reports, preparation and mailing of delinquency notices, and provision of administrative data. Provide appropriate administrative data to bondholders upon request, and responding to property owner inquiries.
- SANBAG Annual Report – Work with SANBAG staff to identify relevant Program components for reporting and public relations purposes. Provide annual report of annual Program results for submission to SANBAG Board of Directors. Support SANBAG efforts to utilize data for solicitation of additional local governments' participation in the Program.

EXTRA WORK

- Monitor Additional Revenue Generating Incentive Opportunities – Assist SANBAG in identifying, aggregating, certifying and monetization of additional revenue generating incentives related to environmental benefits, ie., Verified Emission Reduction Credits (VERs), Renewable Energy Credits (RECs), and others as appropriate.
- Grants – Assist in identifying other sources of grant funds for the Program.

Governments SANBAG Working Together

CONTRACT SUMMARY SHEET

Contract No. C 12245 Amendment No. _____

By and Between

San Bernardino Associated Governments and Best Best & Krieger LLP

Contract Description Legal services to assist in the formation, implementation and ongoing operation of a Property Assessed Clean Energy (PACE) Program

Board of Director's Meeting Date: July 11, 2012

Overview of BOD Action: Approve contract with Best Best & Krieger LLP to provide legal services for a Pace Program.

Is this a Sole-Source procurement? ☐ **Yes** ☒ **No**

CONTRACT OVERVIEW

Original Contract Amount	$	0.00	**Original Contingency Amount**	$	
Revised Contract Amount *Inclusive of prior amendments*	$		**Revised Contingency Amount** *Inclusive of prior amendments*	$	
Current Amendment Amount	$		**Contingency Amendment**	$	
TOTAL CONTRACT VALUE	$	0.00	**TOTAL CONTINGENCY VALUE**	$	
TOTAL BUDGET AUTHORITY ***(contract value + contingency)***				$	0.00

Contract Start Date	**Current Contract Expiration Date**	**Revised Contract Expiration Date**
July 11, 2012	June 30, 2016	

Has the contract term been amended? ☒ No ☐ Yes - please explain.

FINANCIAL INFORMATION

☐ Budget authority for this contract currently exists in Task No. 0780 (FY 12/13).

☐ A Budget Amendment is required.

How are we funding current FY?

☐ Federal Funds ☐ State Funds ☐ Local Funds ☐ TDA Funds ☐ Measure I Funds

Provide Brief Overview of the ***Overall*** *Funding for the duration of the Contract:*

Contractor shall be paid from proceeds from Program Bonds, application fees and closing costs.

☐ Payable ☐ Receivable

CONTRACT MANAGEMENT INFORMATION

Check all applicable boxes:

☐ Retention? If yes, indicate % _____.

☐ Disadvantaged Business Enterprise (DBE) Goal _____ % ☐ Underutilized DBE (UDBE) Goal _____ %

DIANE M. SAKER		6-13-12
Task Manager (Print Name)	Signature	Date
DIANE M. SAKER		6-13-12
Project Manager (Print Name)	Signature	Date
Jeffery Hill		6/13/12
for Contracts Manager (Print Name)	Signature	Date
WILLIAM STAWARSKI		6/18/12
Chief Financial Officer Signature (Print Name)	Signature	Date

"SCOPE OF SERVICES"

The Consultant shall provide the following Professional Services:

BOND COUNSEL SERVICES

- Advise SANBAG and the PACE Program team on the two alternative financing structures available to implement a PACE Program: the Contractual Assessment Program approach and the SB 555 approach. Such advice shall include a comparison of the scope and procedures for the implementation of the two alternatives and the legal, financial and administrative advantages and disadvantages.
- Prepare resolutions or agreements to be adopted by participating members of SANBAG or entered into between SANBAG and such member agencies to authorize SANBAG to establish and operate a PACE Program within the territorial limits of each such member agency.
- Advise SANBAG Board and staff and consult with the PACE Program team regarding the legally required steps to be undertaken to establish the selected PACE Program.
- Prepare all resolutions, notices and other legally required documents necessary to establish the agreed upon PACE Program.
- Prepare all necessary agreements between SANBAG and the property owners participating in the PACE Program and the entities providing financing for the PACE Program.
- Review all marketing materials proposed to be utilized in the PACE Program to ensure such material comply with any applicable consumer protection laws.
- Prepare all agreements, notices and other documents necessary to provide for the issuance of bonds to finance the PACE Program.
- Prepare all pleadings required to initiate and prosecute judicial proceedings to validate the PACE financings and represent SANBAG in such validation proceedings.
- Following completion of the validation proceedings and implementation of the PACE Program, prepare final versions of all bond documents, certificates and agreements necessary to enable SANBAG to issue and sell such bonds.
- Provide opinions regarding the validity and the enforceability of such bonds to be delivered upon the issuance thereof.
- Coordinate and oversee the closing of the issuance of all bonds.
- Advise the SANBAG Board and staff and consult with the PACE Program team regarding each of the foregoing steps.
- Advise the SANBAG Board and staff and consult with the PACE Program team regarding applicable federal and state securities laws and federal tax laws relating to sales of bonds. Such advice shall include a comparison of the legal and regulatory requirements for the implementation of a bond sale through a public offering or on a private placement basis and the legal, financial, and administrative advantages and disadvantages of the two alternatives (including considerations such as regulatory approvals, applicable exemptions from registration, and continuing disclosure obligations).
- Attend meetings of the SANBAG Board and the PACE Program team as requested by SANBAG staff.
- Provide continuing advice to the SANBAG Board and staff and consultant with the PACE Program team regarding changes in applicable federal or state law.

Governments SANBAG Working Together

CONTRACT SUMMARY SHEET

Contract No. 12247 Amendment No. _____

By and Between

San Bernardino Associated Governments | David Taussig & Associates

Contract Description Special Tax Consultant/Assessment Engineer Services to assist in the formation implementation, and ongoing operation of a Property Assessed Clean Energy (PACE) Program.

Board of Director's Meeting Date: July 11, 2012

Overview of BOD Action: Approve contract with David Taussig & Associates to provide Special Tax consultants & Assessment Engineer for a PACE Program

Is this a Sole-Source procurement? ☐ Yes ☒ No

CONTRACT OVERVIEW

Original Contract Amount	$	0.00	**Original Contingency Amount**	$	
Revised Contract Amount *Inclusive of prior amendments*	$		**Revised Contingency Amount** *Inclusive of prior amendments*	$	
Current Amendment Amount	$		**Contingency Amendment**	$	
TOTAL CONTRACT VALUE	$	0.00	**TOTAL CONTINGENCY VALUE**	$	
TOTAL BUDGET AUTHORITY *(contract value +*				$	0.00

Contract Start Date	**Current Contract Expiration Date**	**Revised Contract Expiration Date**
July 11, 2012	June 30, 2016	

Has the contract term been amended? ☒ No ☐ Yes - please explain.

FINANCIAL INFORMATION

☐ Budget authority for this contract currently exists in Task No. 0780 (FY 12/13).

☐ A Budget Amendment is required.

How are we funding current FY?

☐ Federal Funds ☐ State Funds ☐ Local Funds ☐ TDA Funds ☐ Measure I Funds

*Provide Brief Overview of the **Overall** Funding for the duration of the Contract:*

Contractor shall be paid from proceeds from Program Bonds, application fees and closing costs.

☐ Payable ☐ Receivable

CONTRACT MANAGEMENT INFORMATION

Check all applicable boxes:

☐ Retention? If yes, indicate % _____.

☐ Disadvantaged Business Enterprise (DBE) Goal _____ %

☐ Underutilized DBE (UDBE) Goal _____ %

DIANE A. BAKER	[signature]	6-13-12
Task Manager (Print Name)	Signature	Date
DIANE A. BAKER	[signature]	6-13-12
Project Manager (Print Name)	Signature	Date
for Jeffery Hill	[signature]	6-13-12
Contracts Manager (Print Name)	Signature	Date
WILLIAM STAWARSKI	[signature]	6/13/12
Chief Financial Officer Signature (Print Name)	Signature	Date

"SCOPE OF SERVICES"

David Taussig & Associates, Inc. ("DTA") shall provide consulting services necessary to assist the San Bernardino Associated Governments ("SANBAG") project team in the formation of an assessment district and micro-bond sales to fund authorized PACE program facilities. Following the formation of the district, DTA shall provide consulting services to assist SANBAG with the annual administration of the assessment district. Our scope of work is shown below as two separate phases.

Phase I: Formation and Bond Sale

Tasks completed by DTA shall include the following:

- Assist SANBAG project team with the preparation of required program documents, including the engineer's report (or other similar document), assessment agreements, bond documents, and related items.
- Review assessment documentation for each parcel.
- Record the assessment agreements with the County of San Bernardino Recorder's office.
- Enter parcel data (APN, debt service, maximum assessment) into DTA system.
- Attend meetings and provide verbal consulting services and advice to SANBAG project team.

Phase II: Annual Administration

Tasks completed by DTA for each program (i.e., commercial and residential) shall include the following:

Basic Tasks

The tasks under this section are included within our fee as explained in Exhibit B herein.

- DTA shall maintain a database of the parcels within each program, which will include the APN, annual assessment amount, and all other relevant data.
- DTA will submit the annual assessment levy on or before August 10 of each year, or such other date specified by the County of San Bernardino to the Auditor-Controller, for inclusion on the consolidated property tax bills.
- DTA shall review County records to determine which parcels are delinquent in the payment of taxes after each installment. DTA shall prepare a delinquency report and will send reminder letters to delinquent property owners.
- Respond to property owner questions.

Extra Tasks

- Any work related to delinquencies and/or foreclosure proceedings following the removal of the charge from the County's tax roll will be charged an additional fee (to be paid by the delinquent property owner).

- Preparation of prepayment calculations as requested by the district, property owner, or other interested party. Following each prepayment, DTA will prepare the appropriate bond call documents for the Trustee and prepare and record the notice of cancellation with the County.

Phase II: Additional Work

DTA will perform additional work as requested by SANBAG.

Governments SANBAG Working Together

CONTRACT SUMMARY SHEET

Contract No. C 12248 Amendment No. _____

By and Between

San Bernardino Associated Governments and Westhoff, Cone & Holmstedt

Contract Description Placement Agent Services to assist in the formation, implementation, and ongoing operation of a Property Assessed Clean Energy (PACE) Program

Board of Director's Meeting Date: July 11, 2012

Overview of BOD Action: Approve contract with Westhoff, Cone & Holmstedt to provide Placement Agent Services for a PACE Program.

Is this a Sole-Source procurement? ☐ **Yes** ☒ **No**

CONTRACT OVERVIEW

Original Contract Amount	$	0.00	**Original Contingency Amount**	$	
Revised Contract Amount *Inclusive of prior amendments*	$		**Revised Contingency Amount** *Inclusive of prior amendments*	$	
Current Amendment Amount	$		**Contingency Amendment**	$	
TOTAL CONTRACT VALUE	$	0.00	**TOTAL CONTINGENCY VALUE**	$	
TOTAL BUDGET AUTHORITY ***(contract value + contingency)***				$	0.00

Contract Start Date	**Current Contract Expiration Date**	**Revised Contract Expiration Date**
July 11, 2012	June 30, 2016	

Has the contract term been amended? ☒ No ☐ Yes - please explain.

FINANCIAL INFORMATION

☐ Budget authority for this contract currently exists in Task No. 0780 (FY 12/13).

☐ A Budget Amendment is required.

How are we funding current FY?

☐ Federal Funds ☐ State Funds ☐ Local Funds ☐ TDA Funds ☐ Measure I Funds

*Provide Brief Overview of the **Overall** Funding for the duration of the Contract:*

Contractor shall be paid from proceeds from Program Bonds, application fees and closing costs.

☐ Payable ☐ Receivable

CONTRACT MANAGEMENT INFORMATION

Check all applicable boxes:

☐ Retention? If yes, indicate % _____.

☐ Disadvantaged Business Enterprise (DBE) Goal _____ % ☐ Underutilized DBE (UDBE) Goal _____ %

DUANE A. BAKER		6-13-12
Task Manager (Print Name)	Signature	Date
DUANE A. BAKER		6-13-12
Project Manager (Print Name)	Signature	Date
for Jeffery Hill		6/13/12
Contracts Manager (Print Name)	Signature	Date
WILLIAM STAWARSKY		6/13/12
Chief Financial Officer Signature (Print Name)	Signature	Date

6/13/12

"SCOPE OF SERVICES"

The Consultant shall provide the following Professional Services:

Use its best efforts to arrange for the placement of the initial issuance of micro-bonds by SANBAG as Placement Agent for the PACE Program, including performance of the following services:

- Thoroughly review Program bond documents.
- Participate in Program bond sale and structuring, including the offering, solicitation and arrangement for the purchase of the micro-bonds.
- Review and negotiate the form of Investor Letter and Purchase Contract Acknowledgement of investor suitability pursuant to MSRB/SEC regulations.
- Use its best efforts in obtaining performance by each investor whose offer to purchase has been accepted.
- Execution of Placement Agent Certifuicate associated with each tranche of Bonds.

This list provides information on acronyms commonly used by transportation planning professionals. This information is provided in an effort to assist SANBAG Board Members and partners as they participate in deliberations at SANBAG Board meetings. While a complete list of all acronyms which may arise at any given time is not possible, this list attempts to provide the most commonly-used terms. SANBAG staff makes every effort to minimize use of acronyms to ensure good communication and understanding of complex transportation processes.

AB	Assembly Bill
ACE	Alameda Corridor East
ACT	Association for Commuter Transportation
ADA	Americans with Disabilities Act
ADT	Average Daily Traffic
APTA	American Public Transportation Association
AQMP	Air Quality Management Plan
ARRA	American Recovery and Reinvestment Act
ATMIS	Advanced Transportation Management Information Systems
BAT	Barstow Area Transit
CALACT	California Association for Coordination Transportation
CALCOG	California Association of Councils of Governments
CALSAFE	California Committee for Service Authorities for Freeway Emergencies
CARB	California Air Resources Board
CEQA	California Environmental Quality Act
CMAQ	Congestion Mitigation and Air Quality
CMIA	Corridor Mobility Improvement Account
CMP	Congestion Management Program
CNG	Compressed Natural Gas
COG	Council of Governments
CPUC	California Public Utilities Commission
CSAC	California State Association of Counties
CTA	California Transit Association
CTC	California Transportation Commission
CTC	County Transportation Commission
CTP	Comprehensive Transportation Plan
DBE	Disadvantaged Business Enterprise
DEMO	Federal Demonstration Funds
DOT	Department of Transportation
EA	Environmental Assessment
E&D	Elderly and Disabled
E&H	Elderly and Handicapped
EIR	Environmental Impact Report (California)
EIS	Environmental Impact Statement (Federal)
EPA	Environmental Protection Agency
FHWA	Federal Highway Administration
FSP	Freeway Service Patrol
FRA	Federal Railroad Administration
FTA	Federal Transit Administration
FTIP	Federal Transportation Improvement Program
GFOA	Government Finance Officers Association
GIS	Geographic Information Systems
HOV	High-Occupancy Vehicle
ICTC	Interstate Clean Transportation Corridor
IEEP	Inland Empire Economic Partnership
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
IIP/ITIP	Interregional Transportation Improvement Program
ITS	Intelligent Transportation Systems
IVDA	Inland Valley Development Agency
JARC	Job Access Reverse Commute
LACMTA	Los Angeles County Metropolitan Transportation Authority
LNG	Liquefied Natural Gas
LTF	Local Transportation Funds

MAGLEV	Magnetic Levitation
MARTA	Mountain Area Regional Transportation Authority
MBTA	Morongo Basin Transit Authority
MDAB	Mojave Desert Air Basin
MDAQMD	Mojave Desert Air Quality Management District
MOU	Memorandum of Understanding
MPO	Metropolitan Planning Organization
MSRC	Mobile Source Air Pollution Reduction Review Committee
NAT	Needles Area Transit
NEPA	National Environmental Policy Act
OA	Obligation Authority
OCTA	Orange County Transportation Authority
PA&ED	Project Approval and Environmental Document
PASTACC	Public and Specialized Transportation Advisory and Coordinating Council
PDT	Project Development Team
PNRS	Projects of National and Regional Significance
PPM	Planning, Programming and Monitoring Funds
PSE	Plans, Specifications and Estimates
PSR	Project Study Report
PTA	Public Transportation Account
PTC	Positive Train Control
PTMISEA	Public Transportation Modernization, Improvement and Service Enhancement Account
RCTC	Riverside County Transportation Commission
RDA	Redevelopment Agency
RFP	Request for Proposal
RIP	Regional Improvement Program
RSTIS	Regionally Significant Transportation Investment Study
RTIP	Regional Transportation Improvement Program
RTP	Regional Transportation Plan
RTPA	Regional Transportation Planning Agencies
SB	Senate Bill
SAFE	Service Authority for Freeway Emergencies
SAFETEA-LU	Safe Accountable Flexible Efficient Transportation Equity Act – A Legacy for Users
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCRRA	Southern California Regional Rail Authority
SHA	State Highway Account
SHOPP	State Highway Operations and Protection Program
SOV	Single-Occupant Vehicle
SRTP	Short Range Transit Plan
STAF	State Transit Assistance Funds
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
TAC	Technical Advisory Committee
TCIF	Trade Corridor Improvement Fund
TCM	Transportation Control Measure
TCRP	Traffic Congestion Relief Program
TDA	Transportation Development Act
TEA	Transportation Enhancement Activities
TEA-21	Transportation Equity Act for the 21st Century
TMC	Transportation Management Center
TMEE	Traffic Management and Environmental Enhancement
TSM	Transportation Systems Management
TSSDRA	Transit System Safety, Security and Disaster Response Account
USFWS	United States Fish and Wildlife Service
VCTC	Ventura County Transportation Commission
VVTA	Victor Valley Transit Authority
WRCOG	Western Riverside Council of Governments

San Bernardino Associated Governments

Governments
SANBAG
Working Together

MISSION STATEMENT

To enhance the quality of life for all residents, San Bernardino Associated Governments (SANBAG) will:

- Improve cooperative regional planning

- Develop an accessible, efficient, multi-modal transportation system

- Strengthen economic development efforts

- Exert leadership in creative problem solving

To successfully accomplish this mission, SANBAG will foster enhanced relationships among all of its stakeholders while adding to the value of local governments.

Approved June 2, 1993
Reaffirmed March 6, 1996