

# C/CAG

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

*Atherton • Belmont • Brisbane • Burlingame • Colma • Daly City • East Palo Alto • Foster City • Half Moon Bay • Hillsborough • Menlo Park  
Millbrae • Pacifica • Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County • South San Francisco • Woodside*

Meeting No. 191

June 14, 2007

### 1.0 CALL TO ORDER/ROLL CALL

Chair Gordon called the meeting to order at 7:00 p.m. Roll call was taken.

James Janz - Atherton

Phil Mathewson - Belmont

Sepi Richardson - Brisbane

Rosalie O'Mahony - Burlingame

Larry Formalejo - Colma

Linda Koelling - Foster City

Naomi Patridge - Half Moon Bay

Tom Kasten - Hillsborough

Kelly Fergusson - Menlo Park

Gina Papan - Millbrae

Jim Vreeland - Pacifica (7:10)

Diane Howard - Redwood City

Irene O'Connell - San Bruno

Bob Grassilli - San Carlos

Carole Groom - San Mateo

Rose Jacobs-Gibson - County of San Mateo

Karyl Matsumoto - South San Francisco, San Mateo County Transit District

Deborah Gordon - Woodside

#### Absent:

Daly City

East Palo Alto

Portola Valley

#### Others:

Richard Napier, Executive Director - C/CAG

Nancy Blair, Administrative Assistant - C/CAG

Sandy Wong, C/CAG Staff

Tom Madalena, C/CAG Staff

John Hoang, C/CAG Staff

Diana Shu, C/CAG Staff

Miruni Soosaipillai, C/CAG - Legal Counsel

Brian Lee, San Mateo County - Public Works

Jim Bigelow, Redwood City/San Mateo County Chamber, Menlo Park Chamber

Ray Razavi, South San Francisco - City Engineer

Jerry Grace, Oakland  
Jim Porter, San Mateo County - Public Works  
Christine Maley-Grubl, Executive Director, Peninsula Congestion Relief Alliance  
Onnolee Trapp, CMAQ Committee, League of Women Voters of San Mateo County  
Senator Leland Yee  
David Burruto, District Director, Office of Senator Leland Yee

### 3.0 ANNOUNCEMENTS/ PRESENTATIONS

Jerry Grace, Oakland.

Introduction of Jim Porter, Public Works Director, San Mateo County.

#### 3.1 State Legislative Issues - Senator Leland Yee

Senator Leland Yee thanked everyone for the opportunity to come before the Board and discussed State Legislative Issues.

Chair Gordon thanked Senator Yee for cosponsoring Bill (SB) 613.

### 4.0 CONSENT AGENDA

Board Member O'Connell MOVED approval of Consent Items 4.1, 4.3, and 4.5. . Board Member Kasten SECONDED. **MOTION CARRIED** 17-0.

- 4.1 Review and approval of the Minutes of Regular Business Meeting No. 188 dated April 12, 2007. APPROVED
- 4.3 Status report on the Local Streets and Roads allocation estimates from the State Infrastructure Bonds by City/ County. INFORMATION
- 4.5 Review and approval of the Transportation Fund for Clean Air (TFCA) Program Audit for specified projects for the period July 1, 2000 thru June 30, 2006. APPROVED
- 4.6 Review and Approval of Resolution 07-13 authorizing the C/CAG Chair to execute a Funding Agreement with SamTrans for an amount not to exceed \$60,000 and Resolution 07-14 authorizing the C/CAG Chair to execute a Funding Agreement with the Metropolitan Transportation Commission (MTC) for an amount not to exceed \$60,000 for Community Based Transportation Planning Services. APPROVED

Items 4.2, 4.4, and 4.6 were removed from the Consent Calendar.

- 4.2 Status report on the Transit Oriented Development Housing Incentive funds paid and the specific transportation project supported. INFORMATION

The C/CAG Transit Oriented Development (TOD) Housing Incentive Program is currently in its third (3<sup>rd</sup>) cycle. During the 1<sup>st</sup> cycle, one transportation project was completed. During the 2<sup>nd</sup> cycle, five transportation projects were completed. For the 3<sup>rd</sup> cycle, housing projects must be under construction by May 12, 2007 in order for the respective transportation projects to be eligible for funding.

Board Member O'Mahony pulled this item to acknowledge C/CAG's role as a pioneer, how successful the TOD has been, and how much potential it has.

Board Member O'Mahony MOVED to approve Item 4.2. Board Member Richardson SECONDED. **MOTIONED CARRIED** 18-0.

- 4.4 Review and approval of the grant application to the U.S. Department of Transportation (DOT) under the Intelligent Transportation Systems (ITS) Operational Testing to Mitigate Congestion Program for the US 101 and Interstate 280 Integrated Transportation Incident Management Project for a grant of \$8M and a \$2M local match for a total project cost of \$10M. APPROVED

Equipment installed to the cities would become city-owned and maintained. C/CAG will attempt to pursue other funding sources such as MTC and others to request funds for maintaining the equipments.

Board Member Fergusson MOVED to approve Item 4.4. Board Member O'Mahony SECONDED. **MOTIONED CARRIED** 18-0.

- 4.6 Review and Approval of Resolution 07-13 authorizing the C/CAG Chair to execute a Funding Agreement with SamTrans for an amount not to exceed \$60,000 and Resolution 07-14 authorizing the C/CAG Chair to execute a Funding Agreement with the Metropolitan Transportation Commission (MTC) for an amount not to exceed \$60,000 for Community Based Transportation Planning Services. APPROVED

Recognizing the survey was done in 2001, Board Member Howard asked consideration be made to extend shuttle service to the Fair Oaks area, which is a low income neighborhood not currently being serviced by transit. C/CAG's Executive Director said he would look into this with MTC.

Board Member Howard MOVED to approve Resolution 07-13 and Resolution 07-14. Board Member O'Connell SECONDED. **MOTIONED CARRIED** 18-0.

## 5.0 REGULAR AGENDA

- 5.1 Review and approval of C/CAG Legislative positions and Legislative update. INFORMATION (A position may be taken on any legislation, including legislation not previously identified.)

Staff provided an update on two C/CAG sponsored bills.

- AB 468 - the Abandoned Vehicle Bill has passed through the first Assembly and is now in appropriations.
- SB 613 - reauthorization of the \$4 vehicle fee - has passed through the Senate, it is in the Rules Committee (in the Assembly), and will be moving towards the Transportation Committee.

June 8<sup>th</sup> is the last day for bills to pass from one house to the next; those that are not passed will be cancelled and will have to wait for the next cycle.

- 5.1.1 Support for Senate Bill (SB) 286 (Lowenthal and Dutton), Transportation Bonds: Implementation. APPROVED  
C/CAG's Legislative Committee recommends support of (SB) 286. SB 286 would encourage the Legislature to expedite the allocation of the Local Street and Road Improvement funds to cities and counties starting in Fiscal Year 2007-08.

Board Member O'Mahony MOVED to approve Item 5.1.1. Board Member Kasten SECONDED. **MOTIONED CARRIED** 18-0.

Bill (SB) 303, the Housing Affordability Act, was designed to provide responsible planning, requires full compliance of environmental laws, and to boost housing for all income levels. Due to too many restrictions and compliances, the League of Cities is asking C/CAG to oppose this bill. C/CAG's Legislative Committee recommends opposition to this bill.

Board Member Jacobs-Gibson MOVED to oppose (SB) 303. Board Member O'Connell SECONDED. **MOTIONED CARRIED** 18-0.

- 5.2 Initial draft, assumptions, and input on the C/CAG 2007-08 Program Budget and Fees. INFORMATION

C/CAG's Executive Director provided a review on the initial draft of the C/CAG 2007-08 Program Budget and Fees. The complete budget, in detail, will be reviewed by the Finance Committee and be provided for adoption at the June C/CAG Board meeting.

- 5.3 Review and approval of Resolution 07-12 authorizing the C/CAG Chair to execute the necessary agreements with the State of California/Ford Motor Company, Air Products, San Mateo County Transportation Authority (TA), San Mateo County Transit District (SamTrans), Santa Clara Valley Transportation Authority (VTA), the Peninsula Congestion Relief Alliance and West Valley College for a Hydrogen Internal Combustion Engine (HICE) Shuttle Vehicle, to provide Caltrain shuttle service for two years up to a total of, not to exceed, \$250,000 net cost to C/CAG. APPROVED

The California Air Resources Board (CARB) requires the shuttle be placed into active service immediately after delivery to C/CAG. Staff recommends the Board authorize, in advance, the C/CAG Chair to execute agreements with the necessary agencies to maintain and operate a hydrogen Shuttle in San Mateo County.

Board Member Vreeland MOVED the C/CAG Board accept the staff recommendations to permit the C/CAG Chair to execute the contracts within the above limits after review by C/CAG counsel. Board Member O'Mahony SECONDED. **MOTIONED CARRIED** 18-0.

## 6.0 COMMITTEE REPORTS

6.1 Committee Reports (oral reports).

6.2 Chairperson's Report.

## 7.0 EXECUTIVE DIRECTOR'S REPORT

MTC will provide a tour of the construction site of the Bay Bridge. A date will be provided.

C/CAG received a positive audit of the TFCA program.

## 8.0 COMMUNICATIONS - Information Only

Copies of communications are included for C/CAG Board Members and Alternates only. To request a copy of the communications, contact Nancy Blair at 650 5991406 or [nblair@co.sanmateo.ca.us](mailto:nblair@co.sanmateo.ca.us) or download a copy from C/CAG's website – [www.ccag.ca.gov](http://www.ccag.ca.gov).

- 8.1 Letter from David Carbone, ALUC Staff, to Valerie Young, Contract Planner, City of Redwood City, dated 3/16/07. Re: C/CAG Airport Land Use Committee (ALUC) Staff Comments on the Draft Mitigated Negative Declaration and Initial Study for the North Main Street Precise Plan February 2007.
- 8.2 Letter from Richard Napier, Executive Director C/CAG, to Mr. Mike Scanlon, Transportation Authority, SamTrans, dated 3/23/07. Re: 613 Reauthorization of the \$4 Vehicle Fee for San Mateo County.
- 8.3 Letter from Richard Napier, Executive Director C/CAG, to Mr. Dan Cruvey, Samceda, City Managers, County Manager, dated 3/28/07. Re: 613 Reauthorization of the \$4 Vehicle Fee for San Mateo County.
- 8.4 Letter from Richard Napier, Executive Director C/CAG, to Honorable Ira Ruskin, State Capital, to Honorable Pedro Nava, Chair, Assembly Transportation Committee, dated 4/2/07. Re: Assembly Bill (AB) 468 - Revisions to the Abandoned Vehicle Abatement Program.
- 8.5 Letter from Richard Napier, Executive Director C/CAG, to Honorable Joseph S. Simitian, State Capital - Room 2080, to Honorable Alan Lowenthal, Chair, Senate Transportation Committee, dated 4/2/07 Re: Support of C/CAG Sponsored Senate Bill (SB) 613.
- 8.6 Letter from Deborah C. Gordon, Chair, C/CAG to Honorable Joseph Simitian, State Senate District 11, dated 4/11/07. Re: Letter of Thanks for Sponsoring SB 613 - Reauthorization of AB 1546.
- 8.7 Letter from Deborah C. Gordon, Chair, C/CAG to Honorable Alan Lowenthal, Chairman, Senate Transportation Committee, dated 4/11/07. Re: Letter of Thanks for Support on SB 613 - Reauthorization of \$4 Motor Vehicle Fee for San Mateo County.
- 8.8 Letter from Deborah C. Gordon, Chair, C/CAG to Honorable Ira Ruskin, State Assembly 21<sup>st</sup> District, dated 4/11/07. Re: Letter of Thanks for Sponsoring AB 468 - Abandoned Vehicle Abatement.
- 8.9 Letter from Deborah C. Gordon, Chair, C/CAG to Honorable Pedro Nava, Chairman Assembly Transportation Committee, dated 4/11/07. Re: Letter of Thanks for AB 468 - Abandoned Vehicle Abatement.
- 8.10 Letter from Deborah C. Gordon, Chair, C/CAG to Honorable Mark Green, Chairman, Dumbarton Rail Corridor Policy Committee, dated 4/12/07. Subject: Support for the Dumbarton Rail project.
- 8.11 Letter from Richard Napier, Executive Director C/CAG, to Honorable Senator Leland Yee, State Assembly, 8<sup>th</sup> District, dated 4/16/07. Re: Support for SB 279 - Sale of Vehicles on State Highways.
- 8.12 Letter from Richard Napier, Executive Director C/CAG, to Mr. Craig Duehring, California Air Resources Board, dated 4/18/07. Re: C/CAG Proposal to support the Ford HICE Shuttle in San Mateo County.

8.13 Letter from David Carbone, ALUC Staff, to Barbara E. Lichman, Chevalier, Allen, & Lichman, LLP, to Elaine Yoahannan, Jacobs Consultancy, to Jeanette V. Coffman, Coffman Associates, to Ken Brody, Mead & Hunt, dated April 17, 2007. Re: Inclusion of Your Firm/Team on the Consultant "Short List" and a Request for Proposal (RFP), Re: Preparation of a Comprehensive Airport/Land Use Compatibility Plan for the Environs of San Francisco International Airport.

8.14 Letter from Michael J. Scanlon, General Manager/CEO, SamTrans, to the Honorable Joe Simitian, California State Senate, dated 4/19/07. Re: Support for SB 613 (Simitian) - Local Governments: Vehicle Fee for Congestion and Stormwater Management.

## 9.0 MEMBER COMMUNICATIONS

C/CAG's legal counsel provided an update on an NPDES issue:

A year ago, C/CAG filed a brief on an NPDES issue. There is a constitutional provision that requires the State to reimburse local agencies for state mandates. The process for claiming one is through the Commission of State Mandates. There is an exception, in the statute, that says if the mandate comes from your region water board, it does not count. The County of Los Angeles (LA), along with other cities from Southern California, filed a lawsuit to say that is unconstitutional. The constitutional provision says you have to reimburse for the mandates, and the constitution trumps the statute, so the statute cannot make an exception. C/CAG filed a brief on the behalf of C/CAG and BAASMA. The good news is the Court of Appeals affirmed this decision in LA, meaning C/CAG's side prevailed. The result is limited; if you file a claim with the Commission on State Mandates you are entitled to a hearing. The issue to be decided is the NPDES permits are from Federal law, but administered through the State. The State agencies can add conditions to them. The people having to comply with those conditions are saying those are state mandates, only state mandates can be reimbursed.

## 10.0 ADJOURN

The meeting adjourned at 8:50 p.m. in the memory of the Honorable Lou Papan who served honorably in the California Legislature for over two decades. Prior to that, the Honorable Papan served as a Daly City Councilmember. Lou was a much respected, caring, and effective legislator who will be deeply missed.