

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*

BOARD MEETING MINUTES

Meeting No. 260
September 12, 2013

1.0 CALL TO ORDER/ROLL CALL

Chair Grotte called the meeting to order at 6:35 p.m. Roll Call was taken.

Elizabeth Lewis – Atherton
Terry O’Connell – Brisbane (7:19)
Michael Brownrigg – Burlingame
Joseph Silva – Colma (6:37)
Ruben Abrica - East Palo Alto
Art Kiesel – Foster City
Rick Kowalczyk - Half Moon Bay
J Benton - Hillsborough
Peter Ohtaki - Menlo Park
Wayne Lee - Millbrae
Mary Ann Nihart - Pacifica
Jeff Aalfs – Portola Valley (6:35)
Alicia Aguirre - Redwood City
Bob Grassilli - San Carlos
Brandt Grotte - San Mateo
Pradeep Gupta - South San Francisco

Absent,
Belmont
Daly City
San Bruno
San Mateo County
Woodside

Others:
Sandy Wong, Executive Director C/CAG
Nancy Blair, C/CAG Staff
Lee Thompson, C/CAG Legal Counsel
Tom Madalena, C/CAG Staff
John Hoang, C/CAG Staff
Jean Higaki, C/CAG Staff

Matt Fabry, C/CAG Staff
Dave Carbone, C/CAG Staff
Wally Abrazaldo, C/CAG Staff
Parviz Mokhtari, C/CAG Staff
Scott Hart, Jennifer Stuart, PG&E
Jim Bigelow, Redwood City/San Mateo County Chamber, CMEQ Member
John Bliss, SCI Consulting Group

3.0 PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

C/CAG's Executive Director introduced C/CAG's new staff member, Walter (Wally) Albrazado. Wally's position is Transportation Program Specialist.

4.0 PRESENTATIONS/ ANNOUNCEMENTS

4.1 Update on the implementation of the San Mateo County Smart Corridor project.

Parviz Mokhtari, Project Manager, provided an update on the status of the Smart Corridor project, and answered questions from the Board.

5.0 CONSENT AGENDA

Board Member Lee MOVED approval of Items 5.1, 5.2, 5.5, and 5.6. Board Member Aguirre SECONDED. **MOTION CARRIED** 15-0.

5.1 Approval of the minutes of regular business meeting No. 259 dated August 8, 2013.

APPROVED

5.2 Review and accept Quarterly Investment Report as of June 30, 2013

APPROVED

5.5 Review and approve the appointment of John Fuller from the City of Daly City to fill a vacant seat on the Congestion Management Program Technical Advisory Committee (CMP TAC)

APPROVED

5.6 Review and approval of waiving the C/CAG procurement process and authorizing the Executive Director to execute an agreement between Andrea Pappajohn and C/CAG for the San Mateo County Energy Watch, school energy benchmarking project for an amount not to exceed \$12,500 through calendar year 2014.

APPROVED

Items 5.3 and 5.4 were removed from the Consent Calendar agenda.

5.3 Review and approval of Resolution 13-28 authorizing the C/CAG Chair to execute a funding agreement with the County of San Mateo for C/CAG to receive up to \$155,500 for a limited term Countywide Pedestrian and Bicycle Coordinator position for FY 2013/2014 and FY 2014/2015.

APPROVED

- 5.4 Review and approval of Resolution 13-29 authorizing the C/CAG Chair to execute a funding agreement with the San Mateo County Transit District for C/CAG to receive up to \$65,000 for a limited term countywide Pedestrian and Bicycle Coordinator position for FY 2013/2014 and FY 2014/2015. APPROVED

The costs are combined for two years for one position. The costs are \$155,500 from the County, \$65,000 from SamTrans, and approximately \$77,000 from C/CAG. This is for salary, benefits, and miscellaneous employee-related expenses.

Board Member Lewis MOVED to approve Items 5.3 and 5.4. Board Member Nihart SECONDED. **MOTION CARRIED** 16-0.

6.0 REGULAR AGENDA

- 6.1 Review and approval of C/CAG legislative policies, priorities, positions, and legislative update. (A position may be taken on any legislation, including legislation not previously identified.) APPROVED

The Legislation Committee met at 5:30 on 9/12/12. There was no quorum, therefore, the Committee did not take action on any items.

Staff provided interesting notes and tidbits about bills coming up at the end of the session for the year.

- AB 162 - no movement
- AB 188 - no movement
- SB 566 - had significant opposition, was amended significantly and turned into a two-year bill.
- SB 391 - got big opposition from the Realtors, turned into two-year bill
- SB 371 - got shelved
- SB 743 - not sure if it will move forward or not
- SCA 4 & - Not expected to move forward this year will probably turn into a two-year bill.
- SCA 8

Hearings were held on water bonds that were put before both houses:

- Covered funding for above ground storage of ground water
- Funding for recycled water systems
- Rewarding folks for conservation

Stormwater Management update:

- Legislative Counsel's opinion is that C/CAG's authority as a Joint Powers Agency (JPA) does not provide taxation authority, therefore legislation would be required to enable C/CAG to pursue a special tax or property-related fee.

- C/CAG staff continues to pursue enabling legislation; however, it is unlikely C/CAG will be able to get Legislation out of the legislature prior to the end of session deadline on September 12.
- C/CAG does have an existing vehicle (AB 418) allowing C/CAG to continue pursuing authorization in early 2014.
- C/CAG could add an urgency clause to the bill to the Governor's desk by February. This requires a 2/3 vote in both houses. If passed, this would enable C/CAG to stay on schedule of placing an initiative before voters or property owners in the mid-2014.

No action taken.

6.2 Review and approval of the revised C/CAG By-Laws. APPROVED

Legal Counsel noted the Ad Hoc Committee worked very hard, and tried to make sure the By-laws mirrored the Joint Points Agreement (JPA).

On Page 47, Page 3 of the by-laws, Section 5, there is some language that should not be in there. This language has been removed.

A handout referencing Item 6.2, was distributed to the Board. This is a clean copy, not redlined. This is the copy staff is asking the Board to approve. There is one change. Page 47, Article 3, Section 6, addresses the withdrawal of the member agency. There was a discussion in the committee, as to why September 30? The dates were changed. After reviewing the JPA, the date of September 30 tracks the JPA. Rather than revise Section 6, it should remain the way it was originally.

The handout includes the original language for Section 6. The handout incorporates all the changes in the redlined document, except for that date in Section 6. The date remains September 30.

Staff recommends approval of the corrected handout that was presented to the Board at the meeting.

Legal Counsel asked that a Special Vote be taken. One of two of the provisions requires a special vote.

Brandt MOVED that C/CAG approve Resolution 13-32 to revise the C/CAG By-laws, that being the revised and clean copy that was placed at the Board Member's Station referenced as Item 6.2. Board Member Nihart SECONDED.

A Super Majority Vote was taken by roll call. **MOTION CARRIED** 16-0. Results: 16 Agencies approving. This represents 76% of the Agencies representing 67% of the population.

6.3 Review and approval of the Draft 2013 Congestion Management Program (CMP) and Monitoring Report and authorize its release for distribution and comments. APPROVED

Staff gave an overview of the CMP.

With the Board's approval, the next step will be for staff to release the document for public comment for 30 days. Staff will bring the CMP back to the Board for adoption at the November 2013 meeting.

Board Member Aguirre MOVED to approve Item 6.3. Board Member Benton SECONDED.
MOTION CARRIED 16-0.

- 6.4 Presentation on Potential Countywide Funding Initiative: Funding Needs Analysis and Funding Options Report. INFORMATION

John Bliss, SCI Consulting Group, gave a presentation on the Funding Initiative and Funding Needs Analysis.

Staff will bring finalized reports on the three tasks back to the Board at the November meeting.

- 6.5 Approval of Resolution 13-31 approving the Proposed 2014 State Transportation Improvement Program (STIP) for San Mateo County and also authorize the C/CAG Executive Director to negotiate with the Metropolitan Transportation Commission (MTC) and California Transportation Commission (CTC) to make modifications as necessary. (Special voting procedures apply). APPROVED

Board Member Lee MOVED to approve Item 6.3. Board Member Aguirre SECONDED.
MOTION CARRIED 16-0.

A Super Majority Vote was taken by roll call. **MOTION CARRIED** 16-0. Results: 16 Agencies approving. This represents 76% of the Agencies representing 67% of the population.

- 6.6 Review and approval of staff recommendation on the proposed Highway Relinquishment Study for SR 82 El Camino Real/Mission Street. APPROVED

The Relinquishment Study does not require funding from C/CAG because funding is being sought from MTC. The Grand Boulevard Initiative (GBI) has representation along the entire corridor from the jurisdictions. If there is a desire from the GBI to do the study, and if there is another agency that is willing to fund it, C/CAG does not need to take a position regarding the study. The study is totally voluntary and is not any type of state mandate.

Staff recommendation is for the C/CAG Board to not take any position on the study, and to refer it back to the GBI for that decision.

Board Member Brownrigg MOVED to approve staff recommendation to take no position. Board Member Aguirre SECONDED.

Board Member Lewis MOVED for C/CAG to join with the VTA and support the MTC funding survey to give C/CAG more information. Board Member Aguirre SECONDED.

Vote was taken by roll call. **MOTION FAILED** 5-9-2. Board Members Lewis, Kowalczyk, Aguirre, Grassilli, and Gupta voted to approve. Board Members O'Connell, Brownrigg, Silva,

Abrica, Benton, Ohtaki, Lee, Aalfs, and Grotte Opposed. Board Member Nihart and Kiesel abstained.

Board Member Ohtaki asked to remake the MOTION to approve staff recommendation to take no position. Board Member Brownrigg SECONDED. MOTION APPROVED 13-1-2. Board Member Grassilli Opposed. Board Member Nihart and Kiesel abstained.

- 6.7 Review and approval of prefunding the C/CAG actuarial liability of other post-employment benefit (OPEB) at \$184,359. APPROVED

The Finance Committee made a recommendation to prefund the Actuarial Accrued Liability at \$184,359.00.

Board Member Ohtaki MOVED approval of the staff report with a guidance that staff will come back with a recommendation or analysis on what vehicle to invest in. Board Member Grotte SECONDED. **MOTION CARRIED** 16-0.

7.0 COMMITTEE REPORTS

7.1 Committee Reports (oral reports).

None.

7.2 Chairperson's Report

None.

7.3 Boardmembers Report

None.

8.0 EXECUTIVE DIRECTOR'S REPORT

9.0 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 650 599-1406 or nblair@co.sanmateo.ca.us or download a copy from C/CAG's website – www.ccag.ca.gov.

- 9.1 Letter from Brandt Grotte, C/CAG Chair, to The Honorable Darrell Steinberg, California State Senate, President pro Tempore, dated 8/8/13. RE: Letter supporting the nomination of Mr. Brian Kelly as Secretary of the newly created California State Transportation Agency.

9.2 Letter from Brandt Grotte, C/CAG Chair, to All Councilpersons of San Mateo County and Members of the Board of Supervisors, All City/County Managers, dated 9/4/13: RE: C/CAG Committee Vacancies for Elected Officials.

10.0 ADJOURN

The meeting adjourned at 8:55 p.m. in memory of those who perished on September 11, and for those who have been put in harm's way to address the situation.