

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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REVISED

C/CAG BOARD MEETING NOTICE and SAN MATEO COUNTY AIRPORT LAND USE COMMISSION MEETING NOTICE

Meeting No. 352

Date: Thursday, April 14, 2022

Time: 6:30 P.M.

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

Join by Zoom:

<https://us02web.zoom.us/j/82251917605?pwd=SUprRdS9Od2tUMnB5aHFiQ00wZXdudz09>

Meeting ID: 822 5191 7605

Password: 041422

Join by Phone: (669) 900-6833

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

- 1.0 CALL TO ORDER/ ROLL CALL
- 2.0 BRIEF OVERVIEW OF TELECONFERENCE MEETING PROCEDURES
- 3.0 Approval of Resolution 22-18 finding that, as a result of the continuing COVID-19 pandemic state of emergency declared by Governor Newsom, meeting in person would present imminent risks to the health or safety of attendees. ACTION p. 1

4.0 PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

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

5.0 PRESENTATIONS/ ANNOUNCEMENTS

- 5.1 Certificate of Appreciation to Marie Chuang, Councilmember for Town of Hillsborough, for her Leadership as the Chair of C/CAG. ACTION p. 6

6.0 ACTION TO SET AGENDA AND APPROVE CONSENT AGENDA ITEMS

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

- 6.1 Approval of the minutes of regular business meeting No. 351 dated March 10, 2022. ACTION p. 7
- 6.2 Approval of a Resolution identifying a pre-qualified bench of consultants to provide transportation planning and program support services through April 30, 2024, with an option to extend for up to an additional two (2) years. ACTION p. 13
- 6.3 Approval of a Resolution adopting the San Mateo County Transportation Development Act (TDA) Article 3 Program, funding the top seven Bicycle and Pedestrian project proposals for Fiscal Year 2022/2023 for \$2,250,000. ACTION p. 18
- 6.4 Approval of a Resolution determining that the proposed 8-story office/research and development project at 580 Dubuque Ave., South San Francisco, is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport. ACTION p. 23
- 6.5 Approval of a Resolution determining that the proposed 6-story mixed-use project at 959 El Camino Real, Millbrae, is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport. ACTION p. 50
- 6.6 Approval of the appointment of Jane Kao, Senior Civil Engineer from the City of Millbrae, to the C/CAG Congestion Management Program Technical Advisory Committee (TAC). ACTION p. 73
- 6.7 Receive the Measure M 5-Year Performance Report (Fiscal Years 2016/17-2020/21). INFORMATION p. 76
- 6.8 Approval of a Resolution approving Amendment No. 2 to the Agreement with Econolite Systems Inc. for Smart Corridor Maintenance services, extending the term up to three months and adding \$190,000. ACTION p. 79

- 6.9 Approval of a Resolution authorizing a Funding Agreement for \$675,000 with the San Mateo County Transportation Authority (SMCTA) for Phase 1, the Dumbarton Roadway Facility Improvements Pre-Project Initiation Document (Pre-PID).
ACTION p. 84
- 6.10 Approve the request for reallocation of Transportation Development Act (TDA) Article 3 funds for the City of Daly City Mission Street streetscape project (\$400,000).
ACTION p. 88
- 6.11 Approve the request for reallocation of Transportation Development Act (TDA) Article 3 funds for the County of San Mateo Midcoast multimodal trail project (\$400,000).
ACTION p. 90
- 6.12 Approve the request for reallocation of Transportation Development Act (TDA) Article 3 funds for the City of Redwood City Vera Avenue bicycle boulevard project (\$254,883).
ACTION p. 92
- 6.13 Approve the request for reallocation of Transportation Development Act (TDA) Article 3 funds for the City of Half Moon Bay Pacific Coast connectivity north project (\$350,000).
ACTION p. 94
- 6.14 Approval of a Resolution authorizing the C/CAG Chair to execute Amendment No.2 to Task Order URD-02 with Urban Rain Design, extending the Task Order to June 30, 2022 for no additional cost.
ACTION p. 96
- 6.15 Approval of a Resolution approving Amendment No. 3 to the Agreement with Sustainable Silicon Valley for the Intelligent Transit Signal Priority Project, extending the agreement through June 30, 2022
ACTION p. 101

7.0 REGULAR AGENDA

- 7.1 Review legislative update and, if appropriate, recommend approval of C/CAG legislative policies, priorities, or positions. (A position may be taken on any legislation, including legislation not previously identified in the legislative update. Action is only necessary if recommending approval of a policy, priority, or position.)
POSSIBLE ACTION p. 106
- 7.2 Approval of a Resolution authorizing an Agreement with Mariposa Planning Solutions for the C/CAG Equity Assessment and Framework Development Project for an amount not to exceed \$170,000, establish a contingency in the amount of \$17,000 for a total project budget of \$187,000; and execute future contract amendments in an amount not-to-exceed the appropriated contingency.
ACTION p. 112
- 7.3 Review and approval of the proposed C/CAG Guidelines and process for the MTC One Bay Area Grant Cycle 3 (OBAG 3) County & Local Program
ACTION p. 139
- 7.4 Update on three topic areas (Micromobility, Stormwater, and Greenhouse Gas Reduction) presented at the 2021 C/CAG Board Annual Forum and discuss future Board Annual Forum planning activities.
INFORMATION p. 150

7.5 Update on returning to in-person C/CAG Board and Committee meetings.

INFORMATION p. 154

8.0 COMMITTEE REPORTS

8.1 Committee Reports (oral reports)

8.2 Chairperson's Report

8.3 Board Members Report/Communication

9.0 EXECUTIVE DIRECTOR'S REPORT

10.0 COMMUNICATIONS - Information Only

10.1 Written Communication 10 Letters

p. 158

11.0 ADJOURNMENT

Next scheduled meeting May 12, 2022

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

PUBLIC RECORDS: Public records that relate to any item on the open session agenda for a regular Board meeting, standing committee meeting, or special meeting are available for public inspection. Those public records that are distributed less than 72 hours prior to a regular Board meeting are available for public inspection at the same time they are distributed to all members, or a majority of the members, of the Board. The Board has designated the City/County Association of Governments of San Mateo County (C/CAG), located at 555 County Center, 5th Floor, Redwood City, CA 94063, for the purpose of making public records available for inspection. Such public records are also available on C/CAG's website at: <http://www.ccag.ca.gov>. Please note that C/CAG's office is temporarily closed to the public; please contact Mima Crume at (650) 599-1406 to arrange for inspection of public records.

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

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

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

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

1. The C/CAG Board meeting may be accessed through Zoom at the online location indicated at the top of this agenda.
2. You may download the Zoom client or connect to the meeting using an internet browser. If using your browser, make sure you are using a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer.
3. You will be asked to enter an email address and name. We request that you identify yourself by your name as

this will be visible online and will be used to notify you that it is your turn to speak.

4. When the C/CAG Clerk or Chair call for the item on which you wish to speak, click on “raise hand.” The Clerk will activate and unmute speakers in turn. Speakers will be notified shortly before they are called on to speak.
5. When called, please limit your remarks to the time allotted.

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

Executive Director: Sean Charpentier (650) 599-1409

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

C/CAG AGENDA REPORT

Date: April 14, 2022

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

From: Sean Charpentier, Executive Director

Subject: Approval of Resolution 22-18 finding that, as a result of the continuing COVID-19 pandemic state of emergency, meeting in person would present imminent risks to the health or safety of attendees, and that the state of emergency continues to directly impact the ability of members of the Board of Directors and C/CAG legislative bodies to meet safely in person.

(For further information, contact Melissa Andrikopoulos at mandrikopoulos@smcgov.org)

RECOMMENDATION

Approval of Resolution 22-18 finding that, as a result of the continuing COVID-19 pandemic state of emergency, meeting in person for meetings of the C/CAG Board of Directors and all other C/CAG legislative bodies would present imminent risks to the health or safety of attendees, and that the state of emergency continues to directly impact the ability of members of the Board of Directors and C/CAG legislative bodies to meet safely in person.

FISCAL IMPACT

There is no fiscal impact.

SOURCE OF FUNDS

Not applicable

BACKGROUND

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

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

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

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

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

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

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

DISCUSSION

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

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

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

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

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

ATTACHMENT

1. Resolution 22-18

RESOLUTION 22-18

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

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

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

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

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

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

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

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

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

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

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

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

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that

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

PASSED, APPROVED, AND ADOPTED, THIS 14TH DAY OF APRIL 2022.

Davina Hurt, Chair

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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A PRESENTATION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) EXPRESSING APPRECIATION TO MARIE CHUANG FOR HER LEADERSHIP AS THE CHAIR OF C/CAG

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

WHEREAS, Marie Chuang has served as Councilmember in the Town of Hillsborough since 2010, Vice Mayor 2014 to 2016 and Mayor 2016 to 2018, and

WHEREAS, Marie Chuang has been serving on the C/CAG Board of Directors, representing the Town of Hillsborough since 2015, and

WHEREAS, Marie Chuang has served on the C/CAG Legislative, Finance, Administrator’s Advisory Committees, and

WHEREAS, Marie Chuang represents, or has represented, the Town of Hillsborough on many local and regional bodies because she values the importance of Town representation, and

WHEREAS, Marie Chuang has served on the Advanced Life Support (ALS) San Mateo County Pre-Hospital Emergency Medical Services Group JPA Board, Central County Fire Department Board, San Mateo Operational Area Emergency Services Organization (Emergency Services Council) Board, OneShoreline Board, and

WHEREAS, Marie Chuang has served as C/CAG Chair from May 2020 to March 2022, and

WHEREAS, Marie Chuang ensured that C/CAG’s services to its member agencies continued safely and productively during the COVID pandemic, and

WHEREAS, Marie Chuang is an inclusive, collaborative, courageous, dedicated, and effective leader in San Mateo County.

NOW, THEREFORE, the Board of Directors of C/CAG hereby resolves that C/CAG expresses its appreciation to Marie Chuang for her dedicated leadership as the Chair of C/CAG.

PASSED, APPROVED, AND ADOPTED THIS 14TH DAY OF APRIL, 2022.

Davina Hurt, Chair

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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

C/CAG BOARD

MINUTES

Meeting No. 351
March 10, 2022

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

1.0 CALL TO ORDER/ ROLL CALL

Chair Marie Chuang called the meeting to order at 6:30p.m. Roll call was taken.

Atherton	– Elizabeth Lewis
Belmont	– Davina Hurt
Brisbane	– Karen Cunningham
Burlingame	– Ricardo Ortiz
Colma	– John Goodwin
Daly City	– Pamela DiGiovanni
East Palo Alto	– Lisa Gauthier
Foster City	– Richa Awasthi
Half Moon Bay	– Debbie Ruddock
Hillsborough	– Marie Chuang
Menlo Park	– Cecilia Taylor
Millbrae	– Gina Papan
Pacifica	– Sue Vaterlaus
Portola Valley	– Maryann Moise Derwin
Redwood City	– Alicia Aguirre
San Bruno	– Michael Salazar
San Carlos	– Adam Rak
San Mateo	– Diane Papan
San Mateo County	– David Canepa
South San Francisco	– Mark Nagales
Woodside	– Dick Brown
SMCTA (Non-Voting)	– Rico Medina

Absent:

SMCTD (Non-Voting)

Others:

Sean Charpentier	– C/CAG Executive Director
Mima Crume	– C/CAG Clerk of the Board
Melissa Adrikopolous	– C/CAG Legal Counsel
Kaki Cheung	– C/CAG Staff
Van Ocampo	– C/CAG Staff
Jeff Lacap	– C/CAG Staff
Reid Bogert	– C/CAG Staff
Susy Kalkin	– C/CAG Staff
Kim Wever	– C/CAG Staff
Kim Springer	– C/CAG Staff
Eva Gaye	– C/CAG Staff
Audrey Shiramiza	– C/CAG Staff
John Ford	– Commute.org
Joshua Abrams	– Baird and Driskell

Other members of the public attended.

2.0 BRIEF OVERVIEW OF TELECONFERENCE MEETING PROCEDURES

Clerk Mima Crume gave an overview of the teleconference meeting procedures.

3.0 PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

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

Clerk Mima reported that there were no comments from the public.

4.0 PRESENTATIONS/ ANNOUNCEMENTS

4.1 Receive a presentation on the countywide trip reduction program from Peninsula Traffic Congestion Relief Alliance (Commute.org).

The Board received a presentation from John Ford on the countywide trip reduction program from Peninsula Traffic Congestion Relief Alliance (Commute.org). Commute.org connects employees and customers with transportation systems that provide an alternative to driving alone.

4.2 Receive a presentation from Baird and Driskell on the 21 Elements collaboration.

The Board received a presentation from Joshua Abrams on the 21 Elements collaboration. The 21 Elements effort is regionally recognized model for successful cooperation on housing issues.

5.0 ACTION TO SET AGENDA AND APPROVE CONSENT AGENDA ITEMS

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

- 5.1 Approval of the minutes of regular business meeting No. 350 dated February 10, 2022. APPROVED
- 5.2 Review and approval of Resolution 22-11 finding that, as a result of the continuing COVID-19 pandemic state of emergency, meeting in person would present imminent risks to the health or safety of attendees, and that the state of emergency continues to directly impact the ability of members of the Board of Directors and C/CAG legislative bodies to meet safely in person. APPROVED
- 5.3 Review and approval of Resolution 22-12 supporting the filing of Letter of No Prejudice requests with the Metropolitan Transportation Commission by the San Mateo County Transportation Authority for Regional Measure 3 funding for the Project Approval and Environmental Document Phase of the US 101/SR 92 Interchange Direct Connector Project in the amount of \$2,000,000 and for the Right Of Way Phase of the US 101/SR 92 Interchange Area Improvements Project in the amount of \$25,000. APPROVED
- 5.4 Review and approval of Resolution 22-13 determining that the proposed 7-story office/research and development project at 101 Gull Drive, South San Francisco, is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport. APPROVED
- 5.5 Review and approval of Resolution 22-14 authorizing the C/CAG Chair to execute Amendment No. 7 to the agreement with Advanced Mobility Group for work related to implementation of the updated Congestion Management Plan Land Use Impact Analysis Program to add \$15,000, for a new not to exceed amount of \$120,666, and extend the term of the contract to September 30, 2022. APPROVED
- 5.6 Review and approval of the Finance Committee's recommendation of no change to the investment portfolio and accept the Quarterly Investment Report as of December 31, 2021. APPROVED
- 5.7 Review and approval of Resolution 22-15 authorizing the approval of the Fiscal Year 2022/23 Expenditure Plan for the Transportation Fund for Clean Air (TFCA) County Program Manager Fund for San Mateo County. APPROVED
- 5.8 Receive the final Annual C/CAG Legislative Policies for 2022. APPROVED
- 5.9 Review and approval of Resolution 22-17 authorizing the C/CAG Executive Director to execute a cooperative agreement with California Department of Transportation for the Plans, Specifications and Estimates and Right of Way Phases for the Smart Corridor Northern Cities expansion project. APPROVED

Board Member Ortiz MOVED to approve the consent agenda items 5.1, 5.2, 5.3, 5.4, 5.5,

5.6, 5.7, 5.8 and 5.9. Board Member Salazar SECONDED. Roll call was taken.
MOTION CARRIED 21-0-0

6.0 REGULAR AGENDA

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

C/CAG staff updated the Board on discussions heard and motions carried at the Legislative Committee meeting held earlier in the evening.

Staff reported that meetings were held on March 8th and earlier in the day with Assembly Member Mullin and Senator Josh Becker, respectively. The meetings were for presenting and clarifying questions with the delegates might on two funding requests: one for the Hwy 101/92 Area Improvements Project and the other for two regional stormwater projects.

Staff reported that Senator Josh Becker attended the Legislative Committee meeting and spoke to the Bay Area Seamless bill, SB 917, re-authored by the Senator. The Legislative Committee discussed that SB 917 is still early in its form in terms of expected comments from transportation agencies, while Senator Becker reminded the Committee of the years of work that has gone into the bill and that the bill provides improvements and required timelines. Senator Becker also shared that they bill is consistent with C/CAG's legislative priorities. The Legislative Committee voted to Support in Concept.

Staff next reported that the Legislative Committee discussed SB 922 (Wiener), CEQA exemptions for transportation projects, aimed at extending the exemption indefinitely prior to its expiration on December 31, 2022. The legislation adds CMAs to the list of exempt agency projects. It also adds zero-emission charging infrastructure to the exemption. Staff reported that the Legislative Committee voted to Monitor SB 922.

Staff reported that the Legislative Committee reviewed SB 852 (Dodd) on Infrastructure Districts and that the Committee voted to Support with Amendments.

Staff reported that the Committee briefly discussed several other bills: AB 1690 (Rivas), the single-use tobacco bill, which the Committee agreed to Watch, pending policy committee hearings, AB 1817 (Ting) on PFAS for which staff recommended Support and that the Committee requested these bills be brought back in April.

Staff reported that the Committee also briefly discussed AB 2097 (Friedman) on Parking Minimums, which the Committee voted to Oppose, and AB 1944 (Lee) on the Brown Act, to allow elected officials to attend meetings remotely without locally posting and agenda and inviting the public, and that the Committee agreed to monitor AB 1944.

The C/CAG Board then made a motion supporting each of the above positions:

- SB 917 (Becker) Support in Concept,
- SB 852 (Dodd) Support with Amendments,
- SB 922 (Wiener) Monitor, and
- AB 2097 (Friedman) Oppose

Board Member Hurt MOVED approval of the motion on item 6.1. Board Member Vaterlaus SECONDED. Roll call was taken. **MOTION CARRIED 21-0-0.**

- 6.2 Review and approve the updated 2021 San Mateo County Priority Development Area Investment & Growth Strategy. APPROVED

The Board received an overview presentation on the updated 2021 San Mateo County Priority Development Area Investment & Growth Strategy. The intent of the PDA-IGS is to facilitate coordination between the County Transportation Agencies (CTA) and local jurisdictions to strengthen the alignment of transportation investments with housing.

Board Member Gauthier MOVED approval on item 6.2. Board Member Vaterlaus SECONDED. Roll call was taken. **MOTION CARRIED 21-0-0.**

- 6.3 Election of a C/CAG Chairperson and a C/CAG Vice Chairperson. APPROVED

Board Member Aguirre MOVED to elect Davina Hurt as the C/CAG Chairperson. Board Member DiGiovanni SECONDED. Roll call was taken. **MOTION CARRIED 21-0-0.**

Board Member Cunningham MOVED to elect Ricardo Ortiz as the C/CAG Vice Chairperson. Board Member Rak SECONDED. Roll call was taken. **MOTION CARRIED 21-0-0.**

7.0 COMMITTEE REPORTS

- 7.1 Committee Reports (oral reports)

None.

- 7.2 Chairperson's Report

Chair Chuang announced that this would be her last Board meeting serving as Chair for C/CAG. She has thanked all the Board Members for all their hard work and collaboration. She has thanked Executive Director Sean Charpentier for his leadership and gave special thanks to C/CAG staff members Kaki Chueng, Mima Crume, Jeff Lacap, Van Ocampo, Susy Kalkin, Kim Springer, Kim Weaver, Reid Bogert, Eva Gaye and Audrey Shiramizu for the great team effort.

Vice Chair Hurt thanked Chair Chuang for her leadership in the county on the issues that were important around transportation and land use planning. She has been a real stellar and was a pleasure to work with her as her Vice Chair.

Board Member Ortiz thanked Chair Chuang for all that she has done. A wonderful two years with her great leadership in this organization.

Board Member DiGiovanni thanked Chair Chuang. Her great leadership has been very impressive and inspirational and is looking forward to the next Chair and Vice Chair.

Board Member Vaterlaus echoed what everyone else has said and added what a great job

she has done. She thanked her for always being there.

7.3 Board Members Report/Communication

None.

8.0 EXECUTIVE DIRECTOR'S REPORT

Sean Charpentier said that San Mateo County builds great leaders and has mentioned that it's been an honor working with Chair Marie Chuang. As a new Executive Director at C/CAG he has been thankful and inspired by her leadership and commitment to the County.

Sean reported out on the rainbarrel media efforts that is continuing to gain traction and Board Member Aguirre was filmed by Telemundo. He has added that we are working on strategies to address moving back to in-person meetings. The Governor's emergency order may be lifted in the June time frame. We are looking at options that would allow us to go back to the SamTrans auditorium and facilitate that with a room with a zoom. And we're also looking at some portable media devices that would make it easier for the Board and committees to have a room with a zoom functionality. Next month we will recommend a support position on AB1944 a state legislation that would enable legislative bodies to continue to meet remotely. He has attended the California Society of Municipal Finance Officer annual meeting in San Diego. He has presented on the sustainable stormwater management practices and funding both existing and proposed. During the last Board meeting, he reported out that we had applied for a Clean California grant but unfortunately, our application was not funded. Lastly the southern segment of the San Mateo County Express Lanes between Whipple Ave and Santa Clara County line opened for tolling on February 11th. An update will be given to the SMCEL-JPA Board at the meeting tomorrow morning.

9.0 COMMUNICATIONS - Information Only

9.1 Letter from C/CAG and all Bay Area County Transportation Agencies and Transit Operators to the Honorable Toni G. Atkins, Honorable Anthony Rendon, Honorable Nancy Skinner, and Honorable Phil Ting, dated February 16, 2022; RE: Transportation Funding in State Budget.

9.2. Letter from C/CAG to Chad Edison, Chief Deputy Secretary, CALTRANS, dated February 18, 2022; RE: Supporting Samtrans's TIRCP Application

10.0 ADJOURNMENT – 7:51 p.m.

C/CAG AGENDA REPORT

Date: April 14, 2022

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

From: Sean Charpentier, Executive Director

Subject: Approval of Resolution identifying a pre-qualified bench of consultants to provide transportation planning and program support services through April 30, 2024, with an option to extend for up to an additional two (2) years

(For further information or questions contact Kaki Cheung at kcheung1@smcgov.org)

RECOMMENDATION

That the C/CAG Board review and approve Resolution 22-19 identifying a pre-qualified bench of consultants to provide transportation planning and program support services through April 30, 2024, with an option to extend for up to an additional two (2) years.

FISCAL IMPACT

None.

SOURCE OF FUNDS

N/A.

BACKGROUND

On January 13, 2022, C/CAG issued a Request for Qualifications for the Transportation Planning and Program Support Bench (“Bench”), inviting firms to submit a Statement of Qualifications for one or more of the following four service categories:

1. **Comprehensive Planning Support:** develop plans, policies, and programs to be adopted and implemented by C/CAG that encompass comprehensive community goals, including transportation, land use and housing.
2. **Engagement and Outreach:** meaningfully and authentically engage diverse stakeholders in planning and community development processes.
3. **Project/Program Development, Administration and Management:** develop and administer transportation projects and programs, provide project/program oversight, ensure projects/programs are completed in a timely fashion and within budget.

4. **Grant Writing:** assist with completion of federal, state, and other grant applications.

Because some contracts entered into as a result of this Request for Qualifications may be funded, in whole or in part, with federal funds, the solicitation process included federal provisions and federal requirements will apply.

Email notification of the opportunity was sent to 157 individuals and firms. As of February 17, 2022, the deadline for submission of Statement of Qualifications, C/CAG received qualifications from 10 firms. The qualifications were evaluated, many of which applied to more than one service category, as shown in the table below. All firms met the minimum qualifications.

Category	Number of Total Applicants
Comprehensive Planning Support	6
Engagement and Outreach	5
Project/Program Development, Administration and Management	8
Grant Writing	6
Total Firms	10

Evaluation panels were comprised of C/CAG and external staff, including from the San Mateo County Transportation Authority. The panel reviewed applicants for each service category based upon the following evaluation criteria:

- Proposers’ total number of years of experience (2 minimum) in Service Category: 20%
- Proposers’ total number of projects (2 minimum) in Service Category: 20%
- Hourly rates: 10%
- Bay Area experience in Service Category: 10%
- Quality and relevance of all projects listed in Service Category: 40%

For each service category, the firms that the evaluation panel recommend for inclusion on the Bench are indicated with the number “1” in Attachment A. All recommended firms demonstrate expertise in the service category(ies) for which they were selected and provide a mix of local and national experience and expertise that will be valuable in helping C/CAG and local agencies advance transportation planning efforts in the County, and provide engagement and outreach, program/project development and management, and grant writing support.

Firms qualified will be eligible for work throughout the term of the Bench. Selection for entry into a contract with one of the pre-qualified consultants may take place by direct selection or via a mini-procurement. The mini-RFQ or mini-RFP award will be made based on the evaluation factors listed in the mini-RFQ or mini-RFP. Contract periods of performance and amounts will be determined on a per-contract basis based on the project solicited to the Bench. Staff will return to the Board for authorization of any contracts.

RECOMMENDATION

Staff recommends that the C/CAG Board reviews and approves Resolution 22-19 identifying a pre-

qualified bench of consultants to provide transportation planning and program support services through April 30, 2024, with an option to extend for up to an additional two (2) years.

ATTACHMENTS

1. Resolution 22-19
2. List of Pre-Qualified Panel of Consultants

RESOLUTION 22-19

RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY APPROVING A PRE-QUALIFIED BENCH OF CONSULTANTS TO PROVIDE TRANSPORTATION PLANNING AND PROGRAM SUPPORT SERVICES THROUGH APRIL 30, 2024, WITH AN OPTION TO EXTEND FOR UP TO AN ADDITIONAL TWO (2) YEARS.

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

WHEREAS, C/CAG has a need for consultants who can provide a wide range of transportation planning, engagement and outreach, program/project development, administration and management, and grant writing services on an as-needed basis; and

WHEREAS, C/CAG organized a competitive procurement process to pre-qualify firms for four service categories: Comprehensive Planning Support, Engagement and Outreach, Project/Program Development, Administration and Management and Grant Writing; and

WHEREAS, AMG, Alta Planning + Design, DKS Associates, Evan Brooks Associate, Gray Bowen Scotts, Iteris, Kimley Horn and Associates, Perkins & Will, PlaceWorks, and Steer Group were ten firms recommended to be pre-qualified through this competitive process.

NOW THEREFORE BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that a pre-qualified bench of consultants is approved to provide transportation planning and program support services through April 30, 2024. Be it further resolved that C/CAG has an option to extend the bench for up to an additional two (2) years.

PASSED, APPROVED, AND ADOPTED, THIS 14TH DAY OF APRIL, 2022.

Davina Hurt, Chair

Transportation Planning and Program Support Services

	Firm Name	Service Category			
		Comprehensive Planning Support	Engagement and Outreach	Project/Program Development & Administration	Grant Writing
1	AMG	1	1	1	1
2	Alta Planning + Design			1	1
3	DKS Associates	1	1		
4	Evan Brooks Associate			1	1
5	Gray Bowen Scotts			1	1
6	Iteris			1	1
7	Kimley Horn and Associates	1	1	1	1
8	Perkins & Will	1			
9	PlaceWorks	1	1	1	
10	Steer Group	1	1	1	
	Total Number of Applicants	6	5	8	6

C/CAG AGENDA REPORT

Date: April 14, 2022

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

From: Sean Charpentier, Executive Director

Subject: Approval of a Resolution adopting the San Mateo County Transportation Development Act (TDA) Article 3 Program, funding the top seven Bicycle and Pedestrian project proposals for Fiscal Year 2022-2023 for \$2,250,000.

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

RECOMMENDATION

That the C/CAG Board review and approve the top seven highest ranked Transportation Development Act (TDA) Article 3 FY 2022/2023 Bicycle and Pedestrian project proposals for funding allocation.

FISCAL IMPACT

There is a total of \$2.25M available for the TDA Article 3 Program for the FY 2022/2023 cycle.

SOURCE OF FUNDS

TDA Article 3 funds are derived from the following sources:

- Local Transportation Funds (LTF), derived from a ¼ cent of the general sales tax collected statewide
- State Transit Assistance Fund (STA), derived from the statewide sales tax on gasoline and diesel fuel.

BACKGROUND

TDA Article 3 funds are distributed by the Metropolitan Transportation Commission (MTC) to C/CAG on a formula basis annually. C/CAG acts as the program administrator in San Mateo County and issues a call for projects for eligible bicycle and pedestrian projects. This funding is available for bicycle and pedestrian projects in San Mateo County with the cities, the County of San Mateo and joint powers agencies (consisting of cities in San Mateo County and/or the County) being eligible applicants.

At the September 9, 2021 C/CAG Board meeting, the Board approved the TDA Article 3 Pedestrian and Bicycle Program Call for Projects and schedule for the FY 2022/2023 Cycle. The total amount of TDA Article 3 funds available for the current cycle is \$2.25M. Per the approved program guidelines, there is \$1.95M available for capital projects and \$300,000 available for planning projects. The maximum amount per project a jurisdiction can receive is \$400,000 for capital projects and \$100,000 for planning projects. The TDA Article 3 FY 2022/2023 Call for Projects was issued on September 13, 2021. By the due date of November 15, 2021, C/CAG received one planning application and 11 capital applications from a total of 12 jurisdictions. All applications passed the screening process. All project sponsors presented their respective projects at the January 27, 2022 Bicycle and Pedestrian Advisory Committee

(BPAC) meeting, which is the designated advisory body to make recommendations on project funding. BPAC members evaluated and scored the applications between February and March 2022. C/CAG staff received scores from 11 of 14 Committee members. At the March 24, 2022 meeting, the Committee voted to approve the project ranking and forwarded their recommendations to the Board for consideration.

In summary, the schedule for the TDA Article 3 Program Call for Project process is presented below.

Activity	Date
Call for Projects Issued	September 13, 2021
Project Applications Due	November 15, 2021
Project Sponsor Presentations to BPAC	January 27, 2022
C/CAG BPAC Application Review	February – March 2022
C/CAG BPAC Recommendation	March 24, 2022
C/CAG Board Approval	April 14, 2022

Attachment 1 provides the Committee scoring, project ranking, and recommended project list for funding.

As shown in Attachment 1, of the seven (7) projects recommended for funding, six (6) are capital projects (\$2,135,160) and one (1) planning (\$90,000). After awarding funds to the planning project, \$210,000 remained in planning funds. C/CAG staff applied the remaining \$210,000 towards capital projects, increasing the total available for capital funding from \$1,950,000 to \$2,160,000.

The total amount of TDA Article 3 funds requested this cycle was \$3.32M. Due to limited funds, five (5) projects were unable to receive funding. All five (5) unfunded projects were capital projects. Project sponsors that were not successful in receiving TDA Art. 3 funds will be encouraged to apply for the upcoming MTC One Bay Area Grant Cycle 3 (OBAG 3) County & Local Program and future statewide funding programs.

Upon approval by C/CAG Board, Staff will submit the projects recommended for funding to MTC for allocation approval. MTC will provide allocation instructions to project sponsors directly.

Jurisdictions receiving TDA Article 3 FY 2022/2023 funds must expend the funds by no later than June 30, 2025, after allocations are made by MTC. Capital projects should be ready to implement as soon as possible.

ATTACHMENTS

1. BPAC Project ranking summary (as of March 18, 2022)
2. Resolution 22-23

Attachment 1: Project ranking summary (as of March 18, 2022)

	Applicant	Average Score	Project Funding Requested	Cumulative
<i>Planning Project Proposals</i>				
1	Colma Bicycle and Pedestrian Master Plan <i>Plan to envision a safer, more connected active transportation system in Colma.</i>	68.3	\$90,000	\$90,000
<i>Capital Project Proposals</i>				
1	South San Francisco: Hillside Boulevard Road Diet Improvements <i>Separated bike lanes, signalized intersection, crosswalks, ADA curb ramps & extensions.</i>	80.0	\$400,000	\$490,000
2	Burlingame: Murchison Drive, Trousdale Drive, Davis Drive Bicycle Route <i>Adding approx. 1.3 miles of bicycle facilities in support of Safe Routes to School.</i>	75.3	\$400,000	\$890,000
3	Brisbane: Alley Walkway – Alvarado St to San Benito Rd <i>Concrete stairway path, lighting bollards, a handrail, crosswalk, signage.</i>	74.7	\$240,000	\$1,130,000
4	San Carlos: San Carlos Ave. Pedestrian Safety Improvement Project Phase III <i>Sidewalk, curb/gutter, bike lane in an unimproved segment in major thoroughfare.</i>	70.1	\$400,000	\$1,530,000
5	East Palo Alto: University Ave & Michigan Ave Intersection Improvements <i>ADA bulbouts, median improvement, Rectangular Rapid-Flashing Beacon (RRFB), striping, signs.</i>	69.5	\$360,000	\$1,890,000
6	Pacifica: Palmetto & Esplanade Ave. Bicycle & Pedestrian Improvement Project <i>1.4 miles of Class II bicycle lanes and 0.5 miles of Class IIIB bicycle boulevards.</i>	68.1	\$335,160	\$2,225,160
7	Millbrae: Skyline Boulevard Bicycle and Pedestrian Improvements <i>New crosswalks and a Class IV bike facility.</i>	67.7	\$400,000	\$2,625,160
8	County of San Mateo: Sand Hill Road/I-280 Bike Lane Improvements <i>Extension of green bike lanes on Sand Hill Road overpass.</i>	66.8	\$320,000	\$2,945,160
9	Atherton: Alameda de las Pulgas/Stockbridge Ave Ped. Crossing Improvements <i>Crosswalk, RRFB, and connected led advance warning signs.</i>	60.5	\$90,000	\$3,035,160
10	Menlo Park: Van Buren/Ringwood Pedestrian/Bicycle Crossing Improvement <i>Enhanced pedestrian and bicycle crossing of Van Buren Rd at Ringwood Road.</i>	59.3	\$110,000	\$3,145,160
11	Belmont: Ralston Ave Class I Improvements <i>Class I maintenance including ADA improvements, gutter, curb, seal, slurry, asphalt overlay.</i>	58.1	\$175,500	\$3,320,660
		Total	\$3,320,660	-

RESOLUTION 22-23

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY ADOPTING THE SAN MATEO COUNTY TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 PROGRAM, FOR FISCAL YEAR 2022-2023 FOR \$2,250,000

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

WHEREAS, C/CAG is the designated Congestion Management Agency responsible for the development and implementation of the Transportation Development Act Article 3 (TDA Article 3) Program in San Mateo County; and

WHEREAS, the TDA Article 3 Program makes available \$2,250,000 for eligible bicycle and pedestrian planning and capital projects; and

WHEREAS, C/CAG has undertaken a process that complies with the Metropolitan Transportation Commission (MTC) Resolution 4108; and

WHEREAS, C/CAG has developed the TDA Article 3 Program guidelines with input from the Bicycle and Pedestrian Advisory Committee, and the project evaluation criteria includes factors such as project readiness, level of community support, safety, network connectivity, equity, local match, plan consistency and more; and

WHEREAS, the C/CAG Bicycle and Pedestrian Advisory Committee scored all twelve applications received by the November 15, 2021 deadline; and

WHEREAS, based on the scoring, the one planning project and the top six highest ranked capital projects are eligible for funding under the Fiscal Year 2022-2023 TDA Article 3 Program; and

WHEREAS, the C/CAG Board has considered the final recommendation from the C/CAG Bicycle and Pedestrian Advisory Committee; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the Board hereby adopts the San Mateo County Transportation Development Act (TDA) Article 3 Program, funding the top seven Bicycle and Pedestrian project proposals for Fiscal Year 2022-2023 for \$2,250,000, as shown in the associated staff report.

PASSED, APPROVED, AND ADOPTED THIS 14TH DAY OF APRIL 2022.

Davina Hurt, Chair

San Mateo County TDA Article 3 FY 2022-2023 Funding Recommendation

Rank	Applicant and Project	Average Score	Funding Request	Funding Recommendation
<i>Planning Project Proposals</i>				
1	Colma Bicycle and Pedestrian Master Plan <i>Plan to envision a safer, more connected active transportation system in Colma.</i>	68.3	\$90,000	\$90,000
<i>Capital Project Proposals</i>				
1	South San Francisco: Hillside Boulevard Road Diet Improvements <i>Separated bike lanes, signalized intersection, crosswalks, ADA curb ramps & extensions.</i>	80.0	\$400,000	\$400,000
2	Burlingame: Murchison Drive, Trousdale Drive, Davis Drive Bicycle Route <i>Adding approx. 1.3 miles of bicycle facilities in support of Safe Routes to School.</i>	75.3	\$400,000	\$400,000
3	Brisbane: Alley Walkway – Alvarado St to San Benito Rd <i>Concrete stairway path, lighting bollards, a handrail, crosswalk, signage.</i>	74.7	\$240,000	\$240,000
4	San Carlos: San Carlos Ave. Pedestrian Safety Improvement Project Phase III <i>Sidewalk, curb/gutter, bike lane in an unimproved segment in major thoroughfare.</i>	70.1	\$400,000	\$400,000
5	East Palo Alto: University Ave & Michigan Ave Intersection Improvements <i>ADA bulbouts, median improvement, Rectangular Rapid-Flashing Beacon (RRFB), striping, signs.</i>	69.5	\$360,000	\$360,000
6	Pacifica: Palmetto & Esplanade Ave. Bicycle & Pedestrian Improvement Project <i>1.4 miles of Class II bicycle lanes and 0.5 miles of Class IIIB bicycle boulevards.</i>	68.1	\$335,160	\$335,160
7	Millbrae: Skyline Boulevard Bicycle and Pedestrian Improvements <i>New crosswalks and a Class IV bike facility.</i>	67.7	\$400,000	\$0
8	County of San Mateo: Sand Hill Road/I-280 Bike Lane Improvements <i>Extension of green bike lanes on Sand Hill Road overpass.</i>	66.8	\$320,000	\$0
9	Atherton: Alameda de las Pulgas/Stockbridge Ave Ped. Crossing Improvements <i>Crosswalk, RRFB, and connected led advance warning signs.</i>	60.5	\$90,000	\$0
10	Menlo Park: Van Buren/Ringwood Pedestrian/Bicycle Crossing Improvement <i>Enhanced pedestrian and bicycle crossing of Van Buren Rd at Ringwood Road.</i>	59.3	\$110,000	\$0
11	Belmont: Ralston Ave Class I Improvements <i>Class I maintenance including ADA improvements, gutter, curb, seal, slurry, asphalt overlay.</i>	58.1	\$175,500	\$0
		Total	\$3,320,660	\$2,225,160

Total TDA Article 3 FY 2022-2023 Amount Requested: \$3,320,660
Total Funding Recommendation*: \$2,225,160
 *C/CAG staff recommends using the \$210,000 in remaining planning funds for capital project funding.

C/CAG AGENDA REPORT

Date: April 14, 2022

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

From: Sean Charpentier, Executive Director

Subject: Approval of a Resolution determining that the proposed 8-story office/research and development project at 580 Dubuque Ave., South San Francisco, is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport.

(For further information please contact Susy Kalkin at kkalkin@smcgov.org)

RECOMMENDATION

That the C/CAG Board of Directors, acting as the San Mateo County Airport Land Use Commission, approve Resolution 22-20 determining that the proposed 8-story office/research and development project at 580 Dubuque Avenue, South San Francisco, is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport, subject to the following conditions:

- *Prior to issuance of a building permit, the project sponsor shall file Form 7460-1 with the FAA and provide to the City of South San Francisco an FAA “Determination of No Hazard”.*
- *The City of South San Francisco shall require that the project sponsor comply with the real estate disclosure requirements outlined in Policy IP-1 of the SFO ALUCP.*

DISCUSSION

Project Description

The proposed project consists of construction of an 8-story, 155 ft tall office/research and development building on a vacant site at 580 Dubuque Ave, formerly the site of the South San Francisco Train Station.

ALUCP Consistency Evaluation

The subject project is located within Airport Influence Area B (AIA B), the “Project Referral” area, for San Francisco International Airport. California Government Code Section 65302.3 states that a local agency General Plan, Zoning Ordinance and/or any affected specific plan must be consistent with the applicable airport/land use criteria in the relevant adopted Airport Land Use Compatibility Plan (ALUCP). Additionally, per SFO ALUCP Policy GP-10.1, since the City of South San Francisco has not amended its Zoning Ordinance to reflect the policies and requirements of the current SFO ALUCP all proposed development projects within AIA B are subject to ALUC review.

In accordance with these requirements, the City of South San Francisco has referred the subject development project to C/CAG, acting as the San Mateo County Airport Land Use Commission, for a determination of consistency with the SFO ALUCP.

The SFO ALUCP contains policies and criteria to address four issues: (a) aircraft noise impacts; (b) safety compatibility criteria; (c) height of structures/airspace protection; and (d) overflight notification. The following sections describe the degree to which the project is compatible with each.

(a) Aircraft Noise Impacts

The 65 dB CNEL (Community Noise Equivalent Level) aircraft noise contour defines the threshold for airport noise impacts established in the SFO ALUCP. All land uses located outside this contour are deemed consistent with the noise policies of the SFO ALUCP.

As shown on Attachment 3, the subject property lies outside the bounds of the 65dB CNEL contour, and therefore the project is consistent with the SFO ALUCP noise policies and criteria.

(b) Safety Compatibility

The SFO ALUCP includes five safety zones and related land use compatibility policies and criteria. As shown on Attachment 4, the project site is located outside of the safety zones established in the SFO ALUCP, and therefore the safety policies and criteria do not apply to this proposed project.

(c) Height of Structures/Airspace Protection

Structure Height

Pursuant to the SFO ALUCP, airspace protection compatibility of proposed land uses within its AIA is evaluated in accordance with the following criteria: (1) 14 Code of Federal Regulations Part 77 (FAR Part 77), “Safe, Efficient Use and Preservation of the Navigable Airspace”, which establishes the standards for determining obstructions to air navigation; and (2) FAA notification surfaces.

In order to be deemed consistent with the ALUCP, the maximum height of a new building must be the lower of (1) the height shown on the critical aeronautical surfaces map or (2) the maximum height determined not to be a “hazard to air navigation” by the FAA in an aeronautical study prepared pursuant to the filing of Form 7460-1.

As proposed, the 8-story structure would be 155 feet tall to the top of the mechanical screen. With a ground elevation of approximately 18’-6” feet above mean sea level (MSL), the height of the project would therefore be about 173’-6” above MSL. As shown on Attachment 5, utilizing the ‘SFO Online Airspace Tool’, it has been determined that the building would be more than 680 feet below critical airspace.

However, as shown on Attachment 6, the Project is located in an area that requires FAA notification for projects greater than 65-100 feet tall. As a result, the following condition is included:

- *Prior to issuance of a building permit, the project sponsor shall file Form 7460-1 with the FAA and provide to the City of South San Francisco an FAA “Determination of No Hazard”.*

Other Flight Hazards

Within AIA B, certain land use characteristics are recognized as hazards to air navigation and, per SFO ALUCP Policy AP-4, need to be evaluated to ensure compatibility with FAA rules and regulations. These characteristics include the following:

- Sources of glare, such as highly reflective buildings, building features, or blight lights including search lights, or laser displays, which would interfere with the vision of pilots in command of an aircraft in flight
- Distracting lights that could be mistaken for airport identification lightings, runway edge lighting, runway end identification lighting, or runway approach lighting
- Sources of dust, smoke, water vapor, or steam that may impair the visibility of a pilot in command of and aircraft in flight
- Sources of electrical/electronic interference with aircraft communications/navigation equipment
- Any use that creates an increased attraction for wildlife, particularly large flocks of birds, that is inconsistent with FAA rules and regulations, including but not limited to FAA Order 5200.5A, Waste Disposal Site On or Near Airports and FAA Advisory Circular 150/5200-33B, Hazardous Wildlife Attractants On or Near Airports and any successor or replacement orders or advisory circulars.

South San Francisco’s General Plan addresses *Other Flight Hazards* through the following policy:

- Policy 8.7-I-1: Do not permit land uses that pose potential hazards to air navigation in the vicinity of SFO. These land uses include the following:
 1. Any use that would direct a steady or flashing light of white, red, green or amber color towards an aircraft engaged in an initial straight climb following takeoff or toward a landing, other than FAA-approved navigational lights;
 2. Any use that would cause sunlight to be reflected toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing;
 3. Any use that would generate smoke or rising columns of air;
 4. Any use that would attract large concentrations of birds within approach and climb-out areas; and
 5. Any use that would engage electrical interference that may interfere with aircraft communications or aircraft instrumentation.

Compliance with this General Plan policy, in combination with the formal review by the FAA through the requisite filing of *Form 7460-1*, will ensure compliance with the Airspace Protection policies of the SFO ALUCP.

(d) Overflight Notification

The project site is located within the Airport Influence Area (AIA) of SFO, the real estate disclosure area. Pursuant to Policy IP-1, notification is required, prior to sale or lease of property located within the AIA, of the proximity of the airport and that therefore the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations.

As this disclosure requirement is not currently included in South San Francisco's Municipal Code, the following condition is proposed:

- *The City of South San Francisco shall require that the project sponsor comply with the real estate disclosure requirements outlined in Policy IP-1 of the SFO ALUCP.*

Airport Land Use Committee Meeting

The Airport Land Use Committee considered this item at its meeting on March 24, 2022, and unanimously recommended the project be found consistent with the policies of the SFO ALUCP subject to the conditions discussed above.

ATTACHMENTS

1. Resolution 22-20
2. ALUCP application, together with related project description and plan set excerpts
3. SFO ALUCP Exh. IV-6 – Noise Compatibility Zones
4. SFO ALUCP Exh. IV-3 – Airport Influence Area B (w/Safety Compatibility Zones)
5. SFO Airspace Tool Readout
6. SFO ALUCP Exh. IV-11 – FAA Notification Filing Areas
7. Comment letter from SFO Planning dated March 11, 2022

RESOLUTION 22-20

RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY, ACTING AS THE SAN MATEO COUNTY AIRPORT LAND USE COMMISSION, DETERMINING THAT THE PROPOSED 8-STORY OFFICE/RESEARCH AND DEVELOPMENT PROJECT AT 580 DUBUQUE AVENUE, SOUTH SAN FRANCISCO, IS CONDITIONALLY CONSISTENT WITH THE COMPREHENSIVE AIRPORT LAND USE COMPATIBILITY PLAN FOR THE ENVIRONS OF SAN FRANCISCO INTERNATIONAL AIRPORT.

RESOLVED, by the Board of Directors of the City/County Association of Governments of San Mateo County (C/CAG), in its capacity as the San Mateo County Airport Land Use Commission, that,

WHEREAS, California Government Code Section 65302.3 states that a local agency General Plan, Zoning Ordinance and/or any affected specific plan must be consistent with the applicable airport/land use criteria in the relevant adopted Airport Land Use Compatibility Plan (ALUCP) and furthermore, per Policy GP-10.1 of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (SFO ALUCP), if a jurisdiction has not made its local plans consistent with the ALUCP all proposed development projects within AIA B may be subject to ALUC review; and

WHEREAS, the City of South San Francisco has not yet amended its Zoning Ordinance to reflect the policies and requirements of the SFO ALUCP; and

WHEREAS, the City of South San Francisco has received an application for a development project to construct an 8-story office/research and development building at 580 Dubuque Avenue (the "Project") which is located within Airport Influence Area B of San Francisco International Airport (SFO); and

WHEREAS, the City of South San Francisco has referred the Project to C/CAG, acting as the San Mateo County Airport Land Use Commission, for a determination of consistency with the SFO ALUCP; and

WHEREAS, three sets of airport/land use compatibility policies and criteria in the SFO ALUCP relate to the Project: (a) noise compatibility policies and criteria; (b) safety policies and criteria; and (c) airspace protection policies, as discussed below:

(a) Noise Policy Consistency Analysis - The 65 dB CNEL (Community Noise Equivalent Level) aircraft noise contour defines the threshold for airport noise impacts established in the SFO ALUCP. All land uses located outside this contour are deemed consistent with the noise policies of the SFO ALUCP. Per SFO ALUCP Exhibit IV-6, the Project lies outside the bounds of the 65dB CNEL contour, and therefore is consistent with the SFO ALUCP noise policies and criteria.

(b) The SFO ALUCP includes five safety zones and related land use compatibility policies and criteria. Per SFO ALUCP Exhibit IV-3, the Project site is located outside of the safety zones established in the SFO ALUCP, and therefore the safety policies and criteria do not apply to the Project.

(c) Airspace Protection – Pursuant to the SFO ALUCP, airspace protection compatibility of proposed land uses within its AIA is evaluated in accordance with the following criteria: (1) 14 Code of Federal Regulations Part 77 (FAR Part 77), “Safe, Efficient Use and Preservation of the Navigable Airspace”, which establishes the standards for determining obstructions to air navigation; and (2) FAA notification surfaces. By definition, any object that penetrates one of the imaginary surfaces of the FAR Part 77 exhibit is deemed an obstruction to air navigation.

In order to be deemed consistent with the ALUCP, the maximum height of a new building must be the lower of (1) the height shown on the SFO Critical Aeronautical Surfaces map or (2) the maximum height determined not to be a “hazard to air navigation” by the FAA in an aeronautical study prepared pursuant to the filing of Form 7460-1.

As proposed, the 8-story structure would be 155 feet tall to the top of the mechanical screen. With a ground elevation of approximately 18’-6” feet above mean sea level (MSL), the height of the project would therefore be about 173’-6” above MSL. Utilizing the ‘SFO Online Airspace Tool’, it has been determined that the building would be more than 680 feet below critical airspace. However, as shown on SFO ALUCP Exhibit IV-11, the Project is located in an area that requires FAA notification for projects greater than 65-100 feet tall, and a determination from the FAA that the project will not be a hazard to air navigation. In acknowledgement of this requirement, a condition is included in this consistency determination to require compliance; and

WHEREAS, the Project site is located within the Airport Influence Area A (AIA A) of SFO, the real estate disclosure area. Pursuant to Policy IP-1, notification is required, prior to sale or lease of property located within the AIA, of the proximity of the airport and that the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations. As neither the Project application materials nor South San Francisco’s ordinances address this requirement, it is included herein as a condition of the consistency determination; and

WHEREAS, at its meeting on March 24, 2022, based on the factors listed above and subject to the conditions identified, the Airport Land Use Committee recommended that the C/CAG Board of Directors, acting as the Airport Land Use Commission, determine that the Project is consistent with the SFO ALUCP; and,

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the City/County Association of Governments for San Mateo County, acting as the San Mateo County Airport Land Use Commission, that subject to the conditions contained in Exhibit A, attached, the Project is determined to be consistent with the applicable airport land use policies and criteria contained in the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport.

PASSED, APPROVED, AND ADOPTED, THIS 14TH DAY OF APRIL 2022.

Davina Hurt, Chair

Resolution 22-20 – Conditions of Consistency Determination:

1. *Prior to issuance of a building permit, the project sponsor shall file Form 7460-1 with the FAA and provide to the City of South San Francisco an FAA “Determination of No Hazard”.*
2. *The City of South San Francisco shall require that the project sponsor comply with the real estate disclosure requirements outlined in Policy IP-1 of the SFO ALUCP.*



APPLICATION FOR LAND USE CONSISTENCY DETERMINATION
San Mateo County Airport Land Use Commission
C/CAG ALUC

APPLICANT INFORMATION

Agency: City of South San Francisco

Project Name: 580 Dubuque Avenue - Office / R&D Project

Address: 580 Dubuque Avenue

APN: 015-02-1998

City: South San Francisco

State: CA

ZIP Code: 94080

Staff Contact: Christopher Espiritu

Phone: (650) 877-8535

Email: christopher.espiritu@ssf.net

PROJECT DESCRIPTION

The proposed project is a new 295,000-square-foot, 8-story, office / research and development (R&D) building.

The proposed building would be a maximum height of approximately 170 feet tall, with below grade parking for 350 vehicles.

Previously, the site was used as part of the South San Francisco Caltrain Station. The Station has now been relocated adjacent to the site.

parcel is located at between 17 and 18 feet above MSL. The finished office building, including rooftop mechanical equipment, would be 173.5 feet tall. PLEASE SEE SUPPLEMENTAL APPLICATION MATERIALS AND ATTACHMENTS.

REQUIRED PROJECT INFORMATION

For General Plan, Specific Plan or Zoning Amendments and Development Projects:

A copy of the relevant amended sections, maps, etc., together with a detailed description of the proposed changes, sufficient to provide the following:

1. Adequate information to establish the relationship of the project to the three areas of Airport Land Use compatibility concern (ex. a summary of the planning documents and/or project development materials describing how ALUCP compatibility issues are addressed):
 - a) Noise: Location of project/plan area in relation to the noise contours identified in the applicable ALUCP.
 - Identify any relevant citations/discussion included in the project/plan addressing compliance with ALUCP noise policies.
 - b) Safety: Location of project/plan area in relation to the safety zones identified in the applicable ALUCP.
 - Include any relevant citations/discussion included in the project/plan addressing compliance with ALUCP safety policies.
 - c) Airspace Protection:
 - Include relevant citations/discussion of allowable heights in relation to the protected airspace/proximity to airport, as well as addressment of any land uses or design features that may cause visual, electronic, navigational, or wildlife hazards, particularly bird strike hazards.

- If applicable, identify how property owners are advised of the need to submit Form 7460-1, *Notice of Proposed /Construction or Alteration* with the FAA.

2. Real Estate Disclosure requirements related to airport proximity
3. Any related environmental documentation (electronic copy preferred)
4. Other documentation as may be required (ex. related staff reports, etc.)

Additional information For Development Projects:

1. 25 sets of scaled plans, no larger than 11" x 17"
2. Latitude and longitude of development site
3. Building heights relative to mean sea level (MSL)

ALUCP Plans can be accessed at <http://ccag.ca.gov/plansreportslibrary/airport-land-use/>

Please contact C/CAG staff at 650 599-1467 with any questions.

<i>For C/CAG Staff Use Only</i>
<i>Date Application Received</i>
<i>Date Application Deemed Complete</i>
<i>Tentative Hearing Dates:</i>
- <i>Airport Land Use Committee</i>
- <i>C/CAG ALUC</i>

**C/CAG Application for Land Use Consistency Determination:
Supplemental Information**

AGENCY NAME: City of South San Francisco
PROJECT NAME: 580 Dubuque Avenue Project

PROJECT DESCRIPTION

The project site is part of the City of South San Francisco’s (City’s) “East of 101” planning area and located within both Airport Influence Areas A and B. The project applicant, South City Ventures, LLC, has submitted an application to construct a new eight-story, 295,000 square-foot office and R&D structure, with a four-story below-grade garage with 350 vehicle parking spaces. See Attachment 1 for Project Site Area and Vicinity.

The 1.89-acre project site (Assessor’s Parcel Number 015-021-998) is located in the City of South San Francisco, California at the southern end of Dubuque Avenue, north of the Grand Avenue overpass as it intersects with U.S. 101. The site was used as part of the South San Francisco Caltrain Station, which has since been relocated. The site is bordered by Dubuque Avenue and the U.S. 101 highway on the west, the Caltrain right-of-way and station property on the east and south, and development and parking on the 720 Dubuque Avenue parcel to the north.

The project site is located adjacent to the Caltrain station and within walking distance of the downtown area (approximately 0.25 miles away), which offers an array of multi-family residential, dining, and retail activities centered along Grand Avenue. SamTrans provides bus service on the west side of U.S. 101, with bus stops located approximately 0.25 miles from the project site, and commute.org provides shuttle service from the Caltrain station to/from the BART and WETA ferry station.

The building would be recessed at ground level, with stepped massing that pushes the building mass towards the eastern property line of the site. The ground floor would include full height storefront windows to showcase amenities (a fitness center, conference space, and a café space) with an adjacent outdoor terrace that will to create public gathering spaces along the building's northwesterly-facing entry lobby. A two-story podium level above the entrance would scale down the mass at the pedestrian entrance and then above that level the massing steps and shifts to create a terrace space on level 4. There would also be two notched terraces at the top levels. The building’s façade would be a mix of glass, glazing, and solid metal panels. Perforated fins would be used for further visual interest.

Access & Parking

The project site is accessible by automobile, train, and bus, and would include on-site facilities for pedestrians and bikes.

Rail: The project site is located immediately adjacent to the South San Francisco Caltrain Station, a regional rail corridor that provides connectivity between San Francisco and Gilroy. The project site is also located approximately 1.8 and 2.5 miles from the San Bruno and South San Francisco BART Stations respectively, which is served by BART's Red and Yellow Lines.

Bus: The project site is located approximately 0.3 miles from the Airport/East Grand Ave SamTrans bus stop and approximately 0.4 miles from the Airport/Baden bus stop, serviced by the 292 and 397 bus lines. It is also located within 0.5 miles of the Linden Ave/Miller Ave bus stop, serviced by the 130 and 141 bus lines.

Automobile/Truck: Project site access is provided via a shared driveway with the Caltrain station from Dubuque Avenue along the western edge of the project site, with drop-offs at the northern portion of the site and vehicular access to the parking garage (and truck access) at the southern side.

Bicycle and Pedestrian Access: Pedestrian and bicycle access to the project site is currently limited. No pedestrian sidewalks or bike lanes exist along the shared driveway. The applicants would coordinate with Caltrain/Joint Powers Board (JPB) who currently own the parcels to the south and east of the project site to provide pedestrian access between the project site and the Caltrain station in a permissible and accessible manner.

Structured parking would be provided in 4 stories below grade, with approximately 350 parking spaces to serve the office/R&D tenant. No parking is required for the café use based on its size and expectation that it will draw clientele already in the area.

The project includes installation of stop signs at internal intersections and at the shared driveway intersection with Dubuque Avenue as shown on project plans.

An environmental document has been prepared for the 580 Dubuque Avenue Project. (Link to PMND: www.ssf.net/ceqadocuments (click on the 580 Dubuque Avenue CEQA folder))

DISCUSSION OF RELATIONSHIP TO AIRPORT LAND USE COMPATIBILITY

Noise

ALUCP Exhibit IV-8 "Noise Compatibility Zones – Detail" is attached (Attachment 2), and the 580 Dubuque Avenue project area is indicated on the map. As indicated on the map, and referenced in IS/MND, the 580 Dubuque Avenue project site remains well outside of the

airport's 65 and 70 dBA CNEL noise contours. Therefore, the noise policy is not applicable to the proposed project.

580 Dubuque Avenue Project IS/MND – Chapter 13 – Noise, page 67:

Existing Noise Levels

The project noise setting is composed of industrial and office uses, with regular traffic and commuter rail noise. The primary noise surfaces in the vicinity are from overhead aircraft, surface transportation, and industrial uses in the surrounding area (City of South San Francisco 1994). The East of 101 Area Plan estimates the ambient noise level to be at CNEL 74 at the following site: 53 feet from the centerline of E. Grand Ave. and 110 feet east of the centerline of Forbes Ave (City of South San Francisco 1994).

Further, the nearest noise-sensitive receptors to the project site are existing multi-family residences across Highway 101, approximately less than a ½-mile west of the project site. Surrounding uses in the project vicinity are commercial, office, or industrial. There are no sensitive receptors in the immediate project vicinity. In addition to traffic noise, noise from aircraft overflights traveling to or from SFO, approximately 2 miles south of the project site, is sometimes audible at the project site.

Safety

The California Airport Land Use Planning Handbook requires ALUCPs to include safety zones for each runway end. The 2012 SFO ALUCP includes five safety zones and related land use compatibility criteria. The proposed project site is located outside of all safety zones established for the 2012 SFO ALUCP. The IS/MND also includes a discussion of compatibility with the airport land use plan, and if the project would result in a safety hazard for people residing or working in the project area. Following is the specific reference from the document.

580 Dubuque Avenue IS/MND: Chapter 9 – Hazards and Hazardous Materials, page 56

Airspace Protection

Building Heights

ALUCP Exhibit IV-14 “14 CFR Part 77 Airport Imaginary Surfaces – North Side” is attached (Attachment 4), and 580 Dubuque Avenue Project is indicated in the exhibit. As indicated on the map, and referenced in the IS/MND, the height for the imaginary surface established for the horizontal surface at the site location is 200 feet above MSL. The proposed project parcel is located at between 17 and 18 feet above MSL. The proposed building is designed to be constructed at a maximum building height of 170 feet above ground level (including all rooftop mechanical equipment). The maximum structure height would be 173.5' above MSL at the top of building, well below the 200' imaginary surface height established. Based on the

proposed project's maximum height of 174 feet above MSL, no additional safety requirements are anticipated. Therefore, the proposed project would be consistent with the airspace policies as established in the adopted 2012 SFO ALUCP.

Impacts to Special Status Species and Habitat

Given the 580 Dubuque Avenue project site is maintained as a vacant site that has recently been used as a construction staging area for Caltrain improvements and can generally be described as an unpaved dirt lot with little to no vegetation. While no trees are planted on the project site, there is a row of trees on the adjoining property, adjacent to the property line to the north.

Special-status species are unlikely to occur in the project vicinity due to its highly disturbed and urbanized nature. Plant and animal species that may occur in such areas would be common species associated with urban, developed, and ruderal conditions throughout the San Francisco Bay area.

Other than the potential for nesting birds discussed below, the only areas with the potential for significant biological resources in the DSASP area are along Colma Creek and the Bay fringe, neither of which describe the project site.

580 Dubuque Avenue Project IS/MND: Chapter 4 – Biological Resources, pages 39-40.

Mitigation Measure BIO-1 Pre-Construction Nesting Bird Survey

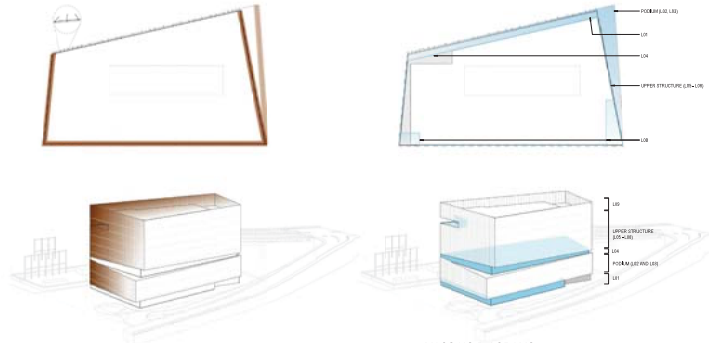
Initiation of construction activities during the avian nesting season (February 15 through September 15) shall be avoided to the extent feasible. If construction initiation during the nesting season cannot be avoided, pre-construction surveys for nesting birds protected by the Migratory Bird Treaty Act of 1918 and/or Fish and Game Code of California within 100 feet of a development site in the project area shall be conducted within 14 days prior to initiation of construction activities. If active nests are found, a 100-foot buffer area shall be established around the nest in which no construction activity takes place. The buffer width may be modified upon recommendations of a qualified biologist regarding the appropriate buffer in consideration of species, stage of nesting, location of the nest, and type of construction activity based upon published protocols and/or guidelines from the U.S. or California Fish and Wildlife Services (USFWS, CDFW) or through consultation with USFWS and/or CDFW. The biologist may also determine that construction activities can be allowed within a buffer area with monitoring by the biologist to and stoppage of work in that area if adverse effects to the nests are observed. The buffer shall be maintained until after the nestlings have fledged and left the nest. These surveys would remain valid as long as construction activity is consistently occurring in a given area and would be completed again if there is a lapse in construction activities of more than 14 consecutive days during the nesting season.

With implementation of mitigation measure Bio-1, which requires avoidance of nesting season or a nesting survey and buffers from any nests as appropriate, the impact related to special-status and non-status bird species would be less than significant with mitigation.

Further, the City acknowledges that birds can collide with windows because they are clear or reflective. The City also notes that there are various design measures that would help reduce the risk of bird collisions with windows. These include measures that have already been incorporated into the project design, including architectural patterns to break up reflective areas; specifically, the proposed building elevations include glass windows that would be separated by opaque building materials. The City will also consider requiring additional design measures during the review of the final building permit plans to reduce the potential for bird collisions, including the measures suggested by the commenter. These measures could include external window films and coverings, ultraviolet patterned glass, and screens.

Attachments:

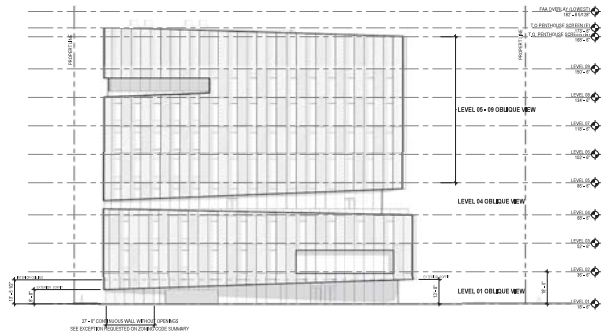
1. 580 Dubuque Avenue Project – Project Site Area and Vicinity
2. ALUCP Exhibit IV-8 “Noise Compatibility Zones – Detail” (with 580 Dubuque Avenue Project Site highlighted)
3. ALUCP Exhibit IV-14 “14 CFR Part 77 Airport Imaginary Surfaces – North Side” (with 580 Dubuque Avenue Project Site highlighted)
4. Link to DEIR: www.ssf.net/ceqadocuments (click on the 580 Dubuque Avenue CEQA folder)



1 MASSING DIAGRAMS
12" = 1'-0"

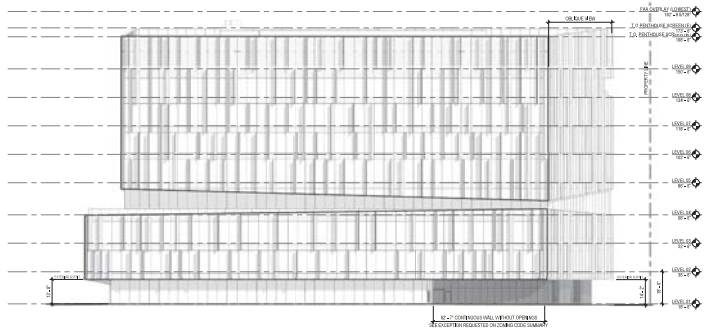


2 MASSING AERIAL
12" = 1'-0"



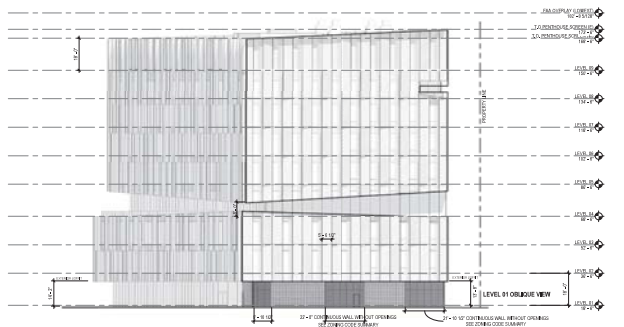
3 NORTH ELEVATION
3/8" = 1'-0"

MINIMUM GROUND FLOOR HEIGHT
SSFC 20.280.005 B.1 +
TRANSPARENCY SSFC20.280.006.B +
BLANK WALL SSFC20.280.006.D



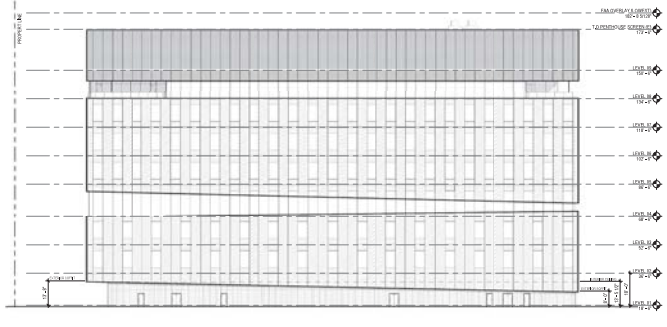
4 EAST ELEVATION
3/8" = 1'-0"

MINIMUM GROUND FLOOR HEIGHT
SSFC 20.280.005 B.1 +
TRANSPARENCY SSFC20.280.006.B +
BLANK WALL SSFC20.280.006.D WEST



5 SOUTH ELEVATION
3/8" = 1'-0"

MINIMUM GROUND FLOOR HEIGHT
SSFC 20.280.005 B.1 +
TRANSPARENCY SSFC20.280.006.B +
BLANK WALL SSFC20.280.006.D SOUTH



6 WEST ELEVATION
3/8" = 1'-0"

MINIMUM GROUND FLOOR HEIGHT
SSFC 20.280.005 B.1 +
TRANSPARENCY SSFC20.280.006.B +
BLANK WALL SSFC20.280.006.D EAST

STAMP LOCATION

Perkins & Will

150 Park Avenue
New York, NY 10022
Tel: 212 512 2000
www.perkinswill.com

IQHQ
674 VIA DE LA VALLE, SUITE 206
SOLANA BEACH, CA 92075

CONSULTANTS

100 California Street, Suite 500, San Francisco, CA 94111

MAGNUSON KEMMURCIE
1301 4th Ave., Suite 300, Seattle, WA 98101

PAE
1901 East Holloway Dr., Suite 300, Torrey Pines, CA 90230

SURFACEWORKS INC
1901 East Holloway Dr., Suite 300, Torrey Pines, CA 90230

LUMA
1901 East Holloway Dr., Suite 300, Torrey Pines, CA 90230

ARCHITECT

PROJECT

580 DUBUQUE
SOUTH SAN FRANCISCO, CA

PLANNING APPLICATION
JULY 16, 2021

KEY PLAN

ISSUE CHART

DATE

SCALE

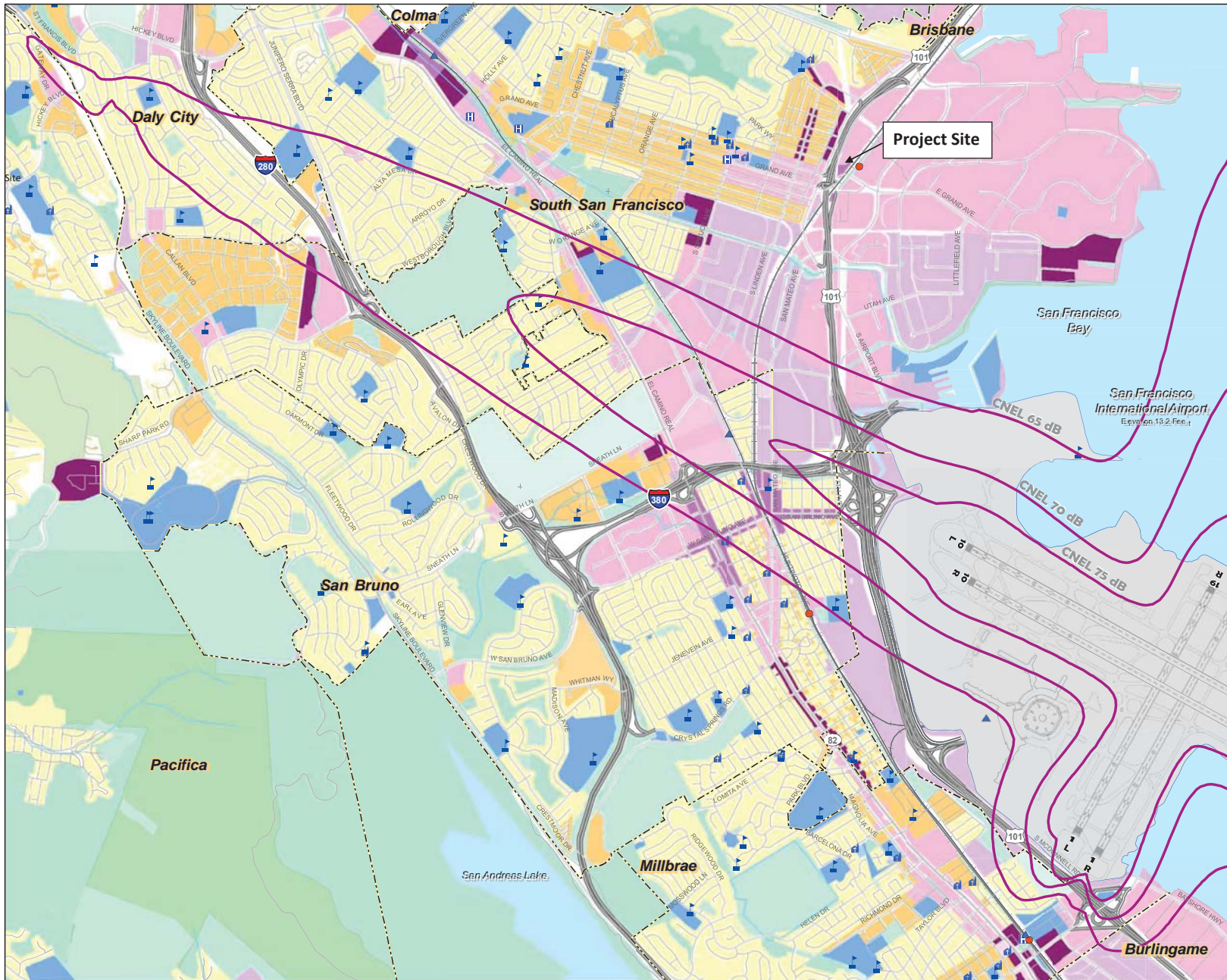
ZONE CODE
DIAGRAMS

SHEET NUMBER
G01.06

DATE

DATE

© 2021 Perkins and Will



LEGEND

- CNEL Contour, 2020 Forecast
- Airport Property
- ▲ BART Station
- CALTRAIN Station
- School
- Ⓜ Place of Worship
- Ⓜ Hospital
- Municipal Boundary
- Railroad
- Freeway
- Road

Planned Land Use Per General Plans:

- Public
- Multi-Family Residential
- Single Family Residential
- Mixed Use
- Transit Oriented Development
- Commercial
- Industrial, Transportation, and Utilities
- Local Park, Golf Course, Cemetery
- Regional Park or Recreation Area
- Open Space
- Planned use not mapped

Sources:

Noise Contour Data:
 - Draft Environmental Assessment, Proposed Runway Safety Area Program, San Francisco International Airport. URS Corporation and BridgeNet International, June 2011

County Base Maps:
 - San Mateo County Planning & Building Department, 2007

- Local Plans:**
- Burlingame Bayfront Specific Area Plan, August 2006
 - Burlingame Downtown Specific Plan, January 2009
 - Burlingame General Map, September 1984
 - North Burlingame/Rollins Road Specific Plan, February 2007
 - Daly City General Plan Land Use Map, 1987
 - Hillsborough General Plan, March 2005
 - Millbrae Land Use Plan, November 1998
 - Pacifica General Plan, August 1996
 - San Bruno General Plan, December 2008
 - San Mateo City Land Use Plan, March 2007
 - San Mateo County Zoning Map, 1992
 - South San Francisco General Plan, 1998

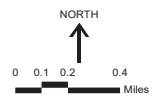


Exhibit IV-6
**NOISE COMPATIBILITY ZONES --
 DETAIL**
 Comprehensive Airport Land Use Plan
 for the Environs of San Francisco International
C/CAAG
 City/County Association of Governments
 of San Mateo County, California



- LEGEND**
- - - Boundary for Airport Influence Area B
 - Outer Boundary of Safety Zones
 - CNEL Contour, 2020 Forecast
 - 14 CFR Part 77 Conical Surface
 - Outer Boundary of TERPS Approach and OEI Departure Surfaces
 - Airport Property
 - ▲ BART Station
 - CALTRAIN Station
 - - - Municipal Boundary
 - Railroad
 - Freeway
 - Road
 - Local Park, Golf Course, Cemetery
 - Regional Park or Recreation Area
 - Open Space

Sources:

100:1 FAA Notification Zone: Ricondo & Associates, Inc. and Jacobs Consultancy, based on 14 CFR Part 77, Subpart B, Section 77.9.

Outer Boundary of TERPS Approach and OEI Departure Surfaces: San Francisco International Airport, Jacobs Consultancy, and Planning Technology Inc., 2009

Safety Compatibility Zones: Jacobs Consultancy Team, 2009; Ricondo & Associates, Inc., 2011

Noise Contour: URS Corporation and BridgeNet International. Draft Environmental Assessment, San Francisco International Airport Proposed Runway Safety Area Program, June 2011

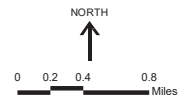
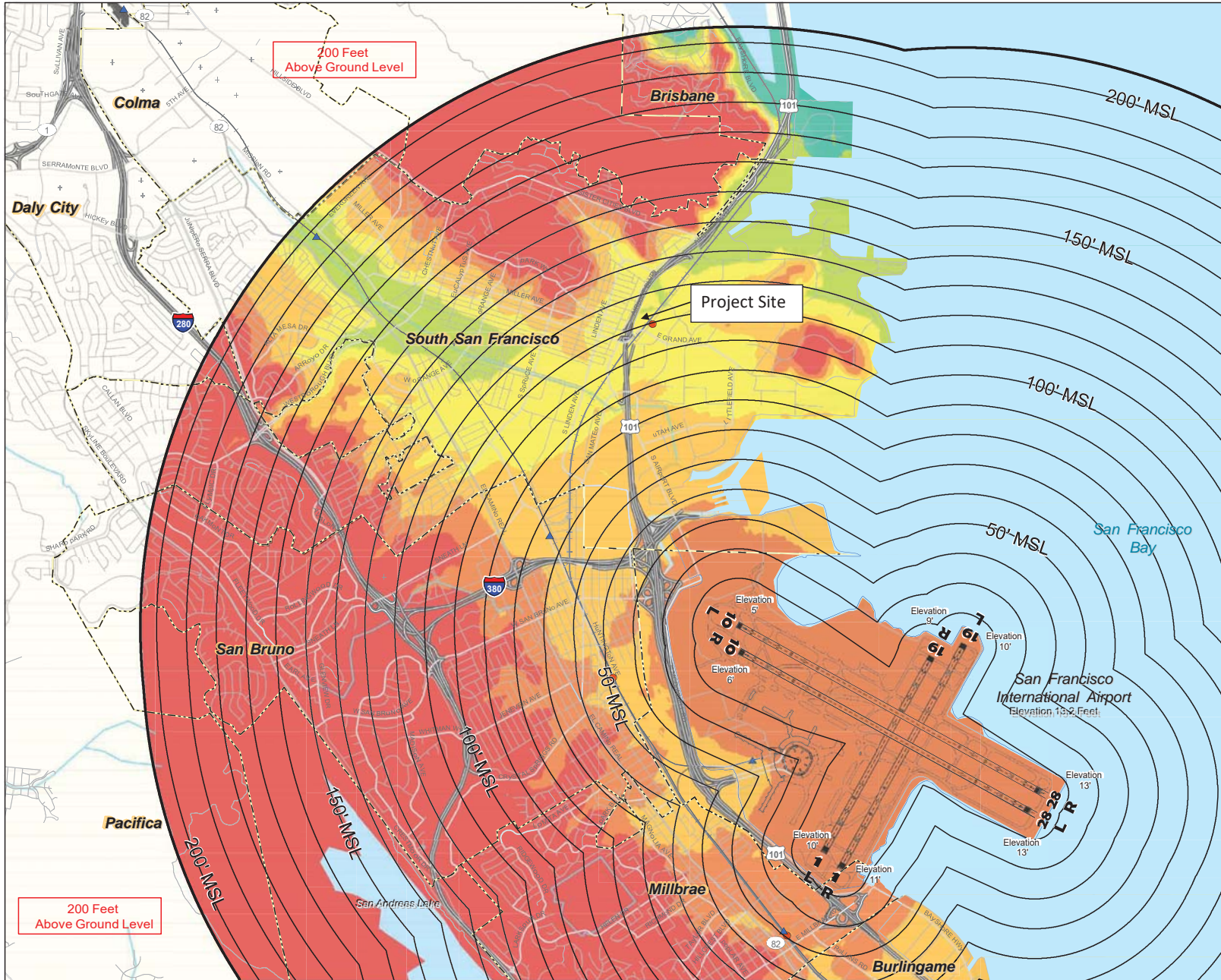


Exhibit IV-3
AIRPORT INFLUENCE AREA B -- NORTH SIDE
 Comprehensive Airport Land Use Plan
 for the Environs of San Francisco International Airport
C/CAG
 City/County Association of Governments
 of San Mateo County, California

SURFACE INTERSECTION ANALYSIS INFORMATION - AIRPORT CODE "SFOP"								
Coordinate System: WGS84			Date: 03/10/22			Model: SFO_Composite_2012_11DEC12_R2		
Latitude	Longitude	Site El.(AMSL)	Struct Ht.(AGL)	Overall Ht.(AMSL)	Max Ht. (AMSL)	Exceeds By	Under By	Surface
37° 39' 23.8459"	122° 24' 19.7184"	17.38	155	172.38	860		687.62	SFO_CIRCLING_CAT_D
Total penetrations above surfaces: 0								
Total penetrations below surfaces: 1								
Zone Analysis								
X	Y	Range	Safety Zones					
6010103.4	2067169.447	Under 65 db	None					



FAA NOTIFICATION REQUIREMENTS

A structure proponent must file FAA Form 7460-1, Notice of proposed Construction or Alteration, for any proposed construction or alteration that meets any of the following Notification Criteria described in 14 CFR part 77.9:

§77.9(a) - A height more than 200 feet above ground level (AGL) at its site;

§77.9(b) - Within 20,000 feet of a runway more than 3,200 feet in length, and exceeding a 100:1 slope imaginary surface (i.e., a surface rising 1 foot vertically for every 100 feet horizontally) from the nearest point of the nearest runway. The 100:1 surface is shown as follows:

- 20,000 Feet Limit From Nearest Runway
- 100 — Elevation Above Mean Sea Level

Heights of 100:1 Surface Above Ground (AGL)

- Terrain penetrations of Airspace Surface
- Less than 30
- 30-65
- 65-100
- 100-150
- 150-200
- 200 and more

§77.9(c) - Roadways, railroads, and waterways are evaluated based on heights above surface providing for vehicles; by specified amounts or by the height of the highest mobile object normally traversing the transportation corridor;

§77.9(d) - Any construction or alteration on any public-use or military airport (or heliport).

Structure proponents or their representatives may file via traditional paper forms via uS mail, or online at the FAA's e/AAA website, <http://oeaaa.faa.gov>

LEGEND

- ▲ BART Station
- CALTRAIN Station
- Municipal Boundary
- Railroad
- Freeway
- Road

Note:

per 14 CFR part 77, developers proposing structures taller than the indicated elevations must file Form 7460-1 with the FAA at least 30 days before the proposed construction. However, due to local requirements for a favorable FAA determination as a contingency for project approval, it is advisable to file the Form 7460-1 as soon as possible because the FAA can take several months to undertake aeronautical reviews.

Source:

Ricordo & Associates, Inc. and Jacobs Consultancy, based on 14 CFR part 77, Subpart B, Section 77.9.

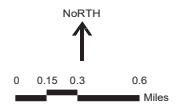


Exhibit IV-11
FAA NOTIFICATION FORM 7460-1
FILING REQUIREMENTS – NORTH SIDE
 Comprehensive Airport Land use plan
 for the Environs of San Francisco International Airport
C/CAG
 City/County Association of Governments
 of San Mateo County, California



San Francisco International Airport

March 11, 2022

TRANSMITTED VIA E-MAIL
 kkalkin@smcgov.org

Susy Kalkin
 ALUC Staff
 City/County Association of Governments of San Mateo County
 555 County Center, 5th Floor
 Redwood City, California 94063

Subject: Application for Land Use Consistency Determination for New Mixed-Use Building at 580 Dubuque Avenue, South San Francisco

Thank you for notifying San Francisco International Airport (SFO or the Airport) regarding the Airport Land Use Commission's (ALUC) land use consistency determination for the proposed construction of a new eight-story, office/research and development building at 580 Dubuque Avenue (the Proposed Project) within the city of South San Francisco (the City). We appreciate this opportunity to coordinate with ALUC in considering and evaluating potential land use compatibility issues for the Project.

According to the Application for Land Use Consistency Determination, the Proposed Project is located at 580 Dubuque Avenue (Assessor's Parcel Number 015-021-998), at the southern end of Dubuque Avenue, north of the Grand Avenue overpass as it intersects with U.S. Highway 101, in the City. The Proposed Project would construct a new 295,000-square-foot, eight-story, office/research and development building and structured parking four stories below grade. Site improvements would include sidewalks, landscaping, and lighting along Dubuque Avenue. Ground floor amenities would include a fitness center, conference space, and a café with an adjacent outdoor terrace. The maximum height of the Proposed Project would be 155 feet above ground level.

The Proposed Project site is inside Airport Influence Area B as defined by the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport* (SFO ALUCP). The Proposed Project site would be located outside the 65 decibel Community Noise Equivalent Level (dBA CNEL) contour and the safety compatibility zones, and therefore would not appear to be inconsistent with the Noise and Safety Compatibility policies adopted in the SFO ALUCP. While outside of the 65 dB CNEL noise contour, the entire area east of US-101 is subject to frequent overflights, especially at night, due to noise abatement procedures which are intended to limit overflights of residential areas.

As depicted on Exhibit IV-17 of the SFO ALUCP (see Attachment), the lowest critical aeronautical surfaces above the Proposed Project are at an elevation of between approximately 810 and 850 feet above mean sea level (AMSL) as defined from the origin of the North American Vertical Datum of 1988 (NAVD88). Given that the ground elevation at the Proposed Project site is around 18.5 feet AMSL (NAVD88), the heights of the buildings, as currently defined (as 155 feet above ground level), would be below the critical aeronautical surfaces and the Proposed Project would not appear to be incompatible with the Airspace Compatibility Policies of the SFO ALUCP, subject to the issuance of a "Determination of No Hazard" from the Federal Aviation Administration (see below) for any proposed structures, and determinations from the City/County Association of Governments of San Mateo County as the designated ALUC.

AIRPORT COMMISSION CITY AND COUNTY OF SAN FRANCISCO

LONDON N. BREED
 MAYOR

ELEANOR JOHNS
 PRESIDENT

MALCOLM YEUNG
 VICE PRESIDENT

EVERETT A. HEWLETT, JR.

JANE NATOLI

IVAR C. SATERO
 AIRPORT DIRECTOR

Susy Kalkin, ALUC
March 11, 2022
Page 2 of 2

This determination does not negate the requirement for the Proposed Project sponsor to undergo Federal Aviation Administration review as described in 14 Code of Federal Regulations Part 77 for both (1) the permanent structures and (2) any temporary cranes or other equipment taller than the permanent buildings which would be required to construct those structures.

The Airport appreciates your consideration of these comments. If I can be of assistance, please do not hesitate to contact me at (650) 821-6678 or at nupur.sinha@flysfo.com.

Sincerely,

DocuSigned by:

Nupur Sinha

7D552AE8A4CE495...

Nupur Sinha
Director of Planning and Environmental Affairs
San Francisco International Airport

Attachment

cc: Sean Charpentier, C/CAG
Audrey Park, SFO

and associated with human disease of varying severity.

- b. Biosafety Level 3 practices, safety equipment, and facility design and construction are applicable to clinical, diagnostic, teaching, research, or production facilities in which work is done with indigenous or exotic agents with a potential for respiratory transmission, and which may cause serious and potentially lethal infection.
- c. Biosafety Level 4 practices, safety equipment, and facility design and construction are applicable for work with dangerous and exotic agents that pose a high individual risk of life-threatening disease, which may be transmitted via the aerosol route and for which there is no available vaccine or therapy.

4.5 Airspace Protection

The compatibility of proposed land uses with respect to airspace protection shall be evaluated in accordance with the policies set forth in this section. These policies are established with a twofold purpose:

1. To protect the public health, safety, and welfare by minimizing the public's exposure to potential safety hazards that could be created through the construction of tall structures.
2. To protect the public interest in providing for the orderly development of SFO by ensuring that new development in the Airport environs avoids compromising the airspace in the Airport vicinity. This avoids the degradation in the safety, utility, efficiency, and air service capability of the Airport that could be caused by the attendant need to raise visibility minimums, increase minimum rates of climb, or cancel, restrict, or redesign flight procedures.

4.5.1 FEDERAL REGULATIONS REGARDING TALL STRUCTURES

14 Code of Federal Regulations (CFR) Part 77, *Safe, Efficient Use and Preservation of the Navigable Airspace*, governs the FAA's review of proposed construction exceeding certain height limits, defines airspace obstruction criteria, and provides for FAA aeronautical studies of proposed construction. **Appendix F** describes the FAA airspace review process and the extent of FAA authority related to airspace protection.

4.5.2 PART 77, SUBPART B, NOTIFICATION PROCESS

Federal regulations require any person proposing to build a new structure or alter an existing structure with a height that would exceed the elevations described in CFR Part 77, Subpart B, Section 77.9, to prepare an FAA Form 7460-1, *Notice of Proposed Construction or Alteration*, and submit the notice to the FAA. The regulations apply to buildings and other structures or portions of structures, such as mechanical equipment, flag poles, and other projections that may exceed the aforementioned elevations.

Exhibit IV-10 depicts the approximate elevations at which the 14 CFR Part 77 notification requirements would be triggered; see **Exhibit IV-11** for a close-up view of the northern half and **Exhibit IV-12** for a close-up view of the southern half of the area. These exhibits are provided for informational purposes only. Official determinations of the areas and elevations within which the federal notification requirements apply are subject to the authority of the FAA. The FAA is empowered to require the filing of notices for proposed construction based on considerations other than height. For example, in some areas of complex airspace and high air traffic volumes, the FAA may be concerned about the potential for new construction of any height to interfere with electronic navigation aids. In these areas, the FAA will want to review all proposed construction projects.

The FAA has developed an on-line tool for project sponsors to use in determining whether they are required to file a Notice of Proposed Construction or Alteration. Sponsors of proposed projects are urged to refer to this website to determine whether they are required to file Form 7460-1 with the FAA:

<https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp?action=showNoNoticeRequiredToolForm>

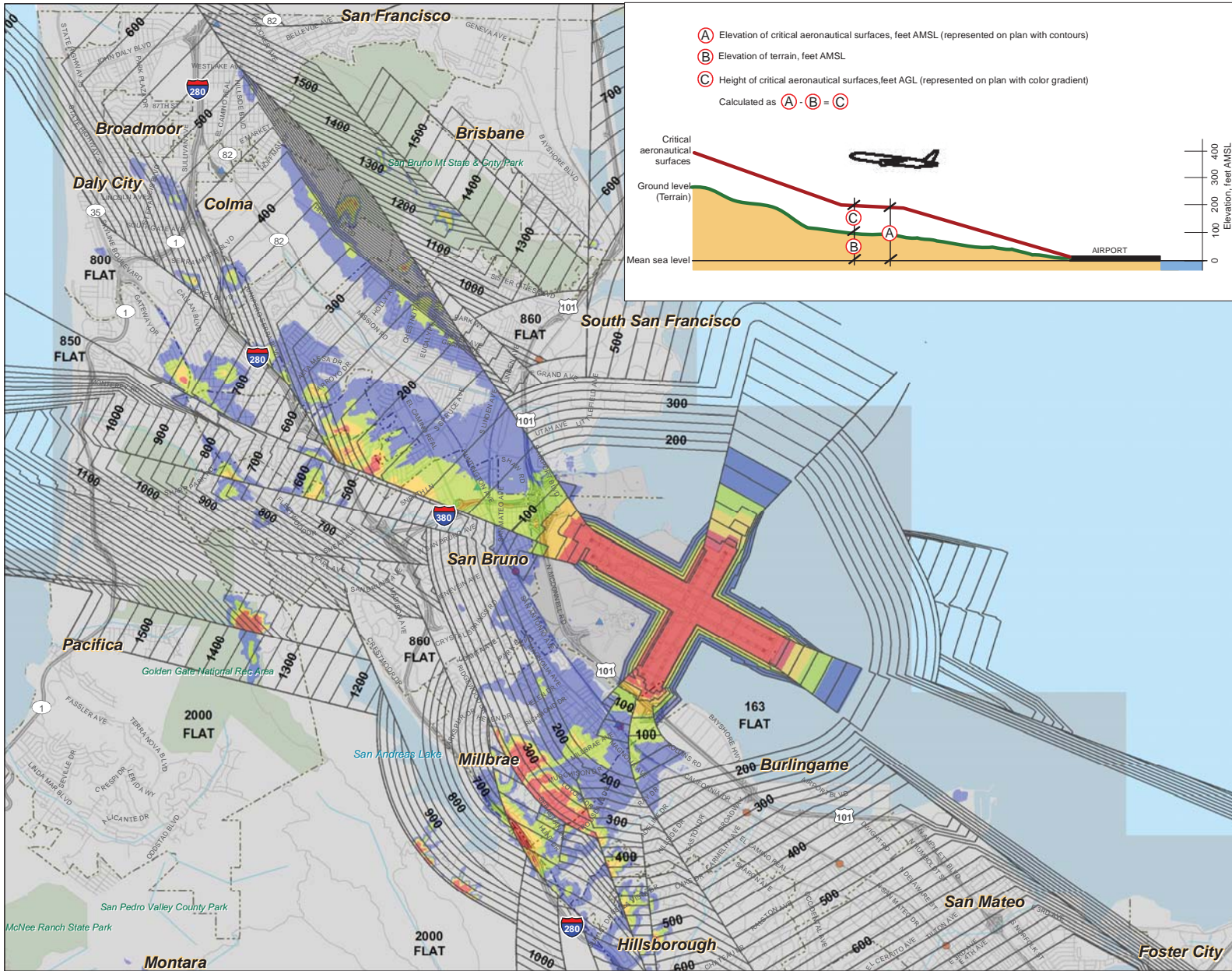
4.5.3 AIRSPACE MAPPING

Part 77, Subpart C, establishes obstruction standards for the airspace around airports including approach zones, conical zones, transitional zones, and horizontal zones known as “imaginary surfaces.” **Exhibit IV-13** depicts the Part 77 Civil Airport Imaginary Surfaces at SFO. The imaginary surfaces rise from the primary surface, which is at ground level immediately around the runways. The surfaces rise gradually along the approach slopes associated with each runway end and somewhat more steeply off the sides of the runways. The FAA considers any objects penetrating these surfaces, whether buildings, trees or vehicles travelling on roads and railroads, as obstructions to air navigation. Obstructions may occur without compromising safe air navigation, but they must be marked, lighted, and noted on aeronautical publications to ensure that pilots can see and avoid them.

Close-up views of the north and south sides of the Part 77 surfaces are provided in **Exhibit IV-14** and **Exhibit IV-15**, respectively. Additionally, **Exhibit IV-16** provides an illustration of the outer approach and transitional surfaces located on the southeast side of the Part 77 surfaces.

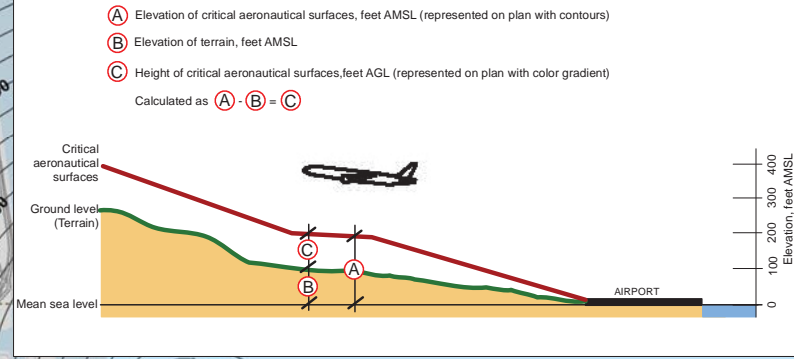
Together with its tenant airlines, SFO has undertaken a mapping effort to illustrate the critical aeronautical surfaces that protect the airspace required for multiple types of flight procedures such as those typically factored into FAA aeronautical studies, as shown on **Exhibit IV-17** and **Exhibit IV-18**. These aeronautical surfaces include those established in accordance with FAA Order 8260.3B, *U.S. Standard for Terminal Instrument Procedures (TERPS)*, and a surface representing the airspace required for One-Engine Inoperative (OEI) departures from Runway 28L (to the west through the San Bruno Gap).¹⁶ The exhibits depict the lowest elevations from the combination of the OEI procedure surface and all TERPS surfaces. The surfaces are defined with Required Obstacle Clearance (ROC) criteria to ensure safe separation of aircraft using the procedures from the underlying obstacles. Any proposed structures penetrating these surfaces are likely to receive Determinations of Hazard (DOH) from the FAA through the 7460-1 aeronautical study process. These surfaces indicate the maximum height at which structures can be considered compatible with Airport operations.

¹⁶ See Appendix F, Section F.3.2 for a discussion of one-engine inoperative procedures.



LEGEND

- (A) — 100 — Elevation of critical aeronautical surfaces, feet Above Mean Sea Level (AMSL), North American Vertical Datum of 1988 (NAVD88)
- (C) **Height of Critical Aeronautical Surfaces, Feet Above Ground Level (AGL)**
 - 35 and lower
 - 35 - 65
 - 65 - 100
 - 100 - 150
 - 150 and more
- Airport Property
- ▲ BART Station
- CALTRAIN Station
- Regional Park or Recreation Area
- Municipal Boundary
- Railroad
- Freeway
- Road



- Notes:**
- This map is intended for informational and conceptual planning purposes, generally representing the aeronautical surfaces considered most critical by San Francisco International Airport (SFO) and its constituent airlines. It does not represent actual survey data, nor should it be used as the sole source of information regarding compatibility with airspace clearance requirements in the development of data for an FAA Form 7460-1, Notice of Proposed Construction or Alteration. SFO does not certify its accuracy, information, or title to the properties contained in this plan. SFO does make any warrants of any kind, express or implied, in fact or by law, with respect to boundaries, easements, restrictions, claims, overlaps, or other encumbrances affecting such properties.
 - This map does not replace the FAA's obstruction evaluation / airport airspace analysis (OE/AAA) review process. Proposing construction at elevations and heights that are lower than the critical aeronautical surfaces shown on this map, (a) does not relieve the construction sponsor of the obligation to file an FAA Form 7460-1, and (b) does not ensure that the proposal will be acceptable to the FAA, SFO, air carriers, or other agencies or stakeholders. SFO, San Mateo County, and local authorities having jurisdiction reserve the right to re-assess, review, and seek modifications to projects that may be consistent with this critical aeronautical surfaces map but that through the FAA OE/AAA process are found to have unexpected impacts to the safety or efficiency of operations at SFO.

Sources: San Francisco International Airport, Jacobs Consultancy, and Planning Technology Inc., 2009

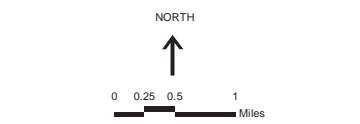


Exhibit IV-17
CRITICAL AERONAUTICAL SURFACES
 -- NORTHWEST SIDE
 Comprehensive Airport Land Use Plan
 for the Environs of San Francisco International Airport
C/CAG
 City/County Association of Governments
 of San Mateo County, California

Exhibit IV-19, which is provided for information purposes only, depicts a profile view of the lowest critical airspace surfaces along the extended centerline of Runway 10L-28R – the TERPS Obstacle Departure Procedure (ODP) surface, representing standard all-engines departures, and the approximate OEI surface developed by SFO through independent study in consultation with the airlines serving SFO. The exhibit also shows the terrain elevation beneath the airspace surfaces and various aircraft approach and departure profiles, based on varying operating assumptions. The exhibit illustrates a fundamental principle related to the design of airspace protection surfaces. The surfaces are always designed below the actual aircraft flight profile which they are designed to protect, thus providing a margin of safety. Note that the ODP climb profile is above the ODP airspace surface, and the OEI climb profile is above the OEI airspace surface.

4.5.4 AIRSPACE PROTECTION POLICIES

The following airspace protection policies (AP) shall apply to the ALUCP.

AP-1 COMPLIANCE WITH 14 CFR PART 77, SUBPART B, NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION

AP-1.1 Local Government Responsibility to Notify Project Sponsors

Local governments should notify sponsors of proposed projects at the earliest opportunity to file Form 7460-1, *Notice of Proposed Construction or Alteration*, with the FAA for any proposed project that would exceed the FAA notification heights, as shown approximately on Exhibit IV-10. Under Federal law, it is the responsibility of the project sponsor to comply with all notification and other requirements described in 14 CFR Part 77. This requirement applies independent of this ALUCP.

AP-1.2 FAA Aeronautical Study Findings Required Before Processing Development Application

The sponsor of a proposed project that would exceed the FAA notification heights, as shown approximately on Exhibit IV-10, shall present to the local government permitting agency with his or her application for a development permit, a copy of the findings of the FAA's aeronautical study, or evidence demonstrating that he or she is exempt from having to file an FAA Form 7460-1. It is the responsibility of the local agency to consider the FAA determination study findings as part of its review and decision on the proposed project.

AP-2 COMPLIANCE WITH FINDINGS OF FAA AERONAUTICAL STUDIES

Project sponsors shall be required to comply with the findings of FAA aeronautical studies with respect to any recommended alterations in the building design and height and any recommended marking and lighting of their structures for their proposed projects to be deemed consistent with this ALUCP.

AP-3 MAXIMUM COMPATIBLE BUILDING HEIGHT

In order to be deemed consistent with the ALUCP, the maximum height of a new building must be the lower of (1) the height shown on the SFO critical aeronautical surfaces map (Exhibits IV-17 and IV-18), or (2) the maximum height determined not to be a “hazard to air navigation” by the FAA in an aeronautical study prepared pursuant to the filing of Form 7460-1.

For the vast majority of parcels, the height limits established in local zoning ordinances are lower than the critical airspace surfaces. In those cases, the zoning district height regulations will control. Compliance with the zoning district height and the SFO critical aeronautical surfaces map, however, does not relieve the construction sponsor of the obligation to file a FAA Form 7460-1 *Notice of Proposed Construction or Alteration*, if required, and to comply with the determinations resulting from the FAA’s aeronautical study.

For a project to be consistent with this ALUCP, no local agency development permits shall be issued for any proposed structure that would penetrate the aeronautical surfaces shown on Exhibits IV-17 and IV-18 or the construction of which **has not** received a Determination of No Hazard from the FAA, or which would cause the FAA to increase the minimum visibility requirements for any instrument approach or departure procedure at the Airport.

AP-4 OTHER FLIGHT HAZARDS ARE INCOMPATIBLE

Proposed land uses with characteristics that may cause visual, electronic, or wildlife hazards, particularly bird strike hazards, to aircraft taking off or landing at the Airport or in flight are incompatible in Area B of the Airport Influence Area. They may be permitted only if the uses are consistent with FAA rules and regulations. Proof of consistency with FAA rules and regulations and with any performance standards cited below must be provided to the Airport Land Use Commission (C/CAG Board) by the sponsor of the proposed land use action.

Specific characteristics that may create hazards to aircraft in flight and which are incompatible include:

- (a) Sources of glare, such as highly reflective buildings or building features, or bright lights, including search lights or laser displays, which would interfere with the vision of pilots making approaches to the Airport.
- (b) Distracting lights that that could be mistaken by pilots on approach to the Airport for airport identification lighting, runway edge lighting, runway end identification lighting, or runway approach lighting.
- (c) Sources of dust, smoke, or water vapor that may impair the vision of pilots making approaches to the Airport.
- (d) Sources of electrical interference with aircraft or air traffic control communications or navigation equipment, including radar.
- (e) Land uses that, as a regular byproduct of their operations, produce thermal plumes with the potential to rise high enough and at sufficient velocities to interfere with the control of aircraft in

flight. Upward velocities of 4.3 meters (14.1 feet) per second at altitudes above 200 feet above the ground shall be considered as potentially interfering with the control of aircraft in flight.¹⁷

(f) Any use that creates an increased attraction for wildlife, particularly large flocks of birds, that is inconsistent with FAA rules and regulations, including, but not limited to, FAA Order 5200.5A, *Waste Disposal Sites On or Near Airports*, FAA Advisory Circular 150/5200-33B, *Hazardous Wildlife Attractants On or Near Airports*, and any successor or replacement orders or advisory circulars. Exceptions to this policy are acceptable for wetlands or other environmental mitigation projects required by ordinance, statute, court order, or Record of Decision issued by a federal agency under the National Environmental Policy Act.

4.5.5 iALP AIRSPACE TOOL

In consultation with C/CAG, SFO developed the iALP Airspace Tool, a web-based, interactive tool to evaluate the relationship of proposed buildings with the Airport's critical airspace surfaces. The iALP Airspace Tool is designed to assist planners, developers, and other interested persons with the implementation of the airspace protection policies of the SFO ALUCP. The tool helps users determine: (1) the maximum allowable building height at a given site, and/or (2) whether a building penetrates a critical airspace surface, and by how much, given the proposed building height.

A more detailed description of the iALP Airspace Tool and a tutorial explaining how to use it is presented in **Appendix J**. Use of this tool, however, does not relieve a project sponsor of the duty to comply with all federal regulations, including the obligation to file Form 7460-1, Notice of Proposed Construction or Alteration, with the FAA.

¹⁷ This is a threshold established by the California Energy Commission in its review of power plant licensing applications. See *Blythe Solar Power Project: Supplemental Staff Assessment, Part 2*, CEC-700-2010-004-REVI-SUP-PT2, July 2010. California Energy Commission. Docket Number 09-AFC-6, p. 25. This criterion is based on guidance established by the Australian Government Civil Aviation Authority (Advisory Circular AC 139-05(0), June 2004). The FAA's Airport Obstructions Standards Committee (AOSC) is studying this matter but has not yet issued specific guidance.

C/CAG AGENDA REPORT

Date: April 14, 2022

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

From: Sean Charpentier, Executive Director

Subject: Approval of a Resolution determining that the proposed 6-story mixed-use project at 959 El Camino Real, Millbrae, is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport.

(For further information please contact Susy Kalkin at kkalkin@smcgov.org)

RECOMMENDATION

That the C/CAG Board of Directors, acting as the San Mateo County Airport Land Use Commission, approve Resolution 22-21 determining that the proposed 6-story mixed-use project at 959 El Camino Real, Millbrae, is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport, subject to the following conditions:

- *Prior to issuance of a building permit, the project sponsor shall file Form 7460-1 with the FAA and provide to the City of Millbrae an FAA “Determination of No Hazard”.*
- *The City of Millbrae shall require that the project sponsor comply with the real estate disclosure requirements outlined in Policy IP-1 of the SFO ALUCP, which apply to sale or lease of property located within the AIA.*

BACKGROUND

The proposed development at 959 El Camino Real, Millbrae (“Project”) consists of construction of a six-story, mixed use building at the corner of El Camino Real and Meadow Glen Avenue. The Project includes 17,079 sf of commercial space on the ground floor and 278 residential units on the upper five floors, as well as ancillary amenity space and parking.

The Project is located within Airport Influence Area B (AIA B), the “Project Referral” area, for San Francisco International Airport. California Government Code Section 65302.3 states that a local agency General Plan, Zoning Ordinance and/or any affected specific plan must be consistent with the applicable airport/land use criteria in the relevant adopted Airport Land Use Compatibility Plan (ALUCP). Additionally, per SFO ALUCP Policy GP-10.1, since the City of Millbrae has not amended its Zoning Ordinance to reflect the policies and requirements of the current SFO ALUCP, all proposed development projects within AIA B are subject to ALUC review. In accordance with these requirements, the City of Millbrae has referred the subject development project to C/CAG, acting as the San Mateo County Airport Land Use Commission, for a determination of consistency with the SFO ALUCP.

DISCUSSION

ALUCP Consistency Evaluation

The SFO ALUCP contains policies and criteria to address four issues: (a) aircraft noise impacts; (b) safety compatibility criteria; (c) height of structures/airspace protection; and (d) overflight notification. The following sections describe the degree to which the Project is compatible with each.

(a) Aircraft Noise Impacts

The 65 dB CNEL (Community Noise Equivalent Level) aircraft noise contour defines the threshold for airport noise impacts established in the SFO ALUCP. All land uses located outside this contour are deemed consistent with the noise policies of the SFO ALUCP.

As shown on Attachment 3, the subject property lies outside the bounds of the 65dB CNEL contour, and therefore the Project is consistent with the SFO ALUCP noise policies and criteria.

(b) Safety Compatibility

The SFO ALUCP includes five safety zones and related land use compatibility policies and criteria. As shown on Attachment 4, the Project site is located outside of the safety zones established in the SFO ALUCP, and therefore the safety policies and criteria do not apply to the Project.

(c) Height of Structures/Airspace Protection

Pursuant to the SFO ALUCP, airspace protection compatibility of proposed land uses within its AIA is evaluated in accordance with the following criteria: (1) 14 Code of Federal Regulations Part 77 (FAR Part 77), “Safe, Efficient Use and Preservation of the Navigable Airspace”, which establishes the standards for determining obstructions to air navigation; and (2) FAA notification surfaces.

In order to be deemed consistent with the ALUCP, the maximum height of a new building must be the lower of (1) the height shown on the critical aeronautical surfaces map; or (2) the maximum height determined not to be a “hazard to air navigation” by the FAA in an aeronautical study prepared pursuant to the filing of Form 7460-1.

As proposed, the 6-story structure would be a maximum of 87’-6” tall. With a ground elevation of approximately 38’-6” above mean sea level (MSL), the overall height of the project would therefore be a maximum of about 126 feet above MSL. As shown on Attachment 5, utilizing the ‘SFO Online Airspace Tool’, the building would be about 37 feet below critical airspace. However, as shown on Attachment 6, the Project is located in an area that requires FAA notification for all new construction (structures under 30 feet tall). Therefore, the following condition is recommended:

- *Prior to issuance of a building permit, the project sponsor shall file Form 7460-1 with the FAA and provide to the City of Millbrae an FAA “Determination of No Hazard”.*

(d) Overflight Notification

The Project site is located within the Airport Influence Area (AIA) of SFO, the real estate disclosure area. Pursuant to Policy IP-1, notification is required, prior to sale or lease of property located within the AIA, of the proximity of the airport and that therefore the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations.

As this disclosure requirement is not currently included in Millbrae's Municipal Code, the following condition is proposed:

- *The City of Millbrae shall require that the project sponsor comply with the real estate disclosure requirements outlined in Policy IP-1 of the SFO ALUCP, which apply to sale or lease of property located within the AIA.*

Airport Land Use Committee Meeting

The Airport Land Use Committee considered this item at its meeting on March 24, 2022. At the meeting there was a concern raised about comments provided by SFO Planning staff (Attachment 7) noting the project site is located in an area that experiences frequent, low-frequency backblast noise from departing aircraft. As backblast noise is not addressed in the SFO ALUCP, the Committee unanimously recommended the project be found consistent with the policies of the SFO ALUCP subject to the conditions discussed above. However, they also requested their concerns relative to the backblast issue, i.e. that the impact be mitigated to the extent possible through building design, be conveyed to the City of Millbrae. Vice Chair Oliva, a member of the Millbrae City Council, noted she would forward those comments to her staff.

ATTACHMENTS

1. Resolution 22-21
2. ALUCP application, together with related project description and plan set excerpts
3. SFO ALUCP Exh. IV-6 – Noise Compatibility Zones
4. SFO ALUCP Exh. IV-9 – Safety Compatibility Zones
5. SFO Airspace Tool Readout
6. SFO ALUCP Exh. IV-12 – FAA Notification Filing Reqs.- South Side
7. Comment Letter from SFO Planning dated March 14, 2022

RESOLUTION 22-21

RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY, ACTING AS THE SAN MATEO COUNTY AIRPORT LAND USE COMMISSION, DETERMINING THAT THE PROPOSED 6-STORY MIXED-USE PROJECT AT 959 EL CAMINO REAL, MILLBRAE, IS CONDITIONALLY CONSISTENT WITH THE COMPREHENSIVE AIRPORT LAND USE COMPATIBILITY PLAN FOR THE ENVIRONS OF SAN FRANCISCO INTERNATIONAL AIRPORT.

RESOLVED, by the Board of Directors of the City/County Association of Governments of San Mateo County (C/CAG), in its capacity as the San Mateo County Airport Land Use Commission, that,

WHEREAS, California Government Code Section 65302.3 states that a local agency General Plan, Zoning Ordinance and/or any affected specific plan must be consistent with the applicable airport/land use criteria in the relevant adopted Airport Land Use Compatibility Plan (ALUCP), and furthermore, per Policy GP-10.1 of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (SFO ALUCP), if a jurisdiction has not made its local plans consistent with the ALUCP all proposed development projects within AIA B may be subject to ALUC review; and

WHEREAS, the City of Millbrae has not yet amended its Zoning Ordinance to reflect the policies and requirements of the SFO ALUCP; and

WHEREAS, the City of Millbrae has received an application for construction of a 6-story mixed-use project at 959 El Camino Real, Millbrae, (the "Project") which is located within Airport Influence Area B of San Francisco International Airport (SFO); and

WHEREAS, the City of Millbrae has referred the Project to C/CAG, acting as the San Mateo County Airport Land Use Commission, for a determination of consistency with the SFO ALUCP; and

WHEREAS, three sets of airport/land use compatibility policies and criteria in the SFO ALUCP relate to the Project: (a) noise compatibility policies and criteria; (b) safety policies and criteria; and (c) airspace protection policies, as discussed below:

(a) Noise Policy Consistency Analysis - The 65 dB CNEL (Community Noise Equivalent Level) aircraft noise contour defines the threshold for airport noise impacts established in the SFO ALUCP. All land uses located outside this contour are deemed consistent with the noise policies of the SFO ALUCP. Per SFO ALUCP Exhibit IV-6, the Project lies outside the bounds of the 65dB CNEL contour, and therefore is consistent with the SFO ALUCP noise policies and criteria.

(b) The SFO ALUCP includes five safety zones and related land use compatibility policies and criteria. Per SFO ALUCP Exhibit IV-9, the Project site lies outside the Safety Compatibility Zones established in the SFO ALUCP, and therefore the safety policies and criteria do not apply to the project.

(c) Airspace Protection

Pursuant to the SFO ALUCP, airspace protection compatibility of proposed land uses within its AIA is evaluated in accordance with the following criteria: (1) 14 Code of Federal Regulations Part 77 (FAR Part 77), “Safe, Efficient Use and Preservation of the Navigable Airspace”, which establishes the standards for determining obstructions to air navigation; and (2) FAA notification surfaces.

In order to be deemed consistent with the ALUCP, the maximum height of a new building must be the lower of (1) the height shown on the critical aeronautical surfaces map; or (2) the maximum height determined not to be a “hazard to air navigation” by the FAA in an aeronautical study prepared pursuant to the filing of Form 7460-1.

As proposed, the 6-story structure would be 87’-6” tall. With a ground elevation of approximately 38’-6” above mean sea level (MSL), the overall height of the project would therefore be a maximum of about 126 feet above MSL. Utilizing the ‘SFO Online Airspace Tool’, the building would be about 37 feet below critical airspace. However, as shown on SFO ALUCP Exhibit IV-12, the Project is located in an area that requires FAA notification for all new construction (structures under 30 feet tall). To address this issue, a condition of approval is included in this consistency determination to ensure consistency with SFO ALUCP airspace protection policies; and

WHEREAS, the Project site is located within the Airport Influence Area A (AIA A) of SFO, the real estate disclosure area. Pursuant to Policy IP-1, notification is required, prior to sale or lease of property located within the AIA, of the proximity of the airport and that the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations. As neither the Project application materials nor Millbrae’s ordinances address this requirement, it is included herein as a condition of the consistency determination; and

WHEREAS, at its meeting on March 24, 2022, based on the factors listed above and subject to the conditions identified, the Airport Land Use Committee recommended that the C/CAG Board of Directors, acting as the Airport Land Use Commission, determine that the Project is consistent with the SFO ALUCP; and,

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the City/County Association of Governments for San Mateo County, acting as the San Mateo County Airport Land Use Commission, that subject to the conditions contained in Exhibit A, attached, the Project is determined to be consistent with the applicable airport land use policies and criteria contained in the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport.

PASSED, APPROVED, AND ADOPTED, THIS 14TH DAY OF APRIL 2022.

Davina Hurt, Chair

Resolution 22-21 – Conditions of Consistency Determination:

1. *Prior to issuance of a building permit, the project sponsor shall file Form 7460-1 with the FAA and provide to the City of Millbrae an FAA “Determination of No Hazard”.*
2. *The City of Millbrae shall require that the project sponsor comply with the real estate disclosure requirements outlined in Policy IP-1 of the SFO ALUCP, which apply to sale or lease of property located within the AIA.*



APPLICATION FOR LAND USE CONSISTENCY DETERMINATION
San Mateo County Airport Land Use Commission
C/CAG ALUC

APPLICANT INFORMATION

Agency: City of Millbrae

Project Name: 959 El Camino Real

Address: 959 El Camino Real

APN: 021-364-080

City: Millbrae

State: California

ZIP Code: 94030

Staff Contact: Nestor Guevara

Phone: 650-259-2335

Email: nguevara@ci.millbrae.ca.us

PROJECT DESCRIPTION

Proposal to develop a 83' 10" high mixed use building at 959 El Camino Real, Millbrae, CA in the Commercial zone. The project will include 278 residential units, 17,079 square feet of commercial space, 11,379 square feet of amenity space, and 372 on-site parking spaces.

REQUIRED PROJECT INFORMATION

For General Plan, Specific Plan or Zoning Amendments and Development Projects:

A copy of the relevant amended sections, maps, etc., together with a detailed description of the proposed changes, sufficient to provide the following:

1. Adequate information to establish the relationship of the project to the three areas of Airport Land Use compatibility concern (ex. a summary of the planning documents and/or project development materials describing how ALUCP compatibility issues are addressed):
 - a) Noise: Location of project/plan area in relation to the noise contours identified in the applicable ALUCP.
 - Identify any relevant citations/discussion included in the project/plan addressing compliance with ALUCP noise policies.
 - b) Safety: Location of project/plan area in relation to the safety zones identified in the applicable ALUCP.
 - Include any relevant citations/discussion included in the project/plan addressing compliance with ALUCP safety policies.
 - c) Airspace Protection:
 - Include relevant citations/discussion of allowable heights in relation to the protected airspace/proximity to airport, as well as addressment of any land uses or design features that may cause visual, electronic, navigational, or wildlife hazards, particularly bird strike hazards.

- If applicable, identify how property owners are advised of the need to submit Form 7460-1, *Notice of Proposed /Construction or Alteration* with the FAA.

2. Real Estate Disclosure requirements related to airport proximity
3. Any related environmental documentation (electronic copy preferred)
4. Other documentation as may be required (ex. related staff reports, etc.)

Additional information For Development Projects:

1. 25 sets of scaled plans, no larger than 11" x 17"
2. Latitude and longitude of development site
3. Building heights relative to mean sea level (MSL)

ALUCP Plans can be accessed at <http://ccag.ca.gov/plansreportslibrary/airport-land-use/>

Please contact C/CAG staff at 650 599-1467 with any questions.

<i>For C/CAG Staff Use Only</i>
<i>Date Application Received</i>
<i>Date Application Deemed Complete</i>
<i>Tentative Hearing Dates:</i>
- <i>Airport Land Use Committee</i>
- <i>C/CAG ALUC</i>

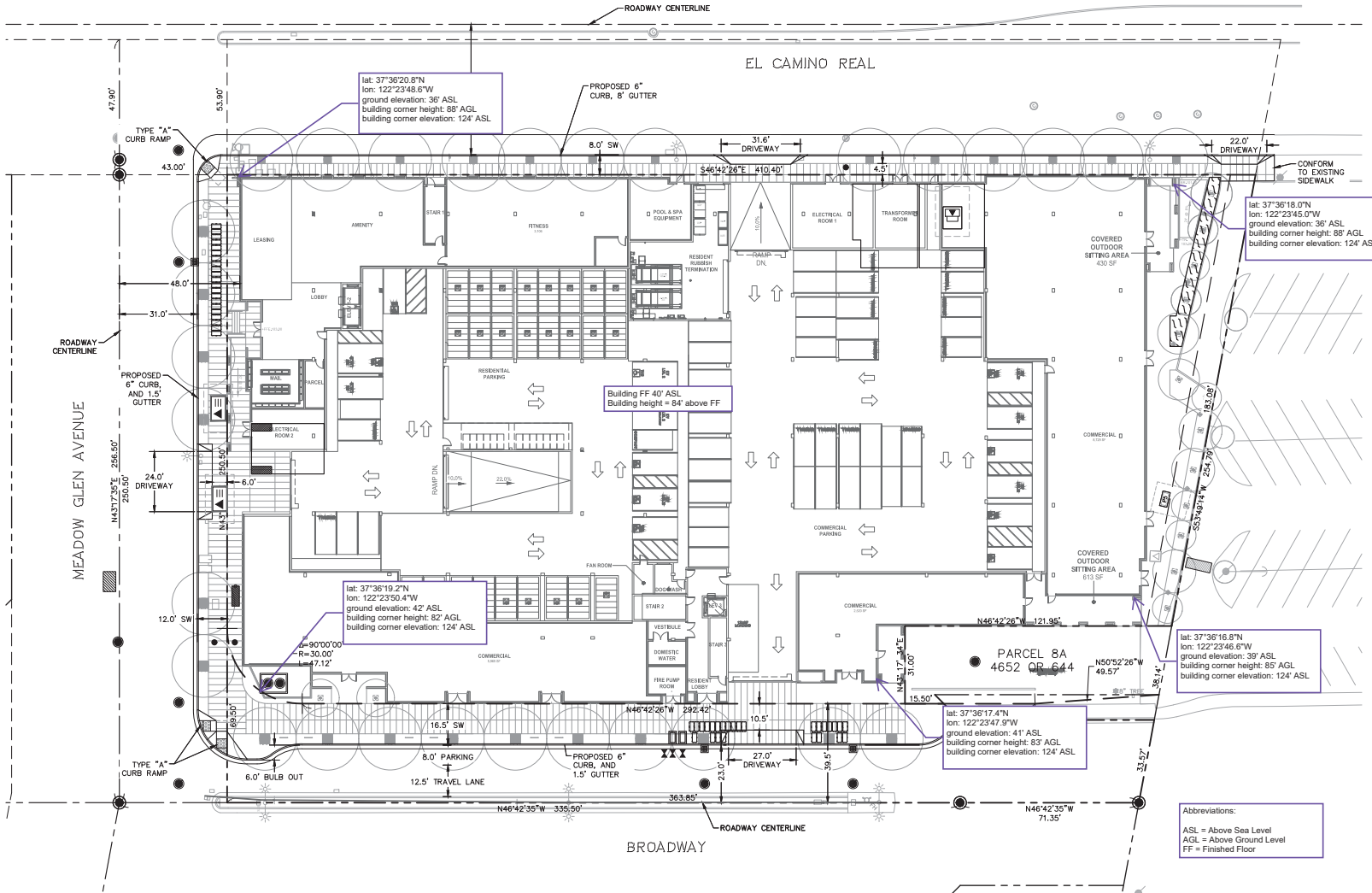
959 EL CAMINO REAL

PLANNING RESUBMITAL #3 - DECEMBER 23, 2021



959 EL CAMINO REAL, MILLBRAE, CA 94030





934 HOWARD STREET
SAN FRANCISCO
CA 94103
P. (415) 677-0966



CONSULTANT
BKF
150 CALIFORNIA STREET
SUITE 600
SAN FRANCISCO, CA 94111
(415) 930-7900
www.bkf.com

959 EL CAMINO REAL
959 EL CAMINO REAL, MILLBRAE, CA 94030

REV.	DATE
PLANNING	10.05.21
SUBMIT 2	
PLANNING	12.22.21
SUBMIT 3	

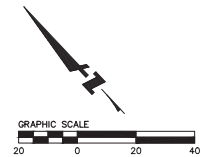
Abbreviations:
ASL = Above Sea Level
AGL = Above Ground Level
FF = Finished Floor



STAMP
ALL DESIGN AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE NATIONAL ARCHITECTURAL AND ENGINEERING ACTS AND THE ARCHITECTURE AND ENGINEERING ACTS OF THE STATE OF CALIFORNIA.

SITE PLAN

SHEET TITLE:
Scale: 1" = 20'
Plan #: 2028 SHANN BY AR
SHEET NO.: 24 of 24

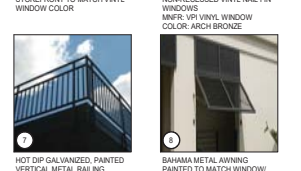
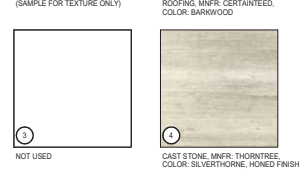


02/10/2023 3:32:34 PM



ELEVATION - PASEO 2
1/16" = 1'-0"

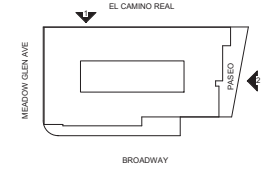
A	WINDOW, STOREFRONT, METAL WORK, ARCH BRONZE DRAGON'S BREATH BM 1547
B	PAINT - BRILLIANT WHITE SBRM4
C	PAINT - PEARLY SWIRLY KM 4730-1
D	PAINT - SMOKY DAY KM 4836
E	PAINT - BEAR CREEK KM 4810

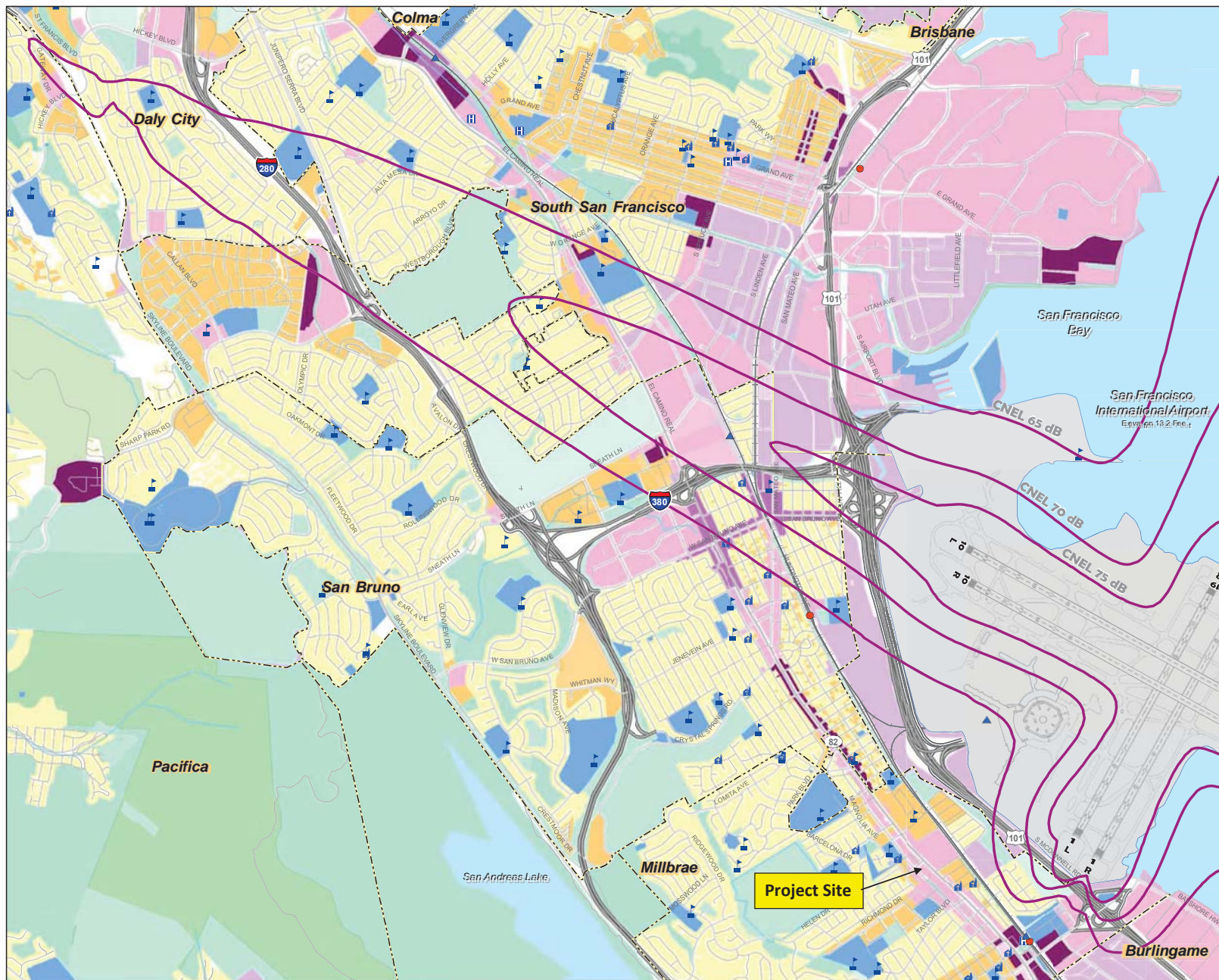


- 11 PEDESTRIAN GARAGE ENTRANCE
- 12 GARAGE ACCESS
- 13 RESIDENTIAL ENTRANCE
- 14 LOADING BAY
- 15 JULIET BALCONY
- 16 DOWNWARD LIT BUILDING SCENCE
- 17 8"x3" FOAM TRIM W/ PLASTER FINISH
- 18 RECESSED WINDOW, SEE RECESSED WINDOW EXHIBIT
- 19 3"x3" FOAM TRIM W/ PLASTER FINISH



ELEVATION - EL CAMINO REAL 1
1/16" = 1'-0"





LEGEND

- CNEL Contour, 2020 Forecast
- Airport Property
- ▲ BART Station
- CALTRAIN Station
- School
- Ⓜ Place of Worship
- Ⓜ Hospital
- Municipal Boundary
- Railroad
- Freeway
- Road

Planned Land Use Per General Plans:

- Public
- Multi-Family Residential
- Single Family Residential
- Mixed Use
- Transit Oriented Development
- Commercial
- Industrial, Transportation, and Utilities
- Local Park, Golf Course, Cemetery
- Regional Park or Recreation Area
- Open Space
- Planned use not mapped

Sources:

Noise Contour Data:
 - Draft Environmental Assessment, Proposed Runway Safety Area Program, San Francisco International Airport. URS Corporation and BridgeNet International, June 2011

County Base Maps:
 - San Mateo County Planning & Building Department, 2007

- Local Plans:**
- Burlingame Bayfront Specific Area Plan, August 2006
 - Burlingame Downtown Specific Plan, January 2009
 - Burlingame General Map, September 1984
 - North Burlingame/Rollins Road Specific Plan, February 2007
 - Daly City General Plan Land Use Map, 1987
 - Colma Municipal Code Zoning Maps, December 2003
 - Hillsborough General Plan, March 2005
 - Millbrae Land Use Plan, November 1998
 - Pacifica General Plan, August 1996
 - San Bruno General Plan, December 2008
 - San Mateo City Land Use Plan, March 2007
 - San Mateo County Zoning Map, 1992
 - South San Francisco General Plan, 1998

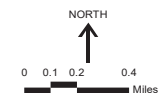
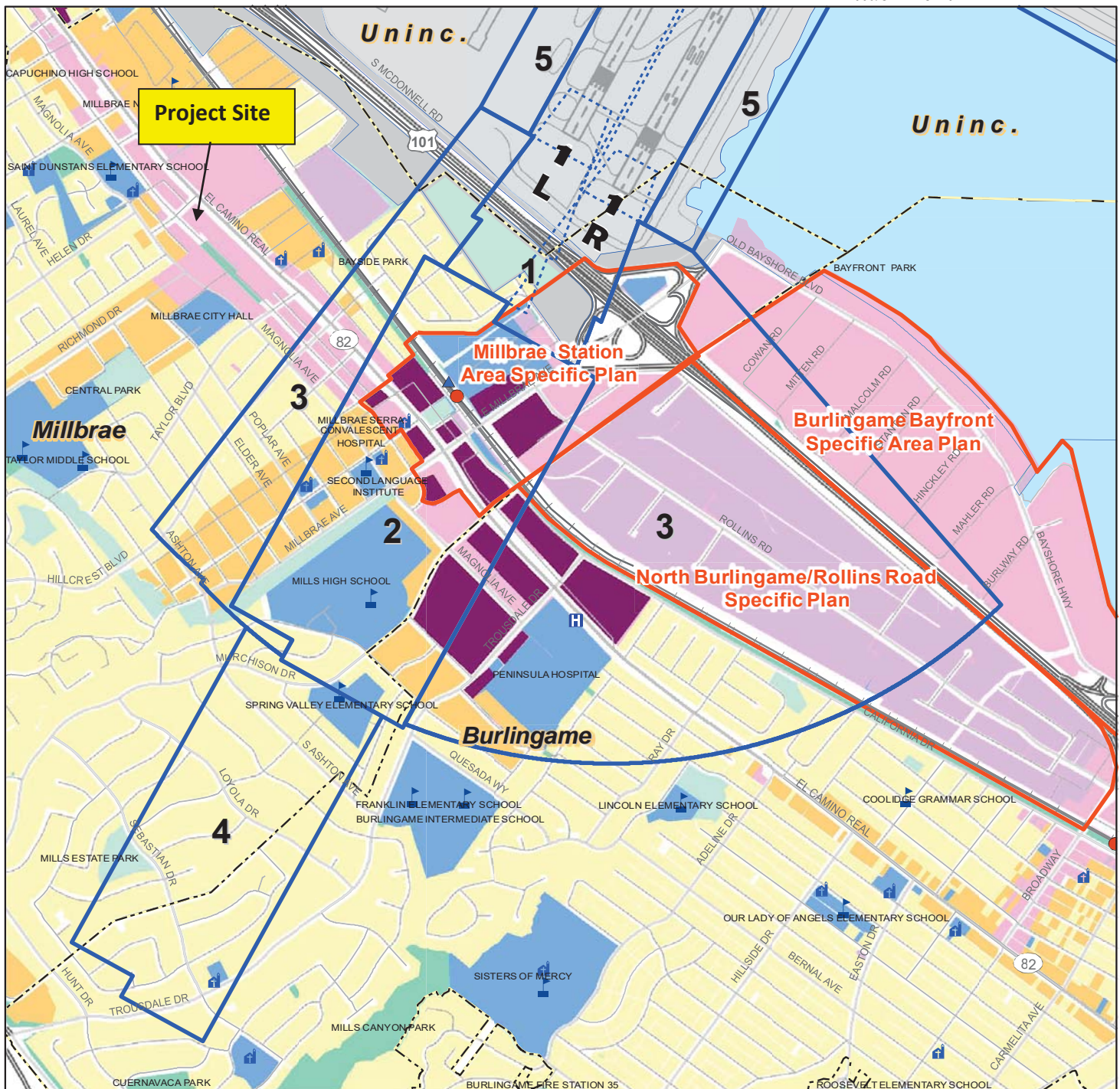


Exhibit IV-6
**NOISE COMPATIBILITY ZONES --
 DETAIL**
 Comprehensive Airport Land Use Plan
 for the Environs of San Francisco International
C/CAAG
 City/County Association of Governments
 of San Mateo County, California



LEGEND

Safety Compatibility Zones

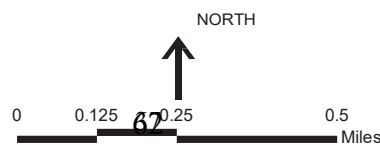
- 1 - Runway Protection Zone-Object Free Area
- 2 - Inner Approach/Departure Zone
- 3 - Inner Turning Zone
- 4 - Outer Approach/Departure Zone
- 5 - Sideline Zones
- Internal boundaries of ALP-defined areas
- Specific Plan Area
- Airport Property
- ▲ BART Station
- CALTRAIN Station
- 🏫 School
- 🕌 Place of Worship
- 🏥 Hospital
- Municipal Boundary
- Railroad
- Freeway
- Major Road
- Road

Planned Land Use Per General Plans

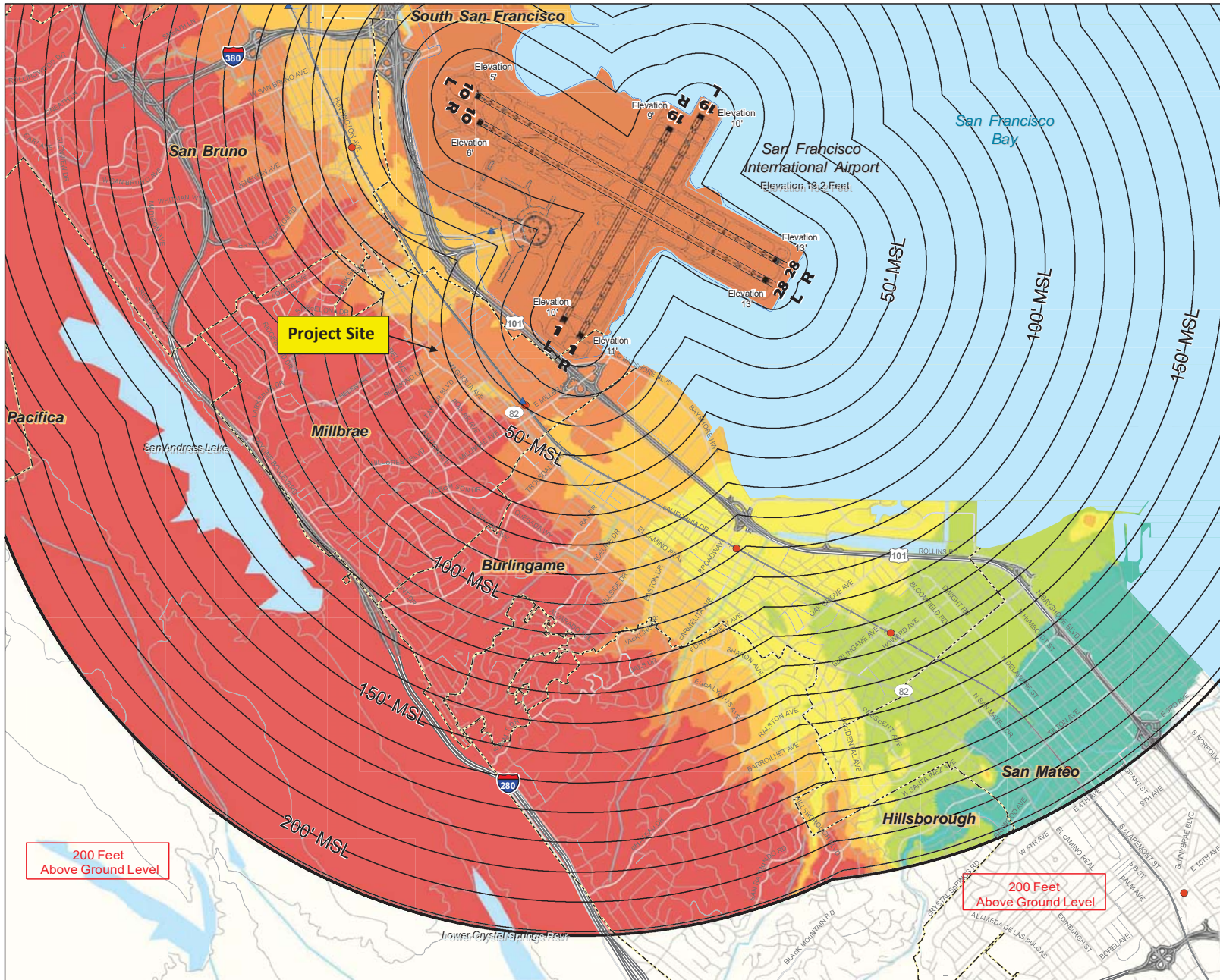
- Public
- Multi-Family Residential
- Single Family Residential
- Mixed Use
- Transit Oriented Development
- Commercial
- Industrial, Transportation, and Utilities
- Local Park, Golf Course, Cemetery
- Regional Park or Recreation Area
- Open Space

Sources:

- Local Plans:**
- San Bruno General Plan, December 2008
 - South San Francisco General Plan, 1998



SURFACE INTERSECTION ANALYSIS INFORMATION - AIRPORT CODE "SFOP"								
Coordinate System: WGS84			Date: 03/14/22			Model: SFO_Composite_2012_11DEC12_R2		
Latitude	Longitude	Site El.(AMSL)	Struct Ht.(AGL)	Overall Ht.(AMSL)	Max Ht. (AMSL)	Exceeds By	Under By	Surface
37° 36' 19.5172"	122° 23' 48.0061"	38.34	87.5	125.84	163.2		37.36	SFO_VFR77_Exist_Horizontal_Plane
Total penetrations above surfaces: 0								
Total penetrations below surfaces: 1								
Zone Analysis								
X	Y	Range	Safety Zones					
6012275.099	2048478.016	Under 65 db	None					



FAA NOTIFICATION REQUIREMENTS

A structure proponent must file FAA Form 7460-1, Notice of proposed construction or Alteration, for any proposed construction or alteration that meets any of the following Notification criteria described in 14 cFR part 77.9:

§77.9(a) - A height more than 200 feet above ground level (AGL) at its site;

§77.9(b) - Within 20,000 feet of a runway more than 3,200 feet in length, and exceeding a 100:1 slope imaginary surface (i.e., a surface rising 1 foot vertically for every 100 feet horizontally) from the nearest point of the nearest runway. The 100:1 surface is shown as follows:

- 20,000 Feet Limit From Nearest Runway
- 100 — Elevation Above Mean Sea Level

Heights of 100:1 Surface Above Ground (AGL)

- Terrain penetrations of Airspace Surface
- Less than 30
- 30-65
- 65-100
- 100-150
- 150-200
- 200 and more

§77.9(c) - Roadways, railroads, and waterways are evaluated based on heights above surface providing for vehicles; by specified amounts or by the height of the highest mobile object normally traversing the transportation corridor;

§77.9(d) - Any construction or alteration on any public-use or military airport (or heliport).

Structure proponents or their representatives may file via traditional paper forms via uS mail, or online at the FAA's OE/AAA website, <http://oeaaa.faa.gov>

LEGEND

- ▲ BART Station
- cALTRAIN Station
- Municipal Boundary
- Railroad
- Freeway
- Road

Note:

per 14 cFR part 77, developers proposing structures taller than the indicated elevations must file Form 7460-1 with the FAA at least 30 days before the proposed construction. However, due to local requirements for a favorable FAA determination as a contingency for project approval, it is advisable to file the Form 7460-1 as soon as possible because the FAA can take several months to undertake aeronautical reviews.

Source:

Ricondo & Associates, Inc. and Jacobs consultancy, based on 14 cFR part 77, Subpart B, Section 77.9.

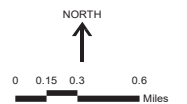


Exhibit IV-12
FAA NOTIFICATION FORM 7460-1
FILING REQUIREMENTS – SOUTH SIDE
 comprehensive Airport Land use plan
 for the Environs of San Francisco International Airport

C/CAG
 city/county Association of Governments
 of San Mateo county, california



San Francisco International Airport

March 14, 2022

TRANSMITTED VIA E-MAIL
kkalkin@smcgov.org

Susy Kalkin
ALUC Staff
City/County Association of Governments of San Mateo County
555 County Center, 5th Floor
Redwood City, California 94063

Subject: *Application for Land Use Consistency Determination for New Mixed-Use Building at 959 El Camino Real, Millbrae*

Thank you for notifying San Francisco International Airport (SFO or the Airport) regarding the Airport Land Use Commission’s (ALUC) land use consistency determination for the proposed construction of a new six-story, mixed-use building at 959 El Camino Real (the Proposed Project) within the City of Millbrae (the City). We appreciate this opportunity to coordinate with ALUC in considering and evaluating potential land use compatibility issues for the Project.

According to the Application for Land Use Consistency Determination, the Proposed Project is located at 959 El Camino Real (Assessor’s Parcel Number 021-364-080), at the southern corner of the intersection with Meadow Glen Avenue, in the City of Millbrae. The Proposed Project would include construction of a new six-story, mixed-use building comprised of 278 residential units, 17,079 square feet of commercial space, 11,379 square feet of amenity space, and 372 on-site parking spaces. The drawings provided indicate the maximum elevation of the Proposed Project would be “124 feet above [mean] sea level.” If there are any changes to the project description, as proposed, Airport staff would appreciate notification from ALUC and an opportunity to update the comments provided below.

The Proposed Project site is inside Airport Influence Area B as defined by the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport* (SFO ALUCP). The Proposed Project site would be located outside the 65 decibel (dB) Community Noise Equivalent Level (CNEL) contour and the safety compatibility zones, and therefore does not appear to be inconsistent with the Noise and Safety Compatibility policies adopted in the SFO ALUCP. However, the Proposed Project site is located 0.72 miles west of Runway 1L-19R and 0.81 miles west of Runway 1R-19L, which combine to serve an average of 73 percent of annual aircraft departures (2015-2020). The Proposed Project is also located about 0.31 miles west of the 65 dB CNEL contour. As a result of its proximity to the runways, this area experiences frequent, low-frequency back-blast noise from departing aircraft. The City of Millbrae has repeatedly voiced concerns about ground-based noise from aircraft departures from these two runways at the SFO Airport/Community Roundtable. Adding more multi-family residential units in such close proximity to Millbrae’s noise complaint areas may exacerbate these issues unless they are adequately mitigated through the building design.

As depicted on Exhibit IV-17 of the SFO ALUCP, the critical aeronautical surfaces at the Proposed Project location is at an elevation of 163 feet above mean sea level (AMSL) as defined from the origin of the North American Datum of 1988 (NAVD88). Thus, the elevation of the apparent highest point of the building

Susy Kalkin, ALUC
March 14, 2022
Page 2 of 2

described above (124 feet) would be below the critical aeronautical surfaces. The Proposed Project does not appear to be incompatible with the Airspace Compatibility Policies of the SFO ALUCP, subject to the issuance of a Determination of No Hazard from the Federal Aviation Administration (see below) for any proposed structures, and determinations from the City/County Association of Governments of San Mateo County as the designated ALUC.

This determination does not negate the requirement for the Proposed Project sponsor to undergo Federal Aviation Administration review as described in 14 Code of Federal Regulations Part 77 for both (1) the permanent structures and (2) any temporary cranes or other equipment taller than the permanent structure required to construct those structures.

The Airport appreciates your consideration of these comments. If I can be of assistance, please do not hesitate to contact me at (650) 821-6678 or at nupur.sinha@flysfo.com.

Sincerely,



Nupur Sinha
Director of Planning and Environmental Affairs
San Francisco International Airport

Enclosures

cc: Sean Charpentier, C/CAG
Cathy Widener, SFO
Audrey Park, SFO

and associated with human disease of varying severity.

- b. Biosafety Level 3 practices, safety equipment, and facility design and construction are applicable to clinical, diagnostic, teaching, research, or production facilities in which work is done with indigenous or exotic agents with a potential for respiratory transmission, and which may cause serious and potentially lethal infection.
- c. Biosafety Level 4 practices, safety equipment, and facility design and construction are applicable for work with dangerous and exotic agents that pose a high individual risk of life-threatening disease, which may be transmitted via the aerosol route and for which there is no available vaccine or therapy.

4.5 Airspace Protection

The compatibility of proposed land uses with respect to airspace protection shall be evaluated in accordance with the policies set forth in this section. These policies are established with a twofold purpose:

1. To protect the public health, safety, and welfare by minimizing the public's exposure to potential safety hazards that could be created through the construction of tall structures.
2. To protect the public interest in providing for the orderly development of SFO by ensuring that new development in the Airport environs avoids compromising the airspace in the Airport vicinity. This avoids the degradation in the safety, utility, efficiency, and air service capability of the Airport that could be caused by the attendant need to raise visibility minimums, increase minimum rates of climb, or cancel, restrict, or redesign flight procedures.

4.5.1 FEDERAL REGULATIONS REGARDING TALL STRUCTURES

14 Code of Federal Regulations (CFR) Part 77, *Safe, Efficient Use and Preservation of the Navigable Airspace*, governs the FAA's review of proposed construction exceeding certain height limits, defines airspace obstruction criteria, and provides for FAA aeronautical studies of proposed construction. **Appendix F** describes the FAA airspace review process and the extent of FAA authority related to airspace protection.

4.5.2 PART 77, SUBPART B, NOTIFICATION PROCESS

Federal regulations require any person proposing to build a new structure or alter an existing structure with a height that would exceed the elevations described in CFR Part 77, Subpart B, Section 77.9, to prepare an FAA Form 7460-1, *Notice of Proposed Construction or Alteration*, and submit the notice to the FAA. The regulations apply to buildings and other structures or portions of structures, such as mechanical equipment, flag poles, and other projections that may exceed the aforementioned elevations.

Exhibit IV-10 depicts the approximate elevations at which the 14 CFR Part 77 notification requirements would be triggered; see **Exhibit IV-11** for a close-up view of the northern half and **Exhibit IV-12** for a close-up view of the southern half of the area. These exhibits are provided for informational purposes only. Official determinations of the areas and elevations within which the federal notification requirements apply are subject to the authority of the FAA. The FAA is empowered to require the filing of notices for proposed construction based on considerations other than height. For example, in some areas of complex airspace and high air traffic volumes, the FAA may be concerned about the potential for new construction of any height to interfere with electronic navigation aids. In these areas, the FAA will want to review all proposed construction projects.

The FAA has developed an on-line tool for project sponsors to use in determining whether they are required to file a Notice of Proposed Construction or Alteration. Sponsors of proposed projects are urged to refer to this website to determine whether they are required to file Form 7460-1 with the FAA:

<https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp?action=showNoNoticeRequiredToolForm>

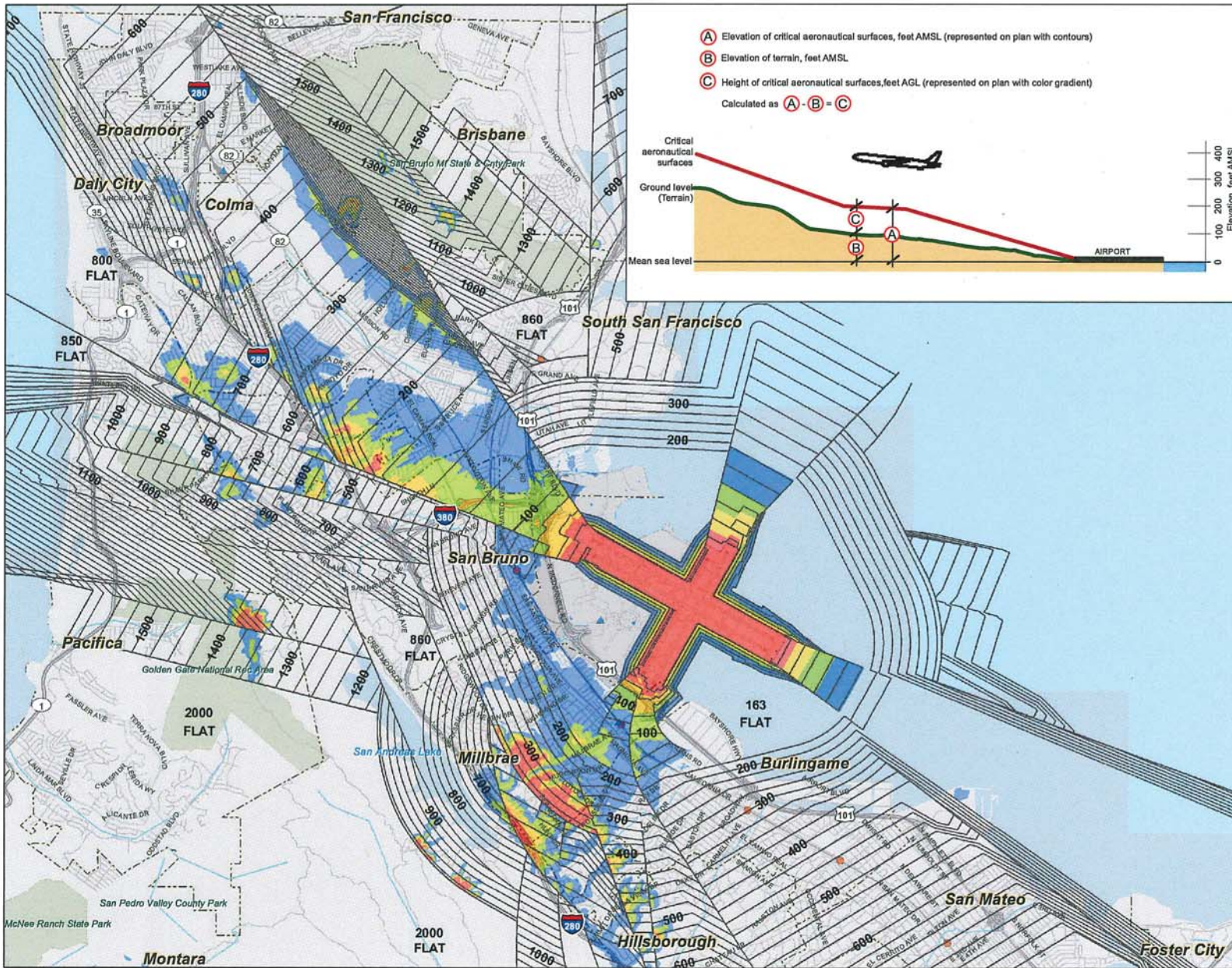
4.5.3 AIRSPACE MAPPING

Part 77, Subpart C, establishes obstruction standards for the airspace around airports including approach zones, conical zones, transitional zones, and horizontal zones known as “imaginary surfaces.” **Exhibit IV-13** depicts the Part 77 Civil Airport Imaginary Surfaces at SFO. The imaginary surfaces rise from the primary surface, which is at ground level immediately around the runways. The surfaces rise gradually along the approach slopes associated with each runway end and somewhat more steeply off the sides of the runways. The FAA considers any objects penetrating these surfaces, whether buildings, trees or vehicles travelling on roads and railroads, as obstructions to air navigation. Obstructions may occur without compromising safe air navigation, but they must be marked, lighted, and noted on aeronautical publications to ensure that pilots can see and avoid them.

Close-up views of the north and south sides of the Part 77 surfaces are provided in **Exhibit IV-14** and **Exhibit IV-15**, respectively. Additionally, **Exhibit IV-16** provides an illustration of the outer approach and transitional surfaces located on the southeast side of the Part 77 surfaces.

Together with its tenant airlines, SFO has undertaken a mapping effort to illustrate the critical aeronautical surfaces that protect the airspace required for multiple types of flight procedures such as those typically factored into FAA aeronautical studies, as shown on **Exhibit IV-17** and **Exhibit IV-18**. These aeronautical surfaces include those established in accordance with FAA Order 8260.3B, *U.S. Standard for Terminal Instrument Procedures (TERPS)*, and a surface representing the airspace required for One-Engine Inoperative (OEI) departures from Runway 28L (to the west through the San Bruno Gap).¹⁶ The exhibits depict the lowest elevations from the combination of the OEI procedure surface and all TERPS surfaces. The surfaces are defined with Required Obstacle Clearance (ROC) criteria to ensure safe separation of aircraft using the procedures from the underlying obstacles. Any proposed structures penetrating these surfaces are likely to receive Determinations of Hazard (DOH) from the FAA through the 7460-1 aeronautical study process. These surfaces indicate the maximum height at which structures can be considered compatible with Airport operations.

¹⁶ See Appendix F, Section F.3.2 for a discussion of one-engine inoperative procedures.



LEGEND

(A) — 100 — Elevation of critical aeronautical surfaces, feet Above Mean Sea Level (AMSL), North American Vertical Datum of 1988 (NAVD88)

(C) **Height of Critical Aeronautical Surfaces, Feet Above Ground Level (AGL)**

- 35 and lower
- 35- 65
- 65 - 100
- 100 - 150
- 150 and more

- Airport Property
- BART Station
- CALTRAIN Station
- Regional Park or Recreation Area
- Municipal Boundary
- Railroad
- Freeway
- Road

Notes:

1. This map is intended for informational and conceptual planning purposes, generally representing the aeronautical surfaces considered most critical by San Francisco International Airport (SFO) and its constituent airlines. It does not represent actual survey data, nor should it be used as the sole source of information regarding compatibility with airspace clearance requirements in the development of data for an FAA Form 7460-1, Notice of Proposed Construction or Alteration. SFO does not certify its accuracy, information, or title to the properties contained in this plan. SFO does make any warrants of any kind, express or implied, in fact or by law, with respect to boundaries, easements, restrictions, claims, overlaps, or other encumbrances affecting such properties.

2. This map does not replace the FAA's obstruction evaluation / airport airspace analysis (OE/AAA) review process. Proposing construction at elevations and heights that are lower than the critical aeronautical surfaces shown on this map, (a) does not relieve the construction sponsor of the obligation to file an FAA Form 7460-1, and (b) does not ensure that the proposal will be acceptable to the FAA, SFO, air carriers, or other agencies or stakeholders. SFO, San Mateo County, and local authorities having jurisdiction reserve the right to re-assess, review, and seek modifications to projects that may be consistent with this critical aeronautical surfaces map but that through the FAA OE/AAA process are found to have unexpected impacts to the safety or efficiency of operations at SFO.

Sources: San Francisco International Airport, Jacobs Consultancy, and Planning Technology Inc., 2009

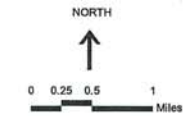


Exhibit IV-17
CRITICAL AERONAUTICAL SURFACES
 -- NORTHWEST SIDE
 Comprehensive Airport Land Use Plan
 for the Environs of San Francisco International Airport
C/CAG
 City/County Association of Governments
 of San Mateo County, California

Exhibit IV-19, which is provided for information purposes only, depicts a profile view of the lowest critical airspace surfaces along the extended centerline of Runway 10L-28R – the TERPS Obstacle Departure Procedure (ODP) surface, representing standard all-engines departures, and the approximate OEI surface developed by SFO through independent study in consultation with the airlines serving SFO. The exhibit also shows the terrain elevation beneath the airspace surfaces and various aircraft approach and departure profiles, based on varying operating assumptions. The exhibit illustrates a fundamental principle related to the design of airspace protection surfaces. The surfaces are always designed below the actual aircraft flight profile which they are designed to protect, thus providing a margin of safety. Note that the ODP climb profile is above the ODP airspace surface, and the OEI climb profile is above the OEI airspace surface.

4.5.4 AIRSPACE PROTECTION POLICIES

The following airspace protection policies (AP) shall apply to the ALUCP.

AP-1 COMPLIANCE WITH 14 CFR PART 77, SUBPART B, NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION

AP-1.1 Local Government Responsibility to Notify Project Sponsors

Local governments should notify sponsors of proposed projects at the earliest opportunity to file Form 7460-1, *Notice of Proposed Construction or Alteration*, with the FAA for any proposed project that would exceed the FAA notification heights, as shown approximately on Exhibit IV-10. Under Federal law, it is the responsibility of the project sponsor to comply with all notification and other requirements described in 14 CFR Part 77. This requirement applies independent of this ALUCP.

AP-1.2 FAA Aeronautical Study Findings Required Before Processing Development Application

The sponsor of a proposed project that would exceed the FAA notification heights, as shown approximately on Exhibit IV-10, shall present to the local government permitting agency with his or her application for a development permit, a copy of the findings of the FAA's aeronautical study, or evidence demonstrating that he or she is exempt from having to file an FAA Form 7460-1. It is the responsibility of the local agency to consider the FAA determination study findings as part of its review and decision on the proposed project.

AP-2 COMPLIANCE WITH FINDINGS OF FAA AERONAUTICAL STUDIES

Project sponsors shall be required to comply with the findings of FAA aeronautical studies with respect to any recommended alterations in the building design and height and any recommended marking and lighting of their structures for their proposed projects to be deemed consistent with this ALUCP.

AP-3 MAXIMUM COMPATIBLE BUILDING HEIGHT

In order to be deemed consistent with the ALUCP, the maximum height of a new building must be the lower of (1) the height shown on the SFO critical aeronautical surfaces map (Exhibits IV-17 and IV-18), or (2) the maximum height determined not to be a “hazard to air navigation” by the FAA in an aeronautical study prepared pursuant to the filing of Form 7460-1.

For the vast majority of parcels, the height limits established in local zoning ordinances are lower than the critical airspace surfaces. In those cases, the zoning district height regulations will control. Compliance with the zoning district height and the SFO critical aeronautical surfaces map, however, does not relieve the construction sponsor of the obligation to file a FAA Form 7460-1 *Notice of Proposed Construction or Alteration*, if required, and to comply with the determinations resulting from the FAA’s aeronautical study.

For a project to be consistent with this ALUCP, no local agency development permits shall be issued for any proposed structure that would penetrate the aeronautical surfaces shown on Exhibits IV-17 and IV-18 or the construction of which **has not** received a Determination of No Hazard from the FAA, or which would cause the FAA to increase the minimum visibility requirements for any instrument approach or departure procedure at the Airport.

AP-4 OTHER FLIGHT HAZARDS ARE INCOMPATIBLE

Proposed land uses with characteristics that may cause visual, electronic, or wildlife hazards, particularly bird strike hazards, to aircraft taking off or landing at the Airport or in flight are incompatible in Area B of the Airport Influence Area. They may be permitted only if the uses are consistent with FAA rules and regulations. Proof of consistency with FAA rules and regulations and with any performance standards cited below must be provided to the Airport Land Use Commission (C/CAG Board) by the sponsor of the proposed land use action.

Specific characteristics that may create hazards to aircraft in flight and which are incompatible include:

- (a) Sources of glare, such as highly reflective buildings or building features, or bright lights, including search lights or laser displays, which would interfere with the vision of pilots making approaches to the Airport.
- (b) Distracting lights that that could be mistaken by pilots on approach to the Airport for airport identification lighting, runway edge lighting, runway end identification lighting, or runway approach lighting.
- (c) Sources of dust, smoke, or water vapor that may impair the vision of pilots making approaches to the Airport.
- (d) Sources of electrical interference with aircraft or air traffic control communications or navigation equipment, including radar.
- (e) Land uses that, as a regular byproduct of their operations, produce thermal plumes with the potential to rise high enough and at sufficient velocities to interfere with the control of aircraft in

flight. Upward velocities of 4.3 meters (14.1 feet) per second at altitudes above 200 feet above the ground shall be considered as potentially interfering with the control of aircraft in flight.¹⁷

(f) Any use that creates an increased attraction for wildlife, particularly large flocks of birds, that is inconsistent with FAA rules and regulations, including, but not limited to, FAA Order 5200.5A, *Waste Disposal Sites On or Near Airports*, FAA Advisory Circular 150/5200-33B, *Hazardous Wildlife Attractants On or Near Airports*, and any successor or replacement orders or advisory circulars. Exceptions to this policy are acceptable for wetlands or other environmental mitigation projects required by ordinance, statute, court order, or Record of Decision issued by a federal agency under the National Environmental Policy Act.

4.5.5 iALP AIRSPACE TOOL

In consultation with C/CAG, SFO developed the iALP Airspace Tool, a web-based, interactive tool to evaluate the relationship of proposed buildings with the Airport's critical airspace surfaces. The iALP Airspace Tool is designed to assist planners, developers, and other interested persons with the implementation of the airspace protection policies of the SFO ALUCP. The tool helps users determine: (1) the maximum allowable building height at a given site, and/or (2) whether a building penetrates a critical airspace surface, and by how much, given the proposed building height.

A more detailed description of the iALP Airspace Tool and a tutorial explaining how to use it is presented in **Appendix J**. Use of this tool, however, does not relieve a project sponsor of the duty to comply with all federal regulations, including the obligation to file Form 7460-1, Notice of Proposed Construction or Alteration, with the FAA.

¹⁷ This is a threshold established by the California Energy Commission in its review of power plant licensing applications. See *Blythe Solar Power Project: Supplemental Staff Assessment, Part 2*, CEC-700-2010-004-REV1-SUP-PT2, July 2010. California Energy Commission. Docket Number 09-AFC-6, p. 25. This criterion is based on guidance established by the Australian Government Civil Aviation Authority (Advisory Circular AC 139-05(0), June 2004). The FAA's Airport Obstructions Standards Committee (AOSC) is studying this matter but has not yet issued specific guidance.

C/CAG AGENDA REPORT

Date: April 14, 2022

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

From: Sean Charpentier, Executive Director

Subject: Approval of the appointment of Jane Kao, Senior Civil Engineer from the City of Millbrae, to the C/CAG Congestion Management Program Technical Advisory Committee (TAC).

(For further information contact Kim Wever at kwever@smcgov.org)

RECOMMENDATION

That the C/CAG Board review and approve appointment of Jane Kao, Senior Civil Engineer from the City of Millbrae, to the C/CAG Congestion Management Program Technical Advisory Committee.

FISCAL IMPACT

None.

BACKGROUND

Due to staffing changes, the City of Millbrae is recommending a new appointment to C/CAG's Congestion Management Program Technical Advisory Committee. The recommended appointee, as detailed in the attached letter, is Jane Kao, Senior Civil Engineer.

The Committee is comprised of staff planners and engineers, who provide professional recommendations to the Congestion Management and Environmental Quality Committee and C/CAG Board regarding transportation and air quality issues. The current roster for the Committee is attached.

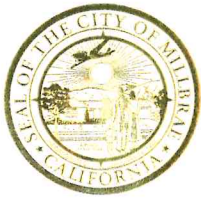
ATTACHMENTS

1. Current Congestion Management Program Technical Advisory Committee Roster
2. Letter recommending appointment to the TAC from City Manager, Thomas C. Williams, City of Millbrae

ATTACHMENT 1

Current Congestion Management Program Technical Advisory Committee Roster – 2022

Agency	Representative
San Mateo County Engineering	Ann Stillman (Co-Chair)
SMCTA / PCJPB / Caltrain	Joseph Hurley (Co-Chair)
Atherton Engineering	Robert Ovadia
Belmont Engineering	Peter Brown
Brisbane Engineering	Randy Breault
Burlingame Engineering	Syed Murtuza
C/CAG	Sean Charpentier
Colma Engineering	Brad Donohue
Daly City Engineering	Richard Chiu
Daly City Planning	Tatum Mothershead
Foster City Engineering	Louis Sun
Hillsborough Engineering	Paul Willis
Half Moon Bay Engineering	Maziar Bozorginia
Menlo Park Engineering	Nikki Nagaya
Millbrae Engineering	Jane Kao (pending)
Pacifica Engineering	Lisa Petersen
Redwood City Engineering	Jessica Manzi
San Bruno Engineering	Matthew Lee
San Carlos Engineering	Steven Machida
San Mateo Engineering	Azalea Mitch
South San Francisco Engineering	Eunejune Kim
South San Francisco Planning	Billy Gross
Woodside Engineering	Sean Rose
MTC	James Choe
Caltrans	Vacant



City of Millbrae

621 Magnolia Avenue, Millbrae, CA 94030

ANNE OLIVA
Mayor

GINA PAPAN
Vice Mayor

ANDERS FUNG
Councilmember

REUBEN D. HOLOBER
Councilmember

ANN SCHNEIDER
Councilmember

March 15, 2022

Sean Charpentier
City/County Association of Governments of San Mateo County
555 County Center, 5th Floor
Redwood City, CA 94063

Subject: Notification of Duly Authorized Representative for the City of Millbrae on the C/CAG Advisory Committee (TAC)

Dear Mr. Charpentier,

This is to document the person that I am authorizing to represent the City on the C/CAG Technical Advisory Committee (TAC).

Authorized Representative: Jane Kao, Senior Civil Engineer

This notification will remain in effect until it is changed by me or my successor.

Very truly yours,

Thomas C. Williams
City Manager

CC: Jane Kao, Senior Civil Engineer
Craig Centis, Interim Public Works Director

C/CAG AGENDA REPORT

Date: April 14, 2022

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

From: Sean Charpentier, Executive Director

Subject: Receive the Measure M 5-Year Performance Report (Fiscal Years 2016/17-2020/21)

(For further information or questions, contact Kim Wever at kwever@smcgov.org)

RECOMMENDATION

That the C/CAG Board receives the Measure M 5-Year Performance Report, covering Fiscal Years 2016/17 through 2020/21.

FISCAL IMPACT

The Measure M program receives approximately \$6.7 million annually.

SOURCE OF FUNDS

Measure M - \$10 Vehicle Registration Fee (VRF)

BACKGROUND

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

A 5-Year Implementation Plan (Fiscal Years 2016/17-2020/21), approved by the C/CAG Board on May 12, 2016, established the percentage breakdown for the respective categories and programs. Table 1 displays the allocation breakdown, estimated revenues, and actual revenues received.

Table 1: Fiscal Years 2016/17-2020/21 Allocation and Revenues

Category / Programs	FY 2016/17 – 2020/21 Allocation	Estimated Annual Revenue (Million)	Estimated 5-Year Revenue (Million)	Actual 5-Year Revenue (Million)
▪ Program Administration	5%	\$0.34	\$1.70	\$1.84
▪ Local Streets and Roads	50% of net revenue	\$3.18	\$15.90	\$17.51
▪ Countywide Transportation Programs	50% of net revenue	\$3.18	\$15.90	\$17.51
○ Transit Operations and/or Senior Mobility	22%	\$1.40	\$7.00	\$7.71
○ Stormwater (National Pollutant Discharge Elimination System and Municipal Regional Permit)	12%	\$0.76	\$3.82	\$4.20
○ Technology/Smart Corridor	10%	\$0.64	\$3.18	\$3.50
○ Safe Routes to Schools (SRTS)	6%	\$0.38	\$1.90	\$2.10
	Total	\$6.70	\$33.50	\$36.86

The Measure M 5-Year Performance Report for Fiscal Years 2016/17 through 2020/21 provides a summary of revenue and expenditure over the five-year period as well as program performance. The revenue received from \$10 Vehicle Registration Fee collected during the five-year period was approximately \$36.9 M with an average yearly revenue of approximately \$7.3 M. Table 2 summarizes key successes for each program.

Table 2: Fiscal Years 2016/17-2020/21 Program Summary

Category / Programs	Key Accomplishments
Local Streets and Roads	<ul style="list-style-type: none"> ▪ Miles of roads repaved or improved: over 290,00 miles ▪ Slurry seal applied: over 29 million square feet ▪ Miles of roads swept: over 422,000 miles ▪ Inlets cleaned: over 40,000
Transit Operations and/or Senior Mobility	<ul style="list-style-type: none"> ▪ Over 2 million trips provided to seniors and those with disabilities in San Mateo County ▪ Over 800 individual seniors served annually
Stormwater (National Pollutant Discharge Elimination System and Municipal Regional Permit)	<ul style="list-style-type: none"> ▪ Over 2700 visual land assessments ▪ Jurisdictional compliance with the MRP across the county
Technology/Smart Corridor	<ul style="list-style-type: none"> ▪ Over 33 miles of fiber communication installed ▪ At least 10% time savings reported in first activations of smart corridor system
Safe Routes to Schools (SRTS)	<ul style="list-style-type: none"> ▪ 10 Green Infrastructure projects funded in collaboration with Stormwater ▪ Over 110 participating schools in the program

The Measure M 5-Year Performance Report was presented to the Congestion Management Program Technical Advisory Committee (TAC) on March 17, 2022 and the Congestion Management and Environmental Quality Committee (CMEQ) on March 28, 2022. Both Committees received the report and had opportunities to ask questions. C/CAG staff plans to present the 5-Year report at a future Board meeting, summarizing the Measure M program financial information and highlighting major accomplishments.

WEB ATTACHMENT

1. Draft Measure M 5-Year Performance Report (Fiscal Years 2016/17-2020/21) (*will be available online at <https://ccag.ca.gov/committees/board-of-directors>*)

C/CAG AGENDA REPORT

Date: April 14, 2022

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

From: Sean Charpentier, Executive Director

Subject: Approval of a Resolution approving Amendment No. 2 to the Agreement with Econolite Systems Inc. for Smart Corridor Maintenance services, extending the term up to three months and adding \$190,000

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

RECOMMENDATION

That the C/CAG Board review and approve Resolution 22-22 authorizing the C/CAG Chair to execute Amendment No. 2 to the Agreement with Econolite Systems Inc. for Smart Corridor maintenance services, extending the term up to three months and adding \$190,000.

FISCAL IMPACT

Staff recommends adding an amount of \$190,000 to the Econolite Systems Inc. contract. The original contract value was \$584,000. Amendment No. 1 added \$520,000, for a total of \$1,104,000. Amendment No. 2 will add \$190,000, for a new total of \$1,294,000. As of March 2022, a total of approximately \$1.1M has been spent. Any unspent amount will be available in the contract along with the amendment. Amendment No. 2 will extend the contract through September 2022. While expenditures for certain maintenance work is on an as-needed basis, staff will monitor contractor's expenditures in accordance with the budget.

SOURCE OF FUNDS

The funding source for the Smart Corridor maintenance contract is Measure M funds, specifically, the Smart Corridor/Intelligent Transportation System program category, and well as Congestion Relief Plan fund.

BACKGROUND

San Mateo County Smart Corridor

The C/CAG sponsored San Mateo County Smart Corridor (Smart Corridor) project implements Intelligent Transportation System (ITS) equipment such as an interconnected traffic signal system, close circuit television (CCTV) cameras, trailblazer/arterial dynamic message signs, and vehicle detection system on predefined designated local streets and state routes. These ITS tools provide local cities and Caltrans day to day traffic management capabilities in addressing recurrent traffic congestion, as well as provide Caltrans capabilities for managing the system during non-recurring traffic congestion cause by diverted traffic due to major incidents on the freeway.

Maintenance of the Smart Corridor

Per the Memorandum of Understandings (MOUs) with the Smart Corridor cities, C/CAG is responsible for maintaining the ITS equipment and devices deployed as part of the Smart Corridor project that are located within the cities' right-of-way. The devices include CCTV cameras, trailblazer signs (TBS), and vehicle detection system (VDS). On May 11, 2017, upon recommendation through a Request for Proposal process, the Board authorized entering into a three-year contract with Econolite Systems Inc. (formerly Aegis ITS) to provide Smart Corridor System maintenance services. Maintenance services include routine and corrective services/repairs necessary to maintain equipment operability, and replacing and restoring non-operable equipment and devices for the ITS network and infrastructure located within the cities' right-of-way.

The original contract included the option to renew for an additional two years, at one-year interval. Throughout the initial term of three years, the maintenance contractor provided satisfactory performance, responding to maintenance requests in a timely manner and bringing a great deal of experience and knowledge to help protect the Smart Corridor investment. In July 2020, the C/CAG Board approved exercising the two-year extension and extending the contract to terminate on June 30, 2022.

C/CAG staff is currently developing a new procurement for Smart Corridor maintenance services. This new Amendment No. 2 will cover the maintenance costs until a new contractor is selected.

ATTACHMENTS

1. Resolution 22-22
2. Draft Amendment No.2 to the Agreement with Econolite Systems Inc. for Smart Corridor System Maintenance Services

RESOLUTION 22-22

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG CHAIR TO EXECUTE AMENDMENT NO. 2 WITH ECONOLITE SYSTEMS EXTENDING SMART CORRIDOR SYSTEM MAINTENANCE SERVICES FOR THREE MONTHS AND ADDING \$190,000 TO THE AGREEMENT

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

WHEREAS, the C/CAG sponsored San Mateo County Smart Corridor Project (Smart Corridor) is an Intelligent Transportation System (ITS) project that provides tools and technology to enable local cities and the California Department of Transportation (Caltrans) to proactively manage daily traffic and non-recurring traffic congestion cause by diverted traffic due to major incidents on the freeway; and

WHEREAS, in addition to installation of fiber optic communications network, equipment deployed as part of the Smart Corridor project include, but not limited to, interconnected traffic signal system, close circuit video cameras, trailblazer/arterial dynamic message signs, and vehicle detection systems; and

WHEREAS, per Memorandum of Understandings (MOUs) executed between C/CAG, Caltrans, and the cities, C/CAG is responsible for maintaining Smart Corridor specific ITS infrastructure deployed within the cities' right-of-way; and

WHEREAS, C/CAG desires to amend the Agreement with Econolite Systems by extending the performance period by three months while a new procurement is underway and adding \$190,000 to the project budget.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the C/CAG Chair is authorized to execute Amendment No. 2 between C/CAG and Econolite Systems for Smart Corridor System maintenance services, extending the Agreement expiration date to September 30, 2022 and adding an amount of \$190,000 to the Agreement. Be it further authorized that the Executive Director negotiates the final terms prior to execution by parties, subject to legal counsel approval.

PASSED, APPROVED, AND ADOPTED THIS 14TH DAY OF APRIL 2022.

Davina Hurt, Chair

**AMENDMENT NO. 2 TO THE AGREEMENT BETWEEN
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
AND
ECONOLITE SYSTEMS INC
FOR
SMART CORRIDOR SYSTEM MAINTENANCE SERVICES**

WHEREAS, the City/County Association of Governments for San Mateo County (hereinafter referred to as “C/CAG”) and Econolite Systems Inc., (hereinafter referred to as “Contractor”) are parties to an Agreement effective May 23, 2017, for maintenance services of the Smart Corridor System infrastructure (the “Agreement”) in an amount not to exceed \$584,000; and

WHEREAS, Amendment No. 1, executed on July 17, 2020, extended the Agreement term to June 30, 2022 and increased the not-to-exceed amount for the Agreement to \$1,104,000; and

WHEREAS, the Contractor has been providing satisfactory performance throughout the Agreement term; and

WHEREAS, C/CAG and the Contractor desire to amend the Agreement to extend the term and increase the budget as set forth herein.

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

1. The term of the Agreement, as provided in Section 1. Service to be provided by Contactor and Section 5. Contract Term, shall be extended through September 30, 2022.
2. Section 2. Payments, the maximum amount for Services provided during the Contract term shall be revised from one million one hundred and four thousand dollars (\$1,104,000) to one million two hundred and ninety-four thousand dollars (\$1,294,000).
3. Except as expressly amended herein, all other provisions of the Agreement shall remain in full force and effect.
4. This amendment shall take effect on April 14, 2022.

SIGNATURES ON FOLLOWING PAGE

City/County Association of Governments

Econolite Systems, Inc.

Davina Hurt
C/CAG Chair

By

Title: _____

Date: _____

Date: _____

Approved as to form:

Melissa Andrikopoulos
Legal Counsel for C/CAG

DRAFT

C/CAG AGENDA REPORT

ITEM 6.9

Date: April 14, 2022

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

From: Sean Charpentier, Executive Director

Subject: Approval of a Resolution authorizing a Funding Agreement for \$675,000 with the San Mateo County Transportation Authority (SMCTA) for Phase 1, the Dumbarton Roadway Facility Improvements Pre-Project Initiation Document (Pre-PID).

(For further information or questions, contact Kim Springer at kspringer@smcgov.org)

RECOMMENDATION

That the C/CAG Board review and approve Resolution 22-10 authorizing the C/CAG Executive Director to execute a Funding Agreement for up to \$675,000 with San Mateo County Transportation Authority (SMCTA) for Phase 1, the Dumbarton Roadway Facility Improvements Pre-Project Initiation Document (Pre-PID).

FISCAL IMPACT

None. \$75,000 in matching funds to this Agreement will be provided by the private sector.

BACKGROUND

On June 7, 1988 the voters of San Mateo County approved Measure A and, subsequently, reapproved the Measure on November 2, 2004; a one-half percent transaction and use tax for highway and transit improvements. On November 6, 2018 the voters authorized Measure W, an additional one-half percent sales tax.

The SMCTA issues calls for projects for use of the Measure A and Measure W funds, including the Short-Range Highway Plan program. The most recent issuance was on August 6, 2021 and C/CAG staff responded with an application for the Short-Range Highway Plan on September 24, 2021, for PIDs for a Dumbarton Roadway Improvements Project (Project). The C/CAG Board adopted Resolution 21-69 supporting the Dumbarton Corridor Project Initiation Document (PID) project and authorizing the submittal of the application.

Staff requested \$4,500,000 of Measure A and Measure W funds and committed to a ten percent match of \$500,000. Prior to submission, staff received a letter from SAMCEDA committing to \$500,000 of matching private funds for the Project.

The Project will analyze the options for managed lane roadway facilities for express buses, other transit, shuttles, and high occupancy vehicles with the goal of reducing vehicle congestion and greenhouse gas emissions and increasing person throughput in this congested corridor. Other major goals include analyzing improvements to pedestrian and bike safety, connections to and along the Bayfront for commuting and recreation, and strategies to reduce transportation impacts on the local community. Building on past efforts by the SMCTA and the MTC, there will be significant stakeholder and community engagement including participation in identifying alternatives to be analyzed and key equity and community concerns, especially with disadvantaged communities along the Dumbarton corridor. This project is separate from the Dumbarton Rail studies.

C/CAG and SMCTA staff have separated the total project scope and cost into two phases. The first phase, which is partially covered by the funding agreement currently proposed, is for up to \$750,000 (\$675,000 in SMCTA funds in the Agreement, with a match of \$75,000 from the private sector), is the Pre-PID phase, which is scoped for stakeholder engagement and defining the alternatives that will be studied in the PID. Stakeholder engagement is necessary to gain consensus on a list of alternatives for providing managed lane roadway facilities to connect to the existing US 101 lanes to the Dumbarton Bridge. Success of this phase will lead to the remaining funding for Phase 2, subject to a separate, subsequent funding agreement, which is completion of the actual PID.

The Pre-PID is anticipated to include:

1. Convening a group of Project stakeholders.
2. Using existing studies and focused data for project staff and stakeholders to identify the potential alternatives and challenges to be analyzed in the future PID.
3. Conducting public outreach as needed/appropriate.

Adoption of Resolution 22-10 will authorize the C/CAG Executive Director to execute the Funding Agreement for up to \$675,000 with San Mateo County Transportation Authority for Phase 1, the Dumbarton Roadway Facility Improvements Pre-Project Initiation Document effort. Resolution 22-10 and the Funding Agreement are provided as attachments to this staff report. Staff will work with counsel and SMCTA staff to negotiate minor modifications to the Funding Agreement as necessary prior to execution by the C/CAG Executive Director.

The next steps include working with the TA and the relevant member agencies to draft a scope of work for the Pre-PID Study, issuing an RFP, and recruiting a consultant.

ATTACHMENTS

1. Resolution 22-10
2. Funding Agreement with San Mateo County Transportation Authority for Phase 1 of the Dumbarton Roadway Facility Improvements Project Initiation Document: available online at: <https://ccag.ca.gov/committees/board-of-directors-2/>

RESOLUTION 22-10

RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG EXECUTIVE DIRECTOR TO EXECUTE A FUNDING AGREEMENT FOR UP TO \$675,000 WITH SAN MATEO COUNTY TRANSPORTATION AUTHORITY FOR PHASE 1, THE DUMBARTON ROADWAY FACILITY IMPROVEMENTS PRE-PROJECT INITIATION DOCUMENT.

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

WHEREAS, roadway connections and interchanges between US 101 and the Dumbarton Bridge experience traffic congestion and lack managed lane, active transportation, and green infrastructure improvements; and

WHEREAS, the San Mateo County Transportation Authority (SMCTA), the Metropolitan Transportation Commission, and communities along the corridor have completed or participated in studies to address the issues and provided alternatives; and

WHEREAS, C/CAG wishes to sponsor the implementation of a project to create Project Initiation Documents for a Dumbarton Roadway Improvement Project (Project); and

WHEREAS, the SMCTA issued a Call for Projects for the Measure A and Measure W Highway Program funds on August 6, 2021; and

WHEREAS, C/CAG submitted an application for Measure A and/or Measure W funds seeking \$4,500,000 for the Dumbarton Roadway Improvement Project with approval of the application by the Board on October 14, 2021, and

WHEREAS, SAMCEDA previously provided a commitment letter for \$500,000 for the required local match; and

WHEREAS, on December 2, 2021 the SMCTA Board awarded Measure A and/or Measure W Highway Program funds totaling \$4,500,000 to the Project and the SMCTA requires that C/CAG commence work on the Project within one year of SMCTA Board action; and

WHEREAS, the Project will analyze the options for managed lane roadway facilities for express buses, other transit, shuttles, and high occupancy vehicles with the goal of reducing vehicle congestion and greenhouse gas emissions; increasing person throughput in this congested corridor; and

WHEREAS, the C/CAG Board has been presented with a funding agreement with San Mateo County Transportation Authority for Phase 1 of the Dumbarton roadway facility improvements project, which will partially cover the Pre-Project Initiation Document (PID) scope of work at a cost of \$750,000 (\$675,000 of the SMCTA awarded funds in the agreement and \$75,000 of matching funds from the private sector).

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Government of San Mateo County that the C/CAG Executive Director is authorized to execute a funding agreement for up to \$675,000 with the San Mateo County Transportation Authority for Phase 1, the Dumbarton Roadway Facilities Improvements Pre-Project Initiation Document. Be it further resolved that the C/CAG Executive Director is authorized to negotiate the final terms of said Agreement prior to its execution by the C/CAG Executive Director, subject to approval as to form by C/CAG Legal Counsel.

PASSED, APPROVED, AND ADOPTED, THIS 14TH DAY OF APRIL 2022.

Davina Hurt, Chair

C/CAG AGENDA REPORT

Date: April 14, 2022

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

From: Sean Charpentier, Executive Director

Subject: Approve the request for reallocation of Transportation Development Act (TDA) Article 3 funds for the City of Daly City Mission Street streetscape project (\$400,000)

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

RECOMMENDATION

That the C/CAG Board review and approve a request for reallocation for FY 2019/2020 Transportation Development Act Article 3 (TDA 3) funds for the City of Daly City Mission Street streetscape project.

FISCAL IMPACT

In FY 2019/20, the C/CAG Board awarded \$400,000 of TDA Article 3 funds to the City of Daly City for the Mission Street streetscape project. The full grant amount still remains.

SOURCE OF FUNDS

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

BACKGROUND

The Mission Street streetscape project is a pedestrian safety project for the Mission Street corridor between Crocker Avenue and Templeton Avenue. The improvements include replacing the concrete medians, extending median noses for safer median refuge, pedestrian bulb-outs, high visibility crosswalks, improving pedestrian signage, and making ADA enhancements.

The City of Daly City received a \$400,000 TDA Article 3 grant for the Mission Street Streetscape Project. The grant would cover the construction of additional pedestrian bulb-outs at Wilson Street, Goethe Street, and Rice Street to shorten pedestrian crossings, add pedestrian scale lighting at pedestrian crossings throughout the corridor, and install a rapid rectangular flashing beacon at the intersection of Mission Street and Goethe Street. The project is still in design and has not expended any of the \$400,000 in TDA Article 3 grant for the construction.

The City of Daly City would like to request an extension of the TDA Article 3 grant fund deadline from June 30, 2022 to June 30, 2025. The project manager on the project resigned before the Covid-19 shutdown in March 2020. The Engineering Department was not able to backfill the position due to the uncertainty with the City's revenue. The Engineering Department also had other retirements and

turnover. Due the lack of staffing, the project team was unable to meet the original schedule provided in the grant application. The Engineering Department has since rehired all open positions and is expected to complete the project in the revised schedule below.

Major Milestone	Milestone Task	Anticipated Date	Revised Date
1. Funding	C/CAG TDA3 Funding Board Approval	Nov 2019	No Change
2. Design	100% Design - <i>(Contingent upon PG&E)</i>	May 2020	November 2022
3. Award	Construction Contract Award	July 2020	January 2023
4. Construction Start	Construction Start	Sept 2020	February 2023
5. Construction End	Construction Substantial Completion	Dec 2020	May 2023
6. Acceptance	City Council Acceptance	Jan 2021	July 2023

At the March 24, 2022 Bicycle and Pedestrian Advisory Committee (BPAC) meeting, the committee voted to approve this request for an extension. If approved by the C/CAG Board, this action would extend the project completion timeline to June 30, 2025.

ATTACHMENTS

1. Reallocation Request Letter from Roland Yip, Senior Civil Engineer, City of Daly City (available for download at the C/CAG website at: <http://ccag.ca.gov/committees/board-of-directors/>)

C/CAG AGENDA REPORT

Date: April 14, 2022

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

From: Sean Charpentier, Executive Director

Subject: Approve the request for reallocation of Transportation Development Act (TDA) Article 3 funds for the County of San Mateo Midcoast multimodal trail project (\$400,000)

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

RECOMMENDATION

That the C/CAG Board review and approve a request for reallocation for FY 2019/2020 Transportation Development Act Article 3 (TDA 3) funds for the County of San Mateo Midcoast multimodal trail project.

FISCAL IMPACT

In FY 2019/20, the C/CAG Board awarded \$400,000 of TDA Article 3 funds to the County of San Mateo Midcoast multimodal trail project. The full grant amount still remains.

SOURCE OF FUNDS

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

BACKGROUND

The Midcoast multimodal trail is a bicycle and pedestrian commuter trail that will provide an alternative means of transportation for residents in the Midcoast. The trail will allow residents to safely access neighboring communities, town centers, schools and recreational destinations without having to travel on the highway.

The County of San Mateo received a \$400,000 of TDA Article 3 grant for the construction of the Midcoast multimodal trail project. The project is currently out for bid and the County of San Mateo has not expended any of the \$400,000 in TDA Article 3 grant.

The County of San Mateo would like to request an extension of the TDA Article 3 grant funding deadline from June 30, 2022 to June 30, 2025. The original schedule for this project was delayed due to extensive negotiations of the maintenance agreement with Caltrans. The maintenance agreement was required prior to Caltrans issuing an encroachment permit, and the bidding process could not begin until the encroachment permit was received. After more than two years of negotiations, the County and the State finally reached consensus on the maintenance agreement. The County's Parks Department

will maintain the project. The County's Department of Public Works has advertised the project for bids.

The County awarded the construction contract at the March 8, 2022 Board of Supervisors meeting. It is anticipated that the project will start construction in spring 2022. This requested extension will provide flexibility, allowing the project to be constructed by late summer. Project construction is expected to take 125 working days.

An updated project schedule is listed below.

- Encroachment Issues: **January 3, 2022 (Actual)**
- Advertisement date: **January 3, 2022**
- Award date: **March 8, 2022**
- Approval date: **April 8, 2022 (Notice to Proceed)**
- Start Construction: **April 11, 2022**
- Completion Construction: **October 30, 2022**

At the March 24, 2022 Bicycle and Pedestrian Advisory Committee (BPAC) meeting, the committee voted to approve this request for an extension. If approved by the C/CAG Board, this action would extend the project completion timeline to June 30, 2025.

ATTACHMENT

1. Memorandum from Brae Hunter, County of San Mateo (available for download at the C/CAG website at: <http://ccag.ca.gov/committees/board-of-directors/>)

C/CAG AGENDA REPORT

Date: April 14, 2022

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

From: Sean Charpentier, Executive Director

Subject: Approve the request for reallocation of Transportation Development Act (TDA) Article 3 funds for the City of Redwood City Vera Avenue bicycle boulevard project (\$254,883)

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

RECOMMENDATION

That the C/CAG Board review and approve a request for reallocation for FY 2019/2020 Transportation Development Act Article 3 (TDA 3) funds for the City of Redwood City Vera Avenue bicycle boulevard project.

FISCAL IMPACT

In FY 2019/20, the C/CAG Board awarded \$254,883 of TDA Article 3 funds to the City of Redwood City Vera Avenue bicycle boulevard project. The full grant amount still remains.

SOURCE OF FUNDS

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

BACKGROUND

The Vera Avenue Bicycle Boulevard Project will turn a 1.1 mile stretch of Vera Avenue into a pedestrian- and bicycle-friendly thoroughway, from El Camino Real to Alameda de las Pulgas. Quick-build traffic calming measures include improved signs, pavement markings, curb extensions, and speed controls, aiming to make Vera Avenue a safe and comfortable route for a wide range of users.

The City of Redwood City received a total of \$254,883 in TDA Article 3 grant for the project. Most of the construction was completed by December 2021, although the delivery of some materials has been delayed due to the impact of COVID-19 on supply-chains. The project has not expended any of the \$254,883 in TDA Article 3 grant.

The City of Redwood City would like to request an extension of the TDA Article 3 grant fund from June 30, 2022 to June 30, 2025. The project construction will be completed by the end of March 2022. Staff intends to collect post-construction traffic data, hold a community meeting, and publish a neighborhood survey in the spring to understand if any modification is needed. City staff is requesting

a grant extension so modifications can be completed in the July/August 2022 timeframe.

At the March 24, 2022 Bicycle and Pedestrian Advisory Committee (BPAC) meeting, the committee voted to approve this request for an extension. If approved by the C/CAG Board, this action would extend the project completion timeline to June 30, 2025.

ATTACHMENT

1. Memorandum from Malahat Owrang, City of Redwood City (available for download at the C/CAG website at: <http://ccag.ca.gov/committees/board-of-directors/>)

C/CAG AGENDA REPORT

Date: April 14, 2022

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

From: Sean Charpentier, Executive Director

Subject: Approve the request for reallocation of Transportation Development Act (TDA) Article 3 funds for the City of Half Moon Bay Pacific Coast connectivity north project (\$350,000)

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

RECOMMENDATION

That the C/CAG Board review and approve a request for reallocation for FY 2019/2020 Transportation Development Act Article 3 (TDA 3) funds for the City of Half Moon Bay Pacific Coast connectivity north project.

FISCAL IMPACT

In FY 2019/20, the C/CAG Board awarded \$350,000 of TDA Article 3 funds to the City of Half Moon Bay Pacific Coast connectivity north project. The full grant amount still remains.

SOURCE OF FUNDS

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

BACKGROUND

The Pacific Coast bicycle connectivity north project extends an existing Class I multi-use path by 0.27 miles to the northern edge of the City of Half Moon Bay. This extension is parallel to the east of Highway 1 (cross streets Roosevelt to Mirada). Once completed, pedestrian and bicyclists can travel from the northern San Mateo County Coast to Half Moon Bay High School, middle/elementary schools, shopping centers, churches, senior center, and downtown areas.

The City of Half Moon Bay received a \$350,000 TDA Article 3 grant for the project. The project is at 95% design, with additional studies and coordination underway. The City has not expended any of the \$350,000 in TDA Article 3 grant for construction.

The City of Half Moon Bay would like to request an extension of the TDA Article 3 grant fund from June 30, 2022 to June 30, 2025. The City pursued an encroachment permit with Caltrans for several months. However, Caltrans would only allow the City to proceed in accordance with the PEER (permit engineering evaluation report) process.

The City had to renegotiate/award a new agreement with the design consultant and revised its funding agreement with the San Mateo County Transportation Authority (SMCTA). SMCTA agreed with the PEER process and is expecting a new application for additional design and construction funding at its next Measure A Bike/Pedestrian Call for Projects.

An updated project schedule is listed below.

- Bridge Type Selection Process & Finalize Design: November 2022
- Complete/circulate Environmental Document: December 2022
- Approval by Planning Commission/Coastal Development Permit: April 2023
- Caltrans Encroachment Permit and Maintenance Agreement: June 2023
- Revised agreement with SMCTA for additional construction funding: July 2023
- Regulatory Permits (ACOE, Water Board, CA Fish/Wildlife): August 2023
- Advertise Bid Package: October 2023
- Award Construction: December 2023
- Start Construction/Groundbreaking: Feb-Mar 2024
- Complete Construction: December 2024

At the March 24, 2022 Bicycle and Pedestrian Advisory Committee (BPAC) meeting, the Committee voted to approve this request for an extension. If approved by the C/CAG Board, this action would extend the project completion timeline to June 30, 2025.

ATTACHMENTS

1. Powerpoint from Ray Razavi, City of Half Moon Bay (available for download at the C/CAG website at: <http://ccag.ca.gov/committees/board-of-directors/>)

C/CAG AGENDA REPORT

Date: April 14, 2022

To: City/County Association of Governments Board of Directors

From: Sean Charpentier, C/CAG Executive Director

Subject: Approval of a Resolution authorizing the C/CAG Chair to execute Amendment No.2 to Task Order URD-02 with Urban Rain Design, extending the Task Order to June 30, 2022 for no additional cost.

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

RECOMMENDATION

That the C/CAG Board of Directors review and approval of a Resolution authorizing the C/CAG Chair to execute Amendment No.2 to Task Order URD-02 with Urban Rain Design, extending the Task Order to June 30, 2022 for no additional cost.

FISCAL IMPACT

Costs up to \$11,358, with sufficient funds included in the 21-22 Stormwater Program budget.

SOURCE OF FUNDS

Incurred costs in Fiscal Year 21-22 will be paid for from the Regional Stormwater Program allocation of the Measure M fund.

BACKGROUND

C/CAG approved Resolution 15-21, authorizing on-call contracts, including a contract with Urban Rain Design (URD), for technical support to the Countywide Water Pollution Prevention Program (Program), pursuant to a Request for Proposals process. C/CAG subsequently approved Resolution 18-02, extending the term of these on-call contracts through September 2021. In June 2021, C/CAG approved Resolution 21-25, authorizing extensions for the on-call consultant contracts through September 2022 to provide ongoing technical assistance to the Program during the reissuance process of the Municipal Regional Stormwater Permit and to support Annual Report requirements in September 2022. Annual task orders specify scopes of work and budgets for support efforts during the fiscal year.

C/CAG developed a Green Infrastructure Design Guide (GIDG, www.flowstobay.org/gidg) to support its member agencies in advancing green infrastructure implementation on parcels (from single family homes to high-density mixed use and commercial projects) and streets. To further support residential implementation, C/CAG is piloting a rain garden incentive as part of lawn replacement projects through its partnership with the Bay Area Water Supply and Conservation Agency's rebate programs.

To better engage the larger community on the GIDG and associated rain garden incentive, C/CAG staff asked Urban Rain Design (one of the firms that developed the GIDG) to prepare a scope of work to create outreach materials, including several short videos showing how green infrastructure can be implemented at different scales on sites and in streets, a webinar on rain gardens in conjunction with the pilot incentive program, and presentation materials for C/CAG and member agency staffs. In September, C/CAG's Executive Director executed Task Order URD-02, consistent with C/CAG's procurement policy, which included the final negotiated scope of work and budget to complete the outreach materials described above, for a not to exceed amount of \$11,358 in Fiscal Year 2020-21. Due to the need for additional time to produce the videos, C/CAG's Executive Director, consistent with C/CAG's procurement policy, executed Amendment No.1 to Task Order URD-02, extending the Task Order termination date to December 31, 2021, for no additional cost. The development of the videos has subsequently required more time to complete footage for each of the focus areas (streets, parcels, schools, general green infrastructure). Due to an oversight in the existing Task Order expiration date of December 31, 2021, C/CAG staff recommend the Board approve Resolution 22-25, authorizing the C/CAG Executive Director to retroactively execute Amendment No. 2 to Task Order URD-02, extending the term of the Task Order to June 30, 2022 at no additional cost.

ATTACHMENTS

1. Resolution 22-25
2. Amendment No. 2 to Task Order URD-02

RESOLUTION 22-25

AUTHORIZING THE C/CAG EXECUTIVE DIRECTOR TO EXECUTE AMENDMENT NO. 2 TO TASK ORDER URD-02 WITH URBAN RAIN DESIGN, EXTENDING THE TASK ORDER TO JUNE 30, 2022 FOR NO ADDITIONAL COST.

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

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

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

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

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

WHEREAS, in September 2020, the C/CAG Executive Director executed Task Order URD-02 with URD, consistent with C/CAG procurement policy, to develop a series of green infrastructure videos in support of education and outreach on C/CAG's green infrastructure planning work for an amount not to exceed \$11,358 in 2021-22; and

WHEREAS, in June 2021, the C/CAG Executive Director executed Amendment No.1 to Task Order URD-02, consistent with C/CAG procurement policy, extending the Task Order to December 31, 2021 to provide additional time to develop the green infrastructure videos, for no additional cost; and

WHEREAS, URD requires additional time to complete the green infrastructure video series in 2022-23; and

WHEREAS, URD has committed to completing the green infrastructure video project by June 30, 2022.

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County, that the C/CAG Executive Director is authorized to execute Amendment No. 2 to Task Order URD-02 with Urban Rain Design,

extending the Task Order to June 30, 2022 for no additional cost, subject to approval as to form by C/CAG Legal Counsel.

PASSED, APPROVED, AND ADOPTED, THIS 14TH DAY OF APRIL, 2022.

Davina Hurt, Chair

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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

AMENDED TASK ORDER FORM (No. 2)

(Amendments shown in ~~strike through~~ and underline)

Start Date: September 1, 2020

Consultant Name: Urban Rain|Design

Contract: Countywide Water Pollution Prevention Program Technical Support

Task Order No.: URD-02

Task Order Name: Municipal Stormwater NPDES Permit Compliance Assistance

Scope of Work: Green Infrastructure Support: developing outreach and engagement materials related to the Green Infrastructure Design Guide and rain garden incentive program. See attached scope of work.

Deliverables: See attached scope of work

Budgeted Cost: Per attached scope of work, not to exceed \$11,358

Completion Date: ~~June 30, 2021~~ December 31, 2021 June 30, 2022

The parties indicated herein agree to execute this amendment (No. 2) to the Task Order per the ~~strike through~~ and underlined scope change indicated above. No payment will be made for any work performed prior to the start date of this Task Order. Unless otherwise indicated, receipt of this executed Task Order is your Notice to Proceed with the work specified herein.

C/CAG

Urban Rain|Design

Sean Charpentier, Executive Director Date

Date

C/CAG AGENDA REPORT

Date: April 14, 2022

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

From: Sean Charpentier, Executive Director

Subject: Approval of a Resolution approving Amendment No. 3 to the Agreement with Sustainable Silicon Valley for the Intelligent Transit Signal Priority Project, extending the agreement through June 30, 2022

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

RECOMMENDATION

That the C/CAG Board approve Resolution 22-27 approving Amendment No. 3 to the Agreement with Sustainable Silicon Valley for the Intelligent Transit Signal Priority Project, extending the agreement end date from February 25, 2022 to June 30, 2022.

FISCAL IMPACT

The extension will extend the agreement term from February 25, 2022 to June 30, 2022. There are no changes to scope or budget.

SOURCE OF FUNDS

The project is funded with AB 1546 (\$4 Vehicle Registration Fee) – Regional Congestion Management Program.

BACKGROUND

Sustainable Silicon Valley (SSV), a non-profit organization that collaborates with companies, cities, counties, and research and educational institutions to addresses sustainability issues, along with LYT, a traffic management platform, have partnered with C/CAG on the “Intelligent Transit Signal Priority” (iTSP) pilot project on bus Route 296 in East Palo Alto. The cloud based artificially intelligent powered system utilizes traffic signal controllers connected to the communications networks to dynamically adjust phase and timing of traffic signals to provide sufficient green clearance time, while minimally impacting cross traffic. The project has the potential to improve transit operations, increase transit efficiency, and reduce greenhouse gas emissions.

The project team has completed the pilot project and is in the process of working with all the project stakeholders to finalize a report. The report summarizes the project findings and documents lessons learned. Additional time is necessary to allow for adequate review and finalization of the report.

ATTACHMENTS

1. Resolution 22-27

2. Draft Amendment No.3 to the Agreement with Sustainable Silicon Valley for Intelligent Transit Signal Priority Project

RESOLUTION 22-27

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG CHAIR TO EXECUTE AMENDMENT NO. 3 WITH SUSTAINABLE SILICON VALLEY EXTENDING THE INTELLIGENT TRANSIT SIGNAL PRIORITY PROJECT AGREEMENT THROUGH JUNE 30, 2022

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

WHEREAS, the C/CAG sponsored San Mateo County Optimizing Urban Traffic (OUT) Pilot Project to deliver a cloud-based artificial intelligent powered Transit Signal Priority project in the City of East Palo Alto; and

WHEREAS, the Contractor completed the pilot project in February 2022, and additional time is required to prepare a final report summarizing project findings and documenting lessons learned; and

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the C/CAG Chair is authorized to execute Amendment No. 3 between C/CAG and Sustainable Silicon Valley for the Intelligent Transit Signal Priority Project, extending the Agreement expiration date to June 30, 2022. Be it further authorized that the Executive Director negotiates the final terms prior to execution by parties, subject to legal counsel approval.

PASSED, APPROVED, AND ADOPTED THIS 14TH DAY OF APRIL 2022.

Davina Hurt, Chair

**AMENDMENT NO. 3 TO THE AGREEMENT BETWEEN
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
AND
SUSTAINABLE SILICON VALLEY
FOR
INTELLIGENT TRANSIT SIGNAL PRIORITY PROJECT**

WHEREAS, the City/County Association of Governments for San Mateo County (hereinafter referred to as “C/CAG”) and Sustainable Silicon Valley (hereinafter referred to as “Contractor”) are parties to an Agreement dated September 13, 2018, for the Optimizing Urban Traffic (OUT) in San Mateo Pilot Project (the “Agreement”); and

WHEREAS, the parties executed Amendment No. 1 on July 8, 2020 to extend the project completion date to June 30, 2021; and

WHEREAS, the parties executed Amendment No. 2 on May 17, 2021 to extend the project completion date to February 25, 2022 to deliver a cloud-based artificial intelligent powered Transit Signal Priority project in the City of East Palo Alto; and

WHEREAS, the Contractor completed the pilot project in February 2022, and additional time is required to prepare a final report summarizing project findings and documenting lessons learned; and

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

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

1. The term of the Agreement, as provided in Section 1 “Service to be provided by Contactor” and Section 5 “Contract Term”, shall be extended through June 30, 2022.
2. Except as expressly amended herein, all other provisions of the Agreement shall remain in full force and effect.
3. This amendment shall take effect on February 25, 2022.

SIGNATURES ON FOLLOWING PAGE

City/County Association of Governments

Sustainable Silicon Valley

Sean Charpentier, C/CAG Executive Director

By _____

Title: _____

Date: _____

Date: _____

Approved as to form:

Melissa Andrikopoulos
Legal Counsel for C/CAG

DRAFT

C/CAG AGENDA REPORT

Date: April 14, 2022

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

From: Sean Charpentier, Executive Director

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

(For further information, contact Kim Springer at kspringer@smcgov.org)

RECOMMENDATION

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

C/CAG staff does not have specific recommended legislative actions with respect to this month's legislative update.

FISCAL IMPACT

N/A

SOURCE OF FUNDS

N/A

BACKGROUND

The C/CAG Legislative Committee receives monthly written reports and oral briefings from C/CAG's State legislative advocates. Important or interesting issues that arise out of the committee meeting are reported to the Board verbally under this item.

The attached report from Shaw Yoder Antwih Schmelzer & Lange, C/CAG's legislative consultant, may include updates from Sacramento with respect to the State Budget process, State grant programs, recent committee hearings, and bill progress of interest to C/CAG since the last C/CAG Board meeting. New bills for year two of the 2021-22 session were required to be authored by February 18, 2022. Given the timing, there are a significant number of new bills for review by the Committee this month.

C/CAG continues to pursue budget funding requests with members of the delegation for two projects benefitting San Mateo County. C/CAG leadership and staff, joined by staff from the San Mateo County Transportation Authority, met with Senator Becker and Assembly Member Mullin's Offices in mid-March to present the requests and respond to questions from the delegates. One request for \$10 million is for the construction phase of the US 101/SR 92 Interchange Area Improvements project. The other is a dual-purpose request for \$10 million for a stormwater project at Red Morton Community Park in Redwood City and for completing design work with Caltrans on a stormwater project in San Bruno, near the Hwy 380-280 interchange.

For additional information with respect to what the Metropolitan Transportation Commission/Association of Bay Area Governments Joint Legislative Committee, California League of Cities, California State Association of Counties (CSAC), and California Association of Councils of Government (CALCOG) are tracking, staff has included informational links to the relevant bill tracking websites, as well as the full legislative information for the State Legislature and the 2021 calendar of legislative deadlines. Lastly, staff have also included links to the 2022 legislation websites for the San Mateo County delegates for information only.

ATTACHMENTS

1. C/CAG Legislative Update, March 31, 2022 from Shaw Yoder Antwih Schmelzer & Lange

Below are informational links:

2. [Recent Joint ABAG MTC Legislation Committee Agendas](#)
3. [California State Association of Counties \(CSAC\) 2021 bill positions and tracking](#)
4. [California Associations of Councils of Government \(CALCOG\) 2021 bill tracking](#)
5. Full Legislative information is available for specific bills at <http://leginfo.legislature.ca.gov/>
6. [2022 California State Calendar of Legislative Deadlines](#)
7. San Mateo County Delegation Sponsored Legislation 2021
 - [2021 Legislation from Assemblymember Marc Berman](#)
 - [2021 Legislation from Assemblymember Kevin Mullin](#)
 - [2021 Legislation from Assemblymember Phil Ting](#)
 - [2021 Legislation from Senator Josh Becker](#)
 - [2021 Legislation Senator Scott Wiener](#)
8. Current client roster for Shaw Yoder Antwih Schmelzer & Lange - <https://syaslparkers.com/clients/>



March 31, 2022

TO: Board of Directors, City/County Association of Governments of San Mateo County

FM: Matt Robinson & Andrew Antwih, Shaw Yoder Antwih Schmelzer & Lange

RE: **STATE LEGISLATIVE UPDATE – April 2022**

Legislative Update

The Legislature is wrapping up its initial round of budget hearings on the proposals in the Governor’s Proposed Fiscal Year 2022-23 State Budget. Most of the key proposals, including funding for transportation, will be subject to future discussions after the Governor releases his May Revise, the spring update to the budget. The Legislature has ramped up policy committee hearings, with the policy committee deadline approaching at the end of April. **The Legislature will break for Spring Recess on April 7 and will return on April 18.**

Governor Unveils Proposals to Address Impact of High Fuel Prices

On March 25, the Governor Newsom announced a [proposal](#) to provide \$11 billion in relief to Californians to help negate the impact of increased fuel costs. The proposal would provide: \$9 billion in direct tax refunds to Californians in the form of \$400 per vehicle direct payments to registered vehicle owners, capped at two vehicles; \$750 million in incentive grants to transit and rail agencies to provide free transit for Californians for 3 months; \$600 million to pause a part of the sales tax rate on diesel for one year (this relief would only pause the 2.5 percentage points directed to the State General Fund); \$523 million to pause the inflationary adjustment to gas and diesel excise tax rates (restating the "gas tax holiday" included in the Fiscal Year 2022-23 State Budget); and \$500 million in additional funding for active transportation projects (building on the \$500 million in proposed in the Fiscal Year 2022-23 State Budget).

Budget Requests

As you are aware, C/CAG is pursuing budget funding requests with members of our delegation for two projects benefitting San Mateo County. C/CAG staff, joined by staff from the San Mateo County Transportation Authority, met with staff from Senator Becker and Assembly Member Mullin’s Offices in mid-January to brief them on our asks. As a reminder, one is a request for \$10 million for the construction phase of the US 101/SR 92 Interchange Area Improvements project. The other is a dual-purpose request for \$10 million for a stormwater project at Red Morton Community Park in Redwood City and for completing design work with Caltrans on a stormwater project in San Bruno.

Bills For Discussion / Possible Action

SB 1067 (Portantino) Parking Requirements – *RECOMMEND DISCUSS*

[This bill](#) would prohibit a city, county, or city and county from imposing minimum automobile parking requirements on a housing development located within one-half mile of public transit and either dedicates 25 percent of the total units to very low, low-, and moderate-income households, students, the elderly, or persons with disabilities, or the developer demonstrates that the development would not have a negative impact on the local agency's ability to meet specified housing needs and would not have a negative impact on existing residential or commercial parking within one-half mile of the project.

AB 1817 (Ting) PFAS Ban in Textiles – *RECOMMEND SUPPORT*

Beginning January 1, 2023, existing law prohibits any food packaging that contains regulated perfluoroalkyl and polyfluoroalkyl substances or PFAS and requires a manufacturer to use the least toxic alternative when replacing regulated PFAS in food packaging. Existing law will also prohibit the sale and distribution of any new juvenile product that contains regulated PFAS chemicals. [This bill](#) would prohibit, beginning January 1, 2024, any person from selling or distributing any textile articles that contain regulated PFAS, and requires a manufacturer to use the least toxic alternative when replacing regulated PFAS in textile articles to comply with these provisions.

AB 1944 (Lee) Brown Act Changes – *RECOMMEND SUPPORT IF AMENDED*

[This bill](#) would make changes to the Brown Act to clarify that if a member of a legislative body elects to teleconference from a location that is not public, the address does not need to be identified in the notice and agenda or be accessible to the public. This bill would also require all public meetings of a legislative body using teleconferencing to provide a video stream accessible to members of the public and an option for members of the public to address the body remotely during the public comment period through an audio-visual or call-in option. ***We suggest the author amend this bill to include an urgency clause so that it would take effect immediately.***

AB 2237 (Friedman) Sustainable Communities Strategies Implementation – *RECOMMEND MONITOR*

[This bill](#) would require the Strategic Growth Council, in consultation with ARB, the Department of Housing and Community Development, and CalSTA to convene a task force to review the roles and responsibilities of MPOs and to define "sustainable community." This bill would also require that projects included in each RTIP be consistent with the MPO's current SCS and the state's climate goals, as defined in the bill to mean the California Transportation Plan, the Climate Action Plan for Transportation Infrastructure, or ARB's Scoping Plan. The bill would require the MPO, by December 15, 2025 and biennially thereafter, to submit a report to ARB determining whether the projects in its most recent RTIP are consistent with its SCS and state climate goals and ARB, in consultation with OPR, to determine whether projects are consistent with the SCS and the state's climate goals. If not, ARB may reallocate moneys from inconsistent projects to other projects in the region and would prohibit an MPO from funding inconsistent projects or programs.

AB 2247 (Bloom) PFAS Reporting Platform – *RECOMMEND SUPPORT*

[This bill](#) would require, as part of the hazardous waste control laws, the Department of Toxic Substances Control to work with the Interstate Chemicals Clearinghouse to establish a publicly accessible reporting platform to collect information about PFAS and products or product components containing regulated PFAS, being sold, offered for sale, distributed, or offered for promotional purposes in California by

January 1, 2024. The bill would require, on or before March 1, 2024, and annually thereafter, a manufacturer of PFAS or a product or a product component containing regulated PFAS to register the PFAS or the product or product component containing regulated PFAS on the publicly accessible reporting platform.

AB 2438 (Friedman) Transportation Funding Programs – *RECOMMEND MONITOR*

[This bill](#) would require the state agencies and departments that administer transportation funding programs (SHOPP, STIP, SCCP, RMRA, LPP, TCEP, LSR) to revise the guidelines or plans applicable to those programs to ensure that projects included in the applicable program align with the California Transportation Plan, the Climate Action Plan for Transportation Infrastructure and specified greenhouse gas emissions reduction standards. The bill would require CalSTA, Caltrans, and the CTC, in consultation with ARB and the Strategic Growth Council, to prepare and submit a report to the Legislature on or before January 1, 2025, that comprehensively reevaluates transportation program funding levels, projects, and eligibility criteria with the objective of aligning the largest funding programs with the goals set forth in the above-described plans and away from projects that increase VMT.

AB 2622 (Mullin) Sales Tax Exemption for Transit Buses – *RECOMMEND SUPPORT*

[This bill](#) would extend the sunset date from January 1, 2024 to January 1, 2034 on the state sales and use tax exemption for zero-emission buses (ZEBs) purchased by California public transit agencies. This bill is likely to be amended to shorten the sunset.

Bills With Positions

SB 852 (Dodd) Climate Resilience Districts – *SUPPORT IF AMENDED*

Existing law authorizes certain local agencies to form a community revitalization authority (authority) within a community revitalization and investment area to carry out provisions of the Community Redevelopment Law in that area for purposes related to, among other things, infrastructure, affordable housing, and economic revitalization. [This bill](#) would authorize a city, county, city and county, special district, or a combination of any of those entities to form a climate resilience district for the purposes of raising and allocating funding for eligible projects and would define “eligible project” as projects that address sea level rise, extreme heat, extreme cold, the risk of wildfire, drought, and the risk of flooding. The bill would authorize the district to provide property tax increment revenues to the district, and/or other tax revenues, levying a benefit assessment, special tax, property-related fee, or other service charge or fee consistent with the requirements of the California Constitution.

SB 917 (Becker) Seamless Bay Area – *SUPPORT IN CONCEPT*

[This bill](#) would require the Metropolitan Transportation Commission (MTC) to develop and adopt a Connected Network Plan, adopt an integrated transit fare structure, develop a comprehensive, standardized regional transit mapping and wayfinding system, develop an implementation and maintenance strategy and funding plan, and establish open data standards to support a more integrated public transportation network in the nine-county San Francisco Bay Area. This bill would also require the region’s transit agencies to comply with those established integrated fare structure, regional transit mapping and wayfinding system, implementation and maintenance strategy and funding plan, and open data standards.

SB 922 (Wiener) CEQA Exemptions for Transit – *MONITOR*

[This bill](#) would permanently extend statutory exemptions from the requirement of the California Environmental Quality Act for clean transportation projects that make streets safer for walking and biking; speed up bus service on streets and improve its on-time performance; support faster bus service on state highways; expand carpooling; and improve wayfinding for people using transit, biking, or walking. This bill would similarly permanently extend CEQA exemptions for the construction of infrastructure of facilities to charge or refuel zero-emission transit vehicles; and the building of new bus and light rail stations or terminals.

AB 2097 (Friedman) Parking Minimums – *OPPOSE*

[This bill](#) would prohibit a public agency from imposing a minimum automobile parking requirement, or enforcing a minimum automobile parking requirement, on residential, commercial, or other development if the development is located on a parcel that is within one-half mile of public transit. The bill does not preclude any requirement imposed on a new multifamily residential or nonresidential development to provide EV charging or accessible spaces.

ACA 1 (Aguiar-Curry) Local Government Financing: Affordable Housing and Public Infrastructure: Voter Approval - *SUPPORT*

[This constitutional amendment](#) would lower the necessary voter threshold from a two-thirds supermajority to 55 percent to approve local general obligation bonds and special taxes for affordable housing and public infrastructure projects, including public transit. The C/CAG Board supported a nearly identical measure, also ACA 1 (Aguiar-Curry), in 2019.

C/CAG AGENDA REPORT

Date: April 14, 2022

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

From: Sean Charpentier, Executive Director

Subject: Approval of a Resolution authorizing an Agreement with Mariposa Planning Solutions for the C/CAG Equity Assessment and Framework Development Project for an amount not to exceed \$170,000, establish a contingency in the amount of \$17,000 for a total project budget of \$187,000, and execute future contract amendments in an amount not-to-exceed the appropriated contingency.

(For further information, contact Kim Springer at kspringer@smcgov.org)

RECOMMENDATION

That the C/CAG Board review and approve Resolution 22-16 authorizing the C/CAG Executive Director to execute an Agreement with Mariposa Planning Solutions for the C/CAG Equity Assessment and Framework Development Project for an amount not to exceed \$170,000, establish a contingency in the amount of \$17,000 for a total project budget of \$187,000, and execute future contract amendments in an amount not-to-exceed the appropriated contingency.

FISCAL IMPACT

\$170,000 for the subject agreement, and a contingency of \$17,000

SOURCE OF FUNDS

Appropriated funds from the General Fund for this project will be reimbursed from Surface Transportation Program Planning Grant funds.

BACKGROUND

C/CAG oversees programs addressing multiple aspects of transportation, land use, stormwater pollutants and water, energy, and climate change. C/CAG's role in San Mateo County is both important and influential. The administration and implementation of all programs and projects has the potential to affect equity and opportunity in the communities served. C/CAG is interested in assessing its programs within an equity lens to improve future programming, policies, and initiatives. "Centering on equity" will benefit C/CAG's overall role in supporting mobility, the environment, and equity in San Mateo County.

The inclusion of equity and how it will be addressed is an increasingly central part of the Federal, State, and regional discussion, and implementation of transportation funding, projects, and programs. For instance, the California State Transportation Agency (CALSTA) Climate Action Plan for Transportation Infrastructure (CAPTI) includes equity as a guiding principle and notes that the California Transportation Plan (CTP 2050) is the state's broad vision for the future of the transportation system in California. CTP 2050 focuses on advancing equity and climate priorities by expanding travel options for

all Californians and equity is integrated in to nearly every chapter of the Plan.

Scoping and Procurement

To assess and frame the work of C/CAG through the lens of equity, staff developed a scope of work for an equity assessment of C/CAG's programs and projects and development of a framework for the future. The C/CAG RMCP Committee and the C/CAG CMEQ Committee reviewed and commented on the scope of work document at the August 18, 2021 and the August 30, 2021 meetings, respectively. C/CAG staff provided the scope of work for an Equity Assessment and Framework Development Project RFP, with comments from the committees incorporated, to the C/CAG Board, which reviewed and approved the scope of work for the RFP on September 9, 2021.

C/CAG posted the RFP to the C/CAG Request for Qualifications/Requests for Proposals website on November 15, 2021 with a Proposal Due date for proposals of December 17, 2021. The RFP and other documents temporarily remain posted on the C/CAG website for review here:

<https://ccag.ca.gov/opportunities/rfprsrfqs/>

In addition to posting, the RFP document was emailed to approximately 50 potential proposers, including the list of responders to the MTC/ABAG Equity Bench and other planning consultants familiar to C/CAG. The RFP process included an opportunity for interested proposers to submit questions for response by November 30, 2021, and responses to questions received were posted to the C/CAG website on December 3, 2021. Through the Questions and Response process, staff extended the Proposals Due Date to December 31, 2021 and the RFP document was modified and reposted along with a Questions and Response sheet, and updates to the RFP.

C/CAG received three responses to the RFP from: CPS HR Consulting, HNTB, and Mariposa Planning Solutions. All proposals were reviewed and deemed responsive. The responsive proposals were reviewed by a Selection Committee composed of three C/CAG staff: Kim Springer, Reid Bogert and Kim Wever; and three outside reviewers: Briana Evans - City of Redwood City Equity and Inclusion Officer; Wendy Lau - San Mateo County Transit District - Manager, Office of Civil Rights; and Hannah Doress - County Office of Sustainability - Resource Conservation Specialist engaged in working with Community Based Organizations. The Selection Committee participated in both review of the proposals and interviews.

The Selection Committee scored the proposals and interviewed two consultants: HNTB and Mariposa Planning Solutions. Based on the proposals and interviews, both firms were highly qualified. Consistent with the scoring criteria in the RFP, the Selection Committee selected Mariposa Planning Solutions as the Consultant with the best qualifications and experience for the Equity Assessment and Framework Development Project engagement for C/CAG.

Resolution 22-16, authorizing the C/CAG Executive Director to execute an Agreement between Mariposa Planning Solutions and C/CAG. The Agreement is included as Attachment 2. In addition, the HNTB and Mariposa Planning Solutions proposals are provided as an attachment to this staff report for Board review.

In addition to requesting \$170,000 for the Agreement, staff is requesting a contingency of \$17,000, 10% of the funding Agreement amount to be used to cover any additional costs that may occur during the Project.

Scope of Work and Schedule

The main components of the scope of work include:

- Historical, community, and program partner perspective on equity, engaging communities, and C/CAG's program areas' potential to influence "equity"
- Develop understanding of disadvantaged communities in San Mateo County as they relate to C/CAG's programs and projects, develop maps and demographics (tools), and use those tools to consider actions for the framework
- Analysis of C/CAG programs, policies, processes and development of a framework for actions to improve equity outcomes.
- Development of a final definition of equity, a final framework and report.

The consultant's work will include engagement with CBOs in San Mateo County and funding is provided in the Agreement for the consultant to compensate multiple CBOs for supporting the scope of work. CBO engagement will occur at multiple points in the process. Staff and the consultant will also utilize the C/CAG committee structure for input at points in the process. The process is estimated to take approximately one year.

ATTACHMENTS

1. Resolution 22-16
2. Agreement between Mariposa Planning Solution and C/CAG for the Equity Assessment and Framework Development Project
3. Proposal Response from Mariposa Planning Solutions
4. Proposal Response from HNTB

Note: Attachments 3 and 4 are posted online: <https://ccag.ca.gov/committees/board-of-directors-2/>

RESOLUTION 22-16

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG EXECUTIVE DIRECTOR TO EXECUTE AN AGREEMENT WITH MARIPOSA PLANNING SOLUTIONS FOR THE C/CAG EQUITY ASSESSMETN AND FRAMEWORK DEVELOPMENT PROJECT FOR AN AMOUNT NOT TO EXCEED \$170,000, ESTABLISH A CONTINGENCY IN THE AMOUNT OF \$17,000 FOR A TOTAL BUDGET OF \$187,000, AND EXECUTE FUTURE CONTRACT AMENDMENTS IN AN AMOUNT NOT-TO-EXCEED THE APPROPRIATE CONTINGENCY

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

WHEREAS, C/CAG, in its development and implementation of programs and projects in San Mateo has an effect on equity and opportunity in the communities it serves; and

WHEREAS, the C/CAG Board prioritizes developing a definition of equity and an understanding of C/CAG's opportunity to deliver equitable outcomes; and

WHEREAS, C/CAG staff presented to the C/CAG Board a scope of work for a C/CAG Equity Assessment and Framework Development Project (Project), which two C/CAG committees reviewed and commented on and the C/CAG Board reviewed and approved; and

WHEREAS, C/CAG staff posted an RFP for services to complete a C/CAG Equity Assessment and Framework Development project based on the approved scope of work; and

WHEREAS, C/CAG received three responses to the RFP and, with the support of a Selection Committee composed of internal and external participants, reviewed the best proposals and interviewed proposers to the RFP; and

Whereas, the Selection Committee ranked the proposals and consultants based on the criteria in the RFP document; and

Whereas, the Selection Committee ranked Mariposa Planning Solutions as scoring highest based on the criteria in the RFP document and, therefore, as the consultant with the best combination of qualifications and experience for the Project.

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the City/County Association of Governments of San Mateo County that the C/CAG Executive Director is authorized to execute an agreement with Mariposa Planning Solutions for the C/CAG Equity Assessment and Framework Development Project for an amount not to exceed \$170,000, establish a contingency in the amount of \$17,000 for a total project budget of \$187,000, and execute future contract amendments in an amount not-to-exceed the appropriated contingency. Be it further resolved that the C/CAG Executive Director is authorized to negotiate the final terms of said Agreement prior to its execution by the C/CAG Executive Director, subject to approval as to form by C/CAG Legal Counsel.

PASSED, APPROVED, AND ADOPTED, THIS 14TH DAY OF APRIL 2022.

Davina Hurt, Chair

**AGREEMENT BETWEEN
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
AND
MARIPOSA PLANNING SOLUTIONS**

This Agreement is entered this 14th day of April, 2022, by and between the CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY, a joint powers agency whose members include the County of San Mateo and the twenty incorporated cities and towns within San Mateo County, hereinafter called “C/CAG,” and Mariposa Planning Solutions, hereinafter called “Consultant.”

WHEREAS, C/CAG, is the Congestion Management Agency for San Mateo County and, as an organization, oversees program areas addressing multiple aspects of transportation, land use, stormwater pollution and water, energy, and climate change; and

WHEREAS, C/CAG desires to define an equity program that fits C/CAG’s program areas and projects for the communities it serves; and

WHEREAS, C/CAG has determined that services are needed to establish a definition of equity for its multiple program areas through an assessment and development of a framework for the future; and

WHEREAS, C/CAG has developed an approved scope of work for the services and completed a procurement process for the services for a C/CAG Equity Assessment and Framework Development Project; and

WHEREAS, C/CAG has determined that Consultant is the best qualified and has the requisite qualifications to perform this work; and

WHEREAS, the total amount available to Consultant under this Agreement is not to exceed \$170,000; and

WHEREAS, by adoption of Resolution No. 22-16, the C/CAG Board of Directors approved the C/CAG Equity Assessment and Framework Development Project and authorized the C/CAG Executive Director to execute an agreement with the Consultant to provide the services, and further authorized the C/CAG Executive Director to negotiate final terms of the Agreement, subject to legal counsel review prior to execution, in a cumulative amount not to exceed \$170,000.

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

1. **Services to be provided by Consultant.** In consideration of the payments hereinafter set forth, Consultant shall provide services described in Exhibit A, *Scope of Work* attached hereto (the “Services”) at the billing rates described in Exhibit B, *Project Budget and Schedule*.

In the performance of its services, Consultant represents that it has and will exercise the degree of professional care, skill, efficiency, and judgment of consultants with special expertise in providing such services, and Consultant represents that it carries and will maintain all applicable licenses, certificates, and registrations needed for the work in current and good standing.

2. **Payments.** In consideration of the services rendered with all terms, conditions, and specifications set forth herein, in Exhibit A – *Scope of Services* and Exhibit B – *Billing Rates and Personnel Assignments*, C/CAG shall reimburse Consultant on a time and materials basis. The aggregate total amount of payment by C/CAG shall not exceed one-hundred seventy-thousand dollars (\$170,000) for Services provided during the Contract Term set forth below. Payments shall be made to Consultant monthly based on an invoice submitted by Consultant that has been reviewed and approved by the project sponsor and identifies expenditures and describes services performed in accordance with the task order. C/CAG shall have the right to receive, upon request, documentation substantiating charges billed to C/CAG.
3. **Progress Reports and Meetings.** Consultant shall submit progress reports at least once a month during the term of this Agreement. The progress report should be sufficiently detailed for the C/CAG Project Manager to determine, if Consultant is performing to expectations, or is on schedule; to provide communication of interim findings, and to sufficiently address any difficulties or special problems encountered, so remedies can be developed. Consultant’s Project Manager shall meet with C/CAG Project Manager, as needed, to discuss progress on the Scope of Work.
4. **Key Personnel.** The key personnel to be assigned to this work by Consultant and, if applicable, their hourly rates and the estimated hours to be supplied by each are set forth in Exhibit B, *Billing Rates and Personnel Assignments*, attached hereto and incorporated herein by this reference. Substitution of any of the personnel named in Exhibit C or a decrease in the hours provided to the Project by such personnel of more than 10% requires the prior written approval of the C/CAG Project Manager or a designee. Consultant shall maintain records documenting compliance with this Section, and such records shall be subject to the audit requirements of Section 17. Consultant agrees that all personnel assigned to this work will be professionally qualified for the assignment to be undertaken. C/CAG reserves the right to direct removal of any individual, including key personnel, assigned to this work.
5. **Contract Materials.** At the end of this Agreement, or in the event of termination, all finished or unfinished documents, data, studies, maps, photographs, reports, and other written materials (collectively referred to as “contract materials”) prepared by Consultant under this Agreement shall become the property of C/CAG and shall be promptly delivered to C/CAG. Upon termination, Consultant may make and retain a copy of such contract materials if permitted by law.
6. **Relationship of the Parties.** It is understood that Consultant is an Independent Consultant and this Agreement is not intended to, and shall not be construed to, create the

relationship of agent, servant, employee, partnership, joint venture or association, or any other relationship whatsoever other than that of Independent Consultant.

7. **Non-Assignability.** Consultant shall not assign this Agreement or any portion thereof to a third party, or subcontract with a third party, without the prior written consent of the C/CAG Executive Director. Any such assignment or subcontract without the C/CAG Executive Director's prior written consent shall give C/CAG the right to automatically and immediately terminate this Agreement without penalty or advance notice.
8. **Contract Term/Termination.** This Agreement shall be in effect as of April 14, 2022, and Consultant shall commence work after notification to proceed by C/CAG Project Manager, and the Agreement shall terminate on June 30, 2023; provided, however, the C/CAG Chairperson may terminate this Agreement at any time for any reason by providing 30 days' notice to Consultant. Termination will be effective on the date specified in the notice. In the event of termination under this Section, Consultant shall be paid for all services provided to the date of termination, subject to availability of funding. Such payment shall be that prorated portion of the full payment determined by comparing the work completed to the work required by the Agreement.
9. **Cost Principles and Administrative Requirements.**
 - a. The Consultant agrees that 48 CFR Part 31, Contract Cost Principles and Procedures, shall be used to determine the allowability of individual terms of cost.
 - b. The Consultant also agrees to comply with Federal procedures in accordance with 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
 - c. Any costs for which payment has been made to the Consultant that are determined by subsequent audit to be unallowable under 48 CFR Part 31 or 2 CFR Part 200 are subject to repayment by the Consultant to C/CAG.
 - d. When a Consultant or Subconsultant is a Non-Profit Organization or an Institution of Higher Education, the Cost Principles for Title 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards shall apply.
10. **Hold Harmless/Indemnity.**
 - a. *General.* Consultant shall indemnify and save harmless C/CAG and its officers, agents, employees, and servants from all claims, suits, or actions of every name, kind, and description resulting from this Agreement, the performance of any work or services required of Consultant under this Agreement, or payments made pursuant to this Agreement brought for, or on account of, any of the following: (A) injuries to or death of any person, including Consultant or its employees/officers/agents; (B) damage to any property of any kind whatsoever and to whomsoever belonging; (C) any sanctions, penalties, or claims of damages resulting from Consultant's failure to

comply, if applicable, with the requirements set forth in the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and all Federal regulations promulgated thereunder, as amended; or (D) any other loss or cost, including but not limited to that caused by the concurrent active or passive negligence of C/CAG and/or its officers, agents, employees, or servants. However, Consultant's duty to indemnify and save harmless under this Section shall not apply to injuries or damage for which C/CAG has been found in a court of competent jurisdiction to be liable by reason of its own negligence or willful misconduct. The duty of Consultant to indemnify and save harmless as set forth by this Section shall include the duty to defend as set forth in Section 2778 of the California Civil Code.

This indemnification provision will survive termination or expiration of this Agreement.

- b. *Intellectual Property.* Consultant hereby certifies that it owns, controls, and/or licenses and retains all right, title, and/or interest in and to any intellectual property it uses in relation to this Agreement, including the design, look, feel, features, source code, content, and/or other technology relating to any part of the services it provides under this Agreement and including all related patents, inventions, trademarks, and copyrights, all applications therefor, and all trade names, service marks, know how, and trade secrets (collectively referred to as "IP Rights") except as otherwise noted by this Agreement.

Consultant warrants that the services it provides under this Agreement do not infringe, violate, trespass, or constitute the unauthorized use or misappropriation of any IP Rights of any third party. Consultant shall defend, indemnify, and hold harmless C/CAG from and against all liabilities, costs, damages, losses, and expenses (including reasonable attorney fees) arising out of or related to any claim by a third party that the services provided under this Agreement infringe or violate any third-party's IP Rights provided any such right is enforceable in the United States. Consultant's duty to defend, indemnify, and hold harmless under this Section applies only provided that: (a) C/CAG notifies Consultant promptly in writing of any notice of any such third-party claim; (b) C/CAG cooperates with Consultant, at Consultant's expense, in all reasonable respects in connection with the investigation and defense of any such third-party claim; (c) Consultant retains sole control of the defense of any action on any such claim and all negotiations for its settlement or compromise (provided Consultant shall not have the right to settle any criminal action, suit, or proceeding without C/CAG's prior written consent, not to be unreasonably withheld, and provided further that any settlement permitted under this Section shall not impose any financial or other obligation on C/CAG, impair any right of C/CAG, or contain any stipulation, admission, or acknowledgement of wrongdoing on the part of C/CAG without C/CAG's prior written consent, not to be unreasonably withheld); and (d) should services under this Agreement become, or in Consultant's opinion be likely to become, the subject of such a claim, or in the event such a third party claim or threatened claim causes C/CAG's reasonable use of the services under this Agreement to be seriously endangered or disrupted, Consultant shall, at Consultant's

option and expense, either: (i) procure for C/CAG the right to continue using the services without infringement or (ii) replace or modify the services so that they become non-infringing but remain functionally equivalent.

Notwithstanding anything in this Section to the contrary, Consultant will have no obligation or liability to C/CAG under this Section to the extent any otherwise covered claim is based upon: (a) any aspects of the services under this Agreement which have been modified by or for C/CAG (other than modification performed by, or at the direction of, Consultant) in such a way as to cause the alleged infringement at issue; and/or (b) any aspects of the services under this Agreement which have been used by C/CAG in a manner prohibited by this Agreement.

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

11. Disadvantage Business Enterprises (DBE) Participation.

- a.** Consultant, subrecipient (C/CAG), or subconsultant shall take necessary and reasonable steps to ensure that DBEs have opportunities to participate in the contract (49 CFR 26). To ensure equal participation of DBEs provided in 49 CFR 26.5, C/CAG shows a contract goal for DBEs. Consultant shall make work available to DBEs and select work parts consistent with available DBE subconsultants and suppliers. The contract DBE goal for this Agreement is 19%.

Consultant shall meet the DBE goal shown elsewhere in these special provisions or demonstrate that they made adequate good faith efforts to meet this goal. It is Consultant's responsibility to verify that the DBE firm is certified as DBE at date of proposal opening and document the record by printing out the California Unified Certification Program (CUCP) data for each DBE firm. A list of DBEs certified by the CUCP can be found [here](#).

All DBE participation will count toward the California Department of Transportation's federally mandated statewide overall DBE goal. Credit for materials or supplies Consultant purchases from DBEs counts towards the goal in the following manner:

- 100 percent counts if the materials or supplies are obtained from a DBE manufacturer.
- 60 percent counts if the materials or supplies are purchased from a DBE regular dealer.
- Only fees, commissions, and charges for assistance in the procurement and delivery of materials or supplies count if obtained from a DBE that is neither a manufacturer nor regular dealer. 49CFR26.55 defines "manufacturer" and "regular dealer."

This Agreement is subject to 49 CFR Part 26 entitled “Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs”. Consultants who enter into a federally-funded agreement will assist the C/CAG in a good faith effort to achieve California's statewide overall DBE goal.

- b. The goal for DBE participation for this Agreement is 19%. Participation by DBE Consultant or subconsultants shall be in accordance with information contained in [Exhibit 10-O2: Consultant Contract DBE Commitment](#) attached hereto and incorporated as part of the Agreement. If a DBE subconsultant is unable to perform, Consultant must make a good faith effort to replace him/her with another DBE subconsultant, if the goal is not otherwise met.
- c. Consultant can meet the DBE participation goal by either documenting commitments to DBEs to meet the Agreement goal, or by documenting adequate good faith efforts to meet the Agreement goal. An adequate good faith effort means that the Consultant must show that it took all necessary and reasonable steps to achieve a DBE goal that, by their scope, intensity, and appropriateness to the objective, could reasonably be expected to meet the DBE goal. If Consultant has not met the DBE goal, complete and submit Exhibit 15-H: DBE Information –Good Faith Efforts to document efforts to meet the goal. Refer to 49 CFR Part 26 for guidance regarding evaluation of good faith efforts to meet the DBE goal.

d. Contract Assurance

Under 49 CFR 26.13(b):

Consultant, subrecipient or subconsultant shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. Consultant shall carry out applicable requirements of 49 CFR 26 in the award and administration of federal-aid contracts.

Failure by the Consultant to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient (C/CAG) deems appropriate, which may include, but is not limited to:

- (1) Withholding monthly progress payments;
- (2) Assessing sanctions;
- (3) Liquidated damages; and/or
- (4) Disqualifying Consultant from future proposing as non-responsible

e. Termination and Substitution of DBE Subconsultants

Consultant shall utilize the specific DBEs listed to perform the work and supply the materials for which each is listed unless Consultant or DBE subconsultant obtains C/CAG’s written consent. Consultant shall not terminate or substitute a listed DBE for convenience and perform the work with their own forces or obtain materials from other sources without written authorization from C/CAG. Unless C/CAG’s written

consent is provided, the Consultant shall not be entitled to any payment for work or material unless it is performed or supplied by the listed DBE on the Exhibit 10-02 Consultant Contract DBE Commitment form, included in the Bid (Exhibit B, *Project Budget and Schedule* and Exhibit C, *Key Personnel Assignments*).

C/CAG authorizes a request to use other forces or sources of materials if Consultant shows any of the following justifications:

1. Listed DBE fails or refuses to execute a written contract based on plans and specifications for the project.
2. C/CAG stipulated that a bond is a condition of executing the subcontract and the listed DBE fails to meet C/CAG's bond requirements.
3. Work requires a consultant's license and listed DBE does not have a valid license under Contractors License Law.
4. Listed DBE fails or refuses to perform the work or furnish the listed materials (failing or refusing to perform is not an allowable reason to remove a DBE if the failure or refusal is a result of bad faith or discrimination).
5. Listed DBE's work is unsatisfactory and not in compliance with the contract.
6. Listed DBE is ineligible to work on the project because of suspension or debarment.
7. Listed DBE becomes bankrupt or insolvent.
8. Listed DBE voluntarily withdraws with written notice to Consultant and C/CAG from the Contract.
9. Listed DBE is ineligible to receive credit for the type of work required.
10. Listed DBE owner dies or becomes disabled resulting in the inability to perform the work on the Contract.
11. C/CAG determines other documented good cause exists.

Consultant shall notify the original DBE of the intent to use other forces or material sources and provide the reasons and provide the DBE with 5 days to respond to the notice and advise Consultant and C/CAG of the reasons why the use of other forces or sources of materials should not occur.

Consultant's request to use other forces or material sources must include:

1. One or more of the reasons listed in the preceding paragraph.
2. Notices from Consultant to the DBE regarding the request.
3. Notices from the DBEs to Consultant regarding the request.

If a listed DBE is terminated or substituted, Consultant must make good faith efforts to find another DBE to substitute for the original DBE. The substitute DBE must perform at least the same amount of work as the original DBE under the contract to the extent needed to meet or exceed the DBE goal.

f. Commitment and Utilization

The C/CAG's DBE program must include a monitoring and enforcement mechanism to ensure that DBE commitments reconcile to DBE utilization.

To implement C/CAG's monitoring and enforcement mechanism, Consultant is required to:

1. Notify C/CAG's contract administrator or designated representative of any changes to its anticipated DBE participation
2. Provide this notification before starting the affected work
3. Maintain records including:
 - Name and business address of each 1st-tier subconsultant
 - Name and business address of each DBE subconsultant, DBE vendor, and DBE trucking company, regardless of tier
 - Date of payment and total amount paid to each business (see Local Assistance Procedures Manual (LAPM) Exhibit 9-F: Monthly Disadvantaged Business Enterprise Payment)

If Consultant is a DBE Consultant, Consultant shall include the date of work performed by their own forces and the corresponding value of the work.

If a DBE is decertified before completing its work, the DBE must notify Consultant in writing of the decertification date. If a business becomes a certified DBE before completing its work, the business must notify Consultant in writing of the certification date. Consultant shall submit the notifications to C/CAG. Upon work completion, Consultant shall complete a Disadvantaged Business Enterprises (DBE) Certification Status Change, Local Assistance Procedures Manual (LAPM) [Exhibit 17-O](#) form, and submit the form to C/CAG within 30 days of contract acceptance.

Upon work completion, Consultant shall complete Local Assistance Procedures Manual (LAPM) [Exhibit 17-F](#) Final Report – Utilization of Disadvantaged Business Enterprises (DBE), First-Tier Subcontractors, and submit it to C/CAG within 90 days of acceptance of the work under the contract. C/CAG will withhold \$10,000 of any final payment until the form is submitted. C/CAG will release the withholding upon receipt of the completed form.

In C/CAG's reports of DBE participation to Caltrans, C/CAG must display both commitments and attainments.

- g. A DBE is only eligible to be counted toward the Agreement goal if it performs a commercially useful function (CUF) on the Agreement. CUF must be evaluated on an agreement by agreement basis. A DBE performs a Commercially Useful Function (CUF) when it is responsible for execution of the work of the Agreement and is carrying out its responsibilities by actually performing, managing, and supervising the work involved. To perform a CUF, the DBE must also be responsible, with respect to materials and supplies used on the Agreement, for negotiating price, determining quality and quantity, ordering the material and installing (where applicable), and paying for the material itself. To determine whether a DBE is performing a CUF, evaluate the amount of work subcontracted, industry practices, whether the amount the firm is to be paid under the Agreement is commensurate with the work it is actually performing, and other relevant factors.

- h. A DBE does not perform a CUF if its role is limited to that of an extra participant in a transaction, Agreement, or project through which funds are passed in order to obtain the appearance of DBE participation. In determining whether a DBE is such an extra participant, examine similar transactions, particularly those in which DBEs do not participate.
- i. If a DBE does not perform or exercise responsibility for at least thirty percent (30%) of the total cost of its Agreement with its own work force, or the DBE subcontracts a greater portion of the work of the Agreement than would be expected on the basis of normal industry practice for the type of work involved, it will be presumed that it is not performing a CUF.
- j. Consultant shall maintain records of materials purchased or supplied from all subcontracts entered into with certified DBEs. The records shall show the name and business address of each DBE or vendor and the total dollar amount actually paid to each DBE or vendor, regardless of tier. The records shall show the date of payment and the total dollar figure paid to all firms. DBE Consultant's shall also show the date of work performed by their own forces along with the corresponding dollar value of the work.
- k. If a DBE subconsultant is decertified during the life of the Agreement, the decertified subconsultant shall notify Consultant in writing with the date of decertification. If a subconsultant becomes a certified DBE during the life of the Agreement, the subconsultant shall notify Consultant in writing with the date of certification. Any changes shall be reported to C/CAG's Project Manager within thirty (30) calendar days.
- l. After submitting an invoice for reimbursement that includes a payment to a DBE, but no later than the 10th day of the following month, the Consultant shall complete and email the [Exhibit 9- F: Disadvantaged Business Enterprise Running Tally of Payments](#) to business.support.unit@dot.ca.gov with a copy to C/CAG.
- m. Any subcontract entered into as a result of this Agreement shall contain all of the provisions of this section.

12. **Insurance.**

- a. *General Requirements.* Consultant or its subconsultants performing the services on behalf of Consultant shall not commence work under this Agreement until all insurance required under this section has been obtained. Consultant shall use diligence to obtain such insurance. Consultant shall furnish C/CAG with Certificates of Insurance evidencing the required coverage and there shall be a specific contractual liability endorsement extending Consultant's coverage to include the contractual liability assumed by Consultant pursuant to this Agreement. These Certificates shall specify or be endorsed to provide that thirty (30) days' notice must

be given, in writing, to C/CAG of any pending change in the limits of liability or of non-renewal, cancellation, or modification of the policy.

- b. *Workers' Compensation and Employer Liability Insurance.* Consultant shall have in effect, during the entire life of this Agreement, Workers' Compensation and Employer Liability Insurance providing full statutory coverage. In signing this Agreement, Consultant certifies, as required by Section 1861 of the California Labor Code, that (a) it is aware of the provisions of Section 3700 of the California Labor Code, which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of the Labor Code, and (b) it will comply with such provisions before commencing the performance of work under this Agreement.
- c. *Liability Insurance.* Consultant shall take out and maintain during the life of this Agreement such Bodily Injury Liability and Property Damage Liability Insurance as shall protect Consultant, its employees, officers and agents while performing work covered by this Agreement from any and all claims for damages for bodily injury, including accidental death, as well as any and all claims for property damage that may arise from Consultant's operations under this Agreement, whether such operations be by Consultant or by any sub-consultant or by anyone directly or indirectly employed by either of them. Such insurance shall be combined single limit bodily injury and property damage for each occurrence and shall be not less than \$1,000,000 unless another amount is specified below and shows approval by C/CAG Staff.
- d. *Insurance Limits; Insured Entities; Breach.* Required insurance shall include:

	Required Amount	Approval by C/CAG Staff if under \$ 1,000,000
1. Comprehensive General Liability	\$ 1,000,000	_____
2. Workers' Compensation	\$ Statutory	_____
3. Professional Liability	\$1,000,000	_____
4. Motor Vehicle Liability	\$1,000,000	_____

C/CAG and its officers, agents, employees and servants shall be named as additional insured on any such policies of insurance, which shall also contain a provision that the insurance afforded thereby to C/CAG, its officers, agents, employees, and servants shall be primary insurance to the full limits of liability of the policy, and that if C/CAG, or its officers, agents, employees, and servants have other insurance against a loss covered by such a policy, such other insurance shall be excess insurance only.

In the event of the breach of any provision of this section, or in the event any notice is received which indicates any required insurance coverage will be

diminished or canceled, the C/CAG Chairperson, at his/her option, may, notwithstanding any other provision of this Agreement to the contrary, immediately declare a material breach of this Agreement and suspend all further work and payment pursuant to this Agreement.

13. **Compliance with All Laws.** Consultant shall at all times comply with all applicable federal, state, San Mateo County, and municipal laws, ordinances, and regulations, including without limitation those regarding services to disabled persons, including any requirements of Section 504 of the Rehabilitation Act of 1973. In the event of a conflict between the terms of this Agreement and any applicable State, Federal, San Mateo County, or municipal law or regulation, the requirements of the applicable law or regulation will take precedence over the requirements set forth in this Agreement. Consultant will timely and accurately complete, sign, and submit all necessary documentation of compliance.
14. **Non-discrimination.** Consultant and any subconsultants performing the services on behalf of Consultant shall not discriminate or permit discrimination against any person or group of persons on the basis of race, color, religion, national origin or ancestry, age, sex, sexual orientation, marital status, pregnancy, childbirth or related conditions, medical condition, mental or physical disability or veteran's status, or in any manner prohibited by federal, state or local laws.
15. **Debarment and Suspension Certification.**
 - a. The Consultant's signature affixed herein shall constitute a certification under penalty of perjury under the laws of the State of California, that the Consultant or any person associated therewith in the capacity of owner, partner, director, officer or manager:
 1. Is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency;
 2. Has not been suspended, debarred, voluntarily excluded, or determined ineligible by any federal agency within the past three (3) years;
 3. Does not have a proposed debarment pending; and
 4. Has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past three (3) years.
 - b. Any exceptions to this certification must be disclosed to C/CAG. Exceptions will not necessarily result in denial of recommendation for award, but will be considered in determining responsibility. Disclosures must indicate the party to whom the exceptions apply, the initiating agency, and the dates of agency action.
 - c. Exceptions to the Federal Government Excluded Parties List System maintained by the U.S. General Services Administration are to be determined by FHWA.
16. **Substitutions.** If particular persons or classifications are identified in Exhibit C as working on this Agreement, Consultant will not assign others to work in their place

without the prior written consent of the C/CAG Project Manager or a designee Any substitution shall be with a person or classification of commensurate experience and knowledge unless otherwise authorized by the C/CAG Project Manager or a designee.

17. **Sole Property of C/CAG.** Work products of Consultant which are delivered under this Agreement or which are developed, produced and paid for under this Agreement, shall be and become the property of C/CAG. Consultant shall not be liable for C/CAG's use, modification or re-use of products without Consultant's participation or for purpose other than those specifically intended pursuant to this Agreement.
18. **Record Retention; Right to Monitor and Audit.**
 - a. For the purpose of determining compliance with Gov. Code § 8546.7, the Consultant, Subconsultants, and C/CAG shall maintain all books, documents, papers, accounting records, Independent CPA Audited Indirect Cost Rate workpapers, and other evidence pertaining to the performance of the Agreement including, but not limited to, the costs of administering the Agreement. All parties, including the Consultant's Independent CPA, shall make such workpapers and materials available at their respective offices at all reasonable times during the Agreement period and for three (3) years from the date of final payment under the Agreement. C/CAG, Caltrans Auditor, FHWA, or any duly authorized representative of the Federal government having jurisdiction under Federal laws or regulations (including the basis of Federal funding in whole or in part) shall have access to any books, records, and documents of the Consultant, Subconsultants, and the Consultant's Independent CPA, that are pertinent to the Agreement for audits, examinations, workpaper review, excerpts, and transactions, and copies thereof shall be furnished if requested without limitation.
 - b. Consultant shall maintain all required records relating to services provided under this Agreement for three (3) years after C/CAG makes final payment and all other pending matters are closed, and Consultant shall be subject to the examination and/or audit by C/CAG, a Federal grantor agency, and the State of California.
 - c. Consultant shall comply with all program and fiscal reporting requirements set forth by applicable Federal, State, and local agencies and as required by C/CAG.
 - d. Consultant agrees upon reasonable notice to provide to C/CAG, to any Federal or State department having monitoring or review authority, to C/CAG's authorized representative, and/or to any of their respective audit agencies access to and the right to examine all records and documents necessary to determine compliance with relevant Federal, State, and local statutes, rules, and regulations, to determine compliance with this Agreement, and to evaluate the quality, appropriateness, and timeliness of services performed.

18.1. **Audit Review Procedures**

- a. Any dispute concerning a question of fact arising under an interim or post audit of this Agreement that is not disposed of by Agreement, shall be reviewed by C/CAG.
- b. Not later than thirty (30) calendar days after issuance of the final audit report, Consultant may request a review by C/CAG of unresolved audit issues. The request for review will be submitted in writing.
- c. Neither the pendency of a dispute nor its consideration by C/CAG will excuse Consultant from full and timely performance, in accordance with the terms of this Agreement.
- d. Consultant and subconsultant Agreements, including cost proposals and Indirect Cost Rates (ICR), may be subject to audits or reviews such as, but not limited to, an Agreement audit, an incurred cost audit, an ICR Audit, or a CPA ICR audit work paper review. If selected for audit or review, the Agreement, cost proposal and ICR and related work papers, if applicable, will be reviewed to verify compliance with 48 CFR Part 31 and other related laws and regulations. In the instances of a CPA ICR audit work paper review it is Consultant's responsibility to ensure federal, C/CAG, or local government officials are allowed full access to the CPA's work papers including making copies as necessary. The Agreement, cost proposal, and ICR shall be adjusted by Consultant and approved by C/CAG Contract Administrator to conform to the audit or review recommendations. Consultant agrees that individual terms of costs identified in the audit report shall be incorporated into the Agreement by this reference if directed by C/CAG at its sole discretion. Refusal by Consultant to incorporate audit or review recommendations, or to ensure that the federal, C/CAG or local governments have access to CPA work papers, will be considered a breach of Agreement terms and cause for termination of the Agreement and disallowance of prior reimbursed costs.
- e. Consultant's Cost Proposal may be subject to a CPA ICR Audit Work Paper Review and/or audit by the Independent Office of Audits and Investigations (IOAI). IOAI, at its sole discretion, may review and/or audit and approve the CPA ICR documentation. The Cost Proposal shall be adjusted by the Consultant and approved by the C/CAG Contract Administrator to conform to the Work Paper Review recommendations included in the management letter or audit recommendations included in the audit report. Refusal by the Consultant to incorporate the Work Paper Review recommendations included in the management letter or audit recommendations included in the audit report will be considered a breach of the Agreement terms and cause for termination of the Agreement and disallowance of prior reimbursed costs.
 1. During IOAI's review of the ICR audit work papers created by the Consultant's independent CPA, IOAI will work with the CPA and/or Consultant toward a resolution of issues that arise during the review. Each party agrees to use its best efforts to resolve any audit disputes in a timely manner. If IOAI identifies significant issues during the review and is unable to issue a cognizant approval letter, C/CAG will reimburse the Consultant at an accepted ICR until a FAR (Federal Acquisition Regulation) compliant ICR

{e.g. 48 CFR Part 31; GAGAS (Generally Accepted Auditing Standards); CAS (Cost Accounting Standards), if applicable; in accordance with procedures and guidelines of the American Association of State Highways and Transportation Officials (AASHTO) Audit Guide; and other applicable procedures and guidelines} is received and approved by IOAI.

Accepted rates will be as follows:

- a. If the proposed rate is less than one hundred fifty percent (150%) - the accepted rate reimbursed will be ninety percent (90%) of the proposed rate.
- b. If the proposed rate is between one hundred fifty percent (150%) and two hundred percent (200%) - the accepted rate will be eighty-five percent (85%) of the proposed rate.
- c. If the proposed rate is greater than two hundred percent (200%) - the accepted rate will be seventy-five percent (75%) of the proposed rate.

2. If IOAI is unable to issue a cognizant letter per paragraph E.1. above, IOAI may require Consultant to submit a revised independent CPA-audited ICR and audit report within three (3) months of the effective date of the management letter. IOAI will then have up to six (6) months to review the Consultant's and/or the independent CPA's revisions.

3. If the Consultant fails to comply with the provisions of this paragraph E, or if IOAI is still unable to issue a cognizant approval letter after the revised independent CPA audited ICR is submitted, overhead cost reimbursement will be limited to the accepted ICR that was established upon initial rejection of the ICR and set forth in paragraph E.1. above for all rendered services. In this event, this accepted ICR will become the actual and final ICR for reimbursement purposes under this Agreement.

4. Consultant may submit to C/CAG final invoice only when all of the following items have occurred: (1) IOAI accepts or adjusts the original or revised independent CPA audited ICR; (2) all work under this Agreement has been completed to the satisfaction of C/CAG; and, (3) IOAI has issued its final ICR review letter. The Consultant **MUST SUBMIT ITS FINAL INVOICE TO C/CAG** no later than sixty (60) calendar days after occurrence of the last of these items. The accepted ICR will apply to this Agreement and all other agreements executed between C/CAG and the Consultant, either as a prime or subconsultant, with the same fiscal period ICR.

19. **Permits/Licenses.** If any license, permit, or approval is required to perform the work or services required by this Agreement, Consultant bears the responsibility to obtain said license, permit, or approval from the relevant agency at Consultant's own expense prior to commencement of said work/services. Failure to do so will result in forfeit of any right to compensation under this Agreement.

- 20. **Lobbying.** Consultant agrees to comply with the restrictions on the use of federal funds for lobbying activities set forth in 31 United States Code §1352 and 49 C.F.R. Part 20.
- 21. **Merger Clause; Amendments.** This Agreement, including all Exhibits attached hereto and incorporated herein by reference, constitutes the sole agreement of the parties hereto regarding the matters covered in this Agreement, and correctly states the rights, duties and obligations of each party as of the document's date. Any prior agreement, promises, negotiations or representations between the parties not expressly stated in this Agreement are not binding. All subsequent amendments shall be in writing and signed by the C/CAG Chair or C/CAG Executive Director. In the event of a conflict between the terms, conditions or specifications set forth herein and those in the exhibits attached hereto, the terms, conditions or specifications set forth herein shall prevail.
- 22. **Governing Law.** This Agreement shall be governed by the laws of the State of California, without regard to its choice of law rules, and any suit or action initiated by either party shall be brought in the County of San Mateo, California.
- 23. **Notices.** All notices hereby required under this agreement shall be in writing and delivered in person or sent by certified mail, postage prepaid and addressed as follows:

City/County Association of Governments of San Mateo County
 555 County Center, 5th Floor
 Redwood City, CA 94063
 Attention: Sean Charpentier

Notices required to be given to Consultant shall be addressed as follows:

Mariposa Planning Solutions
 88 South 3rd Street, Suite 203
 San Jose, CA 95113
 Attention: Chris Lepe

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

Mariposa Planning Solutions (Consultant)

By _____
 Chris Lepe, President

 Date

City/County Association of Governments of San Mateo County (C/CAG)

By _____
Sean Charpentier
C/CAG Executive Director

Date

By _____
Melissa Andrikopoulos
C/CAG Legal Counsel

Date

DRAFT

Exhibit A

Scope of Work

C/CAG Equity Assessment and Framework Development Project

Task 0

Administration

Project Kickoff and Regular Meetings

Consultant shall hold a project kickoff meeting, attend monthly project coordinating meetings, and coordinate a final project meeting with staff. Consultant shall also maintain records in accordance with federal requirements and provide monthly invoices and cost tracking documentation.

Deliverables:

- Kickoff meeting
- Monthly coordinating meetings
- Final meeting with staff

Deliverables:

- Monthly invoicing
- Monthly cost tracking and documentation

Task 1

C/CAG Staff Awareness Training (approximately 10 hours of training)

Supported by existing information from staff, consultant shall complete the required research and coordination with agencies and community-based organizations (CBOs) to provide the following:

- Hold training with C/CAG staff on Historical Perspective of San Mateo County (SMC),
 - Explore definition of “equity” with respect to government’s role and develop awareness of government’s role and opportunity in supporting equity in the communities they serve. Perspective should also include examples of actions that have positively (or negatively) influenced issues of equity and justice in SMC.
 - Discussion about each of C/CAG’s program areas and how, historically, disadvantaged communities may have fallen behind in their ability to leverage or access similar programs, including a discussion of examples of positive steps that might be taken.

- With staff, establish a Draft Definition of Equity for consideration by C/CAG Committees and the C/CAG Board. Definition should include various aspects of “disadvantage” including geography, income disparity, and disability, as examples.

Deliverables:

- Write up of historical perspective
- Write up of how disadvantaged communities may have fallen behind with respect to each of the C/CAG program areas or types of projects
- Draft definition of equity to be used as a starting point for the final definition to be delivered at the end of the project.

CBO and Program Partner Perspective Training:

Consultant shall work with C/CAG to select and engage a minimum of two San Mateo County Community Based Organizations (CBOs) to provide C/CAG staff with greater understanding of the issues and needs affecting Disadvantaged Communities (DAC’s)¹, including:

- San Mateo County CBO perspective on transportation, energy, water, housing, air quality, and hazardous pollutant issues in San Mateo County – input directly from CBOs.
- Reality of living in Disadvantaged Communities (DACs) – presentation from CBOs, including a County Health perspective.
- Clarification of best practices for engaging CBO participation when developing solutions to help advance progress on equity in C/CAG program areas.

Deliverables

- Write up of CBO perspective gained from engagement, including reality of living in a disadvantaged community with respect to the various C/CAG program areas
- Write up of best practices for building relationships with CBOs and engaging their support for input on C/CAG programs and projects

Program Partner Perspective Training:

Staff and Consultant shall engage multiple program partners to C/CAG, such as Commute.org, SamTrans, Peninsula Clean Energy, County Office of Sustainability or County Health, to incorporate shared perspectives into the eventual framework for C/CAG

- C/CAG staff will organize quarterly discussions between program partners, C/CAG, and Consultant. C/CAG staff will work with consultant to set agendas.
- Facilitate discussion with Program Partners

¹ CBO participation is to be compensated by Consultant from funds provided for this Project

Deliverables

- Write up of each of the quarterly partner meeting main points
- Develop a list of integration opportunities between C/CAG and Program Partners and any other outcomes important to the final project framework

Task 2

Define Disadvantaged Communities (DACs) Geographically and Demographically in San Mateo County (from a C/CAG programs and projects perspective)

Based on initial meetings with C/CAG staff and materials provided, consultant shall develop key criteria for analysis for both geographic and demographic identification of disadvantaged communities (Task 2), and for Task 3: analysis of C/CAG's programs and projects. Analysis will be vetted through 2-3 C/CAG Committees and the C/CAG Board, so consultant will need to plan time for this review cycle. The following will be included in the process for defining DACs:

- Building on existing work in the C/CAG Comprehensive Bicycle/Pedestrian Plan and existing data and studies, evaluate useful geographic and demographic metrics of equity (DAC, MTC Equity Priority Community; Cal EnviroScan 4.0; C/CAG's Equity Focus Areas- <https://tooledesign.github.io/F0066-San-Mateo-CCAG/>)
- Delineate "DACs" in San Mateo County with respect to C/CAG's program focus areas and community equity needs.
- Identify tools or need for tools for locating DACs geographically and demographically, based on C/CAG program areas, in San Mateo County for review and discussion with C/CAG staff.
- Identify known or potential equity impacts of C/CAG's work in terms different equity factors, including but not limited to income, race, gender, language, education, geography, etc.
- Leveraging the above-identified tools, additional data and studies, and previous consultant's work on equity impacts, consultant will work with C/CAG staff to consider different issues and needs with respect to geography and community diversity in San Mateo County (i.e., Coastside vs. Bayside, north vs. south).

Deliverables

- Draft and vetted final key criteria for analysis for Task 2 and Task 3
- Consolidated map or static maps identifying targeted DAC communities for C/CAG by program/project area.
 - Create bank of GIS data for all mapping included in the above
- Building on initial definition, write up new draft definition of Equity and types of equity relevant to C/CAG – follows from understanding of C/CAG scope of programs, communities served, geographies and demographics in San Mateo County.

Task 3

C/CAG Programmatic Review and Equity Integration: Equity Framework

Consultant shall research how other regional CMA/CTA's have integrated equity into their programs and other agency efforts. Consultant shall consider a delineation of C/CAG's mission and scope of influence based on programs, and use the vetted key criteria developed as part of Task 2 (for Task 3) to perform an analysis of existing program/project equity integrations by reviewing program/project documents and interviewing staff. The analysis should be used to identify gaps and potential future actions or commitments to be incorporated into the Equity Framework.

Deliverables

- The following documents:
 - how other CMA/CTA have addressed the concept of equity
 - focused delineation of C/CAG's role in equity given C/CAG's mission and scope.
 - analysis of existing program/project equity integrations by reviewing program/project documents and interviewing staff.
- Equity Framework, including the necessary elements for integrating equity into C/CAG's programs, policies, and initiatives, including:
 - a structure to track C/CAG's integration of equity over time and how C/CAG can move beyond words to action for reversal of historic justice issues, within C/CAG's influence
 - An organized listing of actions or commitments, including a timeline, that C/CAG can leverage for progress over the next five years
 - Other elements the consultant believes are germane to a successful Equity Framework for C/CAG

Task 4

Interim and Final Reports, Policy, Statements, Framework, and Presentations

The consultant shall develop various interim and final documents for review and approval by the C/CAG staff and Board of Directors, keeping in mind that C/CAG staff will need two weeks for internal review of draft documents.

Deliverables

- Draft, edited final draft, and final C/CAG Equity Assessment and Framework Development Project Final Report

The following will be organized in the draft and final report above, either as text in the report or as individual documents and attachments or appendices by agreement of staff and consultant:

- Interim and final statement of Board and staff rationale, broad approach, and commitment to advancing equity

- Writeups from previous tasks to be included in final report as documentation of the Project process and engagement
- Draft for review, edited final, and final Definition of Equity that captures and is within C/CAG's opportunity for influence
- Final Framework
 - Workbook of best practices, definitions, equity focus areas, for review and ongoing and future staff training
 - Develop Agency-level actionable recommendations or commitments that can be implemented by staff with support from the C/CAG Board and community
- Static maps and GIS layers developed under Task 2, organized by program area or other criteria to be agreed upon by staff and consultant

Presentation Deliverables

Consultant shall make presentations to committees and C/CAG Board at key points in the project engagement.

- Two presentations each to RMCP and CMEQ Committees
- Two interim presentations and one final presentation to the C/CAG Board

C/CAG AGENDA REPORT

Date: April 14, 2022

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of the proposed C/CAG Guidelines and process for the MTC One Bay Area Grant Cycle 3 (OBAG 3) County & Local Program

(For further information or questions contact Jeff Lacap at jlacap@smcgov.org)

RECOMMENDATION

That the C/CAG Board review and approve the C/CAG Guidelines and proposed process for the MTC One Bay Area Grant Cycle 3 (OBAG 3) County & Local Program.

FISCAL IMPACT

Other than staff time, there is not any direct fiscal impact to C/CAG at this time. Upon C/CAG and MTC approval, the OBAG 3 County & Local Program funds will be allocated to project sponsors directly.

SOURCE OF FUNDS

Federal funds are allocated by MTC via the OBAG 3 County & Local Program, including Congestion Mitigation and Air Quality (CMAQ) funds and Surface Transportation Program (STP) funds. In addition, staff are proposing to include approximately \$900,000 in C/CAG Measure M Safe Routes to School funding for eligible projects.

BACKGROUND

The One Bay Area Grant (OBAG) program is the policy and programming framework for investing federal Surface Transportation Block Grant Program (STP), Congestion Mitigation and Air Quality Improvement (CMAQ), and other fund programs throughout the San Francisco Bay Area. The Metropolitan Transportation Commission (MTC) established the OBAG program in 2013 to strengthen the connection between transportation investments and regional goals for focused growth in Priority Development Areas (PDAs), places near public transit that are planned for new homes, jobs, and community amenities.

On January 26, 2022, MTC adopted Resolution 4505 outlining and approving the OBAG Cycle 3 (OBAG 3) Grant Program. A total of \$750 million will be available in the region, with a 50/50 funding split between the Regional and County & Local Programs. This funding will be available over a four-year horizon, from FY 2022-23 through FY 2025-26. The OBAG 3 policy considerations are oriented around preserving the effectiveness of past OBAG programs. This includes focusing investments in PDAs and incorporating recent policy initiatives such as regional safety/vision zero policies and other strategies from Plan Bay Area 2050, and addresses federal programming requirements. MTC will directly administer the Regional Program and C/CAG, as the County Transportation Agency (CTA) for San Mateo County, will assist MTC in administering the County & Local Program. The C/CAG

Technical Advisory Committee and Congestion Management and Environmental Quality Committee have received updates to the OBAG 3 Program earlier this year.

General highlights of the adopted OBAG 3 program guidelines and jurisdictional eligibility requirements can be found in Attachment 1.

MTC has proposed the following major changes from the previous cycles:

- MTC will have a larger role in the County & Local Program’s call for projects and final project selection, per federal programming requirements that do not allow for formula distribution. Similar to the process used for last year’s Safe and Seamless Mobility Quick-strike Program, MTC will adopt guidance and nomination targets. The Commission will then select projects based on initial county screening and prioritization, in addition to incorporating other regional considerations. The CTA ranking and prioritization will account for 75% of the regional ranking.
- County funding/nomination targets will not represent a guaranteed minimum funding level for counties. Counties will be able to request up to 120% of the established target.
- A focus on investments in PDAs continues, maintaining the existing OBAG requirement for a minimum of 70% of funds to be programmed to PDA supportive projects.
- For OBAG 3, the framework includes a uniform definition for PDA-supportive projects: projects are to be located within one mile of a PDA; with allowance for exceptions on a case-by-case basis.
- A broad range of project types allowed, but with an emphasis on:
 - Bicycle/pedestrian, Safe Route to School, and other safety efforts
 - Projects within Equity Priority Areas or that otherwise benefit equity
 - Transit access or other improvements to accelerate transit-oriented development.
- Existing policy compliance requirements are maintained with updates incorporated to align with current state housing laws and planned updates to MTC’s Active Transportation Plan and Complete Streets Policy. A new policy compliance requirement has been added for jurisdictions to have a completed Local Road Safety Plan (LRSP) by December 31, 2023.
- MTC staff anticipates the STP/CMAQ apportionments from the recently enacted federal surface transportation authorization, Infrastructure Investment and Jobs Act (IIJA) or Bipartisan Infrastructure Law (BIL), will exceed the \$750 million in programming capacity currently estimated for the four-year OBAG 3 framework. MTC has indicated that programming guidelines from these new funding sources will be determined at a later time.
- There are no guaranteed funding levels allocated to each program category found within OBAG 3, per federal programming requirements. For example, this cycle does not allow the allocation of Local Streets and Roads Maintenance Program funds to member agencies by formula.
- Similar to the OBAG Cycle 2 program, CTAs cannot remove MTC required criteria, but will be able to include additional criteria. The expedited timeline from MTC does not allow staff to return to the committees for additional review of this proposed San Mateo County OBAG Cycle 3 framework. Any proposed additions to the framework or the project evaluation factors described below are subject to revisions and approval by MTC staff. Staff will return to the committees with the tailored process along with the MTC application template in April.
- The program categories and eligible projects under OBAG 3 can be found in Attachment 1.

County & Local Program

MTC has released revisions to its OBAG 3 Framework, Resolution 4505, to include draft county specific OBAG 3 guidelines and funding/project nomination targets. The Commission adopted the

guidelines in March along with providing an application template to be used across the region. Below is a summary of the revisions.

Nomination Targets

A major change, per federal programming requirements, is the prohibition on the formula distribution of the OBAG funds. Counties do not receive a fixed amount of funding, but rather a “target” and final funding determinations are made by MTC.

For policy continuity and consistency, MTC used the same factors and overall weights that were used in prior OBAG cycles to develop county nomination targets, incorporating the most recently available data. County targets are based on the same formula from OBAG 2: population (50%), recent housing production (30%) and planned growth, and housing affordability (Regional Housing Needs Assessment (RHNA) data (20%). However, for OBAG 3, the resulting targets do not imply or guarantee funding amounts or relative shares to any individual county.

San Mateo County has a nomination target of \$37,054,000; this amount represents 120% of the available funding capacity for the County & Local Program. With a total of \$340 million available for programming region-wide, the nomination target for the call for projects totals \$408 million (120%). MTC will award \$340 million to projects selected from the larger nomination pool.

In addition to OBAG 3 funding, staff proposes to include approximately \$900,000 in C/CAG Measure M Safe Routes to School funding for eligible projects.

Evaluation Criteria

To prioritize projects that align with regional plans and policies, C/CAG is required to use the following criteria from the MTC and give additional weight to projects that:

1. Are located in PDAs or Transit-Rich Areas (TRAs), identified in locally adopted plans for PDAs, or support preservation of Priority Production Areas (PPAs)
2. Are located in jurisdictions with affordable housing protection, preservation, and production strategies, including an emphasis on community stabilization and anti-displacement policies with demonstrated effectiveness
3. Invest in historically underserved communities, including projects prioritized in a Community-Based Transportation Planning (CBTP) or Participatory Budgeting process, or projects located within Equity Priority Communities with demonstrated community support
4. Address federal performance management requirements by supporting regional performance goals for roadway safety, asset management, environmental sustainability, or system performance
5. Implement multiple Plan Bay Area 2050 strategies
6. Demonstrate consistency with other regional plans and policies, including the Regional Safety/Vision Zero policy, Equity Platform, Regional Active Transportation Plan, Transit Oriented Communities (TOC) policy update, and the Blue-Ribbon Transit Transformation Action Plan
7. Demonstrate public support from communities disproportionately impacted by past discriminatory practices, including redlining, racial covenants, urban renewal, and highway construction that divided low-income and communities of color

8. Can be completed in accordance with MTC’s Regional Project Delivery Policy (MTC Resolution No. 3606, Revised) and can meet all OBAG 3 deadlines, and federal and state delivery requirements

In addition, MTC’s Resolution 4505 includes the following guidance that CTA’s (like C/CAG) are “**encouraged**” (emphasis added) to submit nomination lists that align with the following regional goals:

1. A regional target of \$200 million for Active Transportation Projects. There is \$340 million for County and Local Program, and MTC has a regional target of \$200 million for Active Transportation, which equals a target of 59% for Active Transportation.
2. A \$25 million regionwide target for Safe Route to School programs and projects.
3. Fund source targets for County and Local Program proportional to overall composition of OBAG 3 funding, estimated to be 60% Surface Transportation STP and 40% CMAQ funds.

OBAG 3 County & Local Program – Proposed San Mateo County Framework

As a reminder, there may be additional changes and updates from MTC that may affect the proposed changes to the guidelines C/CAG has recommended below.

Project Phase Eligibility

While OBAG 3 guidelines provided by MTC allow for all project phases to be eligible for funding, C/CAG staff proposes to continue the requirement from the previous cycle of OBAG:

- Projects eligible for OBAG 3 cannot be a design only project. Project funds may cover some design cost, but project must include a fully funded construction phase.

Local Match

The current local match requirement for STP and CMAQ funded projects in California is 11.47% of the total project cost, with FHWA providing up to 88.53% of the total project cost through reimbursements.

Staff propose the following match requirements:

- 11.47% local match for projects wholly or mostly within an Equity Priority Community or C/CAG Comprehensive Bicycle and Pedestrian Plan_Equity Focus Areas with a score of 8 or higher.
- 20% local match for all other projects.

For more information on the Equity Focus Area scores, please visit:

<https://tooledesign.github.io/F0066-San-Mateo-CCAG/>

For capital projects, sponsors that fully fund the project development or Preliminary Engineering (PE) phase with non-federal funds may use toll credits in lieu of a match for the construction phase.

Minimum/Maximum Grant Size

C/CAG staff proposes to raise the required minimum grant size from \$250,000 to \$500,000 and place a maximum grant size to \$5,000,000. The purpose of the grant minimum and maximum requirements is to maximize the efficient use of federal funds and minimize the number of federal-aid projects, which place administrative burdens on project sponsors, CTAs, MTC, Caltrans, and Federal Highway

Administration (FHWA) staff. As context, below is a summary of the maximum and minimum requirements of recent Calls for Projects.

- TDA Article 3 (C/CAG): Available grant amount of \$1.9M and capital maximum of \$400,000
- Local Sales Tax (SMCTA Bike/Ped): Available grant amount of \$7.7M and capital maximum of \$2M for large infrastructure projects

C/CAG Comprehensive Bicycle and Pedestrian Plan Equity Focus Areas

The recently adopted C/CAG Comprehensive Bicycle and Pedestrian Plan identified Equity Focus Areas throughout the county. These key areas in the county are identified to focus bicycle and pedestrian investments and improving access in traditionally underserved and disadvantaged communities. C/CAG staff proposes to award additional points to a project located in an Equity Focus Area with a score of 8 or greater. In addition, the MTC criteria requires giving additional points to projects within Equity Priority Communities.

The project sponsor should demonstrate how the project will support advancement of affordable and accessible transportation in their communities. The project sponsor will be asked to describe how the project addresses the needs of low-income groups, communities of color, people with disabilities, elderly population (ages 75 and older), zero vehicle household, single parent families, limited English proficiency, and those who are rent-burdened.

Evaluation Panel

An evaluation panel is needed to score project nominations and develop a recommended program of projects to submit to MTC for the OBAG 3 program.

In the previous cycle of OBAG, there were multiple project categories that were reviewed by different entities. The Local Streets and Roads Maintenance and Rehabilitation Program, funds were distributed via a formula to jurisdictions. The Bicycle and Pedestrian Improvement Program project applications were reviewed by the C/CAG Bicycle and Pedestrian Advisory Committee (BPAC). The Transportation for Livable Communities project applications were reviewed by staff from C/CAG, San Mateo County Transportation Authority, and San Mateo County Transit District.

Also, as noted above, pursuant to the MTC, C/CAG is “**encouraged**” to have 59% of the investment be in active transportation.

There are two options for OBAG 3:

- Option 1: A hybrid panel comprised of partners agencies, a few BPAC members, and C/CAG staff.
- Option 2: The C/CAG BPAC would serve as the main evaluation panel.

In both options, C/CAG staff would perform the initial project screening and complete or verify scoring such as project readiness, local match amount, etc. Due to the compressed schedule and timeline, either option might require special Committee meetings. Regardless of which option gets selected, project sponsors will have to bring the MTC Complete Streets checklist for the BPAC to review, as part of OBAG 3 requirements.

Staff recommend a hybrid Ad hoc panel, which is generally consistent with how other transportation agencies review and rank proposals.

At the C/CAG TAC, BPAC, and CMEQ Committee meetings in March, committee members expressed support for the option of a hybrid panel to evaluate project nominations. In addition, at least 5 BPAC members and 3 CMEQ Committee members expressed an interest in sitting on the evaluation panel.

Staff recommend a 9-member evaluation panel (Ad hoc) with the following composition.

1. 3 BPAC Members
2. 2 CMEQ Members
3. 4 Others (C/CAG and TA/SamTrans Staff, potential stakeholder group such as Commute.org; Equity Representative or other Transportation agency staff from other counties) Note- this category is not fully defined because the composition will reflect avoidance of potential conflicts of interest if agencies submit applications.

Staff will work with the BPAC and CMEQ committees to appoint their representatives over the next few months.

The rankings and resulting prioritization will be reviewed by the full BPAC, TAC, and CMEQ Committees. A schedule of the OBAG 3 process is included at the end of the staff report.

Public Outreach

C/CAG will be expected to inform stakeholders and the public about the opportunities to comment on project ideas and to “assist” community –based organizations, Equity Priority Communities, and any other underserved community interested in having project submitted for funding.

To comply with outreach requirements, C/CAG plans on utilizing committee and board meetings to allow for public input. In addition, C/CAG plans to host public workshops regarding funding opportunities and to solicit project ideas, to adhere to the MTC outreach policy. Further, staff proposes to perform additional outreach in the form of informational mailings and online virtual workshops to community-based organizations.

C/CAG staff may need to direct/refer any public entities, with project ideas, to partner with a local jurisdiction.

Local Roadway Safety Plan

Starting with California Highway Safety Improvement Program (HSIP) Cycle 11, jurisdictions are required to have a Local Roadway Safety Plan (LRSP) or equivalent safety plan in order to be eligible for HSIP funding. Consistent with this state requirement, local jurisdictions must have a LRSP or equivalent safety plan adopted in order to maintain eligibility for the OBAG 3 County & Local Program funding by December 31, 2023.

C/CAG staff proposes to augment its planning activities amount to include funding to complete a countywide LRSP. This countywide plan will make all member agencies eligible for OBAG 3 funds. Although approximately half of the jurisdictions currently have an LRSP in place, the proposed countywide LRSP would incorporate existing information from existing LRSPs in the county.

Safe Routes to School Program

In previous cycles of the Safe Routes to School Program under OBAG, funding was distributed based on total enrollment in each respective county. Under OBAG 2, funding was directed entirely to the San Mateo County Office of Education (SMCOE) for administration and implementation of the program.

C/CAG staff proposes to continue its long-standing partnership with SMCOE and proposed to set aside funding to continue to SRTS program in San Mateo County. C/CAG also directs Measure M funding to augment SMCOE’s implementation of the SRTS program. Staff proposes setting aside up to \$2.12M for the SRTS program.

A summary of proposed set asides and available OBAG 3 funding for projects can be found in the table below.

Countywide LRSP set aside	\$ 300,000
SRTS set-aside	\$ 2,120,000
Specific OBAG 3 Project Nominations Funding Available	\$ 34,634,000
Measure M Safe Routes to School Funding	\$ 900,000
Total Available for Project Funding	\$ 35,534,000

Below is the tentative schedule highlighting both C/CAG and MTC actions:

OBAG 3 County & Local Program – Proposed San Mateo County Timeline

C/CAG Action	Tentative Dates	MTC Action
- Present proposed OBAG 3 Framework and Process to C/CAG CMP TAC, CMEQ, and BPAC Committee for review and recommendation	March 2022	- MTC Commission approval of OBAG 3 Program Guidelines and Nomination Targets
- C/CAG Board approval of OBAG 3 Framework and Process	April 2022	- MTC Staff to review and approve of CTA proposed OBAG 3 Process
- OBAG 3 County & Local Program Call for Projects Issued to Local Jurisdictions and Agencies	May 2022	- Release OBAG 3 Call for Project Nominations
- Call for Projects Application Period (approximately 45-60 days)	May – June 2022	
- OBAG 3 screening, scoring, and development of project nominations for MTC	July – August 2022	
- BPAC review of MTC Complete Streets Checklists for OBAG 3 nominated projects		
- Present recommendations to C/CAG Committees	August 2022	
- Project nomination list approved by the C/CAG Board	September 2022	
- OBAG 3 prioritized nominations due to MTC	September 30, 2022	
	October – December 2022	- MTC evaluation of OBAG 3 project nomination lists from CTAs - CMAQ emissions benefits and cost effectiveness analysis - MTC & CTA discussions of preliminary staff recommendation
- Project sponsors to submit project information into the TIP	January 2023	- MTC Commission approval of County & Local program of projects

RECOMMENDATION

Comments received from the C/CAG CMP TAC, CMEQ Committee, and BPAC at their March meetings are summarized in the table below:

Date	Committee	Comment/Recommendation
3/17/2022	CMP TAC	Recommended approval of the proposed process and included in the motion support for the option of a hybrid panel to evaluate project nominations be selected.
3/24/2022	BPAC	Recommended approval of the proposed process and included in the motion support for the option of a hybrid panel to evaluate project nominations be selected. 5 BPAC members volunteered to participate in the hybrid panel.
3/28/2022	CMEQ Committee	Recommended approval of the proposed process included in the motion support for the option of a hybrid panel to evaluate project nominations be selected. 3 CMEQ members volunteered to participate in the hybrid panel.

C/CAG staff requests that the C/CAG Board review and approve the proposed C/CAG Guidelines and process for the One Bay Area Grant Cycle 3 (OBAG 3) County & Local Program. A summary of the proposed C/CAG Guidelines is shown below:

Proposed C/CAG OBAG 3 Guidelines	
Project Phase Eligibility	<ul style="list-style-type: none"> Projects eligible for OBAG 3 cannot be a design only project. Project funds may cover some design cost, but project must include a fully funded construction phase.
Local Match	<ul style="list-style-type: none"> 11.47% local match for projects wholly or mostly within an Equity Priority Community or C/CAG Comprehensive Bicycle and Pedestrian Plan_Equity Focus Areas with a score of 8 or higher. 20% local match for all other projects.
Minimum/Maximum Grant Size	Required minimum grant size of \$500,000 and place a maximum grant size at \$5,000,000.
C/CAG Comprehensive Bicycle and Pedestrian Plan Equity Focus Areas	C/CAG staff proposes to award additional points to a project located in an Equity Focus Area identified in the 2021 Comprehensive Bicycle and Pedestrian Plan with a score of 8 or greater.
Evaluation Panel	Staff recommends a 9-member ad hoc evaluation panel with the following composition. <ol style="list-style-type: none"> 3 BPAC Members 2 CMEQ Members 4 Others (C/CAG and TA/SamTrans Staff, potential stakeholder group such as Commute.org; Equity Representative or other Transportation agency staff from other county)
Proposed Set Asides	\$300,000 - Countywide LRSP \$2,120,000 - Safe Routes to School
Addition of C/CAG Measure M Safe Routes to School Funding	An additional \$900,000 in Measure M funding for eligible SRTS projects within ½ mile of school

It should be noted this is an iterative process and that MTC staff will need to approve C/CAG's OBAG 3 processes prior to initiating the call for projects activities in May. These OBAG 3 Guidelines are subject to MTC (staff) approval.

ATTACHMENTS

1. OBAG 3 Framework and Eligibility Highlights
2. MTC Resolution No.4505 project selection criteria and programming policy for OBAG 3
(Available for download at: <https://ccag.ca.gov/committees/board-of-directors-2/>)

OBAG 3 Framework and Eligibility Highlights

OBAG 3 Program Principles:

- Preserve effective program features from prior OBAG cycles to support regional objectives.
- Strategically advance Plan Bay Area 2050 implementation through OBAG investments and policies.
- Incorporate recent MTC policy initiatives and adapt to the current mobility landscape.
- Advance equity and safety through policies and investments. • Address federal planning and programming requirements.
- Coordinate with complementary fund sources to develop a comprehensive regional investment strategy.

OBAG 3 Program Categories:

- Planning & Program Implementation;
- Growth Framework Implementation;
- Climate, Conservation, and Resilience;
- Complete Streets and Community Choice; and
- Multimodal Systems Operations and Performance

OBAG 3 Investments by Program Category (in millions):

Category	Objective	Regional Program	County & Local Program (Region wide)
Planning & Program Implementation	Carry out federal performance-based planning and programming and deliver OBAG 3 projects and programs	\$50	\$35
Growth Framework Implementation	Support and assist local efforts to create a range of housing options in PDAs and select PBA 2050 Growth Geographies	\$25	\$340
Climate, Conservation & Resilience	Reduce vehicle emissions through accelerated electrification and travel demand management, protect and expand access to open space, and increase resiliency to climate change impacts	\$98	
Complete Streets & Community Choice	Support improvements to all mobility options, with emphasis on achieving an integrated, efficient, and reliable public transit network	\$54	
Multimodal System Operations & Performance	Improve and maintain local streets and roads for all users, with emphasis on safety, community support, and Equity Priority Community (EPC) investments	\$149	
Regional/County Totals (may not add due to rounding)		\$375	\$375
OBAG 3 Program Total		\$750	

MTC will directly administer the Regional Program through programs that will provide investments towards each Program Category. For the County Program, local jurisdictions, transit agencies, and County Transportation Agencies (CTAs) may apply for funding for a variety of project types and program categories

Program Sponsor Requirements

Bay Area cities, counties, transit agencies, federally-recognized Tribal governments, and CTAs are eligible to apply for OBAG 3 County & Local Program funds. Cities and counties must meet the following requirements to receive program funding:

- Have a general plan housing element adopted and certified by the California Department of Housing and Community Development (HCD) for the 2023-31 Regional Housing Needs Allocation (RHNA) cycle by December 31, 2023, and maintain certification throughout the OBAG 3 program period;
- Submit Housing Element Annual Reports to HCD each year by the April 1 deadline throughout the OBAG 3 program period;
- Adopt a resolution self-certifying compliance with state housing laws related to surplus lands, accessory dwelling units, and density bonuses by December 31, 2023;
- Maintain ongoing compliance with the Housing Accountability Act (as determined by MTC staff) throughout the OBAG 3 program period;
- Adopt a Local Roadway Safety Plan (LRSP) or equivalent safety plan, as defined by the California Highway Safety Improvement Program (HSIP) guidelines, by December 31, 2023;
- Maintain a certified Pavement Management Program (StreetSaver or equivalent), updated as prescribed by MTC staff;
- Fully participate in statewide local streets and road needs assessment surveys (including any assigned funding contribution); and
- Provide traffic count data to MTC to support FHWA's Highway Performance Monitoring System (HPMS) on an annual basis, or as directed by MTC staff.

The above requirements do not apply to sponsors with no general plan or land use authority, such as CTAs or transit agencies under a Joint Powers Agreement (JPA) or special district.

In addition, all recipients of OBAG 3 funding, including public agencies without land use authority as well as federally-recognized Tribal governments, are required to:

- Comply with MTC's Complete Streets Policy, and its successor, including the requirement to complete a Complete Streets Checklist for each project applying for OBAG 3 funding; and
- Comply with MTC's Regional Project Delivery Policy (MTC Resolution No. 3606), including identification of a staff position to serve as the single point of contact (SPOC) for the implementation of all FHWA-administered funds within that agency. The person in this position must have sufficient knowledge and expertise in the federal-aid delivery process to coordinate issues and questions that may arise from project inception to project close-out.

C/CAG AGENDA REPORT

Date: April 14, 2022

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

From: Sean Charpentier, Executive Director

Subject: Update on three topic areas (Micromobility, Stormwater, and Greenhouse Gas Reduction) presented at the 2021 C/CAG Board Annual Forum and discuss future Board Annual Forum planning activities.

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

RECOMMENDATION

That the C/CAG Board of Directors receive update on three topic areas (Micromobility, Stormwater, and Greenhouse Gas reduction) presented at the 2021 Annual Forum, and discuss future Board annual Forum planning activities.

FISCAL IMPACT

N/A

BACKGROUND

C/CAG held a virtual Annual Forum (formerly known as Retreat) on April 8, 2021 to engage Board Members and Alternates in discussions on C/CAG's role in several key emerging focus areas. Staff presented three topics – 1) Greenhouse Gas Reductions, 2) Stormwater Funding, and 3) Micromobility. Staff will present progress made to date on the three topic areas and engage the Board in the planning of the 2022 Annual Forum.

For the original presentations and the summaries, please see the link below to the agenda of the 2021 Annual Forum: <https://ccag.ca.gov/wp-content/uploads/2021/04/040821-CCAG-2021-Annual-Forum.pdf>

On May 13, 2021, Agenda Item 5.6, C/CAG staff provided a summary of the annual forum. It is available at: <https://ccag.ca.gov/wp-content/uploads/2021/05/051321-CCAG-Board-Agenda-website.pdf>

Greenhouse Gas (GHG) Reduction

Staff provided an overview of the increasing regulatory and policy changes related to reducing GHG emissions. With increased interest at the state and federal levels, and time pressures to meet new statewide program targets (all zero-emission vehicle sales by 2035, emissions 40% below 1990 by 2030), staff focused the Greenhouse Gas Reduction sessions on gaining attendee feedback on approaches C/CAG might take to meet these targets in San Mateo County.

Since the Annual Forum, staff have applied a second time for a Caltrans Sustainable Planning Grant to prepare a GHG Mitigation Program that can be used by C/CAG and other agencies to mitigate projects that increase GHG or VMT.

On April 4, 2022, Caltrans informed C/CAG staff that the application was successful. C/CAG staff will start the grant acceptance process.

Achieving the State and County's GHG reduction goals will require more planning and effort, some of which will be discussed below in next steps.

Stormwater Funding

C/CAG has administered the Countywide Water Pollution Prevention Program since the early 1990s to assist its member agencies in complying with municipal stormwater regulations administered by the San Francisco Bay Regional Water Quality Control Board. During the Stormwater Funding breakout session last April, staff presented on the significant unmet funding need for both C/CAG and its member agencies for meeting requirements of the Municipal Regional Stormwater Permit (MRP) and addressing existing storm drain infrastructure deficiencies. C/CAG staff sought input from the Board on what role, if any, C/CAG should play in helping to address the funding need at countywide and/or local scales.

Since last April, C/CAG has advanced several aspects of further evaluating funding and financing options to support the Countywide Water Pollution Prevention Program and stormwater infrastructure project implementation at scale. The primary focus this year was the completion of a Regional Collaborative Program Framework White Paper and appendices. The White Paper lays the foundation for “what” can be achieved with multi-benefit, regional-scale stormwater infrastructure implementation (i.e., large-scale regional capture projects and countywide programmatic implementation of distributed green infrastructure), “why” a regional approach makes more sense than a jurisdictional approach for achieving defined drivers and objectives multi-benefit, and “how” a regional collaborative program can be developed via a phased program strategy beginning with development of an MOU-based regional stormwater program for San Mateo County.

The report and appendices also include evaluation of the next round of potential regional-scale stormwater infrastructure projects (and development of five project concepts), a credit trading market feasibility assessment (focused on the private regulated community), and a funding and financing green infrastructure investments report. The investment report includes a hypothetical spending plan and evaluation of recommended options for innovative funding and financing. In the past several months, C/CAG staff have also made significant progress with pursuing state and federal budget requests for stormwater infrastructure, building off existing planning and preliminary design work on regional projects.

To advance this overall effort, C/CAG staff have established the Workgroup Advancing Regional Projects (WARP) as a new ad-hoc workgroup of the Stormwater Committee. This work group will meet on a regular basis over the coming years to create the initial structure for an MOU-based Regional Collaborative Program in San Mateo County. Key goals will be to coordinate among agencies with current regional scale stormwater capture projects underway (those being advanced through preliminary and CEQA designs with initial seed funding) and working with Regional Water Board staff to develop proposed units of exchange for achieving compliance goals under the Municipal Regional Permit. In parallel, C/CAG staff will continue to engage the Funding and

Financing Ad-hoc Workgroup of the Stormwater Committee to evaluate the recommended funding and financing options from WaterNow’s report on investing in countywide green infrastructure. C/CAG staff plan to further engage the Ad-hoc Workgroup and develop a recommendation for the C/CAG Board to consider future actions towards exploring countywide and/or municipal revenue and financing options.

Micromobility

Micromobility refers to services such as bikeshare and scooter-share, where users are able to check out various small and light-weight vehicles for short term use through a self-service rental portal. It has been envisioned as one of the tools to address first and last mile challenges, bridging the transportation gap between home and transit stations, and from transit stations to places of employment. Other benefits of micromobility includes reducing short distance vehicle trips and increasing transportation access. Micromobility was also one of the recommended programs in the Board adopted 2021 C/CAG Comprehensive Bicycle and Pedestrian Plan.

The Board believed that C/CAG is most suited to play a “supporter” role to local agencies. A Request for Proposal (RFP) was released on September 23, 2021, seeking a consultant to develop a San Mateo County Shared Micromobility Feasibility Study and Implementation Plan. In December 2021, Board approved staff’s recommendation of Alta Planning + Design to prepare the Plan.

The key deliverables for the Study include the following:

1. Evaluate the feasibility of a micromobility program
2. Define program benefits, establish County specific goals and performance measures
3. Perform case studies research, and summarize findings and recommendations
4. Assess market demand and identify potential pilot locations throughout the County; and
5. Develop program guidelines and sample micromobility permit application, and draft ordinance template with fee examples.

In January 2022, the project began with a kick-off meeting, and representatives from the following organizations are serving on the Ad Hoc Advisory Group:

- | | | |
|---|--|---|
| • Caltrain | • Silicon Valley Bicycle Coalition | • San Mateo County Chamber of Commerce |
| • SamTrans | • C/CAG Bicycle Advisory Committee (BPAC) | • Samaritan House |
| • BART | • City of Redwood City | • Genentech/Oyster Point Commuter Coalition |
| • San Mateo County Transportation Authority (SMCTA) | • City of San Mateo | • Meta (Facebook) |
| • Commute.org | • City of San Carlos | • Kaiser Permanente |
| • San Mateo County Planning | • City of Burlingame | • Pacifica Voice/Coast Commute |
| • San Mateo County Office of Sustainability | • College of San Mateo/Community School District | • A small business in Pacifica |

The Ad Hoc Advisory Group will provide input throughout the planning period. The next Ad Hoc Advisory Group meeting is scheduled to take place on April 11th, 2022 to review the Draft Feasibility Memo. Staff anticipates bringing a report on the initial feasibility finding and next steps to the May 2022 Board Meeting.

Equity

The concept of equity was woven throughout the three structured topics. Board members communicated that equity should include a focus on underserved communities and households' access to C/CAG and other programs and services. Over the past year, C/CAG staff has developed a scope of work for an Equity Assessment and Framework Development project, with input from two committees and the Board. The C/CAG Board will consider an agreement with a consultant to prepare an Equity Assessment at the April 14, 2022 meeting.

Next Steps

Staff will continue to advance the outcomes of the 2021 Annual Forum.

There are sweeping regulatory changes that will fundamentally change our transportation and building sectors. In general, 50% of GHG Emissions come from transportation and 33% come from Buildings.

For example:

1. By 2035 all new passenger/light vehicles must be clean air vehicles - zero emission – Executive Order N-79-20
2. Emissions 40% below by 2030 - SB 32 (2016)
3. Carbon Neutrality by 2045 - Executive Order B-55-18

These regulatory changes will require major changes to our transportation and building sectors. There is not yet a unifying blueprint about how San Mateo County will achieve these ambitious goals.

C/CAG would benefit from a Board discussion and direction about what role C/CAG can play in advancing these GHG and VMT reduction goals and requirements. One option could be a half day in- person session in August (assuming compliance with all public health requirements and Board Members' availability) to outline these issues and what C/CAG's role could be.

ATTACHMENTS

N/A

C/CAG AGENDA REPORT

Date: April 14, 2022

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

From: Sean Charpentier, Executive Director

Subject: Update on the potential return to in-person C/CAG Board and Committee meetings

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

RECOMMENDATION

That the C/CAG Board of Directors receive an update on the options for returning to in person meetings.

FISCAL IMPACT

Not known at this point, but C/CAG might incur additional expenses related to the provision of audio-visual services and expenses to stream meetings.

BACKGROUND

Prior to the Covid Pandemic, the C/CAG Board of Directors met monthly at the SamTrans auditorium. C/CAG's 9 standing committees met at 5 different locations. See Attachment 1 for list of locations of C/CAG Board meetings and C/CAG Committee meetings. Prior to COVID 19, neither the C/CAG Board nor the C/CAG Committees utilized live or recorded streaming to broadcast the meetings over TV or the internet.

In response to the COVID Pandemic, on March 17, 2020, Governor Newsom approved Executive Order N-29-20 that suspended portions of the Brown Act to allow for fully remote legislative meetings. Many governmental agencies switched to entirely remote meetings over an online platform, such as Zoom. The C/CAG Board of Directors and C/CAG Committees met remotely pursuant to the executive order and its successors from April 2020 through September 2021. The authority to meet remotely pursuant to executive order expired on October 1, 2021.

In September 2021, Governor Newsom approved AB 361, which revised the Brown Act to allow legislative bodies to meet remotely during a state of emergency declared by the Governor, provided that the legislative body finds that meeting in person would pose an imminent risk to the health or safety of attendees. At its October 14, 2021 meeting, the C/CAG Board adopted Resolution 21-79, making the findings necessary to continue remote meetings for both the C/CAG Board and standing C/CAG Committees for 30 days; the Board has subsequently adopted similar resolutions making findings to continue remote meetings.

On February 25, 2022, Governor Newsom lifted a number of COVID-related executive orders. He also established a timetable for lifting the remaining COVID-related executive orders, with all orders

set to expire by June 30, 2022. Because the Governor’s authority to issue these executive orders is predicated on the existence of a state of emergency, staff anticipates that the COVID state of emergency is likely to remain in place until at least the end of June.

Outside of the exception created by AB 361, the Brown Act has long allowed remote participation, referred to in the law as “teleconferencing,” but the Brown Act requires, in such instances, that the location of any remote participants be publicly noticed and posted and that the location be publicly accessible during the meeting. There are two pending bills that, if approved, would modify these Brown Act teleconference requirements: AB 1944 and AB 2449. AB 1944 would specify that if a member of a legislative body chooses to teleconference from a location that is not public, the location does not need to be identified in the notice and agenda or be accessible to the public. In addition, AB 1944 would require jurisdictions to provide a video stream of the teleconferenced meetings. AB 2449 would provide relief from the notice and public access requirements for teleconference locations, but only if a quorum of the members of the legislative body participate in person at a publicly-accessible location. C/CAG Staff have recommended that the Board support AB 1944 with amendments to make AB 1944 an urgency bill that would take effect upon signature of the Governor rather than the following January.

In addition to reducing the public health risks during the pandemic, having remote meetings has several benefits.

1. They have made public, stakeholder, and member agency staff participation easier.
2. They have reduced the need to travel by car to a meeting, thus reducing vehicle miles traveled.
3. They have increased efficiency for Board members, Committee members, staff, and meeting attendees by eliminating the time necessary to travel to a meeting. Prior to remote meetings, Board and Committee members might spend 2 hours commuting (round trip) to attend a 1-hour meeting.

There are also some potential downsides of remote meetings.

1. They have reduced interaction among Board and Committee members and potentially the public.
2. They do not provide an in-person option for public stakeholders that might prefer to meet in person.

In response to the improving public health outlook, many cities and legislative bodies are planning to return to in person meetings or meetings that are a hybrid of in person and remote.

In person and hybrid meeting pose several challenges unique to C/CAG, including the size of the Board, which requires a larger meeting space and complicates social distancing strategies; the lack of prior meeting streaming capacity; and the multitude of Committees with different meeting locations.

Staff anticipates several possible outcomes:

- the state of the emergency is lifted and the C/CAG Board and C/CAG Committees have to return to predominately in person meetings. (Note that there would still be an opportunity for members to participate remotely, but only by providing notice and public access to any remote meeting location they choose to participate from.) Staff assume that this outcome will occur at some future point and are preparing to return to in person meetings.
- AB 1944 is approved as an urgency bill and the C/CAG Board of Directors and Committees

can continue to meet remotely in a manner similar to the past two years.

- a combination of the two options above, whereby there is a period of time where predominately in person meetings are required before AB 1944, if approved, goes into effect in January 2023.

Option 1: Returning to In Person Meetings.

Regarding the C/CAG Board meetings, C/CAG staff have been working with SamTrans staff about the ability to return to the SamTrans auditorium for in person C/CAG Board meetings. SamTrans is currently not allowing the use of its auditorium for public purposes. SamTrans is reviewing protocols and testing technology to see how best to accommodate public board meetings in the auditorium at the SamTrans HQ. SamTrans is looking at options for hybrid board meetings, including hosting the board members in person and having the public participate virtually. C/CAG staff are waiting for the conclusion of SamTrans's review of protocols.

C/CAG staff assume that if the C/CAG Board returns to in person meetings, it will be advantageous to continue with some form of streaming, for example "room with a zoom" whereby the meeting could be broadcast on Zoom, or similar platform, and public comments could be received through Zoom, or similar platform. C/CAG staff believe that the SamTrans auditorium has the audio-visual capacity to permit the "room with a zoom," with a Board the size of C/CAG's, but are waiting for confirmation. If in-person meetings are required, one option might be to allow remote participation for several Board Members through a centralized location, like a public room on the Coastside. This has logistics challenges of how to connect the members to the meeting through zoom.

Providing a room with a zoom capacity will require audio-visual assistance. Staff have been in discussion with Penn Media (formerly PenTV) about providing audio-visual assistance to stream the C/CAG Board meeting from the SamTrans auditorium.

The sequence is:

1. Confirmation from SamTrans that the C/CAG Board can conduct its meetings at the auditorium.
2. Determine if Penn Media would provide the audio-visual assistance to stream the C/CAG Board meeting over a Zoom, or similar platform, and/or if SamTrans would prefer to provide that audio-visual assistance with their own staff or consultants.

Regarding the C/CAG Committees, Staff will explore mobile meeting platforms such as the Meeting Owl Pro to provide streaming and the opportunity for members of the public to participate via Zoom, or similar platform. However, Committee members would be expected to attend in person. Staff are concerned that there might be challenges with quorum given that some Committee members might have to travel 2 hours to attend a 20-minute meeting.

This option may result in additional costs that might include a contract with an audio-visual firm to manage the room with the zoom for the C/CAG Board meetings, additional technology and training for providing the "room with a zoom" for committee meetings, and managing simultaneous in person and remote meetings will likely require additional staffing time at the meetings.

Option 2: Continue with Remote Meetings

This option would continue remote meetings as they have been occurring for the past two years. This option is only available if AB 1944 or similar legislation is approved and signed by the Governor. In this event, the Board may wish to engage in a policy discussion regarding whether to hold a few in person meetings per year, and whether the Board would like to have a location where the members and/or the public could attend the meeting in person if desired.

Committee meetings would largely continue as they have for the past two years. There might be additional costs associated with continuing with remote meetings if there is a desire to have hybrid meetings that were held remotely and had a physical location for public participation.

ATTACHMENT

1: BOARD AND COMMITTEE MEETING LOCATIONS PRE COVID

#	Board/Committee	Meeting Location Pre Covid
1	C/CAG Board of Directors	SamTrans Auditorium
2	Legislative Committee	SamTrans Auditorium
3	Administrator's Advisory Committee	555 County Center, 5th Floor, Conference Room 1 Redwood City
4	Airport Land Use Committee	Burlingame City Hall
5	Congestion Management and Environmental Quality	San Mateo City Hall
6	Bicycle and Pedestrian Advisory Committee	San Mateo City Hall
7	Congestion Management Program Technical Advisory Committee	SamTrans Auditorium
8	Finance Committee	555 County Center, 5th Floor, Conference Room 1 Redwood City
9	Stormwater Committee	SamTrans Auditorium
10	Resource Management and Climate Protection Committee	155 Bovet Road - Ground Floor Conference Room, San Mateo

C/CAG AGENDA REPORT

Date: April 14, 2022

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

From: Sean Charpentier, Executive Director

Subject: Written Communications 10 Letters - Information Only

(For further information, please contact Mima Crume at mcrume@smcgove.org)

BACKGROUND

This item is for information only. The following written communications are available on the C/CAG Website: <http://ccag.ca.gov/committees/board-of-directors/>

10.1 Letter from Marie Chuang, C/CAG Chair to Therese McMillan, Executive Director of MTC, dated March 22, 2022; RE: MTC Bipartisan Infrastructure Law Strategy.

10.2 Letter from Sean Charpentier, C/CAG Executive Director and Carter Mau, TA Executive Director to Congresswoman Jackie Speier, dated March 22, 2022; RE: 92/101 Area Improvements Project \$1 million Member Directed Funding.

10.3 Letter from Marie Chuang, C/CAG Chair to Honorable Cecilia Aguiar- Curry, dated March 25, 2022; RE: AB 2097 Parking Requirements- Oppose

10.4 Letter from Marie Chuang, C/CAG Chair to Honorable Anna Caballero; dated March 25, 2022; RE: SB 852-Climate Resilience Districts- Support if Amended

10.5 Letter from Marie Chuang, C/CAG Chair to Honorable Lena Gonzalez; dated March 25, 2022; RE: SB 917 (Becker) Seamless Bay Area- Support in Concept

10.6 Letters from Sean Charpentier, Executive Director C/CAG to Honorable Jackie Speier Congresswoman; Honorable Alex Padilla, Senator; and Honorable Diane Feinstein, Senator; dated April 5, 2022; RE: Letters of support for Member Directed SamTrans Bus Shelter ADA Upgrade request.

10.7 Letter from Sean Charpentier, Executive Director C/CAG to Secretary Pete Buttigieg, US Dept. Transportation; dated April 5, 2022; RE: Letter of support for Raise application for US 101/92 Area Improvement and Multimodal Project

10.8 Letter from Sean Charpentier, Executive Director C/CAG to Honorable Jackie Speier Congresswoman; dated April 7, 2022; RE: Letter of support for Daly City John Daly and Serramonte Blvd resurfacing project.

ATTACHMENT

1. The written communications are available on the C/CAG Website: <http://ccag.ca.gov/committees/board-of-directors/>