

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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

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

MINUTES

Meeting No. 358
November 10, 2022

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.

1.0 CALL TO ORDER/ ROLL CALL

Vice Chair Ricardo Ortiz called the meeting to order at 6:32p.m. Roll call was taken.

Atherton	– Elizabeth Lewis
Burlingame	– Ricardo Ortiz
Colma	– John Goodwin
Daly City	– Pamela DiGiovanni
East Palo Alto	– Lisa Gauthier
Half Moon Bay	– Debbie Ruddock (arrive 7:04 p.m.)
Hillsborough	– Marie Chaung
Menlo Park	– Cecilia Taylor
Millbrae	– Gina Papan
Pacifica	– Sue Beckmeyer
Portola Valley	– Maryann Moise Derwin
Redwood City	– Alicia Aguirre
San Bruno	– Michael Salazar
San Carlos	– Adam Rak
San Mateo	– Diane Papan (arrive 6:41 p.m.)
Woodside	– Dick Brown

Absent:

Belmont
Brisbane
Foster City

San Mateo County
South San Francisco
SMCTA (Non-Voting)
SMCTD (Non-Voting)

Others:

Sean Charpentier	– C/CAG Executive Director
Mima Crume	– C/CAG Clerk of the Board
Melissa Andrikopolous	– C/CAG Legal Counsel
Kaki Cheung	– C/CAG Staff
Van Ocampo	– C/CAG Staff
Jeff Lacap	– C/CAG Staff
Reid Bogert	– C/CAG Staff
Susy Kalkin	– C/CAG Staff
Kim Wever	– C/CAG Staff
Kim Springer	– C/CAG Staff
Eva Gaye	– C/CAG Staff
Audrey Shiramiza	– C/CAG Staff
Leo Scott	– Gray/Bowen/Scott

Other members of the public attended.

2.0 BRIEF OVERVIEW OF TELECONFERENCE MEETING PROCEDURES

Clerk Crume gave a brief overview of the teleconference meeting procedures.

3.0 PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

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

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

4.0 PRESENTATIONS/ ANNOUNCEMENTS

4.1 Receive an update on the Construction of San Mateo 101 Express Lanes Project.

The Board received a presentation and an update on the construction of San Mateo 101 Express Lanes Project. The full Project is being constructed in three phases: the Construction Capital phase, the Toll System Integration phase, and the Highway Landscaping phase. Construction of the capital improvement on the northern segment is now at 98% complete with only 95% of the construction time elapsed. Work priority for the northern segment has now shifted towards the completion of installation of the Toll Facility and performing the necessary testing in preparation for toll operation commencement in early 2023. On October 31, 2022, Caltrans completed the removal of the channelizers and barricades in the southbound direction and opened the Express Lanes to High Occupancy Vehicles having three or more occupants (HOV 3+ only). With the completion of the Construction Capital phase, Caltrans' focus is on constructing the Landscaping Phase to fully complete the over-all project.

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 minutes of regular business meeting No. 357 dated October 13, 2022. APPROVED
- 5.2 Review and approval of Resolution 22-92 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 22-93 amending the One Bay Area Grant 3 (OBAG 3) County & Local Program to reflect a reallocation of \$300,000 to supplement the C/CAG Program Monitoring and Planning Activities. APPROVED
- 5.4 Review and approval of Resolution 22-94 authorizing the C/CAG Chair to execute a funding agreement with Town of Woodside in an amount up to \$290,848 using Fiscal Year 2022/23 Transportation Fund for Clean Air (TFCA) Program fund for the Glens Path Pedestrian Safety Improvements Phase 3 Project. APPROVED
- 5.5 Review and approval of the appointments of Sam Bautista, Public Works Director from the City of Millbrae, to the C/CAG Congestion Management Program Technical Advisory Committee and Stormwater Committee; and Humza Javed, Public Works Director from the City of East Palo Alto, to the C/CAG Congestion Management Program Technical Advisory Committee. APPROVED.
- 5.6 Review and approval of Resolution 22-95 determining that the City of Millbrae Draft Zoning Code and Zoning Map Updates are conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport. APPROVED
- 5.7 Review and approval of Resolutions regarding consistency with the policies of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport.
- A. Review and approval of Resolution 22-96 determining that the City of San Bruno's Draft 2023-2031 Housing Element is not consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport. APPROVED
- B. Review and approval of Resolution 22-104 determining that the City of San Bruno's General Plan Amendment to recognize the Local Agency Override process that is provided by State law is consistent with the policies of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport. APPROVED
- 5.8 Review and approval of Resolution 22-97 authorizing the C/CAG Executive Director to

execute an agreement with Shaw Yoder Antwih Schmelzer & Lang, Inc. for State Legislative Advocacy Services from January 1, 2023, through December 31, 2025 for an amount not to exceed \$252,000. APPROVED

- 5.10 Review and approval of Resolution 22-99 authorizing the C/CAG Chair to execute Amendment No. 9 to the agreement with the Bay Area Water Supply and Conservation Agency for the Rain Barrel and Rain Garden Rebate Program, adding an amount not to exceed \$20,000 for the Fiscal Year 2022-23 for a new total amount not to exceed \$155,000. APPROVED
- 5.11 Review and approval of Resolution 22-100 authorizing the C/CAG Chair to execute Amendment No. 2 to the agreement with County Information Services Department, extending the contract term through June 30, 2024 and modifying the budget to include an additional amount not to exceed \$3,919.64 for Fiscal Years 2022-23 and 2023-24 resulting in a new total contract amount not to exceed \$12,888.88. APPROVED
- 5.12 Review and approval of Resolution 22-101 authorizing the C/CAG Executive Director to execute a grant agreement with Global Philanthropies Partnership, specifying C/CAG as the project lead in developing the Climate Resilience Resources Guide: Part 2. APPROVED
- 5.13 Review and approval of Resolution 22-103, authorizing the C/CAG Executive Director to execute Amendment No. 3 to the Agreement with Gray Bowen Scott for on-call consultant services for Federal and State funded project coordination and grant administration to add \$30,000, for a revised not to exceed contract amount of \$430,000, and to extend the term of the contract to March 31, 2023. APPROVED
- 5.14 Receive a copy of executed Amendment No. 1 to the Fiscal Year 2020/21 Transportation Fund for Clean Air (TFCA) Funding Agreement with City of Daly City for the Daly City Crosswalk Enhancements Project, extending project completion date to October 31, 2023, at no additional cost. INFORMATION

Board Member Lewis MOVED to approve the consent agenda items 5.1 through 5.8 and 5.10 through items 5.14. Board Member Cheung SECONDED. Roll call was taken.
MOTION CARRIED 14-0-0

Item 5.9 was pulled from the consent agenda.

- 5.9 Review and approval of Resolution 22-98 authorizing the C/CAG Executive Director to execute a Memorandum of Understanding (MOU) between project sponsors and C/CAG in support of an application for the Senate Bill 1 (SB1) competitive Local Partnership Program (LPP). APPROVED

C/CAG staff Jeff Lacap gave an update that item 5.9 authorizes C/CAG to sponsor SB1 local partnership program applications from the Town of Colma and the City of San Mateo. The applicants are responsible for submitting the application and if successful, applicants are responsible for all project management financial commitment associated with the project under the LPP grant. C/CAG was planning to sponsor from the following applications from Colma, Hillside Blvd improvements in City of San Mateo City Wide Street reconstruction. Earlier this week, the City of San Mateo staff indicated via e-mail

notification to C/CAG staff that they would not be proceeding with an LPP application. Staff requested that the C/CAG Board approve the amended resolution 22-98 that reflects City of San Mateo's decision not to pursue an application.

Board Member Vaterlaus MOVED to approve the amended resolution 22-98 that removes reference to the City of San Mateo submitting an LPP application. Board Member Gauthier SECONDED. Roll call was taken. **MOTION CARRIED 14-0-0.**

6.0 REGULAR AGENDA

- 6.1 Review and approval of the appointment of up to two C/CAG Board members to serve on the San Mateo County Express Lanes Joint Powers Authority. APPROVED

Board Member Vaterlaus MOVED to appoint Board Member Gina Papan to the first seat on the San Mateo County Express Lanes Joint Powers Authority and to appoint Board Member Salazar to the second seat on the San Mateo County Express Lanes Joint Powers Authority. Board Member Gauthier SECONDED. Roll call was taken. **MOTION CARRIED 17-0-0.**

- 6.2 Receive a presentation on AB 2449 and Updated Requirements for Brown Act Meetings. INFORMATION

C/CAG Legal Counsel gave a brief presentation on the AB 2449 and updated requirements for Brown Act meetings. Governor Newsom signed AB 2449 into law. The bill authorizes a member of a legislative body to participate remotely for "just cause," or allows the legislative body to consider and take action on a request from a member to participate remotely in a meeting due to "emergency circumstances." The new law goes into effect on January 1, 2023, and will remain in effect until January 1, 2026. Governor Newsom recently announced that the COVID-19 State of Emergency will end on February 28, 2023. As a result, Brown Act bodies will no longer be able to conduct remote meetings under the provisions of AB 361 after February 28, 2023, unless the State of Emergency is unexpectedly extended or renewed. Starting January 1, 2023, AB 2449 will allow a member of a Brown Act body (for C/CAG, this includes the C/CAG Board of Directors and C/CAG standing committees) to participate remotely under the streamlined teleconference procedures in either of the following two circumstances, the "Just cause" and "Emergency circumstances".

Sean Charpentier added that staff is preparing to return to in-person meetings in March 2023. Staff has tested the audio-visual system at the SamTrans auditorium. It will meet the needs of the Board to allow to stream it's meeting and allow remote participation from board members acting pursuant to the new legislation as well as public participation remotely and in-person. The committees are pursuing a strategy to use the Owl technology to have in-person committee meetings but allow the public and committee members pursuant to the new legislation to participate remotely. During the agenda item on the legislative update, we are pursuing a concept of legislation that would allow us to continue to fully meet remotely for our committee meetings. But we do not anticipate any immediate effect on the March deadline.

- 6.3 Receive a presentation on the update of the C/CAG Congestion Relief Plan (CRP), covering fiscal years 2023 through 2027. INFORMATION

The Board received a presentation on the update of the C/CAG Congestion Relief Plan (CRP), covering fiscal years 2023 through 2027. C/CAG's Congestion Relief Plan was developed to serve as a Countywide Deficiency Plan, so that the individual cities and the County would not have to develop multiple deficiency plans with corresponding implementation costs. The adoption of the Congestion Relief Plan relieves all San Mateo County jurisdictions from State mandates to fix the specific congested locations that triggered a deficiency, and any locations that might trigger a deficiency in the subsequent five years. The Congestion Relief Plan is also designed to be used as matching funds to leverage other competitive federal, state, and local grants that align with program goals. Staff has begun to update the plan and release a request for proposal to consultants and provide assistance to staff. The selected consultant will summarize the previous expenditures and outcomes from the Congestion Relief Plan. In addition to revising the programs and strategies, the consultant will estimate the costs for implementation and provide a delivery timeline.

- 6.4 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.) NO ACTION

Kim Springer, staff to the C/CAG Legislative Committee, gave an overview of the C/CAG Legislative Committee discussions, completed earlier in the evening; including: discussions about potential early meetings of the legislature, the swearing in of new members and introduction of legislation (both on December 5, 2023), anticipation of a deficit in the Governor's budget, which should be presented right before Thanksgiving and which could be a deficit as high as \$7B to \$21B, and the proposed Legislative Focus Areas and funding priorities as provided in staff reports.

7.0 COMMITTEE REPORTS

7.1 Committee Reports (oral reports)

None.

7.2 Chairperson's Report

None.

7.3 Board Members Report/Communication

Board Member/MTC Commissioner Gina Papan reported that MTC is seeking for a new Executive Director.

8.0 EXECUTIVE DIRECTOR'S REPORT

Sean Charpentier reported that tonight, the Board approved the rain barrel program. Four rain barrel events coming up. One is going to be this weekend in Daly City in the Daly City corp yard 9am-12pm. Will try to get some outreach in the media and coverage for it. Will send details out next month on the remaining three rain barrel events.

9.0 COMMUNICATIONS - Information Only

9.1 Written Communication – None.

10.0 CLOSED SESSION – Closed Session has been postponed.

10.1 Public Employee Performance Evaluation (Government Code Section 54957).

Title: Executive Director of C/CAG.

11.0 RECONVENE IN OPEN SESSION – None.

11.1 Report out on any actions taken during the Closed Session.

12.0 ADJOURNMENT

Next scheduled meeting December 8, 2022

12.0 ADJOURNMENT – 7:51 p.m.