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Congestion Management & Environmental Quality (CMEQ) Committee

Date: Monday February 27, 2023
Time: 3:00 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), C/CAG Committee 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.

Join Zoom Meeting:

<https://us02web.zoom.us/j/85476150910?pwd=UHJvemE1SFBhMkwvMm5XOERQTzU4Zz09>

Meeting ID: 885 8917 0098
Passcode: 136584

Join by Phone: +1-669-900-6833

Meeting ID: 854 7615 0910
Passcode: 041609

Persons who wish to address the C/CAG CMEQ Committee on an item to be considered at this meeting, or on items not on this agenda, are asked to submit written comments to jlacap@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.	Brief Overview of Teleconference Meeting Procedures	Information (Lacap)	No Materials
2.	Public comment on items not on the agenda	Presentations are limited to 3 mins	No Materials
3.	Issues from the February 2023 C/CAG Board meeting: <ul style="list-style-type: none"> • Accepted the 2022 attendance report for the C/CAG Board and Committee meetings. • Adopted Reso 23-07 approving the population data to be used by C/CAG for calculation of member contributions and a variety of administrative related items. • Nominations of C/CAG Chair and Vice Chair for the March 2023 Election of Officers. • Appointment of Richard Hedges, Stacy Miles Holland, and Stacy Jimenez to the CMEQ Committee 	Information (Lacap)	No Materials
4.	Approval of minutes of November 28, 2022 meeting	Action (Alba)	Pages 1-6



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5.	Review and recommend approval of the Fiscal Year 2023/24 Expenditure Plan for the Transportation Fund for Clean Air (TFCA) County Program Manager Fund for San Mateo County	Action (Wever)	Pages 7-9
6.	Election of CMEQ Chairperson and Vice Chairperson	Action (Alba)	Page 10
7.	Update on AB 2449 and Hybrid C/CAG Board Meetings	Information (Charpentier)	Pages 11- 13
8.	Receive C/CAG's Draft 2-year Workplan	Information (Charpentier)	Pages 14-16
9.	Executive Director Report	Information (Charpentier)	No Materials
10.	Member comments and announcements	Information (Alba)	No Materials
11.	Adjournment and establishment of next meeting date: March 27, 2023	Action (Alba)	No Materials

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 Guilles 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 Guilles 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 jlacap@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. The length of the emailed comment should be commensurate with the two minutes customarily allowed for verbal comments, which is approximately 250-300 words.
5. If your emailed comment is received at least 2 hours prior to the meeting, it will be provided to the C/CAG CMEQ Committee members, made publicly available on the C/CAG website along with the agenda. We cannot guarantee that emails received less than 2 hours before the meeting will be read during the meeting, but such emails will be included in the administrative record of the meeting.

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

555 County Center, 5th Floor, Redwood City, California 94063

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- online and will be used to notify you that it is your turn to speak.
4. When C/CAG staff or CMEQ Chair call for the item on which you wish to speak, click on “raise hand.” Staff 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: Jeff Lacap, jlacap@smcgov.org

**CITY/COUNTY ASSOCIATION OF GOVERNMENTS COMMITTEE ON CONGESTION
MANAGEMENT AND ENVIRONMENTAL QUALITY (CMEQ)**

**MINUTES
MEETING OF November 28, 2022**

The meeting was called to order by Chair O'Neill at 3:02 p.m. via Zoom Videoconference. Roll call for attendance was taken. Attendance sheet is attached.

1. Brief Overview of Teleconference Meeting Procedures

Eva Gaye, C/CAG Staff, provided an overview of the teleconference meeting procedures.

2. Public comment on items not on the agenda

None.

3. Issues from the November 2022 C/CAG Board meeting. (Information)

Eva Gaye, C/CAG Staff, noted the agenda listed the status of items recently addressed by the C/CAG Board, and offered to respond to any questions.

4. Approval of minutes of the October 31, 2022 meeting. (Action)

*Motion – To approve the minutes of the October 31, 2022 CMEQ meeting, Sullivan/Penrose., O'Neill, Reddy, Brown, Holober, McCune, Sullivan, Papan, Penrose, Salazar, and Alba.
Motion Passes 10-0. Member Bonilla was not present at the time of voting.*

5. Receive a presentation on C/CAG's Equity Assessment and Framework Development Project

Kim Springer, C/CAG Staff, introduced Christopher Lepe (Mariposa Planning Solutions) to present on C/CAG's Equity Assessment and Framework Development Project. Christopher provided an outline of the equity framework which includes a San Mateo County historical perspective of effects of discrimination, a definition of equity and pledge specific to C/CAG's scope of influence, geographic and demographic mapping of Equity Priority Communities (EPCs) in San Mateo County, and a framework for future efforts by C/CAG to address disparities. Following the presentation Kim Springer and Christopher Lepe requested that the committee provide their input and was available for questions.

Member Reddy suggested that C/CAG's Equity Priority Communities (EPCs) should expand its metrics to include mobile home parks on the East side of US 101. Which she noted are also disadvantaged communities. Kim Springer responded and indicated that this is a consideration that the Equity framework is exploring.

Member Brown questioned how the equity framework will capture C/CAG's allocation of funding to Equity Priority Communities and what are the implications for communities that are not in EPCs. Director Charpentier responded to Member Brown's question and indicated that during the call for projects process, C/CAG requires a smaller local match for projects located in EPCs.

Commissioner Papan underscored Member Reddy's comment concerning the inclusion of mobile home parks, specifically in coastal communities. She inquired how best can the Equity Framework collect data.

Chair O'Neill emphasized the need to provide additional resources to coastal communities. He further added that it would be helpful to explore demographic data of schools in the coast and north San Mateo County that are under resourced.

Member Bonilla expressed his support for the Equity Framework and emphasized the need to distribute resources across the County.

6. Review and recommend approval of the Joint Call for Projects for the C/CAG and San Mateo County Transportation Authority Shuttle Program for Fiscal Years 23/24 & 24/25.

Susy Kalkin, C/CAG Staff presented on the Joint Call for Projects for the C/CAG and San Mateo County Transportation Authority Shuttle Program for Fiscal Years 23/24 & 24/25. She noted that the funding for the call for projects is intended to start new local transportation services, augment existing services, or continue projects previously funded by the Shuttle Program. Shuttles funded through this program must be open to the general public, and must conform to all applicable federal, state, and local laws and regulations.

Member Penrose noted that Half Moon Bay is currently not serviced by shuttle service and needs services.

Chair O'Neill stated that there are no shuttle services in Pacifica.

Member Reddy stated that low-income people are in need of shuttle services. She inquired about the cost of the service in which Susy clarified that the shuttle services are free for passengers.

Member Bonilla stated that as a past member of the Board at Commute.org he is aware of the benefits of the shuttle program. He emphasized the need to expand the shuttle service to coastal communities

Member Sullivan inquired whether the shuttle service is available to high school students, especially along coastal communities where we can reduce traffic congestion? Susy responded that the shuttle program is open to the public therefore if schools are along the shuttle route; students are able to utilize the service.

Commissioner Papan read Member Holober's comment in the zoom chat which stated that "the equity definition should be expanded to include communities that are not serviced by the shuttle program." Commissioner Papan also emphasized the need to service coastal communities. Susy responded and stated that San Mateo County and Half Moon Bay are working on a Transportation Demand Management plan for the coast side which will lay the groundwork for improved transportation. Director Charpentier also added that C/CAG is inclusive of the coastal community's needs, he pointed to the Micromobility study in which coastal communities are apart off. He additionally stated that the call for projects for the shuttle

program are reliant on jurisdictions submitting applications and for the past few years no applications have been received from coastal communities.

Commissioner Papan further inquired whether applications can be submitted for targeted shuttle use to limit GHG emissions from recreational visitors. Susy responded that 'beach shuttles' are an eligible project type however they have not been successful

Member Penrose stated that Commute.org surveyed the coastal community's commuter patterns. She noted that the majority of people traveling along SR-1 are people who live and work on the coast.

Member Sullivan commented that we need to take a closer look at the type of transportation that will have an impact on coastal communities.

Motion- To approve the Joint Call for Projects for the C/CAG and San Mateo County Transportation Authority Shuttle Program for Fiscal Years 23/24 & 24/25. Papan/Bonilla., Bonilla, O'Neill, Reddy, Brown, Holober, Sullivan, Papan, Penrose, Salazar, and Alba. Motion Passes 10-0. Member McCune was not present at the time of voting.

7. Review and recommend Board approval of the San Mateo County Shared Micromobility Feasibility Study and Implementation Plan

Kim Wever, C/CAG Staff provided a final overview of the San Mateo County Shared Micromobility Feasibility Study and Implementation Plan.

Commissioner Papan emphasized the need for the Micromobility program to begin before 2024. She further requested that comments from the Committee be addressed in the plan such as integrating Millbrae/Burlingame's bikeshare program. Kim responded that the consultant has and will address all comments received and staff will keep Millbrae and Burlingame staff involved in the program guidelines.

Member Sullivan reiterated his previous comments regarding tracking the Micromobility scooters and electric bicycles. Kim responded that the program guidelines will require the operator to share data.

Member Alba recommended that the final presentation limit the number of images of electric scooters if the program is focusing on electric bicycles. Kim responded that the recommendation is e-bikes for the pilot program area however, jurisdictions have the option to add electric scooters to their program.

Motion- To approve the San Mateo County Shared Micromobility Feasibility Study and Implementation Plan. Papan/Alba. Bonilla, O'Neill, Reddy, Brown, Holober, Sullivan, Papan, Salazar, and Alba. Motion Passes 9-0. Members McCune and Penrose were not present at the time of voting.

8. Review and recommend approval of the revised composition of members and voting roles on the Congestion Management and Environmental Quality (CMEQ) Committee to include one representative from the San Francisco Bay Area Rapid Transit District (BART).

Sean Charpentier, C/CAG Director presented on the CMEQ Committee composition. Which includes adding a seat for BART as a non-voting member. Sean indicated that Bevan Dufty submitted a letter of interest.

Commissioner Papan stated that Bevan Dufty has taken an interest in BART's stations and operation in San Mateo County. She expressed her support for BART's participation on the CMEQ Committee.

Members Bonilla, Reddy, Sullivan, and Vice-Chair Alba also expressed their support for BART's participation on the CMEQ Committee.

Member Holober expressed his disapproval of BART's participation on the CMEQ Committee. He further articulated his frustration regarding "BART mismanagement of public safety and cleanliness" at the stations in the county.

Member Ratto noted that BART like SamTrans will also be a non-voting member. He expressed his support of Bevan Dufty as BART's liaison on the CMEQ Committee.

Member Bonilla requested that BART places an item on their agenda to include a member of San Mateo County as a non-voting member. Director Charpentier responded that the BART's Board is set by statute and is approved by the State Legislature. Commissioner Papan also added that this request cannot be made by the CMEQ Committee. She added that San Mateo County had the option of having a seat on BART's Board via Regional Measure 3 (RM3).

Motion- To approve the revised composition of members and voting roles on the Congestion Management and Environmental Quality (CMEQ) Committee to include one representative from the San Francisco Bay Area Rapid Transit District (BART). Bonilla/Reddy, Bonilla, O'Neill, Reddy, Brown, Sullivan, Papan, Salazar, and Alba. Member Holober opposed. Motion Passes 8-0-1. Members McCune and Penrose were not present at the time of voting.

9. Review and approval of the 2023 CMEQ meeting calendar.

Eva Gaye, C/CAG Staff presented the 2023 CMEQ Committee meeting schedule.

Commissioner Papan suggested that staff reschedule the CMEQ meeting which falls on Yom Kippur (September 25, 2023). Eva responded that staff would follow up via email with the Committee to reschedule the September 25, 2023 CMEQ Committee meeting.

Motion- To approve the 2023 CMEQ meeting calendar with the amendment of the September 25,2023 CMEQ Meeting date. Papan/Bonilla, Bonilla, O’Neill, Reddy, Holober, McCune, Brown, Sullivan, Papan, Salazar, and Alba. Motion Passes 10-0. Member Penrose was not present at the time of voting

10. Executive Director Report (Information)

Sean Charpentier, C/CAG Executive Director provided the following updates:

- The adaptive signal project on Ralston Avenue in the City of Belmont was unveiled. The project was funded by \$230,000 of TFCA Funds.
- The CMEQ Committee will be returning to in person meetings in March.
- Member Beach submitted her letter of resignation from the CMEQ Committee effective as of November 28, 2022.
- Members O’Neill, Reddy, Holober, and Bonilla are also transitioning out of the CMEQ Committee.

11. Member comments and announcements (Information)

Members Reddy, Bonilla, Holober, and Chair O’Neill thanked members for the opportunity to serve on the CMEQ committee.

12. Adjournment and establishment of next meeting date

The meeting adjourned at 5:00 p.m. The next regular meeting was scheduled for January 30, 2023.

2022 C/CAG Congestion Management & Environmental Quality (CMEQ) Committee Attendance Report

Name	Representing	Jan	Feb	Mar	Apr	May	Jun	Jul (No Mtg.)	Aug	Sept	Oct	Nov	Dec (No Mtg.)
Emily Beach (Burlingame City Council Member)	Elected Official	X	X	X	X		X		X	X	X	N/A	
Rick Bonilla (San Mateo City Council Member)	Elected Official		X	X	X	X	X		X	X	X	X	
Julia Mates (Belmont City Council Member)	Elected Official		X		N/A	N/A	N/A						
Mike O'Neill (Pacifica City Council Member)	Elected Official	X	X	X	X	X				X	X	X	
Diana Reddy (Redwood City Council Member)	Elected Official	X	X	X	X	X	X		X		X	X	
Dick Brown (Woodside Town Council Member)	Elected Official	X	X	X	X	X			X	X	X	X	
Reuben Holofer (Millbrae City Council Member)	Elected Official	X	X	X	X		X		X	X	X	X	
Tom McCune (Belmont City Council Member)	Elected Official	X			X	X	X		X	X	X	X	
Patrick Sullivan (Foster City Council Member)	Elected Official	X		X	X		X		X	X	X	X	
Gina Papan (MTC Commissioner)	Metropolitan Transportation Commission (MTC)		X	X	X	X	X		X	X	X	X	
Lennie Roberts	Environmental Community		X	X	X	X	X		X	X			
Juan Salazar	Business Community		X	X		X	X			X	X	X	
Peter Ratto	San Mateo County Transit District (SamTrans)	X	X	X	X	X	X		X	X	X		
Jessica Alba	Public Member	X		X	X	X	X		X	X	X	X	
<i>Vacant</i>	<i>Peninsula Corridor Joint Powers Board (Caltrain)</i>												
Deborah Penrose	Agencies with Transportation Interests		X	X	X	X	X		X	X	X	X	

Staff and Guests in attendance for the November 28, 2022 Meeting

Sean Charpentier, Kaki Cheung, Eva Gaye, Susy Kalkin, Kim Springer, Kim Wever, - C/CAG Staff
 Pamela Herhold -BART, Jake Warr -Espousal Strategies, Christopher Lepe-Mariposa Planning Solutions, and
 Patrick Gilster-SMCTA

C/CAG AGENDA REPORT

Date: February 27, 2023

To: Congestion Management and Environmental Quality Committee

From: Kim Wever, Transportation Program Specialist

Subject: Review and recommend approval of the Fiscal Year 2023/24 Expenditure Plan for the Transportation Fund for Clean Air (TFCA) County Program Manager Fund for San Mateo County

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

RECOMMENDATION

That the Congestion Management and Environmental Quality Committee (CMEQ) reviews and recommends approval of the Fiscal Year 2023/24 Expenditure Plan for the San Mateo County Transportation Fund for Clean Air (TFCA) Program Manager Fund.

FISCAL IMPACT

The total estimated funding amount is \$1,370,011. Of the \$1.37M, an estimated amount of \$65,364 will be used for program administration, and approximately \$1,304,647 will be allocated to projects.

SOURCE OF FUNDS

The Bay Area Air Quality Management District (BAAQMD) is authorized under Health and Safety Code Section 44223 and 44225 to levy a fee on motor vehicles. Funds generated by the fee are referred to as the Transportation Fund for Clean Air (TFCA) funds, and are used to implement projects to reduce air pollution from motor vehicles. Health and Safety Code Section 44241(d) stipulates that forty percent (40%) of funds generated within a county where the fee is in effect shall be allocated by the BAAQMD to one or more public agencies designated to receive the funds. For San Mateo County, C/CAG has been designated as the County Program Manager to receive the funds.

BACKGROUND

The Air District had issued a County Program Manager Fund Expenditure Plan Guidance (Guidance) for TFCA funding covering Fiscal Year 2023/24. Cost Effectiveness (C-E), as defined in the Guidance, is used as screening criteria for all projects considered for allocation under the TFCA program. For instance, ridesharing projects must result in a C-E of less than \$150,000 per weighted ton of reduced emissions. Existing First Last Mile Connection (Shuttles) must show a C-E of less than \$200,000 per weighted ton of reduced emissions.

For the past several years, C/CAG has allocated the TFCA funds to projects implemented by the San Mateo County Transit District (SamTrans) and Commute.org. Historically, funds were provided to SamTrans to help fund the BART Shuttle Program, which provide peak commute period shuttle

service from BART stations to employment sites in San Mateo County. To better streamline operation, a shuttle study conducted by SamTrans recommended Commute.org to take over the BART shuttles. Effectively in Fiscal Year 2022/23, Commute.org will be the new project sponsor. In addition to the BART Shuttle Program, funds were also provided to Commute.org cover costs associated with the Countywide Voluntary Trip Reduction Program. The program aims to reduce single occupant vehicle trips and provides funding for the countywide Guaranteed Ride Home program. The Fiscal Year 2022/23 grant also provided funding to the Town of Woodside to make pedestrian safety improvements. The Town of Woodside will use the funds to construct a 4' wide raised asphalt concrete path to provide a safe place for pedestrians to walk along Glenwood Avenue. Additional signage and sharrows will also be installed to make Glenwood Avenue a Class 3 Bicycle Facility.

The grant awards for FY 2022/23 are summarized in the table below.

	FY 2022/23 TFCA Funds
Administration	\$68,456
Commute.org - Countywide Voluntary Trip Reduction	\$600,000
Commute.org - BART Shuttle	\$136,000
Town of Woodside - Glens Path Pedestrian Safety Improvements Phase 3 Project	\$290,848
Total	<u>\$1,095,304</u>

FY 2023/24 Funding Recommendations

The BAAQMD estimated that San Mateo County will receive a total of \$1,370,011 (\$1.02M in new funds and \$0.35M in reprogramming of underbudgeted projects) in TFCA funding for FY 2023/24. An amount of \$65,364 is budgeted for administration purpose, with the remaining \$1,304,647 available for projects.

For this cycle, it is recommended that Commute.org receive an allocation up to \$600,000 for the Countywide Trip Reduction Program. Through this program, Commute.org provides transportation demand management (TDM) programs, resources, support, and guidance to San Mateo County employers, commuters, municipalities, residential and commercial property managers, and partner organizations. The objective is to reduce vehicle miles traveled (VMT) and greenhouse gas (GHG) emissions by promoting sustainable commuting options. The agency encourages and supports transit ridership, carpooling and vanpools as well as active modes such as bicycling and walking.

Staff also proposes directing up to \$46,400 to Commute.org for the BART Shuttle Program, which supports the use of public transit. The funding amount is smaller compared to previous years in order to meet the Air District’s cost effectiveness ratio. Commute.org anticipates

additional contribution from private employers to fully fund the shuttle program.

In addition, staff also recommends allocating up to \$300,000 to C/CAG for the implementation of the San Mateo County Shared Micromobility Pilots. In December 2022, the C/CAG Board approved the San Mateo County Shared Micromobility Feasibility Study and Implementation Plan (Plan). The Plan included two e-bike pilots: 1) Daly City, Colma, and Broadmoor; 2) Redwood City and North Fair Oaks. C/CAG as the Program Manager will work with the pilot jurisdictions to finalize the framework for the program and procure an operator. TFCA funds will be used to cover costs related to program management, relevant capital investment, and subsidizing eligible low income riders to reduce their costs.

Lastly, staff recommends setting aside the remaining \$358,247 for projects that focus on active transportation. Instead of initiating a call for projects process for the limited funds, staff is proposing selecting a project (or projects) from C/CAG’s most recent calls based on funding availability and project delivery timeline. Detailed project scope(s) of the recommended project(s) will be brought back to the Committee for approval at later time.

These funding recommendations are subject to submission of an acceptable work plan and C-E calculations acceptable to BAAQMD. A summary of the Fiscal Year 2023/24 TFCA County Program Manager fund recommendation is shown below:

	<u>Estimated FY 2023/24 TFCA Funds</u>
Administration	\$65,464
Commute.org - Countywide Voluntary Trip Reduction	\$600,000
Commute.org - BART Shuttle	\$46,400
C/CAG – Shared Micromobility Pilots	\$300,000
Other Projects to be determined	\$358,247
Total	<u>\$1,370,011</u>

At their February 16, 2023 meeting, the C/CAG Congestion Management Program Technical Advisory Committee reviewed the funding proposal, and recommended approval of the Fiscal Year 2023/24 Expenditure Plan.

Staff requests that the CMEQ Committee reviews and recommends approval of the Fiscal Year 2023/24 Expenditure Plan for the Transportation Fund for Clean Air (TFCA) County Program Manager Fund.

ATTACHMENTS

- None

C/CAG AGENDA REPORT

Date: February 27, 2023
To: C/CAG Congestion Management and Environmental Quality (CMEQ) Committee
From: Jeff Lacap, Transportation Systems Coordinator
Subject: Nomination/Election of the CMEQ Committee Chair and Vice Chair

(For further information or response to questions, contact Jeff Lacap at jlacap@smcgov.org)

RECOMMENDATION

That the C/CAG CMEQ Committee nominate and elect a CMEQ Chair and a Vice Chair to serve for the 2023 calendar year.

FISCAL IMPACT

None.

SOURCE OF FUNDS

N/A.

BACKGROUND

Each year, the C/CAG CMEQ Committee selects a Chair and a Vice Chair to lead the committee for the year. The current Chair has been vacated by Mike O’Neill at the November 28, 2022 CMEQ Committee meeting. Currently Member Jessica Alba serves as the Vice Chair. Member Alba is eligible to continue serving in her respective role if elected by the Committee. Staff recommends that the C/CAG CMEQ Committee elect a Chair and Vice Chair for 2023.

ATTACHMENTS

None.

C/CAG AGENDA REPORT

Date: February 27, 2023

To: Congestion Management and Environmental Quality Committee

From: Sean Charpentier, Executive Director

Subject: Receive a presentation on AB 2449 and updated requirements for Brown Act meetings

(For further information, contact Sean Charpentier at scharpentier@smcgov.org).

RECOMMENDATION

That the Congestion Management and Environmental Quality Committee accepts this report regarding AB 2449 and updated requirements for Brown Act meetings.

FISCAL IMPACT

None.

BACKGROUND

In response to the COVID-19 pandemic, the Governor issued a number of Executive Orders that adjusted the rules for online meetings of Brown Act bodies, and the Legislature followed up with adoption of AB 361. Under these authorities, a meeting can be conducted online under streamlined procedures for remote participation under AB 361 as long as a state-declared emergency remained in effect and the local agency finds that requiring participants to attend in person would present imminent risks to public health and safety.

On September 13, 2022, 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.

In addition, 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.

DISCUSSION

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, including the Congestion Management and Environmental Quality Committee (CMEQ) to participate remotely under the streamlined teleconference procedures in either of the following two circumstances:

1. The member unilaterally notifies the legislative body at the earliest opportunity possible, including at the start of a regular meeting, of the member's need to participate remotely for "**just cause**," including a general description of the circumstances relating to their need to appear remotely at the given meeting.

"**Just cause**" means any of the following: (a.) A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely; (b.) A contagious illness that prevents a member from attending in person; (c.) A need related to a physical or mental disability not otherwise accommodated; (d.) Travel while on official business of the legislative body or another state or local agency. This method may not be used by any member of the legislative body for more than two meetings per calendar year.

2. The member requests the legislative body to allow them to participate in a particular meeting remotely due to "**emergency circumstances**" and the legislative body takes action to approve the request.

"**Emergency circumstances**" means a physical or family medical emergency that prevents a member from attending in person. The legislative body shall request a 20-word general description of the circumstances relating to their need to appear remotely at the given meeting. The request can be made by the member and acted upon by the legislative body at the beginning of the meeting to which the request applies. The prohibition on taking action on items not appearing on the timely-posted agenda is suspended for purposes of approving a request.

Both provisions require that at least a quorum of the Board or the committee be physically present in the same room where the public may attend and give comment, and also permit remote public participation, including public comment. AB 2449 limits the number of times a member may participate remotely to no more than three consecutive months or 20 percent of the regular meetings for the local agency within a calendar year, or more than two meetings if the legislative body regularly meets fewer than 10 times per calendar year.

With the anticipated end of the COVID-19 State of Emergency on February 28, 2023, AB 2449 will be the only alternative to posting an agenda and allowing members of the public to attend at all remote location(s).

C/CAG staff are preparing to return to in-person meetings beginning in March 2023. Before the pandemic, C/CAG Board meetings and Committee meetings were not televised or streamed online. Staff is testing the audio-visual system at the SamTrans auditorium to prepare for compliance with AB 2449 and to offer the public the opportunity to participate remotely after returning to in-person C/CAG Board of Directors meetings in March. For the C/CAG Committees, staff are exploring the use of "OWL" technology to facilitate the streaming and remote participation for the public and to comply with AB 2449.

C/CAG is also pursuing legislative solutions that would provide more flexibility for remote meetings. C/CAG sent a letter (Attachment 1) to the San Mateo County legislative delegation requesting legislation to provide flexibility to the Brown Act to allow the following legislative bodies to continue to have remote meetings:

1. Countywide or regional Boards that are appointed; and
2. Advisory committees that do not take binding actions.

ATTACHMENT

1. C/CAG Letter to San Mateo County Delegation requesting flexibility to meet remotely.

C/CAG AGENDA REPORT

Date: February 27, 2023

To: Congestion Management and Environmental Quality Committee

From: Sean Charpentier, Executive Director

Subject: Receive C/CAG's Draft 2 Year Workplan

(For further information, contact Sean Charpentier at scharpentier@smcgov.org)

RECOMMENDATION

That the Congestion Management and Environmental Quality Committee receives C/CAG's draft 2-Year workplan.

FISCAL IMPACT

None.

SOURCE OF FUNDS

N/A

BACKGROUND

C/CAG is a multi-faceted JPA that serves multiple Countywide functions. C/CAG has a team of 12 staff members. C/CAG's goals are to improve mobility, the environment, equity, and the quality of life in San Mateo County.

Key functions include:

- a) Serving as the County Transportation Agency and Congestion Management Agency, allocating local, State, and Federal Transportation Funding, managing several Countywide Transportation Plans; and supporting member agencies with projects and funding timelines. Manage multiple transportation programs like Safe Routes to School, the Micromobility Program and the Smart Corridor system. Support the Express Lane JPA. Leading or co-sponsoring with the SMTCA approximately \$1 billion of transportation projects.
- b) Leading Countywide effort with all jurisdictions for compliance with the Regional Storm Water Permit, including major long term multi-million dollar contract to support our efforts. Supporting countywide efforts for regional stormwater projects and well as smaller more local green infrastructure projects.
- c) Managing the Countywide TDM policy, the Airport Land Use Commission, and 21-Element.

- d) Leading and supporting Countywide energy efficiency efforts, including San Mateo County Energy Watch and Climate Action Planning.
- e) Support C/CAG Board and 9 Standing Committees with 146 seats, including 76 seats reserved for elected officials.

Structure of the Workplan:

The work plan shows the progression of work over 9 quarters, through the first quarter of 2025. The work plan is color coded with the following denotations.

1. Yellow- Major Categories of work within C/CAG.
2. Light Blue- Activities required by Statute, or Role, or Ownership. These are activities that are required by the C/CAG JPA or compliance with local, regional, or state regulations or statute. This also includes general management and operational activities. For example, C/CAG has to serve as the Airport Land Use Commission (ALUC), prepare the biannual Congestion Management Plan, manage the Regional Stormwater Permit, and maintain C/CAG owned components of the C/CAG Smart Corridor system.
3. Green- Discretionary Actions Necessary to Accomplish C/CAG's Mission/Goals: These are activities that are not required by our JPA or Statute, but are necessary to achieve our mission and goals. C/CAG has traditionally played a leadership role in creating or supporting solutions for problems that require coordinated Countywide responses, such as Commute.org; OneShoreline; and the San Mateo County Express Lanes. For example, the Equity Assessment and the Micromobility Feasibility Plan and Program are not required by Statute, but are essential to achieving our mobility goals and improving equity.
4. Orange: Discretionary Actions Not Yet Started: These are anticipated activities that have not yet started.
 - a) C/CAG Strategic Plan Development: Staff would like to begin a strategic planning effort for the Agency after the Equity Assessment is completed.
 - b) Carbon Neutrality Plan: California is supposed to be Carbon Neutral by 2045. This is a very ambitious goal. C/CAG is exploring how San Mateo County can create a Blueprint for accomplishing this goal and include periodic updates.
 - c) Electric Bike Strategic Plan: A critical strategy in accomplishing our GHG/VMT reduction goals is going to be shifting trips from automobiles to bicycling and transit. A major opportunity to shift trips is with electric bikes, which significantly expand the range of a bicycle trip. Supporting electric bikes will require longer and safer bicycle facilities and strategies to ensure that electric bikes are accessible to lower income households. Staff would like to conduct a highly focused strategic plan to augment the adopted C/CAG Countywide Bicycle Plan with the identification of which bicycle facilities would be best for E Bikes. The Plan would analyze the possibility of an electric bike "route" that would connect the Coastside to the Bayside; and develop strategies to provide equity incentives for e bikes.

- d) Countywide Adaptive Traffic Signal Synchronization Plan and Implementation: One of the strategies to manage recurring and non-recurring congestion is to leverage adaptive traffic signal technologies to maximize the efficiencies of our existing roadway networks. The project also aims to prioritize signal timing for transit vehicles and emergency vehicles.

Analysis:

This is a draft Workplan. In the last few years, the Agency has seen a significant increase in transportation funding and funding for other C/CAG program areas. Staff have been opportunistically and aggressively pursuing these funding sources. To date, C/CAG's staffing has not increased to reflect the increased workload. Timely implementation of this work plan will require additional C/CAG staffing resources.

Staff will continue to refine it based on input from the C/CAG Board and as needs arise.

ATTACHMENTS

1. Draft 2-Year Workplan