

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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

Meeting No. 362

<p>Date: Thursday, March 9, 2023</p> <p>Time: 6:30 p.m.</p> <p>Location: San Mateo County Transit District Office 1250 San Carlos Ave, 2nd Fl. Auditorium, San Carlos, CA</p> <p>Publicly-Accessible Teleconference Location: 2405 Kalanianaʻole PH-11 Hilo, HI 96720</p>	<p>Join by Webinar: https://us02web.zoom.us/j/88107124747?pwd=ZGdDS0tWcU1XOVBoZTI5V1RMOEs2dz09</p> <p>Webinar ID: 881 0712 4747</p> <p>Password: 030923</p> <p>Join by Phone: (669) 900-6833</p>
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HYBRID MEETING - IN-PERSON AND BY VIDEOCONFERENCE

This meeting of the C/CAG Board of Directors will be held in person and by teleconference pursuant to Government Code Section 54953(e). Members of the public will be able to participate in the meeting remotely via the Zoom platform or in person at the location above. For information regarding how to participate in the meeting, either in person or remotely, please refer to the instructions at the end of the agenda.

1.0 CALL TO ORDER/ ROLL CALL

2.0 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. Members of the public who wish to address the Board should complete a speaker's slip to make a public comment in person or raise their hand in Zoom to speak virtually.

3.0 PRESENTATIONS/ ANNOUNCEMENTS

- 3.1 Receive a presentation from Community Planning Collaborative (formerly Baird & Driskell) on the 21 Elements Collaboration. INFORMATION p. 1

4.0 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.

- 4.1 Approval of minutes of regular business meeting No. 361 dated February 9, 2023.
ACTION p. 2
- 4.2 Receive a copy of the following executed funding agreements and attachments:
 - 4.2.1 Receive a copy of Amendment No. 1 to the Agreement between Kimley Horn Associates and C/CAG for the Smart Corridor Northern Cities PS&E and Design Support Services.
INFORMATION p. 10
- 4.3 Review and accept the C/CAG Single Audit Report for the Year Ended June 30, 2022.
ACTION p. 17
- 4.4 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, 2022.
ACTION p. 18
- 4.5 Review and approval of Resolution 23-26 authorizing the 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 p. 26
- 4.6 Review and approval of Resolution 23-15, authorizing the C/CAG Executive Director to execute an agreement with the City of Pacifica for the Pacifica Mid-Block Crosswalk Safety Project in an amount not to exceed \$200,000.
ACTION p. 30
- 4.7 Review and approval of Resolution 23-17 authorizing the C/CAG Chair to execute Amendment No. 4 to the agreement with the City of East Palo Alto for the Addison Avenue Integrated Safe Routes to School and Green Streets Infrastructure Pilot Project, extending the term to June 30, 2024 for no additional cost.
ACTION p. 33
- 4.8 Review and approval of appointment of Roland Yip, Deputy Director of Public Works for the City of Pacifica, to the Stormwater Committee.
ACTION p. 40
- 4.9 Review and approval of Resolution 23-18 determining that the proposed 56-unit townhome development with related General Plan and Zoning Amendments for property located at 505 E. Bayshore Road, Redwood City, is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport.
ACTION p. 43
- 4.10 Review and approval of Resolution 23-19 determining that the City of Millbrae Draft 2023-2031 Housing Element is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport.
ACTION p. 49
- 4.11 Review and approval of Resolution 23-20 determining that proposed amendments to the City of Redwood City's Downtown Precise Plan (DTPP) and General Plan to increase the

maximum allowable development caps for office use and modify certain DTPP development standards are consistent the with Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport. ACTION p. 58

- 4.12 Review and approval of Resolution 23-21 authorizing the C/CAG Chair to execute Amendment No. 8 to the agreement with Advanced Mobility Group for work related to implementation of the updated Congestion Management Plan Land Use Impact Analysis Program to extend the term of the contract to September 30, 2023, with no change in the budget. ACTION p. 64
- 4.13 Review and approval of updated C/CAG Legislative Priorities for 2023. ACTION p. 70
- 4.14 Review and approval of Resolution 23-22 authorizing the C/CAG Executive Director to execute an agreement with Kittelson & Associates for the preparation of the San Mateo Countywide Local Roadway Safety Plan in an amount not to exceed \$338,150, establish a contingency in the amount of \$33,815 (10% of contract) for a total project budget of \$371,965, and execute future contract amendments in an amount not-to-exceed the appropriated contingency. ACTION p. 77
- 4.15 Review and approval of Resolution 23-23, authorizing the C/CAG Chair to execute Amendment No. 4 to the Agreement with Gray Bowen Scott for on-call consultant services for Federal and State funded project coordination and grant administration, to add \$80,000 for a revised not to exceed contract amount of \$510,000, and to extend the term of the contract to September 30, 2023. ACTION p. 81
- 4.16 Review and approval of Resolution 23-24, authorizing a waiver of the Request for Proposals process and further authorizing the C/CAG Executive Director to execute an agreement with Colantuano, Highsmith & Whatley, PC for outside legal support on evaluating stormwater funding options in San Mateo County in Fiscal Year 2022-23 for an amount not to exceed \$18,000. ACTION p. 85
- 4.17 Review and approval of the appointment of Patrick Gilster, San Mateo County Transportation Authority (SMCTA) Director, Planning and Fund Management, to the C/CAG Congestion Management Program Technical Advisory Committee. ACTION p. 96
- 4.18 Review and approval of Resolution 23-25, authorizing the C/CAG Executive Director to execute Right-of-Way Certifications in connection with State and Federally funded projects. ACTION p. 99
- 4.19 Review and approval of the appointment of Daly City Councilmember Juslyn Manalo to fill a vacant elected official seat on the Congestion Management & Environmental Quality (CMEQ) Committee. ACTION p. 101

5.0 REGULAR AGENDA

- 5.1 Election of a C/CAG Chairperson and a C/CAG Vice Chairperson. ACTION p. 106
- 5.2 Review and approval of Resolution 23-16, authorizing the C/CAG Executive Director to execute an agreement with the City of Pacifica for the Sharp Park Priority Development Area Pedestrian Improvement Project using Measure M Safe Routes to School funding in

an amount not to exceed \$900,000.

ACTION p. 112

5.3 Presentation on the San Mateo County Smart Corridor project. INFORMATION p. 120

5.4 Presentation on C/CAG Equity Assessment and Framework Development Project mapping and existing conditions analysis for feedback and direction.
POSSIBLE ACTION p. 126

5.5 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. 143

6.0 COMMITTEE REPORTS

6.1 Committee Reports (oral reports)

6.2 Chairperson's Report

6.3 Board Members Report/Communication

7.0 EXECUTIVE DIRECTOR'S REPORT

8.0 COMMUNICATIONS - Information Only

8.1 Written Communication p. 148

9.0 ADJOURNMENT

Next scheduled meeting April 13, 2023

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.

ADA REQUESTS: Persons with disabilities who require auxiliary aids or services to participate in this meeting should contact Mima Crume at (650) 599-1406 or mcrume@smcgov.org by 10:00 a.m. prior to the meeting date.

PUBLIC PARTICIPATION DURING HYBRID MEETINGS: During hybrid meetings of the C/CAG Board, members of the public may address the Board as follows:

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 in person and through Zoom. Public comments will be taken first by speakers in person followed by via Zoom. Please read the following instructions carefully:

***In-person participation:**

1. If you wish to speak to the Board, please fill out a speaker's slip located on the 2nd floor auditorium side table against the wall. If you have anything that you wish distributed to the Board and included in the official record, please hand it to the C/CAG Clerk who will distribute the information to the Board members and staff.

***Remote participation:**

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. If calling in via phone, press *9 to raise your hand and when called upon press *6 to unmute.
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: March 9, 2023

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

FROM: Sean Charpentier, Executive Director

SUBJECT: Receive a presentation from Community Planning Collaborative (formerly Baird & Driskell) on the 21 Elements Collaboration

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

RECOMMENDATION:

That the C/CAG Board of Directors receive a presentation from Community Planning Collaborative on the 21 Elements collaboration.

FISCAL IMPACT:

None.

BACKGROUND/DISCUSSION:

Since 2006, C/CAG and the County Department of Housing (DOH) have co-sponsored the 21 Elements initiative, staffed by Community Planning Collaborative (formerly Baird & Driskell Community Planning), through which all jurisdictions in San Mateo County cooperate to update their respective Housing Elements and share information on housing policies and programs. The 21 Elements effort is regionally recognized model for successful cooperation on housing issues.

This presentation on 21 Element activities is intended to provide a summary of the past year's accomplishments as well as a preview of upcoming efforts.

ATTACHMENT:

1. 21- Elements Presentation (will be available online at <http://ccag.ca.gov/board-of-directors/>)

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

MINUTES

Meeting No. 361
February 9, 2023

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

Chair Davina Hurt 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
East Palo Alto	– Martha Barragan
Foster City	– Stacy Jimenez
Menlo Park	– Cecilia Taylor
Milbrae	– Gina Papan
Pacifica	– Sue Beckmeyer
Portola Valley	– Jeff Aalfs
Redwood City	– Alicia Aguirre
San Bruno	– Michael Salazar
San Carlos	– Adam Rak
South San Francisco	– Flor Nicolas
Woodside	– Ned Fluet
San Mateo County	– Warren Slocum
SMCTA (Non-Voting)	– Rico E. Medina
SMCTD (Non-Voting)	– Rico E. Medina

Absent:
Daly City
Half Moon Bay

Hillsborough
San Mateo

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
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
Van Ocampo	– C/CAG Staff
Leo Scott	– Gray/Bowen/Scott
Chris Lepe	– Mariposa Planning

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.

4.0 PRESENTATIONS/ ANNOUNCEMENTS

4.1 Update on the San Mateo 101 Express Lanes Project. INFORMATION

The Board received a presentation update on the San Mateo 101 Express Lanes Project. Kiewit work north of Whipple Avenue through January 2023, the civil contract work is 100% complete. Caltrans believes we will be completing the contract at \$350M out of \$351.5M. TransCore work north of Whipple Avenue through 2023, the equipment installation, fiber splicing operation, and site commission testing is 100% complete. And most recent milestone cost (September) was \$20M out of \$28.6M. Working towards turning on toll paying which will allow toll payers to access the lane. Caltrans' focus now shifts towards the construction of the final project phase, which is the Highway Landscaping Phase.

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. 360 dated January 12, 2023.
APPROVED
- 5.2 Review and approval of Resolution 23-06 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 accept the 2022 attendance report for the C/CAG Board and Committee meetings.
APPROVED
- 5.4 Review and adopt Resolution 23-07 approving the population data to be used by C/CAG for calculation of member contributions and a variety of administrative related items.
APPROVED
- 5.5 Review and approval of Resolution 23-08, authorizing the Chair of C/CAG to execute the Cooperative Agreement between the California Department of Transportation (Caltrans), the San Mateo County Transportation Authority (SMCTA) and City/County Association of Governments of San Mateo County (C/CAG) for the construction of the Highway Landscaping Phase of the San Mateo 101 Express Lanes Project.
APPROVED
- 5.6 Review and approval of Resolution 23-09, authorizing the Executive Director of C/CAG to execute the Amendment to the Cooperative Agreement between the Bay Area Infrastructure Financing Agency (BAIFA), San Mateo County Express Lanes Joint Powers Authority (SMCEL-JPA), San Mateo County Transportation Authority (SMCTA) and C/CAG and Amendments to the Cooperative Agreements between Caltrans, SMCTA and C/CAG to make excess funds from various SM101 Express Lanes Project Phases available towards the construction of the Highway Landscaping Phase.
APPROVED
- 5.7 Receive a copy of the following executed funding agreements and amendments:
- 5.7.1 Amendment No. 3 to the Agreement with Steer for the implementation of the Measure M Strategic Plan, extending the contract term to February 28, 2023, at no additional cost.
INFORMATION
- 5.7.2 Agreement with Steer Davies & Gleave, Inc for the preparation and development of the Congestion Relief Program Strategic Plan, covering the period of July 1, 2023 to June 30, 2027, in an amount not to exceed \$36,993.91.
INFORMATION
- 5.8 Review and approval of Resolution 23-10 authorizing the C/CAG Chair to execute an agreement with TJKM Transportation Consultants, in an amount not to exceed \$141,624, and authorizing the C/CAG Executive Director to approve amendments to the agreement that modify the maximum fiscal obligation by no more than \$14,162, for the 2023 update of the Congestion Management Program (CMP).
APPROVED
- 5.9 Review and approval of Resolution 23-11 determining that the Town of Colma Draft 2023-2031 Housing Element is consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport. APPROVED

- 5.10 Review and approval of Resolution 23-12 determining that the City of San Carlos Focused General Plan Update (2023-2031 Housing Element and related General Plan Amendments) is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport. APPROVED
- 5.11 Review and approval of Resolution 23-13 determining that the City of Redwood City Focused General Plan Update (2023-2031 Housing Element and related General Plan Amendments) is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport. APPROVED
- 5.12 Review and approval of the appointment of San Mateo County Supervisor Dave Pine and City of San Mateo Councilmember Adam Loraine to fill two vacant elected official seats on the RMCP Committee. APPROVED
- 5.13 Review and approval of the appointments of San Mateo City Councilmember Richard Hedges and Atherton Town Councilmember Stacy Miles Holland to fill two vacant elected official seats on the Congestion Management & Environmental Quality (CMEQ) Committee. APPROVED

Board Member Cunningham MOVED to approve items 5.1 through 5.11 with correction made on item 5.1 minutes, Board Member Nicolas was in attendance and correction to item 5.3 2022 attendance report for C/CAG Board Member that John Goodwin attended in May and Alternate Sue Beckmeyer attended in May and September. Vice Chair Ortiz SECONDED. Roll call was taken. **MOTION CARRIED 17-0-0**

Item 5.12 and item 5.13 was pulled from the consent agenda.

Item 5.12 – Vice Chair Ortiz commented if there is a way we could nominate a person on the floor and take a vote today to have the RMCP committee filled. Sean Charpentier said typically a letter of interest's process is done where we solicit letters of interest. The JPA in the bylaws are silent on the appointment procedures. He did not see a legal description process beyond Board shall appoint. Chair Hurt added that the call did state in the letters of interests that the spaces remain open until filled. We can fill it now or in a second call. Sean added that on the RMCP committee, there is usually a reserved seat for the County Supervisor, and we have received an application from Supervisor David Pine. Vice Chair Ortiz asked if we could do a vote for the two people on the consent agenda.

Vice Chair Ortiz MOVED to appoint the two (2) letters of interests that were submitted, Supervisor David Pine and City of San Mateo Councilmember Adam Lorraine to fill the two (2) RMCP seats. Board Member Taylor SECONDED. Roll call was taken.

MOTION CARRIED 17-0-0

Vice Chair Ortiz nominated Councilmember Papan to fill the remaining one (1) RMCP seat.

Board Member Cunningham MOVED to appoint Board Member Papan to fill the remaining one (1) RMCP seat. Board Member Taylor SECONDED. Roll call was taken. **MOTION CARRIED 17-0-0**

Item 5.13 – Board Member Papan echoed Vice Chair Ortiz comment to see if there is a way we could nominate a person on the floor and take a vote today to have the CMEQ committee filled.

Board Member Lewis MOVED to appoint the letters of interests that were submitted, Councilmember Rich Hedges of City of San Mateo and Councilmember Stacy Miles of Town of Atherton to fill two (2) CMEQ seats. Board Member Nicolas SECONDED.

Roll call was taken. **MOTION CARRIED 17-0-0**

Board Member Papan nominated Councilmember Stacy Jimenez of Foster City to the CMEQ committee.

Board Member Cunningham MOVED to appoint Councilmember Stacy Jimenez of Foster City to fill one of the CMEQ seats. Board Member Papan SECONDED. Roll call was taken. **MOTION CARRIED 17-0-0**

6.0 REGULAR AGENDA

- 6.1 Action on Compensation Adjustment for Executive Director and review and approval of Resolution 23-14 authorizing the C/CAG Chair to execute Amendment No. 1 to the agreement between C/CAG and Executive Director. **APPROVED**

Chair Hurt reported that the recommended salary to be approved to the Executive Director as follows and if approved by the Board the proposed contract agreement will increase the Executive Director salary to \$227,900, no other changes to compensation or benefits are proposed.

Vice Chair Ortiz MOVED to approve item 6.1. Board Member Cunningham SECONDED. Roll call was taken. **MOTION CARRIED 17-0-0**

- 6.2 Nominations for C/CAG Chair and Vice Chair for the March 2023 Election of Officers. **APPROVED**

Vice Chair Ortiz has nominated Davina Hurt as the C/CAG Chairperson. Board Member Taylor seconded.

Board Member Papan nominated Ricardo Ortiz as the C/CAG Vice Chair. Board Member Aguirre seconded.

- 6.3 Presentation on C/CAG Equity Assessment and Framework Development Project progress and timeline to completion, review documents, and provide feedback and direction. **NO ACTION TAKEN**

Staff introduced the Equity Update item and provided a short overview of what would be covered in the presentation. Christopher Lepe, Principal of Mariposa Planning Solutions and lead consultant for the Equity Assessment and Framework Development Project provided a presentation, which included the project scope, timeline, and work to date. Mr. Lepe shared the various stakeholders engaged in the project and how they formed the foundation of the initial project documents; Historical Perspective, Equity Connections, and Equity Definition. The Equity Definition document underwent a large update, based (especially) on feedback from staff and agency partners. Mr. Lepe also gave a brief overview of mapping work that will be provided to the Board at the upcoming March meeting. The project is moving into the third phase, which is gathering input from staff on internal agency programs, projects, policy documents, and funding sources, internal agency practices, such as hiring and procurement, and input from other like agencies for development is a framework design for C/CAG. Mr. Lepe then shared a few examples of frameworks developed or used by other agencies to help the Board think about the Equity Framework design, and then shared a possible framework structure for C/CAG, for input

from the C/CAG Board.

Board Members Papan and Cunningham shared a few thoughts about the presentation, including that there was a lot of information shared. It was suggested that the presentation be shared with the Board. Staff mentioned that the presentation will be posted on the C/CAG website. Chair Hurt mentioned that C/CAG could propose an Ad Hoc Committee to work on Equity. Chair Hurt also suggested that the terms “community centered” and “community focused” would be good to use within the document.

The concept of an Ad Hoc Committee to work on Equity was discussed but pushed to the next C/CAG Board meeting.

6.4 Update on AB 2449 and Hybrid C/CAG Board Meetings. INFORMATION

The Board received a brief presentation update on AB 2449 and Hybrid C/CAG Board meetings. 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, “Just Cause” and “Emergency Circumstances”. 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. The maximum times a C/CAG Board member may participate remotely is limited to two meetings per year. With the anticipated end of the COVID-19 State of Emergency on February 28, 2023, AB 2449 will be the only alternative to the traditional, pre-covid Brown Act teleconference procedures, which require any members participating remotely to post an agenda and allow members of the public to attend at all remote location(s).

6.5 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 TAKEN

Staff provided a brief overview of discussion at the Legislative Committee meeting earlier in the evening. There were no positions voted on by the Legislative, so no actions for the C/CAG Board to consider.

The Legislative Committee discussed new and potential bills related to the Brown Act, potential ballot measure, included ACA 1, and the fiscal cliff for transit. In addition, the Legislative Committee reviewed the priority projects for which earmarks will be sought, and the list of 2023 legislative Priorities; a document which was updated with edits from Committee Member Salazar, and which will come to the C/CAG Board for approval at the March meeting.

6.6 Receive a presentation on C/CAG Two-Year Workplan. INFORMATION

The Board received a presentation on the C/CAG Two-Year Workplan. C/CAG is a multi-faceted JPA that serves multiple Countywide functions. C/CAG has 12 staff. C/CAG’s goals are to improve mobility, the environment, equity, and the quality of life in San Mateo County. 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. 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. Managing the Countywide TDM policy, the Airport Land Use Commission, and 21-Element. Leading and supporting Countywide energy efficiency efforts, including San Mateo County Energy Watch and Climate Action Planning. Support C/CAG Board and 9 Standing Committees with 146 seats, including 76 seats reserved for elected officials. The work plan presented shows the progression of work over 9 quarters, through the first quarter of 2025. This is a draft Workplan.

7.0 COMMITTEE REPORTS

7.1 Committee Reports (oral reports)

Board Member Papan/MTC Commissioner reported that MTC will soon announce their new Executive Director.

7.2 Chairperson's Report

Chair Hurt reported that she is virtually London after moderating a transatlantic panel of Mayors on just transition at the US Embassy. It was a highly successful event, and she hopes it is a kickstart to what she would like to bring to the San Mateo County and the Bay Area. She hopes that C/CAG can be in partnership, as well as the Air District and CARB.

7.3 Board Members Report/Communication

None.

8.0 EXECUTIVE DIRECTOR'S REPORT

Sean Charpentier thanked the Board for their support for the contract amendment. He has also thanked the new Board Members for attending the On Boarding meeting. Late January, Kim Springer, Kaki Cheung and Sean has attended a workshop hosted by the County titled, City Jurisdiction Equity Convening Advancing Equity Across San Mateo County. Kim presented on our equity efforts and everyone was interested. This is a movement that everyone is engaging in. He has added that MTC and it's partners, SamTrans and Caltrain are seeking youth participants for the Bay Areas local youth innovation challenge 2023. It is a challenge with the intent to engage youth and buildout a pipeline of interested youth who would like to work in transportation. And lastly, we will be recruiting to fill the remainder of the seats for the CMEQ committee.

9.0 COMMUNICATIONS - Information Only

9.1 Written Communication – One press release, two media articles, and four letters.

10.0 ADJOURNMENT – 8:21 p.m.

Chair Hurt adjourned the meeting with a moment of silence in memory of the mass shooting victims in Half Moon Bay, Central Valley and Monterey Park and the death of Tyre Nichols.

C/CAG AGENDA REPORT

Date: March 9, 2023

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

From: Sean Charpentier, Executive Director

Subject: Receive a copy of Amendment No. 1 to the Agreement between Kimley Horn Associates and C/CAG for the Smart Corridor Northern Cities PS&E and Design Support Services

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

RECOMMENDATION

That the C/CAG Board receives a copy of Amendment No. 1 to the Agreement between Kimley Horn Associates and C/CAG for the Smart Corridor Northern Cities PS&E and Design Support Services.

FISCAL IMPACT

There is no new financial impact. The awarded contract amount to Kimley Horn is \$350,000. As of December 2022, Kimley Horn has a contract balance of approximately \$42,000.

SOURCE OF FUNDS

This agreement is funded with a combination of Transportation Fund for Clean Air money, Caltrans' Local Partnership Planning grant and Measure M fund, the San Mateo County \$10 vehicle registration fee.

BACKGROUND

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 to provide local cities and Caltrans day to day traffic management capabilities in addressing recurring and non-recurring traffic congestion.

Continuing with the vision to build the Smart Corridor from the Santa Clara County line to the San Francisco County line, with the South San Francisco segment currently in construction, the Northern Cities segment is the next segment of the Smart Corridor project. The project is a joint effort by the cities of Daly City and Brisbane, the Town of Colma, the City/County Association of Governments of San Mateo (C/CAG), and the California Department of Transportation. The project corridors include Junipero Serra Blvd, Southgate Ave., Serramonte Blvd., Bayshore Blvd., and Tunnel Ave. A map of the Northern Cities project corridors is included as Attachment 1 to the staff report.

On December 9, 2021, the C/CAG Board authorized the C/CAG Executive Director to execute an agreement with Kimley-Horn and Associates in the amount of \$350,000 to provide design services to complete Plans, Specifications, and Estimates (PS&E) for the Northern Cities expansion. Under this

agreement, Kimley-Horn has completed the 95% PS&E. The project team anticipates completing the 100% PS&E in March 2023.

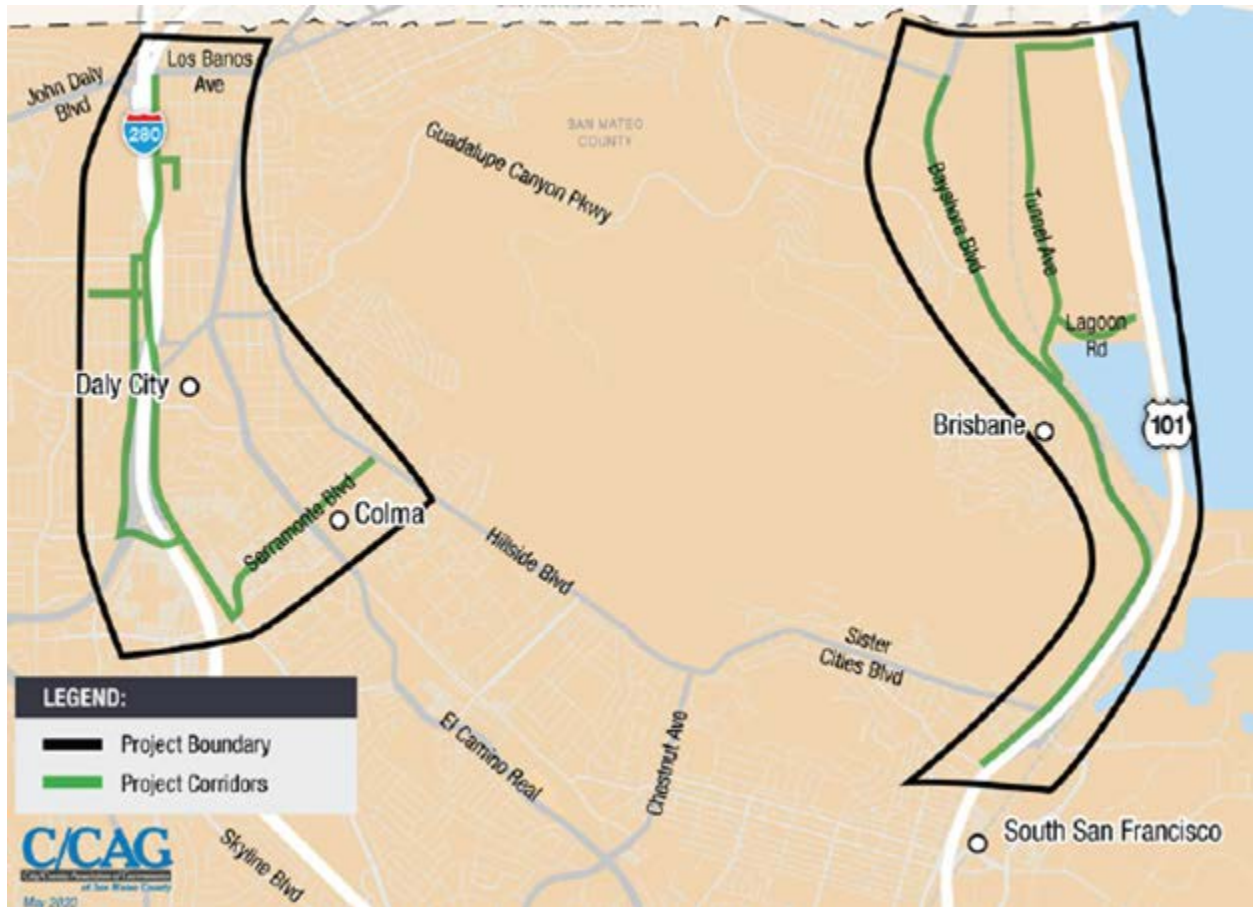
Leading up the 100% PS&E, C/CAG and Kimley-Horn determined that additional effort was needed to complete the preparation of the PS&E package, due to increased stakeholder input and follow-up correspondence. C/CAG and Kimley-Horn have determined that no additional time is required to complete the project at this time. Thus, the agreement total not-to-exceed amount, term, and schedule remain the same.

Through C/CAG's procurement policy, staff requested C/CAG Executive Director to execute Amendment No. 1 to the Agreement with Kimley-Horn. Attachment 2 is a copy of the fully executed Amendment No. 1 to the Agreement with Kimley-Horn.

ATTACHMENT

1. Smart Corridor Northern Cities Project Boundaries Map
2. Amendment No. 1 to the Agreement between Kimley Horn Associates and C/CAG for the Smart Corridor Northern Cities PS&E and Design Support Services

Smart Corridor Northern Cities Project Boundaries Map



**AMENDMENT NO. 1 TO THE AGREEMENT
BETWEEN
THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
AND
KIMLEY-HORN FOR SMART CORRIDOR NORTHERN CITIES PS&E AND DESIGN
SUPPORT SERVICES**

WHEREAS, the City/County Association of Governments of San Mateo County (hereinafter referred to as “C/CAG”) and Kimley-Horn (hereinafter referred to as “Consultant”) are parties to an Agreement originally dated January 19, 2022, for Smart Corridor Northern Cities PS&E and Design Support Services (the “Project”); and

WHEREAS, C/CAG and Consultant have determined that additional adjustments to the budget are necessary (increasing the budget for Tasks 3 and 4, and reducing the budget for Tasks 2, 5, and 6);

WHEREAS, C/CAG and Consultant have determined that no additional funding or time is required to complete the Project, and thus no change to the Agreement total not-to-exceed amount, term, or schedule is required; and

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

IT IS HEREBY AGREED by C/CAG and Consultant that:

1. The Project Budget and Schedule of the Agreement as provided in Exhibit B, shall be replaced with a new Exhibit B, “Revised – Project Budget and Schedule”, attached hereto and incorporated into the Agreement.
2. The new Exhibit B, “Revised – Project Budget and Schedule” reflects revised Project Totals for Tasks 2, 3, 4, 5, and 6.
3. Except as expressly amended herein, all other provisions of the Agreement shall remain full force and effect.
4. This amendment shall take effect on September 1, 2022.

City/County Association of Governments
(C/CAG)

DocuSigned by:

Sean Charpentier

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Sean Charpentier

C/CAG Executive Director

Date: 2/10/2023

Kimley-Horn and Associates

DocuSigned by:

Randy Durrenberger

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Randy Durrenberger, P.E.

Project Manager/Sr. Vice President

Date: 2/10/2023

Approved as to form:

DocuSigned by:

Melissa Andrikopoulos

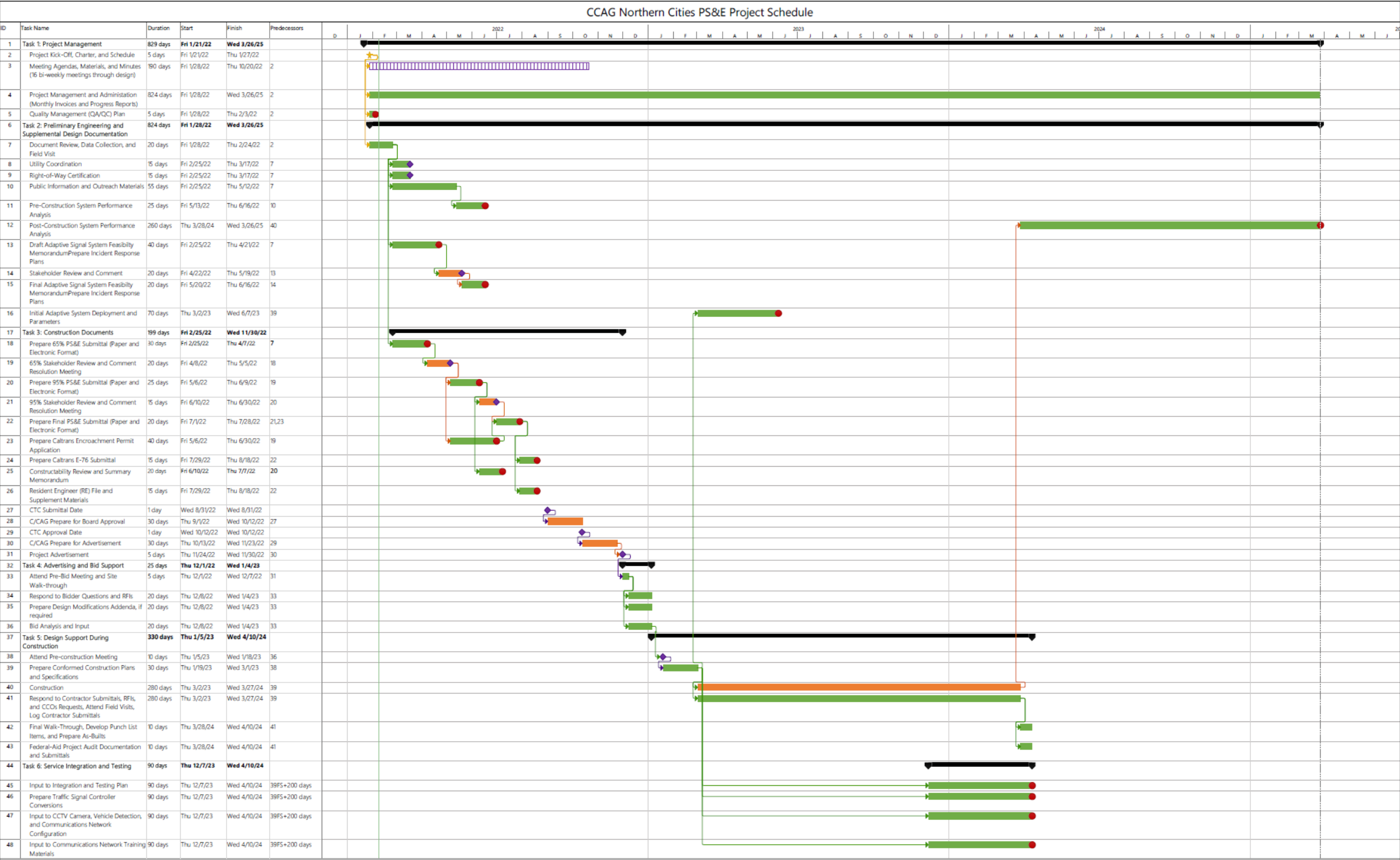
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Melissa Andrikopoulos

Legal Counsel for C/CAG

Exhibit B
Revised – Project Budget and Schedule

Task	Original Budget	Revised Budget
1 - Project Management and Coordination	\$ 33,892.24	\$ 33,892.24
2 - Preliminary Engineering and Supplemental Design	\$ 91,293.52	\$ 48,726.18
3 - Preparation of PS&E for Construction and Deployment	\$ 167,820.67	\$ 238,580.13
4 - Advertising and Bid Support	\$ 10,481.84	\$ 15,000.00
5 - Design Support During Construction	\$ 28,426.94	\$ 5,000.00
6 - System Integration and Testing	\$ 14,283.34	\$ 5,000.00
Escalation	\$ 3,801.45	\$ 3,801.45
Total	\$ 350,000.00	\$ 350,000.00



Updated 12/1/2021

C/CAG AGENDA REPORT

Date: March 9, 2023

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

From: Sean Charpentier, Executive Director

Subject: Review and accept the C/CAG Single Audit Report for the Year Ended June 30, 2022

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

RECOMMENDATION

That the C/CAG Board review and accept the C/CAG Single Audit Report for the Year Ended June 30, 2022.

FISCAL IMPACT

None.

SOURCE OF FUNDS

Federal transportation funds.

BACKGROUND

An independent Single Audit Report was performed on C/CAG for the year ended June 30, 2022. The Single Audit is specifically for Federal funds received. A Single Audit is required when an agency received \$750,000 or more in federal awards. During that fiscal year, C/CAG had a total of \$1,962,546 in expenditures of federal funds.

The audit did not identify any deficiencies in internal control, or any significant deficiencies, or material weaknesses or instances of noncompliance material to the basic financial statements. The audit did not disclose any findings or questioned costs required to be reported in accordance with Uniform Guidance. The auditor expressed their opinion that the C/CAG complied, in all material respects, with the types of compliance requirements as specified that could have a direct and material effect on each of its major federal programs for the year ended June 30, 2022.

The C/CAG Finance Committee reviewed and accepted this report at their February 15, 2023 meeting.

ATTACHMENT

1. Single Audit Report for Year Ended June 30, 2022 (available online at <http://ccag.ca.gov/board-of-directors/>)

C/CAG AGENDA REPORT

Date: March 9, 2023

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

From: Sean Charpentier, Executive Director

Subject: 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, 2022.

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

RECOMMENDATION

That the C/CAG Board review and approve the Finance Committee's recommendation of no change to the investment portfolio and accept the Quarterly Investment Report as of December 31, 2022.

FISCAL IMPACT

Potential for higher or lower yields and risk associated with C/CAG investments.

SOURCE OF FUNDS

The Investment portfolio includes all C/CAG funds held by the C/CAG Financial Agent (City of San Carlos).

BACKGROUND

According to the C/CAG Investment Policy adopted on September 12, 2019:

"The portfolio should be analyzed not less than quarterly by the C/CAG Finance Committee, and modified as appropriate periodically as recommended by the Finance Committee and approved by the C/CAG Board, to respond to changing circumstances in order to achieve the Safety of Principal."

The Finance Committee will seek to provide a balance between the various investments and maturities in order to give C/CAG the optimum combination of Safety of Principal, necessary liquidity, and optimal yield based on cash flow projections.

The LAIF Quarter Ending 12/31/22 net interest earning rate is 1.98%
San Mateo County Pool Quarter Ending 12/31/22 net interest earning rate is 1.77%

The LAIF's average life is 287 days, or 0.79 of a year. San Mateo County Pool's current average maturity of the portfolio is 1.41 years with an average duration of 1.31 years.

On November 14, 2013 the C/CAG Board approved the C/CAG investment portfolio as follows:

Local Agency Investment Fund (LAIF)	50% to 70%
San Mateo County Investment Pool (COPOOL)	30% to 50%

During the quarterly review on December 2, 2020, the Finance Committee reviewed the investment portfolio and noted the increasing gap between the quarterly interest rate and the net of administrative fees of the LAIF and the COPOOL, with LAIF lagging behind the COPOOL. The Finance Committee recommended no change to the investment portfolio, but guided staff to target LAIF investments to 60% allocation and increase COPOOL investments to 40% allocation dependent upon the changes of the interest rate. On December 10, 2020, the C/CAG Board approved of no change to the range of limits to the C/CAG investment portfolio and approved the Finance Committee's recommendation for staff to target LAIF investments to 60% allocation and increase COPOOL investments to 40% allocation dependent upon the changes of the interest rate.

Investment allocation between LAIF and COPOOL:

	C/CAG BOARD APPROVED IN 2013	AS OF 9/30/2020	FINANCE COMMITTEE GUIDANCE ON 12/2/2020
LAIF	50% to 70%	69%	60%
COPOOL	30% to 50%	31%	40%

On February 15, 2023, the Finance Committee reviewed the investment portfolio and recommend no change to portfolio, but guided staff to continue monitoring the interest rates.

The investment portfolio as of December 31, 2022 is as follows:

	9/30/2022		12/31/2022	
	Amount	Percent	Amount	Percent
LAIF	\$16,028,660	59.6%	\$15,480,103	60.1%
COPOOL	\$10,877,624	40.4%	\$10,288,794	39.9%
Total	\$26,906,284	100%	\$25,768,897	100%

Staff recommends the C/CAG Board to review and approve the Finance Committee's recommendation of no change to the investment portfolio and accept the Quarterly Investment Reports as of December 31, 2022 (Attachment 1). Attachment 2 is an information only summary report that provides an overview on the market and investment statements.

ATTACHMENT

1. Quarterly Investment Report as of December 31, 2022 from San Carlos Financial Services Manager
2. C/CAG Investment Portfolio Performance and Composition 4Q 2022

C/CAG
CITY/COUNTY ASSOCIATION OF GOVERNMENTS
 Of San Mateo County

Board of Directors Agenda Report

To: Sean Charpentier, Executive Director
From: Carrie Tam, Financial Services Manager
Date: December 31, 2022

SUBJECT: Quarterly Investment Report as of December 31, 2022

RECOMMENDATION:

It is recommended that the C/CAG Board review and accept the Quarterly Investment Report.

ANALYSIS:

The attached investment report indicates that on December 31, 2022, funds in the amount of \$25,768,897 were invested producing a weighted average yield of 1.89%. Of the total investment portfolio, 60.1% of funds were invested in the Local Agency Investment Fund (LAIF) and 39.9% in the San Mateo County Investment Pool (COPOOL). On December 2, 2020, the Finance Committee reviewed the investment portfolio and noted the increasing gap between the quarterly interest rate, net of administrative fees, of LAIF and the COPOOL, with LAIF lagging behind the COPOOL. The Finance Committee recommended no change to the investment portfolio, but guided Staff to target LAIF investments to 60% allocation and increase COPOOL investments to 40% allocation dependent upon the changes of the interest rate. These percentages are within the range specified by the C/CAG Board. The portfolio mix reflects the Board approved percentage invested in the County Investment Pool and LAIF. Accrued interest earnings for this quarter totaled \$123,453.

Below is a summary of the changes from the prior quarter:

	Qtr Ended 12/31/2022	Qtr Ended 9/30/2022	Increase (Decrease)
Total Portfolio	\$ 25,768,897	\$ 26,906,284	\$ (1,137,387)
Weighted Average Yield	1.89%	1.30%	0.59%
Accrued Interest Earnings	\$ 123,453	\$ 87,613	\$ 35,840

There was a decrease of \$1.1 million in the portfolio balance this quarter compared to the previous quarter mainly due to the timing of cash receipts offset by expenses for Measure M, Express Lane Joint Power Authority (JPA), Congestion Relief and Management and NPDES. The higher quarterly interest rate resulted in higher interest earnings for this quarter.

Historical cash flow trends are compared to current cash flow requirements on an ongoing basis to ensure that C/CAG's investment portfolio will remain sufficiently liquid to meet all reasonably anticipated operating requirements. As of December 31, 2022, the portfolio contains sufficient liquidity to meet the next six months of expected expenditures by C/CAG. All investments are in compliance with the Investment Policy. Attachment 2 shows a historical comparison of the portfolio for the past nine quarters.

The primary objective of the investment policy of C/CAG remains to be the SAFETY OF PRINCIPAL. The permitted investments section of the investment policy also states:

Local Agency Investment Fund (LAIF) which is a State of California managed investment pool, and San Mateo County Investment pool, may be used up to the maximum permitted by California State Law. A review of the pool/fund is required when they are part of the list of authorized investments.

The Investment Advisory Committee has reviewed and approved the attached Investment Report.

Attachments

- 1 – Investment Portfolio Summary for the Quarter December 31, 2022
- 2 – Historical Summary of Investment Portfolio

CITY & COUNTY ASSOCIATION OF GOVERNMENTS

SUMMARY OF ALL INVESTMENTS
For Quarter Ending December 31, 2022

Category	Quarterly Interest Rate**	Historical Book Value	% of Portfolio	GASB 31 ADJ Market Value
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Liquid Investments:

Local Agency Investment Fund (LAIF)	1.98%	15,480,103	60.1%	15,192,007
San Mateo County Investment Pool (COPOOL)	1.77%	10,288,794	39.9%	9,958,524

Agency Securities

none

Total - Investments	1.89%	25,768,897	100%	25,150,531
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GRAND TOTAL OF PORTFOLIO	1.89%	\$ 25,768,897	100%	\$ 25,150,531
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Total Interest Earned This Quarter	123,453
Total Interest Earned (Loss) Fiscal Year-to-Date	211,066

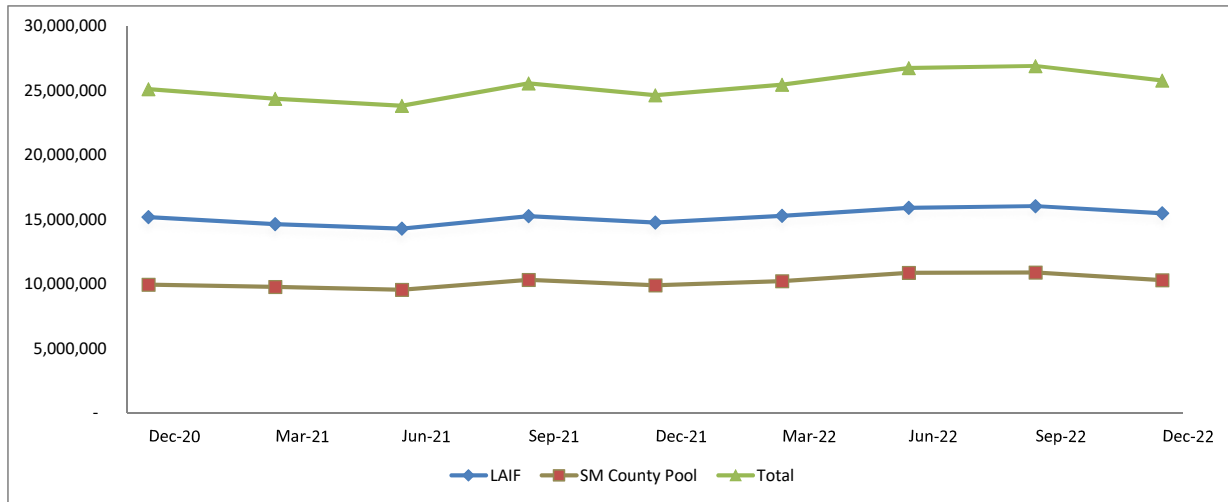
Note: CCAG Board approved the following investment portfolio mix at its November 14, 2013 meeting:

LAIF - 50% to 70%
COPOOL - 30% to 50%

On December 2, 2020, the Finance Committee reviewed the investment portfolio and noted the increasing gap between the quarterly interest rate, net of administrative fees, of LAIF and the COPOOL, with LAIF lagging behind the COPOOL. The Finance Committee recommended no change to the investment portfolio, but guided Staff to target LAIF investments to 60% allocation and increase COPOOL investments to 40% allocation dependent upon the changes of the interest rate.

*Difference in value between Historical Value and Market Value may be due to timing of purchase. Investments in the investment pools may have been purchased when interest rates were lower or higher than the end date of this report. As interest rates increase or decrease, the value of the investment pools will decrease or increase accordingly. However, interest rate fluctuations does not have any impact to CCAG's balance in the investment pools. The market values are presented as a reference only.
**Presented net of administrative fees

City and County Association of Governments
Historical Summary of Investment Portfolio
December 31, 2022



Note: The chart type has been changed from Column to Line after receiving feedback from CCAG's Finance Committee

City/County Association of Governments Investment Portfolio

	Dec-20	Mar-21	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22
LAIF	15,165,848	14,617,426	14,283,843	15,245,744	14,754,699	15,263,178	15,900,010	16,028,660	15,480,103
SM County Pool	9,931,903	9,756,355	9,532,812	10,307,116	9,881,668	10,203,262	10,849,975	10,877,624	10,288,794
Total	25,097,751	24,373,781	23,816,655	25,552,860	24,636,367	25,466,440	26,749,985	26,906,284	25,768,897

C/CAG Investment Portfolio Performance and Composition 4Q 2022
Report Created for Finance Committee Meeting February 15, 2023

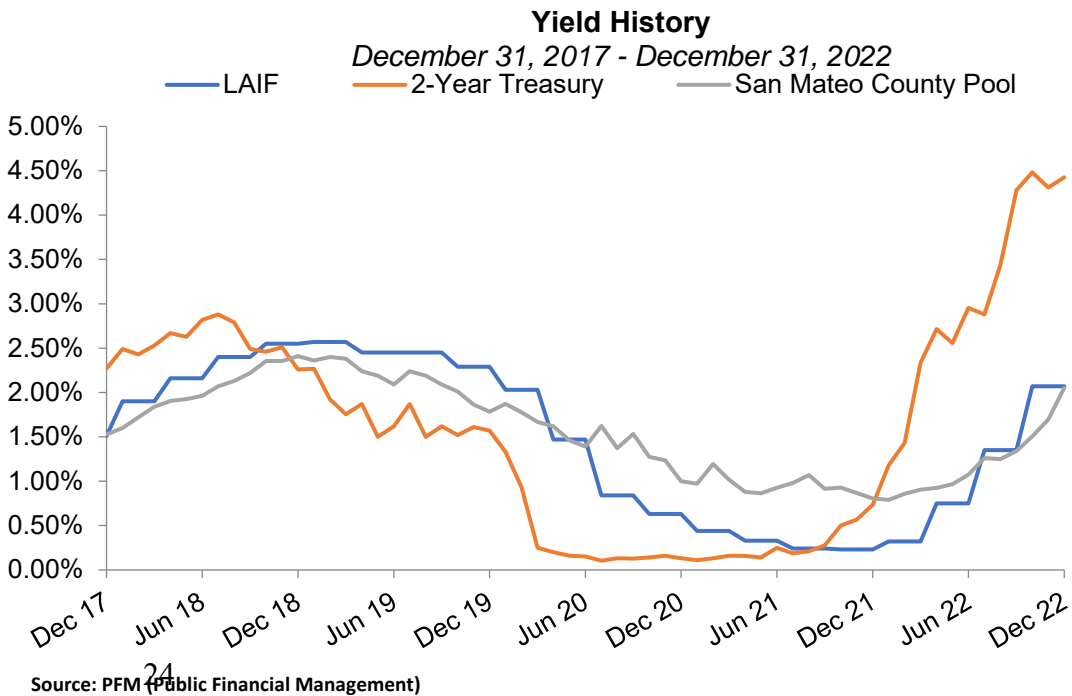
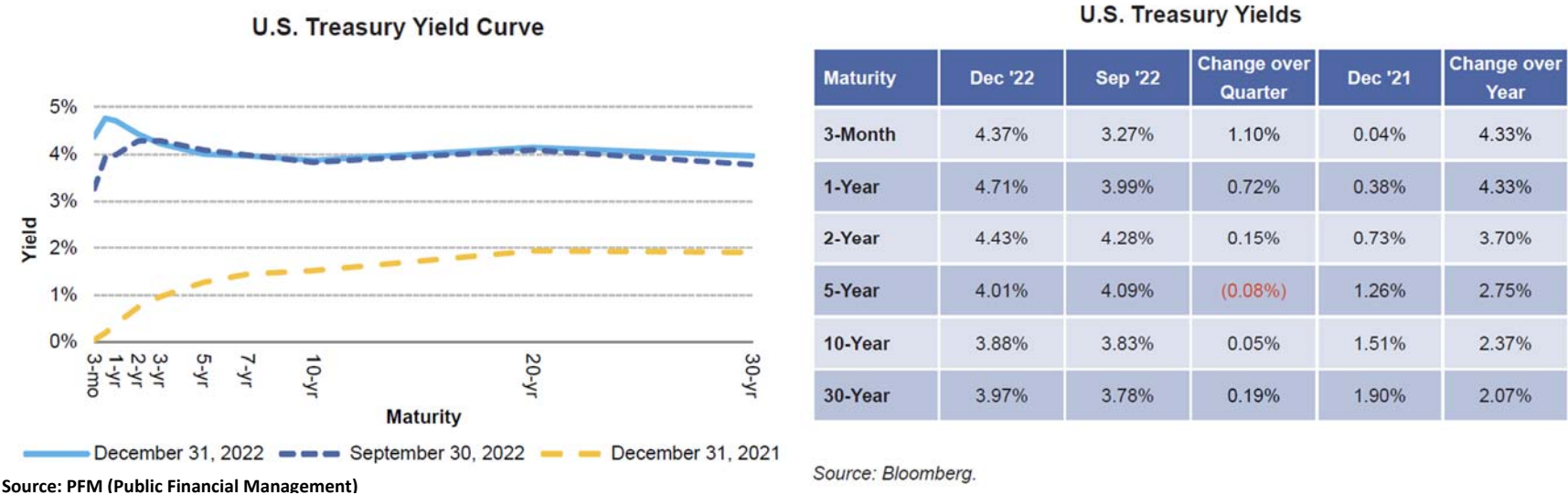
Capital Markets Summary 4Q 2022

U.S. equity markets buoyed during the fourth quarter with the S&P 500 up 7.6% after nine months of negative returns. The calendar year remained down at -18.11% having its worst calendar year since the great recession in 2008. Amid concerns about inflation, the Fed raised interest rates to their highest level in 15 years which had an adverse impact on credit sensitive stocks as companies continued to face challenges with higher costs and weaker demand. Geopolitical and economic uncertainty drove international stocks lower and the strong U.S. dollar amplified these negative returns.

US Treasury Yield Curve and US Treasury Yields Over Time

The Federal Reserve continued to battle high inflation by raising its benchmark interest rate 125 basis points in the fourth quarter of 2022 but signaled a likely reduced pace of rate increases in 2023. This culminated a year that included seven rate increases. Inflation, while slowing, still remained above the Fed target of 2% providing speculation that rates may continue to rise slightly in 2023. The year-long rate increases have resulted in continued negative returns for the fixed income markets driven by surging Treasury yields especially on the short end of the curve. The upside is that yields peaked in October and November then retreated as inflation tamed

The Treasury yield curve inverted during the year as the shortest-term rates continued to rise and the longer duration rates remained consistent with the 5, 10, and 30-year notes all yielding about 4%. As rates rise and new issuances slow, fixed-income investors will be forced into debt that is already in circulation and has been repriced to compensate for rate increases. This may help stabilize the debt markets and allow investors to enjoy the earnings from higher yields.



Portfolio Performance 4Q 2022

The C/CAG investment portfolio returns for the fourth quarter of 2022 were nearly identical with 1.98% for LAIF and 1.77% for the CoPool Fund. The short duration nature of both portfolios coupled with rate peaks in October have allowed the investment teams to redeploy assets into higher yielding securities. The LAIF portfolio remains heavily invested in Treasuries while the Co-Pool is more diversified with higher positions in Corporate and Government Agency securities. The total C/CAG portfolio asset allocation at the end of the fourth quarter was 60.1% to LAIF and 39.9% to the CoPool Fund, which is within the stated investment policy allocation ranges.

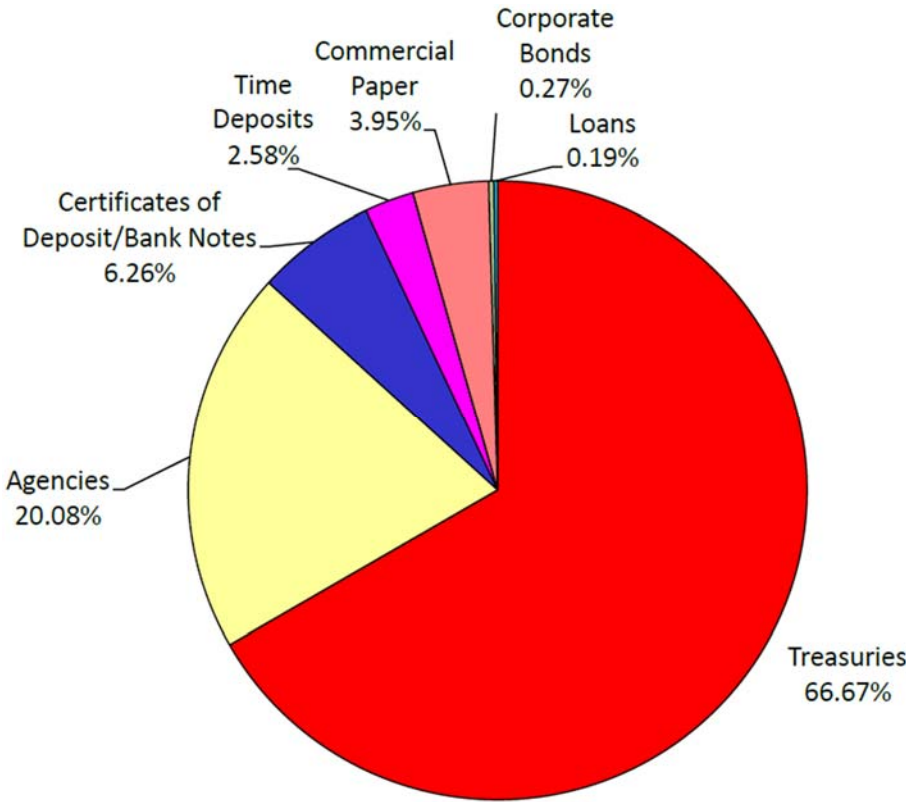
LAIF

PMIA Average Monthly Effective Yields:

October 2022	1.772
November 2022	2.007
December 2022	2.173

PMIA Quarter to Date: 1.98% PMIA Average Life: 287 days or 0.79 years

Portfolio Composition Pie Chart:



Source: PMIA/LAIF Performance Report as of 1/18/2023

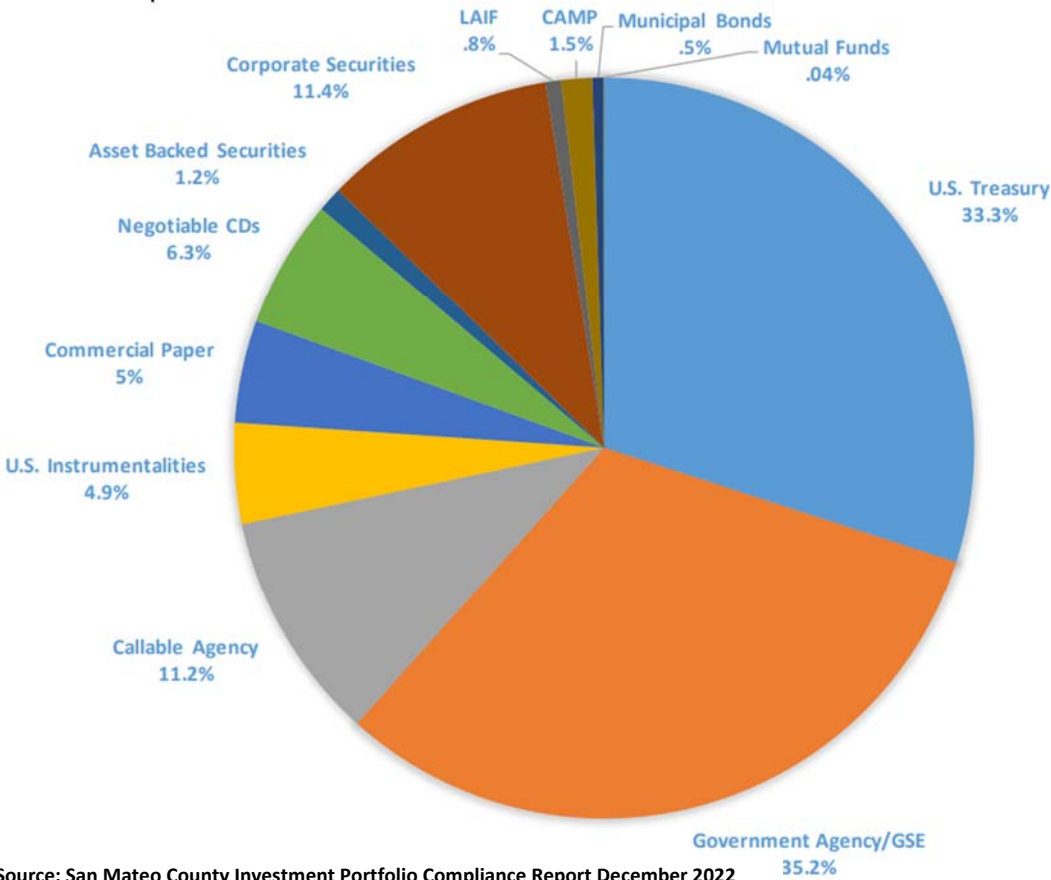
COPOOL

PMIA Average Monthly Effective Yields:

October 2022	1.505
November 2022	1.695
December 2022	2.053

PMIA Quarter to Date: 1.766% PMIA Average Duration: 1.31 years

Portfolio Composition Pie Chart:



Source: San Mateo County Investment Portfolio Compliance Report December 2022

C/CAG AGENDA REPORT

Date: March 9, 2023

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 23-26 authorizing the 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, contact Kim Wever at kwever@smcgov.org)

RECOMMENDATION

That the C/CAG Board reviews and approves Resolution 23-26 authorizing the 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.

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, SamTrans conducted a shuttle study, which recommended Commute.org to take over the BART shuttles program management. 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 plans 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	\$1,095,304

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, staff recommends allocating up to \$600,000 to Commute.org 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 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:

	Estimated FY 2023/24 TFCA Funds
Administration	\$65,364
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>

The recommended Fiscal Year 2023/24 Expenditure Plan for TFCA County Program Manager Fund was brought to the Congestion Management Program Technical Advisory Committee (TAC) on February 16, 2023 and the Congestion Management and Environmental Quality Committee (CMEQ) on February 27, 2027. Both Committees reviewed the funding proposal and recommended approval of the Fiscal Year 2022/23 Expenditure Plan.

Staff requests that the C/CAG Board reviews and approves the Fiscal Year 2023/24 Expenditure Plan for the Transportation Fund for Clean Air (TFCA) County Program Manager Fund.

ATTACHMENTS

1. Resolution 23-26

RESOLUTION 23-26

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE 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

WHEREAS, the City/County Association of Governments has been designated the Transportation Fund for Clean Air (TFCA) Program Manager for San Mateo County; and

WHEREAS, the Board of Directors of the City/County Association of Governments has approved certain projects and programs for funding through San Mateo County's 40 percent local share of Transportation Fund for Clean Air (TFCA) revenues; and

WHEREAS, the total TFCA funds available from the Bay Area Quality Management District in Fiscal Year 2023/24 for San Mateo County is \$1,370,011, including an amount of \$65,364 for program administration purposes; and

WHEREAS, C/CAG will act as the Program Manager for \$1,304,647 of TFCA funds; and

WHEREAS, C/CAG plans to allocate up to \$600,000 of TFCA County Program Manager funds to the Peninsula Traffic Congestion Relief Alliance (Commute.org) for the Countywide Voluntary Trip Reduction Program; and

WHEREAS, C/CAG plans to allocate up to \$46,400 of TFCA County Program Manager funds to the Peninsula Traffic Congestion Relief Alliance (Commute.org) for the BART Shuttle Program; and

WHEREAS, C/CAG plans to allocate up to \$300,000 of TFCA County Program Manager funds to C/CAG for the implementation of Shared Micromobility Pilots; and

WHEREAS, C/CAG plans to allocate remaining \$358,247 of TFCA County Program Manager funds for other projects. Project scopes may include, but not limited to, those that focus on active transportation. Detailed project scopes will be defined further and brought back to the Board for approval;

WHEREAS, the projects included in this expenditure plan will be evaluated using the cost-effectiveness worksheet provided by the Bay Area Air Quality Management District to determine whether or not they meet the required cost-effectiveness threshold. All proposed expenditures will be consistent with the *Clean Air Plan* and Section 44241(b) of the California Health and Safety Code.

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 certify and submit the Fiscal Year 2023/24 Expenditure Plan for the TFCA County Program Manager Fund for San Mateo County to the Bay Area Air Quality Management District.

PASSED, APPROVED, AND ADOPTED THIS 9th DAY OF MARCH 2023.

Davina Hurt, Chair

C/CAG AGENDA REPORT

Date: March 9, 2023

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 23-15, authorizing the C/CAG Executive Director to execute an agreement with the City of Pacifica for the Pacifica Mid-Block Crosswalk Safety Project in an amount not to exceed \$200,000.

(For further information, contact Eva Gaye at egaye@smcgov.org)

RECOMMENDATION

That the C/CAG Board review and approve Resolution 23-15, authorizing the C/CAG Executive Director to execute an agreement with the City of Pacifica for the Pacifica Mid-Block Crosswalk Safety Project in an amount not to exceed \$200,000.

FISCAL IMPACT

The total estimated funding amount for this project is \$200,000 of Measure M Funds Safe Routes to School (SRTS) funds.

SOURCE OF FUNDS

The Measure M program consists of an annual fee of \$10 on motor vehicles registered in San Mateo County that was approved by voters in 2010. Measure M funding brings in an estimated \$6.7 million in revenue every year for the County to use towards supporting local transportation projects and programs aimed at maintaining safe and clean roads, reducing congestion, and improving air quality.

BACKGROUND

At the September 15, 2022 C/CAG Board meeting, the C/CAG Board of Directors approved Resolution 22-82 authorizing \$200,000 of Measure M SRTS funds to be incorporated into the San Mateo County Transportation Authority (SMCTA) Pedestrian and Bicycle Program Call for Projects (CFP). This funding was part of the OBAG 3 process which initially created a set-aside of \$900,000 of Measure M SRTS funds. At the May 2022 C/CAG Technical Advisory Committee meeting, the committee had comments regarding the \$900,000 set-aside in Measure M funds and that Safe Routes to School project costs, by design, are smaller than \$500,000 (the minimum grant amount for OBAG 3). Staff wanted to recognize the concern and find solutions to help fund these smaller, but important projects. In response, staff proposed to direct \$200,000

of Measure M Safe Routes to School funds to the current San Mateo County Transportation Authority (SMCTA) Call for Projects for pedestrian and bicycle projects.

The SMCTA Board of Directors formally approved the nomination list for the Pedestrian and Bicycle Program CFP in December 2022. As part of the projects recommended for funding, the Pacifica Mid-Block Crosswalk Safety Project was awarded \$200,000 of the requested grant amount of \$234,080 for the construction phase. The full funding recommendation list from the SMCTA Pedestrian and Bicycle Program can be found in Attachment 2. This project seeks to provide safety improvements at various mid-block crossings near schools and senior centers in the City of Pacifica (the project scope can be found in *Attachment 3*).

RECOMMENDATION

Staff requests that the Board reviews and approves Resolution 23-15 authorizing the C/CAG Executive Director to execute a funding agreement with the City of Pacifica in an amount of \$200,000 using Measure M Safe Routes to School funds for the Pacifica Mid-Block Crosswalk Safety Project.

ATTACHMENT

1. Resolution 23-15
2. 2022 Pedestrian and Bicycle Program Cycle 6 Final Recommendations (Full List can be downloaded at: <https://ccag.ca.gov/committees/board-of-directors-2/>)
3. Draft Funding Agreement Between C/CAG and the City of Pacifica for the Pacifica Mid-Block Crosswalk Safety Project (Download at: <https://ccag.ca.gov/committees/board-of-directors-2/>)

RESOLUTION 23-15

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 A FUNDING AGREEMENT WITH THE CITY OF PACIFICA FOR THE PACIFICA MID-BLOCK CROSSWALK SAFETY PROJECT IN AN AMOUNT NOT TO EXCEED \$200,000

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

WHEREAS, the Board of Directors of the City/County Association of Governments, at its September 15, 2022 meeting, approved Resolution 22-82 authorizing \$200,000 of Measure M Safe Routes to School (SRTS) funds to be incorporated into the San Mateo County Transportation Authority (SMCTA) Pedestrian and Bicycle Program Call for Projects (CFP); and

WHEREAS, the \$200,000 Measure M SRTS funds are part of a set-aside for SRTS projects under C/CAG's process for the One Bay Area Grant Cycle 3 process; and

WHEREAS, The SMCTA Board of Directors formally approved the nomination list for the Pedestrian and Bicycle Program CFP in December 2022 and awarded the City of Pacifica Mid-Block Crosswalk Safety Project \$200,000 of Measure M SRTS funds, and

WHEREAS, the Board of Directors reviewed the project scopes and specific recommended grant amounts for the aforementioned project; and

WHEREAS, it is necessary for C/CAG to enter into a funding agreement with the City of Pacifica and set forth the responsibilities of each party.

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 enter into an agreement the City of Pacifica for the Pacifica Mid-Block Crosswalk Safety Project in an amount not to exceed \$200,000. Be it further resolved that the Executive Director is authorized to negotiate final terms of the agreement prior to execution by the Chair, subject to legal counsel approval as to form.

PASSED, APPROVED, AND ADOPTED THIS 9TH DAY OF March 2023.

Davina Hurt, Chair

C/CAG AGENDA REPORT

Date: March 9, 2023

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 23-17 authorizing the C/CAG Chair to execute Amendment No. 4 to the agreement with the City of East Palo Alto for the Addison Avenue Integrated Safe Routes to School and Green Streets Infrastructure Pilot Project, extending the term to June 30, 2024 for no additional cost.

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

RECOMMENDATION

That the C/CAG Board review and approve Resolution 23-17 authorizing the C/CAG Chair to execute Amendment No. 4 to the agreement with the City of East Palo Alto for the Addison Avenue Integrated Safe Routes to School and Green Streets Infrastructure Pilot Project, extending the term to June 30, 2024 for no additional cost.

FISCAL IMPACT

None.

SOURCE OF FUNDS

N/A

BACKGROUND

C/CAG Board Resolution 17-63 authorized \$2,112,863 in local vehicle registration fees (in the amounts shown in the table below) for ten member agencies, including Redwood City, Colma, Pacifica, East Palo Alto, Millbrae, Brisbane, Daly City, San Mateo County, Half Moon Bay and Menlo Park, to construct integrated Safe Routes to School and Green Streets Pilot Program projects. This pilot program is intended to demonstrate the benefits of increased safety for children walking and biking to school, while also improving water quality, increasing urban greening and enhancing the pedestrian environment. C/CAG and the member agencies executed funding agreements to complete the projects by June 30, 2020. Due to project delays in Fiscal Year 2020-21 related to additional funding sources, linkages to larger capital projects, technical challenges and moratoriums on construction due to COVID-19, six jurisdictions required time extensions to complete their projects. Pursuant to Resolution 17-63 and consistent with C/CAG's contract policy, the C/CAG Executive Director executed time extensions for six projects (see table below for funding amounts), including, Brisbane, Colma, East Palo Alto, Menlo Park, Pacifica and Redwood City.

Jurisdiction	Project Title	Funding Amount
Brisbane	Brisbane SRTS and Green Infrastructure Project	\$245,263
Colma	Mission Road Improvements Safe Routes to School and Green Streets Infrastructure Project	\$200,000
Daly City	Westlake Elementary School Pilot Green Streets Improvements Project	\$144,500
East Palo Alto	Addison Avenue SRTS and Green Streets Infrastructure Project	\$250,000
Half Moon Bay	Half Moon Bay Safe Routes to Cunha School Project	\$153,000
Menlo Park	Oak Grove SRTS and Green Infrastructure Improvements Project	\$250,000
Millbrae	Taylor Middle School SRTS and GSIPP	\$212,500
Pacifica	Cabrillo School Pedestrian Crossing Improvement Project	\$157,600
Redwood City	Safe Routes to School (SRTS) and Green Streets Infrastructure Pilot Program at Taft Community School	\$250,000
San Mateo County	Fair Oaks Community School Green Infrastructure and SRTS Improvements	\$250,000
Total Funding Amount		\$2,112,863

The contracts between C/CAG and the Cities/Towns of Brisbane, Colma, East Palo Alto, Menlo Park and Redwood City were extended through June 30, 2021. Due to less time needed to complete the City of Pacifica's project, the City received an extension through December 31, 2020. With additional time needed to complete the projects in Pacifica and East Palo Alto, pursuant to Resolution 21-45 and Resolution 21-46, C/CAG authorized Amendments No.2 to the Agreements between C/CAG and the Cities of Pacifica and East Palo Alto, respectively, extending the Agreement termination dates to June 30, 2022 for no additional cost.

As noted throughout the project development process and communicated by agency staff in previous time extension requests, the Addison Avenue project in the City of East Palo Alto was significantly delayed due to the complexity of additional funding sources, an involved community engagement process and associated significant modifications in the design plans, including relocation of utilities. Pursuant to Resolution 23-34, the C/CAG Board approved a no cost time extension for this project, extending the Agreement to June 30, 2023 based on the latest project status. In fall of 2022, C/CAG staff were notified by staff at the City that the project would require additional time to complete construction and project closeout. City staff provided an updated construction and closeout schedule, including timing of final reimbursement requests, as detailed in the attached time extension request letter (Attachment 3).

C/CAG staff recommend the Board review and approve Resolution 23-17, authorizing the C/CAG Chair to execute Amendment No.4 to the Agreement between C/CAG and the City of East Palo Alto, extending the termination date to June 30, 2024 at no additional cost.

ATTACHMENTS

1. Reso 23-17
2. Amendment No.4 to Agreement for the Addison Avenue Safe Routes to School and Green Streets Infrastructure Pilot Project
3. City of East Palo Alto letter requesting a time extension for the Addison Avenue Safe Routes to School and Green Streets Infrastructure Pilot Project; dated January 23, 2023.

RESOLUTION 23-17

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.4 TO THE AGREEMENT WITH THE CITY OF EAST PALO ALTO FOR THE ADDISON AVENUE SAFE ROUTES TO SCHOOL AND GREEN STREETS INFRASTRUCTURE PILOT PROJECT, EXTENDING THE CONTRACT TERM TO JUNE 30, 2024 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 manages the Countywide Water Pollution Prevention Program to support its member agencies in meeting regulatory requirements to reduce pollution discharging from municipal storm drainage systems, and

WHEREAS, C/CAG manages the Countywide Safe Routes to Schools Program (SRTS) to encourage and enable school children to walk and bicycle safely to school and reduce congestion and emissions caused by school related travel, and

WHEREAS, C/CAG approved Resolution 17-31 authorizing the Safe Routes to School and Green Streets Infrastructure Pilot Program (Pilot Program) to use up to \$2,112,863 in local vehicle registration fees) to fund ten integrated SRTS and green streets infrastructure pilot projects within the public right-of-way that increase safety for children walking and biking to school, while also improving water quality, increasing urban greening, and enhancing the pedestrian environment, in the Cities/Towns of Redwood City, Colma, Pacifica, East Palo Alto, Millbrae, Brisbane, Daly City, San Mateo County, Half Moon Bay and Menlo Park, and

WHEREAS, C/CAG entered into separate agreements with the above member agencies with a contract termination date specified for June 30, 2020, and

WHEREAS, consistent with C/CAG procurement policy, in June 2020, C/CAG Executive Director executed no-cost time extensions through June 30, 2021 for five of the six jurisdictions that required additional time to complete the projects, including the Cities/Towns of Brisbane, Colma, East Palo Alto, Menlo Park and Redwood City, and a no-cost time extension through December 31, 2020 for the City of Pacifica, due to less time being needed to complete the Cabrillo Elementary SRTS and Green Streets Infrastructure Pilot Project, and

WHEREAS, C/CAG approved Resolution 21-46, C/CAG authorizing the C/CAG Chair to execute Amendment No.2 to the Agreements between C/CAG and the Cities of Pacifica and East Palo Alto, respectively, extending the Agreement termination dates to June 30, 2022 for no additional cost, given ongoing project delays, and

WHEREAS, C/CAG approved Resolution 22-34, C/CAG authorizing the C/CAG Chair to execute Amendment No.3 to the Agreement between C/CAG and the City of East Palo Alto, extending the Agreement termination dates to June 30, 2023 for no additional cost, given ongoing project delays and the need to address utility conflicts, and

WHEREAS, the City of East Palo Alto requires additional time to complete the Addison Avenue SRTS and Green Streets Infrastructure Pilot Project and has committed to completing project construction by June 2023, consistent with the letter requesting a time extension.

NOW THEREFORE BE IT RESOLVED, the C/CAG Chair is authorized to execute Amendment No. 4 to the agreement to between C/CAG and the City³⁶ of East Palo Alto, extending the contract term to

June 30, 2024 for no additional cost. Be it further resolved that the C/CAG Executive Director is authorized to negotiate the final terms of said amendment prior to its execution by the C/CAG Chair, subject to approval as to form by C/CAG Legal Counsel.

PASSED, APPROVED, AND ADOPTED, THIS 9TH DAY OF March, 2023.

Davina Hurt, Chair

**AMENDMENT (No.4) TO THE AGREEMENT BETWEEN THE CITY/COUNTY ASSOCIATION OF
GOVERNMENTS OF SAN MATEO COUNTY AND THE CITY OF EAST PALO ALTO.**

WHEREAS, the Board of Directors of the City/County Association of Governments for San Mateo County (hereinafter referred to as “C/CAG”) and the City of East Palo Alto (hereinafter referred to as “City”) are parties to an agreement for the Addison Avenue Safe Routes to School and Green Streets Infrastructure Pilot Project, dated May 17, 2018 (the “Agreement”); and

WHEREAS, the Agreement had an initial termination date of June 30, 2020 and not-to-exceed amount of \$250,000; and

WHEREAS, the City and C/CAG executed Amendment No. 1 to the Agreement to extend the contract term to June 30, 2021 for no additional cost; and

WHEREAS, the City and C/CAG executed Amendment No. 2 to the Agreement to extend the contract term to June 30, 2022 for no additional cost; and

WHEREAS, the City and C/CAG executed Amendment No. 3 to the Agreement to extend the contract term to June 30, 2023 for no additional cost; and

WHEREAS, the City and C/CAG now wish to further extend the Agreement through June 30, 2024 for no additional cost; and

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

IT IS HEREBY AGREED by C/CAG and the City as follows:

1. Section 3 of the Agreement is revised to reflect a new contract termination date of June 30, 2024.
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 upon on full execution by both parties.

City/County Association of Governments
(C/CAG)

City of East Palo Alto
(City)

Davina Hurt, C/CAG Chair

By

Title: _____

Date: _____

Date: _____

Approved as to form:

Legal Counsel for C/CAG



CITY OF EAST PALO ALTO

Public Works Department - Engineering Division

1960 Tate Street, East Palo Alto, CA 94303

Tel. No. 650.853.3189, Fax. No. 650.853.3179

January 23, 2023

City/County Association of Governments of San Mateo
Attn.: Mr. Reid Bogert, Senior Stormwater Program Specialist
San Mateo County Office Building, Fifth Floor
555 County Center
Redwood City, CA 94063

Subject: San Mateo County Stormwide Water Pollution Control Prevention Program
Addison Avenue SRTS and Green Streets Infrastructure Pilot Project
Request for Time Extension

Dear Mr. Bogert,

The City of East Palo Alto requests a time extension for the Addison Avenue SRTS and Green Streets Infrastructure Pilot Project from June 30, 2023 to June 30, 2024.

The City has made significant progress on the project in the last 12 months. We anticipate construction will begin in January 2023 and will be completed in June 2023.

PG&E completed the lowered gas mains and services to below the new pavement section, AT&T relocated its communications lines, and portions of the project were re-designed due to utility conflicts.

The anticipated project schedule is as follows:

- Execute construction contract – May 2022
- PG&E Gas Relocated – November 2022
- Project Re-Design – January 2023
- Start Major Construction – January 2023
- Complete construction – June 2023
- Approval of construction – July 2023
- Submit final invoice – September 2023
- Close out project – November 2023

Please reach out if you have any questions or comments.

Sincerely,


Glen March
Senior Engineer

C/CAG AGENDA REPORT

Date: March 9, 2023

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of appointment of Roland Yip, Deputy Director of Public Works for the City of Pacifica, to the Stormwater Committee.

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

RECOMMENDATION

That the C/CAG Board review and approve appointment of Roland Yip, Deputy Director of Public Works for the City of Pacifica, to the Stormwater Committee.

FISCAL IMPACT

None.

SOURCE OF FUNDS

N/A

BACKGROUND

Due to staff transitions, the City of Pacifica is recommending a new appointment to C/CAG's Stormwater Committee. The recommended appointee, as detailed in the attached letter, is Roland Yip, Deputy Director of Public Works, to replace Lisa Petersen, Public Works Director.

The Stormwater Committee includes a designated seat for each member agency and provides policy and technical advice and recommendations to the C/CAG Board of Directors and direction to technical subcommittees on all matters relating to stormwater management and compliance with associated regulatory mandates from the State Water Resources Control Board and San Francisco Bay Regional Water Quality Control Board.

ATTACHMENTS

1. Current Stormwater Committee Roster
2. January 20, 2023 letter recommending appointment to the Stormwater Committee from City Manager, Kevin Woodhouse

Current Stormwater Committee Roster – 2023

Municipality/Agency	Representative
Atherton	Robert Ovadia (Vice Chair)
Belmont	Peter Brown
Brisbane	Randy Breault (Chair)
Burlingame	Syed Murtuza
Colma	Brad Donohue
Daly City	Richard Chiu
East Palo Alto	Humza Javed
Foster City	Vacant
Half Moon Bay	Maziar Bozorginia
Hillsborough	Paul Willis
Menlo Park	Nikki Nagaya
Millbrae	Sam Bautista
Pacifica	Lisa Petersen
Portola Valley	Howard Young
Redwood City	Vacant
San Bruno	Matthew Lee
San Carlos	Steven Machida
San Mateo	Azalea Mitch
South San Francisco	Eunejune Kim
Woodside	Sean Rose
San Mateo County	Ann Stillman
Regional Water Quality Control Board	Dr. Tom Mumley



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CITY OF PACIFICA

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www.cityofpacifica.org

MAYOR
Tygarjas Bigstyk

MAYOR PRO TEM
Sue Vaterlaus

COUNCIL
Sue Beckmeyer
Mary Bier
Christine Boles

January 20, 2023

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 Pacifica on the
C/CAG Stormwater Subcommittee**

Dear Mr. Charpentier,

This is to document the person that I am authorizing the following individual to represent the
City of Pacifica on the C/CAG Stormwater Subcommittee:

Authorized Representative: Roland Yip, Deputy Director of Public Works/City Engineer

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

Kevin Woodhouse
City Manager

Cc: Lisa Petersen, Director of Public Works
Roland Yip, Deputy Director of Public Works

C/CAG AGENDA REPORT

Date: March 9, 2023

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 23-18 determining that the proposed 56-unit townhome development with related General Plan and Zoning Amendments for property located at 505 E. Bayshore Road, Redwood City, is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos 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 23-18 determining that the proposed 56-unit townhome development with related General Plan and Zoning Amendments for property located at 505 E. Bayshore Road, Redwood City is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport subject to the following condition:

- The City of Redwood City shall require that the project sponsor comply with the Overflight Notification Requirements outlined in Overflight Policy 2 of the San Carlos ALUCP, as amended in October 2022. Final project approval shall include a condition to incorporate a recorded 'Overflight Notification' on each residential parcel as a condition of approval in order to provide a permanent form of overflight notification to all future property owners. (An example for the Overflight Notification to be used to fulfill this condition is included in the San Carlos ALUCP, Appendix E, Exhibit E-4.)

BACKGROUND

Redwood City is processing an application for a redevelopment of a property at 505 E. Bayshore Rd, currently occupied by Alan Steel & Supply Co., at the gateway to the Bair Island area of Redwood City. The proposal includes demolition of existing site improvements and construction of 56 townhomes. The new structures would be three stories of wood-framed structure on top of an at-grade concrete foundation.

The current General Plan land use designation (Commercial Regional) and Zoning (General Commercial) do not permit residential development, so the application includes a request for a General Plan Amendment to Mixed Use – Waterfront (MU-WF) land use, and rezoning to Mixed-Use Waterfront (MUW), which allow for both residential and commercial development.

The project falls within Airport Influence Area (AIA) B, the Project Referral Area for San Carlos Airport and is subject to ALUC review pursuant to California Public Utilities Code (PUC) Section 21676(b). Accordingly, Redwood City staff has referred the subject project to C/CAG, acting as the San Mateo County Airport Land Use Commission, for a determination of consistency with the San Carlos ALUCP.

DISCUSSION

I. ALUCP Consistency Evaluation

Four sets of airport/land use compatibility policies in the San Carlos ALUCP relate to the proposed project: (a) noise compatibility policies and criteria, (b) safety policies and criteria, (c) airspace protection policies and (d) overflight compatibility. The following sections address each issue.

(a) Noise Compatibility

The 60 dB CNEL (Community Noise Equivalent Level) aircraft noise contour defines the threshold for airport noise impacts established in the San Carlos ALUCP. All land uses located outside this contour are deemed consistent with the noise policies of the ALUCP.

As shown on San Carlos ALUCP Exhibit 4-2, **Attachment 3**, the subject property lies outside the bounds of the 60 dB CNEL contour and, therefore, the Project is consistent with the San Carlos ALUCP noise policies and criteria.

(b) Safety Compatibility

Runway Safety Zones - The San Carlos ALUCP includes six sets of safety zones and related land use compatibility policies and criteria. As shown on San Carlos ALUCP Exhibit 4-3, **Attachment 4**, the project site is located within Safety Zone 6. Per San Carlos ALUCP Safety Policy 2, new residential development within Safety Zone 6 is compatible and is not restricted for safety reasons.

(c) Airspace Protection Compatibility

The San Carlos ALUCP incorporates the provisions in Title 14 of the Code of Federal Regulations Part 77 (14 CFR Part 77), "Objects Affecting Navigable Airspace," as amended, to establish height restrictions and federal notification requirements related to proposed development within the 14 CFR Part 77 airspace boundaries for San Carlos Airport.

In order to be deemed consistent with the ALUCP, the maximum height of a new building must be the lower of (1) the height of the controlling airspace protection surface shown on Exhibit 4-4; or 2) the maximum height determined to not 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 townhomes would be 36 ft – 9 in. tall to the roof ridge. With a ground elevation of approximately 12 ft. – 7 in., the overall height would be 49 ft. – 4 in. above mean sea level (AMSL). As shown on San Carlos ALUCP Exhibit 4-4, **Attachment 5**, the Part 77 Airspace Protection Surface lies at approximately 205 ft AMSL, so the proposed project would well below this surface, in compliance with the Airspace Protection policies of the ALUCP. In addition, as shown on San

Carlos, ALUCP Exhibit 4-4a, **Attachment 6**, the proposed project height is well below the FAA notification heights.

(d) Overflight Compatibility

The San Carlos ALUCP contains two policies regarding overflight compatibility: Overflight Policy 1 – *Real Estate Transfer Disclosure*, requires that a notice of potential for overflights be included among the disclosures made during real estate transactions. Overflight Policy 2 – *Overflight Notification Zone 2* requires that all new residential development projects, other than additions and accessory dwelling units (ADUs), within Overflight Notification Zone 2 (AIA B) incorporate a recorded overflight notification requirement as a condition of approval.

The Project Area is located within both the Airport Influence Area (AIA) A & B boundaries for San Carlos Airport, so is subject to the requirements of both Overflight Policies. As indicated in the Application Materials, the applicant is aware of the need to provide “Notice of Airport in Vicinity” to future residents, consistent with Overflight Policy 1. However, compliance with Overflight Policy 2 is not addressed. Accordingly, the following condition is recommended to address this requirement:

- The City of Redwood City shall require that the project sponsor comply with the Overflight Notification Requirements outlined in Overflight Policy 2 of the San Carlos ALUCP, as amended in October 2022. Final project approval shall include a condition to incorporate a recorded ‘Overflight Notification’ on each residential parcel as a condition of approval in order to provide a permanent form of overflight notification to all future property owners. (An example for the Overflight Notification to be used to fulfill this condition is included in the San Carlos ALUCP, Appendix E, Exhibit E-4.)

Airport Land Use Committee

The Airport Land Use Committee discussed this item at its February 23, 2023 meeting, and unanimously recommended that it be determined consistent with the SFO ALUCP subject to the conditions identified.

ATTACHMENTS

1. Resolution 23-18

The following attachments are available to download on the C/CAG website (See “Additional Agenda Materials”) at: <https://ccag.ca.gov/committees/board-of-directors-2/>

2. ALUCP application, together with related project description and exhibits.
3. San Carlos ALUCP Exh. 4-2 – Future Conditions (2035) Aircraft Noise Contours
4. San Carlos ALUCP Exh. 4-3 – Safety Zones.
5. San Carlos ALUCP Exh. 4-4 – Airspace Protection Surfaces
6. San Carlos ALUCP Exh. 4-4b – FAA Notification Reqs.

RESOLUTION 23-18

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 56-UNIT TOWNHOME DEVELOPMENT WITH RELATED GENERAL PLAN AND ZONING AMENDMENTS FOR PROPERTY LOCATED AT 505 E. BAYSHORE ROAD, REDWOOD CITY, IS CONDITIONALLY CONSISTENT WITH THE COMPREHENSIVE AIRPORT LAND USE COMPATIBILITY PLAN FOR THE ENVIRONS OF SAN CARLOS 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, in accordance with the requirements of California Public Utilities Code Section 21676(b) 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; and

WHEREAS, the City of Redwood City is processing an application for construction of a 56-unit townhome development, including general plan and zoning amendments on property located at 505 E. Bayshore Road, and has referred the project to C/CAG, acting as the Airport Land Use Commission, for a determination of consistency with relevant airport / land use compatibility criteria in the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport* (San Carlos ALUCP); and

WHEREAS, four airport/land use compatibility factors are addressed in the San Carlos ALUCP that relate to the project, including: (a) noise compatibility, (b) safety compatibility, (c) airspace protection compatibility, and (d) overflight compatibility, as discussed below:

- (a) Noise Compatibility – The 60 dB CNEL (Community Noise Equivalent Level) aircraft noise contour defines the threshold for airport noise impacts established in the San Carlos ALUCP. All land uses located outside this contour are deemed consistent with the noise policies of the ALUCP. As shown on San Carlos ALUCP Exhibit 4-2, the subject property lies outside the bounds of the 60 dB CNEL contour and, therefore, the Project is consistent with the San Carlos ALUCP noise policies and criteria.
- (b) Safety Policy Consistency – The San Carlos ALUCP includes six sets of safety zones and related land use compatibility policies and criteria. As shown on San Carlos ALUCP Exhibit 4-3, the project site is located within Safety Zone 6 and, per San Carlos ALUCP Safety Policy 2, new residential development within Safety Zone 6 is compatible and is not restricted for safety reasons.
- (c) Airspace Protection Policy Consistency – In order to be deemed consistent with the ALUCP, the maximum height of a new building must be the lower of (1) the height of the controlling airspace protection surface shown on Exhibit 4-4; or 2) the maximum height determined to not 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 townhomes would be 36 ft – 9 in. tall to the roof ridge. With a ground elevation of approximately 12 ft. – 7 in., the overall height would be 49 ft. – 4 in. above mean sea level (AMSL). As shown on San Carlos ALUCP Exhibit 4-4, the Part 77 Airspace Protection Surface lies at approximately 205 ft AMSL, so the proposed project would well below this surface, in compliance with the Airspace Protection policies of the ALUCP. In addition, as shown on San Carlos ALUCP Exhibit 4-4a, the proposed project height is well below the FAA notification heights.

- (d) Overflight Compatibility Consistency – The San Carlos ALUCP contains two policies regarding overflight compatibility: Overflight Policy 1 – *Real Estate Transfer Disclosure* and Overflight Policy 2 – *Overflight Notification Zone 2*. The application materials acknowledge the need to comply with Overflight Policy 1, and a condition is included in Exhibit A, attached to this consistency determination, to ensure compliance with Overflight Policy 2.

WHEREAS, at its February 23, 2023 meeting, based on the factors listed above and subject to inclusion of the condition identified in Exhibit A, the Airport Land Use Committee unanimously recommended that the C/CAG Board of Directors, acting as the Airport Land Use Commission, determine that the project be found consistent with the policies and criteria of the San Carlos ALUCP.

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 condition contained in Exhibit A, attached, the proposed 56-unit townhome development with related General Plan and Zoning Amendments for property located at 505 E. Bayshore Road, Redwood City, is determined to be consistent with the policies and criteria contained in the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport.

PASSED, APPROVED, AND ADOPTED, THIS 9TH DAY OF MARCH 2023.

Davina Hurt, Chair

Resolution 23-18 – Condition of Consistency Determination:

- The City of Redwood City shall require that the project sponsor comply with the Overflight Notification Requirements outlined in Overflight Policy 2 of the San Carlos ALUCP, as amended in October 2022. Final project approval shall include a condition to incorporate a recorded ‘Overflight Notification’ on each residential parcel as a condition of approval in order to provide a permanent form of overflight notification to all future property owners. (An example for the Overflight Notification to be used to fulfill this condition is included in the San Carlos ALUCP, Appendix E, Exhibit E-4.)

C/CAG AGENDA REPORT

Date: March 9, 2023

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 23-19 determining that the City of Millbrae Draft 2023-2031 Housing Element 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 23-19 determining that the City of Millbrae Draft 2023-2031 Housing Element is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (SFO ALUCP), subject to the following conditions (~~strikeout~~ for deletions, underline for insertions):

- Prior to adoption, the City of Millbrae shall incorporate the following revisions into the draft 2023-2031 Housing Element:
 - **Program HIP-29. Airport Development Restrictions**
The City shall ~~confirm~~ confer with C/CAG's Airport Land Use Commission (ALUC) to ensure that all general plan, specific plan and zoning changes that affect real property comply with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport pursuant to legal requirements prior to finalizing any ~~zone~~ such changes within the City.
 - **Program HIP-45. Update the MSASP and DECRSP to Comply with Residential Care Facilities Requirements**
The City will review and update the City's Zoning Ordinance (including within the MSASP and DECRSP) to allow residential care facilities by right in accordance with California Health and Safety Code, Section 1500. Specifically, City shall amend the Zoning Ordinance to explicitly permit residential care facilities by-right in zones R-1LL, R-1, R-2, and R-3, to comply with state law, except in areas where this conflicts with the Safety Policies of the SFO Airport Land Use Compatibility Plan.
 - **Section 3.3.4.11 San Francisco Airport Land Use Compatibility Plan:**
 - p. 3-31: Change July of 2012 to November of 2012.
 - pp. 3-31 and 32: Revise as follows: "This map was prepared to illustrate the critical aeronautical surfaces, which include those established in accordance with FAA Order

8260.38, Terminal Instrument Procedures (TERPS), and One Engine Inoperative (OEI) departures from 28L ~~(to the west through San Bruno Gap)~~ Runways 19L and 19R (to the southeast). 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 (Figure 3-6)."

- p. 3-32: Add the following statement to the end of the paragraph: "Note that the contour labels in Figure 3-6 show elevations above mean sea level (MSL), as defined by the origin of the North American Vertical Datum of 1988 (NAVD88). Heights above the existing ground level are shown for informational purposes only as the MSL NAVD88 elevations are the controlling surfaces regardless of ground level. New facilities proposed in this area must also receive a Determination of No Hazard from the Federal Aviation Administration (FAA). This is a parallel process to the local Airport Land Use Compatibility determination. Receipt of a Determination of No Hazard does not imply compatibility with the Airport Land Use Compatibility Plan."
- p. 3-33 and 3-34, Revise section with updated status of the determination of consistency of the draft General Plan and Specific Plan with the ALUCP, as reference is to a final decision *expected* in October 2022.
- Include language consistent with the SFO ALUCP indicating that the entire City is within Airport Influence Area (AIA) A, *Real Estate Disclosure Area*, and AIA B, *Policy/Project Referral Area* and therefore, all proposed land use policy actions – including new general plans, specific plans, zoning ordinances, plan amendments and re-zonings, and land development proposals – shall be reviewed by the ALUC.
- Include language noting that portions of the City are located within the Noise Compatibility Zones defined by the ALUCP. As such, proposed land uses within the Airport noise compatibility zones shall be evaluated according to the noise/land use compatibility criteria provided in Table IV-1 of the ALUCP. The criteria identify the maximum acceptable airport noise levels, described in terms of Community Noise Equivalent Level (CNEL), for the indicated land uses.
- Include language noting that portions of the City are located within Safety Compatibility Zones 1, 2, 3 and 4 as defined by the ALUCP. The land use compatibility criteria for safety are set forth in Table IV-2 of the ALUCP and identify uses that are incompatible and uses that should be avoided in each zone.

BACKGROUND

The City of Millbrae has referred its Draft Housing Element to C/CAG, acting as the Airport Land Use Commission, for a determination of consistency with relevant airport / land use compatibility criteria in the SFO ALUCP. The Draft Housing Element is subject to Airport Land Use Committee / Board review, pursuant to California Public Utilities Code (PUC) Section 21676(b), since the entire community is located within Airport Influence Area B (AIA B), the Project Referral Area, for San Francisco International Airport.

The Draft Housing Element identifies goals, policies, and programs to address existing and projected housing needs and includes a list of housing opportunity sites. The Regional Housing Needs Allocation (RHNA) is the share of the Regional Housing Needs Determination assigned to each jurisdiction by the Association of Bay Area Governments (ABAG). In December 2021, ABAG adopted a Final RHNA Methodology, which was approved by the California Department of Housing and Community Development in January 2022. The proposed RHNA for the Millbrae for this planning cycle is 2,199 units.

DISCUSSION

I. SFO ALUCP Consistency Evaluation

Four airport / land use compatibility factors are addressed in the SFO ALUCP that relate to the proposed general plan housing element amendment. These include policies for: (a) airport influence area, (b) noise compatibility, (c) safety compatibility, and (d) airspace compatibility. The following sections address each factor.

(a) Airport Influence Area (AIA)

The AIA for SFO includes two parts: Area A and Area B. Area A (which encompasses all of San Mateo County) is the area in which the real estate disclosure requirements of state law apply. Area B, the Policy/Project Referral Area, is the area where local jurisdictions must submit new and/or amended land use policies (general plans, specific plans, zoning ordinances, etc.) for an ALUC determination of compatibility with the ALUCP.

The draft Housing Element contains a general policy that requires compliance with the SFO ALUCP, as well as an implementing program measure that addresses ALUC referrals. To improve clarity, minor modifications are proposed to the program language as indicated below (~~strikeout~~ for deletions, underline for insertions):

Policy H3.17: Airport Development Restrictions. Ensure that new development is consistent with all airport/land use compatibility criteria under the Comprehensive Land Use Plan for San Francisco International Airport.

Program HIP-29. Airport Development Restrictions

The City shall ~~confirm~~ confer with C/CAG's Airport Land Use Commission (ALUC) to ensure that all general plan, specific plan and zoning changes that affect real property comply with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport pursuant to legal requirements prior to finalizing any ~~zone~~ such changes within the City.

Subject to the recommended modifications, the Housing Element would comply with the Airport Influence Area Policies of the SFO ALUCP.

(b) Noise Compatibility

The CNEL 65 dB aircraft noise contour defines the threshold for airport noise impacts established in the SFO ALUCP. In accordance with SFO Noise Policy NP-1, SFO ALUCP Exhibit IV-5, **Attachment 3**, depicts the noise compatibility zones within which the noise compatibility policies of the ALUCP apply.

None of the Housing Opportunity Sites, included in **Attachment 2**, is located within the 65 dB aircraft noise contour, so the sites are consistent with the SFO ALUCP Noise Policies.

(c) Safety Compatibility

The SFO ALUCP includes five safety zones and related land use compatibility policies and criteria, as shown on **Attachment 4**. Eight housing opportunity sites, Sites 17-23, are located within Safety Zone 2 (Inner Approach/Departure Zone) and three housing opportunity sites, Sites 13, 14 and 15 are in Safety Zone 3 (Inner Turning Zone). Per SFO ALUCP Table IV-2, *Safety Compatibility Criteria*, housing is a compatible use in Safety Zone 2 and Safety Zone 3. Therefore, the Housing Opportunity Sites included in the Draft Housing Element are consistent with the SFO ALUCP safety policies.

The draft Housing Element also includes many new and/or revised policies and programs that have also been reviewed for ALUCP compatibility. Of note is a program that directs that the zoning ordinance and specific plans be amended to permit certain uses, including residential care facilities, in all residential zones. The Safety Compatibility Policies of the ALUCP identify specific land uses that are of concern in which the occupants have reduced effective mobility or would be unable to respond in emergency situations. One such use of concern is nursing homes/convalescent facilities, which is identified in SFO ALUCP Table IV-2 – Safety Compatibility Criteria - as “incompatible” in Safety Zones 2-4. To ensure the Housing Element provisions are consistent with the Safety Compatibility Criteria, the following revision to Program HIP-45 is recommended (revision shown in underlined text)

Program HIP-45. Update the MSASP and DECRSP to Comply with Residential Care Facilities Requirements

The City will review and update the City’s Zoning Ordinance (including within the MSASP and DECRSP) to allow residential care facilities by right in accordance with California Health and Safety Code, Section 1500. Specifically, City shall amend the Zoning Ordinance to explicitly permit residential care facilities by-right in zones R-1LL, R-1, R-2, and R-3, to comply with state law, except in areas where this conflicts with the Safety Policies of the SFO Airport Land Use Compatibility Plan.

(d) Airspace Compatibility

The SFO ALUCP airspace policies establish maximum heights for the compatibility of new structures. The policies also stipulate the need for compliance with federal regulations requiring notification of the Federal Aviation Administration of certain proposed construction or alterations of structures.

Because the Draft Housing Element is a policy document and not a specific development proposal, the airspace compatibility policies of the SFO ALUCP do not directly apply. Consistency with the airspace compatibility policies would be required for future development proposals stemming from the Draft Housing Element. SFO ALUCP Airspace Policy AP-3 states that in order to be consistent, the maximum height of a structure must be the lower of (1) the height shown on the critical aeronautical surfaces map (Exhibits IV-17 & IV 18), or (2) the maximum height determined by the FAA not to be a “hazard to air navigation” by the FAA in an aeronautical study prepared pursuant to the filing of Form 7460-1. These requirements are addressed in Millbrae’s Zoning Ordinance through the following adopted policies:

Airspace Projection Evaluation –

1. Requires applicants to file Form 7460-1, Notice of Proposed Construction or Alteration, with the FAA for any proposed new structure and/or alterations to existing structures that would exceed the FAA notification heights consistent with SFO ALUCP Policy AP-1.
2. Restricts maximum building heights to the maximum height limits permissible under FAA regulations and the SFO ALUCP Critical Aeronautical Surfaces requirements, consistent with SFO ALUCP Policy AP-3.
3. Other Flight Hazards – Consistent with SFO ALUCP Policy AP-4, for projects located within AIA B, calls for evaluation of land use characteristics to assure they are not hazards to air navigation, including sources of glare; distracting lights; sources of dust, smoke, steam, electric or electronic interference; wildlife attractants (especially flocks of birds), etc.

Adherence to these policies will ensure that future development envisioned in the Housing Element will be consistent with the Airspace Protection policies of the SFO ALUCP.

Comment Letters

A comment letter was received from San Francisco International Airport planning staff, **Attachment 5**, which identifies several recommended revisions to the Housing Constraints section of the draft Housing Element (Section 3.3.4.11) to address ALUCP consistency. These have been incorporated into recommended conditions. The comments are generally focused on correcting some technical details and identifying that, in addition to the airspace protection provisions, future projects will also be held accountable to criteria contained in the Airport Influence Area, Noise and Safety Policies of the ALUCP.

Airport Land Use Committee

The Airport Land Use Committee discussed this item at its February 23, 2023 meeting, and recommended that it be determined consistent with the SFO ALUCP subject to the conditions identified.

ATTACHMENTS

1. Resolution 23-19

The following attachments are available to download on the C/CAG website (See “Additional Agenda Materials”) at: <https://ccag.ca.gov/committees/board-of-directors-2/>

2. Application Materials including Housing Opportunity Sites
3. SFO ALUCP Exhibit IV-5 –Noise Compatibility Zones
4. SFO ALUCP Exhibit IV-9 –Safety Compatibility Zones
5. SFO Planning Staff Comment letter dated February 13, 2023

The following attachment is available to download from the project website: https://millbraeca-my.sharepoint.com/:b:/g/personal/nguevara_millbraeca_onmicrosoft_com/Ec-LHiGhA2VDixu65KS2aNgBi802w6jF8QXf9Ve9yWjKMw?e=cQ2TrM

6. City of Millbrae Draft 2023-2031 Housing Element – October 2022

RESOLUTION 23-19

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 CITY OF MILLBRAE DRAFT 2023-2031 HOUSING ELEMENT 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, in accordance with the requirements of California Public Utilities Code Section 21676(b) 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; and

WHEREAS, the City of Millbrae has referred its Draft Housing Element to C/CAG, acting as the Airport Land Use Commission, for a determination of consistency with relevant airport / land use compatibility criteria in the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport* (SFO ALUCP); and

WHEREAS, the Draft Housing Element identifies goals, policies, and programs to address Millbrae's Regional Housing Needs Allocation (RHNA), and includes a list of housing opportunity sites; and

WHEREAS, four airport/land use compatibility factors are addressed in the SFO ALUCP that relate to the Draft Housing Element Update, including: (a) airport influence area, (b) noise compatibility, (c) safety compatibility, and (d) airspace compatibility, as discussed below:

- (a) **Airport Influence Area (AIA)** – The AIA for SFO includes two parts: Area A in which the real estate disclosure requirements of state law apply, and Area B, the Policy/Project Referral Area, where local jurisdictions must submit new and/or amended land use policies (general plans, specific plans, zoning ordinances, etc.) for an ALUC determination of compatibility with the ALUCP. The draft Housing Element contains a general policy that requires compliance with the SFO ALUCP, as well as an implementing program measure that addresses ALUC referral requirements. To improve clarity, minor modifications are proposed to the program language as included in Exhibit A. Subject to these modifications, the Housing Element complies with the Airport Influence Area Policies of the SFO ALUCP
- (b) **Noise Compatibility** - The CNEL 65 dB aircraft noise contour defines the threshold for airport noise impacts established in the SFO ALUCP. None of the Housing Opportunity Sites identified in Housing Element is located within the 65 dB aircraft noise contour, so the sites are consistent with the SFO ALUCP Noise Policies., and
- (c) **Safety Compatibility** – The SFO ALUCP includes five safety zones and related land use compatibility policies and criteria. Eight housing opportunity sites, Sites 17-23, are located within Safety Zone 2 (Inner Approach/Departure Zone) and three housing opportunity sites, Sites 13, 14 and 15 are in Safety Zone 3 (Inner Turning Zone). Per SFO ALUCP Table IV-2, *Safety Compatibility Criteria*, housing is a compatible use in Safety Zone 2 and Safety Zone 3.

Therefore, the Housing Opportunity Sites included in the Draft Housing Element are consistent with the SFO ALUCP safety policies.

The draft Housing Element also includes an implementation measure, Program HIP-45, that directs that the zoning ordinance and specific plans be amended to permit certain uses, including residential care facilities, in all residential zones. Because this has the potential to conflict with Safety Compatibility Criteria contained in the ALUCP, a revision to Program HIP-45, as identified in Exhibit A, is included to ensure compatibility.

- (d) **Airspace Compatibility** - The SFO ALUCP airspace policies establish maximum heights for the compatibility of new structures. The policies also stipulate the need for compliance with federal regulations requiring notification of the Federal Aviation Administration of certain proposed construction or alterations of structures.

Because the Draft Housing Element is a policy document and not a specific development proposal, the airspace compatibility policies of the SFO ALUCP do not directly apply. Consistency with the airspace compatibility policies would be required for future development proposals stemming from the Draft Housing Element. SFO ALUCP Airspace Policy AP-3 states that in order to be consistent, the maximum height of a structure must be the lower of (1) the height shown on the critical aeronautical surfaces map (Exhibits IV-17 & IV 18), or (2) the maximum height determined by the FAA not to be a “hazard to air navigation” by the FAA in an aeronautical study prepared pursuant to the filing of Form 7460-1. These requirements are currently addressed in Millbrae’s Zoning Ordinance ensuring that future development envisioned in the Housing Element will be consistent with the Airspace Protection policies of the SFO ALUCP; and

WHEREAS, San Francisco International Airport planning staff identified several recommended revisions to the Housing Constraints section of the draft Housing Element (Section 3.3.4.11) to address ALUCP consistency, which are included in Exhibit A as conditions of this consistency review; and

WHEREAS, at its February 23, 2023 meeting, based on the factors listed above and subject to inclusion of the modifications identified in Exhibit A, the Airport Land Use Committee recommended that the C/CAG Board of Directors, acting as the Airport Land Use Commission, determine that the Millbrae Draft 2023-2031 Housing Element be found consistent with the policies and criteria of the SFO ALUCP.

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 City of Millbrae Draft 2023-2031 Housing Element is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport.

PASSED, APPROVED, AND ADOPTED, THIS 9TH DAY OF MARCH 2023.

Davina Hurt, Chair

Resolution 23-19 – Conditions of Consistency Determination:

1. Prior to adoption, the City of Millbrae shall incorporate the following revisions into the draft 2023-2031 Housing Element:
 - a. **Program HIP-29. Airport Development Restrictions**
 The City shall ~~confirm~~ confer with C/CAG's Airport Land Use Commission (ALUC) to ensure that all general plan, specific plan and zoning changes that affect real property comply with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport pursuant to legal requirements prior to finalizing any ~~zone~~ such changes within the City.
 - b. **Program HIP-45. Update the MSASP and DECRSP to Comply with Residential Care Facilities Requirements**
 The City will review and update the City's Zoning Ordinance (including within the MSASP and DECRSP) to allow residential care facilities by right in accordance with California Health and Safety Code, Section 1500. Specifically, City shall amend the Zoning Ordinance to explicitly permit residential care facilities by-right in zones R-1LL, R-1, R-2, and R-3, to comply with state law, except in areas where this conflicts with the Safety Policies of the SFO Airport Land Use Compatibility Plan.
 - c. **Section 3.3.4.11 San Francisco Airport Land Use Compatibility Plan:**
 - i. p. 3-31: Change July of 2012 to November of 2012.
 - ii. pp. 3-31 and 32: Revise as follows: "This map was prepared to illustrate the critical aeronautical surfaces, which include those established in accordance with FAA Order 8260.38, Terminal Instrument Procedures (TERPS), and One Engine Inoperative (OEI) departures from ~~28L (to the west through San Bruno Gap)~~ Runways 19L and 19R (to the southeast). 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 (Figure 3-6)."
 - iii. p. 3-32: Add the following statement to the end of the paragraph: "Note that the contour labels in Figure 3-6 show elevations above mean sea level (MSL), as defined by the origin of the North American Vertical Datum of 1988 (NAVD88). Heights above the existing ground level are shown for informational purposes only as the MSL NAVD88 elevations are the controlling surfaces regardless of ground level. New facilities proposed in this area must also receive a Determination of No Hazard from the Federal Aviation Administration (FAA). This is a parallel process to the local Airport Land Use Compatibility determination. Receipt of a Determination of No Hazard does not imply compatibility with the Airport Land Use Compatibility Plan."

- iv. p. 3-33 and 3-34, Revise section with updated status of the determination of consistency of the draft General Plan and Specific Plan with the ALUCP, as reference is to a final decision *expected* in October 2022.
- v. Include language consistent with the SFO ALUCP indicating that the entire City is within Airport Influence Area (AIA) A, *Real Estate Disclosure Area*, and AIA B, *Policy/Project Referral Area* and therefore, all proposed land use policy actions – including new general plans, specific plans, zoning ordinances, plan amendments and re-zonings, and land development proposals – shall be reviewed by the ALUC.
- vi. Include language noting that portions of the City are located within the Noise Compatibility Zones defined by the ALUCP. As such, proposed land uses within the Airport noise compatibility zones shall be evaluated according to the noise/land use compatibility criteria provided in Table IV-1 of the ALUCP. The criteria identify the maximum acceptable airport noise levels, described in terms of Community Noise Equivalent Level (CNEL), for the indicated land uses.
- vii. Include language noting that portions of the City are located within Safety Compatibility Zones 1, 2, 3 and 4 as defined by the ALUCP. The land use compatibility criteria for safety are set forth in Table IV-2 of the ALUCP and identify uses that are incompatible and uses that should be avoided in each zone.

C/CAG AGENDA REPORT

Date: March 9, 2023

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 23-20 determining that proposed amendments to the City of Redwood City's Downtown Precise Plan (DTPP) and General Plan to increase the maximum allowable development caps for office use and modify certain DTPP development standards are consistent the with Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos 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 23-20 determining that proposed amendments to the City of Redwood City's Downtown Precise Plan (DTPP) and General Plan to increase the maximum allowable development caps for office use and modify certain DTPP development standards are consistent the with Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport.

BACKGROUND

The City of Redwood City proposes amendments to its General Plan and Downtown Precise Plan (DTPP) to revise certain development standards, guidelines and policies, including, permitted or conditionally permitted land uses, streets and circulation, building placement, minimum building height and massing, parking, historical resources and open space. (A link to the full text of Downtown Precise Plan Amendments is included as **Attachment 7**.) This consistency review will focus on the amendments ("Amendments") that bear a relationship to the Airport Land Use Compatibility Criteria, including the following:

- Proposed increase in the maximum allowable development cap for office development to add 80,000 square feet to the existing cap of 574,667 sf, and environmental review to accommodate an additional 830 residential units in the DTPP area.
- Modification to allow R&D, Lab use in the Downtown General and Transit Districts.

While all of Redwood City falls within Airport Influence Area A (AIA A) a portion of the DTPP also lies within AIA B, the Project referral area. California Public Utilities Code (PUC) Section 21676(b) 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). Accordingly, the City of Redwood City has

referred the subject amendments to C/CAG, acting as the San Mateo County Airport Land Use Commission, for a determination of consistency with the San Carlos ALUCP.

DISCUSSION

I. ALUCP Consistency Evaluation

Four sets of airport/land use compatibility policies in the San Carlos ALUCP relate to the proposed Amendments: (a) noise compatibility policies and criteria, (b) safety policies and criteria, and (c) airspace protection policies. The following sections address each issue.

(a) Noise Policy Consistency Analysis

Pursuant to Noise Policy 1 of the San Carlos ALUCP, the projected CNEL 60dB contour defines the noise impact area for the San Carlos Airport. All land uses located outside this contour are deemed consistent with the noise compatibility policies of the ALUCP. As shown on San Carlos ALUCP Exhibit 4-2, Future Aircraft Noise Contours, **Attachment 3**, the Project Area is located well outside of the CNEL 60dB noise contour, and the Amendments are therefore consistent with the noise compatibility policies of the San Carlos ALUCP.

(b) Safety Policy Consistency Analysis

Runway Safety Zones - The San Carlos ALUCP includes six sets of safety zones and related land use compatibility policies and criteria. As shown on San Carlos ALUCP Exhibit 4-3, Safety Zones, **Attachment 4**, a very small portion of the DTPP Area lies within Safety Zone 6, the Traffic Pattern Zone. The Amendments address only residential, office and research and development uses, and in accordance with Safety Compatibility Criteria Table 4-4 and Policy 2e of the San Carlos Airport ALUCP, residential, office and R&D development are compatible and are not restricted for safety reasons within this Zone. Accordingly, the Amendments are consistent with the Safety Compatibility policies of the ALUCP.

(c) Airspace Protection Policy Consistency Analysis

The San Carlos ALUCP incorporates the provisions in Title 14 of the Code of Federal Regulations Part 77 (14 CFR Part 77), "Objects Affecting Navigable Airspace," as amended, to establish height restrictions and federal notification requirements related to proposed development within the 14 CFR Part 77 airspace boundaries for San Carlos Airport.

Per Airspace Protection Policy 5, in order to be deemed consistent with the ALUCP, the maximum height of a new structure must be the lower of 1) the height of the controlling airspace protection surface shown on Exhibit 4-4; or 2) the maximum height determined to not be a "hazard to air navigation" by the FAA in an aeronautical study prepared pursuant to filing of FAA Form 7460-1.

While it is noted that no height increases are included in the Amendments, the overall Project Area is located beneath the outer reaches of the FAR Part 77 airspace protection surfaces for San Carlos Airport (see **Attachment 5**) where the airspace protection surface is at approximately 305' or more above mean sea level. The maximum height permitted in the Project area is 136 feet, with an

allowance for an additional 10 feet for roof top projections, for an overall maximum of 146 ft., which would be well below Part 77 airspace surfaces.

Per ALUCP Exhibit 4-4a, (**Attachment 6**), FAA notification would be required for a structure exceeding 150-200 feet, so the maximum height of 146 ft for the Plan area would be below this threshold. As an additional factor, it is noted that the DTPP currently includes language acknowledging the potential role of the FAA in development review, as follows:

“The northwestern part of the Downtown Precise Plan is also within Airport Influence Area B. The configuration of Airport Influence Area B is based on federal airspace protection parameters for San Carlos Airport. Proposed development located within the Area B portion of the DTPP area is subject to Federal Aviation Administration (FAA) review. The review consists of an aeronautical study conducted by FAA staff to determine if the maximum height, building materials, and other features of the proposed development will create any airspace impacts/hazards to aircraft in flight, including affects on aircraft navigation and communications. The findings of the FAA aeronautical study should be considered by the City as part of its review and action on the proposed development.”

The existing policies and procedures in the DTPP address the Airspace Protection policies of the San Carlos ALUCP.

(d) Overflight Policy Compatibility

Overflight Policy 1 – Real Estate Transfer Disclosure

The Plan Area includes properties that are located within both the Airport Influence Area (AIA) A & B boundaries for San Carlos Airport. Within an AIA, the real estate disclosure requirements of state law apply. The law requires a statement to be included in the property transfer documents that (1) indicates the subject property is located within an airport influence area (AIA) boundary and (2) that the property may be subject to certain impacts from airport/aircraft operations. The statement reads as follows:

“Notice of Airport in Vicinity

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine if they are acceptable to you.”

Redwood City’s planning documents currently address these requirements, so future projects will be required to comply.

Overflight Policy 2 – Overflight Notification Zone 2

In October 2022, amendments to Overflight Policy 2 were adopted which require new residential projects (besides ADUs and residential additions) within the designated Overflight Notification Zone

2 (which covers the geography of AIA B) to record an Overflight Notification as a condition of approval. Redwood City has incorporated this requirement into the DTPP, so it will be implemented during review of future projects.

Airport Land Use Committee

The Airport Land Use Committee discussed this item at its February 23, 2023 meeting, and unanimously recommended that it be determined consistent with the SFO ALUCP.

ATTACHMENTS

1. Resolution 23-20

The following attachments are available to download on the C/CAG website (See “Additional Agenda Materials”) at: <https://ccag.ca.gov/committees/board-of-directors-2/>

2. ALUCP application
3. Exh. 4-2 - San Carlos Airport ALUCP - Future Conditions (2035) Aircraft Noise Contours
4. Exh. 4-3 San Carlos Airport Safety Zones.
5. Exh 4-4 - Part 77 Airspace Protection Surfaces
6. Exh 4-4a – FAA Notification Filing Reqs

*The following document is available for download from the project website:
https://webapps.redwoodcity.org/files/cd/Gatekeeper/Full-Document_January-2023.pdf*

7. DTPP Plan Wide Draft Amendments

RESOLUTION 23-20

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 PROPOSED AMENDMENTS TO THE CITY OF REDWOOD CITY'S DOWNTOWN PRECISE PLAN (DTPP) AND GENERAL PLAN TO INCREASE THE MAXIMUM ALLOWABLE DEVELOPMENT CAPS FOR OFFICE USE AND MODIFY CERTAIN DTPP DEVELOPMENT STANDARDS ARE CONSISTENT THE WITH COMPREHENSIVE AIRPORT LAND USE COMPATIBILITY PLAN FOR THE ENVIRONS OF SAN CARLOS 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, in accordance with the requirements of California Public Utilities Code Section 21676(b) 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; and

WHEREAS, the City of Redwood City has referred proposed amendments to its Downtown Precise Plan (DTPP) and General Plan to increase the maximum allowable development caps for office use and modify certain DTPP development standards, including allowing R&D, Lab use in the Downtown General and Transit Districts, collectively "Amendments", to C/CAG acting as the Airport Land Use Commission, for a determination of consistency with relevant airport / land use compatibility criteria in the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport* (San Carlos ALUCP); and

WHEREAS, four airport/land use compatibility factors are addressed in the San Carlos ALUCP that relate to the Amendments. These include policies for: (a) noise compatibility, (b) safety compatibility, (c) airspace protection compatibility, and (d) overflight compatibility, as discussed below:

(a) Noise Policy Consistency Analysis – Pursuant to Noise Policy 1 of the San Carlos ALUCP, the projected CNEL 60dB contour defines the noise impact area for the San Carlos Airport. All land uses located outside this contour are deemed consistent with the noise compatibility policies of the ALUCP. As shown on San Carlos ALUCP Exhibit 4-2, the Project Area is located well outside of the CNEL 60dB noise contour, and the Amendments are therefore consistent with the noise compatibility policies of the San Carlos ALUCP.

(b) Safety Policy Consistency Analysis – The San Carlos ALUCP includes six sets of safety zones and related land use compatibility policies and criteria. As shown on San Carlos ALUCP Exhibit 4-3, Safety Zones, a very small portion of the DTPP Area lies within Safety Zone 6, the Traffic Pattern Zone. The Amendments address only residential, office and research and development uses, and in accordance with Safety Compatibility Criteria Table 4-4 and Policy 2e of the San Carlos Airport ALUCP, residential, office and R&D development are compatible and are not restricted for safety reasons within this Zone. Accordingly, the Amendments are consistent with the Safety Compatibility policies of the ALUCP.

(c) **Airspace Protection Policy Consistency Analysis** – Per Airspace Protection Policy 5, in order to be deemed consistent with the ALUCP, the maximum height of a new structure must be the lower of 1) the height of the controlling airspace protection surface shown on Exhibit 4-4; or 2) the maximum height determined to not be a “hazard to air navigation” by the FAA in an aeronautical study prepared pursuant to filing of FAA Form 7460-1.

The Project Area is located beneath the outer reaches of the FAR Part 77 airspace protection surfaces for San Carlos Airport where the airspace protection surface is at approximately 305’ or more above mean sea level. The maximum height permitted in the Project area is 136 feet, with an allowance for an additional 10 feet for roof top projections, for an overall maximum of 146 ft., which would be well below Part 77 airspace surfaces.

Per ALUCP Exhibit 4-4a, FAA notification would be required for a structure exceeding 150-200 feet, so the maximum height of 146 ft for the Plan area would be below this threshold. As an additional factor, the DTPP currently includes language acknowledging the potential role of the FAA in development review. The existing policies and procedures in the DTPP address the Airspace Protection policies of the San Carlos ALUCP.

(d) **Overflight Policy Compatibility** – The San Carlos ALUCP contains two policies regarding overflight compatibility: Overflight Policy 1 – *Real Estate Transfer Disclosure* and Overflight Policy 2 – *Overflight Notification Zone 2*. Redwood City’s planning documents currently address the requirements within the DTPP, so future projects will be required to comply.

WHEREAS, at its February 23, 2023 meeting, based on the factors listed above, the Airport Land Use Committee unanimously recommended that the C/CAG Board of Directors, acting as the Airport Land Use Commission, determine that the Amendments be found consistent with the policies and criteria of the San Carlos ALUCP.

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 proposed amendments to the City of Redwood City’s Downtown Precise Plan (DTPP) and General Plan to increase the maximum allowable development caps for office use and modify certain DTPP development standards are consistent the with Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport.

PASSED, APPROVED, AND ADOPTED, THIS 9TH DAY OF MARCH 2023.

Davina Hurt, Chair

C/CAG AGENDA REPORT

Date: March 9, 2023

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 23-21 authorizing the C/CAG Chair to execute Amendment No. 8 to the agreement with Advanced Mobility Group for work related to implementation of the updated Congestion Management Plan Land Use Impact Analysis Program to extend the term of the contract to September 30, 2023, with no change in the budget.

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

RECOMMENDATION

That the C/CAG Board review and approve Resolution 23-21 authorizing the C/CAG Chair to execute Amendment No. 8 to the Agreement with Advanced Mobility Group for work related to implementation of the updated Congestion Management Plan Land Use Impact Analysis Program to extend the term of the contract to September 30, 2023, with no change in the budget.

FISCAL IMPACT

The Congestion Management Plan Land Use Impact Analysis Program was completed and adopted in September 2021, at a cost of \$75,666. Further contract amendments in October 2021 and March 2022 added \$30,000 and \$15,000, respectively, for implementation work for a total of \$120,666. This amendment is a time extension only.

SOURCE OF FUNDS

Congestion Management Fund

BACKGROUND

The Land Use Impact Analysis Program Policy was adopted in 2000 (updated in FY 2004/05) and is included in Appendix I of each subsequent cycle of the Congestion Management Plan (CMP) update. The policy provides guidelines for analyzing the impact of land use decisions made by local jurisdictions in San Mateo County. The purpose of the policy is to preserve acceptable performance on the CMP network, and to establish community standards for consistent system-wide transportation review. The current policy is implemented during the environmental review process and applies to developments that generate more than 100 peak hour trips on the CMP roadway network. Developers can either reduce the scope of their project, build adequate roadway and/or transit improvements, contribute to a special fund for improvements, or require the developer and all subsequent tenants to implement Transportation Demand Management (TDM) programs to mitigate new peak hour trips.

At the July 12, 2018 meeting, the C/CAG Board approved Resolution 18-43, which authorized C/CAG to enter into a contract with Advanced Mobility Group (AMG) to assist with updating the Land Use Impact Analysis Program, including TDM guidelines, at a cost of \$45,666 and a contract end date of July 31, 2019. This contract has subsequently been amended: Amendment No.1 was approved by the Board in June 2019, pursuant to Resolution 19-44, to expand outreach with local jurisdictions, increase the budget by \$15,000 and extend the term to December 31, 2019; Amendment No. 2 was approved by the C/CAG Executive Director on January 7, 2020, extending the end date to September 30, 2020; on September 10, 2020, the Board approved Resolution 20-52 authorizing Amendment No. 3 which extended the contract term to April 30, 2021; on January 14, 2021, the Board approved Resolution 21-03 approving Amendment No. 4 to add \$15,000, for a new not to exceed amount of \$75,666, and extend the term of the contract to June 30, 2021; and on June 11, 2021 the Board approved Resolution 21-36 extending the contract term to December 31, 2021.

The final TDM Update was adopted on September 9, 2021, and became effective January 1, 2022. In October 2021, the Board approved Resolution 21-75 authorizing Amendment No. 6 for work related to the implementation phase of the policy update, including creation of a TDM Toolkit comprised of digitized scoring sheets, a step by step “how-to” guide and related forms and informational materials, as well as creation of a web-based system for deploying the TDM Toolkit. Amendment No. 6 augmented the budget by \$30,000 and extended the term of the agreement to June 30, 2022. In March 2022, the Board approved Resolution 22-14 to authorize additional resources and time to address website hosting issues as well as to address future issues that might arise during early implementation, adding \$15,000 and extending the contract term to October 2022. Staff continues to utilize these consultant services, particularly the website hosting, and therefore requests the contract be extended to September 30, 2023, with no change in the budget.

ATTACHMENTS

1. Resolution 23-21
2. Amendment No. 8 to the Agreement with Advance Mobility Group

RESOLUTION 23-21

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. 8 TO THE AGREEMENT WITH ADVANCED MOBILITY GROUP FOR WORK RELATED TO IMPLEMENTATION OF THE UPDATED CONGESTION MANAGEMENT PLAN LAND USE IMPACT ANALYSIS PROGRAM TO EXTEND THE TERM OF THE CONTRACT TO SEPTEMBER 30, 2023, WITH NO CHANGE IN THE BUDGET.

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 Congestion Management Agency for San Mateo County; and

WHEREAS, C/CAG entered into an Agreement with Advanced Mobility Group (AMG) on July 23, 2018 to update the Land Use Impact Analysis Program of the Congestion Management Plan to reflect current TDM best practices, provide updated performance targets, and standardize an annual survey, monitoring and reporting requirements at a cost of \$45,666 and a target completion date of July 31, 2019; and

WHEREAS, on June 13, 2019, C/CAG approved Amendment No. 1 to the AMG Agreement, including a budget amendment of \$15,000 and time extension to December 21, 2019, on June 13, 2019; and

WHEREAS, on January 7, 2020, the C/CAG Executive Director and AMG approved Amendment No. 2 to the AMG Agreement extending the contract term to September 30, 2020; and

WHEREAS, on September 10, 2020, the C/CAG Board approved Resolution 20-52 authorizing Amendment No. 3 which extended the contract term to April 30, 2021; and.

WHEREAS, on January 14, 2021, the Board approved Resolution 21-03 approving Amendment No. 4 to add \$15,000, for a new not to exceed amount of \$75,666, and extend the term of the contract to June 30, 2021; and

WHEREAS, on June 10, 2021, the Board approved Resolution 21-36 authorizing Amendment No. 5 to extend the contract end date to December 31, 2021; and

WHEREAS, the final TDM Policy Update was approved by the Board on September 9, 2021; and

WHEREAS, on October 14, 2021, the Board approved Resolution 21-75 authorizing Amendment No. 6 to add \$30,000 to assist with the implementation phase, for a new not to exceed amount of \$105,666; and

WHEREAS, on March 10, 2022, the Board approved Resolution 22-14 authorizing Amendment No. 7 to add \$15,000 to provide address website hosting and other early implementation issues and to extend the contract term to September 30, 2022; and

WHEREAS, additional time is needed to continue to respond to issues during the early deployment of the TDM Policy and within the existing 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 hereby authorized to execute Amendment No. 8 to the agreement with Advanced Mobility Group to extend the term of the contract to September 30, 2023, with no change in the budget.

PASSED, APPROVED, AND ADOPTED, THIS 9TH DAY OF MARCH 2023.

Davina Hurt, Chair

**AMENDMENT NO. 8 TO THE AGREEMENT
BETWEEN
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
AND
ADVANCED MOBILITY GROUP**

WHEREAS, the City/County Association of Governments for San Mateo County (hereinafter referred to as “C/CAG”) and Advanced Mobility Group, (hereinafter referred to as “Consultant”) are parties to an Agreement originally dated July 23, 2018, to update the existing Land Use Impact Analysis Program for an amount not-to-exceed \$45,666 and a term through July 31, 2019 (the “Agreement”); and

WHEREAS, Amendment No. 1, executed on June 13, 2019, added \$15,000 for a new total Agreement amount of \$60,666 and extended the Agreement term to December 31, 2019; and

WHEREAS, Amendment No. 2, executed on January 7, 2020, extended the Agreement term to September 30, 2020; and

WHEREAS, Amendment No. 3, executed on September 28, 2020, extended the Agreement term to April 30, 2021; and

WHEREAS, Amendment No. 4, executed on January 14, 2021, augmented the budget by \$15,000 for a new contract total of \$75,666, and extended the term of the Agreement to June 30, 2021; and

WHEREAS, Amendment No. 5, executed on June 10, 2021, extended the Agreement term to December 31, 2021; and

WHEREAS, Amendment No. 6, executed on October 21, 2021, augmented the budget by \$30,000 for a new contract total of \$105,666, and extended the term of the Agreement to June 30, 2022; and

WHEREAS, Amendment No. 7, executed on March 18, 2022, augmented the budget by \$15,000 for a new contract total of \$120,666, and extended the term of the Agreement to September 30, 2022; and

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

IT IS HEREBY AGREED by C/CAG and Consultant as follows:

1. The term of the Agreement, as provided in Section 5 “Contract Term”, shall be extended through September 30, 2023.
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 upon execution by both parties.

City/County Association of Governments
(C/CAG)

Advanced Mobility Group

Davina Hurt, Chair

By

Title: _____

Date: _____

Date: _____

Approved as to form:

Legal Counsel for C/CAG

C/CAG AGENDA REPORT

Date: March 9, 2023

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of updated C/CAG Legislative Priorities for 2023

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

RECOMMENDATION

Staff recommends that the C/CAG Legislative Committee review and approve the updated C/CAG Legislative Priorities for 2023.

FISCAL IMPACT

None

BACKGROUND

At the November Legislative Committee meeting, staff shared that they were not recommending an update to the C/CAG Legislative Priorities document; using the existing document as adopted by the Board in February 2022, for 2023. The Committee ask for additional time to review the 2022 document and staff included review of the document at the December Committee meeting. At the December meeting, the Legislative Priorities item was continued to January.

In the process of continuing the item, Member Michael Salazar mentioned interest in sharing suggested edits with C/CAG staff, which staff received and (most of which) have been incorporated into the attached Legislative Priorities document. Suggested edits from Member Salazar reduced duplications in the Legislative Priorities document. One item, 8.15, on electrical grid reliability, is the only policy added. (Yellow highlights added to new item.)

Staff recommends the C/CAG Board review and approve the attached Legislative Priorities 2023 document.

ATTACHMENT

1. Final Draft Legislative Priorities 2023 document

C/CAG LEGISLATIVE POLICIES FOR 2022

(Draft: March 9, 2023 C/CAG Board)

<i>Policy #1 - Protect local revenue.</i>
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- 1.1 Support stakeholders and initiatives that protect and/or increase local revenues.
- 1.2 Provide incentives and tools to local government to promote economic vitality.
- 1.3 Work toward improving the State's disadvantaged community screening tools with a focus on San Mateo County's community's needs..
- 1.4 Support appropriate new State and local funding for economic development and affordable housing.
- 1.5 Pursue and support efforts that direct state and regional funds equitably to ensure a return to source.
- 1.6 Ensure that all State mandates and delegated responsibilities are 100% reimbursed. Oppose State actions that delegate responsibilities to local jurisdictions without full reimbursement for resulting costs.

<i>Policy #2 – Strengthen local government</i>

- 2.1 Support State actions that provide funding for local agencies to plan, incentivize, and mitigate for future housing development.
- 2.2 Support State actions that allow flexibility for local agencies to pool resources and share credit on their housing production reports.
- 2.3 Oppose State actions that would inhibit local agencies’ ability to make decisions that address the specific needs of that community.
- 2.4 Oppose State actions that would withhold funding (including transportation) from jurisdictions based on housing production performance outcomes.
- 2.5 Monitor legislation and ballot initiatives that impact local housing and land-use authority and oppose and legislation that would usurp a local government’s authority regarding land-use decisions.
- 2.6 Support legislation that identifies revenue to fund airport/land use compatibility plans.

<i>Policy #3 - Protect water quality and support sustainable stormwater management.</i>
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- 3.1 Primary focus on securing additional revenue sources and achieving cost effectiveness for both C/CAG and its member agencies for funding state and federally mandated stormwater compliance efforts.

- a. Advocate for funding for implementing the San Mateo County Stormwater Resource Plan, San Mateo County Sustainable Streets Master Plan, San Mateo County Regional Collaborative Program, and local Green Infrastructure Plans.
 - b. Advocate for inclusion of water quality and stormwater management as a priority for funding in new sources of revenues (e.g. water bonds) and protect against a statewide geographically unbalanced North-South allocation of resources.
 - c. Track and advocate for resources for stormwater management in State and Federal grant and loan programs.
 - d. Support efforts to identify regulatory requirements that are unfunded state mandates and ensure provision of state funding for such requirements.
 - e. Pursue and support efforts that address stormwater issues at statewide or regional levels and thereby reduce the cost share for C/CAG and its member agencies and limit the need to implement such efforts locally.
 - f. Advocate for regulatory streamlining and better integration between parallel statewide efforts to manage stormwater for water quality improvement, long-term climate change adaptation, and groundwater recharge.
 - g. Work with legislators to pursue additional funding for stormwater projects in San Mateo County, including funding for regional stormwater management efforts through the San Mateo County Flood and Sea Level Rise Resiliency District, and advancing schoolyard greening initiatives in partnership with school districts, regional-scale multi-benefit stormwater capture projects, and programmatic implementation of regional-scale distributed green stormwater infrastructure.
 - h. Support mechanisms that allow credit trading approaches for stormwater management and water quality improvement.
- 3.2 Advocate to support legislative strategies towards achieving long-term reductions in harmful bacteria, trash, plastics, mercury, PCBs, and other pollutants discharging to the Bay and Ocean and to reduce flooding, recharge groundwater, adapt to a changing climate, and enhance local communities.
- a. Support efforts to secure statewide legislation mandating abatement of polychlorinated biphenyls (PCBs) in building materials prior to demolition of relevant structures, in accordance with requirements in the San Francisco Bay Regional Water Quality Control Board's Municipal Regional Permit.
 - b. Pursue and support efforts that control pollutants at the source and extend producer responsibility, especially regarding trash and litter control, including but not limited to microplastics, tire wear byproducts and other vehicle related pollutants, and emerging contaminants of concern.
 - c. Support efforts to place the burden/ accountability of reporting, managing, and meeting municipal stormwater requirements on the responsible source rather than the cities or county, such as properties that are known pollutant hot spots and third-party utility

purveyors.

- d. Advocate for integrated, prioritized, and achievable stormwater regulations that protect water quality and beneficial uses and account for limitations on municipal funding.
- e. Pursue and support pesticide and rodenticide regulations that protect water quality and reduce pesticide toxicity.

Policy #4 - Advocate and support an integrated and flexible approach to funding.

- 4.1 Advocate for appropriate and effective integrated and flexible approaches to both funding and project types for statewide and regional infrastructure efforts including stormwater management, transportation, affordable housing, and both climate action and adaptation (resiliency).

Policy #5 - Support lowering the 2/3rd super majority vote for local special purpose taxes and fees.

- 5.1 Support constitutional amendments that reduce the vote requirements for special taxes and fees.
- 5.2 Oppose bills that impose restrictions on the expenditures, thereby reducing flexibility, for special tax category.

Policy #6 - Protect and support transportation funding and policies aligned with C/CAG's priorities.

- 6.1 Maximize the Bay Area's and San Mateo County's share of any State General Fund surplus revenue invested in local/regional transportation.
- 6.2 Support efforts that protect transportation revenues from being pledged, transferred, or used for non-transportation purposes.
- 6.3 Support the implementation of SB 1 (Road Repair and Accountability Act of 2017) programs and monitor the implementation of Executive Order N-19-19, N-79-20, and the Climate Action Plan for Transportation Infrastructure (CAPTI), which call for aligning transportation spending with the state's climate goals.
- 6.4 Monitor and engage in the planning for and potential implementation of new transportation funding sources, including identifying viable alternatives to the gas tax; and regional proposals to study congestion pricing.
- 6.5 Monitor legislation related to the California high-speed rail project as it affects our San Mateo County region.
- 6.6 Support legislation that identifies funding for active transportation, complete streets, and bike/pedestrian infrastructure projects, including multi-benefit projects that integrate transportation improvements with green stormwater infrastructure.

- 6.7 Support efforts to secure the appropriation and allocation of “cap and trade” revenues to support San Mateo County needs.
- 6.8 Support or sponsor efforts that finance and/ or facilitate operational improvements on the State Highway system and highway corridors in San Mateo County, including the 101 Express Lanes project.
- 6.9 Support alternative contracting and project delivery methods, such as Public Private Partnerships, that could result in project cost savings, such as accelerated deployment of technology including fiber optic cable for connected vehicle deployment, access to broadband capabilities, and more cost effective distributed green infrastructure for stormwater management.
- 6.10 Monitor the implementation of the new bridge toll program (Regional Measure 3) and advocate for an appropriate share of new revenues for projects in San Mateo County.
- 6.11 Monitor and engage in the effort to seek voter approval for a regional funding measure for transportation.
- 6.12 Support efforts that incentivize ridership and improve integration & connectivity among Bay Area transit systems. Monitor legislation that promotes transit-oriented development.
- 6.13 Support policies, including expanding community broadband access and technological advancements to encourage telecommuting, and others aimed at reducing vehicle miles traveled and associated traffic congestion by reducing the share of commuting by single-occupant vehicles.
- 6.14 Support efforts to improve the performance of high-occupancy vehicle (HOV) and express lanes.
- 6.15 Monitor or support legislation improving bicycle and pedestrian safety. In particular, support the implementation of AB 43 and authorization of automated speed enforcement technology to enforce speed limits and other elements of Vision Zero.
- 6.16 Support legislation that would amend Government Code Section 65089.20 to increase the maximum voter-approved vehicle license fee from its existing \$10.
- 6.17 Support efforts to create local VMT/GHG mitigation programs to assist in reaching SB 375 GHG reduction goals.
- 6.18 Monitor legislation and funding opportunities for integration of autonomous vehicles and infrastructure.
- 6.19 Support and monitor efforts to facilitate the deployment of transformative transportation technologies with the goal of accelerating safety, mobility, environmental, equity and economic benefits associated with new mobility technologies. Additionally, ensure strong federal vehicle safety standards while also preserving the ability of state and local agencies to continue to set policies governing the operation of vehicles on highways and local roads, regardless of whether they are driven autonomously or manually.

- 6.20 Support legislation that streamlines project delivery, including simplifying grant applications, streamlining CEQA, and accelerating project permit approvals.

Policy #7 - Support bold climate protection action, Greenhouse Gas reduction, and energy conservation and resilience legislation

- 8.1 Support incentive approaches toward implementing AB 32 (California Global Warming Solutions Act of 2006), SB 32 (extension of the target date and goals), and AB 398 (Cap and Trade), and legislation that supports electrification of infrastructure and the adoption of alternative fuel technologies.
- 8.2 Monitor climate legislation that would conflict with or override projects approved by the voters.
- 8.3 Support funding for both transportation and housing investments, which support the implementation of SB 375 (Sustainable Communities and Climate Protection Act of 2008), so that housing funds are not competing with transportation funds.
- 8.4 Monitor the regulatory process for implementing SB 743 (Evaluation of Transportation Impacts in CEQA) and impacts the new regulations may have on congestion management plans.
- 8.5 Support legislation that would require recording of vehicle miles of travel (VMT) as part of vehicle registration and initiatives to provide VMT and vehicle data from the DMV to evaluate trends in community greenhouse gas emissions and transit project outcomes.
- 8.6 Support efforts that ensure continued funding for ratepayer-funded local government partnerships to foster energy efficiency, electrification, and resilience, or expand funding for generation and use of renewable and/ or clean energy sources (wind, solar, etc.).
- 8.7 Work to initiate legislation that provides new funding and incentives for building energy electrification, transition to electric vehicles, or other greenhouse gas reducing initiatives, in support of local government climate action plans and the Governor's Executive Orders N-19-19 and N-79-20.
- 8.8 Support funding for electric vehicle and bike charging infrastructure, electric power storage capacity, and rebates for electric vehicle purchase.
- 8.9 Support legislation that supports Peninsula Clean Energy (PCE) objectives and oppose proposed legislation that impairs that effort.
- 8.10 Support legislation that provides local government access to data necessary for completing greenhouse gas emission inventories, or legislation that requires the State to provide emissions data and develop community-scale greenhouse gas emission inventories and make them publicly available.
- 8.11 Support efforts that will engage the business community in making contributions to community improvements associated with stormwater, transportation congestion relief and

mobility options, affordable housing, greenhouse gas emissions reductions, electrification, and energy resilience.

- 8.12 Support legislative efforts to create a unified voice in San Mateo County and to manage integrated water issues including sea level rise, flooding, coastal erosion, and stormwater vulnerabilities.
- 8.13 Support legislation to provide funding and policy guidance on wildfire preparedness and emergency response to local jurisdictions.
- 8.14 Monitor efforts to address emergency preparedness and response activities by PG&E.
- 8.15 Support State, Regional, and local grid reliability plans and efforts, and expanded communication with utility customers. (This is the only item added)

<i>Policy #8 - Protection of water user rights and access to sustainable water supply</i>
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- 9.1 Support the Bay Area Water Supply and Conservation Association (BAWSCA) efforts in the protection of water user rights for San Mateo County users.
- 9.2 Support legislation that provides funding for development of alternative sources of water supply, resources for municipal water supply conservation, and water capture initiatives.

<i>Policy #9 - Other/Miscellaneous</i>

- 10.1 Monitor and Support Brown Act reforms that provide flexibility, facilitate public engagement, and allow for transparent, accessible, and participatory remote public meetings; with the goals of increasing participation from board members, committee members, and the public; and reducing vehicle miles traveled.

C/CAG AGENDA REPORT

Date: March 9, 2023

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 23-22 authorizing the C/CAG Executive Director to execute an agreement with Kittelson & Associates for the preparation of the San Mateo Countywide Local Roadway Safety Plan in an amount not to exceed \$338,150, establish a contingency in the amount of \$33,815 (10% of contract) for a total project budget of \$371,965, and execute future contract amendments in an amount not-to-exceed the appropriated contingency.

(For further information, contact Jeff Lacap at jlacap@smcgov.org)

RECOMMENDATION

That the C/CAG Board review and approval of Resolution 23-22 authorizing the C/CAG Executive Director to execute an agreement with Kittelson & Associates for the preparation of the San Mateo Countywide Local Roadway Safety Plan in an amount not to exceed \$338,150, establish a contingency in the amount of \$33,815 (10% of contract) for a total project budget of \$371,965, and execute future contract amendments in an amount not-to-exceed the appropriated contingency.

FISCAL IMPACT

The contract amount is \$338,150. To streamline administrative process and further improve efficiencies, staff seeks authorization from the Board to establish a 10% contingency in the amount of \$33,815 to be authorized and executed by the C/CAG Executive Director in future contract amendments, if necessary. A total budget of \$371,965 can be available for the project.

SOURCE OF FUNDS

Funding for the project will come from federal Surface Transportation funds and local Congestion Relief Plan funds. The Congestion Relief Plan funds will be used for the 11.47% local match requirement.

BACKGROUND

A Local Roadway Safety Plans (LRSP) identifies and analyzes roadway safety needs and develops a prioritized list of safety countermeasures. The LRSP also contributes to the California Strategic Highway Safety Plan (SHSP), which aims to reduce traffic fatalities and serious injuries across the State's roadways. The process of preparing an LRSP creates a framework to systematically identify and analyze safety problems and recommend safety improvements. Preparing an LRSP facilitates the development of local agency partnerships and collaboration, resulting in a prioritized list of improvements and actions that can demonstrate a defined need. The LRSP offers a proactive approach to addressing safety needs and demonstrates agency responsiveness to safety challenges.

The San Mateo Countywide LRSP will identify existing conditions of the county's roadway network and provide a framework for systematic safety improvements in the areas of engineering, enforcement, education, and emergency response. Currently, twelve (12) jurisdictions in the County currently have a completed or in-progress LRSP for their respective jurisdiction. The Countywide LRSP will focus on developing a LRSP for the remaining nine (9) jurisdictions, but the plan will also incorporate and highlight completed/in-progress LRSPs.

In addition, the completion of the countywide LRSP will render jurisdictions in the County eligible for grant funding from the Metropolitan Transportation Commission (MTC) OBAG 3 County & Local Program, and future funding for Caltrans Highway Safety Improvement Program and US Department of Transportation Safe Streets for All (SS4A).

Request for Proposal (RFP) Process

In accordance with C/CAG's Procurement Policy, a Request for Proposal (RFP) was released on December 21, 2022, seeking a consultant to develop the San Mateo Countywide Local Roadway Safety Plan (LRSP). The RFP was posted on the C/CAG website as well as distributed via email to over two hundred (200) consultants and Disadvantaged Business Enterprises (DBE). C/CAG received a total of four (7) responsive proposals by the January 27, 2023 deadline. The seven (7) proposals were from Advance Mobility Group, DKS Associates, Fehr & Peers, Kimley-Horn, Kittelson & Associates, TJKM Transportation Consultants and Toole Design. The evaluation panel was comprised of Jeff Lacap, Eva Gaye (C/CAG Staff), Bryan Redmond (Metropolitan Transportation Commission), Malahat Owrang (City of Redwood City), and Stephen Conteh (Caltrans).

The evaluation panel reviewed and scored the seven (7) proposals. The evaluation panel selected the top three (3) scored firms (DKS, and Fehr & Peers, and Kittelson & Associates) to interview. After the evaluation panel scored the interviews, the panel unanimously selected Kittelson & Associates for the development of the San Mateo Countywide Local Roadway Safety Plan. The evaluation panel noted the firm's knowledge of the various safety planning efforts in the region and creative ideas engaging stakeholders. The Kittelson & Associates team also includes Cirlepoint for stakeholder engagement and Safe Streets Research & Consulting, LLC, a DBE subconsultant, who has an abundant knowledge in safety planning.

Recommendation

C/CAG staff and Kittelson & Associates negotiated a final cost of \$353,913 to develop a countywide LRSP. Staff requests Board's approval to authorize the C/CAG Executive Director to execute an agreement with Kittelson & Associates for the project at an amount not to exceed \$353,913. Staff also requests that the Board establishes a contingency in the amount of \$35,391 for a total budget of \$389,304, to be executed through future contract amendments in an amount not-to exceed the appropriated contingency. The project is anticipated to begin in March 2023 and complete by December 2023.

ATTACHMENTS

- Resolution 23-22
- Draft Agreement (Available for review and download at <https://www.ccag.ca.gov/committees/board-of-directors/>)

RESOLUTION 23-22

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 KITTELSON & ASSOCIATES FOR THE SAN MATEO COUNTYWIDE LOCLA ROADWAY SAFETY PLAN IN AN AMOUNT OF \$338,150, ESTABLISH A CONTINGENCY IN THE AMOUNT OF \$33,815 (10% OF CONTRACT) FOR A TOTAL PROJECT BUDGET OF \$371,965, AND EXECUTE FUTURE CONTRACT AMENDMENTS IN AN AMOUNT NOT-TO-EXCEED THE APPROPRIATED CONTINGENCY.

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

WHEREAS, the Metropolitan Transportation Commission (MTC) adopted Resolution No. 4505 outlining the One Bay Area 3 (OBAG 3) County & Local Program's policies and procedures to be used in the selection of projects to be funded with Surface Transportation Planning (STP) and Congestion Mitigation and Air Quality Improvement Program (CMAQ) funds; and

WHEREAS, a requirement of OBAG 3 is that jurisdictions must have a Local Roadway Safety Plan (LRSP) or equivalent safety plan completed in order to maintain eligibility for OBAG 3 funding; and

WHEREAS, nine (9) jurisdictions in San Mateo County currently do not have a Local Roadway Safety Plan; and

WHEREAS, C/CAG has identified the San Mateo Countywide Local Roadway Safety Plan as a priority planning effort with countywide significance; and

WHEREAS, C/CAG has allocated Federal Surface Transportation Block grant and funding from the local Congestion Relief Plan to develop a San Mateo Countywide Local Roadway Safety Plan; and

WHEREAS, C/CAG determined the need for outside consultant services to assist in preparing the San Mateo Countywide Local Roadway Safety Plan; and

WHEREAS, through a Request for Proposal (RFP) process, C/CAG has selected Kittelson & Associates to provide these services as outlined in the agreement.

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 Kittelson & Associates for the San Mateo Countywide Local Roadway Safety Plan in an amount of \$338,150. Be it further resolved that the C/CAG Executive Director is authorized to negotiate the final terms of said agreement prior to its execution, subject to approval as to form by C/CAG Legal Counsel; and establish a contingency in the amount of \$33,815 (10% of contract) for a total project budget of \$371,965. Be it further resolved that the C/CAG Executive Director is authorized execute future contract amendments in an amount not-to-exceed the appropriated contingency, subject to legal counsel approval as to form.

PASSED, APPROVED, AND ADOPTED, THIS 9TH DAY OF MARCH 2023.

DAVINA HURT, CHAIR

C/CAG AGENDA REPORT

Date: March 9, 2023

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

From: Sean Charpentier, C/CAG Executive Director

Subject: Review and approval of Resolution 23-23, authorizing the C/CAG Chair to execute Amendment No. 4 to the Agreement with Gray Bowen Scott for on-call consultant services for Federal and State funded project coordination and grant administration, to add \$80,000 for a revised not to exceed contract amount of \$510,000, and to extend the term of the contract to September 30, 2023.

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

RECOMMENDATION

That the C/CAG Board review and approve Resolution 23-23, authorizing the C/CAG Chair to execute Amendment No. 4 to the Agreement with Gray Bowen Scott for on-call consultant services for Federal and State funded project coordination and grant administration, to add \$80,000 for a revised not to exceed contract amount of \$510,000 and to extend the term of the contract to September 30, 2023.

FISCAL IMPACT

The budget would increase by \$80,000, from \$430,000 to a new not to exceed amount of \$510,000.

SOURCE OF FUNDS

Funding will come from C/CAG's allocated share of the Metropolitan Transportation Commission (MTC) planning and programming funds, from State Transportation Improvement Program Planning Programming and Monitoring (STIP PPM) funds, and C/CAG member contributions.

BACKGROUND

C/CAG, acting as the County Transportation Agency (CTA), is the MTC delegated agency responsible for the planning, project selection, programming, and monitoring of certain County's share of federal and state transportation funding.

CTA's are delegated program administration of programming policies adopted by MTC for both Federal and State funding. CTA's are involved with ensuring that outreach requirements are met, that project sponsors meet minimum eligibility requirement, and that proposed projects are consistent with federal, state, and regional program requirements. MTC Resolution 3606 is the guiding policy in the region to ensure project sponsors do not lose any funds due to missing a federal or state funding deadline, while providing maximum flexibility in delivering transportation projects. The policy is also intended to assist in project delivery, and ensure funds are used in a timely manner.

C/CAG is responsible for planning and programming the overall delivery of this county's federal transportation funds as well as monitoring of Caltrans administered programs (highway bridge program and local safety program). C/CAG staff must take corrective action when projects are at risk of not delivering within the regional and state deadlines. C/CAG also monitors the invoicing activity of project sponsors to ensure that transportation funds are not rescinded due to inactivity.

C/CAG is also responsible for programming and facilitating the delivery of projects associated with the State Transportation Improvement Program (STIP). This involves working with Caltrans and stakeholders on developing and delivering major state highway improvement projects.

On July 13, 2017, the C/CAG Board approved a three year on-call contract for project coordination services with Gray Bowen Scott (GBS), expiring on August 31, 2020. The original agreement with GBS specified on-call services on a task order basis in an amount not to exceed \$400,000 total for a three-year term. On July 9, 2020 the C/CAG Board approved Resolution 20-47 authorizing Amendment No. 1 for a two-year time extension only. On June 22, 2022 the C/CAG Board approved Resolution 22-47 authorizing Amendment No. 2 for a 6 month time extension only. On November 10, 2022, the C/CAG Board approved Resolution 22-103 authorizing Amendment No. 3 for a 3-month time extension and to add \$30,000 for a revised not to exceed contract amount of \$430,000.

Currently, C/CAG staff meets on a weekly basis with GBS to review the project delivery status of more than 20 state/federal-aid projects in the county totaling \$195 million to ensure that the projects are meeting their timelines per MTC Resolution 3606. If there are issues, C/CAG and GBS work with the project sponsors (typically the cities and the County) and partner agencies (MTC, Caltrans, California Transportation Commission) to resolve the issue. Through this proactive effort, San Mateo County often receives compliments on its ability of its project sponsors to meet funding requirements and deliver projects in a timely manner.

On January 13 2023, C/CAG posted a request for proposals (RFP) for On-Call Federal Aid and State Funded Project Coordination Services and Grant Administration to the C/CAG Transportation Planning and Program Support Bench of on-call consultants. Proposals were due on February 2, 2023. One firm submitted qualifications. Staff discussed an option of re-posting the solicitation to try to garner more interest however, due to the highly specialized firm qualification requirements, it was concluded that probability of increasing consultant interest was very low. Staff is currently working with Caltrans to seek approval to execute a non-competitive contract due to inadequate competition.

To ensure there is sufficient time to complete the procurement process should Caltrans reject the non-competitive determination and advise C/CAG to re-advertise the RFP, a six-month time extension to September 30, 2023, is requested. Additionally, a budget augmentation of \$80,000 is proposed to be added, to ensure the consultant enough capacity to provide additional level of support needed to continue countywide project monitoring.

ATTACHMENTS

1. Resolution 23-23
2. Amendment No. 4 to the Agreement with Gray Bowen Scott for on-call consultant services for Federal and State funded project coordination and grant administration (The document is available for download at the C/CAG website at: <http://ccag.ca.gov/committees/board-of-directors/>)

RESOLUTION 23-23

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.4 TO THE AGREEMENT WITH GRAY BOWEN SCOTT FOR ON-CALL CONSULTANT SERVICES FOR FEDERAL AND STATE FUNDED PROJECT COORDINATION AND GRANT ADMINISTRATION, TO ADD \$80,000 FOR A REVISED NOT TO EXCEED CONTRACT AMOUNT OF \$510,000, AND TO EXTEND THE TERM OF THE CONTRACT TO SEPTEMBER 30, 2023

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

WHEREAS, C/CAG is a joint powers agency designated by the Metropolitan Transportation Commission (MTC) as the County Transportation Agency (CTA) for San Mateo County; and

WHEREAS, C/CAG, acting as the CTA is responsible for project selection, programming, and overall program delivery of federal aid and state transportation funds received by the County; and

WHEREAS, at its July 13, 2017 meeting, the C/CAG Board approved Resolution 17-32 authorizing the agreement between C/CAG and Gray Bowen Scott (GBS) for on-call consultant services to assist C/CAG staff with the performance of CTA delegated responsibilities; and

WHEREAS, on July 9, 2020, the C/CAG Board approved Resolution 20-47 approving Amendment No. 1 authorizing a two-year time extension of the agreement; and

WHEREAS, on June 22, 2022, the C/CAG Board approved Resolution 22-47 approving Amendment No. 2 authorizing a six-month time extension of the agreement; and

WHEREAS, C/CAG has determined a new agreement for on-call consultant services for Federal and State funded project coordination and grant administration and plans to issue an RFQ beginning in 2023; and

WHEREAS, to ensure the consultant enough capacity to provide additional level of support needed to begin OBAG 3 project monitoring, there is a need to augment the budget and extend the contract timeline.

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. 4 to the agreement with Gray Bowen Scott for on-call consultant services for Federal and State funded project coordination and grant administration, to add \$80,000 for a revised not to exceed contract amount of \$510,000, and to extend the term of the contract to September 30, 2023. Be it further resolved that the C/CAG Executive Director is authorized to negotiate the final scope and terms of the Agreement and related materials prior to execution by both parties, subject to legal counsel approval as to form.

PASSED, APPROVED, AND ADOPTED, THIS 9TH DAY OF MARCH 2023.

Davina Hurt, Chair

C/CAG AGENDA REPORT

Date: March 9, 2023

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 23-24, authorizing a waiver of the Request for Proposals process and further authorizing the C/CAG Executive Director to execute an agreement with Colantuano, Highsmith & Whatley, PC for outside legal support on evaluating stormwater funding options in San Mateo County in Fiscal Year 2022-23 for an amount not to exceed \$18,000.

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

RECOMMENDATION

That the C/CAG Board review and approve Resolution 23-24, authorizing a waiver of the Request for Proposals process and further authorizing the C/CAG Executive Director to execute an agreement with Colantuano, Highsmith & Whatley, PC for outside legal support on evaluating stormwater funding options in San Mateo County in Fiscal Year 2022-23 for an amount not to exceed \$18,000.

FISCAL IMPACT

Not to exceed 18,000 for Fiscal Year 2022-23, consistent with C/CAG's adopted Fiscal Year 2022-23 program budget.

SOURCE OF FUNDS

Local NPDES stormwater property fees dedicated to the Countywide Stormwater Program.

BACKGROUND

Part of C/CAG's role in operating the San Mateo Countywide Water Pollution Prevention Program (Countywide Program) is to support its 21 member agencies and OneShoreline in evaluating and potentially advancing dedicated revenue to help municipalities comply with state and federal mandated Municipal Regional Stormwater Permit (MRP) requirements administered by the San Francisco Bay Regional Water Quality Control Board (Regional Water Board) and related stormwater infrastructure needs at the local level. In 2013, the Countywide Program procured technical support services led by the SCI Consulting Group to potentially place an election on the ballot for a countywide stormwater property fee through the Proposition 218 balloting process in support of increased costs anticipated under the reissued MRP (MRP 2.0) at that time. With consultant support and input from a newly established Ad-hoc Funding Initiative Steering Committee, the Countywide Program advanced several components of a funding initiative, including a Funding Needs Analysis, a Funding Options Report, an Opinion Research report, enabling legislation, a funding initiative Action Plan, and engagement with cities and the public.

In June 2015, the Committee discussed options and considerations for moving forward, including timing issues for a potential 2016 ballot measure, potential conflicts with known or anticipated ballot measures in 2016, and other options for funding mechanisms, including Proposition 218 reform, Enhanced Infrastructure Financing Districts, and efforts to lower the voter threshold for transportation taxes. The Committee also discussed the plans for the formation of a new Countywide Water Management Agency (now the San Mateo County Flood and Sea Level Rise Resiliency District, or “OneShoreline”), which in future may also pursue dedicated revenue for related infrastructure needs. Ultimately, the Committee agreed not to continue to pursue a countywide fee initiative, based on the above mentioned factors, but to continue to reserve the existing \$500,000 dedicated to supporting a fee initiative for future use at the appropriate time.

Since then, C/CAG has supported its member agencies with additional funding options analysis, including a revised funding options report referenced in local Green Infrastructure Plans submitted to the Regional Water Board in 2020 (which included analysis of Prop 218 reform through SB 231) and more recently the Funding and Financing Green Stormwater Infrastructure Investments Report and Credit Trading Feasibility Report as part of the Advancing Regional-Scale Stormwater Management in San Mateo County project. C/CAG staff also reconvened the Funding and Financing Ad-hoc Workgroup of the Committee in 2021 to support additional discussions around countywide stormwater funding strategies (Ad-hoc Workgroup members currently include Chair Breault, Vice Chair Ovadia and Member Mitch). Much of the focus during recent meetings of the Ad-hoc Workgroup have related to near and long-term needs for advancing cost-sharing and funding options for regional stormwater capture projects and potential funding mechanisms proposed for future evaluation in the Funding and Financing Green Stormwater Infrastructure Investments Report. Additional coordination by C/CAG staff has included engagement with the C/CAG Board in April 2021 during its Annual Forum on the issue of stormwater funding and coordination beginning in 2021 with representatives from OneShoreline regarding its collaboration with the County of San Mateo on efforts to develop a proposed parcel tax focused on sea level rise and fire prevention.

In spring 2022, following completion of the Advancing Regional-Scale Stormwater Management in San Mateo County project, C/CAG staff worked with the WaterNow Alliance through additional pro-bono support, to advance ongoing discussions via the Funding and Financing Ad-hoc Workgroup with the intent of further exploring potential revenue generation at the countywide level, C/CAG’s role (if any) in doing so, and possibly developing a recommendation from the Committee to the C/CAG Board on how the Countywide Program might proceed if supported at the Committee level. After the Committee received a presentation on potential next steps for evaluating funding and financing mechanisms at its March 17 meeting, staff and the Ad-hoc Workgroup developed a “Funding and Financing Poll,” soliciting further input from Committee members on how C/CAG might provide additional support to its member agencies with respect to stormwater revenue generation at the countywide scale. The Funding and Financing Ad-hoc Workgroup met in July to debrief the poll and consider next steps for engaging the Committee on this topic, which included a recommendation to consider C/CAG enlisting outside legal support during the current Fiscal Year to engage in more substantive discussions about potential funding strategies (whether via C/CAG directly or through C/CAG’s support of one or more member agencies). Staff presented the poll findings at the August 18 Committee meeting and received additional input from Committee members. Staff also presented the recommendation from the Ad-hoc Workgroup to consider executing a contract in the current Fiscal Year for outside legal support, and stated that with Committee concurrence staff would plan to develop a contract proposal accordingly. In fall through the end of the calendar year, C/CAG staff held additional calls with two legal firms who have expertise in local revenue generation and associated

legal process, including Hanson Bridgett and Colantuono, Highsmith and Whatley, PC (CH&W). C/CAG staff had engaged with CH&W during prior discussions with the Funding and Financing Ad-hoc Workgroup, and Mr. Colantuono is a certified Specialist in Appellate Law and played a significant role in the development and current understanding of SB 231 regarding the legal definition of “stormwater” as it relates to the statutory language and requirements of Proposition 218.

Based on prior engagement with Mr. Colantuono; knowledge of his and other CH&W attorneys’ unique and extensive expertise on the topics of local government revenue generation (especially in legal cases dealing with the procedures of Proposition 218 in water related utility rate-making), legal opportunities and challenges,, C/CAG staff have identified the following unique qualifications in support of a request to Waive the Request for Proposals Process, consistent with C/CAG’s procurement policies:

- Mr. Colantuono played a lead role in the development and legal analysis of Senate Bill 231 (Herzberg) in 2017, which expands potential options for local governments to establish or increase existing stormwater related fees, consistent with the requirements of Proposition 218;
- Mr. Colantuono assisted the Legislative Analyst’s Office in the impartial analysis of Proposition 218 and co-chaired the committee which drafted what became the Proposition 218 Omnibus Implementation Act of 1997;
- CH&W attorneys have played significant roles in providing legal guidance to League of California Cities, including chairing the Proposition 218 Task Force;
- CH&W attorneys contributed to the League of California Cities Propositions 26 and 218 Implementation Guide (2021);
- CH&W attorneys have broad ranging and deep expertise in California appellate law and argued ten cases to the California Supreme Court regarding local government revenue and rate-making.

According to the above documentation of the desired and unique qualifications presented by CH&W, C/CAG staff have worked with CH&W to develop a proposed scope of services (as detailed in Attachment 2) for CH&W to represent C/CAG on stormwater funding options during Fiscal Year 2022-23. With an agreement in place, C/CAG staff would plan to continue holding meetings with CH&W and the Funding and Financing Ad-hoc Workgroup and the Stormwater Committee, as necessary, through June 30, 2023. Should there be a desire and an identified need for extending the Agreement beyond this Fiscal Year, the C/CAG Board may consider doing so with staff input, and consistent with C/CAG’s procurement policies, at the appropriate time.

Staff recommend the C/CAG Board review and approve Resolution 23-24 authorizing the C/CAG Executive Director to waive the Request for Proposals process and execute an agreement with Colantuano, Highsmith & Whatley, PC for outside legal support on evaluating stormwater funding options in San Mateo County in Fiscal Year 2022-23 for an amount not to exceed \$18,000, with sufficient funding in the NPDES stormwater program fund consistent with the Fiscal Year 2022-23 C/CAG adopted program budget; and further authorizing the C/CAG Executive Director to negotiate final terms of the Agreement, subject to approval as to form by C/CAG’s Legal Counsel.

ATTACHMENTS

1. Reso 23-24
2. Exhibit A - Agreement between C/CAG and Colantuono, Highsmith & Whatley, PC
3. Colantuono, Highsmith & Whatley's current client roster (available via web link) - <https://chwlaw.us/clients/>

RESOLUTION 23-24

RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING A WAIVER OF THE REQUEST FOR PROPOSAL PROCESS AND FURTHER AUTHORIZING THE C/CAG EXECUTIVE DIRECTOR TO EXECUTE AN AGREEMENT WITH COLANTUONO, HIGSMITH & WHATLEY, PC FOR OUTSIDE LEGAL COUNSEL TO THE COUNTYWIDE STORMWATER PROGRAM IN FISCAL YEAR 2023 FOR AN AMOUNT NOT TO EXCEED \$18,000.

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

WHEREAS, C/CAG manages the Countywide Water Pollution Prevention Program (the Countywide Program) to support its member agencies in meeting regulatory requirements to reduce pollution discharging from municipal storm drainage systems, and

WHEREAS, part of the Countywide Program's focus is to evaluate opportunities to increase dedicated stormwater revenue for the program and its member agencies to support compliance under the Municipal Regional Stormwater Permit (MRP) administered by the San Francisco Bay Regional Water Quality Control Board, as well as to address ongoing local stormwater infrastructure needs, and

WHEREAS, in 2013 the Countywide Program led an effort to evaluate countywide funding options and developed several initial components of a countywide stormwater fee initiative, which subsequently was postponed, and

WHEREAS, C/CAG's Stormwater Committee reconvened the Funding and Financing Ad-hoc Workgroup in February 2021 to engage in new dialogue regarding funding needs and opportunities with respect to the MRP reissuance process and new state legislation related to options for dedicated stormwater revenue generation by local governments, and in April 2021 presented the status of funding needs and constraints to the C/CAG Board, and

WHEREAS, in 2022, the Countywide Program completed the Funding Green Infrastructure Investments in San Mateo County enhanced funding and financing assessment report, which provided updated balloted and non-balloted revenue options for C/CAG, its member agencies, as well as other relevant regional public agencies, and

WHEREAS, in July 2022, the Funding and Financing Ad-hoc Workgroup recommended C/CAG staff evaluate opportunities to contract outside legal support to further advancing funding discussions with C/CAG staff, the Ad-hoc Workgroup and the Stormwater Committee, and

WHEREAS, C/CAG staff has engaged Colantuono, Highsmith & Whatley, PC (CH&W), a legal firm with extensive and unique expertise in local government revenue and legal representation of cities, counties, Joint Powers Agencies and special districts in the State of California, and specifically in the area of revenue generation for stormwater management and compliance, and

WHEREAS, C/CAG staff has documented CH&W's unique and desired qualifications to support C/CAG in advancing funding discussions, including, but not limited to, playing a lead role in the development and analysis of Senate Bill 231 (Herzberg); assisting the Legislative Analyst's Office in the impartial analysis of Proposition 218 and co-chairing the committee which drafted what became the Proposition 218 Omnibus Implementation Act of 1997; chairing the California League of Cities Proposition 218 Task Force; and arguing ten cases to the California Supreme Court regarding local government revenue and rate-making, and

WHEREAS, these qualifications support waiver of the Request for Proposals process, consistent with C/CAG's procurement policy, and

WHEREAS, C/CAG and CH&W wish to enter into an Agreement to for legal representation and guidance to C/CAG and the Countywide Program on stormwater funding for Fiscal Year 2022-23 as detailed in Exhibit A, and

NOW THEREFORE BE IT RESOLVED, the C/CAG Board authorizes a waiver of the Request for Proposal process for competitive bidding and further authorizes the C/CAG Executive Director to execute an Agreement with Colantuono, Highsmith & Whatley, PC, for outside legal support on evaluating stormwater funding options in San Mateo County in Fiscal Year 2022-23 for an amount not to exceed \$18,000. Be it further resolved that the C/CAG Executive Director is authorized to negotiate the final terms of said amendment prior to its execution by the C/CAG Chair, subject to approval as to form by C/CAG Legal Counsel.

PASSED, APPROVED, AND ADOPTED, THIS 9TH DAY OF March, 2023.

Davina Hurt, Chair

**COLANTUONO
HIGHSMITH
WHATLEY, PC**

MICHAEL G. COLANTUONO | (530) 432-7359 | MCOLANTUONO@CHWLAW.US

Our File No. 10000.0191

January 27, 2023

VIA ELECTRONIC MAIL

Reid Bogert, Senior Program Specialist
San Mateo Countywide Water
Pollution Prevention Program
555 County Center
Redwood City, CA 94063

**Re: Representation of City / County Association of Governments of San
Mateo County re Means to Fund Flood Control and Water Quality
Programs**

Dear Mr. Bogert:

As you asked, I write to propose the terms under which we agree to represent City / County Association of Governments of San Mateo County ("C"/CAG" or "you") regarding funding options available to C/CAG, San Mateo County, and the cities within it to fund flood control and other efforts to mitigate the consequences of climate change. This will be our sole project for you; if we can assist you on other matters, please let me know. Colantuono, Highsmith & Whatley, PC and all its professionals are very pleased to have the opportunity to represent C/CAG in this matter.

This letter sets forth the basis upon which our firm will provide legal services to you and bill you for services and costs. The firm maintains a conflict-of-interest index which lists all clients of our firm and matters in which we represent them. We will not represent any party with an interest that may be adverse to an indexed person without first determining if a professional conflict of interest would arise. We propose to index the following with respect to this matter:

Reid Bogert, Senior Program Specialist
City / County Association of San Mateo County
January 27, 2023
Page 2

Client-Affiliated Parties:

City / County Association of Governments of San Mateo
County

Adverse Parties:

None

Please let me know if any of these names are incorrect or if there are other parties with an interest in this matter that we should list such as, for example, any expected sponsoring agencies for a revenue measure and any known opponent to such a measure. Unless we hear from you to the contrary, we will assume that the above listing is accurate and complete.

We have reviewed our files and our conflicts index and have no other client relationships which would interfere with our ability to represent you in this matter. As we have discussed, we represented cities in the County in the past and presently represent Daly City on similar issues. But, as C/CAG and the cities in San Mateo County and the County have aligned interests in this matter, we see no need for our clients to consent to our simultaneous representation of C/CAG, Daly City and other local governments in the County. If you are aware of any adversity among these governments, please let me know so we can consider the matter further.

As we have discussed, the nature of the matter makes it impossible for us to precisely estimate the fees you may incur. You will receive monthly statements informing you of the fees and costs incurred during the prior month. We will, of course, do our best to represent you efficiently and without undue expense. About 20 hours of work should be sufficient to consult with you in the current fiscal year, concluding on June 30, 2023. If a ratemaking is undertaken, more time will be needed, perhaps 50 hours to review on a ratemaking report and to assist with the process by which rates may be imposed. The total amount to be paid by C/CAG pursuant to this agreement shall not exceed \$18,000 without further approval, in writing, by C/CAG.

Please make payments payable to Colantuono, Highsmith & Whatley, PC directly to our Grass Valley office at:

Colantuono, Highsmith & Whatley, PC
420 Sierra College Drive, Suite 140

Grass Valley, CA 95945-5091

Our federal employer identification number is 75-3031545.

I will have primary responsibility for your representation, and the firm will use other attorneys and legal assistants in the best exercise of our professional judgment. If you have questions, concerns or criticisms at any time, please contact me at once. Naturally, we expect you to keep us reasonably informed of all significant developments regarding this representation.

We review all statements before they are issued to ensure the amount charged is appropriate. The statement for fees is simply the product of the hours worked multiplied by the hourly rates for the attorneys and legal assistants who did the work.

Our hourly rates are based upon the experience, reputation and ability of the lawyer or legal assistant performing the services, and for 2023 range between \$255 and \$575 per hour for attorneys' time, and between \$145 and \$190 for the time of paralegals and legal assistants. As a courtesy to you, however, we agree to cap our attorney rates for advisory services at \$335 per hour and litigation services, should they be required, at \$385 per hour. Our rate structure and the rates of particular lawyers may be increased from time to time, and are usually adjusted as of the beginning of each calendar year. However, we will not lift the hourly caps noted here without discussing with you our need to do so.

It may be necessary to bill you for items such as, but not limited to, authorized travel, long distance telephone calls, filing fees, photocopying, computerized legal research outside the scope of our Westlaw contract and the like. These items are separately itemized on our statement as "disbursements." These amounts will be billed in addition to our fees.

We will send you monthly statements, and expect payment within 30 days of the billing date. If payment is not received within 60 days of the billing date, we reserve the right to terminate our representation.

We rarely have disputes with clients over our fees. Nevertheless, you should be aware that you are entitled to require that any fee dispute be resolved by binding arbitration pursuant to the arbitration rules for legal fee disputes of the County Bar

Association in any county in which we maintain an office. We agree that all disputes between us regarding the services rendered or fees charged not resolved via County Bar fee arbitration will be submitted to binding arbitration in San Jose to be conducted by ADR Services, Inc. in accordance with its commercial arbitration rules. **YOU SHOULD REVIEW THIS PARAGRAPH CAREFULLY AND, IF YOU WISH, SEEK INDEPENDENT LEGAL COUNSEL REGARDING IT, AS YOU AND WE ARE AGREEING TO FOREGO SIGNIFICANT RIGHTS IN THE EVENT OF A DISPUTE BETWEEN US, INCLUDING THE RIGHT TO A JURY TRIAL.**

You have the right to terminate our representation at any time. We have the same right, subject to an obligation to give you reasonable notice to arrange alternative representation. In either circumstance, you agree to secure new counsel to represent you as quickly as possible and to cooperate fully in the substitution of the new counsel as counsel of record in any litigation in which we may subsequently agree to represent you. Notwithstanding the termination of our representation, you will remain obligated to pay to us all fees and costs incurred previously.

You agree that we may, in our discretion, maintain all or part of your client file in electronic format. The firm may store part or all your documents using secure cloud storage services. If so, the firm will apply all reasonable methods to maintain the confidentiality of your files, just as it does for your non-digital information. Your data will be password protected and encrypted using currently available technology. Clients requiring information from their files may obtain that information only by written request to us.


You also agree that following termination of our attorney-client relationship, we will not be required to maintain your client file for more than two years. If you ask us to deliver your file to you, you agree that delivery of an electronic version, together with any materials that cannot be saved electronically, satisfies our obligation to release all your client papers and property to you. Two years after termination of our relationship, and after reasonable notice, you agree that we will be free to destroy your client file, including all electronic records. We may also discharge our obligation to maintain your file before two years expire by mailing a copy to you at your address last known to us. You agree that "reasonable notice" means our mailing a notice of our intent to destroy your client file to you at that address.

Reid Bogert, Senior Program Specialist
City / County Association of San Mateo County
January 27, 2023
Page 5

I apologize for the formality of this letter, but we are required by California law to provide this information to you in writing. We are also required to inform you that we currently maintain professional liability insurance coverage.

Please review the foregoing and, if it meets with your approval, execute it and return it to me. If you have any questions, please feel free to call me at the direct-dial number above. Thank you for the opportunity to represent you!

Very truly yours,



Michael G. Colantuono

MGC:mgc

On behalf of City / County Association of Governments of San Mateo County, I agree to retain Colantuono, Highsmith & Whatley, PC to provide legal services as set forth above.

Signature

Date: _____, 2023

By: _____

Title: _____

C/CAG AGENDA REPORT

Date: March 9, 2023

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of the appointment of Patrick Gilster, San Mateo County Transportation Authority (SMCTA) Director, Planning and Fund Management, to the C/CAG Congestion Management Program Technical Advisory Committee.

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

RECOMMENDATION

That the C/CAG Board reviews and approves the appointment of Patrick Gilster, San Mateo County Transportation Authority (SMCTA) Director, Planning and Fund Management, to the C/CAG Congestion Management Program Technical Advisory Committee.

FISCAL IMPACT

None.

BACKGROUND

The C/CAG's Congestion Management Program Technical Advisory Committee (TAC) 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 San Mateo County Transportation Authority (SMCTA) is recommending a new appointment to the Committee. The recommended appointee, as detailed in the attached letter (Attachment 2), is Patrick Gilster, SMCTA's Director of Planning and Fund Management.

Attachment 1 shows the current roster for the Technical Advisory Committee.

ATTACHMENTS

1. Current Congestion Management Program Technical Advisory Committee Roster
2. Letter recommending appointing Patrick Gilster to the TAC from Peter Skinner, Executive Officer

ATTACHMENT 1

Current Congestion Management Program Technical Advisory Committee Roster – 2023

Agency	Representative
San Mateo County Engineering	Ann Stillman (Co-Chair)
SMCTA / PCJPB / Caltrain	Patrick Gilster (pending)
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
East Palo Alto Engineering	Humza Javed
Foster City Engineering	Louis Sun
Half Moon Bay Engineering	Maziar Bozorginia
Hillsborough Engineering	Paul Willis (Co-Chair)
Menlo Park Engineering	Nikki Nagaya
Millbrae Engineering	Sam Bautista
Pacifica Engineering	Lisa Petersen
Portola Valley Engineering	Vacant
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	Nidal Tuqan



BOARD OF DIRECTORS 2023

RICO E. MEDINA, CHAIR
CARLOS ROMERO, VICE CHAIR
EMILY BEACH
NOELIA CORZO
JULIA MATES
RAY MUELLER
MARK NAGALES

February 22, 2023

APRIL CHAN
EXECUTIVE DIRECTOR

Sean Charpentier
Executive Director
City/County Association of Governments of San Mateo County
555 County Center, 5th Floor
Redwood City, California 96063

Subject: Notification of Duly Authorized Representative of the San Mateo County
Transportation Authority (SMCTA) on the C/CAG Technical Advisory Committee
(TAC)

Dear Mr. Charpentier,

This is to formally document that I am authorizing Patrick Gilster, SMCTA Director, Planning and Fund Management, to represent the SMCTA on the C/CAG Technical Advisory Committee.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Peter Skinner', is written over a circular blue stamp or seal.

Peter Skinner
Executive Officer, Transportation Authority

CC: Patrick Gilster, SMCTA Director, Planning and Fund Management

C/CAG AGENDA REPORT

ITEM 4.18

Date: March 9, 2023

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 23-25, authorizing the C/CAG Executive Director to execute Right-of-Way Certifications in connection with State and Federally funded projects.

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

RECOMMENDATION

That the C/CAG Board review and approve Resolution 23-25, authorizing the C/CAG Executive Director to execute Right-of-Way Certifications in connection with State and Federally funded projects.

FISCAL IMPACT

None.

SOURCE OF FUNDS

None.

BACKGROUND

C/CAG is seeking funding for the construction phase of the Smart Corridor Northern Cities expansion project. The construction phase is expected to be funded by local Measure M funds (the \$10 vehicle registration fee), State Transportation Improvement Program (STIP) funds, and Local Partnership Program (LPP) funds. In order to receive authorization to construct the project under the STIP and LPP programs, a resolution must be submitted to Caltrans authorizing designated personnel to execute a Right-of-Way Certification in order to proceed with the project. Approval of the attached resolution will authorize the C/CAG Executive Director to execute such Right-of-Way Certifications on behalf of C/CAG.

Submittal of the Right-of-Way Certification is one of many requirements defined by Caltrans in its Local Assistance Procedures Manual. Caltrans requires that each Local Public Agency agree to indemnify, defend, and hold harmless the Department of Transportation (Caltrans) from any and all liabilities which may result in the event the right-of-way for this project is not clear as certified. Because the Smart Corridor Northern Cities project is staying within the boundaries of the existing public right-of-way, and no right-of-way is proposed to be acquired there is no risk to the C/CAG in approving the Certification.

ATTACHMENT

1. Resolution 23-25

RESOLUTION 23-25

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) AUTHORIZING THE C/CAG EXECUTIVE DIRECTOR TO EXECUTE RIGHT-OF-WAY CERTIFICATIONS IN CONNECTION WITH STATE AND FEDERALLY FUNDED PROJECTS

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

WHEREAS, in order to obtain Federal and State assistance in connection with State and Federal funded projects, and for the State Department of Transportation to approve the projects for advertising, it is necessary that C/CAG certify to the State Department of Transportation that the right-of-way necessary for the proper execution of the project will be or has been acquired; and

WHEREAS, the C/CAG Executive Director desires authority to execute Right-of-Way Certifications; and

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the City/County Association of Governments of San Mateo County that that the C/CAG Executive Director is authorized to execute, on behalf of C/CAG, all Right-of-Way Certifications required for State and Federal funded projects. Be it further resolved that a copy of this resolution can be forwarded to the appropriate office of the State of California Department of Transportation.

PASSED, APPROVED, AND ADOPTED, THIS 9TH DAY OF MARCH 2023.

Davina Hurt, Chair

C/CAG AGENDA REPORT

Date: March 9, 2023

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of the appointment of Daly City Councilmember Juslyn Manalo to fill a vacant elected official seat on the Congestion Management & Environmental Quality (CMEQ) Committee.

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

RECOMMENDATION

That the C/CAG Board review and approve of the appointment of Daly City Councilmember Juslyn Manaloto fill a vacant elected official seat on the Congestion Management & Environmental Quality (CMEQ) Committee.

FISCAL IMPACT

None.

SOURCE OF FUNDS

N/A.

BACKGROUND

The CMEQ Committee provides advice and recommendations to the C/CAG Board of Directors on all matters relating to traffic congestion management, travel demand management, coordination of land use and transportation planning, mobile source air quality programs, energy resources and conservation, and other environmental issues facing local jurisdictions in San Mateo County.

In 2022, six seats held by Belmont City Councilmember Julia Mates, Redwood City Councilmember Diana Reddy, Pacifica City Councilmember Mike O'Neill, Burlingame City Councilmember Emily Beach, San Mateo City Councilmember Rick Bonilla, and Millbrae City Councilmember Reuben Holoher were vacated.

Beginning in 2023, staff issued a recruitment letter for the vacant seats on the CMEQ Committee was sent to all elected officials in San Mateo County. At the February 2023 C/CAG Board meeting, San Mateo City Councilmember Richard Hedges, Atherton Town Councilmember Stacy Miles Holland, and Foster City Councilmember Stacy Jimenez were appointed to the committee. The recruitment for the three remaining seats for an elected official remained opened with another letter sent out on February 15, 2023, with a due date to submit letters of interest by March 1, 2023.

One letter of interest was received prior to the recruitment deadline:

- Daly City Councilmember Juslyn Manalo

The recruitment for the remaining 2 vacant seats for an elected official will remain open until filled.

ATTACHMENTS

- Roster for the CMEQ Committee
- Letter from Daly City Councilmember Juslyn Manalo

CMEQ Roster

Chair:	Jessica Alba
Vice Chair:	Gina Papan
Staff Support:	Jeff Lacap (jlacap@smcgov.org)
	Eva Gaye (egaye@smcgov.org)

Name	Representing
Dick Brown (Woodside Town Council Member)	Elected Official
Tom McCune (Belmont City Council Member)	Elected Official
Patrick Sullivan (Foster City Council Member)	Elected Official
Richard Hedges (San Mateo City Council Member)	Elected Official
Stacy Jimenez (Foster City Council Member)	Elected Official
Stacy Miles Holland (Atherton Town Council Member)	Elected Official
Gina Papan (MTC Commissioner)	Metropolitan Transportation Commission (MTC)
Lennie Roberts	Environmental Community
Jessica Alba	Public Member
Juan Salazar	Business Community
Deborah Penrose	Agencies with Transportation Interests
Peter Ratto	San Mateo County Transit District (SamTrans)
Bevan Dufty	San Francisco Bay Area Rapid Transit District (BART)
<i>Vacant</i>	<i>Elected Official</i>
<i>Vacant</i>	<i>Elected Official</i>
<i>Vacant</i>	<i>Elected Official</i>
<i>Vacant</i>	<i>Peninsula Corridor Joint Powers Board (Caltrain)</i>

CITY COUNCIL

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JUSLYN C. MANALO
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PAMELA DIGIOVANNI
GLENN R. SYLVESTER

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DANECIA M. HALVORSON
CITY TREASURER

PHONE (650) 991-8008



OFFICE OF THE CITY COUNCIL
CITY OF DALY CITY

333 – 90TH STREET
DALY CITY, CA 94015-1895

February 28, 2023

Sean Charpentier, C/CAG Executive Director
City/County Association of Governments of San Mateo County
555 County Center, 5th Floor
Redwood City, CA 94063
scharpentier@smcgov.org

RE: Letter of Interest for Congestion Management and Environmental Quality Committee (CMEQ)

Dear Director Charpentier:

I kindly request the C/CAG Board's consideration of my appointment to one of three vacant seats on the Congestion Management and Environmental Quality Committee (CMEQ). My innate passion to help others closely aligns with C/CAG's mission to address issues that impact the quality of life of those in our surrounding communities, particularly in areas that CMEQ focuses, such as transportation, congestion, land use, air quality, energy conservation, and other environmental issues. I bring a solutions-based approach when recommending policy changes and program implementation.

In my most recent term as Mayor for the City of Daly City in 2021, I was able to enact several policy changes and programs and services enhancements that would positively impact residents, businesses, employees, and visitors of the City as follows:

Citywide Safety Programs – The City pursued grant opportunities and was awarded funding for the Daly City Crosswalk Enhancement Project, the John Daly Boulevard/Skyline Boulevard Pedestrian Connection Project, and the Vision Zero Community Outreach Program.

C.L.E.A.N. Daly City – The City launched a robust initiative to combat illegal dumping and litter: the Clean Livable Environment and Neighborhoods (C.L.E.A.N.) program. The Council approved updates to the municipal code to increase the penalties for illegal dumping and litter and then focused on the first two phases of the program in Education and Engagement. Over 100 community members have signed up to be "C.L.E.A.N. Champions", and the City in partnership with these volunteers have conducted 20 separate cleanups. Recently, we began the third phase of the program in Enforcement and deployed cameras to illegal dumping hot spots.

Reach Codes – Daly City joined a growing list of cities in the Bay Area when it adopted Reach Codes, adding requirements for new development to be all electric and to be ready for electric vehicle charging, while using clean electricity, which is already provided by our regional energy supplier, Peninsula Clean Energy.

Sustainable Drinking Water Supply – Daly City's need for sustainable drinking water supplies has been highlighted even more during the recent drought. Our City has achieved important milestones in water projects and water management, including:

- **Vista Grande Drainage Basin Improvement Project:** This project will improve groundwater recharge and stormwater management and is now fully designed. The financing plan includes \$120 million in approved funding from the state and federal government, with several permits secured from other government agencies, as well as additional funding from local project partners.
- **Groundwater Management:** As of July 2021, the City continues to produce 2 million gallons of high quality potable drinking water per day from our wells. In 2022, we designed a new well at Margate Street and construction is scheduled to begin this year. We are also designing a new well to replace an inactive one located at Vale Street and Station Avenue, both of which are anticipated to provide approximately 1 million to 1.5 million gallons per day in additional high quality drinking water.
- **Recycled Water:** The City is expanding the provision of recycled water to its project partners by an additional 1 million to 2 million gallons per day. The Department of Water & Wastewater Resources (DWWR) continues to work with the San Francisco Public Utilities Commission and CalWater on an expansion of the recycled water treatment and distribution system from the North San Mateo County Sanitation District's wastewater treatment facility. This project is in conceptual design and DWWR staff meets regularly with the other project partners and designers.

The pandemic exacerbated the immediate and looming challenges that our transportation system faces. I have long advocated for accessibility and meeting the needs of our diverse groups of stakeholders. I am particularly proud of my advocacy for traffic congestion and mobility expansion through Measure W, which provided \$2.4 billion for transit system investment such as local safety, pothole and congestion relief, bicycle and pedestrian improvements, regional transit connections, and the public transit systems. This funding has improved mobility between east and west regions and increased accessibility for public transit riders in our County and thousands of commuters from the greater Bay Area.

I am currently serving in my third term as Vice Mayor of Daly City and continue to support initiatives that improve quality of life. I am a proponent for affordable housing opportunities for low- and moderate-income individuals and families. In my second term as Vice Mayor, I proudly supported an affordable housing project that recently received a total of \$12.5 million in local and state funding to spur the development of this project, which will be located in close proximity to BART and SamTrans routes.

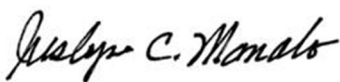
The aforementioned demonstrates my well-rounded and enriched perspective, strong fiscal responsibility, and innovative solutions mindset that I will bring to the CMEQ. Additionally, I hold an MPA from the School of Public Affairs and Civic Engagement at San Francisco State University and possess professional experience in the nonprofit, private, and public sectors. If appointed, I commit to working with City leaders to find solutions to the issues that are before us. My participation and governance in working groups, such as land use, transportation, and planning has been instrumental in tackling issues many of us face here in San Mateo County.

My direct experience providing guidance to the Daly City Council and several Boards and Commissions, including volunteering as Chairwoman for the SamTrans Citizen Advisory Committee as Chairwoman, as well as my collaborative leadership style, make me uniquely qualified to serve on this Committee. A core tenant of my public service is being accessible to my esteemed colleagues and constituents, and I maintain an open line of communication with all stakeholders to hear and consider the needs of every community across the region.

Ultimately, I seek to balance community input with the operational feasibility of system improvements. I am committed to be a voice regionally, representing San Mateo County and our local communities and would be honored for the C/CAG Board to appoint me to fill a vacant seat on CMEQ.

Please feel free to reach me on my cell at 650.580.7777 or juslyncmanalo@gmail.com.

Sincerely,



Juslyn C. Manalo
Vice Mayor of Daly City

C/CAG AGENDA REPORT

DATE: March 9, 2023

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

FROM: Sean Charpentier, Executive Director

SUBJECT: Election of a C/CAG Chairperson and a C/CAG Vice Chairperson

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

RECOMMENDATION:

That the C/CAG Board of Directors elect a Chairperson and Vice Chairperson. The vote can be by acclamation or a written ballot depending on the preference of the Board.

FISCAL IMPACT:

None.

BACKGROUND/DISCUSSION:

In accordance with C/CAG by-laws, officers of the Board of Directors shall consist of a Chairperson, and a Vice Chairperson. The Chairperson and Vice Chairperson shall be elected from among the nominees by the Board of Directors at the March meeting to serve for a term of twelve (12) months commencing on April 1. There shall be a two-term limit for each office. That is, a member may not serve more than two consecutive terms as the Chairperson, and not more than two consecutive terms as Vice Chairperson.

Nomination of officers is conducted at the regular February Board meeting, and elections of officers occur at the regular March Board meeting. This procedure was to allow time for the candidates to provide the Board Members with background information to assist them in casting their votes.

At the February 9, 2023 Board meeting, Board member Davina Hurt was nominated for Chairperson; Board member Ricardo Ortiz was nominated for Vice Chairperson. Both candidates are eligible to serve, if elected.

No additional nominations may be submitted at the March 9th meeting. The Board can only accept additional nominees from the floor in the event there are not enough candidates for the available offices.

Election of the Chairperson shall precede election of the Vice Chairperson. The voting shall be public. According to legal counsel, this can be done by hand or in writing as long as the Board member's name appears on the ballot and it becomes part of the official record. Written ballots will be available if the Board wants to use them.

ATTACHMENTS:

Attachment 1: Background information for Board member Davina Hurt, City of Belmont

Attachment 2: Background information for Board member Ricardo Ortiz, City of Burlingame



February 24, 2023

C/CAG of San Mateo County
c/o Mima Guilles
555 County Center Fifth Floor
Redwood City, CA 94063

Re: Letter Accepting Nomination and Seeking Appointment as Chair of C/CAG Board

Dear Director Sean Charpentier, Mayors and Honorable C/CAG Directors:

It is my honor and pleasure to submit a formal letter accepting the nomination and seeking appointment for the 2023-2024 Chair position of City/County Association of Governments of San Mateo County (C/CAG.)

Serving as Chair and Vice Chair these past three years, I have learned the inner workings of this complex agency and understand the important work ahead. Together, we will continue the strong focus on building healthy and equitable communities that embrace improved mobility, infrastructure investment, economic prosperity, greenhouse gas emission reductions, connect communities, and create vibrant places. As Chair, I am committed to working with all 20 cities and the county, where we leverage our resources and improve coordination of our government systems with a unified voice to Sacramento and beyond.

My public service background coupled with my professional experience has served me well in navigating challenges and opportunities in the City of Belmont. I was elected to the Belmont City Council in 2015 and served as mayor in 2019. I was re-elected in 2020 for my second term. During my tenure, Belmont has made great strides in creating housing, tackling major infrastructure improvements, maintaining our open space, enhancing parks, and continuing economic development/revitalization with a General Plan update that received the APA Award of Excellence. I will continue bringing the same results-oriented drive, tenacity and strategic thinking to C/CAG as Chair for my second year.

I am fortunate to serve on an array of boards that intersect key mission areas of C/CAG's, which will bring added value and a unique perspective to the executive team and board. I was appointed by Governor Gavin Newsom to sit on the California Air Resources Board. I am the Vice Chair on the Bay Area Air Quality Management District Board for San Mateo County cities with numerous standing chair and committee assignments. During my first year on the BAAQMD, I was asked to chair a new committee focused on health, equity and justice. In transportation, I was a board member of the Peninsula Traffic Congestion Relief Alliance (Commute.org) for several years and served on the Ad-Hoc Strategic Planning

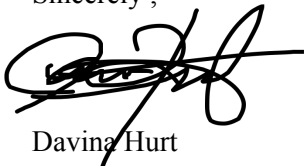
committee. I have served as a board of director for five years on the South Bay Waste Management Authority (Rethink Waste,) where I sat on the Education and Zero Waste committee. As a city representative, I serve on the Emergency Services Council of San Mateo County and the 2+2 committee with Mid-Peninsula Water District. I am the Belmont boardmember for the Silicon Valley Clean Water agency. As an alternate, I'm prepared to serve the SFO Roundtable, Belmont Senior Citizen Advisory Committee. Specific to Belmont governance, I am honored to be the council liaison to the Notre Dame de Namur University and passionate about my sub-committee work on community policing, gun storage safety, vaping prevention, and placemaking with emphasis on public art. Summarized below are additional pertinent experiences and achievements outside of my elected role:

- Board Member to a Department of Consumer Affairs Board- Court Reporters Board (*Past Chair- 7 yrs*)
- Immediate Past President of the Samaritan House Board
- Past Belmont Planning Commissioner
- Past Belmont Chamber of Commerce Executive Board Member
- Past Bay Area Legal Aid Clerk in Santa Clara County.

COVID-19 has played a significant role in how communities travel, work, live, and play in ways that we now know will be for the long term. Additionally, there is no time like the present to plan the monumental work of climate proofing our infrastructure and mobility. We must continue to strategically plan for an ever-changing future in transportation, air quality, stormwater runoff, airport/land use compatibility planning, hazardous waste, solid waste and recycling with the integration of policies, procedures and programs advancing equity. The steps we take today, especially in transportation and housing, will make a great difference in whether we can keep a diverse and inclusive region for all generations to thrive. I look forward to meeting these regional challenges with you.

Thank you for your consideration of my appointment to the Chair position. I respectfully ask for your support.

Sincerely ,



Davina Hurt
Councilmember, City of Belmont

C: Belmont City Council



MICHAEL BROWNRIGG, MAYOR
DONNA COLSON, VICE MAYOR
EMILY BEACH
RICARDO ORTIZ
PETER STEVENSON

The City of Burlingame

CITY HALL -- 501 PRIMROSE ROAD
BURLINGAME, CALIFORNIA 94010-3997

TEL: (650) 558-7201
www.burlingame.org

March 3, 2023

C/CAG of San Mateo County c/o Mima Guilles
555 County Center Fifth Floor
Redwood City, CA 94063
C/CAG of San Mateo County c/o Mima Guilles 555 County Center Fifth Floor
Redwood City, CA 94063
Re: Letter Seeking Re-Appointment to Vice Chair of C/CAG Board

Dear Director Charpentier, Chair Hurt, Mayors and Honorable C/CAG Directors:

It is my honor and pleasure to submit a formal letter of interest supporting my nomination to the Vice Chair position of City/County Association of Governments of San Mateo County (C/CAG.)

Every day we are reminded that our Cities and County are not operating in an isolated island and that regional cooperation is a must. We have common challenges and mandates imposed from outside. As we move forward, we will face even more shared issues and C/CAG's value will only increase. I look forward to being part of this future where we share resources and find common solutions.

Through C/CAG, we continue to find creative partnerships to attain our goals in transportation, air quality, storm water, airport land use, hazardous waste, solid waste and recycling. My long tenure on this Board as well as my many other regional assignments give me contacts and experience that will make me a strong lieutenant to our Board Chair. My professional background in banking gives me a strong financial background. I was elected to Burlingame City Council in 2013 after years of involvement in multiple community organizations. I have twice served as Mayor and sit on a variety of subcommittees. In the last few years I have served as Chair of the SFO Community Roundtable, Central County Fire Department Board of Directors, and Area Land Use Committee. I have a degree in Economics from the University of California San Diego where I attended after time at College of San Mateo.

Through my regional assignments, I have made many friends around the County. We have worked together on common issues and learned to respect each other in spite of differences of opinion. I cherish these relationships and I am certain that our cities and the County benefit

every day from them. If reappointed, I look forward to working with Chair Hurt and the rest of you to advance C/CAG's objectives and to increase the organization's visibility in the region.

All the best,

/S/

Ricardo

C/CAG AGENDA REPORT

Date: March 9, 2023

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 23-16, authorizing the C/CAG Executive Director to execute an agreement with the City of Pacifica for the Sharp Park Priority Development Area Pedestrian Improvement Project using Measure M Safe Routes to School funding in an amount not to exceed \$900,000.

(For further information, contact Jeff Lacap at jlacap@smcgov.org)

RECOMMENDATION

That the C/CAG Board review and approve Resolution 23-16, authorizing the C/CAG Executive Director to execute an agreement with the City of Pacifica for the Sharp Park Priority Development Area Pedestrian Improvement Project using Measure M Safe Routes to School funding in an amount not to exceed \$900,000.

FISCAL IMPACT

The total estimated funding amount for this project is \$900,000 of Measure M Funds Safe Routes to School (SRTS) funds.

SOURCE OF FUNDS

The Measure M program consists of an annual fee of \$10 on motor vehicles registered in San Mateo County that was approved by voters in 2010. Measure M funding brings in an estimated \$6.7 million in revenue every year to use towards supporting local transportation projects and programs aimed at maintaining safe and clean roads, reducing congestion, and improving air quality.

BACKGROUND

MTC OBAG 3 County & Local Program

At the April 14, 2022 C/CAG Board meeting, the Board of Directors approved the guidelines and process for the Metropolitan Transportation Commission One Bay Area Grant (OBAG) 3 County & Local Program. As part of the OBAG 3 process, C/CAG Board authorized an infusion of \$900,000 in Measure M funds to pay for Safe Routes to School (SRTS) eligible projects.

C/CAG received 29 applications from 18 jurisdictions and 3 partner agencies requesting a total of \$87 million in OBAG 3 funds. See Attachment 3 for a Table of the OBAG 3 applications. C/CAG had a target of approximately \$32 million in funding for projects. The applications were ranked by an evaluation panel comprised of representatives from the C/CAG Congestion Management and Environmental Quality (CMEQ) and Bicycle and Pedestrian Advisory Committee (BPAC), Commute.org, Silicon Valley Bicycle Coalition, and local city staff.

At the September 15, 2022 C/CAG Board meeting, the Board approved the project nomination list for the OBAG 3 Program. The nomination list includes 11 projects requesting approximately \$32m of OBAG 3 funding. The C/CAG Board Resolution 22-81 also recommended \$900,000 of Measure M SRTS funds for the Pacifica Sharp Park Priority Development Area Pedestrian Improvement Project, in conjunction with \$1,269,801 of OBAG 3 funds.

In January 2023, the Metropolitan Transportation Commission (MTC) approved the OBAG 3 County & Local Program, which awarded San Mateo County a total of \$30.8 million to 7 projects in the county and 2 countywide programmatic categories (Safe Routes to School and County Transportation Agency Planning).

Due to funding constraints, the MTC did not recommend funding the following projects for OBAG 3 funding.

1. Town of Atherton, Adelante Selby Spanish Immersion School Safe Routes to School Project in the amount of \$3.1 million. MTC placed this project on a contingency list if additional funding becomes available.
2. City of Pacifica, Sharp Park PDA Pedestrian Improvement Project in the amount of \$1.2 million in OBAG 3 funding.
3. City Of Millbrae, Micromobility Hub Phase II Project in the amount of \$0.8 million.
4. City of San Mateo, 101/Peninsula Interchange in the amount of \$1 million. The City of San Mateo rescinded this project application due to project redesign.
5. City of Belmont, Pedestrian and Bike Improvement Project in the amount of \$1 million was submitted as a substitute for the City of San Mateo's US 101 Peninsula Avenue Interchange Improvement Project. This was because the improvement project is the next highest ranked project requesting \$1 million.

C/CAG staff have continued to advance projects on the OBAG 3 list, including advocating with MTC staff for contingency funding for the Atherton project; sharing a current MTC Notice of Funding availability for MicroMobility Hubs (due date of March 31st) with Millbrae; and partially funded the Woodside Glens Path with \$291,000 with residual FY2023 TFCA funds. Staff's efforts and recommendation for the Pacifica project are described below.

Pacifica Sharp Park PDA Pedestrian Improvements

Although MTC did not recommend OBAG 3 funding to the City of Pacifica, staff recommends moving forward with allocating \$900,000 of Measure M SRTS funds for the Sharp Park Priority Development Area Pedestrian Improvement Project to complete the design and advance the project readiness, and to fund a portion of the construction cost. Staff recommend this approach for several reasons.

First, at the September 15, 2022 C/CAG Board meeting, the Board of Directors approved Resolution 22-81 which recommended \$900,000 in Measure M funds to Pacifica.

Second, the MTC's OBAG 3 funding reflects geographic distribution of funding to projects along the Bayside of the County, but did not fund a project on the Coastside. See Attachment 2.

Third, in March, staff will take a proposed strategy to fund the remainder of the Pacifica project to the C/CAG Technical Advisory Committee, CMEQ, and BPAC Committees. A preview of a potential strategy to close the funding gap includes reallocating \$1 million in OBAG 2 funding from the San Carlos Holly Street Pedestrian Overcrossing project, and allocating approximately \$300,000 in FY2024 Transportation Fund for Clean Air (TFCA) County Program Manager Funds. After the item is reviewed by the Committees, staff will bring the proposal to the C/CAG Board of Directors for consideration at the April 13th meeting.

The Holly Street/101 Pedestrian Crossing received an OBAG 2 allocation of \$1 million in 2017. The project currently has a \$16 million funding gap, and MTC requires that the OBAG 2 funds be allocated by the end of January 2024. There are no major funding application cycles between now and January 2024 that would fill the \$16 million shortfall on the Holly Street/101 Pedestrian Overcrossing project. Staff need to expeditiously find another project to obligate the funds. Otherwise, the County will lose the OBAG 2 funding.

The action that is requested on March 9, 2023 is to execute an agreement for the \$900,000 in Measure M Safe Routes to School funding that was recommended for this project in C/CAG Board Resolution 22-81. Staff will return to the C/CAG Board of Directors at the April 13, 2023 meeting with a proposal to fund the remainder of the project. The requested agreement on March 9th does not bind the Board to any particular future action or outcome.

Recommendation

Staff requests that the Board review and approve Resolution 23-16 authorizing the C/CAG Executive Director to execute an agreement with the City of Pacifica for the Sharp Park Priority Development Area Pedestrian Improvement Project using Measure M SRTS funds in an amount not to exceed \$900,000.

ATTACHMENT

1. Resolution 23-16
2. Map of MTC OBAG 3 Projects Recommended for Funding
3. OBAG 3 Table of Applications

4. Draft Funding Agreement Between C/CAG and the City of Pacifica for the Pacifica Sharp Park Priority Development Area Pedestrian Improvement Project (Download at: <https://ccag.ca.gov/committees/board-of-directors-2/>)

RESOLUTION 23-16

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 A FUNDING AGREEMENT WITH THE CITY OF PACIFICA FOR THE SHARP PARK PRIORITY DEVELOPMENT AREA PEDESTRIAN IMPROVEMENT PROJECT IN AN AMOUNT NOT TO EXCEED \$900,000.

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

WHEREAS, the Board of Directors of the City/County Association of Governments, at its April 14, 2022 meeting, authorized an infusion of \$900,000 in Measure M funds to pay for Safe Routes to School (SRTS) eligible projects under the approved guidelines and process for the OBAG 3 County & Local Program; and

WHEREAS, At the September 15, 2022 C/CAG Board meeting, the Board approved the project nomination list for the OBAG 3 Program, which included a recommended funding allocation of \$900,000 of Measure M SRTS funds and \$1,269,801 of OBAG 3 funds for the Pacifica Sharp Park Priority Development Area Pedestrian Improvement Project; and

WHEREAS, On September 30, 2022, C/CAG staff submitted to the Metropolitan Transportation Commission (MTC) the Sharp Park Priority Development Area Pedestrian Improvement Project as part of the Countywide nomination list for OBAG 3; and

WHEREAS, the Sharp Park Priority Development Area Pedestrian Improvement fell short of MTC funding however, Staff recommends moving forward with the City of Pacifica's Sharp Park Priority Development Area Pedestrian Improvement Project by allocating \$900,000 of Measure M SRTS funds to begin the design and construction phase of the project; and

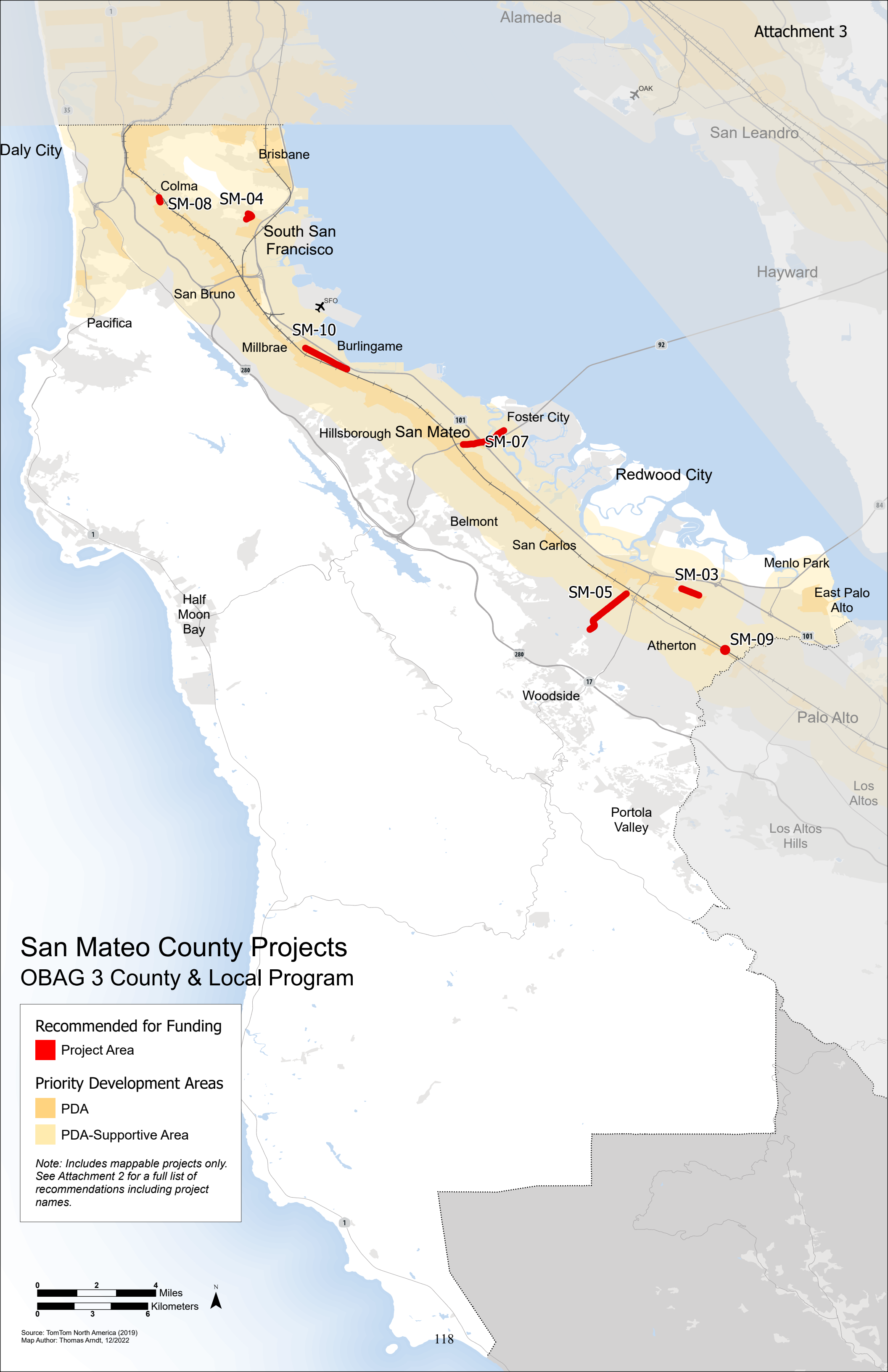
WHEREAS, staff is currently working with the City to secure additional funding for the project; once funding is secured, staff will return to the Board on April 13th for approval.

WHEREAS, it is necessary for C/CAG to enter into a funding agreement with the City of Pacifica and set forth the responsibilities of each party.

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 enter into an agreement with the City of Pacifica for the Sharp Park Priority Development Area Pedestrian Improvement Project in an amount not to exceed \$900,000 of Measure M Safe Routes to School funding. Be it further resolved that the Executive Director is authorized to negotiate final terms of the agreement prior to execution by the Chair, subject to legal counsel approval as to form.

PASSED, APPROVED, AND ADOPTED THIS 9 TH DAY OF March 2023.

Davina Hurt, C/CAG Chair



San Mateo County Projects

OBAG 3 County & Local Program

Recommended for Funding

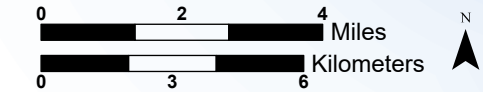
Project Area

Priority Development Areas

PDA

PDA-Supportive Area

*Note: Includes mappable projects only.
See Attachment 2 for a full list of
recommendations including project
names.*



ID	Sponsor Name	Project Name	OBAG3 Funds Requested	TOTAL Score	C/CAG BOD 9/15/22 Recommended Funding Allocations (Reso 22-81)		Submitted to MTC for OBAG 3 Funding Consideration (2)	OBAG 3 Final Funding Allocation - MTC 1/25/23		C/CAG BOD TFCA Funding Recommendation 11/10/22 (Reso 22-94)
					OBAG 3	Measure M		Funded	Contingency (Not Yet Funded)	Funded
1	San Mateo County	Bay Road Complete Street Rehabilitation Project	\$3,806,790	115.6	\$3,806,790			\$3,806,790		
2	City of South San Francisco	School Street/Spruce Avenue and Hillside Boulevard Safety and Access Improvement Project	\$3,127,385	113.9	\$3,127,385			\$3,127,385		
3	City of Redwood City	Roosevelt Avenue Traffic Calming Project	\$3,400,000	111.2	\$3,400,000			\$3,400,000		
4	City of San Mateo (1)	US 101/Peninsula Avenue Interchange Improvements Project	\$5,000,000	111.2	\$1,000,000			\$0		
5	San Mateo County Transportation Authority	19th Avenue/Fashion Island Boulevard Complete Street Class IV Bikeway	\$3,375,000	109.6	\$3,375,000			\$3,375,000		
6	Town of Colma	El Camino Real Complete Street Project from Mission Road to City of South San Francisco (Segment B)	\$4,640,000	105.6	\$4,640,000			\$4,640,000		
7	City of Menlo Park	Middle Avenue Caltrain Pedestrian and Bicycle Undercrossing	\$5,000,000	105.0	\$5,000,000			\$5,000,000		
8	City of Burlingame	Rollins Road Bicycle and Pedestrian Improvement Project	\$3,100,000	104.3	\$3,100,000			\$3,100,000		
9	Town of Atherton	Adelante Selby Spanish Immersion School Safe Route to Schools Project	\$3,115,024	100.8	\$3,115,024				\$3,115,024	
10	City of Pacifica	Sharp Park Priority Development Area Pedestrian Improvement	\$2,360,000	98.8	\$1,269,801	\$900,000				
11	City of Millbrae	Micro-Mobility Hub Phase 2 and Electric Vehicle Shuttle Program servicing riders to and from Multi-Modal BART/Caltrain/HSR Station, Affordable Housing, Job Centers and Schools	\$880,000	95.0	\$800,000					
12	City of Belmont (2)	City of Belmont Pedestrian and Bike Improvements	\$1,000,000	77.3			\$1,000,000	\$0		
13	Town of Woodside	The Glens Path - Pedestrian Safety Improvements – Phase 3	\$536,000	80.0						\$291,000
14	City of Redwood City	101/Woodside UPRR Bikeway Project	\$4,800,000	104.3						
15	City of Redwood City	Broadway Bicycle and Pedestrian Vision Zero Project	\$3,054,300	103.1						
16	City of Burlingame	California Drive Bicycle and Pedestrian Improvement Project	\$2,000,000	101.3						
17	City of Menlo Park	El Camino Real Pedestrian Crossing Improvements	\$2,000,000	100.3						
18	San Mateo County Transit District (SamTrans)	Express Bus Mobility Hub	\$5,000,000	99.6						
19	BART	Next Generation Fare Gates Project at Northern San Mateo County BART Stations	\$4,457,455	99.1						
20	BART	Next Generation Fare Gates Project at Central San Mateo County	\$4,791,764	97.9						
21	City of Half Moon Bay	Kelly Avenue Complete Street Project	\$5,000,000	96.9						
22	City of Daly City	Bayshore and Woodrow Wilson Safe Routes to School Project	\$4,550,000	89.9						
23	City of San Carlos	Holly Street/US-101 Pedestrian and Bicyclist Overcrossing	\$5,000,000	87.3						
24	East Palo Alto	Runnymede Street between Pulgas Avenue and the Bay Trail within the City of East Palo Alto.	\$2,010,000	82.0						
25	City of Pacifica	Rosita Road from Adobe Drive to Oddstad Boulevard, Pacifica, CA	\$1,781,600	77.8						
26	City of Foster City	Street Rehabilitation – Edgewater (FY 24-25)	\$1,200,000	75.8						
27	City of Foster City	Foster City Safe Routes to School Improvements	\$504,000	72.1						
28	City of San Carlos	Safe Routes to School Improvement Project	\$1,100,000	68.6						
29	Town of Hillsborough	Hillsborough Street Resurfacing Project	\$1,000,000	67.2						
30	Subtotal Projects		\$87,589,318		\$32,634,000	\$900,000	\$1,000,000	\$26,449,175	\$3,115,024	\$291,000
31	Programmatic Categories									
32	C/CAG	CTA Planning Efforts (4 YRS)	\$5,750,000		\$5,750,000			\$5,750,000		
33	C/CAG	Safe Routes to School Non Infrastructure Program (4 YRS)	\$2,120,000		\$2,120,000			\$2,120,000		
34	Subtotal Programmatic		\$7,870,000		\$7,870,000			\$7,870,000		
35										
36	Total Project & Programmatic		\$95,459,318		\$40,504,000	\$900,000	\$1,000,000	\$34,319,175	\$3,115,024	\$291,000

(1) City of San Mateo rescinded application due to project redesign.

(2) \$1m Belmont project was added to MTC list after City of San Mateo rescinded its \$1m application for 101/Peninsula.

C/CAG AGENDA REPORT

ITEM 5.3

Date: March 9, 2023

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

From: Sean Charpentier, Executive Director

Subject: Presentation on the San Mateo County Smart Corridor project.

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

RECOMMENDATION

Receive a presentation on the C/CAG San Mateo County Smart Corridor project.

FISCAL IMPACT

There is not any financial impact related to this item. The Smart Corridor South San Francisco expansion construction cost is \$8.5M. The estimated construction cost for the Smart Corridor Northern Cities expansion project is \$12.6M.

SOURCE OF FUNDS

The South San Francisco construction phase is funded with a combination of local Measure M funds (the \$10 vehicle registration fee), State Transportation Improvement Program (STIP) funds, and Traffic Light Synchronization Program (TLSP) funds.

The construction phase for the Northern Cities project is expected to be funded with a combination of Measure M funds, STIP funds, and Local Partnership Program (LPP) funds.

BACKGROUND

The C/CAG sponsored San Mateo County Smart Corridor (Smart Corridor) project is one of countywide significance. The Smart Corridor is designed to improve mobility of local arterial streets by installing 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. The ITS infrastructure provides local cities and Caltrans day to day traffic management capabilities in addressing recurring and non-recurring traffic congestion.

The Smart Corridor project maximizes efficiency of the existing transportation network, smoothing traffic flow and leading to improved safety and reduced travel times. Concurrently, the project minimizes the impact of freeway incident traffic on local streets through proactive traffic management. The segments between City of San Bruno at the northern limits to the Santa Clara County line in the City of East Palo Alto were completed in 2018.

Continuing with the vision to build the Smart Corridor from the Santa Clara County line to the San Francisco County line, the South San Francisco segment is currently under construction and the Northern Cities segment is the next segment of the Smart Corridor project. This segment is a joint effort by the cities of Daly City and Brisbane, the Town of Colma, and C/CAG. A map of the Smart Corridor project limits

and status is included as Attachment 1.

The South San Francisco segment began field construction work in November 2022. The contractor, Econolite Systems, conducted project walk throughs, inspected existing conduit, and potholed areas of the project site. In January and February of 2023, the contractor continued conduit investigation and began testing electrical components including the CCTVs. Project construction is expected to be complete by September 2023. A map of the South San Francisco project corridors is included as Attachment 2.

The Northern Cities expansion project continues the Smart Corridor implementation efforts. It expands from its current northern terminus of I-380 further north to the San Francisco County line, encompassing arterials along US 101 and I-280 within the city limits of Daly City, Colma, and Brisbane. A project corridors map is included as Attachment 3. The ITS infrastructure that will support the project include the design of fiber optic cable in existing conduit, wireless communications, traffic signal controller upgrades and replacement, CCTV cameras, system detection, and dynamic message signs along the project corridor.

In January 2022, C/CAG selected Kimley-Horn and Associates to lead project design. Project design is expected to be complete in March 2023. Advertising and bidding for construction is expected to begin in Fall/Winter 2023. The Northern Cities expansion will be built as two segments: Daly City/Colma and Brisbane. The City of Daly City is expected to lead construction on behalf of both the City and the Town of Colma. The City of Brisbane is expected to lead construction of the Brisbane segment. Because this is a multi-jurisdictional, multi-agency project, C/CAG staff expects to bring several agreements to the C/CAG Board in the next few months. This includes construction funding agreements with the jurisdictions to outline responsibilities in the construction phase. In addition, the Board will review and approve funding agreement related to the purchase of conduits and fiber installation for the project.

Once the remaining two projects are completed, a continuous fiber communications system will exist through the Smart Corridor routes and a network of interconnected traffic signal systems will be formed.

Many of the jurisdictions using the Smart Corridor appreciate the benefits of the project. County of San Mateo dispatchers use the CCTV camera feeds to monitor traffic and accidents. Additionally, the technology assets provide the foundation for advanced applications such as traffic signal synchronization and transit signal prioritization projects. The ability to coordinate across jurisdiction have been improved. For example, in November 2021 through March 22, C/CAG funded an intelligent transit signal priority (iTSP) pilot project on University Avenue in the City of East Palo Alto. In partnership with the City, the San Mateo County Transit District (SamTrans), Sustainable Silicon Valley, and LYT, a cloud-based software platform, the pilot used the traffic controller upgraded for the Smart Corridor to dynamically adjust the timing of traffic signals to improve transit throughput and reduce travel times. The pilot successfully reduced intersection delay in both north and southbound directions and buses traveled 18% faster in the northbound direction.

The Smart Corridor also enabled an adaptive signal control system on Ralston Avenue in Belmont. The City leveraged the Smart Corridor advanced traffic management system and detection system to shift from timed signaling to using real-time traffic conditions to change timing accordingly. The project aims to reduce congestion and intersection delays, in addition to improve access to schools and jobs.

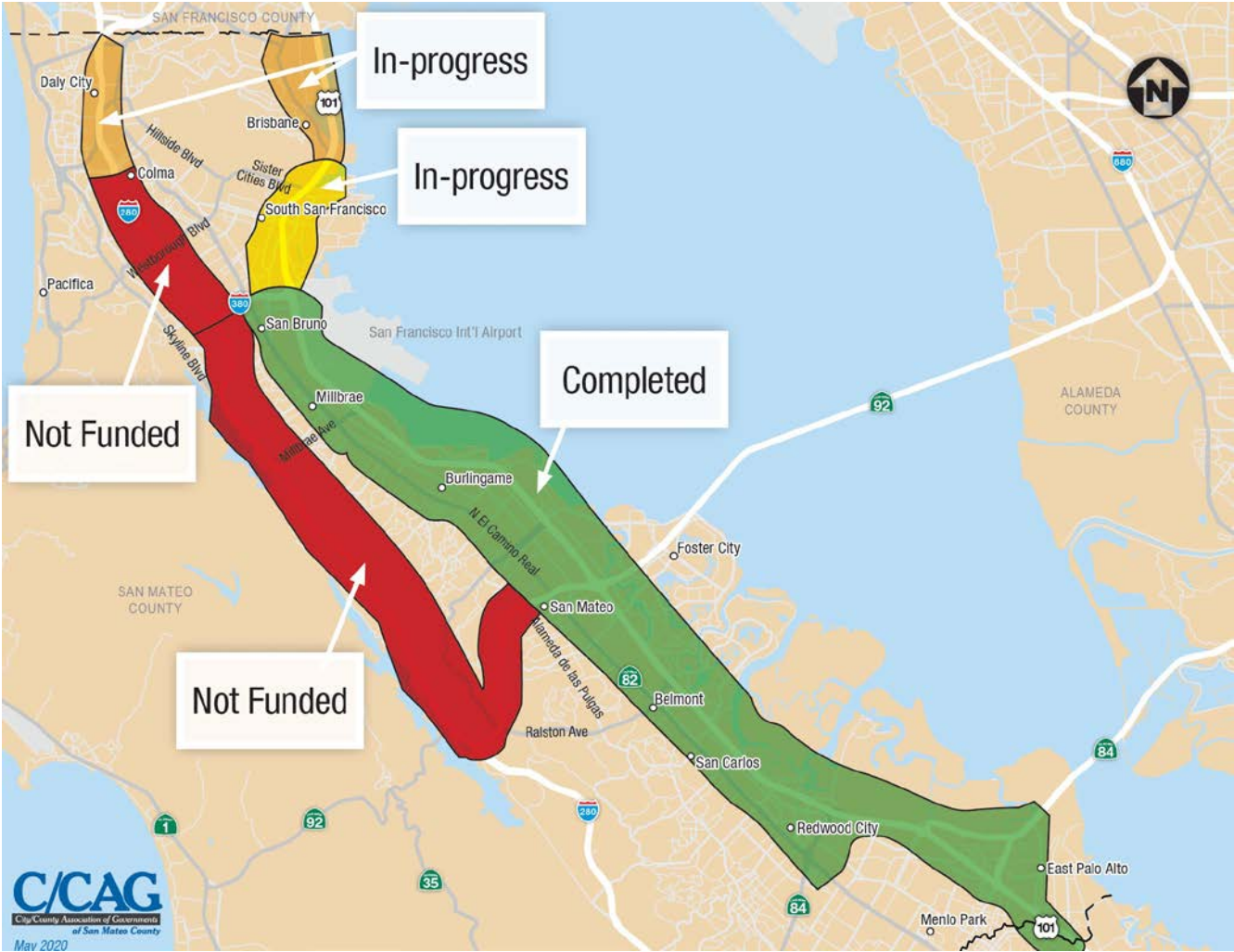
While there are successful use cases, there are challenges to maintaining this comprehensive system. C/CAG contracts with several vendors to maintain the Smart Corridor infrastructure and fiber communications network. The maintenance contractor regularly monitors and troubleshoots equipment in the field. The network monitoring consultant continuously pings the Smart Corridor network, analyzes reports, and troubleshoots downed connections. Third party damages to the Smart Corridor fiber often results in months-long processes to identify the damage and cause, conduct site visits,

repair, and test. C/CAG continues to work closely with consultants, Caltrans, and partner jurisdictions to ensure a Smart Corridor system that meets the needs of users while maximizing the efficiency of the existing transportation network.

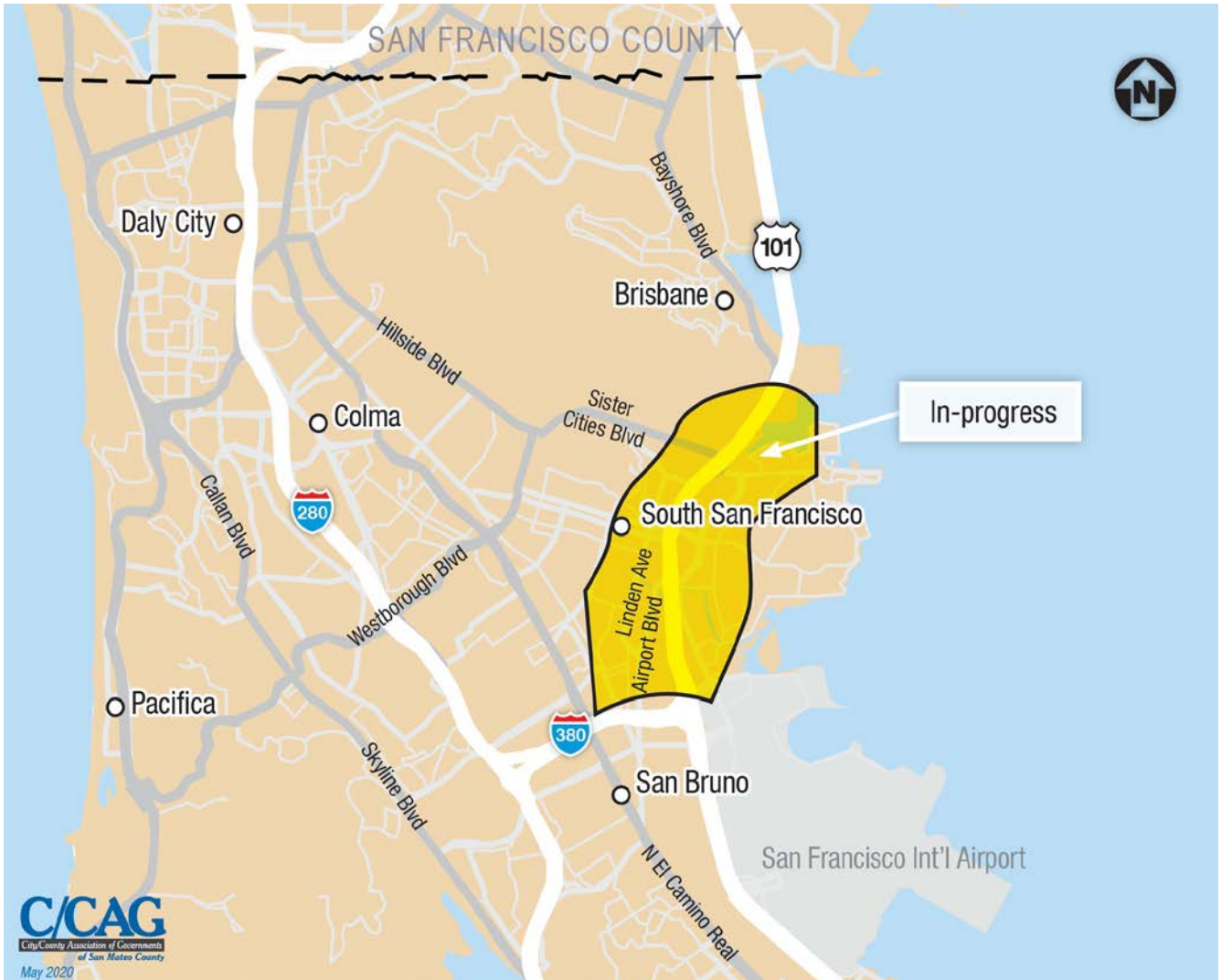
ATTACHMENT

1. Smart Corridor Project Limits and Status
2. South San Francisco Project Corridors Map
3. Northern Cities Project Corridors Map
4. Presentation (Download at: <https://ccag.ca.gov/committees/board-of-directors-2/>)

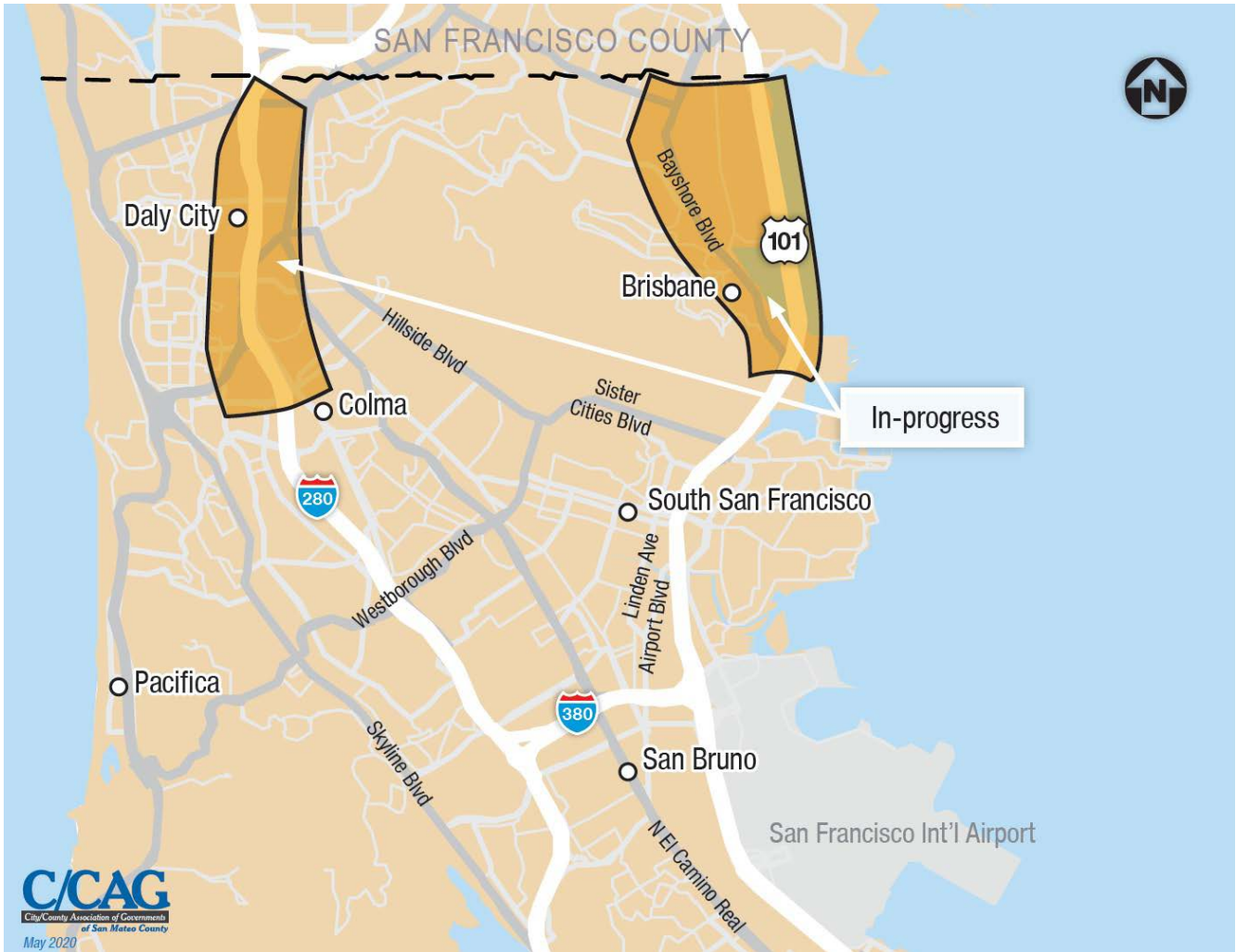
Attachment 1
Smart Corridor Project Limits and Status



Attachment 2
South San Francisco Project Corridors Map



Attachment 3
Northern Cities Project Corridors Map



C/CAG AGENDA REPORT

Date: March 9, 2023

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

From: Sean Charpentier, Executive Director

Subject: Presentation on C/CAG Equity Assessment and Framework Development Project mapping and existing conditions analysis for feedback and direction.

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

RECOMMENDATION

Receive a presentation on C/CAG Equity Assessment and Framework Development Project mapping and existing conditions analysis for feedback and direction.

FISCAL IMPACT

The existing Mariposa Planning Solutions agreement is for \$170,000 for the subject agreement, and a contingency of \$17,000.

SOURCE OF FUNDS

Funds were appropriated from the General Fund for this project will be partially reimbursed from Surface Transportation Program Planning Grant funds.

BACKGROUND

On April 24, 2022 the C/CAG Board of Directors adopted Resolution 22-16 authorizing the C/CAG Executive Director to execute an agreement with Mariposa Planning Solutions (Consultant) for the C/CAG Equity Assessment and Framework Development Project (Project). The Consultant began work on the project immediately.

The first Board presentation on the Equity Project was on October 13, 2022 and focused on the scope of the project, the first draft of the Equity Definition, and the first draft of the Historical Perspectives memo. At the February 9, 2023 Board meeting, the Consultant provided a presentation to the C/CAG Board to share progress on the Project to date, updated and new documents, the timeline through the end of the project, and requested feedback from the C/CAG Board on Definition/Approach and Equity Connections documents and possible structures for the eventual Equity Framework.

This March 9, 2023 presentation is the third of five presentations that will be provided to the C/CAG Board.

The current phase of the project is focused on Framework development, which includes an analysis of existing program/project equity integrations and a gap analysis of internal C/CAG's operations.

Currently, the Consultant is in holding a series of meetings with C/CAG staff to complete an internal assessment of C/CAG's programs, projects, funding streams, policy work, and internal operations. This work is being completed in tandem with an external review of peer agency equity interventions.

Jake Warr, Espousal Strategies and Christopher Lepe, Mariposa Planning Solutions, will provide a presentation to the C/CAG Board to share the results of mapping work and existing conditions analysis in San Mateo County. The presentation will include the purpose of the mapping and existing conditions analysis, the approach to the work, an overview of the input received that informed the work, and initial maps and findings. C/CAG staff and the Consultants have decided to use C/CAG's existing 2021 Comprehensive Bicycle and Pedestrian Plan project map of Equity Focus Areas as a baseline. Additional maps (or overlays) have been developed for C/CAG to consider applying to this baseline map to further analyze the community equity impacts and needs related to different C/CAG program areas. The draft Existing Conditions analysis and draft Equity Mapping Indicators are provided as attachments to this staff report. In addition, prior to the Board meeting, the presentation will be posted on the C/CAG website. See Attachment 3 below.

Staff and the Consultant will be requesting feedback from the C/CAG Board on Equity Focus Areas mapping and existing conditions representations.

This item is included in the meeting agenda as Possible Action to allow the Board flexibility in establishing an Ad Hoc Committee to support Board input to the Project and review of project documents.

ATTACHMENTS

1. Draft Existing Conditions Analysis
2. Draft Equity Mapping Indicators
3. Equity Presentation – to be posted on the C/CAG Board Website under presentations for this meeting here: <https://ccag.ca.gov/committees/board-of-directors-2/>



San Mateo County Existing Conditions Analysis

Purpose

This document compiles demographic data to understand existing disparities between communities in San Mateo County, with a particular focus on race-based disparities. It will inform C/CAG's development of an equity framework that defines equity and formalizes the agency's efforts to reduce disparities across its multiple program areas, namely transportation, housing, climate, and stormwater pollution prevention.

County-level disparities by race

As is the case in most counties across the United States, communities of color in San Mateo County experience lower incomes, higher unemployment, and higher poverty rates compared to white non-Hispanic residents (on average). Figures 1-3 provide breakdowns across each of these outcome areas. Of note:

- Figures for White non-Hispanic and Asian populations are similar across each outcome area. However, it should be noted that significant disparities exist between Asian sub-groups that the American Community Survey (ACS) does not capture.
- Aside from Asian households, the gap between people of color and White non-Hispanic median household incomes ranges from about \$65,307 less for Black households, to about \$38,000 less for multi-racial households.
- American Indian or Alaska Natives have the highest poverty rates in the county at 25%. This is five times the rate for White Non-Hispanic and Asian populations. The rate for Black, Hispanic/Latino, and Native Hawaiian or Pacific Islander, and "Other" races is about double that of White Non-Hispanic and Asian population.
- At 25%, the unemployment rate is five times greater for American Indian or Alaska Native than White non-Hispanic workers. The rate for Black, Hispanic/Latino, Native Hawaiian or Pacific Islander, and "other" workers is about double that of White Non-Hispanic workers.



Figure 1: Median Household Income by Race/Ethnicity

San Mateo County

2016-2020 American Community Survey

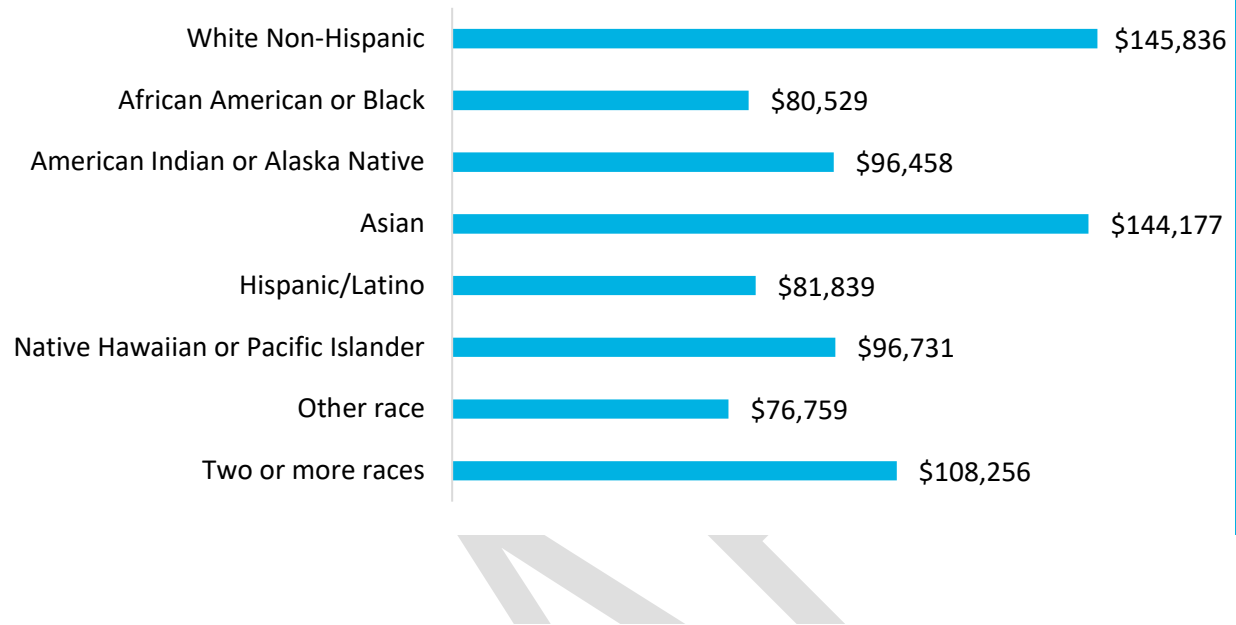


Figure 2: Poverty Rates by Race/Ethnicity

San Mateo County

2016-2020 American Community Survey

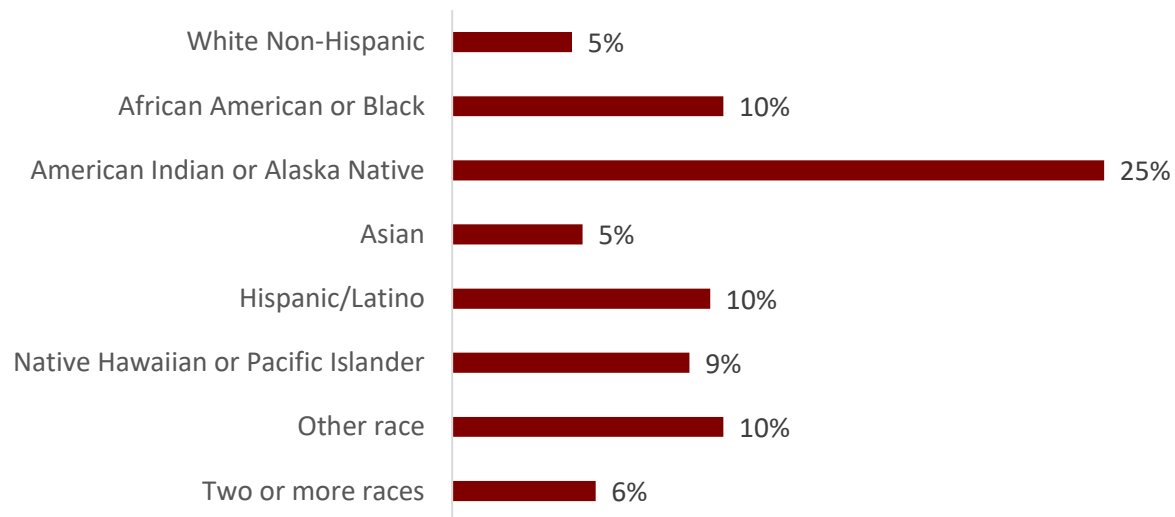
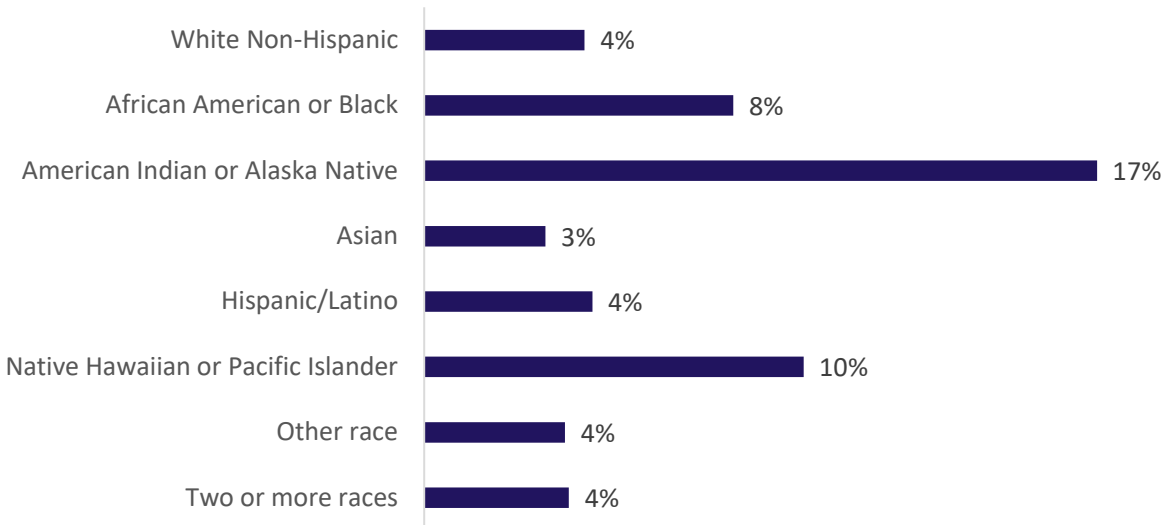




Figure 3: Unemployment Rates by Race/Ethnicity

San Mateo County

2016-2020 American Community Survey



Focus area 1: Transportation

Transportation Modes

Differences in modes of transportation used can indicate disparities in terms of personal mobility. As shown in Table 1 below:

- San Mateo commuters largely drive alone across all racial groups.
- White non-Hispanic and Native Hawaiian or Pacific Islander commuters have the highest rates of driving alone (69% and 72%, respectively), while Black, American Indian or Alaska Native, and Asian commuters have the lowest at about 60% for each.
- All populations of color carpool at greater rates than White non-Hispanics.
- Over 10% of Black, Asian, Hispanic/Latino, “other” race, and multi-racial commuters ride public transit to work.
- Of particular relevance given how covid-19 has transformed work, White non-Hispanics work from home at greater rates than all other racial groups at 13% of workers.



Table 1: Means of transportation to work by race/ethnicity
 San Mateo County
 2016-2020 American Community Survey

	Drive alone	Carpool	Public Transit	Walk	Bicycle or other	Worked from home
White Non-Hispanic	69%	6%	7%	2%	4%	13%
African American or Black	61%	11%	12%	5%	4%	7%
American Indian or Alaska Native	60%	21%	6%	2%	7%	5%
Asian	60%	12%	14%	2%	2%	10%
Hispanic/Latino	65%	14%	10%	4%	3%	5%
Native Hawaiian or Pacific Islander	72%	12%	6%	3%	3%	5%
Other race	65%	13%	11%	4%	3%	4%
Two or more races	64%	8%	10%	3%	4%	11%

Table 2 disaggregates commute mode by household income, indicating that:

- San Mateo commuters largely drive alone across all income levels.
- Commuters with household incomes below \$50,000 carpool at higher rates than those above.
- The share of commuters taking public transit is similar across income levels.
- Rates of walking to work are negatively correlated with income levels, i.e., lower income commuters walk to work at higher rates than higher income.
- Working from home is more common among workers with household incomes above \$75,000 (12%) than those below (6-8%)



Table 2: Means of transportation to work by income level
 San Mateo County
2016-2020 American Community Survey^d

Annual HH Income	Drive alone	Carpool	Public Transit	Walk	Bicycle or other	Work from home
Under \$25K	59%	13%	11%	5%	4%	8%
\$25K - \$50K	65%	13%	10%	3%	3%	6%
\$50K - \$75K	69%	9%	9%	2%	3%	7%
Over \$75K	67%	7%	10%	1%	3%	12%

Transportation Costs

According to the Center for Neighborhood Technology's Housing + Transportation Index, the "regional typical"¹ household in San Mateo County spends 15% of household income on transportation. Households making 80% of Area Median Income (AMI) spend about 18%. There does not appear to be a disparity by race as figures for census tracts with high percentages of people of color are similar; this also holds true for each disaggregated population of color (e.g., census tracts with an above-average percentage of Black residents spend an average of 15% of household income on transportation).

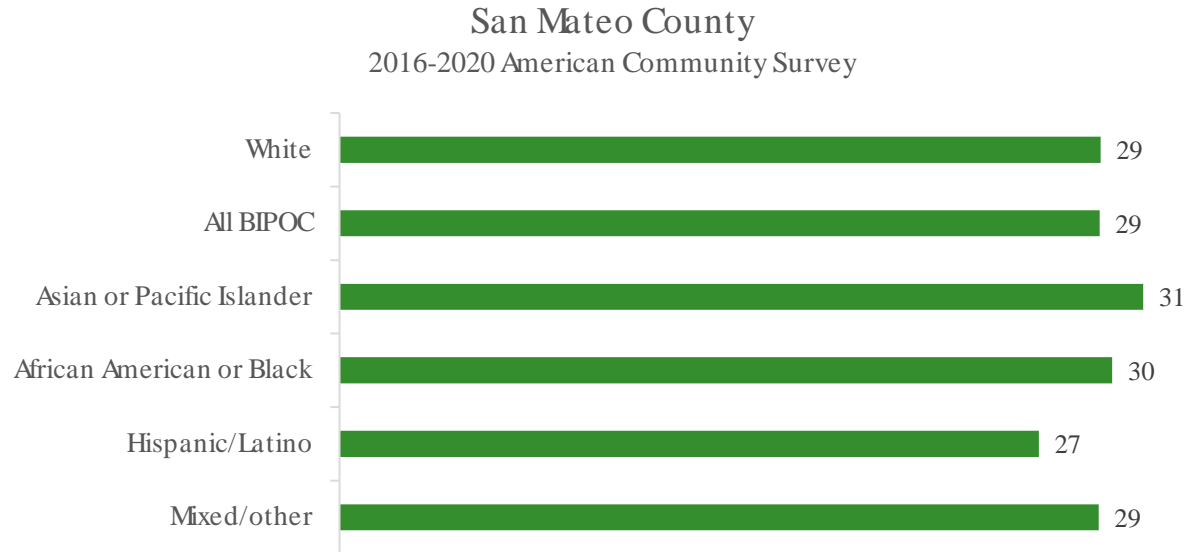
Travel Times

Average commute times are similar across racial groups: each spends about 30 minutes (each way) getting to and from work (see Figure 4). Hispanic/Latino workers have the shortest average commutes at 27 minutes, and Asian or Pacific Islander workers have the longest at 31 minutes. Note that because these are averages, disparities may exist that are not reflected in the data (i.e., it may be the case that the extremes for one group are greater than another, but when averaged figures are similar).

¹ Defined as having income of \$106,025, 2.71 people, and 1.28 workers. See <https://htaindex.cnt.org/map/>

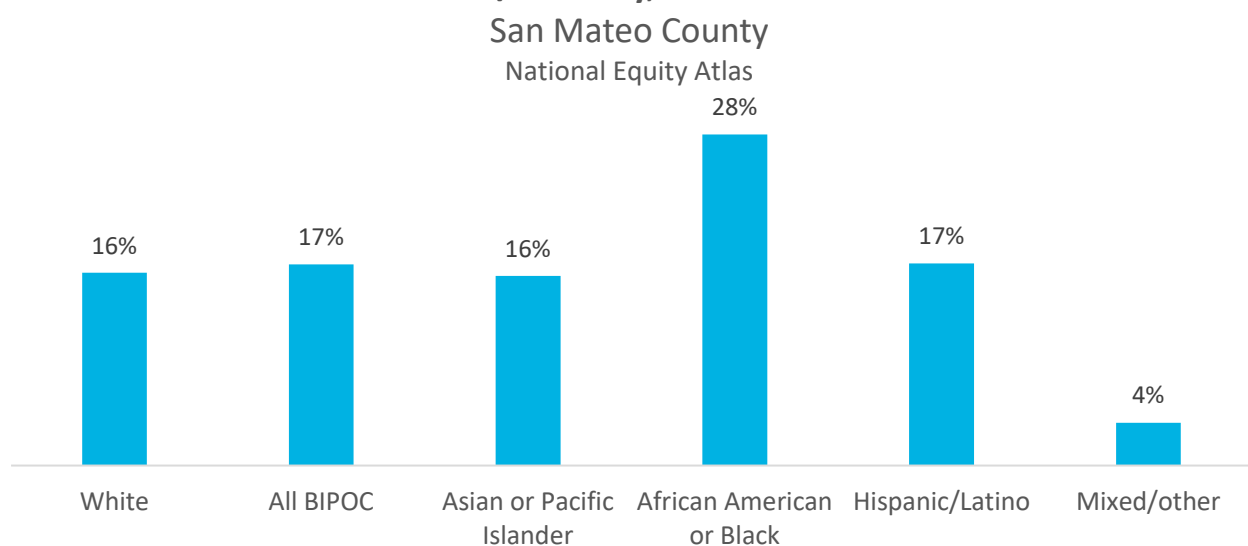


Figure 4: Average commute times by race/ethnicity (mins)



How travel times have changed over the past decade, however, does not appear to be equal by race. As shown in Figure 5, commute times have increased 28% since 2010 for Black workers, compared to 16-17% for each other racial group (except for multiracial workers at 4%).

Figure 5: Percentage increase in average commute times by race/ethnicity, 2010-2019



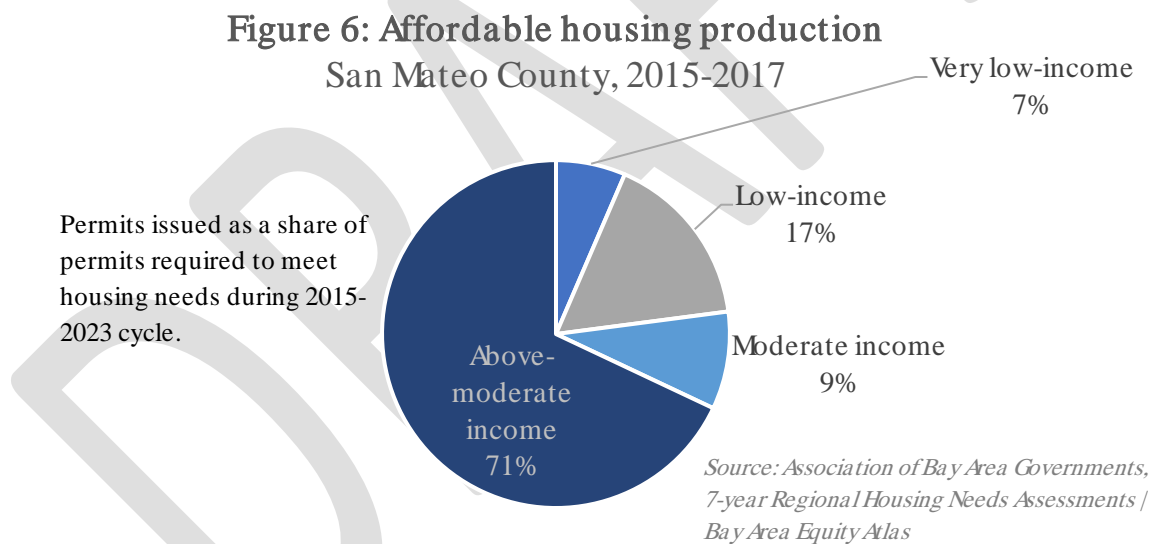


Focus area 2: Housing

Affordable housing

Housing costs are well above national averages in San Mateo County. Whereas the median household nationally spends \$1,120 per month on housing costs, the median household in San Mateo County spends \$2,588. Factoring in higher median household income, county residents still spend more as a percentage of income than Americans as a whole: 36% of San Mateo County households pay more than 30% of their income on housing costs, compared to just over 30% of households nationally.

These figures reinforce the need for affordable housing in the county. A Bay Area Equity Atlas analysis found that, of the number of housing permits required to meet the needs of residents across San Mateo County, relatively few had been issued for units designated for moderate, low, and very low income households (as of 2017). In other words, affordable housing production has lagged behind demand for lower-income residents of the county (see Figure 6).



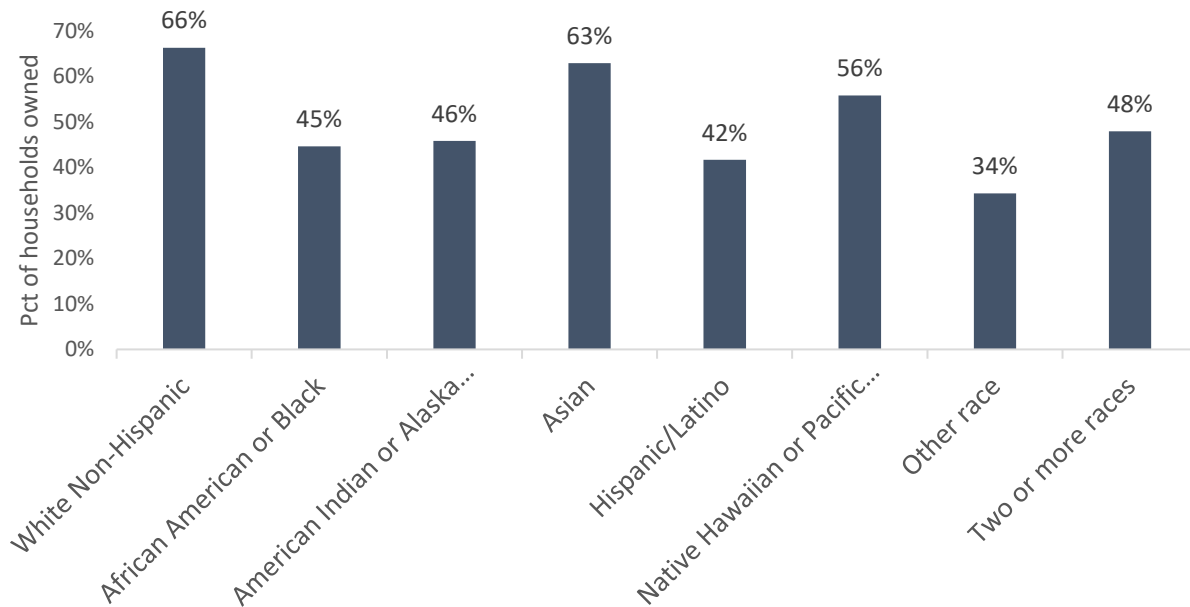
Home ownership

Home ownership data reveals clear disparities by race. As Figure 7 shows, a significantly greater percentage of White non-Hispanic and Asian residents of San Mateo County own their homes compared to other racial groups.



Figure 7: Home Ownership by Race/Ethnicity
San Mateo County

2016-2020 American Community Survey

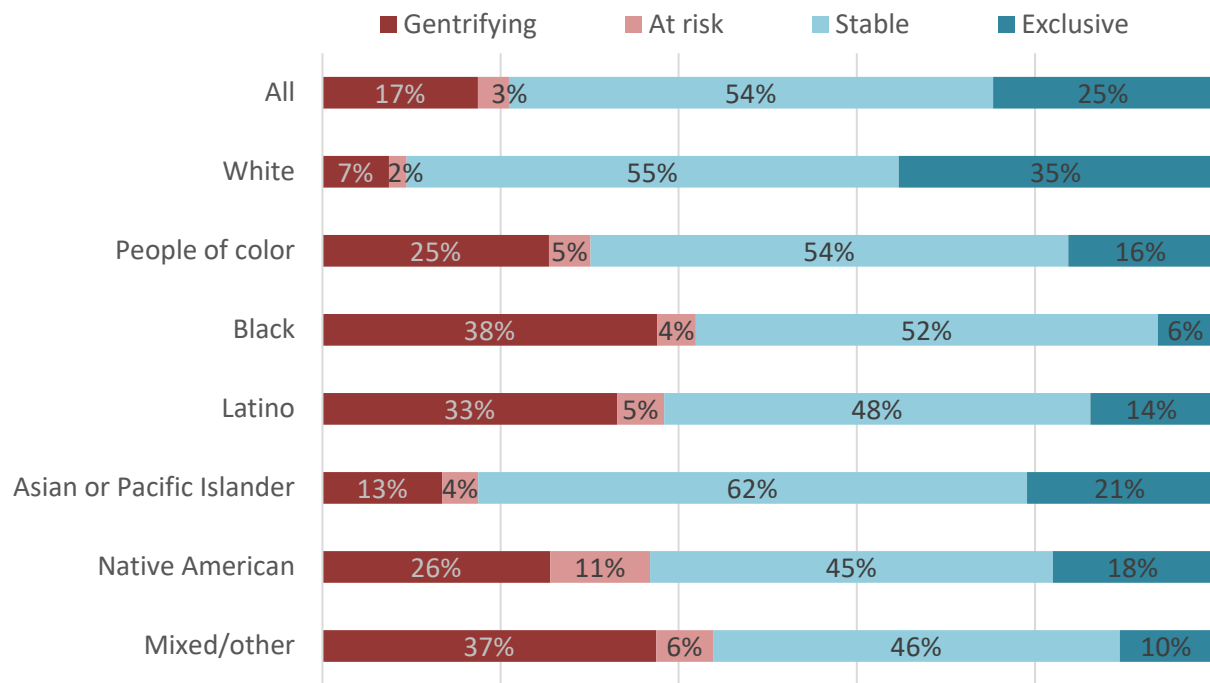


Gentrification

As shown in Figure 8, gentrification has disproportionately impacted communities of color in San Mateo County. Thirty percent of households of color as a whole are in areas that are either gentrifying or at risk of gentrifying. This figure jumps to 43% for multi-racial households only, 42% for Black households only, 38% for Latino households only. By comparison, 9% of White households are in areas that are gentrifying or at risk of gentrifying.



Figure 8: Gentrification Risk by Race (pct. of households)
San Mateo County



Source: UC Berkeley Urban Displacement Project; American Community Survey / Bay Area Equity Atlas

Focus area 3: Climate

In late 2022 the White House Council on Environmental Quality released a Climate and Economic Justice Screening Tool to support the Justice40 Initiative and target federal investments. The tool includes multiple data indicators to assess communities' environmental burdens, exposure, and risks. Table 4 provides a summary of indicators of particular relevance and impact to communities in San Mateo County.



Table 4: Selected climate risk areas in San Mateo County from the White House Council on Environmental Quality Climate and Economic Justice Screening Tool

Indicator	No. of census tracts in San Mateo County above 90 th percentile risk/burden	Census designated places where tracts are located
Properties at risk of wildfire in 30 years	14	<ul style="list-style-type: none"> • Brisbane • Daly City • Millbrae • South San Francisco • Misc unincorporated areas
Properties at risk of flood in 30 years	43	<ul style="list-style-type: none"> • Burlingame • East Palo Alto • Foster City • Menlo Park • Millbrae • Pacifica • Redwood City • San Bruno • San Carlos • San Mateo • South San Francisco • Misc unincorporated areas
Share of land area covered by impervious surface or cropland	16	<ul style="list-style-type: none"> • Daly City • North Fair Oaks • Redwood City • San Carlos • San Mateo • San
Expected agriculture loss rate	13	<ul style="list-style-type: none"> • Belmont • Colma • Daly City • Emerald Lake Hills • Highlands-Baywood Park



Indicator	No. of census tracts in San Mateo County above 90 th percentile risk/burden	Census designated places where tracts are located
		<ul style="list-style-type: none"> • Ladera • Menlo Park • Pacifica • Portola Valley • San Carlos • Woodside • Misc. unincorporated areas
Expected building loss rate (Natural Hazards Risk Index)	3	<ul style="list-style-type: none"> • La Honda • Ladera • Loma Mar • Pescadero • Portola Valley • Woodside • Misc. unincorporated areas

Geographic comparisons

Communities within San Mateo County differ from each other across several demographic and outcome areas. Table 4 highlights these differences. Findings of note include:

- People of color make up a majority of the population in San Mateo County. About 9 out of every 10 residents in Daly City and East Palo Alto are people of color.
- The percentage of the population with income below twice the federal poverty level is low across San Mateo County relative to state and national figures, with the exception of East Palo Alto and North Fair Oaks (which have similar percentages to the state and country). However, as noted previously, these figures differ across racial lines.
- About 1 in 6 residents of San Mateo County are considered limited English proficient (LEP). In Daly City, East Palo Alto, and North Fair Oaks more than 1 in 4 are LEP.
- The percentages of the countywide and individual city populations who live with a disability are similar to state and national figures.
- Half Moon Bay has a relatively high percentage of residents aged 65 and over (22%), compared to 16% for the county and region.
- Children and youth make up 21% of San Mateo County's population, which is comparable to region, state, and national figures.



- East Palo Alto and North Fair Oaks have relatively young populations: 8% of residents in East Palo Alto and 9% of North Fair Oaks are aged 65 and over; 25% of East Palo Alto residents and 26% of North Fair Oaks are under 18.
- 95% of households across the county have at least one vehicle. Where transit service is most robust (near Daly City and the San Francisco-Oakland metro region broadly), that figure is closer to 90%.

DRAFT



Table 4: Demographic comparisons of select geographic areas

	San Mateo County Pop: 764,442	Daly City Pop: 104,901	East Palo Alto Pop: 30,034	Half Moon Bay Pop: 11,795	North Fair Oaks Pop: 14,992	Pacifica Pop: 38,640	Redwood City Pop: 84,518	SF-Oak Metro Pop: 4.75M	California Pop: 39.5M
People of Color	64%	88%	92%	41%	81%	52%	60%	64%	65%
Below 200% Federal Poverty	15%	18%	29%	15%	31%	11%	21%	19%	29%
Limited English Proficient (LEP)	17%	28%	28%	16%	30%	9%	16%	16%	18%
People with Disabilities	8%	9%	8%	11%	6%	9%	7%	10%	11%
Over 65	16%	18%	8%	22%	9%	19%	13%	16%	14%
Under 18	21%	16%	25%	19%	26%	19%	22%	20%	23%
Zero Vehicle Households	5%	9%	4%	6%	3%	3%	5%	12%	7%
Rent Burdened Households	46%	54%	57%	33%	63%	44%	50%	44%	52%

C/CAG Equity Mapping Indicators

Category	Indicator	Threshold	Source
Baseline Equity Focus Areas (Indicators from C/CAG Bicycle & Pedestrian Plan)	People of color	Block group is in the top 20 th percentile of non-white population	2014-2018 ACS
	Low-income population	Block group is in the bottom 20 th percentile Median Household Income	2014-2018 ACS
	Zero vehicle households	Block group is in top 25 th percentile of percent of households without a vehicle	2014-2018 ACS
	Housing and transportation cost burdened households	Block group is in the top 25 th percentile of average combined annual housing and transportation costs	H+T Index
Recommended additions to baseline Equity Focus Areas	Limited English proficient (LEP) population	Census tract is in top 25 th percentile of percent speaking English less than “very well”	2017-2021 ACS
	Single parent households	Census tract is in top 25 th percentile of percent of children living with single parents	2017-2021 ACS
	Low-income seniors	Census tract is in top 25 th percentile of percent age 65+ AND meets low-income threshold	2017-2021 ACS
Transportation overlay	Risks to pedestrians and cyclists	High rate of severe collisions	San Mateo County Safe Routes to School Strategic Plan collision analysis
Housing overlay	Gentrification and displacement	Census tract considered “Probable Displacement risk”	California Estimated Displacement Index

Category	Indicator	Threshold	Source
Climate & Environmental Justice Overlay	Exposures, Environmental Effects, Sensitive Populations, and Socioeconomic Factors	Census tract score is in the top 25%	CalEnviroScreen
	Climate & EJ Community	<p>Above 90th percentile in at least 1 burden area between:</p> <ul style="list-style-type: none"> - Climate change - Energy - Health - Housing - Legacy pollution - Transportation - Water and wastewater - Workforce development <p>AND above 90th percentile in an associated socioeconomic area:</p> <ul style="list-style-type: none"> - Percent low-income (applies to all except workforce development) - Percent over age 25 with less than high school education (applies to workforce development only) 	EJ Screening Tool, White House Council on Environmental Quality

C/CAG AGENDA REPORT

Date: March 9, 2023

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

C/CAG staff recommend 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.)

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 advocate, Shaw Yoder Antwih Schmeltzer & Lange (SYASL). Important or interesting issues and positions taken by vote that arise out of the Legislative Committee meeting are reported to the Board verbally under this item.

The 2023-24 Legislative Session began on the same day as the swearing in of new legislators, December 5, 2022. New bills were introduced through February 17, 2022 and total 2500 plus, many of which are placeholder or spot bills.

The attached report from SYASL 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 Legislative Committee and Board meeting.

The Legislative Committee approved sending a letter to the legislature requesting additional flexibility in the Brown Act, at the January 12, 2023 meeting. The letter was drafted, reviewed,

signed, and delivered through SYASL at the end of January. There are currently four bills related to the Brown Act for this session and SYASL is clarifying their value to C/CAG's goals.

The SYASL monthly Legislative Update is attached to this staff report for review. The Legislative Committee will review and possibly vote on some bills, including those listed. Staff notes that ACA 1 (Aguiar-Curry), which would afford greater local control on taxes to fund a variety of infrastructure projects, is listed. The C/CAG Legislative Committee and Board supported a substantially similar bill in the past.

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 1, 2023 from Shaw Yoder Antwih Schmelzer & Lange

Below are informational links:

2. [Recent Joint ABAG MTC Legislation Committee Agendas](#)
3. [California State Association of Counties \(CSAC\) 2021-22 bill positions and tracking](#)
4. [California Associations of Councils of Government \(CALCOG\) bill tracking](#)
5. Daily legislative information and for specific bills at <http://leginfo.legislature.ca.gov/>
6. [2023 California State Calendar of Legislative Deadlines](#)
7. [San Mateo County Delegation Sponsored Legislation 2021](#)
 - [2022 Legislation from Assemblymember Marc Berman](#)
 - [2021 Legislation from Assemblymember Kevin Mullin](#)
 - [2022 Legislation from Assemblymember Phil Ting](#)
 - [2021 Legislation from Senator Josh Becker](#)
 - [2022 Legislation Senator Scott Wiener](#)
8. Bill Tracker for C/CAG by SYASL: [C/CAG Bill Tracking](#)
9. Current client roster for Shaw Yoder Antwih Schmelzer & Lange - <https://syaslparkers.com/clients/>



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March 1, 2023

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

From: Matt Robinson, Andrew Antwih and Silvia Solis Shaw
Shaw Yoder Antwih Schmelzer & Lange

Re: **STATE LEGISLATIVE UPDATE – March 2023**

Legislative Update

February 17 marked the bill introduction deadline for the first year of the 2023-24 Regular Session. This year, more than 2,500 bills were introduced by state legislators. In the coming weeks, many of the bills that were introduced to meet this legislative deadline will be significantly amended to meet the legislative deadline for amending “spot bills” of March 13. The Legislature will adjourn for Spring Recess on March 30, and reconvene on April 10. As we have previously reported, the Legislative Calendar, which sets the deadlines for the year, was released and can be viewed [here](#).

Taxpayer Protection and Government Accountability Act Qualifies

On February 2, Secretary of State Shirley Weber announced the proposed Initiative Constitutional Amendment, known as [the Taxpayer Protection and Government Accountability Act](#), is eligible for the November 5, 2024 ballot. This is significant to state and local governments due to its broad implications for raising local revenues. The proposal would adversely limit the ability of voters and state and local governments to raise revenues for government services. The Taxpayer Protection and Government Accountability Act states, “for new or increased state taxes currently enacted by a two-thirds vote of the Legislature, they will also require a statewide election and majority voter approval. This proposal limits voters’ ability to pass voter-proposed local special taxes by raising the vote requirement to two-thirds. It also eliminates voters’ ability to advise how to spend revenues from a proposed general tax on the same ballot as the proposed tax. Furthermore, this proposal expands the definition of “taxes” to include certain regulatory fees, broadening the application of tax approval requirements. Lastly, the proposal also would require the Legislature or a local governing body set certain other fees.

The summary of the estimate by the Legislative Analyst’s Offices Fiscal Impact on the State and Local Governments finds the initiative would lower annual state and local revenues, potentially substantially lower, depending on future actions of the Legislature, local governing bodies, voters, and the courts. To see the full LAO fiscal impact report, please see [here](#). To view a summary of the proposal done by the CA Association of Local Economic Development, please see [here](#).

In response, several local governments and impacted associations have formed a [coalition](#) in opposition. So far, the coalition includes the League of California Cities, California State Association of Counties, California Special Districts Association, California Professional Firefighters, California Alliance for Jobs, AFSCME, SEIU California, the CA State Association of Laborers, as well as over 150 local agencies, including over 50 special districts.

The [sponsors and supporters](#) of this measure, which include the California Business Roundtable, California Business Properties Association, and the Howard Jarvis Taxpayers Association, are pushing this effort largely in response to [recent court decisions](#) (beginning with Upland), which allow local tax measures placed on the ballot through the initiative (signature gathering) process to pass with a majority vote (Note: Sacramento endeavored to pass their recent transportation sales tax measure (Measure A) using this process, but the measure ultimately failed). ***The C/CAG Board should consider OPPOSING this potential ballot measure.***

Ballot Measure to Repeal Voter Approval Requirement for Affordable Housing

The California Constitution prohibits the development, construction, or acquisition of a low-rent housing project by any state public body until approved by a majority of the qualified electors of the city, town, or county in which the development, construction, or acquisition of the low-rent housing project is proposed. Placed on the March 5 Primary Election ballot by the Legislature through [SCA 2 \(Allen\)](#), this measure would repeal the above provisions by removing Article XXXIV of the California Constitution. SCA 2 did not receive a single “no” vote in the Legislature. ***The C/CAG Board should consider SUPPORTING this ballot measure.***

Establishment of Senate Select Committee on Bay Area Public Transit

On February 14, the Senate Rules Committee voted to establish the Senate Select Committee on Bay Area Public Transit. The committee will be comprised of Senators Scott Wiener (serving as Chair), Dodd, McGuire, Skinner, and Wahab. While the committee has not formalized its agenda, Senate staff have highlighted that the committee will highlight challenges and opportunities facing Bay Area transit agencies, including, but not limited to, decarbonization, regional coordination, and homelessness.

Brown Act and Remote Participation

On January 31, C/CAG sent a letter to the San Mateo County legislative delegation requesting they consider and/or support legislation that would maintain remote participation for meetings held by appointed boards and non-decision-making bodies beyond the [expiration](#) of the state of emergency on February 28, 2023. As of this writing, multiple bills have emerged dealing with the expiration of the state of emergency and the extending the remote participation provisions currently included in the Brown Act. We discuss the various Brown Act Bills below.

Bills of Interest

ACA 1 (Aguiar-Curry) Lower-Vote Threshold

This measure would authorize a local government, including a special district, to impose, extend, or increase a sales and use tax or transactions and use tax imposed, or a parcel tax, for the purpose of funding the construction, rehabilitation, or replacement of public infrastructure, defined to include projects for the reduction of pollution from stormwater runoff, improvements to transit and streets and highways and projects for the protection of property from the impacts of sea level rise, as well as for

affordable housing, if the proposition proposing that tax is approved by 55% of its voters. ***Recommend: SUPPORT.***

AB 761 (Friedman) Transit Transformation Task Force

This bill would require the Secretary of the California State Transportation Agency, on or before July 1, 2024, to establish and convene the Transit Transformation Task Force to include representatives from the department, the Controller's office, various local agencies, academic institutions, nongovernmental organizations, and other stakeholders. The bill would require the task force to develop a structured, coordinated process for early engagement of all parties to develop policies to grow transit ridership and improve the transit experience for all users of those services. The bill would require the secretary, in consultation with the task force, to prepare and submit a report of findings based on the task force's efforts to the appropriate policy and fiscal committees of the Legislature on or before January 1, 2025.

Brown Act Legislation

SB 411 (Portantino) Brown Act – Advisory Bodies in Large Cities

This bill creates a new section of law for legislative bodies to use teleconferencing outside of a declared state of emergency without posting the physical location of members or requiring a quorum to be present at a meeting location. However, the bill defines legislative body to mean an appointed board, commission, or advisory body and further defines advisory body established pursuant to the charter of a city with a population of more than 3,000,000 people.

SB 537 (Becker) Brown Act – Spot Bill

This bill states that it is the intent of the Legislature to enact subsequent legislation that expands local government's access to hold public meetings through teleconferencing and remote access. We have heard this bill may ultimately focused on multi-jurisdictional appointed boards.

AB 557 (Hart) Brown Act – Extension of Existing Authority

Beginning on January 1, 2024, this bill would extend the existing teleconferencing/remote-meeting authority that can be used when a declared state of emergency is in effect and would also extend the period for a legislative body to make the required findings related to the continuing state of emergency and social distancing from 30 days to 45 days after the first teleconferenced meeting, and every 45 days thereafter, in order to continue to meet. ***Recommend: SUPPORT.***

AB 817 (Pacheco) Brown Act – Advisory Bodies

This bill is currently a "spot" bill. However, this bill will likely be amended in the weeks ahead to provide a narrow exemption under the Brown Act for non-decision-making legislative bodies to participate in meetings via teleconferencing outside of a declared state of emergency without posting the physical location of members or requiring a quorum to be present at a meeting location.

For a full list of the bills we are tracking for C/CAG, please click [here](#).

C/CAG AGENDA REPORT

Date: March 9, 2023

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

From: Sean Charpentier, Executive Director

Subject: Communications - Information Only

(For further information, please contact Mima Crume at mcrume@smcgov.org)

BACKGROUND

This item is for information only and are available for review as attachments at the link provided below.

There is one letter.

1. **2/21/2023** – Comment Letter on State Water Resources Control Board Consideration of Own Motion Review of the Municipal Regional Stormwater Permit (MRP 3.0).

ATTACHMENTS

1. The written communications are available on the C/CAG Website:
<http://ccag.ca.gov/committees/board-of-directors/>