

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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

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

Meeting No. 366

Date: Thursday, July 13, 2023 Time: 6:30 p.m. Primary Location: San Mateo County Transit District Office 1250 San Carlos Ave, 2 nd Fl. Auditorium, San Carlos, CA Publicly Accessible Teleconference Location:	Join by Webinar: https://us02web.zoom.us/j/89514022875 ?pwd=MnliUG1Id0Q5M2xrY2MrSFIjN2ZEdz09 Webinar ID: 895 1402 2875 Password: 071323 Join by Phone: (669) 900-6833
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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 None.

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. 365 dated June 8, 2023.
ACTION p. 1
- 4.2 Review and approval of Resolution 23-57, authorizing the C/CAG Executive Director to execute a funding agreement with the City of Brisbane to purchase fiber conduit and install fiber for the Smart Corridor project in an amount not to exceed \$1,156,949, establish a contingency in the amount of \$115,695 (10% of contract) for a total project budget of \$1,272,643, and execute future amendments in an amount not-to-exceed the appropriated contingency.
ACTION p. 9
- 4.3 Review and approval of Resolution 23-65 for a one-year extension with StreetLight Data, Inc. and authorizing the C/CAG Chair to execute a third amended and restated Memorandum of Understanding (MOU) with participating agencies for one year beginning September 1, 2023, in the amount of \$363,000.
ACTION p. 13
- 4.4 Review and approval of Resolution 23-66 determining that a proposed five-story life sciences building at 1 Twin Dolphin Dr., Redwood City, is consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport.
ACTION p. 21
- 4.5 Review and approval of Resolution 23-67 determining that the Foster City Safety Element Update is consistent with both the San Carlos Airport and San Francisco International Airport Land Use Compatibility Plans.
ACTION p. 26
- 4.6 Review and approval of Resolution 23-68 determining that the Pacifica 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. 33
- 4.7 Review and approval of Resolution 23-69 authorizing the C/CAG Executive Director to accept a grant with the U.S. Environmental Protection Agency under the San Francisco Bay Water Quality Improvement Fund for a grant amount of \$3,366,000 to complete the Watching Our Watersheds Regional Trash Monitoring Project.
ACTION p. 40
- 4.8 Receive a copy of the agreement with BlinkTag, Inc. to provide C/CAG website maintenance support services through June 30, 2026, for a total amount not to exceed \$15,000.
INFORMATION p. 65
- 4.9 Review and approval of Resolution 23-70 authorizing the C/CAG Executive Director to execute a Funds Transfer Agreement with California Department of Transportation in the amount of \$760,000 for the San Bruno-Millbrae Buffered Bike Lane project.
ACTION p. 79

- 4.10 Review and approval of Resolution 23-71 authorizing the filing of an application \$2,100,000 assigned by the Metropolitan Transportation Commission (MTC) and committing \$274,669 in local matching funds and stating the assurance to complete the San Mateo County Safe Routes to School Program for the One Bay Area Grant Program 3 (OBAG 3). ACTION p. 82
- 4.11 Review and approval of Resolution 23-72 supporting the submittal of the Allocation Request for Regional Measure 3 Funding in the amount of \$2 million with the Metropolitan Transportation Commission by the San Mateo County Transportation Authority for the Project Approval and Environmental Document Phase of the US 101/SR 92 Interchange Direct Connector Project ACTION p. 88

5.0 REGULAR AGENDA

- 5.1 Review and approval of Resolution 23-73 accepting the Daly City and Southeast San Mateo County Community-Based Transportation Plans subject to minor modifications. ACTION p. 92
- 5.2 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. 104

6.0 COMMITTEE REPORTS

- 6.1 Chairperson's Report
- 6.2 Board Members Report/Communication

7.0 EXECUTIVE DIRECTOR'S REPORT

8.0 COMMUNICATIONS - Information Only

- 8.1 Written Communication – (Two Letters) p. 111

9.0 ADJOURNMENT

Next scheduled meeting September 14, 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 Courtyard, 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

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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

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

MINUTES

Meeting No. 365
June 8, 2023

HYBRID MEETING - IN-PERSON AND BY VIDEOCONFERENCE

This meeting of the C/CAG Board of Directors was held in person and by teleconference pursuant to Government Code Section 54953(e). Members of the public was able to participate in the meeting remotely via the Zoom platform and in person.

1.0 CALL TO ORDER/ ROLL CALL

Chair Davina Hurt called the meeting to order at 6:33p.m. Roll call was taken.

AGENCY:	IN-PERSON:	ABSENT:	REMOTE AB 2449	REMOTE Publicly Accessible Teleconference Location:
Atherton	Elizabeth Lewis			
Belmont	Davina Hurt			
Brisbane		Absent		
Burlingame	Ricardo Ortiz			
Colma	John Goodwin			
Daly City	Juslyn Manalo			
East Palo Alto		Absent		
Foster City	Stacy Jimenez			
Half Moon Bay		Absent		
Hillsborough	Christine Krolik			
Menlo Park		Absent		
Millbrae	Gina Papan			
Pacifica	Sue Vaterlaus			
Portola Valley		Absent		
Redwood City	Alicia Aguirre			
San Bruno	Michael Salazar			
San Carlos	Adam Rak			
San Mateo	Rich Hedges			
South San Francisco	Flor Nicolas			
Woodside	Ned Fluet			
San Mateo County		Absent		

C/CAG EX-OFFICIO (NON-VOTING) MEMBERS				
AGENCY:	IN-PERSON:	ABSENT:	REMOTE AB 2449	REMOTE Publicly Accessible Teleconference Location:
SMCTA		Absent		
SMCDT		Absent		

C/CAG Staff Present (In-Person):	Members of the Public (Remote):
Sean Charpentier – Executive Director	Kate Hartley – MTC/ABAG
Mima Crume – Clerk of the Board	Rebecca Long – MTC/ABAG
Melissa Andrikopoulos – Legal Counsel	Julia Wean – Steers
Audrey Shiramizu	
Eva Gaye	
Jeff Lacap	
Kaki Cheung	
Kim Springer	
Kim Wever	
Reid Bogert	
Susy Kalkin	
C/CAG Staff Present (Remote)	
Van Ocampo	

Other members of the public were in attendance remotely via the Zoom platform or in person.

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.

Clerk Crume reported that there were no public comments via the Zoom platform or in person.

3.0 PRESENTATIONS/ ANNOUNCEMENTS

3.1 Bay Area Housing Finance Authority (BAHFA) presentation on the Regional Affordable Housing Ballot Measure. INFORMATION

The Board received a presentation on Bay Area Housing Finance Authority (BAHFA) on the Regional Affordable Housing Ballot Measure. The BAHFA is part of the MTC and is focused on increasing funding for affordable housing throughout the region.

3.2 C/CAG's Countywide Stormwater Green Infrastructure Presentation. INFORMATION

The Board received a video presentation on C/CAG's Countywide Stormwater Green Infrastructure.

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. 364 dated May 11, 2023.

APPROVED

- 4.2 Review and approval of Resolution 23-45 determining that a proposed 242-unit multi-family residential development at 11 El Camino Real, San Carlos, is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport.

APPROVED

- 4.3 Review and approval of Resolution 23-46 determining that the Burlingame Draft 2023-2031 Housing Element is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport.

APPROVED

- 4.4 Review and approval of Resolution 23-47 authorizing the C/CAG Executive Director to execute a Cooperative Agreement with the San Mateo County Department of Housing for a Joint Workplan for Housing-Related Activities for FY 2023-24 in an amount not to exceed \$162,893.

APPROVED

- 4.5 Review and approval of the project list for funding under the Joint C/CAG and San Mateo County Transportation Authority Shuttle Program for FY 2023/2024 and FY 2024/2025, and approval of Resolution 23-48 authorizing the C/CAG Executive Director to execute a funding agreement with the City of Menlo Park for an amount not to exceed \$940,400 for the two-year period.

APPROVED

- 4.6 Review and approval of Resolution 23-49 authorizing the C/CAG Chair to execute an amendment to the funding agreement with City of South San Francisco for the construction phase of the South San Francisco Smart Corridor Expansion project, extending the term to June 30, 2024, for no additional cost.

APPROVED

- 4.7 Review and approval of Resolution 23-50 authorizing the C/CAG Executive Director to execute an agreement with Iteris, Inc. to provide Smart Corridor ITS Network Monitoring and Maintenance Support in an amount not to exceed \$1,000,000 over four years.

APPROVED

- 4.8 Review and approval of Resolution 23-33 authorizing the C/CAG Executive Director to execute funding agreement with the San Mateo County Transit District (SamTrans) for the allocation of Measure M Funds to support the countywide transit operations and senior transportation programs in a total amount of \$2,400,000 for Fiscal Years 2023/24 to 2024/25.

APPROVED

- 4.9 Review and approval of the Finance Committee's recommendation of no change to the investment portfolio and accept the Quarterly Investment Report as of March 31, 2023.

APPROVED

- 4.10 Review and accept the Transportation Fund for Clean Air (TFCA) Program Manager Fund Projects Financial Audit for Project Period Ended June 30, 2021. **APPROVED**
- 4.11 Fiscal Year 2023/24 Transportation Fund for Clean Air (TFCA) (40%) Program for San Mateo County:
- 4.11.1 Approval of Resolution 23-51 authorizing the C/CAG Executive Director to execute a Program Manager Funding Agreement with the Bay Area Air Quality Management District (BAAQMD) for the Fiscal Year 2023/24 Transportation Fund for Clean Air (TFCA) Program in an amount up to \$1,020,400. **APPROVED**
- 4.11.2 Approval of Resolution 23-52 authorizing the C/CAG Executive Director to execute a funding agreement with Commute.org in an amount up to \$600,000 under the Fiscal Year 2023/24 Transportation Fund for Clean Air (TFCA) Program to provide services related to the Countywide Voluntary Trip Reduction Program. **APPROVED**
- 4.11.3 Approval of Resolution 23-53 authorizing the C/CAG Executive Director to execute a funding agreement with Commute.org the in an amount up to \$46,400 using Fiscal Year 2023/24 Transportation Fund for Clean Air (TFCA) Program fund for the BART Shuttle Program. **APPROVED**
- 4.11.4 Approval of Resolution 23-54 authorizing the C/CAG Executive Director to execute a funding agreement with City of Pacifica in an amount up to \$358,247 using Fiscal Year 2023/24 Transportation Fund for Clean Air (TFCA) Program fund for the Sharp Park Priority Development Area Pedestrian Improvement Project. **APPROVED**
- 4.12 Review and approval of Resolution 23-55 authorizing the C/CAG Executive Director to execute an agreement with the Commute.org in the amount of \$510,000 in Congestion Relief Plan (CRP) Funds to provide services related to the FY 2023/24 Countywide Voluntary Trip Reduction Program. **APPROVED**
- 4.13 Review and approval of Resolution 23-56, authorizing the C/CAG Executive Director to execute a two-year agreement with Gray Bowen Scott for on-call consultant services for Federal and State funded project coordination and grant administration, and further authorizing the C/CAG Executive Director to negotiate and issue task orders under said agreement in an amount not to exceed \$300,000 for Fiscal Years 2023-24 and 2024-25. **APPROVED**
- 4.15 Review and approval of Resolution 23-58 authorizing the C/CAG Chair to execute Amendment No. 10 to the Agreement with the Bay Area Water Supply and Conservation Agency for the Rain Barrel and Rain Garden Rebate Program, extending the term to June 30, 2024, to provide rebates during Fiscal Year 2023-24 for no additional cost and a total Agreement amount not to exceed \$155,000. **APPROVED**
- 4.16 Review and approval of Resolution 23-59 authorizing the C/CAG Executive Director to execute Task Order EOA-16 with EOA for an amount not to exceed \$2,398,150 for Fiscal Year 2023-24 for technical support services to the Countywide Stormwater Program. **APPROVED**

- 4.17 Review and approval of Resolution 23-60, authorizing the C/CAG Executive Director to execute Amendment No. 1 to the outside legal counsel retainer with Colantuono, Highsmith & Whatley PC, extending the term to June 30, 2025 and adding an additional amount not to exceed \$10,000 for a new total contract amount not to exceed \$28,000 to support the Countywide Stormwater Program with stormwater funding discussions.
APPROVED
- 4.18 Review and approval of Resolution 23-35 authorizing the C/CAG Executive Director to execute a two-year amendment to the agreement between C/CAG and Ken Brown Strategic Consulting adding \$192,000 for a new total not to exceed amount of \$427,000 and extending the term through January 12, 2026.
APPROVED
- 4.19 Review and approval of Resolution 23-61 authorizing the C/CAG Chair to execute Amendment No. 11 to the agreement between C/CAG and the City of San Carlos to provide financial services to C/CAG for an amount not to exceed \$105,400 for Fiscal Year 2023-24.
APPROVED
- 4.20 Review and approval of Resolution 23-62 authorizing the prefunding of OPEB in an amount not to exceed \$55,000 for Fiscal Year 2022-23 through the California Employers' Retiree Benefit Trust Program (CERBT) of CalPERS.
APPROVED
- 4.21 Review and approval of appointment of Town of Portola Valley Councilmember Mary Hufty and City of Redwood City Councilmember Kaia Eakin to fill vacant elected official seats on the RMCP Committee.
APPROVED

Item 4.14 was removed from the consent agenda as it is still in negotiation.

4.14 Review and approval of Resolution 23-57, authorizing the C/CAG Executive Director to execute a funding agreement with the City of Brisbane to purchase fiber conduit and install fiber for the Smart Corridor project in an amount not to exceed \$831,924, establish a contingency in the amount of \$83,200 (10% of contract) for a total project budget of \$915,124, and execute future contract amendments in an amount not-to-exceed the appropriated contingency.
REMOVED

Board Member Papan MOVED to approve the consent agenda items 4.1 through 4.13 and 4.15 through 4.21. Board Member Manalo SECONDED. **MOTION CARRIED 15-0-0**

5.0 REGULAR AGENDA

- 5.1 Review and approval of Resolution 23-63 reauthorizing the San Mateo County Congestion Relief Plan (CRP) for four years from July 1, 2023, to June 30, 2027. (*Special voting procedures apply*).
APPROVED

The Board received a presentation on the Congestion Relief Program Plan FY2024-2027 (CRP). It was recommended that the CRP continue to support the four ongoing programs at a consistent level each year. The Countywide Shuttle program, Commute.org, 21 Elements and C/CAG's Climate Initiatives.

Board Member Rak MOVED to approve item 5.1. Vice Chair Ortiz SECONDED.

A Special Voting Procedure was taken by roll call. **MOTION CARRIED 15-0-0.**

Results: 15 Agencies approving. This represents 71% of the Agencies representing 80% of the population.

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

- 5.2 Review and approval of Resolution 23-64 adopting the C/CAG Fiscal Year 2023-24 Program Budget and Member Fees (*Special voting procedures apply*). **APPROVED**

The Board received a presentation update on the FY2023-2024 C/CAG Budget. Key updates included more current projected interest earning in FY 2022/23, estimated interest payments from the SMCEL-JPA on the C/CAG operating loan, and new information on projected revenues/expenditures for various projects.

Vice Chair Ortiz MOVED to approve item 5.2. Board Member Rak SECONDED.

A Special Voting Procedure was taken by roll call. **MOTION CARRIED 15-0-0.**

Results: 15 Agencies approving. This represents 71% of the Agencies representing 80% of the population.

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

- 5.3 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.)

Staff provided a brief overview of the June 8, 2023 C/CAG Legislative Committee meeting held earlier in the evening, including: the four bills voted on by the C/CAG Legislative Committee and the C/CAG Board at the May meeting were held in suspension, so no letters were sent; there has been a lot of focus in Sacramento on the budget deficit; several actions have been taken by the legislature on the Transit Fiscal Cliff; the Governor has delivered an Infrastructure Streamlining Package; there are two Climate Bond legislations; SB 511 (Blakespear) is now moving through committees on the assembly side; two housing bills were discussed by the Legislative Committee, and; SB 450 (Atkins) - Ministerial Approvals for Parcel Subdivisions was voted Oppose by the Legislative Committee.

Director Lewis MOVED to approve to oppose AB 450. Board Member Rak SECONDED. A roll call vote was taken. **MOTION CARRIED 15-0-0**

6.0 COMMITTEE REPORTS

6.1 Chairperson's Report

Chair Hurt reported that she has met with the Korean Trade Promotion Agency about mobility. Discussed about things that we are doing here in the County of San Mateo.

6.2 Board Members Report/Communication

Board Member Papan/MTC Commissioner reported that the Bay Area Housing Authority has had their meeting today. A rental assistance to prevent homelessness program was just launched. AB 1487 mandates including tenant protections, rental assistance and essential means of fulfilling obligations. Under this legislation they're going to approve likely one or two jurisdictions. Rental assistance for 48 months related to seniors to provide continuous rental assistance to prevent them from becoming homeless. It's a pilot program and really hoping that it can get to every single jurisdiction.

7.0 EXECUTIVE DIRECTOR'S REPORT

Sean Charpentier announced two milestones. Kim Wever graduated from the Emerging Leaders Program and Jeff Lacap graduated from CALCOG Regional Leader Program. In addition, the Express Lanes JPA Equity program was a finalist for an award for sustainable transportation projects and program at the California Transportation Foundation however, we were not selected. Lastly, the State issued their SB1 recommendations. There were four applications from San Mateo County. One has been recommended for funding to SamTrans related to conversion of their fleet. They did not recommend funding for the C/CAG, TA co-sponsored 92/101 improvement project, Redwood City 101 interchange project and LPP Colma project on Hillsdale.

8.0 COMMUNICATIONS – Information Only

8.1 Written Communication – one letter.

9.0 **ADJOURNMENT** – 7:46 p.m.

C/CAG AGENDA REPORT

Date: July 13, 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 23-57, authorizing the C/CAG Executive Director to execute a funding agreement with the City of Brisbane to purchase fiber conduit and install fiber for the Smart Corridor project in an amount not to exceed \$1,156,949, establish a contingency in the amount of \$115,695 (10% of contract) for a total project budget of \$1,272,643, and execute future amendments in an amount not-to-exceed the appropriated contingency.

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

RECOMMENDATION

Review and approval of Resolution 23-57, authorizing the C/CAG Executive Director to execute a funding agreement with the City of Brisbane to purchase fiber conduit and install fiber for the Smart Corridor project in an amount not to exceed \$1,156,949, establish a contingency in the amount of \$115,695 (10% of contract) for a total project budget of \$1,272,643, and execute future contract amendments in an amount not-to-exceed the appropriated contingency.

FISCAL IMPACT

The funding agreement amount is \$1,156,949. To streamline administrative process and further improve efficiencies, staff seeks authorization from the Board to establish a 10% contingency in the amount of \$115,695 to be authorized and executed by the C/CAG Executive Director in future contract amendments, if necessary. A total budget of \$1,272,643 can be available for the project.

SOURCE OF FUNDS

Funding for this agreement will come from local Measure M funds (the \$10 vehicle registration fee).

BACKGROUND

The San Mateo County Smart Corridor project has been a longstanding Agency priority. It 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, dynamic message signs, and vehicle detection system, on predefined designated local streets and state routes. The ITS infrastructure provides local cities and Caltrans with day-to-day traffic management capabilities to address recurring and non-recurring traffic congestion. The segments between City of San Bruno at the northern limits to the Santa Clara County line in the City of East Palo Alto has been completed. This portion of the project includes more than 238 intersections, 50 miles of fiberoptic communication cable, and 600 devices installed as part of the Smart Corridor, including 270 CCTV cameras, 117 trailblazer/arterial dynamic message signs, and 40 vehicle detection systems. The South San Francisco expansion is in construction and is expected to be complete in 2024.

ITEM 4.2

Continuing with the vision to build the Smart Corridor from the Santa Clara County line to the San Francisco County line, the Northern Cities segment is the next segment of the project. The project is a joint effort by the cities of Daly City and Brisbane, the Town of Colma, 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 2 to the staff report.

In order for the Smart Corridor devices to communicate with the Transportation Management Center, fiber optic communication infrastructure plays a critical role. The fiber communications network enables the sharing of data, supports coordinated and interoperable transportation systems across multiple jurisdictions, and facilitates technology-based transportation management strategies. Typically, Smart Corridor construction includes the installation of underground conduits for fiber optic cables, either by trenching the surface street or by direct underground boring.

Intermountain Infrastructure Group, LLC (IIG) has applied to the City of Brisbane for permits to excavate and install privately-owned conduits in various locations in the Right of Way (ROW) throughout the City. Portions of the routes in the IIG installation proposal overlap with the Smart Corridor alignment. As Smart Corridor project sponsor, C/CAG will fund the purchase of the conduits for the portion of the ROW covered in IIG's proposal that aligns with the Smart Corridor, as well as the cost of installing 288 strands of backbone fiber in the Smart Corridor conduits. Due to conduit and fiber shipment delays as seen in the South San Francisco segment of the Smart Corridor project, C/CAG and the City believe that proceeding with the purchase at this time will allow the project to maintain schedule and reduce some of the risks associated with supply chain challenges. Further, this purchase would result in significant construction cost savings.

Because the conduits will be in the City's ROW, the City will manage the procurement and installation of the conduit and fiber. C/CAG will reimburse the City's costs related to the conduit and fiber installation up to \$1,272,643. It is expected that the City will own and maintain the conduit, as well as sharing the 288 strands of fiber with C/CAG. Staff will bring a separate Ownership, Operations and Maintenance Agreement, along with a fiber sharing agreement with the City to the C/CAG Board for approval at a future meeting. C/CAG and the City of Brisbane anticipate that IIG will start the conduit construction in summer of 2023.

Staff recommends that the C/CAG Board approves and authorizes the C/CAG Executive Director to execute a funding agreement with the City of Brisbane to purchase fiber conduit and install fiber for the Smart Corridor project in an amount not to exceed \$1,156,949. Additionally, to streamline administrative process and further improve efficiencies, staff requests that the Board establishes a 10% contingency in the amount of \$115,695 to be authorized and executed by the C/CAG Executive Director in future amendments, if deemed necessary.

ATTACHMENTS

1. Resolution 23-57
2. Map of Northern Cities project corridors
3. Draft Funding Agreement (*The document is available to download at the C/CAG website at: www.ccag.ca.gov/ccag.html*)

RESOLUTION 23-57

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 BRISBANE TO PURCHASE FIBER CONDUIT AND INSTALL FIBER FOR THE SMART CORRIDOR PROJECT IN AN AMOUNT NOT TO EXCEED \$1,156,949, ESTABLISH A CONTINGENCY IN THE AMOUNT OF \$115,695 (10% OF CONTRACT) FOR A TOTAL BUDGET OF \$1,272,643, AND EXECUTE FUTURE 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 C/CAG sponsored San Mateo County Smart Corridor Project (Smart Corridor) is an Intelligent Transportation System (ITS) project that extends 20 miles along El Camino Real and major local streets connecting to US-101 and enables cities and the California Department of Transportation (Caltrans) to proactively manage daily traffic and non-recurring traffic congestion cause by diverted traffic due to major incidents on the freeway; and

WHEREAS, C/CAG, City of Brisbane, and Caltrans desire to extend the Smart Corridor into the City of Brisbane, which includes the installation of fiber optic communication network as well as deployment of an interconnected traffic signal system, close circuit video cameras, trailblazer/arterial dynamic message signs, and vehicle detection systems; and

WHEREAS, partnering with the City to purchase conduit and install fiber would significantly reduce the future construction costs and maintain project schedule; and

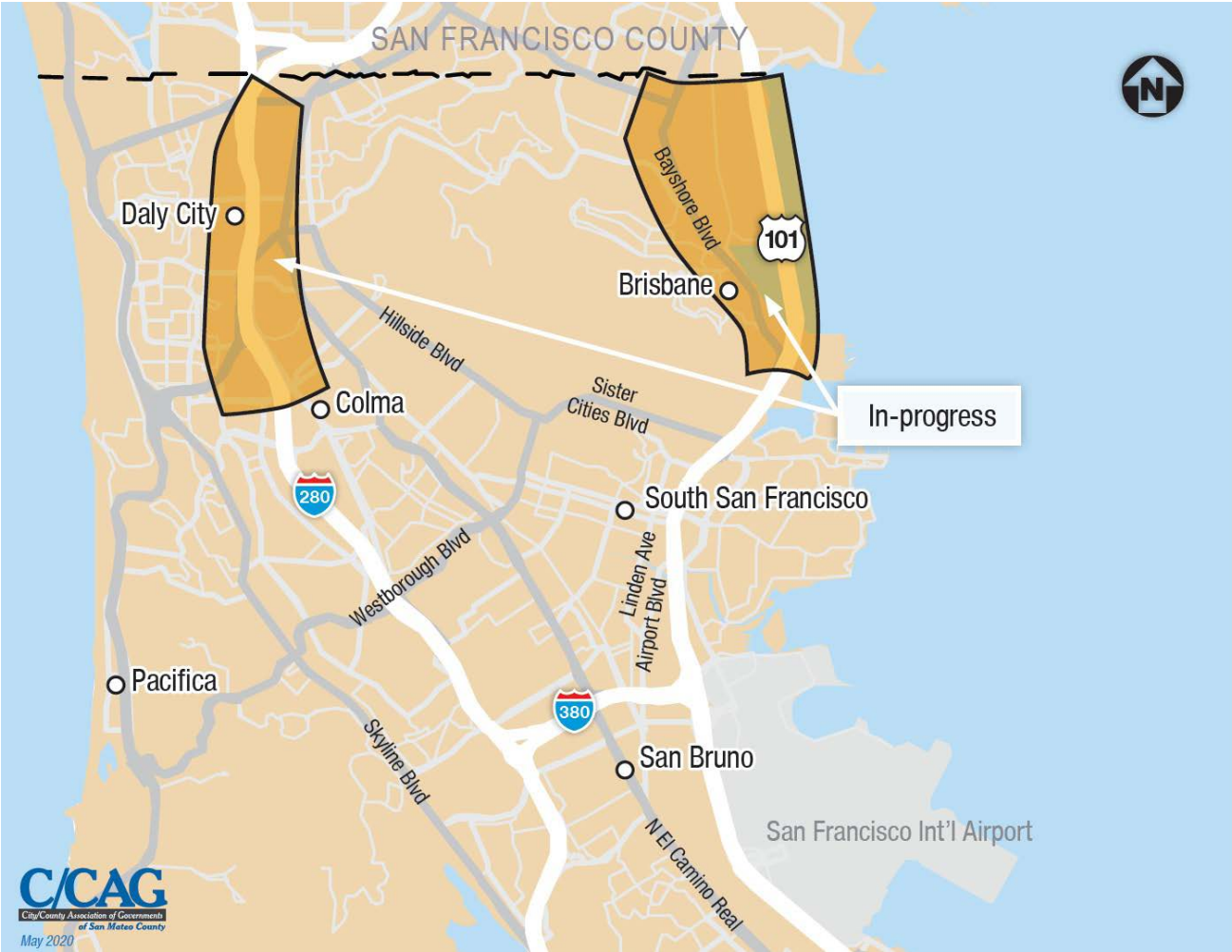
WHEREAS, C/CAG and the City of Brisbane desire to enter into a funding agreement for the purchase of Smart Corridor fiber conduit in an amount not to exceed \$1,156,949.

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 a funding agreement with the City of Brisbane to purchase fiber conduit and install fiber for the Smart Corridor Project in an amount not to exceed \$1,156,949, and establish a contingency in the amount of \$115,695 (10% of contract) for a total project budget of \$1,272,643. Be it further resolved that the Executive Director is authorized to negotiate the final terms prior to execution by parties, and 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 13TH DAY OF JULY 2023.

Davina Hurt, Chair

Northern Cities Project Limits



C/CAG AGENDA REPORT

Date: July 13, 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 23-65 for a one-year extension with StreetLight Data, Inc. and authorizing the C/CAG Chair to execute a third amended and restated Memorandum of Understanding (MOU) with participating agencies for one year beginning September 1, 2023 in the amount of \$363,000.

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

RECOMMENDATION

That the C/CAG Board reviews and approves Resolution 23-65 for a one-year extension with StreetLight Data, Inc. and authorizing the C/CAG Chair to execute a third amended and restated Memorandum of Understanding (MOU) with participating agencies for one year beginning September 1, 2023, in the amount of \$363,000.

FISCAL IMPACT

The cost to subscribe to StreetLight Data service for a one-year extension is \$363,000, which will be funded with a combination of the following:

- \$50,000 from C/CAG;
- \$25,000 from San Mateo County Transportation Authority (SMCTA);
- \$25,000 from San Mateo County Transit District (SMCTD); and
- \$263,000 in aggregate amount from 15 participating member agencies

SOURCE OF FUNDS

- San Mateo County Transportation Authority (SMCTA) Measure A Funds
- San Mateo County Transit District (SMCTD) Funds
- C/CAG Measure M (\$10 Vehicle Registration Fee)
- Member Agency Funds

BACKGROUND

At the April 2020 C/CAG Board meeting, the C/CAG Board approved a joint countywide subscription service to the StreetLight Data platform. StreetLight data is a data analytics platform that allows local jurisdiction staff to perform robust transportation analyses. Subsequently, C/CAG entered into a three-year agreement with StreetLight Data. The agreement was subject to annual

renewal. At the May 2021 C/CAG Board meeting, the C/CAG Board approved renewing the subscription for the second year. At the June 2022 C/CAG Board meeting, the C/CAG Board approved renewing the subscription for a third year.

Program participants in the year 2022-2023 included 15 cities/towns, the County of San Mateo, C/CAG, the San Mateo County Transportation Authority (SMCTA), and the San Mateo County Transit District/SamTrans (SMCTD). As of May 2023, approximately 185 total analyses have been conducted between September 1, 2022 and May 5, 2023, including vehicle miles traveled and origin and destination studies. There are currently 70 active users on the StreetLight Data platform.

With the third and final year of the original agreement ending on August 31, 2023, C/CAG reached out to current participants of the platform to gauge their interest in continuing a subscription to a big data platform. C/CAG also reached out to all other jurisdictions in the County to offer the opportunity to join the subscription. During outreach, most of the current participants and one new jurisdiction confirmed interest to participate in the subscription. Additionally, C/CAG is aware of pending legislation (Assembly Bill 744), which would allow the California Transportation Commission to establish guidelines, best practices, and funding for big data solutions for agencies, if passed. Because of the fluidity of the situation and potential change that would come with the proposed legislation, C/CAG is proposing to extend the Streetlight agreement for one year, starting on September 1, 2023 and reassess next year. The SMCTA, the SMCTD/SamTrans, and 15 cities/towns have since confirmed their participation for one year.

The subscription for the one-year extension is \$363,000, which is the same cost as the previous year (FY 2022-2023). The one-year extension will begin on September 1, 2023. The subscription fees are calculated based on population sizes. Table 1 below shows the actual third year (2022-2023) cost, and the estimated rates for the one-year extension (2023-2024). The estimated rates for 2023-2024 are slightly lower than 2022-2023 due to a “small city” leaving the subscription and a “large city” joining the subscription. All the parties have reviewed and agreed to the third amended and restated MOU and 2023-2024 subscription costs. Table 2 shows the participating agencies and their proposed costs.

Table 1: StreetLight Subscription Costs

Jurisdiction Size	Actual 2022-2023 Subscription Cost	Estimated 2023-2024 Subscription Cost
C/CAG	\$50,000	\$50,000
SMCTA	\$25,000	\$25,000
SMCTD/SamTrans	\$25,000	\$25,000
Large Cities (>60k pop.)	\$29,222	\$28,053.33
Medium Cities (15k-60k pop.)	\$18,264	\$17,533.33
Small Cities (<15k pop.)	\$7,305.50	\$7,013.33

Table 2: Participating Agencies and Proposed Proportional Share Amount

Agency	Proposed Proportional Share Amount
C/CAG	\$50,000
SMCTA	\$25,000
SMCTD/SamTrans	\$25,000
City of Redwood City	\$28,053.33
City of San Mateo	\$28,053.33
City of South San Francisco	\$28,053.33
County of San Mateo	\$28,053.33
City of Burlingame	\$17,533.33
City of East Palo Alto	\$17,533.33
City of Foster City	\$17,533.33
City of Menlo Park	\$17,533.33
City of Pacifica	\$17,533.33
City of San Bruno	\$17,533.33
City of San Carlos	\$17,533.33
Town of Atherton	\$7,013.33
City of Brisbane	\$7,013.33
Town of Colma	\$7,013.33
City of Half Moon Bay	\$7,013.33

At the July 13th Board meeting, staff requests that the Board reviews and approves Resolution 23-56 for a one-year extension to StreetLight Data services, and to authorize the C/CAG Chair to execute a third amended and restated Memorandum of Understanding (MOU) with participating agencies for one year beginning September 1, 2023, in the amount of \$363,000.

ATTACHMENT

1. Resolution 23-65
2. Amendment No. 2 with StreetLight Data
3. Third Amended and Restated Memorandum of Understanding (*available online at <https://ccag.ca.gov/committees/board-of-directors-2/>*)

RESOLUTION 23-65

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) APPROVING A ONE-YEAR EXTENSION WITH STREETLIGHT DATA, INC. AND AUTHORIZING THE C/CAG CHAIR TO EXECUTE A THIRD AMENDED AND RESTATED MEMORANDUM OF UNDERSTANDING WITH PARTICIPATING AGENCIES FOR ONE YEAR BEGINNING SEPTEMBER 1, 2023 IN THE AMOUNT OF \$363,000.

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

WHEREAS, C/CAG is the designated Congestion Management Agency responsible for the development and implementation of the Congestion Management Program for San Mateo County; and

WHEREAS, StreetLight Data is a transportation data analytics platform that allows local jurisdiction staff to perform robust transportation analyses; and

WHEREAS, the San Mateo County Transportation Authority (SMCTA) and San Mateo County Transit District (SMCTD) wish to participate in the subscription to StreetLight Data; and

WHEREAS, 15 C/CAG Member Agencies also wish to participate in the subscription to StreetLight Data and such participants are hereby collectively referred to as “JURISDICTIONS”; and

WHEREAS, C/CAG, SMCTA, SMCTD and JURISDICTIONS wish to partner together to jointly fund the one-year subscription to StreetLight Data; and

WHEREAS, the one-year cost of subscription \$363,000, of which C/CAG will provide \$50,000, the SMCTA will provide \$25,000, SMCTD will provide \$25,000, and the JURISDICTIONS will jointly provide the remaining \$263,000 with an estimated cost breakdown as follows:

- \$28,053.33 for a one-year subscription for participating agencies with populations over 50,000
- \$17,533.33 for a one-year subscription for participating agencies with populations between 15,000 and 50,000
- \$7,013.33 for a one-year subscription for participating agencies with populations below 15,000; and

WHEREAS, C/CAG has received confirmation of interest from its member JURISDICTIONS to participate in the subscription and cost sharing; and

WHEREAS, C/CAG will subscribe to StreetLight Data for one year with the SMCTA, SMCTD, and JURISDICTIONS as Named Users to access the agreement and subscription; and

WHEREAS, C/CAG desires to enter into a Third Amended and Restated Memorandum of Understanding (MOU) with the SMCTA and SMCTD to provide an amount of \$25,000 each respectively for a one-year subscription, and SMCTA and SMCTD are listed as a named user to access the subscription; and

WHEREAS, C/CAG desires to enter into a Third Amended and Restated MOU with JURISDICTIONS to provide an amount not to exceed the JURISDICTIONS's share based on its population as stated above at an aggregate total of \$263,000 for a one-year subscription, and JURISDICTIONS will be named as users to access the subscription; and

WHEREAS, C/CAG staff is continuing to work with the JURISDICTIONS, the SMCTA, and SMCTD on the Third Amended and Restated MOU. Such documents shall be reviewed and approved by C/CAG legal counsel prior to C/CAG Chair's signature; and

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 enter into the Third Amended and Restated Memorandum of Understanding in the amount of \$363,000 with the participating agencies for StreetLight Data Services. Be it further resolved that the C/CAG Executive Director is authorized to negotiate the final scope and terms of said materials prior to execution by all parties, subject to legal counsel approval.

PASSED, APPROVED, AND ADOPTED THIS 13th DAY OF JULY 2023.

Davina Hurt, Chair



AMENDMENT #2 TO DATA LICENSE AGREEMENT

THIS AMENDMENT #2 is entered into as of the date of last signature below (the, "Effective Date"), Between:

STREETLIGHT DATA, INC. a Delaware corporation, located at 4 Embarcadero Center, #3800, San Francisco, CA 94105

and

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY, a California located at 555 County Center, 5th Floor, Redwood City, CA 94063

(hereinafter referred to as "StreetLight")

(hereinafter referred to as "Customer")

of the First Part

of the Second Part

WHEREAS the parties hereto entered into a Data License Agreement as of April 30, 2020 which together with any duly executed amendments shall hereinafter be referred to as the "Agreement";

WHEREAS the parties Amended the Agreement on June 09, 2020;

AND WHEREAS, the parties wish to further amend the Agreement as set out below.

NOW THEREFORE in consideration of the mutual covenants herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. SECTION 9.1 Term is extended through August 31, 2024
2. Schedule Subscription Order is amended to include the attached Subscription Order2023 -2024.
3. Except as otherwise provided for above, all of the terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF the parties hereto have executed this Amendment as of the Effective Date.

STREETLIGHT DATA, INC.

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

SIGNATURE:

SIGNATURE:

NAME:

NAME:

TITLE:

TITLE:

DATE:

DATE:

SCHEDULE A
SUBSCRIPTION ORDER 2023 -2024

This Subscription Order is hereby attached to the Master Data Access Agreement entered into between StreetLight Data, Inc. and City/County Association of Governments of San Mateo County on April 30, 2020 ("the Agreement")

I. Subscription Term: As of September 01, 2023 for a period of one (1) year.

II. Subscription Services:

Enterprise Subscription Package	TAZs	TOTAL
✓ Solution Package - All Metrics / All Modes (formerly known as Multimode)	522	\$363,000.00

III. Delivery: Delivery via *StreetLight InSight* Web App.

IV. Product Special Terms: Up to 100 Users of Customer may run an unlimited number of analyses within a specified area of the United States, provided that the analyses are not run in more TAZs than is identified in the Subscription Services section above.

V. Permitted Use of Subscribed Output: For governmental transportation planning and operational analysis.

VI. Notices

Any notices under this Agreement will be directed, if to Customer, to the Contact listed above, and if to StreetLight, at:

ATTN: Legal Department,
 StreetLight Data, Inc.
 4 Embarcadero Center, Suite 3800,
 San Francisco, CA 94105
 Email: legal@streetlightdata.com

VII. Customer Input Files: Customer will provide input Zones containing the boundaries of the Zones and directionality designation (if necessary) either via spatial files or via the StreetLight InSight® Web Application. A Zone can be a road segment, a TAZ or any other geospatial shape as defined by Customer. StreetLight Data may modify Zones to improve Metric results.

VIII. Payment Terms:

Payment due within thirty (30) days of the Effective Date. Payment is accepted by check or ACH/EFT.

StreetLight Data Preferred Payment Method: ACH/EFT

Bank of America
 302 Folsom St, San Francisco, CA 94105
 Bank Routing Number (ACH): 111000012
 Bank Routing Number (wires): 026009593
 Bank Account Name: Streetlight Data, Inc.
 Bank Account Number: 4451744791
 Remittance Notification Email: ar@streetlightdata.com

Please remit payment, if by check to:
 StreetLight Data, Inc.
 4 Embarcadero Center, Suite 3800,
 San Francisco, CA 94105

GST/HST #76010 9512 RT0001

CUSTOMER ACKNOWLEDGES THAT IT HAS READ THIS SUBSCRIPTION ORDER DOCUMENT AND THE CORRESPONDING AGREEMENT, AND UNDERSTANDS AND AGREES TO BE LEGALLY BOUND BY THEIR TERMS.

C/CAG AGENDA REPORT

Date: July 13, 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 23-66 determining that a proposed five-story life sciences building at 1 Twin Dolphin Dr., Redwood City, is 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 23-66 determining that a proposed five-story life sciences building at 1 Twin Dolphin Dr., Redwood City, is consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport (San Carlos ALUCP).

BACKGROUND

Redwood City is processing an application for a new life sciences building at 1 Twin Dolphin Drive. The proposal includes demolition of existing site improvements and construction of a 5-story life sciences structure atop a two-level parking podium.

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

ALUCP Consistency Evaluation

The San Carlos ALUCP contains policies and criteria to address four issues: (a) aircraft noise compatibility policies and criteria, (b) safety policies and criteria, and (c) airspace protection policies, and (d) overflight notification. The following sections address each issue.

(a) Noise Policy Consistency Analysis

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 Exh. 4-2, **Attachment 3**, the subject property lies within the bounds of the 60-64 dB CNEL contour. Per Table 4-3 “Noise Compatibility Criteria”, office buildings, laboratories and research and development uses are deemed compatible without restrictions, so the project is consistent with the Noise Policies of the 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 ALUCP Exh. 4-3, **Attachment 4**, the project site is located within Safety Zone 6. Safety Zone 6 does not limit nonresidential intensities and does not restrict office or medical/biological research facilities. As a result, the proposed project is consistent with the safety policies and criteria.

(c) Airspace Protection Policy Consistency Analysis

Structure Heights

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 Form 7460-1.

The applicant has complied with the FAA filing requirements and received a “Determination of No Hazard to Air Navigation”, **Attachment 5**, so the building height complies with the Airspace Protection policies.

Other Flight Hazards

Within AIA B, certain land use characteristics are recognized as hazards to air navigation and, per Airspace Protection Policy 6, need to be evaluated to ensure compatibility with FAA rules and regulations. These characteristics include the following:

- Sources of glare, such as highly reflective buildings, building features, or blight lights including search lights, or laser displays, which would interfere with the vision of pilots in command of an aircraft in flight;
- Distracting lights that could be mistaken for airport identification lightings, runway edge lighting, runway end identification lighting, or runway approach lighting;

- Sources of dust, smoke, water vapor, or steam that may impair the visibility of a pilot in command of and aircraft in flight;
- Sources of electrical/electronic interference with aircraft communications/navigation equipment; or
- Any use that creates an increased attraction for wildlife, particularly large flocks of birds, that is inconsistent with FAA rules and regulations, including but not limited to *FAA Order 5200.5A, Waste Disposal Site On or Near Airports* and *FAA Advisory Circular 150/5200-33B, Hazardous Wildlife Attractants On or Near Airports* and any successor or replacement orders or advisory circulars.

The proposed project does not include any features that would present unusual hazards to air navigation and therefore is determined to be compatible with Airspace Protection Policy 6.

(d) Overflight Policy Consistency Analysis – Real Estate Transfer Disclosure Area

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* (Residential Projects only). Overflight Policy 1 requires that a statement be included in any 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 application materials acknowledge the real estate transfer disclosure requirements, consistent with the policy.

Airport Land Use Committee

The item was scheduled for discussion at the Airport Land Use Committee meeting on June 22, 2023, however the meeting was not officially convened due to lack of a quorum. Staff presented the proposal as an information item and requested comments from the committee members and public in attendance, noting any comments would be forwarded to the C/CAG Board/ALUC for consideration. No comments were received.

ATTACHMENTS

1. Resolution 23-66

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 – Airport Safety Zones
5. FAA No Hazard Determination

RESOLUTION 23-66

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 A FIVE-STORY LIFE SCIENCES BUILDING AT 1 TWIN DOLPHIN DR., REDWOOD CITY, IS 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 (ALUC), 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 until such documents are determined consistent all proposed development projects within Airport Influence Area B (AIA B) are subject to ALUC review; and

WHEREAS, Redwood City is processing an application for a five-story life sciences building at 1 Twin Dolphin Dr., located within AIA B, 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. According to San Carlos ALUCP Exhibit 4-2, the subject property lies within the bounds of the 60-64 dB CNEL contour, and per Table 4-3 “Noise Compatibility Criteria”, office buildings, laboratories and research and development uses are deemed compatible without restrictions, so the project is consistent with the Noise Policies of the ALUCP.
- (b) Safety Policy Consistency – The San Carlos ALUCP includes six sets of safety zones and related land use compatibility policies and criteria. According to San Carlos ALUCP Exhibit 4-3, the project site is located within Safety Zone 6. Per San Carlos ALUCP Table 4-4, Safety Compatibility Criteria, Safety Zone 6 does not limit nonresidential intensities and does not restrict office or medical/biological research facilities. As a result, the proposed project is consistent with the safety policies and criteria.
- (c) Airspace Protection Policy Consistency – The San Carlos ALUCP includes airspace protection policies intended to prevent creation of structures and land use features that can be hazards to aircraft in flight.

1. Structure Heights – 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. The applicant has complied with the FAA filing requirements and received a “Determination of No Hazard to Air Navigation”, so the building height complies with the Airspace Protection policies.
 2. Other Hazards – Within AIA B, certain land use characteristics (sources of glare, dust, smoke, steam, electrical interference, distracting lights, wildlife attractants, etc.) are recognized as hazards to air navigation and, per Airspace Protection Policy 6, need to be evaluated to ensure compatibility with FAA rules and regulations. The proposed project does not include any features that would present unusual hazards to air navigation and therefore is determined to be compatible with Airspace Protection Policy 6.
- (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* (Residential Projects only). The application materials acknowledge the real estate transfer disclosure requirements, consistent with Overflight Policy 1.

WHEREAS, the proposed project was scheduled for discussion at the Airport Land Use Committee meeting on June 22, 2023, however the meeting was not officially convened due to lack of a quorum. Staff presented the proposal as an information item and requested comments from the committee members and public in attendance, noting any comments would be forwarded to the C/CAG Board/ALUC for consideration, and no comments were received.

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 the proposed five-story life sciences building at 1 Twin Dolphin Dr., 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 13TH DAY OF JULY 2023.

Davina Hurt, Chair

C/CAG AGENDA REPORT

Date: July 13, 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 23-67 determining that the Foster City Safety Element Update is consistent with both the San Carlos Airport and San Francisco International Airport Land Use Compatibility Plans.

(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 23-67 determining that the Foster City Safety Element Update is consistent with both the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport* (San Carlos ALUCP) and the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport* (SFO ALUCP).

BACKGROUND

The City of Foster City is located within Airport Influence Area B (AIA B) for both the San Carlos and San Francisco International Airports. They have recently prepared a draft Safety Element Update and have forwarded it to C/CAG, acting as the Airport Land Use Commission, for a determination of consistency with relevant airport / land use compatibility criteria in both the San Carlos and SFO ALUCPs, pursuant to California Public Utilities Code (PUC) Section 21676(b).

The Safety Element is one of seven mandatory elements of the General Plan. The principal purpose of the element is the identification of potential risks within the city that pose a threat to the community's welfare, public health, and overall safety and to outline a set of goals, policies, and implementation actions to address those risks.

Of relevance to ALUCP compatibility, the Safety Element includes a new section entitled, "Consistency with Airport Land Use Compatibility Plans", which references the applicable airport land use compatibility criteria for each ALUCP. Also included is a specific goal to "Minimize risks of potential hazards in the vicinity of SFO and San Carlos Airports", and an associated implementation action to "Comply with the project referral, airspace protection, real estate transaction disclosure and overflight notification policies of the SFO and San Carlos ALUCPs". Relevant excerpts are included in the application materials, **Attachment 2**.

DISCUSSION

I. SFO ALUCP Consistency Evaluation

Four airport land use compatibility factors are addressed in the SFO ALUCP that relate to the Safety Element update. These include policies for: (a) airport influence area, (b) noise compatibility, (c) safety

compatibility, and (d) airspace protection. The following sections address each factor.

(a) Airport Influence Area Policies

The SFO ALUCP contains two airport influence area policies, IP-1 and IP-2. IP-1 reflects the real estate disclosure requirements of state law which apply in AIA A, a broad area that includes all of San Mateo County. Policy IP-2 applies within AIA B, the Policy/Project Referral Area, and requires that all land use policy documents (general plan, specific plan, zoning ordinance amendments) affecting real property within AIA B be submitted for review an ALUCP consistency review prior to local adoption.

The draft Safety Element references both of these requirements and is therefore determined to be consistent with the Airport Influence Area policies of the SFO ALUCP.

(b) Noise Compatibility

The CNEL 65 dB aircraft noise contour defines the noise impact area for SFO. All land uses located outside of this contour are deemed consistent with the noise compatibility policies of the ALUCP. This noise impact area does not extend into Foster City and therefore the draft Safety Element is consistent with the SFO ALUCP Noise Compatibility policies.

(c) Safety Compatibility

The SFO ALUCP includes five safety zones and related land use compatibility policies and criteria. None of the Safety Zones extends into Foster City, so the Safety Element would not be impacted by any of the Safety Compatibility Policies.

(d) Airspace Protection

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. The SFO ALUCP includes four Airspace Protection Policies:

- Policy AP-1 requires jurisdictions to notify sponsors of proposed projects to file Form 7460-1 with the Federal Aviation Administration (FAA) for any proposed project that may exceed the FAA notification height. Policy AP-1 also requires the local jurisdiction to consider FAA determination study findings as part of its review and decision on a proposed project.
- Policy AP-2 requires project sponsors to comply with the findings of FAA aeronautical studies with respect to any recommended alteration in building design, height, and marking and lighting to be consistent with the ALUCP.
- Policy AP-3 requires proposed projects to comply with structure height provisions outlined in the ALUCP including the critical aeronautical surfaces map and the heights determined by the FAA.
- Policy AP-4 requires proposed projects to undergo review for compatibility with other flight hazards as outlined in the policy, including but not limited to, sources of glare, dust, smoke, electrical interference, etc.

The draft Safety Element references all of these requirements and is therefore determined to be consistent with the Airspace Protection policies of the SFO ALUCP.

II. San Carlos ALUCP Consistency Evaluation

Five airport / land use compatibility factors are addressed in the San Carlos ALUCP that relate to the Safety Element update. These include policies for: (a) noise compatibility, (b) safety compatibility, (c) airspace protection, (d) airport influence area, and (e) overflight compatibility. The following sections address each factor.

a) Noise Compatibility

Pursuant to San Carlos ALUCP Noise Policy 1, the CNEL 60 dB contour defines the noise impact area of the Airport. All land uses located outside of this contour are deemed consistent with the noise compatibility policies of the ALUCP. Foster City limits lies entirely outside of the CNEL 60 dB contour from the San Carlos Airport and therefore the Safety Element is consistent with the Noise Compatibility policies.

(b) Safety Compatibility

The San Carlos ALUCP includes six safety zones and related land use compatibility policies and criteria. None of the Safety Zones extends into Foster City, so the Safety Element would not be impacted by any of the Safety Compatibility Policies.

(c) Airspace Protection

The San Carlos 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. The following summarizes the Airspace Protection policies:

- Airspace Protection Policy 1 requires local jurisdictions to notify the FAA of proposals related to the construction of potentially hazardous structures and to evaluate proposed projects in accordance with the airspace protection policies identified in the ALUCP.
- Airspace Protection Policy 2 requires jurisdictions to notify sponsors of proposed projects to file Form 7460-1 with the FAA for any proposed project that may exceed the FAA notification height.
- Airspace Protection Policy 3 requires proposed project sponsors to comply with the findings of FAA aeronautical studies with respect to any recommended alterations in the building design and height and any recommended marking or lighting within the property project.
- Airspace Protection Policy 4 sets forth criteria for determining the acceptability of a project with respect to height.
- Airspace Protection Policy 5 requires projects to be compatible with the maximum building height as outlined in the policy.
- Airspace Protection Policy 6 requires proposed projects to undergo review for compatibility with other flight hazards as outlined in the policy, including but not limited to, sources of glare, dust, smoke, electrical interference, etc.

The draft Safety Element references all of these requirements and is therefore determined to be consistent with the Airspace Protection policies of the San Carlos ALUCP.

(d) Airport Influence Area

The San Carlos ALUCP contains two airport influence area policies. Policy 1 reflects the real estate disclosure requirements of state law which apply in AIA A, a broad area that includes all of San Mateo County. Policy 2 applies within AIA B, the Policy/Project Referral Area, and requires that all land use policy documents (general plan, specific plan, zoning ordinance amendments) affecting real property within AIA B be submitted for review an ALUCP consistency review prior to local adoption.

The draft Safety Element references both of these requirements and is therefore determined to be consistent with the Airport Influence Area policies of the SFO ALUCP.

(e) Overflight Compatibility

The San Carlos ALUCP contains two policies regarding overflight compatibility which are generally “buyer awareness” measures focused on informing prospective buyers and/or tenants of property within the vicinity of an airport about the airport’s impact on the property. 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) shall incorporate a recorded overflight notification requirement as a condition of approval.

The draft Safety Element reflects both of these policies and is therefore determined compatible with the Overflight Compatibility policies of the San Carlos ALUCP.

Airport Land Use Committee

The item was scheduled for discussion at the Airport Land Use Committee meeting on June 22, 2023, however the meeting was not officially convened due to lack of a quorum. Staff presented the Safety Element Update as an information item and requested comments from the committee members and public in attendance, noting any comments would be forwarded to the C/CAG Board/ALUC for consideration. No comments were received.

ATTACHMENTS

1. Resolution 23-67

The following attachment is 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 w/ALUCP related excerpts

The following document is available for download from the project website:
<https://protect-us.mimecast.com/s/JbE-CPNKzmuzvYI8uzIvMT>

3. City of Foster City General Plan Safety Element –Public Review Revised Draft – 5/30/2023 - Redline

RESOLUTION 23-67

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 FOSTER CITY SAFETY ELEMENT UPDATE IS CONSISTENT WITH BOTH THE SAN CARLOS AIRPORT AND SAN FRANCISCO INTERNATIONAL AIRPORT LAND USE COMPATIBILITY PLANS.

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 Foster City has referred its Safety Element Update 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, the Safety Element Update identifies potential risks within the city that pose a threat to the community's welfare, public health, and overall safety and outline goals, policies, and implementation actions to address those risks; and

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

- (a) **Airport Influence Area** – The SFO ALUCP contains two airport influence area policies, IP-1 and IP-2. IP-1 reflects the real estate disclosure requirements of state law which apply in AIA A, a broad area that includes all of San Mateo County. Policy IP-2 applies within AIA B, the Policy/Project Referral Area, and requires that all land use policy documents (general plan, specific plan, zoning ordinance amendments) affecting real property within AIA B be submitted for review an ALUCP consistency review prior to local adoption. The draft Safety Element references both of these requirements and is therefore determined to be consistent 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, and all land uses located outside this contour are deemed consistent with the noise compatibility policies of the ALUCP. This noise impact area does not extend into Foster City and therefore the draft Safety Element is consistent with the SFO ALUCP Noise Compatibility policies.
- (c) **Safety Compatibility** – The SFO ALUCP includes five safety zones and related land use compatibility policies and criteria. None of the Safety Zones extends into Foster City, so

the Safety Element would not be impacted by any of the SFO ALUCP Safety Compatibility policies.

- (d) **Airspace Protection** - The SFO ALUCP includes four Airspace Protection Policies, all of which are directly referenced in the draft Foster City Safety Element, so the Safety Element is determined to be consistent with the Airspace Protection policies of the SFO ALUCP; and

WHEREAS, five airport/land use compatibility factors are addressed in the San Carlos ALUCP that relate to the Safety Element Update, including: (a) noise compatibility, (b) safety compatibility, (c) airspace protection, (d) Airport Influence Area, and (e) overflight compatibility, as discussed below:

- (a) **Noise Compatibility** - The CNEL 60 dB aircraft noise contour defines the threshold for airport noise impacts established in the San Carlos ALUCP, and all land uses located outside this contour are deemed consistent with the noise compatibility policies of the ALUCP. Per ALUCP Exhibit 4-2, the CNEL 60 dB contour does not extend into Foster City, so the Safety Element Update is consistent with the San Carlos ALUCP Noise Policies.
- (b) **Safety Compatibility** – The San Carlos ALUCP includes six safety zones and related land use compatibility policies and criteria. Per San Carlos ALUCP Exhibit 4-3, none of the Safety Zones extends into Foster City, so the Safety Element Update is not impacted by any of the Safety Compatibility Policies.
- (c) **Airspace Protection** - The San Carlos ALUCP includes six airspace policies that establish maximum heights and other compatibility criteria for new projects. The draft Foster City Safety Element references all of these policies, so the Safety Element is determined to be consistent with the Airspace Protection policies of the San Carlos ALUCP.
- (d) **Airport Influence Area** – The San Carlos ALUCP contains two airport influence area policies. Policy 1 reflects the real estate disclosure requirements of state law which apply in AIA A, a broad area that includes all of San Mateo County. Policy 2 applies within AIA B, the Policy/Project Referral Area, and requires that all land use policy documents (general plan, specific plan, zoning ordinance amendments) affecting real property within AIA B be submitted for review an ALUCP consistency review prior to local adoption. The draft Safety Element references both of these requirements and is therefore determined to be consistent with the Airport Influence Area policies of the SFO ALUCP.
- (e) **Overflight Compatibility** - The San Carlos ALUCP contains two policies regarding overflight compatibility which are generally “buyer awareness” measures focused on informing prospective buyers and/or tenants of property within the vicinity of an airport about the airport’s impact on the property. The draft Safety Element reflects both of these policies and is therefore determined compatible with the Overflight Compatibility policies of the San Carlos ALUCP; and

WHEREAS, the Safety Element Update was scheduled for discussion at the Airport Land Use Committee meeting on June 22, 2023, however the meeting was not officially convened due to lack of a quorum. Staff presented the proposal as an information item and requested comments from the

committee members and public in attendance, noting any comments would be forwarded to the C/CAG Board/ALUC for consideration, and no comments were received.

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 the Foster City Safety Element Update is consistent with both the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport* (San Carlos ALUCP) and the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport* (SFO ALUCP).

PASSED, APPROVED, AND ADOPTED, THIS 13TH DAY OF JULY 2023.

Davina Hurt, Chair

C/CAG AGENDA REPORT

Date: July 13, 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 23-68 determining that the Pacifica 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 23-68 determining that the Pacifica Draft 2023-2031 Housing Element is consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport, subject to the following conditions:

- Prior to adoption, the City of Pacifica shall amend the draft Housing Element to include general discussion of relevant SFO ALUCP policies and criteria, specifically including:
 - Requirements to refer land use policy actions (including general plan, specific plan and zoning ordinance amendments) and development projects affecting property located within AIA B to the ALUC for its review and determination prior to local adoption/approval.
 - Noise Compatibility criteria and related implementation measures, and specifically with the requirement to comply with the Noise/Land Use Compatibility Criteria and related mitigation measures contained in SFO ALUCP Table IV-1.
 - Requirements to comply with the Airspace Protection Policies.

BACKGROUND

Pacifica 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 a portion of the 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 Pacifica for this planning cycle is 1,892 units.

The Draft Housing Element includes an inventory of housing opportunity sites identified for development or redevelopment of mixed-use or residential projects, with a combined development potential for 2,476 units. Of these, only four sites are located within AIA B:

Site #	Location	Capacity (units)
1	323 Beaumont Blvd	1
19	533 Hickey Blvd	15
25	Skyline Blvd (Caltrans ROW)	162
28	777 Hickey Blvd	41

DISCUSSION

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 protection.

Neither the Housing Element nor the General Plan includes reference to compliance with ALUCP compatibility policies. Therefore, the following conditions are recommended to ensure compliance:

- Prior to adoption, the City of Pacifica shall amend the draft Housing Element to include general discussion of relevant SFO ALUCP policies and criteria including:
 - Requirements to refer land use policy actions (including general plan, specific plan and zoning ordinance amendments) and development projects affecting property located within AIA B to the ALUC for its review and determination prior to local adoption/approval.
 - Noise Compatibility criteria and related implementation measures, including requirements to comply with the Noise/Land Use Compatibility Criteria and related mitigation measures contained in SFO ALUCP Table IV-1.
 - Requirements to comply with all Airspace Protection Policies.

(a) Airport Influence Area

The SFO ALUCP contains policies related to two Airport Influence Areas (AIAs), Area A and Area B. AIA A identifies the area where real estate disclosure requirements exist to identify proximity to SFO and potential annoyances or inconveniences that may result. AIA B is the project referral area, requiring formal action by the ALUC. Compliance with the conditions recommended above will ensure compliance 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. As shown, a very small area near Skyline and Hickey Boulevards lies within the CNEL 65-70 dB contour, and one of the housing opportunity sites, site 25, is located within this contour. As indicated on Table 4 of the application materials, **Attachment 2**, rezoning would be required to allow residential development on this site. Note that any such rezoning request would be subject to ALUC review at that time.

Compliance with the proposed conditions noted above will ensure compliance with the ALUCP Noise Policies and criteria.

(c) Safety Compatibility

The SFO ALUCP includes five safety zones and related land use compatibility policies and criteria. As shown on SFO ALUCP Exhibit IV-3, **Attachment 4**, the Safety Zones do not extend into Pacifica, and accordingly the Safety Compatibility policies do not apply to developments in this jurisdiction. Therefore, the Draft Housing Element is consistent with the SFO ALUCP safety policies.

(d) Airspace Protection

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.

The housing opportunity sites are depicted on **Attachment 2**, and as noted above, only four sites located in the northernmost portion of the city lie within AIA B. Utilizing SFO’s iALP Airspace Tool the estimated maximum heights for these four sites are shown below:

Site	Site Elev. (AMSL)	Max Ht. (AMSL)	Bldg Ht. Allowance
323 Beaumont Blvd	272’	850’	578’
533 Hickey Blvd	436’	800’	364’
Skyline Blvd (Caltrans ROW)	606-685’	783-800’	≥98’
777 Hickey Blvd	604’	800	196’

Pacifica’s Zoning Ordinance currently limits maximum heights to 35 feet, so future development of these sites would be well below the critical aeronautical surfaces. In addition, compliance with the

recommended conditions noted above will ensure consistency with the ALUCP Airspace Protection policies.

Airport Land Use Committee

The item was scheduled for discussion at the Airport Land Use Committee meeting on June 22, 2023, however the meeting was not officially convened due to lack of a quorum. Staff presented the Housing Element Update as an information item and requested comments from the committee members and public in attendance, noting any comments would be forwarded to the C/CAG Board/ALUC for consideration. No comments were received.

ATTACHMENTS

1. Resolution 23-68

The following attachment is 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 Contours
4. SFO ALUCP Exhibit IV-3 – AIA B, including Safety Contours
5. City of Pacifica Housing Element 2023-2031 – State Review Draft, May 2023

RESOLUTION 23-68

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 PACIFICA 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 Pacifica has referred its Draft Housing Element to C/CAG, acting as the Airport Land Use Commission, for a determination of consistency with the 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 Pacifica'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 proposed general plan housing element amendment. These include policies for: (a) airport influence area, (b) noise compatibility, (c) safety compatibility, and (d) airspace compatibility, as discussed below:

- a. Airport Influence Area – The SFO ALUCP contains policies related to two Airport Influence Areas (AIAs), Area A and Area B. AIA A identifies the area where real estate disclosure requirements exist to identify proximity to SFO and potential annoyances or inconveniences that may result. AIA B is the project referral area, requiring formal action by the ALUC. A condition is attached to this consistency determination to amend the Housing Element to reference this requirement and thereby ensure compliance.
- b. Noise Compatibility – The CNEL 65 dB aircraft noise contour defines the threshold for airport noise impacts established in the SFO ALUCP. A small area near Skyline and Hickey Boulevards lies within the CNEL 65-70 dB contour, and one of the housing opportunity sites, site 25, is located within this contour. Rezoning would be required to allow residential development on this site, which would be subject to ALUC review at that time. A condition is attached to this consistency determination to amend the Housing Element to reference the noise compatibility criteria and related implementation measures and thereby ensure compliance.
- c. Safety Compatibility – The SFO ALUCP includes five safety zones and related land use compatibility policies and criteria. Per SFO ALUCP Exhibit IV-3, the Safety Zones do not extend into Pacifica, and accordingly the Safety Compatibility policies do not apply to developments in this jurisdiction. Therefore, the Draft Housing Element is consistent with the SFO ALUCP safety policies.

- 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. Because airspace protection is not addressed in the General Plan or Housing Element, a condition is attached to this consistency determination to amend the Housing Element to reference the need to comply with the airspace protection policies and thereby ensure compliance.

WHEREAS, the Housing Element was scheduled for discussion at the Airport Land Use Committee meeting on June 22, 2023, however the meeting was not officially convened due to lack of a quorum. Staff presented the Housing Element Update as an information item and requested comments from the committee members and public in attendance, noting any comments would be forwarded to the C/CAG Board/ALUC for consideration, and no comments were received; and,

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the City/County Association of Governments for San Mateo County, acting as the San Mateo County Airport Land Use Commission, that subject to the conditions contained in Exhibit A, attached, the Pacifica Draft 2023-2031 Housing Element is determined to be consistent with the policies and criteria contained in the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport.

PASSED, APPROVED, AND ADOPTED, THIS 13TH DAY OF JULY 2023.

Davina Hurt, Chair

Resolution 23-68 – Conditions of Consistency Determination:

1. Prior to adoption, the City of Pacifica shall amend the draft Housing Element to include general discussion of relevant SFO ALUCP policies and criteria, specifically including:
 - a. Requirements to refer land use policy actions (including general plan, specific plan and zoning ordinance amendments) and development projects affecting property located within AIA B to the ALUC for its review and determination prior to local adoption/approval.
 - b. Noise Compatibility criteria and related implementation measures, and specifically with the requirement to comply with the Noise/Land Use Compatibility Criteria and related mitigation measures contained in SFO ALUCP Table IV-1.
 - c. Requirements to comply with the Airspace Protection Policies.

C/CAG AGENDA REPORT

Date: July 13, 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 23-69 authorizing the C/CAG Executive Director to accept a grant from the U.S. Environmental Protection Agency under the San Francisco Bay Water Quality Improvement Fund for a grant amount of \$3,366,000 to complete the Watching Our Watersheds Regional Trash Monitoring Project.

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

RECOMMENDATION

That the C/CAG Board review and approve Resolution 23-69 authorizing the C/CAG Executive Director to accept a grant from the U.S. Environmental Protection Agency under the San Francisco Bay Water Quality Improvement Fund for a grant amount of \$3,366,000 to complete the Watching Our Watersheds Regional Trash Monitoring Project.

FISCAL IMPACT

The San Francisco Bay Water Quality Improvement Fund grant program requires a 50% local match of \$3,366,000 million. The local match will be provided by C/CAG and 4 other participating agencies through in-kind contributions. C/CAG's commitment for the grant match is \$651,450 in in-kind program funds to be expended over the 5.5-year project term, including existing planned consultant services related to trash outfall monitoring activities. The other 4 participating agencies will provide the remaining \$2,714,555 of the local match through in-kind contributions. See Attachment 3 for more details. The grant also includes funding to reimburse C/CAG for its administrative expenses incurred through the administration of the grant.

SOURCE OF FUNDS

Matching funds will be provided as in-kind match through C/CAG's planned consultant services from the NPDES and Measure M countywide stormwater funds.

BACKGROUND

After submitting a successful application in September 2022, C/CAG was awarded a Fiscal Year 2023-24 San Francisco Bay Water Quality Improvement Fund (SFBWQIF) grant from the U.S. Environmental Protection Agency (USEPA) to administer and complete the Watching Our Watersheds (WOW) Regional Trash Monitoring Project. The WOW project is a regional project in collaboration with the Bay Area Municipal Stormwater (BAMS) Collaborative, which represents all municipal

agencies and supporting countywide stormwater programs that are subject to the Municipal Regional NPDES Stormwater Permit (MRP), including the Countywide Water Pollution Prevention Program (Countywide Program) and the San Mateo County MRP co-permittees. The USEPA manages the SFBWQIF as a competitive grant program to support projects to protect and restore the San Francisco Bay. Eligible projects must occur in one of the nine Bay Area counties draining to the San Francisco Bay and must help restore wetlands and watersheds, and/or reduce polluted runoff. The WOW project grant application was submitted under the Fiscal Year 2022-23 Request for Applications, but with substantially increased funding allocated by Congress for the subsequent year, the WOW project was recommended for funding under the Fiscal Year 2023-24 SFBWQIF program. The grant award amount is \$3,366,000 with a 50% (1:1) local match requirement (\$3,336,000 in matching funds), for a total project amount of \$6,732,000 to be expended over approximately 5.5 years. The matching funds will be provided by in-kind contributions from each of the participating countywide stormwater program partners based on population-based percentages of each countywide program (see Attachment 4). The WOW project will be implemented by local jurisdictions and countywide program representatives from the Alameda Countywide Clean Water Program (ACCWP), Contra Costa Clean Water Program (CCCWP), San Mateo Countywide Water Pollution Prevention Program (SMCWPPP), Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP), and the Solano Stormwater Alliance (SSA). C/CAG will administer the project with support from a Project Management Team with representatives from each of the participating countywide programs and will be reimbursed for all staff time spent managing the project. A selected consultant project manager will lead overall project execution and administration support. The proposed project timeline is Fiscal Year 2023-24 through Fiscal Year 2027-28.

A primary goal of the WOW project is to support C/CAG's member agencies as well as municipal stormwater programs throughout the Bay Area achieve cost effective compliance with new trash monitoring requirements in the reissued MRP. Specifically, the grant will help evaluate the effectiveness of installed trash controls and other on-land trash reduction actions and to assess the potential impacts of stormwater related trash discharges into receiving waters. The tasks proposed under the WOW project (as detailed in Attachment 3) will result in new monitoring protocols and networks that directly measure the levels of trash in stormwater discharges and in receiving waters. Additionally, the project will enhance regional partnerships between Bay Area municipalities and transportation agencies via the implementation of a regional anti-littering outreach campaign and expand engagement with environmental organizations via the characterization and analysis of trash monitoring data that will inform future trash source control implementation. Lastly, the project will disseminate the data-driven outcomes and conclusions with Bay Area stakeholders about effective trash controls and monitoring results.

The grant project is designed to achieve three key objectives:

1. Inform the effective implementation of **Stormwater Trash Controls and the application of On-land Visual Trash Assessment (OVTA) Methods** to demonstrate improvements in stormwater quality by:
 - Collecting data and compiling information on the effectiveness of local single-use plastic ordinances to reduce the generation of trash that ends up in stormwater and receiving waters;
 - Developing and implementing a regional litter reduction public education and outreach plan using materials developed by the Caltrans Clean California Initiative (CCI); and

- Identifying the extent of OVTA data needed to effectively demonstrate (with an acceptable level of statistical confidence) that stormwater trash reduction goals have been achieved in a catchment area.
- 2. Develop and implement a **Stormwater and Receiving Water Trash Monitoring Network** to test and refine methods to collect and interpret trash monitoring data and:
 - Verify that stormwater trash control measures have achieved mandated trash reduction goals;
 - Engage communities and stakeholders to evaluate trash reduction effectiveness alongside stormwater managers; and
 - Understand whether trash discharged from stormwater (or other trash pathways) is impacting local waterways.
- 3. Synthesize and **Disseminate Information and Knowledge** about best practices to reduce and prevent trash from entering the SF Bay to Project Partners, the public, and stakeholders by:
 - Developing a *Trash Monitoring Methods Guidance Document* with new information on tested stormwater outfall and receiving water monitoring methods;
 - Launching a web-based *Stormwater Trash Information Portal* with relevant information on effective stormwater trash control measures and trash monitoring and assessment methods; and
 - Conducting a *Trash Symposium* to present Project findings including lessons learned on stormwater trash control measure and monitoring program implementation.

The scope of work, budget, and timeline for the project are included in the WOW project Workplan (Attachment 2). C/CAG staff will be issuing a Request for Proposals with support from the BAMS Collaborative WOW Project Management Team to select a consultant(s) to complete the project.

ATTACHMENTS

1. Resolution 23-69
2. Watching Our Watersheds Regional Trash Monitoring Project Workplan
3. Table of Bay Area Municipal Stormwater Collaborative Partnering Program In-kind Matching Contributions

RESOLUTION 23-69

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING C/CAG TO ACCEPT A GRANT FROM THE U.S. ENVIRONMENTAL PROTECTION AGENCY UNDER THE SAN FRANCISCO BAY WATER QUALITY IMPROVEMENT FUND FOR A GRANT AMOUNT OF \$3,366,000 TO COMPLETE THE WATCHING OUR WATERSHEDS REGIONAL TRASH MONITORING PROJECT.

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, the Countywide Program supports its member agencies to comply with the requirements of the Municipal Regional Stormwater Permit (MRP) administered by the San Francisco Bay Regional Water Quality Control Board via local program support, direct permit compliance, and regional collaboration via the Bay Area Municipal Stormwater Collaborative (BAMS Collaborative); and

WHEREAS, in September 2022, C/CAG staff submitted a successful grant application in response to the Request for Proposals solicitation under the U.S. Environmental Protection Agency (USEPA) San Francisco Bay Water Quality Improvement Fund (SFBWQIF) to implement the Watching Our Watersheds (WOW) Regional Trash Monitoring Project in collaboration with the BAMS Collaborative and the other countywide stormwater programs and permittees subject to new trash monitoring requirements in the reissued MRP; and

WHEREAS, the partnering countywide stormwater programs, including the Alameda Countywide Clean Water Program (ACWCP), Contra Costa Clean Water Program (CCCWP), San Mateo Countywide Water Pollution Prevention Program (SMCWPPP), Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP), and the Solano Stormwater Alliance (SSA) have made commitments to provide population-based in-kind matching contributions in a cumulative amount of \$3,366,000 over the course of the project, consistent with the SFBWQIF 50% local match requirement; and

WHEREAS, the WOW project will support cost effective compliance with the new trash monitoring requirements on behalf of the San Mateo County co-permittees as well as the other municipalities throughout the Bay Area operating under the MRP, and will further advance trash monitoring methodologies, support litter reduction strategies and community engagement, and increase data and information sharing at the regional scale and beyond; and

WHEREAS, upon receipt of the Notice of Award signed by the USEPA Awards Official, attached hereto and incorporated herein as Exhibit A, C/CAG will have an active grant within 21 calendar days without any additional action taken, or as soon as C/CAG begins to drawdown grant funds, whichever occurs sooner; and

WHEREAS, C/CAG staff and C/CAG's Legal Counsel have reviewed the Notice of Award and USEPA General Terms and Conditions for Assistance Grants, including the SFBWQIF, and C/CAG staff recommends acceptance of the grant award in accordance with said grant award documents.


NOW THEREFORE BE IT RESOLVED, the C/CAG Board authorizes the C/CAG Executive Director to accept the San Francisco Bay Water Quality Improvement Fund grant with the U.S. Environmental Protection Agency for a grant amount of \$3,366,000 with in-kind contributions provided by the participating countywide stormwater programs as listed above in an amount of \$3,366,000 for a total project amount of \$6,732,000 to implement the Watching Our Watersheds Regional Trash Monitoring Project. Be it further resolved that the C/CAG Executive Director is authorized to take any necessary action to modify or otherwise deem the Notice of Award acceptable prior to the agreement becoming effective as described above.

PASSED, APPROVED, AND ADOPTED, THIS 13TH DAY OF July, 2023.

Davina Hurt, Chair

Exhibits:

Exhibit A – USEPA Notice of Award, mailing date June 28, 2023

	U.S. ENVIRONMENTAL PROTECTION AGENCY Grant Agreement		GRANT NUMBER (FAIN): 98T61401 MODIFICATION NUMBER: 0 PROGRAM CODE: W9		DATE OF AWARD 06/24/2023
			TYPE OF ACTION New		MAILING DATE 06/28/2023
			PAYMENT METHOD: ASAP		ACH# PEND
RECIPIENT TYPE: Special District			Send Payment Request to: Contact EPA RTPFC at: rtpfc-grants@epa.gov		
RECIPIENT: City/County Association of Governments of San Mateo County 555 County Center, Fifth Floor Redwood City, CA 94063 EIN: 94-3157181			PAYEE: City/County Association of Governments of San Mateo County 555 County Center, Fifth Floor Redwood City, CA 94063		
PROJECT MANAGER		EPA PROJECT OFFICER		EPA GRANT SPECIALIST	
Reid Bogert 555 County Center, Fifth Floor Redwood City, CA 94063 Email: rbogert@smcgov.org Phone: 650-863-2126		Luisa Valiela 75 Hawthorne Street, WTR-3 San Francisco, CA 94015 Email: Valiela.Luisa@epa.gov Phone: 415-972-3400		Katya Obrez Grants Branch, MSD-6 75 Hawthorne Street San Francisco, CA 94015 Email: obrez.katya@epa.gov Phone: 415-972-3744	
PROJECT TITLE AND DESCRIPTION San Francisco Bay Area Water Quality Improvement Fund See Attachment 1 for project description.					
BUDGET PERIOD 04/03/2023 - 06/30/2028		PROJECT PERIOD 04/03/2023 - 06/30/2028		TOTAL BUDGET PERIOD COST \$6,732,000.00	
				TOTAL PROJECT PERIOD COST \$6,732,000.00	
NOTICE OF AWARD					
Based on your Application dated 09/20/2022 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$3,366,000.00. EPA agrees to cost-share 50.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$3,366,000.00. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.					
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE		
ORGANIZATION / ADDRESS			ORGANIZATION / ADDRESS		
U.S. EPA, Region 9 , U.S. EPA, Region 9 Grants Branch, MSD-6 75 Hawthorne Street San Francisco, CA 94105			U.S. EPA, Region 9, Water Division, WTR-1 R9 - Region 9 75 Hawthorne Street San Francisco, CA 94015		
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY					
Digital signature applied by EPA Award Official for Carolyn Truong - Grants Management Officer Angela Mendiola - Award Official Delegate					DATE 06/24/2023

EPA Funding Information

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$0	\$3,366,000	\$3,366,000
EPA In-Kind Amount	\$0	\$0	\$0
Unexpended Prior Year Balance	\$0	\$0	\$0
Other Federal Funds	\$0	\$0	\$0
Recipient Contribution	\$0	\$0	\$0
State Contribution	\$0	\$0	\$0
Local Contribution	\$0	\$3,366,000	\$3,366,000
Other Contribution	\$0	\$0	\$0
Allowable Project Cost	\$0	\$6,732,000	\$6,732,000

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.126 - Geographic Programs - San Francisco Bay Water Quality Improvement Fund	Clean Water Act: Sec. 320	2 CFR 200, 2 CFR 1500 and 40 CFR 33

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	2309W32037	2324	B	09L2	000BK4	4158	-	-	\$3,366,000
									\$3,366,000

Budget Summary Page

Table A - Object Class Category (Non-Construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$195,000
2. Fringe Benefits	\$0
3. Travel	\$0
4. Equipment	\$0
5. Supplies	\$0
6. Contractual	\$6,537,000
7. Construction	\$0
8. Other	\$0
9. Total Direct Charges	\$6,732,000
10. Indirect Costs: 0.00 % Base	\$0
11. Total (Share: Recipient <u>50.00</u> % Federal <u>50.00</u> %)	\$6,732,000
12. Total Approved Assistance Amount	\$3,366,000
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$3,366,000
15. Total EPA Amount Awarded To Date	\$3,366,000

Attachment 1 - Project Description

Over the last decade, public agencies in the Bay Area have invested significant resources in developing and implementing trash assessment and control measure tracking programs to meet the requirements under the stormwater permit for trash reduction. However, the tracking and assessment methods to demonstrate that their actions have resulted in positive environmental outcomes have been constrained to indirect measurements, including mapping trash reduction measures and collecting trash assessment data on streets, sidewalks, and parking lots to estimate improvements in trash generation. The tasks proposed under the Watching Our Watersheds (WOW) project will result in new monitoring protocols and networks that directly measure the levels of trash in stormwater discharges and in receiving waters. Additionally, the project will enhance regional partnerships between Bay Area municipalities and transportation agencies via the implementation of a regional anti-littering outreach campaign and expand engagement with environmental organizations via the characterization and analysis of trash monitoring data that will inform future trash source control implementation. Lastly, the project will disseminate the data-driven outcomes and conclusions with Bay Area stakeholders about effective trash controls and monitoring results. The 5.5-year grant-funded project will provide important data to the San Francisco Bay Regional Water Quality Control Board (Regional Water Board) and USEPA to better evaluate trash levels in stormwater discharges and determine whether mandated trash load reduction goals have been achieved.

This assistance agreement provides full federal funding in the amount of \$3,366,000.00. Preaward costs are approved back to 4/3/2023. The project activities are as follows:

Task 1 Stormwater Trash Controls

Approximately 50% reduction in the volume/number of applicable litter-prone trash in communities implementing ordinances.

Increase in public awareness of trash pollution prevention issues in the SF Bay Area.

Documented achievement of 100% trash reduction benchmark in applicable Bay Area watersheds observed via OVTAs.

Task 2 Trash Monitoring Methods

Measured status of stormwater quality at 11 outfall monitoring sites.

Documented attainment of low trash generation at most stormwater discharge monitoring locations.

Measured status of water quality at 6 receiving water sampling sites.

Increase in overall awareness of litter-prone items in receiving water.

Task 3 Information Dissemination

Standardized trash monitoring methods and protocols documented and implemented in the

Bay Area, generating high quality data.

Bay Area stakeholders informed on effective trash controls.

Improvements in trash levels in stormwater and receiving waters observed.

The deliverables of the project include:

Data compilation of the effectiveness of local single-use plastic ordinances to reduce the generation of trash that ends up in stormwater and receiving waters; regional litter reduction public education and outreach plan using materials developed by the Caltrans Clean California Initiative (CCI); and OVTA data needed to effectively demonstrate (with an acceptable level of statistical confidence) that stormwater trash reduction goals have been achieved. Trash Monitoring Methods Guidance Document with new information on tested stormwater outfall and receiving water monitoring methods; a web-based Stormwater Trash Information Portal with relevant information on effective stormwater trash control measures; and a Trash Symposium to present Project findings.

The expected outcomes are:

- Documented attainment of low trash generation at all stormwater discharge monitoring locations.
- Measured status of water quality at receiving water sampling sites.
- Low trash levels in receiving waters monitoring locations.
- Increase in adoption of ordinances that limit the availability of single-use products.

The intended beneficiaries of the project is the general populace and communities of the 9 Bay Area Counties, and the habitats and wildlife that depend on the Bay for survival. No subawards are included in this assistance agreement.

Administrative Conditions

General Terms and Conditions

The recipient agrees to comply with the current EPA general terms and conditions available at: <https://www.epa.gov/grants/epa-general-terms-and-conditions-effective-october-1-2022-or-later>.

These terms and conditions are in addition to the assurances and certifications made as a part of the award and the terms, conditions, or restrictions cited throughout the award.

The EPA repository for the general terms and conditions by year can be found at: <https://www.epa.gov/grants/grant-terms-and-conditions#general>.

A. Federal Financial Reporting (FFR)

For awards with cumulative project and budget periods greater than 12 months, the recipient will submit an annual FFR (SF 425) covering the period from "project/budget period start date" to **June 30** of each calendar year to the EPA Finance Center in Research Triangle Park, NC. The annual FFR will be submitted electronically to rtpfc-grants@epa.gov no later than **September 30** of the same calendar year. Find additional information at <https://www.epa.gov/financial/grants>. (NOTE: The grantee must submit the Final FFR to rtpfc-grants@epa.gov within 120 days after the end of the project period.)

B. Procurement

The recipient will ensure all procurement transactions will be conducted in a manner providing full and open competition consistent with 2 CFR Part 200.319. In accordance with 2 CFR Part 200.324, the grantee and subgrantee(s) must perform a cost or price analysis in connection with applicable procurement actions, including contract modifications.

C. MBE/WBE Reporting, 40 CFR, Part 33, Subpart E (EPA Form 5700-52A)

The recipient agrees to submit a "MBE/WBE Utilization Under Federal Grants and Cooperative Agreements" report (EPA Form 5700-52A) annually for the duration of the project period. The current EPA Form 5700-52A with instructions is located at <https://www.epa.gov/grants/epa-grantee-forms>

This provision represents an approved exception from the MBE/WBE reporting requirements as described in 40 CFR Section 33.502.

Reporting is required for assistance agreements where funds are budgeted for procuring construction, equipment, services and supplies (including funds budgeted for direct procurement by the recipient or procurement under subawards or loans in the "Other" category) with a cumulative total that exceed the Simplified Acquisition Threshold (SAT) currently set at \$250,000 (the dollar threshold will be automatically revised whenever the SAT is adjusted; See 2 CFR Section 200.1), including amendments and/or modifications. All procurement actions are reportable when reporting is required, not just the portion which exceeds the SAT.

Recipients with expended and/or budgeted funds for procurement are required to report annually whether the planned procurements take place during the reporting period or not. If no budgeted procurements take place during the reporting period, the recipient should check the box in section 5B when completing the form.

When completing the annual report, recipients are instructed to check the box titled "annual" in section 1B of the form. For the final report, recipients are instructed to check the box indicated for the "last report" of the project in section 1B of the form. For section 2B, the Region 9 EPA DBA Coordinator is Alexandra Perez, email: GrantsRegion9@epa.gov, phone:

415-972-3826.

The annual reports are due by October 30th of each calendar year and the final report is due within 120 days after the end of the project period, whichever comes first. The recipient will submit the MBE/WBE report(s) and/or questions to GrantsRegion9@epa.gov and the EPA Grants Specialist identified on page 1 of the award document.

D. Indirect Costs

The Cost Principles under 2 CFR Part 200, Subpart E apply to this award. Since there are no indirect costs included in the assistance budget, they are not allowable under this Assistance Agreement.

E. Non-Federal Third-Party Contributions

This award includes non-federal third party contributions. Third party contributions counting towards satisfying a cost sharing or matching requirement must be verifiable from the records of grantees and subgrantees. As applicable, these records must reflect how the value is placed on third party contributions. The value of third party contributions must be applicable to the period to which the cost sharing or matching requirement apply (2 CFR Part 200.306).

Programmatic Conditions

a.] Reporting: The recipient shall submit Semi-annual progress reports electronically to the EPA Project Officer due within 30 calendar days after the end of each Federal fiscal quarters on the dates of April 30 and October 31. The progress reports should include:

- a discussion of the activities conducted during the previous two quarters (including a comparison of actual accomplishments with the anticipated outputs and outcomes specified in the workplan),
- progress towards milestones,
- problems encountered with achieving outputs and outcomes, and their resolution,
- activities planned for the next two quarters,
- a financial accounting of costs incurred during the reporting period,
- cumulative project costs (EPA and match amounts) since the beginning of the project, by task,
- and identification of any special EPA assistance needed, and an explanation of any cost overruns.

The recipient will notify the EPA Project Officer if something materially impairs their ability to complete the tasks and deliver the products, outputs and outcomes identified in the workplan. Within 120 days of the end of the project period, the recipient must email to the EPA Project Officer a final report documenting project activities over the entire project period and the recipient's achievements with respect to the project's purposes and objectives.

b.] Grant Source Recognition: The recipient should publicly acknowledge the US EPA San Francisco Bay Water Quality Improvement Fund as the funding vehicle for the projects when the grantee is asked by public entities, federal agencies or state and local agencies about the projects and on-going results.

c.] Cybersecurity Grant Condition for Other Recipients, Including Intertribal Consortia: (a) The recipient agrees that when collecting and managing environmental data under this assistance agreement, it will protect the data by following all applicable State or Tribal law cybersecurity requirements.

(b)(1) EPA must ensure that any connections between the recipient's network or information system and EPA networks

used by the recipient to transfer data under this agreement, are secure. For purposes of this Section, a connection is defined as a dedicated persistent interface between an Agency IT system and an external IT system for the purpose of transferring information. Transitory, user-controlled connections such as website browsing are excluded from this definition.

If the recipient's connections as defined above do not go through the Environmental Information Exchange Network or EPA's Central Data Exchange, the recipient agrees to contact the EPA Project Officer (PO) no later than 90 days after the date of this award and work with the designated Regional/Headquarters Information Security Officer to ensure that the connections meet EPA security requirements, including entering into Interconnection Service Agreements as appropriate. This condition does not apply to manual entry of data by the recipient into systems operated and used by EPA's regulatory programs for the submission of reporting and/or compliance data.

(b)(2) The recipient agrees that any subawards it makes under this agreement will require the subrecipient to comply with the requirements in (b)(1) if the subrecipient's network or information system is connected to EPA networks to transfer data to the Agency using systems other than the Environmental Information Exchange Network or EPA's Central Data Exchange. The recipient will be in compliance with this condition: by including this requirement in subaward agreements; and during subrecipient monitoring deemed necessary by the recipient under 2 CFR 200.332(d), by inquiring whether the subrecipient has contacted the EPA Project Officer. Nothing in this condition requires the recipient to contact the EPA Project Officer on behalf of a subrecipient or to be involved in the negotiation of an Interconnection Service Agreement between the subrecipient and EPA.

d.] Geospatial Data Standards: All geospatial data created must be consistent with Federal Geographic Data Committee (FGDC) endorsed standards. Information on these standards may be found at <https://www.fgdc.gov/>.

e.] Competency of Organizations Generating Environmental Measurement Data: In accordance with Agency Policy Directive Number FEM-2012-02, Policy to Assure the Competency of Organizations Generating Environmental Measurement Data under Agency-Funded Assistance Agreements, the Recipient agrees, by entering into this agreement, that it has demonstrated competency prior to award, or alternatively, where a pre-award demonstration of competency is not practicable, Recipient agrees to demonstrate competency prior to carrying out any activities under the award involving the generation or use of environmental data. Recipient shall maintain competency for the duration of the project period of this agreement and this will be documented during the annual reporting process. A copy of the Policy is available online at <https://www.epa.gov/sites/production/files/2015-03/documents/competency-policy-aaia-new.pdf> or a copy may also be requested by contacting the EPA Project Officer for this award.

g.] QUALITY ASSURANCE

Authority: Quality Assurance applies to all assistance agreements involving environmental information as defined in [2 C.F.R. § 1500.12](#) Quality Assurance.

The recipient shall ensure that subawards involving environmental information issued under this agreement include appropriate quality requirements for the work. The recipient shall ensure sub-award recipients develop and implement **[a/the]** Quality Assurance (QA) planning document**[s]** in accordance with this term and condition; and/or ensure sub-award recipients implement all applicable approved QA planning documents.

Quality Assurance Project Plan: In accordance with 2 CFR 1500.11, the recipient must develop and implement quality assurance and quality control procedures, specifications and documentation that are sufficient to produce data of adequate quality to meet project objectives. Recipients implementing environmental programs within the scope of the assistance agreement must submit to the EPA Project Officer an approvable Quality Assurance Project Plan (QAPP) at least 60 days

prior to the initiating of data collection or data compilation. The Quality Assurance Project Plan (QAPP) is the document that provides comprehensive details about the quality assurance, quality control, and technical activities that must be implemented to ensure that project objectives are met. Environmental programs include direct measurements or data generation, environmental modeling, compilation of data from literature or electronic media, and data supporting the design, construction, and operation of environmental technology.

The QAPP should be prepared in accordance with EPA QA/R-5: EPA Requirements for Quality Assurance Project Plans. No environmental data collection or data compilation may occur until the QAPP is approved by the EPA Project Officer and Quality Assurance Regional Manager. When the recipient is delegating the responsibility for an environmental data collection or data compilation activity to another organization, the EPA Regional Quality Assurance Manager may allow the recipient to review and approve that organization's QAPP. Additional information on these requirements can be found at the EPA Office of Grants and Debarment Web Site:

<https://www.epa.gov/grants/implementation-quality-assurance-requirements-organizations-receiving-epa-financial>

*****END OF ASSISTANCE AGREEMENT*****

Watching Our Watersheds Regional Trash Monitoring Work Plan March 15, 2023

Project Summary in Abstract Format

Over the last decade, San Francisco Bay Area cities, counties, and flood control agencies have invested significant public resources to implement source controls and stormwater infrastructure improvement/upgrades to reduce the amount of trash discharged from storm drain systems to local creeks, the San Francisco Bay, and the Pacific Ocean. Additionally, local public agencies have invested significant resources in developing and implementing trash assessment and control measure tracking programs to demonstrate that regulatory trash reduction benchmarks have been achieved. However, the tracking and assessment methods used by Bay Area cities and counties to demonstrate that their actions have resulted in positive environmental outcomes have been constrained to indirect measurements, including mapping trash reduction measures and collecting trash assessment data on streets, sidewalks, and parking lots to estimate improvements in trash generation. The tasks proposed under the **Watching Our Watersheds (WOW)** project will result in new monitoring protocols and networks that directly measure the levels of trash in stormwater discharges and in receiving waters. Additionally, the project will enhance regional partnerships between Bay Area municipalities and transportation agencies via the implementation of a regional anti-littering outreach campaign and expand engagement with environmental organizations via the characterization and analysis of trash monitoring data that will inform future trash source control implementation. Lastly, the project will disseminate the data-driven outcomes and conclusions with Bay Area stakeholders about effective trash controls and monitoring results. The 5.5-year grant-funded project will save San Francisco Bay Area public agencies over \$2 million and ultimately provide important data to the San Francisco Bay Regional Water Quality Control Board (Regional Water Board) and USEPA to better evaluate trash levels in stormwater discharges and determine whether mandated trash load reduction goals have been achieved. The WOW project will be implemented by local jurisdictions that participate in the Alameda Countywide Clean Water Program (ACCWP), Contra Costa Clean Water Program (CCCWP); San Mateo Countywide Water Pollution Prevention Program (SMCWPPP), Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP), and the Solano Stormwater Alliance (SSA).

Project Goals/Objectives

The WOW project will continue existing efforts to reduce trash entering the San Francisco Bay and will develop standard and consistent methods to evaluate the effectiveness of trash reduction measures using consistent methodologies and regional collaboration.

The three objectives of the WOW project are:

1. Inform the effective implementation of **Stormwater Trash Controls** and the application of **On-land Visual Trash Assessment (OVTA) Methods** to demonstrate improvements in stormwater quality by:
 - Collecting data and compiling information on the effectiveness of local single-use plastic ordinances to reduce the generation of trash that ends up in stormwater and receiving waters;
 - Developing and implementing a regional litter reduction public education and outreach plan using materials developed by the Caltrans Clean California Initiative (CCI); and
 - Identifying the extent of OVTA data needed to effectively demonstrate (with an acceptable level of statistical confidence) that stormwater trash reduction goals have been achieved.
2. Develop and implement a **Stormwater and Receiving Water Trash Monitoring Network** to test and refine methods to collect and interpret trash monitoring data and:
 - Verify that stormwater trash control measures have achieved mandated trash reduction goals;
 - Engage communities and stakeholders to evaluate trash reduction effectiveness alongside stormwater managers; and
 - Understand whether trash discharged from stormwater (or other trash pathways) is impacting local waterways.
3. **Synthesize and Disseminate Information and Knowledge** about best practices to reduce and prevent trash from entering the SF Bay to Project Partners, the public, and stakeholders by:

- Developing a *Trash Monitoring Methods Guidance Document* with new information on tested stormwater outfall and receiving water monitoring methods;
- Launching a web-based *Stormwater Trash Information Portal* with relevant information on effective stormwater trash control measures and trash monitoring and assessment methods; and
- Conducting a *Trash Symposium* to present Project findings including lessons learned on stormwater trash control measure and monitoring program implementation.

Statement on Matching Funds Source

Match-funded totals are based on the in-kind contributions committed by the Project Partners, i.e., agencies that participate in Bay Area Countywide stormwater programs (Alameda Countywide Clean Water Program (ACCWP); Contra Costa Clean Water Program (CCCWP); San Mateo Countywide Water Pollution Prevention Program (SMCWPPP); Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP); and the Solano Stormwater Alliance (SSA). Project Partners anticipated the inclusion of trash monitoring requirements into the Municipal Regional Permit Provision C.8.e for several years and therefore have estimated the anticipated costs of developing the monitoring methods and performing the tasks described in the WOW Scope of Work.

The Project Partners (including the applicant) will provide \$3,366,000 in matching funds. This is also described in the budget table above.

Latitude and Longitude of Main Facility:

37.5123, -122.25785

Deliverables/Work Products and Associated Timeline for Completion

Sub-Task	Grant Program Work Products/Deliverables	2023				2024				2025				2026				2027				2028	
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2
Task 1 Stormwater Trash Controls																							
a. Single-use Plastics Source Control Ordinance Effectiveness Evaluation	Quality Assurance Project Plan (QAPP) for Effectiveness Evaluation										R												
	Technical Report documenting observed reductions in trash generation and model methods to evaluate trash reductions due to ordinances										R												
b. Regional Expansion of Clean California Initiative Public Outreach Campaign	Regional outreach plan for Clean California Initiative campaign (CCI)						R																
	End-of-campaign summary report including effectiveness assessment												R										
c. Streamlining On-land Trash Assessment Methods	Technical report identifying the extent of data needed to effectively demonstrate that trash levels on-land have achieved stormwater trash reduction goals								R														
	Regionally consistent OVTA data management system populated with all Bay Area OVTA data								R														

Sub-Task	Grant Program Work Products/Deliverables	2023				2024				2025				2026				2027				2028	
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2
Task 2 Trash Monitoring Methods																							
a. Technical Advisory Group	Meeting agendas and summaries for eight (8) coordinated TAG meetings	M		M		M		M		M				M				M				M	
b. Stormwater Outfall Monitoring	Trash Outfall Monitoring Plans compiled into one comprehensive document (July 31, 2023)			R																			
	Regional QAPP for Trash Outfall Monitoring			R																			
	Regionally consistent data management template			R																			
	Trash Outfall Monitoring (11 sites, 3 storms/year)				F	F			F	F			F	F			F	F					
c. Receiving Water Monitoring	Literature review of trash monitoring methods for receiving waters																						
	Regional Receiving Waters Trash Monitoring Plan (July 31, 2024)							R															
	Regional QAPP for Trash Receiving Water Monitoring							R															
	Regionally consistent data management template							R															
	Trash Receiving Water Monitoring (6 sites, 3 storms/year)								F	F			F	F			F	F					
	Annual Trash Monitoring Progress Reports (March 31 st of each year)						R			R				R				R				R	
d. Trash Characterization & Public Engagement Events	Standardized trash characterization and measurement protocols and training materials																						
	Four community-based trash characterization events							E				E				E			E				
	Trash characterization data from up to 132 outfall samples and 54 receiving water monitoring samples									R				R				R				R	

Sub-Task	Grant Program Work Products/Deliverables	2023				2024				2025				2026				2027				2028	
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2
Task 3 Information Dissemination																							
a. Trash Monitoring Methods Handbook	Monitoring methods guidance document, including field sampling methods, QA/QC considerations, data management and standardization needs, and training considerations																		R				
b. Trash Prevention and Monitoring Information Portal	Updated BAMSC website, including new trash monitoring portal									E					R				R				R
c. Bay Area Trash Symposium	Symposium agenda and materials, high-profile keynote speaker presentation, recording of symposium																				E		
	At least four presentations on project conclusions and lessons learned																				E		
Task 4 Project Administration/ Management																							
a. Project Management	Ongoing project management																						
b. Invoicing & Progress Reporting	Quarterly project progress reports (4/grant yr) and subsequent invoices				R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
	Final grant report																					R	

Task Implementation

M = meeting

F = field monitoring

E = event/portal launch

R = report/portal update

Project Schedule with Tasks, Work products/deliverables, Timeframe, and Cost Breakdown

Subtask Name	Work Products/Deliverables	Timeframe	Grant-Funded Costs	Match-Funded Costs	Total Project Costs
Task 1 Stormwater Trash Controls					
1.a. Single-use Plastics Source Control Ordinance Effectiveness Evaluation	<ul style="list-style-type: none"> Quality Assurance Project Plan (QAPP) for Effectiveness Evaluation Technical Report documenting observed reductions in trash generation and model methods to evaluate trash reductions due to ordinances 	Q3 2024 – Q2 2025	\$81,000	\$1,500	\$82,500
1.b. Regional Expansion of Clean California Initiative Campaign	<ul style="list-style-type: none"> Regional Outreach plan for Clean California Initiative End-of-campaign summary report including effectiveness assessment 	Q2 2024 – Q3 2025	\$205,000	\$11,000	\$216,000
1.c. Streamlining On-land Trash Assessment Methods	<ul style="list-style-type: none"> Technical report that identifies the extent of data needed to effectively demonstrate that trash levels on-land have achieved stormwater trash reduction goals Regionally consistent OVTA data management system populated with all Bay Area OVTA data 	Q3 2023 – Q4 2024	\$66,000	\$5,000	\$71,000
		Subtotal	\$352,000	\$17,500	\$369,500
Task 2 Trash Monitoring Methods					
2.a. Technical Advisory Group	<ul style="list-style-type: none"> Meeting agendas and summaries for eight (8) coordinated TAG meetings 	Q1 2023 – Q2 2028	\$75,000	\$133,000	\$208,000
2.b. Stormwater Outfall Monitoring (including Monitoring Plan and QAPP)	<ul style="list-style-type: none"> Trash Outfall Monitoring Plans compiled into one comprehensive document Regional QAPP for Trash Outfall Monitoring Regionally consistent data management template Trash Outfall Monitoring (11 sites, 3 storms/year) 	Q1 2023 – Q2 2028	\$139,000	\$2,939,000	\$3,078,000
2.c. Receiving Water Monitoring (including Monitoring Plan and QAPP)	<ul style="list-style-type: none"> Literature review of trash monitoring methods for receiving waters Regional Receiving Waters Trash Monitoring Plan Regional QAPP for Trash Receiving Water Monitoring Regionally consistent data management template Annual Trash Monitoring Progress Reports 	Q1 2023 – Q2 2028	\$1,879,000	\$138,000	\$2,017,000

WOW Work Plan

Subtask Name	Work Products/Deliverables	Timeframe	Grant-Funded Costs	Match-Funded Costs	Total Project Costs
2.d. Trash Characterization & Public Engagement Events	<ul style="list-style-type: none"> Standardized trash characterization and measurement protocols and training materials Four community-based trash characterization events Trash characterization data from up to 132 outfall samples and 54 receiving water monitoring samples 	Q4 2023 –Q2 2028	\$425,000	\$ -	\$425,000
		Subtotal	\$2,518,000	\$3,210,000	\$5,728,000
Task 3 Information Dissemination					
3.a. Trash Monitoring Methods Playbook	<ul style="list-style-type: none"> Monitoring methods guidance document, including field sampling methods, QA/QC considerations, data management and standardization needs, and training considerations 	Q3 2026 – Q4 2027	\$57,550	\$7,500	\$65,000
3.b. Trash Prevention and Monitoring Information Portal	<ul style="list-style-type: none"> Updated BAMSC website, including new trash monitoring portal 	Q3 2024 –Q2 2028	\$36,000	\$3,750	\$39,750
3.c. Bay Area Trash Symposium	<ul style="list-style-type: none"> Symposium agenda and materials, high-profile keynote speaker presentation, recording of symposium At least four presentations on project conclusions and lessons learned 	Q4 2026 –Q2 2028	\$35,000	\$11,250	\$46,250
		Subtotal	\$128,500	\$22,500	\$151,000
Task 4 Project Administration/ Management					
4.a. Project Management	<ul style="list-style-type: none"> Project management 	Ongoing	\$88,000	\$64,000	\$152,000
4.b. Invoicing & Progress Reporting	<ul style="list-style-type: none"> Quarterly project progress reports (4/grant yr) and subsequent invoices Final grant report 	Q3 2023 – Q2 2028	\$279,500	\$52,000	\$331,500
			\$367,500	\$116,000	\$483,500
Total			\$3,366,000	\$3,366,000	\$6,732,000

Environmental Outcomes from the Watching Our Watersheds Project

Task 1 Stormwater Trash Controls

Near-term Environmental Outcomes (during project period)

- Approximately 50% reduction in the volume/number of applicable litter-prone trash in communities implementing ordinances.
- Increase in public awareness of trash pollution prevention issues in the SF Bay Area.
- Documented achievement of 100% trash reduction benchmark in applicable Bay Area watersheds observed via OVTAs.

Long-term Environmental Outcomes (beyond project period)

- Increase in adoption of ordinances that limit the availability of single-use products.
- 10-20% reduction in the levels of all trash observed in Bay Area watersheds where source control ordinances are implemented.
- Observable reductions of trash in stormwater outfall and/or receiving water monitoring due to behavior changes (at least partially) associated with the public outreach campaign.
- Documented sustained achievement of 100% trash reduction benchmark in applicable Bay Area watersheds.

Task 2 Trash Monitoring Methods

Near-term Environmental Outcomes (during project period)

- Measured status of stormwater quality at 11 outfall monitoring sites.
- Documented attainment of low trash generation at most stormwater discharge monitoring locations.
- Measured status of water quality at 6 receiving water sampling sites.
- Increase in overall awareness of litter-prone items in receiving water.

Long-term Environmental Outcomes (beyond project period)

- Documented attainment of low trash generation at all stormwater discharge monitoring locations.
- Measured status of water quality at receiving water sampling sites.
- Low trash levels in receiving waters monitoring locations.
- Increase in adoption of ordinances that limit the availability of single-use products.

Task 3 Information Dissemination

Near-term Environmental Outcomes (during project period)

- Standardized trash monitoring methods and protocols documented and implemented in the Bay Area, generating high quality data.
- Bay Area stakeholders informed on effective trash controls.
- Improvements in trash levels in stormwater and receiving waters observed.

Long-term Environmental Outcomes (beyond project period)

- Standardized trash monitoring methods and protocols implemented in areas outside of the Bay Area, generating high quality data.
- Increased implementation of effective trash controls and monitoring methods in areas outside of the Bay Area.
- Increased implementation of effective trash controls and monitoring methods in areas outside of the Bay Area.

Project Photo and Caption for SF Bay Water Quality Improvement Fund Website



Rectangular trawl deployed at receiving water monitoring site
Photo taken as part of the Tracking California Trash Project (BASMAA 2018)

Schedule for Submitting Quarterly Reports and Final Report

Task	2023		2024				2025				2026				2027				2028	
	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2
Submit Quarterly Report		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Submit Final Report																				x

Quarterly Reports will be submitted 30 days after the quarter ends.

Attachment 3 - Table of Bay Area Municipal Stormwater Collaborative Partnering Program In-kind Matching Contributions Over the 5.5-year Project Period

	Watching Our Watersheds Project Partnering Countywide Programs					Total
	Alameda County Clean Water Program	Contra Costa Clean Water Program	San Mateo Countywide Water Pollution Prevention Program	Santa Clara Valley Urban Runoff Pollution Prevention Program	Solano Stormwater Alliance	
Program In-kind Contributions	\$854,950	\$649,950	\$651,450	\$854,950	\$354,700	\$3,366,000
Percentage of Partnering In-kind Contributions	25.4%	19.4%	25.4%	19.3%	10.5%	100.0%

C/CAG AGENDA REPORT

Date: July 13, 2023

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

From: Sean Charpentier, C/CAG Executive Director

Subject: Receive a copy of the agreement with BlinkTag, Inc. to provide C/CAG website maintenance support services through June 30, 2026, for a total amount not to exceed \$15,000.

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

RECOMMENDATION

Receive a copy of the agreement with BlinkTag, Inc. to provide C/CAG website maintenance support services through June 30, 2026, for a total amount not to exceed \$15,000.

FISCAL IMPACT

Not to exceed \$15,000 for a three-year term ending June 30, 2026.

SOURCE OF FUNDS

Funding for the website comes from the C/CAG general fund.

BACKGROUND

C/CAG completed a redesign of <http://ccag.ca.gov> in 2014 with website design and ongoing maintenance services through 2016 provided by PMC. During the term of the agreement, PMC was purchased by Michael Baker International, Inc. (Michael Baker), and per Resolution 16-30, C/CAG entered into a funding agreement with Michael Baker to provide ongoing website services, site maintenance and hosting, through September 30, 2019 for an amount not to exceed \$20,000. In September of 2019, pursuant to C/CAG Board approval of Resolution 19-54, C/CAG executed Amendment No. 1 for a time extension and an additional \$5,000, for a new total amount not to exceed \$25,000, to provide technical services and hosting for the C/CAG website through Fiscal Year 2019-20. Staff also agreed to explore alternatives for web services that may provide efficiencies and improved responsiveness to technical issues regarding website maintenance.

In June 2020, consistent with C/CAG's procurement policy, and by reference to the County Office of Sustainability's prior procurement process for website services, C/CAG's Executive Director executed an agreement with Rogue Web Works for technical web support to the C/CAG website for a three-year term ending June 30, 2023, for a total amount not to exceed \$9,000 over the three years to conduct maintenance and provide additional technical support as needed to the website. In Parallel, C/CAG staff developed a Memorandum of Understanding with the San Mateo County Information Services Department to provide hosting services through Flywheel, the County's contracted managed

WordPress hosting service provider, for an initial not to exceed amount of \$3,125 for Fiscal Year 2021-22. Subsequently, pursuant to the C/CAG Board approved Resolution 21-47, the parties extended the agreement through June 30, 2023, for an additional amount not to exceed \$5,845 for Fiscal Years 2021-22 and 2022-23; pursuant to Resolution 22-100, the parties further extended the term to June 30, 2024 for an additional amount not to exceed \$3,919.64 and a new total agreement amount not to exceed \$12,889 for ongoing website hosting services for Fiscal Years 2022-23 and 2023-24.

In Fiscal Year 2022-23 C/CAG completed a new website (<https://ccagtdm.org/>) developed by BlinkTag, Inc. dedicated to supporting C/CAG's Traffic Demand Management (TDM) related work of its Congestion Management Program. The new TDM website is also a WordPress website and is currently being transferred to the County's Flywheel hosting environment. At the end of the current contract term with Rogue Web Works, C/CAG staff conducted a request for quotes from three firms to evaluate options for website support services and deemed BlinkTag as qualified and a cost-effective option for providing ongoing website maintenance services for both of C/CAG's websites. Consistent with C/CAG's procurement policy, C/CAG's Executive Director executed an agreement with BlinkTag, Inc. for an amount not to exceed \$15,000 over three years and a contract term ending June 30, 2026 (Attachment 1). C/CAG staff is also planning to work on another website redesign to modernize the website and improve the accessibility, overall functionality, and user interface. C/CAG staff anticipates initial planning work for the new website redesign to begin in Fiscal Year 2023-24.

ATTACHMENTS

1. Agreement with BlinkTag, Inc. for Fiscal Year 2023-24 through Fiscal Year 2025-26

**AGREEMENT
BETWEEN
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
AND
BLINKTAG, INC**

This Agreement entered this 1st day of July **2023**, by and between the CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY, a joint powers agency whose members include the County of San Mateo and the twenty incorporated cities and towns within San Mateo County, hereinafter called “C/CAG,” and BlinkTag, Inc., hereinafter called “Consultant”.

WHEREAS, C/CAG requires technical support services to maintain and operate the main C/CAG website and a newly developed C/CAG website supporting its Congestion Management Program related efforts; and

WHEREAS, the current agreement between Rogue Web Works and C/CAG for website support services expires June 30, 2023; and

WHEREAS, C/CAG staff has conducted outreach and requests for quotes from at least three firms, consistent with C/CAG’s procurement policy; and

WHEREAS, C/CAG staff has determined that the Consultant is qualified to provide the website maintenance and support services for C/CAG’s websites according to the terms of the Agreement and as detailed in Exhibit A, attached hereto; and

WHEREAS, the available funds for the Consultant to provide said services is not to exceed a cumulative amount of \$15,000 for a three-year contract term.

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

1. **Services to be provided by Consultant.** In consideration of the payments hereinafter set forth, Consultant shall provide services in accordance with the terms, conditions and specifications set forth herein and consistent with Exhibit A.
2. **Payments.** In consideration of the services rendered with all terms, conditions, and specifications set forth herein and in Exhibit A, C/CAG shall make payments to Consultant on a time and materials basis as set forth in Exhibit A. The total amount of payment by C/CAG to Consultant for web support services shall not exceed fifteen thousand dollars (\$15,000) for Services provided during the Contract Term set forth below. It is understood and agreed that there is no guarantee, either expressed or implied that this dollar amount will be authorized under this Agreement. Payments shall be made to Consultant monthly based on an invoice submitted by Consultant that has been

reviewed and approved by the project manager and identifies expenditures and describes services performed in accordance with Exhibit A. Payments shall be made within 45 days after receipt and approval of monthly invoices. C/CAG shall have the right to receive, upon request, documentation substantiating charges billed to C/CAG.

3. **Relationship of the Parties.** It is understood that Consultant is an Independent Consultant and this Agreement is not intended to, and shall not be construed to, create the relationship of agent, servant, employee, partnership, joint venture or association, or any other relationship whatsoever other than that of Independent Consultant.
4. **Non-Assignability.** Consultant shall not assign this Agreement or any portion thereof to a third party without the prior written consent of the C/CAG Executive Director. Any such assignment or subcontract without the C/CAG Executive Director's prior written consent shall give C/CAG the right to automatically and immediately terminate this Agreement without penalty or advance notice.
5. **Contract Term/Termination.** This Agreement shall be in effect as of ____ July 1, 2023 ____ and shall terminate on ____ June 30, 2026 ____; provided, however, the C/CAG Chairperson may terminate this Agreement at any time for any reason by providing 30 days' notice to Consultant. Termination will be effective on the date specified in the notice. In the event of termination under this paragraph, Consultant shall be paid for all services provided to the date of termination, subject to the availability of funding. Such payment shall be that prorated portion of the full payment determined by comparing the work actually completed to the work required by the Agreement.
6. **Hold Harmless/Indemnity.** Consultant shall indemnify and save harmless C/CAG and its officers, agents, employees, and servants from all claims, suits, or actions of every name, kind, and description resulting from this Agreement, the performance of any work or services required of Consultant under this Agreement, or payments made pursuant to this Agreement brought for, or on account of, any of the following: (A) injuries to or death of any person, including Consultant or its employees/officers/agents; (B) damage to any property of any kind whatsoever and to whomsoever belonging; (C) any sanctions, penalties, or claims of damages resulting from Consultant's failure to comply, if applicable, with the requirements set forth in the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and all Federal regulations promulgated thereunder, as amended; or (D) any other loss or cost, including but not limited to that caused by the concurrent active or passive negligence of C/CAG and/or its officers, agents, employees, or servants. However, Consultant's duty to indemnify and save harmless under this Section shall not apply to injuries or damage for which C/CAG has been found in a court of competent jurisdiction to be solely liable by reason of its own negligence or willful misconduct. The duty of Consultant to indemnify and save harmless as set forth by this Section shall include the duty to defend as set forth in Section 2778 of the California Civil Code.

7. **Insurance.** Consultant or its subconsultants performing the services on behalf of Consultant shall not commence work under this Agreement until all insurance required under this section has been obtained. Consultant shall furnish C/CAG with Certificates of Insurance evidencing the required coverage and there shall be a specific contractual liability endorsement extending the Consultant’s coverage to include the contractual liability assumed by Consultant pursuant to this Agreement. These Certificates shall specify or be endorsed to provide that thirty (30) days’ notice must be given, in writing, to C/CAG of any pending change in the limits of liability or of non-renewal, cancellation, or modification of the policy.

Workers’ Compensation and Employer Liability Insurance: The Consultant shall have in effect, during the entire life of this Agreement, Workers’ Compensation and Employer Liability Insurance providing full statutory coverage. In signing this Agreement, Consultant certifies, as required by Section 1861 of the California Labor Code, that (a) it is aware of the provisions of Section 3700 of the California Labor Code, which require every employer to be insured against liability for workers’ compensation or to undertake self-insurance in accordance with the provisions of the Labor Code, and (b) it will comply with such provisions before commencing the performance of work under this Agreement.

Liability Insurance: Consultant shall take out and maintain during the life of this Agreement such Bodily Injury Liability and Property Damage Liability Insurance as shall protect Consultant, its employees, officers and agents while performing work covered by this Agreement from any and all claims for damages for bodily injury, including accidental death, as well as any and all operations under this Agreement, whether such operations be by Consultant or by any sub-consultant or by anyone directly or indirectly employed by either of them. Such insurance shall be combined single limit bodily injury and property damage for each occurrence and shall be not less than \$1,000,000 unless another amount is specified below and shows approval by C/CAG Staff.

Required insurance shall include:

	Required Amount	Approval by C/CAG Staff if under \$ 1,000,000
a. Comprehensive General Liability	\$ 1,000,000	_____
b. Workers’ Compensation	\$ Statutory	_____

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

In the event of the breach of any provision of this section, or in the event any notice is received which indicates any required insurance coverage will be diminished or canceled, the C/CAG Chairperson, at his/her option, may, notwithstanding any other provision of this Agreement to the contrary, immediately declare a material breach of this Agreement and suspend all further work pursuant to this Agreement.

8. **Non-discrimination.** The Consultant and any subconsultants performing the services on behalf of the Consultant shall not discriminate or permit discrimination against any person or group of persons on the basis of race, color, religion, national origin or ancestry, age, sex, sexual orientation, marital status, pregnancy, childbirth or related conditions, medical condition, mental or physical disability or veteran's status, or in any manner prohibited by federal, state or local laws.
9. **Compliance with All Laws.** Consultant shall at all times comply with all applicable federal, state, San Mateo County, and municipal laws, ordinances, and regulations, including without limitation those regarding services to disabled persons, including any requirements of Section 504 of the Rehabilitation Act of 1973. In the event of a conflict between the terms of this Agreement and any applicable State, Federal, San Mateo County, or municipal law or regulation, the requirements of the applicable law or regulation will take precedence over the requirements set forth in this Agreement. Consultant will timely and accurately complete, sign, and submit all necessary documentation of compliance.
10. **Substitutions:** If particular people are identified in Exhibit A as working on this Agreement, Consultant will not assign others to work in their place without the prior written consent of the C/CAG Executive Director. Any substitution shall be with a person of commensurate experience and knowledge unless otherwise authorized by the C/CAG Executive Director.
11. **Sole Property of C/CAG:** Work products of Consultant which are delivered under this Agreement or which are developed, produced and paid for under this Agreement, shall be and become the property of C/CAG. Consultant shall not be liable for C/CAG's use, modification or re-use of products without Consultant's participation or for purpose other than those specifically intended pursuant to this Agreement.
12. **Access to Records.** C/CAG, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of Consultant which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcriptions. The Consultant shall maintain all required records for three years after C/CAG makes final payments and all other pending matters are closed.
13. **Merger Clause; Amendments.** This Agreement, including Exhibit A attached hereto and incorporated herein by reference, constitutes the sole agreement of the parties hereto with regard to the matters covered in this Agreement, and correctly states the rights, duties and obligations of each party as of the document's date. Any prior agreement,

promises, negotiations or representations between the parties not expressly stated in this Agreement are not binding. All subsequent amendments shall be in writing and signed by the C/CAG Chairperson or C/CAG Executive Director. In the event of a conflict between the terms, conditions or specifications set forth herein and those in Exhibit A attached hereto, the terms, conditions or specifications set forth herein shall prevail.

14. **Governing Law.** This Agreement shall be governed by the laws of the State of California, without regard to its choice of law rules, and any suit or action initiated by either party shall be brought in the County of San Mateo, California.
15. **Notices.** All notices hereby required under this agreement shall be in writing and delivered in person or sent by certified mail, postage prepaid and addressed as follows:

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

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

BlinkTag, Inc.
1160 Mission St #2213
San Francisco, CA
Attention: Brendan Nee

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

Brendan Nee (Consultant)

By 

6/21/2023

Date

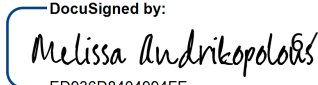
City/County Association of Governments of San Mateo County (C/CAG)

By 
821A8C92DA0F468...
Sean Charpentier
C/CAG Executive Director

6/28/2023

Date

C/CAG Legal Counsel

By 
ED936D8404994FE...
Melissa Andrikopoulos, C/CAG Counsel

6/22/2023

Exhibit A

CONSULTANT SCOPE OF WORK AND BILLING RATES



Reid Bogart
June 9, 2023

BlinkTag, Inc. is pleased to present our proposal for maintenance of the C/CAG and C/CAG TDM websites. We are a San Francisco based team specializing in public outreach and web design for government agencies, startups and nonprofits. Our previous web-based transportation projects in the Bay Area with other transportation entities such as CCTA, VTA, 511 Contra Costa, BART, Marin Transit, County Connection, MVgo and Tri Delta Transit as well as past work with the C/CAG TDM website make us a great choice for this project.

BlinkTag has built and maintained over 150 public-facing websites for government agencies, startups and nonprofits in California and around the world, including the current ccagtdm.org website.

Thank you for the opportunity to submit this proposal. We look forward to working together.

Sincerely,

Brendan Nee

A handwritten signature in black ink that reads "Brendan Nee". The signature is written in a cursive, flowing style.

Principal, BlinkTag

Phone: 415-373-6442
brendan@blinktag.com

1160 Mission St #2213
San Francisco, CA



Firm Profile

BlinkTag makes technology easy for city and transportation planning professionals. Founded in 2007, the firm includes city planners, programmers, transportation engineers, graphic artists, social media managers, and interaction designers. BlinkTag uniquely understands the structural barriers separating communities from public resources, as well as the challenges public agencies and nonprofits face in reducing those barriers, because many of our technical staff are also experienced city planners. Understanding the obstacles inherent to consumers, we develop tools that are intuitive and responsive to the public as well as adaptable and useful to researchers and developers.

BlinkTag is a California S-Corporation based in San Francisco, CA. BlinkTag has 5 staff members. BlinkTag's financial condition is excellent and does not have any conditions that would hamper our capacity to perform the services outlined in this document.

Proposal

Maintenance

BlinkTag will perform website maintenance for ccagtdm.org and ccag.ca.gov, both built on the Wordpress content management system. This will include the following tasks:

- Monitor the WordFence security plugin notifications and respond to any issues.
- Monitor Wordpress security releases and apply new versions of Wordpress when available. Security-related updates will be applied within 24 hours of availability.
- Monitor Wordpress plugin update availability and apply plugin updates when available. Security-related updates will be applied within 24 hours of availability.
- Monitor communications from the website host Flywheel and respond to any issues that arise, such as scheduled downtime, PHP and Mysql version updates and other security notifications.
- Ensure that the domain names ccagtdm.org ccag.ca.gov are renewed each year and respond to any issues sent from the domain registrar.
- Ensure continuity of email forwarding for ccagtdm.org on ImprovMX and respond to any notifications from ImprovMX about configuration changes or account issues.

Migration of ccagtdm.org

BlinkTag will manage the smooth transition of ccagtdm.org from WPEngine to the C/CAG Flywheel account. After verifying the successful migration of the site to Flywheel, the existing hosting at WPEngine will be terminated.

Content Updates and Website Changes

BlinkTag is available to make updates to the content or make changes to the structure and template for both websites on an as-needed basis. Additionally, BlinkTag is available to assist and train C/CAG on all aspects of Wordpress content management and file management. BlinkTag has extensive experience with Wordpress and Flywheel hosting, we are always on standby to provide guidance and recommendations to C/CAG staff.

Term

The term of support is July 1, 2023 - June 30, 2026.

Budget

Monthly Site Maintenance

Our fixed monthly maintenance package for both websites includes:

Item	Monthly Cost
Wordfence Security Alert monitoring and response	Included
Monitoring and applying Wordpress version updates	Included
Monitoring and applying Wordpress plugin updates	Included
Flywheel hosting issue monitoring and response	Included
Monitoring and ensuring domain name renewal	Included
Monitoring and responding to issues from ImprovMX email forwarding	Included
Total monthly cost (covers both websites)	\$275

Content Updates and Website Changes

Content updates, website changes and the site migration of ccagtdm.org to Flywheel will be done on an as-needed basis at the following hourly rates.

Item	Hourly Rate
Writing and Social Media	\$125
Ad Campaign Setup and Administration	\$200
Graphic Design	\$250
User Interface and User Experience	\$250
Programming	\$275

Contract Amount

Total cost not to exceed \$5000 annually without prior written approval.

References

Contra Costa Transportation Authority

Linsey Willis, Director of External Affairs
lwillis@ccta.net, 925-256-4728

Santa Clara Valley Transportation Authority (VTA)

Nicole He, Transportation Planner
Nicole.He@vta.org, 408-321-5683

Marin Transit

Robert Betts, Director of Operations & Service Development
rbetts@marintransit.org, 415-226-0855

511 Contra Costa

Corinne Dutra-Roberts, Senior Transportation Analyst
corinne@511contracosta.org, 925-969-0841

Water Emergency Transportation Authority (WETA)

Mike Gougherty, Project Manager
gougherty@watertransit.org, 415-291-3377

Oregon State University

J. David Porter, Ph.D, Professor, School of Mechanical, Industrial and Manufacturing Engineering
David.Porter@oregonstate.edu, 541-737-2446

C/CAG AGENDA REPORT

Date: July 13, 2023

To: City/County Association of Governments of San Mateo County (C/CAG) Board of Directors

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 23-70 authorizing the C/CAG Executive Director to execute a Funds Transfer Agreement with California Department of Transportation in the amount of \$760,000 for the San Bruno-Millbrae buffered bike lane project.

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

RECOMMENDATION

Review and approval of Resolution 23-70 authorizing the C/CAG Executive Director to execute a Funds Transfer Agreement with California Department of Transportation in the amount of \$760,000 for the San Bruno-Millbrae buffered bike lane project.

FISCAL IMPACT

There is no financial impact related to the transfer agreement execution. The amount of grant award for this project is \$760,000.

SOURCE OF FUNDS

Then Assemblymember Kevin Mullin secured member directed funding for the project back in 2022. The funding will come in the form of state funds through the California Department of Transportation (Caltrans).

BACKGROUND

The El Camino Real corridor (State Route 82) serves as a critical north-south route connecting people traveling between San Jose and San Francisco. Parallel to US-101, El Camino Real provides access to local serving retail centers with grocery stores, offices and businesses, in addition to major transit stations like Caltrain and the Bay Area Rapid Transit Service (BART). This auto-oriented corridor has been identified as a high stress facility for bicyclists in the C/CAG 2021 Comprehensive Bicycle and Pedestrian Plan, due to the relatively high vehicular traffic speed. Despite the challenging conditions for bicyclists, many still choose to travel on this route because it provides the most direct link between communities.

In October 2022, Assemblymember Kevin Mullin provided \$760,000 in member directed funding to plan and design for a 3.7 mile buffered, or protected, bike lane on El Camino Real, stretching from Murchison Drive in the City of Millbrae to Noor Avenue in the City of San Bruno. A buffered bike lane would provide greater distance between motor vehicles and bicyclists, contributing to the perception of safety among users of the bicycle network. The project will also connect to the existing

transit network, including SamTrans bus service on El Camino Real, BART services in San Bruno and Millbrae and Caltrain services in the cities.

Additionally, the project will be able to serve areas with great need. The project is located within two Metropolitan Transportation Commission Equity Priority Communities (EPCs) and within two C/CAG Equity Focus Areas (EFAs). The corridor is also located in the region's Priority Development area, which will increase access to housing, economic and cultural opportunities.

C/CAG, as Project Sponsor and Implementing Agency, needs to enter into a Funds Transfer Agreement (FTA) with Caltrans to receive the funding allocation. The planning phase is expected to start in fall/winter of 2023, followed by environmental clearance and project design.

The attached draft Funds Transfer Agreement was prepared C/CAG. C/CAG will work closely with Caltrans staff to finalize the FTA this fall.

Staff recommends that the Board authorizes the Executive Director to execute the final Funds Transfer Agreement, subject to Legal Counsel approval.

ATTACHMENTS

1. Resolution 23-70
2. Draft Funds Transfer Agreement (*The document is available to download at the C/CAG website at: www.ccag.ca.gov/ccag.html*)

RESOLUTION 23-70

**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 A FUNDS
TRANSFER AGREEMENT WITH CALIFORNIA DEPARTMENT OF
TRANSPORTATION IN THE AMOUNT OF \$760,000 FOR THE SAN BRUNO-
MILLBRAE BUFFERED BIKE LANE PROJECT**

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

WHEREAS, C/CAG is eligible to receive \$760,000 in State funding for the San Bruno-Millbrae buffered bike lane Project from the California Department of Transportation; and

WHEREAS, C/CAG is the Project Sponsor and Implementing Agency for the Project; and

WHEREAS, a Fund Transfer Agreement must be executed with the California Department of Transportation before such funds can be claimed; and

WHEREAS, C/CAG wishes to delegate the authority to execute this agreement and any amendments thereto to the C/CAG Executive Director; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the City/County Association of Governments of San Mateo County that the Executive Director of C/CAG is authorized to execute the Funds Transfer Agreement with Caltrans in the amount of \$760,000 for the San Bruno-Millbrae buffered bike lane Project. Be it further authorized that the Executive Director can negotiate the final terms of the agreement prior to its execution, subject to approval as to form by Legal Counsel.

PASSED, APPROVED, AND ADOPTED, THIS 13TH DAY OF JULY 2023.

Davina Hurt, Chair

C/CAG AGENDA REPORT

Date: July 13, 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 23-71 authorizing the filing of an application for \$2,100,000 assigned by the Metropolitan Transportation Commission (MTC) and committing \$274,669 in local matching funds and stating the assurance to complete the San Mateo County Safe Routes to School Program for the One Bay Area Grant Program 3 (OBAG 3).

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

RECOMMENDATION

That the C/CAG Board review and approve Resolution 23-71 authorizing the filing of an application for funding assigned by the Metropolitan Transportation Commission (MTC) and committing any necessary matching funds and stating the assurance to complete the San Mateo County Safe Routes to School Program for the One Bay Area Grant Program 3 (OBAG 3).

FISCAL IMPACT

The Safe Routes to School Program for FY 2023-2026 is funded with \$2,120,000 of Surface Transportation (STP) Block Grant funds as part of the OBAG 3 program and \$274,669 of Measure M local funds. The total program cost is \$2,394,669. The Measure M funds will serve as the local match for the project.

SOURCE OF FUNDS

The San Mateo County Safe Routes to School (SRTS) Program is funded using a combination of federal Surface Transportation Program (STP) funds from the One Bay Area Grant Cycle 3 Program and local Measure M funding, which is the \$10 vehicle registration fee levied in San Mateo County.

BACKGROUND

The San Mateo County Safe Routes to School (SRTS) Program is a collaborative effort between the City County/Association of Governments (C/CAG) of San Mateo and the San Mateo County Office of Education (SMCOE). The program is designed to encourage and enable school children and their parents to utilize active modes of transportation (walking, bicycling, carpool, and public transit) as a means of getting to school. Through education, on pedestrian and bicycle safety as well as awareness around human impact on the environment, the SRTS program supports schools to implement projects and activities that decrease traffic congestion around school sites, reduce school-related travel emissions, and improve the health, well-being, and safety of student participants. C/CAG established the San Mateo County SRTS Program in 2011. Since the inception of the SRTS Program, C/CAG has contracted with SMCOE to manage the day-to-day operations of the program.

The Safe Routes to School Program is funded every four years using a combination of federal Surface

Transportation Program (STP) or Congestion Mitigation Air Quality (CMAQ) Improvement Program funds from the One Bay Area Grant Program and local Measure M funding. 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. The guidelines included a set-aside of \$2,120,000 for the Safe Routes to School Program for FY 2023-2026. At the September 8, 2022 C/CAG Board meeting, the Board of Directors approved the OBAG 3 program recommendations, which included the funding for the Safe Routes to School Program.

MTC Requirements

C/CAG, as the County Transportation Agency (CTA), is the designated agency that receives the Safe Routes to School Program funds for San Mateo County. As part of programming the funds in the Transportation Improvement Program (TIP), the Metropolitan Transportation Commission (MTC) requires that C/CAG adopt a resolution of local support indicating the understanding of the regional discretionary funding for regional safe routes to school, commitments to the required matching funds, and compliance with the procedures, delivery milestones and funding deadline specified in the Regional Project Funding Delivery Policy.

Recommendation

Staff recommends that the C/CAG Board review and approve Resolution 23-71 authorizing the filing of an application for funding assigned to the Metropolitan Transportation Commission and committing any necessary matching funds and stating the assurance to complete the San Mateo County Safe Routes to School Program for the One Bay Area Grant Program 3 (OBAG 3).

ATTACHMENTS

1. Resolution 23-71

RESOLUTION 23-71

**RESOLUTION OF LOCAL SUPPORT AUTHORIZING THE FILING OF AN
APPLICATION FOR \$2,100,000 ASSIGNED BY THE METROPOLITAN
TRANSPORTATION COMMISSION AND COMMITTING \$274,669 IN LOCAL
MATCHING FUNDS AND STATING ASSURANCE TO COMPLETE THE SAN
MATEO COUNTY SAFE ROUTES TO SCHOOL PROGRAM FOR THE ONE BAY
AREA GRANT PROGRAM 3 (OBAG)**

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

WHEREAS, C/CAG is the designated Congestion Management Agency responsible for the development and implementation of the Congestion Management Program for San Mateo County; and

WHEREAS, City/County Association of Governments of San Mateo County (herein referred to as APPLICANT) is submitting an application to the Metropolitan Transportation Commission (MTC) for \$2,120,000 in funding assigned to MTC for programming discretion, which includes federal funding administered by the Federal Highway Administration (FHWA) and federal or state funding administered by the California Transportation Commission (CTC) such as Surface Transportation Block Grant Program (STP) funding, Congestion Mitigation and Air Quality Improvement Program (CMAQ) funding, Transportation Alternatives (TA) set-aside/Active Transportation Program (ATP) funding, and Regional Transportation Improvement Program (RTIP) funding (herein collectively referred to as REGIONAL DISCRETIONARY FUNDING) for the San Mateo County Safe Routes to School Project (herein referred to as PROJECT) for the Safe Routes to School Program (herein referred to as PROGRAM); and

WHEREAS, the United States Congress from time to time enacts and amends legislation to provide funding for various transportation needs and programs, (collectively, the FEDERAL TRANSPORTATION ACT) including, but not limited to the Surface Transportation Block Grant Program (STP) (23 U.S.C. § 133), the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149) and the Transportation Alternatives (TA) set-aside (23 U.S.C. § 133); and

WHEREAS, state statutes, including California Streets and Highways Code §182.6, §182.7, and §2381(a)(1), and California Government Code §14527, provide various funding programs for the programming discretion of the Metropolitan Planning Organization (MPO) and the Regional Transportation Planning Agency (RTPA); and

WHEREAS, pursuant to the FEDERAL TRANSPORTATION ACT, and any regulations promulgated thereunder, eligible project sponsors wishing to receive federal or state funds for a regionally-significant project shall submit an application first with the appropriate MPO, or RTPA, as applicable, for review and inclusion in the federal Transportation Improvement Program (TIP); and

WHEREAS, MTC is the MPO and RTPA for the nine counties of the San Francisco Bay region; and

WHEREAS, MTC has adopted a Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) that sets out procedures governing the application and use of REGIONAL DISCRETIONARY FUNDING; and

WHEREAS, APPLICANT is an eligible sponsor for REGIONAL DISCRETIONARY FUNDING; and

WHEREAS, as part of the application for REGIONAL DISCRETIONARY FUNDING, MTC requires a resolution adopted by the responsible implementing agency stating the following:

- the commitment of any required matching funds; and
- that the sponsor understands that the REGIONAL DISCRETIONARY FUNDING is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional REGIONAL DISCRETIONARY FUNDING; and
- that the PROJECT will comply with the procedures, delivery milestones and funding deadlines specified in the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and
- the assurance of the sponsor to complete the PROJECT as described in the application, subject to environmental clearance, and if approved, as included in MTC's federal Transportation Improvement Program (TIP); and
- that the PROJECT will have adequate staffing resources to deliver and complete the PROJECT within the schedule submitted with the project application; and
- that the PROJECT will comply with all project-specific requirements as set forth in the PROGRAM; and
- that APPLICANT has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquiries or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by APPLICANT; and
- in the case of an RTIP project, state law requires PROJECT be included in a local congestion management plan, or be consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the countywide transportation agency; and

WHEREAS, that APPLICANT is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT; and

WHEREAS, there is no legal impediment to APPLICANT making applications for the funds; and

WHEREAS, there is no pending or threatened litigation that might in any way adversely affect the proposed PROJECT, or the ability of APPLICANT to deliver such PROJECT; and

WHEREAS, APPLICANT authorizes its Executive Director, General Manager, or designee to execute and file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the PROJECT as referenced in this resolution; and

WHEREAS, MTC requires that a copy of this resolution be transmitted to the MTC in conjunction with the filing of the application.

NOW, THEREFORE, BE IT RESOLVED that the APPLICANT is authorized to execute and file an application for funding for the PROJECT for REGIONAL DISCRETIONARY FUNDING under the FEDERAL TRANSPORTATION ACT or continued funding; and be it further

RESOLVED that APPLICANT will provide any required matching funds; and be it further

RESOLVED that APPLICANT understands that the REGIONAL DISCRETIONARY FUNDING for the project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the APPLICANT from other funds, and that APPLICANT does not expect any cost increases to be funded with additional REGIONAL DISCRETIONARY FUNDING; and be it further

RESOLVED that APPLICANT understands the funding deadlines associated with these funds and will comply with the provisions and requirements of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) and APPLICANT has, and will retain the expertise, knowledge and resources necessary to deliver federally-funded transportation and transit projects, and has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by APPLICANT; and be it further

RESOLVED that PROJECT will be implemented as described in the complete application and in this resolution, subject to environmental clearance, and, if approved, for the amount approved by MTC and programmed in the federal TIP; and be it further

RESOLVED that APPLICANT has reviewed the PROJECT and has adequate staffing resources to deliver and complete the PROJECT within the schedule submitted with the project application; and be it further

RESOLVED that PROJECT will comply with the requirements as set forth in MTC programming guidelines and project selection procedures for the PROGRAM; and be it further

RESOLVED that, in the case of an RTIP project, PROJECT is included in a local congestion management plan, or is consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the countywide transportation agency; and be it further

RESOLVED that APPLICANT is an eligible sponsor of REGIONAL DISCRETIONARY FUNDING funded projects; and be it further

RESOLVED that APPLICANT is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT; and be it further

RESOLVED that there is no legal impediment to APPLICANT making applications for the funds; and be it further

RESOLVED that there is no pending or threatened litigation that might in any way adversely affect the proposed PROJECT, or the ability of APPLICANT to deliver such PROJECT; and be it further

RESOLVED that APPLICANT authorizes its Executive Director, General Manager, City Manager, or designee to execute and file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the PROJECT as referenced in this resolution; and be it further

RESOLVED that a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application; and be it further

RESOLVED that the MTC is requested to support the application for the PROJECT described in the resolution, and if approved, to include the PROJECT in MTC's federal TIP upon submittal by the project sponsor for TIP programming.

PASSED, APPROVED, AND ADOPTED THIS 13TH DAY OF JULY 2023.

Davina Hurt, Chair

C/CAG AGENDA REPORT

Date: July 13, 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 23-72 supporting the submittal of the Allocation Request for Regional Measure 3 Funding in the amount of \$2 Million with the Metropolitan Transportation Commission by the San Mateo County Transportation Authority for the Project Approval and Environmental Document Phase of the US 101/SR 92 Interchange Direct Connector Project.

(For further information, contact Van Dominic Ocampo at vocampo@smcgov.org)

RECOMMENDATION

Review and approve Resolution 23-72 supporting the submittal of the Allocation Request for Regional Measure 3 (RM3) Funding in the amount of \$2 Million with the Metropolitan Transportation Commission (MTC) by the San Mateo County Transportation Authority (SMCTA) for the Project Approval and Environmental Document (PA&ED) Phase of the US 101/SR 92 Interchange Direct Connector Project in the amount of \$2,000,000.

FISCAL IMPACT

The submittal of the Allocation Request for RM3 Funding by SMCTA has no fiscal impact with C/CAG as Measure A funds will initially be used by SMCTA to fund the entire PA&ED Phase, estimated to cost \$12.2 million. Of this amount, \$10.2 million will come from SMCTA's Measure A Highway Program funds, while the remaining \$2 million, which is the required match to Measure A, would come from RM3.

SOURCE OF FUNDS

Local Measure A Funds in the amount of \$10.2 million and Regional Measure 3 Funds in the amount of \$2 million.

BACKGROUND

The US 101/SR 92 Interchange (Interchange) is a major facility that serves both regional traffic and local street connections. During AM and PM peak traffic periods, motorists experience substantial delay and congestion at the Interchange and its vicinity, caused by heavy traffic volume, inadequate capacity, and inefficient weaving and merging at the ramp connectors.

On June 5, 2018, Bay Area voters approved Senate Bill (SB) 595 (Chapter 650, Statutes 2017), commonly referred to as Regional Measure 3 (RM3). RM3 provides funding to eligible transportation projects within the Bay Area that are identified in the Regional Measure 3 Expenditure Plan, this

includes \$50 million for improvements to the US 101/SR 92 Interchange. These funds can be used for either the planned US101/SR 92 Interchange Direct Connector Project and/or the US101/SR 92 Interchange Area Improvement Project.

The MTC has increased bridge tolls to fund the RM3 Expenditure Plan, but RM3 was held up in litigation so all collected toll revenues were deposited in an escrow account for future allocation. The court recently ruled in favor of RM3, thus paving the way for the use of the collected funds, currently in escrow, towards projects listed in the RM3 Expenditure Plan. However, in order to access the funds, an allocation request needs to be submitted to MTC by the sponsor agency. MTC requires the project sponsor's Governing Board to adopt a resolution authorizing the submittal of an Allocation Request for specific project phase(s), detailing the amount of RM3 funds to be reimbursed, and the committed fund source to be pay for the entire project phase.

In August, SMCTA Board will consider authorizing the submittal of the Allocation Request for RM3 funds in the amount of \$2,000,000 for the PA&ED of the US101/SR 92 Interchange Direct Connector Project. Since C/CAG is a co-sponsor of the Project, MTC is requiring the C/CAG Board to adopt a resolution supporting SMCTA's submittal of the Allocation Request for RM3 funds

SMCTA is the implementing agency for the Project PA&ED Phase, which is anticipated to commence in Fall of 2023 and scheduled to be completed in 2025.

ATTACHMENTS

1. Resolution 23-72

RESOLUTION 23-72

**A RESOLUTION BY THE BOARD OF DIRECTORS OF THE
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO
COUNTY (C/CAG) SUPPORTING THE SUBMITTAL OF THE
ALLOCATION REQUEST FOR REGIONAL MEASURE 3 FUNDING WITH
THE METROPOLITAN TRANSPORTATION COMMISSION BY THE SAN
MATEO COUNTY TRANSPORTATION AUTHORITY FOR THE PROJECT
APPROVAL AND ENVIRONMENTAL DOCUMENT PHASE OF THE US
101/SR 92 INTERCHANGE DIRECT CONNECTOR PROJECT.**

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

WHEREAS, Senate Bill (SB) 595 (Chapter 650, Statutes 2017), commonly referred to as Regional Measure 3 (RM3), identified eligible projects to receive funding under the Regional Measure 3 Expenditure Plan; and

WHEREAS, the US 101/SR 92 Interchange Direct Connector Project (hereinafter, "Project") have been identified as eligible projects to receive funding under the Regional Measure 3 Expenditure Plan; and

WHEREAS, the Metropolitan Transportation Commission (MTC) is responsible for funding projects eligible for RM3 funds, pursuant to Streets and Highways Code Section 30914.7(a) and (c); and

WHEREAS, MTC has established a process whereby eligible transportation project sponsors may submit allocation requests for RM3 funding; and

WHEREAS, allocation requests to MTC must be submitted consistent with procedures and conditions as outlined in Regional Measure 3 Policies and Procedures (MTC Resolution No. 4404); and

WHEREAS, the San Mateo County Transportation Authority (SMCTA) is an eligible sponsor of transportation project(s) in the Regional Measure 3 Expenditure Plan; and

WHEREAS, SMCTA Board will consider authorizing the submittal of the Allocation Request for RM3 Funds with MTC for the Project in August, consistent with procedures and conditions as outlined in RM3 Policies and Procedures; and

WHEREAS, C/CAG, together with the San Mateo County Transportation Authority (SMCTA) are co- sponsors of the Project; and

WHEREAS, MTC requires that C/CAG, as co-sponsor of the Projects, adopt a resolution supporting the submittal of Allocation Request by SMCTA for the Project, that is consistent with procedures and conditions as outlined in RM3 Policies and Procedures (MTC Resolution No. 4404); and

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 Board supports the submittal of the Allocation Request for RM3 funding by the San Mateo County Transportation Authority with the Metropolitan Transportation Commission for the Project Approval and Environmental Document Phase of the US 101/SR 92 Interchange Direct Connector Project in the amount of \$2,000,000.

PASSED, APPROVED, AND ADOPTED, THIS 13TH DAY OF JULY 2023.

Davina Hurt, Chair

C/CAG AGENDA REPORT

Date: July 13, 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 23-73 accepting the Daly City and Southeast San Mateo County Community-Based Transportation Plans subject to minor modifications.

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

RECOMMENDATION

That the C/CAG Board review and approve Resolution 23-73 accepting the Daly City and Southeast San Mateo County Community-Based Transportation Plans subject to minor modifications.

FISCAL IMPACT

The budget for the CBTP Updates was approved at a not to exceed amount of \$249,705, including \$120,000 from MTC CBTP funding, \$101,466 from the 22% Measure M funds for Transit Operations and Senior Mobility programs, and \$28,239 from the Congestion Relief Fund.

BACKGROUND

Launched in 2002, the Metropolitan Transportation Commission's (MTC) Community Based Transportation Plan (CBTP) Program evolved out of two regional studies completed in 2001: one on the Lifeline Transportation Network (LTN), and the other on Environmental Justice (EJ). The LTN study identified travel needs and challenges in low-income communities and recommended establishing a regional program to fund community-based planning in disadvantaged communities. Similarly, the EJ study identified the need for MTC to support local planning efforts in Equity Priority Communities (EPCs), which are communities of low income or with concentrations of underserved populations.

The goal of these plans is to work with community members to identify and improve transportation gaps that impact EPCs. Projects identified in CBTPs then become eligible for funding through the Lifeline Transportation Program (LTP).

Since inception of the CBTP Program, C/CAG has produced CBTPs for four communities: East Palo Alto (2005), Bayshore (2008), North Central San Mateo (2011), and San Bruno/South San Francisco (2012).

In March 2019, the C/CAG Board approved a contract with PlaceWorks to update the oldest plans, the Bayshore and East Palo Alto CBTPs. Based on MTC's updated maps outlining EPCs, the study areas of the Plans were expanded somewhat. As shown below, the study area for the East Palo Alto CBTP was expanded to include the Belle Haven area of Menlo Park, the unincorporated North Fair Oaks area and neighboring areas within Redwood City, and the CBTP was renamed the Southeast San Mateo County CBTP. Similarly, the Bayshore study area was expanded to include additional EPCs in Daly City and renamed the Daly City CBTP.

Figure 1- Southeast San Mateo CBTP Study Area



DISCUSSION

Plan development has included the following general steps: preparation of a needs assessment; development of an outreach strategy; development and ranking of transportation recommendations and implementation plans to address the identified transportation gaps/shortcomings; and development of a monitoring and reporting process. All work was coordinated with an Advisory Group comprised of representatives from C/CAG, SamTrans, MTC, Commute.org, Silicon Valley Bicycle Coalition, Peninsula Family Services, and the Youth Leadership Institute, as well as planning and public work staff members from San Mateo County, Daly City, East Palo Alto, Redwood City, and Menlo Park. In addition, efforts included early outreach to local leaders, including virtual public meetings with the following groups:

- North Fair Oaks Community Council
- East Palo Alto City Council
- Redwood City Transportation Advisory Committee
- Menlo Park Complete Streets Commission
- Daly City Council
- Daly City Town Hall on “Local Transportation Challenges”

Initial work began on the update began in mid-2019, with development of a Community Needs Assessment for each study area. Once completed, work commenced on developing an outreach strategy for each plan area, with the expectation that outreach would begin in April 2020. However, beginning in March 2020, due to the onset of the COVID-19 pandemic, shelter-in-place mandates, and social distancing needs, traditional outreach approaches had to be modified and timing repeatedly delayed, with outreach finally completed in the spring of 2022. Below is a general summary of the data included in the completed documents:

1. **Study Area Profile** – Baseline conditions are documented, including updated demographic data, identification of existing mobility services in the planning areas, review of background documents, and base mapping of relevant features (community facilities, major transportation infrastructure, transit, bike/ped plans, local area plans, etc.)
2. **Outreach and Feedback Summaries** – Documentation of community and stakeholder input identifying key local, sub-regional and regional destinations for residents and workers in the EPCs (e.g., job centers, schools, medical and community facilities, grocery stores, etc.), and gaps in existing transportation services and infrastructure to access these destinations, as well as barriers to filling these gaps. Community outreach included online surveys, on-the-ground

engagement (pop-up events), and virtual community meetings, with outreach materials, activities, and advertisements made available in relevant languages.

3. **Transportation Recommendations and Implementation Plans** – Plans include a list of potential projects and programs to address the mobility needs identified in the needs assessment. Evaluation criteria were developed in coordination with the Advisory Group to prioritize the projects and programs, and identify cost estimates, potential funding sources, implementation timeframes and responsible agencies for implementation.

Recommendations fall within the following groups of projects and plans:

- **Active Transportation.** These are generally capital improvements that increase safe, healthy, active transportation choices, namely walking and biking, for everyday trips. Active transportation also includes micromobility, which refers to the use of individual, lightweight vehicles, such as bikeshares and e-scooters, typically on a per-ride basis.
- **Transit and Paratransit.** Transit projects may include new routes, expanding operating hours of certain lines, increasing transit line frequency, or improving transit stops with lighting, shelter, and seating.
- **Safety.** School safety projects provide safe, non-motorized routes between where people live and local schools. Examples of safety projects include improvements to school access and student safety, traffic calming on streets with high rates of pedestrians, neighborhood lighting improvements and poorly-secured transit facilities.

4. **Monitoring and Evaluation Process** – The plans incorporate a process to track progress and funding on implementation of the transportation strategies/measures.

Final Draft Plan Review

The City Councils of the affected local jurisdictions (Daly City, East Palo Alto, Menlo Park, and Redwood City) and the San Mateo County Board of Supervisors have each adopted a resolution in support of the recommendations in the plans and have committed to incorporating the relevant recommendations and action plans into their respective planning and funding plans, and to participating in the on-going monitoring process. Various minor amendments were requested from several jurisdictions which are included in the errata sheet attached to the C/CAG Board Resolution.

It is noted that implementation of specific measures will largely be contingent upon funding availability as well as local staff resources.

Environmental Review

Neither the 2023 Southeast San Mateo County CBTP nor adoption of a resolution in support of the CBTP are projects as defined by the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15060(c) and 15378(b).

Future Funding Opportunities

There are two future potential funding opportunities for projects and programs identified in the CBTPs.

First, C/CAG is working on a call for projects for approximately \$3.8 million in funding for Lifeline

Transportation projects and programs. The Lifeline Transportation Program funding is intended to improve mobility outcomes in the EPCs and areas included in the CBTPs. C/CAG is planning to release the call for projects in late 2023 or early 2024.

Second, the MTC is planning to release a \$21 million regional call for projects for its Community Action Resource and Empowerment (CARE) program in the fall of 2023. MTC is currently requesting Letter of Interest (LOI) from interested parties. The subsequent grant program is competitive and there is a preference for initiatives that are in CBTPs serving EPCs. However, project ideas might be eligible if the project serves/benefits low-income, increases transportation options and particularly tied to preserving existing affordable housing or addresses housing affordability outside areas of concentrated poverty. The LOI is included as Attachment 2.

ATTACHMENTS

1. Resolution 23-73, including errata
2. MTC CARE Letter of Interest

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/>

3. Daly City Community-Based Transportation Plan, February 2023
4. Southeast San Mateo County Community-Based Transportation Plan, February 2023

RESOLUTION 23-73

RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY ACCEPTING THE DALY CITY AND SOUTHEAST SAN MATEO COUNTY COMMUNITY-BASED TRANSPORTATION PLANS SUBJECT TO MINOR MODIFICATIONS.

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), the regional transportation agency for the San Francisco Bay Area, established guidelines to launch and implement the Community-based Transportation Planning (CBTP) Program in 2002 to identify transportation needs in economically disadvantaged communities throughout the San Francisco Bay Area; and

WHEREAS, in January 2018, the MTC issued new Planning Program Guidelines and funding grant opportunities for Bay Area Congestion Management Agencies to develop or update CBTP plans; and

WHEREAS, the City/County Association of Governments of San Mateo County (C/CAG) is the Congestion Management Agency for San Mateo County; and

WHEREAS, C/CAG has previously completed CBTPs for East Palo Alto (2005), Bayshore (2008), North Central San Mateo (2011) and San Bruno/South San Francisco (2012); and

WHEREAS, in 2019 the C/CAG Board authorized updates to the Bayshore and East Palo Alto Community Based Transportation Plans (expanded and renamed Daly City and Southeast San Mateo County CBTPs, accordingly) in accordance with MTC's 2018 Guidelines, which plans have now been completed; and

WHEREAS, development of the two CBTPs included extensive community outreach and was coordinated with an Advisory Group comprised of representatives from C/CAG, SamTrans, MTC, Commute.org, Silicon Valley Bicycle Coalition, Peninsula Family Services, and the Youth Leadership Institute, as well as planning and public work staff members from San Mateo County, Daly City, East Palo Alto, Redwood City, and Menlo Park; and

WHEREAS, the City Councils of Daly City, East Palo Alto, Menlo Park and Redwood City, and the San Mateo County Board of Supervisors have each adopted a resolution in support of the recommendations in the CBTPs, subject to minor modifications as outlined in the errata sheet included as Exhibit A, and have committed to incorporating the relevant recommendations and action plans into their respective planning and funding plans, and to participating in the on-going monitoring process.

NOW THEREFORE BE IT RESOLVED, that the Board of Directors of the City/County Association of Governments of San Mateo County accepts the Daly City and Southeast San Mateo County Community-Based Transportation Plans subject to minor modifications identified in Exhibit A.

PASSED, APPROVED, AND ADOPTED, THIS THIRTEENTH DAY OF JULY 2023.

Davina Hurt, Chair

EXHIBIT A

South East San Mateo County CBTP

Additions are shown in underline, deletions in ~~strike through~~.

Chapter	Page/Table	Revision	Commenter
2. Study Area Profile	Table ES-2	<p>New Recommendation, add to top of table: Complete the following to improve pedestrian safety near and on the Ringwood Avenue Pedestrian Bridge:</p> <ul style="list-style-type: none"> Implement an interior and exterior bridge lighting plan consistent with Caltrans' standards for luminaire type, light level and pole and fixture mounting standards. Perform walk audits along Pierce Road at the Newbridge Street/Market Place intersection and along Van Buren Road at Ringwood Avenue to identify needed pedestrian access and safety improvements on both sides of the bridge. <p>Average Score: 4.75 Area Need Score: 5 Project Potential Score: 4.5 Estimated Cost: \$300,000 to \$700,000 Implementation Timeframe: ST Responsible Agency: Menlo Park</p>	Menlo Park
		Repeat in Table 5-1	
	Table ES-2	<p>New Recommendation, second row of table: Reset the timing of all traffic signals at Chilco St. and Bayfront Expwy. to allow for adequate pedestrian crossing times.</p> <p>Average Score: 4.75 Area Need Score: 5 Project Potential Score: 4.5 Estimated Cost: \$150,000 to \$400,000 Implementation Timeframe: ST Responsible Agency: Menlo Park</p>	Menlo Park
		Repeat in Table 5-1	
	Table ES-2	<p>New Recommendation, third row of table: Implement the initial steps toward developing a vehicle Speed Enforcement Program for Bayfront Expwy., including:</p> <ul style="list-style-type: none"> Preparation of a Comprehensive Plan, including goals, management approach and funding options. Outreach to law enforcement agencies and Identification of a Stakeholder Task Force. Completion of an Historical Risk, Speed and Crash Assessment. <p>Average Score: 4 Area Need Score: 4.5 Project Potential Score: 3.5 Estimated Cost: \$500,000 to \$1,000,000 Implementation Timeframe: ST Responsible Agency: Menlo Park, adjacent jurisdictions, Caltrans</p>	Menlo Park
		Repeat in Table 5-1	
	Table ES-2	Make following edit to responsible agncies of "Perform safety audits...": City of Menlo Park	Menlo Park
		Repeat in Table 5-1	
	Table ES-2	<p>Add the following intersections to top of "Perform Safety audits..." recommendation:</p> <ul style="list-style-type: none"> Bayfront Expwy. and Willow Rd. Bayfront Expwy. and Chilco St. Bayfront Expwy. and Chrysler Dr. Bayfront Expwy. and Marsh Rd. <p>Add the following to bottom of list:</p> <ul style="list-style-type: none"> Willow Rd. and Hamilton Rd. <p>\$15,000 to \$50,000 per intersection</p>	Menlo Park
		Repeat in Table 5-1	
	Table ES-2	<p>Install a High-Intensity Activated Crosswalk ("HAWK") and median improvements at intersection of SR 82 and Selby Lane in East Palo Alto <u>Atherton</u></p> <p>Responsible Agency: Atherton, San Mateo County, <u>Caltrans</u></p>	Menlo Park
		Repeat in Table 5-1	
	Table ES-3	Add Peninsula Clean Energy to list of responsible agencies for recommendation on third row from bottom	East Palo Alto
		Repeat in Table 5-2	
	Table ES-3	Implement City of Menlo Park Transportation Master Plan project #178 and Catrans District 4 Bike Plan Project Number SM-101-X14: Design and develop a bicycle/pedestrian bridge over Highway 101 north of Marsh Road, with connections to Bay Trail and <u>Bedwell</u> . Bayfront Park Bedwell/Bay Front Park.	Menlo Park
		Repeat in Table 5-2	
	Table ES-3	In Responsible Agency for "Upgrade the existing..." : City of Menlo Park	Menlo Park
		Make same change to Table 5-2	
	Table ES-3	In Responsible Agency for "Install Class II buffered bike lanes..." : City of San Mateo	Menlo Park
		Repeat in Table 5-2	
	Table ES-3	In Responsible Agency for "Install buffered bike lanes on Alameda..." : City of Redwood City	Menlo Park
		Repeat in Table 5-2	
	Table ES-4	<p>Add shelters to SamTrans route 296 stops at Middlefield Road and Fifth Avenue to improve shopping experience for those at Chavez Supermarket at 3282 Middlefield Rd., Menlo Park.</p> <p>Responsible Agency: SamTrans, City of Menlo Park, San Mateo County</p>	Menlo Park
		Repeat in Table 5-3	
	Table ES-5	Add "Sequoia District Adult School" to list of schools in 3rd recommendation	East Palo Alto Transportation Commission
		Repeat in Table 5-4	
	Page 30	<p>SHUTTLE</p> <p><u>The Stanford University Marguerite Shuttle is an additional transit resource for residents of East Palo Alto and the larger CBTP study area. Although privately operated and routed outside the CBTP study area, shuttle service is free and open to riders without Stanford University identification. The Marguerite Shuttle provides connections to Palo Alto Transit Center and Fremont BART Station and thus is commonly used by EPC residents for access to regional transit.</u></p>	East Palo Alto Transportation Commission
	Figure 2-11	Edit Figure: Class I bike path along Woodland from 101 to Baylands is a Class III bike lane	East Palo Alto
	Page 39	1. Pre-Loaded Toll Tags. Provide eligible recipients with a new FasTrak Flex toll tag that has been pre-loaded with \$50 \$100 cash value.	East Palo Alto

3. Previous and Current Studies	Page 52	<p>•Accessing the Charter school at Runnymede Street is unsafe—there is no way to access this school by walking or biking. This concern was reiterated by members of the East Palo Alto Transportation Commission during its review of this CBTP. Commissioners stressed the need for improved multimodal access to East Palo Alto Charter School, including the need to coordinate with MTC, the Bay Trail Project and other partners to unlock the gate to the Bay Trail at the end of Tulane Avenue/Rutgers Street. This would provide direct access to a bike-friendly portion of the Bay Trail, allowing students who live north of the school to access Runnymede Street without riding on University Avenue.</p>	East Palo Alto Transportation Commission
5. Methodology and Recommendations	Page 64	<p><u>5.3MULTI-JURISDICTIONAL COORDINATION</u></p> <p>The benefits of mobility and transit improvements often extend beyond the jurisdiction in which they are located. In many cases, communities adjacent to the EPCs that define the CBTP study area would also benefit from increased access associated with pedestrian, bicycle, transit and other recommendations. Removing mobility barriers and filling mobility gaps, especially along cross-jurisdictional thoroughfares, would benefit multiple communities.</p> <p>Members of the North Fair Oaks Community Council and other community leaders highlighted the value of coordinating with adjacent communities that would benefit from the implementation of CBTP recommendations. Consultation with potential advocates such as Atherton to the south and San Carlos to the west should be considered during project initiation, and input and support from those communities sought.</p>	East Palo Alto Transportation Commission

Daly City CBTP

Chapter	Page/Table	Revision	Commenter
1. Introduction	Page 15, Table 1-2	Enhance Pedestrian Safety Hindered by lack jurisdictional accountability 2 of 4 recommended sidewalk additions installed	Daly City staff

MTC'S COMMUNITY ACTION RESOURCE AND EMPOWERMENT (CARE) PROGRAM GUIDE – Call for Interest Process

Background and Goals of MTC's CARE Program

In 2021, the Metropolitan Transportation Commission (MTC) adopted the Bay Area's most recent Regional Transportation Plan and Sustainable Communities Strategy (SCS), [Plan Bay Area 2050](#) (PBA 2050). PBA2050 outlines the region's plan, incorporating equity through careful consideration of investments and policies that affect historically and systemically marginalized, underserved and excluded groups, including people with low incomes, people with disabilities and communities of color. PBA 2050 identified strategy, "T2 – support community-led transportation enhancements in Equity Priority Communities." Since 2005, the [Lifeline Transportation Program](#) (LTP) has programmed over \$300 million, and advanced 300+ projects identified in [Community Based Transportation Plans](#) (CBTP). Through lessons learned from the previous six cycles of LTP and the application of [MTC's Equity Platform](#), LTP is being redesigned to address administrative fund source barriers to better align with community project needs while resourcing and centering community voice and power-building to strengthen community assets.

The CARE Program is a multi-pronged approach to expand mobility access and opportunity to all communities while focusing on the underserved, overburdened, and [MTC's Equity Priority Communities](#). Below are key components of the Program:

- **Goal:** The goal of the program is to improve mobility and access to opportunity by advancing community-rooted initiatives identified in CBTPs.
- **Investment Areas:** The Program is envisioned to undertake three focus investment areas: participatory budgeting project implementation, technical assistance for project development, community power-building and engagement.
- **Purpose:**
 - **Project Implementation Strategy:** The Program serves as providing a **baseline** source of funding to 1) implement high priority, neighborhood-level, community projects identified through a participatory budgeting process; 2) advance project development to increase readiness/competitiveness for additional funding sources.
 - **Community Power-Building and Engagement Strategy:** In addition to these project implementation strategies, a key element to operationalizing equity is investing in community power-building by 1) supplementing outreach and engagement conducted by community rooted organizations, and 2) supporting these community organizations and local government with technical assistance/capacity building resources.

In addition to coordinating with County Transportation Agencies and transit operators, MTC is exploring partnerships that address improving mobility and access to opportunity outcomes with the Bay Area Air Quality Management District and health and social service sectors.

Submitting Project Ideas

MTC is interested in understanding the funding need and potential projects/programs in Community Based Transportation Plans (that would apply for these funds under the following areas:

- Community power-building and engagement addressing transportation or both transportation and housing.
- Technical assistance needed for project development to advance and position projects for additional, competitive funding; and,
- Projects/concepts that are ready to be implemented that have undergone a participatory budgeting process (or similar).
- Technical assistance and capacity building for community-based organizations and local government to advance transportation, mobility, and transit-oriented communities.

Eligible proposers (see eligibility section below) are encouraged to submit ideas on a wide range of projects, concepts, or needs that will accelerate, expand, and improve mobility and access to opportunity. Project ideas should support community-based transportation projects that:

- Are developed through a collaborative, diverse, and inclusive process that engages a broad range of stakeholders such as public agencies, transit operators, community-based organizations and residents, and outreach to underrepresented communities.
(Note: Transit vehicle, fixed route vehicle/guideway capital improvement projects will NOT be considered for this Program as existing programs/funding sources focus on these types of projects)
- Improve the range of transportation choices such as first-and last-mile shuttles, taxi voucher programs, and other projects.
- Address gaps and/or barriers identified in [Community Based Transportation Plans](#) or other substantive local planning efforts involving focused outreach to low-income populations such as countywide or regional welfare-to-work transportation plans, the Coordinated Public Transit-Human Services Transportation plan or other documented assessment of need.

Program and project ideas can include, but are not limited to technical assistance or implementation of:

- Lower cost capital improvement projects (e.g., bus stop upgrades, sidewalk improvements, multilingual signage)
- Active transportation infrastructure (e.g., sidewalk connectivity, new bike lanes)
- Mobility services (e.g., subsidized taxis and ride hailing services or volunteer transportation programs focused on serving persons earning a low-income or those seeking healthcare)
- Innovative pilot project advancing equity (e.g., neighborhood data collection and management, shared-use mobility such as ride sourcing, carsharing, bikesharing, etc.)
- Transportation-related workforce development programs (e.g., transportation related to building a pipeline of talent from technical trades to STAMPE – Science, Technology, Arts, Math, Policy, Engineering)
- Engagement, outreach, and education (e.g., programs that increase awareness, social connectedness with and for underserved communities related to transit/transportation)

Submitting Through Survey Form or Video

MTC is collecting input and ideas through an Interest Survey online form or through recorded video content. MTC will use the submitted content to inform and develop regional funding and assistance programs that support the advancement of mobility and access to opportunity. Following the development of any funding program, MTC will release a call for projects. MTC staff will work with eligible proposers to support the development of project proposals for the funding program.

Please submit your project idea using this form

https://docs.google.com/forms/d/e/1FAIpQLSdQHIC1Cw8rKbpeC11AiI_uzLxifWZGSLg4xEbDP-XkbMm7AQ/viewform?usp=sf_link or through video. If interested in submitting via video, please email jsantos@bayareametro.gov. Similar projects for the same public agency or set of agencies should be submitted as a single project (for example, a city interested in improving bus shelters at various sites should submit one form for all sites rather than a form for each proposed location).

Surveys are due July 21, 2023.

Eligible Project Idea Proposers

Surveys may be submitted by Bay Area public agencies, including Cities, Counties, Transit Agencies, and County Transportation Authorities (CTAs). Public agencies can coordinate and submit coordinated cross-jurisdictional project ideas, but a primary agency must be identified.

Public agencies may partner with other entities such as non-profit organizations and community-based organizations. A public agency must serve as the grant recipient and fiscal agent for any project funded by a grant through MTC's CARE Program.

Next Steps and Schedule

Response to the Survey is due by July 21, 2023. MTC will host informational online meeting(s) on **Wednesday, July 12 and Wednesday, July 19 at 1:00PM**. The information session will provide an overview of the process and respond to questions.

Register for the meeting here: https://bayareametro.zoom.us/webinar/register/WN_BIYz6fDkT-6wvvqJ0ou9kw

MTC will review and summarize survey results and follow up with proposers as needed. Results will then inform the development of the Draft Funding Guidelines and Requirements of MTC's CARE Program.

MTC anticipates developing a baseline funding program of **\$21 million** for CARE, a **Call for Projects initiated in late summer/September 2023**, with REAP state funded awarded projects to be completed/funds **expended by June 2026**. Response to this interest and needs assessment will help inform the community-based investment priority categories, percentage allocation for each category, and overall grant design, implementation, and evaluation.

Activity	Anticipated Date*
Call for Interest and Project Ideas: Survey announcement release	June 23, 2023
Informational meeting(s)	July 12 and July 19, 1:00 p.m.
Interest/Project Idea Survey deadline	July 21, 2023
MTC review and follow-up with proposers	July-August 2023
Call for Projects Application Release	Summer/September 2023

*Subject to change

C/CAG AGENDA REPORT

Date: July 13, 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 originated as 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.

Key C/CAG Legislative Session Activities

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.

At the March 9, 2023 meeting, the Committee voted to support ACA-1 (Aguiar-Curry). In addition, the Legislative Committee took position on two ballot measures: Taxpayer Protection and Government Accountability Act – Oppose, and a ballot measure to repeal the majority voter approval requirement for Low-Rent Housing – Support. The C/CAG Board approved of these positions.

Brown Act Legislation

There are currently five bills related to the Brown Act for this session and SYASL is tracking their value to C/CAG's goals as expressed in the letter. They are listed below. Two of those bills were acted upon by the Legislative Committee and the Board at the March 9, 2023 meeting. At the April 13, 2023 meeting, the Legislative Committee and the Board acted on two additional Brown Act bills:

- AB 557 (Hart) – Support
- AB 817 (Pacheco) – Support
- AB 1379 (Papan) – Support
- SB 411 (Portantino)
- SB 537 (Becker) – Support

Three support letters have been sent. Unfortunately, SB 537 (Becker) underwent significant amendments such that staff and SYASL believe the bill should be re-presented to the Legislative Committee for reconsideration. No action was taken on the Becker bill.

In April the Legislative Committee and Board acted in support in SB 511 (Blakespear) and that letter was sent.

At the May Legislative Committee, four additional positions were taken and presented to the C/CAG Board, which voted to approve. They are as follows:

- AB 321 (Wilson Sales Use Tax Exemption for Public Ferries – Support
- AB 463 (Hart) Prioritization of Service: Public Transit Vehicles – Support
- AB 756 (Papan) Stormwater Runoff Pilot Project – Support
- AB 1525 (Bonta) Transportation Project Impacts to Priority Populations - Oppose

Unfortunately, all four of the bills, for which the Committee and the Board took positions in May, were moved to suspense, so no letters were drafted or delivered.

At the June 8th Legislative Committee and Board meetings, both bodies voted to oppose SB 450 (Atkins) and a letter was sent.

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. The meeting will consist mainly of an update on the State budget. However, there are three bills of interest for consideration by the Committee.

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.

Board members may view the bills being tracked at the following link provided by SYASL: [C/CAG Bill Tracking](#)

ATTACHMENTS

1. C/CAG Legislative Update, June 28, 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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June 28, 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 – July 2023**

Legislative Update

July 1 marks the start of the 2023-24 Fiscal Year. The Legislature sent Governor Newsom a budget bill on June 15, as constitutionally required, and on June 26, [announced](#) an agreement with the Administration on the state budget, which includes the Governor's infrastructure streamlining package (much more on this below). Policy committees have been hearing bills sent over from the other house and will have until July 14 to hear and report bills to the fiscal committees or the floor. July 14 also marks the start of the Legislature's Summer Recess. The Legislature will reconvene from Summer Recess on August 14 and have a month to finish the first year's business before they adjourn for the interim recess on September 14. The Legislative Calendar, which sets the deadlines for the year and can be viewed [here](#).

Update on State Budget/Transit Fiscal Cliff

Following the main budget appropriations bill, [SB 101 \(Skinner\)](#), which was sent to the Governor on June 15, the Legislature approved a revised set of bills reflecting the final state budget agreement for FY 2023-24. On June 27, the Legislature sent the Governor numerous budget bills, including [AB 102 \(Ting\)](#) and [SB 125 \(Committee on Budget and Fiscal Review\)](#), which reflect the three-party agreement with Governor Newsom on the Budget Act's transportation/transit investments and policy.

AB 102, which responds to the advocacy efforts of the California Transit Association, regional agencies, transit systems, and their allies, would restore **\$2 billion** in General Fund support to the Transit and Intercity Rail Capital Program (TIRCP), returning General Fund investment in the TIRCP to **\$4 billion** total for FY 2023-24 and FY 2024-25. This funding will flow to regional transportation planning agencies (RTPAs) on a population-based formula (using PUC 99313) for investment in transit and rail capital projects, but allow the flexibility to direct up to 100% of this funding to meet the operational needs of agencies in their jurisdictions.

This bill would also commit **\$1.1 billion** in new and previously appropriated transit funding for the newly created Zero-Emission Transit Capital Program (ZETCP). This funding would flow to RTPAs on a population- and revenue-based formula (using PUC 99313 and 99314). While the funds allocated for the

ZETCP are proposed for zero-emission vehicles and refueling infrastructure, regions will have the flexibility to direct up to 100% of this funding to meet the operational needs of agencies in their jurisdictions. AB 102 would preserve funding for the CARB's HVIP-Transit and CEC's Clean Transportation Programs for FYs 2021-22 and 2022-23.

As noted above, the Legislature also sent the Governor SB 125 representing the transportation trailer bill. This bill would institute accountability and reform requirements on regions and their transit agencies to access the funding included in AB 102, extend statutory relief measures secured in 2020 and 2021 for transit agencies, and create a new state-level Transit Transformation Task Force at the California State Transportation Agency (CalSTA), as previously ensconced in AB 761 (Friedman).

The accountability and reform requirements included in these bills would apply to all RTPAs receiving funding under AB 102 - irrespective of whether a RTPA proposes to direct the funding it receives to transit capital or operations. Essentially, the bill now requires RTPAs to submit short- and long-term financial plans, and operations data, for regional transit to access this funding.

The accountability and reform requirements would further require that, as a condition of receiving the funding in AB 102, an RTPA post on its internet website a summary of monthly ridership data, consistent with the data submitted to the National Transit Database, from all its transit operators during the period for which it receives funding.

Finally, the final budget agreement also includes the Governor's infrastructure streamlining package, including [NEPA assignment for local transit projects](#), [expedited judicial review for certain types of transportation projects](#), and [changes to the administrative record process under CEQA](#).

Bills with Positions

SB 450 (Atkins) Updates to Ministerial Approvals for Parcel Subdivisions (SB 9) – C/CAG OPPOSE

This bill would make several changes to the ministerial approval process created by SB 9 for a housing development of no more than two units in a single-family zone (duplex), the subdivision of a parcel zoned for residential use into two parcels (lot split), or both by requiring that that an application for a duplex or a lot split shall be considered and approved or denied within 60 days from the date the local agency receives a completed application. If the local agency has not approved or denied the application in that timeframe, it shall be approved. This bill also states that if a local agency denies an application for a duplex or lot split, the permitting agency shall return in writing a full set of comments to the application with a list of deficient items and a description of how the application can be remedied by the applicant. This bill would also prohibit a local agency from imposing objective zoning standards, objective subdivision standards, and objective design standards that do not apply uniformly to developments within the underlying zone.

SB 511 (Blakespear) Local Emissions Inventories – C/CAG SUPPORT

Before January 1, 2028, this bill would require the California Air Resources Board (CARB) to develop and publish a report on greenhouse gas emission inventories for calendar year 2025 for each city, county, city and county, and special district and to periodically update the report consistent with updates to CARB's scoping plan. The bill would require CARB to establish a local government advisory committee to

inform the development of the inventories. The bill would appropriate \$2,500,000 in the Fiscal Year 2024–25 budget for the bill’s purposes.

ACA 1 (Aguiar-Curry) Lower-Vote Threshold – C/CAG SUPPORT

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.

AB 557 (Hart) Brown Act – Extension of Existing Authority – C/CAG SUPPORT

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.

AB 817 (Pacheco) Brown Act – Advisory Bodies – C/CAG SUPPORT

This bill provides 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. ***This is a two-year bill.***

AB 1379 (Papan) Brown Act - Remote Meeting Flexibility – C/CAG SUPPORT

This bill also provides a broad interpretation of the Brown Act for all 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, but would require a local agency to have a physical meeting location open to the public and follow certain notification procedures and meeting procedures. ***This is a two-year bill.***

Bills of Interest

SB 532 (Wiener) Bridge Toll Increase

This bill would increase the toll for vehicles for crossing toll bridges in the San Francisco Bay area by \$1.50 until December 31, 2028, and require the revenues collected from this toll to be used by MTC for allocation to transit operators that provide service within the San Francisco Bay area and experiencing an operations funding challenge. Any transit operator seeking an allocation would be required to submit a 5-year projection of its operating need.

AB 7 (Friedman) Transportation Project Selection

On and after January 1, 2025, this bill would require CalSTA, Caltrans and the California Transportation Commission to incorporate specified principles into their processes for project development, selection, and implementation, including improving safety for all users, addressing environmental impacts and stormwater runoff, prioritizing infrastructure less vulnerable to climate change, and investing in safe and accessible bicycle and pedestrian infrastructure and zero-emission vehicle infrastructure. This bill would

also require future California Transportation plans to include a financial element that identifies cost constraints, and an analysis of how the state is achieving the principles outlined in the Climate Action Plan for Transportation Infrastructure, the federal Infrastructure Investment and Jobs Act of 2021, and the federal Justice40 initiative.

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.

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

C/CAG AGENDA REPORT

Date: July 13, 2023

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

From: Sean Charpentier, Executive Director

Subject: Communications - Information Only (Two Letters)

(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 are two letters:

1. **6/12/2023** – Letter to Drew Bohan, California Energy Commission. RE: Letter of Support for GFO-22-610 Convenient, High-Visibility, Low-Cost, Level 2 Charging (CHiLL-2) for BART
2. **6/21/2023** – Letter to Honorable Buffy Wicks, Chair, Assembly Housing Committee. RE: SB 450 (Atkins) Housing Development Approvals - OPPOSE

ATTACHMENTS

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