



**CITY/COUNTY ASSOCIATION OF GOVERNMENTS
OF SAN MATEO COUNTY**

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

AMENDED AGENDA

(Note: Only change is to the Publicly Accessible Teleconference Location.)

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

Meeting No. 368

Date: Thursday, October 12, 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 94070 Publicly Accessible Teleconference Location: Hotel Nia, 200 Independence Street, Conference Room, Menlo Park, CA	Join by Webinar: https://us02web.zoom.us/j/82155677320 ?pwd=a2NvMnlxZU1tZUZiRWdRdkt0 ZU5EQT09 Webinar ID: 821 5567 7320 Password: 101223 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. The Board welcomes comments, including criticism, about the policies, procedures, programs, or services of the agency, or of the acts or omissions of the Board and committees. Speakers shall not disrupt, disturb, or otherwise impede the orderly conduct of a Board meeting. 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 PRESENTATIONS / ANNOUNCEMENTS

- 2.1 Receive a Presentation providing an update on the San Mateo County Highway 101 Express Lanes.

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3.0 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 or staff request specific items to be removed for separate action.

- 3.1 Approval of minutes of regular business meeting No. 367 dated September 14, 2023. ACTION p. 3
- 3.2 Review and approval of Resolution 23-82 authorizing the submittal of Grant Applications to the 2023 Highway Program Call for Project Funding (Measure A and/or Measure W) for the US 101 Managed Lanes Project North of Interstate 380 Project and the US101/SR92 Interchange Area Improvement Project. ACTION p. 9
- 3.3 Review and approval of Resolution 23-83 authorizing the C/CAG Executive Director to execute Amendment No. 2 to the Fiscal Year 2020/21 Transportation Fund for Clean Air (TFCA) Funding Agreement with City of Daly City for the Daly City Crosswalk Enhancements Project, extending project completion date to June 30, 2024, at no additional cost. ACTION p. 16
- 3.4 Review and approval of Resolution 23-84 adopting the revised membership guidelines to include alternate positions for Congestion Management Program Technical Advisory Committee. ACTION p. 21
- 3.5 Review and approval of Resolution 23-85 adopting the revised membership guidelines to include alternate positions for Stormwater Committee. ACTION p. 29
- 3.6 Review and approval of Resolution 23-86 authorizing the C/CAG Executive Director to execute an agreement with Mariposa Planning Solutions for the preparation of a Shared Micromobility Community Outreach Plan, in an amount not to exceed \$119,593, establish a contingency in the amount of \$11,959 (10% of contract) for a total project budget of \$131,552, and execute future contract amendments in an amount not-to-exceed the appropriated contingency ACTION p. 37
- 3.7 Review and approval of Resolution 23-87 determining that a proposed 155-unit single family residential development, public open space and recreation facilities at 300 Piedmont Avenue, San Bruno, is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport. ACTION p. 41
- 3.8 Review and approval of Resolution 23-88 determining that the proposed 6-story, 188 room hotel at 501 Industrial Road, San Carlos, including associated rezoning, is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport. ACTION p. 47
- 3.9 Review and approval of Resolution 23-89 determining that the Burlingame Zoning Ordinance update is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport. ACTION p. 53
- 3.10 Review and approval of Resolution 23-90 determining that the San Carlos Zoning Ordinance update is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport. ACTION p. 63

- 3.11 Review and approval of Resolution 23-91 determining that proposed amendments to the Millbrae Station Area Specific Plan to allow for uses classified as “Biotechnology Level 2” within portions of the Transit Oriented Development Zone north of the paseo connecting the Millbrae transit station and Rollins Road, south of the BART parking garage, east of Millbrae transit station, and west of Rollins Road, which are located within Safety Compatibility Zone 2, are inconsistent with the Safety Compatibility Policies of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport. ACTION p. 70
- 3.12 Review and approval of Resolution 23-92 authorizing the C/CAG Chair to execute Amendment No. 4 to the Agreement with the City of South San Francisco for fiber conduit purchase of the Smart Corridor Extension Project, extending the contract term to June 30, 2024, at no additional cost. ACTION p. 75
- 3.13 Receive a copy of executed Amendment No. 1 to the Fiscal Year 2021/22 Transportation Fund for Clean Air (TFCA) Funding Agreement with City of San Bruno for the Bicycle Route Installation Project, extending project completion date to October 31, 2024, at no additional cost. INFORMATION p. 81
- 3.14 Review and approval of Resolution 23-93, authorizing the C/CAG Executive Director to execute a funding agreement with the City of Daly City in an amount not to exceed \$672,500, to install fiber and perform other related duties in preparation for the future deployment of the Northern Cities Smart Corridor project. ACTION p. 85

4.0 **REGULAR AGENDA**

- 4.1 Action on Compensation Adjustment for Executive Director and review and approval of Resolution 23-95 authorizing the C/CAG Chair to execute Amendment No. 2 to the agreement between C/CAG and Executive Director. ACTION p. 89
- 4.2 Review and approval of Resolution 23-94 approving the Proposed 2024 State Transportation Improvement Program (STIP) for San Mateo County and also authorize the C/CAG Executive Director to negotiate with the Metropolitan Transportation Commission (MTC) and California Transportation Commission (CTC) to make minor modifications as necessary. (*Special voting procedures apply*). ACTION p. 93
- 4.3 Open a public hearing on the draft update to the Congestion Management Program and continue the public hearing to November 9, 2023. ACTION p. 99
- 4.4 Presentation of C/CAG Equity Assessment and Framework Development Project Draft Final Report. INFORMATION p. 110

5.0 **COMMITTEE REPORTS**

- 5.1 Chairperson’s Report
- 5.2 Board Members Report/Communication

6.0 **EXECUTIVE DIRECTOR’S REPORT**

7.0 **COMMUNICATIONS** - Information Only

7.1 Written Communication – (1 Letter)

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8.0 **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA**

Pursuant to Government Code Section 54954.3, members of the public who wish to speak on matters not on the agenda will be given an opportunity to address the Board. Members of the public will have two minutes each to address the Board, unless a different time limit is established by the Chair. Please refer to the instructions at the end of this agenda for details regarding how to provide public comments.

9.0 **ADJOURNMENT**

Next scheduled meeting November 9, 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: 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:

Members of the public who wish to speak on matters not on the agenda will be given an opportunity to address the Board during the agenda item titled "Public Comment on Items Not on the Agenda." Members of the public who wish to speak on a matter on the agenda will have two minutes each to address the Board on that agenda item unless a different time limit is established by the Chair. No speaker who has already spoken on an item will be entitled to speak to that item again. At the call of the Chair, public comments will be taken in-person and remote. Public comments will be taken first by speakers in person followed by via Zoom.

*Those participating **in-person** will fill out a speaker's slip located on the 2nd floor auditorium side table against the wall. If you have documents you wish to distribute to the Board and include in the official record, please hand it to the C/CAG Clerk who will distribute the information to the Board members and staff.

*Those participating **remotely** will:

1. Access the meeting through Zoom at the online location or via phone as indicated at the top of this agenda.
2. 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. 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. Click on "raise hand" when the C/CAG Clerk or Chair calls for the item on which you wish to speak. The Clerk will activate and unmute speakers in turn. Speakers will be notified shortly before they are called on to speak. If calling in via phone, press *9 to raise your hand and when called upon press *6 to unmute.
5. When called, please limit your remarks to the time allotted.

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

Executive Director: Sean Charpentier (650) 599-1409

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

C/CAG AGENDA REPORT

Date: October 12, 2023

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

From: Sean Charpentier, Executive Director

Subject: Receive a Presentation providing an update on the San Mateo County Highway 101 Express Lanes.

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

RECOMMENDATION

That the C/CAG Board receive a presentation providing an update on the San Mateo County Highway 101 Express Lanes.

BACKGROUND

The San Mateo County 101 Express Lanes project consists of 22 miles of express lanes in both directions on U.S. 101 from the Santa Clara County line to the I-380 in South San Francisco. The express lanes operate between 5am and 8pm on Monday through Friday and use dynamic pricing to encourage carpooling and transit use, increase person throughput (the number of people moved) and reduce congestion in the corridor. The express lanes between the Santa Clara County line and Whipple Ave. opened in February of 2022. The section between Whipple Ave. and I-380 opened in March 2023. For more information see: <https://101expresslanes.org/>

The San Mateo County Express Lanes Joint Powers Authority (SMCEL-JPA) was jointly created by C/CAG and the San Mateo County Transportation Authority (SMCTA). The SMCEL-JPA is responsible for overseeing the operations and administration of the San Mateo 101 Express Lanes, in addition to jointly exercising ownership rights over the Express Lanes. The SMCEL-JPA has a 6-member Board of Directors, with three members appointed by C/CAG (Alicia Aguirre (current Chair), Gina Papan, and Michael Salazar) and three members appointed by the SMCTA (Emily Beach (current Vice Chair), Rico Medina, and Carlos Romero).

In addition to the express lanes, the SMCEL-JPA created and implements the Community Transportation Benefits Program, which works with Samaritan House to distribute a FasTrak Transponder pre-loaded with \$100 or a Clipper Card pre-loaded with \$100 to eligible San Mateo County residents. For more information see: <https://101expresslanes.org/program/equity-program>

Lacy Vong, the Policy and Program Manager for SMCEL-JPA and Associate Vice President at HNTB, will provide the presentation.

ATTACHMENTS

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

1. 4Qtr FY23 US 101 Express Lanes Performance Report
2. Presentation providing an update on the San Mateo County Highway 101 Express Lanes.

C/CAG

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

MINUTES

Meeting No. 367
September 14, 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 6:32p.m. Roll call was taken.

AGENCY:	IN-PERSON:	ABSENT:	REMOTE AB 2449	REMOTE Publicly Accessible Teleconference Location:
Atherton		Absent		
Belmont	Davina Hurt			
Brisbane	Karen Cunningham			
Burlingame		Absent		
Colma		Absent		
Daly City		Absent		
East Palo Alto	Lisa Gauthier			
Foster City	Stacy Jimenez			
Half Moon Bay	Debbie Ruddock			
Hillsborough	Christine Krolik			
Menlo Park		Absent		
Millbrae	Gina Papan			
Pacifica		Absent		
Portola Valley	Jeff Aalfs			
Redwood City	Alicia Aguirre			
San Bruno	Michael Salazar			
San Carlos	Adam Rak			
San Mateo	Rich Hedges			
South San Francisco	Flor Nicolas			
Woodside		Absent		
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	Chris Lepe – Mariposa Planning Solution
Mima Crume – Clerk of the Board	Gregory Nudd - BAAQMD
Melissa Andrikopoulos – Legal Counsel	
Jeff Lacap	
Kim Wever	
Susy Kalkin	
Van Ocampo	
C/CAG Staff Present (Remote)	
Kaki Chueng	
Kim Springer	
Reid Bogert	

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 Receive a Presentation from the Bay Area Air Quality Management District (BAAQMD) on the new regulation regarding residential water heaters and furnaces.

The Board received a presentation on the Bay Area Air Quality Management District (BAAQMD) on the new regulation regarding residential water heaters and furnaces. The rule amendments would apply only to new appliances and do not mandate the immediate change out of existing appliances, nor will they apply to appliances used for cooking, such as gas stoves. NOx-emitting natural gas furnaces and water heaters will be phased out over time.

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. 366 dated July 13, 2023.
APPROVED
- 4.2 Review and approve the appointments of Andrew Brozyna, Public Works Director from the City of Foster City, and Brad Underwood, Interim Public Works Director from the City of San Mateo, to the C/CAG Congestion Management Program Technical Advisory Committee and Stormwater Committee; and Mohammad Suleiman, District Division Chief-West Region from the California Department of Transportation (Caltrans), to the C/CAG Congestion Management Program Technical Advisory Committee.
APPROVED
- 4.3 Review and approval of the Finance Committee's recommendation to the investment portfolio and accept the Quarterly Investment Report as of June 30, 2023.**APPROVED**
- 4.4 Review and approve Resolution 23-73 adopting the C/CAG Investment Policy Update.
APPROVED
- 4.5 Review and approval of Resolution 23-74 determining that a proposed 5-story, 103-unit apartment building at 608 Harbor Blvd., Belmont, is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport.
APPROVED
- 4.6 Review and approval of Resolution 23-75 determining that the Belmont General Plan Housing Element 2023-2031 is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport. **APPROVED**
- 4.7 Review and approval of Resolution 23-76 determining that a proposed 10-story, 341-unit multi-family residential development at 840 San Bruno Avenue, San Bruno, is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport.
APPROVED
- 4.8 Review and approval of Resolution 23-77 determining that South San Francisco's draft Lindenville Specific Plan is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport.
APPROVED
- 4.9 Review and approval of Resolution 23-78 authorizing the C/CAG Executive Director to execute agreements with Coffman Associates and Environmental Science Associates to provide on-call airport/land use compatibility planning services to C/CAG for a three-year period extending to September 30, 2026, in an aggregate amount not to exceed \$100,000; and to issue subsequent task orders in full compliance with the terms and conditions of the consultant service agreements.
APPROVED
- 4.10 Review and approve the Fiscal Year 2023/24 Cycle Transportation Development Act Article 3 Program Call for Projects and Schedule.
APPROVED
- 4.11 Review and approval of Resolution 23-79 authorizing the C/CAG Chair to execute

Amendment NO.1 to the FY 23-24 Agreement with the San Mateo County Office of Education for the San Mateo County Safe Routes to School Program adding \$80,111.84 of rollover funds from previous fiscal years for a new not to exceed total of \$878,335.

APPROVED

- 4.12 Review and approval of Resolution 23-80 authorizing the C/CAG Executive Director to execute a Partnership Agreement with the Co-Applicants of the San Mateo County OneWatershed Climate Resilience Framework and Community-Led Plan (Project) and to execute an Agreement with the California Governor's Office of Planning and Research for an amount not to exceed \$649,648 in ICARP grant funds to complete the Project.

APPROVED

- 4.13 Review and approval of Resolution 23-81 authorizing the C/CAG Executive Director to execute an Engagement Agreement and Conflict Waiver for legal services with the San Mateo County Office of the County Attorney.

APPROVED

Board Member Krolik MOVED to approve the consent agenda items 4.1 through 4.13.
Board Member Gauthier SECONDED. **MOTION CARRIED 13-0-0**

5.0 **REGULAR AGENDA**

- 5.1 Receive the Draft 2024 State Transportation Improvement Program (STIP) for San Mateo County.

INFORMATION

The Board received a presentation on the Draft 2024 State Transportation Improvement Program (STIP) for San Mateo County. STIP is the biennial five-year plan for future allocations of state transportation funds. It is a five-year document adopted every two years by the CTC to program certain portions of the gas tax for transportation projects. The Program is developed in coordination with MTC.

- 5.2 Update on C/CAG Equity Assessment and Framework Development Project and review of proposed actions for comment.

INFORMATION

C/CAG staff, Kim Springer, and consultant, Chris Lepe, Mariposa Planning Solutions provided a presentation on C/CAG Equity Assessment and Framework Development Project. The presentation included a project update, overview of stakeholder input received, the elements to be included in the final Framework report, and they review of proposed action for board feedback and comment. Lepe reviewed one action for each of the goals in the Action Plan and then asked the C/CAG Board for comments.

The C/CAG Board provided feedback on the following topics for which staff responded: the importance of establishing the equity plan, how staff will successfully implement the many actions in the Action Plan, how C/CAG will measure success, and a historic perspective of how far this topic of need has come over so many years.

- 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.)

NO ACTION TAKEN

C/CAG staff, Kim Springer, provided a review of the Legislative Committee meeting

earlier in the evening. All specific topics discussed at the Legislative Committee meeting are covered in the Legislative Update document provided in the C/CAG Board packet, except for an update on ACA 1 and ACA 13, both of which made progress earlier in the day. Legislative Committee Vice Chair Papan provided some additional comments.

6.0 COMMITTEE REPORTS

6.1 Chairperson's Report

None.

6.2 Board Members Report/Communication

Board Member/MTC Commissioner Papan reported that MTC is working on getting a ballot measure based on the Chu legislation funding for housing. 80% would go to local jurisdictions and 20% to MTC. She mentioned that they would be meeting with local jurisdictions but did not exactly say with whom. She said they will find out exactly who in San Mateo County they have been meeting with. It is a concern that all of our cities are represented and that a single group is not making decisions for all of our cities. She has added that Sean just got the information and will share with the group. It's important to her that each jurisdiction has a say in how this develops and how it is rolled out. She is hoping to get more electrification money for SamTrans so they can electrify their fleet and infrastructure.

7.0 EXECUTIVE DIRECTOR'S REPORT

Sean Charpentier reported that Jeff Lacap mentioned our ability to save the CRRSSA funds through quick action of MTC, Caltrans, C/CAG staff, we were able to preserve \$3.4M in Krissa funds. We put all of the money in the Smart Corridor project, and they back filled the 92/101 area improvements with additional funding. We are working on the Countywide Local Streets and Road Safety Plan. We are actively recruiting input from the public on areas of concern, whether it's an intersection or roadway segment. We have a link with mapping features that he will send to Board Members and has asked them to distribute to interested parties. A letter of interest was submitted for the Noah federal funding for \$50M. It would fund some of our One Water strategy primarily in the San Bruno watershed where we are working on a regional project on I380 and 280. And also improvements in San Bruno that would help with some of the downstream flooding, improvements in Daly City, East Palo Alto and Colma.

8.0 COMMUNICATIONS - Information Only

8.1 Written Communication – (6 Letters)

9.0 CLOSED SESSION

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

Title: Executive Director of C/CAG.

9.2 Conference with Labor Negotiators (Government Code Section 54957.6). C/CAG

Representative: Davina Hurt.

Unrepresented Employee: Executive Director.

10.0 **RECONVENE IN OPEN SESSION**

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

No reportable action was taken in Closed Session.

11.0 **ADJOURNMENT** – 8:46 p.m.

C/CAG AGENDA REPORT

Date: October 12, 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 23-82 authorizing the submittal of Grant Applications to the 2023 Highway Program Call for Project Funding (Measure A and/or Measure W funds) for the US 101 Managed Lanes Project North of Interstate 380 Project and the US101/SR92 Interchange Area Improvement Project.

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

RECOMMENDATION

Review and approve Resolution 23-82 authorizing the submittal of Grant Applications to the 2023 Highway Program Call for Project Funding (Measure A and/or Measure W funds) for the US 101 Managed Lanes Project North of Interstate 380 Project and the US101/SR92 Interchange Area Improvement Project.

FISCAL IMPACT

There is no Fiscal Impact associated with authorizing the submittal of the grant applications for Measure A and Measure W Highway Program Funds. The San Mateo County Transportation Authority (SMCTA) administers the funds from Measure A and Measure W and is a co-sponsor of these three projects, together with C/CAG.

SOURCE OF FUNDS

The sources of the grant funds are Measure A and/or Measure W

BACKGROUND

For years both C/CAG and SMCTA have partnered in co-sponsoring several regionally significant highway projects including, the San Mateo 101 Express Lanes Project that was recently completed. Currently, there are three highway projects that are in the project development stage, these are: the US 101 Managed Lanes Project North of Interstate 380, the US 101/SR 92 Interchange Area Improvement Project, and the US 101/SR 92 Interchange Direct Connector Project.

The US 101 Managed Lanes Project North of Interstate 380 will improve the operational efficiency for multi-occupant vehicles and Managed Lanes users of US101 from I-380 to the San Mateo/San Francisco County Line. Its purpose is to increase person throughput and mobility by encouraging carpooling and transit use, reduce travel time and improve travel time reliability for HOV and transit users, minimize degradation to general purpose lanes and local streets, and create a facility that extends the benefits of the San Mateo 101 Express Lane Project.

On October 18, 2019, the Project Study Report - Project Document Support (PSR-PDS) was approved by Caltrans to complete the Project Initiation Document (PID) Phase. The Project is currently in the Project Approval and Environmental Document (PA&ED) Phase, estimated to cost \$10,150,000. SMCTA Board had previously allocated \$8,000,000 for the PA&ED Phase and an additional \$2,150,000 is now needed to complete it. The PA&ED Phase is scheduled to be completed in Fall of 2024 after which the Project will be ready to proceed with the Plan, Specification and Estimate (PS&E) Phase. The PS&E Phase is estimated to cost \$36,150,000 with \$16,800,000 already secured through a combination of \$11,323,000 Measure A and \$5,477,000 State Transportation Improvement Program (STIP) funds, leaving a shortfall of \$19,350,000. Both C/CAG and SMCTA staff are working closely together to bridge the shortfall through the 2023 Highway Program CFP Measure A and/or Measure W money to fully fund this phase. CCAG administers the STIP funds for San Mateo County and is responsible for its programming on projects within the County.

The US 101/SR 92 Interchange is a major facility that serves substantial regional traffic as well as local street connections. Heavy traffic volumes, inadequate capacity, and inefficient weaving and merging at the interchange ramp connections cause substantial delays and congestion within the interchange, and its vicinity, especially during peak travel periods. The US 101 / SR 92 Interchange Area Improvement Project considers four non-complex improvements within the project limits that can be rapidly implemented at a relatively lower cost, do not require right of way acquisition, and has minimal environmental impacts.

The four locations and the type of improvements being proposed can either be implemented independently or together are as follows:

1. Westbound SR 92 to southbound US 101 loop ramp and structure widening improvements.
2. Northbound and southbound US 101 to eastbound SR 92 merging and re-stripping improvements.
3. Southbound US 101 Fashion Island Blvd off-ramp improvements.
4. Northbound US 101 at Hillsdale Blvd off-ramp and intersection modification and widening improvements.

On September 8, 2021, the Project PA&ED Phase was completed with the approval of the Project Report. Caltrans is the Implementing Agency for the PS&E and ROW phases which is well underway and scheduled to be completed by Fall of this year. Upon completion of the PS&E and ROW Phases, the Project will be ready to advertise for bid. Caltrans estimates the construction cost at \$40,000,000, of this amount \$22,062,000 have been secured through a combination of Federal, State and Local funds. C/CAG and SMCTA, as co-sponsors, are seeking \$18,188,000 million of Measure A and/or Measure W to fully fund the construction, including \$250,000 for SMCTA staff Administrative cost.

On July 5, 2023, SMCTA issued the call for project nomination for the 2023 Measure A and/or Measure W Highway Program. Grant application for each of these three projects were prepared through the combined efforts of SMCTA and C/CAG staff, and submitted by the August 25, 2023 deadline. However, for the applications to be deemed complete, both the C/CAG Board and the SMCTA Board need to adopt a resolution authorizing the submittal of the applications by September 29, 2023.

Staff recommends that the C/CAG Board adopt the attached resolution, which is in the strict format of SMCTA, Resolution 23-82 authorizing the submittal of the grant applications to the 2023 Highway Program Call for Project Funding for the US 101 Managed Lanes Project North of Interstate 380 Project and the US101/SR92 Interchange Area Improvement Project.

ATTACHMENTS

Attachment 1 - Resolution 23-82 authorizing the submittal of Grant Applications to the 2023 Highway Program Call for Project Funding (Measure A and/or Measure W) funds for the US 101 Managed Lanes Project North of Interstate 380 Project and the US101/SR92 Interchange Area Improvement Project.

RESOLUTION NO. 23-82

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF
GOVERNMENTS OF SAN MATEO COUNTY SUPPORTING THE SUBMITTAL OF THE
GRANT APPLICATIONS FOR 2023 HIGHWAY PROGRAM FUNDING (MEASURE A AND/OR
MEASURE W) FOR THE US 101 MANAGED LANES PROJECT NORTH OF INTERSTATE 380
AND THE US 101/SR 92 INTERCHANGE AREA IMPROVEMENT PROJECT**

WHEREAS, US 101 is one of the most congested freeways in the region, with the congestion projected to worsen as a result of continued expansion of commercial and residential development adversely affecting the economic vitality and sustainability of San Mateo County; and

WHEREAS, all vehicles traveling on US101, whether they are in single or multiple occupant vehicles or buses, experience delays in both the northbound and southbound directions during the AM and PM peak hours as well as other periods of the week.

WHEREAS, the proposed US 101 Managed Lanes Project North of Interstate 380 would improve the operational efficiency for multi-occupant vehicles and Managed Lanes users, increase person throughput and encourage carpooling and transit use, improve travel time and reliability for HOV and transit users, minimize degradation to general purpose lanes and local streets, and create a facility that extends the benefits of the San Mateo 101 Express Lane Project; and

WHEREAS, the Project Initiation Document (PID) Phase of the US 101 Managed Lanes Project North of Interstate 380 was completed on October 18, 2019, with Caltrans' approval of the Project Study Report - Project Document Support (PSR-PDS); and

WHEREAS, the US 101 Managed Lanes Project North of Interstate 380 is currently in the Project Approval and Environmental Document Phase (PA&ED), and is now estimated to cost \$10,150,000; and

WHEREAS, the SMCTA Board had previously allocated \$8,000,000 for the PA&ED Phase and an additional \$2,150,000 is needed to complete the PA&ED Phase by Fall 2024; and

WHEREAS, C/CAG together with SMCTA wish to co-sponsor the succeeding project phase, the Plans, Specifications and Estimate (PS&E) Phase, with an estimated cost of \$36,150,000, and of which \$16,800,000 (\$11,323,000 Measure A and \$5,477,000 State Transportation Improvement Program (STIP) funds) had been previously allocated and a shortfall of \$19,350,000; and

WHEREAS, C/CAG and SMCTA seek \$21,500,000 (additional \$2,150,000 for the completion of the PA&ED Phase and \$19,350,000 to fully fund the PS&E Phase) for the US 101 Managed Lanes Project North of Interstate 380; and

WHEREAS, the US 101 / SR 92 interchange is a major facility that serves substantial regional traffic as well as local street connections; and

WHEREAS, heavy traffic volumes, inadequate capacity, and inefficient weaving and merging at the interchange ramp connections cause substantial delays and congestion within the interchange, and its vicinity, during peak travel periods; and

WHEREAS, the US 101 / SR 92 Interchange Area Improvement Project considers four non-complex improvements within the project limits that can be rapidly implemented at a relatively lower cost, do not require right of way acquisition, and has minimal environmental impacts; and

WHEREAS, the US 101 / SR 92 Interchange Area Improvement Project proposes the following improvements at four locations, which can be implemented independently or together:

1. Westbound SR 92 to southbound US 101 loop ramp and structure widening improvements.
2. Northbound and southbound US 101 to eastbound SR 92 merging and re-striping improvements
3. Southbound US 101 Fashion Island Blvd off-ramp improvements
4. Northbound US 101 at Hillsdale Blvd off-ramp and intersection modification and widening improvements; and

WHEREAS, the Project Approval and Environmental Document (PA&ED) Phase of the US 101/SR 92 Interchange Area Improvement Project was completed on September 8, 2021 with Caltrans' approval of the Project Report; and

WHEREAS, the US 101 / SR 92 Interchange Area Improvement Project is currently in the Plans, Specifications and Estimate (PS&E) Phase, which is scheduled to be completed in Fall 2023; and

WHEREAS, C/CAG together with SMCTA wish to co-sponsor the succeeding phase, the Construction (CON) Phase, with an estimated cost of \$40,000,000; and

WHEREAS, C/CAG and SMCTA seek \$18,188,000 of Measure A and/or Measure W money to fully fund the CON Phase of the US 101 / SR 92 Interchange Area Improvement Project; and

WHEREAS, on June 7, 1988, the voters of San Mateo County approved a ballot measure to allow the collection and distribution by SMCTA of a half-cent transactions and use tax in San Mateo County for 25 years, with the tax revenues to be used for highway and transit improvements pursuant to the Transportation Expenditure Plan presented to the voters (Original Measure A); and

WHEREAS, on November 2, 2004, the voters of San Mateo County approved the continuation of the collection and distribution by SMCTA of the half-cent transactions and use tax for an additional 25

years to implement the 2004 Transportation Expenditure Plan beginning January 1, 2009 (New Measure A); and

WHEREAS, on November 6, 2018, the voters of San Mateo County approved a ballot measure known as "Measure W," which increased the sales tax in San Mateo County by 1/2 percent, and tasked the TA with administering four of the five transportation program categories pursuant to the Congestion Relief Plan presented to the voters; and

WHEREAS, on July 5, 2023, SMCTA issued a Call for Project nomination for the 2023 Measure A and Measure W Highway Program funds; and

WHEREAS, SMCTA requires applicants for Measure A and/or Measure W funds to submit a resolution in support of the grant applications, in this case \$21,500,000 (\$2,150,000 for the completion of the PA&ED Phase and \$19,350,000 for the PS&E Phase) for the US 101 Managed Lanes Project North of Interstate 380 and \$18,188,000 for the CON Phase of the US 101 / SR 92 Interchange Area Improvement Project; and

WHEREAS, SMCTA also requires applicants to submit a resolution committing to the completion of the proposed project scopes, in this case the PS&E Phase of the US 101 Managed Lanes Project North of Interstate 380 and the CON Phase of the US 101 / SR 92 Interchange Area Improvement Project; and

WHEREAS, if SMCTA Board awards Measure A and/or Measure W Highway Program funds to the PA&ED and PS&E Phases of the US 101 Managed Lanes Project North of Interstate 380 and/or the CON Phase of the US 101/SR 92 Interchange Area Improvement Project, C/CAG and SMCTA, as project co-sponsors, commits to commencing work on the funded project scope within one year of SMCTA Board action.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the City/County Association of Governments of San Mateo County

1. Directs staff to work with SMCTA staff to complete the grant applications for SMCTA 2023 Measure A and/or Measure W Highway Program funds for \$21,500,000 (\$2,150,000 for the completion of the PA&ED Phase and \$19,350,000 to fully fund the PS&E Phase) for the US 101 Managed Lanes Project North of Interstate 380 and \$18,188,000 for the CON Phase of the US 101 / SR 92 Interchange Area Improvement Project.
2. Authorizes the Chair to execute agreements and/or other requisite documents with the SMCTA for the C/CAG to be a co-recipient, together with SMCTA, of any Measure A and/or Measure W Highway Program funds awarded.

3. Reaffirm its commitment for \$5,477,000 in STIP dollars, as matching funds for the completion of the PA&ED and PS&E phases of the US 101 Managed Lanes Project North of Interstate 380, if awarded the requested SMCTA Measure A and/or Measure W Highway Program funds; and
4. Commits \$3,217,000 and \$1,685,000 in STIP in dollars, as matching funds for the completion of the PS&E and CON phases, respectively, of the US 101 / SR 92 Interchange Area Improvement Project, if awarded the requested TA Measure A and/or Measure W Highway Program funds; and
5. Directs C/CAG staff to work with SMCTA towards the commencement of work on the PS&E Phase of the US 101 Managed Lanes Project North of Interstate 380 and the CON Phase of the US 101/SR 92 Interchange Area Improvement Project within one year of receiving an award of Measure A and/or Measure W Highway Program Funds.

* * * * *

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the City/County Association of Governments of San Mateo County, California, held on the 12th day of October, 2023 by the following vote:

AYES: [xx, xx, xx,]

NOES: [xxx]

ABSENT: [xx]

ABSTAIN: [xx]

[xxxx]

By: _____

Davina Hurt - Chair

ATTEST:

Mima Crume, Secretary of the Board

C/CAG AGENDA REPORT

Date: October 12, 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 23-83 authorizing the C/CAG Executive Director to execute Amendment No. 2 to the Fiscal Year 2020/21 Transportation Fund for Clean Air (TFCA) Funding Agreement with City of Daly City for the Daly City Crosswalk Enhancements Project, extending project completion date to June 30, 2024, at no additional cost.

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

RECOMMENDATION

That the C/CAG Board reviews and approves Resolution 23-83 authorizing the C/CAG Executive Director to execute Amendment No. 2 to the Fiscal Year 2020/21 Transportation Fund for Clean Air (TFCA) Funding Agreement with City of Daly City for the Daly City Crosswalk Enhancements Project, extending project completion date to June 30, 2024, at no additional cost.

FISCAL IMPACT

There is not any financial impact. The original grant award to the City of Daly City is \$180,000.

SOURCE OF FUNDS

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

BACKGROUND

C/CAG is the Program Manager for the TFCA Program in San Mateo County. This program distributes fund to projects that aim to reduce air pollution, greenhouse gas emissions, and traffic congestion. At the October 15, 2020 meeting, C/CAG Board approved Resolution 20-56 authorizing the C/CAG Chair to execute a funding agreement with the City of Daly City in an amount up to \$180,000, under the Fiscal Year 2020/21 TFCA program, for the Daly City Crosswalk Enhancements Project.

The project was set to be completed by October 31, 2022. C/CAG and City of Daly City executed Amendment No. 1 to the original Agreement, extending the Project's completion date to October 31, 2023 for no additional cost. As of September 2023, the Project's contractor needs additional time to address the

remaining punch list items. City of Daly City has requested a time extension to complete the Project. C/CAG staff supports the time extension, and requests that the C/CAG Board reviews and approves Resolution 23-83 authorizing the C/CAG Executive Director to execute Amendment No. 2 to the funding agreement with City of Daly City for the Daly City Crosswalk Enhancements Project. This amendment extends the project completion date to June 30, 2024 at no additional cost. Attachment 2 is the draft Amendment No. 2 to the funding agreement.

ATTACHMENTS

1. Resolution 23-83
2. Draft Amendment No. 2 to the Fiscal Year 2020-2021 TFCA Agreement Between the City/County Association of Governments and City of Daly City for the Daly City Crosswalk Enhancements Project

RESOLUTION 23-83

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY
ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
AUTHORIZING THE C/CAG EXECUTIVE DIRECTOR TO EXECUTE
AMENDMENT NO. 2 TO THE FUNDING AGREEMENT WITH CITY OF DALY
CITY FOR THE DALY CITY CROSSWALK ENHANCEMENTS PROJECT,
EXTENDING THE PROJECT COMPLETION DATE TO JUNE 30, 2024 AT NO
ADDITIONAL COST.**

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

WHEREAS, at its October 15, 2020 meeting, the Board of Directors of the City/County Association of Governments approved certain projects and programs for funding through San Mateo County's local share of Transportation Fund for Clean Air (TFCA) revenues; and

WHEREAS, C/CAG approved Resolution 20-56 authorizing the C/CAG Chair to execute a funding agreement with City of Daly City in the total amount up to \$180,000, under the Fiscal Year 2020/21 TFCA program, for the Daly City Crosswalk Enhancements Project; and

WHEREAS, the funding agreement was set to terminate on October 31, 2022; and

WHEREAS, in October 2022, C/CAG Chair executed a no-cost time extension for the program through October 31, 2023 due City of Daly City awarding the project to a contractor in June of 2022, and additional time is required to complete the work; and

WHEREAS, City of Daly City requests an additional time extension to complete the Daly City Crosswalk Enhancements Project due to the Project's contractor's addressing the remaining punch list items; and

WHEREAS, City of Daly City is committed to complete the Daly City Crosswalk Enhancements Project by June 30, 2024; 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 is authorized to execute Amendment No. 2 to the Fiscal Year 2020-2021 TFCA Agreement between the City/County Association of Governments and City of Daly City for the Daly City Crosswalk Enhancements Project. The amendment extends the project completion date to June 30, 2024 at no additional cost. Be it further resolved that the C/CAG Executive Director is authorized to negotiate the final terms of said amendment prior to its execution, subject to approval as to form by C/CAG Legal Counsel.

PASSED, APPROVED, AND ADOPTED THIS 12TH DAY OF OCTOBER 2023.

Davina Hurt, Chair

**AMENDMENT NO. 2 TO THE FISCAL YEAR 2020-2021 TFCA FUNDING AGREEMENT
BETWEEN
THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
AND
CITY OF DALY CITY**

WHEREAS, the City/County Association of Governments of San Mateo County (hereinafter referred to as “C/CAG”) and City of Daly City are parties to the Fiscal Year 2020-2021 Transportation Fund for Clean Air (TFCA) Funding Agreement (the “Agreement”), effective November 1, 2020; and

WHEREAS, the Agreement provides funds to the City of Daly City for the Daly City Crosswalk Enhancements Project (Project); and

WHEREAS, the Project’s original completion date was October 31, 2022; and

WHEREAS, C/CAG and City of Daly City executed Amendment No. 1 to the original Agreement, extending the Project completion date to October 31, 2023 for no additional cost; and

WHEREAS, in light of the Project contractor’s need for additional time to address the remaining punch list items, a time extension is necessary to complete the Project scope of work; and

WHEREAS, C/CAG and the City of Daly City wish to extend the Project completion date to June 30, 2024; and

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

NOW, THEREFORE, IT IS HEREBY AGREED by C/CAG and City of Daly City that:

1. Section II, item 16, shall be replaced in its entirety and revised to read as follows:
“Project Sponsor will complete the Project by June 30, 2024.”
2. Section III, item 2, shall be replaced in its entirety and revised to read as follows:
“To reimburse costs incurred by Project Sponsor from the execution of this Agreement through June 30, 2024.”

Except as expressly amended herein, all other provisions of the Agreement shall remain in full force and effect. This amendment shall take effect upon the date of execution by both parties.

Signatures on the following page

City/County Association of Governments
(C/CAG)

City of Daly City

Sean Charpentier, Executive Director
C/CAG

Thomas Piccolotti, City Manager
City of Daly City

Date: _____

Date: _____

Approved as to form:

Approved as to form:

Melissa Andrikopoulos, Legal Counsel
C/CAG

Rose Zimmerman, Legal Counsel
City of Daly City

C/CAG AGENDA REPORT

Date: October 12, 2023

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

From: Sean Charpentier, C/CAG Executive Director

Subject: Review and approval of Resolution 23-84 adopting the revised membership guidelines to include alternate positions for Congestion Management Program Technical Advisory Committee

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

RECOMMENDATION

That the C/CAG Board review and approve Resolution 23-84 adopting the revised membership guidelines to include alternate positions for the Congestion Management Program Technical Advisory Committee.

FISCAL IMPACT

There is no fiscal impact related to this item.

SOURCE OF FUNDS

Not applicable.

BACKGROUND

In 1998, C/CAG Bylaws established the Congestion Management Program Technical Advisory Committee (TAC). The Committee is comprised of engineers and planners who provide technical expertise and professional recommendations to the C/CAG Board regarding transportation and air quality issues. There are currently a total of 25 positions, including 23 engineers and 2 planners from C/CAG member agencies, as well as representatives from regional and state transportation agencies. Traditionally, the County of San Mateo's Public Works Director and the San Mateo County Transportation Authority representative take turn chairing the meetings. The Committee Guidelines were last updated on November 24, 2009.

In early 2023, the C/CAG Board of Directors approved a revised set of Committee Guidelines, which included the following changes:

- The positions of Committee Co-Chairs are open to any members, and election shall take place every two years.
- The composition of Committee membership is expanded to include representation from all San Mateo County jurisdictions. Seats were added for the City of East Palo Alto and Town of Portola Valley.

- The Committee will include a total of three Planners, whom would be appointed for a two-year term. C/CAG will seek to provide a balance of representations among small, medium, and large cities.

When the revised guidelines were adopted, the Committee put forth a request for the Agency to deliberate the inclusion of alternates, ensuring contingency coverage in situations where the jurisdiction's representative is unavailable.

C/CAG supports 2 Boards of Directors (C/CAG and SMCEL-JPA) and 9 standing committees with a combined total of 152 seats and 98 scheduled Brown Act meetings each year. The only committee that currently has Alternates is the Airport Land Use Committee (ALUC), which is a State mandated committee for specific jurisdictions within the Airport Land Use Compatibility Plans for the San Carlos, Half Moon Bay, and San Francisco International airports.

Staff support alternates for the TAC and Stormwater Committees because they are unique in that all the Committee Members are C/CAG member agency staff or partner agency staff and each C/CAG member agency has a seat.

At the August Committee meeting, staff presented possible options for alternates. The final recommended option was to include named executive level position(s) from each jurisdiction in the Committee roster. Given that jurisdictions may have minor difference in the naming conventions for various positions, the cities/towns were given flexibility with selecting the appropriate executive staff to serve. The C/CAG Board would approve the appointment of these positions, automatically enlisting jurisdiction staff fulfilling these roles onto the Committee. This would streamline the appointment process, reducing the need for City Managers to recommend and the CCAG Board of Directors to approve a new member every time when there is a staffing change.

The Committee also discussed the elimination of the three planner seats so that each jurisdiction would have only one representation. The C/CAG Board will have to still make individual appointments for unique positions or situations where there are multiple positions (for example if a city has two Assistant Public Works Directors) and a specific individual has to be named.

The table below is an example.

Member Agency	TAC Member	Alternate
City A	Public Works Director	City Engineer, or Assistant or Deputy Public Works Director

Additionally, staff proposed making the MTC and Caltrans seats as non-voting seats. This would reduce the potential conflict of having MTC or Caltrans vote on a particular recommendation from C/CAG to Caltrans or MTC.

Lastly, staff is proposing another amendment to the guidelines. Traditionally, the San Mateo County Transportation Authority (SMCTA) staff has represented three organizations: the San Mateo County Transportation Authority, SamTrans and the Peninsula Corridor Joint Powers Board (JPB)/Caltrain. The Committee's core mandate centers around transportation planning and policy, rather than transit related matters. With the recent change in governance structure of SamTrans and the Peninsula Corridor Joint Powers Board (JPB)/Caltrain, staff is proposing to remove Caltrain representation from this Committee. However, Caltrain continues to have a seat (non-voting) on the Congestion Management and Environmental Quality Committee.

At the September 21, 2023 TAC meeting, the Committee recommended Board approval of revised set of Guidelines (Attachment 2) that incorporated the changes discussed above. Staff recommends the C/CAG Board review and approve Resolution 23-84, adopting the revised membership guidelines for the Congestion Management Program Technical Advisory Committee.

ATTACHMENTS

1. Resolution 23-84
2. Congestion Management Program Technical Advisory Committee (CMP TAC) Guidelines Updated (redlined)

RESOLUTION 23-84

RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY ADOPTING THE REVISED MEMBERSHIP GUIDELINES TO INCLUDE ALTERNATE POSITIONS FOR THE CONGESTION MANAGEMENT PROGRAM TECHNICAL ADVISORY COMMITTEE.

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 (CMA) responsible for the development and implementation of the Congestion Management Program for San Mateo County; and

WHEREAS, C/CAG's existing bylaws designate a Congestion Management Program Technical Advisory Committee (TAC); and

WHEREAS, the TAC is comprised of staff planners and engineers, who provide professional recommendations to the Congestion Management and Environmental Quality Committee and C/CAG Board regarding transportation and air quality issues; and

WHEREAS, the Committee Guidelines were last updated on November 24, 2009, and January 12, 2023; and

WHEREAS, at member agencies' request, C/CAG would like to revise the membership composition to include alternate positions; and

WHEREAS, at the September 21, 2023 TAC meeting, the Committee recommended that the C/CAG Board approve the proposed changes.

NOW THEREFORE BE IT RESOLVED, that the Board of Directors of the City/County Association of Governments of San Mateo County hereby adopts the revised membership guidelines for the Congestion Management Program Technical Advisory Committee.

PASSED, APPROVED, AND ADOPTED, THIS 12TH DAY OF OCTOBER 2023.

Davina Hurt, Chair

Congestion Management Program Technical Advisory Committee (CMP TAC)

Guidelines

Established 11/24/09

Revised ~~9/21/2023~~12/15/2022

Mission

The CMP TAC is a staff committee composed of San Mateo County engineers and technical staff planners who provide ~~technical~~ expertise and professional recommendations to the CMEQ Committee and C/CAG Board regarding transportation and air quality issues, the Congestion Management Program, and the Countywide Transportation Plan.

Membership

The CMP TAC was originally established to include representatives from the Bay Area Air Quality Management District (BAAQMD) (1), the Metropolitan Transportation Commission (MTC) (1), San Francisco International Airport (SFIA) (1), the San Mateo County Transit District (SamTrans) (1 with 1 alternate), the San Mateo County Transportation Authority (SMCTA) (2), San Mateo County Government (3), the Central County Cities (2), the North County Cities (2), the South County Cities (2), the Cities at large (1), and Caltrans (3). ~~A total of 19 members.~~

The current composition of the Technical Advisory Committee includes twenty city engineers ~~and two planners~~, one county engineer, one representative each from the Metropolitan Transportation Commission, Caltrans, SamTrans/the Transportation Authority/~~the Peninsula Corridor Joint Powers Board (JPB)/Caltrain~~, and C/CAG. The representatives from the Metropolitan Transportation Commission and Caltrans are non-voting members. Other members have one vote each.

Term Limits

- There are no term limits for the CMP TAC. Members can remain on the TAC indefinitely or until the member voluntarily relieves him/or herself of the membership.
- ~~Membership of Planners~~
 - ~~The CMP TAC may include a total of three planners.~~
 - ~~There are no term limits, but Planners will be appointed every two years.~~
 - ~~C/CAG will issue a call for applicants every two years. Interested planners shall submit letters of interest to the C/CAG Board, who will make the appointment.~~
 - ~~C/CAG shall strive to include Planners that represent small, medium, and large cities.~~

Co-Chairs

- The two Co-Chairs for the CMP TAC are appointed by Committee members at a CMP TAC Meeting every two years.
- There are no term limits.
- The role of the Co-Chairs is to manage the Committee meetings by calling the meeting to order, leading the Committee through the agenda topics, monitoring meeting discussion to ensure all discussion remains on topic, and leading the motion and approval of all action items.
- Co-Chairs will rotate every other meeting. A Co-Chair may chair consecutive meetings if the other Co-Chair is unavailable to attend.

Selection and Appointment Process

To streamline the process and ensure continuous representation, the Roster Table can include designated positions and/or individually named appointments. The Roster Table also includes a Primary Member and an Alternate Member.

The C/CAG Board of Directors shall approve all appointments of Primary and Alternate Members.

Designated positions are executive level positions where there may be only one position (ie Public Works Director) in the agency or there may be multiple positions (i.e., having multiple Deputy Public Works Directors).

The C/CAG's Board of Directors will approve the appointment of these designated positions, effectively automatically appointing the staff member filling the designated position.

For designated positions where there are multiple positions, the jurisdiction or agency will need to propose a member by name, and the C/CAG Board will need to approve such appointment on an individual basis.

The City Manager or equivalent will notify the C/CAG Executive Director of any changes to the personnel filling the designated positions, or changes to the named positions themselves. The C/CAG Board will approve changes to the designated positions or name as necessary.

Interim or Acting appointments by the appropriate Executive to the designated positions where there is only one position (i.e., Public Works Director) are acceptable.

Primary Members

- The primary CMP TAC member is the Public Works Director, or a staff member holding a comparable level executive position identified by the jurisdiction or agency.

Alternate Members

- Each agency can have an alternate member.
- The alternate can be the City Engineer, Assistant or Deputy Public Works Director, Community Development Director, or a staff member holding an executive position identified by the jurisdiction or agency.
- The alternate has the authority to cast votes in lieu of the primary member.
- Attendance of an alternate member will not be recorded as attendance for the primary member.

The Roster Table below identifies the primary and alternate CMP TAC members, either by designated position or by name, where necessary, of the 2023 Congestion Management Program Technical Advisory Committee: ~~Roster~~

<u>Member Agency</u>	<u>Primary Member</u>	<u>Alternate</u>
<u>Town of Hillsborough (Co-Chair)</u>	<u>Director of Public Works</u>	<u>Deputy Director</u>
<u>San Mateo County (Co-Chair)</u>	<u>Director of Public Works</u>	<u>Deputy Director, Krzysztof Lisaj</u>
<u>SMCTA / SamTrans</u>	<u>Director, Project Delivery</u>	<u>Director, Planning & Fund Management</u>
<u>City of Atherton</u>	<u>Director of Public Works</u>	<u>Associate Engineer, Tim Au</u>
<u>City of Belmont</u>	<u>Public Works Director</u>	<u>Assistant Public Works Director</u>
<u>City of Brisbane</u>	<u>Public Works Director</u>	<u>Deputy Public Works Director</u>
<u>City of Burlingame</u>	<u>Public Works Director</u>	<u>Assistant Public Works Director</u>
<u>C/CAG</u>	<u>Executive Director</u>	<u>N/A</u>
<u>Town of Colma</u>	<u>Director of Public Works</u>	<u>Deputy PW Director/City Engineer</u>
<u>City of Daly City</u>	<u>Director of Public Works</u>	<u>City Engineer</u>
<u>City of East Palo Alto</u>	<u>Director of Public Works</u>	<u>City Engineer</u>
<u>City of Foster City</u>	<u>Director of Public Works</u>	<u>Manager of Engineering</u>
<u>City of Half Moon Bay</u>	<u>Director of Public Works</u>	<u>Community Development Director</u>
<u>City of Menlo Park</u>	<u>Public Works Director</u>	<u>Assistant Public Works Director</u>
<u>City of Millbrae</u>	<u>Director of Public Works</u>	<u>City Engineer/Deputy Public Works Director</u>
<u>City of Pacifica</u>	<u>Director of Public Works</u>	<u>City Engineer/Deputy Public Works Director</u>
<u>Town of Portola Valley</u>	<u>TBD - vacant</u>	<u>N/A</u>
<u>City of Redwood City</u>	<u>Transportation Manager</u>	<u>City Engineer</u>
<u>City of San Bruno</u>	<u>Public Works Director</u>	<u>Deputy Director, Hae Won Ritchie</u>
<u>City of San Carlos</u>	<u>Director of Public Works</u>	<u>City Engineer</u>
<u>City of San Mateo</u>	<u>Director of Public Works</u>	<u>Deputy Public Works Director</u>
<u>City of South San Francisco</u>	<u>Public Works Director/City Engineer</u>	<u>Deputy Public Works Director</u>
<u>Town of Woodside</u>	<u>Public Works Director/Town Engineer</u>	<u>Deputy Town Engineer</u>
<u>MTC</u>	<u>Senior Program Coordinator, James Choe</u>	<u>N/A</u>
<u>Caltrans</u>	<u>District Division Chief - PM West Region</u>	<u>Regional PM - San Mateo County</u>

<u>Agency</u>	<u>Representative</u>
San Mateo County Engineering	Ann Stillman
SMCTA / PCJPB / Caltrain	Patrick Gilster
Atherton Engineering	Robert Ovadia
Belmont Engineering	Peter Brown
Brisbane Engineering	Randy Breault
Burlingame Engineering	Syed Murtuza
C/CAG	Sean Charpentier
Colma Engineering	Brad Donohue
Daly City Engineering	Richard Chiu
Daly City Planning	Tatum Mothershead
East Palo Alto Engineering	Humza Javed
Foster City Engineering	Andrew Brozyna
Half Moon Bay Engineering	Maziar Bozorginia
Hillsborough Engineering	Paul Willis
Menlo Park Engineering	Nikki Nagaya
Millbrae Engineering	Sam Bautista
Pacifica Engineering	Lisa Petersen
Portola Valley Engineering	<i>Vacant</i>
Redwood City Engineering	Jessica Manzi
San Bruno Engineering	Matthew Lee
San Carlos Engineering	Steven Machida
San Mateo Engineering	Brad Underwood
South San Francisco Engineering	Eunejune Kim
South San Francisco Planning	Billy Gross
Woodside Engineering	Sean Rose
MTC	James Choe
Caltrans	Mohammad Suleiman

C/CAG AGENDA REPORT

Date: October 12, 2023

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

From: Sean Charpentier, C/CAG Executive Director

Subject: Review and approval of Resolution 23-85 adopting the revised membership guidelines to include alternate positions for the Stormwater Committee.

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

RECOMMENDATION

That the C/CAG Board review and approval of Resolution 23-85 adopting the revised membership guidelines to include alternate positions for the Stormwater Committee.

FISCAL IMPACT

There is no fiscal impact related to this item.

SOURCE OF FUNDS

Not applicable.

BACKGROUND

C/CAG's Stormwater Committee was convened in November 2012 and was created to provide policy input and recommendations to the C/CAG Board of Directors on issues pertaining to compliance with the Municipal Regional Stormwater Permit, administered by the San Francisco Bay Regional Water Quality Control Board (Regional Water Board). The Committee is comprised of director-level staff from C/CAG's 21 member agencies, each city and the County represented by one seat, and a non-voting staff from the Regional Water Board.

The Committee Guidelines were revised by C/CAG staff in 2020 following the changes to Committee meeting procedures as a result of the impacts of COVID-19. Since then, discussions at the Congestion Management Program Technical Advisory Committee ensued regarding a request for the inclusion of alternates, ensuring contingency coverage in situations where a jurisdiction's representative is unavailable.

C/CAG supports 2 Boards of Directors (C/CAG and SMCEL-JPA) and 9 standing committees with a combined total of 152 seats and 98 scheduled Brown Act meetings each year. The only committee that currently has Alternates is the Airport Land Use Committee (ALUC), which is a State mandated committee for specific jurisdictions within the Airport Land Use Compatibility Plans for the San Carlos, Half Moon Bay, and San Francisco International airports.

Staff support alternates for the TAC and Stormwater Committees because they are unique in that all the Committee Members are C/CAG member agency staff or partner agency staff and each C/CAG member agency has a seat.

To remain consistent between staff-level advisory Committees, C/CAG staff recommended a similar model be adopted for including alternates on the Stormwater Committee and for streamlining the appointment process. As detailed in the Revised Stormwater Committee Guidelines (Attachment 2), staff recommend designating membership positions or specified staff as primary Committee members and alternates. The intent is to ensure the desired staff level positions with responsibility for compliance with the Municipal Regional Permit are maintained on the Committee and/or are designated as alternates and to streamline the process of managing for changes in staffing, whereby the C/CAG Board of Directors will approve the updated Guidelines and designated Committee positions or specified staff holding designated positions. This would streamline the appointment process, reducing the need for City Managers to recommend and the CCAG Board of Directors to approve a new member every time when there is a staffing change.

The C/CAG Board will have to still make individual appointments for unique positions or situations where there are multiple positions (for example if a city has two Assistant Public Works Directors) and a specific individual has to be named.

The table below is an example.

Member Agency	Stormwater Committee Member	Alternate
City A	Public Works Director	City Engineer, or Assistant or Deputy Public Works Director

At the September 21, 2023 Stormwater Committee meeting, the Committee reviewed and recommended Board approval of the Revised Stormwater Committee Guidelines pending any additional requests among Committee members to add or modify designated alternate positions or named individuals based on agency-specific needs. Staff recommends the C/CAG Board review and approve Resolution 23-85 adopting the revised membership guidelines for Stormwater Committee.

ATTACHMENTS

1. Resolution 23-85
2. Revised Stormwater Committee Guidelines (redlined)

RESOLUTION 23-85

RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY ADOPTING THE REVISED MEMBERSHIP GUIDELINES TO INCLUDE ALTERNATE POSITIONS FOR THE STORMWATER COMMITTEE.

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 San Mateo Countywide Water Pollution Prevention Program responsible for supporting the 21 member agencies and the San Mateo County Flood and Sea Level Rise Resiliency District with state and federally mandated municipal stormwater permit compliance; and

WHEREAS, C/CAG's existing bylaws designate a Stormwater Committee; and

WHEREAS, the Stormwater Committee is comprised of director-level staff who make technical and policy recommendations to the C/CAG Board of Directors related municipal stormwater permit compliance; and

WHEREAS, the Stormwater Committee Guidelines were last updated on December 22, 2020; and

WHEREAS, the Stormwater Committee and C/CAG would like to revise the membership composition to include alternate positions; and

WHEREAS, at the September 21, 2023 Stormwater Committee meeting, the Committee recommended that the C/CAG Board approve the changes.

NOW THEREFORE BE IT RESOLVED, that the Board of Directors of the City/County Association of Governments of San Mateo County hereby adopts the revised membership guidelines for Stormwater Committee.

PASSED, APPROVED, AND ADOPTED, THIS 12TH DAY OF OCTOBER 2023.

Davina Hurt, Chair

Stormwater Committee Guidelines

Established: November 8, 2012

Revised: December 22, 2020/September 21, 2023

Description

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

The following are the general issues typically addressed by the Committee:

- Review and provide recommendations for the Countywide Water Pollution Prevention Program (Countywide Program)'s annual budget as part of the overall C/CAG budget approval process.
- Authorize submittal of countywide and regional compliance documents on behalf of their respective agencies for activities performed via C/CAG through the Countywide Program or the Bay Area Stormwater Management Agencies Association.
- Convey relevant program and compliance information and direction to appropriate staff and departments within their jurisdictions.
- Form ad-hoc work groups to address particular stormwater-related issues on an as-needed basis.
- Discuss and provide policy recommendations on stormwater issues, such as:
 - funding stormwater compliance activities at the local and countywide level;
 - unfunded mandate test claims;
 - permit appeals and litigation;
 - reissuance of the Municipal Regional Permit;
 - permit requirements, especially those related to new and redevelopment, monitoring, and pollutants of concern, including trash, mercury, PCBs, and pesticides;
 - training and technical support needs for municipal staffs
 - legislation and statewide policy issues impacting member agencies

Membership

The Stormwater Committee includes director-level ~~appointees-staff~~ with decision-making authority for implementing stormwater management programs within the member agencies in compliance with requirements in the Municipal Regional Permit. There is one representative from each of the 21 member agencies, ~~recommended by City/Town/County Managers~~, and one non-voting executive management representative from the Regional Water Quality Control Board staff, ~~all appointed by the C/CAG Board~~. ~~There are no term limits and members may be removed and replaced as needed.~~

Term Limits

- There are no term limits for the Stormwater Committee. Members can remain on the Committee indefinitely or until a member voluntarily relieves themselves from the membership.

Chair and Vice Chair

- The Chair and Vice Chair for the Stormwater Committee are annually nominated and voted upon by Committee members at a regularly scheduled meeting. The Chair manages the Committee meetings by calling the meeting to order, leading the Committee through the agenda topics, monitoring meeting discussion to ensure all discussion remains on topic, and leading the motion and approval of all action items. The role of the Vice Chair is to support the Chair and act as a stand in should the Chair be unable to attend a meeting.
- There are no term limits.

Selection and Appointment Process

To streamline the process and ensure continuous representation, the Roster Table can include designated positions and/or individually named appointments. The Roster Table also includes a Primary Member and an Alternate Member.

The C/CAG Board of Directors shall approve all appointments of Primary and Alternate Members.

Designated positions are executive level positions where there may be only one position (ie Public Works Director) in the agency or there may be multiple positions (i.e., having multiple Deputy Public Works Directors).

The C/CAG's Board of Directors will approve the appointment of these designated positions, effectively automatically appointing the staff member filling the designated position.

For designated positions where there are multiple positions, the jurisdiction or agency will need to propose a member by name, and the C/CAG Board will need to approve such appointment on an individual basis.

The City Manager or equivalent will notify the C/CAG Executive Director of any changes to the personnel filling the designated positions, or changes to the named positions themselves. The C/CAG Board will approve changes to the designated positions or name as necessary.

Interim or Acting appointments by the appropriate Executive to the designated positions where there is only one position (i.e., Public Works Director) are acceptable.

Primary Members

- Primary Stormwater Committee members for C/CAG's member agencies shall be the Public Works Director, City Engineer/Managing Engineer (or equivalent) held by a single person, or a staff member holding a comparable executive position identified by the jurisdiction or agency with responsibility for compliance under the Municipal Regional Permit.
- The Regional Water Quality Control Board member shall be the Watershed Management Supervisor or a specified staff holding a comparable executive position identified by the Regional Water Quality Control Board.

Alternate Members

- Each agency can have an alternate member.

- The alternate for C/CAG's member agencies can be the City Engineer/Managing Engineer or Assistant or Deputy Director of Public (or equivalent) held by a single person, or a staff member holding a comparable executive position identified by the jurisdiction or agency with responsibilities for compliance under the Municipal Regional Permit.
- The alternate for the Regional Water Quality Control Board member can be the Watershed Management Manager or a staff member holding a comparable executive position identified by the Regional Water Quality Control Board.
- The alternate has the authority to cast votes in lieu of the primary member.
- Attendance of an alternate member will not be recorded as attendance for the primary member.

The Roster Table below identifies the primary and alternate Stormwater Committee members, either by designated position or by name, where necessary, of the 2023 Stormwater Committee:

<u>Member Agency</u>	<u>Primary Stormwater Committee Member</u>	<u>Alternate</u>
<u>City of Atherton (Vice Chair)</u>	<u>Director of Public Works</u>	<u>Associate Engineer, Tim Au</u>
<u>City of Belmont</u>	<u>Director of Public Works</u>	<u>Assistant Public Works Director</u>
<u>City of Brisbane (Chair)</u>	<u>Director of Public Works/City Engineer</u>	<u>Regulatory Compliance Manager</u>
<u>City of Burlingame</u>	<u>Director of Public Works</u>	<u>Environmental Compliance Manager</u>
<u>City of Daly City</u>	<u>Director of Public Works</u>	<u>City Engineer</u>
<u>City of East Palo Alto</u>	<u>Director of Public Works</u>	<u>City Engineer</u>
<u>City of Foster City</u>	<u>Director of Public Works</u>	<u>Manager of Engineering</u>
<u>City of Half Moon Bay</u>	<u>Director of Public Works</u>	<u>Associate Engineer</u>
<u>City of Menlo Park</u>	<u>Director of Public Works</u>	<u>Assistant Public Works Director</u>
<u>City of Millbrae</u>	<u>Director of Public Works</u>	<u>City Engineer/Deputy Public Works Director</u>
<u>City of Pacifica</u>	<u>Deputy Director of Public Works/City Engineer</u>	<u>City Engineer/Deputy Public Works Director</u>

<u>City of Redwood City</u>	<u>City Engineer</u>	<u>Senior Civil Engineer, Ahmad Haya</u>
<u>City of San Bruno</u>	<u>Director of Public Works</u>	<u>Deputy Director of Public Works, Hae Won Ritchie</u>
<u>City of San Carlos</u>	<u>Director of Public Works</u>	<u>City Engineer</u>
<u>City of San Mateo</u>	<u>Director of Public Works</u>	<u>Deputy Public Works Director, Matthew Fabry</u>
<u>City of South San Francisco</u>	<u>Director of Public Works/City Engineer</u>	<u>Deputy Public Works Director</u>
<u>San Mateo County</u>	<u>Director of Public Works</u>	<u>Deputy Director Engineering & Resource Protection</u>
<u>Town of Colma</u>	<u>Director of Public Works and Planning</u>	<u>Deputy Public Works Director/City Engineer</u>
<u>Town of Hillsborough</u>	<u>Director of Public Works</u>	<u>Deputy Director of Public Works</u>
<u>Town of Portola Valley</u>	<u>Director of Public Works</u>	<u>Building Director</u>
<u>Town of Woodside</u>	<u>Director of Public Works/Town Engineer</u>	<u>Deputy Town Engineer</u>
<u>Regional Water Board</u>	<u>Watershed Management Supervisor</u>	<u>Watershed Management Manager</u>

Chair and Vice Chair

The Chair and Vice Chair for the Stormwater Committee are annually nominated and voted upon by Committee members at a regularly scheduled meeting. The Chair manages the Committee meetings by calling the meeting to order, leading the Committee through the agenda topics, monitoring meeting discussion to ensure all discussion remains on topic, and leading the motion and approval of all action items. The role of the Vice Chair is to support the Chair and act as a stand in should the Chair be unable to attend a meeting.

Meeting Location and Frequency

The Committee generally meets on a bimonthly basis depending on need on the third Thursday of the month at 2:30 PM at the San Mateo County Transit District Office in the 2nd Floor auditorium, 1250 San Carlos Avenue, San Carlos. Public notices for Committee meetings are posted in accordance with Brown Act requirements on the ground floor of the same location, as well as on the C/CAG website. Since March 2020, in response to COVID-19 public health directives, meetings have been held virtually via Zoom.

Attendance

~~Per the C/CAG Joint Powers Agreement, regular attendance at Committee meetings is encouraged for member agencies. Committee attendance reports are provided to the C/CAG Board biannually.~~

~~Agenda Packet Procedures~~

~~Committee agenda packets will be distributed electronically via email and posted on C/CAG's website.~~

~~Voting Procedures~~

~~All members, except for the Regional Water Board member, are voting members. All voting items held over Zoom are conducted via roll call.~~

~~For quorum, over half of the appointed voting members of the committee must be present.~~

C/CAG AGENDA REPORT

Date: October 12, 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 23-86 authorizing the C/CAG Executive Director to execute an agreement with Mariposa Planning Solutions for the preparation of a Shared Micromobility Community Outreach Plan, in an amount not to exceed \$119,593, establish a contingency in the amount of \$11,959 (10% of contract) for a total project budget of \$131,552, and execute future contract amendments in an amount not-to-exceed the appropriated contingency.

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

RECOMMENDATION

That the C/CAG Board review and approve Resolution 23-86 authorizing the C/CAG Executive Director to execute an agreement with Mariposa Planning Solutions for the preparation of a Shared Micromobility Community Outreach Plan in an amount not to exceed \$119,593, establish a contingency in the amount of \$11,959 (10% of contract) for a total project budget of \$131,552, and execute future contract amendments in an amount not-to-exceed the appropriated contingency.

FISCAL IMPACT

The contract amount is \$119,593. To streamline administrative process and further improve efficiencies, staff seeks authorization from the Board to establish a 10% contingency in the amount of \$11,959 to be authorized and executed by the C/CAG Executive Director in future contract amendments, if necessary. A total budget of \$131,552 can be available for the project.

SOURCE OF FUNDS

Funding for the project will come from federal Surface Transportation funds and local Congestion Relief Plan funds.

BACKGROUND

Micromobility refers to services such as bikeshare and scooter-share, where users are able to check out various small and light-weight vehicles for short term use through a self-service rental portal. It has been envisioned as one of the tools to address first and last mile challenges, bridging the transportation gap between home and transit stations, and from transit stations to places of employment. Other benefits of micromobility include reducing short distance vehicle trips and increasing transportation access.

In December 2022, C/CAG adopted the San Mateo County Shared Micromobility Feasibility Study and Implementation Plan (Plan). The Plan includes the feasibility analysis of a bike share and scooter share program, research on best practices, and program guidelines to support jurisdictions that wish to launch a program. The study recommended a multi-jurisdictional shared micromobility pilot program in the County, with a pilot duration of one to two years with possible extensions. The primary recommended vehicle type is e-bicycles, and individual jurisdictions have the option to add e-scooters and manual bicycles. The two locations recommended for the pilot are 1) Daly City, Broadmoor, and Colma, and 2) Redwood City and North Fair Oaks. This selection is based on their close proximity to high frequency transit locations, the ability to serve a large population in an equity priority community with limited access to vehicles and high reliance on transit. C/CAG hopes to launch the micromobility program in 2024.

To ensure a robust community engagement process, C/CAG is developing a Community Outreach Plan for the Shared Micromobility pilot project.

The goals for the Community Outreach Plan include:

- Seek community input on potential micromobility station locations within the two pilot areas;
- Gain feedback on what should be included in an equity program for the pilot (focused on reducing barriers to use shared micromobility, including options for low-income and unbanked individuals and those who require the use of an adaptive vehicle);
- Advise the Micromobility Governance Working Group on refining the scope of work and program guidelines for the shared micromobility operator based on the community's comments; and
- Assist with promoting and marketing the program to potential users.

The key deliverables for the Community Outreach Plan include, but is not limited to, the following:

1. Community Outreach Plan
2. Community meetings, workshops, or other outreach events
3. Targeted outreach materials appropriate for each event (in-person and online)
4. Shared micromobility service launch marketing plan

The full scope of work can be found in Attachment A of the RFP (<https://ccag.ca.gov/wp-content/uploads/2023/07/Micromobility-Community-Outreach-RFP-1.pdf>)

In accordance with C/CAG's Procurement Policy, a Request for Proposal (RFP) was released on July 21, 2023, seeking a consultant to develop a Community Outreach Plan for the Shared Micromobility pilot project. The RFP was posted on the C/CAG website as well as distributed via email to one-hundred and fifty-two (152) consultants from our contact list. C/CAG received a total of two (2) responsive proposals by the August 18, 2023 deadline. The two (2) proposals were from Mariposa Planning Solutions (MPS) and S. Groner Associates (SGA). The evaluation panel was comprised of Kaki Cheung, Kim Wever (C/CAG Staff), Laura Krull (Program Coordinator, Metropolitan Transportation Commission (MTC)), and Sigalle Michael (Sustainability Program Manager, City of Burlingame). The evaluation panel reviewed and scored the two (2) proposals. The evaluation panel recommended MPS based on a number of factors, including the firm's knowledge of active transportation and relationship with community-based organizations in San Mateo County and across the Bay Area, as well as their focus on community-centered participation and community empowerment. The MPS team also includes two subconsultants, Emergent Labs and Silicon Valley

Bicycle Collation (SVBC). Emergent Labs provides an abundant knowledge in cultural strategy and equity programs, while SVBC provides expertise in building capacity and advocates for active transportation through creative community engagement events.

Recommendations

C/CAG staff and Mariposa Planning Solutions negotiated a final cost of \$119,593 to prepare a Shared Micromobility Community Outreach Plan. Staff also requests that the Board establishes a contingency in the amount of \$11,959 for a total budget of \$131,522, to be executed through future contract amendments in an amount not-to exceed the appropriated contingency. The project is anticipated to begin in October of 2023 and be completed by October 2024.

ATTACHMENTS

1. Resolution 23-86
2. Draft Agreement (*The document is available on the C/CAG website (See “Additional Agenda Materials”) at <https://ccag.ca.gov/committees/board-of-directors-2/>*).

RESOLUTION 23-86

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG EXECUTIVE DIRECTOR TO EXECUTE AN AGREEMENT WITH MARIPOSA PLANNING SOLUTIONS FOR A SHARED MICROMOBILITY COMMUNITY OUTREACH PLAN IN AN AMOUNT OF \$119,593, ESTABLISH A CONTINGENCY IN THE AMOUNT OF \$11,959 (10% OF CONTRACT) FOR A TOTAL PROJECT BUDGET OF \$131,552, AND EXECUTE FUTURE CONTRACT AMENDMENTS IN AN AMOUNT NOT-TO-EXCEED THE APPROPRIATED CONTINGENCY.

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

WHEREAS, in December 2022, C/CAG Board of Directors adopted the San Mateo County Shared Micromobility Feasibility Study and Implementation Plan (Plan), which recommended a multi-jurisdictional shared micromobility pilot program in the County, with a pilot duration of one to two years with possible extensions. The two locations recommended for the pilot are 1) Daly City, Broadmoor, and Colma, and 2) Redwood City and North Fair Oaks. This selection is based on their close proximity to high frequency transit locations, the ability to serve a large population in an equity priority community with limited access to vehicles and high reliance on transit; and

WHEREAS, to ensure a robust community engagement process, C/CAG determined the need to develop a Community Outreach Plan for the Shared Micromobility pilot project; and

WHEREAS, C/CAG has allocated Federal Surface Transportation Block grant and funding from the local Congestion Relief Plan to develop a Shared Micromobility Outreach Plan; and

WHEREAS, C/CAG determined the need for outside consultant services to assist in preparing a Shared Micromobility Outreach Plan; and

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the C/CAG Executive Director is authorized to execute an agreement with Mariposa Planning Solutions for a Shared Micromobility Outreach Plan in an amount of \$119,593. Be it further resolved that the C/CAG Executive Director is authorized to negotiate the final terms of said agreement prior to its execution, subject to approval as to form by C/CAG Legal Counsel; and establish a contingency in the amount of \$11,959 (10% of contract) for a total project budget of \$131,552. Be it further resolved that the C/CAG Executive Director is authorized execute future contract amendments in an amount not-to-exceed the appropriated contingency, subject to legal counsel approval as to form.

PASSED, APPROVED, AND ADOPTED THIS 12TH DAY OF OCTOBER 2023.

Davina Hurt, Chair

C/CAG AGENDA REPORT

Date: October 12, 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 23-87 determining that a proposed 155-unit single family residential development, public open space and recreation facilities at 300 Piedmont Avenue, San Bruno, are 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 23-87 determining that a proposed 155-unit single family residential development, public open space and recreation facilities at 300 Piedmont Avenue, San Bruno, are conditionally consistent with the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport* (SFO ALUCP), subject to the following conditions:

- *Prior to issuance of a building permit, the project sponsor shall file Form 7460-1 with the FAA and provide to the City of San Bruno an FAA “Determination of No Hazard”.*
- *The City of San Bruno shall require that lighting for the proposed multi-use soccer field be downward-facing and designed to minimize visual hazards to pilots.*
- *The City of San Bruno shall require that the project sponsor comply with the real estate disclosure requirements outlined in Policy IP-1 of the SFO ALUCP, which apply to sale or lease of property located within the AIA.*

BACKGROUND

The proposed project (“Project”) consists of demolishing the former Crestmoor High School facilities and constructing a 155-lot single family subdivision on approximately 12.3 acres of the 40.2-acre site. The Project also includes approximately 18 acres of publicly accessible open space, including a 6-acre portion that would be developed as a multi-use soccer field with permanent lighting.

The Project is located within Airport Influence Area B (AIA B), the “Project Referral” area, for San Francisco International Airport. California Public Utilities Code (PUC) Section 21676(b) requires 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, PUC Section 21676.5(a), requires that until a local

agency has brought its land use plans into compliance with the ALUCP, that it submit all proposed development and land use policy actions that affect property within AIA B to the ALUC for a consistency determination. In accordance with these requirements, San Bruno has referred the subject development project to C/CAG, acting as the San Mateo County Airport Land Use Commission, for a determination of consistency with the SFO ALUCP.

DISCUSSION

ALUCP Consistency Evaluation

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

(a) Aircraft Noise

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

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

(b) Safety

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

(c) Airspace Protection

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 shown on the critical aeronautical surfaces map; or (2) the maximum height determined not to be a “hazard to air navigation” by the FAA in an aeronautical study prepared pursuant to the filing of Form 7460-1.

As proposed, the new homes would be approximately 27 feet tall, and the light standards proposed for the athletic fields would be approximately 80 feet tall. The ground elevation at the site is approximately 433 feet above mean sea level (AMSL), so maximum Project heights would be approximately 513 feet AMSL. As indicated on **Attachment 5**, the critical airspace above the site lies at approximately 860 feet AMSL, so the Project would be more than 300 feet below this surface. However, as shown on **Attachment 6**, the Project is located in an area that requires FAA notification for all new construction (structures under 35 feet tall). The application materials recognize the requirement that the project submit Form 7460-1 for an FAA hazard determination, and it is included as a condition to ensure compliance:

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

Other Flight Hazards

Within AIA B, certain land use characteristics are recognized as hazards to air navigation and, per Airspace Protection Policy AP-4, need to be evaluated to ensure compatibility with FAA rules and regulations. As noted in the comment letter provided by SFO Planning staff, **Attachment 7**, the Project includes a multi-use soccer field that would include permanent lighting. Further, they note that the site is subject to overflights by arriving and departing aircraft and caution that bright lights can be a visual hazard to pilots. Accordingly, the following condition is proposed:

- *The City of San Bruno shall require that lighting for the proposed multi-use soccer field be downward-facing and designed to minimize visual hazards to pilots.*

(d) Overflight Notification

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

As this disclosure requirement is not currently included in San Bruno’s Municipal Code, the following condition is proposed:

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

Airport Land Use Committee

The Airport Land Use Committee was scheduled to consider this item at its September 28, 2023 meeting, but the meeting was canceled due to lack of a quorum.

ATTACHMENTS

1. Resolution 23-87

The following attachments are available 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 plan set excerpts
3. SFO ALUCP Exh. IV-6 – Noise Compatibility Zones
4. SFO ALUCP Exh. IV-2 –AIA B w/Safety Compatibility Zones
5. SFO ALUCP Exh. IV-17 – Critical Aeronautical Surfaces - NW
6. SFO ALUCP Exh. IV-12 – FAA Notification Filing Reqs.- South Side
7. Comment Letter from SFO Planning dated Aug. 10, 2023

RESOLUTION 23-87

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 PROPOSED 155-UNIT SINGLE FAMILY RESIDENTIAL DEVELOPMENT, PUBLIC OPEN SPACE AND RECREATION FACILITIES AT 300 PIEDMONT AVENUE, SAN BRUNO, ARE 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 (ALUC), that,

WHEREAS, per the requirements of California Public Utilities Code Section 21676.5(a), until a local agency has brought its General Plan, Zoning Ordinance and/or any affected specific plan into compliance with the applicable airport/land use criteria in the relevant adopted Airport Land Use Compatibility Plan, the local agency shall refer all proposed development and land use policy actions that affect property within Airport Influence Area (AIA) B, the Project Referral Area, to the ALUC for a consistency determination; and

WHEREAS, the City of San Bruno is processing an application for a 155-unit single family residential development, public open space and recreation facilities at 300 Piedmont Avenue and, in accordance with PUC Section 21676.5(a), 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 Francisco International Airport* (SFO ALUCP); and

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

- (a) Noise Compatibility – The Community Noise Equivalent Level (CNEL) 65 dB aircraft noise contour defines the threshold for airport noise impacts established in the SFO ALUCP. All land uses located outside this contour are deemed consistent with the noise policies of the ALUCP. Per SFO ALUCP Exhibit IV-6, the subject property lies outside the bounds of the CNEL 65 dB contour and is therefore consistent with the ALUCP noise policies and criteria.
- (b) Safety Policy Consistency – The SFO ALUCP includes five sets of safety zones and related land use compatibility policies and criteria. Per ALUCP Exhibit IV-2, the project site is not located within a Safety Zone, and therefore the safety policies and criteria do not apply to the Project.
- (c) Airspace Protection Policy Consistency –
 - 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 shown on the critical aeronautical

surfaces map; or (2) the maximum height determined not to be a “hazard to air navigation” by the FAA in an aeronautical study prepared pursuant to the filing of Form 7460-1.

As proposed, the new homes would be approximately 27 feet tall, and the light standards proposed for the athletic fields would be approximately 80 feet tall. The ground elevation of the site range is approximately 433 feet above mean sea level (AMSL), so maximum Project heights would be approximately 513 feet AMSL. The lowest critical airspace above the project site lies at approximately 860’ AMSL, so the project would be well below that surface. Per SFO ALUCP Exhibit IV-12, the project sponsor is required to file Form 7460-1 with the FAA for a hazard determination. This requirement is included as a condition of this consistency determination, as identified in Exhibit A, attached.

2) Other Flight Hazards

Within AIA B, certain land use characteristics are recognized as hazards to air navigation and need to be evaluated to ensure compatibility with FAA rules and regulations. The Project includes a multi-use soccer field that would include permanent lighting, and as bright lights can be a visual hazard to pilots, a condition is included in Exhibit A, attached, requiring that lighting be designed to minimize visual hazards to pilots.

- (d) Overflight Notification – The Project site is located within Airport Influence Area A (AIA A) of SFO, the real estate disclosure area. Pursuant to Policy IP-1, notification is required, prior to sale or lease of property located within the AIA, of the proximity of the airport and that therefore the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations. As this disclosure requirement is not currently included in San Bruno’s Municipal Code, it is reflected as a condition in Exhibit A to ensure compliance.

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 proposed residential development at 300 Piedmont Avenue, San Bruno, 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 12TH DAY OF OCTOBER 2023.

Davina Hurt, Chair

Resolution 23-87 – Conditions of Consistency Determination:

1. Prior to issuance of a building permit, the project sponsor shall file Form 7460-1 with the FAA and provide to the City of San Bruno an FAA “Determination of No Hazard”.
2. The City of San Bruno shall require that lighting for the proposed multi-use soccer field be downward-facing and designed to minimize visual hazards to pilots.
3. The City of San Bruno shall require that the project sponsor comply with the real estate disclosure requirements outlined in Policy IP-1 of the SFO ALUCP, which apply to sale or lease of property located within the AIA.

C/CAG AGENDA REPORT

Date: October 12, 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 23-88 determining that a proposed 6-story, 188 room hotel at 501 Industrial Road, San Carlos, including associated rezoning, is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport.

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

RECOMMENDATION

That the C/CAG Board of Directors, acting as the San Mateo County Airport Land Use Commission (ALUC), approve Resolution 23-88 determining that a proposed 6-story, 188 room hotel at 501 Industrial Road, San Carlos, including associated rezoning, is conditionally consistent with the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport* (San Carlos ALUCP), subject to the following conditions:

- The City of San Carlos shall require that the project sponsor comply with the real estate disclosure requirements outlined in Overflight Policy 1 of the San Carlos ALUCP.

BACKGROUND

The City of San Carlos is processing an application for development of a 2.09-acre site located at 501 Industrial Road, bounded by Holly St. and US-101. The proposal includes construction of a 188-room hotel comprised of a 6-story structure with an adjoining 3-story wing. The project also includes a request to rezone the property from Landmark Commercial (LC) to Planned Development (PD) to allow flexibility in some development standards, including building height.

The project falls within Airport Influence Area (AIA) B, the Project Referral Area for San Carlos Airport and is subject to ALUC review pursuant to California Public Utilities Code (PUC) Sections 21676(b) and 21676.5(a). Accordingly, San Carlos has referred the subject project for a determination of consistency with the San Carlos ALUCP.

DISCUSSION

I. ALUCP Consistency Evaluation

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

(a) Noise Policy Consistency

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

As shown on San Carlos ALUCP Exhibit 4-2, **Attachment 3**, the subject property lies within the bounds of the 60 dB CNEL contour. In accordance with San Carlos ALUCP Table 4-3, Noise Compatibility Criteria, hotels are compatible within this noise contour without restriction.

(b) Safety Policy Consistency

Runway Safety Zones - The San Carlos ALUCP includes six sets of safety zones and related land use compatibility policies and criteria. As shown on San Carlos ALUCP Exhibit 4-3, **Attachment 4**, the project site is located within Safety Zone 6. Per San Carlos ALUCP Table 4-4, Safety Compatibility Criteria, hotel use is listed as compatible in this safety zone.

(c) Airspace Protection Policy Consistency

Structures 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.

As proposed, the proposed project would have a maximum height of 82 ft. With a ground elevation of approximately 13 feet above mean sea level (AMSL), the overall height of the project would be 95 feet AMSL. Per San Carlos Exhibit 4-4, **Attachment 5**, the airspace protection surface above the project site lies at 155’ AMSL, so the proposed project would be below this surface. Additionally, the project sponsor has received a “Determination of No Hazard to Air Navigation” from the FAA for the project, included as **Attachment 6**. Accordingly, the project is determined to be consistent with the Airspace Protection Policy 5.

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 Compatibility Consistency

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

As this disclosure requirement is not included in the application materials, the following condition is proposed:

- The City of San Carlos shall require that the project sponsor comply with the real estate disclosure requirements outlined in Airport Influence Area Policy 1 of the San Carlos ALUCP.

Airport Land Use Committee

The Airport Land Use Committee was scheduled to consider this item at its September 28, 2023 meeting, but the meeting was canceled due to lack of a quorum.

ATTACHMENTS

1. Resolution 23-88

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

2. ALUCP application, together with related project description and exhibits.
3. San Carlos ALUCP Exh. 4-2 – Future Conditions (2035) Aircraft Noise Contours
4. San Carlos ALUCP Exh. 4-3 – Safety Zones.
5. San Carlos ALUCP Exh. 4-4 – Airspace Protection Surfaces
6. FAA Determination of No Hazard

RESOLUTION 23-88

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 PROPOSED 6-STORY, 188 ROOM HOTEL AT 501 INDUSTRIAL ROAD, SAN CARLOS, INCLUDING ASSOCIATED REZONING, IS CONDITIONALLY CONSISTENT WITH THE COMPREHENSIVE AIRPORT LAND USE COMPATIBILITY PLAN FOR THE ENVIRONS OF SAN CARLOS AIRPORT.

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

WHEREAS, the City of San Carlos is processing an application for a 188 room hotel at 501 Industrial Rd., including a related rezoning and, in accordance with PUC Sections 21676(b) and 21676.5(a), 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. Per San Carlos ALUCP Exhibit 4-2, the subject property lies within the bounds of the 60 dB CNEL contour and, per Table 4-3, hotel use is listed as compatible within this noise contour, so the use is determined consistent with the San Carlos ALUCP noise policies and criteria.
- (b) Safety Compatibility – The San Carlos ALUCP includes six sets of safety zones and related land use compatibility policies and criteria. Per San Carlos ALUCP Exhibit 4-3, the project site is located within Safety Zone 6. In accordance with San Carlos ALUCP Safety Policy 2, hotel development within Safety Zone 6 is compatible and is not restricted for safety reasons, so the proposed project is consistent with the safety policies and criteria.

- (c) Airspace Protection Compatibility –

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 proposed structure would have an overall maximum height of approximately 95

feet above mean sea level (AMSL). Per San Carlos ALUCP Exhibit 4-4, the Part 77 Airspace Protection Surface lies at approximately 155 ft AMSL, so the proposed project would be below this surface, in compliance with the Airspace Protection policies of the ALUCP. Additionally, the project sponsor has received a “Determination of No Hazard to Air Navigation” from the FAA for the project, and accordingly, the project is determined to be consistent with the airspace protection policies and criteria.

Other Flight Hazards - 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. The proposed project does not include any such unusual hazards and is determined compatible with this policy.

- (d) Overflight Compatibility – The San Carlos ALUCP contains one policy regarding overflight compatibility that relates to the project: Overflight Policy 1 – *Real Estate Transfer Disclosure*. As the application materials do not reflect the real estate disclosure requirements, a condition is included in Exhibit A to ensure compliance.

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the City/County Association of Governments for San Mateo County, acting as the San Mateo County Airport Land Use Commission, that subject to the condition contained in Exhibit A, attached, the proposed hotel project at 501 Industrial Road, San Carlos, including the related rezoning request, 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 12TH DAY OF OCTOBER 2023.

Davina Hurt, Chair

Resolution 23-88 – Conditions of Consistency Determination:

1. The City of San Carlos shall require that the project sponsor comply with the real estate disclosure requirements outlined in Overflight Policy 1 of the San Carlos ALUCP.

C/CAG AGENDA REPORT

Date: October 12, 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 23-89 determining that the Burlingame Zoning Ordinance Update 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 23-89 determining that the Burlingame Zoning Ordinance Update is consistent with the applicable airport/land use policies and criteria contained in the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport* (SFO ALUCP), subject to the following conditions:

- *Prior to adoption, the Burlingame Zoning Ordinance shall be amended to incorporate the following revisions:*
 - Revise Chapter 25.24, as outlined in **Attachment 3**.
 - Amend Section 25.12.020 (D) and 25.14.020 (D) as follows, and add to Chapters 25.10.020 and 25.18.020 (additions in underline – deletions in ~~strikeout~~):

Airport Land Use Compatibility. Uses must comply with all applicable Noise, Safety, and Airspace Protection Compatibility Policies ~~SP-1 through SP-3~~ of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (ALUCP) ~~including Noise/Land Use Compatibility and Safety Compatibility Criteria listed in Tables IV-1 and IV-2. See Chapter 25.24 Comprehensive Airport Land Use Compatibility Plan Consistency. Some uses listed in Table 25.14-1 (Mixed Use Zoning Districts Use Regulations) may be incompatible in safety zones. Refer to ALUCP Exhibit IV-9 for a map of the safety compatibility zones.~~

- Amend Table 25.10-1: Residential Zoning Districts Use Regulations as follows:
 - Add a footnote to “School” (public and private) and “Residential Care” (nursing homes) uses to clarify that they are not allowed within Safety Zones 2, 3 or 4.
- Amend Table 25.12-1: Commercial and Industrial Zoning District Use Regulations as follows:

- Add a footnote to “Commercial Recreation – Large Scale” to clarify that stadiums and arenas are not permitted within Safety Zone 3.
 - Modify footnotes on “Daycare Centers”, “Office – Research and Development” and “Schools, Primary and Secondary” to remove reference to I/I zoning district (since restriction applies to all properties located within Safety Zone 3, regardless of zoning.)
 - Add a footnote to “Extended Stay Hotels”, “Hotels and Motels”, and “Caretaker Quarters” to note that such uses located within the CNEL 65 dB contour are subject to sound insulation and aviation easement requirements.
- Amend Table 25.18-1: Public/Institutional Zoning District Use Regulations as follows:
 - Add a footnote to “Hospitals” and “Schools” (Public and Private) to clarify that these uses are not allowed within Safety Zone 3.

BACKGROUND

In 2018, the City of Burlingame completed an update of its General Plan. This document was reviewed by the ALUC and found conditionally compatible with the SFO ALUCP. Subsequently, Burlingame developed updated zoning for the North Burlingame Mixed Use (NBMU) and North Rollins Mixed Use (RRMU) zone districts, which were also reviewed by the ALUC and found conditionally compatible. The current proposal includes a comprehensive update to the Zoning Ordinance, which is intended to implement the General Plan. The NBMU and RRMU chapters have not been changed since being reviewed by the ALUC and C/CAG, except to incorporate the changes that were included in the conditional compatibility determinations.

Virtually the entire community of Burlingame is located within Airport Influence Area B (AIA B), the “Project Referral” area, for SFO. The Zoning Amendments are subject to Airport Land Use Committee/Board review pursuant to California Public Utilities Code (PUC) Section 21676(b). In accordance with these requirements, the City of Burlingame has referred the Zoning Ordinance update to C/CAG, acting as the San Mateo County Airport Land Use Commission, for a determination of consistency with the SFO ALUCP.

DISCUSSION

ALUCP Consistency Evaluation

The SFO ALUCP includes policies regarding establishment of an Airport Influence Area, with related real estate disclosure requirements and Airport Land Use Commission review authority; noise compatibility policies and criteria; safety policies and criteria; and airspace protection policies. The consistency analysis for a zoning ordinance focuses on how the document will serve to prevent future development of land uses that would conflict with these airport land use compatibility policies.

New ALUCP Chapter

The Zoning Ordinance, which provides development standards and review procedures, needs to identify the steps that will be taken during project review to ensure ALUCP criteria are considered.

The general approach in this Zoning Ordinance Update has been to add a new Chapter (Chapter 25.24), entitled “Comprehensive Airport Land Use Compatibility Plan Consistency”, which establishes the standards and requirements related to consistency with the SFO ALUCP. ALUC staff has recommended revisions to Chapter 25.24, as outlined in **Attachment 3**, to ensure the language addresses all aspects of ALUCP compatibility. Subject to these revisions, Chapter 25.24 would address the following:

- Airport Real Estate Disclosure Notices – Require all applicable projects to comply with the real estate disclosure requirements outlined in SFO ALUCP Policy IP-1.
- Airport Noise Evaluation and Mitigation – Requires evaluation of potential noise impacts of projects located within the CNEL 65 dB contour, as mapped in the ALUCP, and mitigation to achieve CNEL 45 dB interior or lower, consistent with SFO ALUCP Policies NP 2 & NP 3.
- Avigation Easement – Requires grant of an avigation easement to the City/County of San Francisco as a condition of developing any land use considered to be conditionally compatible per the SFO ALUCP Table IV-I, consistent with SFO ALUCP Noise Policy NP-3.
- Safety Compatibility Evaluation – Requires that all uses comply with the Safety Compatibility Policies of the ALUCP, consistent with SFO ALUCP Safety Policy SP 1, 2 & 3.
- Airspace Projection Evaluation –
 1. Requires applicants to file Form 7460-1, Notice of Proposed Construction or Alteration, with the FAA for any proposed new structure and/or alterations to existing structures that would exceed the FAA notification heights consistent with SFO ALUCP Policy AP-1.
 2. Restricts maximum building heights to the maximum height limits permissible under FAA regulations and the SFO ALUCP Critical Aeronautical Surfaces requirements, consistent with SFO ALUCP Policy AP-3.
 3. Other Flight Hazards – Consistent with SFO ALUCP Policy AP-4, for projects located with AIA B, calls for evaluation of land use characteristics to assure they are not hazards to air navigation, including sources of glare; distracting lights; sources of dust, smoke, steam, electric or electronic interference; wildlife attractants (especially flocks of birds), etc.

Land Use Regulations

In addition to the new ALUCP Chapter, the Zoning Ordinance includes footnotes within the “Use Regulation Tables” for the various zones that are affected by ALUCP policies to highlight/identify uses that may be restricted due to ALUCP policies. The proposal largely addresses ALUCP compatibility concerns, however a few modifications are recommended as follow:

- Amend Section 25.12.020 (D) and 25.14.020 (D) as follows, and add to Chapters 25.10.020 and 25.18.020 (additions in underline –deletions in ~~strikeout~~):

Airport Land Use Compatibility. Uses must comply with all applicable Noise, Safety, and Airspace Protection Compatibility Policies SP-1 through SP-3 of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (ALUCP) ~~including Noise/Land Use Compatibility and Safety Compatibility Criteria listed in Tables IV-1 and IV-2. See Chapter 25.24 Comprehensive Airport Land Use Compatibility Plan Consistency. Some uses listed in Table 25.14-1 (Mixed-Use Zoning Districts Use~~

~~Regulations) may be incompatible in safety zones. Refer to ALUCP Exhibit IV-9 for a map of the safety compatibility zones.~~

- Amend Table 25.10-1: Residential Zoning Districts Use Regulations as follows:
 - Add a footnote to “School” (public and private) and “Residential Care” (nursing homes) uses to clarify that they are not allowed within Safety Zones 2, 3 or 4.
- Amend Table 25.12-1: Commercial and Industrial Zoning District Use Regulations as follows:
 - Add a footnote to “Commercial Recreation – Large Scale” to clarify that stadiums and arenas are not permitted within Safety Zone 3.
 - Modify footnotes on “Daycare Centers”, “Office – Research and Development” and “Schools, Primary and Secondary” to remove reference to I/I zoning district (since restriction applies to all properties located within Safety Zone 3, regardless of zoning.)
 - Add a footnote to “Extended Stay Hotels”, “Hotels and Motels”, and “Caretaker Quarters” to note that such uses located within the CNEL 65 dB contour are subject to sound insulation and aviation easement requirements.
- Amend Table 25.18-1: Public/Institutional Zoning District Use Regulations as follows:
 - Add a footnote to “Hospitals” and “Schools” (Public and Private) to clarify that these uses are not allowed within Safety Zone 3.

SFO Planning Comments

SFO Planning and Environmental Affairs reviewed the proposal and provided a detailed comment letter, **Attachment 6**. In general, they do not note any specific concerns, but recommend some clarifying language to avoid potential ambiguity associated with governing height restrictions. This language has been incorporated into the recommended revisions to Chapter 25.24 (**Attachment 3**).

Airport Land Use Committee Meeting

The Airport Land Use Committee was scheduled to consider this item at its meeting on September 28, 2023, but the meeting was canceled due to lack of a quorum.

ATTACHMENTS

1. Resolution 23-89

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

2. ALUCP application & related materials

3. Chapter 25.24 Comprehensive Airport Land Use Compatibility Consistency – Recommended Revisions (Redline)
4. SFO ALUCP Exhibit IV-6 – Noise
5. SFO ALUCP Exhibit IV-9 – Safety
6. Comment letter from SFO Planning and Environmental Affairs dated August 17, 2023

The following attachment is available on Burlingame's website at:

https://library.qcode.us/lib/burlingame_ca/pub/municipal_code/item/title_25

7. Burlingame Zoning Ordinance

RESOLUTION 23-89

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 BURLINGAME ZONING ORDINANCE UPDATE 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 (ALUC), that,

WHEREAS, the City of Burlingame, which is located almost entirely within Airport Influence Area B (the “Project Referral Area” for San Francisco International Airport (SFO)), has prepared an update to its Zoning Ordinance to incorporate new development standards and regulations to implement the vision outlined in its General Plan; and

WHEREAS, California Public Utilities Code Section 21676 requires that, prior to adoption, a local agency must refer land use policy documents affecting property within AIA B, including general plans, zoning ordinances and/or any affected specific plan to the ALUC for a determination of consistency with the applicable Airport Land Use Compatibility Plan (ALUCP); and

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

WHEREAS, the SFO ALUCP includes policies regarding establishment of an Airport Influence Area, with related real estate disclosure requirements and Airport Land Use Commission review authority; noise compatibility policies and criteria; safety policies and criteria; and airspace protection policies; and

WHEREAS, in accordance with the guidance provided in the ALUCP, factors included in a Zoning Ordinance consistency determination include how the document describes the compatibility criteria to be applied to individual development applications; how the local agency will ensure that applicable compatibility criteria are incorporated into site-specific development projects; and identifies procedures for review and approval of development projects; and

WHEREAS, Burlingame’s Zoning Ordinance update includes a new chapter, Chapter 25.24, Airport Land Use Compatibility Plan Consistency, which includes the following requirements that, subject to modifications identified in Exhibit A, attached, comprehensively incorporate the requirements of the SFO ALUCP, as described below:

- A. Airport Real Estate Disclosure Notices – Requires all applicable projects to comply with the real estate disclosure requirements outlined in SFO ALUCP Policy IP-1.
- B. Airport Noise Evaluation and Mitigation – Requires evaluation of potential noise impacts of projects located within the CNEL 65 dB contour, as mapped in the ALUCP, and mitigation to achieve CNEL 45 dB interior or lower, consistent with SFO ALUCP Policies NP 2 & NP 3.
- C. Avigation Easement – Requires grant of an avigation easement to the City/County of San Francisco as a condition of developing any land use considered to be conditionally compatible

per the SFO ALUCP Table IV-I, consistent with SFO ALUCP Noise Policy NP-3.

- D. Residential Uses within the 70 dB Contour – acknowledges the requirement to comply with SFO ALUCP Noise Policy NP-4 stipulating that residential uses should not typically be allow in these high noise areas.
- E. Safety Compatibility Evaluation – Requires that all uses comply with the Safety Compatibility Policies of the ALUCP, consistent with SFO ALUCP Safety Policy SP 1 & 2.
- F. Airspace Projection Evaluation –
 - 1. Requires applicants to file Form 7460-1, Notice of Proposed Construction or Alteration, with the FAA for any proposed new structure and/or alterations to existing structures that would exceed the FAA notification heights consistent with SFO ALUCP Policy AP-1.
 - 2. Restricts maximum building heights to the maximum height limits permissible under FAA regulations and the SFO ALUCP Critical Aeronautical Surfaces requirements, consistent with SFO ALUCP Policy AP-3.
 - 3. Other Flight Hazards – Consistent with SFO ALUCP Policy AP-4, for projects located with AIA B, calls for evaluation of land use characteristics to assure they are not hazards to air navigation, including sources of glare; distracting lights; sources of dust, smoke, steam, electric or electronic interference; wildlife attractants (especially flocks of birds), etc.; and

WHEREAS, the Zoning Ordinance includes footnotes within the “Use Regulation Tables” to highlight/identify uses that may be restricted due to ALUCP policies which, subject to modifications identified in Exhibit A, will further ensure ALUCP policies are considered in advance of project approvals.

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 Burlingame Zoning Ordinance Update is determined to be consistent with the applicable airport land use policies and criteria contained in the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport.

PASSED, APPROVED, AND ADOPTED, THIS 12TH DAY OF OCTOBER 2023.

Davina Hurt, Chair

Resolution 23-89– Conditions of Consistency Determination:

Prior to adoption, the Burlingame Zoning Ordinance shall be amended to incorporate the following revisions:

1. Revise Chapter 25.24, as outlined in **Attachment 1**.
2. Amend Section 25.12.020 (D) and 25.14.020 (D) as follows, and add to Chapters 25.10.020 and 25.18.020 (additions in underline – deletions in ~~strikeout~~):
 - a. Airport Land Use Compatibility. Uses must comply with all applicable Noise, Safety, and Airspace Protection Compatibility Policies SP-1 through SP-3 of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (ALUCP) ~~including Noise/Land Use Compatibility and Safety Compatibility Criteria listed in Tables IV-1 and IV-2. See Chapter 25.24 Comprehensive Airport Land Use Compatibility Plan Consistency. Some uses listed in Table 25.14-1 (Mixed Use Zoning Districts Use Regulations) may be incompatible in safety zones. Refer to ALUCP Exhibit IV-9 for a map of the safety compatibility zones.~~
3. Amend Table 25.10-1: Residential Zoning Districts Use Regulations as follows:
 - a. Add a footnote to “School” (public and private) and “Residential Care” (nursing homes) uses to clarify that they are not allowed within Safety Zones 2, 3 or 4.
4. Amend Table 25.12-1: Commercial and Industrial Zoning District Use Regulations as follows:
 - a. Add a footnote to “Commercial Recreation – Large Scale” to clarify that stadiums and arenas are not permitted within Safety Zone 3.
 - b. Modify footnotes on “Daycare Centers”, “Office – Research and Development” and “Schools, Primary and Secondary” to remove reference to I/I zoning district (since restriction applies to all properties located within Safety Zone 3, regardless of zoning.)
 - c. Add a footnote to “Extended Stay Hotels”, “Hotels and Motels”, and “Caretaker Quarters” to note that such uses located within the CNEL 65 dB contour are subject to sound insulation and aviation easement requirements.
5. Amend Table 25.18-1: Public/Institutional Zoning District Use Regulations as follows:
 - a. Add a footnote to “Hospitals” and “Schools” (Public and Private) to clarify that these uses are not allowed within Safety Zone 3.

25.24.010

Chapter 25.24

COMPREHENSIVE AIRPORT LAND USE COMPATIBILITY PLAN CONSISTENCY

Sections:

25.24.010 Purpose.

25.24.020 Airport Disclosure Notices.

25.24.030 Airport Noise Evaluation and Mitigation.

25.24.040 Avigation Easement.

25.24.050 Safety Compatibility Evaluation

25.24.060 Airspace Protection Evaluation

25.24.050 Other Flight Hazards.

25.24.010 Purpose.

~~This Chapter establishes the standards and requirements related to consistency with the Development must comply with Safety Compatibility Policies SP-1 through SP-3 of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (ALUCP) including Noise/Land Use Compatibility and Safety Compatibility Criteria listed in Tables IV-1 and IV-2 of the ALUCP. Some uses may be incompatible in certain safety zones. Refer to ALUCP Exhibit IV-9 for a map of the safety compatibility zones. (Ord. 2000 § 2, (2021))~~ The following requirements shall be incorporated into all applicable projects.

25.24.020 Airport Disclosure Notices.

All new development is required to comply with the real estate disclosure requirements of State law. The following statement must be included in the notice of intention to offer the property for sale:

“Notice of Airport in Vicinity

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

(Ord. 2000 § 2, (2021))

25.24.030 Airport Noise Evaluation and Mitigation.

All projects shall comply with the the Noise Compatibility Policies of the ALUCP. Uses shall be reviewed per the Noise/Land Use Compatibility Criteria listed in Table IV-1 of the ALUCP. Project applicants shall be required to evaluate potential airport noise impacts if the project is located within the 65 CNEL contour line of San Francisco International Airport (as mapped in the Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport). All projects shall be required to mitigate impacts to comply with the interior (CNEL 45 dB or lower, unless otherwise stated) and exterior noise standards established by the Airport Land Use Compatibility Plan or Burlingame General Plan, whichever is more restrictive. (Ord. 2000 § 2, (2021))

25.24.040 Avigation Easement.

Any action that would either permit or result in the development or construction of a land use considered to be conditionally compatible with aircraft noise of CNEL 65 dB or greater (as mapped in the Airport Land Use Compatibility Plan) shall include the grant of an avigation easement to the City and County of San Francisco prior to issuance of a building permit(s) for any proposed buildings or structures, consistent with Airport Land Use Compatibility Plan Policy NP-3 Grant of Avigation

Easement. (Ord. 2000 § 2, (2021))

25.24.050 Safety Compatibility Evaluation

All uses must comply with Safety Compatibility Policies of the ALUCP. Project applicants shall be required to evaluate potential safety issues if the property is located within any of the Safety Compatibility Zones established in ALUCP Policy SP-1 and depicted in Exhibit IV-8 of the ALUCP. All projects located within a Safety Compatibility Zone shall be required to determine if the proposed land use is compatible with the Safety Compatibility Land Use Criteria as noted in ALUCP Policy SP-2 and listed in Table IV-2 of the ALUCP.

25.24.060 Airspace Protection Evaluation

All projects shall comply with the Airspace Protection Policies of the ALUCP.

1. **Notice of Proposed Construction or Alteration.** Project applicants shall be required to file Form 7460-1, *Notice of Proposed Construction or Alteration*, with the Federal Aviation Administration (FAA) for any proposed new structure and/or alterations to existing structures (including ancillary antennae, mechanical equipment, and other appurtenances) that would exceed the FAA notification heights as depicted in ALUCP Exhibit IV-12. Any project that would exceed the FAA notification heights shall submit a copy of the findings of the FAA's aeronautical study, or evidence demonstrating exemption from having to file FAA Form 7460-1, as part of the development permit application.
2. **Maximum Compatible Building Height.** All projects shall comply with the maximum building height requirements noted in ALUCP Policy AP-3 and depicted in Exhibit IV-18 of the ALUCP. For avoidance of doubt, the lower of the two heights identified by the ALUCP and the FAA shall be the controlling maximum height. Maximum building height includes all parapets, elevator overruns, stair towers, antennae, etc.

25.24.0503. Other Flight Hazards.

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

- A. 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.
- B. Distracting lights that could be mistaken for airport identification lightings, runway edge lighting, runway end identification lighting, or runway approach lighting.
- C. Sources of dust, smoke, water vapor, or steam that may impair the visibility of a pilot in command of an aircraft in flight.
- D. Sources of electrical/electronic interference with aircraft communications/navigation equipment.
- E. 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. (Ord. 2000 § 2, (2021))

C/CAG AGENDA REPORT

Date: October 12, 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 23-90 determining that the San Carlos Zoning Ordinance update is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport.

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

RECOMMENDATION

That the C/CAG Board of Directors, acting as the San Mateo County Airport Land Use Commission, approve Resolution 23-90 determining that the San Carlos Zoning Ordinance update is conditionally consistent with the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport* (San Carlos ALUCP), subject to the following conditions:

- Amend Section 18.21.150 C. Airport Noise Evaluation and Mitigation to reference the aviation easement requirements of San Carlos ALUCP Noise Policy 7.
- Delete Section 18.21.150 F. Aviation Easements, as the referenced ALUCP Overflight Policy has been updated and is no longer relevant.
- Amend Section 18.21.150 B. Airspace Protection Evaluation to reference the aviation easement requirements of San Carlos ALUCP Airspace Protection Policy 7.

BACKGROUND

Earlier this year, the City of San Carlos referred its 2023-2031 Housing Element for an ALUCP consistency determination. At that time, San Carlos received feedback that recommended amending its zoning ordinance to include procedures to implement and ensure compliance with the ALUCP policies. San Carlos has now prepared those amendments and has submitted them 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). These amendments are subject to Airport Land Use Committee / Board review, pursuant to California Public Utilities Code (PUC) Section 21676(b).

The full text of the proposed amendments is included in **Attachment 2**. In general, the amendments describe the ALUCP compatibility criteria to be applied to development applications (noise, safety, structure heights, other flight hazards, and overflight notification requirements) and describe how the local agency will ensure compliance during review and approval of development projects. A new section is to be added entitled “Airport Land Use Compatibility Plan Consistency”, which outlines the requirements associated with each of the ALUCP policy areas.

Also included are amendments to the Zoning Ordinance “General Site Regulations” and “Zoning Clearance Regulations” to require conformance with the new “ALUCP Plan Consistency” Section. San Carlos has also provided a conceptual draft “ALUCP Compliance Checklist”, **Attachment 3**, to be used both by property owners and applicants to develop a proposal conforming with the ALUCP, and as reference guide for staff reviewers.

Discussion

ALUCP Consistency Evaluation

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

In accordance with the guidance provided in the ALUCP, local agencies must establish procedures in their zoning ordinances to implement and ensure compliance with the compatibility policies and address any direct conflicts between the zoning ordinance (heights, permitted uses, etc.) and the ALUCP.

The following sections address how the subject amendments address each of the land use compatibility factors.

(a) Noise Compatibility

The Zoning Ordinance amendments would establish a section requiring all development projects, alterations, or change of use subject to the ALUCP to be reviewed for consistency with the noise policies of the ALUCP. Uses listed as “conditionally compatible” in the ALUCP would be required to mitigate impacts to comply with the interior noise standards established in the ALUCP or General Plan, whichever is more restrictive.

The draft Checklist specifically names each of the ALUCP noise policies 1-5 and 7, provides references to the relevant sections, figures, tables, and exhibits within the ALUCP and requires the applicant to indicate whether the project is in conformance with the standards and criteria indicated in the ALUCP Noise Policies (which will be verified by San Carlos staff). The City’s Geographic Information System (GIS) platform will provide property owners, applicants, and reviewers detailed information, including applicable noise contours, on any parcel in San Carlos.

While the proposed text includes a general reference to Avigation Easements, it does reflect the updated policy enacted in 2022, which requires an avigation easement for certain “conditionally compatible” noise sensitive uses within the CNEL 60 dB (or greater) contour. Therefore, the following conditions are recommended:

- Amend Section 18.21.150 C. Airport Noise Evaluation and Mitigation to add reference to the avigation easement requirements of San Carlos ALUCP Noise Policy 7.
- Delete Section 18.21.150 F. Avigation Easements, as the referenced ALUCP Overflight Policy has been updated and is no longer relevant.

Subject to these conditions, implementation of the proposed amendments would ensure compliance with the Noise Compatibility policies of the San Carlos ALUCP.

(b) Safety Compatibility

The proposed amendments stipulate that all proposed development projects, alterations, or change of use subject to the ALUCP will be reviewed for consistency with the Safety Compatibility Policies of the ALUCP. Project applicants will be required to evaluate potential safety issues if the property is located within any of the Safety Compatibility Zones established in the ALUCP, which will be verified by staff as part of the development review process.

Implementation of this amendment will ensure compliance with the Safety Compatibility policies of the ALUCP.

(c) Airspace Compatibility

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 FAA of certain proposed construction or alterations of structures, and to review projects for certain land use characteristics that might pose a hazard to air navigation (*Other Flight Hazards*).

Text is included in the proposed zoning amendments to address ALUCP Airspace Policy consistency, summarized below:

Airspace Protection Evaluation. All proposed development projects, alterations, or change of use subject to the ALUCP will be reviewed for consistency with Airspace Protection Policies of the ALUCP. These include Notice of Proposed Construction or Alteration, Maximum Compatible Building Height and Other Flight Hazards.

Federal Aviation Administration (FAA) Requirements. Proof of consistency with FAA rules and regulations must be provided through either:

- Provision of an FAA “Review Not Required” form
- Receipt of a “Determination of No Hazard” by the FAA after submittal of FAA Form 7460-1 “Notice of Proposed Construction”.

While the proposed text includes general reference to compliance with all Airspace Protection Policies, it does not clearly reflect the updated policy enacted in 2022, which requires an aviation easement for potential projects that would exceed the height standards or allow a use that might cause a visual, electronic, navigational, or wildlife hazard. Therefore, the following condition is recommended:

- Amend Section 18.21.150 B. Airspace Protection Evaluation to add reference to the aviation easement requirements of San Carlos ALUCP Airspace Protection Policy 7.

Subject to the recommended condition, implementation of these zoning provisions will ensure future compatibility with the Airspace Protection Policies of the San Carlos ALUCP.

(d) 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 proposed zoning amendments include both of these policy provisions and therefore are consistent 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 September 28, 2023, however the meeting was not held due to lack of a quorum.

Attachments

1. Resolution 23-90

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

2. Application Materials
3. Draft “ALUCP Compliance Checklist”

RESOLUTION 23-90

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 SAN CARLOS ZONING ORDINANCE UPDATE IS CONDITIONALLY CONSISTENT WITH THE COMPREHENSIVE AIRPORT LAND USE COMPATIBILITY PLAN FOR THE ENVIRONS OF SAN CARLOS AIRPORT.

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

WHEREAS, in accordance with the requirements of California Public Utilities Code Section 21676(b) a local agency General Plan, Zoning Ordinance and/or any affected specific plan must be consistent with the applicable airport/land use criteria in the relevant adopted Airport Land Use Compatibility Plan; and

WHEREAS, San Carlos has referred its Zoning Ordinance 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, to ensure compatibility, Zoning Ordinance amendments must describe the ALUCP compatibility criteria to be applied to development applications (noise, safety, structure heights, other flight hazards, and overflight notification requirements) and describe how San Carlos will ensure compliance with these requirements during review and approval of development projects; and

WHEREAS, the Zoning Ordinance includes a new section entitled “Airport Land Use Compatibility Plan Consistency”, which outlines the requirements associated with each of the ALUCP policy areas: (a) noise compatibility, (b) safety compatibility, (c) airspace protection, and (d) overflight compatibility, as discussed below:

- (a) **Noise Compatibility** - The Zoning Ordinance amendments establish a section requiring all development projects, alterations, or change of use subject to the ALUCP to be reviewed for consistency with the noise policies of the ALUCP. Subject to minor modifications, as outlined in Exhibit A to this resolution, the Zoning Ordinance would ensure compliance with the Noise Compatibility policies of the San Carlos ALUCP.
- (b) **Safety Compatibility** – The proposed amendments stipulate that all proposed development projects, alterations, or change of use subject to the ALUCP will be reviewed for consistency with the Safety Compatibility Policies of the ALUCP. Project applicants will be required to evaluate potential safety issues if a property is located within any of the Safety Compatibility Zones established in the ALUCP, which will be verified by staff as part of the development review process. Implementation of this amendment will ensure compliance with the Safety Compatibility policies of the ALUCP.
- (c) **Airspace Protection** - The San Carlos ALUCP airspace policies establish maximum heights for the compatibility of new structures; stipulate the need for compliance with

federal regulations requiring notification of the FAA of certain proposed construction or alterations of structures; and provide for review of projects for certain land use characteristics that might pose a hazard to air navigation (Other Flight Hazards). The Zoning Ordinance amendments require all proposed development projects, alterations, or change of use subject to the ALUCP to be reviewed for consistency with the Airspace Protection Policies of the ALUCP. For improved clarity, a condition is included in Exhibit A to ensure that associated language regarding aviation easements is accurately reflected. Subject to the recommended condition, implementation of these zoning provisions will ensure future projects will be compatible with the Airspace Protection Policies of the San Carlos ALUCP.

- (d) **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 Zoning Ordinance amendments reflect both of these policies and are therefore determined compatible with the Overflight Compatibility policies of the San Carlos ALUCP.

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the City/County Association of Governments for San Mateo County, acting as the San Mateo County Airport Land Use Commission, that subject to the conditions contained in Exhibit A, attached, the San Carlos Zoning Ordinance update is consistent with the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport* (San Carlos ALUCP).

PASSED, APPROVED, AND ADOPTED, THIS 12TH DAY OF OCTOBER 2023.

Davina Hurt, Chair

Resolution 23-90– Conditions of Consistency Determination:

Prior to adoption, the San Carlos Zoning Ordinance shall be amended to incorporate the following revisions:

1. Amend Section 18.21.150 C. Airport Noise Evaluation and Mitigation to reference the aviation easement requirements of San Carlos ALUCP Noise Policy 7.
2. Delete Section 18.21.150 F. Aviation Easements, as the referenced ALUCP Overflight Policy has been updated and is no longer relevant.
3. Amend Section 18.21.150 B. Airspace Protection Evaluation to reference the aviation easement requirements of San Carlos ALUCP Airspace Protection Policy 7.

C/CAG AGENDA REPORT

Date: October 12, 2023

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

From: Sean Charpentier, Executive Director

Subject: Approval of Resolution 23-91 determining that proposed amendments to the Millbrae Station Area Specific Plan to allow for uses classified as “Biotechnology Level 2” within portions of the Transit Oriented Development Zone north of the paseo connecting the Millbrae transit station and Rollins Road, south of the BART parking garage, east of Millbrae transit station, and west of Rollins Road, which are located within Safety Compatibility Zone 2, are inconsistent with the Safety Compatibility Policies of 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 23-91 determining that proposed amendments to the Millbrae Station Area Specific Plan to allow for uses classified as “Biotechnology Level 2” within portions of the Transit Oriented Development Zone north of the paseo connecting the Millbrae transit station and Rollins Road, south of the BART parking garage, east of Millbrae transit station, and west of Rollins Road, which are located within Safety Compatibility Zone 2, are inconsistent with the Safety Compatibility Policies of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (SFO ALUCP).

Discussion

BACKGROUND/PROPOSAL

The City of Millbrae completed its Millbrae Station Area Specific Plan (MSASP) in 2015. The document was reviewed at the time by the Airport Land Use Commission (ALUC) and determined to be conditionally compatible with the SFO ALUCP.

In 2020/21, Millbrae submitted proposed amendments to the MSASP to the ALUC for a determination of Consistency with the SFO ALUCP. The proposal included various amendments to the MSASP to allow for uses classified as “biotechnology level 2” within portions of the specific plan area, including the Transit Oriented Development (TOD) Zone, south of Millbrae Avenue. In November 2020, the C/CAG Board (acting as the Airport Land Use Commission) adopted Resolution 20-57, determining that the amendments were not consistent with the safety compatibility criteria of the SFO ALUCP. The City of Millbrae subsequently adopted findings in favor of overruling the ALUC action pursuant to Public Utilities Code Section 21676 (c) and approved the amendments.

In 2022, Millbrae undertook a similar amendment to allow biotechnology level 2 use within additional areas of the MSASP, including portions of the TOD Zone located east of El Camino Real, west of the railroad corridor and north of Millbrae Avenue, which are located within Safety Zone 2. The ALUC found these amendments inconsistent with the safety compatibility policies of the SFO ALUCP and the City of Millbrae again adopted findings overruling the ALUC determination.

Millbrae is now considering a further amendment to the Specific Plan to allow for uses classified as “biotechnology level 2”, including Biotechnology/Scientific Labs, Tech/Biotech Product Assembly, and Tech/Biotech Component Manufacturing, in an additional portion the Transit Oriented Development zone located north of the paseo connecting the Millbrae transit station and Rollins Road, south of the BART parking garage, east of Millbrae transit station, and west of Rollins Road, which are located within Safety Compatibility Zone 2.

The MSASP properties are located within Airport Influence Area (AIA) B for SFO, the area subject to formal CCAG/ALUC review. In accordance with the requirements of California Public Utilities Code Section 21676(b), the City of Millbrae has referred the proposal to C/CAG, acting as the San Mateo County Airport Land Use Commission, for a determination of consistency with the SFO ALUCP.

DISCUSSION

SFO ALUCP Consistency Evaluation

The SFO ALUCP includes policies regarding establishment of: A) an Airport Influence Area, with related real estate disclosure requirements and Airport Land Use Commission review authority; B) noise compatibility policies and criteria; C) safety policies and criteria; and D) airspace protection policies. As the proposed amendments do not involve noise sensitive uses and do not alter development standards, this review will focus on safety compatibility issues only.

C) **Safety Policy Consistency Analysis** – The overall objective of safety compatibility guidelines is to minimize the risks associated with potential aircraft accidents. The most fundamental safety compatibility component is to provide for the safety of people and property on the ground in the event of an aircraft accident near an airport.

The SFO ALUCP includes five sets of safety zones and identifies land uses which are either incompatible or should be avoided within each of these zones. As shown on **Attachment 3**, the property impacted by the proposed amendments lies within Safety Zone 2, the Inner Approach/Departure Zone (IADZ).

Per the SFO ALUCP, the compatibility criteria for safety are established in Table IV-2, included as **Attachment 4**. As shown, *Hazardous Uses* are incompatible within Safety Zone 2.

Hazardous Uses are further clarified in Safety Policy SP-3, included as **Attachment 5**, with relevant text excerpted below:

“D. Medical and biological research facilities handling highly toxic or infectious agents
These facilities are classified by “Biosafety Levels.” Biosafety Level 1 does not involve hazardous materials and is not subject to the restrictions on hazardous uses in Table IV-2.

Definitions of the other three biosafety levels are quoted from Biosafety in Microbiological and Biomedical Laboratories, below.

- a. Biosafety Level 2 practices, equipment, and facility design and construction are applicable to clinical, diagnostic, teaching, and other laboratories in which work is done with the broad spectrum of indigenous moderate-risk agents that are present in the community and associated with human disease of varying severity.*
- b. Biosafety Level 3 practices, safety equipment, and facility design and construction are applicable to clinical, diagnostic, teaching, research, or production facilities in which work is done with indigenous or exotic agents with a potential for respiratory transmission, and which may cause serious and potentially lethal infection.*
- c. Biosafety Level 4 practices, safety equipment, and facility design and construction are applicable for work with dangerous and exotic agents that pose a high individual risk of life-threatening disease, which may be transmitted via the aerosol route and for which there is no available vaccine or therapy.”*

As noted in the proposal, the amendments specifically request the ability to include hazardous uses on additional sites within Safety Compatibility Zone 2 in order to accommodate Biosafety Level 2 uses. Such action is in direct conflict with the safety policies of the SFO ALUCP and is therefore not consistent with these policies.

SFO Planning

Pursuant to standard practice, the project was referred to SFO Planning staff for review, who provided detailed comments, included as **Attachment 6**. In summary, they note objection to the amendments as inconsistent with the SFO ALUCP Safety Policies, believe they would pose an unreasonable safety hazard by exposing residents and businesses in Millbrae to greater harm in the event of an aircraft emergency, and recommend that the ALUC determine that the proposed amendments are incompatible with the SFO ALUCP.

Airport Land Use Committee Meeting

The Airport Land Use Committee was scheduled to consider this item at its meeting on September 28, 2023, but the meeting was canceled due to lack of a quorum.

ATTACHMENTS

1. Resolution 23-91

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

2. Application Materials
3. SFO ALUCP Exh. IV-9 Safety Compatibility Zones
4. SFO ALUCP Table IV-2 Safety Compatibility Criteria
5. SFO ALUCP Policy SP-3 Hazardous Uses
6. Comment letter from SFO Planning dated September 13, 2023

RESOLUTION 23-91

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 AMENDMENTS TO THE MILLBRAE STATION AREA SPECIFIC PLAN TO ALLOW USES CLASSIFIED AS “BIOTECHNOLOGY LEVEL 2” WITHIN PORTIONS OF THE TRANSIT ORIENTED DEVELOPMENT ZONE NORTH OF THE PASEO CONNECTING THE MILLBRAE TRANSIT STATION AND ROLLINS ROAD, SOUTH OF THE BART PARKING GARAGE, EAST OF MILLBRAE TRANSIT STATION, AND WEST OF ROLLINS ROAD, WHICH ARE LOCATED WITHIN SAFETY COMPATIBILITY ZONE 2, ARE INCONSISTENT WITH THE SAFETY COMPATIBILITY POLICIES OF 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 (ALUCP); and

WHEREAS, the City of Millbrae completed the Millbrae Station Area Specific Plan (MSASP) update in 2015 which was reviewed at the time by the ALUC and determined to be conditionally compatible with the SFO ALUCP; and

WHEREAS, in 2020 Millbrae submitted proposed amendments to the MSASP to the ALUC for a determination of consistency with the SFO ALUCP. The proposal included various amendments to allow for uses classified as *Biotechnology Level 2* within portions of the specific plan area, including the Transit Oriented Development (TOD) Zone, south of Millbrae Avenue. In November 2020, the C/CAG Board (acting as the Airport Land Use Commission) adopted Resolution 20-57, determining that those amendments were not consistent with the Safety Compatibility Criteria of the SFO ALUCP; and

WHEREAS, in 2022, Millbrae undertook a similar amendment to allow biotechnology level 2 use within additional areas of the MSASP, including portions of the TOD Zone located east of El Camino Real, west of the railroad corridor and north of Millbrae Avenue, which are located within Safety Zone 2. The ALUC found these amendments inconsistent with the safety compatibility policies of the SFO ALUCP and the City of Millbrae adopted findings overruling the ALUC determination; and

WHEREAS, the City of Millbrae is now considering further amendments to the MSASP to allow uses classified as *Biotechnology Level 2* within additional portions of the TOD Zone located north of the paseo connecting the Millbrae transit station and Rollins Road, south of the BART parking garage, east of Millbrae transit station, and west of Rollins Road, which are located within Safety Compatibility Zone 2 of the SFO ALUCP (“Specific Plan Amendments”); and

WHEREAS, the area encompassed by the MSASP lies within Airport Influence Area (AIA) B for San Francisco International Airport, the area subject to formal CCAG/ALUC review, and accordingly, the City of Millbrae has referred the Specific Plan Amendments to C/CAG, acting as the San Mateo County Airport Land Use Commission, for a determination of consistency with the SFO ALUCP; and

WHEREAS, this airport land use plan consistency review is focused on safety compatibility issues since the Specific Plan Amendments do not address noise sensitive land uses nor change any development standards in the MSASP which were previously reviewed by the ALUC in 2015. Compatibility with the relevant safety compatibility policies is discussed below:

- a. The SFO ALUCP includes five sets of safety zones and identifies specific land uses which are either incompatible or should be avoided within each of these zones.
- b. The properties impacted by the proposed Specific Plan Amendments lie within Safety Compatibility Zone 2, the Inner Approach/Departure Zone (IADZ).
- c. The Specific Plan Amendments propose to include hazardous uses (Biosafety Level 2) as a conditionally permitted use within additional specific plan areas that are located within Safety Compatibility Zone 2 in order to accommodate Biosafety Level 2 uses.
- d. The compatibility criteria for safety are established in Table IV-2 of the SFO ALUCP, which lists *Hazardous Uses* as incompatible within Safety Zone 2. *Hazardous Uses* are further clarified in Safety Policy SP-3 to specify that Biosafety Level 2 uses are considered *Hazardous Uses*.
- e. The Specific Plan Amendments are in direct conflict with the Safety Policies of the SFO ALUCP and are therefore not consistent with these policies.

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 Specific Plan Amendments are determined to be inconsistent with the Safety Compatibility 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 12TH DAY OF OCTOBER 2023.

Davina Hurt, Chair

C/CAG AGENDA REPORT

Date: October 12, 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 23-92 authorizing the C/CAG Chair to execute Amendment No. 4 to the Agreement with the City of South San Francisco for fiber conduit purchase of the Smart Corridor Extension Project, extending the contract term to June 30, 2024, at no additional cost.

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

RECOMMENDATION

Review and approval of Resolution 23-92 authorizing the C/CAG Chair to execute Amendment No. 4 to the Agreement with the City of South San Francisco for fiber conduit purchase of the Smart Corridor Extension Project, extending the contract term to June 30, 2024, at no additional cost.

FISCAL IMPACT

There is not any financial impact associated with this item.

SOURCE OF FUNDS

Funding for the fiber conduit purchase came from Measure M, the annual ten dollars (\$10) vehicle registration fee program, specifically the intelligent transportation system (ITS)/Smart Corridor program category.

BACKGROUND

The San Mateo County Smart Corridor project is 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 South San Francisco expansion of the Smart Corridor is now in the construction phase, with funding from State Transportation Improvement Program (STIP), the Traffic Light Synchronization Program (TLSP), and C/CAG Measure M program.

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. The City of South San Francisco was offered by a third party an opportunity to purchase underground conduits through the City's Dig Once policy. The policy is the City's effort to allow parties to collaborate on

telecommunications construction projects in the City's Right-of-Way to reduce near and long-term impacts of construction and excavation work. A portion of the routes proposed for telecommunications installation by a third party overlaps with the Smart Corridor project alignment.

In June of 2020, C/CAG entered into a funding agreement with the City to purchase the underground conduit. The purchase is anticipated to save C/CAG \$1 Million in construction costs for the Smart Corridor project. To date, most of the conduits have been installed. The funding agreement was amended in June of 2021 to provide additional time to address unexpected utilities conflicts and allow for additional coordination required with the San Mateo County Flood and Sea Level Rise Resiliency District. The funding agreement was amended in June 2022 due to supply chain issues, which resulted in delays with obtaining the necessary Union Pacific Railroad (UPRR) permitting. The funding amendment was later amended in December of 2022 due to continued supply chain delays and UPRR permitting challenges.

The contractor has recently received favorable input from UPRR and is currently in the process of resubmitting the permit application, upon verification of underground utilities. The City is seeking a 6-month extension to the funding agreement to enable project completion.

Staff recommends that the C/CAG Board reviews and approves Resolution 23-92 authorizing the C/CAG Chair to execute Amendment No. 4 with the City of South San Francisco for fiber conduit purchase of the Smart Corridor Extension Project, extending the contract term to June 30, 2024 at no additional cost.

ATTACHMENTS

1. Resolution 23-92
2. Draft funding agreement amendment

RESOLUTION 23-92

RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO AUTHORIZING THE C/CAG CHAIR TO EXECUTE AMENDMENT NO.4 TO THE AGREEMENT WITH THE CITY OF SOUTH SAN FRANCISCO FOR FIBER CONDUIT PURCHASE OF THE SMART CORRIDOR EXTENSION PROJECT, EXTENDING THE CONTRACT TERM TO JUNE 30, 2024 AT NO ADDITIONAL COST

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 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 naturally diverted traffic due to major incidents on the freeway; and

WHEREAS, C/CAG, City of South San Francisco, and Caltrans desire to extend the Smart Corridor into the City of South San Francisco, 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, C/CAG was the Lead Agency for the Project Study Report and Project Approval and Environmental Document phases; and the City of South San Francisco is designated as the Lead Agency for Design and Construction Phases; and

WHEREAS, partnering with the City to purchase conduit would significantly reduce the future construction costs; and

WHEREAS, C/CAG and the City of San Francisco entered into a funding agreement for the purchase of Smart Corridor fiber conduit in an amount up to \$300,000 in June of 2020; and

WHEREAS, C/CAG and the City of San Francisco entered into agreement amendment No. 1 in June 2021 to address unexpected utilities conflicts and allow for additional coordination required with the San Mateo County Flood and Sea Level Rise Resiliency District; and

WHEREAS, C/CAG and the City of San Francisco entered into agreement amendment No. 2 in June 2022 to resolve permitting issues with the Union Pacific Railroad;

WHEREAS, C/CAG and the City of San Francisco entered into agreement amendment No. 3 in December 2022 to provide additional time to resolve ongoing permitting challenges with the Union Pacific Railroad;

WHEREAS, C/CAG and the City of San Francisco desire to enter into agreement for amendment No. 4 to allow the contractor to complete the installation;

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the City/County Association of Governments of San Mateo County that the C/CAG Chair is authorized to execute amendment No. 4 with the City of South San Francisco for fiber conduit purchase of the Smart extension project, extending the contract term to June 30, 2024 at no additional cost; and further authorize the Executive Director to negotiate final terms prior to execution, subject to review by Legal Counsel.

PASSED, APPROVED, AND ADOPTED, THIS 12TH DAY OF OCTOBER 2023.

Davina Hurt, Chair

**AMENDMENT NO. 4 TO THE AGREEMENT
BETWEEN
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
AND
THE CITY OF SOUTH SAN FRANCISCO**

WHEREAS, the City/County Association of Governments for San Mateo County (hereinafter referred to as “C/CAG”) and the City of South San Francisco (hereinafter referred to as “the City”) are parties to a Funding Agreement (the “Agreement”) originally dated October 28, 2020, for purchase and installation of conduits for the Smart Corridor Extension Project (the “Project”); and

WHEREAS, the City and C/CAG executed amendment No. 1 on July 1, 2021 to address unexpected utilities challenges and provide additional time to coordinate with the San Mateo County Flood and Sea Level Rise Resiliency District to advance the Project, and

WHEREAS, the City and C/CAG executed amendment No. 2 on June 2022 to resolve permitting issues with the Union Pacific Railroad; and

WHEREAS, the City and C/CAG executed amendment No. 3 in December 2022 to provide additional time to address permitting challenges with the Union Pacific Railroad;

WHEREAS, C/CAG and the City have determined that additional time is needed to allow the contractor complete the conduit installation; and

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

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

1. The term of the Agreement, as provided in Section 3 “Time of Performance,” shall be extended through June 30, 2024.
2. Except as expressly amended herein, all other provisions of the Agreement shall remain in full force and effect.
3. This amendment shall take effect on January 1, 2024.

[Signatures on the following page]

City/County Association of Governments (C/CAG)

City of South San Francisco

Davina Hurt
C/CAG Chair

Date: _____

Approved as to form:

Melissa Andrikopoulos
Legal Counsel for C/CAG

By

Title: _____

Date: _____

DRAFT

C/CAG AGENDA REPORT

Date: October 12, 2023

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

From: Sean Charpentier, Executive Director

Subject: Receive a copy of executed Amendment No. 1 to the Fiscal Year 2021/22 Transportation Fund for Clean Air (TFCA) Funding Agreement with City of San Bruno for the Bicycle Route Installation Project, extending project completion date to October 31, 2024, at no additional cost.

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

RECOMMENDATION

That the C/CAG Board receives a copy of executed Amendment No. 1 to the Fiscal Year 2021/22 Transportation Fund for Clean Air (TFCA) Funding Agreement with City of San Bruno for the Bicycle Route Installation Project, extending project completion date to October 31, 2024, at no additional cost.

FISCAL IMPACT

There is not any financial impact. The original grant award to the City of San Bruno is \$246,760.

SOURCE OF FUNDS

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

BACKGROUND

C/CAG is the Program Manager for the TFCA Program in San Mateo County. This program distributes fund to projects that aim to reduce air pollution, greenhouse gas emissions, and traffic congestion. At the October 14, 2021 meeting, C/CAG Board approved Resolution 21-71 authorizing the C/CAG Chair to execute a funding agreement with the City of San Bruno in an amount up to \$246,760, under the Fiscal Year 2021/22 TFCA program, for the Bicycle Route Installation Project.

The project was set to be completed by October 31, 2023. In May 2023, the Project received only one bid and the cost came in significantly higher, resulting in the need for additional time to obtain

additional funds for the Project and complete the work. The City of San Bruno wishes to extend the project's completion date to October 31, 2024.

C/CAG staff supported time extension and requested that the C/CAG Executive Director executes Amendment No. 1 to the funding agreement with City of San Bruno. Attachment 1 is a copy of the fully executed Amendment No. 1 to the Fiscal Year 2021/22 Transportation Fund for Clean Air (TFCA) Funding Agreement. Under the amendment, the project completion date is changed to October 31, 2024 at no additional cost.

ATTACHMENT

1. Amendment No. 1 to the Fiscal Year 2021/22 Transportation Fund for Clean Air (TFCA) Funding Agreement with City of San Bruno for the Bicycle Route Installation Project

**AMENDMENT NO. 1 TO THE FISCAL YEAR 2021-2022 TFCA AGREEMENT
BETWEEN
THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
AND
CITY OF SAN BRUNO**

WHEREAS, the City/County Association of Governments of San Mateo County (hereinafter referred to as “C/CAG”) and City of San Bruno are parties to the Fiscal Year 2021-2022 Transportation Fund for Clean Air (TFCA) Funding Agreement (the “Agreement”), effective November 1, 2021; and

WHEREAS, the Agreement provides funds to City of San Bruno for the Bicycle Route Installation Project (Project); and

WHEREAS, the Project’s original completion date is October 31, 2023;

WHEREAS, in May of 2023, the Project received only one bid and the cost came in significantly higher, resulting in the need for additional time to appropriate additional funds for the Project and complete the work;

WHEREAS, C/CAG and the City of San Bruno wish to extend the Project’s completion date to October 31, 2024; and

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

NOW, THEREFORE, IT IS HEREBY AGREED by C/CAG and City of San Bruno that:

1. Section II, item 16, shall be replaced in its entirety and revised to read as follows:
“Project Sponsor will complete the Project by October 31, 2024.”
2. Section III, item 2, shall be replaced in its entirety and revised to read as follows:
“To reimburse costs incurred by Project Sponsor from the execution of this Agreement through October 31, 2024.”

Except as expressly amended herein, all other provisions of the Agreement shall remain in full force and effect. This amendment shall take effect upon the date of execution by both parties.

Signatures on the following page

City/County Association of Governments
(C/CAG)

DocuSigned by:

Sean Charpentier

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Sean Charpentier, Executive Director
C/CAG

Date: 9/27/2023

Approved as to form:

DocuSigned by:

Melissa Andrikopoulos

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Melissa Andrikopoulos, Legal Counsel
C/CAG

City of San Bruno

DocuSigned by:

Alex McIntyre

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Alex McIntyre, City Manager
City of San Bruno

Date: 9/24/2023

Approved as to form:

DocuSigned by:

Trisha Ortiz

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Trisha Ortiz, Legal Counsel
City of San Bruno

C/CAG AGENDA REPORT

Date: October 12, 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 23-93, authorizing the C/CAG Executive Director to execute a funding agreement with the City of Daly City in an amount not to exceed \$672,500, to install fiber and perform other related duties in preparation for the future deployment of the Northern Cities Smart Corridor project.

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

RECOMMENDATION

Review and approval of Resolution 23-93, authorizing the C/CAG Executive Director to execute a funding agreement with the City of Daly City in an amount not to exceed \$672,500, to install fiber and perform other related duties in preparation for the future deployment of the Northern Cities Smart Corridor project.

FISCAL IMPACT

The funding agreement amount is \$672,500.

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 is 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 equipment is connected to underground fiberoptic communication infrastructure, enabling the equipment to communicate and share data with local transportation management centers (TMCs). 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. The devices include 270 CCTV cameras, 117 trailblazer/arterial dynamic message signs, and 40 vehicle detection systems. The South San Francisco expansion is currently in construction and is expected to be completed in 2024.

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 (Caltrans). The Northern Cities segment has completed design and is

construction ready. A map of the Northern Cities project corridors is included as Attachment 2 to the staff report.

Typically, Smart Corridor construction includes the installation of underground conduits for fiberoptic cables. Because the City of Daly City has existing fiberoptic infrastructure in place, C/CAG has agreed to reimburse the City for the installation of conduit, fiber cables, and associated connections and terminations. This includes installing fiber optics cable on the San Pedro Road bridge, connecting the main trunkline fiber to City Hall, and terminating the fiber cable at traffic control cabinets. In the event that there are cost savings from the aforementioned work, the City can seek up to \$150,000 in reimbursement to build a video wall system for traffic monitoring purposes at the City Hall or the corporation yard. This financial support is intended to facilitate the integration of the City's existing fiber infrastructure with the Smart Corridor project. A list of the eligible expenses is included in Exhibit B of the Draft Funding Agreement (Attachment 3).

The City and C/CAG will enter into a separate memorandum of understanding and funding agreements regarding obligations and responsibilities for the upcoming construction phase of the project, as well as ongoing ownership, operations, and maintenance commitments.

Staff recommends that the C/CAG Board approves and authorizes the C/CAG Executive Director to execute a funding agreement with the City of Daly City in an amount not to exceed \$672,500, to install fiber and perform other related duties in preparation for the future deployment of the Northern Cities Smart Corridor project.

ATTACHMENTS

1. Resolution 23-93
2. Map of Northern Cities project corridors
3. Draft Funding Agreement (*The document is available to download at the C/CAG website (See "Additional Agenda Materials") at: <https://ccag.ca.gov/committees/board-of-directors-2/>.*)

RESOLUTION 23-93**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 DALY CITY IN AN AMOUNT NOT TO EXCEED \$672,500, TO INSTALL FIBER AND PERFORM OTHER RELATED DUTIES IN PREPARATION FOR THE FUTURE DEPLOYMENT OF THE NORTHERN CITIES SMART CORRIDOR PROJECT.**

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 Daly City, and Caltrans desire to extend the Smart Corridor into the City of Daly City, which includes the deployment of an interconnected traffic signal system, close circuit video cameras, trailblazer/arterial dynamic message signs, and vehicle detection systems; and

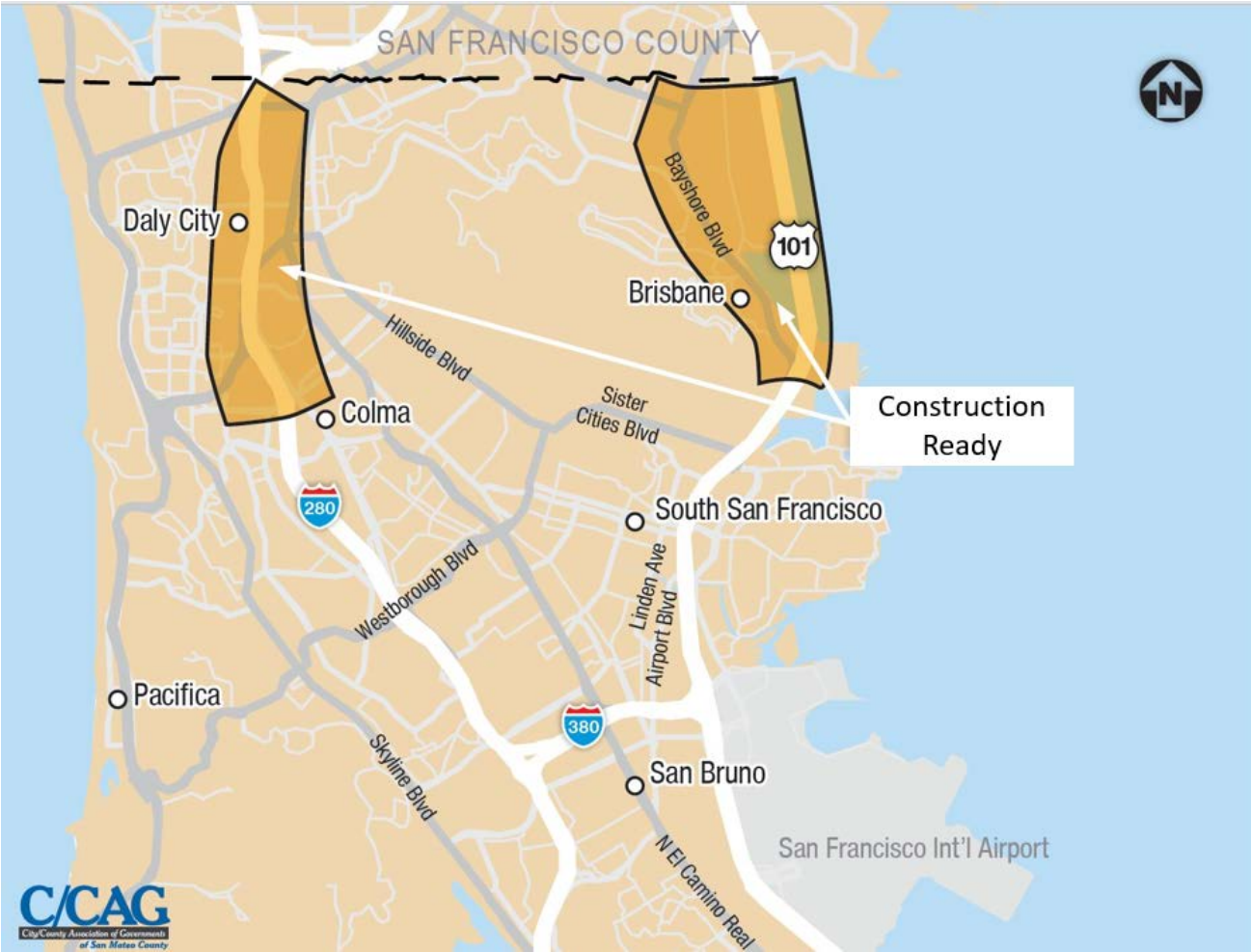
WHEREAS, C/CAG and the City desire to enter into a funding agreement to install fiber, add fiber cable terminations and conduit connections; splice the fiber; purchase of fiber switches and connect pull boxes for the future deployment of the Smart Corridor system in an amount not to exceed \$672,500.

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 Daly City in an amount not to exceed \$672,500, to install fiber and perform other related duties in preparation for the future deployment of the Northern Cities Smart Corridor project. Be it further resolved that the Executive Director is authorized to negotiate the final terms prior to execution by parties, subject to legal counsel approval as to form.

PASSED, APPROVED, AND ADOPTED, THIS 12TH DAY OF OCTOBER 2023.

Davina Hurt, Chair

Northern Cities Project Limits



C/CAG AGENDA REPORT

Date: October 12, 2023

To: City/County Association of Governments Board of Directors

From: Melissa Andrikopoulos, C/CAG Legal Counsel

Subject: Action on Compensation Adjustment for Executive Director and review and approval of Resolution 23-95 authorizing the C/CAG Chair to execute Amendment No. 2 to the agreement between C/CAG and Executive Director

(For further information or response to questions, contact Melissa Andrikopoulos at mandrikopoulos@smcgov.org)

RECOMMENDATION

That the C/CAG Board approve Resolution 23-95 authorizing the C/CAG Chair to execute Amendment No. 2 to the agreement between C/CAG and Executive Director.

FISCAL IMPACT

Funding for C/CAG staff is budgeted in the C/CAG annual budget.

BACKGROUND

At the July 8, 2021, meeting, the C/CAG Board approved Resolution 21-56 authorizing the C/CAG Chair to execute an agreement between C/CAG and Sean Charpentier for service as Executive Director for a term beginning on August 1, 2021 and continuing through July 31, 2024.

As contemplated by the agreement, the C/CAG Board conducted a performance review and held a conference with labor negotiators in a closed session at the September 14, 2023 Board meeting. It is recommended the C/CAG Board approve Resolution 23-95 authorizing the C/CAG Chair to execute Amendment No. 2 to the agreement between C/CAG and Sean Charpentier for service as Executive Director. The amendment will increase the annual salary to \$250,690 and the automobile allowance to \$500 per month; all other terms will remain in effect.

ATTACHMENTS

1. Resolution 23-95
2. Amendment No. 2 to the agreement between C/CAG and Sean Charpentier for service as Executive Director

RESOLUTION 23-95

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) AUTHORIZING THE C/CAG CHAIR TO EXECUTE AMENDMENT NO. 2 TO THE AGREEMENT BETWEEN C/CAG AND SEAN CHARPENTIER FOR SERVICE AS EXECUTIVE DIRECTOR

* * * * *

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

WHEREAS, C/CAG Board of Directors has selected Sean Charpentier as the Executive Director; and

WHEREAS, on July 8, 2021, the C/CAG Board of Directors approved Resolution 21-56 authorizing the C/CAG Chair to execute an agreement between C/CAG and Sean Charpentier for service as Executive Director for a term from August 1, 2021 to July 31, 2024; and

WHEREAS, the agreement provided for annual performance reviews, and that any salary increase would be made in conjunction with the annual performance review; and

WHEREAS, the C/CAG Board of Directors conducted the Executive Director's annual performance review and held a conference with labor negotiators in closed session at the September 14, 2023 Board meeting; and

WHEREAS, C/CAG and Executive Director desire to amend said agreement to reflect an annual salary of \$250,690 and a monthly automobile allowance of \$500, effective July 1, 2023, with no other changes to the terms of the agreement.

NOW, THEREFORE, BE IT RESOLVED that the City/County Association of Governments of San Mateo County (C/CAG) authorizes the Chair to execute Amendment No. 2 to the agreement between C/CAG and Sean Charpentier for service as Executive Director.

PASSED, APPROVED, AND ADOPTED THIS 12TH DAY OF OCTOBER 2023.

Davina Hurt, Chair

**AMENDMENT NO. 2 TO THE AGREEMENT BETWEEN
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
AND
SEAN CHARPENTIER FOR SERVICE AS EXECUTIVE DIRECTOR**

This Amendment No. 2 (“Amendment”) to the Agreement between the City/County Association of Governments of San Mateo County and Sean Charpentier for Service as Executive Director (“Agreement”) is entered into by and between the City/County Association of Governments of San Mateo County (“C/CAG”), and Sean Charpentier (“Executive Director”).

WITNESSETH

WHEREAS, C/CAG desires to continue to employ Sean Charpentier as the Executive Director of C/CAG; and

WHEREAS, Executive Director desires to continue to perform services for C/CAG on the terms and conditions contained in the Agreement, subject to changes described in this Amendment; and

WHEREAS, Executive Director has reviewed and accepted this Amendment.

NOW, THEREFORE, IT IS HEREBY AGREED by C/CAG and Executive Director that:

1. The first sentence of Section 4 of the Agreement, “Executive Director Salary,” shall be revised to read as follows:

Executive Director shall receive an annual salary of two hundred fifty thousand six hundred and ninety dollars (\$250,690) effective July 1, 2023.

2. The second sentence of Section 11 of the Agreement, “Automobile Allowance,” shall be revised to read as follows:

Therefore, the Executive Director shall be entitled to receive a monthly automobile allowance of five hundred dollars (\$500) for the acquisition, use, maintenance and insurance of an automobile while on all C/CAG business for business related travel in-County and within 100 miles of the County’s boundaries, irrespective of the number of miles traveled on County business.

3. Except as expressly amended herein and in Amendment No. 1 to the Agreement, all other provisions of the Agreement dated August 1, 2021 shall remain in full force and effect.
4. This Amendment, once executed by both parties, shall be effective as of July 1, 2023.

IN WITNESS WHEREOF, C/CAG and Executive Director, by their duly authorized representatives, have affixed their hands.

Executive Director

_____	_____
By: Sean Charpentier	Date:

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

_____	_____
By: Davina Hurt C/CAG Chair	Date:

_____	_____
By: Melissa Andrikopoulos C/CAG Legal Counsel	Date:

C/CAG AGENDA REPORT

Date: October 12, 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 23-94 approving the Proposed 2024 State Transportation Improvement Program (STIP) for San Mateo County and also authorize the C/CAG Executive Director to negotiate with the Metropolitan Transportation Commission (MTC) and California Transportation Commission (CTC) to make minor modifications as necessary. (Special voting procedures apply).

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

RECOMMENDATION

That the C/CAG Board review and approve of Resolution 23-94 approving the Proposed 2024 State Transportation Improvement Program (STIP) for San Mateo County and also authorize the C/CAG Executive Director to negotiate with the Metropolitan Transportation Commission (MTC) and California Transportation Commission (CTC) to make minor modifications as necessary.

FISCAL IMPACT

There is not any direct fiscal impact to C/CAG other than staff time. Upon CTC approval, the STIP funds will be allocated to project sponsors directly.

SOURCE OF FUNDS

Funding for the 2024 STIP Program will come from both state and federal funding sources.

BACKGROUND

2024 STIP

The State Transportation Improvement Program (STIP) is the biennial five-year plan for future allocations of state transportation funds. It is a five-year document adopted every two years by the California Transportation Commission (CTC) to program certain portions of the gas tax for transportation projects. The Program is developed in coordination with the Metropolitan Transportation Commission (MTC).

On June 28, 2023, Caltrans presented the draft STIP Fund Estimates for the upcoming five-year period (FY 2024-25 through FY 2028-29) to the California Transportation Commission (CTC). The CTC is scheduled to adopt this estimate at their August 16, 2023 meeting. MTC is scheduled to adopt regional STIP policy and procedures at the September 21, 2023 Commission meeting. MTC Staff shared detailed fund estimates for San Mateo County along with the rest of the Bay Area region on Jun 30, 2023. San Mateo County is projected to receive approximately \$37 million from the 2024

STIP. C/CAG Staff will use this as a working estimate, which may later be adjusted by CTC upon adoption of the final STIP Fund Estimate. The 2024 STIP identifies net new capacity only in the outer two years of the 2024 STIP, FY 2027-28 and FY 2028-29. Therefore, 2024 STIP funds can only be programmed within those two fiscal years.

For San Mateo County, C/CAG is the designated agency responsible for developing the regional share of the STIP. STIP candidate projects must be consistent with the Regional Transportation Plan as well as the County's Congestion Management Plan. In addition, projects must have an approved Project Study Report (PSR). A full funding plan is required for a project phase in order to program STIP funds. Also, projects in excess of \$50 million in total project cost must include a project level benefit evaluation, including lifecycle cost benefit analysis.

The last adopted cycle of the 2022 STIP covered the period between FY 2022-23 through FY 2026-27. Funds previously programmed for highway projects as adopted in the 2022 STIP are still committed; however, the timing of those funds being available is not guaranteed. CTC may also reprogram current projects into later years.

Staff collaborated with partner transportation agencies such as Caltrans and the San Mateo County Transportation Authority as well as Public Works Directors in identifying top regional projects that supports the continued policy of directing the STIP funds towards major highway improvement projects of regional significance in order to best leverage other state and federal funds (such as SB1) in addition to the San Mateo County Transportation Authority Highway Program funds.

At the August 17th C/CAG Congestion Management Program Technical Advisory Committee (CMP TAC) meeting, the City of Redwood City requested that US-101/SR-84 Interchange Project be considered for STIP funding for construction funds. Additionally, the City of Pacifica provided staff additional information on the construction schedule for the Highway 1/Manor Drive Overcrossing Project after the packet for the CMP TAC meeting was released. At the meeting, staff proposed an addendum to the published draft list to include funding the project from the City of Pacifica since the construction phase aligns with the availability of the 2024 STIP funds. The CMP TAC did not take action to allow staff time to gather more information on both projects and returned to the TAC in September. Upon review of the project timeline, the construction phase of the US-101/SR-84 Interchange Project does not align with the availability of the 2024 STIP funds.

The C/CAG Congestion Management and Environmental Quality (CMEQ) Committee recommended approval of the Draft 2022 STIP at their August 28th, 2023 meeting and the C/CAG Congestion Management Program Technical Advisory Committee (CMP TAC) recommended approval of the Draft 2022 STIP at their September 21st, 2023 meeting. The Draft 2024 STIP, including its proposed technical changes and new project proposals, was presented to the C/CAG Board at their September 14, 2023 meeting for review and received no comments.

Below are the highlights of the 2024 STIP:

- \$29,888,000 in to fund the construction phase of the US-101 Managed Lanes Projects – North of I-380, in FY27-28.
- \$5,000,000 to fund the construction phase of the Highway 1/Manor Drive Overcrossing Improvement Project in FY27-28.
- \$2,230,000 to fund the closeout phase of the US-101 Express Lanes Project – Whipple to I-380. This funding reflects previously allocated STIP funds to this project which was returned

to the 2024 STIP Fund Estimate.

An additional programming action is to fund \$1,685,000 million to the 92/101 Area Improvement Project. As part of the 2022 STIP, approximately \$3 million in Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) funds was available for funding projects and the 92/101 Area Improvement Projects received \$1,685,000 and the Northern Cities Smart Corridor Project received \$1,412,000 in CRRSAA funds. When the national debt ceiling negotiations occurred in May 2023, it led to a rescission of all unallocated CRRSAA funds, which originally had an allocation deadline of September 2024.

To save all of the County's CRRSAA funds, a decision was made to move all \$3 million of the funding to the Smart Corridor project, which was ready for construction funding allocation, and backfill the 92/101 Area Improvements Project with regular STIP funding. At the August CTC meeting, the Commission provided \$3 million in state funds in exchange for the federal CRRSAA funds on the Smart Corridor project and will continue on with the construction phase. MTC has instructed staff to formally program \$1,685,000 in regular STIP as part of the 2024 STIP update.

MTC Complete Streets Policy

Adopted in 2022, the Metropolitan Transportation Commission's (MTC) Complete Streets Policy (Resolution 4493) promotes the development of transportation facilities that accommodate all modes (walking, biking, rolling, and taking transit). In accordance with the Policy, project sponsors applying for regional discretionary transportation funding or endorsement from MTC with a total project cost of \$250,000 or more are required to complete a Complete Streets Checklist. The checklists are then reviewed by the County Transportation Agency (CTA) Bicycle and Pedestrian Advisory Committee (BPAC), and any comments from the C/CAG BPAC will be incorporated as part of the submittal to MTC. This Policy only applies to projects that have not previously received STIP funds.

Of the final four proposed projects that will be considered for 2024 STIP funding, only the City of Pacifica's Manor Drive Overcrossing Project needs to adhere to the Complete Streets Policy. The Manor Drive Overcrossing Project is a new project, and it has not previously received STIP programming. The C/CAG BPAC confirmed receipt of the Manor Drive Overcrossing Project and provided comments at their September 28th meeting.

Recommendation

The MTC adopted the regional policies on September 27, 2023; MTC staff has directed C/CAG to submit a project summary listing of projects to MTC by October 6, 2023 and a final project listing and other necessary documents by November 1, 2023.

Upon approval by the C/CAG Board, the proposed 2024 STIP for San Mateo County will be forwarded to the Metropolitan Transportation Commission (MTC) for inclusion in the Bay Area regional STIP proposal, also known as the Regional Transportation Improvement Program (RTIP). If approved by the MTC, as scheduled on December 20, 2023, the proposal will be forwarded to the California Transportation Commission (CTC) for approval in March 2024. During the coming months, it is anticipated Bay Area-wide and statewide negotiations will take place regarding the exact amount of funds available for each county in each fiscal year.

Staff requests that the C/CAG Board review and approve of Resolution 23-94 approving the Proposed 2024 State Transportation Improvement Program (STIP) for San Mateo County and also authorize the

C/CAG Executive Director to negotiate with the Metropolitan Transportation Commission (MTC) and California Transportation Commission (CTC) to make minor modifications as necessary.

ATTACHMENTS

1. Resolution 23-94
2. Summary of Proposed 2024 STIP for San Mateo County

RESOLUTION 23-94

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF
GOVERNMENTS OF SAN MATEO COUNTY APPROVING THE PROPOSED 2024 STATE
TRANSPORTATION IMPROVEMENT PROGRAM (STIP) FOR SAN MATEO COUNTY AND ALSO
AUTHORIZE THE C/CAG EXECUTIVE DIRECTOR TO NEGOTIATE WITH THE METROPOLITAN
TRANSPORTATION COMMISSION (MTC) AND CALIFORNIA TRANSPORTATION COMMISSION
(CTC) TO MAKE MINOR MODIFICATIONS AS NECESSARY**

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

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

WHEREAS, the California Transportation Commission (CTC) has adopted the Fund Estimate for the 2024 State Transportation Improvement Program (STIP) on August 16, 2023; and

WHEREAS, the Fund Estimate for the San Mateo County 2020 STIP is \$37 million dollars in new funds available for transportation projects and \$918,000 in Planning/Programming/Monitoring (PPM) funds; and

WHEREAS, the current working estimate is approximately \$37 million dollars in STIP funds for the 2024 STIP to program for transportation projects, available to be programmed in FY 2027-28 and FY 2028-29; and

WHEREAS, the Metropolitan Transportation Commission (MTC) and the California Transportation Commission (CTC) may need to go through iterations of STIP proposals submitted by various counties in the region and throughout the state in order to develop the final statewide STIP program.

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County to approve the San Mateo County Proposed 2024 State Transportation Improvement Program (STIP), as attached, and also authorize the C/CAG Executive Director to negotiate with the Metropolitan Transportation Commission (MTC) and California Transportation Commission (CTC) to make minor modifications as necessary.

PASSED, APPROVED, AND ADOPTED, THIS 12TH DAY OF OCTOBER 2023.

Davina Hurt, Chair

2024 STIP Program - San Mateo County

				Project Totals by Fiscal Year (\$1,000's)							Project Totals by Component (\$1,000's)					
	Lead Agency	PPNO	Project	Prior Info Only	23-24	24-25	25-26	26-27	27-28	28-29	R/W	Const	E & P	PS&E	R/W Sup	Con Sup
Projects	SM C/CAG	668D	SR 92/US 101 Short Term Area Improvements	5,628	1,685								2,411	3,217		1,685
	Redwood City	692K	Woodside Interchange Improvements	8,000							8,000					
	South San Francisco	702D	Produce Interchange - Improvements	5,000										5,000		
	Daly/Bris/Colma	658G	ITS Improvements in San Mateo Northern Cities - (Daly City, Brisbane, and Colma)	9,312								9,312				
	SM C/CAG	658M	US 101 Managed Lane Project North of I-380			5,477	1,700		29,888			29,888		5,477	1,700	
	Caltrans	658D	US 101 Express Lanes Project - Whipple to I-380		2,320							2,320				
	Pacifica	NEW	Highway 1/Manor Drive Overcrossing Improvement Project						5,000			5,000				
Admin	SM C/CAG	2140A	Planning, programming, and monitoring (CMA)	236	236	308	308	309	309	270						

2024 STIP

Available capacity for 2024 STIP: \$37,208

The 2024 STIP Fund Estimate identifies net new capacity only in the two years added to the STIP, FY 2027-28 and FY 2028-29.

Formally programs \$1,685,000 in regular STIP as part of the 2024 STIP update.

C/CAG AGENDA REPORT

Date: October 12, 2023

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

From: Sean Charpentier, Executive Director

Subject: Open a public hearing on the draft update to the Congestion Management Program and continue the public hearing to November 9, 2023.

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

RECOMMENDATION

That the C/CAG Board open a public hearing on the draft update to the Congestion Management Program and continue the public hearing to November 9, 2023.

FISCAL IMPACT

At the February 2023 meeting, the C/CAG Board approved a consultant contract in the amount of \$141,624 to provide traffic monitoring services for the 2023 CMP.

SOURCE OF FUNDS

Funding for the project will come from federal Surface Transportation funds and local Congestion Relief Plan funds.

BACKGROUND

Overview

Every two years, as the Congestion Management Agency for San Mateo County, C/CAG is required to prepare and adopt a Congestion Management Program (CMP) for San Mateo County. The CMP is prepared in accordance with state statutes, which also establish requirements for local jurisdictions to receive certain gas tax subvention funds. The CMP's conformance with regional goals enable San Mateo County jurisdictions to qualify for state and federal transportation funding. The Metropolitan Transportation Commission (MTC) also reviews the CMP for consistency and compatibility with the Regional Transportation Plan (RTP).

The CMP legislation was initially passed in 1991 and last updated in 2001. The legislation is currently in conflict with other regulations like Senate Bill 743 (SB 743), the California Environmental Quality Act (CEQA), and current industry best practices. To resolve this conflict, existing CMP legislation must be amended to align with other more recent regulations. Most specifically, the performance measure metrics are at the core of this conflict.

CMP legislation requires use of a delay-based metric, Level of Service (LOS), to measure roadway performance. However, amended CEQA guidelines based on SB 743 in 2018 require use of vehicle miles-traveled (VMT) as the primary metric for traffic impacts. This transition from LOS to VMT supports statewide Greenhouse Gas (GHG) reduction goals and multimodal performance measurement.

2023 CMP Update

Given that state legislation has not yet addressed this conflict as mentioned in the previous section, C/CAG continues to comply with the CMP legislation. This 2023 update is focused on the compliance with state and regional CMP requirements by placing emphasis on the major CMP elements since the last update in 2021. The monitoring of freeway, highway, and intersection traffic conditions in the 2023 CMP update will be of particular interest, as the County emerges from the COVID-19 pandemic. The comparison of monitoring results between the 2023 and 2021 data will be helpful to understand how congestion has changed since COVID-19 restrictions had been lifted.

Some key elements in the 2023 Program are highlighted below:

- Chapter 5 – Trip Reduction and Travel Demand Element
 - Reflects the updated Transportation Demand Management (TDM) Policy adopted by the C/CAG Board in September 2021
- Chapter 7 – Deficiency Plan Guidelines
 - Reflects the updated 2023 LOS Monitoring results
- Chapter 8 – Seven Year Capital Improvement Program
 - Reflects the 2024 State Transportation Improvement Program (STIP) project list to be consistent with the Regional Transportation Improvement Program (RTIP) guidelines (The 2024 STIP is to be adopted by the CTC early next year)
- Appendices that were updated includes the following:
 - Appendix F - 2023 CMP Monitoring (Draft)
 - Appendix G - Status of Capital Improvement Projects
 - Appendix I - Land Use Guide and Updated List

2023 Traffic Level of Service and Performance Monitoring

To determine the change in LOS from one period to the next, C/CAG is required to measure the 53 roadway segments and 16 intersections on the Congestion Management Program roadway network. This year's study was conducted for the period of May 2023. The primary tasks completed include conflation of travel time data to Level of Service monitoring network and Level of Service Analysis. As a result of this monitoring, C/CAG is required to determine what location(s), if any, has (have) exceeded the LOS standard that was established by C/CAG in 1991. Per CMP legislation, should the LOS of any particular segment falls below the established standard, it moves on to a second process of volume reductions before determining deficiencies. C/CAG excludes traffic impacts attributable to interregional travel based on the C/CAG Travel Demand Model.

In the 2021 CMP Update, 5 roadway following roadway segments exceeded its LOS Standard before the reduction of interregional trips. After the exclusions for interregional traffic was applied, all 53 roadway segments are in compliance with the LOS standard. All 16 CMP intersections were in compliance with the LOS Standard in 2021.

The results of the 2023 CMP Monitoring indicate that the following 12 roadway segments and 1 intersection exceeded its LOS Standard before the reduction of interregional trips:

- SR-1 from SF County Line to Linda Mar Blvd – AM and PM Period
- SR-84 from Willow Rd to University Avenue – AM Period
- SR-92 from I-280 to US-101 – AM and PM Period
- SR-92 from US-101 to Alameda County Line – AM and PM Period
- US-101 from SF County Line to I-380 – PM Period
- US-101 from I-380 to Millbrae Ave - PM Period
- US-101 from Millbrae Ave to Broadway – AM and PM Period
- US-101 from Broadway to Peninsula Ave – AM and PM Period
- US-101 from SR-92 to Whipple Ave – PM Period
- I-280 from SR-1 (south) to San Bruno Ave – AM and PM Period
- I-280 from SR-92 to SR-84 – PM Period
- I-280 from SR-84 to Santa Clara County Line – PM Period

- El Camino Real (SR-82)/Millbrae Avenue Intersection – AM and PM Period

After the exclusions for interregional traffic was applied, there are not any deficient roadway segments or intersections.

The results of the LOS monitoring for the 2023 update indicate a return of pre-pandemic conditions. A summary of the number of roadway segments (before interregional traffic reductions) and intersections exceeding the LOS standard since the 2017 CMP can be found in the table below:

Year	Exceeds LOS Standards	
	Roadways	Intersections
2017	12	0
2019	19	0
2021	5	1
2023	12	1

To address deficiencies on the CMP network, C/CAG developed the San Mateo County Congestion Relief Plan (CRP). The CRP was originally adopted in 2002, and reauthorized in 2007, 2011, 2015, 2019, and most recently in 2023. The CRP fulfills the requirement of a Countywide Deficiency Plan, which aims to address all roadway segment and intersection deficiencies identified in the Congestion Management Programs from 1999 to 2023. With the CRP in place, jurisdictions in the County are not required to develop a deficiency plan as a result of this monitoring report. More information the CRP can be found here: <https://ccag.ca.gov/wp-content/uploads/2023/06/5.1-A2-CRP-Plan-FY24-FY27.pdf>

Companion Network

For the 2021 CMP Update, C/CAG staff developed a new Companion Network to monitor congestion in other areas of the county that may not be on the CMP network. The Companion Network is comprised of 10 roadway segments and 17 intersections, including local arterial roadways and locations along the coast. These locations are monitored for informational purposes only. Below is summary of the LOS results for the Companion Network from the 2021 and 2023 CMP update.

Companion Network Roadway Segment Weekday LOS

No roadway segments reported LOS E or worse.

CMP Companion Network Intersection Weekday LOS

The following table reports intersections with LOS E or worse:

Intersection	2021 CMP		2023 CMP	
	LOS	Peak Period	LOS	Peak Period
Industrial Rd/Holly St	E	PM	F	AM
Middlefield Rd/Marsh Rd	F	PM	-	-
University Ave/Bay Rd	E	PM	-	-
El Camino Real/Westborough Blvd	F	AM	-	-
SR-1/Cypress Ave	F	PM	F	PM
SR-84/Alameda de las Pulgas	-	-	F	AM
SR-92/SR-35	-	-	E	AM
SR-1/Main St	-	-	E	AM
SR-1/Reina del Mar Ave	-	-	F/E	AM/PM

CMP Companion Network Roadway Segment Weekend LOS

The following roadway segments reported LOS E or Worse:

Intersection	2021 CMP		2023 CMP	
	LOS	Peak Period	LOS	Peak Period
SR-1, Linda Mar Blvd to Frenchmans Creek Rd	-	-	E	Midday/PM
SR-1, Frenchmans Creek Rd to Miramontes Rd	E	Midday/PM	E	Midday/PM
SR-92, SR-1 to I-280	E	AM/Midday/PM	E	AM/Midday/PM

CMP Companion Network Roadway Segment Weekend LOS

The following intersections reported LOS E or worse:

Intersection	2021 CMP		2023 CMP	
	LOS	Peak Period	LOS	Peak Period
Main St/SR-92	-	-	E	Midday
SR-92/Skyline Blvd (SR-35)	E/F/E	AM/Midday/PM	E/F/E	AM/Midday/PM
SR-35/SR-92	F/E	AM/PM	F/E	AM/PM
SR-1/Reina Del Mar Ave	E	Midday	E	Midday
SR-1/Cypress Ave	F	Midday/PM	F	Midday/PM

Staff will use these results to help inform the planning of future projects to help alleviate congestion at these locations.

Average Travel Times on US-101

Travel times were also measured for the US-101 corridor for the entire segment in San Mateo County between the San Francisco and Santa Clara County Lines. The US-101 corridor was selected because, in addition to general purpose lanes, it includes express lanes, bus routes, and passenger rail. For the 2023 update, the travel times represented the recently opened US-101 Express Lanes from the Santa Clara County line to I-380.

The travel time methodology for US-101 on each lane type is as follows:

- Vehicles traveling on the general-purpose lane were calculated using INRIX travel time data during each respective AM and PM peak period.
- Vehicles traveling on the express lanes were calculated using actual travel time runs in the field for the limits of the express lanes (Santa Clara County line to I-380) summed with the INRIX results of the travel time in the general-purpose lanes between I-380 and the San Francisco County Line. It should be noted that the results of travel times of the express lane represent a smaller sample size compared to the general purpose lane travel time calculations. For the previous CMP updates in 2021 and older, the travel time of the previous HOV lane between Santa Clara County and Whipple Avenue was used.

Travel times for bus and passenger rail modes were estimated based on current SamTrans and Caltrain published schedules. SamTrans bus route 398 operates in the US-101 corridor. This route provides service through San Mateo County from San Francisco to Redwood City. Travel times were based on the average travel time between County lines during the commute hours. Travel time via Caltrain was calculated in a similar manner. Results for the 2023 travel time surveys are summarized below:

Mode	AM - Morning Commute Peak Period								PM - Evening Commute Peak Period							
	NB				SB				NB				SB			
	2023	2021	2019	2017	2023	2021	2019	2017	2023	2021	2019	2017	2023	2021	2019	2017
General Purpose Lanes	29	23	28	32	30	22	40	35	33	24	40	36	33	26	32	32
Express Lane	20	-	-	-	20	-	-	-	22	-	-	-	22	-	-	-
HOV Lane	-	24	26	32	-	22	38	34	-	24	40	36	-	26	31	32
Caltrain (Palo Alto to approx. SF County Line near Bayshore Station)	42	46	40	40	42	46	43	44	42	44	40	40	42	44	39	38
SamTrans Route 398 (Redwood City Station to SF)	58	65	57	80	70	67	74	-	66	84	83	-	61	63	74	91

Transit Ridership

The COVID-19 pandemic caused a drastic decrease in ridership for transit agencies across San Mateo County in FY21. However, there is a measurable recovery in transit ridership in FY 23. SamTrans total ridership saw an increase of 73%, Caltrain saw an increase of 290% and BART saw an increase of 217% over FY21. Even with these increases in annual ridership, it is still well below pre-pandemic numbers. When comparing FY 23 with pre-pandemic ridership numbers from FY 19, SamTrans total ridership is 27% lower, Caltrain is 71% lower and BART is 58% lower. Results for the FY 2023 transit ridership are summarized below.

Transit Agency	Average Weekday Ridership							
	Annual Total				Average Weekday			
	FY 2023	FY 2021	FY 2019	FY2017	FY 2023	FY 2021	FY 2019	FY 2017
SamTrans	7,796,753	4,503,358	10,670,850	11,816,760	30,387	13,620	35,150	38,700
Caltrain	5,052,371	1,295,656	17,662,773	18,648,850	20,453	4,099	63,597	62,190
BART (Colma and Daly City)	3,203,688	1,211,716	7,741,549	7,818,023	10,340	3,934	26,483	25,269
BART (South San Francisco, San Bruno, SFO, and Millbrae)	4,798,306	1,312,774	11,261,768	12,102,872	14,630	4,236	37,687	39,989
Combined Transit	20,851,118	8,323,504	47,336,940	50,386,505	75,810	25,889	162,917	166,148

The complete draft Monitoring Report is included in Appendix F of the Draft 2023 Congestion Management Program. (A copy is attached to this staff report)

Recommendation

The C/CAG Congestion Management Program Technical Advisory Committee recommended approval of the 2023 Draft CMP at their September 21, 2023 meeting. The Congestion Management and Environmental Quality Committee was not able to take a formal action at their September 25, 2023 meeting due to online disruption, but provided the committee with comments and questions via e-mail.

Responses to the comments received from the CMP TAC and CMEQ committee are summarized in the table below:

<u>Date</u>	<u>Committee</u>	<u>Comment</u>	<u>Response</u>
9/21/2023	CMP TAC	Will there be competition for funding from transit operators that are currently facing a financial cliff?	The current governor's budget provided funding for transit operators, but it might not be sufficient for a long-term solution to the potential fiscal cliff. However, at this time, it is not anticipated that any future funding for the fiscal cliff would compete with local project delivery.
9/21/23	CMP TAC	In addition to the travel times reported, will vehicle count data be presented on the highway mainlines?	The methodology used to calculate travel times uses a big data source (INRIX) which only reports travel time, speed, and delay on roadways. Staff will be looking at alternate sources for vehicle count data.
9/25/2023	CMEQ Committee	Is there data available showing the changes in transit user demographics before and after the pandemic?	While the CMP performance measures for transit only requires reporting on ridership numbers, staff will work with transit agencies on getting transit user demographic data.

The next steps include:

<u>Date</u>	<u>Activity</u>
October 12, 2023	Draft 2023 CMP to Board
October 19, 2023	Final 2023 CMP to TAC
October 30, 2023	Final 2023 CMP to CMEQ
November 9, 2023	Final 2023 CMP to Board

A public notice was published in the San Mateo Daily Journal on Wednesday October 4, 2023 and will be published again before the proposed adoption at the November 9, 2023 C/CAG Board meeting. Staff requests that C/CAG Board open a public hearing on the draft update to the Congestion Management Program and continue the public hearing to November 9, 2023.

ATTACHMENTS

1. Draft 2023 San Mateo County CMP – Executive Summary

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

2. Draft 2023 CMP Monitoring Report
3. Draft 2023 San Mateo County CMP & Appendix

EXECUTIVE SUMMARY



US-101 during peak hour conditions

San Mateo County maintains a Congestion Management Program (CMP) through the City/County Association of Governments of San Mateo County (C/CAG), the designated Congestion Management Agency (CMA), as required by the California Government Code 65089. C/CAG is also required to monitor the implementation of all elements of the CMP and prepare a monitoring report every other year. This report fulfils the biennial monitoring task as required by the State. This 2023 CMP

Monitoring Report provides an insight into the performance of various freeways, multilane highways, two-lane highways, arterials and intersections throughout the County, and assists with key decisions on future investment of transportation dollars.

CMP and Companion Monitoring Network

C/CAG established the CMP Network in 1991 that included all state highways and principal arterials in the County. In total, the 464.7 directional miles of the CMP network includes 301.4 miles of arterials/highways and 163.3 miles of freeways. The CMP network also includes 16 arterial intersections. Each CMP segment and intersection has an adopted LOS standard, discussed further in Chapter 1. This CMP monitoring effort also includes the Companion Monitoring Network (Companion Network), which grew out of a desire to see additional locations monitored besides the CMP network. There are a total of 10 roadway segments and 17 intersections in this network. This network is not subject to the standards and are monitored for information only.

Data Collection and Congestion Analysis

The biennial monitoring task requires extensive data collection for all established CMP and Companion Network segments and intersections included in the network. With changing needs and technological advancements, the data collection methodology has evolved over the last three decades since the first CMP was adopted. In order to collect accurate and useful data that is consistent with prior monitoring efforts, certain data collection methods were followed. The data was collected during May 2023 only on normal commute travel days (i.e.

Tuesdays, Wednesday, and Thursdays), while non-school days and days with any special events or incidents were eliminated. Available commercial speed data, 72-hour traffic counts, turning movement counts, and floating car surveys were utilized for the analysis. The commercial speed data was analyzed to obtain average speeds for each freeway segment and convert to LOS using Highway Capacity Manual (HCM) 1994 methodologies. Arterials and highways were monitored using 72-hour traffic counts and turning movement counts which were used to calculate a volume/capacity (V/C) ratio and assign the LOS based on HCM 1994 procedures. Intersections were modeled in Synchro using either HCM 2010 or 2000 methodology. Further discussion on data collection efforts is included in Chapter 2.

Monitoring Results

A total of 53 roadway segments and 16 intersections were monitored in this report during the AM and PM peak periods. The worst case direction was chosen as the official LOS, and a summary of these monitoring results are provided in **Table 1**.

Table 1: 2023 CMP Network Monitoring Results

Roadway Type	# of CMP Segments	Before Interregional Exemption		After Interregional Exemption	
		LOS Standard Met	LOS Standard Not Met	LOS Standard Met	LOS Standard Not Met
Arterials	27	26	1	27	0
Multilane Highways	1	0	1	1	0
Two-Lane Highways	9	9	0	9	0
Freeways	16	6	10	16	0
Intersections	16	15	1	16	0
TOTAL	69	56	13	69	0

In the 2023 Monitoring Cycle, one arterial segment, one multi-lane highway segment, ten freeway segments and one intersection falls below the LOS standard prior to the interregional exemption. However, all roadway segments met the LOS standard after interregional exemptions.

Multi-Modal Performance Measures

C/CAG monitors four multi-modal performance measures: LOS, multi-modal travel times, bicycle and pedestrian counts, and transit ridership/person throughput. LOS results are provided in Chapter 3. Multi-modal travel times along the US-101 corridor are reported with each biannual CMP monitoring effort. Travel times are measured from county line to county line on US-101 for four modes: single occupancy vehicle, HOV lane, Caltrain, and SamTrans. Travel times improved for vehicles in the HOV lane due to the 16 mile extension of HOV lane on I-101. Single occupant travel times increased significantly compared to 2021, but are the same or less than 2019 travel times. Caltrain travel times decreased slightly from 2021, while SamTrans travel times decreased except for the southbound direction during the PM peak period.

Bicycle/pedestrian planning efforts and counts with historical comparisons are summarized in this section, as is transit ridership for SamTrans, BART, and Caltrain. Overall, all three agencies have seen ridership increase since the pandemic decline as measured in FY 21. However, the increase is still significantly short of the ridership volume measured pre-pandemic in FY 19. This indicates that transit ridership is slowly recovering and still has more growth to return to pre-pandemic levels.

C/CAG AGENDA REPORT

Date: October 12, 2023

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

From: Sean Charpentier, Executive Director

Subject: Presentation of C/CAG Equity Assessment and Framework Development Project Draft Final Report.

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

RECOMMENDATION

Receive a presentation of C/CAG Equity Assessment and Framework Development Project Draft Final Report for review and comment through end of October, 2023.

FISCAL IMPACT

The existing Mariposa Planning Solutions agreement is for \$200,000 for the subject Project agreement.

SOURCE OF FUNDS

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

BACKGROUND

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

Throughout the Project, the C/CAG Board has been updated with presentations. The first presentation was on October 13, 2022 and focused on the scope of the project, the first draft of the Equity Definition, and the first draft of the Historical Perspectives memo. The second meeting was held on February 9, 2023 and included additional updates to both the Equity Definition and Historical Perspective documents, and a new Equity Connections to C/CAG's programs document. The third meeting was on March 9, 2023 and focused on Existing Conditions analysis and identification (mapping) of Equity Focus Areas in San Mateo County. In addition, a proposed final Equity Framework outline was presented. The fourth presentation was September 14, 2023 and included a progress update, the draft final report structure, and a draft equity Action Plan for review and comment.

This presentation is the fifth of six presentations provided to the C/CAG Board throughout the Project. Comments received from the C/CAG Board and committees on the draft Action Plan, have been

incorporated. Staff and the Consultant will present the draft final Equity Assessment and Framework Development Project Report (Draft Report), which includes the Action Plan, this month, with the intent to return in November for the adoption of the final Equity Assessment and Framework Development Project report.

Throughout the Project the Consultant and staff have held multiple rounds of Working Group meetings with Community Based Organizations and Agency Partners. Community Based Organizations for this project include Youth Leadership Institute, Samaritan House, Nuestra Casa, El Concilio of San Mateo County, Youth United for Community Action (YUCA), and the Housing Leadership Council. Peninsula Conflict Resolution Center has supported coordination of some of these meetings. The Agency Partners engaged include SamTrans, County of San Mateo Equity Office, County Office of Sustainability, Peninsula Clean Energy, and Commute.org. In addition, the C/CAG Board established an Ad Hoc Equity Committee at its March meeting, with participation from Members Hurt, Papan, Taylor, Ortiz, Manalo, and Nicolas. The Ad Hoc Committee has met two times to review documents and provide input. At the September 14, 2023 Board meeting, staff provided a table of stakeholder meetings completed. As an update, to date, there have been 30 stakeholder meetings held. In the month of September, the Action Plan document, presented to the Board at the September 14, 2023, meeting, was presented to the four committees: Resource Management and Climate Protection, Congestion Management Program Technical Advisory, Congestion Management and Environmental Quality (CMEQ), and the Bicycle Pedestrian Advisory Committee. Unfortunately, the September CMEQ meeting was interrupted by Zoombombing, so the Equity item will be re-presented at the October 30, 2023 meeting. The presentation was distributed to CMEQ Committee members after the shortened meeting.

Mariposa Planning Solutions, with staff input, has prepared the Draft Report, which includes the following sections: acknowledgements, an executive summary, introduction, the main body of the report consisting of summaries of the project and deliverables, and appendices with final memo documents, meeting notes, and other documents relevant to the Project, developed through the project scope.

Christopher Lepe, Mariposa Planning Solutions, and staff will provide a presentation on the draft Final Equity Assessment and Framework Development Project report, which is provided as an attachment to this staff report; posted online at the link below. Once presented to the C/CAG Board this month for initial feedback, staff will distribute the draft report broadly to elected officials, committee members, and project stakeholders, requesting comments. Comments from the C/CAG Board and stakeholder, for incorporation into the final report, will be accepted through the end of October.

ATTACHMENTS

1. Executive Summary - Draft C/CAG Equity Assessment and Framework Development project report

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. Draft C/CAG Equity Assessment and Framework Development project report

2023 C/CAG San Mateo County Equity Framework Draft Report

Image Placeholder.



Prepared for San Mateo County C/CAG by:



in partnership with



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Acknowledgements

The City/County Association of Governments of San Mateo County (C/CAG) Equity Framework would not have been possible without the valuable contributions and leadership of the staff, leaders, and representatives that participated in the process, that served on the Community and Agency Partner Working Groups and that participated in interviews and focus groups to inform the contents of this report. We would also like to thank all C/CAG staff, the C/CAG Board of Directors, Ad-Hoc Committee of the Board, and participating C/CAG Committees for their valuable contributions and leadership.

Project team:

- Kim Springer, C/CAG
- Christopher Lepe, Mariposa Planning Solutions
- Jake Warr, Espousal Strategies
- Anthony Thomas, Peninsula Conflict Resolution Center (PCRC)
- José R. López, PCRC

Participating C/CAG Staff:

- Audrey Shiramizu
- Eva Gaye
- Jeff Lacap
- Kaki Cheung
- Kim Weaver
- Mima Crume
- Reid Bogert
- Sean Charpentier, Executive Director
- Susy Kalkin
- Van Dominic Ocampo

Community Working Group:

- Youth Leadership Institute
- Nuestra Casa
- El Concilio of San Mateo County
- Silicon Valley Bicycle Coalition
- Housing Leadership Council
- Samaritan House
- Youth United for Community Action

Agency Partners:

- Office of Equity, County of San Mateo
- Office of Sustainability, County of San Mateo
- San Mateo County Health
- SamTrans
- San Mateo County Transit District
- Peninsula Clean Energy
- Commute.org

C/CAG Board and Committees:

- C/CAG Board of Directors
- C/CAG Board Ad Hoc Committee
- Congestion Management & Environmental Quality Committee (CMEQ)
- Bicycle & Pedestrian Advisory Committee (BPAC)
- Resource Management and Climate Protection Committee (RMCP)
- Congestion Management Program Technical Advisory Committee (CMP TAC)

Executive Summary

In San Mateo County and across the nation, people of color and other underserved and underrepresented populations face persistently unequal economic, health, and quality of life outcomes. Public and private institutions have historically contributed to these inequities through laws, policies, investment decisions, and other actions. In San Mateo County, this has included investments in transportation infrastructure that reinforced segregation and the practices of redlining and racial steering, and placing undesirable land uses in areas where people of color were concentrated.

The City/County Association of Governments of San Mateo County (C/CAG) is committed to rectifying these and other historic harms by taking concrete steps to advance equity through its planning efforts, projects, programming, and role as a countywide funder that allocates millions of dollars into various programs and projects each year.

C/CAG commits to focusing on both process and outcome equity in its equity advancement journey. This is defined below:

- Process equity prioritizes access, influence, and decision-making power for vulnerable and underserved communities.
- Outcome equity is the result of successful process equity and is demonstrated by tangible benefits for vulnerable and underserved communities (Amended from *Interstate Bridge Replacement Program Definition of Equity*, 2021).

EQUITY DEFINITION:

“C/CAG defines equity as acknowledging and addressing historic & existing disparities so that race, class, ethnicity, gender, age, disability, or other demographics do not determine economic, health, and quality of life outcomes. Equity recognizes that members of our San Mateo County community do not all come from the same starting point, and it entails removing systemic barriers and providing customized forms and levels of engagement and support for underserved and impacted communities to remedy past harms and underinvestment.”

As part of the Equity Framework development process, C/CAG staff participated in a process of listing and review of all their programs, plans, processes, and funding calls, followed by a series of conversations to identify strengths, gaps, challenges, and opportunities to improve process and outcome equity.

C/CAG's strengths and assets include:

- Influence as a countywide funder.
- Participation from every jurisdiction through 21 seats on the Board of Directors, and 9 standing committees with 123 seats.
- Experience leading multiple projects, programs, and planning efforts that incorporate equity goals, indicators, metrics, and proposed recommendations or actions.
- Equity-oriented hiring and human resources support from the County of San Mateo.

Gaps and limitations include:

- Limitations associated with being an agency that passes most of its funding through to other agencies and local jurisdictions, including:
 - Internal resource constraints for the agency's own projects, programs, and staffing needs, and
 - Intermittent community engagement efforts, resulting in a lack of community awareness of C/CAG's work and significant room to grow in building relationships with CBOs.
- Uneven application of equity advancement in its programs, projects, planning efforts, and funding calls.
- Uneven Board, committee, and staff diversity and equity training and expertise.
- Inadequate representation of historically underserved and underrepresented demographics and geographies on its committees.
- Lack of C/CAG-specific procurement and contracting policies and systems that facilitate participation from Disadvantaged Business Enterprises (DBEs).

Image Placeholder Pending Image Approval.

Through the development of this Equity Framework, C/CAG acknowledges that further improving on its strengths and addressing its agency's gaps and limitations will be no easy task, but has set goals, desired outcomes, and actions to make progress. The agency will regularly evaluate and report back to its decision makers, advisory bodies, and community stakeholders, and adjust efforts as needed over time. C/CAG will need to update this internal agency assessment and framework as the agency progresses and new conditions and opportunities emerge.

Informed by the equity analysis, C/CAG will be taking the following steps to implement the report findings, including:

- Applying an Equity Approach and using an Equity Evaluation Review tool to help create standardized processes and practices around achieving equitable processes and outcomes across projects, plans, and programs.
- Committing to an [Action Plan \(Appendix VI\)](#), which includes 7 Equity Goals, 13 Outcomes, and 36 Actions. Action Plan Goals include:

Goal 1: *Create and maintain internal equity reporting, feedback, coordination, and collaboration structures.*

Goal 2: *Continually strengthen and maintain internal organizational understanding, resources, and capacity.*

Goal 3: *Promote economic justice and shared prosperity through procurement opportunities.*

Goal 4: *Infuse a pro-equity approach in projects, programs, plans, and funding calls to maximize benefits for Equity Focus Area (EFA) geographies and demographics.*

Goal 5: *Build and maintain trust, transparency, and lasting relationships with EFA CBOs and leaders and the populations they serve.*

Goal 6: *Use data and mapping to track and help achieve goals and intended outcomes.*

Goal 7: *Provide countywide leadership.*

Achieving equity outcomes requires continuous coordination, evaluation, analysis, learning, and adjustments over time. C/CAG sees this Framework and Action Plan as a living document that will evolve over time and be updated before 2030.

C/CAG invites the San Mateo County community to partner in this journey to optimize community benefits, create greater community inclusion and trust, and bring San Mateo County closer to a more equitable future.

C/CAG AGENDA REPORT

Date: October 12, 2023

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

From: Sean Charpentier, Executive Director

Subject: Communications - Information Only (One Letter)

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

BACKGROUND

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

There is one letters:

1. **9/23/2023** – Letter to Governor Gavin Newsom. RE: Requesting signature for AB 557

ATTACHMENTS

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