

**TA**

**CORRESPONDENCE**

**as of 2-2-2023**



BOARD OF DIRECTORS 2023

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

APRIL CHAN  
EXECUTIVE DIRECTOR

January 31, 2023

San Mateo County Transportation Authority Legislative Delegation  
State Capitol  
Sacramento, CA

**RE: Brown Act Amendment Request**

Dear Legislative Delegation Members:

On behalf of the San Mateo County Transportation Authority (TA), I write today in the hopes you will support and champion efforts to modify the Ralph M. Brown Act (Cal. Gov. Code section 54950, et seq.), our State's local government open meetings law, in a way that better serves our communities and recognizes the significant advancements to remote meeting technology happening today.

We respectfully request you consider amending the Brown Act, beyond what was accomplished last year with Assembly Bill ("AB") 2449, to allow more flexibility in its implementation, without impairing the fundamental purpose and intent of ensuring open government.

In March 2020, the Governor issued Executive Order N-29-20, giving local agencies more flexibility to deploy teleconferencing for public meetings during the height of the COVID-19 pandemic. This action, followed by additional executive orders, and finally A.B. 361, balanced our needs to protect the health and safety of civil servants and the public, while also allowing local agencies and the communities they serve to transparently, effectively and efficiently conduct the public's business. These circumstances also have prompted local agencies to invest in and learn technologies to maximize access to remote and hybrid (in-person and remote) meetings.

As the impact of the pandemic continues to lessen, we understand the desire for members of local legislative bodies to return to in-person meetings to better facilitate public engagement. However, we believe there are unintended consequences of returning to the traditional Brown Act teleconference rules, supplemented only by the new remote participation rules created by AB 2449. We respectfully request you consider the following changes to the Brown Act:

- Provide more flexibility for Board and citizens advisory/oversight committee members to participate in meetings remotely, particularly for regional entities.

January 31, 2023

Page 2 of 2

- Maximize equitable access to remote participation in meetings.
- Protect the privacy of individuals cared for by Board/committee members, who may be present in members' homes during public meetings.
- Increase participation in public meetings.

Additionally, it is important to consider how remote meeting access improves the ability of members of historically underserved and underrepresented communities, and those located far from their local government offices, to participate in advisory committees. Recruitment, especially of public (non-elected) members, for these committees is always difficult and the ability for members to participate from home dramatically reduces the burdens of serving.

The Brown Act ensures that local officials and their constituents can have open and transparent meetings, which we now know can occur in remote and hybrid fashion using modern technology. We look forward to working with you to update the Brown Act and incorporate the changes we have proposed.

Thank you for your time and consideration. Please contact Government and Community Affairs Manager Jessica Epstein at [epsteinj@samtrans.com](mailto:epsteinj@samtrans.com) if you have any questions or need any additional information.

Sincerely,



April Chan  
Executive Director

Cc: San Mateo County Transportation Authority Board of Directors



BOARD OF DIRECTORS 2023

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

APRIL CHAN  
EXECUTIVE DIRECTOR

January 31, 2023

The Honorable Toks Omishakin, Secretary  
California State Transportation Agency  
400 Capitol Mall, Suite 2340  
Sacramento, CA 95814

*Secretary Omishakin -  
Thanks again for  
meeting with me and  
my team on January 19!  
cheers,  
April*

Dear Secretary Omishakin:

On behalf of San Mateo County Transportation Authority (TA), I am writing to express our support for the City of Burlingame's 2023 TIRCP grant application for the Broadway Grade Separation Project (Project). With over 10,000 at-grade railroad crossings throughout the State of California, the Broadway at-grade railroad crossing in Burlingame remains the top priority on the California Public Utilities Commission's Grade Separation Priority List. Final engineering design is now well underway, environmental clearance has been secured, and the Project is ready for construction.

The TA was formed in 1988 to administer the proceeds from voter approved Measure A. Voters later approved Measure W. Both are half-cent sales tax measures that support county-wide transportation projects and programs. The TA with our local jurisdictions to help increase mobility, improve multimodal safety, promote the creation of jobs, and provide solutions for congestion relief throughout San Mateo County.

We continue to be reminded of just how dangerous this crossing remains. Unsafe situations arise at the crossing daily, and grade separation presents the best opportunity to solve the problem by completely and permanently separating the railroad from all vehicular and other traffic. Additionally, station improvements will support increased public transportation access for the community.

In addition to addressing the dangers associated with this crossing, the Project will improve traffic flow and the overall quality of life in and around the Project area. Broadway is the only gateway to Burlingame from U.S. 101, connecting the freeway to two vital business districts, numerous small and large businesses, and San Francisco International Airport-serving hotels. Over 100 Caltrain commuter trains pass through the Broadway at-grade railroad crossing daily. When trains cross Broadway, all other transportation comes to a halt, resulting in congestion, trip delays, air quality impacts, and impacts on local and regional businesses.

The TA has partnered closely with the City of Burlingame on this Project for several years and to-date we have provided over \$24 million in Measure A matching funds. Additionally, there is over \$200 million of Measure A funds set aside for grade separations, and the Broadway Grade Separation Project is currently the only construction-ready



The Honorable Toks Omishakin, Secretary  
January 31, 2023  
Page 2 of 2

grade separation project in San Mateo County. The TA's fund allocation policy for grade separation projects permits funding up to 50% of project costs on a first-come-first served basis. Therefore, this Project is eligible to receive up to \$132 million in TA sales tax revenue as match to any local, state or federal funding.

With TIRCP funding, this critical project will improve public safety, facilitate active transportation modes, support increased community access, and invigorate the economic vitality of Burlingame and the region.

We are excited to be able to support this critical safety project and hope you will consider it for funding.

Sincerely,



April Chan  
Executive Director

Cc: San Mateo County Transportation Authority Board of Directors