



BOARD OF DIRECTORS 2024

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EXECUTIVE DIRECTOR

Agenda
Citizens Advisory Committee (CAC) Meeting

April 30, 2024, 4:30 pm

Bacciocco Auditorium, 2nd Floor
1250 San Carlos Ave., San Carlos, CA

Members of the public may attend in-person or participate remotely via Zoom at <https://us06web.zoom.us/j/81661671711?pwd=blBoemd4WG1wUEtrMEo3Y1cydlZSQTO9> or by entering Webinar ID: **816 6167 1711**, Passcode: **244123** in the Zoom app for audio/visual capability or by calling **1-669-900-9128** (enter webinar ID and press # when prompted for participant ID) for audio only.

Please Note the following COVID-19 Protocols for in-person attendance:

1. Visitors experiencing the following symptoms of COVID-19 may not enter the building:
 - Cough
 - Shortness of Breath
 - Fever
 - Chills
 - Muscle Pain
 - Sore Throat
 - Loss of Taste or Smell
2. Wearing of masks is recommended but not required.

Public Comments: Public comments may be submitted to publiccomment@smcta.com prior to the meeting's call to order so that they can be sent to the Committee as soon as possible, while those received after an agenda item is heard will be included into the Board's weekly correspondence and posted online at:

<https://www.smcta.com/whats-happening/board-directors-calendar>

Oral public comments will also be accepted during the meeting in person and through Zoom* or the teleconference number listed above. Public comments on individual agenda items are limited to one per person PER AGENDA ITEM. Use the Raise Hand feature to request to speak. For participants calling in, dial *67 if you do not want your telephone number to appear on the live broadcast. Callers may dial *9 to use the Raise Hand feature for public comment. Each commenter will be recognized to speak and callers should dial *6 to unmute themselves when recognized to speak.

TA Citizens Advisory Committee Members 2024: Barbara Arietta (Chair), Doug Bojack, Ivan Bucio, Giuliano Carlini, Nheeda Enriquez, John Fox (Vice Chair), Karen Kuklin, Sandra Lang, Jeff Londer, Gus Mattammal, Peter Ohtaki, Allie Paul, Mike Swire

Staff Liaison:
Peter Skinner, Executive Officer, Transportation Authority

CAC Secretary:
Jean Brook

Each public comment is limited to three minutes or less. The CAC Chair shall have the discretion to manage the Public Comment process in a manner that achieves the purpose of public communication and assures the orderly conduct of the meeting.

The video live stream will be available during or after the meeting at <https://www.smcta.com/video-board-directors>.

Tuesday, April 30, 2024

4:30 pm

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1. Call to Order/Pledge of Allegiance
 2. Roll Call
 3. Public Comment for Items Not on the Agenda
Public testimony by each individual speaker shall be limited to three (3) minutes
 4. Consent Calendar
 - 4.a. Approval of Minutes of the CAC Meeting of April 2, 2024 Motion
 - TA Board Meeting Agenda for May 2, 2024**
 - 4.b. **TA Board Item 5.b** Acceptance of Statement of Revenues and Expenditures for the Period Ending March 31, 2024 Motion
 - 4.c. **TA Board Item 5.c** Acceptance of Quarterly Investment Report and Fixed Income Market Review and Outlook Motion
 - 4.d. **TA Board Item 5.d** Call for a Public Hearing at the June 6, 2024 Board of Directors Meeting on the Proposed Fiscal Year 2025 Budget Motion
 5. **TA Board Item 5.a** Approval of Minutes of the Board of Directors Meeting of April 4, 2024 Informational
 6. **TA Board Item 10.a** US 101 Express Lanes: Quarterly Update on Variable Rate Bond and Operations Informational
 7. **TA Board Item 10.b** Preliminary Budget for Fiscal Year 2025 Informational
 8. **TA Board Item 11** State and Federal Legislative Update Informational
 9. Report of the Chair Informational
 10. Report from Staff
 - 10.a. Draft of Updated Rules of Procedure for the San Mateo County Transportation Authority Board of Directors Informational
 11. Member Comments/Requests

Committee members may make brief statements regarding CAC-related areas of concern, ideas for improvement, or other items that will benefit or impact the TA or the CAC

12. Date/Time of Next Regular Meeting: Tuesday, June 4, 2024, 4:30 pm

The meeting will be accessible via Zoom teleconference and/or in person at the San Mateo County Transit District, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA. Please see the meeting agenda for more information.

13. Adjourn

Information for the Public

All items appearing on the agenda are subject to action by the Board. Staff recommendations are subject to change by the Board.

If you have questions on the agenda, please contact the Authority Secretary at 650-508-6242. Assisted listening devices are available upon request. Agendas are posted on the TA website at <https://www.smcta.com/whats-happening/board-directors-calendar>. Communications to the Board of Directors can be emailed to board@smcta.com. *Free translation is available; Para traducción lláma al 1.800.660.4287; 如需翻译 请电1.800.660.4287*

Date and Time of Regular Meetings

The Transportation Authority (TA) meets regularly on the first Thursday of the month at 5:00 pm. The TA Citizens Advisory Committee (CAC) meets regularly on the Tuesday prior to the first Thursday of the month at 4:30 pm. Date, time and location of meetings may be changed as necessary. Meeting schedules for the Board and CAC are available on the TA website.

Location of Meeting

This meeting will be held in-person at: San Mateo County Transit District, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA. Members of the public may attend in-person or participate remotely via Zoom as per the information provided at the top of the agenda.

*Should Zoom not be operational, please check online at <https://www.smcta.com/whats-happening/board-directors-calendar> for any updates or further instruction.

Public Comment

Members of the public may participate remotely or in person. Public comments may be submitted by comment card in person and given to the CAC Secretary. Prior to the meeting's call to order, public comments may be submitted to publiccomment@smcta.com prior to the meeting's call to order so that they can be sent to the Board as soon as possible, while those received during or after an agenda item is heard will be included into the Board's weekly correspondence and posted online at: <https://www.smcta.com/whats-happening/board-directors-calendar>.

Oral public comments will also be accepted during the meeting in person, through Zoom, or the teleconference number listed above. Public comments on individual agenda items are limited to three minutes and one per person PER AGENDA ITEM. Each online commenter will be automatically notified when they are unmuted to speak. The Board Chair shall have the discretion to manage the Public Comment process in a manner that achieves the purpose of public communication and assures the orderly conduct of the meeting.

Accessible Public Meetings/Translation

Written materials in appropriate alternative formats, disability-related modification/accommodation, as well as sign language and foreign language interpreters are available upon request; all requests must be made at least 72 hours in advance of the meeting or hearing. Please direct requests for disability-related modification and/or interpreter services to the Title VI Administrator at San Mateo County Transit District, 1250 San Carlos Avenue, San Carlos, CA 94070; or email titlevi@samtrans.com; or request by phone at 650-622-7864 or TTY 650-508-6448.

Availability of Public Records

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at 1250 San Carlos Avenue, San Carlos, CA 94070, at the same time that the public records are distributed or made available to the legislative body.

**San Mateo County Transportation Authority
1250 San Carlos Avenue, San Carlos, California**

**Citizens Advisory Committee (CAC)
Meeting Minutes**

April 2, 2024

Members Present: B. Arietta (Chair), G. Carlini, N. Enriquez, J. Fox (Vice Chair) (left at 6:17
(In Person) pm), K. Kuklin, S. Lang, J. Londer, G. Mattammal, P. Ohtaki (arrived at
4:46 pm), A. Paul, M. Swire

Members Present: None
(Via Teleconference)

Members Absent: D. Bojack, I. Bucio

Staff Present: P. Skinner, P. Gilster, M. Wright Petrik, J. Brook

1. Call to Order/Pledge of Allegiance

Chair Barbara Arietta called the meeting to order at 4:35 pm and led the Pledge of Allegiance.

2. Roll Call

Jean Brook, CAC Secretary, called the roll and confirmed that a quorum was present.

3. Public Comment for Items Not on the Agenda

There were no comments.

4. Consent Calendar

4.a. Approval of Minutes of the CAC Meeting of March 5, 2024

TA Board Meeting Agenda for April 4, 2024

**4.b. TA Board Item 5.b Acceptance of Statement of Revenues and Expenditures for the
Period Ending February 29, 2024**

**4.c. TA Board Item 5.c Amending the Investment Policy for the San Mateo County
Transportation Authority**

**4.d. TA Board Item 5.d Programming and Allocating \$475,000 in Measure W Funds From the
Pedestrian and Bicycle Program Category for the Safe Routes to School Program in San
Mateo County**

**4.e. TA Board Item 5.e Authorizing an Amendment to On-call Transportation Planning,
Management, and Support Services Contracts with WSP USA, Inc. and Stantec
Consulting Services, Inc. to Increase the Contract Capacity by \$2.5 Million**

4.f. TA Board Item 5.f Authorizing the Submittal of an Allocation Request for Regional Measure 3 Funding in the Amount of \$19.277 Million for the US 101/State Route 92 Area Improvements Project

Giuliano Carlini requested to pull Items 4.e and 4.f. Regarding Item 4.e, he asked what was happening with the projects. Patrick Gilster, Director, Planning and Fund Management, said the \$2.5 million was not slated for any particular project and was for all project-related costs.

Regarding Item 4.a, Sandra Lang asked if there would be a report out from the three areas that were discussed at the Strategic Plan Workshop. Peter Skinner, Executive Officer, Transportation Authority, said all the summaries are being sent to their consultants to aggregate all the responses from both the CAC and Board. Ms. Lang asked if they would get updates on the areas that the CAC members focused on. Mr. Gilster said they planned to bring periodic updates to both the CAC and the Board.

Regarding Item 4.d, Mr. Carlini asked how to acquire more funding for the Safe Routes to School (SRT) project. Mr. Gilster said that would be incorporated in the next Strategic Plan. He added if the change were to be made now, they would have to formally amend the current Strategic Plan. Nheeda Enriquez asked if the number of walk audits was appropriate. Mr. Gilster said they have created a database inventory of all the walk audits across the County for every school as the basis for a template to be used for future walk audits. Ms. Enriquez asked how a neighborhood could be added to the list. Mr. Gilster said they could reach out to Theresa Vallez-Kelly, Director of the SRTS program at the San Mateo County Office of Education.

Peter Ohtaki arrived at 4:46 pm.

The members voted to approve Item 4.d:

Motion/Second: Londer/Kuklin

Ayes: Arietta, Carlini, Enriquez, Fox, Kuklin, Lang, Londer, Mattammal, Ohtaki, Paul, Swire

Noes: None

Absent: Bojack, Bucio

Regarding Item 4.f, Mr. Carlini said the allotted funds exceeded the TA's ceiling of 50 percent. Mr. Skinner said this was MTC (Metropolitan Transportation Commission) funding provided to the TA for 101/92 Interchange and is considered matching funds to the TA's expenditure.

The members voted to approve Item 4.f:

Motion/Second: Londer/Fox

Ayes: Arietta, Carlini, Enriquez, Fox, Kuklin, Lang, Londer, Mattammal, Ohtaki, Paul, Swire

Noes: None

Absent: Bojack, Bucio

The members voted to approve Items 4.a, 4.b, 4.c, and 4.e:

Motion/Second: Kuklin/Lang

Ayes: Arietta, Carlini, Enriquez, Fox, Kuklin, Lang, Londer, Mattammal, Ohtaki, Paul, Swire

Noes: None

Absent: Bojack, Bucio

5. TA Board Item 5.a Approval of Minutes of the Board of Directors Meeting of March 7, 2024

Mike Swire noted the Board's comments were very positive around grade separations, school safety, and bike path projects.

6. TA Board Item 10.a Transit – Ferry Program Update

Mr. Skinner provided the background on the project.

Kristine Zortman, Executive Director, Port of Redwood City, provided the Redwood City part of the presentation.

Ms. Lang asked about sea-level rise. Ms. Zortman said the Port of Redwood City was built to withstand a three to five feet of sea-level rise in 2017. She said the ferry terminal would be designed with sea-level rise in mind.

Mr. Swire asked how commuters would get to and from the proposed ferry terminal in Redwood City. Ms. Zortman said they are working with local employers and Commute.org regarding the first/last mile connections. Mr. Gilster said there is a plan within the Ferry Terminal Business Plan that addresses the first/last mile.

Mr. Carlini asked about the first mile for commuters coming from the East Bay. Ms. Zortman said they are looking at the service providers. Mr. Gilster said there are multiple A/C (Alameda County) Transit buses serving those areas going to the Jack London Ferry Terminal.

Peter Ohtaki asked what the preliminary ridership numbers were. Ms. Zortman said that WETA (Water Emergency Transportation Authority) is proposing a 300-person ferry to provide the service with multiple morning and evening trips.

Gus Mattammal asked about riders for recreational events, such as ballgames. Ms. Zortman said they are investigating that.

Vice Chair John Fox said that publicity would be key. He suggested the feasibility of a southern terminus on the East Bay side.

Chair Arietta asked about the Alameda ferry. Mr. Gilster said it goes from Alameda to Oakland to downtown San Francisco.

Ms. Enriquez asked if there were metrics for ridership pre and post pandemic for the South San Francisco ridership that would be useful for planning the Redwood City service. Ms. Zortman said they would be looking at South San Francisco and Vallejo data. She said the Business Plan and Feasibility study are available on the Redwood City website.

Mr. Carlini asked why someone would want to take the ferry instead of BART (Bay Area Rapid Transit). Ms. Zortman said the trip may be more enjoyable due to being on the water and the

scenery, in addition to there being only two stops. She said the travel time was about the same as a BART trip.

Ms. Mattammal asked what level of ridership was needed for the service to be viable. She said the Oakland service would be the most viable. Mr. Gilster said 850 riders were the projected daily boarding on an average weekday. Ms. Zortman said two crossings going to work and three crossings going back home.

Mr. Carlini said the funding amount from the TA was small. Mr. Skinner said the TA's funding for ferry services is limited and the project will require significant external funding.

Eunjune Kim, Director of Public Works, City of South San Francisco, provided the South San Francisco portion of the presentation.

Mr. Carlini asked if liquefaction would be a factor during an earthquake given that the terminal was built on landfill. Mr. Kim said the geotechnical requirements are being considered at all levels, including sheet pile for containment, seismic, as well as liquefaction.

Mr. Ohtaki asked about grants with public/private partnerships. Mr. Kim said the City of South San Francisco is always engaged with the biotech community.

Mr. Mattammal asked how sensitive the project was to the accuracy of the forecast of growth rate.

Ms. Enriquez asked about the environmental impact of operating the ferry service. Mr. Kim said they would have a dredging program that they need to monitor. Mr. Skinner said that would be under the provenance of WETA, which had received a grant to procure battery electric (non-diesel) ferry.

Ms. Lang asked about the extent of sea-level rise. Mr. Kim said approximately six to seven feet by 2100 due to it being landfill. He said they also need to address sinking of the docks/pilings.

Karen Kuklin said BCDC (San Francisco Bay Conservation and Development Commission) is the main agency concerned with sea-level rise in the Bay Area. She said the clay cap presented some concerns.

Mr. Carlini asked how many people currently take the ferry from South San Francisco and how does that compare to the projected ridership of the RWC ferry. Mr. Gilster said in 2019, it was 601 passengers for Redwood City. Mr. Carlini said the current levels projected for sea-level rise was 15 feet by 2050.

The meeting recessed from 5:40 to 5:46 pm.

7. TA Board Item 10.b Reconnecting Communities: Highways to Boulevards Grant Award for Connect4SSF

Patrick Gilster, Director, Planning and Fund Management, provided the presentation.

Mr. Swire asked how much each of the three options would cost. Mr. Gilster said El Camino alone would cost anywhere from \$50 to 100 million depending on redevelopment of the area and setbacks.

Mr. Carlini asked if the program was exclusively for active transport or is it partly for motor vehicles. Mr. Gilster said it would depend on what the community wants to see, but it is primarily for active transport and transit modes.

Vice Chair Fox asked if the planning looking at if the current heavy industry changes to more residential or commercial use. Mr. Gilster said the City of South San Francisco is addressing the emerging residential use.

Ms. Enriquez said the project was an interesting effort in terms of thinking more holistically.

Ms. Kuklin congratulated staff for their work on their project.

Mr. Carlini said that given the large amount of money in play, it might be possible to consider plans that would connect multiple communities. He asked if there are plans for a regionally connected active transit network. Mr. Gilster said that MTC has a network. He said they are trying to connect the dots. Mr. Carlini asked from a multimodal perspective how active transit will be segregated from motor vehicles. Mr. Gilster said they would be looking at that during the planning process.

8. TA Board Item 11 State and Federal Legislative Update

Michaela Wright Petrik, Government and Community Affairs Officer, provided a summary of federal and state legislation and recent activity.

On the federal side, she said Congress had wrapped up the 2024 appropriation process. She said President Biden released his proposed budget on March 11.

On the state side, she said the House is hearing bills under the April 26 deadline. She said the state released a “shrink the shortfall” budget in early March. She said Senate Bill (SB) 1031 replaces SB 925 (Wiener) and SB 926 (Wahab). She said it would stabilize transit systems operations in the amount of \$1 to 1.5 billion. She said they are working with MTC (Metropolitan Transportation Commission) staff on amendments to the consolidation language.

Ms. Lang asked if the earmark money is immediately available. Mr. Skinner said there is a process to receive it: federal earmarks are on a reimbursement basis while state earmarks are in the form of a cash advance.

Vice Chair Fox left the meeting at 6:17 pm.

Mr. Swire asked if the TA weighed in on the issue of whether the measure would potentially fund highway widenings. Ms. Wright Petrik said that issue was intentionally left on the table and they are taking it to the Board to get some direction. Mr. Skinner said the bill primarily concerns SamTrans and Caltrain.

Mr. Carlini said the Wiener bill was supposed to fund repair of roadways and not widening. Ms. Wright Petrik said the parameters have not be set yet.

Mr. Ohtaki asked if state or federal budgets were increasing funding for grade separations. Mr. Skinner said the existing funding earmarked for grade separations was already awarded to projects.

Mr. Mattammal said all possible taxes are mentioned in the bill. Ms. Wright Petrik said those are the options, but MTC has not yet decided on which one.

9. Report of the Chair

Chair Arietta provided an update on Caltrain. She said they have begun storing older vehicles to make way for their new electric fleet.

Mr. Carlini asked when the electric train preview would come to the Peninsula. Ms. Wright Petrik said it would be May 11 at the San Carlos Station and that the members would receive an invitation to the event.

10. Report from Staff

Mr. Skinner said the report was in the packet. He said Caltrain would be providing an update on the electrification project at the next CAC meeting on April 30.

Mr. Carlini asked if it were possible to provide input on the Highway 92/101 direct connector that is mentioned in the Executive Director's report. Mr. Skinner said that project is currently in the environmental phase and anyone may attend scoping meetings to provide input. He said the Highway 84/101 project is being sponsored by the City of Redwood City and is in the funding phase. He said the TA has allocated the full 50 percent to build that project.

11. Member Comments/Requests

Ms. Lang said re highway widening she would like to see an overlay of health-related data and health impacts of projects. Mr. Skinner said part of the environmental impact process, they do study health impacts and provide project alternatives.

Mr. Swire concurred with Ms. Lang and said that past health impacts should also be study.

Ms. Kuklin said when consultants are hired for EIRs (environmental impact reports), they collect fresh data.

Mr. Swire noted the materials he had forwarded to the CAC and TA Board inbox. He said he would like to see some data on safety on the Express Lanes with people weaving in and out of the lanes to avoid paying tolls.

Mr. Carlini requested having a CAC member present the CAC report in person at the Board meeting. Mr. Skinner said the ad hoc committee to discuss the Rules of Procedure will be making recommendations in the future. Mr. Carlini asked when that would be, and Mr. Skinner said late summer. He added that the Board would discuss revising their own Rules of Procedure in May and that they would review the CAC Rules of Procedure after that.

Mr. Carlini asked when the CAC and Board hear about KPIs (key performance indicators) overall and for specific projects. Mr. Gilster said the Strategic Plan team would be looking at overall all KPIs. He said a lot of data and metrics ends at construction.

12. Date/Time of Next Regular Meeting

Chair Arietta announced that the next meeting would be held on Tuesday, April 30, 2024, at 4:30 pm in person at the SamTrans Auditorium and via Zoom teleconference.

13. Adjourn

The meeting adjourned at 6:51 pm.

An audio/video recording of this meeting is available online at <https://www.smcta.com/video-board-directors>. Questions may be referred to the CAC Secretary's office by phone at 650.508.6223 or by email to cacsecretary@smcta.com.

DRAFT



BOARD OF DIRECTORS 2024

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

APRIL CHAN
EXECUTIVE DIRECTOR

Memorandum

Date: April 25, 2024
To: TA Board of Directors
From: April Chan, Executive Director

US 101/Peninsula Ave Interchange Project

The project proposed to relocate the US 101 southbound on- and off- ramps from Poplar Ave to Peninsula Ave in the City of San Mateo. While two alternatives are being studied through the current Project Approval and Environmental Document (PAED) phase, significant right-of-way impacts have been identified. One design alternative requires acquiring over 26 small business properties and a 76-unit affordable multi-family housing development. The second option has slightly less property impacts and requires acquiring 21 small business properties. While the second alternative could preserve the 76-unit housing, it would severely impact the housing's parking, lobby, and common areas. Under either alternative, there are also partial impacts to seven other multifamily housing units in the immediate area. Depending on the design option selected, the right-of-way acquisition costs for the project are estimated to be between \$96 million and \$150 million with the total project costs estimated to be between \$168 million and \$226 million.

Given these significant impacts, the City of San Mateo conducted an alternatives development workshop on March 25th to see if there are any other feasible designs that could reduce the right-of-way needs while achieving the project goals. The workshop did not identify any new alternatives to limit the property impacts. The City also considered relocation options for the affected affordable housing units but determined it would not be feasible. The City plans to present these findings to their city council in July 2024 and is recommending the City Council consider cancelling the project. If the project is cancelled, the City will investigate the potential for complete streets improvements in the project area. The TA has currently invested \$5.3 million dollars in the project, along with \$600,000 of local match, of which the majority has been expended.

Atherton El Camino Real Complete Streets Study Community Engagement

The TA and the Town of Atherton have partnered to lead a study to evaluate complete streets design alternatives for El Camino Real. The team is currently conducting numerous community engagement activities through the end of Summer 2024. These activities will help the project team better understand users' needs and existing conditions along El Camino Real. Community members can participate in a survey questionnaire and mapping tool to share their insights. Engagement activities

include pop-up events, listening sessions, community organizations' meetings, and a virtual public meeting. The project team is working closely with community stakeholders to promote these engagement opportunities via social media and eblasts. A project webpage at www.ecrcompletestreets.com has more project and event details as well as the survey and map.

May is Bike Month: TA Sponsored Energizer Station

Every year during the month of May we celebrate National Bike Month. To encourage cycling, the Silicon Valley Bike Coalition offers free classes/rides, a Pledge to Ride, as well as sponsoring "energizer stations" on Bike to Wherever Days. Energizer stations will be providing people with food, refreshments, and special bike bags along the Caltrain corridor at the Mountain View and San Mateo Caltrain stations on May 16th. SamTrans and the TA will be co-sponsoring and staffing a station on May 17th at the Millbrae Caltrain station from 7 am to 11 am. This is part of the TA's broader efforts to support multimodal mobility and sustainability.

**San Mateo County Transportation Authority
Staff Report**

To: Board of Directors
Through: April Chan, Executive Director
From: Joan Cassman, General Counsel
Subject: **Draft of Updated Rules of Procedure for the San Mateo County
Transportation Authority Board of Directors**

Action

Staff proposes the Board consider the attached draft amended Rules of Procedure (Rules) for the San Mateo County Transportation Authority (TA) Board of Directors (Board), and offer comments and suggestions to enable staff to bring back a final updated version of the Rules for adoption at the June Board meeting.

Significance

The TA Board's Rules were first adopted in 1988 and currently address typical provisions found in rules of public boards, including those addressing the roles of the Board and elected officers of the Board (Chair and Vice-Chair), the time and place of regular meetings, compliance with California's open meeting laws, the definition of a quorum and voting requirements, the process to commence and run meetings, the Board meeting agenda order and the taking of minutes, rules of order pursuant to Robert's Rules, and the process to amend the Rules.

These Rules have served the Board well, but since they were last updated in 1994, there have been significant changes in technology as well as best practices for rules of public boards. As a result, the Board directed the General Counsel to evaluate the Rules through a modern lens, to compare the TA's 30 year old Rules to those of other public agencies, and to propose revisions to update them in line with the expectations and protocols now more commonplace in the public sector.

The current Rules of Procedure is a 4-page document that largely addresses the topics set forth in the updated draft Rules under Section I, now entitled, "Board of Directors and Committees." In the revised version, the original Rules have been largely left intact. The handful of substantive changes to the old Rules contained in Section I, are as follows:

- Revising the order of business on Board meeting agendas to reflect the TA's current practice;
- Updating the provision on "Committees" to clarify that the TA does not use a system of standing committees, but rather establishes ad hoc committees when warranted from time to time,

- Proposing a change in the name of the Citizens Advisory Committee to “Community Advisory Committee” and describing the role, requirements and expectations applicable to Advisory Committees; and
- Switching from Robert's Rules of Order to Rosenberg's Rules of Order, as the latter has become the preferred resource for the procedural framework of public meetings.

The material proposed for addition to the TA’s current Rules of Procedure are found in four new sections. The headings of these new sections are self-explanatory, and include:

- Section II addresses “Board/Public Communications,”
- Section III describes requirements and expectations regarding the use of “Electronic Communications,”
- Section IV establishes provisions on “Code of Ethics and Good Governance,”
- Section V specifies “Conduct Protocols.”

The new rules in the four sections referenced above draw upon those found in similar documents used by peer agencies throughout the Bay Area.

The final Section VI of the proposed draft Rules maintains the old provision on “Amendments” requiring that changes to the Rules require the presentation of a proposed amendment to the Board at one meeting with the action to adopt the amendment to take place at a subsequent meeting.

Budget Impact

There is no budget impact associated with the requested action.

Background

On November 9, 1988, pursuant to Resolution No. 1988-5, the TA adopted Rules of Procedure to govern its proceedings. Since that time, the Rules of Procedure have been updated twice, on April 7, 1994, pursuant to Resolution No. 1994-6, and on September 1, 1994, pursuant to Resolution 1994-30, to conform the Rules to various amendments to the Brown Act (Government Code Sections 54950, et seq.). The current rules of the Board contain a provision that requires proposed amendments to the Rules to be presented to the Board at one meeting and then brought back to the Board for action at a subsequent meeting.

Prepared By: Joan Cassman

General Counsel

(415) 995-5021

**RULES OF PROCEDURE
OF THE
SAN MATEO COUNTY TRANSPORTATION AUTHORITY**

The San Mateo County Transportation Authority hereby promulgates the Rules of Procedure set forth below to govern its proceedings, and the protocols and conduct of those representing the Authority.

I. Board and Committees

1.1 Board of Directors. The Board is the legislative body that governs the Authority and is accountable to the public through the following actions:

- Establish policies, procedures, and regulations for Authority business.
- Establish and oversee the Authority's finances and its budgets, programs, and performance.
- Provide the resources needed by management and staff to carry out Authority policy.
- Approve and ensure the implementation of the Authority's strategic plan and vision.
- Provide input to the San Mateo County Transit District on the appointment and annual performance evaluation of the Executive Director and General Counsel.

The Board retains power to accept, reject, amend, influence, or otherwise guide and direct staff actions, through its policies and actions taken by affirmative votes of at least a majority of the members of the Board (i.e., four Board Members, Public Utilities Code Section 131262). No individual Board members can act for or on behalf of the Board without authorization to do so.

The Board's connection to the operational aspects of the Authority is through the Executive Director. Decisions or instructions of individual Board Members or committees (unless the Board delegates authority to a committee) are not binding on the Executive Director, who can only take direction from the Board. The Board can only give direction to the Executive Director and not to other Authority staff (including, but not limited to, the Authority Secretary).

1.2 Chair. The Chair will be elected each calendar year at the first Board meeting in January. It is the duty of the Chair to preside at all meetings of the Authority, maintain the orderly conduct of business, and serve as the spokesperson for the Board.

1.3 Vice-Chair. The Vice-Chair will be elected each calendar year at the first Board meeting in January. The Vice Chair will perform the duties of the Chair in their absence or incapacity and, in case of a vacancy of the office of Chair will succeed to that office. In the absence of the Chair and the Vice-Chair, the Authority will appoint a presiding officer pro tempore from among the members present. If the office of the Vice-Chair becomes vacant, the Authority will elect a successor to such office from its membership at the next regular meeting.

1.4 Regular Meetings. Except as otherwise determined by the Authority, regular meetings of the Authority will normally be held on the first Thursday of every month at 5:00 p.m. in the Board Room of the San Mateo County Transit District's administrative building located at 1250 San Carlos Avenue, San Carlos, California. In 2025, the District plans to relocate its administrative building to 166 N. Rollins Road in Millbrae, California and when that occurs, the Authority's meetings will be held in the Board Room at that location.

1.5 Special Meetings. The Chair of the Authority may, within their discretion or upon the request of any two members with concurrence of the Chair, call a special meeting for the purpose of transacting any business so specified in the notice therefor. Such notice may be given to each member of the Authority by personal delivery, U.S. mail or electronic mail at least twenty-four (24) hours before the time of such special meetings. Said notice will specify the time and place of such special meeting together with the business to be transacted. No other business will be conducted by the Authority except that so specified in the notice calling the special meeting.

1.6 Meetings Open to the Public. All regular and special meetings will be open and public as required by law (the Ralph M. Brown Act, codified at Government Code Sections 54950 et seq. and commonly referred to as the “Brown Act”). At all regular meetings, the Authority will recognize persons wishing to address the Authority concerning items of interest to the public that are within the subject matter jurisdiction of the Authority. At all regular and special meetings, the Authority will recognize persons wishing to address the legislative body concerning any item that has been described in the notice for the meeting before or during consideration of that item. The Authority may adopt reasonable regulations during each meeting pertaining to the permitted scope and duration of public testimony to be received including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker. Any regular or special meeting may be adjourned to a date and place certain as specified by the Authority, and any such adjourned meeting will be deemed to be a part of the regular or special meeting so adjourned. The Authority will take such action as may be required by law to notify the public of all Authority meetings including meetings of standing and ad hoc committees. The Authority will also take such action as may be required by law to eliminate willful disruption in the conduct of its meetings (Government Code Section 54957.9).

1.7 Meeting Falling on Legal Holiday. In the event any regular or special meeting falls upon a legal holiday, the meeting will be held on the next succeeding day thereafter that does not fall on a holiday unless otherwise determined by the Authority.

1.8 Quorum. A majority of the membership of the Authority constitutes a quorum for the purpose of conducting the business of the Authority; however, if there is not a quorum, a lesser number or the Authority Secretary may adjourn the meeting from time to time until there is a quorum.

1.9 Call to Order and Roll Call. The Chair of the Authority will preside at all meetings, and will call each regular, adjourned, recessed or special meeting to order at the appointed hour. Immediately after the call to order, the Authority Secretary will call the roll of the members of the Authority and record those present and those absent. If present, members of the Authority will be recorded present regardless of their answer or failure to answer to the roll call. Immediately after the roll call, or the appointment of a Chair pro tempore in the event that the Chair and Vice-Chair are absent, the presiding officer will proceed with the order of business.

1.10 Order of Business. The order of business, which will not be changed except by consent of a majority of the Authority members present, is as follows:

- (a) Call to Order
- (b) Roll Call/Pledge of Allegiance
- (c) Report Out from Closed Session(s) at Previous Meeting
- (d) Public Comment for Items Not on the Agenda
- (e) Report of the Citizens Advisory Committee

- (f) Consent Calendar
- (g) Report of the Chair
- (h) San Mateo County Transit District Liaison Report
- (i) Peninsula Corridor Joint Powers Board Liaison Report
- (j) Public Hearing (to be designated on the Agenda at a time certain)
- (k) Report of Executive Director
- (l) Committee Reports
- (m) Program
- (n) Finance
- (o) Legislative Matters
- (p) Requests from the Authority
- (q) Written Communications to Authority
- (r) Date/Time of Next Regular Meeting
- (s) Report of Legal Counsel/Closed Sessions
- (t) Adjournment

1.11 Agenda. Prior to every meeting of the Authority, the Executive Director, in consultation with the Chair, will prepare an agenda which sets forth a brief general description of each item of business to be transacted or discussed by the Authority, including matters to be discussed in closed session and matters specifically requested for consideration by any Authority member. A complete copy of each agenda, together with supporting material, is provided by personal delivery, U.S. mail, or electronic mail to each Authority member so as to reach the recipient on the fifth day preceding the scheduled meeting. The agenda and supporting documents will be available and open to the public. A copy of the agenda will be posted in a location freely accessible to the public, such as the front door of the San Mateo County Transit District's administrative building or the receptionist bulletin board in the same building and will be posted on the Authority's website, at least seventy-two (72) hours before each regular meeting of the Authority and at least twenty-four (24) hours before each special meeting of the Authority. Except as permitted by law, no matters other than those on the agenda will be acted upon by the Authority.

1.12 Manner of Voting. The actions of the Authority are expressed by ordinances, resolutions or motions. Voting on ordinances and resolutions, or any other matters which may be requested by the majority of the Authority members, is conducted by roll call. Voting by motion is conducted by voice vote.

1.13 Voting Requirements. All official acts of the Authority require the affirmative vote of a majority of the members of the Authority. For every such act, Authority members present will vote for or against it, unless a member has abstained for cause.

1.14 Minutes of Meeting. The minutes of the meetings of the Authority will be kept and maintained as permanent records by the Authority Secretary. The minutes will describe each particular type of business transacted set off in paragraphs with proper descriptive headings. A copy of the minutes of the Authority will be provided to each member of the Authority. The Authority Secretary will be required to make a record of such business as was actually passed upon by vote of the Authority, together with a summary of matters discussed. The Authority Secretary will not be required to make a verbatim transcript of the proceedings, providing that such proceedings are recorded (such recording to be retained for a period of one year) but they will, as to all proposed ordinances and resolutions voted upon by the Authority, record in the minutes the names of those members who voted for and those who voted against the proposal. To the extent the information is made available, the record will reflect the names of the persons

addressing the Authority, the title of the subject matter to which their remarks are directed and an indication as to whether they spoke in support of or in opposition to such item.

1.15 Remarks of Authority Members When Entered in Minutes. An Authority member may request, through the presiding officer, the privilege of having an abstract of their statement on any subject matter under consideration by the Authority entered into the minutes.

1.16 Committees of the Board. The Chair of the Board will appoint all committees and determine their membership. Unless otherwise prescribed, a committee will consist of not less than three (3) members. A majority of those present constitutes a quorum, and a vote of such majority is required for action.

When issues requiring special focus or attention arise, the Chair may appoint an ad hoc committee to address them. These committees will be appointed and function in full compliance with applicable law.

1.17 Community Advisory Committee & Other Advisory Bodies

The name of the Citizens Advisory Committee called out in Measures A and W will be changed to the "Community Advisory Committee." The Community Advisory Committee and other advisory bodies (Advisory Committees) are appointed by the Board. Advisory Committees are those subsidiary legislative bodies of the Board whose membership does not include one or more members of the Board. Advisory Committees advise and assist the Board and staff in the development, implementation, and promotion of the Authority's goals and policies. Advisory Committees enhance local government when they promote effective and efficient Authority decision-making.

Appointment to Advisory Committees is based on such criteria as the Board may specify, including such criteria as expertise, ability to work well with staff and the public, effectiveness as a representative of the entire community, and adherence to Authority values, policies, priorities, procedural rules and expectations as expressed by the Board.

Advisory Committees play an important public-facing role in local government, acting as channels of communication and information between the Board. Advisory Committees help shape the public perception of local government and members should expect that their statements and conduct may be perceived by the public as a reflection of the Board and the Authority as a whole. As the public face of the Board, members of Advisory Committees are expected to conduct themselves in a manner consistent with Board policy and the expectations of the Board as their appointing body.

Appointees are at will and serve at the pleasure of the Board. Appointees have no vested rights in serving on an Advisory Committee or to remain as a member of an Advisory Committee for any period of time. The Board may declare an appointed position vacant at any time without cause. Any such action by the Board is not intended to reflect or imply any defect in the integrity or character of the appointee.

The following guidelines apply to the Board's relationship to Advisory Committee:

(a) *If attending an Advisory Committee meeting, be careful to only express personal opinions.* Board members may attend any Advisory Committee meeting, which are always open to any member of the public. However, they should be sensitive to the way their participation – especially if it is on behalf of an individual, business or developer – could be viewed as unfairly

affecting the process. Any public comments by a Board member at an Advisory Committee meeting should be clearly made as individual opinion and not a representation of the feelings of the entire Board.

(b) *Respect that Advisory Committees serve at the pleasure of the Board as a whole, not individual Board members.* The Board appoints individuals to serve on Advisory Committee, and it is the responsibility of Advisory Committee to follow policy established by the Board. But Advisory Committee members do not report to individual Board members, nor should individual Board members feel they have authority to direct Advisory Committee members to recommend or decide an issue in a particular way.

(c) *Be respectful of diverse opinions.* A primary role of Advisory Committees is to represent many points of view in the community and to provide the Board with advice based on a full spectrum of concerns and perspectives. Individual Board members may have a closer working relationship with some individuals serving on Advisory Committees, but must be fair and respectful of all individuals serving on an Advisory Committee.

1.18 Reports of Committees. Committees will report on any subject referred to them by the Authority, or by the Chair of the Authority and will give their recommendations to the Board on the particular subject.

1.19 Rosenberg's Rules of Order. All rules of order not herein provided for will be determined in accordance with the latest revised edition of Rosenberg's Rules of Order.

II. Board/Public Communications

2.1 General. Individual Board Members have no individual authority and should not make any promises on behalf of the Board or the Authority. Only the Board can commit the Authority to an action or a policy.

2.2 Form of Communication. Board Members should be aware of how various forms of communication affect how messages are received: formal versus informal, written versus verbal, in-person versus over the phone versus electronic. Board members should use each form of communication in an effective manner at the appropriate time.

2.3 Communicating with the Public. A Board Member can always communicate with Authority constituents. Board Members should inform the Executive Director about concerns from constituents as often the concern can be handled administratively or is already a work in progress.

2.4 Assistance from Executive Director/Staff. Board Members should confer with the Executive Director if in doubt about an Authority policy or other facts, or wherever guidance or assistance is desired in these matters.

2.5 Communication as a Representative of the Board. Board Members will represent the official policies or positions of the Board to the best of their ability when designated as delegates for this purpose. When representing the Board, the Board Member may use Authority letterhead, the Authority logo or seal or any functional electronic equivalent thereof.

2.6 Communication with the Media. Board and Advisory Committee Members should forward media inquiries to the Executive Director, or Board Members should confer with the Executive Director prior to speaking with the media to ensure that they are fully briefed on the

facts associated with the topic. For the purpose of assuring consistency in conveying messages regarding Authority business to the public through the media, as a general rule the Chair will serve as the spokesperson for the Board and committees. Board Members should respect adopted Board policies and decisions even when in the minority and clarify when their view is a personal opinion. In the event a Board Member communicates with the media, they should inform the Executive Director as soon as possible.

2.7 Communication in Private Capacity. When presenting their individual opinions and positions, Board members will explicitly state they do not represent the Authority, nor will they allow the inference that they do. Board Members should keep in mind that even when they are speaking as a private individual, the audience could nevertheless hear and attribute their comments as a position of the Authority. If Board Members send correspondence stating their personal views related to Authority business and use their title as a Board Member, such correspondence should clearly state that the statements are the view of the sending Board Member and not the official position of the Authority. The sending Board Member should convey a copy of such correspondence to the Executive Director and/or Authority Secretary, who will circulate it to the other Board Members for their information. When corresponding as an individual, the Board Member may not use Authority letterhead, the Authority logo or seal or any functional electronic equivalent thereof.

2.8 No Political Endorsements. No endorsements of candidates or measures on an election ballot will be discussed or displayed at meetings of the Authority Board or any related committee.

III. Electronic Communications

3.1 General. Board Members may use personal electronic devices during a public meeting to review agenda materials and any notes or related information assembled prior to the meeting. Board Members may not send or receive any communication regarding agenda items during the meeting, and if any such communication is received despite this requirement, it must be disclosed on the record. Any information that is not already part of the public record that is accessed during the meeting that is relevant to the agenda item should similarly be disclosed and entered into the record for the item in question.

3.2 Public Records. Board Members understand and agree that by using their personal electronic devices during a public meeting, the information on those devices may become subject to discovery, Public Records Act, or other requests, and they agree to cooperate with the Authority in responding to such requests including through direct access to their devices as necessary in order to allow the Authority to comply with law or court orders or to defend itself in any action.

IV. Code of Ethics and Good Governance

The ethics and good governance standards below will govern Members of the Board and of all advisory bodies (collectively referred to as "Member" or "Members").

4.1 Governance

4.1.1 Governance. All Members represent and serve the whole of San Mateo County.

4.1.2 Conduct of Members. The professional and personal conduct of Members while serving the Authority must be above reproach and avoid even the appearance of impropriety.

4.1.3 Policy Role of Members. The Board determines the policies of the Authority with the advice, information and analysis provided by staff, advisory bodies, and the public. Members will not interfere with the administrative functions of the Authority or the professional duties of staff; nor will they impair the ability of staff to implement Board policy decisions.

4.1.4 Positive Workplace Environment. Members will support the maintenance of a positive and constructive workplace environment for Authority staff and for community members and businesses dealing with the Authority. Members will recognize their special role in dealings with Authority staff so as not to create the perception of inappropriate direction to staff.

4.1.5 Staff Performance. The Executive Director is responsible for addressing all staff performance issues, including hiring, disciplining, and terminating employees. Any concerns with staff performance should be discussed with the Executive Director only.

4.2 Ethics

4.2.1 Conflict of Interest. In order to assure their independence and impartiality on behalf of the common good and compliance with conflict-of-interest laws, Members will use their best efforts to refrain from creating an appearance of impropriety in their actions and decisions. Members will not use their official positions to influence government decisions in which they have (a) a material financial interest, (b) an organizational responsibility or personal relationship which may give the appearance of a conflict of interest, or (c) a strong personal bias.

A Member who has a potential conflict of interest regarding a particular decision will disclose the matter to the General Counsel and reasonably cooperate with the General Counsel to analyze the potential conflict. If advised by the General Counsel to seek advice from the Fair Political Practices Commission (FPPC) or other appropriate state agency, a member should not participate in a decision unless and until he or she has requested and received advice allowing the member to participate. A member will diligently pursue obtaining such advice. The member will provide the Chair and the General Counsel a copy of any written request or advice, and conform their participation to the advice given. In providing assistance to members, the General Counsel represents the Authority and not individual members.

In accordance with the law, members will disclose investments, interests in real property, sources of income, and gifts; and if they have a conflict of interest regarding a particular decision, will not, once the conflict is ascertained, participate in the decision and will not discuss or comment on the matter in any way to any person including other members unless otherwise permitted by law.

4.2.2 Gifts and Favors. Members will not take any special advantage of services or opportunities for personal gain, by virtue of their public office that is not available to the public in general. They will refrain from accepting any gifts, favors or promises of future benefits which might compromise their independence of judgment or action or give the appearance of being compromised.

4.2.3 Use of Public Resources. Members will not use public resources which are not available to the public in general (e.g., Authority staff time, equipment, supplies or facilities) for private gain or for personal purposes not otherwise authorized by law.

4.2.4 Confidential Information. Members must maintain the confidentiality of all written materials and verbal information provided to members which is confidential or privileged.

Members will neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.

V. Conduct Protocols

The conduct protocols below govern Members of the Board and of all advisory bodies (collectively referred to as "Member" or "Members").

5.1 Members' Conduct with Each Other in Public Meetings. Members are individuals with a wide variety of backgrounds, personalities, values, opinions, and goals who have chosen to serve the Authority to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even though individuals may not agree on every issue.

5.1.1 Honor the Role of the Chair. It is the responsibility of the Chair to keep the comments of members on track during public meetings. Members should honor efforts by the Chair to focus discussion on current agenda items. If there is disagreement about the agenda or the Chair's actions, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedure.

5.1.2 Practice Civility and Decorum. Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of debate by a free democracy in action. Belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments are never appropriate.

5.2 Interaction with Public in Authority Meetings. Making the public feel welcome is an important part of the democratic process. It is inappropriate to show signs of partiality, prejudice or disrespect toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

5.2.1 Public Hearing Time for Individual Speakers. As a general rule, public speakers will be afforded two minutes to offer comments on a particular matter. When necessary or required due to time constraints or other unique circumstances, the Chair will determine and announce limits on speakers at the start of the public comment process.

5.2.2 No Response to Public Comment. To ensure compliance with the Brown Act, only the Chair should interact with a speaker during public comment. No discussion or debate should ensue regarding the comments offered. However, a Member can ask the Chair for a point of order if the speaker is off the topic or exhibiting behavior or language the Member finds inappropriate.

VI. Amendments

The Rules of Procedure of this Authority may be amended by majority vote of the Authority at a regular or special meeting, but only after the proposed changes have been introduced for adoption at a previous regular or special meeting. Any provision in these Rules of Procedure may be suspended during any regular or special meeting by a majority vote of the Authority.

ADOPTED: November 9, 1988

REVISED: April 7, 1994; September 1, 1994; _____