

Report of the TA Citizens Advisory Committee

Meeting of June 4, 2024

Committee Actions

Consent Calendar:

- **4a) Approval of 4/30/24 minutes** - approved unanimously
 - Mr. Swire asked for clarification on the 2449 video conferencing rules given that he was marked absent and as an attendee the previous month, despite being out of town having to take care of a family member. Staff clarified the law related to remote attendance and promised to send out the rules to Committee members.
 - Mr. Carlini asked about the official record given that meeting videos are eventually deleted. Staff said that after the video is deleted the minutes then stand as the official record, per the law.
 - Mr. Carlini also asked whether previous minute edits requested had been implemented. Staff said that they will look into this.

- **4b) TA Board Item 6.b - Acceptance of Statement of Revenues and Expenditures for the Period Ending April 30, 2024** - approved unanimously

- **4c) TA Board Item 6.c - Acceptance of Capital Projects Quarterly Status Report for 3rd Quarter Fiscal Year 2024** - approved unanimously
 - Mr. Swire recommended that all projects have the same cost detail in the report - i.e., whether the costs include the current phase or the entire project. Staff said that they will check to make sure that the detail is consistent across projects.

- **4d) TA Board Item 6.d Establishing the Appropriations Limit Applicable to the San Mateo County Transportation Authority During Fiscal Year 2024-25** - approved unanimously

- **4e) TA Board Item 6.e Authorizing the Submittal of an Allocation Request for Regional Measure 3 Funding in the Amount of \$2.685 Million for the US 101/State Route 92 Area Improvements Project** - approved by voice vote, with two dissenting votes
 - Ms. Enriquez asked, if the federal STIP isn't available, whether this money comes back and how it is allocated. Staff said that STIP funds are delayed, potentially delaying the project. Thus, we are asking for RM3 funds and STIP funds will come back for other projects.
 - Mr. Carlini said that he opposes this project as it is another capacity expansion. This approach of capacity addition doesn't work. He believes that it will increase congestion, greenhouse gas emissions, other pollutants, worsen air quality, and harm those that are sensitive. He said we are throwing good money after bad, as expansions haven't worked in the past.

Other Items

- **5) TA Board Item 6.a - Approval of Minutes of the Board of Directors Meeting of May 2, 2024**
 - No comments

- **6) TA Board Item 7.a - Proclamation Recognizing Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) Pride Month and Reaffirming a Commitment to Diversity, Equity, Inclusion, and Belonging** - approved unanimously
 - No comments

- **7) TA Board Item 11.a - Public Hearing: Adopting a Budget in the Amount of \$189,035,418 for Fiscal Year 2025** - approved unanimously
 - Mr. Ohtaki said that sales tax revenues are increasing slightly. Much of the increase in revenues is from interest income. What is the impact of higher interest rates given recently high rates but forecasts for future rate decreases? He wanted to make sure that interest income forecasting was reasonable given potential future decreases. Staff said that they have forecast conservative interest rate assumptions going forward.
 - Mr. Ohtaki said that total expenditures are decreasing and asked whether that was compared to initial estimates or previous years. Staff said that the 2024 budget included a true-up, explaining the decrease.
 - Ms. Enriquez asked why C/CAG requests were increasing. Staff said that previously, C/CAG funding requests for county-wide planning were funded through the TA's oversight line item. Staff believes this separate set aside out of interest earnings will make this spending more transparent.
 - Mr. Carlini asked if there was any reason not to do the delegations. Staff said that this change saves time and allows the Board to focus on policy, not administration
 - Ms. Enriquez why we previously handled delegations differently.
 - Mr. Carlini asked where the C/CAG funding would come from. Staff said that the source would not change, which is interest earnings; only the process and transparency is changing.
 - Mr. Swire asked, rhetorically, whether the prominent placement of the cyclist in the presentation implied a change in policy or allocation level.

- **8) TA Board Item 11.b - Awarding a Contract to Kadesh & Associates LLC for a Total Not-to-exceed Amount of \$572,755 for Federal Legislative Advocacy Services for Five Years** - approved unanimously
 - *(combined discussion of items 8 and 9, both of which focus on advocacy procurement)*
 - Mr. Londer asked how the five-year spending here compared with the previous five years. Staff said that it was roughly similar.
 - Mr. Fox asked for confirmation that the recommendation was to continue with the current firm for federal work, but a change for state work. Staff confirmed this.

- Mr. Fox asked whether we get references for the proposing firms. Staff confirmed that they look at references and incorporate the findings into the proposal scoring.
 - Mr. Mattammal asked why the different transportation agencies each issue their own RFP and hire different firms. Staff said that each agency has its own priorities and would prefer to have their own agendas.
 - Mr. Ohtani asked whether the TA reviews the success rate of each firm in attracting funding. Staff said that their RFP questions address this and they incorporate the responses into the scoring.
 - Ms. Kulkin asked whether these service levels - ¼ FTE - are sufficient. Staff said that the proposers proactively recommended this level of support; it was not prescribed by staff. She said that this was quite the bargain.
 - Mr. Bucio asked for details on the scoring. Staff said that Politico's score was 91.5 and Khouri Consulting's was 76.5.
 - Mr. Swire asked for a brief description of what our advocates can/not do for us - e.g., lobbying, endorsing, donating, and other political activities. He said it is awkward that a public agency is using taxpayer dollars to lobby on how taxpayer dollars are allocated. Staff said that their legal team provides direction on advocates' activities. Advocacy activities focus on attracting project money. Unlike a private corporation, the TA does not advocate for candidates or donate to political campaigns.
 - Mr. Carlini asked which spending bucket the advocacy money comes out of. Staff said that lobbying expenses come from interest income, not Measure A & W revenues. Mr. Carlini said this suggests that the TA can use interest income as it chooses.
 - Mr. Carlini said that coordinating between multiple agencies could save on lobbying expenses. Staff said that the agencies want their own contracts and that occasionally there are conflicts of interest.
 - Ms. Enriquez thought that there would be more overlap between the advocacy interests of the differing agencies, facilitating consolidation of contracts. Staff said that conflicts of interest prevent this.
- **9) TA Board Item 11.c - Awarding a Contract to Politico Group, Inc. for a Total Not-to-exceed Amount of \$470,000 for State Legislative Advocacy Services for Five Years** - approved unanimously
 - *See discussion under Item 8*
 - **10) TA Board Item 12 - State and Federal Legislative Update**
 - Mr. Swire asked whether the San Mateo 25th Avenue bike project federal earmark was still on track. Staff will confirm.
 - Mr. Swire asked whether the TA took a position on SB1031. He said that he was disappointed that C/CAG opposed the bill without amendments that allowed funding for highway widening projects. Staff said that the TA did not take a position.

- Mr. Swire said that he was glad to see the TA Board Members and other elected officials rally in defense of state funding for the Broadway grade separation project. He appreciated their focus on the safety concerns and recommended that these leaders also advocate for bike/ped safety project - e.g., the recently threatened ATP funds.
 - Mr. Carlni asked whether the 101 Managed Lanes North of 380 project was impacted by the recent state funding challenges. Staff said that the project is not currently dependent on state grants.
 - Mr. Ohtaki said that while the CAC may not need monthly State and Federal Legislative Updates, the Board may benefit from regular updates given their regular communications with federal and state representatives. Staff said that they will provide more frequent updates as needed, depending on what's happening in DC and Sacramento.
- **11) Report of the Chair**
 - Chair Arietta - On Saturday, May 11, "National Train Day", Caltrain, celebrated its 160th Anniversary as a commuter rail train by hosting an Open House at the Caltrain Station in San Carlos. The Caltrain rail system, which opened during the 19th century, remains the oldest continually operating railroad west of the Mississippi River. The celebration, not only paid homage to the agency's past, but, it also offered attendees the chance to tour the new electric train cars of its future. More than 5,000 RSVPs were received by Caltrain for this third public tour of the agency's new electric train cars, which are planned to go into operation later this year. The 2024 San Carlos Tour event attracted even larger crowds than the first two events held in San Jose in July 2023 and San Francisco in September 2023, which drew more than 4,000 participants. To help celebrate the Caltrain Electrification Project, Caltrain invited several elected political leaders from federal, state, county and city governments, as well as leaders from local businesses and agencies. A number of those representatives spoke at the Opening Ceremony. Attendees enjoyed food trucks, and a live DJ, as well as the opportunity to play multiple games for prizes, as they awaited their chance to see the new high-performance electric rail cars that will be the future of Caltrain. Operation of the new electrified Caltrain is planned to start in September 2024. It is anticipated that any challenges presented by this new electrified Regional Commuter Rail will be met by the leadership at Caltrain, SamTrans, the San Mateo County Transportation Authority, the Santa Clara Valley Transportation Authority, and the San Francisco Transportation Authority
 - Mr. Swire said that he attended the Caltrain event in San Carlos. He said that it was a great event. The trains are very cool and are still visible at 4th and King. They have a lot of bike capacity, internal digital signage, etc. The community, especially little kids were in attendance. Several federal, state, and local leaders were present.

- Chair Arietta said that Caltrain has had a hard time getting capacity back after COVID. They are currently at only 38% whereas other agencies, like MUNI, have rebounded more quickly.
 - Ms. Enriquez attended this event and a previous one in SF. She said that there were lots of kids and everyone was excited.
 - Mr. Carlini asked whether seating for bike patrons was lower than previously. Staff said that we will discuss these details in August
- **12) Report from Staff**
 - Staff noted the Board will be reviewing the Proposed Updated Rules of Procedure for the San Mateo County Transportation Authority Board of Directors this month as they did not have sufficient time to address the item at the last meeting.
 - Mr. Carlini said that the new rules are an improvement, but he was concerned with the ability to remove CAC members without cause, explanation, or reason. He said that the CAC is tasked with providing frank input and that the threat of removal could have a chilling effect on honest discourse.
- **13) Member Comments/Requests**
 - Ms. Enriquez suggested members look at the Chair's Automated Vehicle report, mentioned in the ED's report.
 - Mr. Carlini applauded the Board and Staff for their support of LGBTQ issues. He encouraged Committee members to read Measures A & W. He believes that the Measures do not preclude Highway funds being used on pedestrian and bike infrastructure. He said the TA spends money on projects that the Measures specifically discourage. Staff said that the TA relies on the advice of legal counsel and not individual interpretations of the law in determining how money can be spent. Mr. Carlini asked for an opportunity to investigate these rules more closely.
 - Mr. Fox said he appreciated the diversity of viewpoints and interests of the Committee members. He listens carefully to all comments.
 - Mr. Swire suggested that the proposed Board rules be included in the Board packet for easy reference. He said that the ED's Reports says that the 101/92 Direct Connector provides a "direct" connection between 101 and 92. He said that connections already exist and that the project would only provide new connections for those paying for the Express Lanes or in HOVs. He recommended that the TA improve its outreach on this and other projects. He was told by San Mateo Mayor Lisa Diaz-Nash that she was not notified of the public meetings. He said that he had heard that property owners, who might be impacted through eminent domain, had not been notified of the public meetings. Staff clarified that several options are on the table for the project and that eminent domain has not been discussed. Staff said that they did notify City leaders and staff but that sometimes emails and letters are ignored or

discounted. The Mayor can contact the TA to confirm that they have her correct email. Chair Arietta said that communication is important when eminent domain is a possibility. Mr. Swire praised Board Member Corzo for expressing concern with the potential air pollution and congestion impacts of the 101/92 Direct Connector project. He recommended that CAC Members try the SamTrans 282 bus to the airport, which is convenient, fast, and direct. It also provides a good look at who is using SamTrans.

- Mr. Mattammal said that he drives through the 101/92 interchange regularly and it is a disaster, with traffic backing up into adjacent neighborhoods. He said we should look at the options and something needs to be done. He also echoed Mr. Fox's recognition of the diversity of reviews on the CAC.

- **14) - Date/Time of Next Regular Meeting: Tuesday, July 9, 2024, 4:30 pm**
- **15 - Adjourn**