

San Mateo County Transportation Authority
1250 San Carlos Avenue, San Carlos, California
Minutes of Board of Directors Meeting

June 6, 2024

Members Present: E. Beach, J. Mates (Vice Chair), R. Medina, M. Nagales, C. Romero (Chair)
(In Person)

Members Present: None
(Via Teleconference)

Members Absent: N. Corzo, R. Mueller

Staff Present: A. Chan, J. Cassman, S. van Hoften, P. Skinner, P. Gilster, J. Epstein,
J. Manzi, C. Liao, K. Yin, D. Covarrubias, K. Jordan Steiner, J. Brook,
D. Seamans

1. Call to Order

Chair Carlos Romero called the meeting to order at 5:00 pm.

2. Roll Call/Pledge of Allegiance

Dora Seamans, Authority Secretary, called the roll and confirmed that a quorum was present.

Chair Romero requested that Director Rico Medina lead the Pledge of Allegiance.

3. Report from Closed Session at May 2 Board Meeting

3.a Closed Session: Conference with Conference with Real Property Negotiators Pursuant to Government Code Section 54956.8

Properties: (1) 50-foot-wide Property Located Directly West of the Caltrain Corridor from 20th Avenue to Approximately 1,000 Feet Past 25th Avenue, City of San Mateo (Portion of APN 035-320-999) and (2) 2777 S. El Camino Real, San Mateo, CA 94403

Negotiators: April Chan and Joan Cassman

Negotiating Parties: Peninsula Corridor Joint Powers Board and the City of San Mateo Under Negotiation: Price and Terms of Transfer

Joan Cassman, Legal Counsel, said there was no reportable action.

4. Public Comment for Items Not on the Agenda

Mike Swire said he enjoyed the May 11 Caltrain electrification event, and thanked the Board members who attended the Burlingame Broadway event. He encouraged the Board to read his correspondence containing a *New York Times* article. Regarding the proposed Rules of Procedure, he said he did not agree with CAC members being able to be removed without cause.

5. Report of the Citizens Advisory Committee

Chair Romero noted that the report was posted on the website.

6. Consent Calendar

6.a. Approval of Minutes of the Board of Directors Meeting of May 2, 2024

6.b. Acceptance of Statement of Revenues and Expenditures for the Period Ending April 30, 2024

6.c. Acceptance of Capital Projects Quarterly Status Report for 3rd Quarter Fiscal Year 2024

6.d. Establishing the Appropriations Limit Applicable to the San Mateo County Transportation Authority During Fiscal Year 2024-25 – Approved by Resolution No. 2024-7

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 Resolution No. 2024-8

Chair Romero requested to pull Item 6.c for discussion.

The Board voted to approve Items 6.a, 6.b, 6.d, and 6.e:

Motion/Second: Mates/Beach

Ayes: Beach, Mates, Medina, Nagales, Romero

Noes: None

Absent: Corzo, Mueller

Chair Romero noted the statement on Page 78: “Due to the lack of a variable location for the replacement of the track, Caltrain is negotiating a cash reimbursement with Union Pacific Railroad. The preliminary cost estimate is \$5.17 million within the available budget.” He asked if UP (Union Pacific) wanted to be compensated for that amount. Peter Skinner, Executive Officer, Transportation Authority, said that part of the South San Francisco Station Improvements project required Caltrain to remove a section of UP-owned track from service, and required Caltrain to relocate the track for UP at another location on the right of way. He added that this was an eligible project cost that was included in the budget. He said Caltrain and UP were not able to find a suitable new location for the track, and UP opted to discuss a cash settlement. He said the negotiations with UP have been proceeding slowly and Caltrain staff hope the issue can be resolved this year. He noted that Caltrain will not be coming back to the TA to ask for any additional funds for this project.

The Board voted to approve Item 6.c:

Motion/Second: Mates/Medina

Ayes: Beach, Mates, Medina, Nagales, Romero

Noes: None

Absent: Corzo, Mueller

7. Report of the Chair

7.a. Proclamation Recognizing Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) Pride Month and Reaffirming a Commitment to Diversity, Equity, Inclusion, and Belonging

Tasha Bartholomew, Media Relations Manager, noted the activities recently undertaken by SamTrans: the establishment of the Rainbow ERG (Employee Resource Group) and upcoming Pride Month events in San Mateo, Half Moon Bay, and San Francisco.

Motion/Second: Nagales/Medina

Ayes: Beach, Mates, Medina, Nagales, Romero

Noes: None

Absent: Corzo, Mueller

8. San Mateo County Transit District Liaison Report

Director Medina said that the report was posted on the website. He summarized the events of the June 5 meeting, including:

- Senate Bill (SB) 1031 is no longer moving forward.
- The Governor's May Revise does not significantly affect SamTrans.
- On May 31, the real estate developer of the new headquarters building in Millbrae sold its interest to Swift Real Estate Partners.
- New bus wraps were introduced commemorating Pride Month and Juneteenth.
- The monthly performance report for April indicated that ridership recovery is now at 98.7 percent of pre-pandemic levels.

9. Joint Powers Board Liaison Report

Director Medina said that the report was posted on the website. He noted the following topics of discussion at that morning's meeting:

- There were 5,000 attendees at the May 11 Caltrain electrification event. Future events will include a soft launch throughout August and September.
- The Board accepted the financial audit and JPB Citizens Advisory Committee report on Measure RR.
- There was an update on customer experience and acquisition strategy.

10. Report of the Executive Director

April Chan, Executive Director, said the report was in the packet. She noted the following:

- The TA will release a call for projects for ACR/TDM (Alternative Congestion Relief/Transportation Demand Management) this summer. There will be a public meeting to share with potential applicants on June 10.
- A draft of an AV (autonomous vehicles) Strategic Plan was posted to receive public comment until June 21.

- The Governor's May Revise had a major impact on TA-funded projects, with a proposed cut to the grade separation project at Broadway Burlingame. Directors Beach and Medina attended a press conference on May 28 along with a number of policymakers across the County to urge the state to restore that funding.

11. Finance

11.a. Public Hearing: Adopting a Budget in the Amount of \$189,035,418 for Fiscal Year 2025 *– Approved by Resolution No. 2024-9*

1. Open Public Hearing

Chair Romero opened the public hearing.

2. Present Staff Report

Cleo Liao, Manager, Budgets, provided the presentation.

3. Hear Public Comment

There were no comments.

4. Close Public Hearing

Chair Romero closed the public hearing.

5. Board Discussion and Action

There was no discussion.

Motion/Second: Nagales/Medina

Ayes: Beach, Mates, Medina, Nagales, Romero

Noes: None

Absent: Corzo, Mueller

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 by Resolution No. 2024-10*

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 by Resolution No. 2024-11*

Kevin Yin, Director, Contracts and Procurement, presented the staff reports for both Items 11.b and 11.c.

Director Mark Nagales asked why the TA was switching their contract for state lobbyist services. Mr. Yin noted the relative scoring for Politico versus Khouri Consulting.

Chair Romero asked who the evaluators were. Mr. Yin said they do not list their evaluators, but the project manager was involved in the process.

Vice Chair Julia Mates asked what the criteria were for the state services, which Mr. Yin reviewed. Vice Chair Mates asked if an applicant's previous work was considered, and Mr. Yin said only if the applicant submits it with the proposal.

The Board voted to approve the federal services advocacy contract:

Motion/Second: Medina/Romero

Ayes: Beach, Mates, Medina, Nagales, Romero

Noes: None

Absent: Corzo, Mueller

The Board voted to approve the state services advocacy contract:

Motion/Second: Medina/Beach

Ayes: Beach, Mates, Medina, Nagales, Romero

Noes: None

Absent: Corzo, Mueller

12. State and Federal Legislative Update

Jessica Epstein, Director, Government and Community Affairs, introduced Chris Kierig, Kadesh & Associates, LLC, who thanked the Board. She introduced Kiana Valentine and Chris Lee, Politico Group, who thanked the Board and provided a background of their firm.

Ms. Epstein provided a summary of federal and state legislation and recent activity.

On the federal side, she said members of both houses have submitted earmarks. She said an earmark request for the Broadway Burlingame grade separation project had been submitted by both senators. She said the bill they are watching most closely regarding transportation, housing, and urban development is scheduled for mark-up on June 27 with the full committee mark-up on July 10; she noted they would report back to the Board on its progress.

At the state level, she said the Governor released his May Revise with an increase in deficit of approximately \$7 billion. She said there would be delays with transit agencies receiving SB 125 money, which includes the TA and Caltrain. She said there was a \$70 million cut to grade separation funding in San Mateo County.

She said in light of SB 1031 no longer moving forward, Senators Wiener and Wahab plan to work with stakeholders over the summer to introduce a new bill.

She said Assembly Bill (AB) 817, which died in the Senate, would have amended the Brown Act to allow greater flexibility for members of non-elected advisory committee members to attend meetings virtually.

13. Requests from the Authority

There were no requests.

14. Written Communications to the Authority

Chair Romero noted that the correspondence was available on the website.

15. Date/Time of Next Regular Meeting

Chair Romero announced the next meeting would be on Thursday, July 11, 2024, 5:00 pm in person at the SamTrans Auditorium and via Zoom teleconference.

16. Report of Legal Counsel

16.a. Proposed Updated Rules of Procedure for the San Mateo County Transportation Authority Board of Directors

Joan Cassman, Legal Counsel, presented the staff report. She noted changes and comments made by the directors since the discussion at the May 2 Board meeting. She reviewed:

- Appointees to Community Advisory Committee and Other Advisory Bodies
- Electronic Communications
- Ethics
- No Response to Public Comment

Vice Chair Mates said regarding advisory bodies that she agreed with the proposed changes. She asked if it were possible to bring back proposed changes in the future, which Ms. Cassman confirmed.

Director Medina suggested regarding Section 1.7, Meeting Falling on Legal Holiday, to change the wording to “as otherwise determined by the Authority.” Regarding Section 1.10, Order of Business, he asked whether it was necessary to produce a JPB liaison report due to logistics. He said there should be more clarity around advisory committee roles.

Regarding expectations and the role of committee members, Director Nagales said in his city (South San Francisco), when someone is appointed to a position, they serve at the pleasure of the City Council, but the Mayor has the authority to remove somebody. He said he was in favor of retaining the second sentence in the paragraph starting with “Appointees are at will and serve at the pleasure of the Board” under Section 1.17, Community Advisory Committee & Other Advisory Bodies.

Regarding Section 1.14, Meeting Minutes, Director Emily Beach suggested striking the meeting recording retention limit, which should more appropriately fall under the TA records retention policy.

Public Comment:

Mike Swire thanked the Board for their comments and proposed updates to the Rules of Procedure and requested that the TA CAC members have access to the updated Rules. Ms. Cassman confirmed that a revised version including all the changes discussed would be available online prior to the next CAC meeting on July 9.

Chair Romero said he was not sure if the second sentence regarding appointees was necessary, but would support keeping it. Regarding Section III, Electronic Communications, he asked if accessing the Internet outside of actual communications was allowed, which Ms. Cassman confirmed it was.

17. Adjourn

The meeting adjourned at 6:29 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 Authority Secretary's office by phone at 650.508.6242 or by email to board@smcta.com.