

Report of the TA Community Advisory Committee

Meeting of October 8, 2024

Committee Actions

Consent Calendar - all approved unanimously, without comments

- **4a) Approval of Minutes of the CAC Meeting of September 3, 2024**
- **4b) TA Board Item 5.b Acceptance of Statement of Revenues and Expenditures for the Fiscal Year Ended June 30, 2024**
- **4c) TA Board Item 5.c Acceptance of Statement of Revenues and Expenditures for the Period Ending August 31, 2024**

- **7) TA Board Item 10.a Adopting the Regional Transit Connections Plan** - Approved unanimously
 - No comments

- **12) Report from Staff**
 - **Executive Director's report**
 - Giuliano Carlini asked why the Alpine Road project indicated the project, is for all road users, but is funded from the bike/ped funding bucket. This is a small bucket of money funding a large roadway project. Staff said that complete streets projects can be funded out of the bike/ped project if it has these components and may have benefits to all road users.
 - **12a) Amending the Rules of Procedure for the San Mateo County Transportation Authority Community Advisory Committee** - Tabled unanimously for future consideration; the CAC asked that the ad hoc Rules Subcommittee come back with concrete options for how officer elections will proceed.
 - Rules of Procedure Ad Hoc Committee member Nheeda Enriquez said that she wanted to provide more transparency around the election process. She said that the proposed rules will provide members with the opportunity to state their case, but that the rules are not too prescriptive.
 - Ad Hoc member Gus Mattammal said that the Ad Hoc Committee's goal was to increase transparency, establish expectations, and establish a floor of experience while allowing all who desire to participate.
 - Sandra Lang asked whether the rules on order of business can be changed at will or followed strictly. Staff said that the CAC Chair can change the order of the agenda, but the agenda topics are driven by the Board agenda. Chair Barbara Arietta said that historically they have been able to change the order of items on the agenda. Staff also said that the Brown Act requires the agenda (subjects) be published 72 hours in advance of the meeting and cannot be changed after that time. The order can change, however.

- Mike Swire asked for the source/rationale for staff's slides on what the CAC can and can't do. Staff said that the TA Board created the CAC and the Board Rules of Procedure flow down to the Committee. The CAC can get more specific, however. Mr. Swire asked specifically why the CAC couldn't set its own agenda. Staff said that the CAC does not have the authority to make decisions on behalf of the TA or set policy. The Board sets the agenda. Mr. Swire asked why the CAC couldn't consider topics in addition to those prescribed by the Board - e.g., educational background on transportation topics to build our knowledge base. He didn't see this rule in the Board rules. Staff said that the CAC has a narrowly defined scope, and other topics are not in its purview. Staff also said that the CAC cannot direct work by staff that isn't approved by the Board. Mr. Swire said that the CAC is a liaison between the public to the Board and that this role isn't limited to what the Board requests. Staff said that the CAC can ask the Board to consider other topics but that the CAC cannot do this on its own.
- Richard Hedges said that Measures A & W created the CAC, not the Board. Staff said that the Board does set the rules for the CAC, however.
- Ms. Lang said, and staff agreed, that CAC Members can make comments and agenda requests during Members' Comments or at TA Board meetings. If Committee Members attend Board meetings they would be speaking as individuals and not on behalf of the entire CAC.
- Mr. Hedges said that communication with the Board is important. E.g., CAC Members can meet individually with Board members.
- Ms. Enriquez said it isn't clear when a motion is/not required on an item. Staff said that the agenda indicates what is required. In most cases, when the Board votes on a resolution, the CAC will vote on it, too.
- Mr. Carlini said that other advisory bodies set their own agenda; why is this not possible for the CAC? Staff reiterated the role of the CAC is set by the Board. Mr. Carlini said that he didn't see where the Board's rules talk about the CAC's ability to not set its own agenda. He said that the CAC provides advice on the Board's purview. Mr. Carlini said that to inform the Board, the CAC needs to bring forth comments on items not on the agenda. Staff said that CAC Members could do so through Member Comments and direct communication to the Board. Staff said that the CAC cannot create agenda items as that requires direction of staff, which is not the purview of the CAC. Staff said that the Board has said that it is the Board's purview, not the CAC, to set the CAC agenda. Staff said that the CAC could put forward a separate item to ask the Board whether the CAC could have the ability to set its own agenda.

- Mr. Mattammal asked whether CAC Members could present at meetings, without staff involvement, to increase education on various topics. Staff said that this would still require staff to set the agenda and that the primary role of the CAC is to weigh in on the Board agenda instead of coming up with other topics. Staff understands CAC members' frustrations as they have opinions on other topics and the CAC's mission is narrowly defined.
- John Fox said that during the last election they used the historical method of choosing a Chair (based on seniority). The current proposal allows all members to participate. Mr. Fox also said that Members are interested in issues that may not be on the Board's radar, but that is best done through the CAC Chair, who can bring it to the Board for consideration. Staff said that the CAC can agendaize at a future meeting and ask for greater autonomy in setting its agenda.
- Karen Kuklin said that she appreciates that they hear on agenda topics from experts, not from CAC Members.
- Mr. Carlini asked for clarification on whether the CAC could add an item on a future agenda. Staff said that it is the Board's decision on whether to allow the CAC to bring forward a question on its agendas. Mr. Carlini claimed that the voting process from January came from staff and not from CAC Members. He urged that the January process made it difficult to vote against an incumbent. He sought a means to change the rules to address this. Staff said that the CAC could specify election rules or decide on rules during the election meeting. Mr. Carlini said that putting the process in the rules is heavy.
- Mr. Hedges said that he has served on the Nominating Committee several times and that often Members don't want to serve as Chair. He said that the CAC should be transparent and call for nominations in the meeting.
- Mr. Ohtaki has served on the Nominating Committee to encourage interest in serving as Vice/Chair. He said that if there are multiple candidates there should be an organizing meeting in which all candidates can make a statement to all members on their merits. He said that most committees use secret ballots, which may address Mr. Carlini's concerns over publicly voting against members. He said that he concurs with the rules proposed and that the CAC should vote on these. Regarding additional agenda topics, he said that in other committees there is once or twice a year where the Chair of the advisory committee can provide a summary of its actions and ideas on other topics. The Board ultimately makes decisions on whether to proceed with these topics.

- Mr. Swire said that the proposed rules do not address the concerns raised with the January election of CAC Vice/Chair. He said that during that election, staff told the CAC that if the incumbent received a majority of any size, the other nominees (there were three at the time) would not receive a vote. He said that is what happened. He said that CAC Members criticized this process as undemocratic, unmeritocratic, and untransparent (as it was announced on the fly). He said that the new rules do not establish a voting logic that will prevent staff from prioritizing seniority again. He said that the CAC needs to propose a voting mechanism. Staff said that the CAC can add rules that prescribe a voting procedure, or it could leave them flexible, to be determined during the election. Mr. Swire said that given the frustration of the previous election process and staff's strong-arming of the process, that it would be better to establish voting rules now.
- Mr. Hedges said that he runs rules for elections. They are very prescriptive, and he follows the rules. Election processes should not be ad hoc and determined just prior to the meeting.
- Ms. Kuklin disagreed with Mr. Swire's recounts of the election. She said that Mr. Mattammal withdrew and nominated Ms. Arietta, and we voted on it. Mr. Swire said that the issue was that all nominees didn't receive a vote.
- Chair Arietta said that in her fourteen years as Chair she has not seen this level of intrigue.
- Mr. Carlini said that what happened wasn't the Chair's fault, but that the process wasn't even handed. He didn't think a secret ballot was possible due to the Brown Act. Nevertheless, he thought that the seniority process disadvantaged other candidates as it is hard to vote against the incumbent.
- Ms. Lang said that it is not unusual to have clearly defined election procedures. It can include notice, transparency, and be clearly communicated. She said that floor nominations can create more discussion on rules. She said that the past process created a cloud of uncertainty.
- Mr. Hedges said that it sounds like there was only a vote on one of three nominees. This was a mistake, even if they got a majority. He said that all nominees deserve a vote.
- Mr. Swire suggested tabling the item and for the CAC to ask the ad hoc committee to come back with specific proposals on voting logic. He also asked for a recommendation on how to increase the CAC's influence on the agenda. Staff said that the CAC should make a separate request to the Board on whether the CAC can have the ability to set its own agenda. Staff said that they will discuss with General Counsel and the Board.
- Mr. Fox said that we should separate the issue on the CAC agenda from the Rules discussion.

- Mr. Hedges said that we have a while until the next election and we should get it right and everyone in agreement.
- Mr. Fox thanked the ad hoc committee for their hard work.

Other Items

- **3) Public Comment for Items Not on the Agenda**
 - No public comment

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

- **6) TA Board Item 5.d Approval of the 2025 Board of Directors Meeting Calendar**
 - No comments

- **8) TA Board Item 10.b Strategic Plan 2025-2029 Update**
 - Mr. Ohtaki said that the Oakland Unified School District had just received their first electric school buses. He wanted to know how the TA could facilitate shuttle transitions to electric in SM County. Staff said that the Peninsula shuttle study tried to prioritize electric vehicles; SamTrans manages these contracts through a vendor. He said that the cost and capital requirements of this transition are large.
 - Mr. Hedges asked whether trip distances included shuttles. Staff said it was included. Mr. Hedges also asked about street and road funding in the measures. Staff said that SamTrans monies could be used for electric buses.
 - Mike Swire asked whether VMT or mode share were part of the strategic plan. Staff said that these were embedded in the existing project evaluation criteria and are specifically identified as part of the Measure W core principles. He asked whether this was contrary to increasing throughput. Staff pointed out that there are multiple ways of increasing throughput, some of which reduce VMT - e.g., buses, bike lanes, or pedestrian facilities.
 - Mr. Carlini asked whether the wealthier towns merited prioritization. Staff pointed out that some “wealthier” towns don’t have significant public resources. Also, some coastal communities do a good job with less.
 - Mr. Hedges said that cities were no longer getting as much money from the state’s Vehicle License Fee revenues.

- **9) TA Board Item 10.c Countywide Automated Vehicles (AV) Strategic Plan – Final Draft** - approved unanimously
 - Chair Arietta asked how many counties in CA have AVs. Staff said that SM is the only county, to their knowledge, that is developing a county-level strategic plan.

- Mr. Hedges said that AVs require vigilant upkeep of signage and other infrastructure in order to prevent crashes. Cities need to be prepared to replace failed infrastructure quickly and have funding available to do so. He believes AVs are very safe. Staff said that infrastructure readiness is part of the plan.
 - Mr. Swire said that the cities will need to incorporate AVs into their planning as Waymo, etc. will mean fewer people will need cars, reducing the need for on-street parking. He said that AVs could also improve equity given the high cost of owning and operating a car.
 - Mr. Hedges said that Waymo has 300 cabs in SF and cut a deal with Lyft to put vehicles in Phoenix in multiple cities, without many employees/drivers.
 - Mr. Carlini said that AV shuttles will be a game changer.
 - Ms. Enriquez is optimistic on AVs. She said that it will impact capital expenditures for last mile projects and we should consider that in evaluating these projects. Staff said that they are looking at AV technologies that can help with its goals, e.g., equity and increasing throughput.
 - Mr. Bucio asked whether our infrastructure was ready for AVs - what do we need to do to get ready and who will establish the requirements? Staff said that they will coordinate with AV companies as to the AVs' technical needs.
 - Mr. Bucio was wary of corporations dictating priorities given financial constraints and spending alternatives. Staff said that Caltrans has implemented some changes - e.g., wider striping - to improve long-term visibility to AVs.
 - Mr. Bucio asked how cities can mitigate legal risk for construction projects that temporarily mar infrastructure. Staff said that there will be edge cases that will challenge safety, but that coordination with AV companies will mitigate these.
- **10) Board Item 11 Legislative Update**
 - No comments
 - **11) Report of the Chair**
 - With the launch of Caltrain's new all electric service on September 21st, attention once again has focused on the effort to bring the first High Speed Rail system to California. A step in that direction on September 9th was accomplished with the announcement that the California High Speed Rail Authority (CHSRA) and the City of Brisbane, in San Mateo County, have settled Brisbane's lawsuit concerning the State's High Speed Rail project. For the better part of two years, Brisbane and the CHSRA reviewed issues, consulted experts and finally agreed on responsible paths forward. It is anticipated that by 2029, the system will run from San Francisco to the Los Angeles basin in under three hours at speeds capable of over 200 mph, where possible. The system will eventually extend to Sacramento and San Diego, totaling 800 miles with up to 24 stations within California.

- **13) Member Comments/Requests**
 - Mr. Swire said that in past meetings, he expressed frustration at the inability to get answers from the JPA on whether the 101 Express Lane Project (and highway widening) had achieved its stated goals of reducing congestion, especially for those who cannot pay for the Express Lanes and continue riding in the General Purpose lanes. He cited a recent San Mateo Daily Journal article and thanked CCAG Board Members Stacy Jimenez (Foster City City Council) and Christine Krolik (Hillsborough Mayor) for asking JPA staff to present data on whether the 101 project had reduced congestion.
 - Ms. Kuklin thanked staff for their reports.
 - Mr. Mattammal is skeptical of the high-speed rail timelines. He said that it is necessary and reasonable for the Board to tightly regulate how it interacts with the CA and how the CAC interacts with staff. He added that the CAC should be able to collectively decide on how to increase its knowledge by inviting outsiders.
 - Mr. Carlini saw the article Mr. Swire mentioned on the C/CAG meeting.

- **14) - Date/Time of Next Regular Meeting: Tuesday, November 5, 2024, 4:30 pm**

- **15 - Adjourn**