



**REGULAR MEETING of the
San Mateo County Bicycle and Pedestrian Advisory Committee (SMCBPAC)
Thursday, August 19, 2021
7:00 P.M.**

*****BY VIDEOCONFERENCE ONLY*****

Pursuant to the Shelter in Place Orders issued by the San Mateo County Health Officer and the Governor, the Governor's Executive Order N-29-20, and the CDC's social distancing guidelines which discourage large public gatherings, the regular meeting location of the SMCBPAC is no longer open for public meetings.

Public Participation

- * Written public comments may be emailed to jslavit@smcgov.org and should include the specific agenda item on which you are commenting, or note that your comment concerns an item that is not on the agenda or is on the consent agenda.
- * Spoken public comments will also be accepted during the meeting through Zoom.
- * Please see instructions for written and spoken public comments at the end of this agenda

1. WELCOME

2. ROLL CALL

3. PUBLIC COMMENT

This item is reserved for persons wishing to address the Committee on any SMCBPAC-related matters that are as follows: 1) Not otherwise on this meeting agenda; 2) Staff Report on the Regular Meeting Agenda; or 3) Committee Members' Reports on the Regular Meeting Agenda. Public comments on matters not listed above shall be heard at the time the matter is called.

Speakers are customarily limited to two minutes, but an extension can be provided to you at the discretion of the Committee Chair.

4. ACTION TO SET AGENDA

This item is to set the final regular agenda.

REGULAR AGENDA

- 5. Review and Approve June 17, 2020 Meeting Minutes** (Action)
- 6. BPAC Member Announcements and Discussion** (Information)
- 7. Kings Mountain Road Update** (Information)
- 8. Bicycle Safety/Law Enforcement Discussion** (Information)
- 9. Nomination of a BPAC member to serve on a Committee for the Coleman/Ringwood Avenue Study (Menlo Oaks, District 3)** (Action)
- 10. County Updates** (Information)
- 11. Adjournment**

Instructions for Public Comment During Videoconference Meetings

During videoconference meetings of the SMCBPAC, members of the public may address the SMCBPAC members as follows:

*Written Comments:

Written public comments may be emailed in advance of the meeting. Please read the following instructions carefully:

1. Your written comment should be emailed to jslavit@smcgov.org.
2. Your email should include the specific agenda item on which you are commenting, or note that your comment concerns an item that is not on the agenda or is on the consent agenda.
3. Members of the public are limited to one comment per agenda item.
4. The length of the emailed comment should be commensurate with the two minutes customarily allowed for verbal comments, which is approximately 250-300 words.
5. If your emailed comment is received at least 24 hours in advance of the meeting, it will be provided to the SMCBPAC members and made publicly available on the SMCBPAC website along with the agenda. We cannot guarantee that e-mails received less than 24 hours in advance of the meeting will be read during the meeting, but such e-mails will still be included in the administrative record of the meeting.

***Spoken Comments:**

Spoken public comments will be accepted during the meeting through Zoom. Please read the following instructions carefully:

1. The August 19, 2021 SMCBPAC meeting may be accessed through Zoom online at: <https://smcgov.zoom.us/j/98215054624>.

The meeting ID is: 982 1505 4624. The August 19, 2021 SMCBPAC meeting may also be accessed via telephone by dialing US: +1 669 900 6833 (Local). Enter the meeting ID: 982 1505 4624, then press #.

2. You may download the Zoom client or connect to the meeting using an internet browser. If using your browser, make sure you are using a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer.
3. You will be asked to enter an email address and name. We request that you identify yourself by name as this will be visible online and will be used to notify you that it is your turn to speak.
4. When the SMCBPAC Chair calls on the item you wish to speak, click on “raise hand.” The SMCBPAC Chair will activate and unmute speakers in turn. Speakers will be notified shortly before they are called to speak.
5. When called, please limit your remarks to the time limit allotted.

Public records that relate to any item on the open session agenda for the Committee meeting are available for public inspection. Those records that are distributed less than 24 hours prior to the meeting are available for public inspection at the same time they are distributed to all members, or a majority of the members of the Committee. The SMCBPAC’s website has been designated for the purpose of making those public records available for inspection. The website is located at: <http://www.smcsustainability.org/livable-communities/active-transportation/>.

Meetings are accessible to people with disabilities. Individuals who need special assistance or a disability-related modification or accommodation (including auxiliary aids or services) to participate in this meeting, or who have a disability and wish to request an alternative format for the agenda, meeting notice, agenda packet or other writings that may be distributed at the meeting, should contact Joel Slavit, Senior Sustainability Specialist at least 24 hours before the meeting at jslavit@smcgov.org. Notification in advance of the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting and the materials related to it



San Mateo County Bicycle and Pedestrian Advisory Committee (SMCBPAC)

MEETING MINUTES

BY VIDEOCONFERENCE

Thursday, August 19, 2021

7:00 P.M.

1. WELCOME

Chair Doherty called the meeting to order at 7:02 P.M. She noted that BPAC members and staff would be connecting to this meeting either by video or audio. Chair Doherty then stated the process for public comment, noted the challenges of holding a BPAC meeting online and thanked everyone for their patience during this time.

2. ROLL CALL

Members Present:

Susan Doherty

William Kelly

John Langbein

Elaine Salinger

Christina Aquino

Annie Tsai

Frederick Zyda

Members Absent:

None

County Staff: Joel Slavit, Julia Malmo-Laycock, Harry Yip, Marie McLaughlin, Lieutenant Myers, Sergeant Hui

Joel Slavit conducted a roll call. A quorum was present.

3. PUBLIC COMMENT

Before the public comment period proceeded, Mr. Slavit briefly explained procedural logistics for receiving public comment for virtual Zoom meetings.

Mr. Slavitt read public comments that were sent via email from Emma Shlaes and Lydia Lee.

4. ACTION TO SET AGENDA

Chair Doherty introduced the item.

Motion: Chair Doherty moved to approve/Member Kelly seconded. The motion carried 5-0.

REGULAR AGENDA

5. Review and Approve June 17, 2021 Meeting Minutes (Action)

Motion: Member Kelly moved to approve/Member Langbein seconded. The motion carried 5-0.

6. BPAC Member Announcements and Discussion (Information)

Member Langbein said that he read a bulletin about Caltrans doing work on State Route 35 (Lower Skyline Boulevard), north of State Route 92. Member Salinger added that Caltrans repaved Lower Skyline Boulevard between the exit from Interstate 280 down to an unclear extent, and that they did not repave the overpass or include a bike lane.

Member Langbein mentioned that he had distributed the flyer he developed about the Kings Mountain Road/Huddart Park alternate route for cyclists.

7. Kings Mountain Road Update (Information)

Harry Yip, Associate Civil Engineer from the County Public Works Department, provided an update on the Kings Mountain Road project, sharing photographs of the improvements. The improvements showed the restriping of King's Mountain Road upgraded to include six-inch solid yellow double lines in most areas to remind drivers that no passing is allowed, as well as sharrows, signage, and pull-out areas. Mr. Yip said that in narrower areas of the roadway, signage asking drivers to yield is present, while in wider areas there is a wider shoulder and bicycle conflict paint where parking zones exist.

Member Salinger asked if cyclists could take an alternate route through Huddart Park to avoid the narrower areas. Mr. Yip said the narrower areas were further uphill and couldn't be avoided from using the alternate route through Huddart Park. Member Salinger asked if there have been any serious collisions in the narrow areas. Mr. Yip noted that he hadn't seen that in the collision data. He said drivers are generally more cautious in the narrower areas.

Member Langbein asked whether there would be consideration of additional pullout areas for cyclists. Mr. Yip responded that when Public Works repaves the entire road, they would consider it, and that repaving would likely be within the next 5-7 years.

Chair Doherty stated that she was very grateful for the work that was done relatively quickly on Kings Mountain Road.

John Novitsky, member of the public, commented that he lives at the base of Kings Mountain Road on Tripp Road and rides here a lot. He stated that, in photo number four (4) from the presentation, there is a dangerous turn and that it felt unsafe to stop the striping around the turn. He added that in photo number six (6), the road is typically damp in this location, and wondered if the County could add an abrasive sand to the paint.

Lanier Benkard, member of the public, commented that in fall 2020 there was a death where the lowest yield zone is in altitude. He said it's dangerous and that the yield sign should be moved further up before the blind corner.

Bruce Dughi, member of the public, requested, "bicyclists may use full lane" signs, and more sharrows, which he observed to be very sparse, especially on the downhill section. He added that he had mixed feelings about the current striping, as it could cause some stress for cars passing bicyclists traveling in the same direction.

Rob Waring, member of the public, seconded Mr. Dughi's comment about signage. He added that he is opposed to the striping project and that driver behavior hasn't changed at all. He doesn't want law enforcement to enforce the double yellow line, positing it will force people to pass right next to cyclists to avoid going over it.

Steve Lubin, member of the public, stated that he is happy with work that has been done, and thinks it would be better to have "Do not pass bikes" signs around blind curves similar to what exists at Mt. Diablo State Park. He added that he'd like to see greater enforcement.

Mr. Novitsky added that regarding double yellow striping, cars have visual recognition sensors that tell drivers when they have crossed over lane lines, and that it might be useful if bots dots or something bumpy were placed on the double yellow lines to deter folks from passing over them.

Madeline Frechette, member of the public, echoed comments about striping being more dangerous in some scenarios when it comes to close passing, for instance when drivers and cyclists are going downhill, adding that highway striping encourages highway driving. She noted, as an example, the resurfacing on Skyline Boulevard, where striping had not yet been completed, stating that in the absence of striping, drivers provided appropriate distance when passing. Ms. Frechette stated that she would like to see physical changes to the road that prevent people from driving fast.

Peter Grace, member of the public, asked that the County think about how to discourage drivers from overtaking bicyclists on blind corners.

8. Bicycle Safety/Law Enforcement Discussion (Information)

Chair Doherty introduced the item and Assistant Deputy in Charge, District Attorney Marie McLaughlin. Ms. McLaughlin mentioned her office oversees filing for the majority of cases in Southern San Mateo County, including those involving cyclists as victims. She delivered a presentation on the life of a criminal case and provided an overview of potential crimes involving cyclists as victims and what the District Attorney would have to prove beyond a reasonable doubt.

Member Kelly noted there is a perception that there has been a low level of prosecution of drivers involved in cyclist collisions and asked whether it was because complaints come in from the police that aren't suitable for prosecution, or a lack of evidence submitted from the police. He asked how many

cases might be turned down at the District Attorney's Office. Ms. McLaughlin responded that she didn't have readily available statistics. She said she sent a request out to all the district attorneys that file their cases, asking whether they had received any that involved a victim who was a cyclist and if so, to send them her way. She said she hadn't received any (Ms. McLaughlin was referring to cases other than vehicular manslaughter and she subsequently clarified there was one vehicular manslaughter case filed). She asked again the morning of the BPAC meeting and was made aware of a felony DUI case where a drunk driver hit a cyclist. Member Kelly then posited that it isn't the case that the District Attorney is turning down these cases but that they are not being reported to the District Attorney. Ms. McLaughlin acknowledged that might be the case.

Member Salinger described a potential case from video evidence where a driver drove toward a cyclist, and asked Ms. McLaughlin for her thoughts. Ms. McLaughlin responded that it was difficult to talk in hypotheticals, but that video evidence can be very helpful if the case is brought to the District Attorney's Office. Member Salinger then asked for advice for someone in a situation when police won't submit a case. Ms. McLaughlin responded that she couldn't speak to how to get officers to submit a case if they don't believe the evidence is there. She did add that it is better to report a case sooner than later. Lieutenant Myers suggested that if people believe an officer isn't enthusiastic about submitting the case, they can ask to speak to their supervisor.

Member Langbein commented that it is difficult to understand who to call and who has jurisdiction when one is involved in a collision. Lieutenant Myers responded that it could be a dispatch issue and suggested to let dispatch know where you are specifically when a collision occurs and noted milepost markers or a physical description of the area around the site can help. Member Langbein mentioned that sometimes police say they'll contact the owner of a car involved in a collision. Captain Cavett responded that the policy at the Redwood City Area Office of the California Highway Patrol (CHP) is that if there is evidence of an infraction, short of reckless driving, which could be through video, they'll send a letter to the registered owner of the vehicle involved to let the owner know that the vehicle was driven in a way that was unsafe and could put people at risk.

Member Kelly suggested that County staff obtain data on trends over last five years in enforcement activity to be able to inform this conversation going forward.

Member Salinger asked whether driving infractions could go on a person's driving record or be tracked. Captain Cavett stated that per CHP policy, they will not issue citations through video evidence. He said the incident needs to be observed and a traffic stop needs to occur with identification made and a citation issued for any sort of infraction. He said the CHP sends a letter to the registered owner, who may or may not be the driver, to let them know that their vehicle was driven in a manner that was not appropriate. He said the letter serves as a warning to the owner. He restated that one can have video evidence of an infraction, that does not ride to the level of a misdemeanor or felony, and the CHP will write a letter to the owner of the vehicle if the evidence shows the vehicle was driven in an unsafe manner.

Craig Davis, member of the public, thanked Ms. McLaughlin. He said that he's observed video evidence submitted on egregious intentional assault and reckless driving incidents being reflexively rejected by law enforcement. He said he has heard that these cases receive the lowest priority in the District Attorney's Office. He cited a case in San Bruno in which he heard from a police officer that there was nothing in California law to address this. He then suggested that there is no data on these types of incidents because he believes incidents are not making it to the District Attorney's Office. Ms.

McLaughlin responded that she is open to discussing cases brought to the District Attorney's Office and was not suggesting anyone needs to be harmed before a case is brought forward.

Mr. Lubin mentioned an incident in which someone passed him at 50 miles per hour close by his bicycle. He called 911 when he got home, went to the CHP the following Monday, sent video to CHP, but was not aware that the CHP ever sent a letter to the vehicle owner.

Mr. Benkard asked Lieutenant Myers about requesting to speak with a supervisor. He described an incident about six months ago, during which a car was driving very fast at them on purpose. He caught up to the driver and asked if they did it on purpose, and they said yes. He then called CHP, and they refused to take a report. He wondered what to do in this scenario. Lieutenant Myers stated he should call (650) 363-4911 and ask to speak to a watch commander.

Mr. Novitsky commented that he found some people are often repeat offenders and that if there is a way to submit video evidence and have police pressure them publicly, they might change their behavior.

Ms. Frechette noted that she is a member of Silicon Valley Bicycle Coalition (SVBC) and involved with the Burlingame BPAC. She stated that she was upset the group was wasting time on solutions that aren't going to prevent people from getting injured or killed. She added that traffic enforcement tends to have large racial disparities when it comes to pre-contextual stops. She asked folks to not double down on or invest in enforcement, positing that it's not effective. She mentioned that it's a system that tends to have large racial inequities, adding that racial disparities and arrests tend to be greatest in counties with low poverty rates, and that San Mateo County has some of the highest racial disparities in the State in terms of use of force. She urged folks to challenge notions of what public safety means, and how we get there, adding that the current process doesn't work and is distracting from true preventative measures, which are physical street design changes and other public policy areas.

Mr. Dughi commented that he was grateful for the presentation. He stated a desire to challenge Officer Cavett's notion that the CHP must view an infraction to issue a citation and expressed agreement with the idea of improving infrastructure.

Mr. Grace asked Lieutenant Myers if he could review a case with him, stating that the Sherriff's report had material misses in the evidence.

Sandhya Laddha, member of the public and SVBC staff member, echoed the written comments that her colleague Emma Shales submitted. She added that she liked the idea to look at other alternatives to enforcement, with enforcement as a last measure. She reiterated that bicycle safety is the top priority.

Kurt Calia, member of the public, also was thankful for the presentation. He commented that some people who engage in aggressive driver behavior are repeat offenders, and enforcement can be useful if equity is in mind. He asked for guidance on the type of video evidence the District Attorney's Office and police feel is needed to investigate and potentially prosecute for a crime. Ms. McLaughlin responded that video of the entire ride is not necessary in every case, but that some amount of raw footage time before and after could be helpful.

Matt Turner, member of the public and Chair of the Alameda County BPAC, commented that he has worked closely with the Alameda County District Attorney, Sherriff's Office, and the CHP on these issues and it's still a challenge. He expressed a desire to challenge the idea that enforcement is useless and

added that the number of prosecutions around this issue is close to zero. He would like to see offenders at least put on notice, adding that often cyclists need to fight to bring their case forward.

9. Nomination of a BPAC member to serve on a Committee for the Coleman/Ringwood Avenue Study (Menlo Oaks, District 3) (Action)

Ms. Malmo-Laycock introduced the item, stating that the County would like to request that the BPAC nominate a member to serve on an Advisory Committee for the upcoming Coleman/Ringwood Avenue Study.

Ms. Malmo-Laycock provided background on the Study. The need for the Study originated with a group of constituents and stakeholders from unincorporated Menlo Oaks and the City of Menlo Park, who brought forward safety concerns for kids walking and bicycling to school to Supervisor Horsley's Office after the adoption of the County's Active Transportation Plan. In response to concerns raised from constituents and stakeholders in this area, Supervisor Horsley's Office allocated funding for and directed the County Office of Sustainability to lead the Study to assess potential street design alternatives for Coleman Avenue, which has now been expanded to include Ringwood Avenue, that provide safe and accessible pedestrian and bicycle infrastructure for people of all ages and abilities.

Ms. Malmo-Laycock stated that the County anticipates the Study kicking off in late fall 2021, running through the spring 2023. She noted that community engagement and outreach will occur throughout the process and will be one of the key components of the Study, with the goal of stakeholders arriving at a consensus on a street design that meets safety and other concerns. Ms. Malmo-Laycock added that in addition to community outreach activities, the Study will also include the convening a community advisory committee (CAC) that is representative of a range of stakeholder interests to weigh in at key milestones.

Member Kelly stated that he was willing serve as a representative from the BPAC on the Coleman/Ringwood Avenue Study CAC.

Chair Doherty moved to nominate Bill Kelly, Vice Chair Zyda seconded. The motion carried 5-0.

10. County Updates (Information)

Mr. Slavit noted that in response to local bicycle safety concerns, the Caltrans District 4 Office of Traffic Safety has identified 3 locations for signing and striping improvements in the Crystal Springs Trail gap area. He stated these locations were at the informal parking area at the intersection of Lower Skyline Boulevard and State Route 92, the South of Dam segment of the Sawyer Camp Trail at Lower Skyline Boulevard, and where the west bound Interstate 280 connector ramp merges with State Route 92. He stated that he would forward an e-mail with descriptions of the improvements and illustrations to the BPAC for comment and he offered to forward any comments received within the next two weeks to Caltrans. He noted that the timeframe of the proposed improvements was within the next 10 months.

11. Adjournment

Chair Doherty requested a motion to adjourn: Member Langbein moved to approve/Member Kelly seconded. The motion carried 5-0.

The meeting adjourned at 9:19 P.M.