

**San Mateo County Express Lanes Joint Powers Authority
(SMCEL-JPA)
Board of Directors Meeting Notice**

Meeting No. 16

DATE: Friday, October 16, 2020

TIME: 9:00 A.M.

Join by Zoom:

<https://us02web.zoom.us/j/83162657017?pwd=TzA0MGEwZ1BQenIzNVJRSzkzanpjUT09>

Meeting ID: 831 6265 7017

Password: 928491

Join by Phone:

(669) 900-6833

Meeting ID: 831 6265 7017

Board of Directors: Don Horsley (Chair), Diane Papan (Vice Chair), Alicia Aguirre, Emily Beach, Maryann Moise Derwin, and Rico Medina

On March 17, 2020, the Governor issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow for local legislative bodies to conduct their meetings telephonically or by other electronic means. Thus, pursuant to Executive Order N-29-20, local and statewide health orders, and the CDC's social distancing guidelines, which discourage large public gatherings, SMCEL-JPA meetings will be conducted via remote conferencing only (no physical location). Members of the public may observe or participate in the meeting remotely via one of the options above.

Persons who wish to address the SMCEL-JPA Board on an item to be considered at this meeting, or on items not on this agenda, are asked to submit written comments to mguilles@smcgov.org. 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.

- 1.0 CALL TO ORDER/ ROLL CALL
- 2.0 BRIEF OVERVIEW OF TELECONFERENCE MEETING PROCEDURES
- 3.0 PUBLIC COMMENT

Note: Public comment is limited to two minutes per speaker. Public comment permitted on both items on the agenda and items not on the agenda.

4.0 APPROVAL OF CONSENT AGENDA

This item is to set the final consent and regular agenda, and to approve the items listed on the consent agenda. All items on the consent agenda are approved by one action. There will be no separate discussion on these items unless members of the Board, staff or public request specific items to be removed for separate action.

4.1 Approval of the minutes of Board of Directors regular business meeting No. 15 dated September 11, 2020. ACTION p. 1

4.2 Accept the Sources and Uses of Funds for the FY20 Period Ending June 30, 2020. ACTION p. 5

4.3 Accept the Sources and Uses of Funds for the FY21 Period Ending August 31, 2020. ACTION p. 7

5.0 REGULAR AGENDA

5.1 Receive a presentation providing an overview of a Toll Ordinance. INFORMATION p. 9

6.0 REPORTS

- a) Chairperson Report.
- b) Member Communication.
- c) Executive Council Report - Executive Council Verbal Report.
- d) Policy/Program Manager Report.

7.0 WRITTEN COMMUNICATIONS

None.

8.0 NEXT REGULAR MEETING

November 13, 2020

9.0 ADJOURNMENT

PUBLIC NOTICING: All notices of San Mateo County Express Lanes Joint Powers Authority Regular Board meetings, standing committee meetings, and special meetings will be posted at the San Mateo County Transit District Office, 1250 San Carlos Ave., San Carlos, CA.

PUBLIC RECORDS: Public records that relate to any item on the open session agenda for a regular Board meeting, standing committee meeting, or special meeting are available for public inspection. Those public records that are distributed less than 72 hours prior to a regular Board meeting are available for public inspection at the same time they are distributed to all members, or a majority of the members, of the Board. The Board has designated the location of 555 County Center, 5th Floor, Redwood City, CA 94063, for the purpose of making public records available for inspection. Please note this location is temporarily closed to the public; please contact Mima Guilles at mguilles@smcgov.org to arrange for inspection of public records.

PUBLIC PARTICIPATION: Please refer to the first page of this agenda for instructions on how to participate in the meeting. Persons with disabilities who require auxiliary aids or services in attending and participating in this meeting should contact Mima Guilles at (650) 599-1406, five working days prior to the meeting date.

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

1. Your written comment should be emailed to mguilles@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.
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 2 hours prior to the meeting, it will be provided to the SMCEL-JPA Board members and read aloud by SMCEL-JPA staff during the meeting. We cannot guarantee that emails received less than 2 hours before the meeting will be read during the meeting, but such emails will be included in the administrative record of the meeting.

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

1. The SMCEL-JPA Board meeting may be accessed through Zoom at the online location indicated at the top of this agenda.
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 your name as this will be visible online and will be used to notify you that it is your turn to speak.
4. When the SMCEL-JPA Clerk or Chair call for the item on which you wish to speak, click on “raise hand” and if you joined the meeting by phone, dial *9 to raise your hand. The Clerk will activate and unmute speakers in turn. Speakers will be notified shortly before they are called on to speak.
5. When called, please limit your remarks to the time allotted.

If you have any questions about this agenda, please contact:

Mima Guilles, Secretary - (650) 599-1406

San Mateo County Express Lanes Joint Powers Authority Board of Directors Meeting Minutes

Meeting No. 15
September 11, 2020

In compliance with Governor’s Executive Order N-29-20, and pursuant to the Shelter-in-Place Order issued by the San Mateo County Health Officer, this meeting was conducted via remote conferencing.

Board of Directors: Don Horsley (Chair), Diane Papan (Vice Chair), Alicia Aguirre, Emily Beach, Maryann Moise Derwin, and Rico Medina

1.0 CALL TO ORDER/ ROLL CALL

Chair Horsley called the meeting to order at 9:00 a.m. Roll call was taken.

Members Present:

C/CAG Members:

Diane Papan, Maryann Moise Derwin, Alicia Aguirre (arrived 9:15 a.m.)

SMCTA Members:

Don Horsley, Rico Medina, Emily Beach

Members Absent:

None.

Staff Present:

Sandy Wong – Executive Council

Jim Hartnett – Executive Council

Mima Guilles – Secretary

Tim Fox – Legal Counsel

Matthew Click – Program/Policy Manager (PPM) for SMCEL JPA, HNTB

Sean Charpentier, Van Ocampo – C/CAG staff supporting SMCEL JPA

April Chan, Derek Hansel, Joe Hurley, Jessica Epstein – SMCTA staff supporting SMCEL JPA

Autumn Bernstein – ARUP

Khalilha Haynes – Estolano Advisors

Other members of staff and the public were in attendance.

2.0 BRIEF OVERVIEW OF TELECONFERENCE MEETING PROCEDURES

Mima Guilles, Secretary, provided an overview of the teleconference meeting procedures.

3.0 PUBLIC COMMENT

Note: Public comment is limited to two minutes per speaker. Public comment permitted on both items on the agenda and items not on the agenda.

Mima Guilles, Secretary, reported there was no public comment submitted before the meeting. There was no public comment.

4.0 APPROVAL OF CONSENT AGENDA

This item is to set the final consent and regular agenda, and to approve the items listed on the consent agenda. All items on the consent agenda are approved by one action. There will be no separate discussion on these items unless members of the Board, staff or public request specific items to be removed for separate action.

Sean Charpentier, C/CAG Program Director supporting SMCEL JPA, announced that staff issued an addendum to item 4.2 to the public and to the Board. The addendum identifies that the financial report includes the operating loan balances but does not change the recommendation or financial statement.

Director Medina MOVED approval of Items 4.1 and 4.2. Director Beach SECONDED. Roll call was taken. **MOTION CARRIED 5-0-0 (Director Aguirre-Absent)**

4.1 Approval of the minutes of Board of Directors regular business meeting No. 14.
Dated August 14, 2020. APPROVED

4.2 Accept the Sources and Uses of Funds for the FY21 Period Ending July 31, 2020.
APPROVED

5.0 REGULAR AGENDA

5.1 Receive a presentation on the Equity Study Guiding Document, Public Engagement Strategy, and project status and schedule. INFORMATION

Autumn Bernstein and Khalilha Haynes, from ARUP and Estolano Advisors respectively, provided a presentation on the Equity Study Guiding Document, Public Engagement Strategy, and project status and schedule.

Director Beach commented that the presentation was a great overview; she was fascinated that 5% of the peak commute hour trips are made by low income commuters; she was glad to hear that we are looking at the standard of 2 times the federal poverty level which was used in Los Angeles; she wanted to ensure that the outreach encouraged maximum participation; she appreciated that exploration of transit solutions; and she asked if Car Share should be included in this analysis.

Director Aguirre, who participates in the Equity Study, thanked Autumn and team for the presentation and all their hard work.

Chair Horsley thanked Autumn and her team for the presentation.

Director Papan asked if there was a cost estimate for implementing equity strategies and noted that we would like to get the most bang for our buck.

Autumn Bernstein responded that we will return to the Board in December with the results of the community engagement strategy as well as the analysis of the target population and travel behavior. Then our next step is to create potential program alternatives, including potential cost. We anticipate bringing draft alternatives to the SMCEL-JPA Board early next year.

6.0 REPORTS

a) Chairperson Report.

None.

b) Member Communication.

Member Papan asked if the \$100 million bond has been closed.

Derek Hansel, SMCTA staff, reported that the \$100 million in bonds has gone to the market on Wednesday. Bonds were sold in two tranches, with \$50 million in bonds to be remarketed every single week and another \$50 million in bonds to be remarketed on a daily basis. The average interest rate, as of today, between the two is .085% providing an in all cost of capital to the SMCTA of just under 0.5%, and an effective cost to the JPA with the credit enhancement fee of just under 1%.

c) Executive Council Report - Executive Council Verbal Report.

Jim Harnett, Executive Council, congratulated the team for doing a great job and getting the bonds out to the market.

Sandy Wong, Executive Council, echoed the appreciation and thanked the Ad Hoc Committee and staff team for the closing of the Bond Loan. She reported that at the direction provided by the Board at last month's meeting, and with the Ad Hoc committee's review, the letter to MTC regarding Bay Area Express Lanes has been sent, and also shared with other county transportation agency planning staff in the Bay Area.

d) Policy/Program Manager Report.

Matt Click, PPM, reported that there will be a series of toll policy conversations starting next month and leading to action next year. We will have informational items related to the toll policies and other agreements at the October, November, February, and March SMCEL-JPA Board meetings. Staff will bring action items to the Board in April, May, June and July 2021. Toll Policy actions will be integrated with the Equity Study efforts. There is an executive staff workshop with BAIFA on September 22, 2020 to start working through the Operating and Maintenance Agreement with BAIFA.

7.0 WRITTEN COMMUNICATIONS

- 7.1 Letter from Executive Council, Sandy Wong and Jim Hartnett, San Mateo County Express Lanes Joint Powers Authority, to Therese W. McMillan, Executive Director, Metropolitan Transportation Commission, dated 8/25/20. RE: Bay Area Express Lanes Project Performance in Plan Bay Area 2050.

8.0 NEXT REGULAR MEETING

October 16, 2020

9.0 ADJOURNMENT – 9:54 a.m.

San Mateo County Express Lanes Joint Power Authority

Agenda Report

Date: October 16, 2020

To: San Mateo County Express Lanes Joint Powers Authority (SMCEL-JPA) Board of Directors

From: Executive Council

Subject: Accept the Sources and Uses of Funds for the FY20 Period Ending June 30, 2020
(For further information, contact Derek Hansel, CFO, at 650-508-6466)

RECOMMENDATION

That the SMCEL-JPA Board accept and enter into the record the Sources and Uses of Funds for the FY20 Period Ending June 2020.

The statement columns have been designed to provide year to date current actuals for the current fiscal year and the annual budget for the current fiscal year.

BACKGROUND

Year to Date Sources of Funds: As of June year-to-date, the Total Sources of Funds are \$889,390, which represent the installments of the loan amount under the two operating loan agreements between the SMCEL-JPA, the San Mateo County Transportation Authority and the City/County Association of Governments.

Year to Date Uses of Funds: As of June year-to-date, the Total Uses of Funds are \$971,427. Major expenses are in Staff Support \$416,347, Administrative Overhead \$53,635, Legal Services \$40,622 and Consultant \$437,708.

Budget Amendment:

There are no budget amendments for the month of June 2020.

Other Information:

Loan payables represent loan advance payments received since the formation of the SMCEL-JPA from the the San Mateo County Transportation Authority and the City/County Association of Governments. Loan advances will be repaid on a monthly basis and no later than five years after the San Mateo County 101 Express Lanes Project begins operations and receives toll revenues.

ATTACHMENT

1. Sources and Uses of Funds Fiscal Year 2020 (June 2020)

SAN MATEO COUNTY EXPRESS LANE JPA
SOURCES AND USES OF FUNDS
Fiscal Year 2020
June 2020

UNAUDITED

	ACTUAL		BUDGET	
	As of 6/30/2020		Annual	
SOURCES OF FUNDS:				
	Advance from the City/County Association of Governments of San Mateo County	\$ 444,695	\$	872,456
1	Advance from the San Mateo County Transportation Authority	444,695		872,456
2	TOTAL SOURCES OF FUNDS	889,390		1,744,911
USES OF FUNDS:				
3	Staff Support	416,347		610,276
4	Administrative Overhead	53,635		53,635
5	Business Travel	-		3,000
6	Office Supplies	413		3,000
7	Printing and Information Svcs	-		5,000
8	Legal Services	40,622		50,000
9	Consultant	437,708		880,000
10	Insurance	5,384		-
11	Miscellaneous	17,319		140,000
12	TOTAL USES OF FUNDS	971,427		1,744,911
13	EXCESS (DEFICIT)	\$ (82,037)	\$	-
Additional Information:				
	Loan payables to the City/County Association of Governments of San Mateo County	\$ 444,695	*	
	Loan payables to the San Mateo County Transportation Authority	\$ 444,695	*	
* \$319,695 was received after June 30, 2020.				

San Mateo County Express Lanes Joint Power Authority

Agenda Report

Date: October 16, 2020

To: San Mateo County Express Lanes Joint Powers Authority (SMCEL-JPA) Board of Directors

From: Executive Council

Subject: Accept the Sources and Uses of Funds for the FY21 Period Ending August 31, 2020

(For further information, contact Derek Hansel, CFO, at 650-508-6466)

RECOMMENDATION

That the SMCEL-JPA Board accept and enter into the record the Sources and Uses of Funds for the FY21 Period Ending August 2020.

The statement columns have been designed to provide year to date current actuals for the current fiscal year and the annual budget for the current fiscal year.

BACKGROUND

Year to Date Sources of Funds: As of August year-to-date, the Total Sources of Funds are \$0, because there have not been advances for FY21 under the two operating loan agreements between the SMCEL-JPA, the San Mateo County Transportation Authority and the City/County Association of Governments.

Year to Date Uses of Funds: As of August year-to-date, the Total Uses of Funds are \$86,072. Major expenses are in Staff Support \$49,879, Administrative Overhead \$8,902, and Consultant \$26,846.

Budget Amendment:

There are no budget amendments for the month of August 2020.

Other Information:

Loan payables represent loan advance payments received since the formation of the SMCEL-JPA from the San Mateo County Transportation Authority and the City/County Association of Governments. Loan advances will be repaid on a monthly basis and no later than five years after the San Mateo County 101 Express Lanes Project begins operations and receives toll revenues.

ATTACHMENT

1. Sources and Uses of Funds Fiscal Year 2021 (August 2020)

SAN MATEO COUNTY EXPRESS LANE JPA
SOURCES AND USES OF FUNDS
Fiscal Year 2021
August 2020

	ACTUAL	BUDGET
	As of 8/31/2020	Annual
SOURCES OF FUNDS:		
Advance from the City/County Association of Governments of San Mateo County	\$ -	\$ 917,244
1 Advance from the San Mateo County Transportation Authority	-	1,270,463
2 TOTAL SOURCES OF FUNDS	-	2,187,707
USES OF FUNDS:		
3 Staff Support	49,879	814,700
4 Administrative Overhead	8,902	53,415
5 Business Travel	-	3,000
6 Office Supplies	-	3,000
7 Printing and Information Svcs	-	5,000
8 Legal Services	-	60,000
9 Consultant	26,846	1,171,432
10 Insurance	-	-
11 Miscellaneous	445	77,160
12 TOTAL USES OF FUNDS	86,072	2,187,707
13 EXCESS (DEFICIT)	\$ (86,072)	\$ -
Additional Information:		
Loan payables to the City/County Association of Governments of San Mateo County	\$ 444,695	
Loan payables to the San Mateo County Transportation Authority	\$ 444,695	

San Mateo County Express Lanes Joint Powers Authority Agenda Report

Date: October 16, 2020

To: San Mateo County Express Lanes Joint Powers Authority (SMCEL-JPA) Board of Directors

From: Matthew Click, Policy and Program Manager (PPM)

Subject: Receive a presentation providing an overview of a Toll Ordinance.

(For further information please contact Matthew Click at (703) 999-8444)

RECOMMENDATION

That the SMCEL-JPA Board receive a presentation providing an overview of a Toll Ordinance. No Board action is required.

FISCAL IMPACT

This is an informational item. There is no fiscal impact related to receiving this information.

SOURCE OF FUNDS

NA

BACKGROUND

The opening of the first Phase of the San Mateo County Highway 101 Express Lanes project (Santa Clara County line to Whipple Ave.) is scheduled for the late fall 2021. Over the next 10 months, the SMCEL-JPA Board of Directors will consider and approve multiple documents and/or programs related to the operation of the express lanes, including the following:

1. Toll Ordinance
2. Bay Area Infrastructure Financing Authority (BAIFA) Operations and Maintenance (O&M) Agreement
3. Bay Area Toll Authority (BATA) Agreement
4. Caltrans Maintenance Agreement
5. California Highway Patrol (CHP) Agreement
6. SMECEL-JPA Equity Program

At the October 16, 2020 SMCEL-JPA Board Meeting, staff will present an informational presentation on the key elements of the Toll Ordinance. See Attachment 1.

ATTACHMENT

1. PowerPoint presentation on an Overview of Toll Ordinance.



Overview of Toll Ordinance

SMCEL-JPA Board

October 16, 2020

Purpose

- Introduce upcoming items for approval in 2021
- Overview of agreements for operations
- Provide a framework for policy information and decisions, starting with the Toll Ordinance

Schedule

Today



Legend

- ◆ Informational
- ★ Board Action

Agreements for Operations

Agreement	Scope
Cooperative Agreement with Bay Area Infrastructure Financing Authority (BAIFA) for Operations & Maintenance Toll System	<ul style="list-style-type: none">• Collect toll transactions and traffic data• Build EL trips and sends them to the RCSC• Monitor system performance• Provide roadway operations• Maintain the system equipment and software
FasTrak Regional Customer Service Center (RCSC) Agreement with Bay Area Toll Authority (BATA)	<ul style="list-style-type: none">• Post tolled trips to FasTrak accounts• Process payments• Provide customer service• Process/enforce toll violations

Agreements for Operations

Agreement	Scope
Express Lanes Maintenance Agreement with Caltrans	<ul style="list-style-type: none">• Maintain civil infrastructure on State Right of Way
Traffic Enforcement Services Agreement with CHP	<ul style="list-style-type: none">• Visually verify declared occupancy• Issue HOV violations

Toll Ordinance

- Needed to establish:
 - Tolls and a toll collection process for SM-101 express lanes
 - Civil penalties for the evasion of those tolls or noncompliance with other policies set forth in the ordinance
 - A program that addresses how motorists can enroll and participate in the toll facility program
- Contents:
 - Express lane tolls
 - Hours of operations
 - Discounts & exemptions
 - Toll collection process
 - Toll violation process and penalties



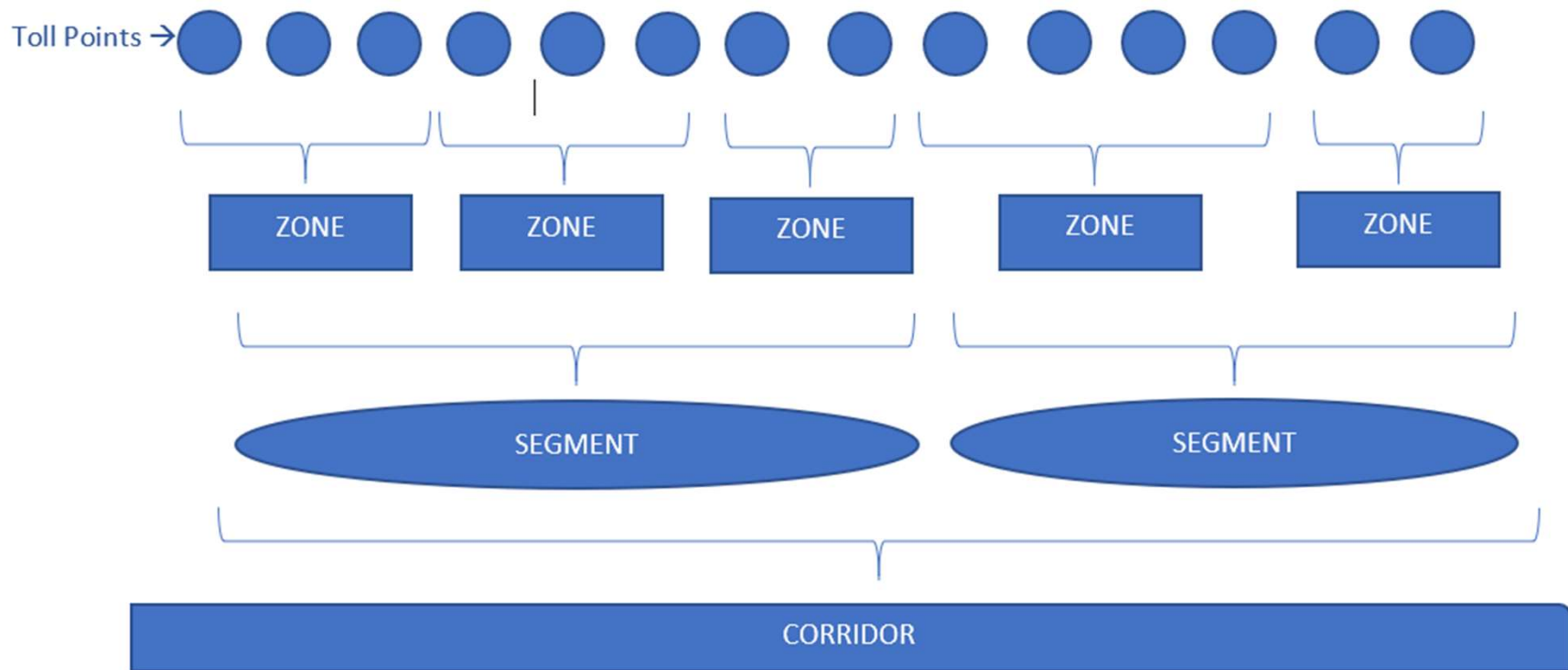
Key Considerations

- Caltrans has statutory authority over the State Right of Ways
- Caltrans and express lane operators closely coordinate to provide drivers/customers with a consistent roadway experience
- Express lane operators closely coordinate to collect and enforce tolls in the same manner across facilities to reduce confusion and provide a consistent customer experience
- There are some policies that are necessary to meet a specific need (ex: equity program); these should be integrated into the existing regional toll “ecosystem”

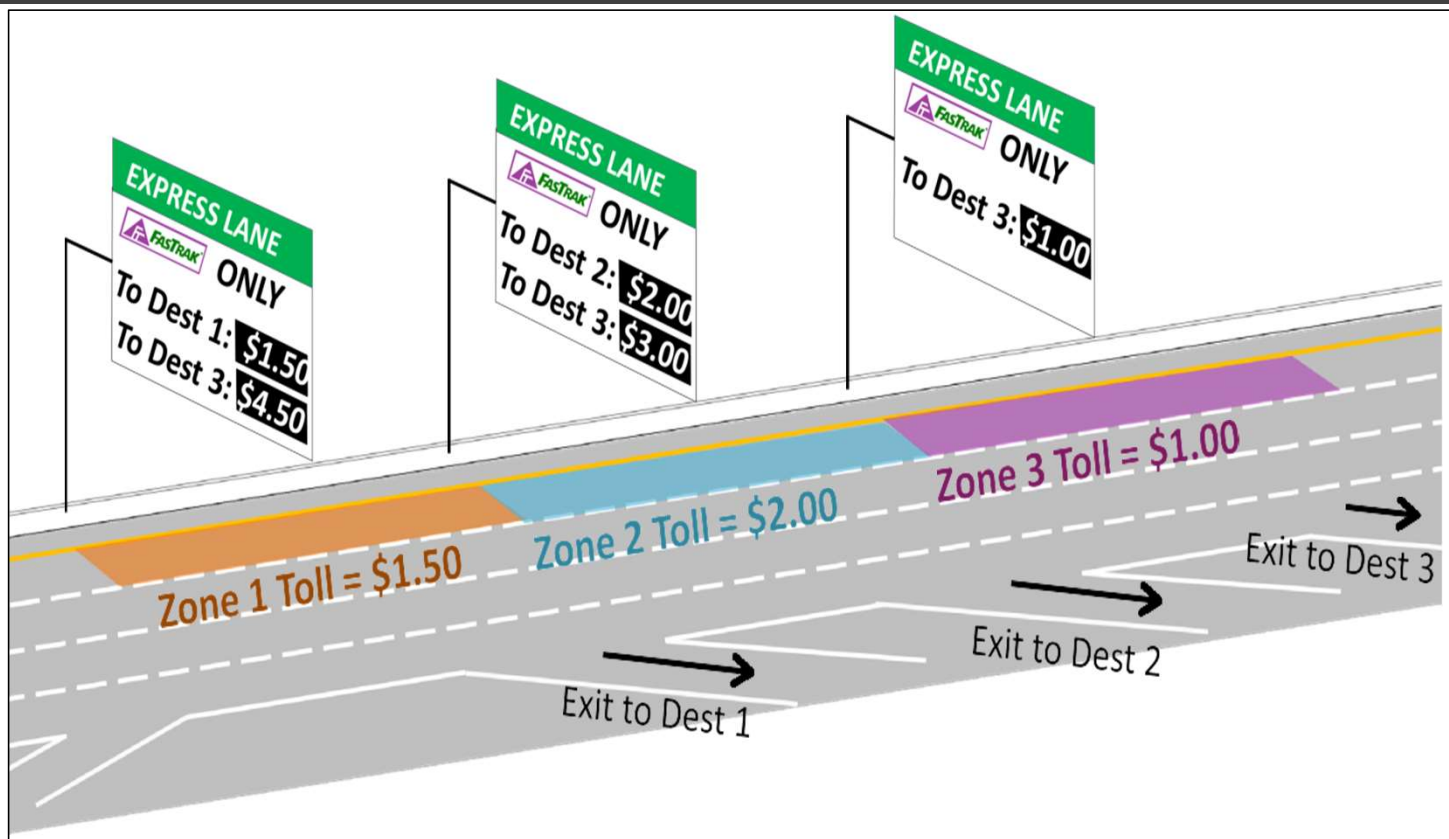
Examples of Operations Variables

Topic	I-680/I-880 (BAIFA)	SR 237 (VTA)	I-580 (ACTC)
Hours of Operations	Monday to Friday from 5AM to 8PM	Monday to Friday from 5AM to 8PM	Monday to Friday from 5AM to 8PM
Toll Pricing	Dynamic pricing	Dynamic pricing	Dynamic pricing
Minimum toll	\$0.50 per zone	\$0.30 per zone	\$0.50 per zone
Maximum toll	No maximum; operational cap	\$8.00 hard cap	No maximum
Discounts	50% CAV/HOV 2, 100% HOV 3+	HOV 2 posted: 100% HOV 2, 50% CAV HOV3+ posted: 50% CAV/HOV 2, 100% HOV 3+	HOV2 posted: 100% HOV 2, 50% CAV HOV3+ posted: 50% CAV/HOV 2, TBD% HOV 3+

Refresher: Express Lane Pricing

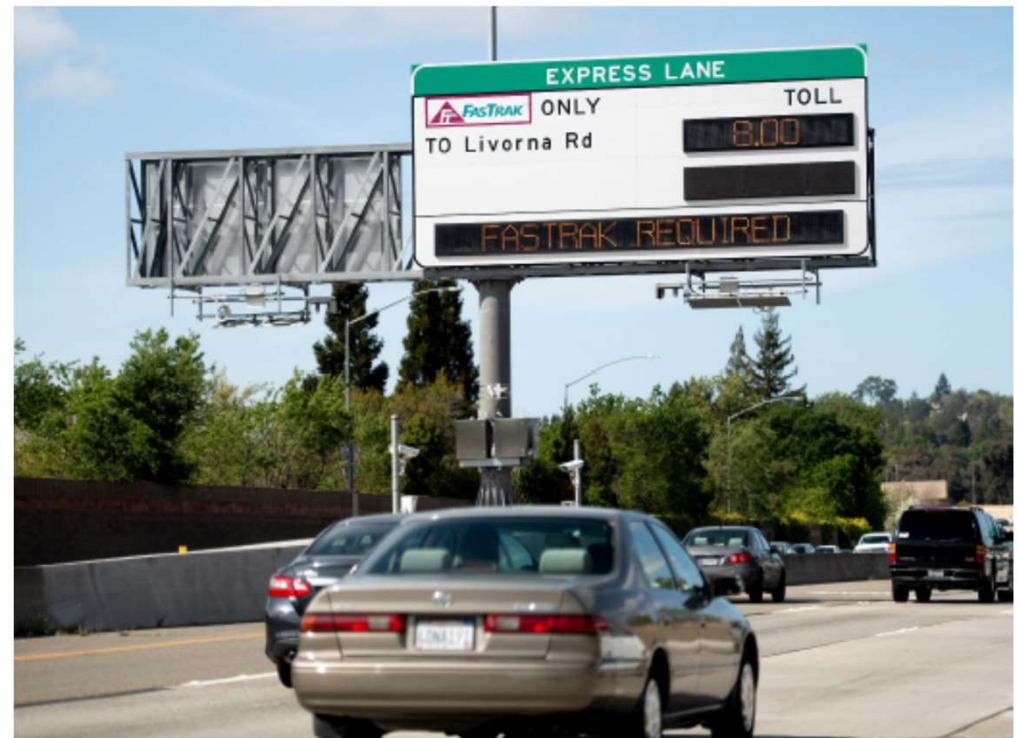


Refresher: Express Lane Pricing



Express Lane Tolls

- Motorists entering the lane will be charged a toll unless they are exempt
- Toll pricing will be based on demand
- Express Lanes will be priced dynamically and in real-time
- Current toll prices will be displayed on signs
- Price charged is based on the last pricing sign seen by a motorist before entering the zone or segment

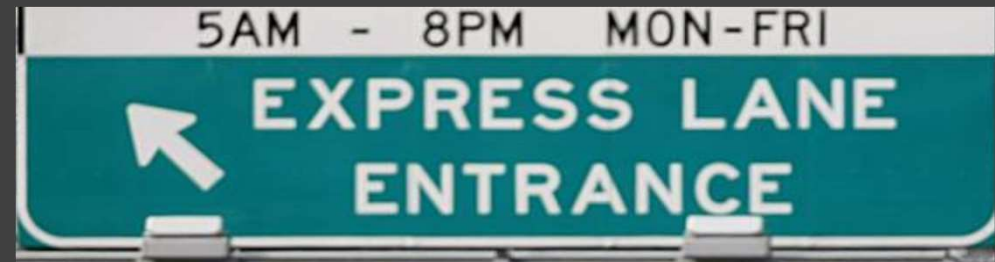


Toll Collection Process

- Single Occupancy Vehicles may pay tolls with FasTrak® account
- Toll free or discounted travel for carpools, van pools, and motorcycles must pay with FasTrak Flex®
- Eligible Clean Air Vehicles must use FasTrak CAV set to '1' or '2' based on occupancy to pay half-price tolls (if set to '3+', CAVs travel toll-free)



Hours of Operations



- HOV hours determined in consultation with Caltrans & MTC (*California Code, Vehicle Code - VEH § 21655.6*)
- Regional Peak hours: Monday through Friday from 5 AM to 8PM
- Outside of these hours the lanes function as general purpose lanes

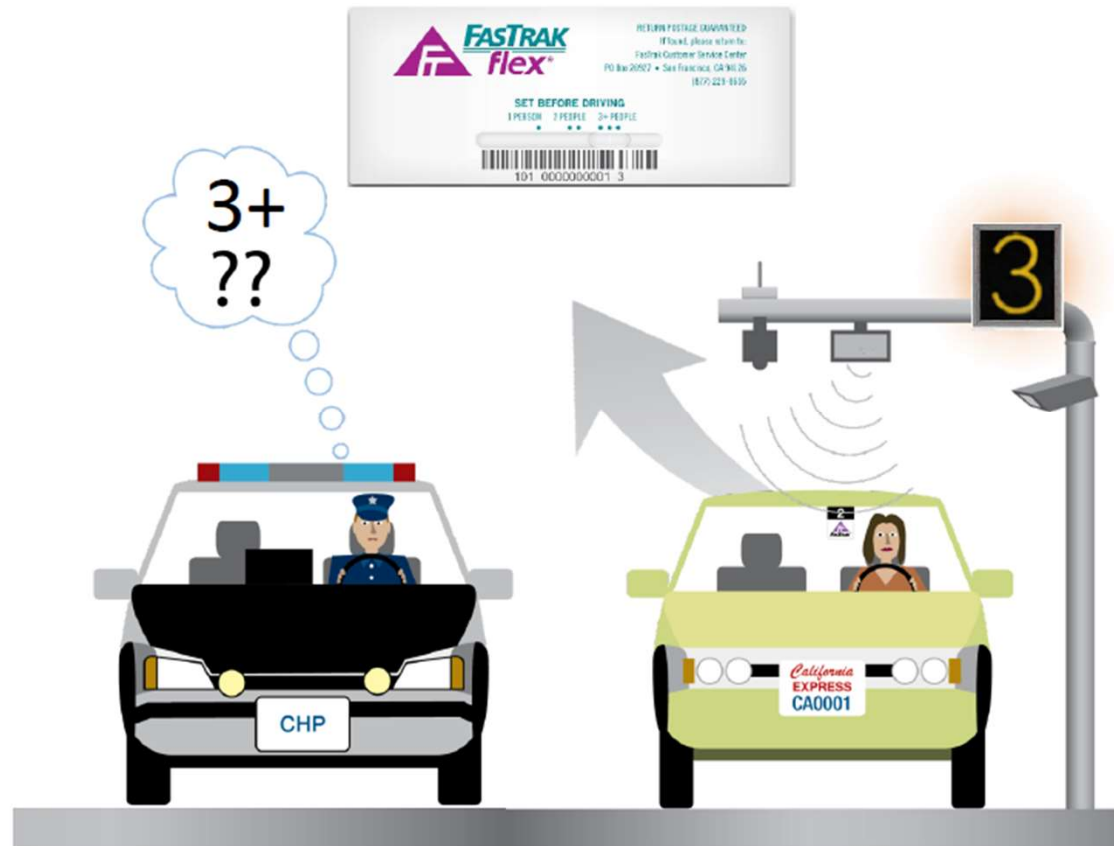
Common Discounts & Exemptions

- Exemptions:
 - Motorcycles
 - Public transportation vehicles and over-the-road buses that serve the public
 - CHP policing the lanes
 - Authorized emergency vehicles (exempt plate, responding to emergency, etc.)
- Discounts:
 - High-Occupancy Vehicles with two or more passengers (**HOV2+**)
 - Clean Air Vehicles (CAVs) displaying a valid DMV decal
 - High-Occupancy Vehicles with three or more passengers (**HOV3+**)
- Potential Equity Program Discounts

Types of Express Lane Violations

- Toll Violation
 - Toll system captures a vehicle without a FasTrak transponder
 - BATA's FasTrak RCSC sends a toll violation for the toll amount + penalty
 - Automated process; takes several days to issue a violation via mail
- HOV Violation
 - CHP officer visually verifies occupancy
 - If there are fewer occupants than declared, CHP pulls over issues an HOV citation
 - Manual process; happens at the time the offense is committed

Occupancy Enforcement Beacons



HOV Enforcement

California Highway Patrol (CHP)

- HOV Citations (Visual Occupancy Verification based on Beacon and System Portal)
- Moving Violations
- **NOT** Toll Violations



Bay Area Express Lanes Portal

Enforcement Lookup System

Log On

User Name:

Password:

[Log On](#)

Tolls Violation Process & Penalties

- Procedures and penalties are consistent among Bay Area toll operations for State-owned toll bridges and express lanes
- Violations processed through Regional Customer Service Center (RCSC)
- Unpaid violations escalate to collections and DMV registration holds

Penalties for Violations

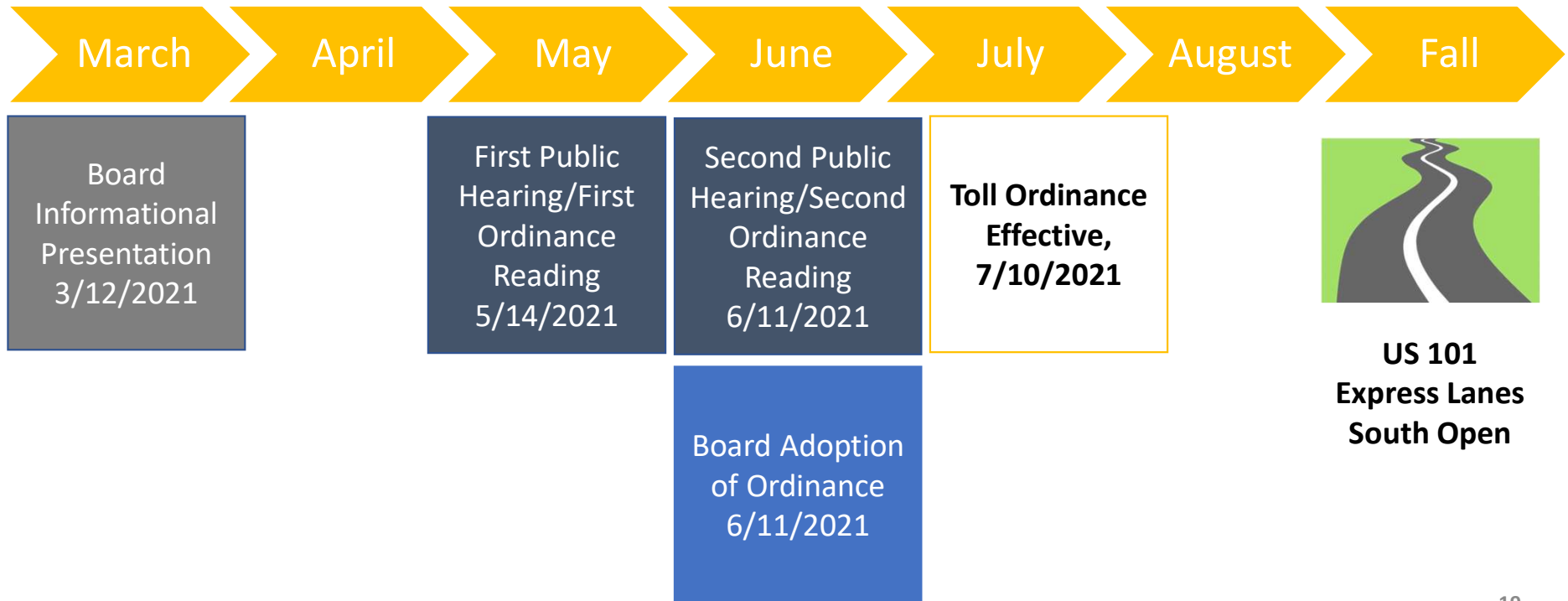
Toll evasion penalty = \$25 + Toll

Delinquent penalty = \$25 + \$45 (late fee) + Toll

Penalty waived for first time violators

Toll Ordinance Adoption Schedule

2021



SM 101
EXPRESS LANES PROJECT



Thank You

SMCEL-JPA Board
October 16, 2020