

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

Meeting No. 17

**DATE:** Friday, November 13, 2020

**TIME:** 9:00 A.M.

Join by Zoom:

<https://us02web.zoom.us/j/88043396744?pwd=QWpJaDBOc3REMW9ENVdRV0Npa3FaUT09>

Meeting ID: 880 4339 6744

Password: 708842

Join by Phone:

(669) 900-6833

Meeting ID: 880 4339 6744

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

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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](mailto: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. 16 dated October 16, 2020. ACTION p. 1

4.2 Accept the Sources and Uses of Funds for the FY21 Period Ending September 30, 2020. ACTION p. 5

#### 5.0 REGULAR AGENDA

5.1 Receive a presentation on the BAIFA O&M Agreement, the BATA Agreement, Caltrans O&M Agreement, and CHP Agreement. INFORMATION p. 7

#### 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

December 11, 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, 5<sup>th</sup> 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](mailto: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](mailto: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. 16  
October 16, 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

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## 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

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

Samantha Soules – HNTB

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

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

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.

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

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

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

Director Aguirre MOVED approval of items 4.1, 4.2 and 4.3. Director Medina SECONDED. Roll call was taken. **MOTION CARRIED 6-0-0**

### 5.0 REGULAR AGENDA

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

Samantha Soules, HNTB, provided a presentation of the upcoming agreements and actions necessary for the operation of the express lanes, and an overview of the key elements of a Toll Ordinance.

SMCEL-JPA Board members provided the following questions and comments.

- Do other Bay Area Express lanes provide equity discounts? How does the unbanked population get a transponder?
- How does the region establish its express lane standards, and how much can we differ from those standards? Will the toll policies be consistent with connected express lanes like SR 237? San Mateo County is different because of the high number of corporate shuttles and clean air vehicles. How to balance a seamless experience for drivers across different express lanes with the unique characteristics in San Mateo County?

- Can toll policies, for example the discount for clean air vehicles, be flexible and amended over time? How to balance equity concerns and the discount for clean air vehicles? The JPA Board will have to consider the policy pros and cons of the different options for maximum toll caps, including the no maximum toll cap option. How will the toll ordinance address public transit express buses and private buses?
- How much time do CHP officers dedicate to monitoring express lanes? Does the CHP have the necessary resources to enforce toll violations? Can HOV violations be removed through driving school? Are the penalties consistent in the region? Is there technology that can identify and enforce occupancy violations through cameras? Are there penalties issued via license plate readers? Will CHP enforcement of express lanes redirect CHP resources from other parts of the County?
- Will there be public outreach informing drivers of the need for a transponder before the opening?
- Is the region addressing how to accommodate autonomous vehicles in express lanes?

Samantha Soules, and other staff, provided verbal responses where possible, and noted which topics would be more fully addressed in future SMCEL-JPA Board meetings.

Drew, a Member of the Public, asked how two-seated vehicles would be treated and asked for more detail about clean air vehicles in future presentations.

## 6.0 REPORTS

### a) Chairperson Report.

None.

### b) Member Communication.

None.

### c) Executive Council Report - Executive Council Verbal Report.

Sandy Wong, Executive Council had no report.

Jim Hartnett, Executive Council provided a brief update on the RR Measure.

### d) Policy/Program Manager Report.

Matt Click, Policy/Program Manager, thanked Sandy Wong and April Chan for all their leadership as Executive Council and staff.

## 7.0 WRITTEN COMMUNICATIONS

None.

8.0 NEXT REGULAR MEETING

November 13, 2020

9.0 ADJOURNMENT – 10:10 a.m.

## **San Mateo County Express Lanes Joint Powers Authority Agenda Report**

Date: November 13, 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 September 30, 2020  
(For further information, contact Derek Hansel, CFO, at HanselD@samtrans.com)

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### **RECOMMENDATION**

That the SMCEL-JPA Board accept and enter into the record the Sources and Uses of Funds for the FY21 Period Ending September 30, 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 September 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 September year-to-date, the Total Uses of Funds are \$170,273. Major expenses are in Staff Support \$74,038, Administrative Overhead \$13,354, and Consultant \$81,881.

Budget Amendment:

There are no budget amendments for the month of September 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 (September 2020)

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

	ACTUAL	BUDGET
	As of 9/30/2020	Annual
<b>SOURCES OF FUNDS:</b>		
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
<b>2 TOTAL SOURCES OF FUNDS</b>	<b>-</b>	<b>2,187,707</b>
<b>USES OF FUNDS:</b>		
3 Staff Support	74,038	814,700
4 Administrative Overhead	13,354	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	81,881	1,171,432
10 Insurance	-	-
11 Miscellaneous	1,000	77,160
<b>12 TOTAL USES OF FUNDS</b>	<b>170,273</b>	<b>2,187,707</b>
<b>13 EXCESS (DEFICIT)</b>	<b>\$ (170,273)</b>	<b>\$ -</b>
<b>Additional Information:</b>		
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: November 13, 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 on the BAIFA O&M Agreement, the BATA Agreement, Caltrans O&M Agreement, and CHP Agreement.

(For further information please contact Matthew Click at [mclick@hntb.com](mailto:mclick@hntb.com))

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### **RECOMMENDATION**

That the SMCEL-JPA Board receive a presentation on the BAIFA O&M Agreement, the BATA Agreement, Caltrans O&M Agreement, and CHP Agreement.

### **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 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 Operations and Maintenance (O&M) Agreement
5. California Highway Patrol (CHP) Agreement
6. SMECEL-JPA Equity Program

At the November 13, 2020 SMCEL-JPA Board Meeting, staff will provide a presentation on key elements of the BAIFA O&M Agreement, the BATA Agreement, Caltrans O&M Agreement, and CHP Agreement.

### **ATTACHMENT**

1. PowerPoint presentation is being finalized and will be provided on-line at:  
<http://www.ccag.ca.gov/express-lane-jpa/>