

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

Meeting No. 45

Date: Friday, February 10, 2023 Time: 9:00 A.M.	Join by Webinar: https://us02web.zoom.us/j/89866024976?pwd=SDZWTVVQQjkvR3pMdG1ROWVrc3A2dz09 Webinar ID: 898 6602 4976 Password: 021023 Join by Phone: (669) 900-6833
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Board of Directors: Rico E. Medina (Chair), Alicia Aguirre (Vice Chair), Gina Papan, Emily Beach, Michael Salazar and Carlos Romero

On September 16, 2021, the Governor signed AB 361, which amended certain provisions of the Ralph M. Brown Act in order to allow for local legislative bodies to conduct their meetings remotely via telephonically or by other electronic means under specified circumstances. Thus, pursuant to Government Code section 54953(e), the SMCEL-JPA Board meeting will be conducted via remote conferencing. 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 mcrume@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 ON ITEMS NOT ON THE AGENDA
Note: Public comment is limited to two minutes per speaker.
- 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 Review and approval of Resolution SMCEL 23-03 finding that, as a result of the continuing COVID-19 pandemic state of emergency declared by Governor Newsom, meeting in person would present imminent risks to the health or safety of attendees. ACTION p. 1
- 4.2 Approval of the minutes of Board of Directors regular business meeting No. 44 dated January 13, 2023. ACTION p. 6
- 4.3 Accept the Sources and Uses of Funds for the FY23 Period Ending December 31, 2022. ACTION p. 11
- 4.4 Review and approve the corrected 2023 calendar of SMCEL-JPA Board Meetings. ACTION p. 13
- 4.5 Review and approval of Resolution SMCEL 23-05, authorizing the Executive Council of San Mateo County Express Lanes Joint Powers Authority (SMCEL-JPA) to execute the Amendment to the Cooperative Agreement between the Bay Area Infrastructure Financing Agency (BAIFA), SMCEL-JPA, San Mateo County Transportation Authority (SMCTA) and City/County Association of Governments of San Mateo (C/CAG), making available excess funds from the Toll System Integration Phase of the SM101 Express Lanes Project for the construction of the highway landscaping phase. ACTION p. 14

5.0 REGULAR AGENDA

- 5.1 Approval of Resolution SMCEL 23-02 on the Amendment of the Fiscal Year (FY) 2023 SMCEL-JPA Revised Budget. ACTION p. 18
- 5.2 Receive update on the US 101 Express Lanes operations from Whipple Ave. to the San Mateo /Santa Clara County line, in addition to a presentation on the Community Transportation Benefits Program and associated marketing efforts. INFORMATION p. 23
- 5.3 Review and Approval of Resolution SMCEL 23-04 authorizing the negotiations and execution of a funding agreement amendment to the agreement with Samaritan House for the continuation of administrative services for the San Mateo 101 Express Lanes Community Transportation Benefits Program, extending the contract term through the end of Fiscal Year 2024 for an additional amount not to exceed \$50,000. ACTION p. 50
- 5.4 Receive an update on the opening of the US 101 Express Lane northern segment. INFORMATION

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

March 10, 2023

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 Courtyard, 555 County Center, Redwood City, 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 Crume at mcrume@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 Crume 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 mcrume@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 SMCELJPA Board members, made publicly available on the Express Lanes website along with the agenda. 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 Crume, Clerk - (650) 599-1406

San Mateo County Express Lanes Joint Powers Authority Agenda Report

Date: February 10, 2023

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

From: Executive Council

Subject: Review and approval of Resolution SMCEL 23-03 finding that, as a result of the continuing COVID-19 pandemic state of emergency declared by Governor Newsom, meeting in person would present imminent risks to the health or safety of attendees.

(For further information please contact Timothy Fox at tfox@smcgov.org)

RECOMMENDATION

Review and approval of Resolution SMCEL 23-03 finding that, as a result of the continuing COVID-19 pandemic state of emergency declared by Governor Newsom, meeting in person would present imminent risks to the health or safety of attendees.

FISCAL IMPACT

There is no fiscal impact associated with this item.

SOURCE OF FUNDS

None.

BACKGROUND

On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which rescinded his prior Executive Order N-29-20 and set a date of October 1, 2021 for public agencies to transition back to public meetings held in full compliance with the Brown Act. The original Executive Order provided that all provisions of the Brown Act that required the physical presence of members or other personnel as a condition of participation or as a quorum for a public meeting were waived for public health reasons. If these waivers fully sunset on October 1, 2021, legislative bodies subject to the Brown Act would have to contend with a sudden return to full compliance with in-person meeting requirements as they existed prior to March 2020, including the requirement for full physical public access to all teleconference locations from which board members were participating.

On September 16, 2021, the Governor signed AB 361, a bill that formalizes and modifies the teleconference procedures implemented by California public agencies in response to the Governor's Executive Orders addressing Brown Act compliance during the COVID-19 emergency. AB 361 allows a

local agency legislative body to continue to use teleconferencing under the same basic rules as provided in the Executive Orders when certain circumstances occur or when certain findings have been made and adopted by the legislative body.

AB 361 provides that Brown Act legislative bodies must return to in-person meetings on October 1, 2021, unless they choose to continue with fully teleconferenced meetings because a specific declaration of a state or local health emergency is appropriately made. AB 361 allows legislative bodies to continue to conduct virtual meetings as long as there is a gubernatorially-proclaimed public emergency in combination with (1) local health official recommendations for social distancing or (2) adopted findings that meeting in person would present an imminent risk to health or safety. AB 361 is effective immediately as urgency legislation and will sunset on January 1, 2024.

AB 361 also requires that, if the state of emergency remains active for more than 30 days, the legislative body must make findings by majority vote every 30 days to continue using the bill's exemption to the Brown Act teleconferencing rules. Specifically, the legislative body must find that the need for teleconferencing persists due to risks posed by the ongoing state of emergency. Effectively, this means that local agencies must either agendaize a Brown Act meeting once every thirty days to make these findings, or, if a local agency has not made such findings within the prior 30 days, the local agency must re-adopt the initial findings if it wishes to conduct a remote meeting.

Public Agencies that want to continue with the option for remote meetings due to the COVID-19 emergency are preparing to bring findings to their elective bodies. The San Mateo County Board of Supervisors approved a similar resolution on consent at the September 28, 2021 meeting. On October 8, 2021, the SMCEL-JPA approved resolution 21-15 making the findings necessary for remote meetings; the Board has subsequently adopted similar resolutions making findings to continue remote meetings.

DISCUSSION

The County's high vaccination rate, successfully implemented local health measures (such as indoor masking), and best practices by the public (such as voluntary social distancing) have proven effective, in combination, at controlling the local spread of COVID-19.

However, reducing the circumstances under which people come into close contact remains a vital component of the County's COVID-19 response strategy. While local agency public meetings are an essential government function, the last 18 months have demonstrated that conducting such meetings virtually is feasible.

Public meetings pose high risks for COVID-19 spread for several reasons. These meetings bring together people from throughout a geographic region, increasing the opportunity for COVID-19 transmission. Further, the open nature of public meetings makes it difficult to enforce compliance with vaccination, physical distancing, masking, cough and sneeze etiquette, or other safety measures. Moreover, some of the safety measures used by private businesses to control these risks may be less effective for public agencies.

These factors combine to make in-person public meetings imminently risky to health and safety.

We recommend that the Board avail itself of the provisions of AB 361 allowing continuation of remote meetings by adopting findings to the effect that conducting in-person meetings would present an

imminent risk to the health and safety of attendees. A resolution to that effect, and directing staff to take such other necessary or appropriate actions to implement the intent and purposes of the resolution, is attached hereto.

ATTACHMENT

1. Resolution SMCEL 23-03

RESOLUTION SMCEL 23-03

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN MATEO COUNTY EXPRESS LANES JOINT POWERS AUTHORITY (SMCEL-JPA) FINDING THAT, AS A RESULT OF THE CONTINUING COVID-19 PANDEMIC STATE OF EMERGENCY, MEETING IN PERSON FOR MEETINGS OF THE SMCEL-JPA BOARD OF DIRECTORS WOULD PRESENT IMMINENT RISKS TO THE HEALTH OR SAFETY OF ATTENDEES.

RESOLVED, by the Board of Directors of the San Mateo County Express Lanes Joint Powers Authority (SMCEL-JPA) that,

WHEREAS, on March 4, 2020, pursuant to California Government Code section 8550, *et seq.*, Governor Newsom proclaimed a state of emergency related to the COVID-19 novel coronavirus, and subsequently, the San Mateo County Board of Supervisors declared a local emergency related to COVID-19, and the proclamation by the Governor and declaration by the Board of Supervisors remain in effect; and

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20, which suspended certain provisions in the California Open Meeting law, Government Code section 54950 *et seq.* (the “Brown Act”), related to teleconferencing by local agency legislative bodies, provided certain requirements were met and followed; and

WHEREAS, on June 11, 2021, the Governor issued Executive Order N-08-21, which extended provisions of Executive Order N-29-20 that waive otherwise-applicable Brown Act requirements related to remote/teleconference meetings by local agency legislative bodies through September 30, 2021; and

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 into law, and AB 361 that provides that a local agency legislative body subject to the Brown Act may continue to meet without complying with the otherwise-applicable requirements in the Brown Act related to remote/teleconference meetings by local agency legislative bodies, provided that a state of emergency has been declared and the legislative body determines that meeting in person would present imminent risks to the health or safety of attendees, and provided that the legislative body makes such findings at least every thirty (30) days during the term of the declared emergency; and

WHEREAS, on January 5, 2022, the Governor issued Executive Order N-1-22, which suspended the original sunset date of AB 361 from January 31, 2022 to March 31, 2022, allowing local agencies to continue to conduct meetings via teleconference under modified rules of AB 361 as the pandemic continues; and

WHEREAS, the SMCEL-JPA Board of Directors concludes that there is a continuing threat of COVID-19 to the community, and that Board meetings have characteristics that give rise to risks to health and safety of meeting participants (such as the increased mixing associated with bringing together people from across the community, the need to enable those who are immunocompromised or unvaccinated to be able to safely continue to participate fully in public governmental meetings, and the challenges with fully ascertaining and ensuring

compliance with vaccination and other safety recommendations at such meetings); and

WHEREAS, the California Department of Public Health (“CDPH”) and the federal Centers for Disease Control and Prevention (“CDC”) caution that the Omicron variant of COVID-19, currently the dominant strain of COVID-19 in the country, is much more transmissible than prior variants of the virus and that even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations; and

WHEREAS, the SMCEL-JPA Board of Directors has an important governmental interest in protecting the health and safety of those who participate in its meetings; and

WHEREAS, on October 8, 2021, the SMCEL-JPA Board of Directors approved Resolution 21-15 making the findings necessary to continue remote meetings and invoked the provisions of AB 361; and

WHEREAS, at subsequent meetings, the SMCEL-JPA Board of Directors has adopted subsequent resolutions making the findings necessary to continue remote meetings for SMCEL-JPA Board of Directors; and

WHEREAS, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, the SMCEL-JPA Board of Directors deems it necessary to find that meeting in person would present imminent risks to the health or safety of attendees, and thus intends to continue to invoke the provisions of AB 361 related to teleconferencing;

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that

1. The recitals set forth above are true and correct.
2. The SMCEL-JPA Board of Directors has reconsidered the circumstances of the state of emergency caused by the spread of COVID-19.
3. The SMCEL-JPA Board of Directors finds that holding meetings of the SMCEL-JPA Board of Directors would present imminent risks to the health or safety of attendees.
4. Staff is directed to take such other necessary or appropriate actions to implement the intent and purposes of this resolution.

PASSED, APPROVED, AND ADOPTED, THIS 10TH DAY OF FEBRUARY, 2023.

Rico E. Medina, Chair

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

Meeting No. 44
January 13, 2023

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: Rico E. Medina (Chair), Alicia Aguirre (Vice Chair), Gina Papan, Emily Beach, Michael Salazar and Carlos Romero

1.0 CALL TO ORDER/ ROLL CALL

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

Members Present:

C/CAG Members: Alicia Aguirre, Gina Papan, Michael Salazar

SMCTA Members: Rico E. Medina, Emily Beach, Carlos Romero

Members Absent:

None.

Staff Present:

Sean Charpentier – Executive Council

April Chan - Executive Council

Mima Crume – Clerk of the Board

Tim Fox – Legal Counsel

Kaki Cheung, Van Ocampo – C/CAG staff supporting SMCEL-JPA

Connie Mobley-Ritter, Robert Casumbal – SMCTA staff supporting SMCEL-JPA

Lacy Vong, Christa Cassidy, Monique Fuhrman – HNTB

Other members of staff and the public were in attendance.

2.0 BRIEF OVERVIEW OF TELECONFERENCE MEETING PROCEDURES

Clerk Crume gave a brief overview of the teleconference meeting procedures.

3.0 COVID-19 PANDEMIC STATE OF EMERGENCY

3.1 Review and approval of Resolution SMCEL 23-01 finding that, as a result of the continuing COVID-19 pandemic state of emergency declared by Governor

Newsom, meeting in person would present imminent risks to the health or safety of attendees. APPROVED

Director Romero MOVED to approve item 3.1. Director Salazar SECONDED. Roll call was taken. **MOTION CARRIED 6-0-0**

4.0 PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Note: Public comment is limited to two minutes per speaker.

Clerk Crume reported that there were no public comments.

5.0 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.

5.1 Approval of the minutes of Board of Directors regular business meeting No. 43 dated December 9, 2022. APPROVED

5.2 Accept the Sources and Uses of Funds for the FY23 Period Ending November 30, 2022. APPROVED

Director Aguirre MOVED to approve the consent agenda items 5.1 and 5.2. Director Salazar SECONDED. Roll call was taken. **MOTION CARRIED 6-0-0**

6.0 REGULAR AGENDA

6.1 Approval of Resolution SMCEL 23-02 on the Amendment of the Fiscal Year (FY) 2023 SMCEL-JPA Revised Budget. APPROVED

Chair Medina continued the discussion on Item 6.1 to the February Board meeting due to staff emergency.

6.2 Receive a presentation on the status of the outstanding 2020 Variable Rate Demand Bonds used to fund a portion of the SMCEL-JPA Express Lanes project. INFORMATION

The Board received a presentation on the status of the outstanding 2020 Variable Rate Demand Bonds used to fund a portion of the SMCEL-JPA Express Lanes project. Although inflation is at its highest level, CPI has dropped. Federal Reserve Board is expected to further raise interest rate in the coming year. US Treasury yields is at a high level. The Board will be kept informed with any issues. As of November 30th, of the \$6M in bond proceeds designated to cover interest, \$1.6M has been spent to date, leaving \$4.4M. It is expected that that the \$4.4M of fund balance will last through calendar year 2023.

Board of Director Romero suggests presenting the data in a pie chart format to understand the burn rate of the capitalized interest fund. Connie will add a graph next time to show more details.

Board of Director Beach asked to remind the Board when the bond started. Connie responded September 2020.

Director Papan asked how long would it take for the JPA to develop its own bond rating.

Connie responded that it would require a fully operational corridor and a steady earning stream.

- 6.3 Receive update on the US 101 Express Lanes operations from Whipple Ave. to the San Mateo /Santa Clara County line. INFORMATION

The Board received a presentation update on the US 101 Express Lanes operations from Whipple Ave. to the San Mateo /Santa Clara County line.

Director Papan asked if the incidents are being closely monitored and how a driver would learn about incidents on the corridor.

Lacy responded that BAIFA has a 511 regional operational center, which monitor incidents and its impacts on a daily basis. The variable message signs are the best way of communicating with the drivers..

Vice Chair Aguirre asked where the clipper cards from the Community Transportation Benefits program are being distributed to and whether it is still mostly north county recipients.

Lacy said that the project team is seeing a more even distribution.

Vice Chair Aguirre requested a breakdown of program participants.

Director Papan asked if the team has reached to the service unions.

Lacy said not yet, but will do a follow-up with the service unions.

Director Romero is interested in learning more about the participating core agencies.

Director Beach commented that in next version of the Community Transportation Benefits program, the team can go beyond the core service agencies to distribute the benefits.

Public Member Hedges commented with the 580 program, he has volunteered with MTC and reached out to the service unions and labor councils. Mr. Hedges would be happy to volunteer to help and get the word out. He added that he hopes to make the sign up process convenient and easy for the users.

- 6.4 Receive an update on the opening of the US 101 Express Lane northern segment and a presentation on the public education campaign. INFORMATION

The Board received an update on the opening of the US 101 Express Lane northern segment. The constant rain has hampered the ability of the contractor to complete the remaining field work necessary to begin the end-to-end testing. A key activity is the site commissioning task, which is when zones or blocks of the tolling equipment are tested and calibrated. By the end of the month, the project team expects to complete site commissioning work and start the end-to-end testing. Staff will be able to provide updated and more detailed opening estimate in early February.

Director Papan commented that some of our brand-new lanes have potholes.

Sean has reported the concern to Caltrans. He added that some of the lanes are net new construction and some were overlays. Caltrans is aware of the situation and has informed their maintenance team.

The Board received a presentation update on the 101 Express Lanes public education campaign. Commence tolling on northern segment will be early 2023. The public outreach team aims to launching an awareness campaign two weeks prior to opening. Digital billboards will be installed along the 101 corridor, ads will be broadcasted on radio, gas station ads and multi-lingual media. They have used the same creatives that MTC has shared with them in the 880 and 680 campaign.

Vice Chair Aguirre commented that images on the collateral should represent the diverse county. Chair Medina concurs.

Director Papan commented on the word Flex. She thinks it may take time to educate people on the word “Flex.” Director Romero agrees with Director Papan.

Director Salazar commented that he likes the concept but the use of the word Flex may not capture the essence. He suggests maybe to explore it little more so when people see it, they’ll know this is about express lanes and that there is a new Fastrak version. He also commented that billboards should not have small writing.

Director Beach asked when these graphics are finalized, could these be uploaded into our website. She has added, if the team needs help amplifying the message on Board members’ social channels, it would be great if marketing team could send them the social media posts in different languages.

Public Member Hedges commented that it is important to highlight that customers can lower costs with Flex. That would be an important message to people who are on a budget.

7.0 REPORTS

a) Chairperson Report.

Chair Medina welcomed Directors Romero, Salazar and Papan to the Board. He has added that he and Sean Charpentier was on a Zoom call with a CEO in Foster City last month, who had keen interests on the Express Lanes.

b) Member Communication.

None.

c) Executive Council Report - Executive Council Verbal Report.

Sean Charpentier welcomed the new Board of Directors. He reiterated that there are a lot of interests in the equity program. He would be presenting an overview of the equity program at a webinar to LA Metro.

April Chan welcomed the new Directors to the Board. She has introduced interim CFO Kathleen Kelly. Grace Martinez who was acting CFO has moved on to MTC. Kathleen will be helping through the next budget cycle.

d) Policy/Program Manager Report.

Lacy Vong reported on the equity program, they are in the first initial phase, and they are planning on doing an evaluation of the program in terms of administration and benefits. That will happen after a year of the program. As a reminder, the team is in the middle of doing additional marketing to CBOs. Late summer or early fall, the Board should get a report on the evaluation and recommendation for future changes. Last month, the PPM team has reported on the CHP contract amendment. She has reported that there will be a training and a meeting with CHP next week in preparation for the opening of the northern segment.

8.0 WRITTEN COMMUNICATIONS

None.

9.0 NEXT REGULAR MEETING

February 10, 2023

10.0 ADJOURNMENT – 10:12 a.m.

San Mateo County Express Lanes Joint Powers Authority Agenda Report

Date: February 10, 2023

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 FY23 Period Ending December 31, 2022
(For further information, contact Kathleen Kelly, Interim CFO, at 650-508-6466)

RECOMMENDATION

That the SMCEL-JPA Board accepts and enters into the record the Sources and Uses of Funds for the FY23 Period Ending December 31, 2022.

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

BACKGROUND

Year to Date Sources of Funds: As of December 2022, the Total Sources of Funds are \$3.8 million. It is mainly comprised of toll revenues (\$3.3 million), loan advances (\$0.3 million) under the two operating loan agreements between the SMCEL-JPA, the San Mateo County Transportation Authority, and the City/County Association of Governments of San Mateo County, and the FY21 Carryforward Balance from SMCTA & CCAG (\$0.2 million).

Year to Date Uses of Funds: As of December 2022, the Total Uses of Funds are \$2.8 million. Major expenses are in the categories of FasTrak customer service costs (\$0.9 million), toll operations and maintenance costs (\$0.8 million), consultant costs (\$0.4 million), and staff support costs (\$0.2 million).

Budget Amendment: There are no budget amendments for the month of December 2022.

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 of San Mateo County. 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 2023 (December 2022)

SAN MATEO COUNTY EXPRESS LANE JPA
SOURCES AND USES OF FUNDS
Fiscal Year 2023
December 2022

				BUDGET	
		As of 12/31/22		Annual	
SOURCES OF FUNDS:					
1	Toll Revenue	\$	3,332,522	\$	4,460,000
2	Allocated Bond Funds		8,787		635,000
3	SMCTA Measure A (ACR TDM)		-		400,000
4	Carryforward Balance from SMCTA & CCAG		192,109 *		192,109
5	Advance from the City/County Association of Governments of San Mateo County		102,168		1,350,000
6	Advance from the San Mateo County Transportation Authority		188,731		1,915,185
7	Additional advance from SMCTA		-		622,667
TOTAL SOURCES OF FUNDS		\$	3,824,317	\$	9,574,961
USES OF FUNDS:					
8	Staff Support	\$	215,940	\$	839,628
9	Administrative Overhead		115,681		106,055
10	Seminar/Training & Business Travel		-		20,000
11	Audit & Bank Fees		737		15,160
12	Office Supplies		-		3,000
13	Printing and Information Svcs		-		5,000
14	Promotional Advertising		12,762		50,000
15	Utilities		15,597		50,000
16	Software Maintenance & License		26,205		32,000
17	Legal Services		4,041		60,000
18	Consultant		400,534		1,811,000
19	Express Lane Maintenance		-		444,000
20	Toll Operations and Maintenance		788,405		2,751,000
21	FasTrak Customer Service		924,190		1,885,500
22	Express Lane Enhanced Enforcement		33,600		215,000
23	Equity Program Administration and Costs		8,787		1,035,000
24	Insurance		203,777		228,218
25	Miscellaneous		40,752		24,400
TOTAL USES OF FUNDS		\$	2,791,008	\$	9,574,961
PROJECT SOURCES OVER USES		\$	1,033,309	\$	-

Note:

* Represents FY21 Operating Surplus.

Additional Information:

Loan payables to the City/County Association of Governments of San Mateo County	\$ 2,825,949
Loan payables to the San Mateo County Transportation Authority	\$ 3,397,768

San Mateo County Express Lanes Joint Powers Authority Agenda Report

Date: February 10, 2023

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

From: Executive Council

Subject: Review and approve the corrected 2023 calendar of SMCEL-JPA Board Meetings

(For further information, contact Kaki Cheung at kcheung1@smcgov.org)

RECOMMENDATION

That the SMCEL-JPA Board of Directors review and approve the corrected 2023 meeting calendar.

FISCAL IMPACT

None.

BACKGROUND

The Board of Directors approved the 2023 meeting calendar in December of 2022. All meetings are scheduled to start at 9:00 a.m. unless otherwise noted. With the exception of November 17th due to the Veteran's Day holiday, all meetings are on the 2nd Friday of the month. Staff noticed an incorrect meeting date for the month of September in the previous calendar. The revised meeting calendar for 2023 is shown below, with the correct September meeting date bolded for emphasis.

January 13th
 February 10th
 March 10th
 April 14th
 May 12th
 June 9th
 July 14th
 August 11th
September 8th
 October 13th
 November 17th
 December 8th

ATTACHMENT

None.

San Mateo County Express Lanes Joint Powers Authority Agenda Report

DATE: February 10, 2023

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

FROM: Executive Council

SUBJECT: Review and approval of Resolution SMCEL 23-05, authorizing the Executive Council of San Mateo County Express Lanes Joint Powers Authority (SMCEL-JPA) to execute the Amendment to the Cooperative Agreement between the Bay Area Infrastructure Financing Agency (BAIFA), SMCEL-JPA, San Mateo County Transportation Authority (SMCTA) and City/County Association of Governments of San Mateo (C/CAG), making available excess funds from the Toll System Integration Phase of the SM101 Express Lanes Project for the construction of the highway landscaping phase.

(For further information, contact Van Ocampo at vocampo@smcgov.org)

RECOMMENDATION

Review and approve Resolution 23-05, authorizing the Executive Council of San Mateo County Express Lanes Joint Powers Authority (SMCEL-JPA) to execute the Amendment to the Cooperative Agreement between the Bay Area Infrastructure Financing Agency (BAIFA), SMCEL-JPA, San Mateo County Transportation Authority (SMCTA) and City/County Association of Governments of San Mateo (C/CAG), making available excess funds from the Toll System Integration Phase of the SM101 Express Lanes Project for the construction of the highway landscaping phase.

FISCAL IMPACT

There is not any fiscal impact to SMCEL-JPA. The Amendment to the Cooperative Agreement will make \$1.19M of excess funds available for the construction of the Highway Landscaping Phase from the Toll System Integration Phase. The \$1.19M is comprised of \$800K of BAIFA funds previously allotted for CHP construction support and \$390K of local funds for construction support.

SOURCE OF FUNDS

Funding amount and source of funds for the highway landscape phase will now be as follows: \$3M-State Transportation Improvement Program (STIP), \$0.8M-BAIFA local funds and \$4.035M-local funds, for a total of \$7.835M.

BACKGROUND

The San Mateo 101 Express Lanes Project (Project) is being constructed in three phases: the Construction Capital Phase that was constructed by Kiewit Construction and was managed by Caltrans; the Toll System Integration Phase which is being constructed by Transcore and managed by BAIFA; and the Highway Landscaping Phase, which Caltrans will manage and intends to advertise for bid this year.

Per Caltrans' policy, the replacement of highway planting shall be accomplished by a separate contract that will include 3 years of plant establishment. All damaged and removed plantings during project construction will be replaced with drought-tolerant trees, shrubs, and vines that provide visual screening and complement context of the transportation corridor. The work will also include the installation of new water meters for recycled water. Caltrans developed the Plans, Specifications and Estimate (PS&E) for this landscaping work and is now ready to advertise for bid. However, the latest construction cost estimate for the Highway Landscaping Phase is \$7.8M, which exceeds the available funds of \$4.8M. Caltrans attributes the \$3M cost increase to the effects of the pandemic, delay in the implementation of the Highway Landscaping Phase in order to avoid construction zone conflicts among contractors of various phases, and the nationwide high inflation cost.

Staff has identified \$3.035M of excess money from previous phases of work that can be used to cover this funding gap. The phase of work, cooperative agreement number, parties to the agreement, and the net amount of excess are shown on the table below:

PROJECT PHASE	COOP AGREEMENT	PARTIES TO THE AGREEMENT	NET AMOUNT OF AMENDMENT
Toll System Integration		BAIFA, SMCEL-JPA SMCTA & C/CAG	\$1.19 M (\$800K BAIFA Local + \$390K SM Local)
Caltrans Oversight TSI	No. 04-2767	Caltrans, SMCTA & C/CAG	\$195K
Plan Specification & Estimate	No. 04-2687	Caltrans, SMCTA & C/CAG	\$150K
Construction of Northern Segment	No. 04-2726	Caltrans, SMCTA & C/CAG	\$1.5M
		TOTAL:	\$3.035M

On May 27, 2020, Amendment No. 1 to the Cooperative Agreement for the Design of the Toll System was entered into by BAIFA, SMCEL-JPA, SMCTA, and C/CAG. The said amendment included toll equipment installation and testing to the design of the Toll System Integration Phase. Parties to the Cooperative Agreement, which includes the SMCEL-JPA, now need to execute an amendment in order to make the \$1.19M of excess funds available to the Highway Landscaping Phase.

The complete funding picture after all the Amendments to the Cooperative Agreement shown on the table are executed will be as follows: \$3M-STIP, \$0.8M-BAIFA local funds and \$4.035M-

SM Local Funds, for a total of \$7.835M.

BAIFA, was the author of the Toll System Integration Cooperative Agreement and is in the process of drafting the amendment. On December 1, 2022, the SMCTA Board took action and authorized the execution of the amendment once it is ready. While during the January 25, 2023 BAIFA Board meeting, the BAIFA Board took a similar action and authorized the execution of the amendment as well. Staff is very familiar with the strict format of BAIFA's contract amendments as similar amendments have been previously processed. In the interest of time, staff recommends that the Executive Director be authorized to negotiate the final terms of the amendment to the Cooperative Agreement prior to execution by the Executive Director, subject to Legal Counsel approval.

ATTACHMENT

1. Resolution 23-05

RESOLUTION 23-05

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN MATEO COUNTY
EXPRESS LANES JOINT POWERS AUTHORITY (SMCEL-JPA) AUTHORIZING THE
EXECUTIVE COUNCIL OF SMCELJPA TO EXECUTE THE AMENDMENT TO THE
COOPERATIVE AGREEMENT BETWEEN BAIFA, SMCELJPA, SMCTA AND C/CAG TO
MAKE EXCESS FUNDS FROM THE TOLL SYSTEM INTEGRATION PHASE
AVAILABLE FOR THE CONSTRUCTION OF THE HIGHWAY LANDSCAPING PHASE
OF THE SM101 EXPRESS LANES PROJECT**

RESOLVED, by the Board of Directors of the San Mateo County Express Lanes Joint Powers Authority (SMCEL-JPA) that,

WHEREAS, the SM101 Express Lanes Project (Project) is being constructed in three phases: the Construction Capital Phase, the Toll System Integration (TSI) Phase, and the Highway Landscaping Phase

WHEREAS, per Caltrans' policy, the Highway Landscaping Phase shall be constructed through a separate contract that will include three years of plant establishment; and

WHEREAS, Caltrans developed the Plans, Specifications and Estimate (PS&E) for the Highway Landscaping Phase, which includes, amongst others, the replacement of removed plantings with drought-tolerant trees, shrubs, and vines that provide visual screening and complement the context of the transportation corridor; and

WHEREAS, Caltrans now estimates the cost to construct the Highway Landscaping Phase at \$7.8M, with current funding of \$4.8M, and a shortfall of \$3M; and

WHEREAS, staff identified \$1.19M of excess funds from Toll System Integration Phase and additional \$1.845M of excess funds from the Caltrans Oversight TSI, PS&E and CON Phases, that can be made available towards the Highway Landscaping Phase and cover the funding gap; and

WHEREAS, on May 27, 2020, SMCEL-JPA entered into a Cooperative Agreement with BAIFA, C/CAG, and SMCTA to include the installation and testing of Toll Equipment to the design of the TSI Phase of the Project; and

WHEREAS, an amendment to the Cooperative Agreement between BAIFA, SMCELJPA, C/CAG and SMCTA is necessary in order to make the excess funds from the TSI Phase available for the construction of the Highway Landscaping Phase.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the San Mateo County Express Lanes Joint Powers Authority that the Executive Council of SMCELJPA is authorized to execute the Amendment to the Cooperative Agreement between BAIFA, SMCELJPA, C/CAG and SMCTA for the Toll System Integration Phase and make \$1.19M of excess funds available for the construction of the Highway Landscaping Phase of the SM 101 Express Lanes Project; and further authorizes the Executive Council to negotiate the final terms of the amendment prior to execution, subject to approval as to form by Legal Counsel.

PASSED, APPROVED, AND ADOPTED, THIS 10TH DAY OF FEBRUARY 2023.

Rico E. Medina, Chair

San Mateo County Express Lanes Joint Powers Authority Agenda Report

DATE: February 10, 2023

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

FROM: Kathleen Kelly
Interim Chief Financial Officer

SUBJECT: Approval of Resolution SMCEL 23-02 on the Amendment of the Fiscal Year
(FY) 2023 SMCEL-JPA Revised Budget

(For further information or questions, contact Kathleen Kelly at
KellyK@samtrans.com)

Recommendation

Staff recommends that the Board approves an amendment to increase the adopted FY2023 SMCEL-JPA by \$3,540,000, as presented as Attachment A, for a new total of \$13,114,961.

Fiscal Impact

Approval of this amendment will provide the SMCEL-JPA with sufficient budget authority to cover the operation and maintenance (O&M) of the new US101 express lanes segment north of Whipple Avenue to I-380 (northern segment), along with any other anticipated expenditures associated with the new segment through the end of FY2023.

Background

The FY2023 Budget was previously approved by the Board in June 2022 to provide funding to continue the support of operation of the US 101 Express Lanes segment between Whipple Avenue and the San Mateo/Santa Clara County line (southern segment). Now that additional revenue and expense data for the southern segment is available and the opening date of the northern segment is now scheduled for early 2023, staff is requesting the Board to approve an amendment to the FY2023 Budget.

Staff presented the draft budget amendment to the SMCEL-JPA Board of Directors at the December 2022 meeting as an information item.

FY2023 Revised Budget

Please refer to Attachment A for a comparative schedule of the FY2023 Adopted Budget and the FY2023 Revised Budget. The line numbers for each revenue and expense item are detailed below and referenced in the attachment.

Total Sources of Funds (Line 9)

Total revenues for FY2023 are projected at \$13,114,961, which is an increase of \$3,540,000 over the FY2023 Adopted Budget.

Toll Revenues (Line 2) – increase of \$3,540,000 over the FY2023 adopted budget

This budget amendment reflects the toll revenue collected for the southern segment and the anticipated toll revenue for the opening of the Northern segment. The assumptions for the revenue figures are noted below:

1. Increase the southern segment toll revenue by \$460,000. The FY2023 adopted budget was based on actual toll revenue collected from February 2022 to April 2022. This increase now reflects more current data, using the average actual toll revenue collected from March to September.
2. Increase toll revenue by \$3,080,000 to account for 4 months of operations of the Northern segment from March 2023 to end of FY2023. The estimate is based on multiplying the average toll revenue per mile from March 2022 to September 2022 in the southern segment by the number of lane miles on the northern segment.

Uses of Funds

The total expenses for FY2023 are projected at \$13,114,961, an increase of \$3,540,000 over the FY2023 adopted budget.

Toll Operations and Maintenance (Line 25), an increase of \$2,230,000 from FY2023 adopted budget.

- The line reflects the Bay Area Infrastructure Financial Authority's operation of the Express Lanes toll system, including the collection of toll transactions and traffic data; costs related to the Bay Area Toll Authority customer service center, monitoring of system performance, and providing roadway operations and maintenance of toll system equipment and software.
- The FY2023 revised Toll Operations and Maintenance budget is at \$4,981,000. This is an increase of \$2.23 million over the FY2023 adopted budget. It reflects 4 months of the northern segment's operation and maintenance (O&M) from March to end of the FY2023. The projection is developed using average actual expenses of the southern segment and applying that rate to the northern segment based on lane miles.

FasTrak Customer Service (Line 26), an increase of \$954,500 over the FY2023 adopted budget

- This line item is for expenses related to providing customer service for FasTrak® accounts and trips taken on the US 101 Express Lanes in San Mateo County, processing customer payments, and issuing toll evasion violation notices.
- The increase in FasTrak Customer Service budget has two components.
 - Reducing the southern segment budget by \$112,000 to align with average actual data from March 2022 to September 2022.

- Increasing the northern segment budget by \$1,066,500 to allow for budget authority to cover anticipated operations and maintenance (O&M) expenses from March 2023 through the end of FY2023.

Express Lane Enhanced Enforcement (Line 27), an increase of \$25,000 over the FY2023 adopted budget.

- The line item is for the California Highway Patrol (CHP) to provide enforcement services.
- This increase is to account for CHP enforcement of the Northern segment of the express lane.

Insurance: (Line 29) - an increase of \$271,782 from the FY2023 adopted budget.

- The FY2023 adopted budget covers only the southern segment of the express lane. The amendment will cover the additional costs to insure the northern segment of the corridor through the end of the FY2023, including \$100,000 for the insurance deductible.

Miscellaneous (Line 30), an increase of \$58,718 from the FY2023 adopted budget

- Includes provision for dues and subscriptions, board meeting technical/video streaming software, board compensation as well as funds for the full corridor opening ceremony.
- The increase is for the estimated interest expenses incurred on the Advances from both C/CAG and SMCTA. Actual interest payment is subject to revenue reserves once there are sufficient toll revenues to cover all other expenses.

ATTACHMENTS:

1. Proposed FY2023 SMCEL-JPA Revised Budget
2. Resolution SMCEL-23-02

SAN MATEO COUNTY Express Lanes JPA
FY2023 Revised Budget

Attachment 1

		FY2023 Y-T-D ACTUALS thru September	FY2023 ADOPTED BUDGET	FY2023 REVISED BUDGET	\$ Increase/(Decrease) Over FY2023 Adopted Budget	% Increase/(Decrease) Over FY2023 Adopted Budget	
1	SOURCES OF FUNDS						1
2	Toll Revenues	1,161,597	4,460,000	8,000,000	3,540,000	79.4%	2
3	Allocated Bond Funds	-	635,000	635,000	-	-	3
4	SMCTA Measure A (ACR TDM)	-	400,000	400,000	-	-	4
5	Carryforward Balance from SMCTA & C/CAG	192,109	192,109	192,109	-	-	5
6	Advance from the C/CAG	42,480	1,350,000	1,350,000	-	-	6
7	Advance from the SMCTA	59,779	1,915,185	1,915,185	-	-	7
8	Additional advance from SMCTA		622,667	622,667	-	-	8
9	TOTAL SOURCES OF FUNDS	1,455,965	9,574,961	13,114,961	3,540,000	37.0%	9
10							10
11							11
12	USES OF FUNDS						12
13	Staff Support	103,088	839,628	839,628	-	-	13
14	Administrative Overhead	21,010	106,055	106,055	-	-	14
15	Seminar/Training & Business Travel	-	20,000	20,000	-	-	15
16	Audit & Bank Fees	484	15,160	15,160	-	-	16
17	Office Supplies	-	3,000	3,000	-	-	17
18	Printing and Information Svcs	-	5,000	5,000	-	-	18
19	Promotional Advertising	-	50,000	50,000	-	-	19
20	Utilities	7,109	50,000	50,000	-	-	20
21	Software Maintenance & License	26,205	32,000	32,000	-	-	21
22	Legal Services	-	60,000	60,000	-	-	22
23	Consultant	55,563	1,811,000	1,811,000	-	-	23
24	Express Lane Maintenance	-	444,000	444,000	-	-	24
25	Toll Operations and Maintenance	402,579	2,751,000	4,981,000	2,230,000	81.1%	25
26	Fastrak Customer Service	472,358	1,885,500	2,840,000	954,500	50.6%	26
27	Express Lane Enhanced Enforcement	13,762	215,000	240,000	25,000	11.6%	27
28	Equity Program Administration and Costs	-	1,035,000	1,035,000	-	-	28
29	Insurance	203,777	228,218	500,000	271,782	119.1%	29
30	Miscellaneous	15,477	24,400	83,118	58,718	240.6%	30
31	TOTAL USES OF FUNDS	1,321,412	9,574,961	13,114,961	3,540,000	37.0%	31
32							32
33	PROJECTED SOURCES OVER USES	134,553	-	-	-	-	33

RESOLUTION SMCEL 23-02

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN MATEO COUNTY
EXPRESS LANES JOINT POWERS AUTHORITY (SMCEL-JPA) ADOPTING THE
SMCEL-JPA REVISED BUDGET FOR FISCAL YEAR 2023 IN THE AMOUNT OF
\$13,114,961**

RESOLVED by the Board of Directors of the Express Lanes Joint Powers Authority (SMCEL-JPA); that

WHEREAS, Section 131265(a) of the California Public Utilities Code requires the SMCEL-JPA Board of Directors to adopt an annual budget; and

WHEREAS, in accordance with Section 131266 of the California Public Utilities Code, the Authority conducted a public hearing concerning the annual budget at its meeting on June 10, 2022; and

WHEREAS, the Board of Directors had been presented for its consideration and approval a budget of \$9,574,961 for fiscal year 2023; and

WHEREAS, the Board of Directors has been presented for its consideration and a revised budget of \$13,114,961 for fiscal year 2023; and

NOW, THEREFORE, BE IT RESOLVED that the SMCEL-JPA Board of Directors of the SMCEL-JPA adopts the revised budget for Fiscal Year 2023, a copy of which is attached and incorporated herein as Attachment A.

PASSED, APPROVED, AND ADOPTED, THIS 10th DAY OF FEBRUARY 2023.

Rico E. Medina, Chair

San Mateo County Express Lanes Joint Powers Authority Agenda Report

Date: February 10, 2023

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

From: Policy/Program Manager (PPM)

Subject: Receive update on the US 101 Express Lanes operations from Whipple Ave. to the San Mateo /Santa Clara County line, in addition to a presentation on the Community Transportation Benefits Program and associated marketing efforts

(For further information please contact Lacy Vong, Policy/Program Manager, LVong@hntb.com)

RECOMMENDATION

Receive update on the US 101 Express Lanes operations from Whipple Ave. to the San Mateo / Santa Clara County line. Staff will also present on the Community Transportation Benefits Program (Program) enrollment and the associated marketing plan, which aims to raise program awareness.

FISCAL IMPACT

There is not any fiscal impact related to this informational item.

SOURCE OF FUNDS

N/A

BACKGROUND

US 101 Express Lanes Operations – Southern Segment

On February 11th, 2022, the southern segment of the US 101 Express Lanes (between Whipple Avenue and Embarcadero Road) opened concurrently with the Santa Clara Valley Transportation Authority (VTA)'s companion express lane project to the south. The southern segment express lanes have reached a steady state in operations and are performing well.

Below are some operational highlights for the three-month period of October 1 through December 31, 2022:

- The average potential daily revenue for the southern segment during this period was \$30,073. A month-to-month breakdown appears in the following table:

Period	Number of Tolling Days	Total Potential Revenue for the Period	Average Potential Daily Revenue
October 1-31	21	\$570,736	\$27,178

November 1-30	20	\$694,482	\$34,724
December 1-31	21	\$599,313	\$28,539

- During this reporting period, the average daily toll rates have been:

Period	Southbound	Northbound
October 1-31	\$1.78	\$1.02
November 1-30	\$2.34	\$1.07
November 1-30	\$1.86	\$1.11

- Daily average express lanes volumes continue to increase month to month. The following is summary of volumes over the reporting period:

Period	Number of Tolling Days	Average Daily EL Volume		% Change from Previous Month	
		Northbound	Southbound	Northbound	Southbound
October 1-31	21	15,664	13,095	-0.1%	-0.1%
November 1-30	20	15,945	14,396	+1.8%	+10.0%
December 1-31	21	15,559	13,509	-2.5%	-6.2%

- Average daily express lane trips decreased in December compared to November. There was a slight decrease of 2.4% and 6.2% in the northbound and southbound direction, respectively.
- Express Lanes continue to operate at about 10 to 13 mph faster than the general purpose lanes in both directions.
- Out of these trips, most continue to be image-based trips followed by drivers who declared as HOV3, single occupant vehicle (SOV), and HOV2. Clean Air Vehicle (CAV) declarations represented the smallest portion of trips at about 1.5% in December, down from previous months.
- Potential toll revenue decreased in December compared to November at approximately \$600,000.
- Actual cumulative revenue in fiscal year 2023, from July through December is approximately \$4.7 million. Toll revenue includes toll revenue (\$3.4 million) and violation fees and penalties (\$1.3 million).
- Toll operations and maintenance (O&M) costs, which consists of the toll system operating and maintenance, FasTrak Regional Customer Service Center support, Caltrans civil roadway maintenance, and California Highway Patrol enhanced lane enforcement activities, is about \$1.7 million through the end of December 2022. The Toll O&M costs do not include agency overhead and other administrative costs used to support the Express Lanes Program.

Community Transportation Benefits Program Background

The Program launched at the end of April 2022, bringing a new transportation benefit to lower income individuals in San Mateo County. Eligible community members can choose between two transportation benefits—a Clipper Card with a \$100 value for those who rely on transit, or a free FasTrak Flex® toll tag with a \$100 value for those who need to drive to their destinations. SMCEL-JPA partners with Samaritan House to administer the Program

throughout San Mateo County. Qualified individuals may sign up for the Program at any of the San Mateo County Core Service Agencies, including Samaritan House.

Enrollment Update

In the period between April 25 and December 31, 2022, 1,397 participants have enrolled in the Program—246 selecting the FasTrak® option (18%) and 1,151 selecting the Clipper Card option (82%). As part of the enrollment process, demographic data was collected to better understand users of the benefit. Below are some highlights about those who have enrolled so far:

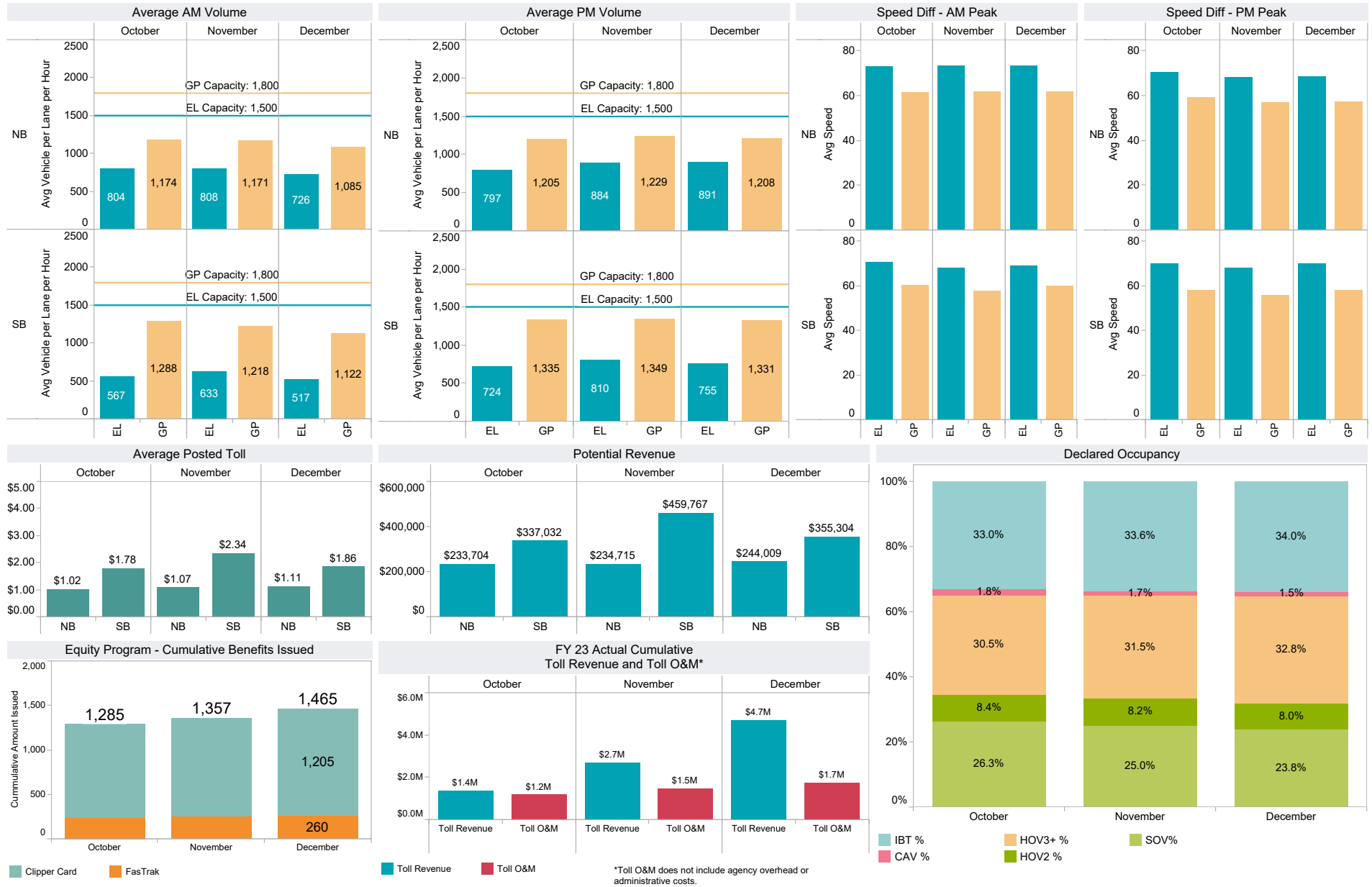
- Most reported income well below the Program individual income eligibility threshold of 60% Area Median Income (AMI) for San Mateo County (\$78,300). The majority of Program participants (59%) reported that they have no income, followed by 32% of participants who reported an annual income between \$1-\$25,000, and 8% who reported an annual income between \$25,001-\$50,000.
- The majority of Program participants (31%) live in South San Francisco, followed by 25% in Daly City, 13% on the coast, 11% in San Mateo, 7% in San Bruno, and 5% in East Palo Alto.
- Over the last three months, 304 participants enrolled in the Program. The top five cities were South San Francisco, East Palo Alto, San Mateo, San Bruno, and Daly City, which made up over 70% of the total distribution during this time period.
- The majority of Program participants (46%) are Hispanic, 29% are Asian or Asian American (not Hispanic), 11% are white (not Hispanic), and 8% are Black, African American, or African (not Hispanic).
- When asked during the Program intake process, participants most frequently say that they will use this benefit to get food or run other household errands, to access healthcare, and to get to work.

Marketing Update

The PPM presented a marketing plan to the Board in September 2022, which outlined a phased approach to promoting the Program. The first phase focused on developing marketing products for Samaritan House and the Core Service Agencies. It aimed to increase program awareness among their existing clientele as well as building up brand awareness. Activities included updating the Program’s website, developing bus ads for placement on SamTrans buses, and most recently, creating a social media presence for the Program and the Express Lanes Project overall. The second phase of the marketing plan will identify and engage community partners (like local community-based organizations, San Mateo Community College District, labor unions, and the County’s housing department) as well as our transportation partners (like Commute.org, FasTrak® and Clipper®). Staff hopes to leverage these networks to extend the reach of the Program to those eligible residents who may not be already connected with the Core Service Agencies Network.

ATTACHMENT

1. 101 Express Lanes Operations Dashboard
2. Community Transportation Benefits Program Update and Marketing Plan, February 2023



*Toll O&M does not include agency overhead or administrative costs.



Community Transportation Benefits Program Enrollment + Marketing Update

February 10, 2023

Benefits Distributed: April – December 2023



246

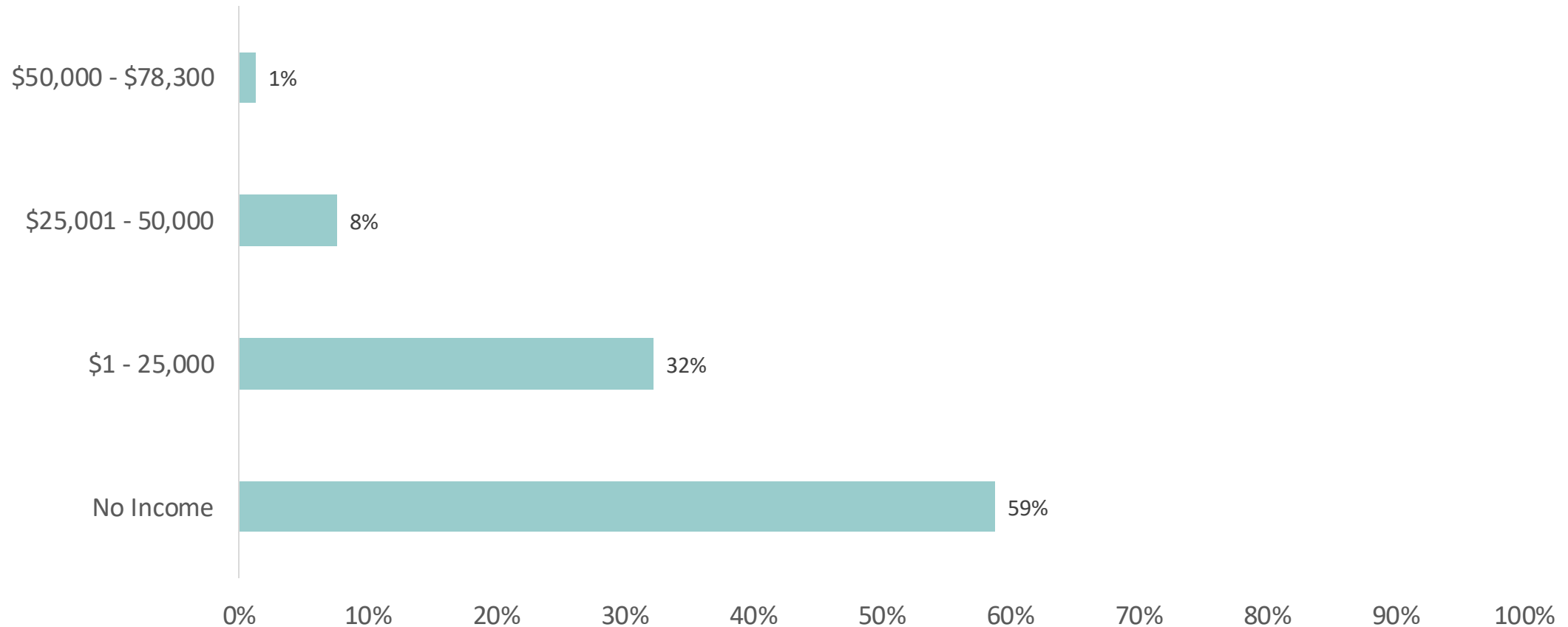
(18%)



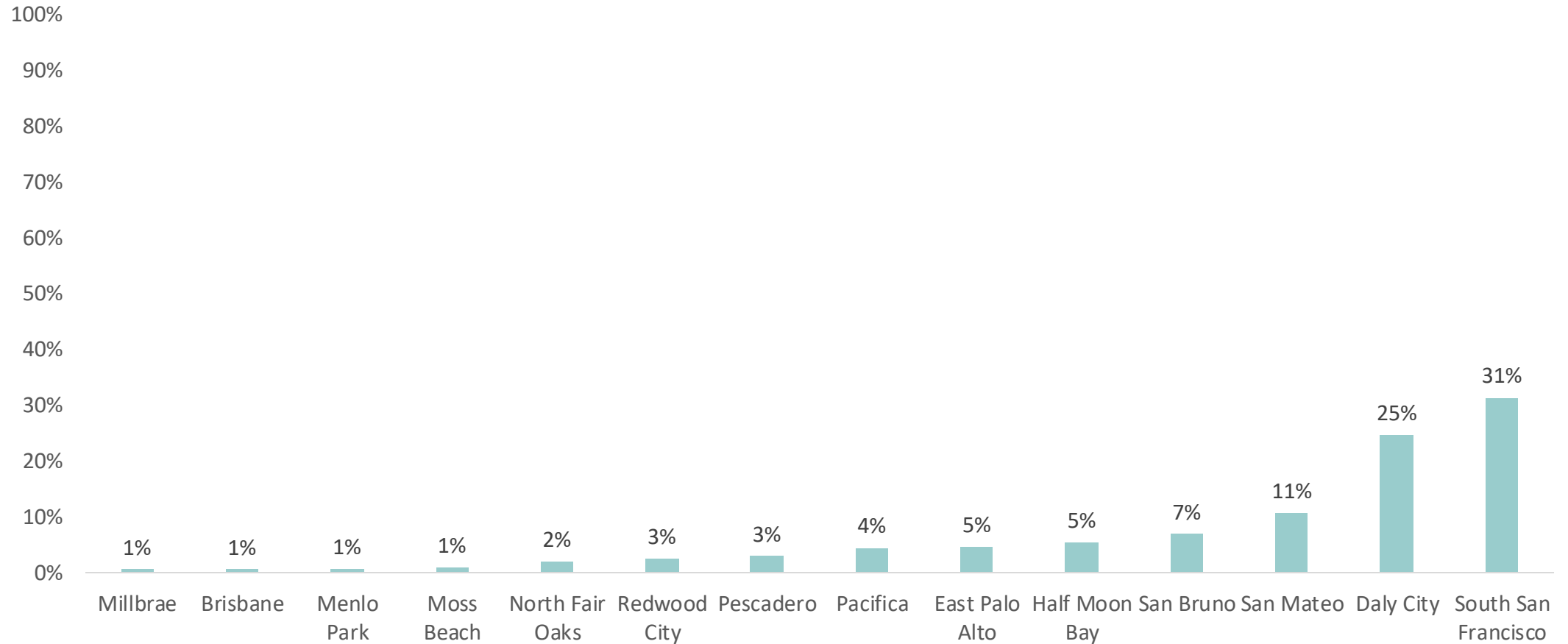
1,151

(82%)

Income Level of Program Participants

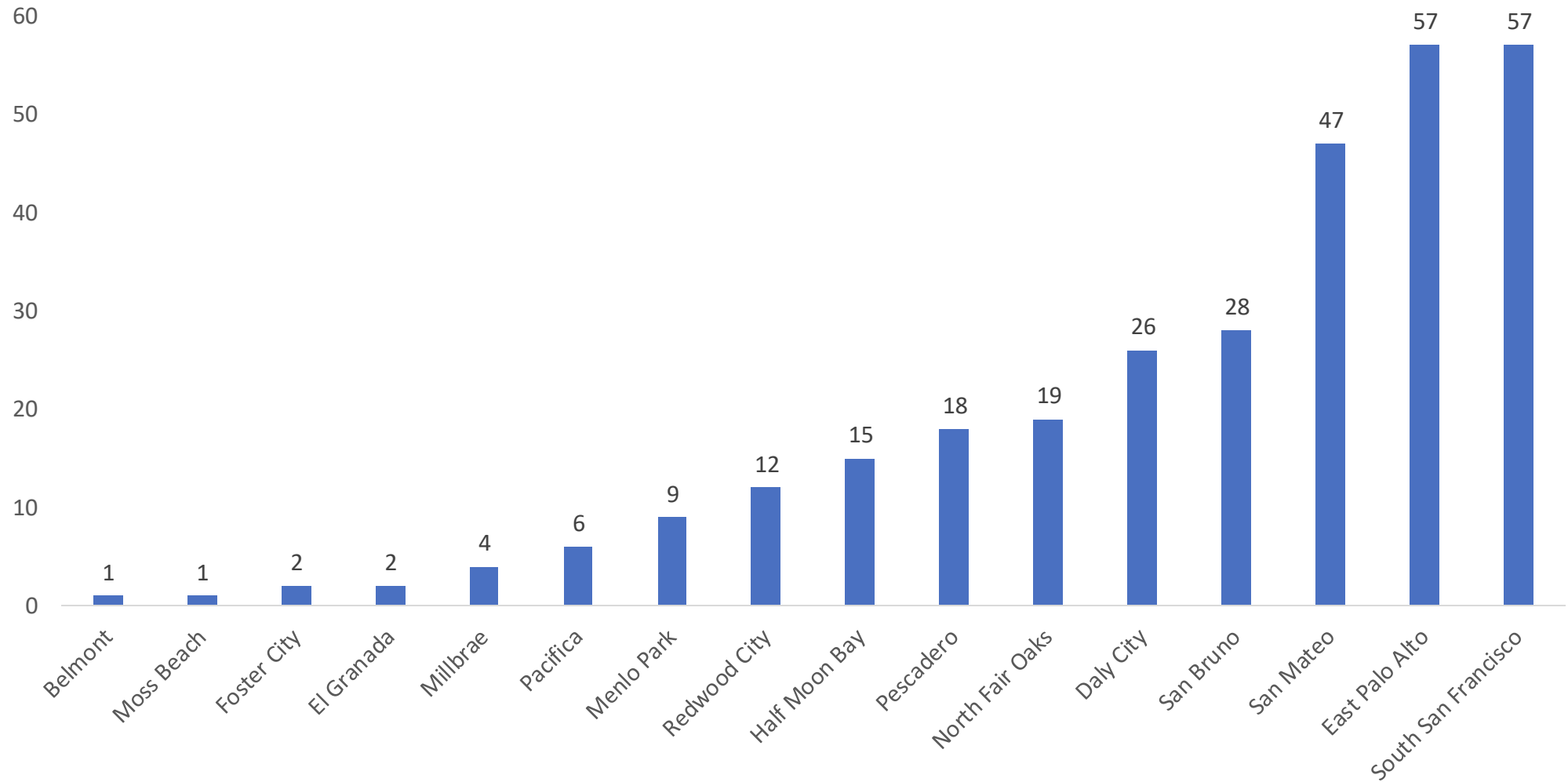


Where Program Participants Live

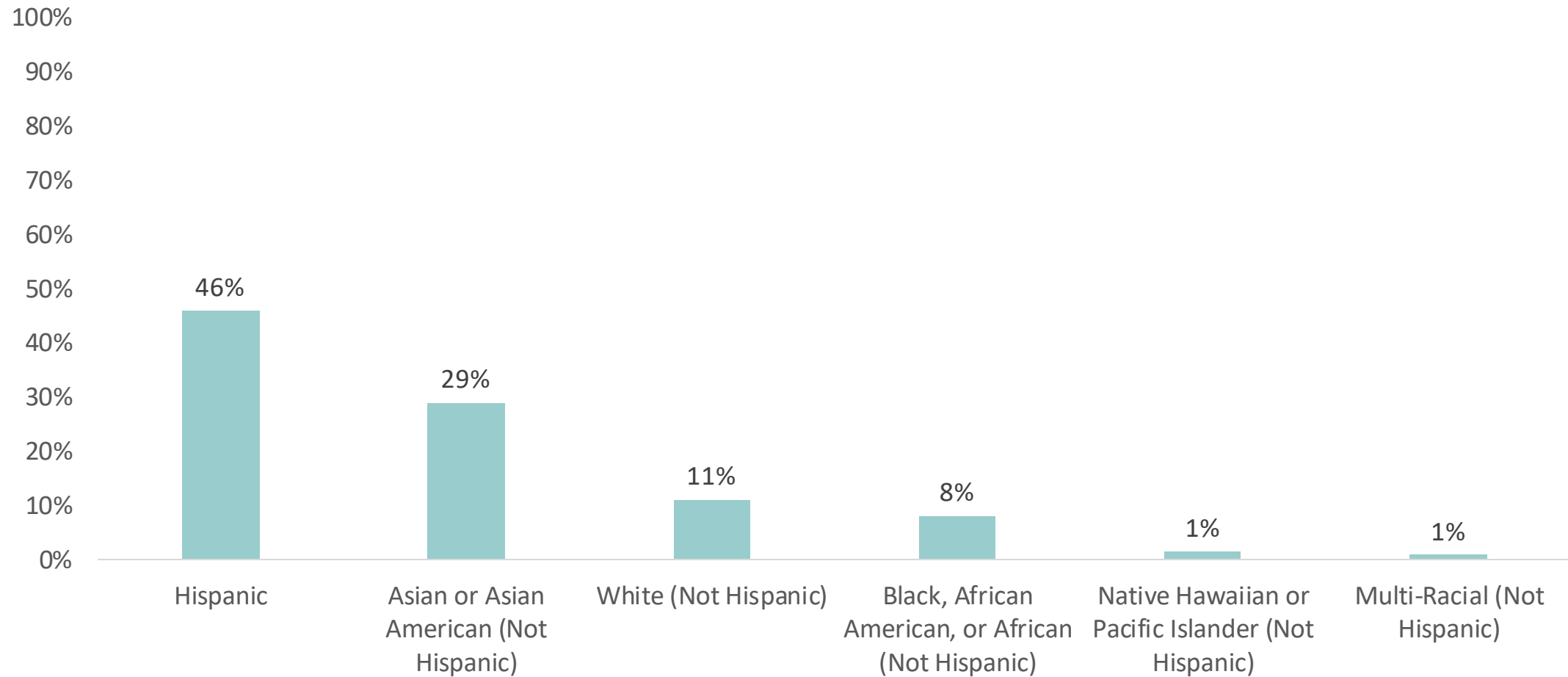


304 New Enrollments Last Quarter

October - December 2022

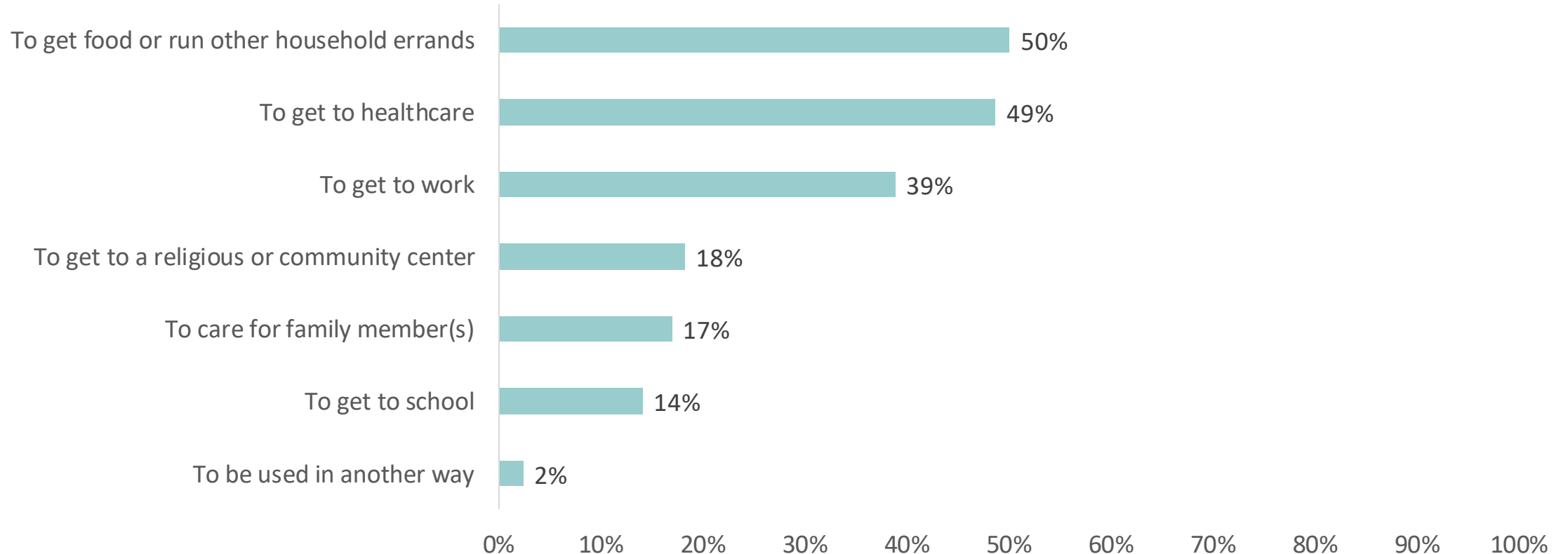


Program Participants' Race and Ethnicity



**Does not total to 100% because not all participants provided information on race/ethnicity*

How Program Participants Say They Will Use the Benefit



Community Transportation Benefits Program Marketing Update

Marketing Objectives

1. Increase overall awareness of the new Community Transportation Benefits Program across the county with a focus on equity priority communities
 - A. Enhance existing partnership with Samaritan House and Core Agencies by providing program marketing collateral for distribution among their clientele
 - B. Identify and engage CBOs and transportation partners to extend the reach of the program to eligible residents who may not be connected to Samaritan House and the Core Agencies
2. Continue to build the brand presence for the new program to optimize visibility by focusing on maintaining and improving the program's communication channels for broader audience reach

Approach

We Are Here



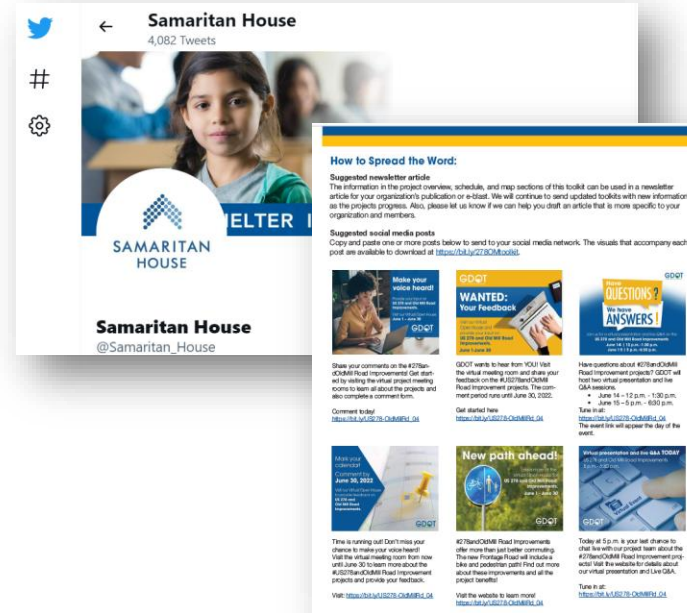
Phase 1: Support Samaritan House & Core Agencies and Enhance Brand Recognition (e.g., Bus Ads)

Phase 2: Extend Reach & Engage CBOs/Transportation Partners

OPTIONAL
Phase 3: Invest in More Targeted Outreach Tactics

Continue to Build Brand Presence

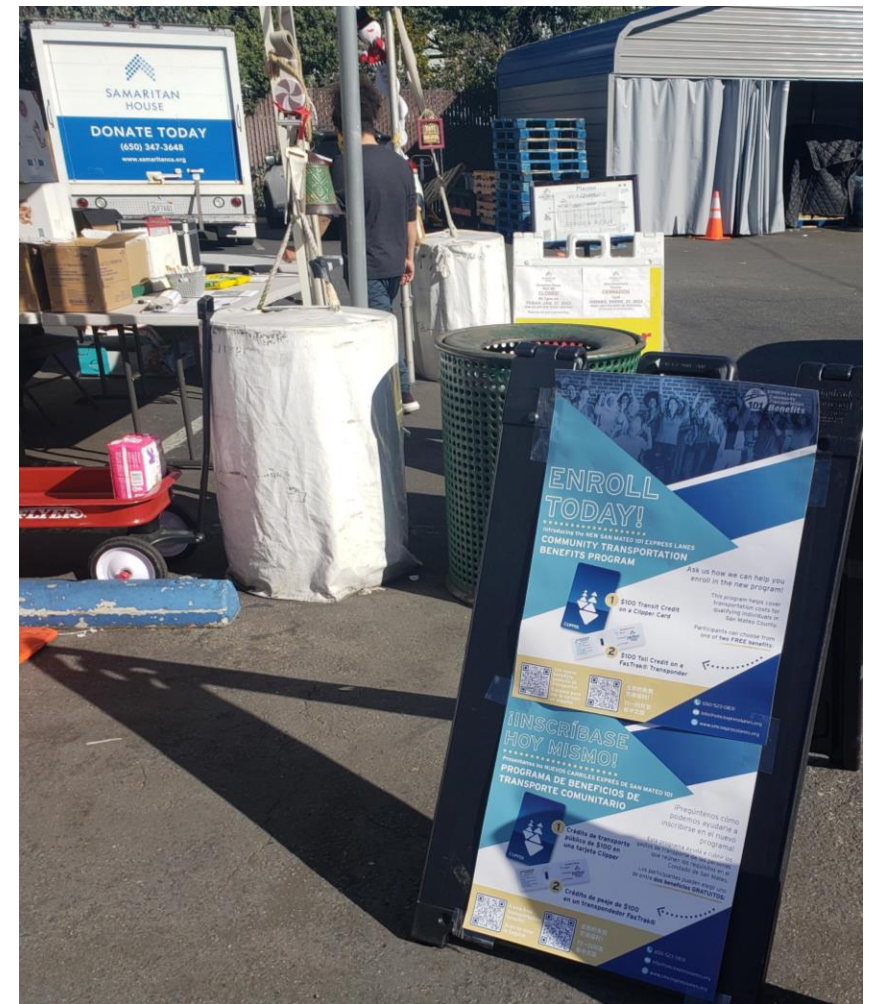
Phase 1: Promote to Core Service Agency Clientele and Build Overall Brand Awareness



Produce Promotional Materials

Develop Partner Toolkits

Posters



Sized 18" x 24", one-sided, color
Distributed 82 Posters

- 40 - English
- 40 - Spanish
- 2 - Chinese

Flyers



Are you ready to enroll? It's easy...

The NEW San Mateo 101 Express Lanes Community Transportation Benefit Program helps cover transportation costs for qualifying individuals in San Mateo County.

Follow these steps so we can help YOU enroll in this exciting, new benefit!

- Let a case manager know you want to enroll in the program*
- Answer a few questions to verify your eligibility
- A case manager will sign you up for **one** of the following transportation benefits:
 - \$100 Transit Credit on a Clipper Card
 - \$100 Credit on a FasTrak® Toll Transponder
- Pick up your new transportation benefit

Exciting, right?!



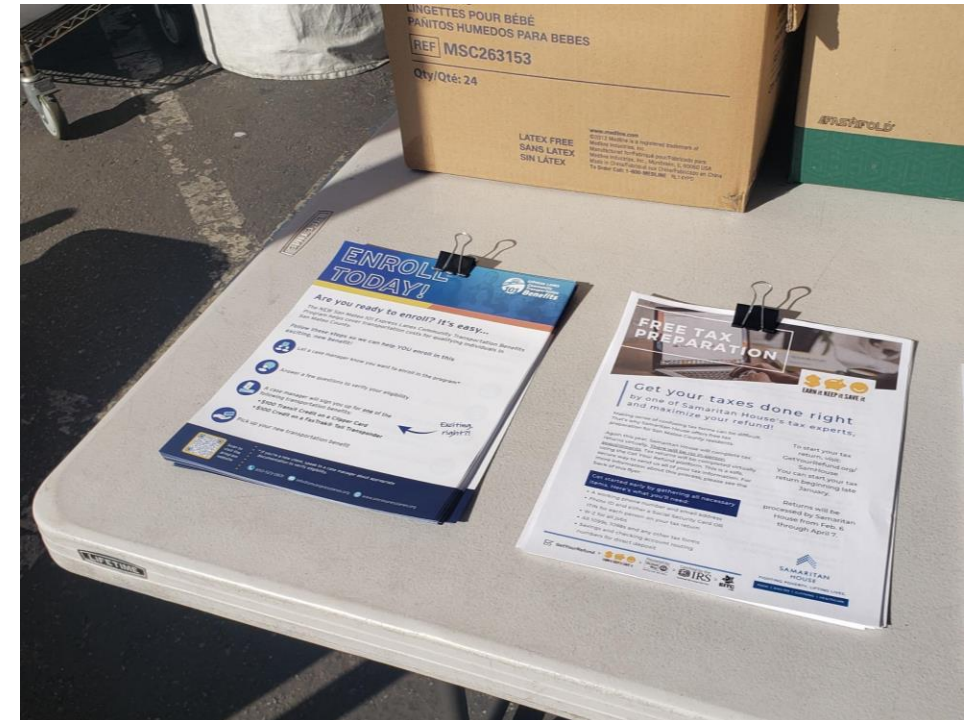
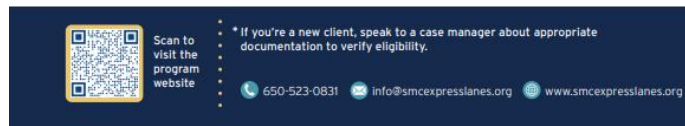
¿Está listo para inscribirse? Es muy fácil...

El NUEVO Programa de Beneficios de Transporte Comunitario de los Carriles Exprés de San Mateo 101 ayuda a cubrir los gastos de transporte de las personas que reúnen los requisitos en el Condado de San Mateo.

Siga estos pasos para que podamos ayudarle a USTED a inscribirse en este nuevo y atractivo beneficio.

- Dígale a un administrador de casos que usted desea inscribirse en el programa*
- Responda unas cuantas preguntas para verificar su elegibilidad
- Un administrador de casos le inscribirá en **uno** de los siguientes beneficios de transporte:
 - Crédito de transporte público de \$100 en una tarjeta Clipper
 - Crédito de peaje de \$100 en un transpondedor FasTrak®
- Obtenga su nuevo beneficio de transporte

¡Excelente noticia! ¿Cierto?



Sized 8.5" x 11", double-sided, color
Distributed 1,000 Flyers

- 500 x one side Spanish/one side English
- 500 x one side Chinese/one side English

Half Sheet Handouts

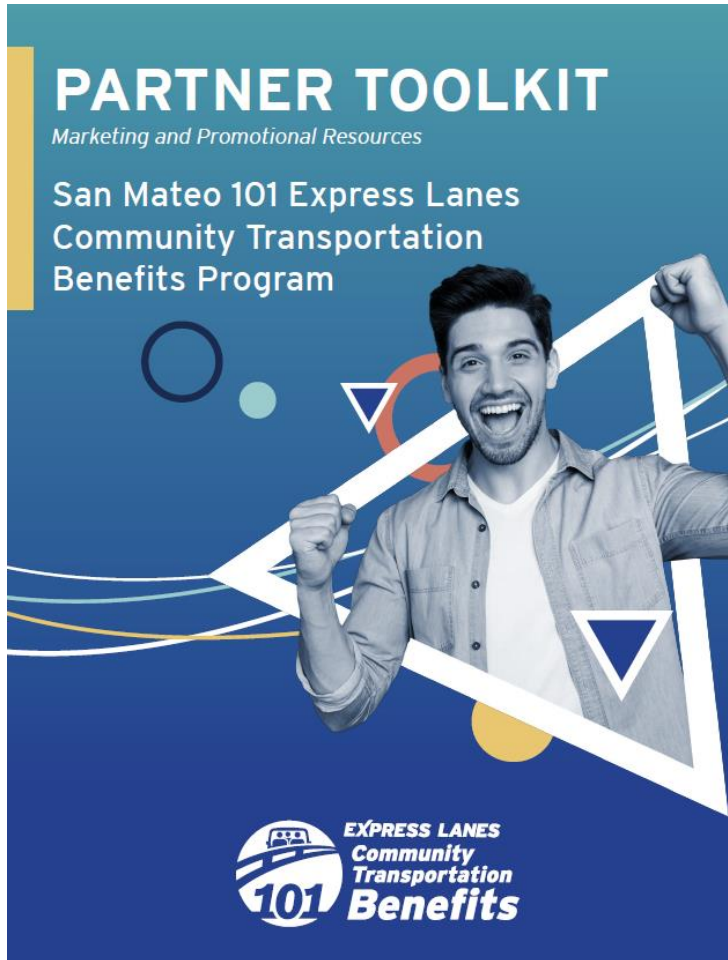


Sized 6" x 4", double-sided, color
Distributed **2,300** Handouts

- 1,000 - English
- 1,000 - Spanish
- 300 - Chinese



Partner Toolkit



Suggested Newsletter Article

Enroll in the NEW Community Transportation Benefits Program

There's a new Community Transportation Benefits Program available to qualifying individuals in San Mateo County. Eligible participants can choose from one of two transportation benefits!

- \$100 transit credit on a Clipper Card
- \$100 toll credit on a FasTrak® transponder

It's easy to enroll in the new Community Transportation Benefits Program. The next time you visit:

- Let a case manager know you want to enroll in the program
- Answer a few questions to verify your eligibility
- Choose your NEW benefit! Either a \$100 credit on a Clipper Card or \$100 toll credit on a FasTrak® transponder
- Pick up your new transportation benefit

If you are already receiving at least one benefit through San Mateo County's Core Service Agency Network or you meet the following three qualifications, you are eligible!

1. A resident of San Mateo County
2. Age 18 or older
3. Earning an individual income at or below \$83,640 for 2022

For more information about this new transportation benefit program, visit the San Mateo 101 Express Lane's website, <https://smcexpresslanes.org/program/equity-program/>. If you have any questions, call (650) 523-0831 or email info@smcexpresslanes.org.



3

Suggested Social Media Posts

Social media assets can be downloaded [HERE](#). Remember to tag @101ExpressLanes on [Facebook](#) and [Twitter](#) on your social media posts!

DATE	POST COPY	IMAGE/GRAPHIC
Week of January 30th	<p>Did you know there's a NEW Community Transportation Benefits Program? Next time you're here, ask us about it!</p> <p>Learn more about the @101ExpressLanes benefits program: https://bit.ly/SanMateo-CTBP-01</p>	
Week of February 6th	<p>Get some relief for your transportation costs by enrolling in the new @101ExpressLanes Community Transportation Benefits Program.</p> <p>You could qualify for either a:</p> <ul style="list-style-type: none"> • \$100 transit credit for a @ClipperCard • \$100 toll credit for a @BayAreaFastrak transponder <p>We can help you enroll! Learn more: https://bit.ly/SanMateo-CTBP-01</p>	
Week of February 13th	<p>We're here for you! Next time you're here, ask us about the new @101ExpressLanes Community Transportation Benefits Program. With this program, you may be eligible to receive a \$100 transportation benefit.</p> <p>Visit the website for more info: https://bit.ly/SanMateo-CTBP-01</p>	



Issued to
Core
Agencies
week of
January 30th

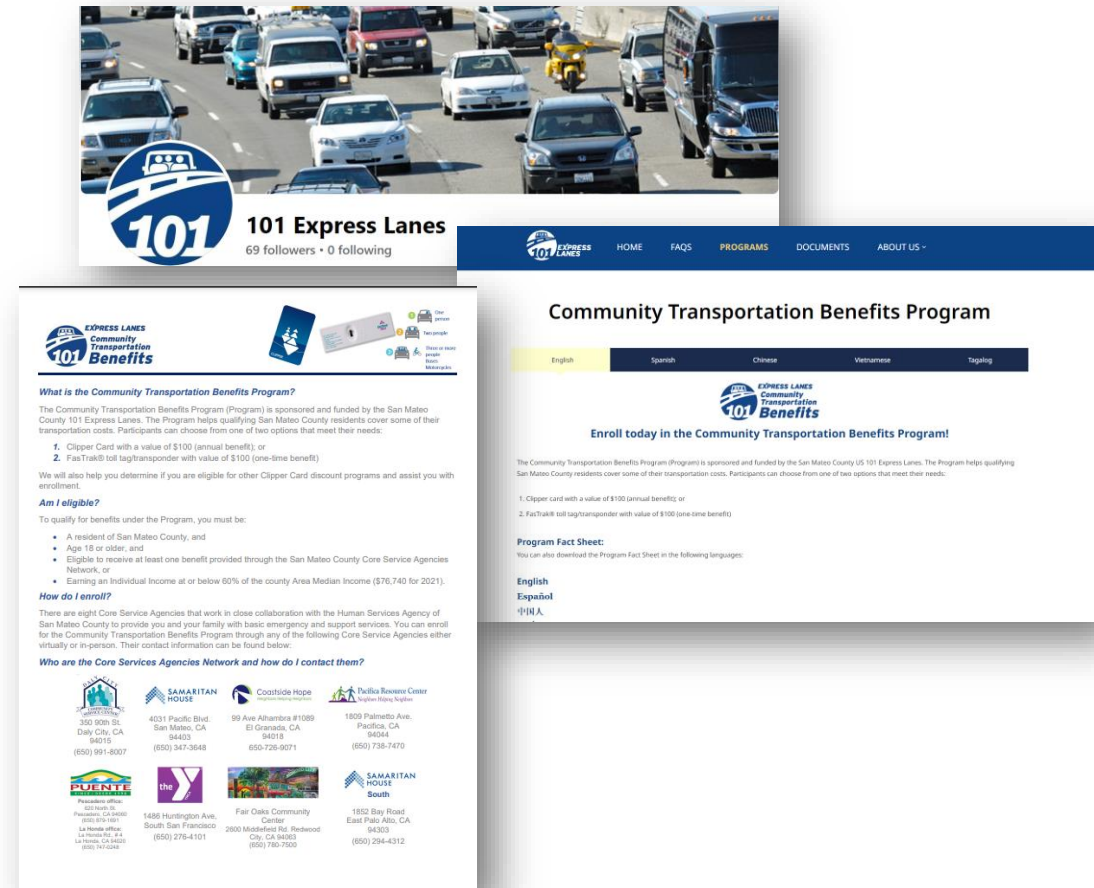


All marketing materials will be translated in Spanish and Simplified Chinese.

Build Brand Awareness

It's crucial to maintain and build a brand presence for the new Community Transportation Benefits Program on an ongoing effort. The following efforts will be considered throughout the phased marketing approach:

- Increase cadence of **organic social media posts** on 101 Express Lanes social channels
- Maintain **program website** content
- Create and update **fact sheets and FAQs**
- Provide **content to JPA Board members** for distribution to constituents
- Enhance **media relations** through opportunistic outreach
- Test targeted **paid social media ad** sets



Program content before brand refresh to web page and fact sheet.

Refreshed Program Web Page & Fact Sheet



101 EXPRESS LANES Community Transportation Benefits

INTRODUCING THE COMMUNITY TRANSPORTATION BENEFITS PROGRAM

The new San Mateo 101 Express Lanes Community Transportation Benefits Program helps cover transportation costs for qualifying San Mateo County residents. Participants can choose from one of two transportation benefit options! →

Additional Clipper Card and FasTrak® discount programs are available. Refer to the Frequently Asked Questions (FAQ) section on the next page for more information.

OPTIONS AVAILABLE

A \$100 Transit Credit on a Clipper Card

B \$100 Toll Credit on a FasTrak® transponder

HOW TO ENROLL? IT'S EASY!

You can enroll in the new Community Transportation Benefits Program at any of the eight San Mateo County Core Service Agencies (listed below).

1. Call or go to your local Core Service Agency (Check our website for the Core Services Agency that serves your area).
2. Tell a case manager you want to enroll in the Community Transportation Benefits Program*
3. Answer a few questions to verify your eligibility
4. Choose your NEW benefit and a case manager will sign you up for your \$100 credit Clipper Card or FasTrak® toll transponder
5. Pick up your new transportation benefit

For questions, call us at 650-523-0831 or email info@smcexpresslanes.org.

*If you're a new Client, bring income verification document (refer to FAQ section on next page for acceptable documentation).

SAN MATEO COUNTY CORE SERVICE AGENCIES


DAILY CITY COMMUNITY SERVICE CENTER (650) 999-8027 350 90th St. Daily City, CA 94015	SAMARITAN HOUSE (650) 341-3648 4031 Pacific Blvd. San Mateo, CA 94403	COASTSIDE HOPE (650) 726-9071 99 Ave Alhambra, PO Box 1089 El Granada, CA 94028	PACIFICA RESOURCE CENTER (650) 738-7470 3829 Palmetto Ave. Pacifica, CA 94044
PUNTE DE LA COSTA SUR Pescadero Office: (650) 879-1891 620 North St. Pescadero, CA 94060 Honda Office: (650) 747-0248 1747 Highway 1, Suite 4 Pescadero, CA 94020	SAMARITAN HOUSE SOUTH (650) 294-4332 1852 Bay Road East Palo Alto, CA 94303	FAIR OAKS COMMUNITY CENTER (650) 780-7500 2600 Middlefield Rd. Redwood City, CA 94063	YMCA COMMUNITY RESOURCE CENTER (650) 276-4883 1486 Huntington Ave. South San Francisco, CA 94080

WHO QUALIFIES?

You must meet the following three qualifications:

San Mateo County Resident	18+ Age 18 or older	\$76,740 or Less Earning an individual income at or below \$76,740
----------------------------------	----------------------------	--

You are already eligible if you receive at least one benefit through the San Mateo County Core Service Agencies Network.



Scan to Visit Program Website

Produced Overhead Cards for SamTrans Buses

A NEW COMMUNITY TRANSPORTATION BENEFITS PROGRAM

\$100 in FREE transit benefits?

YES, PLEASE!

 **EXPRESS LANES Community Transportation Benefits**

 Call us today to see if you qualify!
650-523-0831

  **SCAN TO LEARN MORE**

Program for eligible San Mateo County residents.

Bus Cards are starting to be placed on Buses this month – 1,050 Ads printed



All marketing materials produced have been translated in Spanish and Simplified Chinese.

UN NUEVO PROGRAMA DE BENEFICIOS DE TRANSPORTE COMUNITARIO

¿\$100 en beneficios de transporte GRATUITOS?

¡SÍ, POR FAVOR!

 **EXPRESS LANES Community Transportation Benefits**

 Llámenos hoy para comprobar si reúne los requisitos.
650-523-0831

  **ESCANEE PARA OBTENER MÁS INFORMACIÓN**

Programa para las personas elegibles del Condado de San Mateo.

全新的社区交通福利计划

免费领取 \$100 交通福利?

是的!

 **EXPRESS LANES Community Transportation Benefits**

 立即打电话给我们，看看您是否有资格领取!
650-523-0831

  **扫一扫了解详情**

此计划面向符合条件且居住在圣马特奥县的个人。

Increased Posting on Social Media Channels



Top Tweet

We're excited to announce our NEW Community Transportation Benefits Program!

Select the transportation benefit that is right for YOU! Choose between:

- 1 \$100 @BayAreaClipper credit
- 2 \$100 @fastrakbayarea Transponder credit

Want to see if you qualify?
bit.ly/101BenefitsPro...
pic.twitter.com/CALWvRDId8



Measuring Impact

- Track enrollment overall, by city, and by Core Service Agency
- Monitor social media post performance (impressions, engagements, re-posts, link clicks)
- Monitor QRC scans by marketing product (bus ads, flyers, half sheets, posters)
- Monitor and inquire about promotional content performance on Core Service Agencies/CBOs communication channels
- Track tabling event participation
- Track number of one-on-one engagements at events



What's Next?

Phase 2: Extend Reach & Engage Partners



Community Partnerships

Identify local community partners & CBOs to help amplify the program to their audiences by providing promotional materials for distribution, publishing on their communication channels, and participating in organization's community outreach events



Transportation Partnerships

Engage FasTrak®, Clipper, 511, and other relevant transportation partners in social media partnership campaigns and other forms of marketing collaborations

Marketing Plan Implementation Timeline

Phases	Timeline			
	Aug-Oct	Nov-Jan	Feb-Apr	May-Jul
Phase 1: Support Samaritan House & Core Service Agencies <ul style="list-style-type: none"> October – Refreshed Program web page & fact sheet November-December – Produced Bus Ads for route circulation; developed marketing collateral (posters, flyers, and half-sheet handouts) for Core Agencies and dropped off at locations January: Provided partner toolkit to Core Agencies for extended marketing and started regularly posting social media content for 101 San Mateo Express Lanes channels 				
Phase 2: Extend Reach & Engage Partners <ul style="list-style-type: none"> February-March 2023 – Identify local jurisdictions, community partners, CBOs and transportation agencies to help distribute content April – Deliver tailored promotional material & toolkits to newly identified partners May-July – Provide updated promotional materials and toolkit to Samaritan House & Core Service Agencies Continue to regularly post social media content for 101 San Mateo Express Lanes channels Track and measure the impact through monitoring performance 				
Optional Phase 3: Invest More Targeted Outreach <ul style="list-style-type: none"> Tactics TBD 				

Questions?

San Mateo County Express Lanes Joint Powers Authority Agenda Report

Date: February 10, 2023

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

From: Policy/Program Manager

Subject: Review and Approval of Resolution SMCEL 23-04 authorizing the negotiations and execution of a funding agreement amendment with Samaritan House for the continuation of administrative services for the San Mateo 101 Express Lanes Community Transportation Benefits Program, extending the contract term through the end of Fiscal Year 2024 for an additional amount not to exceed \$50,000.

(For further information please contact Lacy Vong, Policy/Program Manager, LVong@hntb.com)

RECOMMENDATION

That the SMCEL-JPA Board reviews and approves Resolution SMCEL 23-04 authorizing the negotiations and execution of a funding agreement amendment with Samaritan House for the continuation of administrative services for the San Mateo 101 Express Lanes Community Transportation Benefits Program (Program), extending the contract term through the end of Fiscal Year 2024 for an additional amount not to exceed of \$50,000.

FISCAL IMPACT

The total Fiscal Impact will be in the amount of \$50,000. The \$50,000 will be funded from \$1 million set aside for the Program that was included in the \$100 million loan made to the SMCEL-JPA by the San Mateo County Transportation Authority in 2020. Funding amount needed in FY2023 is included in the FY2023 Approved Budget. Staff plans to include appropriate budget authority the FY 2024 SMCEL-JPA Budget for Samaritan House services, and will review this with the Board as part of the FY2024 budgeting process.

SOURCE OF FUNDS

Funding for the administration service comes from the San Mateo County Transportation Authority bond/loan proceeds.

BACKGROUND

In December 2021, the SMCEL-JPA Board approved a resolution authorizing the execution of an agreement with Samaritan House for the San Mateo 101 Express Lanes Equity Program administration services. The funding amount was set not to exceed \$108,000. In the year that followed, our partnership with Samaritan House and the Core Service Agencies has proven important for reaching our target audience. Staff recommends continuing to work with Samaritan House and the Core Service Agencies to get benefits into the hands of those who need the assistance. This funding agreement amendment will support continued services of Samaritan House to administer the Program. It will also allow Samaritan House to contract with a third-party to assist the Core Service Agencies with program enrollment, as

staff capacity has been raised by the Core Service Agencies as a barrier to getting more participants enrolled in the Program.

ATTACHMENTS

- 1) Resolution SMCEL 23-04
- 2) Draft Contract Amendment with Samaritan House for US 101 Express Lanes Equity Program Administration

RESOLUTION SMCEL 23-04

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN MATEO COUNTY EXPRESS LANES
JOINT POWERS AUTHORITY (SMCEL-JPA) AMENDING THE CONTRACT BETWEEN
SAMARITAN HOUSE AND THE SAN MATEO COUNTY EXPRESS LANES JOINT POWERS
AUTHORITY FOR THE ADMINISTRATION OF SMCEL-JPA EQUITY PROGRAMS FOR A NEW
PERIOD ENDING JUNE 30, 2024 FOR AN ADDITIONAL AMOUNT NOT TO EXCEED \$50,000**

RESOLVED, by the Board of Directors of the San Mateo County Express Lanes Joint Powers Authority (SMCEL-JPA) that,

WHEREAS, on May 14, 2021, the Board of the SMCEL-JPA approved an Equity Program for the San Mateo County Express Lanes hereinafter called the “Program” and directed the Policy/Program Manager (PPM) and staff to finalize the implementation of the Program; and

WHEREAS, on October 8, 2021, the PPM recommended partnering with Samaritan House for the administration of the initial phase of the Program; and

WHEREAS, the SMCEL-JPA and Samaritan House first entered an Agreement approved by the SMCEL-JPA Board on December 10, 2021 providing for services for a period of one year for an amount not to exceed \$108,000; and

WHEREAS, the SMCEL-JPA desires to retain Samaritan House to administer the Program for an additional period to June 30, 2024, involving the expenditure of an additional \$50,000;

NOW THEREFORE BE IT RESOLVED, by the SMCEL-JPA Board of Directors that the Chair is authorized to execute an Amendment to the Agreement with Samaritan House for an additional amount not to exceed \$50,000 for new term ending June 30, 2024; and further authorize the Executive Council to make revisions prior to execution, subject to approval by the SMCEL-JPA Legal Counsel approval.

PASSED, APPROVED, AND ADOPTED, THIS 10TH DAY FEBRUARY 2023.

Rico E. Medina, Chair

Amendment A

The parties agree to amend the Agreement by the following additions.

1. A section is added to Attachment A that reads as follows:

Term: The Term of this Agreement shall be from the date of contract amendment execution through June 30, 2024. The Agreement may be extended on an annual basis upon written agreement of the parties.

2. The section in Attachment A called "Budget," is amended to read as follows:

Budget: The total budget for this Amendment is not to exceed \$158,000 for services within the Scope of Work, which includes Samaritan House's administrative fees and reasonable actual direct costs not included in the fee such as fees paid to a third-party to support the distribution of benefits. All expenses must be supported by detailed receipts or similar documentation.

Samaritan House (Contractor)

By: _____
Laura Bent

Date

San Mateo County Express Lanes Joint Powers Authority (SMCEL-JPA)

By: _____
Rico E. Medina (Chair)

Date

Attest by:

By: _____
Mima Guilles – Secretary of the Board

Date

Approved as to form:

By: _____
Tim Fox

Date