

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

Meeting No. 42
November 18, 2022

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), Diane Papan, Don Horsley, Emily Beach and Maryann Moise Derwin

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: Maryann Moise Derwin, Diane Papan

SMCTA Members: Don Horsley, Emily Beach, Rico E. Medina

Members Absent:

Alicia Aguirre

Staff Present:

Sean Charpentier – Executive Council

Mima Crume – Clerk of the Board

Tim Fox – Legal Counsel

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

April Chan, Grace Martinez – 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

3.0 COVID-19 PANDEMIC STATE OF EMERGENCY

3.1 Review and approval of Resolution SCMEL 22-26 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 Beach MOVED to approve item 3.1. Director Derwin SECONDED. Roll call was taken. **MOTION CARRIED 5-0-0**

4.0 PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

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

Clerk Crume announced that there were no comments from the public.

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. 41 dated October 14, 2022. APPROVED

5.2 Accept the Annual Financial Audit Report for the Fiscal Year Ended June 30, 2022. APPROVED

5.3 Accept the Sources and Uses of Funds for the FY22 Period Ending September 30, 2022. APPROVED

Director Horsley MOVED to approve the consent agenda. Director Derwin SECONDED. Roll call was taken. **MOTION CARRIED 5-0-0**

6.0 REGULAR AGENDA

6.1 Receive information on the recently signed Assembly Bill 2594, its requirements and an update on the payment plan required by the Bill. INFORMATION

The Board received a presentation on the recently signed Assembly Bill 2594, its requirements and an update on the payment plan required by the Bill. The bill mandates expanded customer service, requires payment plan option and eases dispute process for low-income people (Federal Poverty of 200%) and lowers maximum penalties for toll violations (completed). The express lane operators are working together to approve a regionally consistent payment plan by the July 1, 2023, deadline.

Board of Director asked if the penalties go to the JPA. Kaki Cheung answered yes. Director Papan inquired how will debt be shown in the financial records. Grace Martinez said it has not yet been reflected in the books until after there are certainties about the ability to collect. Director Papan asked if this bill requires a uniform repayment plan and discount on penalties with all the other agencies. Sean Charpentier said that the JPA Board has the ability to determine its own course, as long as it meets the legal requirements.

6.2 Receive update on the US 101 Express Lanes operations. INFORMATION

The Board received an update on the US 101 Express Lanes operations. In the first three months of the fiscal year, the data has shown a steady increase in the express lane's usage. Speed differential continue to be good. The average posted toll is also increasing month over month. The volumes and speeds are key inputs on how the algorithm chooses the price. The cumulative revenue shows what are collected through tolls. The community transportation benefits program, or equity program, has shown a 12.8% increase in benefits distributed in September. In regards to the declared occupancy, data is showing about the same IBT percentage, which is around 33%. There is a slight uptick in CAV declaration. There was a previous public comment on the percentage of IBT's not associated with FasTrak accounts. The overall IBT violation rate is 27.2%, which signifies that 27.2% of IBT transactions ultimately result in violation notices being sent to a customer.

Lacy Vong added that the IBT percentage was higher initially, and that number has been going down over time. User education has shown to be helpful, and JPA staff is going to continue to work through the regional public information working group. In December, there will be a more comprehensive update on the Community Transportation benefits program.

Board of Director Derwin asked if there was any data on how the newly opened HOV lanes in the North are performing. Monique Fuhrman said that data is not yet available.

Board of Director Horsley asked if the data on the dashboard is showing actual revenue or projected revenue. Monique said it is showing the potential revenue for all the toll transactions posted during those months.

Board of Director Beach asked if we would have some visibility on CHP violations for people who are declaring one occupancy but really are not. Lacy Vong said the JPA has been collecting data and can report on the effort at future meetings.

6.3 Receive a verbal update on the opening of the 101 Express Lane northern segment. **INFORMATION**

The Board received a verbal update on the opening of the 101 Express Lane northern segment. It's the contractor Kiewit has completed the construction capital phase of the northern segment of the express lanes. Construction was completed ahead of time and within budget. On November 5th, Caltrans also completed the removal of the orange channelizers and barricades within the express lanes. Both northbound and southbound directions are now open to high occupancy vehicles with three or more occupants or HOV 3+, as well as the clean air vehicles with appropriate stickers. With the completion of the construction capital phase, the focus now shifts towards the completion of the installation of the toll system equipment by Transcore. Currently it's 90% complete and is expected to be finished by the end of this month. Once all toll equipment has been installed and connected, Transcore will perform all the necessary testing to

ensure the proper functions of the equipment, and that there's communication between the equipment. The opening of the express lanes is necessary for the testing because we need the vehicles to be on the lane itself when testing is conducted. Based on our current schedule, Transcore will conduct the testing during the months of December and January, and it's expected or hoping operations will begin early next year.

Public Member Drew commented if there will be restriping on Whipple traveling northbound. Van Ocampo answered yes, there will be transitions striping that will be done prior to the opening of the express lane.

7.0 REPORTS

a) Chairperson Report.

Chair Medina reported out that two new members will be joining the SMCEL-JPA Board. Gina Papan will start in December, and Michael Salazar will start in January. He wished Director Diane Papan well in her endeavors and in representing us. He has also thanked Director Derwin and Director Horsley for all their service.

Director Papan commented that this Board was the most important experience she had in elected government with creating a governing body, determining who would get what votes. She is deeply passionate about the equity program. We've learned how to communicate with one another and prioritize the collective goals in this JPA. She has thoroughly enjoyed every step of the way and thanked everyone for this opportunity.

b) Member Communication.

None.

c) Executive Council Report - Executive Council Verbal Report.

April Chan congratulated Director Papan as the new Assembly Member for our district. She has thanked all three Directors for their service. She added we're looking to open the entire corridor early 2023. There will be a ribbon cutting event and would like everyone to be there. Date is to be determined.

Sean Charpentier also thanked all the three Directors, who are transitioning. Staff is preparing proclamations for the Directors at the December meeting to commemorate their service. He has wished the Board and staff a Happy Thanksgiving.

d) Policy/Program Manager Report.

Lacy Vong provided additional congratulatory notes and mentioned that this is her first meeting as the new policy program manager. She wanted to take the opportunity to say how grateful for this opportunity to work on this. She is very happy to be part of the team and looking forward to what is coming over the next year. In the past, Matt has reported that they have been asked to speak at conferences. We continue to

get requests from agencies of this equity program. MTC partners recently reached out to Matt and Lacy about opening a toll road SR37. They have met because MTC was very much interested in how the equity program was developed. Last month Matt and Chair Medina reported that we were working on an East Palo Alto Today article. It has been published. They have also been invited to speak at Commute.org's February meeting. Additional presentations are planned in the South County. The JPA staff confirmed for a February meeting at North Fair Oaks, in addition to getting on the East Palo Alto's council agenda. A more detailed update is planned for December and staff will be providing an update in January about the additional marketing efforts on the program.

8.0 WRITTEN COMMUNICATIONS

None.

9.0 NEXT REGULAR MEETING

December 9, 2022

10.0 ADJOURNMENT – 9:48 a.m.