

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

Meeting No. 39  
August 12, 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

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## 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: Diane Papan (Arrived at 9:33 a.m.)

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

**Members Absent:**

Alicia Aguirre, Maryann Moise Derwin

**Staff Present:**

Sean Charpentier – Executive Council

Carter Mau – Executive Council

Mima Crume – Clerk

Tim Fox – Legal Counsel

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

Carter Mau, April Chan, Joe Hurley – SMCTA staff supporting SMCEL-JPA

Matthew Click, Lacy Vong, Christa Cassidy, Monique Fuhrman – HNTB

Leo Scott – Gray Bowen Scott

Other members of staff and the public were in attendance.

## 2.0 BRIEF OVERVIEW OF TELECONFERENCE MEETING PROCEDURES

Clerk Crume provided an overview of the teleconference meeting procedures.

Chair Rico E. Medina reported that we did not have a quorum. Tim Fox, Legal Counsel, suggested we move to informational items until a quorum is met. The Chair bypassed item 3.0 and moved to the informational item 4.0.

### 3.0 COVID-19 PANDEMIC STATE OF EMERGENCY

- 3.1 Review and approval of Resolution SCMEL 22-23 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. NO ACTION TAKEN

Tim Fox, Legal Counsel, has provided context about AB361 resolution. The bylaws of the JPA agreement state that actions require five (5) members be present for voting. No action was taken on this item.

### 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 not any comments from the public.

### 5.0 Receive update on the construction of San Mateo 101 Express Lanes Project. INFORMATION

The Board received an update on the construction progress of San Mateo 101 Express Lanes Project.

Board of Director Horsley asked a time frame for toll testing. Leo Scott responded that there is equipment testing to make sure that devices are properly communicating with the regional operations center and the total data center. Additionally, there is facility testing under live traffic. Actual test vehicles with transponders drive on the corridor to verify toll transponder information is captured and read correctly. This process may take approximately two months.

Board of Director Beach thanked Mr. Scott and the whole staff team. The construction is going smoothly, and she appreciated Mr. Scott's detailed updates.

Clerk Crume reported that there were not any public comments on this item.

### 6.0 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.

Due to the lack of a quorum, Chair Rico E. Medina announced that item 6.0 has been bypassed.

- 6.1 Approval of the minutes of Board of Directors regular business meeting No. 38 dated July 8, 2022. NO ACTION TAKEN
- 6.2 Information on Sources and Uses of Funds for the FY22 Period Ending June 30, 2022. NO ACTION TAKEN

## 7.0 REGULAR AGENDA

- 7.1 Approve SMCEL Resolution 22-24 adopting proposed changes to the express lanes toll violation penalties, setting the amounts at \$10 and \$20 for the first and second notice (for a total of \$30 after the second notice). NO ACTION TAKEN

Chair Rico E. Medina said item 7.1 will be postponed and carried forward to our September Board meeting.

- 7.2 Receive update on the US 101 Express Lanes operations. INFORMATION

The Board received an update on the US 101 Express Lanes operations.

Board of Director Beach commented that information on physical placards regarding the Community Transportation Benefits Program should be multilingual. Matt Click responded that the placards will be in three languages.

Public Member Drew commented on image-based transaction. Based on last month's presentation, he was seeking clarifications on whether the image-based percentage included just those who receive violation notices in the mail, or the percentage captures those who have FasTrak accounts.

Matt Click responded that the image-based transaction percentage on the dashboard included a combination of the two items. Image-based transaction is a transaction where drivers traveled without a transponder in the vehicle. The transponders may have been forgotten, and for those who do not have FasTrak accounts, toll can be collected using the license plate information.

Chair Rico E. Medina acknowledged the arrival of Director Papan, and moved the discussion back to item 3.0 of the agenda.

## 8.0 REPORTS

- a) Chairperson Report.  
None.
- b) Member Communication.  
None.
- c) Executive Council Report - Executive Council Verbal Report.  
None.
- d) Policy/Program Manager Report.

None.

Board of Director Beach asked for clarification on the JPA bylaws. She inquired if only budget related items require five (5) Board members to be present.

Tim Fox responded that based on section 4.5 of the JPA agreement, it stated that all actions of the Board will require five (5) Board Members to be present for voting. His understanding based on discussions with his colleagues who worked closely with C/CAG and TA, that provision was included to ensure that no action could be taken unless there was general consensus across both C/CAG and the SMCTA membership. He added that there is another rule about any adoption or amendment to the expenditure plan or an agreement with the successor agency would require not only five members to be present, but five affirmative votes. However, this is not applicable here.

#### 9.0 WRITTEN COMMUNICATIONS

None.

#### 10.0 NEXT REGULAR MEETING

September 9, 2022

#### 11.0 ADJOURNMENT – 9:47 a.m.